

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
SEPTEMBER 14, 2021 4:00 P.M.**

DOCKET 1341

10075 LITZSINGER ROAD

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, September 14, 2021.

The following members of the Board were present:

Chairman Liza Forshaw
Ms. Kristen Holton
Mr. Lee Rottmann
Ms. Laura Long
Ms. Elizabeth Panke

Also present were Erin Seele, City Attorney; Andrea Sukanek, City Planner; Anne Lamitola, Director of Public Works; Melissa Barklage, Administrative Assistant; and Mayor Nancy Spewak.

Chairman Forshaw called the meeting to order at 4:00 P.M.

Approval and Adoption of the Agenda and Minutes

Ms. Long made a motion to adopt the Agenda. Mr. Rottmann seconded the motion. All those present were in favor.

Ms. Long made a motion to adopt the Minutes of the July 6, 2021 meeting. Mr. Rottmann seconded the motion. All those present were in favor.

Docket 1341 Petition submitted by Daniel Schmitt for the property located at 10075 Litzsinger Road. The petitioner is requesting relief from Building Commissioner denying a pickle ball court addition due to encroachment into the side yard setback which is prohibited by Ladue Zoning Ordinance #1175, Section V-B-2.

Chairman Forshaw asked the City Planner to explain the reasons for denial. Ms. Sukanek reported that the applicant is requesting relief from the Building Commissioner denying a pickle ball court due to encroachment of 10 feet into the 50-foot side yard setback. Ms. Panke asked if sport courts must also conform to all setbacks. Ms. Sukanek confirmed that they must conform to all accessory structure setbacks.

Chairman Forshaw introduced the following exhibits to be entered into the record:

- Exhibit A – Zoning Ordinance 1175, as amended;
- Exhibit B – Public Notice of the Hearing;
- Exhibit C – Letter of Denial dated July 6 ,2021;
- Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated July 12, 2021;

Exhibit F – Entire file relating to the application.

Austin Helfers, the contractor, took the oath and was sworn in. Mr. Helfers explained that the owners have been wanting to put in a court for some time but have run into issues with a sinkhole on the property. Due to the location of the sinkhole they have chosen to place the court closer to the side boundary, which is the cause for the encroachment into the setback. Mr. Helfers stated there is no fencing or lighting planned for the court, just a small retaining wall. The surface of the court would be concrete painted with green acrylic.

Director of Public Works Anne Lamitola explained that Ladue has a sinkhole ordinance, the city Stormwater Engineer has not finished a review of the proposal, and she is not certain that the current proposed location of the court meets the sinkhole ordinance and stormwater requirements. She recommended that the Board either grant a continuance to allow for such review, or make any approval of a variance contingent on the Stormwater Engineer's approval of the plans. The consensus of the Board was that the sinkhole issue is important to a decision on the requested variance and the case should be continued.

Chairman Forshaw granted the appellant a continuance on the docket case.

Adjournment

At 5:57 p.m. Ms. Long made a motion to Adjourn the meeting. Ms. Panke seconded the motion. A unanimous vote in favor was taken.

DOCKET 1341

DATE OF HEARING September 14, 2021

NAME Daniel Schmitt

DESCRIPTION OF PROPERTY 11075 Litzsinger Road

CAUSE FOR APPEAL The petitioner is requesting relief from Building Commissioner denying a pickle ball court addition due to encroachment into the side yard setback which is prohibited by Ladue Zoning Ordinance #1175, Section V-B-2.

RULING OF THE BOARD The Board granted a continuance to allow for a review of the plans by the City's Stormwater Engineer prior to any decision by the Board.



Ms. Liza Forshaw, Chairman