

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
MARCH 3, 2020 - 4:00PM**

DOCKET 1287
24 Ladue Terrace

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, March 3, 2020 at City Hall.

The following members of the Board were present:

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

Also present were David Streubel, acting City Attorney; Anne Lamitola, Director of Public Works; Roger Stewart, Building Commissioner; Councilman John Fox; Mayor Nancy Spewak; and Lori Wrobel, Administrative Assistant.

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

Approval and Adoption of the Agenda

Ms. Forshaw requested a motion to adopt the agenda. Ms. Panke made the motion and Mr. Rottmann seconded the motion. All those present were in favor and the agenda was adopted.

Approval of the Minutes from the February 4, 2020 meeting

Ms. Long made a motion to approve the minutes as submitted. Mr. Rottmann seconded the motion. All those present were in favor; the minutes were approved.

Docket 1287 Petition is submitted by William and Elizabeth Odell for the property located at 24 Ladue Terrace. Petitioner is requesting relief from the Building Commissioner denying an addition and deck due to encroachment into the front yard setback (19 feet) which is in violation of Ordinance 1175 Section V-B (1) minimum yard, lot area, frontage and lot width.

Mr. Stewart stated the applicant requests a variance to the required front yard setback in a secondary front yard. The proposed addition would encroach 19 feet into the required 40-foot setback.

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 February 3, 2020;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated February 3, 2020;
- Exhibit F – Entire file relating to the application;
- Exhibit G – Handout submitted by applicant;
- Exhibit H – Letters of approval submitted by applicant

William Odell took the oath and addressed the Board. The house was built in 1946 and has been grossly neglected. The staircase is not functional; the steps are steep and narrow and do not comply with the building code. There is insufficient space to build a code-compliant replacement staircase in the same place as the existing staircase. The only solution is to build a new staircase in the proposed addition. The addition would also provide a new kitchen and master bedroom. There are many features of the home that are not up to current code and would not pass an inspection with today's safety controls. There is very little buildable area, and the lot has two front yards. The Architectural Review Board has approved the plans. The existing house was built before the zoning code and is a nonconforming use, as are other houses in Ladue Terrace. The secondary front yard, which abuts McKnight Road, is separated from McKnight by a 6-foot-high privacy fence, so the addition will not be very visible from McKnight.

Cornelia Green, trustee at #33 Ladue Terrace, took the oath and addressed the Board, stating the home is indeed in poor condition. The neighbors invite the improvements and believe this will be good for the neighborhood and home values. The project is also supported by a next-door neighbor and other subdivision trustees.

Discussion ensued including the practical difficulties demonstrated by the extraordinarily limited buildable area in a narrow 30-foot-wide band between two 40-foot front yards and the functional obsolescence of the existing structure.

Mr. Rottmann made the motion to overturn the decision of the Building Commissioner and grant the variance. Ms. Long seconded the motion. All those present were in favor and the variance was granted. The vote was as follows:

Chairman Liza Forshaw	"approve"
Ms. Laura Long	"approve"
Ms. Elizabeth Panke	"approve"
Mr. Lee Rottmann	"approve"

With five (4) votes in favor and zero (0) against, the motion passed, the ruling of the Building Commissioner was overturned, and the variance was granted.

Adjournment

At 5:20 p.m. Ms. Long made a motion to Adjourn the meeting. Ms. Panke seconded the motion. A unanimous vote in favor was taken.

DOCKET 1287

DATE OF HEARING

March 3, 2020

NAME

William and Elizabeth Odell

DESCRIPTION OF PROPERTY

24 Ladue Terrace

CAUSE FOR APPEAL

Petitioner is requesting relief from the Building Commissioner denying an addition and deck due to encroachment into the front yard setback (19 feet) which is in violation of Ordinance 1175 Section V-B (1) minimum yard, lot area, frontage and lot width.

RULING OF THE BOARD

After discussion, on the basis of the evidence presented, the Board finds that practical difficulties exist. The decision of the Building Commissioner is overturned, and the variance is granted.

Ms. Liza Forshaw, Chairman