

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, ST. LOUIS COUNTY
THURSDAY JUNE 30TH, 2022, 4:00 PM**

**DOCKET 1365
20 OVERHILLS DRIVE**

A meeting of the Zoning Board of Adjustment was held at 4:00 PM on Thursday, June 30th, 2022.
The hybrid meeting was held in-person and via ZOOM.

The following members of the Board were present:

Chairman Liza Forshaw
Ms. Laura Long
Ms. Elizabeth Panke
Mr. Lee Rottmann
Ms. Kristen Holten (*via Zoom*)

Also present were Mayor Nancy Spewak; Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Andrea Sukanek, City Planner; and Stacey Mann, City Clerk.

Chairman Forshaw called the meeting to order at 4:04 PM.

Approval and Adoption of the Agenda

Ms. Long moved approval of the agenda, upon second by Ms. Panke the motion carried unanimously.

Approval of Minutes

Ms. Panke moved approval of the May 3, 2022, minutes, upon second by Mr. Rottmann the motion carried unanimously.

Public Forum

None.

Items for Consideration

Docket 1365 Petition has been submitted by Alex and Nina Engelsmann for the property located at 20 Overhills Drive. The petitioner is requesting relief from the Building Commissioner denying an addition due to encroachment into the front yard setback. This is in violation of Ordinance #1175 Section V-B-1.

Mr. Stewart reported that the applicant is requesting a variance to build an addition that would encroach 6 feet into the 50' side yard setback. The property is 3 acres in the "A" district. The house was built in 1935.

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 May 11, 2022
Exhibit D	-	List of Residents sent notice of meeting

- Exhibit E - Letter from resident requesting the variance dated May 25, 2022
- Exhibit F - Entire file relating to the application

Lori Fumagalli (architect) took the oath and were sworn in.

Ms. Fumagalli stated that the home sits on a relatively large lot, and has three front yards; however, due to city ordinances, only two are considered to be front yards. This configuration leaves only a narrow buildable area. The house is nonconforming. Ms. Fumagalli informed the Board that in 2018, a variance was granted to the property for a three-car garage, and that the proposed addition would encroach less into the side yard than the existing garage, which is wholly in the side yard. Ms. Fumagalli added the proposed addition is 6' x 15' and would encroach 6-7' into the setback. She said the property is heavily landscaped on the side facing the neighbor. The proposed one-story addition would line up with the current wall of the house. The purpose of the addition is to update the kitchen and great room.

Board discussion included the restricted building area resulting from streets bordering three sides of the lot, the small size of the proposed addition which is in line with the existing nonconforming house, and the addition encroaching less into the side yard than the current garage.

After discussion of the facts presented, Ms. Long made the motion to overturn the decision of the Building Commission and grant the variances based on practical difficulty. Ms. Panke seconded the motion. The vote was as follows:

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

With five (5) votes in favor and zero (0) against, the motion passed, the ruling of the Building Commissioner is overturned.

Discussion of Proposed Amendments to the Rules and Regulations of the Zoning Board of Adjustment

Ms. Sukanek presented to the Board a proposed amendment to the Zoning Board of Adjustment Rules and Regulations regarding extension of the expiration date of a variance. Ms. Sukanek stated that the current rules require that construction commence within six months of an approved variance. Ms. Sukanek stated that due to the ongoing difficulties with supply of materials, and labor shortages in the industry, staff is proposing that a one-time extension of up to six months may be granted by the Board Chair without the need for a Board meeting. Ms. Sukanek added that if additional time is required, a public hearing and decision of the full Board would be required.

Ms. Long moved to approve the amendment to the Zoning Board of Adjustment Rules and Regulations related to extensions. Upon second by Ms. Rottmann the motion carried unanimously.

Adjournment

The meeting was adjourned upon motion by Ms. Long, and second by Ms. Rottmann at 6:30PM.

DOCKET 1365

DATE OF HEARING

June 30, 2022

NAME

Alex and Nina Engelsmann

DESCRIPTION OF PROPERTY

20 Overhills Dr

CAUSE FOR APPEAL

The petitioner is requesting relief from the Building Commissioner denying an addition due to encroachment into the front yard setback. This is in violation of Ordinance #1175 Section V-B-1.

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 Commissions is overturned, and the variance is granted.



Ms. Liza Forshaw, Chairman