

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
MARCH 7, 2023, 4:00PM
DOCKET 1380
9747 Litzsinger Road**

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, February 7, 2023.

The following members of the Board were present:

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

Also present: Mayor Spewak; Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Paul Garlock, Building Commissioner; Andrea Sukanek, City Planner; and Lori Mullins, Deputy City Clerk.

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

Approval and Adoption of the Agenda

The agenda was adopted unanimously upon motion by Mr. Schlafly and second by Ms. Long.

Approval of the Minutes from the February 7, 2023 meeting

The minutes were approved unanimously upon motion by Mr. Schlafly and second by Ms. Long.

Docket 1380

Petition submitted by Michael Blaes on behalf of Daniel Fort for the property located at 9747 Litzsinger Road. The petitioner is requesting relief from the City Planner denying a covered porch due to encroachment into the side yard setback. This is in violation of Ladue Zoning Ordinance #1175, Section V-B-1 and V.C(1)(a).

Ms. Sukanek explained the denial of the application was due to an encroachment. Located in the B zoning district, the house predates city setback requirements and was built 35' from the property line. The house is legally nonconforming with a 15' encroachment into the required 50' side yard setback. The house currently has a stoop and steps. The applicant proposal is to cover and extend the stoop area and create a 6.5' X 11' or 71 square foot open front porch. The encroachment will be 21.1'.

Ms. 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 January 11, 2023;

Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter requesting the variance dated February 6, 2023;

Exhibit F – Entire file relating to the application

Mr. Michael Blaes, architect, took the oath and explained that the existing front door of the house encroaches into the setback.

Mr. Daniel Fort, homeowner, took the oath and shared that they are doing many improvements to the home, and this is the only one that requires a variance. He is excited about the project and has the support of his neighbors.

Mr. George Fonyo, 9758 Litzsinger, took the oath and commented that the porch is not intrusive, and he would like to see the proposal approved.

After discussion, which noted that the issue in this case is a side yard, not a front yard where we tend to be stricter about encroaching porches, and noted further that the proposed porch is only a small addition to the legal nonconforming front door, Ms. Panke moved to overturn the decision of the City Planner and grant a variance for the open air porch. Mr. Rottmann seconded the motion. The vote was as follows:

The vote was as follows:

Ms. Forshaw	“approve”
Ms. Laura Long	“approve”
Ms. Elizabeth Panke	“approve”
Mr. Lee Rottmann	“approve”
Mr. Schlafly	“approve”

With five (5) votes in favor and zero (0) against, the motion carries, the ruling of the City Planner was overturned, and a variance was granted.

Adjournment

At 5:10 p.m. the meeting adjourned upon motion by Ms. Long and second by Mr. Schlafly.

DOCKET 1380

DATE OF HEARING

February 7, 2023

NAME

Michael Blaes

DESCRIPTION OF PROPERTY

9747 Litzsinger Road.

CAUSE FOR APPEAL

The petitioner is requesting relief from the City Planner denying a covered porch due to encroachment into the side yard setback. This is in violation of Ladue Zoning Ordinance #1175, Section V-B-1 and V.C(1)(a).

RULING OF THE BOARD

After discussion of evidence presented, the Board overturned the decision of the City Planner. A variance is granted.



Ms. Liza Forshaw