

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
JUNE 1, 2021 4:00 P.M.**

DOCKET 1330

12 BRAZILLIAN COURT

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, June 1, 2021.

**DUE TO THE CURRENT RESTRICTIONS ORDERED BY ST. LOUIS COUNTY ON PUBLIC
GATHERINGS DUE TO COVID-19, THE MEETING WAS CONDUCTED BY VIDEO
CONFERENCE VIA ZOOM**

The following members of the Board were present:

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

Also present were Erin Seele, City Attorney; Roger Stewart, Building Commissioner; Lori Wrobel, Administrative Assistant; John Fox, Councilman; and Mayor Nancy Spewak.

Chairman Forshaw called the meeting to order at 4:01 P.M.

Approval and Adoption of the Agenda and Minutes

Ms. Panke made a motion to adopt the Agenda. Ms. Holton seconded the motion. All those present were in favor.

Mr. Rottmann made a motion to adopt the Minutes of the May 4, 2021 meeting. Ms. Panke seconded the motion. All those present were in favor.

Docket 1330

Petition submitted by Davis Martin for the property located at 12 Brazillian Court. The petitioner is requesting relief from the Building Commissioner denying a detached garage due to green space requirements. This is in violation of Ordinance #1175, Section V-G-1.

Mr. Stewart informed the applicant that with only four board members present a variance will not be granted without a unanimous vote.

Mr. Stewart explained that the home in the "D" zoning district was built in 1918. The proposal was denied due to insufficient greenspace in the side yard. A new detached garage replacing an old nonconforming detached garage would result in a small decrease in the side yard greenspace. The proposal increases the hardscape from 28.5% to 29.39%. The ordinance limits the side yard coverage to 25%.

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 April 6, 2021;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated April 12, 2021;
- Exhibit F – Entire file relating to the application

Davis Martin, homeowner, took the oath and addressed the Board. Mr. Martin shared the proposal to replace the previous garage with a small increase in the footprint. The previous garage was in disrepair and not safe for use. The house has only a one-car garage attached to it. The proposed new detached one-story garage would be a small two-car garage. There is no other location for a garage on the lot. The proposal has approval of the Architectural Review Board. The applicant provided numerous written communications from neighbors in support of the proposal.

Board discussion included the practical difficulty of lacking a safe and functional two-car garage, the proposed placement, the small increase in size of the replacement garage, and the extensive vegetation buffer to the rear of the garage.

After discussion of the facts presented, Mr. Rottmann made the motion to overturn the decision of the Building Commissioner and grant the variance. Ms. Panke seconded the motion. The vote was as follows:

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

With four (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 5:46 p.m. Ms. Panke made a motion to Adjourn the meeting. Mr. Rottmann seconded the motion. A unanimous vote in favor was taken.

DOCKET 1330


DATE OF HEARING June 1, 2021

NAME Davis Martin

DESCRIPTION OF PROPERTY 12 Brazillian Court

CAUSE FOR APPEAL The petitioner is requesting relief from the Building Commissioner denying a detached garage due to green space requirements. This is in violation of Ordinance #1175, Section V-G-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 Commissioner is overturned, and the variance is granted.

A handwritten signature in black ink, appearing to read "Liza Forshaw", is written over a solid horizontal line.

Ms. Liza Forshaw, Chairman