

MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
TUESDAY, MAY 1, 2018, 4:00PM

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, May 1st, 2018 at City Hall.

The following members of the board were present:

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

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

Chairman Forshaw called the meeting to order at 4:00 p.m. She stated that there would be one hearing taking place.

Ms. Panke made a motion to adopt the Agenda. Ms. Long seconded the motion. A voice vote was taken. All present voted "aye" and the motion passed.

Ms. Panke made a motion to approve the minutes as submitted. Mr. Rottmann seconded the motion. A voice vote was taken. All present voted "aye" and the minutes were approved.

Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING  
ZONING BOARD OF ADJUSTMENT  
CITY OF LADUE, MISSOURI  
DOCKET NUMBER 1245**

Notice is hereby given that the Zoning board of Adjustment of the City of Ladue, St. Louis County, Missouri, will hold a public hearing on a petition submitted by Kingbridge Homes, LLC for the property located at 820 S Price Road. Petitioner is requesting relief from the Building Commissioner denying a fence due to required front yard setback of 50 feet and a maximum of 42" high this is in violation of Ordinance 1175 Section IV-C (1)(a).

The hearing will be held at 4:00 p.m. Tuesday, May 1st, 2018, at the Ladue City Hall, 9345 Clayton Road.

The hearing will be public and anyone interested in the proceedings will be given the opportunity to be heard.

Pursuant to Section 610.022 RSMo, the Zoning Board of Adjustment could vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under section 610.021 (1) RSMo.

Chairman Forshaw asked the Building Commissioner for an explanation of the denial.

Mr. Stewart stated the redeveloper of residential property located at 820 S Price Road was proposing to install a solid fence within the 50-foot required front yard setback, which would be 8' high for a portion and 6' high for the portion closer to Price Road. The proposed fence would be set back at least 10' from Price Road. The code allows for only a 36" high solid fence in the front yard

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 March 23, 2018;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the appellant requesting the variance dated April 2, 2018;
- Exhibit F – Entire file relating to the application

The Court Reporter administered the oath to John Suelthaus, President of Kingbridge Homes.

Mr. Suelthaus stated that Kingbridge Homes, LLC is in the process of building 2 new homes at 810 and 820 S Price. These lots are adjacent to commercial property at the corner of Price and Clayton Roads. The existing fence is a 5' chain link separating the side and rear residential lot(s) from the commercial property. He is requesting an adequate buffer from dumpsters, debris and parking.

Public Comment Closed

A discussion ensued regarding facts presented, including the desirability of screening from the commercial property, the lack of any objections by neighboring property owners, and the minimal impact of a fence running perpendicular (not parallel) to Price Road and set back 10' from Price Road. Board members concluded that based on subsection (8) of the fence ordinance they have authority to grant a variance allowing a 6' high fence in a front yard abutting a major thoroughfare such as Price Road.

Ms. Long made the motion to grant a variance for a 6' tall fence (i.e., with no section exceeding 6' in height).

The vote was as follows:

Chairman Liza Forshaw	"in favor"
Mr. Lee Rottmann	"in favor"
Ms. Elizabeth Panke	"in favor"
Ms. Laura Long	"in favor"
Mr. Dan Welsh	"in favor"

With (5) votes in favor, the variance as amended was granted as amended.

Mr. Welsh made a motion to adjourn at 4:30. Mr. Rottmann seconded the motion. A voice vote was taken. All voted "aye" and the meeting adjourned.

DOCKET 1245

DATE OF HEARING	May 1, 2018
NAME	Kingbridge Homes, LLC
DESCRIPTION OF PROPERTY	820 S Price Road
CAUSE FOR APPEAL	Requesting relief from the Building Commissioner denying a permit for a fence which would violate the maximum height for a solid fence of 36" in a required front yard as set forth in Ordinance 1175 Section IV-C (1) (a).
RULING OF THE BOARD	After a discussion of the facts presented, the Board approved a variance for a fence not to exceed 6' in height.



Ms. Liza Forshaw, Chairman