

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
May 5, 2020 4:00 P.M.**

DOCKET 1289

3 Willow Hill Road

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, May 5, 2020
**DUE TO THE CURRENT RESTRICTIONS ORDERED BY ST. LOUIS COUNTY ON PUBLIC GATHERINGS DUE
TO COVID-19, THE MEETING WAS CONDUCTED BY TELECONFERENCE VIA ZOOM**

The following members of the Board were present:

Mr. David Schlafly
Ms. Laura Long
Ms. Elizabeth Panke
Mr. Lee Rottmann
Mr. Dan Welsh
Sub: Mr. Lee Rottmann

Also present were Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Roger Stewart, Building Commissioner; and Mayor Spewak.

Mr. Schlafly called the meeting to order at 4:00 P.M. standing in for Chairman Forshaw.

Approval and Adoption of the Agenda and Minutes

Ms. Panke made a motion to adopt the agenda and Minutes of the March 3, 2020 meeting. Mr. Rottmann seconded the motion. All those present were in favor.

Docket 1289 Petition is submitted by Patrick Bader for the property located at 3 Willow Hill Road. Petitioner is requesting relief from the Building Commissioner denying a covered patio. This property has two front yards with front yard setbacks, the covered patio would be encroaching into the front yard setback on this property, which is in violation of Ordinance 1175, Section V-B (1).

Mr. Stewart stated the applicant requests a variance for a covered patio that encroaches 10 feet into the 40 foot front yard setback of one of the two front yards. The patio already exists and the applicant wishes to build a cover over it which would be attached to the house.

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 13, 2020;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated February 27, 2020;

Exhibit F – Entire file relating to the application

Patrick Bader was sworn in and addressed the Board. He is requesting a variance to cover an existing patio to provide protection from sunlight. Mr. Bader has done extensive projects to alleviate storm water issues in his yard and neighboring yards. Photos of the standing water problem were provided. Building a detached covered patio closer to the road, though permissible, would interfere with the drainage solutions in place. The Lorenzo Lane subdivision trustees, directly behind his yard, have no objections as long as natural screening is in place. The proposal has A.R.B. approval. There is no known objection from any adjacent homeowners.

Tim Kaufmann, 4 Willow Hill, took the oath and addressed the Board in strong support of the attached patio as representing the best way to avoid exacerbating storm water issues affecting his property. His yard abuts 3 Willow Hill and its drainage lines tie into the drainage pipes under 3 Willow Hill. He is appreciative of all the improvements Mr. Bader has made to the home and yard.

After discussion of the facts presented, including the two front yards and the need to keep existing drainage pipes in place, it was determined that practical difficulties exist. Mr. Schlafly made the motion to overturn the decision of the Building Commissioner and grant the variance. Ms. Long seconded the motion. The vote was as follows:

Chairman Liza Forshaw	“approve”
Ms. Laura Long	“approve”
Ms. Elizabeth Panke	“approve”
Mr. David Schlafly	“approve”
Mr. Dan Welsh	“approve”

With five (5) 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 6:29 p.m. Ms. Long made a motion to Adjourn the meeting. Ms. Panke seconded the motion. A unanimous vote in favor was taken.

DOCKET 1289

DATE OF HEARING May 5, 2020

NAME Patrick Bader

DESCRIPTION OF PROPERTY 3 Willow Hill Road

CAUSE FOR APPEAL Petitioner is requesting relief from the Building Commissioner denying a covered patio. This property has two front yards with front yard setbacks, the covered patio would be encroaching into the front yard setback on this property, which 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 Commissioner is overturned, and the variance is granted.

Ms. Liza Forshaw, Chairman