

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
JANUARY 5, 2021 4:00 P.M.**

DOCKET 1316

6 VISTA BROOK LANE

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, January 5, 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. Laura Long
Ms. Elizabeth Panke
Mr. Lee Rottmann
Mr. Dan Welsh

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

Chairman Forshaw called the meeting to order at 4:03 P.M.

Chairman Forshaw observed that the new year necessitates electing the Chairman and Vice-Chairman of the Board.

Ms. Panke made the motion to elect Ms. Forshaw as the Chairman; seconded by Ms. Long. All those present were in favor.

Ms. Long made the motion to elect Mr. Welsh as the Vice-Chairman; seconded by Ms. Panke. All those present were in favor.

Approval and Adoption of the Agenda and Minutes

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

Ms. Long made a motion to adopt the Minutes of the December 1, 2020 meeting. Ms. Panke seconded the motion. All those present were in favor.

Docket 1316 Petition submitted by Ralph Johnston Hager III for the property located at 6 Vista Brook Lane. The petitioner is requesting relief from the Building Commissioner denying a generator due to encroachment into the side yard setback which is in violation of Ladue Zoning Ordinance #1175, Section V-B (2).

Mr. Stewart stated the applicant Johnston Hager requests a variance to encroach on a side yard setback in the "A" Zoning District in violation of Ordinance 1175, Section V, (B), (2). The generator added to the lot encroaches into the 50-foot required side setback about 20 feet.

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 November 4, 2020;

Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated November 18, 2020;

Exhibit F – Entire file relating to the application

Mr. Hager took the oath and addressed the Board, reporting that his family has lost power eleven times since moving in November of 2019. The family has two children under the age of two. The selected generator is the quietest one available, and the proposed placement is 475 feet from the nearest neighbors. These neighbors are in support of the variance. The location was selected given that it is a level area behind the detached garage. Other possible locations would require landscaping, grading and a retaining wall. There are 14 homes on the same grid that have all experienced the same frequency of power outages; many of which have lasted for over 24 hours. The detached garage is nonconforming and a variance was granted in 2006 for its placement.

Board discussion included:

Recurring power outage problems in Ladue and the increased demand for generators

Prior approval of variances for generators

Optimal placement

Support of neighbors

Applicant's efforts to minimize noise

Not exceeding the existing encroachment of the detached garage, which was authorized by a previous variance.

After discussion of the facts presented, including the existing encroachment, the Board determined that practical difficulties exist. Ms. Panke 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. Lee Rottmann	"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 5:23 p.m. Ms. Panke made a motion to Adjourn the meeting. Ms. Long seconded the motion. A unanimous vote in favor was taken.

DOCKET 1316

DATE OF HEARING January 5, 2021

NAME Johnston & Amanda Hager

DESCRIPTION OF PROPERTY 6 Vista Brook Lane

CAUSE FOR APPEAL Petition is submitted by Johnston & Amanda Hager for the property located at 6 Vista Brook Lane. The petitioner is requesting relief from the Building Commissioner denying a generator due to encroachment into the side yard setback which is in violation of Ladue Zoning Ordinance #1175, Section V-B (2).

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