

**MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
TUESDAY, DECEMBER 7, 2021, 4:00PM**

**Docket 1350**

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, December 7, 2021.

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 David Streubel, acting City Attorney; Anne Lamitola, Director of Public Works; Roger Stewart, Building Commissioner; Andrea Sukanek, City Planner; Lori Wrobel, Deputy City Clerk; and Mayor Nancy Spewak.

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

**Approval and Adoption of the Agenda and Minutes**

Mr. Welsh made a motion to adopt the agenda. Mr. Rottmann seconded the motion. All those present were in favor.

Ms. Panke made a motion to adopt the Minutes of the October 5, 2021 meeting. Mr. Rottmann seconded the motion. All those present were in favor.

**Docket 1350**            Petition submitted by William and Mary Cooper for the property located at 10030 Conway Road. The petitioner is requesting relief from the City Planner denying a fence due to fence restrictions in a front yard. This is in violation of Ladue Zoning Ordinance #1175, Section IV-C-1.

Ms. Sukanek reported the reason for denial is the fence the applicants are requesting to replace is an existing 6' nonconforming fence around a pool in a front yard. Privacy fences are not allowed in a front yard of a private street. In front yards, fences must be 40% open and no more than 42 inches tall.

Vice- Chairman Welsh 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 October 26, 2021;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated October 31, 2021;
- Exhibit F – Entire file relating to the application

Mr. Cooper and Cynthia Bitting took the oath and addressed the Board. Mr. Cooper stated that the pool and fence were erected in 2005-2007, prior to the roads being developed (Stonehenge Lane and Conway Woods Lane). The pool was not originally in a front yard, but it is now (on Conway Woods Lane). The fence, which provides privacy for the pool from two roads, is in disrepair and needs to be replaced. The same materials will be used and the fence height will not be changed. An additional point is that the neighboring property driveway is raised 30" above ground level with a retaining wall, so that the applicant's 6' fence appears only 42" tall from that direction.

The Board members discussed the unusual situation of roads being constructed after the home was established. The property line was discussed and a survey showed the fence to be on the Cooper property.

After discussion of the facts presented, including multiple front yards and the importance of a privacy fence for a pool that predates the road in question, the Board found practical difficulties exist. Ms. Long moved that the ruling of the City Planner be overturned. Mr. Rottmann 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 is granted.

### **Adjournment**

At 5:48 p.m. Ms. Long made a motion to Adjourn the meeting. Mr. Rottmann seconded the motion. A unanimous vote in favor was taken.

DOCKET 1350

DATE OF HEARING December 7, 2021

NAME William and Mary Cooper

DESCRIPTION OF PROPERTY 10030 Conway Road

CAUSE FOR APPEAL The petitioner is requesting relief from the City Planner denying a fence due to fence restrictions in a front yard. This is in violation of Ladue Zoning Ordinance #1175, Section IV-C-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.



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Ms. Liza Forshaw, Chairman