

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, June 6, 2016

DOCKET 1198

2 Lindworth Drive

A meeting of the Zoning Board of Adjustment was held at 3:00 p.m. on Monday, June 6, 2016, at City Hall.

The following members of the board were present:

Mr. Stanley Walch
Mr. David Schlafly
Ms. Elizabeth Panke
Mr. Daniel Welsh
Mr. Lee Rottmann

Also present were: Mr. William Penney, Building Official; Ms. Anne Lamitola, Director of Public Works; Ms. Andrea Sukanek, City Planning Consultant, and Ms. Erin Seele, City Attorney. Councilman John Fox and Mayor Nancy Spewak were also in attendance.

Mr. Walch called the meeting to order at 3:00 PM.

Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1198**

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 Mr. & Mrs. Nollau, 2 Lindworth Drive, requesting relief from the ruling of the Building Official denying a building permit for an accessory building which would result in:

- an accessory building being located in a front yard of a corner lot of the property which is prohibited by sections IV-A-4(c) of Ordinance #1175
- an accessory building that would exceed 650 square feet in the 'C' residential district which is prohibited by IV-A-(4)(b) of Ordinance #1175

The hearing will be held at 3:00 p.m. on Monday, June 6, 2016, at the 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.

Stanley Walch, Chairman

Zoning Board of Adjustment

Mr. Walch asked Building Official Will Penney for an explanation with regard to the denial of the permit for the garage. Mr. Penney explained that the proposed detached garage would be located in a front yard because the property is a corner lot. The zoning ordinance does not allow for accessory uses in a required or actual front yard. Additionally, the proposed garage exceeds the allowable square footage of 650 square feet which is the maximum permitted for zoning district C. The proposed total square footage of the two-story garage is 2174 square feet.

Mr. Walch 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 – Permit denial dated March 17, 2016;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letters from the resident requesting the variance dated March 18, 2016 and May 16, 2016
- Exhibit F - Entire file relating to the application

The court reporter administered the oath to Mr. Steve Nollau, 2 Lindworth Drive and Mr. Sam Walton, 1717 S. McKnight.

Mr. Nollau provided background on the proposed project and the development of two walkway connections between the home and the proposed garage in response to feedback received at the May meeting. Mr. Nollau stated we would like to comply with the requirement to attach the garage to the primary structure. He also stated that the hardships are having a dated home that contains a 2-car garage and that due to his car collecting hobby; he needs garage space for six cars. Furthermore, the irregular lot configuration and double lot frontage causes a practical difficulty in building the desired four-car garage. The slope of the lot to the east and the drainage-way on the eastern portion of the property causes some restrictions on the parcel. He stated that attaching garage space with a common wall or shared roof is not financially feasible and would be difficult to adhere to setbacks.

Mr. Nollau presented two options for a connection between the home and the garage; one of which was a trellis and the other a covered walkway, both of which he stated will be complementary to the existing home and proposed garage.

Mr. Sam Walton, 1717 S. McKnight, came forward to address whether the plan will negatively impact the character of the neighborhood and he asserted that in his opinion it would be attractive.

Mr. Darryl Labruyere, project architect, was sworn in and explained the two options in further detail.

The public comment portion of the meeting was closed.

Commission discussion began. Ms. Panke stated that it is a good use of the property as designed and that the architectural review board could weigh in on the trellis option and the covered walk way option.

Mr. Welsh stated that the applicant has proposed a covered walk way and asked whether the Board has the authority to modify the interpretation of the building official on the attachment of the garage to the primary home.

Mr. Walch stated that the Board can overrule interpretations made by the Building Official.

Mr. Schlafly moved that based on the evidence presented, a practical difficulty exists and the interpretation of the Building Official be overruled, and that either a trellis or walkway will constitute a connection creating an attachment and that the applicant can construct the project as show on the plans dated May 17, 2016. Mr. Rottmann seconded the motion. It was clarified that the square footage is not a factor due to the interpretation of the Board that either the trellis or walkway would constitute an attachment. Mr. Walch called for a vote with regard to this variance request and the vote was as follows:

Mr. Stanley Walch	"Approve"
Mr. David Schlafly	"Approve"
Ms. Elizabeth Panke	"Approve"
Mr. Daniel Welsh	"Approve"
Mr. Lee Rottmann	"Approve"



Mr. Stanley Walch, Chairman

DOCKET 1198

DATE OF HEARING	June 6, 2016
NAME	Mr. & Mrs. Nollau
DESCRIPTION OF PROPERTY	2 Lindworth Drive
CAUSE FOR APPEAL	Relief from the ruling of the Building Official denying a building permit for garage which would not meet the following: would result in: <ul style="list-style-type: none">▪ an accessory building being located in a front yard of a corner lot of the property which is prohibited by sections IV-A-4(c) of Ordinance #1175▪ an accessory building that would exceed 650 square feet in the 'C' residential district which is prohibited by IV-A-(4)(b) of Ordinance #1175
RULING OF THE BOARD	After a discussion of the facts presented, the Board determined that a covered walkway or trellis would constitute an attachment and overruled the interpretation of the Building Official.