

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
TUESDAY, JUNE 6, 2023, 4:00PM**

DOCKET 1388

35 Somerset Downs Drive

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, June 6, 2023.

The following members of the Board were present:

Chairman Liza Forshaw
Mr. Jon Dalton
Ms. Kristen Holton
Ms. Laura Long
Ms. Elizabeth Panke

Also present were Mayor Spewak; Erin Seele, City Attorney; Paul Garlock, Building Official; Andrea Sukanek, City Planner; and Lori Mullins, Deputy City Clerk.

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

Approval and Adoption of the Agenda and Minutes

The agenda was adopted unanimously upon motion by Ms. Panke and second by Ms. Long.

The minutes of the **May 2, 2023**, meeting were approved unanimously upon motion by Ms. Long and second by Mr. Dalton.

Docket 1388

Petition submitted by Melissa and Joseph Jedlicka for the property located at 35 Somerset Downs Drive. The petitioner is requesting relief from the City Planner denying a garage addition due to an encroachment into the side yard setback which is in violation of Ladue Zoning Ordinance #1175, Section V-B-1 and V-C-1(b).

Ms. Sukanek explained that the applicant is requesting a variance to replace a garage in the "A" zoning district. The proposed garage encroaches 8' 8" into the required 50' side yard setback, with an encroaching area of 82 square 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 April 20, 2023;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated April 27, 2023;
- Exhibit F – Entire file relating to the application

Exhibit G – Letter supporting the variance from 4 neighbors and 2 subdivision trustees

Mr. Joseph Jedlicka took the oath and addressed the Board, stating that the proposed 2-car garage is to supplement the existing garage, which is not wide enough to be able to open car doors when containing their 2 cars. The width of the existing garage is only 17 feet. Other options were considered but this proposal creates a smaller encroachment. He consciously chose a design that would encroach as little as possible. Several vehicles and other items are currently stored outside, which would be housed in a new larger garage. Parking in the driveway elicits security concerns, as the neighborhood has encountered significant security issues including break-ins of outside parked cars. The design has approval of the Architectural Review Board. The new garage would be 26' x 28' for a total addition of 728 square feet on a single level. All four adjoining neighbors support the proposal. The new garage would be barely visible from the street (it would be well screened by existing trees and shrubs) and would be 150' from the nearest neighbor's house. The lot is an irregular shape and is bisected by an MSD easement and culvert, which makes much of the 3-acre lot off limits for building. The house is a 5-bedroom, 6,200 square foot home that needs more than a one-car garage.

Board discussion included:

- the impracticality of the existing one-car garage
- small size of the proposed new garage and encroachment
- the irregular shape of the lot and the limited buildable area due to the MSD easement
- the history of an unusual amount of crime on Somerset Downs, which led to installation of a gate and a fence variance for the entrance to the subdivision
- Architectural Review Board's approval
- strong support of neighbors
- the small extent of the encroachment

After discussion, Ms. Long moved approval of the variance, seconded by Mr. Dalton. The vote was as follows:

Chairman Liza Forshaw	"approve"
Ms. Kristen Holton	"approve"
Ms. Laura Long	"approve"
Ms. Elizabeth Panke	"approve"
Mr. Jon Dalton	"approve"

With five (5) votes in favor and zero (0) against, the motion passed, and the decision of the City Planner is reversed, and the variance granted.

Adjournment

The meeting was adjourned unanimously upon motion by Ms. Long and second by Mr. Dalton at 4:25 p.m.

DOCKET 1388

DATE OF HEARING

JUNE 6, 2023

NAME

Joseph Jedlika

DESCRIPTION OF PROPERTY

35 Somerset Downs

CAUSE FOR APPEAL

The petitioner is requesting relief from the City Planner denying a garage addition due to an encroachment into the side yard setback which is in violation of Ladue Zoning Ordinance #1175, Section V-B-1 and V-C-1(b).

RULING OF THE BOARD

After discussion, on the basis of the evidence presented, the Board finds practical difficulties exist. The decision of the City Planner is reversed, and the variance granted.


Ms. Liza Forshaw, Chairman