

DOCKET 1138

DATE OF HEARING	May 6, 2013
NAME	Summers Compton Wells PC
DESCRIPTION OF PROPERTY	8909 Ladue Road
CAUSE FOR APPEAL	Relief from the decision of the Building Official for a relocated entrance, which violates Section VI, A, (9) of Zoning Ordinance 1175.
RULING OF THE BOARD	After a discussion of the facts presented, the Board reversed the decision of the Building Official based on an unnecessary hardship and approved the variance per the site plan dated February 6, 2013, with the condition that the basement continue to be used for storage purposes only.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, May 6, 2013

DOCKET 1138
8909 Clayton Rd.

A meeting of the Zoning Board of Adjustment was held at 4:00 PM on Monday, May 6, 2013, at City Hall.

The following members of the board were present:

Mr. Stanley Walch, Chairman
Ms. Elizabeth Panke
Ms. Liza Forshaw
Mr. Fred Goebel
Mr. John Schillington

Also present were: Mayor Nancy Spewak; Mr. John Maupin, City Attorney; Mr. Michael Gartenberg, Building Official; and Mr. James Schmieder, Building Department.

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1138**

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 Summers Compton Wells PC, 8909 Ladue Road, St. Louis, MO 63124, requesting relief from the ruling of the Building Official who declined to issue a permit to relocate the parking lot entrance which violates Section VI, A, (9) of Ordinance 1175.

The hearing will be held at 4:00 p.m. on Monday, May 6, 2013, 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

Chairman Walch called the meeting to order.

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 April 8, 2013;
Exhibit D – List of Residents sent notice of meeting;
Exhibit E – Letter from the applicant requesting the variance dated April 15, 2013, and any letters of support;

Exhibit F – Entire file relating to the application;

Mr. Gartenberg explained that the proposed entrance eliminated four parking spaces and increased the degree of non-conformity of the City's parking regulation as required by Zoning Ordinance 1175.

Mr. Ron Compton, representative from Summers Compton Wells, stated the building has ample parking for its current use and rarely uses all of the spaces available in the front of the building and never uses any of the parking available in the rear of the building. Mr. Compton noted the proposed entrance would improve traffic flow on the property and on Ladue Rd.

Mr. Goebel asked if the building only had a single tenant. Mr. Compton confirmed Summers Compton Wells is the only tenant and the building does not have any vacant space available for an additional tenant. Mr. Compton noted the building consists of two stories and a basement storage area which serves a total of 42 employees.

Mr. Gartenberg explained the total parking required by zoning is one space for every 200 square feet of floor area.

Mr. Lee Canon stated the parking lot entrance is near vicinity to the intersection of Ladue and I-170 creating a safety issue for people entering and exiting the site. The proposed modification would improve turning radiuses for traffic and increase pedestrian and vehicle safety.

There being no one further wishing to speak, Chairman Walch closed the public comment portion of the public hearing.

Mr. Walch noted a clear case of hardship based on the safety issues, particularly for vehicles exiting the site onto Ladue Rd.

Ms. Forshaw agreed and noted the primary problem was traffic flow and safety, not the number of parking spaces available.

Ms. Toft noted that the irregular shape of the lot and its dimensions creates a hardship.

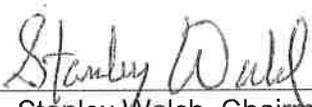
Ms. Forshaw moved that on the basis of the evidence presented practical difficulties exist and the decision of the Building Official is reversed, and a variance granted based on the site plan dated February 6, 2013 with the condition that the basement continue to be used for storage purposes only.

The motion was seconded by Mr. Schillington.

The vote on the motion was follows:

Mr. Walch	"Aye"
Ms. Panke	"Aye"
Ms. Forshaw	"Aye"
Mr. Goebel	"Aye"
Mr. Schillington	"Aye"

Mr. Walch declared the request for a variance granted and the decision of the Building Official reversed.


Stanley Walch, Chairman