

DOCKET 1160

DATE OF HEARING	May 5, 2014
NAME	Elmer Wind
DESCRIPTION OF PROPERTY	9160 Clayton Rd.
CAUSE FOR APPEAL	Relief from the decision of the Building Official for an addition and required parking located in the required side yard which violates Sections V,C,1, (a) & (b) and VI, A of Ordinance 1175.
RULING OF THE BOARD	After a discussion of the facts presented, the Board determined a hardship exists and the decision of the Building Official was reversed and the variance granted per the site plan dated 4/11/2014.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, May 5, 2014

DOCKET 1160
9160 Clayton Rd.

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, May 5, 2014, at City Hall.

The following members of the board were present:

Mr. Stanley Walch, Chairman
Ms. Robbye Toft, Vice-Chair
Ms. Liza Forshaw
Ms. Elizabeth Panke
Mr. John Shillington

Also present were: Mayor Nancy Spewak, Mr. James Schmieder, Director of Building & Zoning, and Mr. Michael Gartenberg, Building Official.

Chairman Walch called the meeting to order. Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1160**

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 Elmer Wind, 9160 Clayton Rd. St. Louis, MO 63124, requesting relief from the ruling of the Building Official who declined to issue a permit for an addition which violates Sections V,C,1, (a) & (b) and VI, A of Ordinance 1175.

The hearing will be held at 4:00 p.m. on Monday, May 5, 2014, 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 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 14, 2014;
Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from Mr. Wind requesting the variance, and any letters of support.

Exhibit F – Entire file relating to the application;

Mr. Gartenberg explained that the proposed addition and proposed required parking was located in the required side yard which is in violation of Zoning Ordinance 1175.

Mr. Dan Burke, attorney from Armstrong Teasdale, noted Busch's Grove had previously been granted similar variances for a building addition and required parking in the required side yard. Mr. Burke presented the proposed plan to the Board and explained the proposed addition would match the existing wall of the current structure.

Mr. Burke explained altering the design to comply with the required side yard setback would eliminate additional parking spaces. Mr. Burke commented that the proposed use as a medical facility would be less intense than the previous uses as a restaurant and high end market.

Dr. Lauren Munsch stated she has received several letters of support from adjacent property owners.

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

Mr. Shillington commented the parking variance was a technicality given the previous variance that had been granted for required parking in the required front and side yards. Mr. Shillington explained the required side yard is increased due to the adjacent residential district but noted the Monastery is supportive of the project.

Vice-Chair Toft commented the adjacent neighbor is unlikely to change in the foreseeable future and that the Monastery provides adequate buffer to the proposed use and addition.

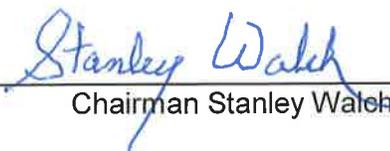
Ms. Toft moved that based on the evidence practical difficulties exist and the decision of the Building Official is reversed, and a variance granted based on the site plan dated April 11, 2014.

The motion was seconded by Ms. Panke.

The vote on the motion was follows:

Mr. Stanley Walch, Chairman	"Aye"
Ms. Robbye Toft, Vice-Chair	"Aye"
Ms. Liza Forshaw	"Aye"
Ms. Elizabeth Panke	"Aye"
Mr. John Shillington	"Aye"

Chairman Walch declared the decision of the Building Official was reversed and the variance granted.


Chairman Stanley Walch