

DOCKET 1195

DATE OF HEARING	March 7, 2016
NAME	Granaway Shops
DESCRIPTION OF PROPERTY	9701 Clayton Road
CAUSE FOR APPEAL	Relief from the ruling of the City Planning Consultant denying a sign permit for a low monument sign which would not meet the requirement that low monument signs be permitted only for buildings that are located a minimum of 60 feet from the property line and that the low monument sign be located a minimum of ten (10) feet from the right-of-way which is outlined in Section X-F-4 of Zoning Ordinance #1175. The Granaway Building is approximately 30 feet from the property line and the proposed sign would be setback six (6) feet from the property line
RULING OF THE BOARD	After a discussion of the facts presented, the Board approved the variance for the low monument sign located on a property where the building is less than the required 60 feet from the property line and the decision of the Building Official was overturned. The Board denied the requested variance to allow a low monument sign within the required 10 foot setback from the front property line.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, March 7, 2016

DOCKET 1195

9701 Clayton Road

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, March 7, 2016, at City Hall.

The following members of the board were present:

Ms. Liza Forshaw, Acting Chairman
Ms. Laura Long
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. Erin Seele, City Attorney, Ms. Andrea Sukanek, City Planning Consultant

Ms. Forshaw called the meeting to order at 4:00 PM.

Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1195**

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 Granaway Shops, 9701 Clayton Road, requesting relief from the ruling of the City Planning Consultant denying a sign permit for a low monument sign which would not meet the requirement that low monument signs be permitted only for buildings that are located a minimum of 60 feet from the property line and that the low monument sign be located a minimum of ten (10) feet from the right-of-way which is outlined in Section X-F-4 of Zoning Ordinance #1175. The Granaway Building is approximately 30 feet from the property line and the proposed sign would be setback six (6) feet from the property line.

The hearing will be held at 4:00 p.m. on Monday, March 7, 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

Ms. Forshaw asked City Planning consultant Andrea Sukanek for an explanation with regard to the denial of the sign permit. Ms. Sukanek explained that a monument sign is only permitted if the building is located 60 or more feet from the property line. The Granaway building is located 30 feet from the property line. Additionally, the sign must be located 10 feet or more from the right-of-way line and the proposed sign is shown located six feet from the Clayton Road right-of-way line.

Ms. 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 – Permit denial dated December 14, 2015;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated January 7, 2016
- Exhibit F - Entire file relating to the application
- Exhibit G – One photo of an existing monument sign on a nearby commercial property

The court reporter administered the oath to Mr. Bruce Ritter, project manager with Signcrafters, the sign company representing Granaway Shops at 9701 Clayton Road. He explained that the existing sign is parallel to the building and the proposed sign would be perpendicular for improved visibility and would include a directory with the various tenants. The square footage of the sign would be 25 square feet which is permitted for monument signs in locations where they are permitted. He provided a picture of a low monument sign on a nearby property that he suggested may be in violation of the sign ordinance. City staff clarified that if the principal building on that particular property was located 60 or more feet from the property line, a low monument sign would be permitted. Without measuring the distance of that nearby property, it is unclear whether or not it is compliant, but it was agreed that that particular building is located farther from Clayton Road than the Granaway Building at 9701 Clayton Road.

Mr. Ritter stated that the proposed sign will not impact ingress/egress for the shopping center. He stated that the hardship for the proposed variance is the unusual angled configuration of the retail building which contains tenants that do not have adequate visibility from Clayton Road. He stated that a directory for the property would improve the visibility for the various tenants within the development.

Ms. Lamitola stated that the location of the property line requires clarification as it is not necessarily in the same location as the back of the sidewalk as indicated on the submitted site plan.

No one from the public came forward to speak on this matter and the Public Hearing was closed.

Ms. Panke stated that there is no hardship with regard to the required 10 foot setback from the right-of-way line because there is adequate green space for the sign to be located within that area between the sidewalk and the primary structure.

Ms. Long stated that the building is not located 60 feet from the front property line, but the building is oddly configured with some tenants sitting back much further from Clayton Road than others.

Chairman Forshaw stated that the modified V-shaped building is unusual and perhaps unique to the City of Ladue.

Mr. Welsh stated there is nothing to be done about the location of the structure in relation to Clayton Road. He stated that the hardship is due to the location of the structure and that the sign should be permitted to be turned 90 degrees for improved visibility.

Chairman Forshaw inquired as to whether the existing low monument sign that is parallel to the roadway is conforming and Ms. Sukanek stated that it is non-conforming.

Ms. Panke noted other monument signs that are present throughout the City of Ladue at various commercial developments and she stated that she is in favor of the development being allowed a low monument sign.

It was clarified that the variance is necessary because the primary structure is not 60 feet from the property line which is the requirement for a low monument sign.

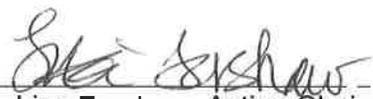
Ms. Long moved that based on the evidence presented, a practical difficulty exists and the decision of the City Planning Consultant be reversed, and a variance should be granted to construct the low monument sign on the property which does not meet the requirements of containing a building located at least 60 feet from the front property line. Ms. Panke seconded the motion. Ms. Forshaw called for a vote with regard to this variance request and the vote thereupon was as follows:

Ms. Liza Forshaw	"Approve"
Ms. Laura Long	"Approve"
Ms. Elizabeth Panke	"Approve"
Mr. Daniel Welsh	"Approve"
Mr. Lee Rottmann	"Approve"

The request for the variance to permit a low monument sign on a property with the primary structure less than 60 feet from the front property line was approved.

Ms. Long moved to deny the variance for the proposed monument sign to be located within the required 10 foot setback from the front property line. Ms. Forshaw called for a vote with regard to the right-of-way variance and the vote thereupon was as follows:

Ms. Liza Forshaw	"Deny"
Ms. Laura Long	"Deny"
Ms. Elizabeth Panke	"Deny"
Mr. Daniel Welsh	"Deny"
Mr. Lee Rottmann	"Deny"


Ms. Liza Forshaw, Acting Chairman