

DOCKET 1168

DATE OF HEARING	November 3, 2014
NAME	Waldrand Trust IV
DESCRIPTION OF PROPERTY	20 Upper Ladue Rd. St. Louis, MO 63124
CAUSE FOR APPEAL	Relief from the decision of the Building Official for a new residence which violates Section V, 2 (a) of Zoning Ordinance 1175.
RULING OF THE BOARD	After a discussion of the facts presented, the Board approved the variance for the addition because of the existence of a practical difficulty and the decision of the Building Official is reversed.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
MONDAY NOVEMBER 3, 2014

DOCKET 1168
20 UPPER LADUE ROAD

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, November 3, 2014, at City Hall.

The following members of the board were present:

Mr. Stanley Walch, Chairman
Ms. Robbye Toft
Ms. Liza Forshaw
Mr. David Schlafly
Mr. John Shillington

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

Mr. Walch 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 1168**

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 Waldrand Trust IV, 20 Upper Ladue Rd. Ladue, MO 63124, requesting relief from the ruling of the Building Official who declined to issue a permit for a new residence which violates Section 2 (a) of Zoning Ordinance 1175.

The hearing will be held at 4:00 p.m. on Monday, November 3, 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

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 October 14, 2014;
Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance, and any letters of support;
Exhibit F – Entire file relating to the application.

Mr. Gene Mackey, project architect from Mackey Mitchell Architects, presented the proposed new residence to the Board. Mr. Mackey explained the proposed residence recently received the recommendation for approval of a special use permit from the Zoning and Planning Commission for a residence which exceeds 15,000 square feet. Mr. Mackey noted the proposed residence is on a 5.4 acre site and is approximately the same height as the existing residence on the property.

Mr. Mackey commented that in order to comply with the City's height limitation, a significant amount of dirt would have to be removed from the site. Mr. Mackey stated the only part of the residence which exceeded the height limitation were the chimneys and they only exceeded it by 3 feet.

Mr. Mackey noted that by obtaining a variance the project would be a balanced site and not require the removal of dirt from the property.

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

Ms. Toft commented that it is a mistake to apply the standard rules of zoning to very large projects which are permitted by a special use permit. Ms. Toft explained the overall design and architectural character can be negatively impacted by the regulations.

Mr. Schlafly moved that based on the evidence presented a practical difficulty exists and the decision of the Building Official is reversed, and a variance granted based on the site plan dated October 9, 2014. Ms. Toft seconded the motion and the vote thereupon was as follows:

Mr. Stanley Walch, Chairman	"Aye"
Ms. Robbye Toft	"Aye"
Ms. Liza Forshaw	"Aye"
Mr. David Schlafly	"Aye"
Mr. John Shillington	"Aye"


Mr. Stanley Walch, Chairman