

**MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
APRIL 11, 2023, 4:00PM**

**DOCKET 1381  
7 WENDOVER DRIVE**

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, April 11, 2023.

The following members of the Board were present:

Chairman Liza Forshaw  
Ms. Laura Long  
Ms. Elizabeth Panke  
Mr. Lee Rottmann  
Mr. David Schlafly

Also present: Mayor Spewak; Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Paul Garlock, Building Commissioner; Andrea Sukanek, City Planner; and Lori Mullins, Deputy City Clerk.

Ms. Forshaw called the meeting to order at 4:02 P.M.

**Approval and Adoption of the Agenda**

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

**Approval of the Minutes from the March 7, 2023, meeting**

The minutes were approved unanimously upon motion by Ms. Long and second by Mr. Rottmann.

**Docket 1381**            Petition submitted by Chelsea Davis of Gemstone Construction on behalf of Mark and Betty Goran for the property located at 7 Wendover Drive. The petitioner is requesting relief from the City Planner denying a retaining wall that encroaches into the required retaining wall setback, in violation of Ladue Zoning Ordinance #1175, Section IV-F-3.

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 – Letter of Denial dated February 7, 2023;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter requesting the variance dated February 6, 2023;
- Exhibit F – Entire file relating to the application
- Exhibit G – Additional applicant handout

Ms. Forshaw stated that Docket 1381 was continued from the March 7th meeting and asked the applicant if the any revisions were made to the plans submitted in March. The applicant stated that the plans were not modified.

Ms. Sukanek reported that 7 Wendover Drive is located in the "C" zoning district, and thus a retaining wall is permitted to be up to 3' in height as long as it is located half the setback distance from the property line, or in this case 8.5' from the property line. The proposed wall is less than 5' from the property line.

Ms. Chelsea Davis of Gemstone Construction took the oath and reported that the variance is necessary to support an expanded driveway to access the new garage (for which the Board is considering a separate variance at the same meeting). The lot is narrow in the front and abuts both Graybridge Road and Graybridge Drive.

Ms. Davis supplied a handout with additional information, which Ms. Forshaw entered into the record as exhibit G.

Ms. Patricia Kolbrener, 8 Wendover Drive arrived, took the oath, and reported that she has no issues with the project.

Ms. Forshaw stated that since the applicant is requesting two variances, and the plans are connected, the Board would hear testimony for both applications before voting on each variance separately.

After discussion of the facts presented, including the irregular shape of the lot, the small buildable area, the support of the neighbors, and the Board's decision to grant the variance for the proposed garage, it was determined that practical difficulties exist. Ms. Panke moved to overturn the decision of the City Planner and grant the variance for the retaining wall. Mr. Schlafly seconded the motion. The vote was as follows:

Ms. Liza Forshaw	"approve"
Ms. Laura Long	"approve"
Ms. Elizabeth Panke	"approve"
Mr. Lee Rottmann	"approve"
Mr. David Schlafly	"approve"

With five (5) votes in favor and zero (0) against, the motion passed, the ruling of the Building Commissioner was overturned, and the variance was granted.

### **Adjournment**

At 4:56 p.m. the meeting adjourned upon motion of Ms. Long and second of Mr. Schlafly.

DOCKET 1381

DATE OF HEARING

April 11, 2023

NAME

Chelsea Davis

DESCRIPTION OF PROPERTY

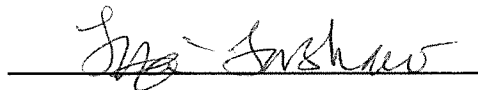
7 Wendover Drive

CAUSE FOR APPEAL

The petitioner is requesting relief from the City Planner denying a retaining wall that encroaches into the required retaining wall setback, in violation of Ladue Zoning Ordinance #1175, Section IV-F-3.

RULING OF THE BOARD

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

A handwritten signature in black ink, appearing to read "Liza Forshaw", is written over a horizontal line.

Ms. Liza Forshaw