

**MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
NOVEMBER 2, 2020 4:00 P.M.**

DOCKET1310

9807 SOUTH 40 DRIVE

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, October 6, 2020.

**DUE TO THE CURRENT RESTRICTIONS ORDERED BY ST. LOUIS COUNTY ON PUBLIC  
GATHERINGS DUE TO COVID-19, THE MEETING WAS CONDUCTED BY VIDEO  
CONFERENCE VIA ZOOM**

The following members of the Board were present:

Chairman Liza Forshaw  
Ms. Kristen Holton  
Ms. Laura Long  
Ms. Elizabeth Panke  
Mr. Lee Rottmann

Also present were Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Andrea Sukanek, City Planner; and John Fox, Councilman.

Chairman Forshaw called the meeting to order at 4:00 P.M.

**Approval and Adoption of the Agenda and Minutes**

Ms. Long made a motion to adopt the Agenda. Ms. Panke seconded the motion. All those present were in favor.

Ms. Long made a motion to adopt the Minutes of the October 6, 2020 meeting. Ms. Panke seconded the motion. All those present were in favor.

Docket 1310                      Petition is submitted by Susan Warren of Warren Sign Company for the property located at 9807 South 40 Drive. Petitioner is requesting relief from the City Planner denying a sign due to the office building signage being limited to sixteen square feet per sign frontage. This is in violation of Ladue Zoning Ordinance 1175, Section XI-F (4).

This case had been continued from the October 6, 2020 meeting of the Zoning Board of Adjustment.

Ms. Sukanek stated the applicant requests a variance to erect a sign with 15" lettering on the east side (19.66 square feet) and 18" lettering on the west side (28.4 square feet) of the 9807 South 40 Drive office building. The maximum permitted signage is 16 square feet. This proposal includes a slight reduction in size for the sign on the east side from the plan presented

at the October 6<sup>th</sup> meeting. An office building is allowed one 16 square foot sign per sign frontage.

Chairman 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 October 9, 2020;

Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the applicant requesting the variance dated October 9, 2020;

Exhibit F – Entire file relating to the application

Exhibit G – Letter from the applicant's landlord

Bill Behrens of Warren Sign Company, and Josh Myers, Shultz and Myers took the oath. Mr. Myers addressed the Board with a presentation. The request is for 15" high letters for Schultz and Myers Law Firm signage on the East elevation and 18" high letters on the West elevation of the building. The signs would be positioned for clients to identify the property from I-64. Visibility traveling from the east is 2 seconds in duration and from the west is 7 seconds. Proposed signage does not include tag lines or graphics. It identifies the building with the name of the firm. Mr. Myers stated that the unique setting of the building creates the practical difficulty. The purpose of the larger signs is to give better visibility to the name of his firm. He shared information from meeting minutes from a prior ZBA meeting granting a sign variance for the cooking school L'Ecole Culinaire. When asked, he confirmed that his firm had no exterior signage at its prior location in Creve Coeur.

Board discussion ensued. Chairman Forshaw reviewed the history of Ladue commercial sign variances along highways I-64 and I-170. Several variances have been granted and some denied. The variances have generally been granted for institutional uses like banks, medical care and a cooking school, which involve many customers or students needing to find the building. The building at issue in this hearing previously had a variance for L'Ecole Culinaire, but the city's sign ordinance was changed and the sign that received a variance would no longer require a variance under the current ordinance. The Board previously denied a variance for Hackett Security, a lower-level tenant in the adjacent Saint Louis Bank building, reasoning that it is a traditional office use without an unusual need for large signage to assist large numbers of customers in finding it.

The Board members discussed the history of sign variances along highways, the nature of a law firm as an office use, and the fact that law firms often have no exterior signage, It was suggested that the applicant's desire for larger signage than the code allows is based on essentially economic reasons and not on a practical difficulty.

The Board considered the two requested signs in separate motions. Ms. Panke made the motion to overturn the decision of the City Planner and grant the variance for the signage on the west side of the building. Mr. Rottmann seconded the motion. The vote was as follows:

Chairman Liza Forshaw      "deny"

Ms. Kristen Holton	“deny”
Ms. Laura Long	“deny”
Ms. Elizabeth Panke	“deny”
Mr. Lee Rottmann	“deny”

With zero (0) votes in favor and five (5) against, the motion fails, and the ruling of the City Planner stands.

Ms. Panke made the motion to overturn the decision of the City Planner and grant the variance for the signage on the east side of the building. Mr. Rottmann seconded the motion. The vote was as follows:

Chairman Liza Forshaw	“deny”
Ms. Kristen Holton	“approve”
Ms. Laura Long	“deny”
Ms. Elizabeth Panke	“approve”
Mr. Lee Rottmann	“deny”

With two (2) votes in favor and three (3) against, the motion fails, and the ruling of the City Planner stands.

### **Adjournment**

At 6:13 p.m. Ms. Panke made a motion to Adjourn the meeting. Ms. Long seconded the motion. A unanimous vote in favor was taken.

DOCKET 1310

DATE OF HEARING November 2, 2020

NAME Susan Warren

DESCRIPTION OF PROPERTY 9807 South 40 Drive

CAUSE FOR APPEAL Petition is submitted by Susan Warren of Warren Sign Company for the property located at 9807 South 40 Drive. Petitioner is requesting relief from the City Planner denying a sign due to the office building signage being limited to sixteen square feet per sign frontage. This is in violation of Ladue Zoning Ordinance 1175, Section XI-F (4).

## RULING OF THE BOARD

After discussion, on the basis of the evidence presented, the Board finds no practical difficulties exist. The decision of the City Planner is upheld. The variance is denied.

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Ms. Liza Forshaw, Chairman