

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
JULY 6, 2021 4:00 P.M.**

DOCKET 1333

9841 Old Warson Rd.

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, July 6, 2021.

The following members of the Board were present:

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

Also present were Erin Seele, City Attorney; Andrea Sukanek, City Planner; Anne Lamitola, Public Works Director; Ashley Quinn, Administrative Assistant; Stacy Kamps, Councilwoman; and Mayor Nancy Spewak.

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

Approval and Adoption of the Agenda and Minutes

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

Mr. Panke made a motion to adopt the Minutes of the June 1, 2021 meeting. Mr. Rottmann seconded the motion. All those present were in favor.

Docket 1333 - Paul Fendler on behalf of Old Warson Country Club located at 9841 Old Warson Road. The petitioner is requesting relief from the City Planner denying a new golf building and bocce courts. This proposed project is in an area that is defined as a front yard per Ladue Zoning Ordinance. This project is in violation of Ordinance #1175, Section V-C (1)(b).

Ms. Forshaw informed the applicant that with only four board members present a variance will not be granted without a unanimous vote.

Ms. Sukanek explained that the current proposal is to remove existing tennis courts and add bocce courts, a golf building, and golf cart parking area. These proposed changes do not meet the zoning code because the courts and golf building are considered accessory structures, which are not allowed in a front yard. The front yard is considered to be the entire area between the main building and Old Warson Rd. The Country Club did receive a variance in January 2021 for sport courts to be allowed in the front yard setback. This most recent application was heard by the Zoning and Planning Commission in June 2021 and is awaiting City Council approval.

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 November 30, 2020;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated December 6, 2020;
- Exhibit F – Entire file relating to the application

Mr. Kevin Lasater, a club member and until recently a club board member, took the oath and was sworn in. He explained that the reason for the requested proposal was to provide improvements desired by the club members. The overall club renovations would include stormwater improvements on the property and an extensive landscape plan, which he offered to submit to City staff for approval as the project proceeds. He explained that the location of the golf course holes necessitates the location of the proposed improvements. The south wall of the new building will be 75 feet from Old Warson Rd. The proposed courts would be replacing existing tennis courts. A new tennis complex has already been built and so the old tennis courts are no longer needed. This club has less land than peer country clubs and there is no other place to put the proposed improvements. The golf training facility would be 3,100 square feet and would be located adjacent to the driving range and close to the golf pro shop. The two bocce courts would be near the golf training facility and would be covered with gravel, not concrete. He said that the clubhouse is about 300 feet from Old Warson Road.

Board discussion ensued. It was noted that the variance requested is not for a front yard setback issue, but for accessory structures in a front yard. In this case the main building is about 300 feet away from Old Warson Road – a very long distance which may constitute a practical difficulty. In addition, because of the orientation of the main building, the front yard looks somewhat like a side yard. A prohibition on accessory structures in such a large space would be extremely restrictive for a country club. The proposed improvements would replace existing facilities and there is no known neighborhood opposition. The importance of updating old facilities for a country club was mentioned.

After discussion of the facts presented, Ms. Panke made the motion to overturn the decision of the Building Commissioner and grant the variance based on practical difficulty. Ms. Forshaw amended the motion to condition the variance on the City staff's approval of a landscaping plan. Ms. Long seconded the motion as amended. The vote was as follows:

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

With four (4) votes in favor and zero (0) against, the motion passed, the ruling of the City Planner was overturned, and the variance was granted.

Adjournment

At 5:09 p.m. Ms. Panke made a motion to Adjourn the meeting. Mr. Rottmann seconded the motion. A unanimous vote in favor was taken.

DOCKET 1333

DATE OF HEARING	July 6, 2021
NAME	Paul Fendler
DESCRIPTION OF PROPERTY	9841 Old Warson Rd.
CAUSE FOR APPEAL	The petitioner is requesting relief from the City Planner denying a new golf building and bocce courts. This proposed project is in an area that is defined as a front yard per Ladue Zoning Ordinance. This project is in violation of Ordinance #1175, Section V-C (1)(b).
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.



Ms. Liza Forshaw, Chairman