

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
May 5, 2020 4:00 P.M.**

DOCKET 1290

45 Trent Road

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, May 5, 2020
**DUE TO THE CURRENT RESTRICTIONS ORDERED BY ST. LOUIS COUNTY ON PUBLIC GATHERINGS DUE
TO COVID-19, THE MEETING WAS CONDUCTED BY TELECONFERENCE VIA ZOOM**

The following members of the Board were present:

Chairman Liza Forshaw
Mr. David Schlafly
Ms. Laura Long
Ms. Elizabeth Panke
Mr. Dan Welsh
Sub Sub: Mr. Lee Rottmann

Also present were Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Roger Stewart, Building Commissioner; and Mayor Spewak.

Mr. Schlafly called the meeting to order at 4:00 P.M. standing in for Chairman Forshaw.

Approval and Adoption of the Agenda and Minutes

Ms. Panke made a motion to adopt the agenda and Minutes of the March 3, 2020 meeting. Mr. Rottmann seconded the motion. All those present were in favor.

Docket 1290 Petition is submitted by Thomas Wall for the property located at 45 Trent Road. Petitioner is requesting relief from the Building Commissioner denying a new residence. The house designed has three stories as defined in the City of Ladue zoning ordinance. This is in violation of Zoning Ordinance #1175, Section V-A (1) and Section V-A (8).

Mr. Stewart stated the applicant requests a variance for new home. Upon review this home has over 40% basement exposure on the rear and left and thus is a three-story home in a zoning area allowing a maximum of 2.5 stories.

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 February 7, 2020;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated March 2, 2020;

Exhibit F – Entire file relating to the application

Thomas Wall was sworn in and addressed the Board. He is requesting a variance due to the steep grade and narrow configuration of the lot. This lot has not been built on previously due to the topography. There is an extreme grade change that results in a visible third story. From Trent Drive the house would appear to be only one-story. The rear of the lot is dense woods, limiting visibility of the three-story house façade from the rear. It is virtually impossible to create a less-than-three-story house on this lot without extensive regrading. To build up soil to cover a portion of the lower level would push water runoff onto adjoining properties in violation of other Ladue ordinances, or would require a very high retaining wall which would necessitate a variance. Mr. Wall testified that to have a reasonably functional structure with sufficient depth from front to back, a third floor is needed on this lot. The design is for a contemporary flat-roof house, chosen to minimize the height of the house from the rear as compared to a slanted roof. The house would be about 56 feet deep from front to back. The Architectural Review Board and the subdivision trustees have approved the plans.

Jim Minton, General Contractor, took the oath and addressed the Board. He stated the lot has never been built on because of the narrow shape and depth. The City has a 50-foot front yard setback; however, the subdivision indenture requires 75 feet. (The subdivision was laid out in the 1950s.) The proposed house would contain 7,200 square feet on the first and second floors excluding the lower level, or about 10,000 square feet including the lower level, which is a basement walkout.

David Schlafly recalled that the ordinance prohibiting three-story houses was adopted a number of years ago after some tall houses went up which were very unpopular with neighbors.

After discussion of the facts presented, including the challenging setback and dropoff of the lot, and storm water restrictions, Ms. Long made the motion to overturn the decision of the Building Commissioner and grant the variance with the condition that appropriate vegetation be planted around the side yards to screen the three-story façade from view. Ms. Panke seconded the motion and refined the condition of the motion to require planting of tall evergreen vegetation along side yards and in the rear as needed to screen the three stories from view.

The vote was as follows:

Chairman Liza Forshaw	“approve”
Ms. Laura Long	“approve”
Ms. Elizabeth Panke	“approve”
Mr. David Schlafly	“oppose”
Mr. Dan Welsh	“oppose”

With three (3) votes in favor and two (2) against, the motion failed, the ruling of the Building Commissioner stands, and the variance was not granted.

Adjournment

At 6:29 p.m. Ms. Long made a motion to Adjourn the meeting. Ms. Panke seconded the motion. A unanimous vote in favor was taken.

DOCKET 1290

DATE OF HEARING May 5, 2020

NAME Thomas Wall

DESCRIPTION OF PROPERTY 45 Trent Road

CAUSE FOR APPEAL Petitioner is requesting relief from the Building Commissioner denying a new residence. The house designed has three stories as defined in the City of Ladue zoning ordinance. This is in violation of Zoning Ordinance #1175, Section V-A (1) and Section V-A (8).

RULING OF THE BOARD After discussion, on the basis of the evidence presented, the Board does not find practical difficulties. The decision of the Building Commissioner is upheld, and no variance is granted.

Ms. Liza Forshaw, Chairman