

**MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
MARCH 1, 2022 4:00 P.M.**

DOCKET 1356

101 GRAYBRIDGE ROAD

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, March 1, 2022.

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; Andrea Sukanek, City Planner; Roger Stewart, Building Commissioner; Councilman John Fox; Mayor Spewak and Lori Mullins, Deputy City Clerk. Present via ZOOM, Anne Lamitola, Director of Public Works.

Chairman Forshaw called the meeting to order at 4:03 P.M.

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

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

The minutes of the January 4, 2022 Board meeting were approved unanimously upon motion by Ms. Panke and second by Mr. Rottmann.

**Docket 1356** Petition is submitted by Michael and Christine Reisman for the property located at 101 Graybridge Road. The petitioner is requesting relief from the Building Commissioner denying a pavilion addition due to the structure being located within the twenty-five-foot stream buffer setback requirement. This is in violation of Municipal Code of Ladue Chapter 110, Article IV, Division 2 stream buffer protection, Section 110-125, (a) (1) (2).

Mr. Stewart stated the applicant is requesting to construct a pavilion addition to a guest house within the 25-foot stream buffer setback. An undisturbed natural vegetative horizontal buffer is required, along with an additional 25-foot buffer in which impervious cover is prohibited. The required setback on both sides of the stream is 50 feet. The entire rear yard, including the small guest house, is located within the stream buffer setback. The entire proposed pavilion would be located within the stream buffer setback.

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 January 3, 2022;

Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated January 30, 2022;

Exhibit F – Entire file relating to the application

Mr. Reisman, Tim Meyer, environmental engineer, and Seth Carruthers, architect, took the oath and addressed the Board, describing the flood plain affecting much of the back yard. They argued that the lack of buildable area necessitates a variance. 6,000 square feet of honey suckle have been cleared and a planting plan has been submitted. The 2,800 square foot home was built in 2008 and altered in 2017. The guest house is old, dating from the 1940s to 1950s. The purpose of the 330 square foot pavilion (essentially an enclosed patio) would be to provide a four-season porch-like play area. The applicant did not know about the stream buffer setback until he had done engineering work to deal with floodwater issues, as recommended by the City staff. He said he has invested more than \$15,000 on planning for the project.

Barbara Bressler, 15 Robindale, took the oath, spoke in support of the plans. She stated that there is a lot of green space on the lot, and the proposed pavilion is small.

Board discussion included the following points:

- The Ladue stream buffer ordinance sets very restrictive conditions for a variance. The applicable standard for a stream buffer variance for already-developed property is “Unusual circumstances when strict adherence to the minimal buffer requirements in the ordinance would create an extreme hardship.” This is a notably stricter standard than for a typical zoning variance. Board members did not find an “extreme hardship” in this case.
- Environmental importance of the stream buffer
- The necessity of protecting the integrity of streams

Ms. Lamitola added that the Metropolitan Sewer District has legal authority regarding streams, and it expects the City to uphold the strong policy of the law to keep stream buffers unobstructed. Stream buffers are important for numerous reasons including protecting water resources, preventing erosion, managing stormwater, stabilizing organic matter and preserving a desirable habitat for wildlife.

After discussion of the facts presented, Ms. Long made the motion to overturn the decision of the Building Commissioner and grant the variance. 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 Building Commissioner stands.

## **Adjournment**

At 7:05 p.m. Ms. Panke made a motion to Adjourn the meeting. Ms. Long seconded the motion. A unanimous vote in favor was taken.

DOCKET 1356

DATE OF HEARING

March 1, 2022

NAME

Michael and Christine Reisman

DESCRIPTION OF PROPERTY

101 Graybridge Road

CAUSE FOR APPEAL

Petition is submitted by Michael and Christine Reisman for the property located at 101 Graybridge Road. The petitioner is requesting relief from the Building Commissioner denying a pavilion addition due to the structure being located within the twenty-five-foot stream buffer setback requirement. This is in violation of Municipal Code of Ladue Chapter 110, Article IV, Division 2 stream buffer protection, Section 110-125, (a) (1) (2).

RULING OF THE BOARD

After discussion, on the basis of the evidence presented, the Board finds does not find practical difficulties exist. The decision of the Building Commissioner is upheld.



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Ms. Liza Forshaw, Chairman