

## MINUTES OF MEETING

### ZONING AND PLANNING COMMISSION

#### CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI

WEDNESDAY, MARCH 28, 2018, 4:00 P.M.

Chairman Moore called the meeting of the Zoning and Planning Commission to Order at 4:00 P.M. The following members were present:

Chairman McPherson Moore  
Vice-Chair Thomas Kahn  
Commissioner Jim Howe  
Commissioner Robbye Toft

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

Chairman Moore introduced himself and announced some basic procedures for the meeting.

#### APPROVAL OF MINUTES

Chairman Moore stated there was one set of minutes to approve from the January 31, 2018 meeting of the commission. Commissioner Kahn moved to approve the minutes as written and the motion was seconded by Commissioner Toft. All those present were in favor and the meeting minutes as amended were approved.

#### PUBLIC FORUM

Chairman Moore asked if anyone from the audience would like to approach the commission about non-agenda items and no one came forward.

**ZPC 18-04                      Request to amend the Special Use Permit for Litzsinger School (#ZPC 17-02) to modify the conditions of the permit, particularly those regarding fencing and screening of the site. Property is located at 10094 Litzsinger Road in the A Residential Zoning District.**

Mr. Steve Quigley with Clayton Engineering presented the requested amendments to the Special Use Permit. They would like to change the previously approved fence from wooden to a black vinyl chain-link and they would like to leave the current honeysuckle vegetation.

Commissioner Howe asked who would be responsible for maintenance of the honeysuckle. Mr. Quigley stated that the school district would be responsible for that maintenance.

A discussion about potential fencing other than chain link and the invasive nature of honeysuckle ensued.

Commissioner Kahn made a motion to amend the Special Use Permit to approve a six-foot wooden fence in the location provided in the amended plan with the landscaping from the original SUP, which includes eradication of the honeysuckle. Commissioner Toft seconded the motion. The Vote was as follows:

Chairman McPherson Moore- “aye”  
Vice-Chair Thomas Kahn- “aye”  
Commissioner Jim Howe- “aye”  
Commissioner Robbye Toft- “aye”

There were four (4) “ayes” and zero (0) “nays”. The motion was approved.

**ZPC 18-02                      Amendments to Sections V and XIV to amend, clarify, and adjust yard requirements and definitions along with other zoning-related building development issues in Zoning Ordinance #1175.**

Ms. Sukanek presented the proposed changes to the sections addressing yard requirements. She proposed reorganizing and clarifying the code to address irregular shaped lots, lots with two front yards, height limitations and screening of accessory structures in certain zoning districts, and more clearly defining the term “attached”.

A discussion followed about consequences of changing the code to address the issue of double frontage lots and accessory structures therein, or leaving the code “as is” to address on a case by case basis.

Ms. Lamitola provided some narrative of areas where residents are not allowed to use the area in the rear yard because there is a public street abutting the rear of the property.

Ms. Sukanek provided an aerial photo of some example areas within the City. The Commission asked for more examples of situations where this issues with a rear yard area being considered a front yard causes limitation for individual’s use. Ms. Seele stated that it would be beneficial for the Commission to either create more parameters on the current code or deciding on the definition of “legal access” would be helpful.

A discussion followed about the wording changes to the section regarding “other irregular lots or situations”. Ms. Sukanek had a diagram depicting such lots with more than four sides or those that are pie shaped.

Mayor Spewak added that defining this section more clearly helps when reviewing renovations or additions to older homes that would not meet code requirements. Without a stronger and more clearly defined section the only alternative is to deny such projects which then force older properties to stay as they are and not be updated.

Ms. Sukanek proposed the addition of a new definition of Attached to state “*structures that share a common roof line or are connected by a fully enclosed hallway, sunroom, or porch shall be*

*deemed attached and part of the same structure. Attached structures shall be consistent with the materials of the building façade” and a new definition for “Front Lot Line”. Commission made further suggestions to the definition so that it would read “the boundary line that meets the minimum frontage requirement of a lot that is contiguous to a public or private right-of-way or access easement that provides potential vehicle access to the lot.”*

The Commission tabled the proposed changes to this section until further examples and information could be provided.

**ZPC 18-03                      Amendment to Zoning Ordinance #1175 regarding the keeping of chickens.**

Ms. Sukanek stated that the chapter relating to the keeping of animals and fowl would not be in the zoning code. It would make the most sense to place in in the Ladue Code of Ordinances, Chapter 18, with the code section addresses dogs and deer hunting. The Zoning Code would then modify section IV. A (2) (d) to refer to that chapter.

Kelly Christner, resident on Colonial Lane, addressed the Commission stating that homes under  $\frac{3}{4}$  of an acre would be excluded from being able to raise chickens under the proposed ordinance requiring a lot size of 30,000 sq. ft. She currently raises chickens on her property that would not comply with the requirements proposed and would like residents with smaller lots to be allowed to keep chickens. She has a rooster that wears a crow collar so that it does not make noise that is a problem for neighbors. She felt that the proposed ordinance was too restrictive to those residents on the eastern side of town.

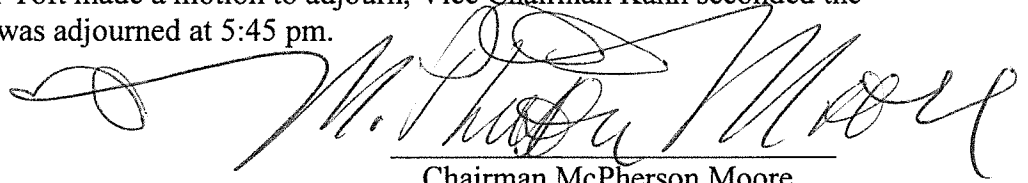
Ms. Sukanek clarified that the keeping of roosters is currently limited by the noise ordinances, but this ordinance would prohibit the keeping of any additional roosters

The Commission requested that Ms. Sukanek look at revisions to include lots smaller than 30,000 sq. ft. Some of the suggestions to include those smaller lots were requiring more screening on smaller lots or the ability to have fewer chickens than those lots over 30,000 sq. ft. so that they would not exclude certain districts entirely.

Commissioner Toft made a motion to table the ordinance changes until the next meeting. All members present agreed and would like to make a recommendation to City Council. Councilman Fox stated that even though the changes would not require a recommendation from Zoning and Planning the Council appreciates those recommendations and feels it would be best to review the revisions.

The next meeting date of April 25, 2018 was stated.

Commissioner Toft made a motion to adjourn, Vice Chairman Kahn seconded the motion. The meeting was adjourned at 5:45 pm.

A handwritten signature in black ink, appearing to read "M. Pherson Moore", written in a cursive style. The signature is positioned above a horizontal line.

Chairman McPherson Moore