

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, December 4th, 2017

DOCKET 1237

11 Babler Lane

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, December 4th, 2018 at City Hall.

The following members of the board were present:

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

Also present were: Roger Stewart, Building Commissioner; Andrea Sukanek, City Planner; Erin Seele, City Attorney; Ashley Quinn, Administrative Assistant; Councilman, John Fox and Mayor, Nancy Spewak.

Chairman Walch called the meeting to order at 4:00 PM. Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1237**

Notice is hereby given that the Zoning Board of Adjustment of the City of Ladue, St. Louis County, Missouri, will hold a public hearing on a petition submitted by George and Teresa Muehlemann for the property at 11 Babler Lane. Petitioner is requesting relief from the Building Official denying an Addition (Garage Extension) due to minimum setback requirements per Ordinance 1175 Section V-B-(1)

The hearing will be held at 4:00 p.m. on Monday, December 4, 2017, at the Ladue City Hall, 9345 Clayton Road.

The hearing will be public and anyone interested in the proceedings will be given the opportunity to be heard.

Pursuant to Section 610.022 RSMo, the Zoning Board of Adjustment could vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under section 610.021 (1) RSMo.

Stanley Walch, Chairman
Zoning Board of Adjustment

Chairman Walch asked Roger Stewart for an explanation of the denial for a permit. Mr. Stewart stated that the proposed garage would encroach 10 feet into the required side yard setback.

Chairman Walch 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 – Permit denial dated October 26, 2017;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated October 31, 2017
- Exhibit F – Entire file relating to the application

The court reporter administered the oath to Mr. George Muehlemann and Ms. Teresa Muehlemann, owners of 11 Babler Ln. Mr. Muehlemann stated that the parcel is oddly shaped and has a required 50-foot side yard setback. Only two properties in the neighborhood meet the lot size requirements for the zoning district. The neighborhood indentures only require a 25-foot setback. They looked at several ideas for the proposed garage but pulling the structure forward would cover a sewer main. Their intent was to maintain the architectural aesthetic of the existing home by keeping the garage pushed back. The trustees would also prefer that the garage not be pulled farther forward. Issues included a 2-foot grade that required 7 steps to get from the garage into the home.

Ms. Panke asked for clarification if this project was rebuilding a larger garage or adding on to existing. Mr. Muehlemann stated it would be a new garage with a new foundation.

Ms. Forshaw asked for clarification of grade change. Mr. Muehlemann clarified that because of the location of the steps inside the garage they were only able to fit one car inside the garage. Ms. Forshaw also asked about a less expansive garage. Mr. Muehlemann stated that their indentures want all cars garaged, they do not allow cars parked in front of the home. They have at least 3 cars and a mower, with a possibility for a fourth car.

The court reporter administered the oath to Ms. Lesley Schoedinger, trustee at 6 Babler Ln. Ms. Schoedinger was in favor of the project as it will update 11 Babler Ln. which was one of the first homes built in the subdivision.

Public Comment Closed

A discussion ensued about the facts presented. Photographs were entered into the record as "Exhibit G".

Ms. Long made a motion that based on the evidence presented the Board overturn the decision of the Building Official and grant a variance for the garage as located on the site plan dated October 30, 2017. Mr. Rottmann seconded the motion.

The vote was as follows:

Chairman Stanley Walch	"in favor"
Ms. Liza Forshaw	"opposed"
Ms. Elizabeth Panke	"in favor"
Ms. Laura Long	"in favor"
Mr. Lee Rottmann	"in favor"

With four (4) votes in favor and one (1) vote to deny, the motion was approved and the variance was granted.

DOCKET 1237

DATE OF HEARING Monday, December 4, 2017

NAME George and Teresa Muehlemann

DESCRIPTION OF PROPERTY 11 Babler Lane

CAUSE FOR APPEAL Relief from the ruling of the Building Official denying a permit for an Addition (Garage Extension) due to minimum setback requirements per Ordinance 1175 Section V-B-(1)

RULING OF THE BOARD After a discussion of the facts presented, the Board approved a variance, and the ruling of the Building Official was overturned.



Ms. Liza Forshaw, Vice Chairman