

MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
Monday, May 2, 2016

DOCKET 1200

9 Wickersham Lane

A meeting of the Zoning Board of Adjustment was held at 3:00 p.m. on Monday, May 2, 2016, at City Hall.

The following members of the board were present:

Mr. Stanley Walch  
Ms. Liza Forshaw  
Ms. Elizabeth Panke  
Mr. Daniel Welsh  
Mr. Lee Rottmann

Also present were: Mr. William Penney, Building Official; Ms. Anne Lamitola, Director of Public Works; Ms. Andrea Sukanek, City Planning Consultant, and Ms. Erin Seele, City Attorney. Mayor Nancy Spewak and Councilman John Fox were also present.

Mr. Walch called the meeting to order at 3:13 PM.

Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING  
ZONING BOARD OF ADJUSTMENT  
CITY OF LADUE, MISSOURI  
DOCKET NUMBER 1200**

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 Nine Wickersham LLC, 9 Wickersham Lane, requesting relief from the ruling of the Building Official denying a building permit for an addition which would result in the addition being located in a required front yard of the property which is prohibited by Sections IV-D-8 and V-C-1(a) & (b) of ordinance #1175.

The hearing will be held at 3:00 p.m. on Monday, May 2, 2016, at the 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



Mr. Walch asked Building Official Will Penney for an explanation with regard to the denial of the permit for the second floor addition. Mr. Penney explained that the zoning code does not allow for an additional story to be constructed over existing structures that encroach into setbacks.

Ms. 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 – Permit denial dated March 31, 2016;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated April 5, 2016
- Exhibit F - Entire file relating to the application

The court reporter administered the oath to Scott Rogers, property owner of 9 Wickersham. Mr. Rogers stated that the home has no master suite and has only one bathroom on the second floor. He stated that there is a sewer easement bisecting the property and that the topography of the property is such that the rear of the lot is seven feet higher making an expansion of the home to the north challenging. Mr. Rogers desires to add a second floor to a portion of the primary structure, part of which is over a non-conforming portion of the structure. Mr. Rogers stated that he is fixing up the home and will re-sell it.

The public comment portion of the meeting was closed.

Ms. Panke stated that the property is a corner lot which poses challenges, and that the footprint of the structure is not being enlarged.

Ms. Forshaw stated that updating older homes is important and she is sympathetic to the case. She said that lack of a second bathroom on the second floor constitutes a hardship.

Mr. Welsh stated that a master suite, and especially a second bathroom, are priorities for today's housing stock.

Mr. Forshaw stated that many variances have been granted for non-conforming houses so that they can be improved in lieu of being torn down.

Mr. Rottman stated his support for the variance.

Ms. Forshaw moved that based on the evidence presented, a practical difficulty exists and the decision of the Building Official be reversed, and a variance should be granted to construct the project as shown on the plans presented with the packets issued April 28, 2016. Ms. Panke seconded the motion. Mr. Walch called for a vote with regard to this variance request and the vote thereupon was as follows:

Mr. Stanley Walch	"Approve"
Ms. Liza Forshaw	"Approve"
Ms. Elizabeth Panke	"Approve"
Mr. Daniel Welsh	"Approve"
Mr. Lee Rottmann	"Approve"

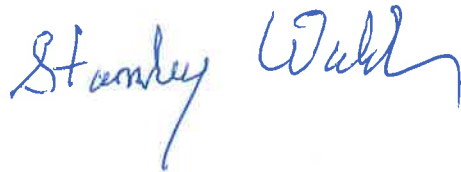
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Mr. Stanley Walch, Chairman

DOCKET 1200

DATE OF HEARING	May 2, 2016
NAME	Nine Wickersham, LLC
DESCRIPTION OF PROPERTY	9 Wickersham Lane
CAUSE FOR APPEAL	Relief from the ruling of the Building Official denying a building permit for an addition would result in: the addition being located in a required front yard of the property which is prohibited by Sections IV-D-8 and V-C-1(a) & (b) of ordinance #1175
RULING OF THE BOARD	After a discussion of the facts presented, the Board approved the variance for the second floor addition to be located within the required front yard setback and the decision of the Building Official was overturned.

A handwritten signature in blue ink that reads "Stanley Walch". The signature is written in a cursive style with a long, sweeping underline.

