

**MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
TUESDAY, JANUARY 4, 2022, 4:00PM**

**Docket 1352**

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

The following members of the Board were present:

Chairman Liza Forshaw  
Ms. Laura Long  
Ms. Elizabeth Panke  
Mr. Lee Rottmann  
Ms. Kristen Holton

Also present were Erin Seele, City Attorney; Andrea Sukanek, City Planner; Lori Mullins, Deputy City Clerk; and Mayor Nancy Spewak.

Chairman Forshaw called the meeting to order at 4:07 P.M.

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

Ms. Panke moved approval of the agenda, and upon second by Mr. Rottmann the motion passed unanimously.

The minutes of the December 7, 2021 meeting were approved upon motion by Ms. Long and second by Mr. Rottmann.

**Docket 1352**

Petition is submitted by Mark Schnuck for the property located at 8 St Andrews Drive. The petitioner is requesting relief from the City Planner denying an addition due to noncompliance with setbacks and the expansion of a nonconforming structure. The proposed building addition would encroach into the setback and is in violation of Ladue Zoning Ordinance #1175, Section IV-A-4(b). The Ladue Zoning Ordinance #1175, Section IV-D prohibits the expansion of nonconforming structures.

Ms. Sukanek described the applicant's request for a variance to approve a two-story garage addition increasing the footprint of an existing encroachment. The property is currently non-conforming as the residence encroaches about 15' into each required 50' side yard setback. She provided minutes of previous meetings where variances were granted for the property. The existing house was built in 1996 with a variance. The proposed additions would encroach 9' into the north side yard setback and 15' into the south side yard setback. The proposed additions would extend the structure toward the rear of the property but would not encroach farther into the side setbacks. The additions are to expand the floor area of the existing second floor of the house and add a two-story garage.

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 December 1, 2021;

Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated December 3, 2021;

Exhibit F – Entire file relating to the application

Exhibit G- Letter of support provided by applicant

Mr. Schnuck took the oath and explained that the existing home is already nonconforming and the addition does not increase the encroachment toward the side lot lines. The request is to add a four-car garage with a second story and a fifth garage door to accommodate storage. The addition is in line with the front of the house. The encroachment diminishes as the addition extends toward the rear of the lot. The original small garage would be converted to a family room. The garage addition would encroach a total of 435 square feet. The addition to the other side of the house would increase the footprint 181 square feet. An 8' tall privacy fence separates the applicant's lot from 4 St. Andrews Drive. The second floor of the garage would include an office, an exercise room and a bathroom. The total square footage of the house with the proposed additions would be 10,511 square feet.

Mr. Schnuck presented the Board members copies of a letter from the owner of 4 St. Andrews, the lot adjacent to the side yard into which the garage addition would encroach; Chairman Forshaw entered the letter to the file as Exhibit G.

After discussion of the facts presented including the increase in the footprint of the encroachment, the existing encroachments, the narrow lot, and the potential precedential effect of a variance for a 5-door garage, Ms. Panke made the motion to overturn the decision of the City Planner and grant the variance with the condition of a landscape buffer. Mr. Rottmann seconded the motion. The vote was as follows:

Chairman Liza Forshaw	"deny"
Ms. Laura Long	"deny"
Ms. Elizabeth Panke	"approve"
Mr. Lee Rottmann	"approve"
Ms. Kristen Holton	"approve"

With three (3) votes in favor and two (2) against, the motion failed, and the ruling of the City Planner stands.

### **Adjournment**

The meeting was adjourned upon motion by Ms. Long and second by Mr. Rottmann at 5:30 P.M.

DOCKET 1352

DATE OF HEARING January 4, 2022

NAME Mark Schnuck

DESCRIPTION OF PROPERTY 8 St. Andrews

CAUSE FOR APPEAL The petitioner is requesting relief from the City Planner denying an addition due to noncompliance with setbacks and the expansion of a nonconforming structure. The proposed building addition would encroach into the setback and is in violation of Ladue Zoning Ordinance #1175, Section IV-A-4(b). The Ladue Zoning Ordinance #1175, Section IV-D prohibits the expansion of nonconforming structures.

RULING OF THE BOARD After discussion, on the basis of the evidence presented, the Board does not find that practical difficulties exist. The decision of the City Planner is upheld.



Ms. Liza Forshaw, Chairman