

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

DOCKET 1362

16 MAGNOLIA DRIVE

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

The hybrid meeting was held in person and via ZOOM.

The following members of the Board were present:

Chairman Liza Forshaw  
Ms. Laura Long  
Ms. Elizabeth Panke  
Mr. Lee Rottmann  
Mr. David Schlafly

Also present were Mayor Nancy Spewak; John Fox, Councilman; Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Roger Stewart, Building Commissioner; and Lori Mullins, Deputy City Clerk.

Chairman Forshaw called the meeting to order at 4:00 P.M.

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

Ms. Forshaw reported that Docket 1360 has been postponed at the request of the applicant and will not be considered until the May meeting. The agenda was amended and adopted unanimously upon motion by Ms. Long and second by Mr. Rottmann.

The minutes of the March 1, 2022, Board meeting were approved unanimously upon motion by Ms. Panke and second by Mr. Rottmann.

Docket 1362	Petition is submitted by Lauren Yaeger for the property located at 16 Magnolia Drive. The petitioner is requesting relief from the Building Commissioner denying a new residence due to front yard setback requirement. This is in violation of Ladue Zoning Ordinance #1175 Section V-C-2(d).
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Mr. Stewart reported the applicant is requesting a variance to erect a new house in the "E-1" zoning district. The generally applicable front yard setback in the "E-1" district is 25', and the proposal would place the house 25' from Magnolia Drive. However, the ordinance requires using an average of front yard setbacks for existing houses on each side of the applicant's house, resulting in a 37.5' front yard setback in this case. The proposal encroaches 12.5' into the 37.5' front yard setback. The lot is 0.16 acres in size and is smaller and narrower than the "E-1" district requires.

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 February 23, 2022;

Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated March 22, 2022;

Exhibit F – Entire file relating to the application

Ms. Lauren Yaeger and Ms. Lauren Strutman were sworn in. Ms. Strutman, architect, addressed the Board stating the yard is only 60' wide X 120' deep. The existing house was built in 1950 and the applicant wishes to tear it down and build a new house with a side-entry garage. The garage is what would encroach on the 37.5' front yard setback. Homes on the street are of varying ages, on similarly small lots. Almost every new house is set back 25' from Magnolia Drive. Four new houses on the street have side-entry garages in front similar to what the applicant is proposing. The 1925 subdivision plat established a 25' front building line. Many houses have not been held to the city's front yard average setback rule, leading her to believe the rule has likely not been enforced. The lot is small, and if held to the setback regulations the back yard would be diminished. The proposal is set for Architectural Review Board review on Thursday. The proposed house would be of modest size --- 3,000 square feet including the side-facing garage. The proposed garage is only 20' x 20', to hold 2 compact cars. The proposal complies with greenspace regulations.

Ms. Yaeger reported on her lengthy home search, her wish to have a back yard, her strong desire to avoid a front-yard entry garage, and her attempts to reach out to neighbors without success. The Clayton Park Subdivision has no subdivision trustees.

Mr. Stewart reported there are at least 15 variances for houses in this locale and about half are for setback issues. He added that in his experience in the last four and a half years, no new house has been built on Magnolia Drive without a variance.

Board discussion included the small lot, the compact car garage, and the changing neighborhood.

After discussion of the facts presented; Mr. Schlafly made the motion to overturn the decision of the Building Commissioner and grant the variance based on practical difficulty. Ms. Long seconded the motion. The vote was as follows:

Chairman Liza Forshaw	"approve"
Ms. Laura Long	"approve"
Ms. Elizabeth Panke	"approve"
Mr. Lee Rottmann	"approve"
Mr. David Schlafly	"approve"

With five (5) votes in favor and zero (0) against, the motion passed, the ruling of the Building Commissioner is overturned.

### **Adjournment**

The meeting was adjourned upon motion by Mr. Schlafly and second by Mr. Rottmann at 5:33 p.m.

DOCKET 1362

DATE OF HEARING

April 4, 2022

NAME

Lauren Yaeger

DESCRIPTION OF PROPERTY

16 Magnolia Drive

CAUSE FOR APPEAL

Petition is submitted by Lauren Yaeger for the property located at 16 Magnolia Drive. The petitioner is requesting relief from the Building Commissioner denying a new residence due to front yard setback requirement. This is in violation Ladue Zoning Ordinance#1175, SectionV-C-2(d).

RULING OF THE BOARD

After discussion, on the basis of the evidence presented, the Board finds practical difficulties exist. The decision of the Building Commissioner is overturned, and the variance granted.



Ms. Liza Forshaw, Chairman