

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
NOVEMBER 2, 2020 4:00 P.M.**

DOCKET1314

9703 Conway Road

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, October 6, 2020

**DUE TO THE CURRENT RESTRICTIONS ORDERED BY ST. LOUIS COUNTY ON PUBLIC
GATHERINGS DUE TO COVID-19, THE MEETING WAS CONDUCTED BY VIDEO
CONFERENCE VIA ZOOM**

The following members of the Board were present:

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

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

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

Approval and Adoption of the Agenda and Minutes

Ms. Long made a motion to adopt the Agenda. Ms. Panke seconded the motion. All those present were in favor.

Ms. Long made a motion to adopt the Minutes of the October 6, 2020 meeting. Ms. Panke seconded the motion. All those present were in favor.

Docket 1314	Petition submitted by Rick Keisker for the property located at 9703 Conway Road. Petitioner is requesting relief from the City Planner denying an addition due to not meeting the green space requirement of 75% for the B residential zoning district as listed in Section V-G (1) of the Ladue Zoning Ordinance 1175 and denying retaining walls due to height requirement. The proposed retaining wall exceeds three feet in the front yard and a proposed retaining wall in the rear yard exceeds six feet. Both of these walls are in violation of Ladue Zoning Ordinance 1175, Section IV-F (2) and (3).
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Ms. Sukanek stated that 9703 Conway (the Ladue Middle School) is located in the B Residential Zoning District. The property is 28.3 acres in size. The main school building is approximately 99,000 square feet in size. The proposal is to add approximately 90,000 square feet of new construction to the site and renovate the existing school buildings. Three separate additions are being proposed to the main building. All new building sections comply with the required 50-foot setbacks for this zoning district. Any non-residential use in a residential zoning district requires a

Special Use Permit. The impervious coverage of the site will be increasing by 17,867 square feet. Near the new addition on the west side of the property, a retaining wall is being proposed with the highest portion of the wall being 11.75 feet in height. The retaining wall lies on the north side of the building addition and would not be visible from Clayton Road. Another retaining wall in the front yard of the property, about 70 feet from Clayton Road, exceeds 36 inches, which is the maximum height for a retaining wall in a front yard. This retaining wall is immediately adjacent to the bioretention facility.

The site is nonconforming as the greenspace on this site currently is 65.96% and required greenspace in B zoning is 75%. The total impervious coverage of the site will be increasing by 17,867 square feet, so the greenspace will be reduced to 64.5%.

The maximum allowed height of retaining walls on a property is six feet. One of the proposed retaining walls is 11.75 feet in height. It is for the purpose of allowing natural light into lower-level classrooms (similar to an existing configuration and not visible from surrounding properties). The retaining walls in the front yard that exceed 36 inches are also out of compliance.

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 October 2, 2020;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the applicant requesting the variance dated October 5, 2020;
- Exhibit F – Entire file relating to the application

Rick Keisker, Ittner Architects; Mike Noonan, Ladue School District; and Sara Andert, Civil Design took the oath. Mr. Keisker addressed the Board and shared the site plan. He addressed the green space reduction. The main addition is a multipurpose room that serves as a storm shelter required by Ladue's current building code. 190,000 square feet are being added. Circulation and space are important with COVID. Sara Andert spoke to the retaining walls, the MSD required bioretention basin, the grading or slope of the property and the screening of the walls from Clayton Road. The retaining walls in the front yard would be about 5 feet tall inside the basin and 4 feet tall outside the basin.

Board discussion included the Board's limited power over school districts, the very small percentage reduction in the existing greenspace, the need to devote a substantial amount of newly constructed space to the storm shelter required by the city's current building code for schools, and the minimal impact on neighbors of the proposed retaining walls.

After discussion of the facts presented, Ms. Long made the motion to overturn the decision of the City Planner and grant the variance as proposed. Ms. Panke seconded the motion. The vote was as follows:

Chairman Liza Forshaw	"approve"
Ms. Kristen Holton	"approve"
Ms. Laura Long	"approve"

Ms. Elizabeth Panke
Mr. Lee Rottmann

“approve”
“approve”

With five (5) votes in favor and zero (0) against, the motion carries, the ruling of the City Planner is overturned, and a variance is granted.

Adjournment

At 6:13 p.m. Mr. Panke made a motion to Adjourn the meeting. Mr. Long seconded the motion. A unanimous vote in favor was taken.

DOCKET 1314

DATE OF HEARING November 2, 2020

NAME Rick Keisker

DESCRIPTION OF PROPERTY 9703 Conway Road

CAUSE FOR APPEAL Petitioner is requesting relief from the City Planner denying an addition due to not meeting the green space requirement of 75% for the B residential zoning district as listed in Section V-G (1) of the Ladue Zoning Ordinance 1175 and denying retaining walls due to height requirement. The proposed retaining wall exceeds three feet in the front yard and a proposed retaining wall in the rear yard exceeds six feet. Both of these walls are in violation of Ladue Zoning Ordinance 1175, Section IV-F (2) and (3).

RULING OF THE BOARD After discussion, on the basis of the evidence presented, the Board finds that practical difficulties exist. The decision of the City Planner is overturned. The variance is granted.

Ms. Liza Forshaw, Chairman

