

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
MARCH 2, 2021 4:00 P.M.**

DOCKET 1321

1 MARYHILL DRIVE

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, March 2, 2021.

**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. 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 Roger Stewart, Building Commissioner.

Chairman Forshaw called the meeting to order at 4:05 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. Panke made a motion to adopt the Minutes of the February 2, 2021 meeting. Ms. Long seconded the motion. All those present were in favor.

Chairman Forshaw advised the petitioner that due to the absence of one of the Board members, a unanimous vote would be required in order to grant the variance. The petitioner agreed to continue the hearing as scheduled.

Docket 1321	Petition is submitted by Rob and Molly Bailey for the property located at 1 Maryhill Drive. The petitioner is requesting relief from the Building Commissioner denying garage addition due to encroachment into front yard setback. These are in violation of Ladue Zoning Ordinance #1175, Section V-B (1).
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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 23, 2020;
- Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated January 18, 2021;

Exhibit F – Entire file relating to the application

Building Commissioner Roger Stewart reported that the garage addition was denied due to a 5-foot encroachment into the 50-foot setback in one of the three front yards.

D. Villacis, Rob Bailey and David Kraemer took the oath and addressed the Board. D Villacis, architect, explained that the applicant requests a variance to replace an existing 2-car garage with a five-foot encroachment with a 3-car garage and increasing the encroachment to 12 feet. The siding on the existing garage is an unusual and unsightly stockade and the garage has a flat roof. The proposed garage doors would not be visible from the street. No other location for a new garage is feasible.

Mr. Kraemer, representing Gateway Home Builders, said the existing garage is an eyesore, and numerous homes on the street have garages that infringe on the setback or are more visible than the applicant's proposed garage because they face the street.

Duke Niedringhaus took the oath and spoke as the president of the Maryhill subdivision homeowners' association. He said the proposal has the unanimous approval of the four association board members. He agreed that the existing garage is an eyesore.

One of the presenters said that 3-car garages are common to the neighborhood.

Board discussion ensued. Topics included the three front yards, the proposed placement, and the aesthetic improvement that would result from replacing the old garage. It was noted that the existing garage already encroaches into the setback and the proposed garage would increase the encroachment only slightly.

After discussion of the facts presented it was determined that practical difficulties exist. Ms. Long made the motion to overturn the decision of the Building Commissioner and grant the variance. Mr. Rottmann seconded the motion. The vote was as follows:

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

With four (4) votes in favor and zero (0) against, the motion passed, the ruling of the Building Commissioner was overturned, and the variance was granted.

Adjournment

At 5:50 p.m. Ms. Long made a motion to Adjourn the meeting. Mr. Rottmann seconded the motion. A unanimous vote in favor was taken.

DOCKET 1321

DATE OF HEARING

MARCH 2, 2021

NAME

ROB AND MOLLY BAILEY

DESCRIPTION OF PROPERTY

1 MARYHILL DRIVE

CAUSE FOR APPEAL

The petitioner is requesting relief from the Building Commissioner denying garage addition due to encroachment into front yard setback. These are in violation of Ladue Zoning Ordinance #1175, Section V-B (1).

RULING OF THE BOARD

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

Ms. Liza Forshaw, Chairman