

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
TUESDAY, DECEMBER 7, 2021, 4:00PM**

Docket 1348

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, December 7, 2021.

The following members of the Board were present:

Chairman Liza Forshaw
Ms. Laura Long
Ms. Elizabeth Panke
Mr. Lee Rottmann
Mr. Dan Welsh

Also present were David Streubel, acting City Attorney; Anne Lamitola, Director of Public Works; Roger Stewart, Building Commissioner; Andrea Sukanek, City Planner; Lori Wrobel, Deputy City Clerk; and Mayor Nancy Spewak.

Chairman Forshaw called the meeting to order at 4:00 P.M. and presided over Dockets 1346 and 1347. Vice-Chairman Welsh presided over Dockets 1348, 1349, and 1350.

Approval and Adoption of the Agenda and Minutes

Mr. Welsh made a motion to adopt the agenda. Mr. Rottmann seconded the motion. All those present were in favor.

Ms. Panke made a motion to adopt the Minutes of the October 5, 2021 meeting. Mr. Rottmann seconded the motion. All those present were in favor.

Docket 1348 Petition is submitted by Taylor Huston on behalf of Vadim and Oksana Baram for the property located at 150 S Price Road. The petitioner is requesting relief from the Building Commissioner denying retaining walls and a driveway due to required front yard green space which is in violation of Ladue Zoning Ordinance #1175, Section V-G-1 and Ladue Zoning Ordinance #1175, Section IV-F-2.

Mr. Stewart reported the reasons for denial as:

- The proposal reduces the greenspace from the required 70% to 69.9%
- The proposed retaining wall exceeds the maximum height of 36"
- The proposed retaining wall exceeds the required setback of 6' from any property line

Vice Chairman Welsh 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 November 1, 2021;

Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated November 2, 2021;

Exhibit F – Entire file relating to the application

Taylor Huston, project architect, took the oath and addressed the Board. The variance is necessary to replace retaining walls that are collapsing on both sides of the narrow, steep driveway. The existing wall has sections that are over 36" and the proposed new wall has a height varying from 36" to 48". The driveway is 10' wide at the narrowest point and will increase by 3', and widen near the apron to 4'. This will allow better visibility and safety. Currently winter weather makes the driveway treacherous. More driveway width is needed to afford wiggle room for vehicular sliding on ice or snow. Two trees may need to be removed, and if so the applicant is willing to replace them.

After discussion of the facts presented, including the collapse of the existing retaining walls that line the driveway, the very small reduction in green space, and the legitimate safety concerns, it was determined that practical difficulties exist. Ms. Panke made the motion to overturn the decision of the Building Commissioner and grant the variance. 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. Dan Welsh	"approve"

With five (5) 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 5:48 p.m. Ms. Long made a motion to Adjourn the meeting. Mr. Rottmann seconded the motion. A unanimous vote in favor was taken.

DOCKET 1348

DATE OF HEARING December 7, 2021

NAME Taylor Huston

DESCRIPTION OF PROPERTY 150 South Price Road

CAUSE FOR APPEAL Petitioner is requesting relief from the Building Commissioner denying retaining walls and a driveway due to required front yard green space which is in violation of Ladue Zoning Ordinance #1175, Section V-G-1 and Ladue Zoning Ordinance #1175, Section IV-F-2.

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