

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

**Docket 1349**

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 1349**            Petition is submitted by Diana Tucker for the property located at 25 Rio Vista Drive. The petitioner is requesting relief from the City Planner denying a solarium due to noncompliance with building setbacks. The residence does not meet the 40' required front setback for the D Zoning District along Delray Pass. The proposed project would reconstruct and expand an existing nonconforming greenhouse. This is in violation of Ladue Zoning Ordinance #1175, Section V-B-1 and V-C-1(a) and IV-D.

Ms. Sukanek reported the reasons for denial as:

- o The proposal may not meet the 55% greenspace requirement
- o The proposal is to expand and reconstruct a non-conforming structure that encroaches 14' into the required 40' setback of the second front yard
- o The encroachment toward Delray Pass does not increase but the overall area of nonconformity does increase.

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 October 25, 2021;

Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated November 1, 2021;

Exhibit F – Entire file relating to the application

Steve Anton, architect, and Diana Tucker, homeowner, took the oath and addressed the Board. Mr. Anton stated that most of the home is non-conforming because the lot is a corner lot and there are two front yards. The dated solarium is in disrepair, is not safe and is not aesthetically pleasing. The proposed improvement brings the solarium closer to the driveway and would serve as an entrance and hallway. The project has trustee approval. The encroachment toward Delray Pass would not increase; however, the area of the greenhouse would increase by 80 square feet. Ms. Tucker explained that her reason for wanting to extend the greenhouse toward the back of the house is to provide guests with an entrance from the driveway in back of the house, with the new space functioning as a hallway. The proposal has not yet been submitted to the Ladue Architectural Review Board for approval.

Mr. Welsh stated that green space and storm water calculations are needed and suggested pulling the application and returning with more information. The structure could possibly be repaired and remodeled without structural changes without a variance.

Mr. Anton stated his belief that the existing greenhouse is not repairable, because it is old and parts are probably not available.

Cheryl Davis, 16 Rio Vista (across the street from the applicant's house), recalled that the greenhouse may have been built about 20 years ago. She agreed that the greenhouse is unsightly but does not see the necessity of expanding the structure; a covered portico from the driveway is not necessary and does not warrant a variance. She stated that she objects to granting the variance.

After discussion of the facts presented, including practical difficulties, Mr. Welsh asked the applicant if she would like a continuance to modify the design or if she would like to take a vote. After consideration, the applicant chose to request a continuance. Mr. Welsh granted the continuance.

### **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.



Ms. Liza Forshaw, Chairman