

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
SEPTEMBER 14, 2021 4:00 P.M.**

DOCKET 1340
300 S MCKNIGHT ROAD

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, September 14, 2021.

The following members of the Board were present:

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

Also present were Erin Seele, City Attorney; Andrea Sukanek, City Planner; Anne Lamitola, Director of Public Works; Melissa Barklage, Administrative Assistant; and Mayor Nancy Spewak.

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. Mr. Rottmann seconded the motion. All those present were in favor.

Ms. Long made a motion to adopt the Minutes of the July 6, 2021 meeting. Mr. Rottmann seconded the motion. All those present were in favor.

Docket 1340 Petition submitted by Fred and Michelle Khani for the property located at 300 S McKnight Road. The petitioner is requesting relief from the Building Commissioner denying an accessory structure that would result in an accessory building in the front yard which is prohibited by Ladue Zoning Ordinance #1175, Section IV-A-4(c) and V-C-1(b).

Chairman Forshaw asked the City Planner to explain the reasons for denial. Ms. Sukanek reported that the applicant is requesting relief from the Building Commissioner denying a second detached garage which would result in an accessory structure in a front yard, which is prohibited by the zoning code. The property is a corner lot with two front yards (McKnight and Dromara). Chairman Forshaw asked Ms. Sukanek to confirm there are no setbacks involved. Ms. Sukanek confirmed that the proposal is in compliance with yard setbacks but the structure is not allowed because it is in a front yard.

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 July 6 ,2021;
- Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated July 9, 2021;

Exhibit F – Entire file relating to the application.

Dick Busch, architect on the project, took the oath and was sworn in. The proposal is for a three-car garage to be built opposite an existing two-car garage to take advantage of a turnaround area between two garages. The positioning of the proposed garage would put it in a front yard. The lot has two front yards, and the front door of the house faces McKnight Road. Mr. Busch stated that in order to be in compliance with zoning requirements they would have to build the garage as an attached part of the residence, which would detract from the design of the house. Mr. Busch stated that the Khanis wish to maintain the current style of the home, which is an historic Maritz & Young home. The new garage would be architecturally similar to the old garage. The Khanis own the vacant lot next to them on Dromara and have no plans to build on that lot. Chairman Forshaw asked if the plans have been approved by Architectural Review Board. Mr. Busch confirmed that ARB has approved the plans and said that its chairman, Matt Wolfe, endorses the proposal.

Julie Shearburn took the oath and was sworn in. Ms. Shearburn, of 34 Dromara, stated that she is president of the board of trustees for Dromara. The trustees have signed off on the plans for the garage addition. All current trustees are in support of the plans, which she described as "beautiful." She noted that the second front yard in which the new garage would be placed looks more like a back yard.

Claudia Horn took the oath and was sworn in. She lives directly across the street at 233 S McKnight. She asked if the front yard faced McKnight Road. Mr. Busch confirmed that a front yard faces McKnight. Ms. Horn then asked whether the new structure would be visible from McKnight. Chairman Forshaw clarified that there are two front yards of the home--one on Dromara and one on McKnight. The new structure is proposed to be in the yard fronting Dromara.

Board discussion ensued. Chairman Forshaw commented on the magnificent historic nature of the home and supported the interest in preserving its architectural integrity. She expressed her opinion that the second front yard constitutes a practical difficulty in this case and noted that no setbacks would be violated. Moreover, the adjacent vacant lot on Dromara, owned by the applicants, provides an extra buffer. Another board member commented that the proposed location of the new garage is clearly the best location for it.

After discussion of the facts presented, Ms. Panke 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:

Ms. Elizabeth Panke	"approve"
Ms. Laura Long	"approve"
Chairman Liza Forshaw	"approve"
Mr. Lee Rottmann	"approve"
Ms. Kristen Holton	"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 5:57 p.m. Ms. Long made a motion to Adjourn the meeting. Ms. Panke seconded the motion. A unanimous vote in favor was taken.

DOCKET 1340

DATE OF HEARING September 14, 2021

NAME Fred and Michelle Khani

DESCRIPTION OF PROPERTY 300 S McKnight Road

CAUSE FOR APPEAL The petitioner is requesting relief from the Building Commissioner denying an accessory structure that would result in an accessory building in the front yard which is prohibited by Ladue Zoning Ordinance #1175, Section IV-A-4(c) and V-C-1(b).

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