

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
NOVEMBER 14, 2023 4:00 P.M.**

DOCKET 1396
9155 CLAYTON ROAD

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, November 14, 2023.

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 Mayor Spewak; Erin Seele, City Attorney; Paul Garlock, Building Commissioner; Anne Lamitola, Director of Public Works; Andrea Sukanek, City Planner; and Lori Mullins, Deputy City Clerk.

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

Approval and Adoption of the Agenda and Minutes

The agenda was adopted unanimously upon motion by Ms. Long and second by Ms. Panke.

The minutes of the October 3, 2023 Board meeting were approved unanimously upon motion by Ms. Long and second by Ms. Panke.

Docket 1396 Petition is submitted by Period Restoration on behalf of Randy Renner for the property located at 9155 Clayton Road. The petitioner is requesting relief from the City Planner denying a new commercial building due to violation of the required front building setback, which is in violation of Ladue Zoning Ordinance 1175, Section V-B-1.

Ms. Sukanek explained that the property owner wishes to erect a new building next to the recently renovated, nonconforming former Ladue Market building on a now-consolidated lot. The denial was due to an 11-foot encroachment into the 20' front yard setback along Clayton Road. The proposed improvement is in line with the existing nonconforming building in the G-1 zoning district. There are a few other considerations that are subject to approval by the Zoning and Planning Commission, including greenspace and buffer strips. The Architectural Review Board has approved the building plans.

Ms. Forshaw entered the following into the record:

- Exhibit A – Zoning Ordinance 1175, as amended;
- Exhibit B – Public Notice of the Hearing;
- Exhibit C – Letter of Denial dated September 27, 2023;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter requesting the variance dated October 2, 2023;
- Exhibit F – Entire file relating to the application;
- Exhibit G –October 3rd meeting additional handout

Architect Dick Busch took the oath, and argued that the setbacks on a small lot create a practical difficulty. He believes that, having the same setback as the former Ladue Market building (which is grandfathered) and parking in the rear of the building make the plan more aesthetically pleasing than an alternative. Setting the building back farther and placing the

parking in the front of the building would not look as good as the plan presented and would result in the loss of 5 parking spaces plus a good location for a trash enclosure. The new building would be architecturally harmonized with the existing renovated building. The new building setback would also be similar to that of the former Busch's Grove building across Clayton Road. The nearest resident (to the rear of the property) has indicated support for the variance because otherwise the new building would be closer to the residence. The renovated Ladue Market building currently has a high-end kitchen cabinet showroom on the first floor and offices on the second floor. The new building would probably have some kind of retail use on the first floor and offices on the second floor.

Mr. Ken Keitel, of Terraspec Architectural and Landscape Engineers, took the oath and shared the plan for 8' of greenspace around the perimeter of the property and a small green island in the center of the parking lot. There would be a new public sidewalk. (Hardly any greenspace is on the property at this time.)

Board discussion included the following points:

- The consolidated lot's two front yards and the difficulty of providing adequate parking for both buildings if the new building were placed farther to the rear
- Neighbor support of the project
- The aesthetic desirability of lining up the front facades of two beautiful, architecturally matched buildings
- Traffic safety would be improved by the elimination of the present entrance from Price Road, which has led to frequent vehicular short-cutting over the subject property to avoid backups on Price Road, followed by hazardous left turns onto Clayton Road with poor visibility
- Setting of a setback precedent
- Greenspace and parking plans
- The greater openness of the corner of Clayton & Price under the proposed plan compared to when a previous commercial building existed near the corner

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

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

With four(4) votes in favor and one(1) against, the motion carries, the ruling of the City Planner is overturned, and the variance granted

Adjournment

The meeting was adjourned unanimously upon motion by Ms. Long and second by Ms. Panke at 4:38 p.m.

DOCKET 1396

DATE OF HEARING November 14, 2023

NAME Period Restoration

DESCRIPTION OF PROPERTY 9155 Clayton Road

CAUSE FOR APPEAL The petitioner is requesting relief from the City Planner denying a new commercial building due to violation of the required front building setback, which is 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 practical difficulties exist. The decision of the City Planner is overturned, and a variance is granted.

Ms. Liza Forshaw, Chairman