

**MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
APRIL 11, 2023, 4:00PM**

**DOCKET 1383  
35 UPPER LADUE ROAD**

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, April 11, 2023.

The following members of the Board were present:

Chairman Liza Forshaw  
Ms. Laura Long  
Ms. Elizabeth Panke  
Mr. Lee Rottmann  
Mr. David Schlafly

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

Ms. Forshaw called the meeting to order at 4:02 P.M.

**Approval and Adoption of the Agenda**

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

**Approval of the Minutes from the March 7, 2023, meeting**

The minutes were approved unanimously upon motion by Ms. Long and second by Mr. Rottmann.

**Docket 1382**      Petition submitted by Susan Rechter for the property located at 35 Upper Ladue Road. The petitioner is requesting relief from the City Planner denying a pool that extends west of the main structure towards Upper Ladue Road, which is considered to be partially in the front yard. This is in violation of the Ladue Zoning Ordinance #1175, Section V-C-1(b).

Ms. 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 February 23, 2023;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter requesting the variance dated March 5, 2023;
- Exhibit F – Entire file relating to the application

Ms. Sukanek explained the denial. 35 Upper Ladue Road, in the "B" zoning district, and sits on a corner lot with 2 front yards. The proposed pool extends west of the main structure toward Upper Ladue Road and is therefore considered to be partially in the front yard.

Drew Bradshaw, from the Pool Specialists, took the oath, stating that the proposed location complies with all setbacks (which are 50' on all sides). The setback requirements and existing structure placement complicated the plans.

Mrs. Susan Rector took the oath and shared that the house was built in the 1920s, and in 1988 the property was subdivided, creating 2-acre parcels, and leaving # 35 with a limited back yard. The proposal has neighbor support. Screening and landscaping are planned. The proposed small 14' x 30' pool would be placed behind the house alongside the existing patio, 145' from Upper Ladue Road.

Chairman Forshaw read Section XI.H of the zoning code on the specific power of the Board to grant variances "To permit accessory building: (a) in front of a main building (but not in the required front yard) in the A and B Districts; and (b) in front yards of corner lots or in either of the front yards of a through lot in any district" and noted its applicability to the present case.

After discussion of the facts presented, including the huge second front yard, the placement limitations due to the corner lot, and the low impact on passersbys, it was determined that practical difficulties exist. Ms. Long moved to overturn the decision of the City Planner and grant the variance. Ms. Panke seconded the motion. The vote was as follows:

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

With five (5) votes in favor and zero (0) against, the motion passed, the ruling of the City Planner was overturned, and the variance was granted.

### **Adjournment**

At 4:56 p.m. the meeting adjourned upon motion of Ms. Long and second of Mr. Schlafly.

DOCKET 1383

DATE OF HEARING

April 11, 2023

NAME

Susan Rechter

DESCRIPTION OF PROPERTY

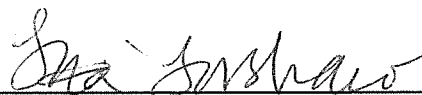
35 Upper Ladue Road

CAUSE FOR APPEAL

The petitioner is requesting relief from the City Planner denying a pool that extends west of the main structure towards Upper Ladue Road, which is considered to be partially in the front yard. This is in violation of the Ladue Zoning Ordinance #1175, Section 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 City Planner is overturned, and the variance is granted.



Ms. Liza Forshaw