



**MINUTES
BOARD OF ADJUSTMENT MEETING
MARCH 5, 2025 –6:00 p.m.**

CALL TO ORDER

A meeting of the Board of Adjustment of the City of Glendale was held on Wednesday, March 5, 2025. Chairman Thomas Lane presided and called the meeting to order at 6:00 p.m.

ROLL CALL

Members Present

Members Absent

Ken Finnerty
Chairman Thomas Lane
Mark Hewlett

Susan Schoen
William Smit

Alternate Members Present

John Bugee
Wrenn Kates

Also present were Frank Johnson, City Administrator; Gabby Macaluso, Deputy City Clerk; City Attorney Allie Sievers; and Court Reporter Seth Arndt.

APPROVAL OF MINUTES

Moved by Mr. Finnerty, seconded by Ms. Kates and unanimously carried, to approve the minutes from the July 10, 2024 meeting as submitted.

**VARIANCE REQUEST –
Side Yard Setback - Laura
Detmer, 286 Parkland Ave.**

Chairman Lane introduced the appeal by Laura Detmer to construct an addition and attached garage at the existing residence of 286 Parkland Ave which would encroach into the side yard setback in the R-1 zoning district in violation of Section 400.190 of the Glendale Zoning Code and would exceed the maximum allowed Floor Area Ratio (FAR) in violation of Section 400.190.

The applicants, Kim Forney and Kim Haney with Forney Architects, were sworn in by the court reporter. They presented Ms. Detmer’s appeal and the proposed project to the Board of Adjustment. Ms. Detmer attended virtually via Zoom.

The applicant requested two variances—one for the setback, and one for the FAR—for the proposed addition stating that the variances are based primarily on the narrowness of the lot. The applicant noted in detail that the property owner desires to make the property more livable as she ages by adding more first floor living space with laundry and an attached garage.

The Board of Adjustment members discussed the requested variances and asked for more details showing justification for the variances. Ms. Haney

explained that the lot is narrower than most in the R-1 zoning district and doesn't meet the R-1 zoning district's standards for minimum lot width, so they are asking for side yard setbacks of 6 feet instead of 10 feet.

Mr. Johnson explained that 286 Parkland Ave. is not a Lot of Record. It was replatted in 1997, when three 50' lots were consolidated into two lots, with 286 Parkland (the subject property) being 62' wide and 280 Parkland being 88' wide. It was allowed to be replatted without meeting the minimum width requirements for R-1 because section 400.150 of the code only requires compliance when more than 50 percent of the lots on the same side of the street within the block comply with the zoning requirements. Of the 18 lots on the west side of the 200 block Parkland Ave., only three (16.6 percent) meet the minimum width requirement of 80'.

Chairman Lane asked for more questions from the board and there were none.

City Attorney Allie Sievers entered into the record the following exhibits:

1. The City of Glendale's Zoning Code
2. The applicant's appeal to the Board of Adjustment
3. The executive summary produced by the City Administrator and provided to the Board of Adjustment.

Mr. Johnson clarified that there will be two separate variances with their own motions.

Mr. Lane asked if anyone in the audience would like to make a public comment.

The court reporter swore in Jack Davis, who wished to speak on behalf of Ms. Raley, the neighbor of 286 Parkland Ave. Mr. Davis explained that he built Ms. Raley's home at 280 Parkland Ave. and he was responsible for subdividing the property. He notes that Ms. Raley's property currently experiences water issues. Based on the addition plans for 286 Parkland Ave., Mr. Davis believes that the contractor would have to build up the property to get the floors all the same level. Additionally, he believes that to have the driveway oriented as shown in the plans, the whole lot would have to be regraded. He and Ms. Raley are concerned that the water issues will become worse for 280 Parkland Ave. if the project is approved.

Photos showing the properties current water issues were entered into the record as Exhibit 4.

Mr. Davis also noted that the need to age in place is being used as a hardship, but he didn't see wide doorways or turn radius in the bathrooms in the plans.

Mr. Johnson clarified that a variance is required before the project can be reviewed by the Architectural Review Board.

Ms. Forney noted that water runoff will be addressed if the variance is approved and the project goes before the ARB. She said they are hiring a civil engineer to handle the stormwater concerns.

Mr. Johnson noted that the setback variance would apply to entire property, not just the portion of the property adjacent to the proposed addition.

At 6:34 p.m., the owner of 286 Parkland Ave. joined the meeting via Zoom.

Mr. Johnson noted that a Lot of Record the same width of 286 Parkland Ave. would have a side yard setback of six feet.

Mr. Finnerty made a motion to approve the variance requesting a six-foot side yard.

The proposed resolution is as follows:

WHEREAS, The Board of Adjustment of the City of Glendale, Missouri, does find and determine that the above-described property is in Zoning District R-1, which said district requires a side-yard setback of 10' feet; and

WHEREAS, the applicant desires to construct an attached garage and addition which would be in violation of the Zoning Code of the City of Glendale Section 400.140 in that it would encroach into the required side yard setback by 4'; and

WHEREAS, The Board finds that the property on which such violation is proposed possessed the following extraordinary or exceptional situations not generally prevalent in the neighborhood which would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner of such property as set out below, if the strict application of the zoning regulations as to setback were followed: the lot was allowed to be replatted without meeting the minimum 80' width requirements for R-1, so it is appropriate to consider the smaller width requirements that apply to lots of record in the R-1 district that are similar width of less than 65'.

*NOW THEREFORE BE IT RESOLVED, that the appeal of the above applicant for a variance in the strict application of the zoning regulations **is approved** based on the findings of fact set out above.*

The applicant is hereby authorized to construct an attached garage and addition that would encroach into the side yard setback by 4’.

The Building Commissioner of the City is instructed to act accordingly.

The motion was seconded by Mr. Hewlett.

The voice vote was as follows:

John Bugee	“Aye”
Ken Finnerty	“Aye”
Chairman Thomas Lane	“Nay”
Mark Hewlett	“Aye”
Wrenn Kates	“Aye”
Susan Schoen	Absent
William Smit	Absent

The motion passed with a vote of 4 Aye, 1 Nay, and 2 Absent.

**VARIANCE REQUEST –
Floor Area Ratio - Laura
Detmer, 286 Parkland Ave.**

Chairman Lane introduced the appeal by Laura Detmer to construct an addition and attached garage at the existing residence of 286 Parkland Ave which would exceed the maximum allowed Floor Area Ratio (FAR) in violation of Section 400.190.

The applicants, Kim Forney and Kim Haney with Forney Architects, presented Ms. Detmer’s appeal regarding the second aspect of the variance request, the exception to the maximum floor area ratio (FAR) of 30 percent.

Ms. Forney stated that the property’s lot measures to be 9,355 square feet, which is smaller than the minimum 10,000 square foot lot size for properties in the R-1 zoning district. Ms. Forney argued that if the lot size of 286 Parkland Ave. was the size it should be as property within the R-1 zoning district (10,000 square feet), Ms. Detmer would be able to have 3,000 square feet of living space. Because the lot is 9,355 square feet, the FAR limits living space to 2,806.50 square feet. Ms. Forney said this limitation creates a hardship because there’s less space to accommodate aging in place design standards. She asks for a variance to allow a maximum FAR of 32 percent.

The Board of Adjustment asked the applicant for clarification on why the variance is needed. Ms. Forney stressed that the FAR creates a home size that is too small to meet the owner’s needs. Additionally, she argued that the inclusion of 50 percent of the attached garage’s square feet in the FAR calculation skews the ratio.

Mr. Johnson explained that the Architectural Review Board was very intentional about applying the FAR to all residential lots regardless of lot size. The purpose of the equal application was to limit large houses being built on small lots. He noted that the ARB included 50 percent of the garage into the FAR calculation as a way of moderating the massing of the houses.

The Board of Adjustment discussed the history of the FAR and the extensive public discussion that occurred regarding the need to limit the sizes of homes built on lots.

Ms. Sievers entered into the record the following exhibits:

1. The City of Glendale's Zoning Code
2. The applicant's appeal to the Board of Adjustment
3. The executive summary produced by the City Administrator and provided to the Board of Adjustment.

Chairman Lane made a motion to deny the variance request for the maximum FAR.

The proposed resolution is as follows:

WHEREAS, The Board of Adjustment of the City of Glendale, Missouri, does find and determine that the above-described property is in Zoning District R-1, which said district requires a maximum Floor Area Ration (FAR) of 0.30; and

WHEREAS, the applicant desires to construct an attached garage and addition which would be in violation of the Zoning Code of the City of Glendale Section 400.140 in that it would exceed the maximum allowed FAR by 0.02; and

WHEREAS, the Board finds that the property on which such violation is proposed (1) was not exceptionally narrow, shallow or of unusual shape at the time of the adoption of the Zoning Ordinance, as set out below, or (2) did not possess any extraordinary or exceptional topographical characteristics, nor (3) any other extraordinary or exceptional situations not generally prevalent in the neighborhood which would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner of such property, if the strict application of the zoning regulations as to setback were followed.

*NOW THEREFORE BE IT RESOLVED, that the appeal of the above applicant for a variance in the strict application of the zoning regulations **is denied** based on the findings of fact set out above.*

The applicant is hereby not authorized to construct an attached garage and addition that would exceed the maximum allowed FAR by 0.02. The Building Commissioner of the City is instructed to act accordingly.

The motion was seconded by Mr. Hewlett.

The voice vote was as follows:

John Bugee	“Aye”
Ken Finnerty	“Aye”
Chairman Thomas Lane	“Aye”
Mark Hewlett	“Aye”
Wrenn Kates	“Aye”
Susan Schoen	Absent
William Smit	Absent

The motion passed with a vote of 5Aye, 0 Nay, and 2 Absent

**VARIANCE REQUEST –
Porch Projection on Double
Frontage Lot – Sean and
Meghan Dolan, 16 Cambridge
Ct.**

Chairman Lane introduced the appeal by Sean and Meghan Dolan to construct a deck on a double front lot, with frontage on Cambridge Ct. and Glen Vista Pl.

The project’s architect, Katie Cook, was sworn in by the court reporter and presented the case for the variance request on behalf of property owners, Sean and Meghan Dolan. She noted that because 16 Cambridge Ct. is a double frontage lot, a deck attached to the traditional rear of the house would be considered a porch. Section 400.070 of the City of Glendale’s zoning code requires porches to not project more than 10’ from the residence. Comparatively, a deck on the traditional rear of the house may project the proposed 17’-8 from the residence. Ms. Cook argued that the unusual orientation of the property between two streets with frontage creates a hardship for the resident.

Mr. Johnson clarified that there’s not a setback issue regarding this project. The issue is the categorization of what would normally be considered a deck is considered a porch because of the double frontage.

The Board of Adjustment discussed the intent of the porch regulations and the unusual nature of a double frontage lot.

City Attorney Allie Sievers entered into the record the following exhibits:

1. The City of Glendale’s Zoning Code
2. The applicant’s appeal to the Board of Adjustment
3. The executive summary produced by the City Administrator and provided to the Board of Adjustment.
4. Site Plan—applicant’s drawing

There was no public comment regarding this project.

Mr. Finnerty made a motion to approve the variance request for a porch that projects more than 10' from the residence.

The proposed resolution is as follows:

WHEREAS, The Board of Adjustment of the City of Glendale, Missouri, does find and determine that the above-described property is in Zoning District R-2, which said district requires porches to not project more than 10' from the residence; and

WHEREAS, the applicant desires to expand an existing attached deck which would be in violation of the Zoning Code of the City of Glendale Section 400.070 in that it would project 17'-8" from the residence; and

WHEREAS, The Board finds that the property on which such violation is proposed possesses the following extraordinary or exceptional situations not generally prevalent in the neighborhood which would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner of such property as set out below, if the strict application of the zoning regulations as to setback were followed: the lot is located on a cul-de-sac, has a double frontage and a pie-shape that make it unique to the neighborhood.

*NOW THEREFORE BE IT RESOLVED, that the appeal of the above applicant for a variance in the strict application of the zoning regulations **is approved** based on the findings of fact set out above.*

The applicant is hereby authorized to expand the existing deck 7'-8' beyond the maximum 10' projection from the residence.

The Building Commissioner of the City is instructed to act accordingly.

The motion was seconded by Ms. Kates.

The voice vote was as follows:

John Bugee	"Aye"
Ken Finnerty	"Aye"
Chairman Thomas Lane	"Aye"
Mark Hewlett	"Aye"
Wrenn Kates	"Aye"
Susan Schoen	Absent
William Smit	Absent

The motion passed with a vote of 5 Aye, 0 Nay, and 2 Absent

**VARIANCE REQUEST –
Side Street Setback on Corner
Lot - Daniel Gargan, 400
Parkland Ave.**

Chairman Lane introduced the appeal by Daniel Gargan to construct a new attached garage to the existing residence at 400 Parkland Ave., which would encroach into front yard setback in the R-1 zoning district in violation of Section 400.140 of the Glendale zoning code.

The owner of 400 Parkland Ave., Mr. Gargan, was sworn in by the court reporter and presented his request for variance from the building lines requirements that corner lots are subjected to. He explained that his project would consist of constructing an attached garage and an addition to the south and east side of the home. The proposed garage would replace the existing garage, which he stated is too small to fit both SUVs. The proposed garage addition would be 11.5' from the property line at the closest corner and 16' at the farthest corner.

Mr. Gargan noted that his requested variance is based on the way the angle of Essex Ave. shortens the perimeter of their property from west to east. He referenced the survey he submitted that shows that there are multiple other corner lots on Essex that have building corners that are closer to the street than the proposed addition.

Ms. Kates asked if the proposed addition would cause line of sight issues if a driver is turning right onto Parkland Ave. from Essex Ave. Mr. Gargan and Mr. Johnson said no.

Ms. Sievers entered into the record the following exhibits:

1. The City of Glendale's Zoning Code
2. The applicant's appeal to the Board of Adjustment
3. The executive summary produced by the City Administrator and provided to the Board of Adjustment.

Chairman Lane asked for public comment. Ann Wallkenhorst expressed a desire to speak. After being sworn in by the court clerk, she noted that she is Mr. Gargan's neighbor and the owner of the property that would be most impacted by the project, but she has no concerns.

Chairman Lane made a motion to approve the variance request that would authorize Mr. Gargan to construct an addition and attached garage that encroaches into the site street setback by 4.5 feet.

The proposed resolution is as follows:

WHEREAS, The Board of Adjustment of the City of Glendale, Missouri, does find and determine that the above-described property is in Zoning District R-1, which said district requires a side street setback of 16'; and

WHEREAS, the applicant desires to construct an addition and attached garage which would be in violation of the Zoning Code of the City of Glendale Section 400.140 in that it would encroach into the side street setback by 4.5'; and

WHEREAS, The Board finds that the property on which such violation is proposed possesses the following extraordinary or exceptional situations not generally prevalent in the neighborhood which would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner of such property as set out below, if the strict application of the zoning regulations as to setback were followed: it is a corner lot with a diagonal street frontage with many neighboring properties with similar or closer setbacks on Essex Ave.

NOW THEREFORE BE IT RESOLVED, that the appeal of the above applicant for a variance in the strict application of the zoning regulations is approved based on the findings of fact set out above.

The applicant is hereby authorized to construct an addition and attached garage that encroach into the side street setback by 4.5'.

The Building Commissioner of the City is instructed to act accordingly.

The motion was seconded by Mr. Finnerty.

The voice vote was as follows:

John Bugee	“Aye”
Ken Finnerty	“Aye”
Chairman Thomas Lane	“Aye”
Mark Hewlett	“Aye”
Wrenn Kates	“Aye”
Susan Schoen	Absent
William Smit	Absent

The motion passed with a vote of 5 Aye, 0 Nay, and 2 Absent

**VARIANCE REQUEST –
Rear Yard Setback on a
Corner Lot – Jenny Gossow,
1249 Carol Ann Pl.**

Chairman Lane introduced the appeal by Jenny Gossow to construct an attached shed to an existing two-car garage at 1249 Carol Ann Pl., which would encroach into rear yard setback in the R-2 zoning district in violation of Section 400.190 of the Glendale Zoning Code.

The owner of 1249 Carol Ann Pl., Ms. Gossow, was sworn in by the court reporter and presented her request for a variance from the rear-yard setback of 30 feet required of corner lots of record within the R-2 zoning district. She explained that she wished to build a 120 square foot shed attached to her garage as it would be the best location on her lot to preserve the

drainage system she installed along the rear perimeter of her property, maximize her open green space, and most effectively screen items she intends to store in the proposed shed from neighbors. The proposed shed would encroach into the rear yard setback by 10 feet.

Additionally, she has a utility easement in her rear yard, which she said further limits potential placement of the shed. She also noted that detaching the shed would result in an accessory building that would be more visible from the street and result in visual clutter.

The Board of Adjustment members discussed the necessity of the variance since there is room on the property to place the shed in the rear yard.

Chairman Lane asked for public comment. Judy and Mark Niehaus of 1041 Joanna Ave. expressed that they would like to speak.

After being sworn in by the court reporter, Mr. and Mrs. Niehaus noted that they live across the street from 1249 Carol Anne Pl. and support the project. They think it will look much better than a detached structure and appreciate that Ms. Gossow is building something that will shield their view of stored items and preserve the visual appeal of the property.

Ms. Sievers entered into the record the following exhibits:

1. The City of Glendale's Zoning Code
2. The applicant's appeal to the Board of Adjustment
3. The executive summary produced by the City Administrator and provided to the Board of Adjustment.

The board discussed the appeal in more detail.

Mr. Johnson noted that wanting to avoid visual clutter doesn't constitute a hardship.

Ms. Gossow argued that she does have a hardship caused by the drainage issues plaguing her property, the grade changes of the property, and the way the house is situated on the property.

Mr. Lane noted that the corner lot and the lay of the land could be grounds for a hardship. He noted that it doesn't impede line of sight, and the neighbors approve of the project.

Chairman Lane made a motion to approve the variance request that would authorize Mr. Gargan to construct an addition and attached garage that encroaches into the site street setback by 4.5 feet.

The proposed resolution is as follows:

WHEREAS, The Board of Adjustment of the City of Glendale, Missouri, does find and determine that the above-described property is in Zoning District R-2, which said district requires a rear yard setback of 30'; and

WHEREAS, the applicant desires to construct a shed addition which would be in violation of the Zoning Code of the City of Glendale Section 400.190 in that it would encroach into the rear yard setback by 10'; and

WHEREAS, The Board finds that the property on which such violation is proposed possesses the following extraordinary or exceptional situations not generally prevalent in the neighborhood which would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner of such property as set out below, if the strict application of the zoning regulations as to setback were followed: it is a corner lot that includes a utility easement and drainage system in the rear and side yards that restrict the buildable area.

NOW THEREFORE BE IT RESOLVED, that the appeal of the above applicant for a variance in the strict application of the zoning regulations is approved based on the findings of fact set out above.

The applicant is hereby authorized to construct a shed addition that would encroach into the rear yard setback by 10'.

The Building Commissioner of the City is instructed to act accordingly.

The motion was seconded by Mr. Finnerty.

The voice vote was as follows:

John Bugee	“Aye”
Ken Finnerty	“Aye”
Chairman Thomas Lane	“Aye”
Mark Hewlett	“Aye”
Wrenn Kates	“Aye”
Susan Schoen	Absent
William Smit	Absent

The motion passed with a vote of 5 Aye, 0 Nay, and 2 Absent

MISCELLANEOUS

Ms. Kates and Mr. Hewlett asked what the board is looking for when proposing a motion for proposal. Mr. Johnson says that training can be arranged for the Board of Adjustment members regarding the language used when formatting resolutions.

ADJOURN

Chairman Lane motioned to adjourn the meeting. The motion was seconded by Ms. Kates and unanimously carried to adjourn the meeting at 8:27 p.m.

