

Introduced by: **Present Berkeley Council Members**

**AN ORDINANCE APPROVING THE VARIANCE FOR 4766 LAGUARDIA TO
ALLOW CONSTRUCTION 10 FEET INTO THE 30 FEET SETBACK**

WHEREAS, Thermo Fisher Scientific appeared before the Board of Adjustment on February 20, 2025 and was heard and considered for a variance to build an addition at 4766 LaGuardia Drive that protrudes ten feet into the required front yard setback of thirty feet.

WHEREAS, the city held a Public Hearing on April 7, 2025, and representatives of Thermo Fisher Scientific appeared and was heard before the city council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY, MISSOURI, AS FOLLOWS:

Section 1. The variance is hereby granted to Thermo Fisher Scientific to allow the build of an addition at 4766 LaGuardia Drive that protrudes ten (10) feet into the required front yard setback of thirty (30) feet.

Section 2. This Ordinance shall be in full force and effect from and after its passage.

1st Reading this 05th day of May 2025

2nd Reading this 05th day of May 2025

3rd Reading, PASSED and APPROVED, this _____ day of _____ 2025

Rita Crawford-Graham, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved as to Form:
Felica Ezell-Gillespie, City Attorney

Final Roll Call:

Councilwoman Williams	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Anthony	Aye	___	Nay	___	Absent	___	Abstain	___
Councilman Hindeleh	Aye	___	Nay	___	Absent	___	Abstain	___
Mayor Crawford-Graham	Aye	___	Nay	___	Absent	___	Abstain	___



8425 Airport Road Berkeley Missouri 63134-2098 (314) 524-3313

MEMORANDUM

TO: Mayor Deinbo and Members of City Council

FROM: Jeremy Taylor, Economic Development Coordinator

THROUGH: April Walton, Acting City Manager

SUBJECT: Variance; 4766 LaGuardia Drive **BOA-01**

MEETING DATE: February 20, 2025

Applicant seeks to build addition at 4766 LaGuardia Drive that protrudes ten (10) feet into the required front yard setback of thirty (30) feet.

STAFF RECOMMENDATION:

APPROVAL OF VARIANCE



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APPLICATION INFORMATION

Applicant Information:	Thermo Fisher Scientific 4766 LaGuardia Drive St. Louis, Missouri 63134
Status of Applicant:	tenant
City Council Ward(s):	Ward 4
Parcel ID Number:	13K640321
Area of Property:	N/A
Current/Past Use of the Property:	Vacant/(past): Pharmaceutical Production/Refinement
Prior Zoning Cases/History:	N/A
Surrounding Zoning:	<u>North</u> : M-1 <u>South</u> : M-1 <u>East</u> : M-1 <u>West</u> : M-1



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VARIANT ANALYSIS

(SEE ATTACHED DECISION)



8425 Airport Road
Berkeley, Missouri 63134
314 524-3313

DECISION OF THE BOARD OF ADJUSTMENT

Applicant:

Thermo Fisher Scientific

Address of Subject Properties:

- Parcel #13K640321 4766 LaGuardia Drive “M-1” Industrial District

Hearing Date: February 20, 2025

RESOLUTION OF DECISION

WHEREAS, the Board does find and determine that the property in question is zoned as follows, and is pursuant to the City’s zoning ordinance:

- Parcel #13K640321 4766 LaGuardia Drive “M-1” Industrial District

WHEREAS, the Applicant desires to:

build an addition at 4766 LaGuardia Drive that protrudes ten (10) feet into the required front yard setback of thirty (30) feet.

WHEREAS, the board finds that the property

- Is built such that the addition cannot be located anywhere else on the property,
- Creates a situation where the addition, if built behind the setback line, would result in dangerously narrow spaces between equipment,
- Has specific locational requirements as a result of the manufacturing processes used, and
- Fits the description of a unique land use hardship,

WHEREAS, This Board does further find and determine that to grant a variance for the building the addition into the front yard setback:

- Does not constitute a change in the district map,
- Does not impair an adequate supply of light and air to adjacent property,
- Does not increase the congestion in public streets,
- Does not increase the public danger of fire and safety,
- Does not affect the city’s aesthetics,
- Does not diminish or impair established property values within the surrounding area, and
- Does not in any other respect impair the public health, safety, comfort, morals, and welfare of the City of Berkeley;

NOW, THEREFORE, BE IT RESOLVED, the requested Variance for Thermo Fisher Scientific to build an addition at 4766 LaGuardia Drive that protrudes ten (10) feet into the required front yard setback of thirty (30) feet, is hereby granted, and the Director of Public Works or his/her representative is hereby directed to approve the Variance request.

• Parcel #13K640321

4766 LaGuardia Drive

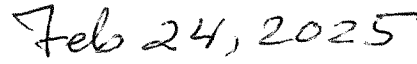
“M-1” Industrial District

RECORD OF ROLL CALL VOTE—February 20, 2025

Gary Grotegeers (Chairman, BOA)	Yes
Jean Holmes (BOA)	Yes
Carla West (BOA)	Yes



Gary Grotegeers, Chairman
Board of Adjustment



Date