

**CITY OF LAKE SAINT LOUIS
BOARD OF ADJUSTMENT
MEETING AND PUBLIC HEARING
MAY 20, 2021
JOURNAL AND MINUTES**

The Board of Adjustment hearing for the City of Lake Saint Louis, Missouri met in regular session and for a public hearing on Thursday, May 20, 2021, at 5:00 p.m. in City Hall, 200 Civic Center Drive, Lake Saint Louis, Missouri.

ROLL CALL:

Mark Peterson, Chairman, presided over the meeting. The members present: Benjamin Borengasser, Thomas Bach, Robert Carrothers, and Diane Mispagel. Also present: Louis Clayton, Director of Community Development; Patricia Beckerle, Board Attorney; Brenda Cueller, Community Development Assistant; and Patsy Mayberry, Certified Court Reporter.

APPROVAL OF AGENDA: May 20, 2021

Thomas Bach made a motion to approve the Board of Adjustment agenda as submitted. The motion was seconded by Diane Mispagel and passed unanimously.

THE AGENDA FOR THE MAY 20, 2021, BOARD OF ADJUSTMENT HEARING STANDS APPROVED AS SUBMITTED.

MINUTES FROM: February 18, 2021, Board of Adjustment Hearing

Thomas Bach made a motion to waive the reading of the minutes from the February 18, 2021, hearing and approve same as submitted. The motion was seconded by Diane Mispagel and passed unanimously.

THE MINUTES FROM THE FEBRUARY 18, 2021, BOARD OF ADJUSTMENT HEARING STAND APPROVED AS SUBMITTED.

PUBLIC HEARING:

1. 15 Harbor Point Court – Lot 8 Lake Saint Louis Harbor Point Estates Subdivision

Consideration of an appeal submitted by Greg Raeman, applicant/property owner, to construct a 184-square-foot front deck requesting a variance from Section 420.140 of the Municipal Code, Standards for All Accessory Uses and Structures, requiring that accessory structures be located in rear and side yards only.

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Patricia Beckerle, Board Attorney, presented the following items to be entered into the record. The items accepted, marked, and entered into evidence were:

- Exhibit 1 – The Board of Adjustment Application submitted by the Applicant.
- Exhibit 2 – The Staff Report
- Exhibit 3 – The Special Warranty Deed for the Property showing title to the Property in the Applicant and his wife.
- Exhibit 4 – Site plan, deck plan, and detail drawings prepared by Jeremy Beecheler depicting the existing residence and proposed replacement and new deck (collectively, the “Site Plan”).
- Exhibit 5 – Four (4) photographs showing the existing deck on the front of the property, two (2) photographs showing the proposed deck railing to be used, and one (1) photograph depicting another property with a deck on the front of the residence.
- Exhibit 6 –The City Code.

Steve Raeman was sworn in and testified that he and his wife purchased the home four years ago. He stated the home has an existing deck and staircase in the front yard to access the front door. Mr. Raeman testified that the deck is deteriorating and needs to be replaced for safety reasons. He also noted that he would like to add an additional deck halfway between the height of the existing deck and the property grade. Mr. Raeman testified that he did consider an alternate location for the front door to a location by an existing window on the front façade, but the roof line of the home prohibited that relocation. It was noted if the front door were relocated, it would still be a few feet above grade.

Jeremy Beecheler, contractor, was sworn in and testified regarding the construction and materials for the deck replacement and additional deck. He testified the replacement and additional deck would be constructed with composite materials and a cable railing system, noting the deck’s structure would be concealed with an apron of the same composite material. It was noted the staircase risers would be covered with the same composite material.

The Board discussed the existing 73.5-square-foot front deck replacement and the proposed new 184-square-foot two-tiered deck. They questioned if installing a patio in place of the additional deck was considered or expanding the deck at the same height was considered.

Mr. Beecheler testified the cost of a concrete deck in place of the additional deck would be more expensive and not provide the safety of a two-tiered deck with staircases.

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Mr. Raeman testified an expanded deck at the same height would not fit the design of his home.

Louis Clayton, Director of Community Development, was sworn in and testified the existing deck which is a nonconforming structure may be maintained and repaired but cannot be replaced without a variance being granted. He noted that decks are to be located in the side or rear yards, which would not allow an additional deck to be built in the front yard.

Public hearing closed.

NEW BUSINESS:

1. 15 Harbor Point Court – Lot 8 Lake Saint Louis Harbor Point Estates Subdivision

Consideration of an appeal submitted by Greg Raeman, applicant/property owner, to construct a 184-square-foot front deck requesting a variance from Section 420.140 of the Municipal Code, Standards for All Accessory Uses and Structures, requiring that accessory structures be located in rear and side yards only.

GENERAL DISCUSSION:

The Board discussed the testimony given to construct a 184-square-foot front deck requesting a variance from Section 420.140 of the Municipal Code, Standards for All Accessory Uses and Structures, requiring that accessory structures be located in rear and side yards only.

The Board reviewed the evidence and the requirements for granting the Variance under the Code.

MOTION TO APPROVE VARIANCE: (15 Harbor Point Court – Lot 8 Lake Saint Louis Harbor Point Estates Subdivision)

Thomas Bach made a motion to grant a 184-square-foot variance from the 1,980-square-foot maximum area permitted to be contained within a pool barrier. The motion was seconded by Diane Mispagel. The poll of the Board being ayes: Benjamin Borengasser, Robert Carrothers, Diane Mispagel, Thomas Bach, and Mark Peterson; nays: none. The vote was 5 to 0 in favor and the motion is granted.

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ADJOURNMENT:

There being no further business to come before the Board of Adjustment, the hearing was, on motion duly made, seconded, and unanimously voted on, adjourned.

THE HEARING ADJOURNED.

The hearing adjourned at approximately 5:50 p.m.

Approved

Brenda Cueller, acting as recording secretary