

**CITY OF LAKE SAINT LOUIS
BOARD OF ADJUSTMENT
MEETING AND PUBLIC HEARING
APRIL 29, 2019
JOURNAL AND MINUTES**

The Board of Adjustment for the City of Lake Saint Louis, Missouri met in regular session and for a public hearing on Thursday, April 29, 2019, at 7:00 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 were: Benjamin Borengasser, John "Jack" Strong, Robert Carrothers, and Paul Brauner. Also present were: Louis Clayton, Director of Community Development; Harry M. Murray, IV, Board Attorney; Karen Vennard, Board of Aldermen Liaison; Brenda Cueller, Community Development Assistant; and Laura Lynn Murphy, Certified Court Reporter.

APPROVAL OF AGENDA: April 29, 2019

Robert Carrothers made a motion to approve the Board of Adjustment agenda as submitted. The motion was seconded by Benjamin Borengasser and passed unanimously.

THE AGENDA FOR THE APRIL 29, 2019 BOARD OF ADJUSTMENT HEARING STANDS APPROVED AS SUBMITTED.

MINUTES FROM: August 16, 2018 Board of Adjustment Hearing

Rob Carrothers made a motion to waive the reading of the minutes from the August 16, 2018 hearing and approve same as submitted. The motion was seconded by Jack Strong and passed unanimously.

THE MINUTES FROM THE AUGUST 16, 2018 BOARD OF ADJUSTMENT HEARING STAND APPROVED AS SUBMITTED.

PUBLIC HEARING:

Request for a 914-square-foot variance from the minimum lot area requirement of 15,000 square feet (Section 410.230.A of the City's Municipal Code), to allow the re-subdivision of the property located at 703 Pine View Court (Lot 2 of The Pines of Lake Saint Louis Place Plat 2 Subdivision). Application submitted by Benjamin Powers, owner.

**CITY OF LAKE SAINT LOUIS
BOARD OF ADJUSTMENT
MEETING AND PUBLIC HEARING
APRIL 29, 2019**

(JOURNAL AND MINUTES)

Harry M. Murray, IV, Board Attorney, presented the following items to be entered into the record. The items accepted, marked and entered into evidence were:

- Exhibit 1 – City's Code
- Exhibit 2 – Request for Variance to Board of Adjustment, City of Lake Saint Louis, Missouri submitted by the Applicant.
- Exhibit 3 – Staff Report.
- Exhibit 4 – Drawing of the Preliminary/Final Subdivision Plat for The Pines of Lake Saint Louis Plat Two Lot 2 and Lot 4 Resubdivision.

Benjamin Powers, owner, testified that he is a neighbor to Jim and Christina Anderson. He stated they needed 914 square feet from his property to build their pool. Mr. Powers said he was willing to give them the property at no cost. He noted that area of his property is unusable since it is down in a ditch. Mr. Powers stated he has no concern regarding the resale value of his home if the variance is approved since a lot of improvements have been made to the home.

The Board asked if the neighbor should have applied for the variance instead of Mr. Powers. Mr. Clayton testified that when the neighbors at 607 Royal Pine Court submitted a plat to re-subdivide the two parcels, Mr. Powers' lot did not meet the minimum lot area requirement in an SR-1 Single Family Zoning District. Mr. Clayton further stated the easements on the original plat would be relocated as a result of the boundary adjustment with the Andersons paying to relocate the utilities to accommodate their pool.

Rose Mack testified she was the mother-in-law of Mr. Anderson. Ms. Mack said the family wanted to construct the pool for their son so he could have friends over. She stated the home was built in an incorrect location which the City approved and for this reason, a variance is required.

Jim Anderson testified that they have been addressing this process since October and have done all that has been required to get permission to put a pool on his parcel. Mr. Anderson believes the pool would increase the value of his home.

Public hearing closed.

NEW BUSINESS:

Request for a 914-square-foot variance from the minimum lot area requirement of 15,000 square feet (Section 410.230.A of the City's Municipal Code), to allow

**CITY OF LAKE SAINT LOUIS
BOARD OF ADJUSTMENT
MEETING AND PUBLIC HEARING
APRIL 29, 2019**

(JOURNAL AND MINUTES)

the re-subdivision of the property located at 703 Pine View Court (Lot 2 of The Pines of Lake Saint Louis Place Plat 2 Subdivision). Application submitted by Benjamin Powers, owner.

GENERAL DISCUSSION:

The Board discussed the testimony given of the variance requested for the minimum lot area requirement of 15,000 square feet to allow the re-subdivision of the property at 703 Pine View Court.

The Board reviewed the evidence.

MOTION TO APPROVE VARIANCE: (703 Pine View Court)

Robert Carrothers made a motion to grant the requested variance from Section 410.230.A of the City's Municipal Code. The motion was seconded by Jack Strong. The poll of the Board being ayes: Jack Strong, Robert Carrothers, Paul Brauner and Mark Peterson; nays: Benjamin Borengasser. The vote was 4 to 1 in favor and the request was approved.

ADJOURNMENT:

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

THE MEETING ADJOURNED.

The meeting adjourned at approximately 7:45 p.m.

Approved

Brenda Cueller, acting as recording secretary