

**CITY OF LAKE SAINT LOUIS  
BOARD OF ADJUSTMENT  
MEETING AND PUBLIC HEARING  
JANUARY 20, 2022  
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, January 20, 2022, at 7:00 p.m. in City Hall, 200 Civic Center Drive, Lake Saint Louis, Missouri.

**ROLL CALL:**

Benjamin Borengasser, Vice Chairman, presided over the meeting. The members present: Thomas Bach, Robert Carrothers, Diane Mispagel, and Kyle Sample. Mark Peterson was absent. Also present: Louis Clayton, Director of Community Development; Matthew Reh, Board Attorney; Brenda Cueller, Community Development Assistant; and Laura Lynn Murphy, Court Reporter.

**APPROVAL OF AGENDA: January 20, 2022**

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 JANUARY 20, 2022, BOARD OF ADJUSTMENT HEARING STANDS APPROVED AS SUBMITTED.**

**MINUTES FROM: May 20, 2021, Board of Adjustment Hearing**

Thomas Bach made a motion to waive the reading of the minutes from the May 20, 2021, hearing and approve same as submitted. The motion was seconded by Diane Mispagel and passed unanimously.

**THE MINUTES FROM THE MAY 20, 2021, BOARD OF ADJUSTMENT HEARING STAND APPROVED AS SUBMITTED.**

**PUBLIC HEARING:**

**1. 321 Crystal Brook Court – Lot 50 Manors at Meadowbrook Plat Two Subdivision**

Consideration of an appeal submitted by Stacey Sappington, applicant/property owner, for the following variances associated with the construction of a swimming pool:

- A 5-foot variance from the 15-foot side setback for pools (Table 410.130.G, Permitted Setback Projections).

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- A 2-foot 10-inch variance from the 15-foot rear setback for pools (Table 410.130.G, Permitted Setback Projections).
- A 6-foot 9-inch variance from the 15-foot rear setback for pool aprons (Table 410.130.G, Permitted Setback Projections).

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

Exhibit 1 – The Staff Report.

Exhibit 2 – Board of Adjustment Application.

Exhibit 3 – Site plan and pool plan prepared by Watson Design Services depicting the existing residence and proposed pool.

Exhibit 4 – The City Code.

Stacey Sappington was sworn in and testified that she and her husband purchased the home in 2014. She stated they wanted to construct a pool in their backyard but because of the size of their yard, they are not able to adhere to the required setbacks for a pool and are requesting variances.

Blake Pinkston, contractor, was sworn in and testified regarding the construction of a 528-square-foot swimming pool and swimming pool apron. He stated this lot is smaller than others in the subdivision making it difficult to place the required setbacks for the swimming pool and swimming pool apron. Mr. Pinkston said this is a small swimming pool to fit in their backyard but still would require variances on setbacks. He stated they were requesting:

1. A 5-foot variance from the 15-foot side setback from swimming pools.
2. A 2-foot 10-inch variance from the 15-foot rear setback for swimming pools.
3. A 6-foot 9-inch variance from the 15-foot rear setback for swimming pool aprons.

The Board discussed the requested setback variances.

Louis Clayton, Director of Community Development, was sworn in and testified that the 1,908-square-foot detached house was constructed in 2009. The applicant proposes construction of a 528-square-foot swimming pool in the rear yard. He testified the lot is irregularly shaped due to the location in the cul-de-sac curve making a buildable area for the property smaller than most lots in the subdivision. Mr. Clayton testified there is an existing deck which is proposed to be reduced in size and reconfigured as part of the pool construction; however, the deck and rear door could be removed entirely and are not required by the building code. He

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stated the two smallest lots with swimming pools in the subdivision are comparable in size to the subject property, but both are regularly shaped lots.

Public hearing closed.

**NEW BUSINESS:**

**1. 321 Crystal Brook Court – Lot 50 Manors at Meadowbrook Plat Two Subdivision**

Consideration of an appeal submitted by Stacey Sappington, applicant/property owner, for the following variances associated with the construction of a swimming pool:

- A 5-foot variance from the 15-foot side setback for pools (Table 410.130.G, Permitted Setback Projections).
- A 2-foot 10-inch variance from the 15-foot rear setback for pools (Table 410.130.G, Permitted Setback Projections).
- A 6-foot 9-inch variance from the 15-foot rear setback for pool aprons (Table 410.130.G, Permitted Setback Projections).

**GENERAL DISCUSSION:**

The Board discussed the testimony given requesting the setback variances under the Code to construct a 528-square-foot swimming pool and swimming pool apron.

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

**MOTION TO APPROVE VARIANCE: (321 Crystal Brook Court– Lot 50 Manors at Meadowbrook Plat Two Subdivision)**

Thomas Bach made a motion to grant:

- A 5-foot variance from the 15-foot side setback for pools.
- A 2-foot 10-inch variance from the 15-foot rear setback for pools.
- A 6-foot 9-inch variance from the 15-foot rear setback for pool aprons.

The motion was seconded by Diane Mispagel. The poll of the Board being ayes: none; nays: Benjamin Borengasser, Robert Carrothers, Diane Mispagel, Thomas Bach, and Kyle Sample. Having received 0 votes in favor of granting the variances, the application for variances is denied.

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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 7:35 p.m.

*Approved*

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Brenda Cueller, acting as recording secretary