

**CITY OF LAKE SAINT LOUIS
BOARD OF ADJUSTMENT
MEETING AND PUBLIC HEARING
AUGUST 15, 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, August 15, 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 Thomas Bach. Also present were: Louis Clayton, Director of Community Development; Harry M. Murray, IV, and Patricia Beckerle, Board Attorneys; Brenda Cueller, Community Development Assistant; and Laura Lynn Murphy, Certified Court Reporter.

APPROVAL OF AGENDA: August 15, 2019

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

THE AGENDA FOR THE AUGUST 15, 2019 BOARD OF ADJUSTMENT HEARING STANDS APPROVED AS SUBMITTED.

MINUTES FROM: April 29, 2019 Board of Adjustment Hearing

Rob Carrothers made a motion to waive the reading of the minutes from the August 29, 2019 hearing and approve same as submitted. The motion was seconded by Jack Strong and passed unanimously.

THE MINUTES FROM THE APRIL 29, 2019 BOARD OF ADJUSTMENT HEARING STAND APPROVED AS SUBMITTED.

PUBLIC HEARING:

Request for a 0.2-foot variance from the required front yard setback of 25 feet (pursuant to the Final Development Plan for the Green Tree Planned Residential District), associated with the existing single-family residence. Application submitted by Teresa Fuqua, owner.

Teresa Fuqua, owner, was sworn in and testified when she and her husband purchased 201 Fairwood Place Court, a boundary survey was done which

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showed a small part of the home encroached into the front yard setback. Mr. Fuqua asked the City if a variance had been granted for this encroachment. When she found out no variance had been requested or made on the parcel, she submitted a variance request. Ms. Fuqua is in the real estate business and knew a variance should be recorded to keep the title to the property clear of unrecorded encroachments. She stated the property had been sold three times since its construction and the encroachment had not been addressed.

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 – Boundary Survey
- Exhibit 4 – Board of Adjustment Staff Report
- Exhibit 5 – General Warranty Deed

Public hearing closed.

NEW BUSINESS:

Request for a 0.2-foot variance from the required front yard setback of 25 feet (pursuant to the Final Development Plan for the Green Tree Planned Residential District), associated with the existing single-family residence. Application submitted by Teresa Fuqua, owner.

GENERAL DISCUSSION:

The Board discussed the testimony given for a 0.2-foot variance from the required front yard setback of 25 feet, associated with the existing single-family residence.

The Board reviewed the evidence.

MOTION TO APPROVE VARIANCE: (201 Fairwood Place Court)

Robert Carrothers made a motion to grant the requested variance as presented. The motion was seconded by Jack Strong. The poll of the Board being ayes: Jack Strong, Robert Carrothers, Thomas Bach, Benjamin Borengasser and Mark

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Peterson; nays: none. The vote was 5 to 0 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 7:08 p.m.

Approved

Brenda Cueller, acting as recording secretary