

**CITY OF CHESTERFIELD
BOARD OF ADJUSTMENT MEETING SUMMARY
Thursday, July 7, 2005**

The Board of Adjustment meeting was called to order at 7:05 p.m. on Thursday, by Mr. Gerald Schwalbe, Acting Chair of the Board of Adjustment.

I. Introduction of Board and City Staff

The following individuals were in attendance:

Ms. Laura Lueking
Ms. Dru Thomas
Mr. Richard Morris
Mr. Gerald Schwalbe
Mr. Robert Tucker
Mr. Rob Heggie, Assistant Attorney, City of Chesterfield
Ms. Jane Durrell, City Council Liaison
Mr. Bruce Geiger, City Council
Ms. Aimee Nassif, Project Planner, City of Chesterfield Department of Planning
Ms. Annissa G. McCaskill-Clay, Senior Planner, City of Chesterfield Department of Planning
Ms. Joyce Collins-Catling, Executive Secretary, City of Chesterfield Department of Planning
Midwest Litigation Services, Court Reporter

II. Approval of February 3, 2005 Meeting Summary

**Laura Lueking made a motion to approve the minutes as written.
Richard Morris seconded the motion.**

The motion passes 5-0

III. Request for Affidavit of Publication

IV. Public Hearing Items:

- A. **B.A. 4-2005 Mark and Stacy Schenberg:** An request for a variance from City of Chesterfield Ordinance 1988 to allow a new home to exceed 35ft in height at 1399 Schoettler Road in Schoettler Estates(19S640503)

Assistant Director of Planning Annissa McCaskill-Clay presented eight (8) exhibits supporting petition for a newly constructed home allowing height to exceed ordinance requirement by 15 feet. Mr. Schenberg stated that all other homes in subdivision exceed the ordinance requirement of 35 feet. He has obtained signatures from Subdivision Trustees approving the new construction without any issues. New construction is to be built for same architectural style and property size consistency within the subdivision. The original ordinance from 1988 was amended in 2003 regulating the tear down/rebuild of older homes for subdivision compatibility.

There were three (3) additional speakers present in favor of the petition.

There were no speakers present in opposition.

Board member Dru Thomas inquired about clarification of the hardship relating to the petitioner, and what other options are available in this instance.

Assistant Attorney Bob Heggie explained that this Board was created to hear and relieve petitioner of particular/specific zoning ordinance requirements. The Board considers character, look, and fit as it relates to the neighborhood. He further explained that there is no certain definition for hardship, and that this is left broad for the Board to act upon and consider.

Councilmember Jane Durrell pointed out that there is a conflicting requirement regarding the language of the site specific ordinance whereby there will be a modification to make it more compatible to the subdivision. Planning & Zoning will possibly be looking at modifying the ordinance to make less conflicting.

Laura Lueking makes a motion to grant request based on the neighborhood.

The voice vote was as follows: Laura Lueking, yes; Dru Thomas, yes; Richard Morris, yes; Gerald Schwalbe, yes; Robert Tucker, yes.

The motion passed 5-0

VI. Adjournment

Meeting adjourned at 8:00 p.m.