

**CITY OF CHESTERFIELD
BOARD OF ADJUSTMENT MEETING SUMMARY
Thursday, July 5, 2007**

The Board of Adjustment meeting was called to order at 7:00 p.m. on Thursday, July 5, 2007 by Mr. Leon Kravetz, Acting Chair of the Board of Adjustment.

I. Introduction of Board and City Staff

The following individuals were in attendance:

Mr. Leon Kravetz
Ms. Dru Thomas
Mr. Alan Baudler
Mr. Bruce DeGroot
Mr. Richard Morris
Mr. Robert Tucker
Ms. Laura Lueking
Mr. Rob Heggie, City Attorney, City of Chesterfield
Councilmember Bruce Geiger
Ms. Aimee Nassif, Senior Planner, City of Chesterfield Department of Planning
Ms. Linda Jones, Executive Secretary, City of Chesterfield Department of Public Works
Court Reporter, Midwest Litigation Services

II. Request for Affidavit of Publication

III. Approval of April 5, 2007 Meeting Summary

Dru Thomas made a motion to approve the meeting summary.

Robert Tucker seconded the motion

Motion passes 5-0 by voice vote

The voice vote was as follows: Dru Thomas, yes; Alan Bauldler, yes; Robert Tucker, yes; Richard Morris, yes; Leon Kravetz, yes.

IV. Public Hearing Items:

- A. B.A. 07-2007 12 Baxter Lane: A request for variance from City of Chesterfield Zoning Ordinance Section 1003.105 "NU" Non-Urban District to allow a new resident at 12 Baxter Lane to maintain a 10 ft. side yard setback in lieu of the required 20 feet.**

Senior Planner Aimee Nassif presented exhibits supporting the petition requesting a variance permitting the petitioner to maintain a 10' side yard setback in lieu of the required 20' side yard setback. This home was constructed in 1955. After the home was constructed and the subdivision was built, St. Louis County developed development conditions for the site and declared the district zone non-urban. The subdivision indentures allow for a 10' side yard setback. She further stated that last year #7 Baxter Lane asked for the same variance and was approved for a 10' side yard setback.

Chad Baum, owner, stated that he is asking for a 10' variance in order to build a new home at 12 Baxter Lane. The indentures of the subdivision that he received stated 10' sidelines. He presented a copy of the indentures which was marked as Exhibit Seven. When Mr. Baum was asked about approval from the trustees, he presented a letter from them which was marked Exhibit Eight.

Kevin George, KGJ Construction, the company hired to do the building. He stated he also did the work at #7 Baxter Lane which is the home of Chad Baum's brother Scott Baum. He further stated that on inspection of the home it was found that there was a horizontal crack running through the foundation. Because of this crack, they determined that it was not suitable to add on to the existing home and to build a new structure. He described the new house to be built. He further stated that he was not aware of the City of Chesterfield zoning requirements. He was only aware of the subdivision's requirement of a 10' setback.

Scott Baum, resident at #7 Baxter Lane, stated that when Chad Baum got his set of indentures which stated a 10' setback, he thought they had been updated for the subdivision after his meeting with the Board last year.

There were no speakers present in opposition.

CONCLUSION:

As a result of discussion and questions held by the Board members and Petitioner, it was determined that a variance permitting a 10' side yard setback be granted in lieu of the required 20' setback to allow the petitioner to build a new home.

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- V. Alan Baudler made a motion to approve the variance request.
Richard Morris seconded the motion.
Motion passes 5-0 by voice vote**

The voice vote was as follows: Dru Thomas, yes; Alan Baudler, yes; Leon Kravetz, yes; Richard Morris, yes; Robert Tucker, yes.

VI. Adjournment

Meeting adjourned at 7:25 p.m.