

**CITY OF CHESTERFIELD
BOARD OF ADJUSTMENT MEETING SUMMARY
Thursday, May 4, 2006**

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

I. Introduction of Board and City Staff

The following individuals were in attendance:

Ms. Laura Lueking
Mr. Alan Baudler
Mr. Leon Kravetz
Mr. Richard Morris
Mr. Robert Tucker
Mr. Rob Heggie, City Attorney, City of Chesterfield
Ms. Annissa G. McCaskill-Clay, Assistant Director of Planning, City of Chesterfield Department of Planning
Ms. Joyce Collins-Catling, Executive Secretary, City of Chesterfield Department of Planning
Court Reporter, Midwest Litigation Services

II. Approval of Amended April 6, 2006 and November 3, 2005 Meeting Summaries

**Richard Morris made a motion to approve the April 6, 2006 as amended.
Laura Lueking seconded the motion.
The motion passed by voice vote 5-0**

**Laura Lueking made a motion to approve the November 3, 2005 as amended.
Richard Morris seconded the motion.
The motion passed by voice vote 5-0**

III. Request for Affidavit of Publication

IV. Public Hearing Items:

- A. B.A. 03-2006 Petro-Mart:** A request for a variance from Section 1003.145 (4) of the City of Chesterfield Zoning Ordinance to allow an internal drive to maintain a ten (10) foot setback in lieu of twenty five (25) foot setback requirement when a property adjoins any residential district. (14898 Clayton Rd.)

Assistant Director of Planning Annissa McCaskill-Clay presented nine exhibits for the petition requesting a variance granting an internal drive with a 10 foot setback for property recently re-zoned from C8 to PC.

Mr. John King, Attorney representing the Petitioner, stated that the Petro-Mart is an existing station built prior to the City's incorporation. In an effort for the business to remain competitive, they are proposing to build a new convenience store, pumps, and canopy. Since MoDot took the right-of-way, the Petitioner no longer complies with the City of Chesterfield's site specific ordinance. Due to the odd shaped lot, there is no room to build the drive further north, leaving the south (residential side) as the only option to construct. There will be no change to the drive of the building, only distance. Additional landscaping is proposed near the existing 6' fence. As part of the modifications, new dryers are proposed for the car wash. Mr. King stated that a restraint barrier can be installed once details have been worked out with neighbors.

There were no additional speakers present in favor of the petition.
There was one speaker present in opposition.

Mr. Michael McBride spoke in opposition to the request citing safety concerns. He stated that there are small children who play near the property, and 10' is not enough stopping distance for vehicles. He would like for a restraining barrier tall enough to stop vehicles be installed; no curb currently exists. Mr. McBride is not opposed to the aesthetics or noise.

Richard Morris made a motion to approve the variance request with the provision that the Petitioner provide a traffic barrier.
Laura Lueking seconded the motion.

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

The motion passed by voice vote 5-0

VI. Adjournment

Meeting adjourned at 7:40 p.m.