MINUTES
BOARD OF ADJUSTMENT
MARCH 11, 2014

Vice Chair John called the meeting to order at approximately 7:00 p.m. Those members attending included Elizabeth Peters, Philip Clithero, Martha John, Sean Flanagan and Matt Reichert. Also attending were the City Clerk, Sheela Amin, Deputy City Clerk, Megan Eldridge, Planner, Steve MacIntyre and Assistant City Counselor, Rose Wibbenmeyer.

The minutes from the regular meeting of February 11, 2014 were approved as submitted on a motion by Mr. Clithero and a second by Mr. Flanagan.

The following case, properly advertised, was considered. All persons testifying were duly sworn by the Deputy City Clerk.

Case Number 1877 was a request by Nate Keller, attorney for TKG St. Peters Shopping Center L.L.C., for a conditional use permit to allow uncovered, surface off-street parking on property located at 201 S. Providence Road.

Vice Chair John opened the public hearing.

Nate Keller, 3903 Woodrail on the Green, explained he was requesting Case No. 1877 be tabled to the April 8, 2014 Board of Adjustment meeting because they wanted additional time to review the staff recommendations and perform additional diligence.

Mr. Flanagan made a motion to table Case No. 1877 to the April 8, 2014 Board of Adjustment meeting. The motion was seconded by Mr. Clithero and approved unanimously by voice vote.

There being no further comment, Vice Chair John continued the public hearing to the April 8, 2014 Board of Adjustment Meeting.

Vice Chair John wondered if they wanted to discuss a rule change that would have allowed this item to be continued by an e-mail vote. Ms. Amin explained a vote could not be taken by e-mail, but the Board could consider a rule change that would allow an automatic continuance if there was a request to table when there was only one item on the agenda. She pointed out the Board rules required the readvertisement of a case if it was tabled so many times, so they might want to keep that in mind in this discussion.

Mr. Clithero commented that a concern of his with a potential rule change was that the public would arrive to a dark room since these cases were advertised and the meetings were open to the public. Ms. Amin agreed that was an issue. She explained staff would update the website, but noted some people would not necessarily look at the agenda before coming to the meeting. In addition, she stated staff could post a cancelation on the doors and contact anyone that had called them about the case, but reiterated his concern was valid.

Ms. Wibbenmeyer stated she thought the Board should consider whether a deadline was appropriate for an automatic tabling if they decided they wanted to change the rules and whether a copy of the request should be provided to the interested parties. She explained the courts had
deadlines for continuances unless the other parties were in agreement to the continuance, and in those cases, it was still up to the judge as to whether to grant the continuance. In the context of the Board of Adjustment, it could be an automatic mechanism, or if something was done by a certain time, it could be left to the Chair to make that decision, but in any situation there would still be an issue with regard to notice.

Ms. Peters asked how often these situations occurred. Mr. Clithero replied he only remembered one other time in five years. Vice Chair John agreed these situations did not happen often. Mr. Clithero pointed out there was usually more than one case to be heard by the Board. Ms. Peters suggested they not change the rules in that case. She agreed it was a bit inconvenient, but not as inconvenient as it would be to the public if they showed up, especially when it only happened occasionally.

Vice Chair John stated she felt it was good to have this discussion, and understood the consensus of the Board was to not make any changes at this time. Mr. Clithero suggested they not make any changes to the rules at this time, and noted they could revisit the issue if this situation occurred more often in the future.

There being no further business, the meeting adjourned at 7:07 p.m.

Respectfully Submitted,

Sheela Amin
City Clerk