Chair Townsend called the meeting to order at approximately 7:00 p.m. Those members attending included Philip Clithero, David Townsend, Sean Flanagan, Matt Reichert and Elizabeth Peters. Also attending were the City Clerk, Sheela Amin, Deputy City Clerk, Megan Eldridge, Senior Building Inspector, Doug Kenney and Assistant City Counselor, Rose Wibbenmeyer.

The minutes from the regular meeting of March 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.

Chair Townsend explained the attorney for the applicant had requested this item be tabled to the May 13, 2014 Board of Adjustment Meeting.

Mr. Clithero made a motion to table Case No. 1877 to the May 13, 2014 Board of Adjustment Meeting. The motion was seconded by Ms. Peters and approved unanimously by voice vote.

Case Number 1878 was a request by Elaine L. Wilson for a variance to the minimum side yard requirement for a private garage by allowing a garage to be located less than three feet from the side lot line on property located at 108 Crestmere Avenue.

Chair Townsend opened the public hearing.

Elaine Wilson, 108 Crestmere, explained she had lived in this house for 47 years, and the garage was close to falling down as nothing had ever been done to it. She thought it could be repaired, but the contractor had indicated it was beyond repair. As a result, they wanted to build a new garage on the same foundation as there was no room to move it. The garage was a little less than three feet from the property line, and her neighbor was okay with the location of the garage.

Chair Townsend understood the garage would be rebuilt in the same place as the current garage and there was nowhere else to put the garage. Ms. Wilson stated that was correct. Chair Townsend understood the lot was very narrow and asked if this lot was located in an older subdivision. Ms. Wilson replied the lot was located in an older subdivision, directly behind the library. She explained she had bought the property from the person who had built on the lot and thought it was about 60-65 years old. Ms. Wilson pointed out placing the garage on the existing foundation would also save her some money.

Tracy Jones, 106 Crestmere Avenue, explained the existing garage was almost right on the property line. She noted she looked at this almost dilapidated garage regularly and was in favor of
the applicant rebuilding the garage even if it went a foot over the property line. She pointed out she was the one most affected by this project.

There being no further comment, Chair Townsend closed the public hearing.

Mr. Kenney explained the garage conformed to all other zoning regulations, and the Building and Site Development Division had no issues with granting of the variance.

Ms. Wibbenmeyer stated the legal standard was one of practical difficulties or unnecessary hardships, and noted it was up to the applicant to establish that. The facts that would justify this were it being unique, unusual or peculiar to the property involved and different from that suffered throughout the zone or neighborhood.

Chair Townsend commented that this appeared to be a narrow lot, the foundation was already there, and it was in an older neighborhood. He thought the same issues would be involved if they tried to build the garage in another location on the lot, so he felt it was best to leave it where it was currently.

Mr. Clithero made a motion to approve the variance as requested. The motion was seconded by Mr. Reichert.

CASE NO. 1878 VOTE RECORDED AS FOLLOWS: VOTING YES: CLITHERO, TOWNSEND, FLANAGAN, REICHERT, PETERS. VOTING NO: NO ONE. The variance was approved as requested.

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

Respectfully Submitted,

Sheela Amin
City Clerk