Chair Townsend called the meeting to order at 6:00 p.m. Those members attending included Campbell, Kasmann, John, Townsend and Clithero. Also attending were the City Clerk, Sheela Amin and Assistant City Counselor, Susan Crigler.

Chair Townsend explained this was a special meeting to discuss whether to accept an application for the June 14, 2011 Board of Adjustment meeting at the request of St. Andrews Evangelical Lutheran Church.

Lawrence D. Leip, an attorney with offices at 1921 Chicago Road, Jefferson City, Missouri, stated he was representing St. Andrews Evangelical Lutheran Church and thanked the Board for holding this special meeting. He explained they were requesting their application be heard at the June 14, 2011 Board of Adjustment meeting as it was important to St. Andrews, and pointed out the required notices could still be given to the interested parties. He stated they would be requesting a minor variance from the stormwater ordinance at that meeting. He provided background information regarding the expansion project for the Church, and explained that as part of the project, the architects, Peckham and Wright hired Trabue, Hansen and Hinshaw (TH&H) for consulting engineering services. TH&H thought the filing deadline date was Thursday, May 26 instead of Tuesday, May 24, and the application was submitted the afternoon of May 24. The reason St. Andrews was requesting this issue be heard in June was because any further delay would hurt St. Andrews financially as the cost of construction materials and interest rates were increasing. He explained they could not lock into a construction loan until this issue was resolved and a building permit was granted. In addition, it would delay the construction schedule. He noted they really wanted this project completed by the upcoming Christmas season and the congregation was expecting action in June. He noted the groundbreaking ceremony had been held in March and they had already experienced several delays. He reiterated notice could still be given to interested parties and explained St. Andrews had an open meeting with the adjacent property owners. He asked the Board to accommodate their request.

Chair Townsend asked if a complete application had been received. Ms. Amin replied hard copies of the remaining items were received at 8:05 a.m. on Friday, May 27, 2011.

Mr. Campbell understood a delay of a month would impact the whole process. Mr. Leip replied that was correct. He reiterated it would be a detriment to St. Andrews financially in terms of construction material costs and interest rates as they were increasing. This would mean less money would be available to allocate toward the building project itself.

Mr. Campbell stated he had initially been reluctant in considering the request because they had rules, which he believed needed to be followed as they were important, but he wanted to hear from his fellow Board Members.

Mr. Clithero agreed rules were important to the Board, but felt they should support the request in this instance. He did not feel this would set a precedent. He noted the Board could still meet its obligations of publication in a newspaper and notification of interested parties.
Chair Townsend commented that the precedent setting issue was his biggest concern. He noted that in addition to the deadline being missed, it was an incomplete application as it was not signed by an attorney and did not include a list of the interested parties. He understood this created a hardship for St. Andrews and wondered if the responsible party was bearing any cost for this mistake.

Ms. John stated her immediate reaction was not sympathetic, but after a conversation with Mr. Trabue who candidly indicated they had made a mistake and did not want to penalize their client for their mistake, she was more sympathetic. She commented that she was leaning toward granting the request with the caveat that this would likely be the only time they did this.

Mr. Clithero made a motion to allow this item to be placed on the June 14, 2011 Board of Adjustment meeting agenda. The motion was seconded by Mr. Campbell.

Mr. Campbell wanted to ensure everyone understood this was not precedent setting and that making a mistake with regard to the deadline was not a good justification.

Chair Townsend pointed out that allowing this issue to be heard at the June meeting did not necessarily mean the Board would grant the variance being requested.

THE VOTE WAS RECORDED AS FOLLOWS: VOTING YES: CAMPBELL, KASMAN, JOHN, TOWNSEND, CLITHERO. VOTING NO: NO ONE. The motion was approved.

Chair Townsend suggested St. Andrews work with City staff with regard to this variance request if they had not already done so. Mr. Campbell noted stormwater issues were important, so those issues were being looked at in detail.

There being no further business, the meeting adjourned at 6:11 p.m.

Respectfully Submitted,

Sheela Amin
City Clerk