Vice-Chair Clithero called the meeting to order at 7:00 p.m. Those members attending included Clithero, Gorman, Campbell, Carroz and John. Also attending were the City Clerk, Sheela Amin, Building Regulations Supervisor, Phil Teeple, Development Services Manager, Pat Zenner, and Assistant City Counselor, Rose Wibbenmeyer.

The minutes from the regular meeting of June 12, 2012 were approved as submitted on a motion by Mr. Campbell and a second by Ms. John.

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

**Case Number 1842** was a request by Craig Van Matre, attorney for Alpha Gamma Chapter of Alpha Delta Pi House Corporation, for a variance to the off-street parking requirement by allowing fewer off-street parking spaces than required on property located at 809 Richmond Avenue.

Vice Chair Clithero noted there had been a request to table Case No. 1842 to the August 14, 2012 Board of Adjustment meeting.

Mr. Campbell made a motion to table Case No. 1842 to the August 14, 2012 Board of Adjustment meeting. The motion was seconded by Ms. John and approved unanimously by voice vote.

**Case Number 1840** was a request by Dale Linneman, attorney for Campus Lutheran Church (owner/lessor) and St. Charles Tower, Inc. (lessee), for a conditional use permit to construct a 35 foot tall steeple and a 6 foot tall cross, which will extend the bell tower of the church to a maximum height not to exceed 108.5 feet and will house a stealth communications tower and antennas, and the related communications equipment shelter on property located at 304 S. College Avenue.

Vice-Chair Clithero opened the public hearing.

Dale Linneman, 3705 Godfrey, explained he was the attorney for Campus Lutheran Church and noted the Church did not currently have a steeple, so this request would address the need for cellular service and the aesthetic desire for a steeple on the Church building. He asked the Board to approve the request for the conditional use permit.

Mr. Campbell asked for the distance between the base of the current bell tower and the closest apartments across the street.

Bob Bardone, a representative of St. Charles Tower, LLC with offices 4 West Drive, Suite 110, Chesterfield, Missouri, commented that per the plan submitted with the application, they were in excess of 150 feet to the south, crossing Anthony Street, to the apartments. Mr. Campbell explained he asked the question to ensure the tower was located a distance of the height of the tower to the nearest residential area in case the tower fell down.
There being no further comment, Vice-Chair Clithero closed the public hearing.

Ms. Wibbenmeyer introduced Section 29-21.3 of the Columbia Code of Ordinances into evidence and noted it set forth the items the Board needed to consider in rendering its decision. She read those items at the request of the Board.

Mr. Zenner commented that he believed the Board had justifications with regard to the items the Board needed to consider within the application and staff report. He listed the other sites that were reviewed and noted this application posed a few unique elements. The existing bell tower, which was currently 67 feet tall, would be extended 41 additional feet, and it did not have an accompanying fall zone since it was a structure, and not a tower. He explained the application included an engineering justification for why the applicant wanted the fall zone considered upward from the 67 foot mark, and staff felt the justification was reasonable because if the existing bell tower fell over, there was nothing the City could do. Staff wanted to make sure the addition housing the cellular facility stayed within the confines of the Church property, and the site plan identified the 41 foot fall zone line. The telecommunication facility cabinetry would be mounted on the roof behind the bell tower, so it would not be exposed directly to College Avenue, and there would be opaque screening around it. He noted staff found this request was technically in compliance with Section 29-21.3 of the Columbia Code of Ordinances, and supported the request as it would reduce the need for additional facilities in this particular location.

Mr. Campbell understood the bell tower was a structure and had different technical requirements in comparison to a tower, and asked how staff would ensure the existing structure had the capacity to handle the greater burden of the added tower. Mr. Zenner replied the load calculations associated with the building plan submissions would be evaluated by the Building and Site Development Division. They would receive electrical design plans, construction documents with loading calculations, etc. for review prior to the issuance of a permit.

Mr. Campbell made a motion to approve the conditional use permit as requested. The motion was seconded by Mr. Gorman.

CASE NO. 1840 VOTE RECORDED AS FOLLOWS: VOTING YES: CLITHERO, GORMAN, CAMPBELL, CARROZ, JOHN. VOTING NO: NO ONE. The conditional use permit was approved as requested.

Case Number 1841 was a request by Bryan and Susan Hartnagel for a variance to the minimum setback requirement for an accessory structure by allowing the garage to be located less than 60 feet from the front lot line on property located at 1711 Cunningham Road.

Vice-Chair Clithero opened the public hearing.

Bryan Hartnagel, 1711 Cunningham Road, explained they wanted to build a detached garage, but due to the shape of their lot, it was difficult to accommodate the required 60 foot setback. If they were to try to accommodate the 60 foot setback, there would not be enough of an area to build a usable sized building. As a result, they were requesting a variance in order to build the building without meeting the 60 foot setback requirement.
Mr. Campbell asked if any of the existing large trees would be affected. Mr. Hartnagel replied three trees, an elm, an ash and a riverbirch, would likely be affected, and a fourth, a hickory, could potentially be affected as well due to the digging of the foundation.

Mr. Campbell asked if any of the neighbors had raised any questions or if they had any concerns. Mr. Hartnagel replied a couple of them had asked if they needed to show up to state their support of the project. He explained they had spoken with all of the adjoining neighbors except for the neighbor directly behind them because her work hours were irregular, and no one was opposed to the project.

There being no further comment, Vice-Chair Clithero closed the public hearing.

Ms. Wibbenmeyer explained the standard was one of practical difficulties to justify the variance.

Ms. John felt that standard had been met due to the lot dimensions.

Mr. Campbell noted the hickory and some of the other trees would definitely be hurt by this project as they were tender trees.

Mr. Campbell made a motion to approve the variance as requested. The motion was seconded by Ms. John.

CASE NO. 1841 VOTE RECORDED AS FOLLOWS: VOTING YES: CLITHERO, GORMAN, CAMPBELL, CARROZ, JOHN. VOTING NO: NO ONE. The variance was approved as requested.

Mr. Campbell made a motion to re-elect Mr. Townsend as Chair and Mr. Clithero as Vice Chair.

Mr. Gorman asked if there was a quorum since substitutes could not vote. Vice Chair Clithero assumed that since the alternates could vote on cases, they could vote on the election of officers. Ms. Amin noted the rules indicated the Chair and Vice Chair “shall be elected by a majority of the members” and did not specify regular or alternate members. Ms. John commented that they were still members, they were only alternate members.

The motion made by Mr. Campbell to re-elect Mr. Townsend as Chair and Mr. Clithero as Vice Chair was seconded by Ms. John and approved unanimously by voice vote.

There being no further business, the meeting adjourned at 7:26 p.m.

Respectfully Submitted,

Sheela Amin
City Clerk