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**CITY OF CHESTERFIELD
BOARD OF ADJUSTMENT MEETING SUMMARY
Thursday, January 4, 2007**

The Board of Adjustment meeting was called to order at 7:00 p.m. on Thursday, January 4, 2007 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. Marilyn Ainsworth

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 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 November 29, 2006 Meeting Summary

Laura Lueking made a motion to approve the summary as written.

Alan Baudler seconded the motion.

The motion passed by voice vote 6-0

III. Request for Affidavit of Publication

IV. Public Hearing Items:

- A. **B.A. 1-2007 Kenneth & Lucy Kreh:** A request for a variance from Section 4(a)(ii) of City of Chesterfield Ordinance 242 to allow an existing residence located at 2215 Barons Way Court in Stonebriar Subdivision to maintain a five-foot rear yard setback in lieu of the required fifteen (15)-foot rear yard setback. (2215 Barons Way Court/20T310351)

Assistant Director of Planning Anissa McCaskill-Clay presented exhibits supporting the Petitioner's request allowing an existing residence to maintain a 5' rear yard setback in lieu of the required 15' setback. She stated that the subdivision was zoned R2/R3 with a PEU by several ordinances. The City of Chesterfield passed an ordinance that consolidated all previous ordinances into one. The PEU allows different setbacks and lot sizes than what would typically be found in the governing district. The swimming pool that the Petitioners would like to have built does not meet the 15' setback requirement; therefore a 5' rear yard setback is being requested. The Petitioners have supporting letters from neighbors.

Petitioners Lucy & Kenneth Kreh stated that their request is due mostly to 1) concern of their four small children being out of their view at the current location (they want to be able to see the children from the first floor of the home); 2) safety reasons in keeping the children from jumping from existing deck into pool (corner of deck is close enough for someone to jump off into pool; and 3) keeping the pool behind the house following the property line. They further stated that there are no neighbors in back of the house, only common ground and that Subdivision Trustees gave their approval as this request would have no impact on rear neighbors. The possibility for shifting the pool to the left side is an option, with additional trees installed; there is a steep hill on the right side of property.

Both Acting Chair Kravetz and Board Member Baudler suggested that the Petitioners reconsider a new layout possibly bringing it up to 10', and present at next month's Board of Adjustment meeting; same pool different layout. Attorney Heggie stated that the Board could hold another meeting to review a new set of plans. The Petitioner agreed to do so.

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

Laura Lueking made a motion to delay petitioner's request until next month.

Richard Morris seconded the motion.

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

The motion passed by voice vote 6-0

VI. Adjournment

Meeting adjourned at 7:20 p.m.