



**MINUTES BOARD OF ADJUSTMENT  
ONE ST. PETERS CENTRE BLVD., ST PETERS, MO 63376  
MEETING OF FEBRUARY 17, 2016  
6:00 P.M.**

CALL TO ORDER

Chairman Dan Meyer called the meeting to order at 6:00 p.m.

ATTENDANCE

Those in attendance were Mr. Bill Kendall; Mr. Dan Meyer; Mr. Bill Jaggi; Mr. Brian Stiens; Mr. John Shetterly; Mr. Ken Braunfeld, Planning Coordinator, and Ms. Melissa Vollmer, Recording Secretary. Mr. Tom Fann and Mr. Nick Trupiano were absent.

MINUTES

Mr. Meyer asked the Board for any comments or questions regarding the minutes of December 16, 2015. Mr. Jaggi made a motion and Mr. Stiens seconded to approve the minutes as presented. The motion carried unanimously. Mr. Meyer asked the Board for any comments or questions regarding the minutes of January 20, 2016. Mr. Jaggi made a motion and Mr. Stiens seconded to approve the minutes as presented. The motion carried unanimously.

COMMUNICATIONS AND REPORTS OF OFFICERS

Mr. Meyer asked for any reports or communications from the Officers or Staff. Mr. Braunfeld indicated there were none.

PETITION 16-A:

Mr. Meyer stated that the purpose of the meeting was to consider Petition 16-C. Anthony Sarangelis requests a variance to permit a garage that exceeds five hundred square feet, exceeds fourteen feet in height, exceeds more than fifty percent of the ground floor area of a principal structure, and is located in a side yard in the R-1 Single-Family Residential District. The property is located on Lot 3 of Linger Longer Estates as recorded in Book 35 Page 102 at the St. Charles County Recorder's Office, more commonly known as 1304 Belleau Creek Road.

Mr. Meyer declared the public hearing open to consider Petition 16-C. The petitioner or their agent was requested to step forward to present their petition. Mr. Anthony Sarangelis was sworn in as the petitioner. Mr. Sarangelis explained that he would like to construct a 1,270.5 square foot garage on his 0.65 acre lot. The garage will be approximately 18 feet tall and will be built to complement the existing single-family home.

Mr. Meyer asked if there were any questions of the petitioner. Being none, Mr. Ken Braunfeld was sworn in to present the City's position for Petition 16-C.

Mr. Braunfeld explained that the subject property is located in the Linger Longer Estates Subdivision which is comprised of five lots of various types and sizes. Two standard lots and homes face Belleau Creek Road. The subject lot is accessed from Belleau Creek Road via a two-hundred foot drive and is a larger wooded lot. The remaining two lots are also larger in size and accessed from Josh Drive through the adjacent Belleau Creek Estates Subdivision. The applicant indicated

they need more space and noted the larger 0.65 acre lot was large enough to accommodate the proposed garage.

Based on this, Anthony Sarangelis requests a variance to permit a garage that exceeds five hundred square feet, exceeds fourteen feet in height, exceeds more than fifty percent of the ground floor area of a principal structure, and is located in a side yard in the R-1 Single Family Residential District.

Mr. Braunfeld noted that the variance requested by the applicant is from the Zoning and Subdivision Regulations (Title IV Land Use Chapter 405 as amended), states the following:

Section 405.130 (Yard Requirements)

H. Yard Requirements

1. The minimum yard requirements shall apply to each lot.
  - d. Detached accessory buildings may not be used as dwelling units and shall be located in a rear yard.
  - e. All detached, residential accessory buildings shall not exceed one (1) story or fourteen (14) feet in height. Such residential accessory buildings shall occupy no more than thirty percent (30%) of the rear yard and shall not exceed five hundred (500) square feet.

Section 405.270 Accessory Buildings or Structure, Alterations and Additions.

- A. All accessory structures shall be permitted with the following provisions and requirements.
  5. An accessory building or structure in a residential district shall not exceed one-half (1/2) of the ground floor area of the principal building.

Mr. Braunfeld noted that the subject site is over one-half acre in size being a total of 0.65 +/- acres. The property contains an existing house with a two-hundred foot driveway access to Belleau Creek Road. The proposed garage will be 1,207.5 square feet in size (40.25'x30') and will be located next to the house and separated by a sidewalk.

In the past, City regulations allowed the maximum size of the garage to be based on the size of the lot. While the regulations generally worked, in a few cases a detached garage was built out of scale with the surrounding subdivision, resulting in a garage that was too large or too tall. In response, the Board of aldermen changed the regulations to allow no more than a standard two-car detached garage, which would be about 500 square feet. Since the majority of lots in St. Peters are less than 10,000 square feet, the 500 square foot requirement is appropriate for most lots in St. Peters. However, larger lots like the applicants can easily accommodate additional building area.

A review of the subject lots finds ample space for the proposed garage. The existing home is positioned to the far back of the lot such that most of the lot is in front of the home. However, the large size lot and unique angled position of the house provides an appropriate location for a garage on the side of the home. It is noted that if the garage was attached to the house it could be located in this same side yard location without a variance.

In addition it is noted that the garage will be sided to be complimentary to the existing house. This includes vinyl siding and decorative doors and windows to create a softer, more residential design. In general, staff believes the proposed garage is appropriate and consistent with the more rural atmosphere of Linger Longer Estates.

Regarding the additional height, staff notes that this is needed to allow a pitched roof and accommodate the owner's recreational vehicles. The walls of the garage are thirteen feet tall with the roof an additional five feet in height for a total of approximately eighteen feet. Staff is of the opinion this height is reasonable as it is consistent with other larger lot garage structures and the more rural atmosphere of Linger Longer Estates.

The existing 1,530 square foot, two-story, home was built in 1959. The limitation on the size of an accessory structure is generally appropriate for the typical St. Peters subdivision property with lot sizes under 10,000 square feet. However, it is customary for owners of larger lots to want to utilize the extra ground, including for oversized garages. Given the more rural nature of Linger Longer Estates, the size of the lot, and the garage design, the proposed accessory structure size can be accommodated to allow the owners the full use of their property.

It is staff's opinion that the proposed variances will not impair an adequate supply of light or air to adjacent property, substantially increase congestion in public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Mr. Braunfeld stated the code considerations as follows:

1. If the petitioner complied with the provisions of this Zoning Code (does not obtain the variance they are requesting), will they not be able to get a reasonable return from, or make reasonable use of the property?

Compliance with the regulations would not allow the applicant to fully utilize the value of their 0.65 acre lot which can easily accommodate the proposed garage. The garage size regulations are more applicable to traditional 7,000 to 10,000 square foot St. Peters lots.

2. Does the hardship result from the strict application of these regulations?

The applicant would be prevented from installing a garage commensurate with the overall size of the lot and therefore, it would create a hardship for the applicant.

3. Is the hardship suffered by the property in question?

The City regulations do not effectively address larger lots and larger garages; therefore, the property owner would suffer a hardship with a smaller accessory building/garage as they could not use their lot to its fullest extent.

4. Is the hardship the result of the applicant's own actions?

The home was built in 1959 and there have been multiple changes to the Zoning and Subdivision Regulations since that time. The large lots were also platted after that time. The limited scope of the code and how it relates to larger lots has created the issues for the applicant.

5. Is the requested variance in harmony with general purpose and intent of the zoning regulations and does it preserve the spirit?

If the variance is approved, the property would be in harmony with the general purpose and intent of the zoning regulations since the owner would be able to add the additional garage in a manner that is compatible with the area.

6. If the variance is granted, will the public safety and welfare have been assured and will substantial justice have been done?

The public safety and welfare will have been assured and substantial justice will have been done because the applicant will have been able to use their property to the fullest extent; there will be no ill effects on surrounding properties or the City as a whole.

Based on this analysis, it is staff's recommendation to permit a garage that exceeds five hundred square feet, exceeds fourteen feet in height, exceeds more than fifty percent of the ground floor area of a principal structure, and is located in a side yard in the R-1 Single Family Residential District with the following contingencies:

1. The proposed garage design and height shall be substantially as indicated in the attached building design details.
2. The proposed garage shall include residential style siding of equal or great value to vinyl as indicated in the attached building design details.
3. The overhead garage doors, man doors, and windows shall be decorative and substantially as indicated in the attached building design details.
4. The roof shall be shingled and/or painted metal to compliment the house.
5. The garage shall not exceed 1,225 square feet in size and a height of 18 feet.

Mr. Meyer asked if any of the board members had questions for Mr. Braunfeld. Mr. Meyer asked if there was anyone in the audience to speak in favor, opposition or in comment of Petition 16-C. Ms. Stephany Montecinos, 1480 Schoal Creek Drive, spoke in favor of this petition. Seeing no one else present to comment, Mr. Meyer closed the public hearing.

Mr. Kendall made a motion and Mr. Jaggi seconded to approve Petition 16-C.

Mr. Meyer requested Ms. Vollmer call the roll, which resulted in the following votes:

Mr. Meyer	Yes
Mr. Kendall	Yes
Mr. Stiens	Yes
Mr. Jaggi	Yes

Mr. Shetterly Yes

There being 5 yes, and 0 no vote, Mr. Meyer declared that Petition 16-C was approved.

Mr. Jaggi presented the findings of fact as follows:

1. The property is located on Lot 3 of Linger Longer Estates as recorded in Book 35 Page 102 at the St. Charles County Recorder's Office, more commonly known as 1304 Belleau Creek Road.
2. The lot is presently zoned R-1 Single Family Residential District.
3. Adjacent zoning is R-1 Single Family Residential District.

Mr. Kendall made a motion and Mr. Shetterly seconded to approve the findings of fact. The motion carried unanimously.

Mr. Kendall presented the Conclusions of Law for Petition 16-C as follows:

1. The variance will not impair the supply of light or air to the adjacent properties.
2. The variance will not increase congestion in the public streets.
3. The variance will not impact the safety of the community.
4. The variance will not impact on the general health and welfare of the community.

Mr. Jaggi made a motion and Mr. Kendall seconded to enact the Conclusions of Law. The motion carried unanimously.

Mr. Jaggi made a motion and Mr. Meyer seconded to adjourn the meeting at 6:18 p.m. The motion carried unanimously.

Respectfully submitted:

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Melissa Vollmer  
Recording Secretary

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Dan Meyer  
Chairman