



**MINUTES BOARD OF ADJUSTMENT
ONE ST. PETERS CENTRE BLVD., ST PETERS, MO 63376
MEETING OF NOVEMBER 19, 2014
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. Tom Fann; Mr. Nick Trupiano; Mr. Dan Meyer; Mr. William Jaggi; Ms. Julie Powers, Director of Planning, Community & Economic Development; Ken Braunfeld, Planning Coordinator and Ms. Melissa Vollmer, Recording Secretary.

MINUTES

Mr. Meyer asked the Board for any comments or questions regarding the minutes of August 20, 2014. Mr. Jaggi made a motion and Mr. Fann 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. Ms. Powers indicated there were none.

PETITION 14-W:

Mr. Meyer stated that the purpose of the meeting was to consider Petition 14-W. Lawrence and Taylor Smith request a variance to permit a structure (deck) to encroach into an easement. The property is located on Lot 88C of Bellemeade Plat One as recorded in book 45 pages 150-158 at the St. Charles County Recorder of Deeds Office, more commonly known as 721 Lorillard Drive.

Mr. Meyer declared the public hearing open to consider Petition 14-W. The petitioner or their agent was requested to step forward to present their position. Ms. Taylor Smith, was sworn in as the petitioner. Ms. Smith explained that she is the homeowner and they are looking to construct a deck on the back of their house. Due to a ten foot wide utility easement running through their backyard the area left for the deck is severely limited. Therefore, they are requesting a variance to encroach two feet into the easement.

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 14-W.

Mr. Braunfeld explained that Lawrence and Taylor Smith, the applicants, own property at 721 Lorillard Drive in the Bellemeade Subdivision. The applicants would like to construct a deck that would encroach two feet into the ten foot general utility easement in their backyard.

Typically, utility easements are located along the perimeter of a residential lot and are only five feet wide. The applicant's lot has the traditional standard perimeter utility easement plus an additional ten foot wide utility easement through the middle of the back yard. This additional easement contains a storm sewer. During discussions with staff, the applicants noted that the location of the storm sewer severely limits the ability to install a usable deck on the back of the home without some encroachment.

City Code requires that all accessory buildings and structures are not allowed to encroach into any easements. Based on this, the applicant's have requested a variance to allow a structure (deck) to encroach into an easement.

Lawrence and Taylor Smith request a variance to permit a structure (deck) to encroach into an easement. The property is located on Lot 88C of Bellemeade Plat One as recorded in book 45 pages 150-158 at the St. Charles County Recorder of Deeds Office, more commonly known as 721 Lorillard Drive.

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 405.270 Accessory Buildings or Structures, Alterations and Additions:

1. No principal building or structure or accessory building or structure shall be located within or partially within a designated utility easement.

Mr. Braunfeld explained that general utility easements are typically established around the perimeter of most lots in the City during the record plat process. The typical easement is five feet on each side of a lot line, thus creating a ten foot wide easement. On the applicant's lot the developer of the subdivision routed a storm sewer through the back yard rather than around the back yard. This unusual placement substantially reduces the usability of the backyard and the applicant's ability to construct even a modest sized deck.

The Planning Department, Utility Department and the applicant's examined various layouts and determined that a two foot deck encroachment into the easement would allow for a usable deck and still permit a future repair of the storm sewer line if necessary. It is also noted that, while the deck steps are not currently shown in the easement, it could be a possibility. Therefore, contingencies will be added that limit the deck encroachment to two feet, require the deck supports to be located outside of the easement, and require deck steps located beyond the two foot encroachment be removable.

Ms. Powers 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 property as they would have a smaller deck and large unused yard.

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

A typical easement is placed along the perimeter of a lot. In this case the easement is placed through the middle of the rear yard which causes a hardship related to the use of the rear yard.

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

The City regulations typically apply without issue to standard lots. With the unusual placement of an additional easement through the middle of the lot, use of the rear property area is severely limited. Allowing the deck to encroach into the easement will allow improved use of the lot.

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

The property was originally platted with the additional utility easement through the middle of the lot as part of the overall utility layout for the development; it was not done by the owner.

5. Is the requested variance in harmony with the 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 use their yard 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 be able to use their property to the fullest extent and will have no ill effects on surrounding properties or the City as a whole.

Based on this analysis staff recommends approval of a variance to permit a structure (deck) to encroach into an easement. The property is located on Lot 88-C of Bellemeade Plat One as recorded in book 45 pages 150-158 at the St. Charles County Recorder of Deeds Office, more commonly known as 721 Lorillard Drive with the following contingencies:

1. The granting of this variance is for a deck/deck steps only.
2. The deck may extend up to two feet into the easement.
3. The deck support post shall be located outside of the easement.
4. The use of the easement is at the property owner's sole risk which may require partial or full removal or relocation of the deck steps at the property owner's expense at the request of the City of St. Peters.

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 14-W. Seeing no one present to comment, Mr. Meyer closed the public hearing.

Mr. Fann made a motion and Mr. Kendall seconded to approve Petition 14-W.

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

Mr. Fann	Yes
Mr. Kendall	Yes
Mr. Jaggi	Yes
Mr. Meyer	Yes
Mr. Trupiano	Yes

There being 5 yes, and 0 no vote, Mr. Meyer declared that Petition 14-W was approved.

Mr. Fann presented the findings of fact as follows:

1. The subject property is located on Lot88C of Bellemeade Plat One as recorded in book 45 pages 150-158 at the St. Charles County Recorder of Deeds Office, more commonly known as 721 Lorillard Drive.
2. The lot is presently zoned PUD Planned Urban Development.
3. The adjacent zoning is PUD Planned Urban Development.

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

Mr. Jaggi presented the Conclusions of Law for Petition 14-W 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. Kendall made a motion and Mr. Fann seconded to enact the Conclusions of Law. The motion carried unanimously.

Chairman Meyer suspended the order of business, as the applicant for Petition 14-X was not in attendance.

PETITION 14-Y:

Mr. Meyer stated that the purpose of the meeting was to consider Petition 14-Y. APM Industrial, LLC requests a variance to allow a wall sign on a façade without street frontage. The property is located on Lot2B of Eldorado Plaza as recorded in Book 32 Page 154 at the St. Charles County Recorder of Deeds Office, more commonly known as 6678 Mexico Road.

Mr. Meyer further stated that the evidence and testimony received this evening would be the only record considered by the Board. Title IV Land Use of the Municipal Code, as amended, shall be Exhibit #1 for this petition.

Mr. Meyer declared the public hearing open to consider Petition 14-Y. The petitioner or their agent was requested to step forward to present their position. Mr. Jeff Adams, owner of APM Industrial, LLC was sworn in as the petitioner. Mr. Adams explained that his business, a car wash, is located on the north side of Mexico Road, east of Grand Teton Drive. The building fronts Mexico Road. An access drive to the shopping center is along the east side of the subject property. Mr. Adams noted that the west of the car wash is a major intersection – Mexico Road and Grand Teton Drive. To enhance visibility to drives, he would like a sign facing west – the intersection. Mr. Adams noted he would forego the sign on the access drive to the east, if allowed to install a sign on the western façade.

Mr. Meyer asked if there were any questions of the petitioner. Being none, Ms. Julie Powers was sworn in to present the City's position for Petition 14-Y.

Ms. Powers explained that APM Industrial, LLC requests a variance to allow a wall sign on a façade without street frontage. The property is located on Lot 2B of Eldorado Plaza as recorded in Book 32 Page 154 at the St. Charles County Recorder of Deeds Office, more commonly known as 6678 Mexico Road.

The subject car wash is located on the north side of Mexico Road, east of Grand Teton Drive. Three outlots fronting on Mexico Road, including the subject site, are zoned C-2 Community Commercial District. The center behind the outlots is zoned PUD Planned Urban Development which allows C-2 District uses in addition to the sale of used merchandise and tattoo facilities. The building is used as a car wash and fronts on Mexico Road. An access drive to the shopping center is along the east side of the subject property.

City regulations allow each building to have signage on all walls that face a street or access drive, or which face a parking lot. Since this property faces Mexico Road and the access drive, it is allowed wall signs on those facades.

To the west of the car wash is a major intersection – Mexico Road and Grand Teton Drive. This is a signalized intersection. To enhance visibility to travelers through this area, the operator has indicated a sign facing west would be helpful.

Based on this, APM Industrial, LLC, requests a variance to permit a wall sign without street frontage in the C-2 Community Commercial District. The property is located east of Grand Teton Drive on Mexico Road – 6678 Mexico Road.

Ms. Powers noted that the variance requested by the applicant is from requirements of the Zoning and Subdivision Regulations (Title IV Land Use Chapter 405 as amended) it states:

Section 405.745: Permanent Sign Regulations by Zoning District

D. Sign Permitted In All “C” Commercial and “I” Industrial Districts (Non-Residential). In certain non-residential districts, the following signs are permitted in accordance with the regulations set forth herein.

4. Wall Signs.

a. The total area of each wall sign shall not exceed five percent (5%) of the building façade or thirty-two (32) square feet, whichever is greater. A wall sign shall be permitted on each wall which parallels and is adjacent to, or is oriented to a street or access drive. If the business fronts on more than one (1) street or access drive, the sign area for each wall shall be computed separately. Where a business has no wall fronting on a street or access drive, the Administrative Officer shall determine frontage for all sign locations. The Administrative Officer may approve the placement of a wall sign on a main façade, including, but not limited to, facades fronting a parking lot or including a main building entrance, in lieu of a sign parallel to a roadway.

Ms. Powers noted that the subject site fronts on Mexico Road and is adjacent to the access drive for an abutting shopping center. The site is developed with a car wash. The building has a sign on the front but does not currently have a sign on the façade fronting the access drive. The other side – the west side of the building – faces parking and the vacuum stations but is not a main entrance. However, the west side of the building is very visible to the nearby intersection and eastbound travelers on Mexico Road.

Staff notes that the shape of the building – long and narrow – is due to the function of the building – a car wash. Given that, there is no primary main entrance. However, visibility of the building and building signage from both directions is key to the business success. The applicant has indicated that visibility from the west is partially blocked by other businesses and city signs and power poles. Staff notes the applicant is not proposing a sign on the side of the building that faces the access road. Noting that additional signage is permitted at this location, and that the façade is approximately the same size as the west side of the building, staff recommends limiting any signage on the side of the building to balance the overall signage on the building. Therefore, a contingency is proposed that would reduce the signage on the east façade to an identification size sign of twelve square feet. This is consistent with other “sign shifts” which have been approved in the City.

This proposal is reasonable in staff’s opinion because the overall amount of signage for the property will not change. The signs and other structures make the visibility of the site from the west more difficult which creates a hardship. Staff finds that the proposed sign will not be visually out of scale with the other signs in the area or the building façade. In addition, there will be no net increase in wall signage to the building as any additional sign on the east wall will be limited to the permitted identification size sign to ensure the overall sign package is reasonable.

Ms. Powers 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?

The building is permitted two wall signs. By allowing for the shifting of available permitted signage, the proposed sign will better meet the needs of the applicant and have no net increase in total wall signage. This furthers the aesthetics of the sign code and ensures a reasonable return by the business.

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

The code does not allow the shifting of wall signage unless they are shifted to accommodate a main entrance that does not face a roadway or driveway. The proposed wall sign area shifting will improve visibility for the applicant with no overall net change in the total signage available for the building.

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

The site is along a major roadway, but is partially blocked for travelers going eastbound on Mexico Road by other signs and structures. Therefore, visibility is limited for travelers going eastbound on Mexico Road – this can pose a hardship for a business. The substitution of wall signage will further the goals of the applicant with no negative impact on the City of St. Peters.

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

The property was developed and the sign code established prior to the applicant’s business being located at the subject center.

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

If the variance is approved the development will be in harmony with the general purpose and intent of the zoning regulations, since the substitution of wall signage will not cause hazards to pedestrian and vehicular traffic or cause blighting within the community.

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

If the variance is granted, the yard will have no grass area. This will be in contrast to the rest of the neighborhood. Therefore, the public welfare will not have been assured and substantial justice will not have been done.

Based on this analysis, staff recommends approval of the requested variance to permit a wall sign on a façade without street/access drive frontage with the following contingency:

1. The business shall be allowed wall signs on the western and eastern facades of the business.
 - a. The sign on one of the facades shall comply with the five percent maximum area code requirement; the sign on the other façade shall be limited to the size of an identification sign as permitted by code.

Mr. Meyer asked if any of the board members had questions for Ms. Powers. Mr. Meyer asked if there was anyone in the audience to speak in favor, opposition or in comment of Petition 14-Y. Seeing no one present to comment, Mr. Meyer closed the public hearing.

Mr. Jaggi made a motion and Mr. Kendall seconded to approve Petition 14-Y with the recommended contingency.

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

Mr. Fann	Yes
Mr. Kendall	Yes
Mr. Meyer	Yes
Mr. Trupiano	Yes
Mr. Jaggi	Yes

There being 5 yes and 0 no vote, Mr. Meyer declared that Petition 14-Y was approved.

Mr. Trupiano presented the findings of fact as follows:

1. The property is located east of Grand Teton Drive, north of Mexico Road – 6678 Mexico Road.
2. The lot is presently zoned C-2 Community Commercial District.
3. The surrounding zoning includes a commercial PUD to the north, C-2 Community Commercial District to the west, and residential development and zoning to the east and south.

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

Mr. Fann presented the Conclusions of Law for Petition 14-Y 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 a motion and Mr. Kendall seconded to enact the Conclusions of Law. The motion carried unanimously.

PETITION 14-X:

Mr. Meyer stated that the purpose of the meeting was to consider Petition 14-X. Daniel Roerman and Michael Roerman request a variance to permit a changeable copy sign in conjunction with a wall sign. The property is located on Lot 2L of McClay-Jungermann Commercial – Plat Two as recorded in Book 33 Page 308 at the St. Charles County Recorder of Deeds Office, more commonly known as 1410 Triad Center Drive.

Mr. Meyer further stated that the evidence and testimony received this evening would be the only record considered by the Board. Title IV Land Use of the Municipal Code, as amended, shall be Exhibit #1 for this petition.

Mr. Meyer declared the public hearing open to consider Petition 14-X. The petitioner or their agent was requested to step forward to present their petition. Mr. Michael Roerman, was sworn in as the petitioner. Mr. Roerman explained that he is the owner of a business at 1410 Triad Center Drive. Mr. Roerman noted that his property is on the back tier of the development and therefore does not have great visibility from Jungermann Road. Due to this, he is requesting a variance to allow a changeable copy sign in conjunction with a wall sign at this location, for greater visibility.

Mr. Meyer asked if there were any questions of the petitioner. Being none, Ms. Julie Powers was sworn in to present the City's position for Petition 14-X.

Ms. Powers explained that Daniel Roerman and Michael Roerman are requesting a variance to permit a changeable copy sign in conjunction with a wall sign. The property is located on lot 2L of McClay Jungermann Commercial – Plat Two as recorded in Book 33 Page 308 at the St. Charles County Recorder of Deeds Office, more commonly known as 1410 Triad Center Drive.

The subject commercial center is located west of Jungermann Road; it was a long narrow property developed with an access roadway fronted by commercial lots on both sides. The development is zoned C-3 General Commercial District. The subject property is one of the lots on the back tier of the development.

City regulations allow each building to have signage on all walls that face a street or access drive, or a sign can be shifted to the main entrance. Since this building's entrance is facing the parking lot, there is a small sign above the entrance. There is also a permanent sign facing Triad Center Drive.

Greenway Insurance and Financial is located at the subject location. They applied for and obtained a permit for the wall sign on the façade fronting Triad Center Drive. In conjunction with the wall sign the applicant requested a changeable copy sign; this would allow them to advise patrons of promotions, events, etc.

Staff advised the applicant that changeable copy signs are only permitted in conjunction with freestanding (ground) signs; they are not allowed on wall signs to ensure that buildings remain attractive and uncluttered.

Based on this, Daniel Roemerman and Michael Roemerman request a variance to permit a changeable copy sign in conjunction with a wall sign in the C-3 General Commercial District. The property is located west of Jungermann Road, south of McClay Road – 1410 Triad Center Drive.

Ms. Powers noted that the variance requested by the applicant is from requirements of the Zoning and Subdivision Regulations (Title IV Land Use Chapter 405 as amended) it states:

Section 405.745: Permanent Sign Regulations by Zoning District

D. Sign Permitted In All “C” Commercial and “I” Industrial Districts (Non-Residential). In certain non-residential districts, the following signs are permitted in accordance with the regulations set forth herein.

5. *Changeable copy signs.* Changeable copy signs may be permitted in conjunction with ground signs provided they are permanently mounted or affixed to a structure and advertise only goods or services available on the premises. When used in conjunction with a ground sign, changeable copy signs must be located on the same sign supports. Said sign shall not exceed twenty-four (24) square feet per sign facing or forty-eight (48) square feet for the total aggregate sign area. In no case shall the sign flash or contain any other mechanical or electronic contrivance although the scrolling of messages shall be allowed.

Ms. Powers noted that the subject development is situated in two tiers; the subject property is in the back tier which is further from the road than the other businesses which front on Jungermann Road. Therefore, although the site is in a commercial area, the businesses are partially blocked from the main traffic area. Each business is permitted wall sign to identify the business; the applicant recently obtained a wall sign permit. They also requested a changeable copy sign; however, a changeable copy sign must be attached to a freestanding ground sign.

As noted above, the subject site is a second tier location away from Jungermann Road. Between the subject site and Jungermann Road are the parking areas of two buildings. Therefore, a traveler on Jungermann Road has a direct view of the building when parallel, but other buildings block the building when viewed from an angle.

The subject property, or any individual property along the rear of Triad Center Drive, is allowed to have a freestanding sign, but it would have to be somewhat tall to be visible to the traffic on Jungermann Road. Staff notes that the properties along the back of the internal roadway do not have tall, freestanding signs. Most of them are office uses that do not need to attract travelers on nearby Jungermann Road. If the applicant had a freestanding sign, it could include a changeable copy sign.

Staff understands that the applicant would like to promote special events and services to travelers in the area. Staff's concern, however, is the precedent that could be set by a wall mounted changeable copy sign. The code currently limits changeable copy signs to ground signs to ensure that buildings remain architecturally attractive. In the subject case, there is a need to balance the proposed changeable copy wall sign with the possible freestanding sign which would be added to the site to allow the changeable

copy message. Staff is of the opinion the addition of a tall changeable copy sign would not be attractive, even though it would be permitted. However, staff is equally concerned that other buildings in the rear area of the subject development would request a changeable copy sign.

Noting this concern, staff has suggested that the applicant's sign company provide a review of the area to assist in determining the visibility hardship which could be addressed by the proposed changeable copy wall sign. If this can be provided, staff would support the requested variance for a small changeable copy wall sign with conditions requiring one color, message changing limitations, and a prohibition on future freestanding/ground signs. Ms. Powers noted that the applicant did provide the requested information to the Board.

Ms. Powers 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?

Because of the second tier location of the site, there are some visibility impacts on the site. The addition of a changeable copy wall sign on the building will allow increased visibility which will result in more reasonable use of the property.

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

The site is located away from the main road – Jungermann Road. Because the code does not allow changeable copy wall signage, visibility of the business message could be impaired the proposed wall sign will improve visibility for the applicant.

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

The center was constructed in a commercial area, but is partially blocked by other businesses which front Jungermann Road. Therefore, visibility is limited from some angles – this can pose a hardship for a business. The allowance of a changeable copy sign will further the goals of the applicant.

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

The property was developed and the sign code established prior to the applicant's business being located at the subject center.

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

If the variance is approved the development will be in harmony with the general purpose and intent of the zoning regulations, since the changeable copy wall signage will not cause hazards to pedestrian and vehicular traffic or cause blighting within the community.

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 and have no ill effects on surrounding properties or the City as a whole.

Based on this analysis, staff recommends approval of the requested variance to permit a changeable copy wall sign if a sign review is provided by the applicant (which was provided) which indicates improved visibility from the proposed sign, and with the following contingencies:

1. The changeable copy wall sign shall not exceed thirteen (13) square feet in area.
2. The changeable copy wall sign shall be limited to one color.
3. The changeable copy wall sign shall change messages a maximum of four (4) times per minute and there will be no flashing or scrolling messages.
4. No freestanding sign shall be installed on the subject site.

Mr. Meyer asked if any of the board members had questions for Ms. Powers. Mr. Meyer asked if there was anyone in the audience to speak in favor, opposition or in comment of Petition 14-X. Dr. Cyndi Ulrich, owner of Triad Dental, spoke in opposition of this petition. Seeing no one else present to comment, Mr. Meyer closed the public hearing.

Mr. Jaggi made a motion and Mr. Kendall seconded to approve Petition 14-X with the recommended contingencies.

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

Mr. Fann	Yes
Mr. Kendall	Yes
Mr. Meyer	Yes
Mr. Trupiano	Yes
Mr. Jaggi	No

There being 4 yes and 1 no vote, Mr. Meyer declared that Petition 14-X was approved.

Mr. Trupiano presented the findings of fact as follows:

1. The property is located on Lot 2L of McClay-Jungermann Commercial – Plat Two as recorded in Book 33 Page 308 at the St. Charles County Recorder of Deeds Office, more commonly known as 1410 Triad Center Drive.
2. The lot is presently zoned C-3 General Commercial District.
3. The surrounding property is zoned R-1 Single Family Residential District to the west and C-2 and C-3 Commercial Districts to the east, north and south.

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

Mr. Fann presented the Conclusions of Law for Petition 14-X 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. Fann a motion and Mr. Trupiano seconded to enact the Conclusions of Law. The motion carried unanimously.

Mr. Fann made a motion and Mr. Trupiano seconded to adjourn the meeting at 6:30 p.m. The motion carried unanimously.

Respectfully submitted:

Melissa Vollmer
Recording Secretary

Dan Meyer
Chairman