



**MINUTES  
BOARD OF ADJUSTMENT  
ONE ST. PETERS CENTRE BLVD., ST PETERS, MO 63376  
MEETING OF JUNE 20, 2012  
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. James Selinger; Mr. Nick Trupiano; Mr. William Jaggi; Mr. 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 May 16, 2012. Mr. Jaggi made a motion and Mr. Trupiano seconded to approve the minutes as presented. All in favor, the motion carried and the minutes were approved.

COMMUNICATIONS AND REPORTS OF OFFICERS

Mr. Meyer asked for any reports or communications from the Officers.

NEW BUSINESS:

PETITION 12-P:

Mr. Meyer stated that the purpose of the meeting was to consider Petition 12-P. Evan Stanfield requests a variance to permit a non-paved surface on a lot in an R-3 Planned Urban Development (PUD). The property is located south of Mexico Road, west of Green Pines Circle on the south side of Wiechens Drive, also known as Lot 29 of Green Forest Village.

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 12-P. The petitioner or their agent was requested to step forward to present their position.

Mr. Ken Braunfeld noted that the applicant has asked that this petition be withdrawn. Mr. Kendall made a motion and Mr. Trupiano seconded to remove this item from the agenda. All in favor, the motion carried.

PETITION 12-Q:

Mr. Meyer stated that the purpose of the meeting was to consider Petition 12-Q. Kimberly Thompson requests a variance to permit the installation of an eight (8) foot tall fence in lieu of a six (6) foot tall fence in the R-1 Single Family Residential District. The property is located on lot 153 of Enwood Plat Four as recorded in plat book 28 page 64 at the St. Charles Recorder of Deeds Office, more commonly known as 1171 Spencer 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 12-Q. The petitioner or their agent was requested to step forward to present their position.

Ms. Kimberly Thompson, homeowner, explained that she is requesting a variance to permit the installation of an eight foot tall fence on her property. Ms. Thompson noted that she purchased the home several years ago and has improved it in several ways, including an above ground swimming pool and deck/patio area in the rear yard. Adjacent to the home are two single family homes; one includes a deck which sits higher than Ms. Thompson's lot. There is currently a four foot high fence between the properties, but the area where the fence is located is lower, so the fence provides no privacy between the adjacent deck and subject yard.

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 12-Q.

Mr. Braunfeld stated that Kimberly Thompson, the property owner, is requesting a variance to permit the installation of an eight foot tall fence in lieu of a six foot tall fence at the subject site. The single family home is in a traditional neighborhood with single family residences abutting on all sides and across the street.

The owner of the home purchased the house several years ago and has improved it in many ways. This includes an above ground pool and deck/patio area in the rear yard. Adjacent to the home are two single family homes; one includes a deck which sits higher than the subject lot. There is currently a six foot high fence between the properties, but the area where the fence is located is lower, so the fence provides no privacy between the adjacent deck and the subject yard. Ms. Thompson also noted that the eight foot tall fence would only be on one side of the property and would be either cedar or white vinyl fencing.

Noting the need to obtain some privacy, and also the failing condition of the adjacent fence, the applicant proposed replacing the fence with an 8 foot high fence. This would upgrade the fence and also allow additional privacy. The adjacent property owners have indicated they do not want to remove their existing fence. Therefore, the applicant is proposing her own fence to supplement the existing fence.

Based on this, Kimberly Thompson requests a variance to permit the installation of an eight (8) foot high fence in lieu of a six (6) foot high fence.

Mr. Braunfeld 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 405.360 Fence Requirements

2. Residential fences shall not exceed six (6) feet in height.

Mr. Braunfeld noted that fence regulations were designed to ensure that the fencing of yards allows adequate open space while still allowing individuals privacy and full use of their property. In addition, fencing regulations were created to help ensure that proper aesthetics are established and maintained.

In this case the area between the lots is lower such that the fence does not afford privacy from the deck on the adjacent property. While a taller fence may be too overwhelming for some properties, in this case the lower elevation of the fence will partially offset the increased height. By increasing the fence height, the applicant will have additional privacy but will not overwhelm the adjacent lot.

It is noted that the proposed fence with an increased height will be on the side of the home, not facing Spencer Road. A tall fence across the front of the property may be out of proportion if extending from the front of the house. However, the applicant only seeks to install this on one side so as to allow more privacy. Noting this, staff is of the opinion the fence height will have minimal impact on the site aesthetics while allowing the applicant greater use of the rear yard area.

Based on this analysis staff recommends approval of the variance to permit the installation of a fence with a height of eight (8) feet in lieu of a height of six (6) feet in the R-1 Single Family Residential District.

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 their rear yard with full privacy. The lower elevation of the site along the side property line results in a lower fence that further impacts their privacy.

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

By applying the six-foot height restriction on the fence the applicant would face a hardship of limited privacy.

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

If the six-foot height restriction is in place the property will suffer a hardship of limited privacy.

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

The property was originally developed in the early 1980s. At that time the site was graded with a lower elevation at the side property line. The lower elevation, coupled with the fence height restriction, creates a hardship.

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 utilize their rear yard to its fullest extent. The fence will be of a material that is attractive and in keeping 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 be 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.

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 12-Q. Seeing none, Mr. Meyer closed the public hearing.

Mr. Jaggi made a motion and Mr. Trupiano seconded to approve Petition 12-Q.

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

Mr. Meyer	Yes
Mr. Kendall	Yes
Mr. Selinger	Yes
Mr. Trupiano	Yes
Mr. Jaggi	Yes

There being 5 yes and 0 no vote, Mr. Meyer declared that Petition 12-Q was approved.

Mr. Jaggi presented the findings of fact as follows:

1. The site is located at 1171 Spencer Road.
2. The lot is presently zoned R-1 Single-Family Residential District.
3. Adjacent zoning and land uses are R-1 Single-Family Residential District.

Mr. Selinger made a motion and Mr. Trupiano seconded to approve the findings of fact. All in favor, the motion carried.

Mr. Trupiano presented the Conclusions of Law for Petition 12-Q 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. Selinger seconded to enact the Conclusions of Law. All in favor, the Conclusions of the Law were adopted.

PETITION 12-R:

Mr. Meyer stated that the purpose of the meeting was to consider Petition 12-R. Randall Niehaus requests a variance to allow a ground sign in the C-1 Neighborhood Commercial District. The property is located on lot 2 of the Church Subdivision as recorded in plat book 31 page 46 at the St. Charles Recorder of Deeds Office, more commonly known as 6900 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 12-R. The petitioner or their agent was requested to step forward to present their position.

Mr. William Brink, Custom Sign Services, explained that Dr. Randall Niehaus operates a dental office at 6900 Mexico Road. The lot is zoned C-1 Neighborhood Commercial District, which does not permit a standard ground/pole sign. Mr. Brink noted that with the growing intensity of commercial activity in the area surrounding Dr. Niehaus' business, he has indicated that a ground sign is necessary to properly identify his business and also to better identify the entrance to make it safer.

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 12-R.

Mr. Braunfeld stated that the applicant, Dr. Randall Niehaus, has operated a dental office at 6900 Mexico Road for many years. The subject lot is zoned C-1 Neighborhood Commercial District which does not permit a standard ground/pole sign.

This section of Mexico Road has been transitioning from a mix of residential and small scale commercial uses to more and larger commercial uses. This transition has recently accelerated with the expansion of Mexico Road, the completion of the Dubray Drive signalized intersection at Mexico Road, and the Bellemeade commercial property across the street.

It is noted that the adjacent church to the west is zoned R-1 Single-family Residential District; churches are permitted a ground sign of up to 50 square feet in size. With the growing intensity of commercial activity in the area, the applicant has indicated a ground sign is necessary to properly identify their business.

Based on this the applicant requests a variance to permit a ground sign in a C-1 Neighborhood Commercial District for property located at 6900 Mexico Road.

Mr. Braunfeld 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 (D)(1) Ground signs:

- a. Ground signs as described above shall be permitted as follows:

- (1) *"C-1" Neighborhood Commercial.* No ground sign permitted.

Mr. Braunfeld stated that as noted before, the subject site is located in an area with a mix of uses including commercial, a church, and residential. The nearby retail strip center, doctor's office, and CVS Pharmacy are all permitted fifty square foot, twelve foot tall signs, as they are zoned C-2 Community Commercial District or Commercial Planned District. The adjacent church is permitted a fifty square foot ground sign and the future Bellmeade commercial property across the street will be permitted standard commercial signage as well.

The provisions of the sign ordinance regulating the number, size, and height of signs within a particular zoning category has proven to be an effective tool to reduce visual clutter and improve aesthetics. For example, the C-1 Neighborhood Commercial District was designed for properties located close to residential areas and prohibits ground signs to maintain as unobtrusive a commercial presence as possible. In this case, the subject lot faces a major commercial arterial roadway and is adjacent to higher intensity commercial categories and property which are permitted ground signage.

As this portion of Mexico Road has transitioned from residential to commercial uses, the City has been sensitive to the remaining residences and has worked to maintain appropriate buffering, lighting, signage etc. during this transition. Since the proposed sign will be smaller and shorter than the adjacent signage, approval of the variance will further the spirit of the sign code which is to provide for reasonable advertisement of a business in the most efficient and aesthetically pleasing way.

It is noted that the subject business is permitted up to fifty-six days of ground mounted temporary signage which may be up to thirty-two square feet in size. It is also noted that similar permanent ground sign variances have been approved over the years in these type of transition areas and there have been no known problems.

It is staff's opinion that the proposed variance will not impair an adequate supply of light or air to adjacent property, substantially increase congestion in the 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?

The applicant would not be permitted a ground sign to identify the business and entrance to the property in an area that permits other adjacent and nearby properties ground/pole signage; therefore, it would have a negative impact on the subject property.

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

The code allows no ground signs for this property which has created a hardship for this user.

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

The area surrounding the applicant's property continues to transition from residential to more intense commercial uses. The subject site has no allowed signage; the variance will allow the subject property to reasonably identify the applicant's business to Mexico Road.

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

When the property was developed the surrounding land uses were more residential than commercial and the C-1 zoning was put in place. As the area continues the transition to more intensive commercial uses, appropriate signage is necessary to identify the property to facilitate safe access to the business.

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 development will be in harmony with the general purpose and intent of the zoning regulations, since the sign will be of modest size and placed in a location which will not interfere with adjacent residential uses 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 will have no ill effects on surrounding properties or the City as a whole.

Based on this analysis staff's recommends approval of the requested variance to permit a ground sign in the C-1 Neighborhood Commercial District for the property located at 6900 Mexico Road with the following contingency:

1. The ground/pole sign shall not exceed thirty-two (32) square feet in size and eight (8) feet in height.

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 12-R. Seeing none, Mr. Meyer closed the public hearing.

Mr. Jaggi made a motion and Mr. Trupiano seconded to approve Petition 12-R with the contingency changed to the following: The ground/pole sign shall not exceed fifty (50) square feet in size and twelve (12) feet in height. Mr. Jaggi suggested that the sign's height and size be amended to more closely match the size and height permitted in other nearby commercial properties.

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

Mr. Meyer	Yes
Mr. Kendall	Yes
Mr. Selinger	Yes
Mr. Trupiano	Yes

Mr. Jaggi            Yes

There being 5 yes and 0 no vote, Mr. Meyer declared that Petition 12-R was approved with the amended contingency.

Mr. Trupiano presented the findings of fact as follows:

1. The subject property is located at 6900 Mexico Road.
2. The property is zoned C-1 Neighborhood Commercial District in St. Peters.
3. The adjacent zoning to the west is R-1 Single-Family Residential and contains a church, beyond which is commercially zoned property.
4. The adjacent zoning to the east is zoned C-1 neighborhood Commercial District and contains a mixture of residential and office uses.
5. The property to the south, across Mexico Road, is zoned Planned Urban Development (PUD) and permits future commercial development.
6. The City of St. Peters zoning and subdivision regulations do not permit ground/pole signs in the C-1 Neighborhood Commercial District.

Mr. Jaggi made a motion and Mr. Selinger seconded to approve the findings of fact. All in favor, the motion carried.

Mr. Kendall presented the Conclusions of Law for Petition 12-R 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. Selinger made a motion and Mr. Jaggi seconded to enact the Conclusions of Law. All in favor, the Conclusions of the Law were adopted.

PETITION 12-S:

Mr. Meyer stated that the purpose of the meeting was to consider Petition 12-S. St. Louis Chinese Baptist Church requests a variance to permit the installation of a fence with a zero (0) foot front yard setback in the R-1 Single Family Residential District. The property is located on lot 1 of Covenant Park Plat 1 as recorded in plat book 25 page 77 at the St. Charles Recorder of Deeds Office, more commonly known as 908 Jungermann 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 12-S. The petitioner or their agent was requested to step forward to present their position.

The petitioner nor their agent were present. Mr. Jaggi made a motion and Mr. Kendall seconded to postpone this item until the July 18<sup>th</sup> Board of Adjustment Meeting. All in favor, the motion carried.

PETITION 12-T:

Mr. Meyer stated that the purpose of the meeting was to consider Petition 12-T. Budget Air Conditioning Heating & Plumbing LLC requests a variance to permit the installation of a sign with a height that exceeds twelve (12) feet in the S-D Special Old Town District. The property is tract 002.000 of Survey No. 762 dated June 1995, more commonly known as 310 Main Street.

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 12-T. The petitioner or their agent was requested to step forward to present their position.

Ms. Julie Lagarce, Budget HVAC & Plumbing, explained that Budget HVAC and Plumbing is located at 310 Main Street. They would like to construct an eighteen foot tall ground sign facing Interstate 70. Ms. Lagarce noted that they have updated the site including landscaping and new trees. Ms. Lagarce explained that when they were looking at purchasing the property they noticed other ground signs in the near vicinity, facing Interstate 70, which were either taller and/or larger. The highway frontage was an important reason they picked this location.

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 12-T.

Mr. Braunfeld stated that Budget HVAC and Plumbing, is located at 310 Main Street. The applicant would like to construct an eighteen foot tall ground sign facing Interstate 70. The business is located in the S-D Special Old Town Overlay District where ground signage is allowed to be twelve feet tall and fifty square feet in area.

Budget HVAC and Plumbing recently moved into 310 Main Street which was formerly used by a portable shed company. It is noted that the applicant has updated the site including landscaping and new trees. Access to the site is from Main Street with the parking in the rear adjacent to Interstate 70. The Main Street side of the property contains a very modest monument sign which blends with the recent streetscape improvements.

The applicant indicated that when they looked at the property they noticed other ground signs in the near vicinity, facing Interstate 70, which were either taller and/or larger. The applicant indicated that the highway sign frontage was an important reason they picked this location.

Based on this, Budget Air Conditioning, Heating & Plumbing LLC requests a variance to permit the installation of a sign with a height that exceeds twelve (12) feet in the S-D Special Old Town District. for property at 310 Main Street.

Mr. Braunfeld 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.D Signs Permitted in all "C" Commercial and "I" Industrial Districts...

D. *Signs 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:

1. *Ground signs.*

a. Ground signs as described above shall be permitted as follows:

- (2) *"C-2" Community Commercial District.* **The maximum height may not exceed twelve (12) feet.** The face of such sign may not exceed fifty (50) square feet per sign face or a total area of one hundred (100) square feet.

Mr. Braunfeld stated that the proposed sign location would be adjacent to and face Interstate 70. The purpose of the S-D District is to accommodate the original development theme of Old Town St. Peters and facilitate its future growth. The S-D District allows for ground signage in compliance with the C-2 Community Commercial District requirements. The C-2 signage requirements were designed to accommodate non-highway frontage developments. In general, the C-2 District regulations, limiting sign height to twelve feet, have maintained an appropriate scale along Main Street and other locations within the City. However, the regulations do not adequately address those properties that face major roads or highways such as Interstate 70. While Old Town is often thought of as a single place, it is actually made up of distinctive sub areas. This would include Main Street, the residential area on the north side of Old Town, the Co-Op complex, the park areas, and the businesses front Interstate 70.

The applicant has re-used and improved the original monument sign facing Main Street, which as noted early, fits with the recent streetscape improvements. A review of other nearby ground signs finds that the QuikTrip in Old Town received a variance to extend their sign up to fifty feet tall. Staff also found other signs facing Interstate 70 which are of various heights and sizes and believes they are legal non-conforming since they appear to be older and pre-date the S-D District.

Since the property has two frontages, Main Street and Interstate 70, each frontage is permitted a sign. The entrance to the property and the front of the building faces Main Street and is of appropriate scale for that area. The back of the property is a parking lot and fronts to Interstate 70. The requested variance to allow an eighteen foot tall sign would be appropriate since it is adjacent to Interstate 70. It can be noted that most other signs in this highway corridor are zoned C-3 General Commercial District and vary in height from and estimated twenty-five to forty-five feet. Therefore, the sign as proposed will have adequate visibility to vehicles on Interstate 70 without any adverse affect to the overall Old Town area.

Mr. Braunfeld stated the code considerations as follows:

- a. 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 applicant would have to install a ground sign at a height that would substantially diminish its visibility without any aesthetic benefit to the surrounding area.

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

If the sign was required to twelve (12) feet tall, the applicant would have a hardship. A variance will allow them to place a ground sign at a height that will provide for reasonable visibility without any negative aesthetic impact to the area.

- c. Is the hardship suffered by the property in question?

The property is unique since it faces both Main Street and Interstate 70 and the S-D District does not provide for highway signage.

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

The applicant visually reviewed the adjacent signage when choosing this location. They saw and understood the restrictions to Main Street; however, they were unaware that the nearby QuikTrip sign had received a variance or that other older signs in the area were legal non-conforming.

- e. 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 development will be in harmony with the general purpose and intent of the zoning regulations, since the sign height will not increase hazards to pedestrian and vehicular traffic or cause blighting within the community.

- f. 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 will 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 the installation of a sign with a height that exceeds twelve (12) feet in the S-D Special Old Town District with the following contingencies:

1. The height variance shall only apply to the ground sign adjacent to Interstate 70.
2. The sign height shall not exceed twenty (20) 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 12-T. Seeing none, Mr. Meyer closed the public hearing.

Mr. Kendall made a motion and Mr. Jaggi seconded to approve Petition 12-T with the noted contingencies.

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

Mr. Meyer      Yes  
Mr. Kendall     Yes  
Mr. Selinger    Yes  
Mr. Trupiano    Yes  
Mr. Jaggi       Yes

There being 5 yes and 0 no vote, Mr. Meyer declared that Petition 12-T was approved.

Mr. Jaggi presented the findings of fact as follows:

1. The property is located on tract 002.000 of Survey No. 762 dated June 1995, more commonly known as 310 Main Street.
2. The lot is presently zoned S-D Special Old Town Overlay District.
3. The surrounding properties are zoned S-D Special Old Town Overlay District.
4. The Zoning and Subdivision Regulations permit a sign height of twelve (12) feet in the S-D Special Old Town Overlay District.

Mr. Jaggi made a motion and Mr. Selinger seconded to approve the findings of fact. All in favor, the motion carried.

Mr. Trupiano presented the Conclusions of Law for Petition 12-T 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. All in favor, the Conclusions of the Law were adopted.

Mr. Jaggi made a motion and Mr. Trupiano seconded to adjourn the meeting at 6:55 p.m. All in favor, the motion carried.

Respectfully submitted:

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Melissa Vollmer  
Recording Secretary

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Dan Meyer  
Chairman