



**MINUTES BOARD OF ADJUSTMENT  
ONE ST. PETERS CENTRE BLVD., ST PETERS, MO 63376  
MEETING OF JUNE 15, 2016  
6:00 P.M.**

CALL TO ORDER

Vice Chairman Bill Jaggi called the meeting to order at 6:00 p.m. Mr. Jaggi asked those in attendance to observe a moment of silence in honor of former Chairman Dan Meyer, who passed away last month.

ATTENDANCE

Those in attendance were Mr. Bill Kendall; Mr. Bill Jaggi; Mr. Tom Fann; Mr. Nick Trupiano; Mr. John Shetterly, Ms. Julie Powers, Director of Planning, Community & Economic Development; Mr. Ken Braunfeld, Planning Coordinator, and Ms. Melissa Vollmer, Recording Secretary.

MINUTES

Mr. Jaggi asked the Board for any comments or questions regarding the minutes of May 18, 2016. Mr. Fann made a motion and Mr. Trupiano seconded to approve the minutes as presented. The motion carried unanimously.

COMMUNICATIONS AND REPORTS OF OFFICERS

Mr. Jaggi asked for any reports or communications from the Officers or Staff. Ms. Powers indicated there were none.

PETITION 16-K:

Mr. Jaggi stated that the purpose of the meeting was to consider Petition 16-K. Rich Billings request a variance to permit a reduction in the sign setback and an increase in the sign size for a proposed sign in the C-1 Neighborhood Commercial District. The property is located on the north side of Mexico Road, west of South Church Street – 7332 Mexico Road.

Mr. Jaggi declared the public hearing open to consider Petition 16-K. The petitioner or their agent was requested to step forward to present their petition. Mr. Rich Billings, owner, was sworn in as the petitioner. Mr. Billings explained that with the traffic on Mexico Road, he needs a slightly larger sign to ensure visitors to his office see the property in time to safely turn into the site. Also, Mr. Billings noted that Allstate provides a standard sign size that is sixteen square feet.

Mr. Jaggi 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 16-K.

Ms. Powers explained that the applicant, Rich Billings, is the owner of a single user office located at 7332 Mexico Road. The site is zoned C-1 Neighborhood Commercial District which is allowed a twelve square foot information sign.

Recently the owner/applicant approached the City regarding a larger sign. Mr. Billings indicated that with the traffic on Mexico Road, a slightly larger sign is needed to ensure visitors to his office see the property in time to safely turn into the site. He also noted the number of signs that are in the area because of the commercial nature of the area. Finally, it was noted that the parent

company, Allstate, provides a standard size sign that is sixteen square feet. This is the same as the sign at 819 Mid Rivers Mall Drive.

As staff evaluated the larger sign request, it was determined that visibility of the sign would require the sign location to be closer to the street and, therefore, not in compliance with the required sign setback of ten feet. Therefore, staff advised the applicant that they would need a variance for the sign setback in addition to a variance to increase the sign size.

Based on this, Rich Billings requests a variance to allow a freestanding sign to be located less than ten (10) feet from the property line and greater than twelve (12) feet in area in the C-1 Neighborhood Commercial District. The property is located on the north side of Mexico Road, west of South Church Street – 7332 Mexico Road.

Ms. Powers 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:

405.745.D Signs Permitted in all “C” Commercial and “I” Industrial Districts...

1. b. (4) Ground signs shall not extend nearer than ten (10) feet to the public right-way (as measured from the sign edge).
  
8. Identification signs. One (1) identification sign is permitted for the principal access to the premises and one (1) sign for the secondary access. The sign shall not exceed twelve (12) square feet in area per sign facing or twenty-four (24) square feet for the gross aggregate sign area.

Ms. Powers noted that the traffic on Mexico Road is heavy at most times. The site to the east of the subject property is also an office and includes a front parking area. Although the sign is required to be ten feet back from the property line, the site has some unique considerations that make the placement of the sign ten feet back a hardship for the applicant. The lot is a former home that has been modified into an office. There is a yard area remaining which includes parking in the front. To ensure the commercial usability of the lot, the sign should be shifted towards the road. Also, with the amount of traffic on Mexico Road, the sign needs to be closer to the road to be visible to traffic approaching from the east. Staff notes that the applicant is proposing that the sign be aligned with the edge of the parking field on the adjacent site to the east. Staff believes this is reasonable and will allow visibility of the sign around the parked cars on the adjacent site.

Staff is also of the opinion the increased sign size is reasonable. The sign is attractive and of a standard size; the slight increase of the size by one foot in height will not be noticeable to the passerby but will identify this new business.

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 applicant would have to place the sign in a location on the property that would make the sign less visible to on-coming traffic, and therefore, it could have a negative impact on the office use and on vehicular safety in the site area. Similarly, the slightly larger sign will be easier to see without being oversized for the scale of the commercial site.

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

If the sign is required to be ten feet back from the property line, the applicant would have a hardship. A variance will allow them to place their proposed ground sign in a location that would have maximum visibility from Mexico Road. If the smaller sign is required it may not be as visible, creating a hardship.

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

The adjacent site has a front parking field which blocks the visibility for westbound travelers. If the sign is set back too far it would not be easily seen. With a variance for size and setback, this small hardship can be addressed.

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

The design of the site was not the result of the applicant's actions.

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 placement and size will be similar to other commercial offices; it will not increase 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 will have no ill effects on surrounding properties or the City as a whole.

Based on this analysis, staff recommends approval of the requested variances with the following contingencies:

1. The sign shall be set back eighteen (18) inches from the back of the sidewalk.
2. The sign shall be a maximum of sixteen (16) square feet in area.

Mr. Jaggi asked if any of the board members had questions for Ms. Powers. Mr. Jaggi asked if there was anyone in the audience to speak in favor, opposition or in comment of Petition 16-K. Seeing no one present to comment, Mr. Jaggi closed the public hearing.

Mr. Fann made a motion and Mr. Trupiano seconded to approve Petition 16-K.

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

Mr. Shetterly Yes  
Mr. Kendall Yes  
Mr. Jaggi Yes  
Mr. Fann Yes  
Mr. Trupiano Yes

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

Mr. Fann presented the findings of fact as follows:

1. The property is located on the north side of Mexico Road, west of South Church Street, more commonly known at 7332 Mexico Road.
2. The lot is presently zoned C-1 Neighborhood Commercial District.
3. The Zoning and Subdivision Regulations require a sign to be setback 10 feet from the property line.

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

Mr. Trupiano presented the Conclusions of Law for Petition 16-I 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.

#### PETITION 16-L:

Mr. Jaggi stated that the purpose of the meeting was to consider Petition 16-L. Erik and Connie Schaffer request a variance to permit a fence that exceeds six feet in height in the R-1 Single Family Residential District. The property is located on Lot 193 of Pegasus Farms Plat Three, as recorded in Book 27 Page 24 at the St. Charles County Recorder's Office, more commonly known as 1351 Pegasus Trail.

Mr. Jaggi declared the public hearing open to consider Petition 16-L. The petitioner or their agent was requested to step forward to present their petition. Ms. Connie Schaffer was sworn in as the petitioner. Ms. Schaffer explained that her home and the neighbors home each have two windows that face the property line which does not give them the privacy they would like. Ms. Schaffer

explained that she would like to install a three foot tall lattice-style extension on top of her six foot tall privacy fence. This extension will provide the privacy they are looking for.

Mr. Jaggi 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-L.

Mr. Braunfeld explained that the subject property is located on a cul-de-sac at 1351 Pegasus Trail in the Pegasus Farms Subdivision. It was brought to the City's attention that a portion of the subject property's privacy fence was taller than the maximum six feet height. Staff contacted the applicant regarding the height of the fence. The applicant indicated the fence was recently installed to block the view between their house and the neighbor's house to the southeast. The applicant explained that their home and the neighbor's home each have two windows that face the property line where the fence is located. Without the higher fence to block the view, the position of the home points the windows toward each other. The applicant also explained that the previous neighbor's had bookshelves in front of the windows that provide a buffer so the view into each home was blocked. The new neighbor's do not have a fixed object blocking the windows, leaving less privacy.

Based on this, Erik and Connie Schaffer request a variance to permit a fence that exceeds six feet in height in the R-1 Single-Family Residential District. The property is located on lot 193 of Pegasus Farms Plat Three, as recorded in Book 27 Page 24 at the St. Charles County Recorder's Office, more commonly known as 1351 Pegasus Trail.

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) it states:

Section 405.360 (d) Fence Requirements:

2. No fence, wall, shrub, or hedge shall be constructed or altered to exceed six (6) feet in height except as indicated in the specific district regulations as follows.

Mr. Braunfeld noted that a six foot wood fence separates the two properties. The subject height variance is for a twenty-four foot section between the two homes. A three foot tall wooden lattice fence element on top of the existing six foot tall fence was added to this section for a total height of nine feet.

The maximum six feet fence height was established to provide for privacy without creating complete barriers which would be unattractive and potentially create unsafe areas that are totally un-viewable. In this case the lots are unique in that they are located on a cul-de-sac and the angle of the two homes places their windows directly across from one another thereby limiting privacy. Also the neighbor's house appears to sit a little higher than the applicant's house further limiting the privacy a standard six foot fence would provide.

As noted above, fence heights are limited for both aesthetic and safety issues. In this situation the increase in height is for a short distance between the two properties, leaving the vast majority of the fencing at the standard height. The limited distance of the increased height will prevent the property from being walled off and will therefore not create a safety concern. In addition, the increased height is predominately between the two homes so that the walls of the houses extend

higher than the fence. Therefore, the fence height is absorbed by the homes and the height is not towering over open property.

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 position of the homes is unique. The subject house and adjacent house are located on the cul-de-sac and the angle of the two houses places their windows directly across from one another. In addition, the adjacent house appears to sit higher than the applicant's house. Combined, these elements limit the privacy a standard six foot fence would provide, and therefore limit the reasonable use of the property.

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

The position of the subject houses on the cul-de-sac and the position and the windows across from one another, with the elevation of the adjacent house, combine to limit the privacy of a standard six foot fence. Therefore, the strict application of height regulations would limit the ability to obtain privacy from a standard six foot fence, resulting in a hardship.

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

The position of the subject houses on the cul-de-sac and the position and the windows across from one another, with the elevation of the adjacent house, combine to limit the privacy of a standard six foot fence. Therefore, the property suffers a hardship.

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

The placement of the house, lot, and window layout occurred with the original development of the subdivision. The new owner's reasonable use of the windows has now reduced the privacy between the two homes, thereby creating the hardship.

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 it would be in harmony with the general purpose and intent of the zoning regulations since it will allow an appropriate fence to be installed along a limited portion of the property line.

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 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, staff recommends approval of the variance with the following contingencies:

1. The fence may extend up to nine feet in height constructed as follows:
  - a. Solid boards up to six feet in height.
  - b. A lattice attachment not to exceed three feet in height.
2. The length of the extended height shall be limited to between the two homes not to exceed twenty-four feet in length.
3. The fence must be maintained in an appropriate condition as follows:
  - a. The fence and lattice shall be of the same material. i.e. all wood or all vinyl, etc.
  - b. If wood, the fence shall be maintained in good condition with a stain or other approved wood covering.

Mr. Jaggi asked if any of the board members had questions for Mr. Braunfeld. Mr. Jaggi asked if there was anyone in the audience to speak in favor, opposition or in comment of Petition 16-L. Seeing no one present to comment, Mr. Jaggi closed the public hearing.

Mr. Kendall made a motion and Mr. Fann seconded to approve Petition 16-L.

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

Mr. Shetterly	Yes
Mr. Kendall	Yes
Mr. Jaggi	Yes
Mr. Fann	Yes
Mr. Trupiano	Yes

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

Mr. Trupiano presented the findings of fact as follows:

1. The property is located on lot 193 of Pegasus Farms Plat Three, as recorded in Book 27 Page 24 at the St. Charles County Recorder's Office, more commonly known as 1351 Pegasus Trail.
2. The lot is presently zoned R-1 Single Family Residential District.
3. The adjacent zoning is R-1 Single Family Residential District.

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

Mr. Shetterly presented the Conclusions of Law for Petition 16-L 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 made a motion and Mr. Trupiano seconded to enact the Conclusions of Law. The motion carried unanimously.

PETITION 16-M:

Mr. Jaggi stated that the purpose of the meeting was to consider Petition 16-M. QuikTrip Corporation – QuikTrip Store #604 requests a variance to allow an increase in the height of the ground signs, a wall sign that does not front to a street, and a reduction in a portion of the four foot landscape buffer strip. The property is located on Lot 1 of Jungermann McClay Station Plat Four as recorded in Book 48 Pages 338-340 at the St. Charles County Recorder of Deeds Office, more commonly known as 3847 McClay Road.

Mr. Jaggi declared the public hearing open to consider Petition 16-M. The petitioner or their agent was requested to step forward to present their petition. Ms. Gwen Keen, QuikTrip Corporation, was sworn in as the petitioner. Ms. Keen explained that to accommodate the redevelopment of this QuikTrip store, two variances are needed. One is for a small portion of the landscape planting strip along the north property line, which will be less than the minimum required four feet. This is due to the location of the existing north property line, gas canopy parking area and the McClay Station private drive. In addition, they are requesting the ability to replace their existing fifteen foot ground signs with a similar sign size. Sign regulations have changed since their initial installation and now only permit a twelve foot tall sign.

Mr. Jaggi 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-M.

Mr. Braunfeld explained that the Planning and Zoning Commission approved a new QuikTrip gas station/c-store at the northeast corner of Jungermann and McClay Roads. The existing facility will be removed and replaced with a new larger generation three QuikTrip. As part of this expansion, the adjacent former Paul's Donut site will also be incorporated into the QuikTrip redevelopment.

It is noted that the existing facility was constructed prior to the current requirement for a gas station/c-store to obtain a special use permit in the C-2 Community Commercial District. As part of the redevelopment, QuikTrip submitted and was granted a special use permit by the Board of Aldermen on November 19, 2015.

To accommodate this redevelopment two variances are needed. A small portion of the landscape planting strip along the north property line will be less than the minimum required four feet. This is due to the location of the existing north property line, gas canopy parking area, and the McClay Station private street/driveway. In addition, QuikTrip has requested the ability to replace their existing fifteen foot +/- ground signs with a similar sign size. However, the sign regulations have changed since their initial installation and now permit only a twelve foot tall sign.

Based on this, QuikTrip Corporation – QuikTrip Store #604 requests a variance to allow an increase in the height of the ground signs, a wall sign that does not front to a street, and a reduction in a portion of the four foot landscape planting strip. The property is located on Lot 1 of

Jungermann McClay Station Plat Four as recorded in Book 48 Pages 338-340 at the St. Charles County Recorder of Deeds Office, more commonly known as 3847 McClay Road.

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) it states:

Section 405.745 Permanent sign regulations by zoning district

D. Signs Permitted in all "C" Commercial and "I" Industrial Districts (Non-Residential). In certain non-residential districts, the following 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. The maximum height may not exceed twelve (12) feet...

Section 405.390 Screening and Landscaping:

C. Screening and Landscaping. All off-street parking facilities, with the exception of a single-family detached dwelling or a two-family dwelling, shall be screened and landscaped in accordance with the following design standards.

1. Planting strip along property lines

a. Along each property line of the zoning lot, a planting strip of four (4) feet minimum width shall be provided between said property line and the off-street parking facilities...

Mr. Braunfeld noted that the site is located in the C-2 Community Commercial District. In the C-2 District, City Code currently permits ground signage up to twelve feet in height and fifty square feet in area, along with an additional twenty-four square feet of changeable copy signage, for a total of seventy-four square feet. It is noted that the size of the proposed QuikTrip sign is only sixty-nine square feet and will not require a variance. Prior to these standards, City Code allowed signage in the C-2 District to be a maximum height of twenty-five feet tall. Therefore, many redevelopments find their existing signage to be legal/non-conforming. This allows the signs to remain as-is, but when the sign is substantially renovated, or the site they are on is redeveloped, the signs must then comply with the current code.

As part of the complete redevelopment of that site, QuikTrip would like to install new modern signage. The standard QuikTrip sign would match the height of the existing signs which are approximately three feet taller than now permitted. QuikTrip noted that one reason they have standardized the size of their signs is to permit quick replacement of damaged panels. In addition, QuikTrip believes that manual gas price changeable copy signs are more attractive than digital. Having standardized sizes allow for easy replacement of damaged or weathered number panels. They also noted the height would allow for the signs to maintain the same visibility as they currently have.

Staff notes the property slopes up towards the intersection along Jungermann Road and down to McClay Road. The fifteen foot height would allow for cleared visibility and provide motorists and unobstructed view, especially the price portion of the sign, which often trigger last second decisions to get fuel. It is also noted that that the other side of McClay Road and south along Jungermann Road is zoned C-3 General Commercial which permits signs up to thirty feet tall and one hundred square feet in size. Therefore, the proposed three foot increase would be well below that which is allowed across the street and consistent with other signs along this commercial corridor.

Along the north property line, a two hundred foot landscape island of ten to twenty feet in width separates the QuikTrip fuel/canopy area from the McClay Station private access drive/private street. The majority of this common island allows for more than the minimum four feet landscape planting strip, for QuikTrip and the property owner to the north. However, the property line is angled slightly within the landscape island, reducing a short segment on the QuikTrip side of the planting strip to one foot. The reduction of the landscape planting strip is not visually noticeable as the island maintains a minimum ten foot width. Further, the remainder of the island planting strip will get upgraded landscaping as part of the QuikTrip redevelopment. Therefore, the spirit of the landscape planting strip will be preserved by the existing ten to twenty foot island even though the property line angles in a unique way.

It is noted that the initial application included a request for a wall sign that did not have street frontage. Further review found that with the QuikTrip expansion onto the former Paul's Donuts property, it would now place the property adjacent and connected to the McClay Station Development's private access drive/private street. Therefore, a wall sign would be permitted on the north side of the building and a variance will not be required.

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 reduction of the landscape planting strip is not visually noticeable as the landscape island maintains a minimum ten to twenty foot width, thereby ensuring a reasonable return. The small increase in sign height will allow for cleared visibility and provide motorists an unobstructed view in a manner consistent with other signage along this commercial corridor. By allowing a slightly taller sign, it will be more visible in the general area, therefore, ensure a reasonable return.

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

The reduction of the planting strip is not visually noticeable. If the landscape planting strip complies with code, vehicle circulation will be diminished. In addition, if the signs comply with code, visibility will be limited and may impose a hardship for the applicant. The variance will allow them to maintain proper vehicle circulation and permit appropriate visibility of their signs.

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

The applicant's property is impacted by the unique angle of the property line within the landscape planting area. The signage is impacted by the light grade change on Jungermann Road and McClay Road. Each of these imposes their respective hardships.

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

The site is being redeveloped to upgrade the QuikTrip facility which will include ingress and egress safety improvements. The exterior property lines are fixed and the existing road grades cannot be changed; therefore the hardships have not been self-imposed.

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 limited reduction in the landscape planting strip and the small increase in the sign height 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 will have no ill effects on surrounding properties or the City as a whole.

Based on this analysis, staff recommends approval to allow an increase in the height of the ground signs to a maximum of fifteen (15) feet and a reduction in a portion of the four foot landscape planting strip along the north property line.

Mr. Jaggi asked if any of the board members had questions for Mr. Braunfeld. Mr. Jaggi asked if there was anyone in the audience to speak in favor, opposition or in comment of Petition 16-M. Seeing no one present to comment, Mr. Jaggi closed the public hearing.

Mr. Fann made a motion and Mr. Trupiano seconded to approve Petition 16-M.

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

Mr. Shetterly	Yes
Mr. Kendall	Yes
Mr. Jaggi	Yes
Mr. Fann	Yes
Mr. Trupiano	Yes

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

Mr. Fann presented the findings of fact as follows:

1. The subject lot is located on Lot 1 of Jungermann McClay Station Plat Four as recorded in Book 48 Pages 338-340 at the St. Charles County Recorder of Deeds Office, more commonly known as 3847 McClay Road.
2. The lot is zoned C-2 Community Commercial District.
3. The adjacent zoning is C-2 Community Commercial to the north, east, and west across Jungermann Road and the C-3 General Commercial District to the south across McClay Road.

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

Mr. Shetterly presented the Conclusions of Law for Petition 16-M 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 made a motion and Mr. Trupiano seconded to enact the Conclusions of Law. The motion carried unanimously.

A five minute recess was called at 7:08 p.m. The meeting was called back to order at 7:13 p.m.

Mr. Trupiano made a motion and Mr. Shetterly seconded to hear all three petitions from Mid Rivers Investment Partners, LLC at one time. The motion carried unanimously.

PETITIONS 16-N, O AND P:

Mr. Jaggi stated that the purpose of the meeting was to consider Petitions 16-N, 16-O and 16-P. Mid Rivers Investment Partners, LLC request the following variances to permit the installation of a billboard: A variance from the minimum one thousand (1,000) foot distance from an interchange ramp taper; A variance to allow a reduction of the one-mile (5,280 feet) spacing requirement to another billboard; A variance to allow a reduction in the front yard setback of the proposed billboard; and A variance to allow the height of the billboard to exceed forty-five feet. Mid Rivers Investment Partners, LLC also request variances to allow a reduction in the ground sign setback and a reduction in the side yard setbacks. Mid Rivers Investment Partners, LLC also request variances to allow a reduction in the required screening for rooftop utilities. The site is located on the north side of Interstate 70 and I-70 North Service Road, east of Mid Rivers Mall Drive.

Mr. Jaggi declared the public hearing open to consider Petitions 16-N, 16-O and 16-P and requested the petitioner or their agent to step forward to present their petition. Ms. Fiona Haulter, GBT Realty, was sworn in as the petitioner. Ms. Haulter explained that the first set of variances they are requesting are related to the billboard that is on site. They are requesting a variance from the minimum one thousand foot distance from an interchange ramp taper; the current billboard location is 206 feet from the ramp taper, with the new proposed location, it will be 128 feet. A variance to allow a reduction of the one-mile spacing requirement to another billboard; the proposed billboard will meet the state requirement of being 1,400 feet between billboards. A

variance to allow a reduction in the front yard setback; the proposed billboard will be shifted to a location between two future outlots and will be shifted neat the front of the sites. Finally, they are requesting a variance to allow the height of the billboard to exceed forty-five feet; this will allow visibility of the new development façade which will be fifty-five feet in height, also, this extended height will ensure the sign can clear power lines in the area. Ms. Haulter explained that the next set of variances they are requesting related to the reduction in the sign setback and the side yard setbacks. As part of the new development, they will be installing new signs to identify the center and new retail and restaurant establishments. The site is along the I-70 North Service Road - a ditch system aligns the service road as part of the storm water management system for the subject property. Although the ditch is not on the parcel, this area functions as a setback for the site - the developable property is approximately forty feet behind the edge of the service road. Therefore, signs for the center or an out parcel will be setback this distance from any vehicular traffic. The second variance is for a reduction of the site yard setbacks that will be required when a separate lot is platted for Anchor A. This retailer requires their own lot for a space that will be within the alignment of shops. Because it is a continuous building broken up in to various retail spaces, there can be no physical setbacks. Ms. Haulter explained that the final variance they are requesting is for a waiver from the required screening along the north (rear) of the building for rooftop utilities. Along the rear of the site is a mature, established tree buffer and Ms. Haulter noted that they feel this is a sufficient buffer for the rooftop utilities.

Mr. Jaggi asked if there were any questions of the petitioner. Being none, Ms. Julie Powers was sworn in to present the City's position for Petitions 16-N, 16-O and 16-P.

Ms. Powers explained that the site is located on the east side of Mid Rivers Mall Drive north of Interstate 70 and fronting on the I-70 Service Road North. The site has been developed with Kaplan Lumber for years; the lumber business has not been active in recent years and the site has been used for a variety of smaller businesses, most recently ABC Roofing. The site is adjacent to a small tract zoned C-3 General Commercial District which is developed with Wm. Nobbe & Co., a John Deere tractor dealership which fronts on I-70 Service Road North.

The surrounding land uses include industrially zoned areas to the north, past the railroad tracks which include a recycling facility and industrial uses. To the northwest are also some residential properties zoned industrial or agricultural. To the east are car dealers and a large vacant tract zoned commercial and industrial; to the west are commercially zoned properties including a convenience store with gas pumps and a fast food restaurant. Beyond is Old Town St. Peters zoned Special Old Town District.

The site is located at the interchange of Mid Rivers Mall Drive and Interstate 70 and across the interstate from Mid Rivers Mall. The site was developed as a lumber company in 1971 and was active for decades, supporting the extensive residential growth in St. Charles County. In recent years the lumber company moved west in the county and then closed operations. The building has been used by various businesses, most recently ABC Roofing. The remaining buildings on the site include the main lumber company office/showroom/storage building and multiple outbuildings and sheds.

The site is planned for a large retail project which will include a shopping center, four outlots, and three outlying building pads. The overall project is proposed to include the area of the Kaplan and Nobbe tracts- approximately twenty-eight acres. A billboard is located on the Nobbe site – it has been on the C-3 zoned site for some time. As part of the redevelopment of the area the Nobbe business will move and that tract will be part of the development; therefore, the billboard must be moved.

Therefore, Mid Rivers Investment Partners, LLC requests the following variances to permit the installation of a billboard:

- a. A variance from the minimum one thousand (1,000) foot distance from an interchange ramp taper.
- b. A variance to allow a reduction of the one-mile (5,280 feet) spacing requirement to another billboard.
- c. A variance to allow a reduction in the front yard setback of the proposed billboard.
- d. A variance to allow the height of the billboard to exceed forty-five (45) feet.

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

Section 405.765 [Billboards (Off-Premise)]

1. Location and spacing. All billboards must be erected in the permitted zones along the highway and corridors specified, and must meet the following location requirements.
  - a. No sign structure shall be hereafter erected within one (1) mile of an existing sign on the same side of the highway. This distance shall be measured along the nearest edge of the pavement at points directly opposite the signs along each side of the highway. This shall apply to only outdoor advertising sign structures located on the same side of the highway involved.
  - b. No outdoor advertising sign shall be placed closer than one thousand (1,000) feet to the beginning or end of an interchange ramp taper of a dual or proposed dual highway; provided however, that such signs may be affixed to or located adjacent to a building at such intersections in such a manner as not to materially cause any greater obstruction of vision than caused by the building itself. No business sign shall be so located to obstruct the vision of traffic using entrance ways, driveways, or any public road intersection.
  - e. All outdoor advertising signs shall be required to meet the yard provisions in the districts in which they are permitted. The front yard setback from the road right-of-way shall be a minimum of thirty (30) feet.
4. Height. The maximum height shall not exceed forty-five (45) feet above ground level or the grade level of the adjoining street, whichever is higher.

Ms. Powers noted that regulations related to the distance and locations of billboards were established to ensure sign placements do not overwhelm other properties. The relocated billboard will be shifted approximately one hundred feet to the east so that it will be located between two future outlots. It will be a similar distance from the ramp taper as the existing billboard. The setback from the front property line will be reduced. The proposed height is sixty-five feet.

#### Spacing of Billboards:

As noted above, current regulations require billboards to be spaced one mile apart on the same side of the highway. Staff notes that billboards along the Interstate 70 corridor are largely less than the one mile spacing due to non-conforming billboards and variances issued for reduced spacing. The current billboard was approved prior to other signs and is, therefore, not in compliance with the spacing requirements. The proposed billboard would not be inconsistent with the spacing pattern on this side of the highway as it will only be shifted a small distance. Also, the applicant has indicated the proposed billboard will meet the state requirements of a minimum of 1,400 feet between billboards. Noting the slight shift in location and the compliance with state requirements, staff is of the opinion the spacing variance is reasonable.

#### Distance to a ramp taper:

The distance to the ramp taper for the current billboard location is 206 feet; it will be 128 feet with the proposed billboard location. The ramp starts adjacent to the subject property and runs along a portion of the future shopping center. As noted by the applicant, the existing and current sign locations are adjacent to a drainage ditch and I-70 North Outer Road which both provide a buffer to the ramp and help to minimize distraction of traffic on the exit ramp.

Staff acknowledges that the highway corridor in this area is heavily developed with commercial activity including some large on premise business signs and off-premise billboards. Some of the signs comply with City regulations, although some signs have received variances to address size, spacing and other sign regulations. It is noted that some signs and billboards along the interstate were installed prior to current City regulations and are considered legal non-conforming. Staff notes that the proposed billboard, which is just shifting slightly from its current location, would not substantially change the visual appearance of the highway corridor and, therefore, would have the same impact on travelers on the interstate ramp.

#### Setback:

The current billboard is quite old and sits in the middle of the site, adjacent to the building. The proposed billboard will be shifted to a location between two future outlots and will be shifted near the front of the sites. This will allow the new outlots to develop with minimal impact of the billboard on any future buildings, parking, and other site features. Also, the site is buffered from the outer road by a wide ditch that runs along the front of the property. This ditch, although on public right-of-way, functions as a setback given its width. Therefore, the placement of the billboard near the front property lines is appropriate as there is a buffer from the interstate and outer road and the sign is located to minimize impact on future site development.

#### Billboard height:

The proposed billboard height is twenty feet above the forty-five feet allowed by City Code. The applicant notes that the proposed height allows visibility of the new development façade which will be fifty-five feet in height. Also, the extended height will ensure the sign can clear power lines in the area. Staff notes that a variance for a convenience store sign to the west was approved in 2015 which allows a sign height of sixty feet – this was to address a visibility obstacle due, in part, to the Mid Rivers Mall Drive overpass. Also, staff notes that other sign height variances granted in this corridor have been due to significant visibility obstacles – a highway overpass was constructed adjacent to a site which sits much lower than the highway and, in another case, the highway was

lowered significantly and a large wall was constructed adjacent to the site. Noting these previous actions and the need to enhance visibility of the center, staff believes the additional height is reasonable given the height of other signs in the area.

Ms. Powers stated the code considerations for Petition 16-N 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?

If the variances are not granted, the billboard could not be shifted which would significantly impact the development on the out lots of the new center, and thus, the return from the new development. The proposed relocation is a modest distance to the east so the appearance of the corridor will not be significantly altered.

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

If the regulations are applied, the applicant would be prevented from shifting the billboard. Other commercial development of the site could move forward, but the billboard would impact visibility of the center and would cause development hardships on one of the future outlots of the center.

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

The property will develop in a commercial manner, but the development will be significantly enhanced by the shifting of the billboard. The code requirements for billboards prevent the relocated billboard without the requested variances.

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

The billboard cannot be shifted because of restrictions in the code; the hardship results from this code application.

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

The property will be developed commercially which will be consistent and in harmony with the location along an interstate highway and at a major interchange. If the variances are approved the relocated structure- a billboard – would be consistent with other billboards along the interstate corridor.

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 proposed relocated structure – a billboard – will be placed along the interstate

corridor at a consistent pattern with other billboards. The site can develop commercially with or without the billboard.

Based on this analysis, staff notes that the placement of a billboard at this location can be accommodated on the site and recommends approval of the requested variances.

Ms. Powers went on to explain that along the frontage of the site is a wide ditch – part of the storm water management system for the area and maintained by MoDOT. This area functions as a setback – the property is set back from the outer road because of this ditch area. Because of this setback area, the applicant has indicated an additional setback for signs would have a negative impact on the signs' visibility. Also, the applicant has indicated one of the planned tenants within the center requires their own lot. With the creation of this lot within the center, the lot cannot meet the side yard setbacks.

Noting these issues, the applicant has requested variances to reduce the sign setback and the side yard setbacks.

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

#### Section 405.745 Permanent Sign Regulations by District

##### D.1. Ground signs.

- b. The following regulations shall apply to all ground (pole and monument) signs in all zoning districts.
  4. Ground signs shall not extend nearer than ten (10) feet to the public right-of-way (as measured from the sign edge).

#### Section 405.210 C-3 General Commercial District.

##### G. Yard Requirements...

2. Side yard width shall be fifteen (15) feet except when adjacent to a residential district, then twenty (20) feet is required.

Ms. Powers noted that the site will be redeveloped to include a large shopping center with multiple outlots. As part of the redevelopment, the developer will install new signs to identify the center and the new retail and restaurant establishments. The center will include new businesses within an extended shopping center layout.

The site is located along I-70 Service Road North which parallels Interstate 70. A ditch system aligns the service road as part of the storm water management system for the subject property and the area in general. This ditch is on MoDOT right-of-way. Although it is not on the parcel, this area functions as a setback for the site – the developable property is approximately forty feet behind the edge of the service road. Therefore, signs for the center or an outparcel will be setback this distance from any vehicular traffic. Given this substantial setback, staff is of the opinion additional sign setback is not needed to ensure the attractiveness of the site or to avoid distractions to the traveling public.

The second variance is for a reduction of the side yard setbacks that will be required when a separate lot is platted for Anchor A. This retailer requires their own lot for a space that will be within the alignment of shops. Because it is a continuous building broken up into various retail spaces, there can be no physical setbacks. Staff notes this shopping center design is typical and that zero lot line needs have arisen in a few cases where users require their own lot. Staff believes this variance is reasonable, noting that the impact on the design of the center or the viewing public is nonexistent. Staff notes that modification of the wall rating at the lot lines may be required to comply with building code requirements; the applicant is coordinating with the Building Department on this matter.

Setback requirements have been established to provide for adequate separation of buildings and uses, and create a reasonable amount of open space between structures to enhance the general health, safety and welfare of the community. 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 the public streets, increase the danger of fire, endanger the public safety or substantially diminish or impair property values within the neighborhood.

Therefore, it is in both the applicant's interest and the general public's interest to allow the proposed modifications for the proposed development.

Ms. Powers stated the code considerations for Petition 16-0 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?

Allowing the proposed sign setback or side yard setback reductions will not substantially alter the appearance of the center. The signs will be some distance from the road due to site conditions, and the internal setbacks are the result of a platting need, not a practical need. The proposed variances allow for the most practical application of the code requirements, providing for the reasonable use of the property.

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

The site conditions create a setback for the development sign; requiring an additional ten foot setback would not add value to the site design but would pose a hardship related to overall development design and sign visibility. The internal side yard setback are required as a result of an internal platted lot around a retail space; application of the setback requirements would pose a hardship.

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

A wide ditch aligns the site and will create a setback for the development, including the sign; adding setback area to this would create a hardship. If the internal lot within the larger center is required to have setbacks, the property would suffer a hardship as it would negatively impact the center design.

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

The setback, in addition to the ditch along the site, would create a visibility hardship for the sign nor created by the applicant. The requirement for platting creates the setback hardship impacting the development.

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

If the variances are approved they would be in harmony with the general purpose and intent of the zoning regulations, since they will allow for the redevelopment of a major commercial site, thus providing for the reasonable use of the property.

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 variance to allow an encroachment of the front yard setback for the signs and internal lot setback with the following contingencies:

1. The setback for signs shall be reduced from ten (10) feet to zero (0) feet.
2. The side yard setback for any internal lot shall be reduced from fifteen (15) feet to zero (0) feet.

Ms. Powers further stated that along the rear of the site is a mature, established tree buffer. Because of the buffer, the applicant is requesting a waiver from the required screening along the north (rear) for rooftop utilities.

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

Section 405.460 Site Plan Review

E. 4. Criteria

- b. Roof top utilities such as, but not limited to, cooling towers and heating and cooling equipment installed in conjunction with any buildings or installed on any building heretofore erected shall be screened/enclosed with walls of brick, wood, or other similar architectural material extending to the height of the highest projection of such equipment from all sides.

As previously noted, the site will be redeveloped to include a large shopping center with multiple outlots. The development includes a long building with multiple retail users; the building backs to the railroad and a mature tree buffer. On the west end is an "L" shaped area of smaller shops. In addition, the site layout for the new development includes a detention area behind the center of the development which will include additional trees.

The developer has provided sight line studies of the future site from two key locations – Mid Rivers Mall Drive and Ecology Drive. From Mid Rivers Mall Drive, at the railroad crossing, the tree line along the railroad blocks any visibility of the rear of the buildings. Staff notes that a view from the side of the development is not provided. However, as a vehicle travels south on Mid Rivers Mall Drive, the view will be to the side of the center, which will eventually be blocked by an outlot building. The side view of the center will include rooftop utility screening. Staff notes that the rear of Shops 1 could be visible and recommends this area be further examined before the rear of Shops 1 is not screened.

The second sight line, from Ecology Drive, shows no visibility of the future development. Although the tree growth is full in the photos provided, staff believes the distance and railroad activity will ensure that the visibility of the rooftops are blocked.

Therefore, staff is of the opinion the requested waiver of the screening for the rooftop utilities of the rear of the site is reasonable subject to further review of the rear of Shops 1.

Ms. Powers stated the code considerations for Petition 16-P 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's return and reasonable use of the property are enhanced with the proposed variance as the rooftop screening along the north (rear) would not be needed; the investment can be used in an area of the center more visible to the public.

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

Strict application of the regulations would result in the installation of redundant screening which poses a hardship to the applicant.

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

The existing tree line provides a natural buffer for the development; installation of additional screening that is not warranted would pose a hardship.

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

The existence of the buffer and the related unwarranted screening are not the result of the applicant's own actions.

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 it would be in harmony with the general purpose and intent of the zoning regulations, since it will enhance the redevelopment of a major commercial site, thus providing for the reasonable use of the property.

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 variance to allow a reduction in the screening for rooftop utilities with the following contingencies:

1. The screening waiver shall only apply to the north (rear) sides of the building.
2. The screening waiver for the rear of Shops 1 shall be subject to additional sight line studies from an additional location on Mid Rivers Mall Drive and verification by staff.

Mr. Jaggi asked if any of the board members had questions for Ms. Powers. Mr. Jaggi asked if there was anyone in the audience to speak in favor, opposition or in comment of Petitions 16-N, 16-O or 16-P. Mr. Tom Glosier, representative for the Kaplan property, spoke in favor of these petitions. Seeing no one else present to comment, Mr. Jaggi closed the public hearing.

Mr. Fann made a motion and Mr. Trupiano seconded to approve Petition 16-N.

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

Mr. Shetterly Yes  
Mr. Kendall Yes  
Mr. Jaggi Yes  
Mr. Fann Yes  
Mr. Trupiano Yes

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

Mr. Trupiano made a motion and Mr. Fann seconded to approve Petition 16-O.

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

Mr. Shetterly Yes  
Mr. Kendall Yes  
Mr. Jaggi Yes  
Mr. Fann Yes  
Mr. Trupiano Yes

There being a 5 yes and 0 no vote, Mr. Jaggi declared that Petition 16-O was approved.

Mr. Shetterly made a motion and Mr. Fann seconded to approve Petition 16-P.

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

Mr. Shetterly Yes  
Mr. Kendall Yes  
Mr. Jaggi Yes  
Mr. Fann Yes

Mr. Trupiano Yes

There being a 5 yes and 0 no vote, Mr. Jaggi declared that Petition 16-P was approved.

Mr. Fann presented the findings of fact as follows for Petition 16-N:

1. The property is located in the northeast quadrant of Interstate 70 of Mid Rivers Mall Drive.
2. The lot is presently zoned C-3 General Commercial District.
3. The zoning to the east and south is C-3 General Commercial District; to the north is a mix of industrial and agricultural zoning districts. To the west is Old Town St. Peters zoned S-D Special Old Town District.

Mr. Fann made a motion and Mr. Shetterly seconded to approve the findings of fact for Petition 16-N. The motion carried unanimously.

Mr. Fann presented the findings of fact as follows for Petition 16-O:

1. The property is located in the northeast quadrant of Interstate 70 of Mid Rivers Mall Drive.
2. The lot is presently zoned C-3 General Commercial District.
3. The zoning to the east and south is C-3 General Commercial District; to the north is a mix of industrial and agricultural zoning districts. To the west is Old Town St. Peters zoned S-D Special Old Town District.

Mr. Fann made a motion and Mr. Shetterly seconded to approve the findings of fact for Petition 16-O. The motion carried unanimously.

Mr. Fann presented the findings of fact as follows for Petition 16-P:

1. The property is located in the northeast quadrant of Interstate 70 of Mid Rivers Mall Drive.
2. The lot is presently zoned C-3 General Commercial District.
3. The zoning to the east and south is C-3 General Commercial District; to the north is a mix of industrial and agricultural zoning districts. To the west is Old Town St. Peters zoned S-D Special Old Town District.

Mr. Fann made a motion and Mr. Shetterly seconded to approve the findings of fact for Petition 16-P. The motion carried unanimously.

Mr. Shetterly presented the Conclusions of Law for Petition 16-N 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 made a motion and Mr. Trupiano seconded to enact the Conclusions of Law for Petition 16-N. The motion carried unanimously.

Mr. Trupiano presented the Conclusions of Law for Petition 16-O 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 made a motion and Mr. Trupiano seconded to enact the Conclusions of Law for Petition 16-O. The motion carried unanimously.

Mr. Trupiano presented the Conclusions of Law for Petition 16-P 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 made a motion and Mr. Trupiano seconded to enact the Conclusions of Law for Petition 16-P. The motion carried unanimously.

A motion was made by Mr. Trupiano and seconded by Mr. Fann to elect William Jaggi as Chairman of the Board of Adjustment. The motion carried unanimously.

A motion was made by Mr. Trupiano and seconded by Mr. Shetterly to elect Tom Fann as Vice Chairman of the Board of Adjustment. The motion carried unanimously.

Mr. Trupiano made a motion and Mr. Jaggi seconded to adjourn the meeting at 7:58 p.m. The motion carried unanimously.

Respectfully submitted:

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Melissa Vollmer  
Recording Secretary

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Bill Jaggi  
Chairman