



## CITY OF MANCHESTER Board of Adjustment

April 8, 2021

A meeting of the Board of Adjustment of the City of Manchester, Missouri was held at 6:30 p.m. on the 8<sup>th</sup> day of April 2021, on the video conference application, Zoom, for the transaction of such business that came before the Board.

Present:

Chairman	Kent Goddard
Board Member	Anne Altepeter
Board Member	Dan Miller
Board Member	Alan Nissenbaum
Board Member	J.D. Pohlman

Also Present:

City Administrator	Larry Perney
City Attorney	Joseph Bond
City Clerk	Justin Klocke

### **Call to Order**

Chairman Goddard called the meeting to order at 6:30 p.m.

### **Roll Call**

City Clerk Klocke commenced with the roll call. A quorum was present for the transaction of city business.

### **Approval of Minutes**

Chairman Goddard introduced the minutes from the March 11, 2021 Board of Adjustment meeting for consideration by the Board. Mr. Nissenbaum made a motion to approve the amended minutes; Mr. Miller seconded the motion. The motion passed unanimously by voice vote.

### **Approval of the Agenda**

Chairman Goddard introduced the items on the April 8, 2021 Board of Adjustment Agenda for consideration by the Board. There being no amendments or discussion, Mr. Nissenbaum made a motion to approve the agenda as submitted; Ms. Altepeter seconded the motion. The motion passed unanimously by voice vote.

## **Old Business**

None

## **New Business**

Chairman Goddard explained the procedures and requirements to all applicants, and then called the first case.

### **21-V-004**

Chairman Goddard introduced Case No. 21-V-004 and stated that Ms. Sue Albrecht, owner, is seeking a variance from Section 405.190(E) pertaining to area regulations, to construct an addition that encroaches on the front yard and side yard setback on both sides of the property of an existing single-family home located at 834 Mayfair Park Ct., in the R-2A Single-Family Residential Zoning District.

Chairman Goddard requested that individuals who intended to testify in the case be sworn in. Thereupon, City Administrator Perney, Ms. Sue Albrecht, Mr. Will Wright, Mr. Timothy Dangos, and Mr. Michael Ceresia were duly sworn or affirmed to testify to Case No. 21-V-004.

Chairman Goddard instructed City Attorney Bond to commence with the proceedings of Case No. 21-V-004. City Attorney Bond introduced the City's evidence regarding the property and the applicable zoning code requirements, including the City's Zoning Code, staff report, the application for a variance as filed by the applicant, images and site plans of the work and property. Additionally, City Attorney Bond called on the City's witness, City Administrator Perney and asked him to explain the reason for the denial of the permit and to explain the variance request. City Administrator Perney explained that the applicant is requesting variances from the 25-foot front yard setback as required by Section 405.190(E)(1)(a) and the 10-foot side yard setback as required by 405.190(E)(2)(a). City Administrator Perney reported that the proposed addition meets all of the city's regulations except for the front and side yard encroachment and the addition is shown to be in line with the existing home, which is approximately five feet into the setback on the north side, two feet into the setback on the south side, and 12 feet into the front yard setback; the home was constructed over 30 years ago, prior to annexation under St. Louis County's regulations, and therefore is considered to be a legal non-conformity.

Ms. Albrecht testified that her home was built over 30 years ago, and that the addition falls within the current building footprint. Ms. Albrecht said the property's classification as a legal non-conforming use has created hardship, as it has the potential to restrict her from making improvements to the property. Ms. Albrecht testified that the odd shape and placement of her property on the lot makes the side yards much longer, which will allow for the accommodation of any additional vehicles on the property. Ms. Albrecht reported that the Country Lane Woods II Architectural Committee approved of the project.

After discussion, Mr. Nissenbaum made a motion to approve the requested variance a variance of 12 feet from the required 25 foot front yard setback on the west side of the property as required by Section 405.190(E)(1)(a) of the City's Code of Ordinances, a variance of five feet from the ten foot side yard setback on the north of the property, and a variance of two feet from the ten foot side yard setback on the south of the property – both side yard set back requirements set forth in Section 405.190(E)(2)(a) of the City's Code of Ordinances due

to the practical difficulties as demonstrated by the applicant to allow for the proposed home addition to the existing one-story single-family home to be constructed within the existing footprint of the existing home as proposed in the submitted plans. Mr. Pohlman seconded the motion. Upon a roll call vote, the motion passed unanimously as follows:

Chairman Kent Goddard	AYE
Board Member Anne Altepeter	AYE
Board Member Dan Miller	AYE
Board Member Alan Nissenbaum	AYE
Board Member J.D. Pohlman	AYE

The motion to grant the requested variance was announced passed and the variance was granted.

**Adjournment**

There being no further business, Ms. Altepeter made a motion to adjourn the meeting. Mr. Miller seconded the motion. The motion passed unanimously by voice vote at 7:13 p.m.

Respectfully submitted,

Justin Klocke  
City Clerk