



BOARD OF ADJUSTMENT AGENDA
April 6, 2026

BOARD OF ADJUSTMENT:

Richard Alferman, Chair
Latonya Grotegeers, Vice-Chair
Marita Malone, Secretary
Maureen Rogers-Bouxsein
Keith Whittimore

Don Garrison Jr., Alternate
Bob Kneemiller, Alternate

In accordance with Chapter 400 (Zoning Code) of the Code of Ordinances of the City of St. Charles, Missouri, notice is hereby given that the Board of Adjustment will conduct a public hearing on **Monday, April 6, 2026** at 6:00 p.m. on the fourth floor of City Hall in the City Council Chambers, 200 North Second Street in St. Charles, Missouri for the purpose of giving interested parties and citizens an opportunity to be heard on the following matters:

Call to Order and Call the Roll

The Pledge of Allegiance

Approve the Minutes from the March 2, 2026 Meeting

1. Case No. BOA-2026-01. Address: 3801 Harry S Truman (Gwen Keen – Quik Trip Corporation). A request to increase the maximum height of a freestanding pole sign from thirty (30) feet to fifty (50) feet as regulated in Section 400.1470(A)(5)(c) of the City of St. Charles Code of Ordinances. The property is zoned C-3 Highway Business District (Ward 6). ***This application was TABLED at the March 2, 2026 Board of Adjustment meeting. The applicant has requested this item be TABLED again to the May 4, 2026 Board of Adjustment meeting.***
2. Case No. BOA-2026-04. Address: 702 Jackson Street (Micki Beucke – Little Hills Architecture). A request to decrease the front yard setback on the S 7th Street frontage from fifteen (15) feet to twelve (12) feet as regulated in Section 400.270(D)(4)(a) of the City of St. Charles Code of Ordinances. The property is zoned CBD/EHP Central Business District within the Extended Historic Preservation District (Ward 2).

3. Case No. BOA-2026-05. Address: 3450 Elm Point Road (Micki Beucke – Little Hills Architecture). A request to decrease the rear yard setback for a building addition on a non-conforming lot from twenty-five (25) feet to seven (7) feet as regulated in Section 400.150(E)(5)(c) of the City of St. Charles Code of Ordinances. The property is zoned R-1E Single-Family Residential District (Ward 7).
4. Case No. BOA-2026-06. Address: 701-703 Riverside Drive (Micki Beucke – Little Hills Architecture). Two requests: (1) A request to decrease the front yard setback for a building addition on a non-conforming lot from ten (10) feet to zero (0) feet as regulated in Section 400.200(D)(5)(a) of the City of St. Charles Code of Ordinances; and (2) a request to decrease the rear yard setback for a unenclosed deck covered by a roof from twenty (20) feet to three (3) feet as regulated in Section 400.620(A)(4) of the City of St. Charles Code of Ordinances. The property is zoned HCD/SMPD/EHP Historic Commercial District within the South Main Preservation District and the Extended Historic Preservation District (Ward 2).
5. Case No. BOA-2026-07. Address: Lynnbrook Drive & S. Old Highway 94 (Mike Burkhart – VE Design Management). A request to reduce the required parking per dwelling unit for a proposed multi-family development from two (2) spaces to one point seven (1.7) spaces as regulated in Section 400.670 of the St. Charles Code of Ordinances. The subject property is an overall 11.72-acre (more or less) tract of land located on the north and south side of Lynnbrook Drive at the intersection of S. Old Highway 94. The property is zoned C-2 General Business District and is requesting to be zoned R-3A Multiple-Family Residential District (Ward 4). ***The applicant has been WITHDRAWN by the applicant.***

Adjournment

The next meeting of the Board of Adjustment is scheduled for Monday, May 4, 2026 on the fourth floor of City Hall in the City Council Chambers, 200 N. Second Street, St. Charles, MO 63301.

The City of St. Charles offers all interested citizens the opportunity to attend public meetings. If you wish to attend this public meeting and require an accommodation due to a disability, please contact the Office of the City Clerk to coordinate an accommodation at least two (2) business days in advance of the scheduled meeting at 636-949-3282 or 636-949-3289 (TTY – for the hearing impaired). The City of St. Charles, Missouri fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information or to obtain a Title VI Complaint Form, please call the City Clerk’s Office at 636-949-3282 or visit City Hall located at 200 North Second Street, St. Charles, Missouri, 63301.

All decisions and official actions of the Board of Adjustment are considered filed in the office of the Board upon the adjournment of the meeting in accordance to Section 89.080 RSMo.

INCLEMENT WEATHER: In case of inclement weather, please call 636-949-3222 after 4:00 p.m. on the day of the meeting to be informed of the status of the meeting.

POSTED ON 04/02/2026 @ 8:00 am by LB

CITY OF ST CHARLES

STATE OF MISSOURI

BOARD OF ADJUSTMENT MEETING

March 2, 2026

THE HONORABLE RICHARD ALFERMAN, CHAIRMAN PRESIDING

TIME: 6:00 p.m.

MINUTES

By Madelyn P. Brown

City of St. Charles, Missouri

200 N Second Street

St. Charles, Missouri 63301

(636) 949-3222

PROCEEDINGS

(WHEREUPON, at 6:00 p.m. o'clock, Monday March 2, 2026, at the Saint Charles City Hall Building, 200 North Second Street, Fourth Floor, Saint Charles, Missouri, and the following proceedings were held, to-wit: with the following persons being present.)

Richard Alferman, Chairman

Latonya Grotegeers, Vice-Chair

Marita Malone, Secretary

Keith Whittemore

Bob Kneemiller, Alternate

Madelyn P. Brown, City Planner

Lara Berry, City Planner

AGENDA ITEM #1 – GWEN KEEN – QUIKTRIP CORPORATION

CASE NO. BOA-2026-01. ADDRESS: 3801 Harry S Truman Boulevard

MOTION WAS MADE BY LATONYA GROTEGEERS: I move to table a request to increase the maximum height of a freestanding pole sign from thirty (30) feet to fifty (50) feet as regulated in Section 400.1470(A)(5)(c) of the City of St. Charles Code of Ordinances. The property is zoned C-3 Highway Business District (Ward 6).

MOTION WAS SECONDED BY KEITH WHITTEMORE

ROLL-CALL VOTE

RICHARD ALFERMAN: IN FAVOR

LATONYA GROTEGEERS: IN FAVOR

MARTIA MALONE: IN FAVOR

KEITH WHITTEMORE: IN FAVOR

BOB KNEEMILLER: IN FAVOR

5 IN FAVOR 0 AGAINST: **TABLED.**

AGENDA ITEM #2 – ST. CHARLES ENGINEERING & SURVEYING

CASE NO. BOA-2026-02. ADDRESS: 1115 Hall Street

MOTION WAS MADE BY LATONYA GROTEGEERS: I move to approve a request to decrease the minimum lot width at the building line from sixty (60) feet to fifty-three (53) feet as regulated in Section 400.150(E)(2)(c) of the City of St. Charles Code of Ordinances. The property is zoned R-1E Single-Family Residential District (Ward 2).

MOTION WAS SECONDED BY MARITA MALONE

ROLL-CALL VOTE

RICHARD ALFERMAN: IN FAVOR

LATONYA GROTEGEERS: IN FAVOR

MARTIA MALONE: NOT IN FAVOR

KEITH WHITTEMORE: NOT IN FAVOR

BOB KNEEMILLER: IN FAVOR

3 IN FAVOR 2 AGAINST: **FAILED.**

AGENDA ITEM #3 – TRINTY PRODUCTS LLC

CASE NO. BOA-2026-03. ADDRESS: 2001 Truman Industrial Blvd and 3251 Harry S. Truman Blvd

MOTION WAS MADE BY LATONYA GROTEGEERS: I move to approve request to appeal the decision/determination of an administrative official via Section 400.1080(A)(1) of the City of St. Charles Code of Ordinances. This request is specific to challenge the decision/determination of City Staff regarding the definition and application of the term “Paved Surface Area” as defined in Section 400.050 of the City of St. Charles Code of Ordinances, which states:

“Ground surface covered with cobblestones, clay-fired bricks, concrete precast paver units (including, but not limited to, grasscrete), poured concrete with or without decorative surface materials, blacktop or other asphaltic or rubber mixture which may include sand or gravel as an ingredient and which creates a hard surface. A graded natural surface or one covered with rolled stone or overlaid with loose gravel is not considered a paved surface.”

The applicant alleges that “chip seal” (also referred to as “chip-and-seal”, “seal coat”, or “seal coating”) meets this definition. The property located at 3251 Harry S Truman Blvd. is currently zoned I-1 Light Industrial District and the property located at 2001 Truman Industrial Blvd. is currently zoned I-2 Heavy Industrial District (Ward 6).

MOTION WAS SECONDED BY MARITA MALONE

ROLL-CALL VOTE

RICHARD ALFERMAN: NOT IN FAVOR

LATONYA GROTEGEERS: NOT IN FAVOR

MARTIA MALONE: IN FAVOR

KEITH WHITTEMORE: NOT IN FAVOR

BOB KNEEMILLER: NOT IN FAVOR

1 IN FAVOR 4 AGAINST: **FAILED.**

Meeting adjourned at 7:13 p.m.

Transcript of Proceedings
Public Hearing before the Board of Adjustment
of the City of St. Charles in re Case No. BOA-2026-03
March 2, 2026

Transcribed by: Sara Alice Masuga, CSR, CCR
IL CSR No. 084-002993 MO CCR No. 1012

MASUGA COURT REPORTING
2033 HIAWATHA AVENUE
ST. LOUIS, MO 63143-1215

MASUGA COURT REPORTING
Samasuga@sbcglobal.net

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APPEARANCES:

Board of Adjustment:

Richard Alferman, Chairperson
Latonya Grotegeers, Vice-Chairperson
Marita Malone, Secretary
Keith Whittemore
Bob Kneemiller

Lara Berry, Planner

On Behalf of the Applicant:

Hamilton Weber
By Drew Weber, Esq.

Also Present: Paul Dierkes
Emily Buchanan
Dale Nicolas, Assistant Fire Marshal
Jim Gilliam, Engineering Department

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1 SECRETARY MALONE: The next item is Case
2 Number BOA-2026-03. The address is 2001 Truman
3 Industrial Boulevard and 3251 Harry S. Truman
4 Boulevard, Trinity Products LLC. A request is made to
5 appeal the decision or determination of an
6 administrative official via Section 400.1080(A)(1) of
7 the City of St. Charles Code of Ordinances. This
8 request is specific to challenge the decision or
9 determination of the City Staff regarding the
10 definition and application of the term "Paved
11 service" -- "Surface Area" as defined in Section
12 400.050 of the City of St. Charles Code of Ordinances,
13 which states: "Ground surface covered with
14 cobblestones, clay-fired bricks, concrete precast paver
15 units, including, but not limited to, grasscrete,
16 poured con-" -- "concrete with or without decorative
17 surface materials, blacktop or other asphal-" --
18 "asphaltic or rubber mixture which may include sand or
19 gravel as an ingredient and which creates a hard
20 surface. A graded natural service" -- "surface or one
21 covered with rolled stone or overlaid with loose gravel
22 is not considered a paved surf-" -- "surface."

23 The Applicant alleges that chip seal, also
24 referred to as "chip-and-seal" or "seal coat" or "seal
25 coating," meets the definition. The property located

1 at 3251 Harry S. Truman Boulevard is currently zoned
2 I-1 Light Industrial District and the property located
3 at 2001 Truman Industrial Boulevard is currently zoned
4 I-2 Heavy Industrial District of Ward 6.

5 CHAIRPERSON ALFERMAN: Could we hear from the
6 Staff, please?

7 MS. BERRY: Sure thing. So, before you this
8 evening is an appeal of an administrative determination
9 regarding the City's interpretation of the Zoning Code
10 definition of "Paved Surface Area." Given the nature
11 of this appeal, I'll focus on the facts in the record,
12 the City Code, and the specific question before you
13 tonight. So, what is that question? It is whether the
14 City erred in interpreting the Zoning Code when we
15 would determine that chip seal applied over aggregate
16 does not meet the definition of a paved surface area.
17 You're not being asked whether chip-and-seal is
18 economical, commonly used, or effective elsewhere.
19 Because this is an appeal, the burden of proof rests
20 with the Applicant. However, Staff would like to note
21 that we included some enforcement and site plan history
22 within the report only to explain how this matter
23 reached you procedurally. We are not asking the Board
24 to rely on it interpreting this code.

25 So, Zoning Code defines "Paved Surface Area"

1 as a hard surface, such as asphalt or concrete, and
2 excludes surfaces that function like loose gra- --
3 aggregate or that are flexible. More specifically, it
4 describes finished, continuous hard surface, not just
5 the presence of a particular ingredient. When read
6 together with the City standards, these provisions
7 reflect a consistent intent: Paved areas must be
8 durable, continuous, and structurally capable.
9 Zoning Code, Fire Code, and Engineering design
10 standards were all adopted by the City and must be
11 applied consistently. For that reason, Planning
12 coordinated with Engineering and the Fire Department to
13 ensure a unified interpretation. Engineering reviewed
14 whether the proposed surface meets adopted standards
15 and industry guidance. Fire reviewed whether it meets
16 emergency access and load-bearing requirements.
17 Through that coordinated review, the Zoning Code is
18 achieving when -- is achieving that it uses the term
19 "paved surface area."

20 So, Engineering guidance consistently
21 characterizes chip seal as a surface treatment,
22 typically applied over an existing structural pavement.
23 Specifically, the Federal Highway Administration states
24 that cheap seals are not a structural layer. While
25 chip seal may contain an asphaltic material, it is

1 applied by spraying a binder and embedding aggregate.
2 It is not constructed as a pavement section. Simply
3 put, pavement is something that is laid and built
4 into -- or to a structural standard, not something that
5 is sprayed on. When the definition is read as a whole,
6 Staff interprets it to describe constructed pavement
7 systems, not surface treatments over aggregate.

8 Staff would like to -- the record to show that
9 the additional comments from the Applicant in response
10 to Staff report were provided to the Board. In that
11 letter, the Applicant argues that Staff improperly
12 focused on appropriateness. Respectfully, Staff did
13 not eval- -- or did not evaluate whether chip-and-seal
14 is desirable, Staff evaluated whether it fits the
15 ordinance definition when applied. The Applicant's own
16 Federal Highway Administration citation reinforces our
17 position, describing chip and seal as a bituminous
18 membrane applied to an existing pavement and clarifies
19 that it is not structural. So, again, your applicable
20 code section is listed here. Again, I'd like to
21 highlight that it says "which creates a hard surface."

22 So, again, Staff does not dispute that
23 chip-and-seal may contain an asphaltic mixture, the
24 issue is not chemistry. The definition does not say
25 that any material containing asphalt qualifies. The

1 issue is whether the resulting surface functions as a
2 constructed load-bearing structural pavement. The
3 record shows that the Applicant previously submitted
4 depict- -- plans depicting asphalt paving which were
5 approved. That alone demonstrates a consistent
6 understanding by the Applicant of what the City
7 requires for paved surface areas. Ultimately, the
8 Applicant focus on -- focuses on whether asphalt is
9 present. Staff focuses on whether the ordinance's
10 definition, read as a whole and applied consistently
11 across adopted codes, is satisfied.

12 Based on the ordinance language, the Fire
13 Code, Engineering guidance, and the struc- -- the
14 factual record, Staff believes the Applicant has not
15 met their burden of proof and Staff respectfully
16 recommends that the Board of Adjustment deny the appeal
17 and uphold the determination of Staff.

18 CHAIRPERSON ALFERMAN: The questions for
19 Staff?

20 SECRETARY MALONE: So, what was presented to
21 us was that section you kept referring to. That's all
22 that we -- That's really the issue, is it not? That.

23 MS. BERRY: Yes --

24 SECRETARY MALONE: That's --

25 MS. BERRY: -- the definition.

1 SECRETARY MALONE: -- the issue? And the
2 question is whether it's pavement or not?

3 MS. BERRY: Yes.

4 SECRETARY MALONE: Okay, thank you.

5 CHAIRPERSON ALFERMAN: Any other questions for
6 Staff at this time?

7 (No response.)

8 CHAIRPERSON ALFERMAN: Will the Applicant
9 please come forward?

10 VICE-CHAIRPERSON GROTEGEERS: I'm sorry, I do
11 have a question for Staff.

12 CHAIRPERSON ALFERMAN: Oh.

13 VICE-CHAIRPERSON GROTEGEERS: I want to make
14 sure I understood. They submitted something that said
15 they were going to use asphalt and then changed it or?

16 MS. BERRY: Yeah, the submitted site plans for
17 both of these subject properties submitted site -- site
18 plans, building permits, improvement plans that all
19 listed asphalt as one of the -- the drive aisle
20 materials that they were going to be using.

21 VICE-CHAIRPERSON GROTEGEERS: Okay, so, then
22 how did it come to the -- to this? Like, I guess I
23 don't -- I don't understand. Like, did it get found
24 out later? Or I'm just trying to figure out how it got
25 here.

1 MS. BERRY: Okay. That might be a better
2 question for the Applicant --

3 VICE-CHAIRPERSON GROTEGEERS: Okay.

4 MS. BERRY: -- as to why they're proposing
5 this new.

6 VICE-CHAIRPERSON GROTEGEERS: Okay, so,
7 this is --

8 MS. BERRY: Yeah.

9 VICE-CHAIRPERSON GROTEGEERS: -- like a new
10 proposal, essentially, that then went and was denied by
11 Staff?

12 MS. BERRY: Correct.

13 VICE-CHAIRPERSON GROTEGEERS: Okay.

14 CHAIRPERSON ALFERMAN: State your name and
15 address for the record, please.

16 MR. WEBER: My name is Drew Weber with
17 Hamilton Weber law firm. The address is 200 North
18 Third Street, St. Charles.

19 CHAIRPERSON ALFERMAN: And do you swear or
20 affirm that the testimony you're about to -- to provide
21 is truthful?

22 MR. WEBER: I do.

23 CHAIRPERSON ALFERMAN: Go ahead.

24 MR. WEBER: All right, thank you members of
25 the Board. Again, my name is Drew Weber. I have two

1 exhibits. I wasn't sure if my letter made an exhibit
2 reference, which would be R, I think, so then I wanted
3 to submit this presentation, the hard copy, as Exhibit
4 S, if I can give that to you.

5 CHAIRPERSON ALFERMAN: Thank you.

6 MS. DREW: So, I am here on behalf of Trinity
7 Products, which is -- or Trinity Manufacturing, I
8 should say, which is the property owner. As Staff
9 indicated, the City Code provision that we're operating
10 under for this appeal is 400.1080. So, the Board of
11 Adjustment's purview here is to hear and decide appeals
12 where it is alleged there is an error. And I agree
13 with Staff that we're not here to discuss the
14 appropriateness of the materials, but only to determine
15 whether chip seal is asphalt and, therefore, a paved
16 surface area.

17 SECRETARY MALONE: Excuse me, sir, I think
18 it's whether -- it's not whether -- a discussion over
19 asphalt, I think it's a discussion over whether this is
20 considered pavement. That's my take on it.

21 MR. WEBER: Well, if I can finish my
22 presentation, then -- then I think that'll address some
23 of that and then I'd be happy to address your questions
24 at the end.

25 So, I think part of the basis of the appeal

1 is actually well-summarized here in this snippet from
2 e-mail exchanges, which are Exhibit L in your packet.
3 Kurt Kutter is a professional engineer with Byrne &
4 Jones and he provided an e-mail to the City Staff
5 supporting why the chip seal is -- is an appropriate
6 material. And, so, I'm not gonna read the whole thing,
7 but he notes that chip seal is a -- it's constructed by
8 evenly distributing a thin base of hot bitumen or
9 asphalt emulsion onto stabilized subgrade. And, so,
10 the City's response from Lara Berry on Tuesday,
11 October 14, was that chip seal does not meet the City's
12 paving standard as defined in Section 400.050, that
13 pavement requires a hard surface, such as asphalt.

14 So, the City code, there's really two
15 provisions as to why we're here. So, 400.660(A)(1)
16 requires that in all zoning districts, off-street
17 parking and driving areas shall be paved as defined in
18 Section 400.050. So, the "Paved Surface Area"
19 definition, there's a lot of things that qualify as a
20 paved surface. One of those things is asphaltic
21 mixtures and the City Staff outlined -- or underlined
22 earlier the portion "which creates a hard surface."
23 Now, I'll note there's nothing in that definition about
24 structural or load-bearing or any other standard. The
25 standard is, is it a hard surface or do you have one of

1 these materials. So, respectfully, asphalt or an
2 asphaltic mixture is one of the materials that's
3 permitted as a paved surface area. So, if cheap seal
4 is asphalt, then it's a paved surface area. And this
5 is supported by other design standards that the City
6 itself has adopted and referenced at various times.
7 The American Association of State Highway and
8 Transportation Officials defines chip seal to include
9 emulsified asphalt applied to a roadway surface
10 followed by a single layer of aggregate. Missouri
11 Department of Transportation Engineering Policy Guide
12 explains that chip seal is a flexible pavement, and
13 flexible pavements consist of a mixture of liquid
14 asphalt and aggregate. So, the City Code and those
15 cited afority -- authorities do clearly include chip
16 seal within asphalt. And "paved surface area" includes
17 asphalt mixtures, which is what chip seal is. In fact,
18 the City's Staff has admitted that pavement requires a
19 hard surface, such as asphalt. And chip seal is
20 asphalt. Therefore, the proposed chip seal solution,
21 it is consist with the City Code. I -- Sorry, I
22 skipped over the Fire Apparatus Access Road. The City
23 Code also requires that those roads be paved with
24 asphalt, which is again what we are proposing, chip
25 seal is asphalt. So, we ask that the City's decision

1 be overturned, that the chip seal be approved. And I'm
2 happy to answer any questions you may have. And I have
3 a representative of Trinity here as well. If you have
4 any questions for him, he could be sworn in as well.
5 Thank you.

6 CHAIRPERSON ALFERMAN: Questions for the
7 Applicant?

8 VICE-CHAIRPERSON GROTEGEERS: I have one. How
9 come you didn't put that this was chip seal in all of
10 your permits and all of that to start with? It seems
11 like you got down to the wire and you were like now we
12 should go ahead and let them know that it's like
13 (gesturing) "an asphalt mix," not really asphalt.

14 MR. WEBER: So, if -- Trinity has been
15 developed over a span of about 20 years, so we're
16 talking a large amount of site plans. Now, in the more
17 recent site plans, there have been references to
18 asphalt in the paving aisles. Now, we've been in
19 discussions with the City for a couple years now in
20 different types of paving materials and, again, in our
21 mind, based on the expertise of our Professional
22 Engineer, that this chip seal will qualify as asphalt
23 under those plans. The City disagrees, which is why
24 we're here, but that's been the thing.

25 VICE-CHAIRPERSON GROTEGEERS: Well, even the

1 code says an asphaltic or rubber mixture. Like, you
2 didn't say an asphalt mixture, you -- it almost seems
3 like you were trying to hide the ball, that's why --

4 MR. WEBER: No.

5 VICE-CHAIRPERSON GROTEGEERS: -- I'm just
6 trying to figure out what was going on here.

7 MR. WEBER: No. In fact, if you go back to
8 what Mr. Kutter said, I'll read the whole thing because
9 I think that answers your question directly. So,
10 "Chipseals are constructed by evenly distributing a
11 thin base of hot bitumen or asphalt emulsion onto the
12 stabilized subgrade," and then embedding finely graded
13 aggregate into it. So, that's a mixture of multiple
14 things. "The aggregate is evenly distributed over the
15 hot seal spray, then rolled into the bitumen," and I
16 don't know if I'm pronouncing that correctly, "using
17 heavy roller creating the surface." And, "This is a
18 method county's (sic) use across the state on existing
19 gravel roads with a good base to prevent water
20 intrusion, increase traction and provide a dust free
21 surface." So -- So, it is a mixture. I mean, we're --
22 we don't disagree with that. That's, in fact, what
23 we're proposing and that's what the engineer has
24 commented.

25 VICE-CHAIRPERSON GROTEGEERS: Right, I get

1 that, but originally, you were saying you had talk- --
2 you talked to them about different like, I guess,
3 surfaces and -- but on everything so far up and to
4 these e-mails, it would -- had just said asphalt, not
5 an asphaltic mixture.

6 MR. WEBER: There are different types of
7 asphalt surfaces.

8 VICE-CHAIRPERSON GROTEGEERS: Okay. Okay.

9 MR. WEBER: Yes, sir?

10 MR. WHITTEMORE: The plot drawings that I've
11 seen have clear indication on here that the asphalt is
12 three inches of asphalt over eight inches of rock, and
13 that's on multiple plot -- plots that -- that -- that
14 have been submitted over time. Now, where did I see
15 a -- a chip seal reference on a plot? You know, if
16 there is one that I -- that I haven't seen, be more
17 than happy for you to -- to bring it up right now,
18 but --

19 MR. WEBER: Right. Oh, sorry.

20 MR. WHITTEMORE: -- so, and then the chip seal
21 that I know we're not supposed to be getting into
22 whether or not this is an appropriate type of
23 surface --

24 MR. WEBER: Uh-huh.

25 MR. WHITTEMORE: -- but the chip seal, my

1 understanding, and you correct me, is you've got --
2 currently have drive aisles that you are using right
3 now that are --

4 MR. WEBER: Correct.

5 MR. WHITTEMORE: -- embedded rock that are
6 just the -- the -- the traffic on it is -- is pressing
7 it down. And then is the chip seal gonna be applied
8 right on top of that?

9 MR. WEBER: So, I don't have exact
10 understanding of how it's going to be applied. I --
11 I -- My --

12 MR. WHITTEMORE: (Inaudible.)

13 MR. WEBER: -- impression is not that it's
14 going to be just on top of the existing rock. They
15 would have to do some certainly --

16 MR. WHITTEMORE: Well, I --

17 MR. WEBER: -- well, and, in fact, I know
18 on --

19 MR. WHITTEMORE: -- I'm not asking what --

20 MR. WEBER: -- the east prop- --

21 MR. WHITTEMORE: -- they would have to do, I'm
22 asking what is the -- what was the plan by Trinity
23 to -- to -- to do this.

24 MR. WEBER: Right, so, you had two questions,
25 which -- which I'll answer together. So, one was

1 talking about various plans. Well, there's two
2 properties. And, so, Mr. Kutter's e-mail right here
3 directly relates to a site plan for the property that
4 lies on the east side of Truman Road, so it's directly
5 with regards to that plan, which is not being forwarded
6 by the Staff because of this issue, not being forwarded
7 to P&Z, but it's directly with regard to that plan that
8 chip seal was proposed. Those drive aisles don't
9 exist, so that would be all new, whatever materials go
10 in, that would be all new.

11 Now, on the western property, there has been,
12 I mean, if you go back and look at all the aerial maps,
13 portions of the area where different types of paving
14 materials that have just broken up over time and so now
15 certainly there's dirt and gravel and other things
16 mixed in, so depending on where you are on that
17 property, you just have to do different things with
18 the --

19 MR. WHITTEMORE: Have you submitted that --
20 that -- that plan for what you would do with the chip
21 seal to the City?

22 MR. WEBER: So, we haven't done construction
23 plans I know at least on the east property because we
24 don't -- don't have the site plan yet. The City won't
25 forward on the site plan until this issue is resolved,

1 and those would come after the site plan.

2 MR. WHITTEMORE: The reason I'm asking these
3 questions is based on the description that Lara has
4 given, that you've given that this is a spray surface,
5 okay, nowhere along there has anybody discussed what
6 you have submitted for structural underneath it, and if
7 that's the case, then all I can see is that this is,
8 what they're saying here, is accurate that you're
9 not -- you're not doing an asphalt type -- type
10 surface, you're -- you're just applying --

11 MR. WEBER: So --

12 MR. WHITTEMORE: -- a surface on --

13 MR. WEBER: -- I'm not sure that --

14 MR. WHITTEMORE: -- the --

15 MR. WEBER: -- I follow that. Are you saying
16 that because we don't have construction plans showing
17 the thickness of gravel that it's impossible to have
18 asphalt?

19 MR. WHITTEMORE: No, what I'm saying is you
20 haven't come here and sub- -- and -- and proved your --
21 the City doesn't have to -- have to defend this, you
22 have to prove your case, and what -- you've got five
23 people up here that -- that have read the documents
24 before we got here and we're -- we're here talking to
25 you now, but there is nothing that you've given us,

1 nothing that you're saying now that you can confirm
2 with an engineering back- -- strength or anything that
3 says that putting down a chip seal is any more than
4 just spraying a top -- top surface onto an existing
5 drive aisle.

6 MR. WEBER: Well, respectfully, I think what
7 you have right in front of you on the screen is -- is a
8 counterexample to that from a professional engineer.
9 So, I don't know that I can do better than that, right?
10 We have a professional engineer opining that, and this
11 is a company that does asphalt and concrete, that this
12 is -- that chip seal is an asphalt and is a paving
13 material. And, so, if you're asking for construction
14 plans, I'd say that's not within the purview of the
15 Board of Adjustment. The purview of the Board of
16 Adjustment here is whether this chip-and-seal is a
17 paved surface area, and we have an opinion of a
18 professional engineer that it is.

19 CHAIRPERSON ALFERMAN: Any other questions or
20 comments?

21 MR. KNEEMILLER: Not right now. Later I will.
22 Is there any more comments?

23 CHAIRPERSON ALFERMAN: Pardon?

24 MR. KNEEMILLER: Is there any more public
25 comments?

1 CHAIRPERSON ALFERMAN: I don't know. Is there
2 anyone else here that wishes to speak in favor of or
3 not position --

4 UNIDENTIFIED SPEAKER: I have some questions.

5 CHAIRPERSON ALFERMAN: -- to this request?

6 UNIDENTIFIED SPEAKER: Now the...

7 MR. DIERKES: Yes, my name's Paul Dierkes and
8 I live right behind the -- the Trinity property.

9 CHAIRPERSON ALFERMAN: Could you -- Could you
10 give the actual address, please?

11 MR. DIERKES: 3431 Brookwood Circle, St. --

12 CHAIRPERSON ALFERMAN: Okay.

13 MR. DIERKES: -- Charles.

14 CHAIRPERSON ALFERMAN: And do you swear or
15 affirm that the testimony you're about to give is the
16 truth?

17 MR. DIERKES: Yes, I do.

18 CHAIRPERSON ALFERMAN: Go ahead.

19 MR. DIERKES: So, yeah, I just have a
20 question. Right currently, the east property, there's
21 a mound of what looks like a black chip seal and I'm
22 just curious is that --

23 MS. BUCHANAN: There's a picture.

24 MR. DIERKES: -- did they already purchase
25 this and it's sitting on the lot and they're waiting to

1 use it?

2 MS. BUCHANAN: There's a picture you can show
3 them. I took it on the way here.

4 MR. KNEEMILLER: Does that have anything to do
5 with our decision process here? It's showing us chip
6 seal, but does it ha- --

7 MS. BERRY: (Inaudible.) I'll show it.

8 VICE-CHAIRPERSON GROTEGEERS: Uh-huh.

9 CHAIRPERSON ALFERMAN: Well, we -- we wouldn't
10 have the ability to determine what -- what their
11 intention is or --

12 MR. DIERKES: Yeah, my question was to --

13 CHAIRPERSON ALFERMAN: -- or even --

14 MR. DIERKES: -- them.

15 CHAIRPERSON ALFERMAN: -- what that -- even
16 what that material is. That -- That's an answer you'd
17 have to get from the Applicant.

18 MS. BERRY: Did you have a que- -- I'm sorry,
19 did you have a question for?

20 CHAIRPERSON ALFERMAN: And I'm not sure
21 that -- that that -- that even focuses on the
22 question -- on -- on the definitions that we're su- --
23 that we're looking at as to whether -- whether the chip
24 seal is or is not within the -- the approved paving
25 surface.

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MR. DIERKES: Okay, well, thank you.

CHAIRPERSON ALFERMAN: Anyone else wishes to speak? And could you state your name and address --

MS. BUCHANAN: Of course.

CHAIRPERSON ALFERMAN: -- for the record, please?

MS. BUCHANAN: Of course. My name is Emily Buchanan. I live at 3428 Brookwood Circle in the Foxborough Subdivision right across the street from Paul.

CHAIRPERSON ALFERMAN: And do you swear or affirm that the testimony you're about to give is the truth?

MS. BUCHANAN: Absolutely.

CHAIRPERSON ALFERMAN: Go ahead.

MS. BUCHANAN: I've lived at that house since 1992. I was there when Trinity was first built. I've been dealing with the noise and issues. I've been to almost all of the public meetings and hearings when Trinity has gone, just to give you a little backstory, and I was at the meeting where Trinity promised -- they were dealing with some other legal issues, we know we've been -- they've had other legal issues going on and contentious relationships with how they're maintaining their property, but I was at the meeting

1 where they said we will promise to pave that lot,
2 because if you've looked -- and now they're on both
3 sides of Truman Road, they have large pipes, you've
4 seen them, you know how heavy they are, and they said
5 we will pave that, that's one of the things we'll do in
6 order to be compliant with all of the other issues, not
7 counting the horrendous noise that still comes from
8 there, not counting the dust that comes from there.
9 When you -- this gentleman is talking about chip seal
10 being a hard paved surface, we just wanting to back to
11 what she said about we're not talking chemistry here,
12 we're talking a definition of what a hard paved surface
13 is. The City has established that. I wonder, you
14 know, when you take these ginormous pipes and you drive
15 down the roads on chip seal, how long is that going to
16 last? Oh, I heard the lawyer say it was a flexible
17 surface. Well, that's gonna be interesting when the
18 pipes roll over that. And when you talked about, a
19 very good question about what is the surface that
20 already exists there, they haven't -- they're --
21 they're -- those aren't all paved roads, they're dirt
22 areas, they're dirt driveways, some are partially
23 rocked, some are like just kinda muddy, little hard
24 clay surfaces. So, another issue that comes to my mind
25 is, okay, if he -- if they insist that this chip seal

1 functions as a hard surface, I think that depends on
2 what's down there beforehand, before they apply it.
3 And the last -- So, I am totally -- I just want the
4 City to hold them responsible for what they said the
5 last time at one of the last issues, the last hearings
6 when they promised, promised to pave those surfaces,
7 that was stated by them, stated by their lawyer and now
8 they are trying to re- -- recapitulate or relitigate
9 that whole assertion and want to have their feet be
10 removed from that fire of that promise, which needs to
11 be done in order to make that whole constr- -- that
12 whole industrial area at least semi-compliant with
13 certain restrictions that go on all around the city. I
14 wonder if -- If that's gonna work for them, I wonder
15 how many homeowners would like to put chip seal
16 driveways in. We have -- I belong on the HOA, I'm the
17 secretary, Paul's a member at large, we have rules
18 about what you can do to your driveway, and chip seal
19 is not one of them. Thank you very much.

20 CHAIRPERSON ALFERMAN: Is there anyone else
21 who wishes to speak in favor of or not position to this
22 request?

23 MR. KNEEMILLER: I do have questions for
24 Staff.

25 CHAIRPERSON ALFERMAN: Or -- Okay.

1 MR. KNEEMILLER: Okay, I'm still a little
2 confused why this came before us, but is this -- for
3 this Applicant and the decision we're gonna make, is
4 this for this particular project or was this, as she
5 said, gonna be a citywide?

6 MS. BERRY: This will affect citywide, yes.

7 MR. KNEEMILLER: Okay. Why is this Board of
8 Adjustment opinion and not a City Council decision?
9 City Council is the one that makes the laws.

10 MS. BERRY: No, not when it's a determination
11 that Staff has made based on a definition or something
12 else within the Zoning Code, it's a --

13 MR. KNEEMILLER: But doesn't the City Council
14 make the Zoning Code? Or they at least --

15 MS. BERRY: Planning --

16 MR. KNEEMILLER: -- approve it.

17 MS. BERRY: Planning & Zon- -- Staff,
18 Planning & Zoning, City Council --

19 MR. KNEEMILLER: I mean, they have --

20 MS. BERRY: -- yes.

21 MR. KNEEMILLER: -- final approval of the
22 Zoning Code.

23 MS. BERRY: Correct.

24 MR. KNEEMILLER: And they're asking us to
25 define the Zoning Code on something that they made.

1 MS. BERRY: Well, they have already approved
2 this definition. I mean, we can't --

3 MR. KNEEMILLER: Wouldn't it be a modification
4 of their definition?

5 MS. BERRY: We don't include every single
6 possibility of whether it's land uses or -- or anything
7 else. You know, we -- we try to list as many as we
8 can. However, you know, it's -- sometimes it's easier
9 to exclude things and then see, you know, if there's --
10 you know, see what the intent is, see what the purpose
11 of these standards are and then make our decision off
12 of that. Now, if --

13 MR. KNEEMILLER: Okay, so, if -- if this is
14 something that as the City Council they wouldn't want,
15 they would have to specifically exclude it, then, down
16 the road?

17 MS. BERRY: Yes.

18 MR. KNEEMILLER: If this -- 'Cause to me this
19 is there would be some unintended consequences, as the
20 speaker brought up, that they would need to address.

21 MS. BERRY: If that -- If -- If there was a
22 request to remove, I guess, or specifically exclude
23 chip seal?

24 SECRETARY MALONE: Or redefine --

25 MR. KNEEMILLER: 'Cause obviously your --

1 SECRETARY MALONE: -- pavement.
2 MR. KNEEMILLER: -- your -- your position is
3 it's not part of the code, you don't want it approved.
4 Okay. I --
5 MS. BERRY: I mean, I can't --
6 MR. KNEEMILLER: I just --
7 MS. BERRY: -- I can't --
8 MR. KNEEMILLER: I just think that this is
9 more decision than ours --
10 MS. BERRY: Yeah.
11 MR. KNEEMILLER: -- but, obviously, we have to
12 deal with it.
13 MS. BERRY: I can't speak to all the -- the
14 ifs and buts, all I can say is, you know, tonight we're
15 here to look at this definition and focus on this
16 request.
17 MR. KNEEMILLER: But as -- normally, we just
18 deal with individual locations, this is -- this would
19 be a citywide?
20 MS. BERRY: Yes.
21 MR. KNEEMILLER: Okay, thank you.
22 SECRETARY MALONE: Can I make a com- -- few --
23 CHAIRPERSON ALFERMAN: Go ahead.
24 SECRETARY MALONE: -- comments?
25 CHAIRPERSON ALFERMAN: Sure.

1 SECRETARY MALONE: Thank you. Mir- -- I've
2 thought about this long and hard when it was given out
3 and I did quite a bit of research on this myself and,
4 of course, the first thing I went to was Miriam Webster
5 and, in a heartbeat, Miriam Webs- -- Webster would say
6 that chip sealing is a pavement. In fact, it says to
7 layer or cover with material that forms a firm level
8 surface for travel. But that is a pedestrian
9 definition. That -- The question really what is
10 important is what does the industry think. And, so,
11 when I look at the Mineta Transportation Institute,
12 which was at one time funded by Congress, it's in the
13 California Pavement Preservation Center, it calls chip
14 sealing a pavement, yes. However, the institute stated
15 that the kind of pavement has limited uses and value.
16 Both that institute and a major corporation
17 environmental risk manager that I interviewed stated
18 that the quality of chip sealing is dependent on how
19 the subbase, which somebody inquired about, how the
20 subbase is prepared and sealed and it's dependent on
21 the weight of the traffic, which in Trinity's case
22 would need to stand up to heavy equipment and
23 tractor-trailers. So, my thought in regard to the
24 wording of the City of St. Charles Code of Ordinances
25 is to look at its intent, and the intent is based not

1 on the Miriam dictionary, but it's based on the
2 industry. And by the examples that the ordinance gave,
3 that led me -- inferred that pavements must be solid
4 and durable. So, this makes chip sealing questionable,
5 albeit it's a pavement, okay? So, however, to the --
6 to the layman and the pedestrians and companies which
7 are not focused on being honest and good neighbors, the
8 wording is not clear that is presented in the
9 ordinance.

10 VICE-CHAIRPERSON GROTEGEERS: I have a
11 question in regards to your original denial that
12 they're appealing. Part of your -- Was part of your
13 denial based on communication with, like, emergency
14 services in terms of like Fire Department, all that,
15 and what --

16 MS. BERRY: Yes.

17 VICE-CHAIRPERSON GROTEGEERS: Okay, and was
18 that a big factor or were they like, No, we can make it
19 work?

20 MS. BERRY: No, that -- that is the major --
21 one of the major factors in this. They're -- So, the
22 International Fire -- Fire Code, and I might bring our
23 assistant fire marshal up to talk about this a little
24 bit more, but they have adopted the International- --
25 City has adopted the International Fire Code. Within

1 the original context of that, it provides for -- Dale,
2 I might have you come up here to the podium. The --
3 The International Fire Code, if they left it as is,
4 does allow for alternative materials. However, the
5 City has removed those completely, those alternative
6 materials. It says asphalt or concrete and that's it
7 because those are two items are supposed to be able to
8 support an 80,000-pound fire apparatus.

9 VICE-CHAIRPERSON GROTEGEERS: But when you
10 take that into consideration with the Applicant saying
11 this is asphalt, how does that work?

12 ASSISTANT FIRE MARSHAL NICOLAS: If they're
13 saying that it's asphalt, then they would need to
14 come --

15 CHAIRPERSON ALFERMAN: Excuse me.

16 ASSISTANT FIRE MARSHAL NICOLAS: -- back --

17 VICE-CHAIRPERSON GROTEGEERS: I'm sorry, you
18 have to do --

19 CHAIRPERSON ALFERMAN: Would you state your
20 name and address for the record, please?

21 ASSISTANT FIRE MARSHAL NICOLAS: Dale Nicolas,
22 Assistant Fire Marshal for the City of St. Charles Fire
23 Department.

24 CHAIRPERSON ALFERMAN: And do you swear or
25 affirm that the testimony you're about to give is the

1 truth?

2 ASSISTANT FIRE MARSHAL NICOLAS: I do.

3 CHAIRPERSON ALFERMAN: Go ahead.

4 ASSISTANT FIRE MARSHAL NICOLAS: Yeah, the
5 fire apparatus access roads need to be able to be
6 constructed to hold up a minimum of 80,000 pounds of
7 force off of that. So, the actual roads themselves,
8 whether or not it's considered asphalt, if this is to
9 be considered asphalt, they would have to provide the
10 information to show that it can do that and it would
11 have to be in all weather surface conditions, too,
12 where chip-and-seal for the most part, all weather
13 conditions meaning that when they're going through --
14 and this has been adopted by our -- our -- our Fire
15 Code off of that and given clear detail off of that,
16 that all weather conditions would meaning that if
17 they're paving or -- or clearing the road for snow and
18 that, that they could have this, you know, like
19 material that's sticking up off of, that could tear
20 into it and then actually tear it away, which then that
21 would not be a hard surface anymore at that point to
22 support the loads of the vehicles --

23 VICE-CHAIRPERSON GROTEGEERS: Okay.

24 ASSISTANT FIRE MARSHAL NICOLAS: -- and would
25 break down over time.

1 VICE-CHAIRPERSON GROTEGEERS: Okay. So, then
2 that leads me to another question. If we approve this,
3 like overturn your original finding, are they even
4 going to be able to move forward with this because they
5 can't meet Fire Code?

6 MS. BERRY: That would be a question for
7 probably the Applicant. However, you know, it would
8 have to be a -- it would have to be proven that they
9 could meet the Fire Code.

10 VICE-CHAIRPERSON GROTEGEERS: Okay. And then
11 one other question. When he brought up an example of
12 driveways, will this -- if we approve this, this means
13 if my driveway gets messed up, I can now put
14 chip-and-seal down 'cause it's cheaper or whatever?

15 MS. BERRY: Yes.

16 VICE-CHAIRPERSON GROTEGEERS: But I then can't
17 meet Fire Code?

18 ASSISTANT FIRE MARSHAL NICOLAS: Residential
19 driveway would not have to meet Fire Apparatus Road
20 Access.

21 VICE-CHAIRPERSON GROTEGEERS: Okay.

22 ASSISTANT FIRE MARSHAL NICOLAS: The road for
23 the street into your subdivision would have to meet the
24 Fire Apparatus Road Access.

25 VICE-CHAIRPERSON GROTEGEERS: But technically,

1 it could be chip-and-seal now, right, like if they --
2 if they repave the road or whatever?

3 MS. BERRY: I'm gonna -- Now I'm gonna refer
4 to our Engineering Department.

5 VICE-CHAIRPERSON GROTEGEERS: Okay. I'm just
6 trying to see where this is going since --

7 MS. BERRY: -- as far as --

8 VICE-CHAIRPERSON GROTEGEERS: -- it's
9 citywide.

10 MS. BERRY: -- what the standards are for City
11 right-of-way.

12 VICE-CHAIRPERSON GROTEGEERS: Okay.

13 CHAIRPERSON ALFERMAN: Would you state your
14 name and address for the record, please?

15 MR. GILLIAM: Jim Gilliam, 16 Prinz Circle.
16 I'm with the Engineering Department and the -- the
17 engineering standard is that we use concrete or
18 asphalt.

19 CHAIRPERSON ALFERMAN: Do you swear or affirm
20 that the testimony you're about to give is the truth?

21 MR. GILLIAM: I do.

22 CHAIRPERSON ALFERMAN: Go ahead.

23 MR. GILLIAM: Yeah, we -- our -- our streets
24 are designed on either concrete, seven inches of
25 concrete, or -- or asphalt, usually three to six inches

1 of asphalt, so that it can support the load of the fire
2 apparatus, which is the, typically, the heaviest item
3 that will be on the city streets.

4 VICE-CHAIRPERSON GROTEGEERS: So,
5 chip-and-seal then would never be used in like a
6 neighborhood or something if this goes citywide?
7 That's -- I'm just trying to figure out what we're
8 doing.

9 MS. BERRY: Are you asking --

10 MR. GILLIAM: Chip-and-seal --

11 MS. BERRY: -- if it would be stand-alone or
12 on top of a surface that's already there?

13 VICE-CHAIRPERSON GROTEGEERS: Oh, yeah, I
14 don't know. I guess that would be case by case basis.

15 SECRETARY MALONE: However, that's not --

16 MR. GILLIAM: In --

17 SECRETARY MALONE: -- our issue.

18 VICE-CHAIRPERSON GROTEGEERS: Right.

19 SECRETARY MALONE: That's not our issue.

20 VICE-CHAIRPERSON GROTEGEERS: Right, yeah.
21 Okay, thank -- thank you.

22 MR. GILLIAM: All right, thank you.

23 CHAIRPERSON ALFERMAN: Any other questions or
24 comments?

25 (No response.)

1 CHAIRPERSON ALFERMAN: Do we have a motion to
2 close the public hearing?
3 SECRETARY MALONE: I move to close the public
4 hearing.
5 VICE-CHAIRPERSON GROTEGEERS: Second.
6 CHAIRPERSON ALFERMAN: All in favor?
7 (Multiple Members respond "aye.")
8 VICE-CHAIRPERSON GROTEGEERS: Aye.
9 CHAIRPERSON ALFERMAN: We have a motion on the
10 item?
11 VICE-CHAIRPERSON GROTEGEERS: I move that we
12 approve BOA-2026-03 as submitted.
13 SECRETARY MALONE: So, let's make sure what
14 we're approving --
15 VICE-CHAIRPERSON GROTEGEERS: Oh.
16 SECRETARY MALONE: -- first.
17 VICE-CHAIRPERSON GROTEGEERS: I move -- Oh,
18 yeah, I guess I don't know.
19 SECRETARY MALONE: I don't know, yeah.
20 MR. WHITTEMORE: Deny the appeal or uphold the
21 determina- --
22 CHAIRPERSON ALFERMAN: Yeah, it's --
23 MR. WHITTEMORE: -- uphold the
24 determination --
25 CHAIRPERSON ALFERMAN: -- gonna be a little

1 different wording in this --

2 VICE-CHAIRPERSON GROTEGEERS: Yeah, okay.

3 CHAIRPERSON ALFERMAN: -- situation.

4 MS. BERRY: So, a motion -- Do you want me to
5 provide you a recommended motion on?

6 VICE-CHAIRPERSON GROTEGEERS: Sure.

7 MS. BERRY: Motion to approve the Applicant's
8 request and overturn the administrative decision of
9 City Official as submitted.

10 VICE-CHAIRPERSON GROTEGEERS: I move that we
11 approve the --

12 MS. BERRY: You can just say "so moved" if you
13 would like.

14 VICE-CHAIRPERSON GROTEGEERS: So moved. That.

15 SECRETARY MALONE: Second.

16 CHAIRPERSON ALFERMAN: Could you repeat that,
17 please --

18 MS. BERRY: Sure.

19 CHAIRPERSON ALFERMAN: -- just --

20 MS. BERRY: Motion to approve the Applicant's
21 request and overturn the administrative decision of a
22 City Official as submitted.

23 MR. KNEEMILLER: To clarify, a yes vote agrees
24 with them, a no vote --

25 MS. BERRY: A yes vote will overturn Staff's

1 decision. A no vote will uphold Staff's decision.

2 SECRETARY MALONE: Richard --

3 CHAIRPERSON ALFERMAN: Would you call roll,

4 please?

5 SECRETARY MALONE: Richard Alferman?

6 CHAIRPERSON ALFERMAN: Not in favor.

7 SECRETARY MALONE: Latonya Grotegeers?

8 VICE-CHAIRPERSON GROTEGEERS: Come back to me,

9 please.

10 SECRETARY MALONE: Marita Malone? In favor.

11 Keith Whittemore?

12 MR. WHITTEMORE: Not in favor.

13 SECRETARY MALONE: Bob Kneemiller?

14 MR. KNEEMILLER: Not in favor.

15 SECRETARY MALONE: And Maureen --

16 Latonya Grotegeers?

17 VICE-CHAIRPERSON GROTEGEERS: Not in favor.

18 SECRETARY MALONE: Four to one not in favor.

19 VICE-CHAIRPERSON GROTEGEERS: I -- I move to

20 adjourn.

21 CHAIRPERSON ALFERMAN: Yeah, do we have a

22 motion to adjourn?

23 VICE-CHAIRPERSON GROTEGEERS: I move we

24 adjourn.

25 SECRETARY MALONE: Second.

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CHAIRPERSON ALFERMAN: All in favor?

MR. WHITTEMORE: Aye.

CHAIRPERSON ALFERMAN: Aye.

C E R T I F I C A T E

I, SARA ALICE MASUGA, Certified Shorthand Reporter and Certified Court Reporter within and for the States of Illinois and Missouri, DO HEREBY CERTIFY that I was provided with a recording of the public hearing held before the Board of Adjustment of the City of St. Charles on March 2, 2026, and the portion of the proceedings regarding Case Number BOA-2026-03 was transcribed by me as appears herein and that this is a true and accurate record of said proceedings to the best of my ability.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 16th day of March, 2026.

/s/ Sara Alice Masuga
Sara Alice Masuga
IL CSR No. 084-002993
MO CCR No. 1012



Memorandum

To: Board of Adjustment

From: Madelyn P. Brown, Planner

Meeting Date: April 6, 2026

Subject: BOA-2026-01: Request to Table

This item has been requested to be **TABLED** by the applicant to the May 4, 2026 Board of Adjustment meeting.



AGENDA ITEM #2

**STAFF REPORT
BOA-2026-04
702 JACKSON STREET**

**APRIL 6, 2026
BY MADELYN P. BROWN**

GENERAL INFORMATION

Applicant: Micki Beucke
Little Hills Architecture
602 N Benton Ave
St. Charles, Missouri 63301

Owner: Glenn Reepmeyer
729 Adams Street
St. Charles, MO 63301

Location: 702 Jackson Street
Ward 2

Request: A request to decrease the front yard setback on the S 7th Street frontage from fifteen (15) feet to twelve (12) feet as regulated in Section 400.270(D)(4)(a) of the City of St. Charles Code of Ordinances.

Zoning: CBD/EHP Central Business District within the Extended Historic Preservation District

Adjacent Zoning & Land Use:

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	CBD/EHP	Commercial
South	R-2/EHP	Single-Family Residence
East	R-2/EHP	Single-Family Residence
West	CBD/EHP	Single-Family Residence

REQUEST

The subject property is located at 702 Jackson Street, approximately 9,709 square feet in size and is zoned CBD/EHP Central Business District within the Extended Historic Preservation District. The site is currently vacant. The applicant is requesting a variance to decrease the secondary front yard setback on a corner lot (specifically the S 7th Street frontage) from fifteen (15) feet to twelve (12) feet, for the purpose of constructing a new single-family residence.

ANALYSIS

Criteria for Granting a Variance:

A variance is intended to provide relief to property owners who, due to their unique circumstances, would face practical difficulties or unnecessary hardship from the strict application of the zoning ordinance. However, while a variance can provide relief to a property owner and still protect the zoning ordinance from invalidation, variances are typically granted because of conditions or circumstances existing that are peculiar to the property or lot of record and not the result of the actions of the applicant.

Pursuant to §400.1080, the power to hear and decide variance cases regarding the requirements of Chapter 400 (Zoning Code) lies with the Board of Adjustment. The Board's decision is considered a quasi-judicial act; thus, the board shall consider the evidence submitted by staff, as well as the evidence presented by the applicant and make a finding with regard to the request for a variance. The decision of the Board is subject to appeal to the Circuit Court of St. Charles County.

In addition to the criteria established §400.1090(E & F), G of the same section provides additional policies that should be considered before a ruling on a variance. Therein, it establishes that:

1. Financial disadvantages to the property owner shall not constitute conclusive proof of unnecessary hardships within the purpose of zoning;
2. The Board does not possess the power to grant a zoning variance permitting the use of land or buildings that is not included as a use in the district involved;
3. In granting a variance, the Board may attach thereto any conditions and safeguards it deems necessary or desirable in furthering the purposes of the chapter; and
4. The Board shall study the effects of such proposed buildings or use upon the character of the neighborhood, traffic conditions, public utilities and other matters pertaining to the general welfare.

According to §400.1090 (F), the following factors are relevant to determining whether strict application of the regulation would result in practical difficulties or unnecessary hardship:

- (1) ***Size of the variance. The relationship of the requested variance to the requirements of the applicable zoning regulations, i.e. a five foot variance is substantial if the required setback is seven feet; it is not as substantial if the required setback is 100 feet.***

The request to decrease the front yard setback from fifteen (15) feet to twelve (12) feet is an approximate 20% decrease. This request would be considered **not substantial** because it is less than 25%.

- (2) ***Effect on government services. The effect of the requested variance on population, density and available government facilities such as water, fire and police protection, and sanitary services.***

No negative effects on government services have been documented via staff review.

(3) Effect on neighbors or neighborhood. The effect of the requested variance on adjoining properties or on the character of the neighborhood generally.

Overall, the approval of this variance should **not** have a negative impact on the adjacent properties. In this case, the request is associated with a secondary frontage along S 7th Street (see Figure 1, below). While this frontage acts as a side yard, its location on a corner lot requires that the front yard setback be adhered to. Due to the location of the proposed development within the historic district, many of the adjacent properties have front yard setbacks that are non-compliant with current Zoning Code design standards (properties built prior to zoning). Historic lots are generally smaller in nature compared to modern lots, and generally, the structures were pushed near the front property lines. Despite the presence of nearby properties with non-conforming conditions, existing non-conformities should not set the precedent for future development.

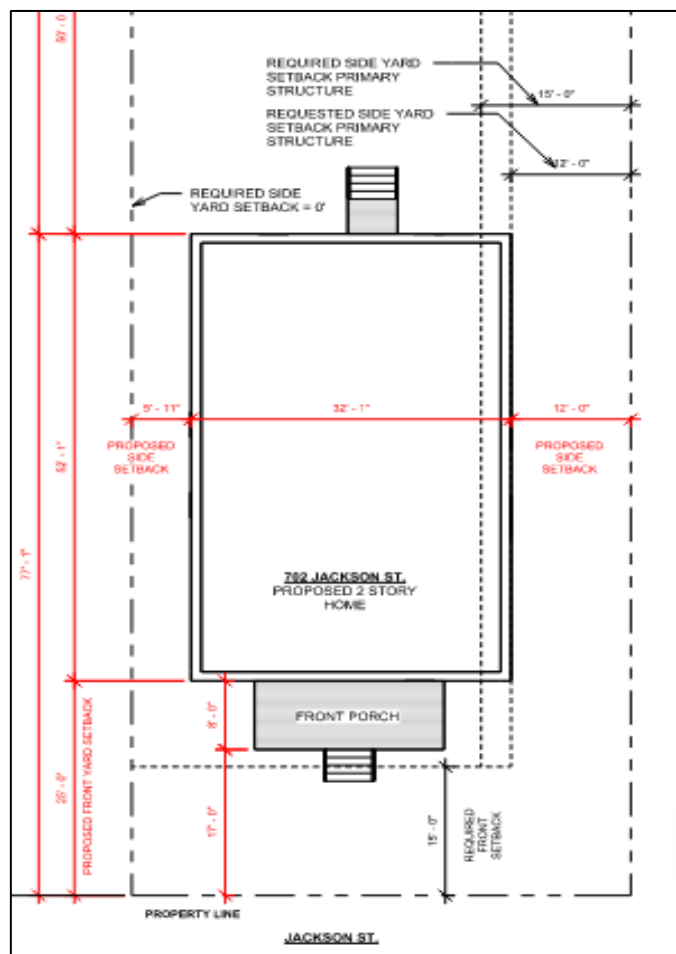


Figure 1: Proposed Site Plan.

(4) Alternatives to a variance. The existence of a feasible alternative to the applicant's proposal or other means of alleviating the hardship.

An alternative to the requested reduction in the front yard setback would be to comply with the required fifteen (15) foot setback along S 7th Street. This could be achieved by either reducing the width of the proposed single-family residence or shifting the structure westward,

closer to the side property line.

Although a fifteen (15) foot setback is required along S 7th Street due to it being a secondary frontage, the applicable CBD design standards allow for a zero foot side yard setback when adjacent to commercially zoned property. This applies to the subject property, as it borders commercially zoned property to the west at 706 Jackson Street. The proposed site plan currently provides a setback of five (5) feet eleven (11) inches from the western property line; however, this setback could be further reduced to accommodate the fifteen (15) foot setback along S 7th Street.

According to the applicant's statement (attached), the site contains grading challenges along the western portion of the lot, which limit the ability to shift the structure closer to the side property line. Additionally, moving the structure further west would likely trigger fire rating requirements due to the reduced separation from the property line.

While these constraints present design challenges and may require a reduction in the preferred size of the residence, there are still feasible alternatives available. Modifying the building footprint or exploring alternate design options to accommodate the grading challenges could allow the project to meet the required setback standards without the need for a variance.

- (5) ***Justice. The granting of a variance is a just action. The cause of the difficulty or the hardship should be unique to the land rather than to the applicant and should be related to the topography, configuration of the lot, or other characteristics of the land. The applicant or economic conditions should not be the cause of the difficulty.***

The justice of granting a variance should be based on a practical difficulty or hardship related to the property. The applicant's statement references the constraints of the grading challenges through the topography of the site. While this does present difficulty in the placement of a future single-family residence, there are feasible alternatives available that would address these challenges. This includes a slight reduction in the proposed structure width or additional design choices that would address the irregular grading and to provide fire rating. Therefore, while challenges are present, the hardship is not unavoidable. Additionally, the identified constraints appear to be related to site design preferences rather than the ability to produce compliant development of the property.

Furthermore, as stated above in the effect on neighbors or neighborhood section, staff has found that there are other nearby non-conforming properties with both front yard setbacks on primary and secondary frontages which do not adhere to the fifteen (15) foot requirements. While those nearby properties have similar setbacks to what is being requested, non-conformities are not intended to serve as a precedent, but to be eliminated over time and made compliant with code.

Based on these factors, Staff believes the approval of this request would not be considered a just action. However, staff acknowledges the site constraints present at the subject property.

STAFF RECOMMENDATION

After review of the request and all pertinent information, the Department of Community Development recommends that the request be ***DENIED***.



Figure 2: Aerial view of subject property.



Figure 3: Street view of subject property.

The following are the criteria that the Board of Adjustment must consider when hearing an appeal to the zoning ordinance. Please address the following criteria in relation to your request:

1. Size of the Variance. The relationship of the requested variance to the requirements of the applicable zoning regulations, i.e. a five-foot variance is substantial if the required setback is seven feet, it is not as substantial if the required setback is 100 feet.

Required setback along 7th St. for this property is 15'. Requesting a setback of 12' be permitted.

2. Effect on Government Services. The effect of the requested variance on population, density and available government facilities such as water, fire and police protection, and sanitary services.

None

3. Effect on the Neighbors or Neighborhood. The effect of the requested variance on adjoining properties or on the character of the neighborhood generally.

None. The requested setback variance is along a right of way. If the variance was granted, the location of the new structure would be consistent with neighboring properties. All of the adjacent properties at the intersection of S. 7th and Jackson are located less than 15' from their property lines along S. 7th St. (701 Jackson St., 627 Jackson St., 624 Jackson St.).

4. Alternatives to a variance. The existence of a feasible alternative to the applicant's proposal or other means of alleviating the hardship.

The home as designed could be located closer to the adjoining property at 706 Jackson St., however, the location of the exterior wall would be less than 3' from the side property line and this would require the exterior wall to be fire rated and window openings would not be permitted in that wall.

Other alternative would be to redesign the house layout to fit within the confines of the current setback and fire separation distances.

5. Justice. The granting of the variance is a just action. The cause of the difficulty - the hardship should be unique to the land rather than to the applicant and should be related to the topography, configuration of the lot, or other characteristics of the land. The applicant or economic conditions should not be the cause of the difficulty:

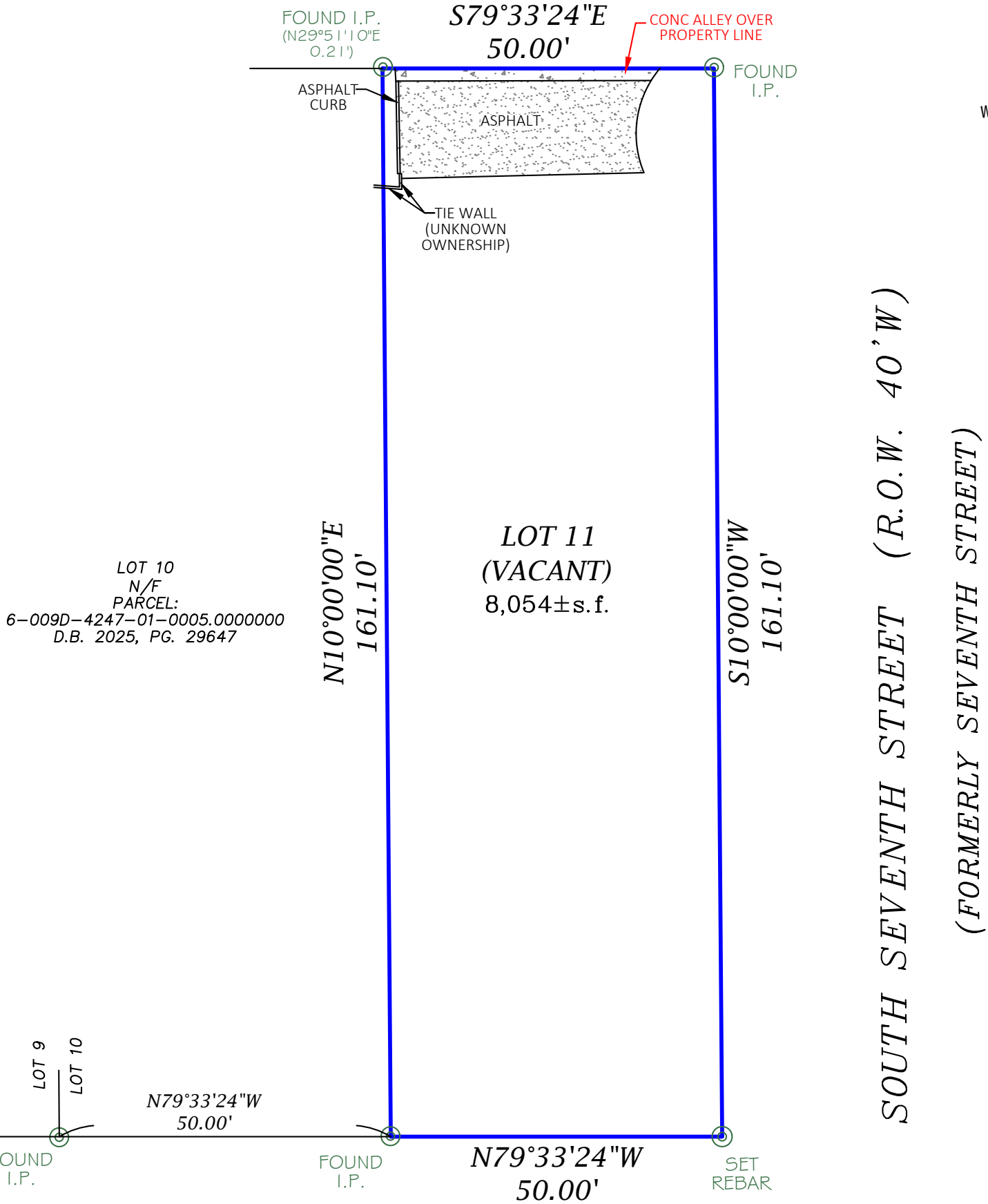
Corner lots have required front yard setbacks along two sides of the lot that create a challenge to buildable area of a lot on a narrow lot size such as those that exist in the more historic parts of the City. The requested setback variance is along a right of way and would not affect the character of the neighborhood or any adjoining properties and in fact would be the opposite in that the location of the structure would be more consistent with the location of existing structures on the corner. All of the adjacent properties at the intersection of S. 7th and Jackson are located less than 15' from their property lines along S. 7th St. (701 Jackson St., 627 Jackson St., 624 Jackson St.).

BOUNDARY RETRACEMENT AND IMPROVEMENT SURVEY

702 JACKSON STREET

LOT 11 IN BLOCK 1 OF DICK'S ADDITION
PLAT BOOK: 2, PAGE: 28
ST. CHARLES COUNTY, MISSOURI

ALLEY (R.O.W. 20' W)



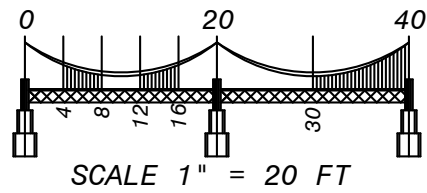
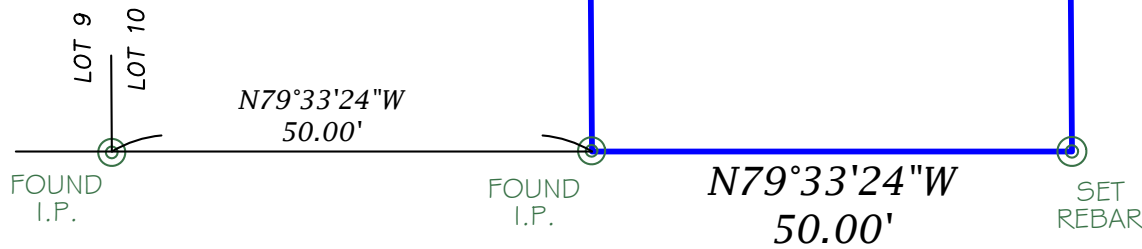
LOT 10
N/F
PARCEL:
6-009D-4247-01-0005.000000
D.B. 2025, PG. 29647

N10°00'00"E
161.10'

LOT 11
(VACANT)
8,054± s.f.

S10°00'00"W
161.10'

SOUTH SEVENTH STREET (R.O.W. 40' W)
(FORMERLY SEVENTH STREET)



JACKSON STREET
(R.O.W. 40' W)

CONTROLLING CORNERS USED:
I.P. - SOUTHWEST CORNER ADDRESS #723
I.P. - SOUTHEAST CORNER ADDRESS #723
CROSS - OFFSET 35.35' FROM SOUTHWEST
CORNER ADDRESS #723

1"=0.08'
2"=0.17'
3"=0.25'
4"=0.33'
5"=0.42'
6"=0.5'
7"=0.58'
8"=0.67'
9"=0.75'
10"=0.83'
11"=0.92'

TITLE NOTES

THIS DRAWING HAS BEEN COMPILED WITHOUT THE BENEFIT OF A CURRENT CERTIFICATE OF TITLE EXAMINATION AND, THEREFORE, MAY NOT CONTAIN EASEMENTS, RESERVATIONS, EXCEPTIONS, RESTRICTIONS AND COVENANTS OF RECORD.

BASIS OF BEARINGS

MT. CARMEL SUBDIVISION
PLAT BOOK: 40, PAGE: 176

LINE TYPES

—○—	CHAIN FENCE	—	BOUNDARY LINE
—	EASEMENT	—□—	WOOD/VINYL/ METAL FENCE
---	LINE	—x—	WIRE FENCE
---	SETBACK LINE	—	BUILDING
---	PARCEL LINE	—	FOOTPRINT
---	U.S. SURVEY/ SECTION LINE	—	CENTERLINE

I.P.=IRON PIPE I.R.=IRON ROD (S)=SURVEYED
(R)=RECORD NR=NON-RADIAL P.B.=PLAT BOOK
PG.=PAGE D.B.=DEED BOOK S.F.=SQUARE FEET
N/F=NOW OR FORMERLY C/L=CENTERLINE
CONC=CONCRETE R.O.W.=RIGHT-OF-WAY

SURVEYOR'S STATEMENT

AT THE REQUEST OF GLENN REEPMAYER, ALTEA, LLC. HAS DURING THE MONTH OF JANUARY, 2026, EXECUTED A BOUNDARY RETRACEMENT & IMPROVEMENT SURVEY OF LOT 11 IN BLOCK 1 OF DICK'S ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 28 OF THE ST. CHARLES COUNTY, MISSOURI, RECORDS, TOGETHER WITH THE LOCATION OF OBSERVED IMPROVEMENTS THEREON, AND THAT THE RESULTS OF SAID SURVEY ARE IN MY PROFESSIONAL OPINION, CORRECTLY INDICATED ON THE ABOVE PLAT. THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR URBAN CLASS PROPERTY. BUILDING SETBACK INFORMATION DEPICTED HEREON IS FROM THE RECORD PLAT OR CITY BLOCK MAP (IF APPLICABLE). PLANNING AND ZONING RESTRICTIONS WERE NOT OBTAINED OR ADDRESSED AS A PART OF THIS SURVEY. DECLARATION IS MADE TO THE ORIGINAL PURCHASER OF THIS SURVEY ONLY AND IS NOT TRANSFERABLE. UTILITY LOCATES WERE NOT REQUESTED AND NO UTILITIES OR SEWERS WERE LOCATED IN CONJUNCTION WITH THIS SURVEY. THE OPINION OF THE ORIGIN OF THE FENCES SHOWN HEREON IS FROM EVIDENCE OBSERVED DURING THE COURSE OF THIS SURVEY, AND MAY INCLUDE: FENCE CONSTRUCTION, OCCUPANT TESTIMONY, OR OTHER AVAILABLE INFORMATION. NO GUARANTEE IS MADE OR CERTAINTY GIVEN AS TO THE ORIGIN OR OWNERSHIP OF FENCES. THIS BOUNDARY SURVEY IS NON-TRANSFERABLE. DUE TO EACH MUNICIPALITY HAVING DIFFERENT ZONING SETBACK REQUIREMENTS, OVERHANGS SHOWN ON THIS SURVEY MAY BE IN VIOLATIONS THAT THE SURVEYOR IS NOT AWARE OF AND MAKES NO WARRANTIES TO THIS AFFECT.

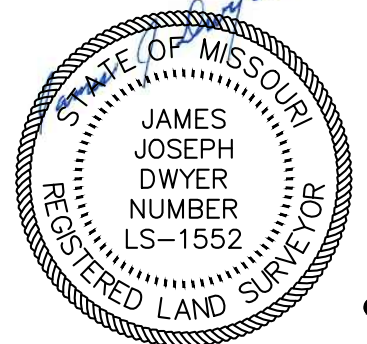
AS AGENT OF ALTEA, LLC

DATE 1-23-26

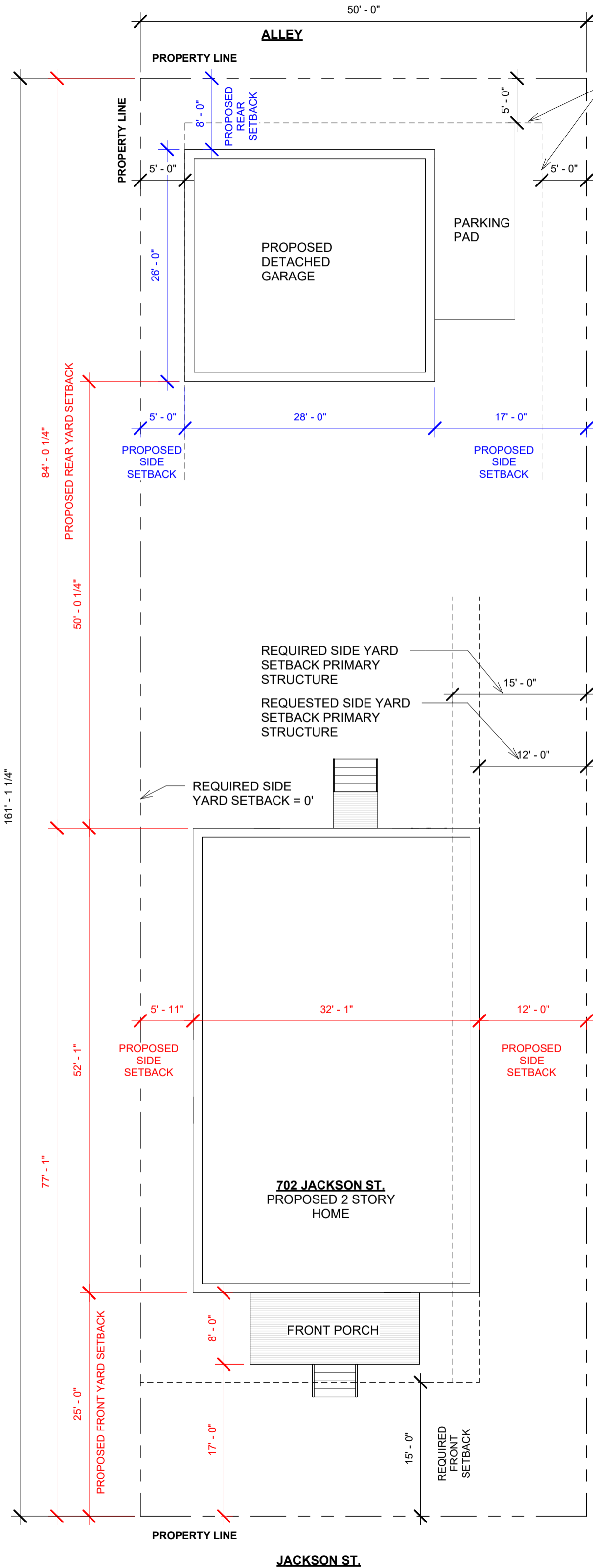
ALTEA, LLC
Consulting Land Surveyors
3906 S. OLD HWY 94, SUITE 600
ST. CHARLES, MO 63304
PHONE: (636) 477-6000
FAX: (636) 898-0950
WWW.ALTEALS.COM
© 2026 ALTEA, LLC

PROJECT NUMBER: **26-0163-O**

1 OF 1	FIELD CREW & FIELD DATE:	JCC-1/23/26
	DRAFTER:	LD/SG
	DRAFTED ON:	1/24/2026
	REVIEWER:	BLH
	REVIEWED ON:	1/24/2026



ALTEA, LLC
PROFESSIONAL LAND SURVEYING
CERTIFICATE OF AUTHORITY: 2013023731



REQUIRED RESIDENTIAL ACCESSORY STRUCTURE SETBACK 5' SIDE & REAR

S. 7TH ST.

PROJECT SUMMARY

CONSTRUCT A NEW 2-STORY SINGLE FAMILY HOME AND DETACHED GARAGE ON CURRENTLY VACANT LOT AT THE CORNER OF JACKSON ST. & S. 7TH ST.

ZONING: CBD

ZONING REQUIREMENTS PRIMARY STRUCTURE

SETBACKS

FRONT YARD: 0' OR 15' WHEN ACROSS A STREET FROM A RESIDENTIAL DISTRICT 15' SETBACK APPLIES TO BOTH JACKSON ST. AND S. 7TH STREET
 PROPOSED: 12' *REQUESTING VARIANCE TO APPROVE

SIDE YARD: 0' OR 15' WHEN ADJOINING A RESIDENTIAL ZONING DISTRICT 0' APPLIES TO WEST PROPERTY LINE AS NEIGHBORING PROPERTY IS ALSO ZONED CBD
 PROPOSED: 5'-11"

REAR YARD: 0' OR 15' WHEN ADJOINING A RESIDENTIAL ZONING DISTRICT 0' APPLIES TO NORTH PROPERTY LINE
 PROPOSED: 84'

DESIGN

MAX. HEIGHT: 3 STORIES OR 45'
 PROPOSED = 2 STORIES

MAX. LOT COVERAGE = 80%
 PROPOSED = 2400 SF/8055 SF = 30%

ZONING REQUIREMENTS RESIDENTIAL ACCESSORY STRUCTURE

- SIDE & REAR YARD SETBACKS 5'
 PROPOSED = SIDE 5'/17' AND REAR 8'
- LOCATED 10' FROM PRIMARY STRUCTURE
- HEIGHT LESS THAN PRIMARY STRUCTURE
- SIZE LESS THAN BASE AREA OF PRINCIPAL BUILDING

1 Site Plan
 3/32" = 1'-0"



Renovations for:
 702 Jackson St. - New Home

Project number 26-015

little hills architecture

Proposed Site Plan	Sheet
Date 2/28/2026	00
Board of Adjustment	



AGENDA ITEM #3

**STAFF REPORT
BOA-2026-05
3450 ELM POINT ROAD**

**APRIL 6, 2026
BY MADELYN P. BROWN**

GENERAL INFORMATION

Applicant: Micki Beucke
Little Hills Architecture
602 N Benton Ave
St. Charles, Missouri 63301

Owner: Tim and Terri Bekebrede
111 S 7th Street
St. Charles, MO 63301

Location: 3450 Elm Point Road
Ward 7

Request: A request to decrease the rear yard setback for a building addition on a non-conforming lot from twenty-five (25) feet to seven (7) feet as regulated in Section 400.150(E)(5)(c) of the City of St. Charles Code of Ordinances.

Zoning: R-1E Single-Family Residential District

***Adjacent Zoning
& Land Use:***

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	N.A.	Railroad
South	R-2	Vacant
East	R-1E	Single-Family Residence
West	R-1E	Single-Family Residence

REQUEST

The subject property is located at 3450 Elm Point Road, approximately 0.65 acres (9,709 square feet) in size, and is zoned R-1E Single-Family Residential District. The site is currently the location of a single-family home. The applicant is requesting a variance to decrease the rear yard setback for a building addition on a non-conforming lot from twenty-five (25) feet to seven (7) feet, for the purpose of constructing an addition to the existing home and existing detached garage.

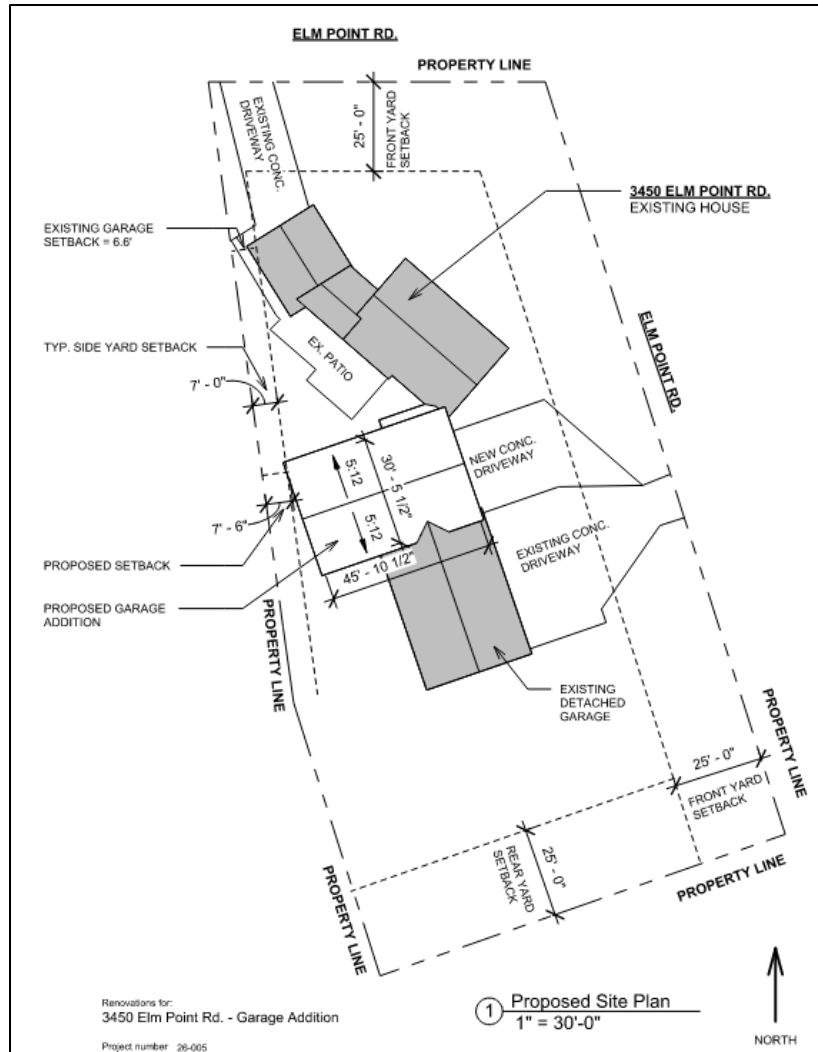


Figure 1: Proposed Site Plan.

ANALYSIS

Criteria for Granting a Variance:

A variance is intended to provide relief to property owners who, due to their unique circumstances, would face practical difficulties or unnecessary hardship from the strict application of the zoning ordinance. However, while a variance can provide relief to a property owner and still protect the zoning ordinance from invalidation, variances are typically granted because of conditions or circumstances existing that are peculiar to the property or lot of record and not the result of the actions of the applicant.

Pursuant to §400.1080, the power to hear and decide variance cases regarding the requirements of Chapter 400 (Zoning Code) lies with the Board of Adjustment. The Board's decision is considered a quasi-judicial act; thus, the board shall consider the evidence submitted by staff, as well as the evidence presented by the applicant and make a finding with regard to the request for a variance. The decision of the Board is subject to appeal to the Circuit Court of St. Charles County.

In addition to the criteria established §400.1090(E & F), G of the same section provides additional policies that should be considered before a ruling on a variance. Therein, it establishes that:

1. Financial disadvantages to the property owner shall not constitute conclusive proof of unnecessary hardships within the purpose of zoning;
2. The Board does not possess the power to grant a zoning variance permitting the use of land or buildings that is not included as a use in the district involved;
3. In granting a variance, the Board may attach thereto any conditions and safeguards it deems necessary or desirable in furthering the purposes of the chapter; and
4. The Board shall study the effects of such proposed buildings or use upon the character of the neighborhood, traffic conditions, public utilities and other matters pertaining to the general welfare.

According to §400.1090 (F), the following factors are relevant to determining whether strict application of the regulation would result in practical difficulties or unnecessary hardship:

- (1) ***Size of the variance. The relationship of the requested variance to the requirements of the applicable zoning regulations, i.e. a five foot variance is substantial if the required setback is seven feet; it is not as substantial if the required setback is 100 feet.***

The request to decrease the rear yard setback from twenty-five (25) feet to seven (7) feet is an approximate 72% decrease. This request would be considered **substantial** because it is greater than 25%.

- (2) ***Effect on government services. The effect of the requested variance on population, density and available government facilities such as water, fire and police protection, and sanitary services.***

No negative effects on government services have been documented via staff review.

- (3) ***Effect on neighbors or neighborhood. The effect of the requested variance on adjoining properties or on the character of the neighborhood generally.***

The applicant is requesting a reduction of the required rear yard setback from twenty-five (25) feet to seven (7) feet. While the requested setback reduction is technically for a rear yard setback, due to the irregular placement of the existing home on the lot, it functions more similarly to a side yard setback (see Figures 2 and 3, on Page 4). Because this property line operates as a side yard, there should be no impact on neighboring properties, as adequate separation is maintained from the adjacent side property line. Additionally, the existing home is currently closer to the adjacent property line than the proposed addition would be, further minimizing any potential impact on the surrounding properties or neighborhood character.



Figure 2: Aerial view of subject property.

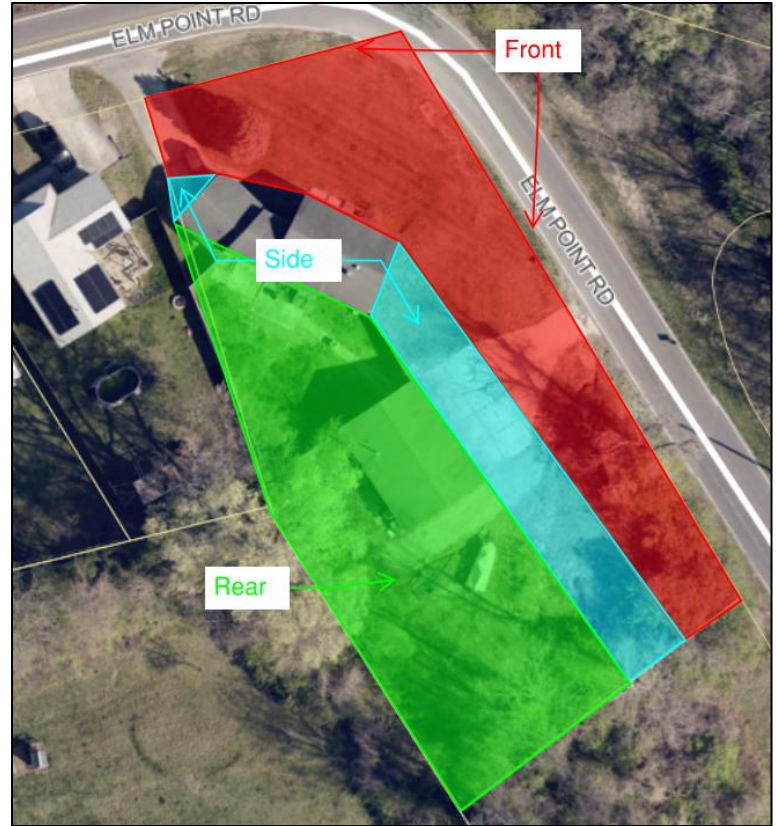


Figure 3: Front, side, and rear yards identified.

(4) Alternatives to a variance. The existence of a feasible alternative to the applicant's proposal or other means of alleviating the hardship.

An alternative to the reduced rear yard setback would be to construct an addition that is compliant with the code setback requirement. However, the house placement creates limitations on where the addition can be located. The proposed addition is intended to attach the detached garage to the existing structure, to provide additional storage space on the property without creating an accessory structure that exceeds the size of the primary structure (which is prohibited by zoning code). Adhering to the minimum required rear yard setback for this addition would potentially present challenges in meeting the required front yard setback. Therefore, providing an alternative to the variance would be challenging due to the lot's non-conformities and existing house placement, and would likely prevent the ability to construct the proposed addition.

(5) Justice. The granting of a variance is a just action. The cause of the difficulty or the hardship should be unique to the land rather than to the applicant and should be related to the topography, configuration of the lot, or other characteristics of the land. The applicant or economic conditions should not be the cause of the difficulty.

As indicated above, the hardship in this case arises from the irregular placement of the residential structure on the subject parcel. This placement creates a nonconforming condition in which the required front, side, and rear yards are atypically configured. As a result, what would typically function as a side yard operates as a rear yard, and is subject to the applicable

rear yard setback requirements that the proposed home addition must meet.

While the available alternative is to shift the placement of the proposed addition, this may prevent other required setbacks from being met. Additionally, the proposed addition serves to connect the existing detached garage in order to comply with all applicable design criteria as outlined in the zoning code. Granting this variance would allow the proposed addition to be constructed as designed, in a manner which best utilizes the space remaining on the irregular parcel.

Based on these factors, Staff believes the approval of this request would be considered a just action.

STAFF RECOMMENDATION

After review of the request and all pertinent information, the Department of Community Development recommends that the request be **APPROVED**.



Figure 4: Aerial view with surrounding properties.



Figure 5: Street view of subject property.

The following are the criteria that the Board of Adjustment must consider when hearing an appeal to the zoning ordinance. Please address the following criteria in relation to your request:

1. Size of the Variance. The relationship of the requested variance to the requirements of the applicable zoning regulations, i.e. a five-foot variance is substantial if the required setback is seven feet, it is not as substantial if the required setback is 100 feet.

Because of the orientation of the house on the lot, Planning & Zoning has determined that the west property line would be considered a rear lot line and require a 25' setback for a proposed addition to the house. Our request is for this property line to be considered as a side yard and require a setback of 7' per R-1E zoning standards.

2. Effect on Government Services. The effect of the requested variance on population, density and available government facilities such as water, fire and police protection, and sanitary services.

none

3. Effect on the Neighbors or Neighborhood. The effect of the requested variance on adjoining properties or on the character of the neighborhood generally.

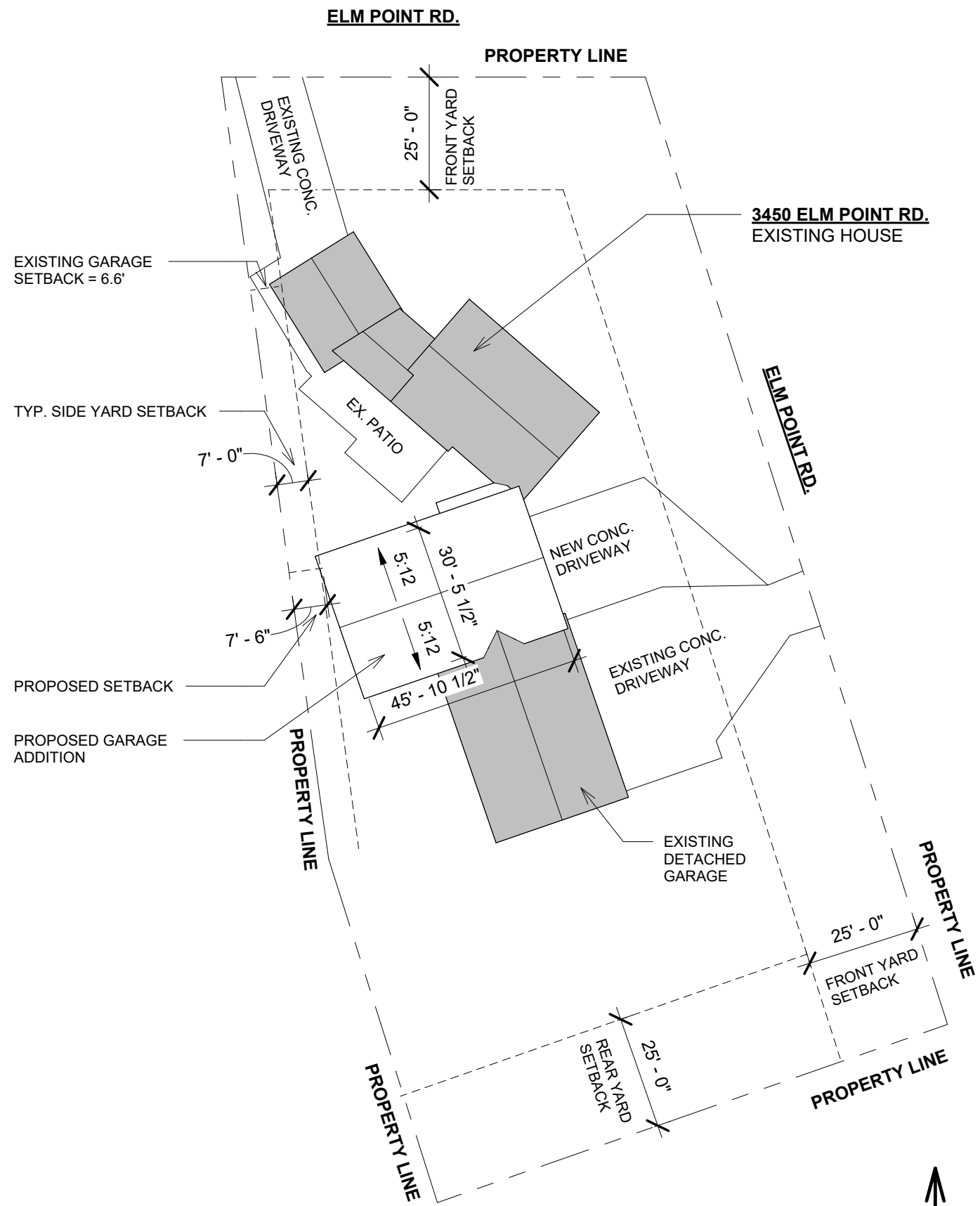
There are two properties adjacent to the west property line of the subject property. For 3504 Elm Point Rd. (located to the west) this is a side lot line. The location of the proposed garage addition is approx. 50' from the rear of the existing house on the lot. 3410 Elm Point Rd is the other adjoining property. It is also a non-conforming lot of 1.38 acres and the existing home is located approx. 160+ feet from the proposed garage addition. As the subject lot is not a standard shape and the existing primary structure on the property does not conform to the required setback, the proposed variance should have little affect to the neighborhood or surrounding properties.

4. Alternatives to a variance. The existence of a feasible alternative to the applicant=s proposal or other means of alleviating the hardship.

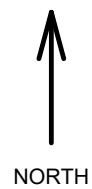
The Owner has a need to park a trailer in a garage and requires a deeper garage space than the existing. The existing detached garage is larger than would be permitted to be constructed with today's zoning code. Any additional space to enlarge it must be constructed as an addition to the house and not to the garage alone. The proposed location for the garage addition is the only location that would be permitted to enlarge the garage to allow for parking of a trailer.

5. Justice. The granting of the variance is a just action. The cause of the difficulty - the hardship should be unique to the land rather than to the applicant and should be related to the topography, configuration of the lot, or other characteristics of the land. The applicant or economic conditions should not be the cause of the difficulty:

As a non-conforming lot, all of the property lines are considered as either front yard or rear yard. This creates an undue hardship unique to the property due to its location on a bend in the road and the orientation of the existing primary structure on the lot.



1 Proposed Site Plan
1" = 30'-0"



2 Existing Site
1" = 50'-0"

Renovations for:
3450 Elm Point Rd. - Garage Addition

Project number 26-005

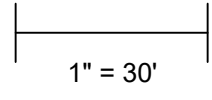
little hills architecture

Site Plan	Sheet	00
Date	2/25/2026	
BOA Submittal		

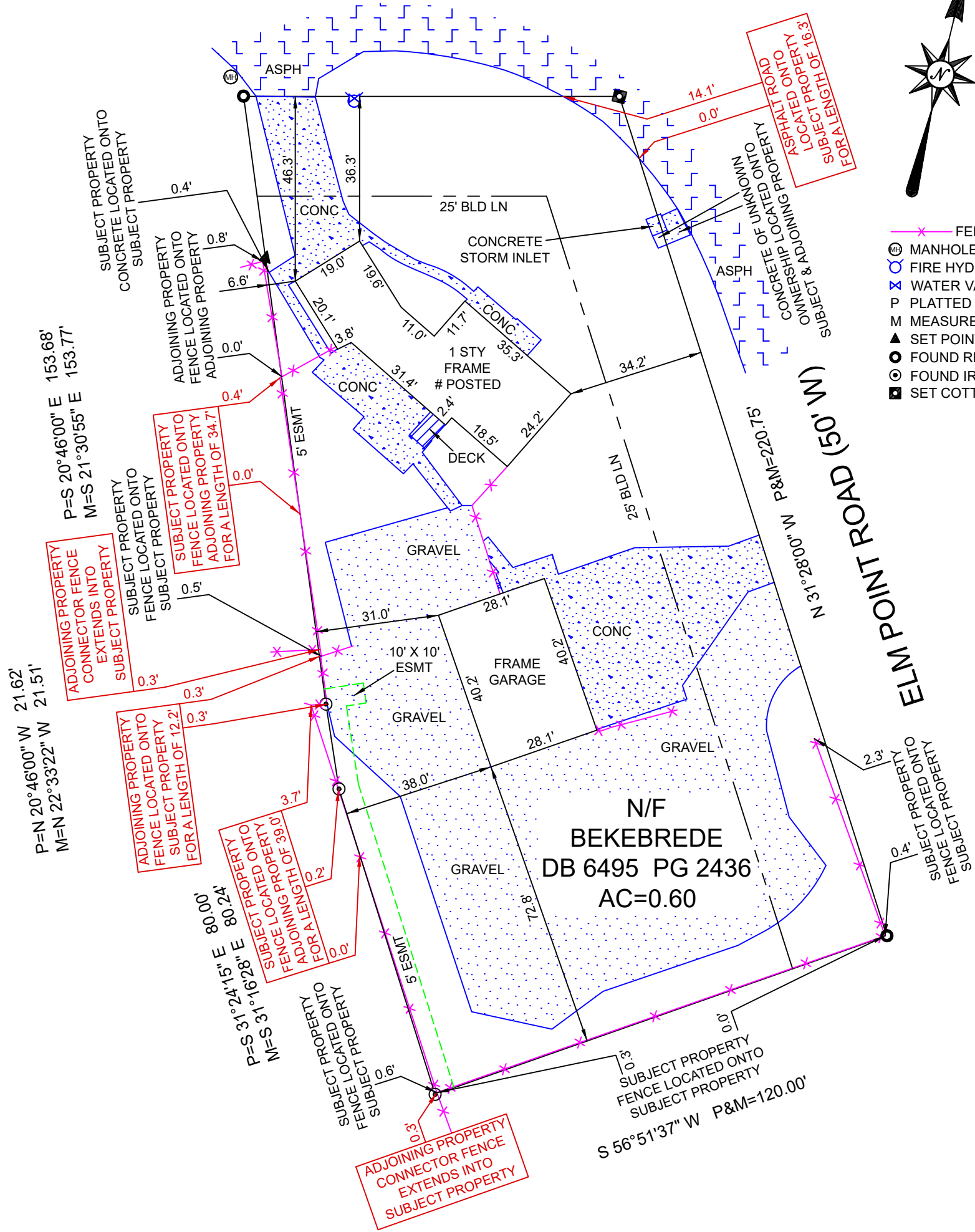
BOUNDARY SURVEY

LOT 11 & 12 OF GRANDVIEW TERRACE

PB 5 PG 19, ST CHARLES COUNTY, MO



#3450 ELM POINT ROAD (50' W)
 N 76°12'00" E P&M=94.20'



SHEET 1 OF 2

Cardinal
Surveying & Mapping

PO BOX 278
COTTLEVILLE, MO 63338
PHONE: 636.922.1001
Corp # 2005000229
www.CardinalSurveying.com
inbox@cardinalsurveying.com

JOB #2512064
FB 813:20

FIELDWORK BY: ZSN

DRAWN BY: VAS

3450 ELM POINT RD
ST CHARLES, MO 63301

REVIEWED BY:
WILLIAM JACOB CLARK
LS# 2002014101

THIS IS TO CERTIFY THAT ON
DEC 8, 2025
A REQUEST BY
TIM & TERRY BEKEBREDE
WAS MADE FOR A BOUNDARY
SURVEY AND TO LOCATE THE
IMPROVEMENTS ON THE ABOVE
NAMED TRACT AND THAT THE
RESULTS ARE, TO THE BEST OF
MY KNOWLEDGE, CORRECTLY
REPRESENTED HEREON.

STATE OF MISSOURI
WILLIAM JACOB CLARK
NUMBER
PLS-2002014101
12/19/2025
PROFESSIONAL LAND SURVEYOR

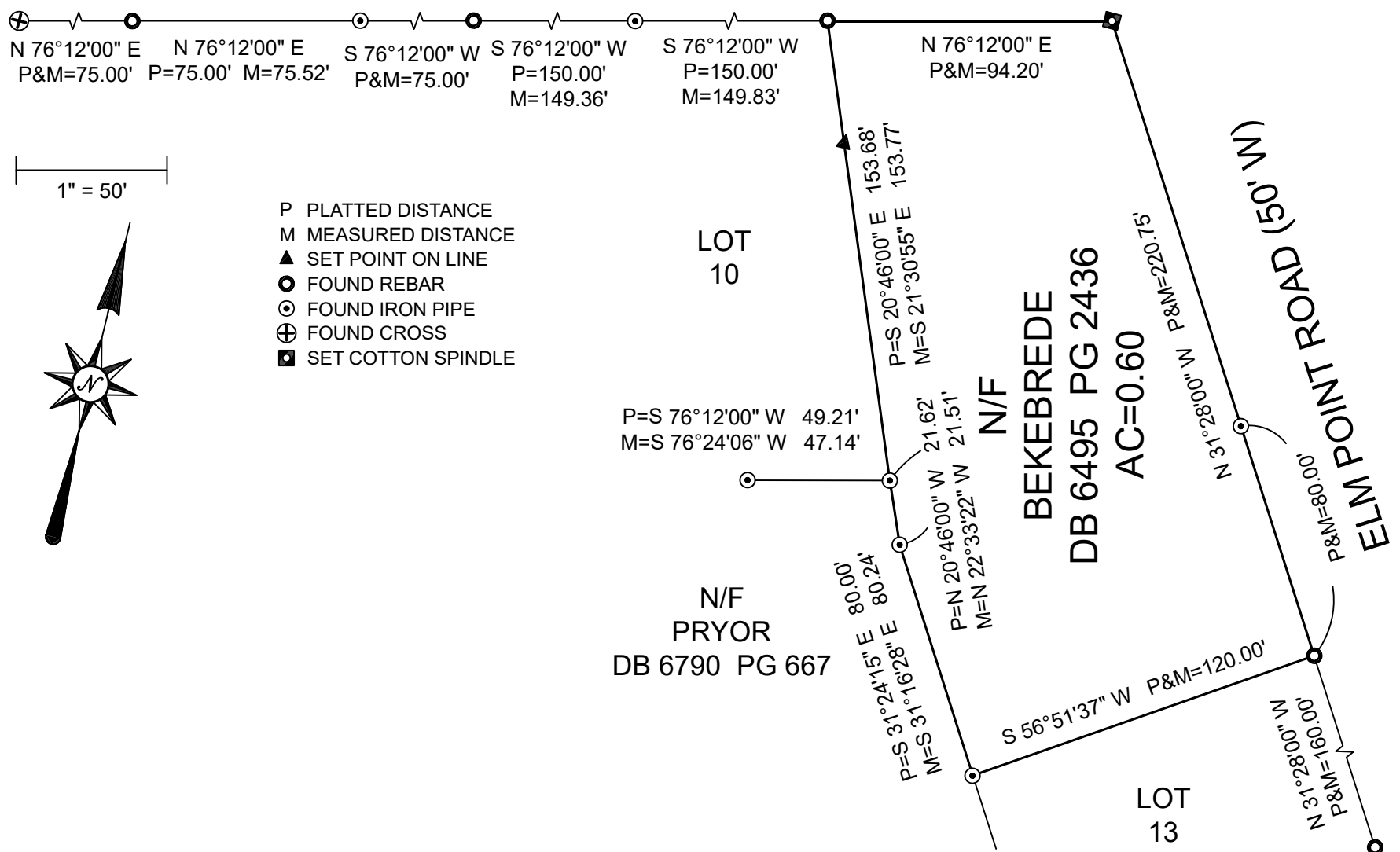
BOUNDARY SURVEY

LOT 11 & 12 OF GRANDVIEW TERRACE PB 5 PG 19, ST CHARLES COUNTY, MO

SURVEYORS NOTES:

1. BASIS OF BEARING PER RECORD PLAT FOR THE SUBJECT PROPERTY.
2. SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
3. NO RESEARCH PERTAINING TO EASEMENTS WAS COMPLETED BY CARDINAL SURVEYING & MAPPING AND THE PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS. ITEMS LOCATED INTO EASEMENT AREAS MAY OR MAY NOT BE AT RISK. SEEK LEGAL ADVICE IF YOU HAVE QUESTIONS. THE EASEMENTS SHOWN ON THIS DRAWING ARE THOSE THAT ARE SHOWN GRAPHICALLY ON THE RECORD PLAT.
4. BUILDING LINES SHOWN ON THIS DRAWING ARE THOSE THAT ARE SHOWN GRAPHICALLY ON THE RECORD PLAT. SETBACK AND SIDEYARD REQUIREMENTS MAY EXIST ACCORDING TO CURRENT ORDINANCE AND ZONING STANDARDS AND ARE NOT SHOWN ON THIS DRAWING.
5. SURVEY COMPLETED TO URBAN PROPERTY BOUNDARY ACCURACY STANDARDS PER 20 CSR 2030-16.040 OF THE MISSOURI STATE STATUTES AND ACCURATELY REFLECTS ALL VISIBLE IMPROVEMENTS, INCLUDING FENCES, RECORDED EASEMENTS PER ABOVE REFERENCED TITLE COMMITMENT, AND EVIDENCE OF VISIBLE EASEMENTS LOCATED AT THE TIME OF SURVEY. AN ALTA WAS NOT PERFORMED AND UTILITY LOCATION HAS NOT BEEN DETERMINED.
6. OWNERSHIP OF THE IMPROVEMENTS AS SHOWN ON THIS DRAWING ARE THE OPINION OF THE SURVEYOR AT THE TIME THE SURVEY WAS EXECUTED AND HAS NOT BEEN VERIFIED TO ANY EXTENT, NOR IMPLIES ANY EXCLUSIVE OWNERSHIP.
7. THIS CERTIFIED DOCUMENT SHOWS THE CONDITIONS AT THE TIME THE SURVEY WAS COMPLETED. ANY PROPOSED STRUCTURES, ADDITIONS, AND UNAUTHORIZED ALTERATIONS TO THE DRAWING VOID ALL CERTIFICATIONS AND LIABILITY OF THE SURVEYOR.

#3450 ELM POINT ROAD (50' W)



SHEET 2 OF 2



PO BOX 278
COTTLEVILLE, MO 63338
PHONE: 636.922.1001
Corp # 2005000229
www.CardinalSurveying.com
inbox@cardinalsurveying.com

JOB #2512064
FB 813:20

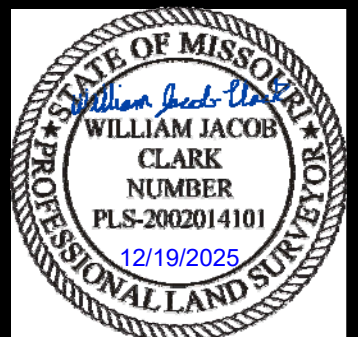
FIELDWORK BY: ZSN

DRAWN BY: VAS

3450 ELM POINT RD
ST CHARLES, MO 63301

REVIEWED BY:
WILLIAM JACOB CLARK
LS# 2002014101

THIS IS TO CERTIFY THAT ON
DEC 8, 2025
A REQUEST BY
TIM & TERRY BEKEBREDE
WAS MADE FOR A BOUNDARY
SURVEY AND TO LOCATE THE
IMPROVEMENTS ON THE ABOVE
NAMED TRACT AND THAT THE
RESULTS ARE, TO THE BEST OF
MY KNOWLEDGE, CORRECTLY
REPRESENTED HEREON.





AGENDA ITEM #4

**STAFF REPORT
BOARD OF ADJUSTMENT
CASE NO. BOA-2026-06
701-703 S. RIVERSIDE DRIVE**

**APRIL 6, 2026
BY LARA BERRY**

GENERAL INFORMATION

APPLICANT: Little Hills Architecture
Micki Beucke
602 N. Benton Avenue
Saint Charles, Missouri 63301

PROPERTY OWNER: Anthony M Cracchiolo & Jodi L. Devonshire

LOCATION: 701-703 S. Riverside Drive
Ward 2

REQUEST: **Two requests:** (1) A request to decrease the front yard setback for a building addition on a non-conforming lot from ten (10) feet to zero (0) feet as regulated in Section 400.200(D)(5)(a) of the City of St. Charles Code of Ordinances; and (2) a request to decrease the rear yard setback for a unenclosed deck covered by a roof from twenty (20) feet to three (3) feet as regulated in Section 400.620(A)(4) of the City of St. Charles Code of Ordinances.

ZONING: HCD/SMPD/EHP Historic Commercial District within the South Main Preservation District and the Extended Historic Preservation District

**ADJACENT ZONING
& LAND USE:**

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	HCD/SMPD	Commercial
South	HCD/SMPD	Commercial
East	HCD/SMPD	City Parking and ROW
West	HCD/SMPD	Commercial

REQUESTS

The applicant is requesting variances to the front and rear yard setbacks to accommodate a proposed addition to the existing structure. Along Perry Street (north elevation), the request is to reduce the front yard setback to zero (0) feet, and along the southern property line, the request is to reduce the rear yard setback to three (3) feet to allow for a proposed deck.

BACKGROUND

The subject property is located at the southwest corner of the intersection of S. Riverside Drive and Perry Street. The site consists of an approximately 4,350-square-foot lot zoned “HCD” Historic Commercial District within the “SMPD” South Main Preservation District overlay. The property is developed with a mixed-use building containing a restaurant on the first floor and a residential unit on the second floor.

According to St. Charles County Assessor records, the building was constructed in 1920; however, it is shown on the 1917 Sanborn Map, suggesting it may have been constructed earlier. The building is a two-story, side-gabled brick structure currently occupied by the Bike Stop Café.

EXISTING CONDITIONS

The site reflects historic development patterns typical of the area, including prior alterations that predate current zoning regulations. As a result, certain aspects of the existing structure do not comply with current zoning standards, particularly with respect to required setbacks. These conditions are typical for properties of this age and context.

Non-Conforming Structure

Pursuant to the Non-Conforming Structure Ordinance, existing buildings that do not comply with current setback requirements may be enlarged, extended, or structurally altered, provided that such modifications do not further encroach into the required setbacks.

In this case, the “HCD” Historic Commercial District requires a minimum front yard setback of ten (10) feet; however, the existing structure is located approximately one-half (0.5) foot (approximately 7 inches) from the property line along Perry Street. While the applicant initially described the request as a reduction from ten (10) feet to zero (0) feet, staff review determined that the effective request is a reduction from approximately 0.5 feet to zero (0) feet. The proposed addition would extend approximately six (6) inches beyond the existing building line, thereby increasing the current encroachment (Figure 1, below).

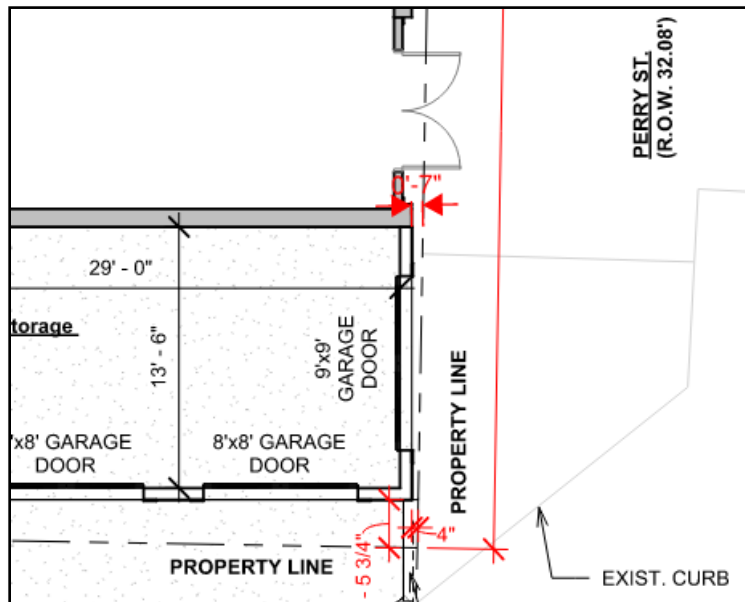


Figure 1: Existing front yard setback.

Similarly, the required rear yard setback is thirty (30) feet; however, the existing structure is located approximately sixteen and one-quarter (16.25) feet from the rear (south) property line and is therefore also nonconforming. City Code allows open, unenclosed decks to encroach up to ten (10) feet into the required setback, resulting in an effective minimum setback of twenty (20) feet for such structures. The applicant is requesting to reduce the setback to three (3) feet. As the structure already encroaches into the rear yard, the effective reduction is from approximately 16.25 feet to 3 feet (Figure 2, below).

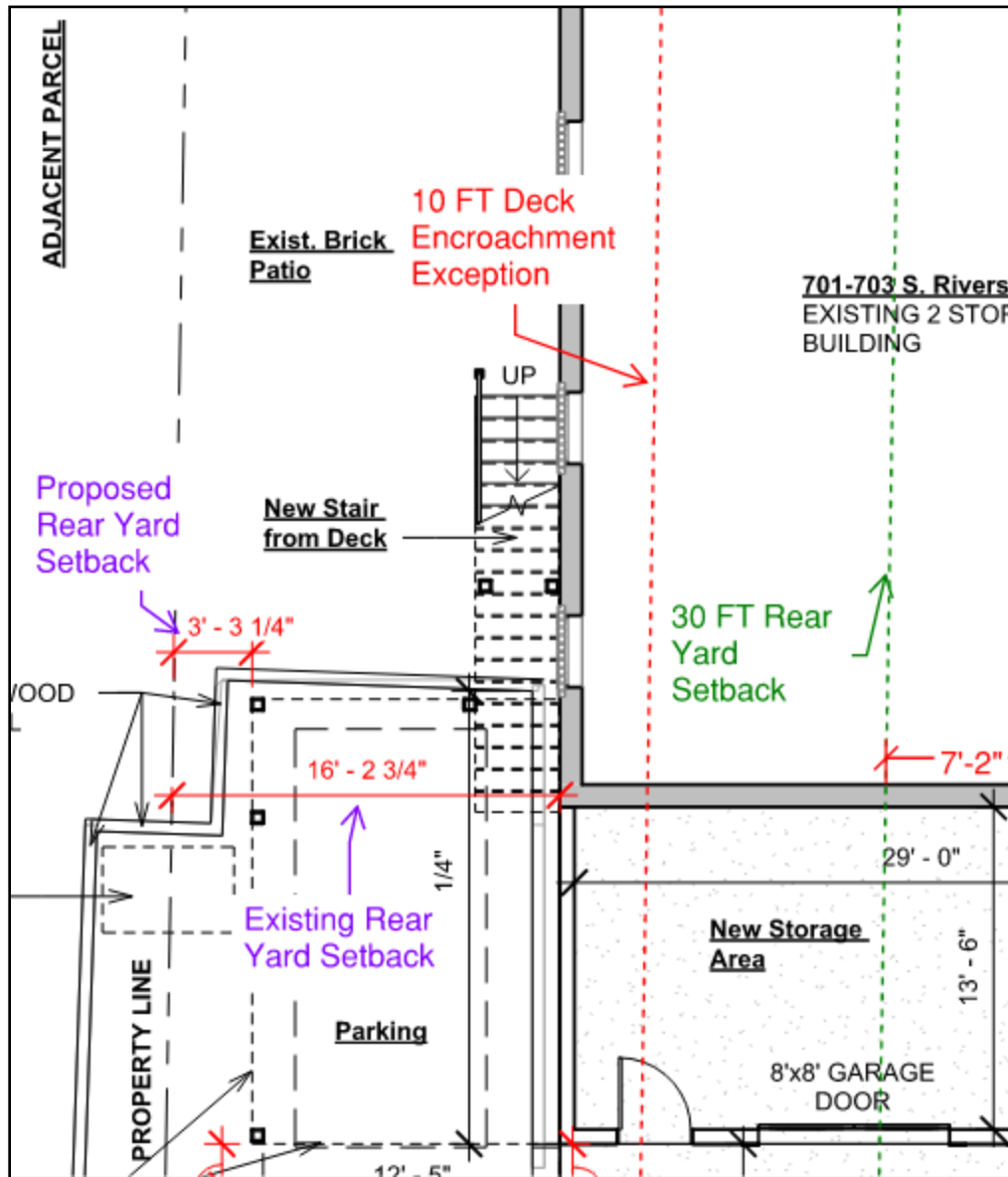


Figure 2: Submitted Site Plan screenshot with the proposed improvements, existing rear yard setback (16.25 feet), the deck encroachment setback (20 feet) and the required rear yard setback (30 feet).

ANALYSIS

Applicable Regulations:

The applicant is requesting a variance from the City's Zoning ordinance, as follows:

- §400.200(D)(5)(a): Minimum setback from front yard lot line: Ten (10) feet
- §400.620(A)(4): Minimum setback from rear yard lot line for an unenclosed deck: Twenty (20) feet

Criteria for Granting a Variance:

A variance is intended to provide relief to property owners who, due to their unique circumstances, would face practical difficulties or unnecessary hardship from the strict application of the zoning ordinance. However, while a variance can provide relief to a property owner and still protect the zoning ordinance from invalidation, variances are typically granted because of conditions or circumstances existing that are peculiar to the property or lot of record and not the result of the actions of the applicant.

Pursuant to §400.1080, the power to hear and decide variance cases regarding the requirements of Chapter 400 (Zoning Code) lies with the Board of Adjustment. The Board's decision is considered a quasi-judicial act; thus, the board shall consider the evidence submitted by staff, as well as the evidence presented by the applicant and make a finding with regard to the request for a variance. The decision of the Board is subject to appeal to the Circuit Court of St. Charles County.

In addition to the criteria established §400.1090(E & F), G of the same section provides additional policies that should be considered before a ruling on a variance. Therein, it establishes that:

1. Financial disadvantages to the property owner shall not constitute conclusive proof of unnecessary hardships within the purpose of zoning;
2. The Board does not possess the power to grant a zoning variance permitting the use of land or buildings that is not included as a use in the district involved;
3. In granting a variance, the Board may attach thereto any conditions and safeguards it deems necessary or desirable in furthering the purposes of the chapter; and
4. The Board shall study the effects of such proposed buildings or use upon the character of the neighborhood, traffic conditions, public utilities and other matters pertaining to the general welfare.

According to §400.1090 (F), the following factors are relevant to determining whether strict application of the regulation would result in practical difficulties or unnecessary hardship:

(1) Size of the variance. The relationship of the requested variance to the requirements of the applicable zoning regulations, i.e. a five foot variance is substantial if the required setback is seven feet; it is not as substantial if the required setback is 100 feet.

1st Request: The requested reduction to zero (0) feet represents a 100% reduction from the required ten (10) feet, and is considered **substantial**; however, the actual encroachment beyond the existing non-conforming structure is minimal, at approximately six (6) inches.

2nd Request: A request to reduce the rear yard setback for an unenclosed deck should be considered **substantial** (approx. 81.5%) as it decreases the setback from sixteen and one-quarter (16.25) feet to three (3) feet; however, the overall encroachment beyond what is already permitted for decks is limited in scope.

- (2) ***Effect on government services. The effect of the requested variance on population, density and available government facilities such as water, fire and police protection, and sanitary services.***

No negative effects on government services have been documented via staff review.

- (3) ***Effect on neighbors or neighborhood. The effect of the requested variance on adjoining properties or on the character of the neighborhood generally.***

Overall, the approval of the variances should **not** have a negative impact on the adjacent properties. It is not uncommon/unique within the City's historic areas for setbacks to be less than those required by the current zoning district's design standards. The majority of the structures within these districts are non-conforming, being constructed prior to the Zoning Code (with generally narrower lots than current developments under zoning).

It should also be noted that, if approved, the proposed structure additions will be located on the sides of the property that are not adjacent to any neighboring structures; therefore, staff has no concerns regarding fire separation.

- (4) ***Alternatives to a variance. The existence of a feasible alternative to the applicant's proposal or other means of alleviating the hardship.***

The applicant has indicated that the reason for the addition is to provide added secure, covered storage for the business. The existing business, Bike Stop Café, would like to have better storage for its rental bicycles and related equipment. Also, according to the applicant, there is an alternative to the request that includes rebuilding the existing deck and fenced enclosure below. Rebuilding in the same footprint would be considered maintenance of the non-conforming structure and would not require any variances. While this is alternate is available in lieu of a variance request, this approach would not allow the applicant to reasonably improve the functionality of the site or address operational needs within the constraints of the existing lot configuration.

- (5) ***Justice. The granting of a variance is a just action. The cause of the difficulty or the hardship should be unique to the land rather than to the applicant and should be related to the topography, configuration of the lot, or other characteristics of the land. The applicant or economic conditions should not be the cause of the difficulty.***

The subject property is constrained by its historic lot configuration, limited lot size, and pre-existing non-conforming setbacks, which are characteristic of development patterns within the South Main Preservation District. These conditions are not the result of actions taken by the current property owner, but rather are inherent to the property and the era in which it was developed.

According to the 1917 Sanborn maps (Figure 3, Page 6), the subject property was historically part of the adjacent parcel located at 700 S. Main Street and functioned as an accessory

structure to that primary building. Historical documentation (Figure 4, below) indicates that the parent parcel extended west to the railroad corridor prior to the construction of Riverside Drive. The subsequent right-of-way acquisition and roadway construction in the 1970's reduced the overall size of the property and altered the original structure, including the removal of a significant portion of the building. As a result, the lot now exists as an independently developed parcel with constraints that were not originally intended to function as a standalone site and as such, do not conform to current zoning standards.

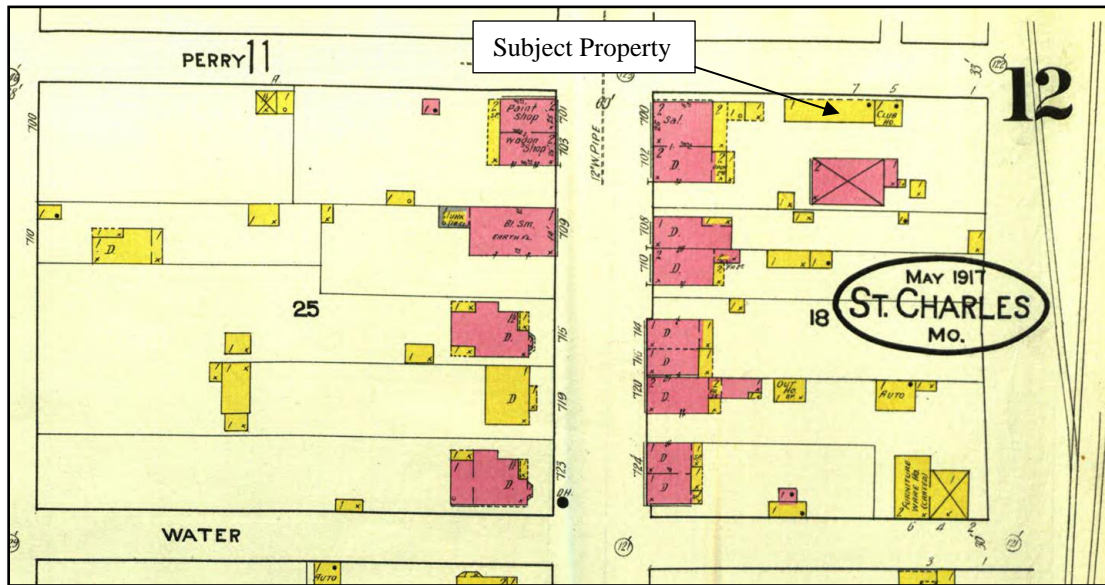


Figure 3: 1917 Sanborn Map Screenshot.



Figure 4: Photo of the subject building, pre-Riverside Drive.

Per the Zoning Code, the Design Standards for the HCD Historic Commercial District require a minimum lot size of seven thousand five hundred (7,500) square feet. The subject property is approximately 60% of the required lot size. This deficiency further limits the ability to reasonably meet current setback requirements.

In addition to this, the orientation of this property is unique to its surroundings as the front of this building faces Perry Street; however, Perry Street functions solely as a pedestrian corridor (see Figures 5 and 6, below).



Figures 5 & 6: Perry Street pedestrian walkway.

The existing structure already encroaches on both the front and rear yard setbacks, limiting the ability to expand or modify the building while complying with current zoning standards. Additionally, the location of the property, adjacent to public right-of-way and City-controlled land, reduces potential impacts on neighboring private properties and further distinguishes it from more typical interior lots where setback encroachments may have greater adverse effects.

The requested variances are primarily driven by the practical limitations of the site, including the need to utilize available space in a manner consistent with the historic development pattern of the area. The proposal allows for continued viable use of the property while maintaining compatibility with the surrounding district. Given these factors, strict application of the zoning ordinance would impose a practical difficulty that is directly tied to the unique physical characteristics and historical evolution of the property. Therefore, granting the variances can be considered a just and reasonable action.

STAFF RECOMMENDATION

After review of all pertinent information, the Department of Community Development recommends that both requests be **APPROVED**.

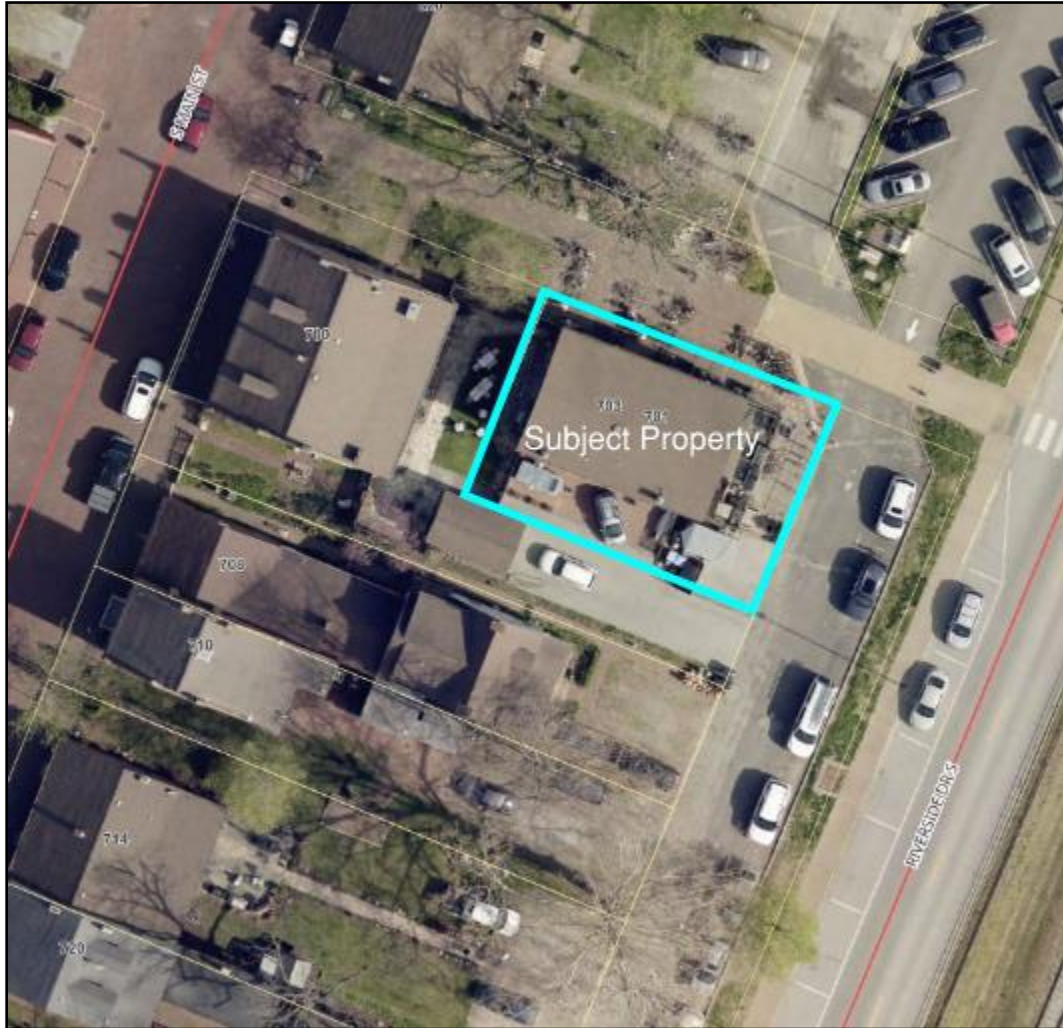


Figure 7: Aerial photo of the subject property.

The following are the criteria that the Board of Adjustment must consider when hearing an appeal to the zoning ordinance. Please address the following criteria in relation to your request:

1. Size of the Variance. The relationship of the requested variance to the requirements of the applicable zoning regulations, i.e. a five-foot variance is substantial if the required setback is seven feet, it is not as substantial if the required setback is 100 feet.

The north property line is along the Perry St. right of way and requires a front yard setback of 10'. Requesting to construct the addition in line with the current building which would require a 0' setback. At the East, although this is an adjacent parcel, it functions as a public way and also has been determined to be a front yard for the property requiring a 10' setback. Requesting a 0' setback along this property line as well. Property line to the south is considered a rear yard and requires a 30' setback. Requesting a 2' setback along this property line.

2. Effect on Government Services. The effect of the requested variance on population, density and available government facilities such as water, fire and police protection, and sanitary services.

none

3. Effect on the Neighbors or Neighborhood. The effect of the requested variance on adjoining properties or on the character of the neighborhood generally.

This variance requested for the east will not have any affect on the adjoining property to the east as it is a driveway. The proposed variance to the north would allow the structure to be constructed in line with the current building and would have no affect on the existing R.O.W. The proposed variance to the south would permit an open air deck w/ stair to grade constructed along a neighboring driveway. The current structure to be replaced is an open air wood deck with a fenced enclosure below. This construction would improve the look of the property by providing a proper enclosure below a portion of the new deck.

4. Alternatives to a variance. The existence of a feasible alternative to the applicant=s proposal or other means of alleviating the hardship.

The existing deck could be rebuilt as is and would be considered maintenance rather than a new structure, thus not requiring a variance to repair/rebuild. Same for the current fenced enclosure below. However, this would not provide a better secured storage area for the business.

5. Justice. The granting of the variance is a just action. The cause of the difficulty - the hardship should be unique to the land rather than to the applicant and should be related to the topography, configuration of the lot, or other characteristics of the land. The applicant or economic conditions should not be the cause of the difficulty:

The Owners of the property and business need a more secured enclosure to operate a portion of their business (bike rentals). Property records indicate the building was constructed in 1929 and it's design & location suggests that it was most likely constructed as an accessory structure to the primary structure at 700 S. Main St. This building & property at 701/703 S. Riverside Dr. was most likely separated as its own parcel of land before the current zoning codes existed, thus setting the current property lines as close to the building as they are and providing no area for expansion/addition to the building under current zoning ordinances. The granting of this variance will not have impacts on adjacent properties as the location for the addition is along a drive/alley and right of way. The proposed construction will improve the appearance of the alleyway by replacing a deck & fenced enclosure in need of repair.

47' - 0"

PROPERTY LINE

ADJACENT PARCEL

EXIST. FENCE

Exist. Brick Patio

701-703 S. Riverside Dr.
EXISTING 2 STORY
BUILDING

Exist. Brick Patio

77' - 0"

New Stair
from Deck

UP

3' - 3 1/4"

EXIST. WOOD
TIE WALL

16' - 2 3/4"

EXIST.
TRASH

PROPERTY LINE

Parking

18' - 11 1/4"

New Storage
Area

29' - 0"

13' - 6"

9'x9'
GARAGE
DOOR

8'x8' GARAGE
DOOR

8'x8' GARAGE
DOOR

PROPERTY LINE

EXIST. CURB

OUTLINE
OF DECK
ABOVE

12' - 5"

1' - 8 3/4"

1' - 11 1/2"

7' - 4 3/4"

PROPERTY LINE

2' - 5 3/4"

EXIST. WOOD
TIE WALL

EXIST.
ASPHALT
PARKING

EXIST. WOOD
TIE WALL

ADJACENT PARCEL:
OWNER - CITY OF ST. CHARLES

SOUTH RIVERSIDE DRIVE
(R.O.W. 36.30')

Renovations for:
701-703 S. Riverside Dr. Addition

Project number 25-121

little hills architecture

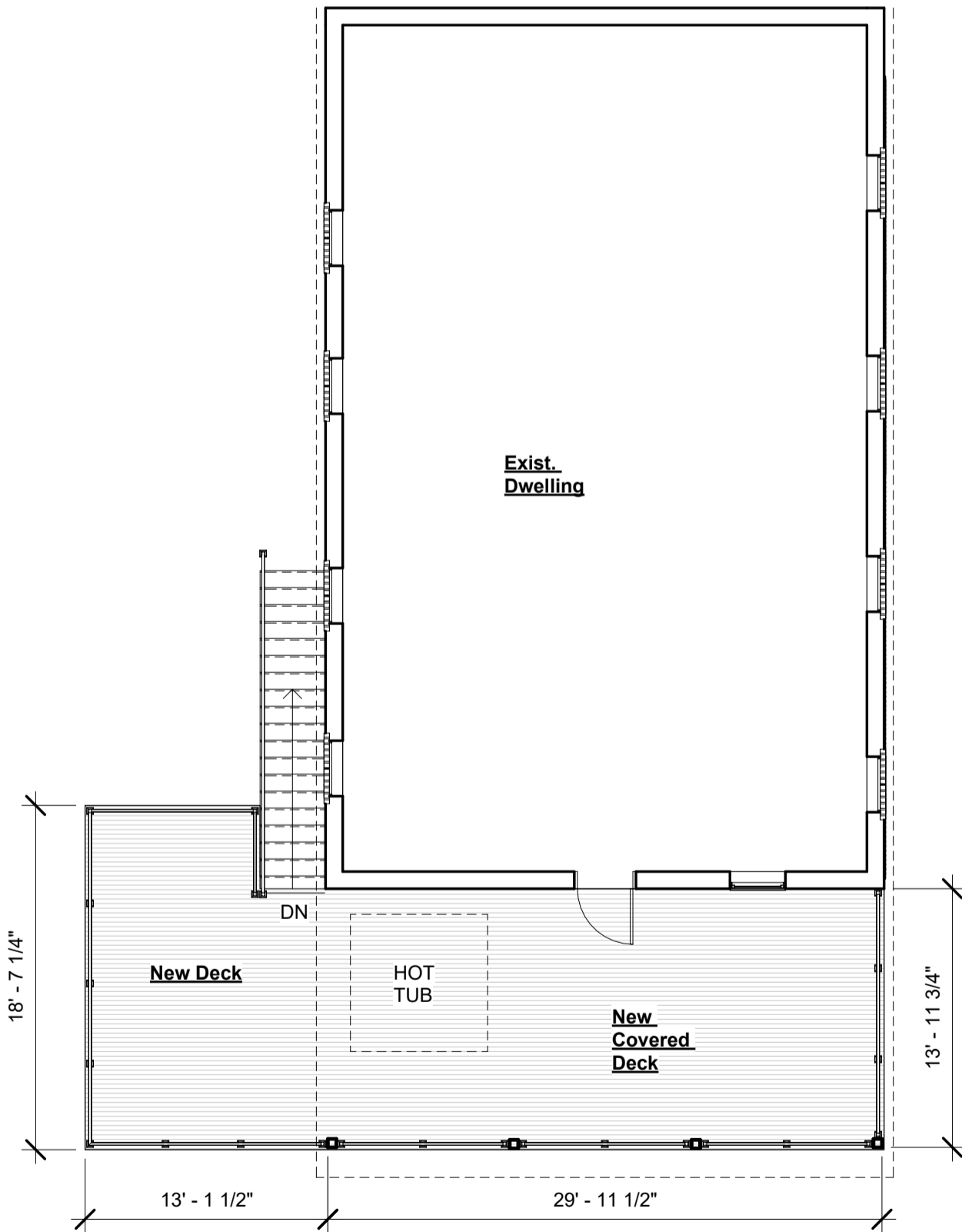
1 Site Plan & First Floor
1/8" = 1'-0"

NORTH

Site Plan	Sheet
Date	3/10/2026
BOA Appeal	01



② 3D View - Perry St.



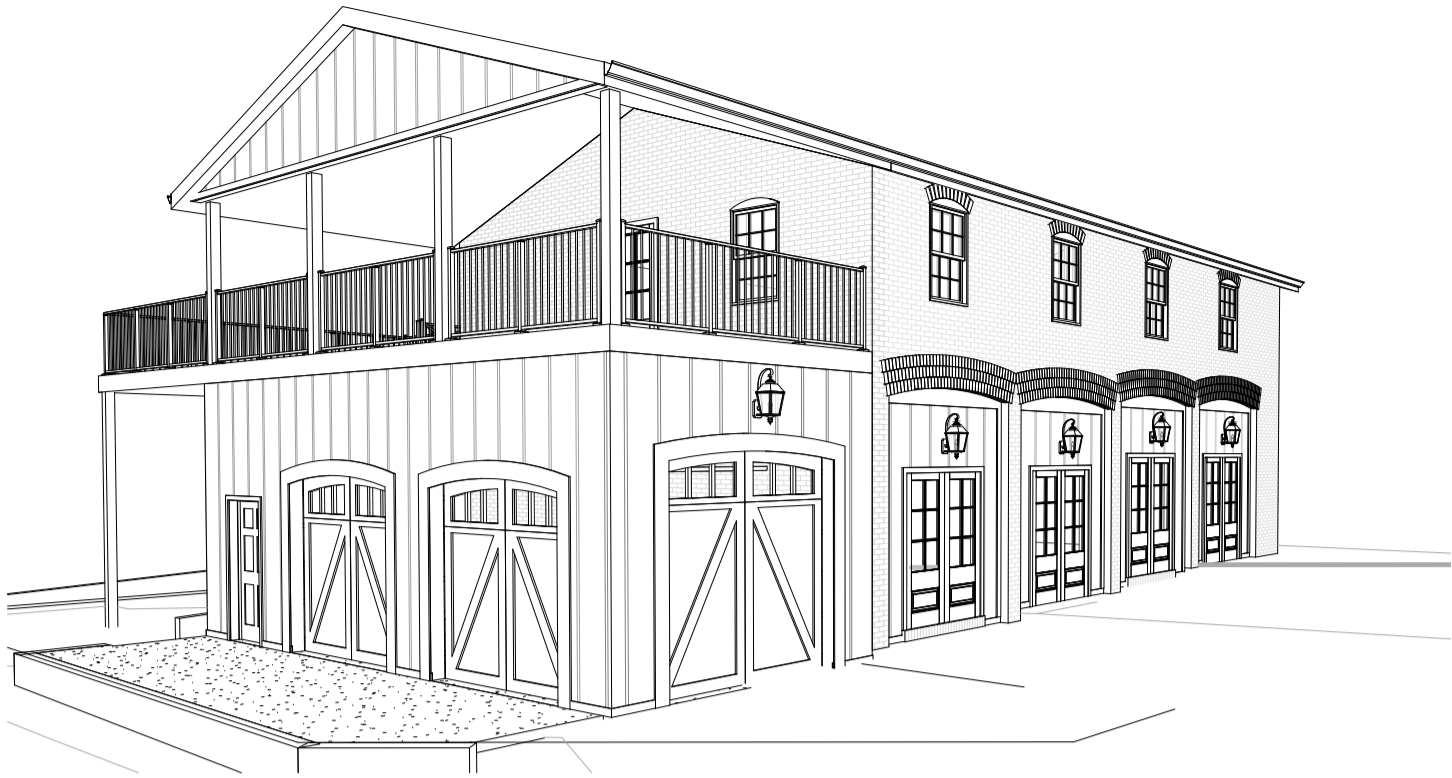
① Second Floor
1/8" = 1'-0"

Renovations for:
701-703 S. Riverside Dr. Addition

Project number 25-121

little hills architecture

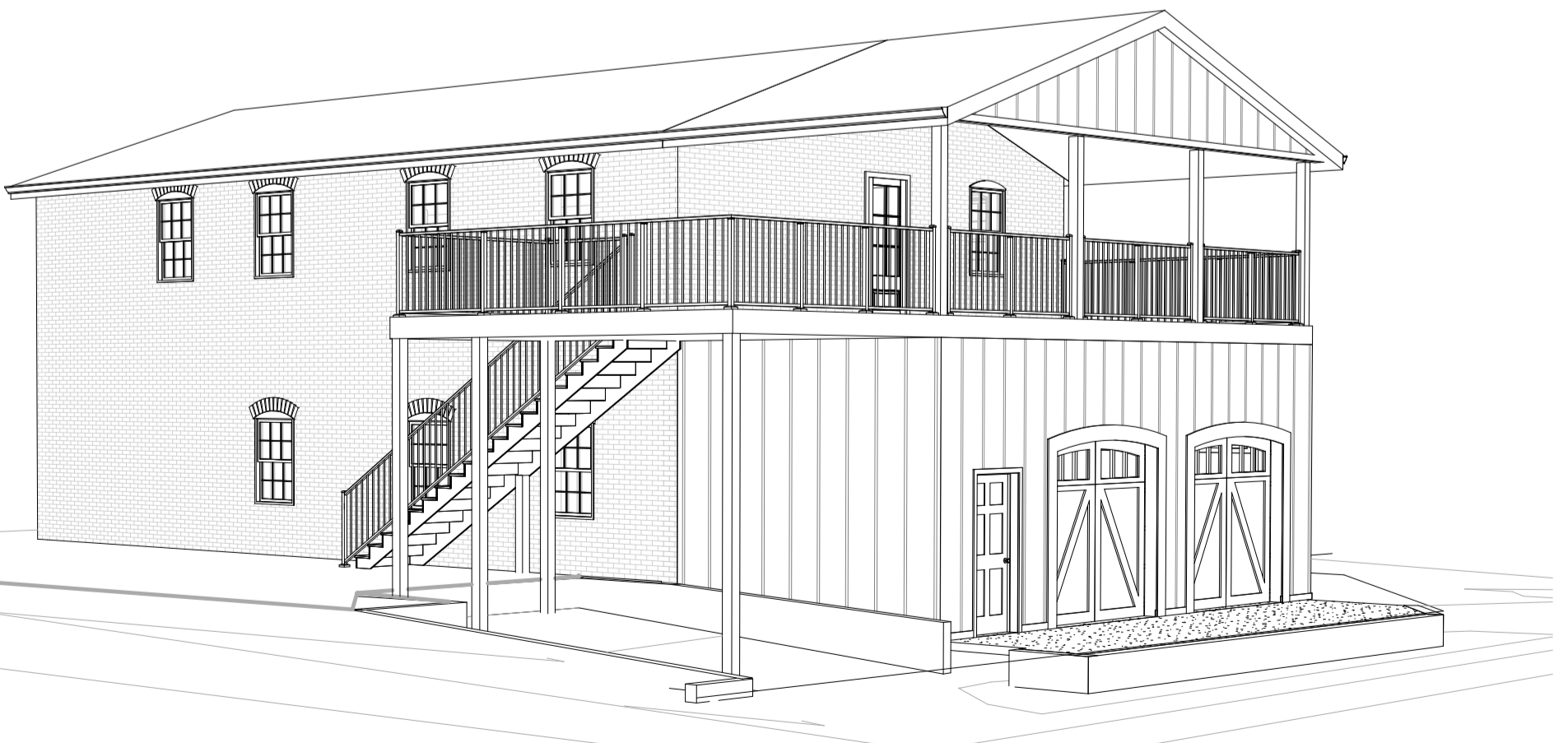
Second Floor	Sheet
Date	3/10/2026
BOA Appeal	
02	



1 3D View 1



2 3D View 2



4 3D View 3

Renovations for:
701-703 S. Riverside Dr. Addition

Project number 25-121

little hills architecture

3D Views	Sheet
Date	3/10/2026
	BOA Appeal
	03



① Perry Street View (North)
 3/16" = 1'-0"

Renovations for:
 701-703 S. Riverside Dr. Addition

Project number 25-121

little hills architecture

Elevation	Sheet
Date 3/10/2026	04
BOA Appeal	



① Side View (South)
3/16" = 1'-0"



② Riverside Dr. View (East)
3/16" = 1'-0"

Renovations for:
701-703 S. Riverside Dr. Addition

Project number 25-121

little hills architecture

Elevations	Sheet
Date 3/10/2026	05
BOA Appeal	

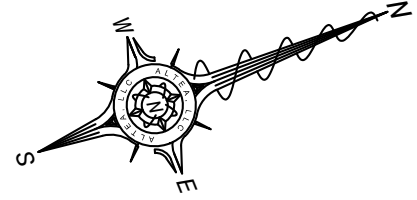
BOUNDARY RETRACEMENT AND IMPROVEMENT SURVEY

701-703 SOUTH RIVERSIDE DRIVE

A LOT OF GROUND BEING PART OF CITY BLOCK 18
ST. CHARLES COUNTY, MISSOURI

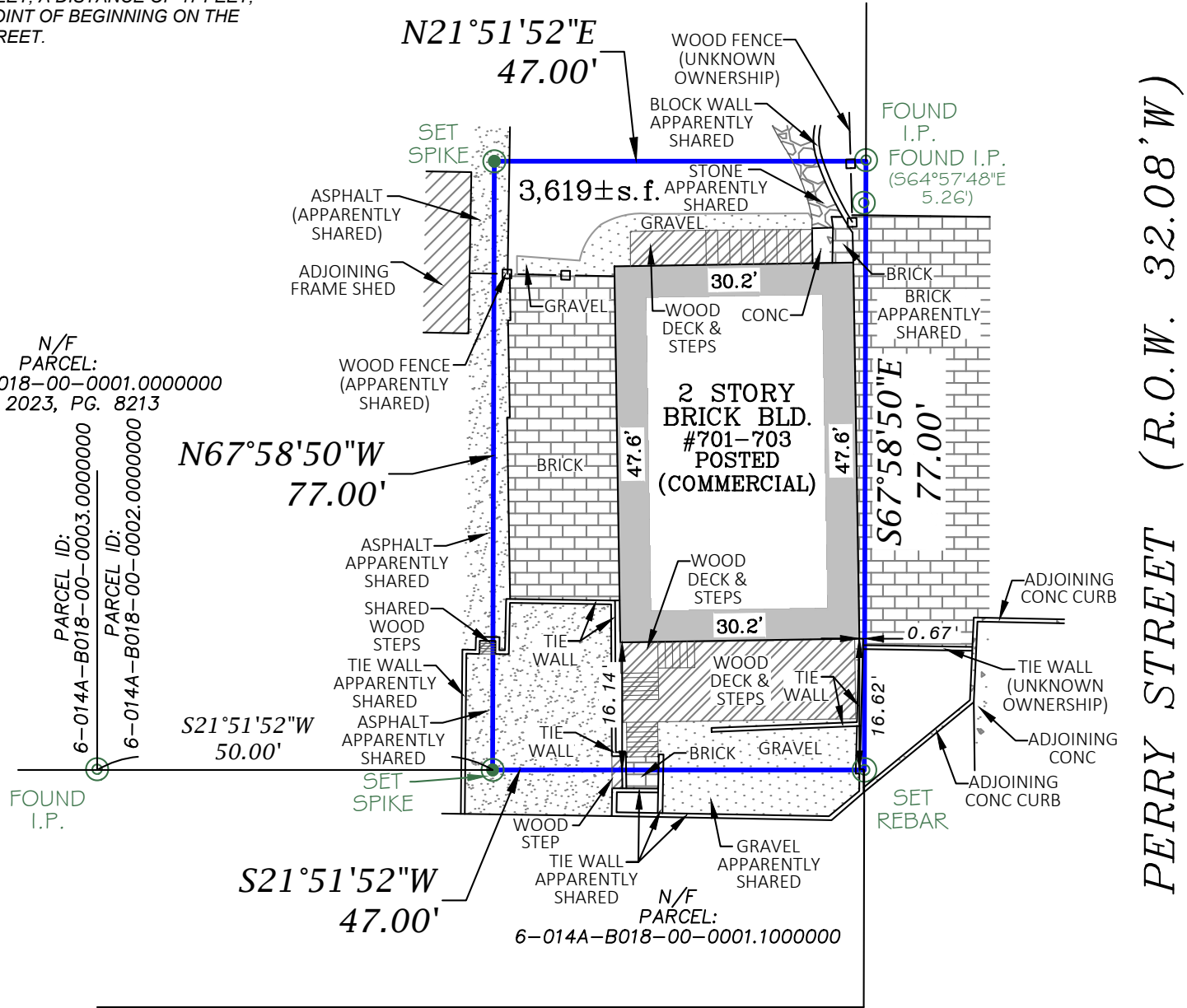
LEGAL DESCRIPTION

A LOT OF GROUND BEING PART OF CITY BLOCK 18 OF THE CITY OF ST. CHARLES, ST. CHARLES COUNTY, MISSOURI, FRONTING 77 FEET ON THE SOUTH LINE OF PERRY STREET, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE POINT OF BEGINNING, WHICH POINT IS IN THE SOUTH LINE OF PERRY STREET, EXACTLY 73 FEET EAST OF THE INTERSECTION OF THE EAST LINE OF MAIN STREET AND THE SOUTH LINE OF PERRY STREET; THENCE EASTWARDLY WITH THE SOUTH LINE OF PERRY STREET A DISTANCE OF 77 FEET, MORE OR LESS, TO A POINT; THENCE SOUTHWARDLY ALONG A LINE PARALLEL WITH MAIN STREET A DISTANCE OF 47 FEET, MORE OR LESS, TO A POINT; THENCE EASTWARDLY ALONG A LINE PARALLEL WITH PERRY STREET A DISTANCE OF 77 FEET, MORE OR LESS, TO A POINT; THENCE NORTHWARDLY PARALLEL WITH MAIN STREET, A DISTANCE OF 47 FEET, MORE OR LESS, OF THE POINT OF BEGINNING ON THE SOUTH LINE OF PERRY STREET.

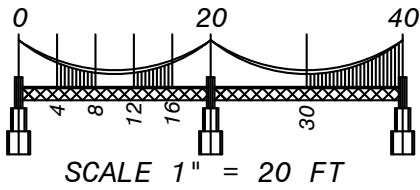


LOT 1
N/F
PARCEL:
6-014A-B018-00-0001.0000000
D.B. 2023, PG. 8213

N/F
PARCEL:
6-014A-B018-00-0001.0000000
D.B. 2023, PG. 8213



SOUTH RIVERSIDE DRIVE (R.O.W. 36.30' W) (FORMERLY RIVERSIDE DRIVE)



BASIS OF BEARINGS

BASIS OF BEARINGS ARE GRID NORTH, DERIVED FROM TIES TO MISSOURI STATE PLANE COORDINATES USING GPS OBSERVATIONS REFERENCED TO MODOT VRS NETWORK ON NOVEMBER 05, 2025 WITH THE FOLLOWING PARAMETERS:

ZONE: MISSOURI EAST 2401
HORIZONTAL DATUM: NAD83
VRS BASE STATION PRS1258813930 (CORS-ID MOOF)
N (Y) = 324131.152 (METERS)
E (X) = 232983.491 (METERS)
ELEVATION = 497.01'
COMBINED FACTOR = 0.99993690
VERTICAL DATUM: NAVD88 (GEOID12B)

CONTROLLING CORNERS USED:
I.P. - SOUTHEAST CORNER LOT 3

1"=0.08'
2"=0.17'
3"=0.25'
4"=0.33'
5"=0.42'
6"=0.5'
7"=0.58'
8"=0.67'
9"=0.75'
10"=0.83'
11"=0.92'

LINE TYPES

—○—	CHAIN FENCE	—	BOUNDARY LINE
—	EASEMENT	—□—	WOOD/VINYL/METAL FENCE
—	LINE	—x—	WIRE FENCE
---	SETBACK LINE	—	BUILDING
---	PARCEL LINE	—	FOOTPRINT
---	U.S. SURVEY/SECTION LINE	—	CENTERLINE

TITLE NOTES

THIS DRAWING HAS BEEN COMPILED WITHOUT THE BENEFIT OF A CURRENT CERTIFICATE OF TITLE EXAMINATION AND, THEREFORE, MAY NOT CONTAIN EASEMENTS, RESERVATIONS, EXCEPTIONS, RESTRICTIONS AND COVENANTS OF RECORD.

I.P.=IRON PIPE I.R.=IRON ROD (S)=SURVEYED (R)=RECORD NR=NON-RADIAL P.B.=PLAT BOOK PG.=PAGE D.B.=DEED BOOK S.F.=SQUARE FEET N/F=NOW OR FORMERLY C/L=CENTERLINE CONC=CONCRETE R.O.W.=RIGHT-OF-WAY

SURVEYOR'S STATEMENT

AT THE REQUEST OF JODI DEVONSHIRE, ALTEA, LLC, HAS DURING THE MONTH OF NOVEMBER, 2025, EXECUTED A BOUNDARY RETRACEMENT & IMPROVEMENT SURVEY OF A LOT OF GROUND BEING PART OF CITY BLOCK 18 OF THE ST. CHARLES COUNTY, MISSOURI, RECORDS, TOGETHER WITH THE LOCATION OF OBSERVED IMPROVEMENTS THEREON, AND THAT THE RESULTS OF SAID SURVEY ARE IN MY PROFESSIONAL OPINION, CORRECTLY INDICATED ON THE ABOVE PLAT. THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR URBAN CLASS PROPERTY. BUILDING SETBACK INFORMATION DEPICTED HEREON IS FROM THE RECORD PLAT OR CITY BLOCK MAP (IF APPLICABLE). PLANNING AND ZONING RESTRICTIONS WERE NOT OBTAINED OR ADDRESSED AS A PART OF THIS SURVEY. DECLARATION IS MADE TO THE ORIGINAL PURCHASER OF THIS SURVEY ONLY AND IS NOT TRANSFERABLE. UTILITY LOCATES WERE NOT REQUESTED AND NO UTILITIES OR SEWERS WERE LOCATED IN CONJUNCTION WITH THIS SURVEY. THE OPINION OF THE ORIGIN OF THE FENCES SHOWN HEREON IS FROM EVIDENCE OBSERVED DURING THE COURSE OF THIS SURVEY, AND MAY INCLUDE: FENCE CONSTRUCTION, OCCUPANT TESTIMONY, OR OTHER AVAILABLE INFORMATION. NO GUARANTEE IS MADE OR CERTAINTY GIVEN AS TO THE ORIGIN OR OWNERSHIP OF FENCES. THIS BOUNDARY SURVEY IS NON-TRANSFERABLE. DUE TO EACH MUNICIPALITY HAVING DIFFERENT ZONING SETBACK REQUIREMENTS, OVERHANGS SHOWN ON THIS SURVEY MAY BE IN VIOLATIONS THAT THE SURVEYOR IS NOT AWARE OF AND MAKES NO WARRANTIES TO THIS AFFECT.

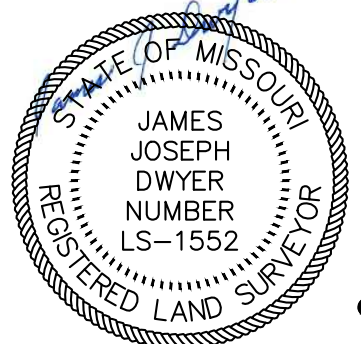
AS AGENT OF ALTEA, LLC

DATE 11-7-25

ALTEA, LLC
Consulting Land Surveyors
3906 S. OLD HWY 94, SUITE 600
ST. CHARLES, MO 63304
PHONE: (636) 477-6000
FAX: (636) 898-0950
WWW.ALTEALS.COM
© 2025 ALTEA, LLC

PROJECT NUMBER: **25-2917-O**

1 OF 1	FIELD CREW & FIELD DATE:	CLS-11/5/2025
	DRAFTER:	LD/SY
	DRAFTED ON:	11/6/2025
	REVIEWER:	BLH
	REVIEWED ON:	11/6/2025



ALTEA, LLC
PROFESSIONAL LAND SURVEYING
CERTIFICATE OF AUTHORITY: 2013023731







AGENDA ITEM #5

Memorandum

To: Board of Adjustment

From: Lara Berry, Planner

Date: April 1, 2026

Subject: BOA-2026-07 – Withdrawn by Applicant

This application has been withdrawn by the applicant. No further action is required by the Board.