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BOARD OF ADJUSTMENT AGENDA  
May 4, 2026

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BOARD OF ADJUSTMENT:

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

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, May 4, 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 April 6, 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-2026-08. Address: 305 Morgan Street (Micki Beucke – Little Hills Architecture). A request to increase the maximum height of the primary structure from thirty-five (35) feet to forty-five (45) feet to reconstruct a “crow’s nest” above the existing roof, as regulated in Section 400.150(E)(7) of the City of St. Charles Code of Ordinances.

The property is zoned R-1E/FPD/EHP R-1E Single-Family Residential District within the Frenchtown Preservation District and within Extended Historic Preservation District (Ward 1).

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 04/28/2026 @ 4:00 pm by MPB**

CITY OF ST CHARLES

STATE OF MISSOURI

BOARD OF ADJUSTMENT MEETING

April 6, 2026

THE HONORABLE RICHARD ALFERMAN, CHAIRMAN PRESIDING

TIME: 6:00 p.m.

MINUTES

By Lara Berry

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, April 6, 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

Regular Members Absent: Maureen Rogers-Bouxsein

Lara Berry, City Planner

Madelyn P. Brown, City Planner

APPROVAL OF THE MARCH 2, 2026 MINUTES

MOTION WAS MADE BY LATONYA GROTEGEERS: I move we approve the minutes from the previous meeting.

MOTION WAS SECONDED BY KEITH WHITTEMORE.

VOICE VOTE: 5 IN FAVOR, 0 OPPOSED. MOTION PASSED.

AGENDA ITEM #1 – GWEN KEEN – QUIKTRIP CORPORATION

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

MOTION WAS MADE BY LATONYA GROTEGEERS: I move to table Case No. BOA-2026-01 to the May 4, 2026 meeting.

MOTION WAS SECONDED BY MARITA MALONE.

ROLL-CALL VOTE: 5 IN FAVOR, 0 OPPOSED. MOTION PASSED.

***AYE:*** *Alferman, Grotegeers, Malone, Whittemore, Kneemiller; NO: None; ABSTAIN: None; ABSENT: Rogers-Bouxsein.*

AGENDA ITEM #2 – MICKI BEUCKE – LITTLE HILLS ARCHITECTURE

CASE NO. BOA-2026-04. ADDRESS: 702 Jackson Street. 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).

PUBLIC SPEAKERS: Councilmember Mark Hollander (Ward 2), speaking in favor of the application.

MOTION WAS MADE BY LATONYA GROTEGEERS: I move that we approve Case No. BOA-2026-04, as submitted.

MOTION WAS SECONDED BY MARITA MALONE.

ROLL-CALL VOTE: 5 IN FAVOR, 0 OPPOSED. MOTION PASSED.

**AYE:** *Alferman, Grotegeers, Malone, Whittemore, Kneemiller*; **NO:** *None*; **ABSTAIN:** *None*; **ABSENT:** *Rogers-Bouxsein.*

AGENDA ITEM #3 – MICKI BEUCKE – LITTLE HILLS ARCHITECTURE

CASE NO. BOA-2026-05. ADDRESS: 3450 Elm Point Road. 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).

PUBLIC SPEAKERS: None

MOTION WAS MADE BY MARITA MALONE: I move to approve Case No. BOA-2026-05, as presented.

MOTION WAS SECONDED BY LATONYA GROTEGEERS.

ROLL-CALL VOTE: 5 IN FAVOR, 0 OPPOSED. MOTION PASSED

**AYE:** *Alferman, Grotegeers, Malone, Whittemore, Kneemiller*; **NO:** *None*; **ABSTAIN:** *None*; **ABSENT:** *Rogers-Bouxsein.*

AGENDA ITEM #4 – MICKI BEUCKE – LITTLE HILLS ARCHITECTURE

CASE NO. BOA-2026-06. ADDRESS: 701-703 S. Riverside Drive. 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).

PUBLIC SPEAKERS: Councilmember Mark Hollander (Ward 2), speaking in favor of the application.

MOTION WAS MADE BY LATONYA GROTEGEERS: I move that we approve Case No. BOA-2026-06, as submitted.

MOTION WAS SECONDED BY MARITA MALONE.

ROLL-CALL VOTE: 5 IN FAVOR, 0 OPPOSED. MOTION PASSED

**AYE:** *Alferman, Grotegeers, Malone, Whittemore, Kneemiller*; **NO:** *None*; **ABSTAIN:** *None*; **ABSENT:** *Rogers-Bouxsein.*

AGENDA ITEM #5 – MIKE BURKHART – WE DESIGN MANAGEMENT

CASE NO. BOA-2026-07. ADDRESS: Lynnbrook Drive & S. Old Highway 94. 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.***

NO FURTHER ACTION IS REQUIRED BY THE BOARD.

MOTION WAS MADE BY LATONYA GROTEGEERS: I move we adjourn.

MOTION WAS SECONDED BY KEITH WHITTEMORE.

VOICE VOTE: 5 IN FAVOR, 0 OPPOSED. MOTION PASSED.

Meeting adjourned at 6:51 p.m.



**AGENDA ITEM #1**

**STAFF REPORT  
BOA-2026-01  
3801 HARRY S. TRUMAN BLVD**

**May 4, 2026  
BY MADELYN P. BROWN**

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**GENERAL INFORMATION**

***Applicant:*** Gwen Keen  
Quik Trip Corporation  
13500 Riverport Drive  
Maryland Heights, Missouri 63043

***Owner:*** Gemini Terrasky LLC  
14567 N Outer 40 Road, Suite 475  
Chesterfield, MO 63017

***Location:*** 3801 Harry S. Truman Boulevard  
Ward 6

***Request:*** 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.

***Zoning:*** C-3 Highway Business District

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

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	C-3	Commercial
South	Hwy I-70	R.O.W.
East	C-3	Commercial
West	I-1	Cemetery

**REQUEST**

The subject property is located at 3801 Harry S. Truman Boulevard. The property is approximately 1.79 acres and is zoned C-3 Highway Business District. The site is the future location of a QuikTrip Gas Station. The applicant is seeking a variance to increase the maximum height of a freestanding pole sign from thirty (30) feet to fifty (50) feet, specifically for the gas price signage at the corner of Harry S. Truman Boulevard and West Clay Street.

## **BACKGROUND**

### ***3801 Harry S Truman Boulevard Background:***

At the December 8, 2025 Planning and Zoning Commission meeting, the subject property received site plan approval a new automobile service station with a 6,445 square foot convenience store and seven (7) fuel pumps. While specific signage was not a part of the site plan approval, the subject variance request and proposed sign design is associated with the new QuikTrip location.

### ***Existing Signage Background:***

There is an existing pole sign currently located on the subject property (3801 Harry S. Truman Boulevard). This sign pertains to EPC Inc., which is located directly to the north of the subject property at 3941 Harry S. Truman Boulevard. EPC has been permitted the use of an off-site sign through an existing easement. This sign cannot be transferred to 3941 Harry S. Truman Boulevard because pole signs are not permitted on properties without highway frontage, which is the case for this property.

Under current code, two freestanding signs would be permitted for each of the frontages at 3801 Harry S. Truman Boulevard; however, if the EPC pole sign remains, QuikTrip would be limited to one freestanding sign (either a pole sign or monument sign).

### ***City of St. Charles Sign Code Background:***

On July 1, 2025, the City of St. Charles adopted an ordinance implementing a new sign code under Chapter 400. The sign code update accomplished a comprehensive re-write of the City's Sign Regulations, which allows additional flexibility and allowances for signage. One of the primary goals of the new standards is to reduce the number of variance requests concerning signage. Included in this update is the permitting of larger commercial/industrial ground monument signs and wall signage; however, it was determined that the maximum height of pole signs should be left unchanged. The final adoption of the code involved review and input from City staff, sign consultants, Key City Stakeholders, the Planning and Zoning Commission, and City Council.

## **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.

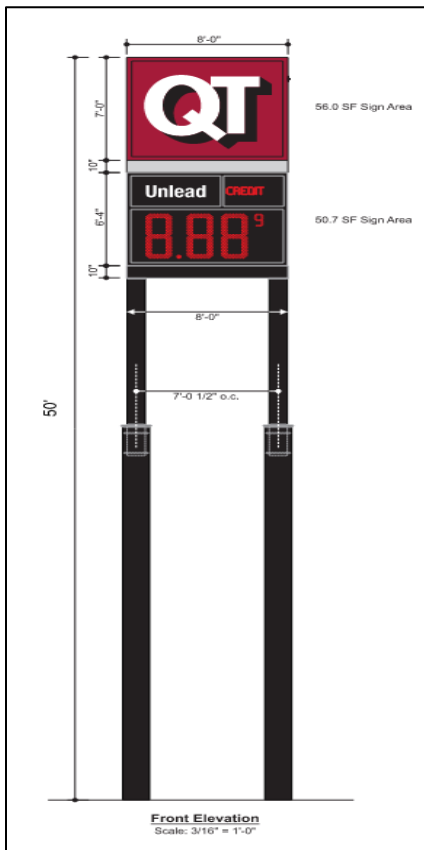
According to §400.1090 (F), the following factors are relevant to determining whether strict application of the regulation would result in practical difficulties or unnecessary hardship:

- (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 increase the minimum height of a freestanding pole sign from thirty (30) feet to fifty (50) feet is an approximate 40% increase. 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.***

Overall, the approval of the variances should **not** have a negative impact on the adjacent properties. There are nearby properties with freestanding pole signs of similar heights. However, these properties are either located in a different municipality or are non-conforming signs approved prior to current sign code. Therefore, these signs should not set the standard, as approval of this variance request may set a precedent for other nearby properties to make similar variance requests for increased signage.

- (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 increased signage height would be to install a pole sign which is compliant with code. According to the applicant's statement (attached), the site's proximity to Highway

Figure 1: Proposed signage.

70 and the grades do not allow for an alternative to the variance. Upon review of the approved site plan, staff has determined that the proposed pole sign location sits at an elevation that, while limited, would provide visibility from Highway 70 while maintaining a compliant height of 30 feet.

Additionally, based on the road frontage available at this site, an alternative exists to increase the overall area of the sign face. The proposed sign face is 106.7 square feet in size (see Figure 1); however, the City of Saint Charles Sign Code permits up to 150 square feet based on the road frontage on site. Because of the frontage along West Clay Street and Harry S. Truman Boulevard, the site is permitted the maximum sign face area of 150 square feet.

Based on these factors, Staff has identified that alternative to the request would be to increase the sign face area as opposed to increasing the sign height.

- (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 discussed within the background section (above) the sign code has recently undergone an update to address unnecessary restrictions which result in an influx of variance requests through the Board of Adjustment. While the overall area of monument and wall signage was increased through the text amendment, the vertical height of pole signs remained unchanged. This consistency in allowed height demonstrates that the review from the involved parties did not identify a need for amendment. The intent of restricting the vertical height is to preserve the scale of freestanding pole signs without creating a visual nuisance.

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 topography and location of the site. However, many properties along this corridor sit at elevations lower than the highway. Because these conditions are common to multiple sites in the area, this does not constitute a unique condition of the land. Additionally, it is important to note that pole signs are an additional allowance for sites with highway frontage and not an entitlement for non-highway frontage lots. That being said, a request for increase signage for additional visibility is a preference of the applicant and would not be considered an unavoidable hardship.

Furthermore, the applicant's statement references several other pole signs along Highway 70 which are 50 feet or higher. As stated above in the effect on neighbors or neighborhood section, staff has evaluated the nearby signage and determined that the signage is either located on properties within other municipalities or are non-conforming with current code. While nearby properties have signage of similar height, the non-conformities are intended not to serve as a precedent, but to be eliminated over time and made compliant with code. The restricted pole sign height is to set a standard for signage within the boundaries of the City of St. Charles and not align with other municipalities with different standards.

**Based on these factors, Staff believes the approval of this request would not 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 ***DENIED***.

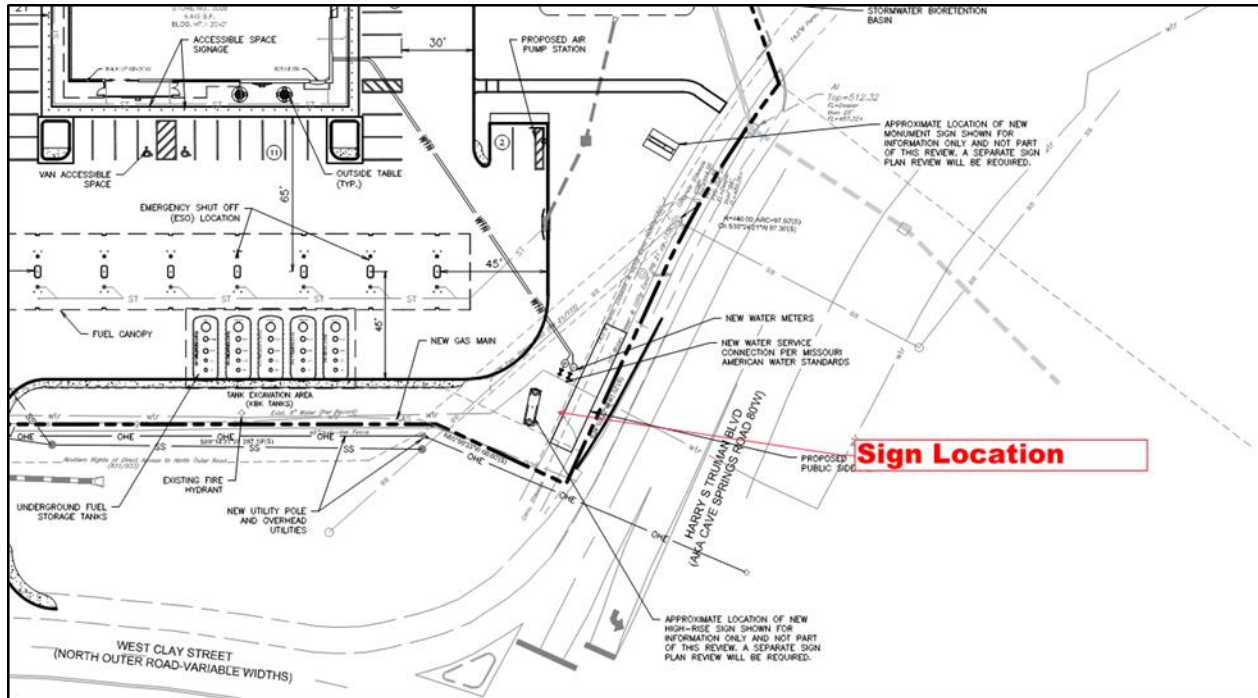


Figure 2: Proposed sign location.



Figure 3: Street view of subject property.



Figure 4: Aerial Photo 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.

The issue is visibility as this site sets lower than Interstate 70 and the limitation of the height will prevent the sign being clearly seen. the sign elevation shows all of the dimension of the requested sign.

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.

The granting of this variance will have no effect of any government services.

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

The granting of this variance will have no effect on the neighbors or neighborhood.

Several signs along Interstate 70 are the requested hieght or higher.

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

There are no alternatives as the site location is restricting with its proximately to Interstate 70 and the grades.

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:

This site has a visibiity issue due to its proximately to Interstate 70 and the grades.







**AGENDA ITEM #2**

**STAFF REPORT  
BOARD OF ADJUSTMENT  
CASE NO. BOA-2026-08  
305 MORGAN STREET**

**MAY 4, 2026  
BY LARA BERRY**

**GENERAL INFORMATION**

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

**PROPERTY OWNER:** James & Meghan Reed  
305 Morgan Street  
St. Charles, Missouri 63301

**LOCATION:** 305 Morgan Street  
Ward 1

**REQUEST:** A request to increase the maximum height of building from thirty-five (35) feet to forty-five (45) feet to reconstruct a “crow’s nest” structure above the existing roof, as regulated in Section 400.150(E)(7) of the City of St. Charles Code of Ordinances.

**ZONING:** R-1E/FPD/EHP R-1E Single-Family Residential District within the Frenchtown Preservation District and the Extended Historic Preservation District

**ADJACENT ZONING  
& LAND USE:**

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	R-1E/FPD	Residential
South	R-1E/FPD	Residential
East	R-1E/FPD	Residential
West	R-1E/FPD	Residential

**REQUESTS**

The applicant is requesting a variance to increase the maximum height of a building to reconstruct a “crow’s nest” structure above the existing roof (Figure 1, Page 2). The maximum height of a building within the R-1E Single-Family Residential District is two and one-half (2.5) stories or thirty-five (35) feet and the proposed construction would increase the height to forty-five (45) feet.

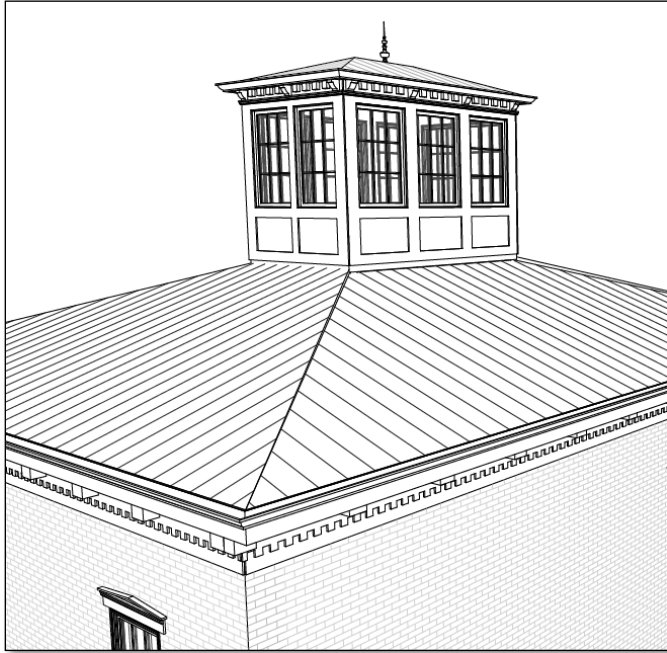


Figure 1: Architectural rendering of proposed construction.

### **BACKGROUND**

The subject property is located at the southwest corner of the intersection of Morgan and N. Third Streets. The site consists of a 0.45-acre lot zoned “R-1E/FPD” R-1E Single-Family Residential District within the “FPD” Frenchtown Preservation District. The property is developed with a single-family dwelling with an accessory log cabin guest house (approved via CU-2016-01).

The primary structure, location of the proposed construction, is a two-story, brick Italianate style house built in 1865. According to the 1900 Sanborn Map, this structure originally had a 10 ft. structure on the top of the home (Figure 2, below).

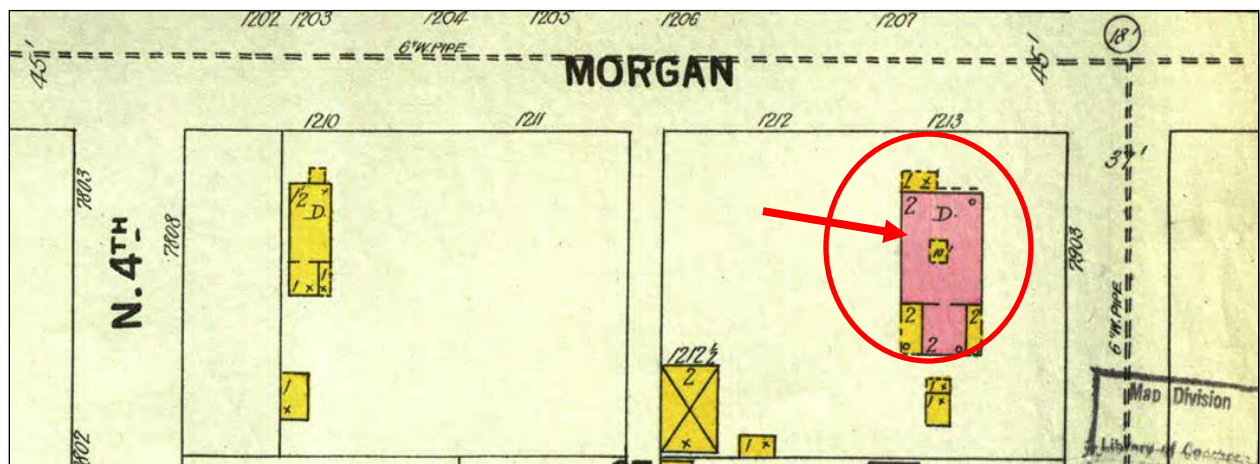


Figure 2: 1900 Sanborn Map identifying the subject structure.

Additionally, the applicant provided two (2) historical photos (Figures 3 and 4 below) of the subject property that show that a “crow’s nest” was original to the house.



*Figure 3: Historical photo of the subject property.*



*Figure 4: Historical photo of the subject property.*

City records further indicate a similar request was reviewed and approved by the Landmarks Board in 2006 to reconstruct the “crow’s nest” feature. At that time, the previous property owner noted that the original feature had been removed circa 1920. However, the approved proposal was never constructed. Based on staff review, a corresponding variance to exceed the maximum building height was not requested at that time and would have been required for implementation

Despite its removal, the location of the former architectural feature remains visible on the existing structure today, further supporting its historic presence and original configuration (Figure 5, below).



Figure 5: Aerial photo of the subject property.

## ANALYSIS

### ***Applicable Regulations:***

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

- ***§400.150(E)(7) – Maximum height of building: two and one half (2 1/2) stories or thirty-five (35) 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.***

The request to increase the maximum building height from thirty-five (35) feet to forty-five (45) feet is an approximate 28.5% increase. This request would be considered **substantial** because it is more 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 subject property is located within both the Frenchtown Preservation District (FPD) where preservation of historic character is a primary consideration. The proposed "crow's nest" is not a new architectural element, but rather a reconstruction of a feature that historically existed on the structure, as supported by the 1900 Sanborn Map and historical photographs provided by the applicant.

While the requested increase in height is notable, the addition is limited in scale and confined to a vertical extension above the existing structure, with no expansion of the building footprint. As such, there are no impacts to adjoining properties related to setbacks, lot coverage, or site circulation. Potential impacts such as increased visibility or privacy concerns may exist; however, given the modest scale of the structure and its historical precedent, these impacts are expected to be minimal.

Overall, the proposed reconstruction is consistent with the historic architectural character of the property and surrounding area and is not anticipated to negatively impact adjoining properties or the character of the neighborhood.

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

A strict application of the zoning code would limit any reconstruction above the existing structure to approximately two (2) feet, as the home currently measures approximately thirty-three (33) feet in height, which would not accommodate a meaningful reconstruction of the historic feature. Alternatively, the applicant could forgo reconstruction entirely. However, either option would not allow for a functional or historically accurate reconstruction of the "crow's nest."

While code-compliant alternatives exist, they do not reasonably alleviate the hardship associated with restoring this historically documented architectural feature. Therefore, no feasible alternative appears to exist that would both meet the code requirements and achieve the intended restoration.

**(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.***

In this case, the difficulty is associated with the historic characteristics of the property rather than any action of the applicant. As described within this report, the primary structure, constructed in 1865 and located within the FPD historically included a "crow's nest" feature, as supported by the Sanborn Map and historical photographs. The architectural design guidelines for the FPD support the replacement of missing historically significant features when based on historic documentation.

The City's 2026 Updated Comprehensive Plan also recognizes historical heritage as a foundational element of the community's identity and encourages the preservation and restoration of historically and architecturally significant structures. The proposed reconstruction is consistent with these goals.

The inability to reconstruct this feature in compliance with current height limitations is due to the existing height of the structure in relation to the maximum height design standard within the R-1E Single-Family Residential District. This represents a historic reconstruction constrained by modern dimensional standards. As discussed in the preceding criteria, the request is intended to restore a historically documented element and is not anticipated to negatively impact the surrounding neighborhood.

The request is consistent with prior City review of a similar reconstruction proposal in 2006, and the proposed exterior alteration was also approved by the Landmarks Board on March 23, 2026, further supporting that the variance relates to long-standing conditions of the structure rather than the applicant.

Accordingly, the hardship is inherent to the property, and granting the variance to allow reconstruction of the “crow’s nest” is considered a just action.

### **STAFF RECOMMENDATION**

After review of all pertinent information, the Department of Community Development recommends that the request to increase the maximum height of a building within the R-1E Single-Family Residential District be **APPROVED**, based on the demonstrated historic basis of the feature and the practical difficulty in reconstructing it under current height standards.



*Figure 6: Street view 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.

35 feet is the permitted maximum height. The existing house is approx. 33' from grade to midpoint of the roof. With the new rooftop addition the height will be approx. 45' from grade to midpoint of the crow's nest roof structure.

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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

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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. Will be rebuilding a structure that existed previously.

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

None. The only alternative is to not rebuild the element.

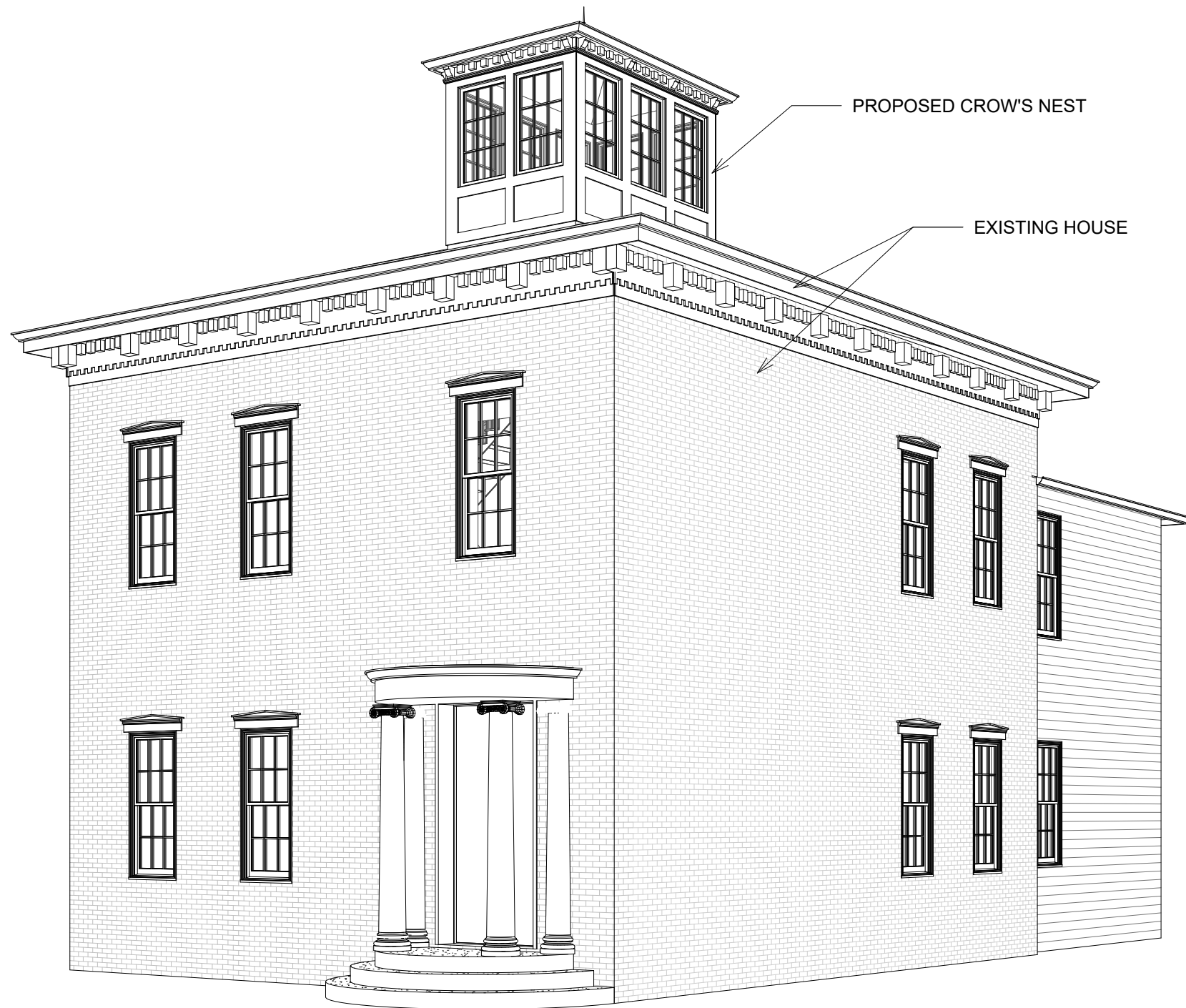
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5. Justice. The granting of the variance is a just action. The cause of the difficulty - the hardship should be unique to the land rather than to the applicant and should be related to the topography, configuration of the lot, or other characteristics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

The 1900 Sanborn maps indicate this structure as being present on the house, so it was most likely an original feature when the house was constructed. The Owner would like to rebuild to bring the home back to its original state. Zoning codes limiting height for structures did not exist around 1900 when the home was constructed.

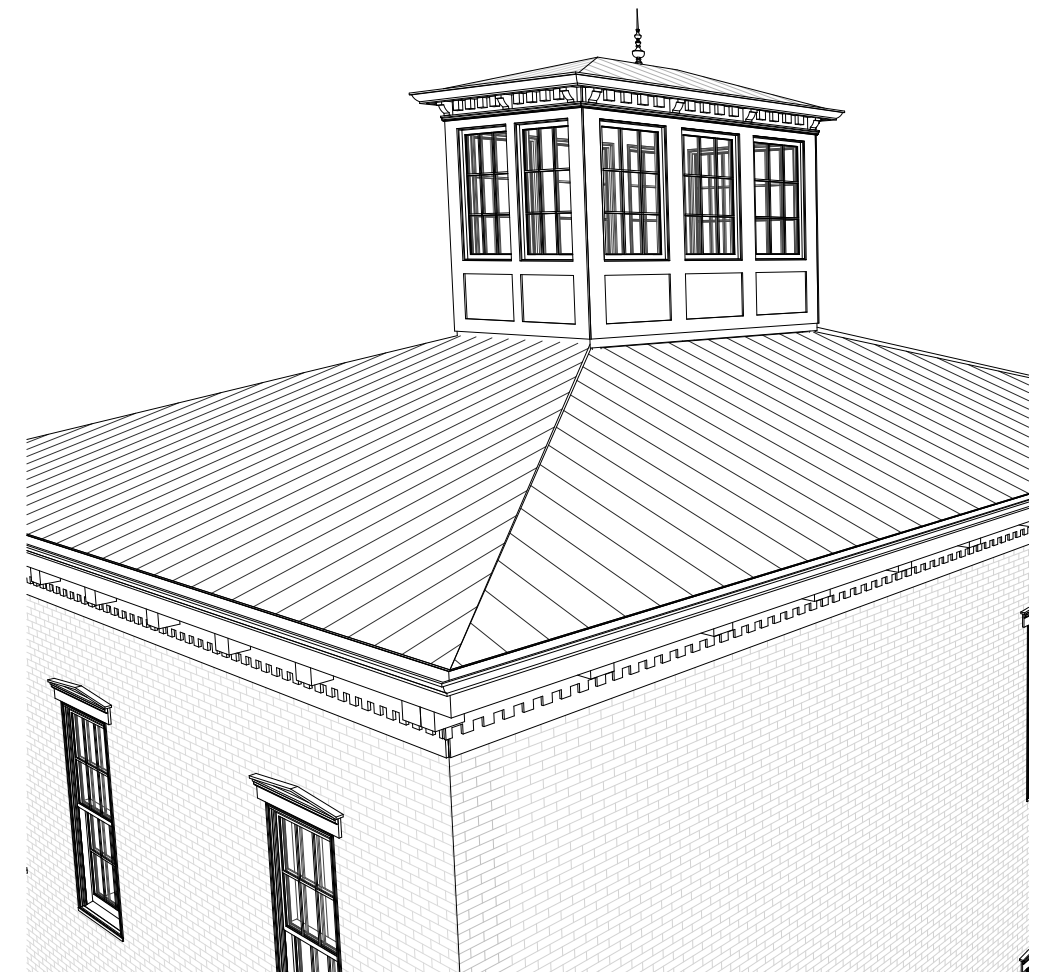
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1 3D View - From Grade

**PROJECT SUMMARY:**  
 EXISTING 2 STORY MASONRY HOME CONSTRUCTED IN 1900 LOCATED IN THE FRENCHTOWN HISTORIC DISTRICT.

**SCOPE OF WORK:**  
 CONSTRUCT A NEW ROOFTOP CROW'S NEST TO REPLICATE A STRUCTURE THAT WAS ONCE A PART OF THE BUILDING. ROOF ADDITION TO BE ACCESSED FROM ATTIC VIA A SPIRAL STAIR. EXTERIOR FINISHES FOR BUILD TO BE FIBER CEMENT FLAT PANEL SIDING & TRIM (PAINTED WHITE), ALUM. CLAD WOOD CASEMENT WINDOWS W/ DIVIDED LIGHTS TO MATCH HOUSE (COLOR: WHITE), DENTIL MOULDING & ROOF BRACKETS TO REPLICATE HISTORIC, STANDING SEAM METAL ROOF (COLOR: COPPER).



2 3D View

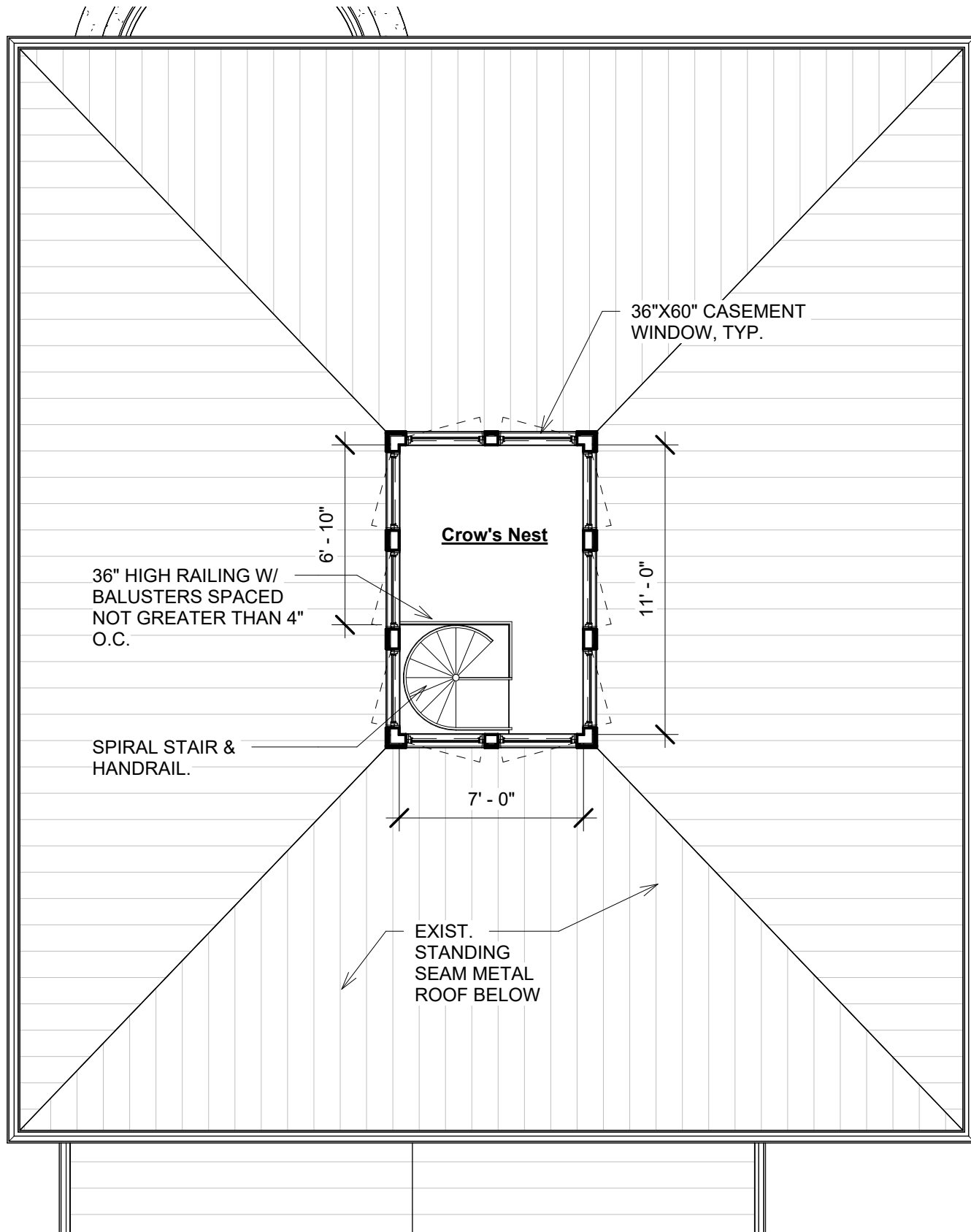
Renovations for:  
 305 Morgan St. - Crow's Nest

Project number 26-006

little hills architecture

DESIGN REVIEW - NOT FOR CONSTRUCTION

3D Views & Project Overview	Sheet	1.0
Date	2/24/2026	
Landmarks Review		

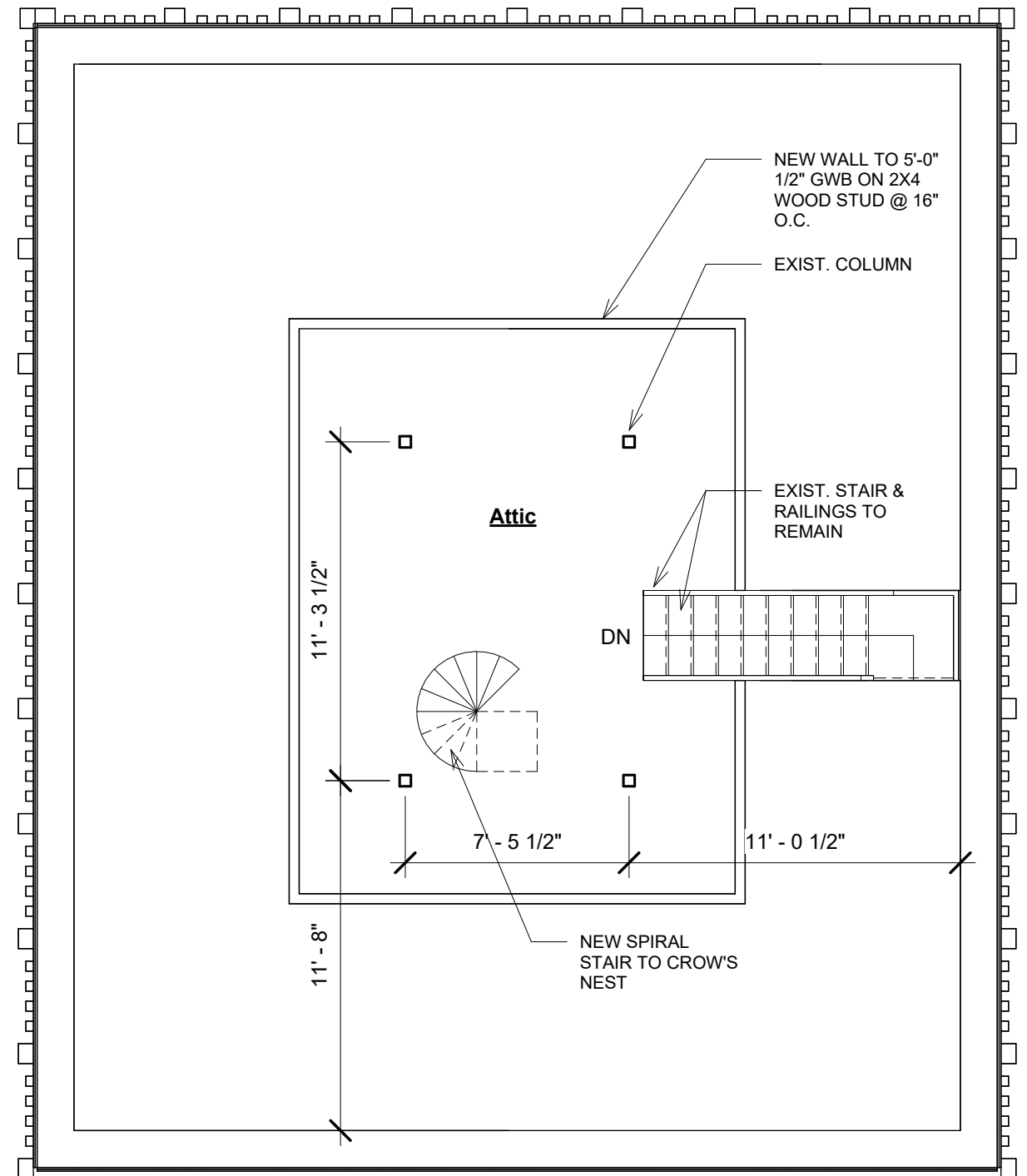


Renovations for:  
305 Morgan St. - Crow's Nest

Project number 26-006

*little hills* architecture

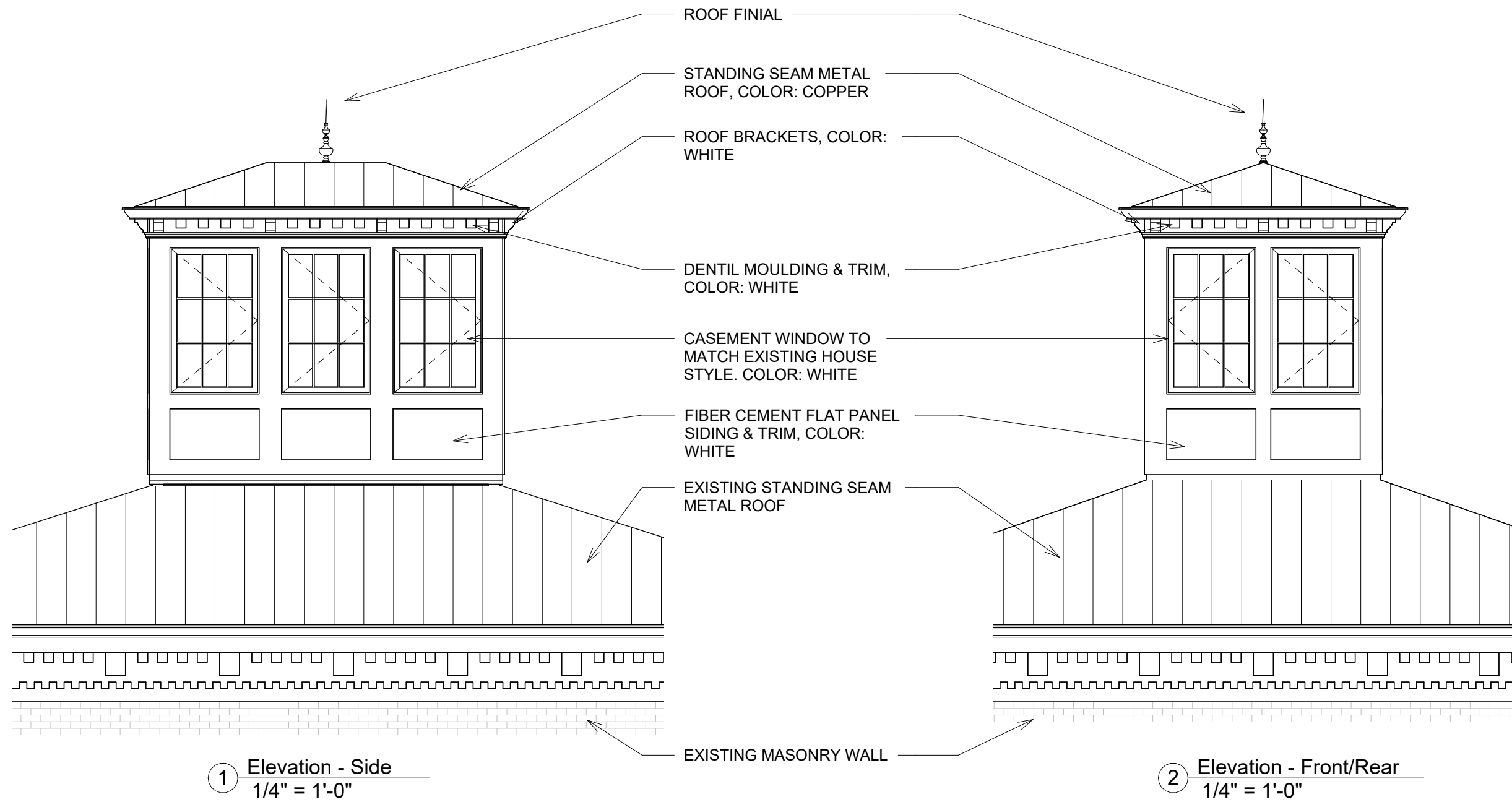
① **Roof Level Plan**  
3/16" = 1'-0"



② **Attic Plan**  
3/16" = 1'-0"

DESIGN REVIEW - NOT FOR CONSTRUCTION

Plans	Sheet
Date	2/24/2026
Landmarks Review	<b>2.0</b>



Renovations for:  
305 Morgan St. - Crow's Nest

Project number 26-006

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DESIGN REVIEW - NOT FOR CONSTRUCTION

Elevations	Sheet
Date 2/24/2026	3.0
Landmarks Review	