

Minutes
Board of Adjustment
April 21, 2025

The Board of Adjustment of the City of Florissant met at the Florissant City Hall on Monday, April 21, 2025 at 6:00 p.m. with David Hill presiding.

On the roll call the following were present: Chairman, David Hill, Steve Gettemeier, Jeff Plodzien, and Brett Berchtold. Also present were Aaron Tossey, Plan Reviewer, and Sheila Linhardt, Recording Clerk.

A quorum being present the Chairman declared the Board of Adjustment was in session for the transaction of business.

Mr. Gettemeier requested that the approval of the minutes be done at the end of the meeting so the petitioners would be able to leave sooner. Everyone agreed to do so.

Item 1: 2 Lantern Lane

The Chairman stated the meeting was being held to review the decision of the plan reviewer in refusing to issue a building permit submitted for the construction of screened in patio, because this would violate the 25 foot rear yard set-back as set in City Ordinance 405.100(D)(5).

The Chairman stated to the petitioner the procedures of the Board. He stated it is a five-member board. The Chairman stated since only four members are present, it would require a unanimous vote for approval in order to grant their proposed variances. The Chairman stated if they wanted to, they could postpone the meeting until five members could attend. Mr. and Mrs. Gibbons stated he wanted to go ahead and have the hearing.

The Chairman stated that the meeting is held in two parts. The first part is a public hearing where you can present your case to the Board and the Board members can ask questions. The second part is an executive session for the Board members to discuss the case. The petitioner is welcome to stay during the executive session; however, he cannot participate. The Chairman stated that he would have their decision tonight.

The Chairman stated to the petitioner that if he feels they have been misjudged by the Board, they have 30 days from today to appeal the Board's decision to the St. Louis County Circuit Court of Appeals.

The Chairman asked the petitioner to state his name and address for the record. Tom Creighton, 614 School Street. (Tuff Shed). Mr. Crighton swore before the board that the testimony he was about to give would be the truth to the best of his knowledge.

The Chairman stated the meeting is being recorded.

The Chairman asked Mr. Tossey to explain why this permit was being brought before the board again. Mr. Tossey asked everyone to look at Exhibit A, which is the survey. On the survey there is a measurement from the rear property line to the existing concrete slab for the proposed garage is 14.5 feet. Mr. Tossey stated that this property is zoned R-4 and has a 25-foot rear yard setback, so anything that goes past this setback cannot be approved. He stated he thought they now needed about another foot.

Mr. Hill asked why this was being brought before the Board again. Mr. Tossey stated that we were of the understanding that the footprint on Exhibit A, was the footprint indeed. He stated that it turned out that there is no footing under the perimeter of the dotted line for the garage on Exhibit A. Mr. Tossey stated that it is his understanding that in order to install the footing you would have to saw cut the exiting slab without the need to go further back, or you can pour the footing on the backside. Mr. Tossey stated this is a mistake that nobody was aware of at the previous meeting for this garage. He stated at the last meeting we thought the concrete had the correct footing; that it was poured prior to the building permit being issued, but that it had a footing.

The Chairman asked Mr. Crighton to explain the need for the variance. Mr. Crighton stated the slab on the survey is already in existence. He stated that they thought the concrete company poured footings, but the concrete only goes down 12-inches. He stated their drawings show they needed 30-inch footings.

Mr. Gettemeier asked if they did a monolithic pour. Mr. Creighton stated their plans called for a monolithic pour, however, the footing in their drawings is 30-inches. Mr. Creighton stated what they were hoping to do is instead of a 20 x 20-foot garage to build either a 22 x 20-foot garage, or a 22 x 22-foot garage and go two feet back, depending on if they needed a footing on all four sides. Mr. Tossey stated that they would need footings on all four sides. Mr. Creighton stated that they would like to build the 22 x 22-foot garage so they can install the correct footings, without having to tear up the concrete and have it repoured.

Mr. Gettemeier asked if walls were already built. Mr. Creighton stated they have not started construction.

Mr. Hill stated that there is a preexisting concrete slab that we previously granted a variance to put the garage on. He stated that we now found that there aren't footings, and we now need to make an adjustment. He asked Mr. Creighton how much of a variance they are asking for. Mr. Creighton stated he thought they wouldn't need a variance on the sides; only toward the rear of the property to accommodate the larger garage, so he thought they would need a 12 ½ foot variance. He stated the homeowner turned in the application to the Board, so he didn't know what they requested.

Mr. Hill asked that as a part of this variance if they are going to make an adjustment to the concrete and add the footings? Mr. Creighton stated that the concrete company is going to drill into the existing concrete, put in rebar, and then pour it into the new footing so that it is all tied together. He stated that would allow them to have the correct footing without having to tear up the concrete.

Mr. Hill asked that since they are changing the size of the garage, is that going to change your drawings and your permits? Mr. Creighton stated that it will change their drawings, and they would submit those. Mr. Hill asked Mr. Tossey if they would need another variance for the garage, because it was going to be bigger. Mr. Tossey stated they would not. He stated the only variance needed was for the rear setback. Mr. Tossey asked Mr. Creighton if they had full drawings. Mr. Creighton stated someone else with their company had submitted the plans for the permit, so he wasn't sure if they were generic or specific for this project. Mr. Creighton stated they would submit whatever was required.

Mr. Gettemeier asked Mr. Tossey if they could get a permit to start construction before getting a variance? He asked Mr. Tossey if they submitted plans and he reviewed them. Mr. Tossey stated he wasn't sure if he had done a final review of the plans, but for either size garage to go in that location a variance would be needed.

Mr. Plodzien asked if they were going to encroach any further into the five-foot easement, shown on the right side of exhibit A, for Southwestern Bell? Mr. Creighton stated they were expanding the garage by one foot on each side so they would encroach into that by about a half a foot. Mr. Tossey stated the zoning requirement is 3 feet, so the Board wouldn't need to grant a variance for the side yard.

Mr. Dailey made a motion to move into executive session, seconded by Mr. Plodzien. A brief discussion was held about the pad being a part of the garage.

Mr. Hill made a motion to move out of executive session, seconded by Mr. Plodzien.

Mr. Hill stated he wanted to make sure the variance granted would allow them to complete the construction of the garage. Mr. Tossey stated the garage and pad are essentially the same since they would be the same size. Mr. Creighton stated the garage and pad would need to be the same size. Mr. Crighton stated that since they learned that the pad did not have the correct footings, they have to expand the size of the garage to make sure the walls are built on proper footings. Mr. Tossey stated the application is for a two-car garage, and the footing, the pad, and the garage would be the same thing for building permit.

Mr. Hill stated the scope of the drawings are changed enough to need the additional variance.

Mr. Gettemeier made a motion to move into executive session, seconded by Mr. Hill.

Mr. Hill made a motion to grant a 12-and-a-half-foot variance for the construction of a garage and all associated concrete at 1045 Ozment under sections A, B, C, and D of the resolution of decision. Seconded by Mr. Plodzien. On a roll call the vote was: David Hill yes, Steve Gettemeier yes, Jeff Plodzien yes, and Seamus Dailey yes. The motion passed with a unanimous vote.

The Chairman advised Mr. Creighton that his variance had been granted, and Mr. Tossey would be in contact with him to finalize his permit.

Mr. Hill made a motion to adjourn, seconded by Mr. Gettemeier.

Meeting adjourned at 6:24 p.m.