



## MINUTES

### BOARD OF ADJUSTMENT

### CITY OF BRENTWOOD, MO

THURSDAY, MARCH 24, 2022

7:00 PM

#### CALL TO ORDER

Mr. Keith Slusser called the meeting to order at 7:16PM

#### ROLL CALL

Keith Slusser Chair Present  
Jared Balint Present via zoom  
Ryan Marshall Present  
Sue Kaiser Present via zoom

#### CITIZEN COMMENTS

None

#### NEW BUSINESS

A. 8829 Russell Avenue Variance Request  
Those speaking to the request were sworn in.

Ms. Christine Keeney, homeowner at 8829 Russell, spoke to the request for a swim spa. She said in 2017 she was granted a variance for 5 feet. She said the new request is for a smaller pool which is like a swim spa. She said the spa would enhance the property.

Ms. Kelly spoke to the request. She explained the definition and importance of setbacks. She said a pool is listed as a permitted accessory structure and not allowed in the front yard. She said the setback is 41 feet because it is a corner lot and how the home is placed on the lot. She said it would be 8 feet in front of the home and within the setback. She said this condition is not so unique to corner lots.

Ms. Kelly said the board must consider whether denial of this application would cause extreme hardship or difficulty. She said it is the applicants desire to place the spa in that location. She said the home was built in 1912 and meets the standards of the B district.

Ms. Kelly said they received a public comment regarding public safety. Ms. Kelly said the pool would be required to have a fence.

Mr. Marshall asked about the setback along the two streets.

Ms. Kelly explained the setbacks.

Mr. Slusser asked if there were any medical reasons the applicant was requesting the spa.

Ms. Keeney said it was for exercise.

There was some discussion regarding traffic and stop signs at that intersection.

Mr. Marshall made a motion to approve. Mr. Balint seconded.

Ryan Marshall Yes

Jared Balint No

Sue Kaiser No

Keith Slusser Yes

Mr. Marshall made a motion to direct staff to prepare the finding of facts and conclusion of law. Mr. Balint seconded.

**B. 8658 Rosalie Avenue Variance Request**

Those speaking to the request were sworn in.

Mr. Stephen Akos, son of the homeowner, spoke to the request. He said they are requesting a wider driveway. He said other properties in the area have wide driveways. He said hardship is difficult to measure by policy. He questioned whether the expansion of others have hindered his requests. He said neighbors approve of the request.

Ms. Kelly spoke to the request to align the walkway with the driveway. She said the property is zoned B-single family residential and the driveway is not to exceed the width of the driveway. She showed how they would extend the walkway. She said there is a difference in grade. It does not require a storm-water plan or building permit because it would be under 200 sq. feet. Ms. Kelly said granting the variance would not adversely affect neighbors. She said granting the variance could be seen as an unfair advantage.

Mr. Balint asked if the additional 12" were prompting the variance.

Ms. Kelly confirmed.

Mr. Slusser asked what the plan was to deal with the water.

Mr. Akos said the storm-water would be redirected to the street.

Ms. Kelly said the storm-water could not be directed to the street.

Mr. Marshall asked if it would be permitted to leave a strip of grass down alongside the driveway and extend the walkway.

Ms. Stephanie Karr, City Attorney, said she would need to review the code before being conclusive.

Mr. Balint made a motion to approve. Mr. Slusser seconded.

Ryan Marshall Yes

Jared Balint No

Sue Kaiser No

Keith Slusser Yes

Mr. Marshall made a motion to direct staff to prepare the finding of facts and conclusion of law.  
Mr. Slusser seconded.

Ms. Kelly said they may have a pending application for review at the April Meeting.

ADJOURNMENT

The meeting adjourned at 7:58 PM.