**RECORD OF PROCEEDING**

15933 Clayton Road, Suite 300
Clarkson Valley, Missouri 63011

Board of Adjustment Meeting
June 2, 2025

Chair Ulrich called the meeting to order at 6:50 p.m. The Clarkson Valley Board of Adjustment, pursuant to notices posted on the Clarkson Valley website and the bulletin board, met to consider one agenda item.

Roll call for the meeting was taken, with the following members in attendance:

- Richard Ulrich, Chair
- Tom Berkeley (appeared remotely)
- Matt St. John
- Rick Vaduka (appeared remotely)

City Attorney Patrick Butler was in attendance remotely to respond to all legal matters. City Administrator/City Clerk Megan Eldridge was in attendance to record the meeting minutes, Building Commissioner Brad Holmes was in attendance on behalf of the City, and Renee Stark with 360 Litigation Services was in attendance to serve as court reporter.

**PUBLIC HEARING**

**David & Lynn Brown, 16547 Saddle Creek Rd. - Requesting a variance from the *Front Yard and Front Building Line* requirements to allow an emergency generator and concrete pad to encroach into the front yard located at 16547 Saddle Creek Road.**

Chair Ulrich explained to the applicant that since one of the Board Members was unable to attend, this request must receive affirmative votes from all four members to be granted. Chair Ulrich asked Dr. Brown if he approved of four members hearing the request, to which he responded he did.

Ms. Stark swore in those that planned to speak during the hearing: David Brown, property owner and Brad Holmes, City of Clarkson Valley Building Commissioner.

Dr. Brown presented his requested variance to the Board. The emergency generator would be placed adjacent to another generator previously approved by the city and installed in 2022. It would not be seen or heard by neighbors.

Mr. Holmes noted the back of the house faced the street and the front of the house faced a pasture. The back of the house has typical items found in a backyard. The generator does not face the street but is in the front yard of the property. Mr. Holmes clarified the variance is a use issue as accessory structures are typically placed in the rear yard. Neighbors would not see or hear the proposed generator. He did not think granting the variance would be setting a precedent, as no other property in the city used to be a farm like this one. This is a unique situation.

Mr. St. John asked if generators had to be classified as an accessory structure. Mr. Holmes said yes based on the City's current definition of a structure.

Chair Ulrich asked if any proponents wished to speak in favor of the application. There being none, Chair Ulrich asked if any opponents wished to speak against the application. There being none, Chair Ulrich closed the hearing.

Mr. Holmes confirmed the proposed generator would be located right at the 25 foot side yard setback and 68-70 feet from the front property line.

Chair Ulrich understood the proposed generator would be about 11.5 feet long, 3.5 feet wide, and 5.5 feet high. Dr. Brown confirmed that was correct.

Mr. St. John asked if the proposed generator was being located next to the existing generator because they were using the same power supply. Dr. Brown stated all of the electrical panels were located at that part of the property and it made sense to put it there.

Mr. Butler confirmed the variance request was for the generator and concrete to be in the front yard with the size of the generator and concrete pad being based on the plan's dimensions.

Chair Ulrich asked if the generator was placed elsewhere, would the energy source also have to be diverted. Dr. Brown stated it would be more difficult to place it somewhere else.

Chair Ulrich asked the Board Members the Factual Determination questions, with the results as as follows:

1. Are there practical difficulties or unnecessary hardships in the carrying out of the ordinance provisions due to the shape of the lot, topography, or similar conditions?
   Ulrich – Yes
   Berkeley – Yes
   St. John – Yes
   Vaduka – Yes

2. Will the variance merely serve as a convenience to the applicant?
   Ulrich – No
   Berkeley – No
   St. John – No
   Vaduka – No

3. Will the variance alleviate a demonstrable and unusual hardship to warrant a variation from the applicable ordinance?
   Ulrich – Yes
   Berkeley – Yes
   St. John – Yes
   Vaduka – Yes

4. Will the variance seriously affect any adjoining property?
   Ulrich – No
   Berkeley – No
   St. John – No
   Vaduka – No

5. Will the variance affect the general welfare of the community?
   Ulrich – No
   Berkeley – No
   St. John – No
   Vaduka – No

6. Will the surrounding property be protected?
   Ulrich – Yes
   Berkeley – Yes
   St. John – Yes
   Vaduka – Yes

Chair Ulrich called for a vote to approve the variance as requested. A vote was taken with the following results:
Yes: Ulrich, Berkley, St. John, and Vaduka.

Chair Ulrich declared the variance granted and stated if the project was not constructed as presented, the applicant would have to return to the Board of Adjustment for another variance.

**APPROVAL OF FEBRUARY 12, 2025 MEETING MINUTES**
This item was continued to the next Board of Adjustment meeting.

Chair Ulrich adjourned the meeting at 7:17 p.m.

_____
Richard Ulrich, Chair

_____
ATTEST: Megan Eldridge, City Administrator/City Clerk