

RECORD OF PROCEEDING
15933 Clayton Road, Suite 300
Clarkson Valley, Missouri 63011

Board of Adjustment Meeting
January 8, 2026

Mr. Mayberger called the meeting to order at 6:30 p.m. The Clarkson Valley Board of Adjustment, pursuant to notices posted on the City of Clarkson Valley website and the bulletin board, met to consider one application.

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

- Joe Mayberger
- David Grable
- Rick Vaduka (via Zoom)
- John Munich
- Matt St. John

Also in attendance:

- City Attorney Patrick Butler (via Zoom)
- City Administrator/City Clerk Megan Eldridge
- Building Commissioner Paul Mercurio
- Renee Stark, Court Reporter with 360 Litigation Services

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

Mr. Grable moved to elect Richard Ulrich as chairman. Mr. St. John seconded the motion. A voice vote was taken, which resulted in a unanimous affirmative result.

Mr. Mayberger moved to elect David Grable as vice-chairman. Mr. Munich seconded the motion. A voice vote was taken, which resulted in a unanimous affirmative result.

Mr. St. John moved amend the agenda to take up the approval of the November 13, 2025 meeting minutes next. Mr. Grable seconded the motion. A voice vote was taken, which resulted in a unanimous affirmative result.

APPROVAL OF NOVEMBER 13, 2025 MEETING MINUTES

Mr. Grable moved to approve the November 13, 2025 meeting minutes. Mr. Mayberger second the motion. A voice vote was taken, which resulted in a unanimous affirmative result.

PUBLIC HEARING

Michael and Angela Walsh, 40 Forest Club Dr. – Requesting a variance from the Side Yard and Side Building Line and the Rear Yard and Rear Building Line requirements to allow a new home, fence, landscape wall, and swimming pool to encroach into the side yards and rear yard located at 3 Fairlake Drive.

Ms. Eldridge read the notice of hearing.

Mr. Butler explained there was a mistake in the notice; a variance was included that the applicant did not need. He requested the applicant clarify what variances they were requesting in their presentation to the Board.

Mr. Mayberger asked if all the members had a chance to view the property. Mr. Grable and Mr. Munich stated they had. Mr. St. John and Mr. Vaduka stated they were unable to view the property.

Ms. Stark swore in those that planned to speak during the hearing: Lauren Strutman, architect and Michael Walsh, property owner.

Mr. Walsh stated they originally were requesting three variances, but they now only needed two variances: a variance for the front right portion of the home, and a 21-foot variance for the pool fence in the backyard. Mr. Walsh indicated the variances on the plans.

Mr. St. John asked what the hardship was for the rear yard.

Mr. Walsh stated almost all the neighbors signed a letter of support for the proposal. Mr. St. John asked if all the adjoining neighbors signed the letter. Mr. Walsh stated all but one had so far.

Mr. Munich asked if the neighbors had seen the revised plans. Mr. Walsh stated they had.

Ms. Strutman explained the hardship was the lot is unique compared to others in the area, with a very large front yard setback and a drop off in the rear where the side and rear property lines adjoin. Lots surrounding the property have less frontage, are more rectangular in shape, and have two side yards. The lot sat on the inside of a curve, creating a pinching of the lot and buildable area. It is further complicated by the cul-de-sac to the south. The property was 1.13 acres in size, with 0.85 acre encumbered in building setbacks. The lot had some drainage issues, so they planned to raise the house a little bit to solve the drainage issues and have a little bit more of a backyard. They rotated the proposed house to face the curve along Fairlake Drive to keep it in harmony with the homes facing that curve. They are proposing a possible landscape wall to the rear of the swimming pool, but it did not require a variance. After speaking to a neighbor, they no longer needed a variance for the pool fence in the side yard. The fence would be 48 inches tall and made of black steel.

Mr. St. John asked for clarification that the landscape wall would not need a variance. Ms. Strutman stated it was less than 18 inches tall, which did not require a variance.

Ms. Strutman stated the pool fence met the minimum code requirements. She worked with the homeowner for 11 months and they reviewed many alternatives. This proposal was not put together lightly and would not adversely affect the adjoining properties. The homeowner's association had approved the proposal.

Mr. St. John understood the hardship was the lot had double front yard setbacks on a pie-shaped lot. He stated it seemed the house would not need a variance if it faced northeast. Ms. Strutman stated an area in the back of the property dropped off 10 feet and they did not to place the swimming pool in that area. Rotating the house would also place the swimming pool more in the setback. The topography was also a hardship.

Mr. Munich stated he assumed the proposed home had a larger footprint than the previous home. Ms. Strutman stated it did.

Mr. Mayberger asked if the Board had any additional questions.

Mr. Mercurio stated per the City Code anything under 24 inches is considered a landscaping wall and can be inside the setback. A fence was required for the swimming pool, however only the corner of the pool deck was in the setback, but that was not considered an encroachment because the corner is not a structure, it's flat. He noted the lot had drainage and topographical issues. The applicant's largest challenge was the curvature of the lot and trying to remain within the 75-foot setback. If the house was rotated in a manner to stay within the setbacks, the applicant would have a hardship in the backyard. The encroachment into the front yard was worth the hardship with the lot. He stated the lot would be difficult to build on, and the proposed home was going to be 1.5 stories instead of a one-story house built out.

Mr. Munich asked if the previous home was within the building lines. Mr. Mercurio stated it was and noted the existing house had a 74.5 setback on one side. Mr. Mayberger stated the building line appeared to sit back 10 feet from the street. Mr. Mercurio stated it has been discovered that through street paving overtime the building line shifts over. The previous home faced Fairlake Drive more, whereas with the proposed home the applicant is trying to center the lot with the home facing out from the corner, similar to other homes in the subdivision.

Mr. St. John asked the applicant if they had an objection to pulling the house closer to the rounded edge of the lot, which would provide a larger backyard and remove the need for a variance in the rear yard. Ms. Strutman stated the variance in the rear yard would take about 12% of the 50-foot rear yard setback. Mr. St. John stated if the house was built to one 75-foot building line, the other 75-foot building line could be determined as a side yard, and they could be granted a variance for encroaching into that frontage. Mr. Walsh was concerned about moving the home closer to the street as they were trying to balance the home, the neighborhood, the cul-de-sac, their desire, and their neighbor's desire. Mr. Grable stated even if the home was brought forward 10 feet more, it would stand out more compared to the other homes.

Mr. Mayberger asked if any proponents wished to speak in support of the application.

Brian Bomkamp was sworn in by Ms. Stark. He stated he is a Forest Hills subdivision trustee. He was supportive of the request and thought it would improve the neighborhood.

Mr. Munich asked if the trustee board supported the application. Mr. Bomkamp stated everyone he spoke to was supportive but he was unable to speak with the secretary of the Board.

Robert Whiting was sworn in by Ms. Stark. He lived at 8 Fairlake Drive which looked directly at 3 Fairlake Drive and he endorsed the request.

Mr. Mayberger asked if any opponents wished to speak against the application.

Mike Altepeter was sworn in by Ms. Stark. He stated he was not in opposition but trying to understand what was being considered. The proposed house looked huge for the lot. He felt instead considering how the house could fit on the lot, the house was designed and placed on the lot. He understood the lot was odd. He questioned how much square footage would be built within the setbacks and how the proposal affected homeowners on the adjoining lots. He stated as an architect he felt the neighbors needed

screening from the garage, trash cans, and vehicles. He asked how much higher the ground level would be. Ms. Strutman stated 2.34 feet and homes to the south in the cul-de-sac sat higher. She noted evergreen plantings would be planted around the driveway turnaround. Mr. St. John stated there was approximately 12,200 square feet of buildable ground inside the setbacks. Mr. Altepeter stated there should be substantial screening of the garage and driveway for the neighbors and felt that should be included with the variance. Mr. Mercurio stated the Board should consider what has been submitted and it was their opportunity to ask about the plans. Mr. Munich asked if the granting of the variance can be contingent upon the detailed landscaping. Mr. Mercurio stated the Board needed to ensure they were doing due diligence and ask about the landscaping plan and that it is incorporated at a minimum. Mr. Walsh assured the screening would be installed and stated he intended to collaborate with the neighbors. Mr. Grable asked if the neighbor to the south approved the plan.

Julia Hymes was sworn in by Ms. Stark. She stated it was challenging to understand the impacts this project would have on her property. She was concerned about how close the driveway was to their property but understood the driveway did not need a variance. She stated the footprint of the house is very big for the lot. She was concerned about maintaining privacy with the applicant's garage on the same side as her bedroom and family room. She was unsure what effect moving the house forward would have on her property. She stated that they didn't feel comfortable giving the applicant approval until they could observe what happens at tonight's meeting. Mr. St. John asked the applicant if the reason for not moving the house all the way to the property line on the south side was to keep it away from the Hymes residence. Ms. Hymes stated she will probably have a survey done on her property to see if additional screening would be needed. She noted the plans did not show the Hymes' swimming pool area, which was close to the Walsh's. Mr. Munich asked if what she had heard from Mr. Walsh and Ms. Strutman resolved any of her concerns. Ms. Hymes stated she was unsure, and they only had 72 hours to look at the plans. She requested some privacy be maintained relative to the driveway.

There being no additional speakers, Mr. Mayberger closed the hearing.

Mr. St. John asked if the Board could approve or disapprove a set of plans that did not match what the applicant was requesting. Mr. Butler stated as long as the Board can understand what variances are being requested, which was clearly stated by the applicant. The City had to have a record of what was approved so the Building Commissioner can understand it, enforce it, and identify any variation from the approved variance.

Mr. Walsh stated the variances they are seeking are the residential structure encroaching 23 feet into the front 75-foot setback and the swimming pool barrier fence encroaching 21 feet into the rear 50-foot setback.

Ms. Eldridge asked the Board Members the Factual Determination questions, with the results 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?

Mayberger – Yes

Grable – Yes

Vaduka – Yes

Munich – Yes

St. John – Yes

2. Will the variance merely serve as a convenience to the applicant?
Grable – No
Vaduka – No
Munich – No
St. John – No
Mayberger – No
3. Will the variance alleviate a demonstrable and unusual hardship to warrant a variation from the applicable ordinance?
Vaduka – Yes
Munich – Yes
St. John – Yes
Mayberger – Yes
Grable – Yes
4. Will the variance seriously affect any adjoining property?
Munich – No
St. John – No
Mayberger – No
Grable – No
Vaduka – No
5. Will the variance affect the general welfare of the community?
St. John – No
Mayberger – No
Grable – No
Vaduka – No
Munich – No
6. Will the surrounding property be protected?
Mayberger – Yes
Grable – Yes
Vaduka – Yes
Munich – Yes
St. John – Yes

Mr. Mayberger called for a vote to approve the variance as requested. A vote was taken with the following results:

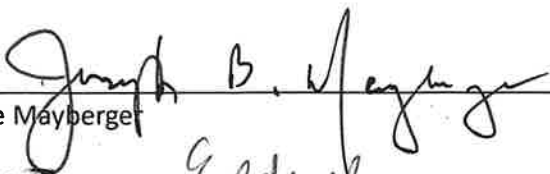
Yes: Munich, St. John, Mayberger, Grable, and Vaduka

Mr. Mayberger declared the variances were 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.

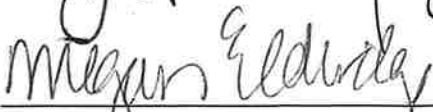
Mr. St. John stated he assumed the applicant would be covering the cost of the screening on the side of the property abutting the Hymes. Mr. Walsh said yes.

ADJOURN

Mr. Munich moved to adjourn the meeting at 7:23 p.m. Mr. Grable seconded the motion. A voice vote was taken, which resulted in a unanimous affirmative result.



Joe Mayberger



ATTEST: Megan Eldridge, City Administrator/City Clerk