



**BOARD OF ADJUSTMENT MEETING
CITY HALL – COUNCIL CHAMBERS – 2101 JEFFCO BLVD.
AUGUST 25, 2021**

MINUTES

REGULAR SESSION

1. **CALL TO ORDER:** The regular meeting of the Arnold Board of Adjustment was called to order by Chairman Jonathan Giallanzo at 7:01 p.m.
2. **ROLL CALL OF BOARD MEMBERS:** Jonathan Giallanzo, Joseph Hendrickson, Paul Rodenroth, Robert Lindsley, David McCreery (Alternate). **STAFF PRESENT:** Allison Sweeney (City Attorney), Sarah Turner (Planner).
3. **READING OF THE PROCEDURES:** Giallanzo read the Board of Adjustment procedures.
4. **PUBLIC HEARING(S):**
 - a. **BA-2021-03 2891 Rinnie Ct. (Setback Variance):** Motion by Lindsley to open the public hearing. Second by McCreery. Ms. Turner presented the Staff's report stating that the request is for relief from the minimum setback standards, to 6 feet instead of the required 15 feet, to allow for the construction of a carport in the side yard of a legacy residential dwelling within the M-2 Industrial District. Giallanzo and Lindsley asked for clarification on the minimum setback for M-2 versus residential. David Lammert, the applicant, stated that when he bought this property it was listed as residential. Shannon Feldewerth (2901 Schneider Dr., Arnold), has no objection to the carport. It was a residential area long before Anheuser Busch came along. Wil Jernigan (20 Vogel Cir., unincorporated Arnold) commented that Mr. Lammert is a veteran and is on fixed income. He has checked with other neighbors and none of them object to the carport. McCreery asked if this variance is granted, will it remain a carport or will they enclose it and make it a garage. Mr. Lammert stated he would leave it as a carport. After no further questions from the Board, Lindsley made a motion to close the public hearing. Second by McCreery.
5. **ADJOURNMENT OF REGULAR SESSION:** Adjourned by Giallanzo 7:26 p.m.

EXECUTIVE SESSION

6. **NEW BUSINESS:**
 - a. **BA-2021-03 2891 Rinnie Ct. (Setback Variance):** Giallanzo questioned if a variance would be needed it was just a retractable roof. Ms. Sweeney responded no because it would not be considered a permanent structure. Ms. Sweeney reminded the Board of a similar variance request which they denied a few years back and stated the barrier in putting this carport up in a conforming way appears financial. If the Board feels inclined to grant this variance, they need to explain the distinction between the previous denial and this approval. Lindsley feels this is a unique case and will cause no harm. After no further discussion, Giallanzo asked for a motion in the affirmative. Motion by Lindsley to approve this variance request and that the Board finds it is not detrimental to health, safety and welfare; the conditions are unique, there is a hardship particular to the topography of this property as well as a hardship to the owner; this motion is made pursuant to the condition that it remains and open-air carport without doors or walls along with the condition of use recommended by Staff.

Second by McCreery. Roll call vote: Giallanzo, No; Hendrickson, No; McCreery, Yes; Lindsley, Yes; Rodenroth, Yes. 3 yeas, 2 nays. The request for variance is denied.

7. **APPROVAL OF MINUTES:** Motion by Giallanzo to approve the minutes from the March 3, 2021 meeting. Second by McCreery. *Voice vote:* Approved 5-0.
8. **ANNOUNCEMENTS:** Ms. Turner announced that there have been no further submitted applications and the next meeting of the Board of Adjustment will be set as needed.
9. **ADJOURNMENT:** Meeting adjourned at 7:42 p.m.

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