



City of Troy, Missouri
Board of Adjustment
Troy City Hall
800 Cap-Au-Gris, Troy, Missouri 63379

BOARD OF ADJUSTMENT PUBLIC HEARING
July 6, 2023, 8:30 A. M.

The Public Hearing was called to order at 8:35 a.m.

Those in attendance were:

1. Charles Riney
2. Christy McClure
3. Randy Wyatt
4. Mick Durr
5. Luke Ottinger
6. Chris Silverberg
7. Bradley Pfeiffer
8. Colleen Davis
9. Marie Eggering
10. James Beachler
11. Brent Witte
12. Charles Peterson
13. Larry Bennett
14. David W. Lindsey
15. Cindy Ricks
16. April Bryant

Witte Brothers Exchange, Inc., applicant, is requesting a building height variance from 35 feet in building height to 55 feet in building height, under Article 405.130, Part 5. This site is located at 575 Witte Industrial Court.

Chris Silverberg, Mick Durr, and Brett Pfeiffer, residents of Westhampton Woods Subdivision, expressed concern over how the lights, water drainage, noise, and view coming from Witte Brothers Exchange, Inc. is affecting the residents of Westhampton Woods. Chris Silverberg asked that the variance not be approved until their concerns were addressed.

Alternate Board Member Wyatt asked the residents if their concerns were addressed would they be ok with the approval of the variance. Chris Silverberg responded that they would be fine with the approval if their concerns were addressed.

David Lindsey, Building Official, stated that the Planning and Zoning Board would be the forum where these concerns should be addressed, and the building height variance was all that could be discussed in this meeting. The residents expressed additional concerns over the height of the building. Brad Pfeiffer said that light travels further at 55 feet high than at 35 feet high.

Brent Witte, Witte Brothers Exchange, Inc., stated that he had never been contacted by the Westhampton Woods residents and that Witte Brothers Exchange, Inc. wants to be good neighbors. He said he would be happy to speak with the residents and hopefully find a solution. Residents agreed to meet with Brent Witte to discuss a solution.

July 6, 2023, 8:30 A.M. REGULAR MEETING

1. Call to Order: Charles Peterson called the meeting to order at 8:54 a.m.

2. Roll Call:

Charles Peterson	present
Tim Muldoon	absent
Charles Riney	present
Larry Bennett	present
April Bryant	present

Alternates:	Randy Wyatt	present
	James Beachler	present

Staff:	David W. Lindsey, Building Official	present
	Christy McClure, Administrative Assistant	present
	Marie Eggering, Stormwater Coordinator	present
	Luke Ottinger, Building Inspector	present
	Cindy Ricks, Certified Court Reporter	present

Charles Peterson, Chairman, declared a quorum was present and the meeting began.

3. Approval of Agenda:

A. Consideration of requests to adjust, table, or withdraw items.

Motion by: April Bryant, second by Randy Wyatt, to approve the July 6, 2023, agenda.

All ayes motion passed.

4. Approval of Minutes:

A. Approval of the April 13, 2023, meeting minutes.

Motion by: Charles Riney, second by April Bryant, to approve the minutes of the April 13, 2023, meeting.

All ayes motion passed.

5. Citizen Comments: No Comments.

6. Old Business: No Old Business.

7. New Business:

A. Variance-23-0002

Witte Brother Exchange, Inc., applicant, is requesting a building height variance from 35 feet in height to 55 feet in height. This site is located at 575 Witte Industrial Court.

The board held a discussion with questions for Witte Brothers Exchange, Inc. and the residents of Westhampton Woods.

Chris Silverberg stated this board should not approve the building height variance until Witte Brothers Exchange, Inc. complied with regulations and addressed the concerns of Westhampton Woods Subdivision residents.

Colleen Davis, Westhampton Woods Subdivision resident, asked what the noise increase in decibels would be from the refrigeration units on the building. Brent Witte said he could check into the decibel increase and provide an answer.

Chris Silverberg asked what the increase in fleet size would be. Brent Witte responded that the fleet would increase by roughly 20% and the building would also act as a buffer for noise. He also stated that their trucks are usually plugged in and not running on the lot. Mr. Witte also offered to provide his personal phone number to the residents to further discuss a solution.

Brent Witte, Witte Brothers Exchange, Inc., and the Westhampton Woods residents agreed to meet immediately following this meeting to discuss solutions to the concerns of the Westhampton Woods residents.

Motion by: April Bryant, second by Larry Bennett, to approve the building height variance from 35 feet in building height to 55 feet in building height.

April Bryant– yes

Charles Peterson – yes

Tim Muldoon - absent

Charles Riney – yes

Larry Bennett – yes

Alternates: Randy Wyatt – yes

James Beachler – N/A

Votes recorded: Five (5) yes, Zero (0) nay, Zero (0) abstain, motion passed.

8. Staff Reports: No Staff Reports

Board of Adjustment Reports: No Reports

10. Adjourn: Motion by: Charles Peterson, second by Randy Wyatt, to adjourn at 9:27 a.m.

Approved by the City of Troy Board of Adjustment: _____ day of _____, 2024.

Charles Peterson, Chairman