

BOARD OF ADJUSTMENT
OF THE CITY OF SUNSET HILLS, MISSOURI

THURSDAY, May 26, 2016

BE IT REMEMBERED that the Board of Adjustment of the City of Sunset Hills, Missouri met in regular session on Thursday, May 26, 2016. The meeting convened at 7:00 p.m.

ROLL CALL

Present:	Jerome Cox	-Member
	Mark Naes	-Member
	William Weber	-Member
	Larry Smith	-Member
	William Groth	-Member
	Bryson Baker	-City Engineer
	Robert E. Jones	-City Attorney
	Lynn Sprick	-Assistant Planner

APPROVAL OF MINUTES OF THE MARCH 24, 2016 MEETING

Copies of the Minutes of the March 24, 2016 Board of Adjustment meeting were distributed to the members for their review. Mr. Smith made a motion to approve the minutes as submitted. Mr. Weber seconded the motion and it was unanimously approved.

OLD BUSINESS

A-04-16 Notice of appeal submitted by Mark Doering to vary the number of loading spaces from four (4) spaces to two (2) spaces as required in Appendix B, Zoning Regulations, Section 6.5-2 for a restaurant with drive through, attached retail space and an urgent care facility at 3751 South Lindbergh Boulevard.- This application has been withdrawn.

Mr. Groth made it clear that application A-04-16 was originally a continuance the applicant has since withdrawn their application.

NEW BUSINESS

A-06-16 Notice of appeal submitted by Vanderbilt Homes to vary the front setback from the required 50 feet to 32.5 feet from the east property line, for the construction of a single family residence at 12871 Hill Road.
Weber

Scott Paul with Vanderbilt Homes was present and stated that he is requesting a variance for the front building line only. The previous owner obtained a variance shortly after purchasing the property. He is requesting the same variance.

Mr. Weber stated it is a different setback than the first variance. This one is 37.5 feet and the last was 32.5 feet. He asked why an additional 5 feet was being requested.

Mr. Paul stated the soil was unstable and the soil engineer has advised the closer they could get to the road, the better for the stability of the home.

Mr. Naes asked if the new home will be using sewer or septic.

Mr. Paul stated it will be septic, there are no public sewers available. MSD has granted approval.

Mr. Groth asked if he knew the characteristics of the depth of fill on the property.

Mr. Paul stated they had extensive soil analysis done on the property, but there are no formal reports. There are stability problems with the slope in the back of the house. The back of the house will be about six feet in the unclassified fill at the basement level. Good, existing soil will start about half way through the home.

Mr. Weber asked if there are any plans for retaining walls to keep the house from sliding.

Mr. Paul stated there will be a geotechnical engineer on site any recommendations to stabilize the home will be done. There is an extensive pier plan for the home, in case they need it.

Mr. Smith asked if piers were used, could the house be set back.

Mr. Paul stated putting the house on as much virgin soil as possible would be best, which is closer to the road. The rear portion of the lot is what causes the concern. The old house used to be closer than what is proposed.

Mr. Naes asked how far below the road the house will sit.

Mr. Paul stated with the way the road slopes, at one point the house will be at grade, where the road goes up, the house will be sitting downward, and at another point it will sit well above the road.

Mr. Smith asked if he was using a new curb cut for the driveway.

Mr. Paul stated they will be removing the curb cut that is up-hill.

Mr. Naes asked if there would be a retaining wall along the road.

Mr. Paul stated they would use the existing retaining wall.

Mr. Cox asked if they would be adding any fill in the back of the house.

Mr. Paul stated they would not add fill and he did not anticipate any haul off.

Mr. Naes asked if he was aware of the fill problem when he purchased the property.

Mr. Paul stated the real estate agent did not disclose that information. He asked if the front porch could encroach on the front building line.

Mrs. Sprick answered yes.

Mr. Paul stated the front porch could go in front of the front building line and they had it shown behind the front building line. This gives an additional five feet.

Mr. Weber asked if that puts it back to where the previous variance was.

Mr. Paul answered yes; it is actually a foot and a half behind it.

Mr. Cox asked if the section that comes out, the upside down v, was the front porch.

Mr. Paul answered yes.

Mr. Smith asked if approved at 32.5 feet with the front porch, could they put a building there.

Mr. Jones stated the setback exception in section 5.11-1B, front yard allows an open and unenclosed porch, not exceeding ten feet to encroach. An enclosed structure cannot be built beyond the limits.

Mr. Paul asked if there could be a roof.

Mrs. Sprick answered no. It has to be open, unenclosed without a roof.

Steve Hayes of 12918 Weber Hill Road was present. He lives downhill from the property and is a flood victim. He is opposed to the variance. He stated he has seen numerous bad accidents at this location. He is worried about the public safety in icy, snowy conditions. He is also concerned, due to the flooding, about the water shed. He was concerned that if more properties are built on, where the water will go. He stated in 2005 during the Weber Hill Road project, curbs were added, so the water was discharged across his property.

Mr. Cox called for a vote on A-06-16 submitted by Vanderbilt Homes to vary the front setback from the required 50 feet to 32.5 feet from the east property line, for the construction of a single family residence at 12871 Weber Hill Road. All agreed and the motion was unanimously approved.

Mr. Weber stated he agreed with Mr. Hayes about Weber Hill Road being dangerous. He stated something needs to be done in terms of safety.

Mr. Hayes stated in 2005 the road was re-done and curbs were put in. He believes the City talked about buying the property to straighten that stretch of the road.

Mr. Weber stated that could have been possible at the time, but currently there is an owner, so that cannot be done.

ADJOURNMENT

Mr. Weber made a motion to adjourn the meeting at 7: 17 p.m. Mr. Smith seconded the motion, and it was unanimously approved.

Recording Secretary



Sarina Cape