

BOARD OF ADJUSTMENT
OF THE CITY OF SUNSET HILLS, MISSOURI

THURSDAY, FEBRUARY 22, 2018

BE IT REMEMBERED that the Board of Adjustment of the City of Sunset Hills, Missouri met in regular session on Thursday, February 22, 2018. The meeting convened at 7:00 p.m.

ROLL CALL

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

APPROVAL OF MINUTES

Copies of the minutes of the December 28, 2017 Board of Adjustment meeting were distributed to the members for their review. Mr. Weber made a motion to approve the minutes as submitted. Mr. Smith seconded the motion, and it was unanimously approved.

NEW BUSINESS:

A-01-18 Notice of appeal, submitted by Gertrude Mullen, to vary the maximum size of an attached garage from 568 square feet (50% of the square footage of the footprint of the living space) to 960 square feet (84.5% of the square footage of the footprint of the living space of the residence) at 8 Oleander Drive.

Ms. Sprick stated the property has an existing single car garage. The property owners would like to add onto the garage. The square footage of the home is 1,136 square feet. They are allowed to have a garage half the size of the square footage of the house, or 568 square feet in this case, but they would like to build a garage larger than the allowed size.

Christine & Gertrude Mullen were present. Christine stated they are requesting additional space. They currently have a one car garage which is twelve foot one inch wide. It only allows for ten feet of space and no extra space to store trash cans, etc. They removed the old shed due to water issues from a neighboring property. They bought new cars and rodents chewed on them. They have a small attic with no space left. The side view mirrors of the cars hit the garage when backing out because there is only approximately six inches of space. They would like to widen the garage from twelve feet to fifteen feet four inches. They would like to add garage doors on the north and south side to get in and out. Their basement is too crowded, leaving no space to put things and the concrete around the home is pulling away. All other properties in the area have at least two or three car garages. Ms. Mullen stated all of her neighbors have granted variances for larger garages.

Mr. Cox stated the plans that were submitted do not seem to be clear.

Ms. Mullen explained they would like to expand the garage from 12' 1" to 15' 4" as indicated in red on the submitted plans. They would also like to expand the garage back to 60'. The cars would be stored in tandem.

Mr. Cox asked of the existing house.

Ms. Mullen replied the existing house is outlined in green on the plans.

Mr. Weber asked of the side yard setback. He stated the plan indicates it is 8' from the property line.

Mr. Baker stated he believes the plan is marked incorrectly.

Mr. Cox asked Mr. Jones what the statute allows them to do.

Mr. Jones stated the applicant needs to demonstrate that there are unusual hardships or practical difficulties that are peculiar to the property and not with other properties in the zoning district. The hardship cannot be a personal or financial matter.

Mr. Cox asked what the percentage of the variance can be.

Mr. Jones replied there is no such restriction on this particular type of variance.

Ms. Mullen stated she feels the hardship is because of the way her property lies.

Mr. Weber stated he is concerned. There is not a good architectural view of what is being proposed. He feels the plans are inadequate.

Ms. Mullen stated everything will be matched as close to the existing house as possible.

Mr. Smith asked if they have submitted what is required according to city code. Mr. Baker stated the Board should not be considering the architecture.

Mr. Jones stated the ordinance indicates the style shall be compatible with the house and the applicant stating the design will be close to the design of the home is enough for the Board to consider approval or denial.

Mr. Weber stated he feels the plan submittal is in adequate.

Mr. Baker stated the City has not granted any variances to surrounding neighbors to increase the garage size from what is allowed by code. The surrounding garages that are currently under construction or recently constructed have met all city codes for their lot.

Mr. Jones asked if the photos that have been displayed by the applicant can be submitted as Exhibits. Ms. Mullen stated they are the same photos that were submitted for the packets. Mr. Jones stated the city will enter the pictures in the file as exhibits of the applicant's presentation.

Mr. John Braaf, 9733 Sappington Road, was present and stated he lives behind the petitioner. He does not feel they meet the hardship requirements. The main issue he has is the size of the garage. There are no tandem garages in the neighborhood, therefore, it does not fit the character of the neighborhood.

Mr. Richard Cutak, at 9725 Sappington Road, was present and stated the dimensions do not make sense. He stated that 960 square feet equates to a four car garage. He asked what the retaining walls consist of and how high the wall will be.

Ms. Julie Davidson, at 6 Oleander Drive, was present and stated she is concerned with the excavation and the wall creating changes to the slope, impacting her property.

Mr. Smith stated there seems to be a lot of concern by everyone that the submission does not answer a lot of questions such as materials, roof lines, etc. or is this submittal sufficient.

Mr. Jones replied he believes the submittal is adequate.

Mr. Weber stated he does not feel adequate information has been provided.

Mr. Groth asked if it would be worthwhile to table the petition.

Mr. Baker stated they meet all of the criteria for a variance submittal and there is nothing more the city requires for a submittal.

Mr. Weber stated he feels the size is excessive.

Ms. Sprick stated a typical garage is 400 sf.

Mr. Cox called for a vote on petition A-01-18 Notice of appeal, submitted by Gertrude Mullen, to vary the maximum size of an attached garage from 568 square feet (50% of the square footage of the footprint of the living space) to 960 square feet (84.5% of the square footage of the footprint of the living space of the residence) at 8 Oleander Drive. There being zero Aye votes and four Nay votes, the petition was denied.

ADJOURNMENT

Mr. Smith made a motion to adjourn the meeting at 7:50 P.M. Mr. Weber seconded the motion, and it was unanimously approved.

Recording Secretary



Sarina Cape