

BOARD OF ADJUSTMENT  
OF THE CITY OF SUNSET HILLS, MISSOURI

THURSDAY, APRIL 26, 2018

BE IT REMEMBERED that the Board of Adjustment of the City of Sunset Hills, Missouri met in regular session on Thursday, April 26, 2018. The meeting convened at 7:00 p.m.

ROLL CALL

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

**APPROVAL OF MINUTES**

Copies of the minutes of the March 22, 2018 Board of Adjustment meeting were distributed to the members for their review. Mr. Smith made a motion to approve the minutes as submitted. Mr. Groth seconded the motion, and it was unanimously approved.

**NEW BUSINESS**

**A-03-18 Notice of Appeal, submitted by Jubilee Church, to vary the maximum site coverage allowed from 70% to 73.10% for the construction of a church at 10801 Sunset Office Drive.**

Paul Boyer, with Civil Engineering Design Consultants, and John Hasis, with Jubilee Church, were present. Mr. Boyer stated Jubilee Church is proposing a 12,000 square foot building on 1.59 acres in Sunset Hills Office Park. It is zoned PD-BC and is currently undeveloped. Parking from the neighboring Holiday Inn encroaches on the property. They are seeking a variance for the site coverage. Jubilee Church's existing

main office is on Kingshighway. Sunset Hills is their target area to move the Kirkwood location to. The building will be a 299 seat worship center with a children's classroom and meeting areas. The church will have one prayer service on Sunday and they will increase the number of services as their congregation grows. The hotel parking lot encroaches onto .2 acres their property. The lot is configured to be separate, so there will be no through traffic to Holiday Inn. The church has 76 parking spaces and they are required to have 75. The hotel and the parking lot used to have the same owner. There was an easement for cross access, but it was vacated and the property was sold. If the parking is removed, it will put the hotel in a hardship because they would be deficient on parking and green space. The church will allow the hotel to use the space, but it puts them at 73.10% site coverage. If the parking was removed, the church would be at 60.5%. If the lots were reconfigured the site coverage would be 69.3%. The church would prefer to keep the lots as they are because if there is a change in use for the hotel property they could gain that area back. They would grant a cross access easement, if necessary. They have obtained letters of support from four owners in the office park.

Mr. Smith asked if they could sell the hotel parking to them.

Mr. Boyer stated if the hotel property changes uses in the future, their parking and green space requirements would be reduced or changed. At that point, the church would like that property back so they could have as much green space as possible.

Mr. Weber asked if the hotel property could come into compliance and give up the space if their use changes.

Mr. Baker stated if an application is submitted, the City could require them to come into compliance.

Mr. Weber asked if the hotel changes uses, if the easement goes back to Jubilee.

Mr. Baker stated there is currently no easement.

Mr. Naes stated the church is in close proximity to a gas station and the hotel, which both sell liquor. He asked Mr. Jones if this could cause problems.

Mr. Jones stated only if a new business that sells liquor comes in after the church is built. They would have to meet the requirements for distance from the church.

Mr. Smith stated meetings and organizations at 6:30 A.M. or 7:30 A.M. will add to traffic.

Mr. Boyer stated attendance for those meetings is minor and they are approximately half an hour long, so it will not affect traffic.

Mr. Baker asked how many people attend the midweek prayer.

Mr. Boyer stated approximately 10 people, which is no more than six cars. They doubt the number will double and they have been doing it for two and a half years.

Mr. Weber asked if the berm behind the gas station is part of the property.

Mr. Boyer stated the berm is part of the office park. They will be cutting into the northern part of the berm for parking, but they would like to utilize the green space.

Mr. Weber asked what the staff recommended conditions are.

Ms. Sprick stated all conditions have been placed by the Planning and Zoning Commission for the amended development plan.

Mr. Hasis stated the church fully intends to let the hotel use the parking area, but they would like to reserve the right to the area. They do not want this agreement to deter selling the property in the future. They have no intention to take the parking away, but they would like to keep this as an unwritten agreement.

Mr. Smith asked if the City is agreeable to the unwritten arrangement.

Mr. Baker replied yes, as long as it is legal.

Mr. Jones stated the City has received letters in the past allowing reciprocal parking agreements to fulfill requirements.

Mr. Weber called for a vote on petition A-03-18 Notice of Appeal, submitted by Jubilee Church, to vary the maximum site coverage allowed from 70% to 73.10% for the construction of a church at 10801 Sunset Office Drive. There being four aye votes and zero nay votes, it was unanimously approved.

### **ANY OTHER MATTERS DEEMED NECESSARY**

Mr. Weber stated a Vice Chairman needs to be elected.

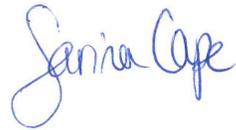
Mr. Naes nominated Mr. Smith.

With four aye votes and zero nay votes, Mr. Smith was elected as Vice Chairman.

## ADJOURNMENT

Mr. Weber made a motion to adjourn the meeting at 7:22 pm. Mr. Naes seconded the motion, and it was unanimously approved.

Recording Secretary

A handwritten signature in blue ink that reads "Sarina Cape". The signature is written in a cursive style with a large initial 'S'.

Sarina Cape