

BOARD OF ADJUSTMENT
OF THE CITY OF SUNSET HILLS, MISSOURI

THURSDAY, MAY 7, 2020

BE IT REMEMBERED that the Board of Adjustment of the City of Sunset Hills, Missouri met in regular session on Thursday, May 7, 2020. The meeting convened at 10:00 p.m.

ROLL CALL

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

Absent:

APPROVAL OF MINUTES

Copies of the minutes of the February 27, 2020 Board of Adjustment meeting were distributed to the members for their review. Mr. Weber stated the vote for A-07-20 on page three should have been 3 nay votes and 1 aye vote. Mr. Smith made a motion to approve the minutes, as amended. Mr. Cox seconded the motion, and it was unanimously approved.

NEW BUSINESS

A-14-20 Notice of appeal, submitted by Timothy & Dana Emert, to allow an accessory structure in front of the principal structure for the construction of an inground swimming pool at 12871 Weber Hill Road.

Ms. Sprick stated that the property is on a sharp curve and a steep hill. In order to build the home, they had to have a variance. Realistically, this would be their backyard, but since it is on the curve in the road, it is considered their front yard. All other requirements will be met.

Tim Emert, petitioner, was present and stated the road wraps around the property on three sides. The other side is adjoining a neighbor. The pool will not be seen from the road in any direction. The front will be blocked by the home and the back has a 30 foot hill with dense vegetation.

Mr. Weber stated he sees no problem with the variance.

Mr. Smith stated this is an extremely difficult site and they have done an excellent job at designing a pool for the property.

Mr. Cox agreed.

Mr. Weber called for a vote on petition A-14-20 Notice of Appeal, submitted by Timothy and Dana Emert, to allow an accessory structure in front of the principal structure for the construction of an inground swimming pool at 12871 Weber Hill Road. With five aye votes and zero nay votes, the petition was approved.

A-15-20 Notice of appeal, submitted by Dr. Kurt Eichholz, to vary the side setback from the required fifteen feet (15') to ten feet (10') for the construction of a medical office at 4590 South Lindbergh Boulevard.

Ms. Sprick stated in February the petitioner asked to vary the setback from fifteen feet to five feet, but the variance was denied. The plans have been revised and he would now like to request to vary the setback from fifteen feet to ten feet. The petitioner stated that all other requirements will be met.

Dr. Kurt Eichholz, property owner, was present and stated in 2018 a surgery center was built behind the building in question. 3,000 patients have had surgery at the center since it was built. It is essential to have an MRI machine in his office. The building is currently non-conforming at five feet from the property line on one side. He is asking for a 10 foot setback. The hardship falls on the placement of the MRI machine in the office. Since it is a magnet, it has to be away from any large metal objects or electronics. It must be 25 feet away from parking and roads. The machine requires its own air-conditioning unit to maintain the correct temperature. The building is surrounded on three sides by parking and on the south side is the neighboring building's drive aisle to their rear parking. This drastically limits the placement of the machine. The neighboring office owner wrote a letter in full support of even a five foot setback. The new building will be less non-conforming than what is currently existing.

Mr. Weber stated they are starting from a clean slate, but he understands more about the MRI machine now.

Mr. Cox stated the drawings helped make things more clear.

Cathy Eli, living southeast to the building, stated her and her neighbors support the variance. She asked about stormwater retention.

Dr. Eichholz stated there is a planned detention pond between the two buildings and pervious pavement. When the surgery center was built, all stormwater was planned to go off the northeast portion of the site. The neighboring property's water runs off into the residential properties.

Ms. Eli stated there are two run off spots on the back of Dr. Eichholz property that go onto the residential properties.

Mr. Baker stated this development, being in front, will address only stormwater in the front of the property. Any stormwater leaving the site, has already been approved by

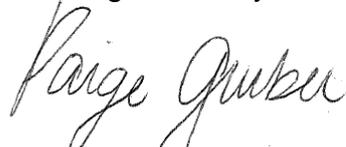
Missouri Sewer District. There should be no more, but possibly less.

Mr. Weber called for a vote on petition A-15-20 Notice of appeal, submitted by Dr. Kurt Eichholz, to vary the side setback from the required fifteen feet (15') to ten feet (10') for the construction of a medical office at 4590 South Lindbergh Boulevard. With five aye votes and zero nay votes, the petition was approved.

ADJOURNMENT

Mr. Smith made a motion to adjourn the meeting at 10:33 A.M. Mr. Cox seconded the motion, and it was unanimously approved.

Recording Secretary

A handwritten signature in cursive script that reads "Paige Gruber". The signature is written in black ink and is positioned above the printed name.

Paige Gruber