

BOARD OF ADJUSTMENT
OF THE CITY OF SUNSET HILLS, MISSOURI

FRIDAY, AUGUST 21, 2020

BE IT REMEMBERED that the Board of Adjustment of the City of Sunset Hills, Missouri met by Zoom meeting on Friday, August 21, 2020. The meeting convened at 10:00 A.M.

ROLL CALL

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

Absent:

APPROVAL OF MINUTES

Copies of the minutes of the July 23, 2020 Board of Adjustment meeting were distributed to the members for their review. Mr. Smith made a motion to approve the minutes as submitted. Mr. Cox seconded the motion, and it was unanimously approved.

NEW BUSINESS

A-20-20 Notice of Appeal, submitted by Dennis & Lori Wahlig, to vary the minimum lot size from the required 1 acre to 0.85 acre for a minor subdivision at 12851 West Watson Road.

This appeal has been postponed.

A-21-20 Notice of Appeal, submitted by Dennis & Lori Wahlig, to vary the minimum lot size from the required 1 acre to 0.87 acre for a minor subdivision at 12851 West Watson Road.

This appeal has been postponed.

A-30-20 Notice of Appeal, submitted by Max Bemberg, to allow the height of a detached garage to exceed the height of the primary structure at 12614 Elnore Drive (Per Appendix B Section 4.3-4F).

Ms. Sprick stated that in May two permits were issued for the property. When the garage was near completion, it was brought to the City's attention that the garage is taller than the residence. The roof addition that is being constructed on the home will mimic the roof of the garage, but the garage will still exceed the height of the residence.

Max Bemberg, architect, was present and stated the permits were approved and construction was already underway when a notice was received about the height of the garage. The height difference was not brought up during the permit process. When the home's roof addition is complete the ridgeline will mimic the style and height of the garage. It would cost the owners a lot to change the garage at this point.

Mr. Weber asked if the floor level of the garage is higher than the floor level of the house.

Mr. Bemberg stated yes.

Mr. Weber called for a vote on petition A-30-20 Notice of Appeal, submitted by Max Bemberg, to allow the height of a detached garage to exceed the height of the primary structure at 12614 Elnore Drive (Per Appendix B Section 4.3-4F). With 5 aye votes and 0 nay votes, the petition was approved.

A-31-20 Notice of Appeal, submitted by Bruce Studer, to vary the front setback from the required 50 feet to 40 feet for a covered porch addition at 9826 Sunset Greens Drive (Per Appendix B Section 4.3-4B1a).

Ms. Sprick stated the residence was constructed in 1978. The foundation was poured in violation of the setbacks and a variance was granted. They would like to add an unenclosed, covered porch. A porch can encroach 10 feet into the setback if there is no cover. When it's covered, it must meet setback requirements.

Carol & Bruce Studer, homeowners, were present. Mr. Studer stated the porch addition will drastically improve the appearance of the home and will increase the value of the home and neighborhood. This is the ideal time to add the porch as there is additional maintenance that needs to be done.

Mr. Smith stated there will be a significant amount of damage to the landscape during the process. He asked about the large tree in the front yard.

Mr. Studer stated there are no plans to remove the tree. The planter walls will have to come out. The trees that are in them are drastically overgrown and they are concerned about the roots damaging the home.

Mr. Smith stated the landscaping was mentioned on the plans and asked what exactly will be done.

Mr. Studer stated they will relandscape the entire north and east sides of the home. The existing plantings have been eaten by deer and need to be replaced.

Mr. Weber asked how close the addition will be to the driveway

Mr. Studer stated it will be nine feet, halfway between the front of the house and the edge of the driveway.

Mr. Weber called for a vote on petition A-31-20 Notice of Appeal, submitted by Bruce Studer, to vary the front setback from the required 50 feet to 40 feet for a covered porch addition at 9826 Sunset Greens Drive (Per Appendix B Section 4.3-4B1a). With 5 aye votes and 0 nay votes, the petition was approved.

A-32-20 Notice of Appeal, submitted by Jeff Day & Associates, to allow an accessory structure (pool house) to be constructed in front of the primary structure at 9809 Grandview Estates Drive (Per Appendix B Section 5.12-2A1).

This Appeal has been postponed.

It should be noted that the following petitions were heard at the same time, but voted on separately.

A-33-20 Notice of Appeal, submitted by Bob Williams, to vary the height of a ground sign from the required 8 feet to 14 feet 7 inches at 3720 South Lindbergh Boulevard (Per Appendix D Section 8a).

A-34-20 Notice of Appeal, submitted by Bob Williams, to vary the size of a ground sign from 50 square feet to 108 square feet at 3720 South Lindbergh Boulevard (Per Appendix D Section 8d).

A-35-20 Notice of Appeal, submitted by Bob Williams, to vary the total square feet of signage from 200 square feet to 310 square feet at 3720 South Lindbergh Boulevard (Per Appendix D Section 5a2g).

Ms. Sprick stated at the last meeting the sign plan required several variances. Three variances were withdrawn and three new variances have been submitted. Originally, two ground signs were proposed, now there is just one. It exceeds height and size requirements. The total square footage of signs on the property exceeds the limit, as well. The wall signs meet the requirements, but overall the signage exceeds what is allowed.

Erin Bielski & Bob Williams, of Bill Yount Signs, were present. Ms. Bielski stated the ground signs were combined and contains all tenants. The site is long and narrow, and the tenants to the back do not get frontage to Lindbergh Boulevard. The gas prices must be displayed, as well. The sign package requires 10 acres which is difficult for a multitenant location. Readability is important. If the writing is too small, people will be slowing down to read it which is dangerous.

Mr. Weber disagrees with shape of lot being difficult and this does not meet the four requirements for a hardship. The Board must maintain the integrity of Sunset Hills and its ordinances. They were aware of the restrictions before the property was purchased and the designing started. The petitioner stated he would have to increase the height of the ground sign, but the width has increased as well now, causing a significant change in size.

Ms. Bielski stated the sign is the same width as the original sign.

Mr. Weber stated that was not indicated at the last meeting. It was stated that said the height would increase, but not the width.

Ms. Bielski stated this new proposal is the same width as the original main monument sign proposal.

Mr. Weber stated the request is from 50 square feet to 108 square feet, the drawing is more than 108 square feet. The calculations are off.

Ms. Bielski stated the calculations are shown correctly.

Mr. Weber stated the calculations are incorrect and the top wave logo is not included.

Ms. Bielski explained her calculations.

Mr. Weber stated the request does not match the drawing.

Mr. Williams stated the brick background was not calculated as signage.

Ms. Sprick stated that is where the discrepancy is. The code requires the background to be part of the calculation. When the public hearings were published, the square footage was over-estimated. This request stays under the overestimation.

Mr. Weber stated the Tidal Wave establishment in Chesterfield's sign is much more agreeable than this sign. He asked why this sign cannot be more like that one.

Ms. Bielski stated the location has more visibility. There is more signage than just that monument sign at that site.

Mr. Williams stated the Chesterfield location has two monument signs.

Mr. Jones stated the public notice for the hearing shows a variance for total signage of the sign from 50 square feet to 176 square feet. They are asking for 108 square feet, so there is no problem with the notice.

Ms. Sprick stated a letter was sent by Kathleen and Tim Lalk, residents of 8817 Ryegate Court. Mr. and Mrs. Lalk were asking for variances to be denied due to safety, conformity and overall beauty of the community. The property is on a well-traveled corner and visibility should not be a problem.

Mr. Weber stated the only way this proposal would be agreeable is if the wave would be removed from the top.

Mr. Williams asked if the wave is removed, if the Board would agree.

Mr. Weber stated the wave needs to come off either way, but the sign is still too big.

Mr. Cox agreed.

Mr. Williams asked if the request can be tabled and revised drawings be submitted.

Mr. Weber stated it is the petitioner's decision, but he does not agree with the proposed sign.

Mr. Williams requested the petitions be tabled.

Mr. Jones asked if they would like to table or withdraw.

Mr. Williams requested to withdraw all three applications.

A-33-20 Notice of Appeal, submitted by Bob Williams, to vary the height of a ground sign from the required 8 feet to 14 feet 7 inches at 3720 South Lindbergh Boulevard (Per Appendix D Section 8a). **This petition has been withdrawn by the petitioner.**

A-34-20 Notice of Appeal, submitted by Bob Williams, to vary the size of a ground sign from 50 square feet to 108 square feet at 3720 South Lindbergh Boulevard (Per Appendix D Section 8d). **This petition has been withdrawn by the petitioner.**

A-35-20 Notice of Appeal, submitted by Bob Williams, to vary the total square feet of signage from 200 square feet to 310 square feet at 3720 South Lindbergh Boulevard (Per Appendix D Section 5a2g). **This petition has been withdrawn by the petitioner.**

ADJOURNMENT

Mr. Smith made a motion to adjourn the meeting at 10:38 A.M. Mr. Cox seconded the motion, and it was unanimously approved.

Recording Secretary



Paige Gruber