

BOARD OF ADJUSTMENT  
OF THE CITY OF SUNSET HILLS, MISSOURI  
THURSDAY, APRIL 28, 2022

BE IT REMEMBERED that the Board of Adjustment of the City of Sunset Hills, Missouri met in regular session on Thursday, April 28, 2022. The meeting convened at 7:00 P.M.

ROLL CALL

Present:	William Weber	-Member
	Mark Naes	-Member
	John Hassis	-Member
	Kurt Krueger	-Alternate Member
	Ronald Hack	-Alternate Member
	Lynn Sprick	-City Planner
	Jim Hetlage	-City Attorney
	Bryson Baker	-City Engineer
Absent:	Larry Smith	-Member
	Joshua Arnold	-Member

**APPROVAL OF MINUTES**

Copies of the minutes of the April 7, 2022 Board of Adjustment meeting were distributed to the members for their review. Mr. Hassis made a motion to approve the minutes, as submitted. Mr. Naes seconded the motion, and it was unanimously approved.

**NEW BUSINESS**

A-12-22      Petition for a Variance, submitted by Hazim Bajric, to vary the side setback from the required ten feet (10') to three feet, eight inches (3'8") for an existing shed at 8 Meppen Drive (Appendix B, Section 4.5-4B1b).

Appendix B, Section 4.5-4B1b should be submitted into the record.

Mr. Hetlage stated exhibit one is the application, exhibit two is the staff report, exhibit three is the petitioner info, and exhibit four is the public hearing.

Ms. Sprick was sworn in and stated the shed was removed and replaced with a new one in the same location. The owner would like the shed to remain in this location.

Hazim Bajric was present, sworn in, and stated he has remodeled the house, but the shed was falling apart. He rebuilt it in the same location and he did not know it needed to be farther from the property line. Ground hogs caused him to pour the concrete in this area. He has heavy equipment for yardwork that he cannot keep in the garage. The fence is inside the property lines by approximately two feet.

Mr. Weber asked if there was a concrete pad for the old shed.

Mr. Bajric replied no; it was on a 6x6 board. He took it in about seven inches more from where the board originally sat.

Mr. Hassis asked if he applied for a permit and was denied or if this was something that was seen by the City Inspector.

Ms. Sprick stated the Inspector cited them for the shed and then he applied for the permit.

Mr. Bajric stated inspections were done during the remodel, so he thought this would be included in that permit.

Mr. Krueger stated sheds over 120 square feet need a permit through St. Louis County, as well. He asked if this shed is over 120 square feet.

Mr. Bajric stated he thinks it is. He was unaware he needed a permit to replace the shed.

Mr. Krueger asked what happens if he gets City approval, but does not take it to St. Louis County.

Ms. Sprick stated St. Louis County will not look at the project until he receives zoning approval from the City.

Mr. Krueger asked if he was aware that he still has to go to St. Louis County.

Ms. Sprick stated this is made clear during the building permit process.

Mr. Krueger stated St. Louis County will want drawings and will do inspections. If the size is reduced, he may not need a variance.

Ms. Sprick stated he would need zoning approval regardless of the size.

Mr. Weber asked if this is the first step.

Ms. Sprick stated the first step is to apply for the permit, but the shed is already built.

Mr. Bajric stated the old shed was deteriorating.

Mr. Hassis asked if the new shed is bigger than the old one.

Mr. Bajric stated it is the same size, if not shorter.

Mr. Hassis stated it is shown as 12 x17 on the site plan.

Mr. Bajric stated the measurements on the site plan were approximate.

Mr. Hassis stated the plans should be updated with the correct size.

Mr. Hack asked if the homeowner constructed the shed or a contractor.

Mr. Bajric stated a concrete company poured the slab and then he built the shed.

Mr. Hack asked if he consulted an engineer for the construction.

Mr. Bajric stated he is experienced in building these structures.

Mr. Hack asked if there were any complaints from the neighbors.

Mr. Bajric stated his neighbor would be willing to write a letter supporting the shed.

Mr. Weber called for a vote on petition A-12-22 Petition for a Variance, submitted by Hazim Bajric, to vary the side setback from the required ten feet (10') to three feet, eight inches (3'8") for an existing shed at 8 Meppen Drive (Appendix B, Section 4.5-4B1b). With three aye votes and two nay votes, the petition was denied.

A-13-22      Petition for a Variance, submitted by Matt Willett, to allow the placement of a fence over four feet (4') in the front yard at 11682 Denny Road (Appendix B, Section 5.14-2A2).

Appendix B, Section 5.14-2A2 should be submitted into the record.

Mr. Hetlage stated exhibit one is the application, exhibit two is the staff report, exhibit three is the petitioner information, and exhibit four is the public hearing notice.

Ms. Sprick stated the property is on a corner lot, so it has two front yards. A portion of the fence will extend beyond the house, into what is considered to be the front yard. It will be constructed of rod iron fence material. The City received one letter in opposition. Al and Margaret Baker, of 11659 Denny Road, wrote that they are opposed to a fence over four feet facing Denny Road.

Matt Willett was present, sworn in, and stated he would like to construct a 4 ½ foot fence. The backyard is very shallow, so he would like a little more room. It will be placed 20 feet off of the road and it is not a privacy fence. He has a two year old at home to protect against aggressive dogs and speeding cars. He also has two air conditioners along that side of the home and the fence would help deter from thieves. He has two letters from the closest neighbors and they are in favor of the fence.

Ms. Sprick read the letters into the record. Hiro & Stephen Penick, of 11670 Denny Road, wrote that Mr. Willett should be allowed to have a fence to protect the property and their child's safety. It will not block their view. Matt Palazzolo, of 9405 Oakwood Manor Lane, believes it of the utmost importance for the child's safety. It will not interfere with pulling out onto Denny Road.

Mr. Weber asked why he only wants six inches higher than the allowable height.

Mr. Willett stated he feels the extra six inches will help deter dogs and other things.

Mr. Hassis asked if it is only 10 feet past the allowable area.

Ms. Sprick replied yes, it cannot go past the front corner of the home.

Mr. Krueger asked if there is a gate within that 10 foot extension area.

Mr. Willett stated yes, so he can get access to the backyard.

Mr. Hassis asked if there will be a gate on the other side.

Mr. Willet replied yes.

Mr. Hassis stated he would still have access and does not have to have the gate on the garage side.

Mr. Weber asked about a white, solid, six foot high fence up the road from this address.

Ms. Sprick stated in the past a permit was not required for fences. There are some legally nonconforming fences in the City.

Mr. Baker stated it has always been a Code requirement, but it was only enforced starting in October 2018.

Mr. Krueger asked if there will be parking within this 10 foot area for trailers or anything of the sort.

Ms. Sprick stated a condition could be made, to prevent this from happening.

Mr. Krueger asked if the Board would be in favor of that condition.

Mr. Krueger made a motion to include the prohibiting of parking of any vehicles, trailers, or recreational equipment within the Zoning Code's 30 foot setback area. Mr. Hack seconded the motion. With five aye votes and zero nay votes the motion passed.

Mr. Weber called for a vote on petition A-13-22 Petition for a Variance, submitted by Matt Willett, to allow the placement of a fence over four feet (4') in the front yard at 11682 Denny Road (Appendix B, Section 5.14-2A2) with the condition that there is no parking of vehicles, trailers, or recreational equipment within the 30 foot setback area. With five aye votes and zero nay votes, the petition was approved.

### **ANY OTHER MATTERS DEEMED APPROPRIATE**

Mr. Weber asked if there is anything on the agenda for next month.

Ms. Sprick stated the signs for Bass Pro Shop. The ordinance for the Shoppe's states that a sign plan has to be submitted to the Board of Aldermen, but she will check to see if the Board of Adjustment will have to approve the variances, as well.

## **ADJOURNMENT**

Mr. Krueger made a motion to adjourn the meeting at 7:30 P.M. Mr. Hassis seconded the motion, and it was unanimously approved.

Recording Secretary



Sarina Cape