

BOARD OF ADJUSTMENT
OF THE CITY OF SUNSET HILLS, MISSOURI
THURSDAY, JULY 27, 2023

BE IT REMEMBERED that the Board of Adjustment of the City of Sunset Hills, Missouri met in regular session on Thursday, July 27 2023. The meeting convened at 7:00 P.M.

ROLL CALL

Present:	William Weber	-Member
	Kurt Krueger	-Alternate Member
	John Hassis	-Member
	Larry Smith	-Member
	Mark Naes	-Member
	Greg Dohrman	-Attorney
	Bryson Baker	-City Engineer

Absent:	Joshua Arnold	-Member
	Mike Knight	-City Planner

APPROVAL OF MINUTES

Copies of the minutes of the May 25, 2023, Board of Adjustment meeting were distributed to the members for their review. Mr. Smith motioned to approve the minutes as submitted. Mr. Krueger seconded the motion, and they were unanimously approved.

NEW BUSINESS

A-20-23 **3720 S. Lindbergh Blvd. (Aaron Sansone)**: A request for a variance from the City of Sunset Hills Unified Development Ordinance, Section 4.4.2.2 to permit a fence eight feet in height in lieu of the maximum six feet in height.

Mr. Dohrman stated exhibit 1 is the Unified Development Ordinance of the City of Sunset Hills (UDO), exhibit 2 is the application for A-20-23, exhibit 3 is the staff report for A-20-23, exhibit 4 is the petitioner information for A-20-23, and exhibit 5 is the public hearing information, including the notice and mailing list for A-20-23.

Mr. Baker was sworn in and stated the fence is to protect the residents on Ryegate Court, to the east, from the noise of the carwash tunnel and the lights from the cars. The petitioner and the residents are working together to have the fence constructed. A letter of support, with twelve signatures, has been received from the Ryegate Court residents.

Mr. Weber asked why the fence is not wider.

Mr. Baker stated the size was an agreement that the petitioner and residents came to.

Mr. Krueger asked if it is approximately the width of the carwash.

Mr. Baker stated it is wider and taller.

Kathryn Heese, of 8811 Ryegate Court, was present, sworn in, and stated the residents would love to have a taller fence around the entire property, but they compromised with the carwash. There used to be a fence along the entire length when the property had a hotel on it. The residents have looked into putting in additional fencing and landscaping, but it would be expensive. Most of the activities of the gas station are blocked by the office condominiums, but the carwash is an issue. The three, 8-foot sections would have enough blockage for the lights and would be close enough to the carwash to block the noise. The fence is not required by City requirements, but the residents are happy the petitioner is willing to provide one.

Mr. Weber asked if it would help with the noise.

Mrs. Heese stated it will not eliminate it, but it will help. They are going to add more landscaping on the residential side and the office condominiums may try to request a taller fence, eventually.

Mr. Weber called for a vote on A-20-23 - 3720 S. Lindbergh Blvd. (Aaron Sansone): A request for a variance from the City of Sunset Hills Unified Development Ordinance, Section 4.4.2.2 to permit a fence eight feet in height in lieu of the maximum six feet in height. A roll call vote was taken.

William Weber	-aye
Mark Naes	-aye
John Hassis	-aye
Larry Smith	-aye
Kurt Krueger	-aye

With 5 aye votes and 0 nay votes, the petition was approved.

A-21-23 **10893 Sunset Hills Plaza (El Agave):** A request for a variance from the City of Sunset Hills City Code, Appendix D, Section 6 to permit a sign on a wall of a building that is not located on the required front-facing wall.

Mr. Dohrman stated exhibit 1 is the UDO, exhibit 2 is the application for A-21-23, exhibit 3 is the staff report for A-21-23, exhibit 4 is the petitioner information for A-21-23, and exhibit 5 is the public hearing information for A-21-23. The mailing list will be supplemented after the meeting, as part of exhibit 5.

Mr. Baker stated the Code does not allow wall signs on the side of a building that does not face a road. The petitioner would like a wall sign on the west side of the building, which is their main entrance. The previous business had a wall sign in the same location.

Mr. Weber asked if the sign meets the square footage requirements.

Mr. Baker replied yes, no other variances would be necessary.

Paul Mullen, with Yesco Sign and Lighting Service, was present, sworn in, and stated they would like the sign on the side of building for customers entering the building. If they are coming from the highway, they would not be able to see signage as they are pulling up. It would be too late when they see the monument sign.

Mr. Weber called for a vote on A-21-23 - 10893 Sunset Hills Plaza (El Agave): A request for a variance from the City of Sunset Hills City Code, Appendix D, Section 6 to permit a sign on a wall of a building that is not located on the required front-facing wall. A roll call vote was taken.

William Weber	-aye
Mark Naes	-aye
John Hassis	-aye
Larry Smith	-aye
Kurt Krueger	-aye

With 5 aye votes and 0 nay votes, the petition was approved.

It should be noted that the following three petitions were heard simultaneously but voted on separately.

A-23-23 **13190 Gravois Road (MAWC):** A request for a variance from the City of Sunset Hills City Code, Appendix A, Section 3 to reduce the rear setback of a property zoned NU Non-Urban from 35 feet to 0 feet.

A-24-23 **13190 Gravois Road (MAWC):** A request for a variance from the City of Sunset Hills City Code, Appendix A, Section 3 to permit a maximum height of 60-feet in lieu of the 40-foot requirement for a structure located on property zoned NU Non-Urban.

A-25-23 **13190 Gravois Road (MAWC)**: A request for a variance from the City of Sunset Hills City Code, Appendix A, Section 4 to provide a drivable surface of gravel on a property zoned NU Non-Urban.

Mr. Dohrman stated exhibit 1 is the UDO, exhibit 2 is the application for A-23-23, exhibit 3 is the staff report for A-23-23, exhibit 4 is the petitioner information for A-23-23, exhibit 5 is the public hearing information for A-23-23, exhibit 6 is the application for A-24-23, exhibit 7 is the staff report for A-24-23, exhibit 8 is the petitioner information for A-24-23, exhibit 9 is the public hearing information for A-24-23, exhibit 10 is the application for A-25-23, exhibit 11 is the staff report for A-25-23, exhibit 12 is the petitioner information for A-25-23, and exhibit 13 is the public hearing information for A-25-23.

Mr. Baker stated the facility must be located on the riverbank to intake water. The height variance is to increase efficiency and safety for flooding events. The gravel area variance is preferred. They currently have a gravel lot, they would just like to extend it, but they are not allowed to extend it due to the Code.

Mr. Smith asked how tall the building is without the antenna.

Mr. Baker stated 45 feet, which is still 5 feet over the maximum height allowed.

Justin Steinkuehler, engineer with Crawford, Murphy, and Tilly, was present, sworn in and stated the rear setback variance is important. The variances are already existing conditions on the site. Water is taken from the Meramec River from the subsurface. Raw water is pulled out and sent to a treatment facility. The requested building height is best for communication. The facility is monitored remotely from the treatment plant. The antenna provides continuous communication for the facility's functioning status. The gravel lot would be best for quick and expedited equipment travel throughout site. It will be used very minimally. The gravel surface helps with quick maintenance for emergency repairs.

Mr. Weber asked if the existing structure will be torn down.

Mr. Steinkuehler stated most of it will be taken down. Some of the electrical equipment will stay.

Mr. Weber asked what happens when the river is low.

Mr. Steinkuehler stated the screens are 4 feet tall. There must be 2 feet of clearance just to be able to have the pressure to push water through. Historical data and trending river level research helps determine what actions need to be taken.

Mr. Smith asked what happens if the river drops below the minimum.

Mr. Steinkuehler stated a temporary measure is put into place to pump water from a lower point.

Mr. Weber called for a vote on A-23-23 - 13190 Gravois Road (MAWC): A request for a variance from the City of Sunset Hills City Code, Appendix A, Section 3 to reduce the rear setback of a property zoned NU Non-Urban from 35 feet to 0 feet. A roll call vote was taken.

William Weber	-aye
Mark Naes	-aye
John Hassis	-aye
Larry Smith	-aye
Kurt Krueger	-aye

With 5 aye votes and 0 nay votes, the petition was approved.

Mr. Weber called for a vote on A-24-23 - 13190 Gravois Road (MAWC): A request for a variance from the City of Sunset Hills City Code, Appendix A, Section 3 to permit a maximum height of 60-feet in lieu of the 40-foot requirement for a structure located on property zoned NU Non-Urban. A roll call vote was taken.

William Weber	-aye
Mark Naes	-aye
John Hassis	-aye
Larry Smith	-aye
Kurt Krueger	-aye

With 5 aye votes and 0 nay votes, the petition was approved.

Mr. Weber called for a vote on A-25-23 - 13190 Gravois Road (MAWC): A request for a variance from the City of Sunset Hills City Code, Appendix A, Section 4 to provide a drivable surface of gravel on a property zoned NU Non-Urban. A roll call vote was taken.

William Weber	-aye
Mark Naes	-aye
John Hassis	-aye
Larry Smith	-aye
Kurt Krueger	-aye

With 5 aye votes and 0 nay votes, the petition was approved.

It should be noted that the following three petitions were heard simultaneously but voted on separately.

A-22-23 **10705 Watson Road (Holiday Inn):** A request for a variance from the City of Sunset Hills City Code, Appendix D, Section 5 to permit a maximum of 435 square feet of total signage in lieu of the maximum of 200 square feet of total signage permitted.

A-26-23 **10705 Watson Road (Holiday Inn):** A request for a variance from the City of Sunset Hills City Code, Appendix D, Section 5 to permit a wall sign 127

square feet in size and a wall sign 156 square feet in size in lieu of the maximum of 100 square feet permitted.

A-27-23 **10705 Watson Road (Holiday Inn):** A request for a variance from the City of Sunset Hills City Code, Appendix D, Section 5 to permit 3 wall signs on the same exterior surface in lieu of the maximum one sign permitted.

Mr. Dohrman stated exhibit 1 is the UDO, exhibit 2 is Appendix D of the City of Sunset Hills Code of Ordinances, exhibit 3 is the application for A-22-23, exhibit 4 is the staff report for A-22-23, exhibit 5 is the petitioner information for A-22-23, A-26-23, and A-27-23, exhibit 6 is the public hearing information, including the notice and mailing list, for A-22-23, A-26-23, and A-27-23, exhibit 8 is the staff report for A-26-23, exhibit 9 is the application for A-27-23, and exhibit 10 is the staff report for A-27-23.

Mr. Baker showed a chart with measurements and locations of existing and proposed signage.

Adam Garner, project manager with Summit Sign and Graphics, was present, sworn in, and stated the hotel had made improvements to the exterior and interior. They removed the existing signage and now Holiday Inn would like to rebrand with the requested signage. The sizing is appropriate for the space on the building and the visibility from the road would be efficient.

Mr. Weber asked how the signage was calculated.

Mr. Garner stated a box is put around the entire signage area. If they are individual letters, they get a 33% decrease in square footage.

Mr. Smith asked what the reasoning was for having two identical signs so close together with the large "H" above the door and the small "h" below the canopy.

Mr. Garner stated the larger would be for traffic farther away and the smaller would be for foot traffic.

Mr. Smith stated the amount of signage is excessive.

Mr. Weber asked if there is a possibility of cutting the amount of signage back.

Mr. Garner stated there may be. There was original signage that is being moved that may be able to be eliminated, especially since it is part of the old branding.

Mr. Krueger stated that is a good compromise.

Mr. Hassis stated the owner should make that decision.

Mr. Garner stated the owner has authorized him to make these decisions. He thinks it is a good compromise.

Mr. Weber asked how they can proceed with removing the original sign when voting.

Mr. Dohrman stated conditions would have to be applied to each petition.

Mr. Weber called for a vote on A-22-23 - 10705 Watson Road (Holiday Inn): A request for a variance from the City of Sunset Hills City Code, Appendix D, Section 5 to permit a maximum of 435 square feet of total signage in lieu of the maximum of 200 square feet of total signage permitted with the condition that the maximum only be increased to 308 square feet with the elimination of the 127 square foot sign. A roll call vote was taken.

William Weber	-aye
Mark Naes	-aye
John Hassis	-aye
Larry Smith	-aye
Kurt Krueger	-aye

With 5 aye votes and 0 nay votes, the petition was approved.

Mr. Weber called for a vote on A-26-23 - 10705 Watson Road (Holiday Inn): A request for a variance from the City of Sunset Hills City Code, Appendix D, Section 5 to permit a wall sign 127 square feet in size and a wall sign 156 square feet in size in lieu of the maximum of 100 square feet permitted with the condition that only the 156 square

foot sign is approved and the 127 square foot sign is eliminated. A roll call vote was taken.

William Weber	-aye
Mark Naes	-aye
John Hassis	-aye
Larry Smith	-aye
Kurt Krueger	-aye

With 5 aye votes and 0 nay votes, the petition was approved.

Mr. Weber called for a vote on A-27-23 - 10705 Watson Road (Holiday Inn): A request for a variance from the City of Sunset Hills City Code, Appendix D, Section 5 to permit three wall signs on the same exterior surface in lieu of the maximum one sign permitted, with the condition that only two wall signs be permitted, and one is eliminated. A roll call vote was taken.

William Weber	-aye
Mark Naes	-aye
John Hassis	-aye
Larry Smith	-aye
Kurt Krueger	-aye

With 5 aye votes and 0 nay votes, the petition was approved.

ANY OTHER MATTERS DEEMED APPROPRIATE

Mr. Weber stated there was a variance that was approved for an addition and a condition the Board placed was that the drainage on the property be fixed. The neighbor sued the City and the Board but failed in court. The appeal has been dismissed.

ADJOURNMENT

Mr. Smith made a motion to adjourn the meeting at 7:54 P.M. Mr. Hassis seconded the motion, and it was unanimously approved.

Recording Secretary



Sarina Cape