

BOARD OF ADJUSTMENT  
OF THE CITY OF SUNSET HILLS, MISSOURI  
THURSDAY, MAY 25, 2023

BE IT REMEMBERED that the Board of Adjustment of the City of Sunset Hills, Missouri met in regular session on Thursday, May 25, 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
	Ronald Hack	-Alternate Member
	Lyndee Rodamaker	-Attorney
	Bryson Baker	-City Engineer
	Mike Knight	-City Planner
Absent:	Mark Naes	-Member
	Joshua Arnold	-Member

**APPROVAL OF MINUTES**

Copies of the minutes of the April 27, 2023, Board of Adjustment meeting were distributed to the members for their review. Mr. Smith motioned to approve the minutes as submitted. Mr. Hassis seconded the motion, and they were unanimously approved.

**NEW BUSINESS**

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

A-18-23 Application for a Variance, submitted by Rebecca Braun, to vary the side setback from the required ten feet (10') to eight feet (8') for the construction of an attached garage at 11 Meppen Court (UDO Section 3.3)

A-19-23 Application for a Variance, submitted by Rebecca Braun, to vary the rear setback from the required thirty feet (30') to ten feet (10') for the construction of an attached garage at 11 Meppen Court (UDO Section 3.3)

Ms. Rodamaker stated exhibit one is the Unified Development Ordinance of the City of Sunset Hills (UDO), exhibit two is the application for A-18-23, exhibit three is the staff report for A-18-23, exhibit four is the application for A-19-23, exhibit five is the staff report for A-19-23, exhibit six is the petitioner information for A-18-23 and A-19-23, exhibit seven is the public hearing information, affidavit, and mailing list for A-18-23 and A-19-23, and exhibit eight is the building permit application for 11 Meppen Court.

Mr. Knight was sworn in and stated both items are for the same property and garage, but separate variances. The property is zoned R-3, and the surrounding properties are single-family, also zoned R-3. The zoning dictates the setback requirements. In 2009, a building permit was issued for a detached garage. The permit has since expired and only the foundation was poured. The applicant is proposing a garage attached to the home by a breezeway. It encroaches on the side and rear setbacks. He showed the site plan and encroachment areas. The adjacent neighbor submitted their approval. He articulated Missouri state statute, Sunset Hills Code, and Missouri case law for Board of Adjustment variance requests.

Pavel Ivanchuk, architect, and Rebecca Braun, homeowner, were present and sworn in. Mr. Ivanchuk showed the original approved permit and a picture of the completed foundations. The structure is not usable as a garage, as it stands, and it is too close to the house for a detached garage. The garage being attached by a breezeway requires it to meet the principal building setbacks.

Mr. Smith asked if the breezeway is the reason, they must meet the 30-foot rear setback.

Mr. Knight replied yes.

Mr. Smith stated currently there are reinforcing anchors that are not covered. This is a safety issue.

Mr. Weber asked if the existing foundation will be used.

Mr. Ivanchuk stated it will be used and they will be adding onto it. The addition will make it big enough for the family's vehicles.

Mr. Weber asked if the breezeway is necessary.

Mr. Ivanchuk stated it is the desire of the homeowner to have it.

Mr. Weber asked how far it is from the home.

Mr. Ivanchuk stated 5-foot, 1 inch.

Ms. Braun stated the breezeway is to cover for rain.

Mr. Weber stated the original plans were hand drawn.

Mr. Ivanchuk stated he did not submit the plans for the original permit.

Mr. Hack asked if the breezeway is enclosed.

Mr. Ivanchuk stated it is open air.

Mr. Hack asked if it was enclosed, would that affect the rear setback requirement.

Mr. Knight replied no.

Mr. Hack asked if it was made larger, could it be made into a sunroom and would that change the setback requirement.

Mr. Knight stated it would still have to meet the same rear setback requirement and a detached garage must be ten feet away from the primary structure.

Mr. Hack asked if there is a way to design the garage to attach it to the house without the breezeway and if that would affect the rear setback.

Mr. Knight stated no, it would help the side setback, but not the rear.

Mr. Weber asked how long the breezeway is.

Mr. Ivanchuk stated 12 foot long and 5 foot wide.

Mr. Hack asked if the other homes have garages.

Ms. Braun replied yes.

Mr. Krueger asked why the rendering does not match the existing home and if there are plans to modify the existing residence.

Mr. Ivanchuk stated there will be a front porch addition.

Mr. Krueger stated the garage needs to complement the brick home. Vertical siding and horizontal siding do not match.

Ms. Braun stated she will be using the same brick as was used on the home,  $\frac{3}{4}$  of the way up and she would like the siding to be the same.

Mr. Weber called for a vote on A-18-23 Application for a Variance, submitted by Rebecca Braun, to vary the side setback from the required ten feet (10') to eight feet (8') for the construction of an attached garage at 11 Meppen Court (UDO Section 3.3).

A roll call vote was taken.

William Weber	-aye
Ronald Hack	-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-19-23 Application for a Variance, submitted by Rebecca Braun, to vary the rear setback from the required thirty feet (30') to ten feet (10') for the construction of an attached garage at 11 Meppen Court (UDO Section 3.3).

A roll call vote was taken.

William Weber	-aye
Ronald Hack	-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**

**ADJOURNMENT**

Mr. Smith made a motion to adjourn the meeting at 7:24 P.M. Mr. Krueger seconded the motion, and it was unanimously approved.

Recording Secretary

*Sarina Cape*

Sarina Cape

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