

BOARD OF ADJUSTMENT
OF THE CITY OF SUNSET HILLS, MISSOURI

THURSDAY, MAY 27, 2021

BE IT REMEMBERED that the Board of Adjustment of the City of Sunset Hills, Missouri met by Zoom meeting on Thursday, May 27, 2021. The meeting convened at 10:00 A.M.

ROLL CALL

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

Absent:

APPROVAL OF MINUTES

Copies of the minutes of the April 22, 2021 Board of Adjustment meeting were distributed to the members for their review. Mr. Smith made a motion to approve the minutes as submitted. Mr. Naes seconded the motion, and it was unanimously approved.

NEW BUSINESS

A-12-21 Notice of Appeal, submitted by Robert Vandas, to allow the height of an attached garage to exceed that of the existing residence by up to six inches (6") at 33 Oleander Drive. Appendix B Zoning Regulations, Section 4.5-4F.

Ms. Sprick stated the residence was constructed in 1954. Earlier this year, the garage was destroyed by a fire. It had been constructed with a flat roof. They would like to rebuild the garage with a pitched roof that will match the home, architecturally. The

roof will be 2-6 inches higher than the rest of the house. In May, a boundary adjustment plat was approved for the garage.

Robert Vandas, homeowner, was present and stated he would like to build the garage to match those in the neighborhood with a pitched roof. The roofline is required to be a bit higher than the home's roof. It would not be as aesthetically pleasing if the pitch of the roof was decreased.

Mr. Weber asked if it will be closer to two inches or six inches taller.

Mr. Vandas stated the drawings show 1.5 inches, but he wanted to be on the safe side.

Mr. Smith asked if the gutter line will match the home.

Mr. Vandas stated yes.

Mr. Smith asked if the line that separates the garage and the home will be eliminated.

Mr. Vandas stated the garage roof will be elevated above the roof of the house, but the gutter line will be aligned. The garage is closer to the street than the house.

Mr. Smith asked if the front edge of the roofs line up.

Mr. Vandas stated the garage comes forward three feet, so there will be a turn in the gutter, but it aligns with the house. The roofline is what is taller.

Mr. Weber called for a voted on petition A-12-21 Notice of Appeal, submitted by Robert Vandas, to allow the height of an attached garage to exceed that of the existing residence by up to six inches (6") at 33 Oleander Drive. Appendix B Zoning Regulations, Section 4.5-4F. With 4 aye votes and 0 nay votes, the petition was approved.

A-13-21 Notice of Appeal, submitted by Micheal Perez, to vary the side setback from the required seven feet (7') to three feet (3') for the construction of a pool house at 9225 Caddyshack Circle. Appendix B Zoning Regulations, Section 4.10-12a.

Ms. Sprick stated the pool house will be three feet off of the property line. The rear setback has a fairway easement, which makes it unbuildable.

Andre Bouhasin, homeowner, was present and stated the design of the pool house is an open air structure, which will provide safety from the golf balls. It cannot get

any closer to the wall or the fairway; it is pushed back as far as it can be. The roofline will start at ten feet and slope up.

Mr. Smith asked how far the corner post is from the swimming pool and if it meets requirements.

Ms. Sprick stated there is no zoning code requirement for distance between accessory structures.

Mr. Bouhasin stated the post is five feet from the edge of the pool. He did not want the roofline to project over the water line of the pool.

Mr. Weber asked if it is completely open-sided.

Mr. Bouhasin stated everything is open besides the fireplace area.

Ms. Sprick asked if it will be of similar architectural style to the residence.

Mr. Bouhasin stated yes, it will be identical to the addition on the back of the home.

Mr. Weber called for a vote on petition A-13-21 Notice of Appeal, submitted by Micheal Perez, to vary the side setback from the required seven feet (7') to three feet (3') for the construction of a pool house at 9225 Caddyshack Circle. Appendix B Zoning Regulations, Section 4.10-12a. With 4 aye votes and 0 nay votes, the petition was approved.

A-14-21 Notice of Appeal, submitted by Ryan Patton, to vary the rear setback from the required thirty feet (30') to thirteen feet (13') for an addition to the existing residence at 9500 South Geyer Road. Appendix B Zoning Regulations, Section 4.4-4B1c.

Ms. Sprick stated the residence faces South Geyer Road. On a corner lot, the rear yard is considered to be the yard parallel to the street on which it has its least dimension. The dimension along Fairlind Drive is less than the dimension on South Geyer Road. All other requirements would be met.

Mr. Weber asked Mr. Jones if the memos that were sent out cannot be read into the record and asked for an explanation of this.

Mr. Jones stated this is in regards to the packet of materials submitted by Don Placke. Before the city started doing meetings virtually, written testimony was never allowed because the Board of Adjustment is a governing body; not a recommending

body. The evidence has to be admissible, but the packet contained e-mails and statements from third parties. We have been allowing written statements, but not from third parties that are not present. If Mr. Placke is present, he can testify, if not the materials should not be considered by the Board.

Ryan Patton, homeowner, was present and stated the one story addition will contain a master bedroom and bathroom. The home currently has three bedrooms and two baths. The third bedroom is small; not fitting for a teenager. His aging parents will have to move in, so space needs to be made. When the addition was designed, there was no impression that the side yard was actually the rear yard. The majority of the neighbors support the project.

Ms. Sprick asked if he considered making the addition come out the front of the house towards South Geyer Road.

Mr. Patton stated it was considered. From an architectural standpoint, it would be difficult. The house is unique, in that it was designed around a large two story fireplace. The home was not constructed with modern construction and typical framing. The walls are made of thick plaster and the brick is lathed into the plaster, so there is no way to cut in. With the way the addition is designed there is one handicapped section that will be cut in. If they went into the front of the home the entire wall would need to be removed.

Mr. Naes asked if a second floor addition had been considered.

Mr. Patton stated this cannot work with the parents' situation. It was not an option for them. All of the other homes in the neighborhood are ranches and it would not be structurally sound due to the foundation not being structurally set up for it.

Mr. Naes asked about all of the paved surface area in the backyard and if it will be disturbed.

Mr. Patton stated the over-dig will go several feet into the pool deck.

Mr. Naes asked if a permeable surface can be put in.

Mr. Patton replied yes. The home was purchased, as it currently exists, seven years ago. He would love to assist in mitigating the water issue with the neighbor. The detached garage and the pool were all existing; no concrete was ever added by him.

Mr. Weber asked what his plans for mitigating are.

Mr. Patton stated in the back right property corner, the pool house was an old cabana that the previous owner had let rot out. It had no structure or foundation. The pool house is now gone and clean gravel and rock has been placed. At the back of the

house near the property corner, the roofline is guttered and exiting out toward the corner by the new addition. The downspout has been buried and routed there. The sump pump was running in the same area. He intends to create a three to four foot area where they can bury all of that and take it out to the street. The same is proposed with the front gutter line going out to the street. When over-digging, a full drain tile system and sump pumps will be installed that will take all of the water out to South Geyer Road.

Mr. Weber asked if South Geyer Road will take the water away or will it go toward the neighbor.

Mr. Patton stated the neighbor's issue is in a different area. When piping his yard, he can connect into the area where it is pooling and re-route it. He offered to give the neighbor some dirt to add to the area, as well.

Mr. Smith stated he will improve, but not solve the neighbor's water issue.

Mr. Patton stated the amount of concrete and the pool does effect the situation, but a swale needs to be put in to eliminate the neighbor's water issue. The addition does not add more water, but gives opportunity to help the situation. A couple french drains tied into the system will help. The majority of the backyard runoff seeps into the ground and comes out of the sump pump, due to the flat grade of the yard.

Mr. Weber called for a vote on petition A-14-21 Notice of Appeal, submitted by Ryan Patton, to vary the rear setback from the required thirty feet (30') to thirteen feet (13') for an addition to the existing residence at 9500 South Geyer Road. Appendix B Zoning Regulations, Section 4.4-4B1c. With 4 aye votes and 0 nay votes, the petition was approved.

A-15-21 Notice of Appeal, submitted by QPS Missouri Holdings LLC, to vary front setback from the required five feet (5') to zero feet (0') for the construction of a ground sign at 10425 Watson Road. Appendix D Sign Regulations, Section 8f.

Petition has been postponed by the applicant.

ANY OTHER MATTERS DEEMED APPROPRIATE

Mr. Naes asked when there will be a new member appointed to the Board and if there will be an alternate.

Mayor Pat Fribis stated she is making a recommendation. They have to follow the procedures written in the ordinance. There will be a notice in the Horizon and it should be approved at the Board of Aldermen meeting in June. The new member should join in July.

Ms. Gillett, City Administrator, stated the notice was published in May, which will be out this week. The city needs to wait 30 days, so it may be July before the new member is appointed. The alternate will have to be addressed by Mr. Jones.

Mr. Jones stated since it is considered a Board, Chapter Two does need to be filed. As for the alternate, this can be appointed.

Mayor stated she does have someone in mind for an alternate, as well.

ADJOURNMENT

Mr. Smith made a motion to adjourn the meeting at 10:47 A.M. Mr. Naes seconded the motion, and it was unanimously approved.

Recording Secretary


Sarina Cape