

**THE MINUTES OF THE 773rd PUBLIC HEARING
OF THE BOARD OF ADJUSTMENT
CITY OF OVERLAND, MISSOURI
HELD ON WEDNESDAY, MAY 8, 2019**

ROLL CALL: _____

The meeting was called to order at 6:00 pm and the following members responded to roll call:

Mr. Bob Aston
Mr. Jon Seal
Mr. Mike Ferren, Chairman
Mr. Dennis Hageman
Mr. Jeff O'Connell

Others in Attendance:

Mr. Newton McCoy, Legal Counsel
Mr. Kirby Barnard, Community Development
Court Recorder

PLEDGE OF ALLEGIANCE

REMEMBRANCE OF SERVICE MEMBERS

APPROVAL OF MINUTES:

Mr. Ferren asked for a motion to approve the minutes of the Wednesday, April 10, 2019, Board of Adjustment Hearing.

Mr. Jon Seal mentioned he was not listed in the roll call but he was in attendance that evening.

Mr. Dennis Hageman made a motion to approve the minutes of the Wednesday, April 10, 2019, Public Hearing as amended. Mr. Bob Aston seconded the motion.

Chairman Ferren polled the vote as follows: FERREN - YES, O'CONNELL - YES, ASTON - YES, SEAL - YES, HAGEMAN - YES.

OATH & REQUIRED VOTES

Mr. Ferren invited all parties present wishing to partake in any discussion of the applications submitted to the board, to please step forward and be sworn in.

Mr. Ferren administered the oath as follows: "do you solemnly swear or affirm that the testimony you will give at this hearing will be the truth, the whole truth, and nothing but the truth" and the Mr. Borrelli responded to the affirmative.

Mr. Ferren read Section 400.935: Period of validity. Unless as otherwise specified by the Board of Adjustment in their approval for an application, no

variance granted by the Board of Adjustment shall be valid for a period longer than one hundred eighty (180) days from the date upon which the variance is granted.

Mr. Ferren read Section 400.940: Approvals, Required Vote, to the applicants, as follows: “A concurring vote of four (4) members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this Article, or to effect any variation in the chapter. (CC 1976 App. A §15.08; Ord. No. 2449 §1, 11-14-88)”

Mr. Ferren asked the applicant on behalf of 9601 Page Avenue to please step forward and give their name, address and reason for the appeal request.

Mrs. Pat Blumenkamp, sister of Gary Clever business owner, address 1326 Ridgemont Court, St. Louis, MO 63146 addressed the Board to request approval of a variance relating to the size of the pole sign. Ms. Blumenkamp stated the existing sign is faded and is blocked by the neighbor’s tree, which does not allow the East bound traffic to see the sign. Also, Mr. Jim Hobbs, Bill Yount Signs was present.

The following exhibits were presented to the Board of Adjustment:

- EXHIBIT A-1 AGENDA
- EXHIBIT A-2 APPLICATION #PZ19-0014
- EXHIBIT A-3 STAFF REPORT
- EXHIBIT A-4 NOTICE OF PUBLIC HEARING
- EXHIBIT A-5 COPY OF ORDINANCE
- EXHIBIT A-6 PERMIT APPLICATION
- EXHIBIT A-7 SIGN PLAN

Exhibits A-1 through A-7 were accepted as evidence and approved as presented.

Mr. Kirby Barnard gave a brief description of the history of the pole sign. Mr. Barnard explained the increase size of the sign also means the sign is closer to grade and it causes concern for someone running into, therefore he recommends bollards be installed around the sign to prevent damage.

Legal Counsel asked the applicant to elaborate on their hardship. Mr. Jim Hobbs, Bill Yount Sign stated the miniature flood lights mounted to the pole aren’t sufficient and by increasing this size and the illumination the sign would be more noticeable. Legal counsel confirmed this is not a replacement of an existing sign, but an enlargement and Mr. Hobbs responded to the affirmative.

Mr. Jeff O’Connell asked the business representative if she is opposed to installing the bollards the Director of Community Development is requesting and Ms. Blumenkamp responded she has absolutely no issue installing the bollards.

There was further discussion relating to the size of the sign and distance of the bollards from the sign.

Vicki Satterthwaite, 9629 Echo Lane, and alternate member of the Board of Adjustment addressed the Board and stated she lives not far from the business and she was unaware they were still in business. Ms. Satterthwaite, as a resident, was in favor of granting the variance for the sign.

There was discussion regarding whether the existing pole would be replaced and Mr. Hobbs responded to the negative, the pole would not be replaced, however once the sign has been upgraded it will make a difference to the overall appearance.

Chairman Ferren asked for a motion to approve the variance from Section 400.840.A.4 Commercial Signage, Allowable Signs, Pole Sign to also include bollards surrounding the pole sign as recommended by the Director of Community Development.

Mr. Dennis Hageman made a motion to approve the variance from Section 400.840.A.4. Mr. Jon Seal seconded the motion.

Chairman Ferren polled the vote as follows: ASTON - YES, SEAL - YES, HAGEMAN - YES, FERREN - YES, O'CONNELL - YES.

MOTION TO ADJOURN:

Mr. Jeff O'Connell made a motion to adjourn. Mr. Jon Seal seconded the motion. All were in favor. The meeting adjourned at approximately 6:15 PM.

Respectfully Submitted,

Mike Ferren, Chairman
Board of Adjustment