

**THE MINUTES OF THE 784th PUBLIC HEARING
OF THE BOARD OF ADJUSTMENT
CITY OF OVERLAND, MISSOURI
HELD ON WEDNESDAY, FEBRUARY 10, 2021**

ROLL CALL:

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

Mr. Bob Aston, arrived at 6:02 pm
Mr. Michael Ferren, Chairman
Mr. Dennis Hageman
Mr. Jeff O'Connell
Mr. Jon Seal

Others in Attendance:

Mr. Evan Sullivan, Legal Counsel
Mr. Kirby Barnard, Community Development
Ms. Kadi Sanders, Community Development
Court Recorder

APPROVAL OF MINUTES:

Chairman Ferren asked for a motion to approve the minutes of the Wednesday, January 13, 2021, Board of Adjustment Hearing.

Mr. Dennis Hageman made a motion to approve the minutes of the Wednesday, January 13, 2021. Mr. Jeff O'Connell seconded the motion.

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

Bob Aston arrived at 6:02 pm.

OATH & REQUIRED VOTES

Chairman 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.

The Court Reporter 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 all parties responded to the affirmative.

Chairman 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.

Chairman 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)”

Chairman Ferren asked the applicant on behalf of 10415 Trenton Avenue to please step forward and give their name, address and reason for the variance request.

Mr. Charles Deibel and Mr. Bill Hinds, 10415 Trenton Avenue addressed the Board to request approval of multiple variances relating to a required site plan review.

The following exhibits were presented to the Board of Adjustment:

EXHIBIT A-1	AGENDA
EXHIBIT A-2	APPLICATION #PZ21-0001
EXHIBIT A-3	APPLICATION #PZ21-0002
EXHIBIT A-4	APPLICATION #PZ21-0003
EXHIBIT A-5	APPLICATION #PZ21-0004
EXHIBIT A-6	APPLICATION #PZ21-0005
EXHIBIT A-7	NOTICE OF PUBLIC HEARING
EXHIBIT A-8	COPY OF ORDINANCE
EXHIBIT A-9	STAFF REPORT
EXHIBIT A-10	SITE PLAN

Exhibits A-1 through A-10 were accepted as evidence and approved as presented.

Mr. Kirby Barnard, Director of Community Development explained the applicant has been before Planning and Zoning as well as City Council, all were approved contingent upon variance approval .

There were no comments from the City Attorney.

Mr. Jon Seal asked if there was more parking available on the site other than the spaces located at the front of the building and the applicant responded to the affirmative.

There were no comments from the audience.

Chairman Ferren asked for a motion to approve the variance from Section 400.230.D.4.b Regulations & Performance Standards - Side Yard Setback

Mr. Jeff O'Connell made a motion to approve the variance from Section 400.230.D.4.b. Mr. Bob Aston seconded the motion.

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

Chairman Ferren asked for a motion to approve the variance from Section 400.440.B Design Requirements - Access to Parking Areas.

Mr. Bob Aston made a motion to approve the variance from Section 400.440.B. Mr. Jon Seal seconded the motion.

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

Chairman Ferren asked for a motion to approve the variance from Section 400.440.I.1 Design Requirements - Minimum Parking Space Dimensions.

Mr. Dennis Hageman made a motion to approve the variance from Section 400.440.I.1. Mr. Jeff O'Connell seconded the motion.

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

Chairman Ferren asked for a motion to approve the variance from Section 400.450.A.2 Screening & Landscaping - Landscape Frontage.

Mr. Bob Aston made a motion to approve the variance from Section 400.450.A.2. Mr. Dennis Hageman seconded the motion.

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

Chairman Ferren asked for a motion to approve the variance from Section 400.450.A.11 Screening & Landscaping - Landscape Perimeter.

Mr. Dennis Hageman made a motion to approve the variance from Section 400.450.A.11. Mr. Bob Aston seconded the motion.

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

MOTION TO ADJOURN:

Mr. Bob Aston made a motion to adjourn. Mr. Jon Seal seconded the motion. All were in favor. The meeting adjourned at approximately 6:12 PM.

Respectfully Submitted,

Michael Ferren, Chairman
Board of Adjustment