

**THE MINUTES OF THE 775th PUBLIC HEARING
OF THE BOARD OF ADJUSTMENT
CITY OF OVERLAND, MISSOURI
HELD ON WEDNESDAY, JULY 10, 2019**

ROLL CALL: _____

The meeting was called to order at 6:15 pm and the following members responded to roll call:

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

Others in Attendance:

Mr. Kirby Barnard, Community Development
Ms. Kadi Sanders, 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, June 12, 2019, Board of Adjustment Hearing.

Mr. Dennis Hageman made a motion to approve the minutes of the Wednesday, June 12, 2019. Mr. Jon Seal seconded the motion.

Mr. Seal 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 applicant(s) responded to the affirmative.

Mr. Seal 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 2468 Chaucer Avenue to please step forward and give their name, address and reason for the appeal request.

Mrs. Jacqueline Haar (Huntebrinker), 9520 Theodosia Avenue, Overland, Missouri 63114 addressed the Board to request approval of a variance relating to the construction of a garage and encroaching on the rear yard setback.

Mr. Joseph Haar, 9520 Theodosia Avenue, Overland, Missouri 63114 addressed the Board and explained to build the garage where does not encroach into the setback would not create uniformity in the neighborhood and it would cause difficulties navigating moving cars.

Ms. Michelle Huntebrinker, 9520 Theodosia Avenue, Overland, Missouri 63114 thanked Mr. Barnard for coming to the property. Furthermore she explained the location of the garage would not impede access for the utility companies.

The following exhibits were presented to the Board of Adjustment:

EXHIBIT A-1	AGENDA
EXHIBIT A-2	APPLICATION #PZ19-0016
EXHIBIT A-3	NOTICE OF PUBLIC HEARING
EXHIBIT A-4	COPY OF ORDINANCE
EXHIBIT A-5	STAFF REPORT
EXHIBIT A-6	PERMIT APPLICATION
EXHIBIT A-7	CONSTRUCTION PLANS
EXHIBIT A-8	PHOTOS

Exhibits A-1 through A-8 were accepted as evidence and approved as presented.

Mr. Kirby Barnard stated he had visited the property and as you can see by the photos provided the surrounding properties have garages built within the setback.

Mr. Seal asked the applicant if the garage will be in line with the other garages on the street and Mr. Haar responded pretty close.

There were no further comments from the Board.

There were no comments from the audience.

Mr. Ferren asked for a motion to approve the variance from Section 400.180.D.4.c Regulations & Performance Standards - Rear Yard Setback.

Mr. Bob Aston Made a made a motion to approve the variance from Section 400.180.D.4.c. Mr. Jeff O'Connell seconded the motion.

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

MOTION TO ADJOURN:

Mr. Jon Seal made a motion to adjourn. Mr. Dennis Hageman seconded the motion. All were in favor. The meeting adjourned at approximately 6:29 PM.

Respectfully Submitted,

Michael Ferren, Chairman
Board of Adjustment