



**MINUTES BOARD OF ADJUSTMENT  
ONE ST PETERS CENTRE BLVD., ST PETERS, MO 63376  
MEETING OF NOVEMBER 20, 2019  
6:00 P.M.**

CALL TO ORDER

Chairman Tom Fann called the meeting to order at 6:00 p.m.

ATTENDANCE

Those in attendance were Mr. John Luehrs; Mr. Bill Kendall; Mr. Tom Fann; Mr. Bill Jaggi; Mr. John Shetterly; Ms. Julie Powers, Director of Planning, Community and Economic Development; Mr. Ken Braunfeld, Planning Coordinator and Ms. Melissa Vollmer, Recording Secretary. Mr. Brian Stiens was absent.

MINUTES

Mr. Fann asked the Board for any comments or questions regarding the minutes of the October 16, 2019 meeting. Mr. Shetterly made a motion and Mr. Jaggi seconded to approve the minutes as presented. The motion carried unanimously.

COMMUNICATIONS AND REPORTS OF OFFICERS

Mr. Fann asked for any reports or communications from the Officers or Staff. Ms. Powers indicated that there were none.

PETITION 19-Q

Mr. Fann stated that the purpose of the meeting was to consider Petition 19-Q. Travers Autoplex Inc. requests a variance to allow an increase in the size and height of a ground sign in the S-D Special Old Town District. The property is located on the south side of Main Street, west of Mid Rivers Mall Drive, more commonly known as 316 Main Street.

Mr. Fann declared the public hearing open for consideration of Petition 19-Q. The petitioner or their agent was requested to step forward to present their petition. Mr. Mike Butler, Landmark Signs, was sworn in as the petitioner. Mr. Butler explained that Travers Autoplex has recently expanded and improved their site at 316 Main Street in Old Town St. Peters. As part of the expansion and improvements, a new sign is being proposed at the south side of the site near Interstate 70. To make the sign visible to passers-by, they are requesting a variance to increase the height and size of the sign. Due to the Mid Rivers Mall Drive overpass at this location, the sign is not visible to motorists going westbound on Interstate 70.

Mr. Ken Braunfeld was sworn in to present the City's position on Petition 19-Q. Mr. Braunfeld explained that Mid Rivers Motors operates a used motor vehicle sale operation at 316 Main Street. A used vehicle operation has continually operated from this location since before 1987 and has had several different names and owners over the years. In 2017, Petition 17-R was approved to permit the expansion of a non-conforming use (used motor vehicle sales) in the S-D Special Old Town District. As part of the expansion a new building was constructed along with new paving, lighting, and landscaping.

As part of the continued improvements to the site, the owner would like to modernize the ground sign; however, the S-D Special Old Town District zoning limits the sign options. The S-D Special Old Town District permits ground signs up to twelve feet in height and fifty square feet per side. The proposed sign would be approximately twenty-four feet high and eight-eight square feet per side.

Based on the need for a larger sign, Travers Autoplex Inc. request a variance to allow an increase in size and height of a ground sign in the S-D Special Old Town District. The property is located on the south side of Main Street, west of Mid Rivers Mall Drive, more commonly known as 316 Main Street.

Mr. Braunfeld noted that the variance requested by the applicant is from the Zoning and Subdivision Regulations (Title IV land use Chapter 405 as amended) state:

Section 405.180 S-D Special Old Town Overlay District.

H. Architectural Requirements and Signage.

1. The architecture of the late nineteenth and early twentieth century shall be modeled wherever it is possible and as approved by the Administrative Officer.
2. Signs shall be permitted as allowed in the "C-2" Commercial District. Signs shall have a historic design where it is feasible.

Section 405.745 Permanent sign regulations by zoning district:

D. Signs Permitted in all "C" Commercial and "I" Industrial Districts (Non-Residential). In certain non-residential districts, the following signs are permitted in accordance with the regulations set forth herein.

1. Ground Signs.

a. Ground signs as described above shall be permitted as follows:

- (2) "C-2" Community Commercial District. The maximum height may not exceed twelve (12) feet. The face of such sign may not exceed fifty (50) square feet per sign face or a total area of one hundred (100) square feet.

Mr. Braunfeld noted that the property is located adjacent to Interstate 70 and QuikTrip at the entrance to Old Town St. Peters. While Old Town St. Peters contains an eclectic variety of architecture, the goal of the S-D District is to preserve and enhance its best characteristics, while at the same time allowing for redevelopment.

Mid Rivers Motors recently made a significant investment to rehabilitate the facility including the construction of a new office/sales building, landscaping, and lighting, bringing the site into conformance with current standards. As part of this update, the owner would like to also update the existing ground sign, which is dated and unattractive.

The location of Mid Rivers Motors creates unique challenges as the use and property are highway oriented, but it is located at the entrance to Old Town. As previously noted, the new building was designed to be compatible with Old Town and staff has been working to balance these same issues with the proposed sign. Staff and the owner found the proposed placement of the sign along the Interstate 70 side of the property provided good visibility for the sign and also kept it away from Main Street and the heart of Old Town. The twenty-four foot sign height was chosen as the minimum required for visibility of west bound traffic over Interstate 70's center median. The same would apply for the size, which at eighty square feet provides reasonable visibility to the highway.

Staff notes that QuikTrip, which is located across the street, obtained a variance to allow a taller and larger sign, noting the same visibility needs. Therefore, the proposed sign provides an appropriate balance between visibility to Interstate 70, while minimizing the impact to the Main Street corridor, and preserving the feel of Old Town.

Mr. Braunfeld stated the code considerations as follows:

1. If the petitioner complied with the provisions of this Zoning Code (does not obtain the variance they are requesting), will they not be able to get a reasonable return from, or make reasonable use of the property?

A smaller sign, as allowed by code, would allow adequate signage to Main Street but not to Interstate 70. Visibility to the interstate is key to the reasonable use of the property. Allowing the proposed variance will not substantially alter the current visual impact to Main Street. The increase in size and height will allow the new sign to be visible to both east and west bound Interstate 70. Also, the placement of the sign will minimize its impact to Main Street, preserving the feel of Old Town.

2. Does the hardship result from the strict application of these regulations?

The strict application of the regulations would reduce the commercial effectiveness of the sign which could result in a hardship.

3. Is the hardship suffered by the property in question?

The design of the interstate, specifically the median barrier, impacts some vehicular visibility – the new sign size, height and location will address any hardships caused by the interstate configuration.

4. Is the hardship the result of the applicant's own actions?

The modifications of the road system near the site were not a result of the applicant's action. Therefore, the impact to the applicant's site is not due to their own actions.

5. Is the requested variance in harmony with general purpose and intent of the zoning regulations and does it preserve the spirit?

If the variance is approved it would be in harmony with the general purpose and intent of the zoning regulations since it will allow for the reasonable advertising of the site and, thus, provide for the reasonable use of the property.

6. If the variance is granted, will the public safety and welfare have been assured and will substantial justice have been done?

The public safety and welfare will have been assured and substantial justice will have been done because the applicant will have been able to use their property to the fullest extent; there will be no ill effects on surrounding properties or the City as a whole.

Based on this analysis, staff recommends approval of a variance to permit Travers Autoplex Inc. a variance to allow an increase in the size and height of a ground sign in the S-D Special Old Town District with the following contingencies:

1. The sign shall be placed along the south property line adjacent to Interstate 70 as generally shown on the attached exhibit.
2. The sign shall not exceed eighty (80) square feet.
3. The maximum height above grade shall not exceed twenty-four (24) feet.

Mr. Fann asked if any of the board members had questions for Mr. Braunfeld. Mr. Fann asked if there was anyone in the audience to speak in favor, opposition or to comment on Petition 19-Q. Seeing no one present to comment, Mr. Fann closed the public hearing.

Mr. Kendall made a motion and Mr. Jaggi seconded to approve Petition 19-Q.

Mr. Fann requested Ms. Vollmer call the roll, which resulted in the following votes:

Mr. Luehrs	Yes
Mr. Shetterly	Yes
Mr. Kendall	Yes
Mr. Jaggi	Yes
Mr. Fann	Yes

There being 5 yes and 0 no vote, Mr. Fann declared that Petition 19-Q was approved.

Mr. Jaggi presented the Findings of Fact as follows:

1. The property is located at 316 Main Street.
2. The property currently contains a used car facility.
3. The lot is presently zoned S-D Special Old Town District.
4. The adjacent zoning is S-D Special Old Town District to the west, Interstate 70 to the south and east, Main Street to the north, beyond which is the C-2 Community Commercial District.

Mr. Fann made a motion and Mr. Kendall seconded to approve the findings of fact. The motion carried unanimously.

Mr. Shetterly presented the Conclusions of Law for Petition 19-Q as follows:

1. The variance will not impair the supply of light or air to the adjacent properties.
2. The variance will not increase congestion in the public streets.
3. The variance will not impact the safety of the community.
4. The variance will not impact on the general health and welfare of the community.

Mr. Jaggi made a motion and Mr. Kendall seconded to enact the Conclusions of Law. The motion carried unanimously.

#### PETITION 19-R

Mr. Fann stated that the purpose of the meeting was to consider Petition 19-R. Church on the Rock requests a variance to allow an increase in the size and height of a ground sign in the R-1 Single Family Residential District. The property is located on the south side of Ohmes Road, east of Birdie Hills Road, more commonly known as 900 Birdie Hills Road.

Mr. Fann declared the public hearing open for consideration of Petition 19-R. The petitioner or their agent was requested to step forward to present their petition. Mr. Keith Haynes, was sworn in as the petitioner. Mr. Haynes explained that Church on the Rock would like to replace their older digital message board sign with a larger more modern sign to better identify the church. The sign will be back-lit and will not contain a digital message board. The sign face will be approximately 68 square feet and the height will be 17.4 feet.

Ms. Julie Powers was sworn in to present the City's position on Petition 19-R. Ms. Powers explained that Church on the Rock developed a large church building on the south side of Ohmes Road in 1999 to replace the original church building across Ohmes Road. The original building is now used as a youth center. The subject property with the church annexed into the City at the time of construction. The church is 160,000 square feet in area and 4 stories in height. Access to the church is from Birdie Hills Road and Ohmes Road.

Sometime after the church was constructed, a sign was installed to identify the church and provide a digital message board. The sign is located at the corner of the property near the two abutting roadways. The current sign is monument style with simple wording.

The church leadership has determined that a new, larger sign is needed to create a modern image and better identify the church. The new sign will be 17.4 feet high and 8 feet wide resulting in a face area of 138.6 square feet. However, if the base of the sign is excluded from the sign area, which is typically how staff measures a sign, the sign face would be approximately 100 square feet. The wording on the sign, and the logo, fill in approximately two-thirds of the remaining face area, resulting in an actual sign face of approximately 68 square feet.

Upon review of this proposed sign, staff advised the applicant's sign company that a church sign must be monument style and cannot exceed fifty square feet in area. These regulations apply in all zoning districts, although churches in commercial and industrial districts may opt to follow the sign code for the underlying district of their property. Although the code does not define monument style, staff has

interpreted it to be a maximum of 12 feet in height – this was the height previously established by the Building Commissioner as the maximum height that does not require stress calculations.

Noting the above, the applicant has requested a variance to allow an increase in the size and height of a ground sign. The property is located on the south side of Ohmes Road, east of Birdie Hills Road, more commonly known as 900 Birdie Hills Road.

Ms. Powers noted that the variance requested by the applicant is from the Zoning and Subdivision Regulations (Title IV land use Chapter 405 as amended) state:

Section 405.745 Permanent sign regulations by zoning district.

### 3. Institutional uses.

- a. Churches, fire district station and fire district administrative buildings, ambulance district buildings, school buildings, and library buildings shall be permitted one (1) ground sign up to fifty (50) square feet in size of which twenty-four (24) square feet may be used as changeable copy. All other sign requirements shall apply, including ground sign regulations as contained in Subsection (D)(1)(b)(1) through (8) as appropriate. Design of such signs shall be of monument style and lighted so as to not detract from any adjoining residential property.
- b. Churches, fire district stations and fire district administrative buildings, ambulance district buildings, school buildings, and library buildings, located in commercial or industrial districts may elect to construct a sign in conformance with the size and height requirements of that district.

Ms. Powers noted that Church on the Rock is a large church building located at the intersection of two primary roadways, Birdie Hills Road and Ohmes Road. The proposed sign would replace the existing sign at the corner; there will be no digital display on the proposed new sign. The current sign, while monument style, is as tall as possible and has the wording at the top to allow the best visibility.

Staff notes that the sign regulations for churches and other institutional uses have been in place for some time, and date to a time when these uses were often in residential areas – sometimes within neighborhoods. Noting that, the regulations were designed to be unobtrusive and residential in character. Over time, churches and other institutional uses such as fire stations, schools, and libraries, have located on more prominent streets and intersections. With the public demand for excellent services, these buildings have increased in size and have been designed and located to be community assets. Churches have followed a similar course, locating at key intersections on major roadways and increasing in size. The subject church – Church on the Rock – is a prime example. The church is very large and sits on a large property; smaller lots within the area have been acquired over time to create a large parking field. The building is tall and has a key architectural feature of a domed roof.

Given this prominent location and design, the church leadership has determined a larger sign is needed. The sign will identify the church by name and will include the church logo – a key part of the church theme and typical of church communities today. As noted above, the actual part of the sign used for the

church name and logo will be only slightly larger than what is permitted by code. The balance of the sign is the base, which is typically not counted towards the sign area, and solid panel.

Staff notes that the sign is appropriate for the site for a variety of reasons. The scope of the development – the large site and the large building – warrant a sign of some dimension. A small sign close to the ground would seem incongruent to the church building and site. Also, per code, only one sign is allowed. However, if this were a commercial site or development, two signs would be allowed which would not be inappropriate for a large site or development, two signs would be allowed which would not be inappropriate for a large site with two road frontages. Staff further notes that there is adequate area for the sign placement amidst a landscaped/grass area to support the scale of the sign and make the sign area more attractive.

Finally, staff notes that although the site is zoned residential, the properties across the street include another church building to the north, an institutional building to the northwest, and a large lot residential building to the west. These uses are all across arterial roadways (Birdie Hills Road and Ohmes Road). Given these uses and distances, it is unlikely the sign will have an impact on the properties.

Ms. Powers stated the code considerations as follows:

1. If the petitioner complied with the provisions of this Zoning Code (does not obtain the variance they are requesting), will they not be able to get a reasonable return from, or make reasonable use of the property?

The applicant would be able to identify the use with a standard sign. However, given the scope of the site and building, a larger sign will be more consistent with the scale of development and a more reasonable identifier of the church use.

2. Does the hardship result from the strict application of these regulations?

If the sign complies with the code, the site will be identified; thus, there is not a visibility hardship. However, the sign would be less consistent with the scale of the development and would not provide a more modern identification of the church.

3. Is the hardship suffered by the property in question?

The applicant's property does not suffer a hardship related to visibility, but does include characteristics which warrant a larger and taller sign.

4. Is the hardship the result of the applicant's own actions?

The site does not suffer a hardship related to visibility, but does include characteristics which warrant a larger and taller sign.

5. Is the requested variance in harmony with general purpose and intent of the zoning regulations and does it preserve the spirit?

If the variance is approved the development will be in harmony with the general purpose and intent of the zoning regulations given the scale of the development and the land uses in the site area.

6. If the variance is granted, will the public safety and welfare have been assured and will substantial justice have been done?

The public safety and welfare will have been assured and substantial justice will have been done because the applicant will have been able to use their property to the fullest extent; there will be no ill effects on surrounding properties or the City as a whole.

Based on this analysis staff recommends approval of a variance to allow an increase in the size and height of a ground sign. The property is located on the southeast corner of Ohmes Road and Birdie Hills Road, more commonly known as 900 Birdie Hills Road with the following contingencies:

1. The sign face, excluding the base, may not exceed 110 square feet in area.
2. The maximum height of the sign shall be 18 feet.
3. Any changeable copy area added to the sign must be contained in the proposed sign face.

Mr. Fann asked if any of the board members had questions for Ms. Powers. Mr. Fann asked if there was anyone in the audience to speak in favor, opposition or to comment on Petition 19-R. Seeing no one present to comment, Mr. Fann closed the public hearing.

Mr. Jaggi made a motion and Mr. Kendall seconded to approve Petition 19-R.

Mr. Fann requested Ms. Vollmer call the roll, which resulted in the following votes:

Mr. Luehrs	Yes
Mr. Shetterly	Yes
Mr. Kendall	Yes
Mr. Jaggi	Yes
Mr. Fann	Yes

There being 5 yes and 0 no vote, Mr. Fann declared that Petition 19-R was approved.

Mr. Shetterly presented the Findings of Fact as follows:

1. The property is located at 900 Birdie Hills Road.
2. The site is zoned R-1 Residential District.
3. The adjacent zoning is R-1 Single Family Residential to the east and southeast, Residential Planned Urban Development (PUD) to the northeast, and residential properties in unincorporated St. Charles County to the west and southwest.

Mr. Jaggi made a motion and Mr. Kendall seconded to approve the findings of fact. The motion carried unanimously.

Mr. Luehrs presented the Conclusions of Law for Petition 19-R as follows:

1. The variance will not impair the supply of light or air to the adjacent properties.
2. The variance will not increase congestion in the public streets.
3. The variance will not impact the safety of the community.
4. The variance will not impact on the general health and welfare of the community.

Mr. Jaggi made a motion and Mr. Shetterly seconded to enact the Conclusions of Law. The motion carried unanimously.

Mr. Jaggi made a motion and Mr. Fann seconded to adjourn the meeting at 6:45 p.m. The motion carried unanimously.

Respectfully submitted:



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Melissa Vollmer  
Recording Secretary



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Tom Fann  
Chairman

