



**MINUTES BOARD OF ADJUSTMENT
ONE ST. PETERS CENTRE BLVD., ST PETERS, MO 63376
MEETING OF AUGUST 15, 2018
6:00 P.M.**

CALL TO ORDER

Chairman Bill Jaggi called the meeting to order at 6:00 p.m.

ATTENDANCE

Those in attendance were Mr. Tom Fann; Mr. Brian Stiens; Mr. Bill Jaggi, Mr. Nick Trupiano; Mr. Bill Kendall; Mr. Ken Braunfeld, Planning Coordinator; and Ms. Melissa Vollmer, Recording Secretary.

MINUTES

Mr. Jaggi asked the Board for any comments or questions regarding the minutes of the June 20, 2018 meeting. Mr. Fann made a motion and Mr. Stiens seconded to approve the minutes as presented. The motion carried unanimously.

COMMUNICATIONS AND REPORTS OF OFFICERS

Mr. Jaggi asked for any reports or communications from the Officers or Staff. Mr. Braunfeld indicated that there were none.

PETITION 18-J

Mr. Jaggi stated that the purpose of the meeting was to consider Petition 18-J. Firestone c/o Simon Signs requests a variance to permit wall signage without street frontage. The property is located on the east side of Cave Springs Boulevard, north of South Cloverleaf Drive, more commonly known as 1010 Cave Springs Boulevard.

Mr. Jaggi declared the public hearing open for consideration of Petition 18-J. The petitioner or their agent was requested to step forward to present their petition. Mr. John Simon, Simon Signs, was sworn in as the petitioner. Mr. Simon explained that Firestone would like to add signage to the north side of their building. This side of the building does not face an access road; however, does have the most visibility of any side of the building. The side of the building that does front an access road is a shorter wall without a lot of space for larger wall signage. Due to the size, layout and lack of access road on the north side of the building, they are requesting the variance as presented.

Mr. Braunfeld was sworn in to present the City's position on Petition 18-J. Mr. Braunfeld explained that the subject 0.87 acre site is located at 1010 Cave Springs Boulevard and contains an eight bay, 5,800 +/- square foot Firestone tire and auto repair facility. The applicant contracted with Simon Sign company to replace the existing signage with three new signs. The building is located mid-block and is oriented perpendicular to Cave Springs Boulevard. Therefore, the side of the building faces west towards the street with the front of the building facing north.

The applicant proposed a Firestone sign facing west towards Cave Springs Boulevard which was approved. Two additional signs were also requested being Firestone Complete Auto Care and Bridgestone Tires, facing north along the customary front of the building. Due to the limited size of the wall facing the street the proposed signage on the north side of the building would not fit.

It is noted that the code was recently revised to allow signage to be shifted from walls that have frontage to secondary front walls that do not have frontage. Even with the code change, the unusually short side wall of the building provides a very limited amount of available space, being approximately forty-six square feet. Therefore, after a reasonable wall sign of approximately forty-four square feet was approved facing Cave Springs Boulevard, only a few square feet of signage is left for the customary north front of the building. Staff advised the applicant that a variance would be needed to approve the signs on the north elevation.

Based on this, Firestone c/o Simon Signs requests a variance to permit wall signage without street frontage. The property is located on the east side of Cave Springs Boulevard, north of South Cloverleaf Drive, more commonly known as 1010 Cave Springs Boulevard.

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 405.745 Permanent Sign Regulations by Zoning District.

4. Wall Signs.

- a. The total area of each wall sign shall not exceed five percent (5%) of the building façade or thirty-two (32) square feet, whichever is greater. A wall sign shall be permitted on each wall which parallels and is adjacent to, or is oriented to a street or access drive. If the business fronts on more than one (1) street or access drive, the sign area for each wall shall be computed separately and shall include all signs on each wall. Where a business has no wall fronting on a street or access drive, the Administrative Officer shall determine frontage for all sign locations. The Administrative Officer may approve the placement of a wall sign or a portion of a wall sign on a main façade, including, but not limited to, facades fronting a parking lot or including a main building entrance, in lieu of a sign parallel to a roadway. The transferred sign area shall not exceed the permitted sign area.

Mr. Braunfeld explained that the building is located mid-block and is oriented perpendicular to Cave Springs Boulevard. Therefore, the side of the building faces west towards the street with the customary front of the building facing north with no direct frontage.

As previously noted the code was recently revised to allow signage to be shifted from walls that have frontage to secondary front walls that do not have frontage. Even with the code change, the unusually short side wall of the building provides a very limited amount of available sign, being approximately forty-six square feet. Therefore, after a standard wall sign of approximately forty-four square feet was approved facing Cave Springs Boulevard, only a few square feet of signage is left for the customary north front of the building.

The applicant has proposed two signs on the north side of the building. The first is a thirty-eight square foot Firestone Complete Auto Care sign with the second a seventeen square foot Bridgestone tire sign, for a total of fifty-six square feet of signage. It is noted, both signs are channel letter style which are generally more aesthetically pleasing. It is also noted that the north wall, being the customary front of the building, would be permitted ninety-eight square feet of signage if it had direct frontage.

The perpendicular orientation of the building with the unusually short side wall restricts the amount of standard sign placement. In addition, the applicant is requesting a limited amount of signage be placed on the north side of the building. Further, even though the signs do not technically have street frontage, they will be placed on the customary front of a tire and auto repair building, being over the bays and north facing entrance.

Considered together, the proposed sign placement would be consistent with other tire and auto repair facilities based on size, location and style and appropriate for the wall where they will be placed.

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?

By allowing for the placement of the subject wall signs on the north elevation, the customary front of the building, it will permit appropriate signage. This improved identification ensures a reasonable return by the business and less ground signage clutter for the City.

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

The code does not factor in the perpendicular orientation of the building combined with the unusually short side wall fronting the street. In this case, allowing limited additional wall signage on the customary front of the building furthers the goals of the applicant without harming the intent of the sign regulations, thereby creating a hardship if not approved.

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

The perpendicular orientation of the building combined with the unusually short side-wall fronting the street impact the subject property.

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

The building was constructed in 1985 and there have been multiple changes to the Zoning and Subdivision Regulations since that time. The orientation of the building and unusually short side wall fronting the street impact the subject property. These factors create the issues for the applicant.

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, since the wall signage will not cause hazards to pedestrian and vehicular traffic or cause blighting within the community.

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 and will have no ill effects on surrounding properties or the City as a whole.

Based on this analysis, staff recommends approval of the requested variance to permit wall signage without street frontage with the following contingency:

1. The total of all wall signage on the north wall of the building shall not exceed sixty (60) square feet.

Mr. Jaggi asked if any of the board members had questions for Mr. Braunfeld. Mr. Jaggi asked if there was anyone in the audience to speak in favor, opposition or to comment on Petition 18-J. Seeing no one present to comment, Mr. Jaggi closed the public hearing.

Mr. Fann made a motion and Mr. Trupiano seconded to approve Petition 18-J.

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

Mr. Stiens	Yes
Mr. Fann	Yes
Mr. Kendall	Yes
Mr. Jaggi	Yes
Mr. Trupiano	Yes

There being 5 yes, 0 no vote, Mr. Jaggi declared that Petition 18-J was approved.

Mr. Fann presented the Findings of Fact as follows:

1. The property is located on the east side of Cave Springs Boulevard, north of Cloverleaf Drive South, more commonly known as 1010 Cave Springs Boulevard.
2. The lot is presently zoned C-3 General Commercial District.
3. The surrounding zoning is presently zoned C-3 General Commercial District.

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

Mr. Trupiano presented the Conclusions of Law for Petition 18-J 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. Kendall made a motion and Mr. Fann seconded to enact the Conclusions of Law. The motion carried unanimously.

Mr. Jaggi made a motion and Mr. Trupiano seconded to adjourn the meeting at 6:20 p.m. The motion carried unanimously.

Respectfully submitted:



Melissa Vollmer
Recording Secretary


Bill Jaggi
Chairman