

## BOARD OF ADJUSTMENT MINUTES

November 3, 2022

Rolla City Hall

<b><u>Presiding:</u></b>	Chairperson Matt Crowell
<b><u>Members Present:</u></b>	John Meusch, Jacob Rohter
<b><u>Alternates Present:</u></b>	Jonathan Hines
<b><u>Members Not Present:</u></b>	Judy Jepsen
<b><u>City Officials in Attendance:</u></b>	Tom Coots, City Planner, and Sarah West, Executive Assistant
<b><u>Others in Attendance:</u></b>	Steven Moorkamp, and Charles Arthur

Chairperson **Matt Crowell** called the meeting to order at 5:30 P.M. He recognized the members who were present. **Crowell** swore in all present who intended to speak.

### I. APPROVE MINUTES:

**Crowell** approved the minutes from the October 13, 2022 Board of Adjustment meeting as printed and distributed.

### II. OLD BUSINESS:

1. **ZV2021-04:** Variance to Section 42-244.4 (h) to allow a reduction in the front yard setback for a sign in the C-1, Neighborhood Commercial district.

**Tom Coots** presents the staff report.

**Steven Moorkamp**, located at 817 Cambridge Drive in Rolla, and **Charles Arthur**, located at 489 Crescent Ridge in Rolla, are the applicants. They confirmed they were sworn in.

Pictures were presented to the Board showing two signs near the subject property that were close to the street. **Moorkamp** states one sign is 4 feet 11 inches from the sidewalk, and the other is 3 feet 10 inches. It was mentioned at the last meeting that there were no similar signs in the area, but the pictures show the neighbors do have signs closer to the road than the one proposed.

**Arthur** states there was concern at the last meeting about this sign being the first permanent sign and the precedent it would set. The pictures presented show there are other existing signs in the neighborhood and have been there for years.

**Moorkamp** states this is a safety issue, especially heading from the south to the north. Due to the unique layout of the lot and the location of the sewer, the building could not be placed anywhere else. He states the north side of the property line is at an angle, which determined where the sewer, building and parking lot had to be placed. The trees on the south side of the lot cannot be removed to increase visibility because that land is not owned by the applicants. He

mentions there are other signs in the neighborhood that have been there for two years. **Crowell** asks if those signs are in concrete. **Moorkamp** states he is unsure.

**Arthur** states the proposed sign will be 15 feet from the road and 7 feet from the sidewalk. It will match the character of the neighborhood and the new building, and be similar to City park signs. **Rohter** asks about potential safety issues pulling out of the driveway with the sign being close to the sidewalk. **Arthur** mentions the sign will be 15 feet from the sidewalk and mock ups have been made of the proposed sign with no concerns.

**Crowell** asks if there were any similar existing signs that had any issues. **Coots** mentions the Board has approved other similar sign variances with no known issues. **Crowell** asks if there is any cause for concern where the applicant is wanting to place the sign. **Coots** no.

**Crowell** moves into Board deliberation.

1<sup>st</sup> Criterion: **Crowell** due to the layout of the land, the road, and the trees, in order to make their sign visible in a safe manner, the applicants would have to make major changes. **Hines** mentions the building placement was dictated by the terrain and sewer. All Board members agreed the 1<sup>st</sup> criterion was met.

2<sup>nd</sup> Criterion: **Crowell** mentions the applicant didn't lay out this land. All Board members agreed the 2<sup>nd</sup> criterion was met.

3<sup>rd</sup> Criterion: **Crowell** states the placement of the sign has no relevance to increasing the income of the property. All Board members agreed the 3<sup>rd</sup> criterion was met.

4<sup>th</sup> Criterion: **Crowell** mentions there are other similarly placed signs in the neighborhood. **Hines** states the sign will be seven feet from the sidewalk and he cannot see any safety issues. All Board members agreed the 4<sup>th</sup> criterion was met.

5<sup>th</sup> Criterion: **Crowell** based upon visibility issues the variance is necessary so people have time to turn safely. **Hines** mentions people need plenty of time to process the sign and turn. **Crowell** asks the applicant if there have been complaints from customers about not being able to see the sign. **Arthur** yes. **Moorkamp** mentions some people miss the turn.

6<sup>th</sup> Criterion: **Crowell** agrees there is an unnecessary hardship. He states even if the applicants clear the trees on one side, it still does not solve the problem. **Hines** mentions the applicants cannot fix the south approach anyway because they do not own those trees. **Meusch** comments increased visibility makes it safer so drivers can control their speed. All Board members agreed the 6<sup>th</sup> criterion was met.

*A motion was made by Jonathan Hines, seconded by John Meusch, to approve the variance to allow a reduction in the front yard setback for the subject sign. A roll call vote on the motion showed the following: Ayes: Crowell, Hines, Rohter, and Meusch. Nays: None. The motion passes unanimously.*

III. PUBLIC HEARING: NONE

IV. OTHER BUSINESS/REPORTS FROM THE  
CHAIRPERSON, BOARD, OR STAFF: NONE

Having no further business, the meeting was adjourned at 5:58 P.M.  
Minutes prepared by Sarah West

NEXT MEETING: Thursday, December 1, 2022