

**Board of Zoning Adjustment Minutes
Aurora City Hall
City Council Chambers
2 W. Pleasant
Aurora, Missouri
Thursday, August 19, 2021 - 6 P.M.**

1. CALL TO ORDER

6:03 PM

2. ROLL CALL

Chairman Mike Bloss
Vice Chairman Bill Baker
Board Member Shannon Walker
Board Member Cyndy Muench
Board Member Deb Dillman
Alternate Board Member Justin Cox

All present except Vice Chairman Bill Baker.

Quorum satisfied.

3. APPROVAL OF SESSION MINUTES

Approval Of Minutes from Meeting Held April 22, 2021

Board member Dillman made a motion to approve the minutes from the meeting held April 22, 2021. Motion seconded by Member Cox. Motion passed with all the following members voting aye.

Ayes: Bloss, Walker, Muench, Dillman, Cox

Nays: None

4. NEW BUSINESS

Silver Maple Estates, Request for Variance To Setbacks

Director Howlett is sworn in by Chairman Bloss, time noted 6:04 pm. Opening Statement made by Director Howlett. Ms. Howlett explains that the applicant is requesting a variance to the side and front setbacks for the current development at Silver Maple Estates. She explains the City Code outlines the setbacks for developments and since they are requesting a setback that is not pursuant to City Code, a meeting was necessary. Director Howlett explains what the current setbacks are. Ms. Howlett presented information from researching nearby communities and explained to the Board that the request is not out of line with the surrounding communities of similar size. She further adds that larger cities with higher density have already been looking at and implementing smaller setbacks. Director Howlett explains that the reason for the setback variance request is that the developer is wanting to build larger homes than they had originally proposed. Ms. Howlett adds that the variance request encompasses the side yard, a few of the front yards, as well as a few utility easements. She instructs the Board that she has been in

contact with the Street Department and the Sewer Department, and the utilities easement variance has been addressed, and the proposed easements would be sufficient for City staff. Ms. Howlett states that Certified letters were mailed out to surrounding property owners and that her office has not received any negative feedback from the public regarding the variance. Director Howlett states that the homes on the development will remain single family homes and the neighborhood characteristics will not be altered from the setback variance.

Board Member Muench questions the fire security of smaller setbacks. Director Howlett informs the Board that the variance request would be in line with the newly adopted 2018 International Fire Code.

A representative from Silver Maples, Ryan Schweissguth, is present and approaches the podium to address any questions from the Board Members. Ryan Schweissguth is sworn in by Chairman Bloss at 6:11 pm.

Mr. Schweissguth explains that the infrastructure cost is rising and building materials have increased in price substantially and the contractors are attempting to recoup costs of recovery by building larger homes. He addresses the utility easements and clarifies there are only 3 easements that will be affected. Mr. Schweissguth points the properties in question out to the Board Members. He explains the easements will be decreased from 20 feet, down to 12 feet. He further adds that the developers will revise the storm sewer to be centered between the new lots. Chairman Bloss questions if the setback variance will apply to just the 3 lots. Mr. Schweissguth informs the Board that the side setbacks will apply to all yards, while the front setback only applies to double frontage lots that have a street on two sides. Utility easements will only apply to 3 areas.

Open public Comment time noted 6:18 pm. In attendance are Don and Teresa Aust, property owners at 1804 Highland Street. Don and Teresa Aust are sworn in by Chairman Bloss, time noted 6:19 pm. They explained to the Board that they recently bought property Northwest of the development. They had some concerns with the property lines and the surveying process. Director Howlett advised Don and Teresa Aust to meet with the developer so any questions and concerns could be resolved. Chairman Bloss instructed the Austs' that the public hearing was only for concerns and comments related to the setback variance requested.

Chairman Bloss explains that he is abstaining from voting due to owning property in close proximity to the property in question.

City Attorney, Ken Reynolds, informs the Board that this variance would be an area variance which is less restrictive than a Use Variance, and therefore would be easier to grant, and they are good to proceed with their decision.

Board Member Cox made a motion to allow the variance as requested. Motion seconded by Board Member Walker. Roll call vote taken. The following votes were recorded. Chairman Bloss abstained from voting. Board member Walker voted aye. Board Member Muench voted aye. Board Member Dillman voted aye. Board Member Cox voted aye, all in favor of variance to allow adjusted setbacks. Motion passed to allow setback variance at 6:31 pm.

Ayes: Walker, Muench, Dillman, Cox

Nays: None

Abstain: Bloss

5. ADJOURNMENT

Motion to adjourn made by Member Walker. Motion seconded by Member Cox. Motion passed with the following members voting aye.

Ayes: Bloss, Walker, Muench, Dillman Cox.

Nays: None

Meeting adjourned time noted 6:32 pm.

Mike Bloss, Chairman

ATTEST:

Crystal Abbott, Administrative Assistant