

**THE MINUTES OF THE 824rd PUBLIC HEARING
OF THE BOARD OF ADJUSTMENT
CITY OF OVERLAND, MISSOURI
HELD ON WEDNESDAY, JANUARY 14, 2026**

ROLL CALL:

The meeting was called to order at 6:05 pm and the following members responded to roll call:

Mr. Dan Kipper
Mr. Tim Jones-Absent/Excused
Mr. Jay Fetsch
Mr. Jeff O'Connell, Chairman
Jon Seal, Alternate

Others in Attendance: Mr. Joseph Bond, Legal Counsel
Kadi Sanders, Director of Community
Development Dianne Robinson, Community Development

APPROVAL OF MINUTES

Mr. Jeff O'Connell asked for a motion to approve the minutes of the Wednesday, December 10, 2025 Board of Adjustment Hearing.

Mr. Jay Fetsch made a motion to approve the minutes of the Wednesday, December 10, 2025, Board of Adjustment Hearing. Mr. Jon Seal seconded the motion.

Mr. Jeff O'Connell polled the vote as follows: SEAL- YES, O'CONNELL - YES, KIPPER- YES, FETSCH- YES

MOTION CARRIED.

OATH & REQUIRED VOTES

Mr. Jeff O'Connell invited all parties present wishing to partake in any discussion of the applications for variances submitted to the board, to please step forward and be sworn in.

Mr. Jeff O'Connell 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 all parties present responded to the affirmative.

Mr. Jeff O'Connell 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, unless within such period:

1. A building is obtained and the construction, or alteration of the structure is commenced and pursued diligently toward completion; or
2. A certificate of occupancy is obtained and a use or occupancy commenced. The Board of Adjustment may grant extensions not exceeding one hundred eighty (180) days each, upon written applications, without notice or hearing.

Mr. Jeff O'Connell 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 affect any variation in the chapter.

Mr. Jeff O'Connell asked for the applicant on behalf of **2636 Woodson Road** to please step forward and give their name, address, reason for the variance(s) request, and if they have any items not previously submitted, would they like them to be entered as exhibits of evidence.

Mr. Andres Garcia Salgado, current owner, addressed the Board to request approval of variances to occupy the building as a construction contractor's office for a roofing company. He indicated there would not be any on-site storage of materials or vehicles.

The following exhibits were presented to the Board of Adjustment:

EXHIBIT A-1	AGENDA
EXHIBIT A-2	NOTICE OF PUBLIC HEARING
EXHIBIT A-3	STAFF REPORT
EXHIBIT A-4	APPLICATION PZ25-0053
EXHIBIT A-5	APPLICATION PZ25-0054
EXHIBIT A-6	APPLICATION PZ25-0055
EXHIBIT A-7	APPLICATION PZ25-0056
EXHIBIT A-8	APPLICATION PZ25-0057
EXHIBIT A-9	APPLICATION PZ25-0058
EXHIBIT A-10	COPY OF ORDINANCE(S)

EXHIBIT A-11 PLAN
EXHIBIT A-12 GIS MAPPING

Exhibits A-1 through A-12 were accepted as evidence and approved as presented.

Mr. Jeff O'Connell asked the applicant if they wanted to add anything into evidence towards the hardship in the case. Mr. Andres Garcia Salgado indicated he did not.

Ms. Kadi Sanders, Director of Community Development, addressed the Board and explained; Mr. Salgado appeared before the Planning and Zoning Commission on November 25, 2025, seeking approval of a Conditional Use Permit and Site Plan. Review revealed the site had been vacant for 180 days or greater therefore the property, the building, and the use had lost any non-conformity. Further, the site plan review revealed the site does not meet the current zoning code in relation to yard setbacks, screening and landscape requirements and parking. The Planning and Zoning Commission recommended approval of the Conditional Use Permit and Site Plan contingent upon the applicant obtaining approval of variances related to the site deficiencies as outlined in the staff report.

Ms. Kadi Sanders stated the City had nothing further at this time.

Special Counsel Joe Bond indicated this is a like for like use. Prior business was a tree contractor's office and this would be a contractor's office. The applicant indicated there would not be any storage of any kind and the building takes up much of the space; therefore there is not any room to do any landscaping. The building has been there since 1945 and predates the ordinance. He went on to explain, the building had been in use for some time, then became vacant and lost non-conformity.

Mr. Andres Garcia Salgado, explained the hardship for the variance stating the variances were needed to occupy the building. When the site plan was reviewed, there were some codes that were not met; therefore they are trying to come into compliance.

Mr. Jeff O'Connell asked for comments from the Board. There were no comments from the Board.

Mr. Jeff O'Connell asked for comments from the audience. There were no comments from the audience.

Mr. Jeff O'Connell entertained a motion to approve a variance from Section 400.230.D.4.a- Front yard setback, to allow one (1) foot front yard setback as opposed to thirty (30) feet front yard setback, as presented within the Applicant's plan and, due to the practical difficulties as demonstrated by the Applicant.

Mr. Jay Fetsch made a motion to approve the variance from Section 400.230.D.4.a. Mr. Dan Kipper seconded the motion.

Mr. Jeff O'Connell polled the vote as follows: O'CONNELL - YES, KIPPER-YES, FETSCH-YES, SEAL-YES.

MOTION CARRIED.

Mr. Jeff O'Connell entertained a motion to approve a variance from Section 400.230.D.4.b- Side yard setback, to allow zero (0) foot side yard setback as opposed to twelve (12) feet side yard setback on the South side of the building, as presented within the Applicant's plan and, due to the practical difficulties as demonstrated by the Applicant.

Mr. Jay Fetsch made a motion to approve the variance from Section 400.230.D.4.b. Mr. Jon Seal seconded the motion.

Mr. Jeff O'Connell polled the vote as follows: KIPPER-YES, FETSCH-YES, SEAL-YES, O'CONNELL- YES.

MOTION CARRIED.

Mr. Jeff O'Connell entertained a motion to approve a variance from Section 400.230.D.4.b- Side yard setback, to allow a two (2) feet side yard setback as opposed to twelve (12) feet side yard setback on the North side of the building, as presented within the Applicant's plan and, due to the practical difficulties as demonstrated by the Applicant.

Mr. Jay Fetsch made a motion to approve the variance from Section 400.230.D.4.b. Mr. Dan Kipper seconded the motion.

Mr. Jeff O'Connell polled the vote as follows: FETSCH-YES, SEAL-YES, O'CONNELL- YES, KIPPER-YES.

MOTION CARRIED.

Mr. Jeff O'Connell entertained a motion to approve a variance from Section 400.450.A.2- Frontage Screening and Landscaping, to allow no landscaping

along the front of the property, as presented within the Applicant's plan and, due to the practical difficulties as demonstrated by the Applicant.

Mr. Jay Fetsch made a motion to approve the variance from Section 400.450.A.2. Mr. Jon Seal seconded the motion.

Mr. Jeff O'Connell polled the vote as follows: FETSCH-YES, SEAL-YES, O'CONNELL- YES, KIPPER-YES.

MOTION CARRIED.

Mr. Jeff O'Connell entertained a motion to approve a variance from Section 400.450.A.4- Interior Screening and Landscaping, to allow no landscaping within the interior of the property, as presented within the Applicant's plan and, due to the practical difficulties as demonstrated by the Applicant.

Mr. Dan Kipper made a motion to approve the variance from Section 400.450.A.4. Mr. Jay Fetsch seconded the motion.

Mr. Jeff O'Connell polled the vote as follows: SEAL-YES, O'CONNELL- YES, KIPPER-YES, FETSCH-YES.

MOTION CARRIED.

Mr. Jeff O'Connell entertained a motion to approve a variance from Section 400.450.A.11- Perimeter Screening and Landscaping, to allow no landscaping along the property perimeter, as presented within the Applicant's plan and, due to the practical difficulties as demonstrated by the Applicant.

Mr. Dan Kipper made a motion to approve the variance from Section 400.450.A.11. Mr. Jay Fetsch seconded the motion.

Mr. Jeff O'Connell polled the vote as follows: O'CONNELL- YES, KIPPER-YES, FETSCH-YES, SEAL-YES.

MOTION CARRIED.

Mr. Jeff O'Connell entertained a motion to approve a variance from Section 400.470.B.3- Schedule of Required Parking Spaces-General Office, to allow four (4) parking spaces, as opposed to the required six (6) per square footage of the building, as presented within the Applicant's plan and, due to the practical difficulties as demonstrated by the Applicant.

Mr. Jay Fetsch made a motion to approve the variance from Section 400. 470.B.3. Mr. Dan Kipper seconded the motion.

Mr. Jeff O'Connell polled the vote as follows: KIPPER-YES, FETSCH-YES, SEAL-YES, O'CONNELL- YES.

MOTION CARRIED.

MOTION TO ADJOURN:

Mr. Jay Fetsch made a motion to adjourn. Mr. Jon Seal seconded the motion. All were in favor. The meeting adjourned at approximately 6:20 PM.

Respectfully Submitted,

Jeff O'Connell, Chairman
Board of Adjustment