



**AGENDA
CITY OF HARRISONVILLE
BOARD OF BUILDING AND ENGINEERING APPEALS
REGULAR MEETING
CITY HALL
MAY 24, 2022
6:00 PM**

- 1. Call to Order**
 - A. Roll Call**
- 2. Approval of Minutes**
 - A. Board of Building and Engineering Appeals - Regular Meeting - May 18, 2021 6:00 PM**
- 3. Agenda Items**
 - A. 1000 S INDEPENDENCE STAFF REPORT**
 - B. 1000 S INDEPENDENCE PUBLIC HEARING**
 - C. 301 E CHESTNUT STAFF REPORT**
 - D. 301 E CHESTNUT PUBLIC HEARING**
 - E. 204 N INDEPENDENCE STAFF REPORT**
 - F. 204 N INDEPENDENCE PUBLIC HEARING**
 - G. 103 S COMMERCIAL STAFF REPORT**
 - H. 103 S COMMERCIAL PUBLIC HEARING**
- 4. Discussion Items**
- 5. Adjourn**

Posted this 13th day of May, 2021

Daniel Barnett, Deputy City Clerk



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF BUILDING AND ENGINEERING APPEALS
REGULAR MEETING
CITY HALL
MAY 18, 2021
6:00 PM

1. Call to Order

The meeting was called to order at 6:00 PM by Chair Mike Cox

Attendee Name	Organization	Title	Status	Arrived
Mike Cox	Harrisonville	Chair	Present	
Tony Meister	Harrisonville		Present	
Jeff Cryderman	Harrisonville		Absent	
Vince Farr	Harrisonville		Absent	
Kevin Stucker	Harrisonville		Present	
John Foster	Harrisonville		Present	
Bryan Wooten	Harrisonville		Present	

Also in attendance were Roger Giddens, property owner; Katie Phelps, Code Enforcement Officer; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

1. Board of Building and Engineering Appeals - Regular Meeting - Aug 26, 2020 5:30 PM

With a spelling correction to Section E, the minutes from the August 26, 2020, meeting were unanimously accepted.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Kevin Stucker
SECONDER:	Tony Meister
AYES:	Cox, Meister, Stucker, Foster, Wooten
ABSENT:	Jeff Cryderman, Vince Farr

3. Agenda Items

1. STAFF REPORT FOR 301 A W CHESTNUT

Katie Phelps presented the Staff Report. This property has been a problem for a year. It has been found an attractive nuisance. It is dangerous for the community and detracts from the neighborhood. The City would like to bulldoze the whole property as it is

overgrown and the trailer is blighted. Also, the property has been vacant long enough that it is no longer a legal non-conforming status. John Foster asked staff if the lot had utilities? Ms. Phelps stated that the utility records showed that there have not been active utilities since before 2004, which is as far back as the current utility billing system goes. Ms. Phelps stated that she has sent many notices to several different addresses. Kevin Stucker asked if she had any responses. She stated that May 17th, 2021 was the first time she had heard from Mr. Giddens since the case for this property was opened. He told her that he wanted to clean up the property and sell it. She told him that the violations would have to be taken care of before he would be able to do that. She then informed Mr. Giddens what needed to be done on his property. Staff is requesting Confirmation of Finding and Order for Nuisance and Dangerous building at 301 A W Chestnut.

The Public Hearing was opened at 6:14PM.

Mr. Giddens stated that he just retired and has had no way to receive mail. He asked Ms. Phelps how many places she sent notices for him to? She said at least two and the property address. Mr. Giddens again stated that he retired and wanted to come back to the property and take care of it. He stated that the criminal element had been watched and that he put up a snow fence. He stated that this is the only place he has to go. Bryan Wooten asked Ms. Phelps if a residential property is considered habitable without utilities. Ms. Phelps said no. Mr. Giddens stated that he has solar power. Ms. Phelps told them that his solar is not legal as it is not tied into our grid. She said hearing that is another reason she would like to be able to inspect the property. Mike Cox asked if there was running water. Mr. Giddens said that he just hauls in water when he is at the property. Bryan Wooten asked if the property had city sewer? Mr. Giddens said it is the trailer on the property is hooked to city sewer. Ms. Phelps again stated that there are no utility records for anything with the city. Mr. Stucker asked about the size of the property. Mr. Giddens said that the lot is 80 ft. x 130 ft. . He then explained that part of the property can only be weed-eated. Mr. Cox asked when the last time it had electricity provided by the city? Mr. Giddens said that he did not know exactly but he thought that it was 1989. He said he is using battery solar and that is all he needs. Ms. Phelps again tried to explain that if you are going to use solar power, the system has to be inspected per IRC'18. John Foster gave a brief description of easement and alley locations. Mr. Cox told Mr. Giddens that there are certain requirements he needs to meet. He asked Mr. Giddens if he were given a set time frame to get some of the property issues taken care of would he be willing to work with the city? Mr. Cox as Mr. Giddens if there was any neutral ground to satisfy staff and himself? Mr. Giddens' response was as far as rehabbing the trailer? Mr. Wooten asked Ms. Phelps how much it would cost to correct violations on the property? Ms. Phelps said she would assume several thousand, but she wouldn't know for sure until she and Chris Arthur were able to walk through and do an assessment on the property. She stated that staff is willing to work with Mr. Giddens, but Mr. Giddens would have to work at an acceptable pace. Mr. Stucker suggested meeting with staff and coming up with a schedule to make progress on the property. "City Staff are trying to give you the tools you need but you need to be able to use them." Mr. Giddens replied that he and his dad already did a lot of work there. Mr. Foster asked how long the trailer had been on the lot. Mr. Giddens stated it was placed there in 1972. Ms. Phelps stated that the year of the trailer is another issue that she was unaware of. Anything before 1976 is not habitable as it is not up to current standards. Tony Meister commented that if Mr. Giddens hadn't shown up for the meeting the Board would have moved to abate the property. He asked Mr. Giddens if he was given 45 days would he be able to get the utilities taken care of? Mr. Giddens said he didn't know. Mr. Meister told Mr. Giddens that he needs to have the City go out, look and assess the situation to find out what is required and what it is going to take to make it habitable. Staff will help to determine things such as connecting to City sewer. Mr. Giddens said he knows it is and it is functioning. Mr. Meister continued, suggesting that Mr. Giddens ask questions and gets number from Staff. Mr. Giddens stated that it would be helpful to have answers. Mr. Cox said the best way to do that is to meet with Staff, walk through the property, find costs and set a timetable so Mr. Giddens could decide at that point what he would like to do. Ms. Phelps said everything is going to take a financial obligation. This project can not

take years. Staff will require substantial progress in months. Staff will work with Mr. Giddens but he will need to "hit the ground running". Mr. Giddens said he wants to work on utilities and then clean up the property. Mr. Cox told Mr. Giddens that the Board is giving days to agree or disagree and he needs to meet with City Staff to see what he will need to come into compliance on all of the violations. Mr. Giddens asked what the violations are? Mr. Foster told Mr. Giddens that he need to make an appointment with Codes Enforcement and the Building Official to walk through the property immediately to know what his requirements are. Mr. Cox told Mr. Giddens that he needs to give the Board some confidence that he is willing to work with City Staff.

The Public Hearing was closed at 6:57PM.

Kevin Stucker made a motion to approve staff recommendation and that Mr. Giddens is required to make an appointment with City Staff for a walk through of the property within 48 hours of this meeting. Tony Meister seconded the motion. The motion passed unanimously.

**Directly after the meeting was adjourned. Ms. Phelps and Mr. Giddens set an appointment for a walk through of the property for 1:00 PM on May 20th, 2021.*

**Ms. Phelps and Casey Hofer (Building Inspector) went to the property at the scheduled time and Mr. Giddens refused to let them inspect the property. He was given an inspection form to sign stating that he refused and he refused to sign it. Officer Davis from HPD was there as a witness.*

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Stucker
SECONDER:	Tony Meister
AYES:	Cox, Meister, Stucker, Foster, Wooten
ABSENT:	Jeff Cryderman, Vince Farr

2. PUBLIC HEARING FOR 301 A W CHESTNUT

The Public Hearing was opened at 6:14 PM. The Public Hearing was closed at 6:57PM.

4. Discussion Items

5. Adjourn

With nothing further to come before the Board, John Foster made a motion to adjourn. Kevin Stucker seconded. The meeting was adjourned at 7:05 PM.

Jamie Martin, Recording Secretary



TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: May 13, 2022
SUBJECT: 1000 S INDEPENDENCE STAFF REPORT

Type of Item: *Approval*

A. Action Item (ID # 4203)

1000 S INDEPENDENCE STAFF REPORT

Attachments:

Staff Report 1000 S. Independence BBEA hearing (PDF)

1000 S INDEPENDENCE A2 (PDF)

1000 S INDEPENDENCE B (JFIF)

1000 S INDEPENDENCE C (JFIF)

1000 S INDEPENDENCE D (JFIF)

1000 S INDEPENDENCE E (JFIF)

1000 S INDEPENDENCE F (PDF)



City of

Harrisonville^{est. 1836}

3.A.a

300 E. Pearl Street, P.O. Box 367 • Tel: 816-380-8900 • Fax: 816-380-8906 • Harrisonville, MO 64701

To: Board of Building and Engineering Appeals (BBEA)

From: Katie Phelps, Housing and Zoning Specialist

Date: May 24, 2022

Re: 1000 S. Independence St., Dangerous Building Hearing

GENERAL INFORMATION

Applicant: N/A

Requested Actions: Determination of Finding and Order.

Date of Application: N/A

PROPOSAL

Request for Concurrence of Finding of Dangerous building at 1000 S. Independence St.

PREVIOUS ACTIONS

May 29, 2020, Property added to Vacant, Abandoned, and Blighted List (VAB).

September 9, 2020, Original violation letter sent

October 15, 2020, Second violation letter sent

February 17, 2021, First appearance scheduled in court

April 30, 2021, Met owner at property to form a compliance list

June 2, 2021, Property posted Unsafe to Occupy

KEY ISSUES

BACKGROUND: The structure at 1000 S. Independence is, in the Codes Department's opinion, in serious disrepair and constitutes a public nuisance and a dangerous building. The structure has previously been issued a Dangerous Building order and has been listed Vacant, Abandoned, and Blighted since May 29, 2020. Specific violations are: Dangerous Building, Nuisance, including Attractive Nuisance, Property Maintenance, and Fire Code. The structure has been posted and legal notices have been published as required. Please see the attached.

STAFF COMMENTS AND SUGGESTIONS

SUBJECT: Hearing provided for by Article Section 510.080 of the City of Harrisonville Municipal Code., if the evidence supports a finding that the building or structure is a nuisance or detrimental to the health, safety or welfare of the residents of the City, the Board of Building and Engineering shall issue an order making specific findings of fact based upon competent and substantial evidence which shows the building or structure to be a nuisance and detrimental to the health, safety and welfare of the residents of the City and ordering the building or structure to be demolished and removed or repaired. If the evidence does not support a finding that the

Attachment: Staff Report 1000 S. Independence BBEA hearing (1000 S INDEPENDENCE STAFF REPORT)

building or structure is a nuisance or detrimental to the health, safety, and welfare of the residents of the City, no order shall be issued.

Staff has done everything possible to try to work with deed holders to abate the structure. The property owner has been in municipal court since February 17, 2021, with no physical progress to the structure. The basement has been flooded with water since before April 30, 2021 with utilities noting major plumbing problems since 2015. Multiple squatters have been found in structure due to owner neglecting to properly secure the structure. The structure continues to deteriorate. Staff views the property as abandoned and needing demolition. The structure is still an attractive nuisance; a dangerous building due to elements damaged and decayed to the point of being structurally and sanitarily unfit for human occupancy. Municipal code 510.010 #1 through #10. Municipal code 220.020, 500.320, 500.330 and adopted IFC 311.1.1.

STAFF RECOMMENDATION

Staff recommends the Board of Building and Engineering Appeals, if the evidence supports such finding, to issue a finding that the building and structure is a nuisance and detrimental to the health, safety, and welfare of the residents of the City of Harrisonville.

ATTACHMENTS

Please see full attached report of all code case documents.

STAFF CONTACT: Katie Phelps, Housing and Zoning Specialist.







05/12/2022 09:52







Harrisonville

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October 15, 2020

62600 E 115 RD
MIAMI, OK 74354

RE: Code Compliance Case No. VAB-20-0014

MICHAEL OWENS,

Location : 1000 S INDEPENDENCE , HARRISONVILLE MO

Complaint Description:

THIS PROPERTY IS VACANT AND NEGLECTED

CONTACT THE HARRISONVILLE BUILDING DEPARTMENT BY 10/30/20 WITH A COMPREHENSIVE PLAN OR AN APPEARANCE IN COURT WILL BE REQUIRED

IPMC 2018
301.2 RESPONSIBILITY OF OWNER
301.3 VACANT STRUCTURES AND LAND

VACANT, ABANDONED AND BLIGHTED PROPERTIES AND AREAS ARE DEFINED IN CITY NUISANCE AND PROPERTY MAINTENANCE CODES, MISSOURI STATE STATUTES AND FEDERAL GUIDELINES AS PROPERTIES WHICH BY REASON OF AGE, OBSOLESCENCE, INADEQUATE OR OUTDATED DESIGN OR PHYSICAL CONDITION AND DETERIORATION HAVE BECOME SOCIAL AND ECONOMIC LIABILITIES AND SUCH CONDITIONS ARE CONDUCTIVE TO ILL HEALTH, TRANSMISSION OF DISEASE, CRIME OR INABILITY TO PAY REASONABLE TAXES; ANY PROPERTY WHICH BECAUSE OF ITS PHYSICAL CONDITION OR USE IS DECLARED OR CITED AS A NUISANCE MAY BE CONSIDERED BLIGHTED; DETERIORATION, DILAPIDATION, DECAY, UNINHABITABILITY, UNSAFE OR UNSANITARY CONDITIONS, EXISTENCE OF ANY CONDITIONS WHICH ENDANGER LIFE OR PROPERTY BY FIRE AND ANY OTHER CAUSES, OR CONSTITUTES AN ECONOMIC OR SOCIAL LIABILITY OR MENACE TO THE PUBLIC HEALTH, SAFETY, MORALS OR WELFARE IN ITS PRESENT CONDITION OR USE.

TITLE 5 BUILDING AND CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES
- ARTICLE 9 ABANDONED RESIDENTIAL PROPERTY REGISTRATION - SECTION 500.370 REGISTRATION
[Ord. No. 3236 §1, 8-5-2013]

Attachment: 1000 S INDEPENDENCE F (1000 S INDEPENDENCE STAFF REPORT)



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A. Any beneficiary under a deed of trust covering a property located within the City of Harrisonville shall cause an inspection to be performed of the property that is the security for the deed of trust within fifteen (15) days of issuing a notice of default to the trustor. The beneficiary shall, within ten (10) days of the inspection, register the property with the Director of Community Development or his designee on forms provided by the City.

B. The registration shall contain the full legal name of the beneficiary and the registered representative, the direct street/office mailing address of the beneficiary and the registered representative (no Post Office boxes), a direct contact name and phone number for the beneficiary and registered representative, and, if applicable, the local property management company responsible for the security, maintenance and marketing of the property.

C. The registration shall be valid as long as the subject property remains vacant and shall be amended as needed.

D. This Section shall also apply to properties that have been the subject of a foreclosure sale where title to the property was transferred to the beneficiary of a deed of trust involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure or sale.

E. Properties subject to this Article shall remain under the security and maintenance standards of this Section as long as they remain vacant.

F.

Any person, firm or corporation that has registered a property under this Article must report any change of information contained in the registration within ten (10) days of the change.

TITLE 5 BUILDING AND CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 9 ABANDONED RESIDENTIAL PROPERTY REGISTRATION - SECTION 500.380 MAINTENANCE REQUIREMENTS [Ord. No. 3236 §1, 8-5-2013]

Properties subject to this Article shall be in compliance with the City of Harrisonville Property Maintenance Code. Adherence to this Section does not relieve the beneficiary or property owner of any obligations set forth in any covenants, conditions and restrictions or homeowner's association rules and regulations which may apply to the property.

TITLE 5 BUILDING AND CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 9 ABANDONED RESIDENTIAL PROPERTY REGISTRATION - SECTION 500.390 [Ord. No. 3236 §1, 8-5-2013]

A. Properties subject to this Section shall be maintained in a secure manner so as not to be accessible to unauthorized persons. This includes, without limitation, the closure and locking of windows, doors (walk-through, sliding and garage), gates and any other opening of such size that it may allow a child to access the interior of the property and/or structure(s). In the case of broken windows, "securing" means the reglazing or boarding of the window.

B. If the beneficiary is an out-of-area beneficiary, a local property management company shall be contracted to perform weekly inspections to verify that the requirements of this Section, and any other applicable laws, are being met.

C. The beneficiary shall cause the property to be inspected on a weekly basis to determine if the property is in compliance with the requirements of this Article.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 9 ABANDONED RESIDENTIAL PROPERTY REGISTRATION - SECTION 500.410 [Ord. No. 3236 §1, 8-5-2013]

Any beneficiary, registered representative, or local property management company that violates any provision of this Article shall be in violation of this Article, and a General Ordinance Summons (GOS) may be issued against the beneficiary's representative for such violation. In addition to any other penalties which may be assessed for a violation of this Article, any person or entity who violates a provision of this Article shall be assessed a fine of five hundred dollars (\$500.00) per violation, or imprisonment not exceeding ninety (90) days, or both such fine and imprisonment.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 8 PROPERTY MAINTENANCE CODE - 500.320 ADOPTION OF STANDARDS [Ord. No. 3503, 8-3-2020]



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The City hereby adopts the International Property Maintenance Code, 2018 Edition, as published by the International Code Council, including Appendix Chapter A as the Official Property Maintenance Code of the City of Harrisonville, Missouri.

Regards,
Katie Phelps
Code Enforcement Officer and Building Inspector
816-380-8921



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September 09, 2020

62600 E 115 RD
MIAMI, OK 74354

RE: Code Compliance Case No. VAB-20-0014

MICHAEL OWENS,

Location : 1000 S INDEPENDENCE , HARRISONVILLE MO

Complaint Description:

THIS PROPERTY IS VACANT AND NEGLECTED

CONTACT THE HARRISONVILLE BUILDING DEPARTMENT IMMEDIATELY TO DISCUSS FUTURE DEVELOPMENTS

IPMC 2018
301.2 RESPONSIBILITY OF OWNER
301.3 VACANT STRUCTURES AND LAND

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Attachment: 1000 S INDEPENDENCE F (1000 S INDEPENDENCE STAFF REPORT)



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B. If the beneficiary is an out-of-area beneficiary, a local property management company shall be contracted to perform weekly inspections to verify that the requirements of this Section, and any other applicable laws, are being met.

C. The beneficiary shall cause the property to be inspected on a weekly basis to determine if the property is in compliance with the requirements of this Article.

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The City hereby adopts the International Property Maintenance Code, 2018 Edition, as published by the International Code Council, including Appendix Chapter A as the Official Property Maintenance Code of the City of Harrisonville, Missouri.

Regards,
Katie Phelps
Code Enforcement Officer and Building Inspector
816-380-8921

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September 03, 2020

62600 E 115 RD
MIAMI, OK 74354

RE: Code Compliance Case No. TREE-20-0002

MICHAEL OWENS,

Location : 1000 S INDEPENDENCE , HARRISONVILLE MO

Complaint Description:

TREES ARE GROWING IN FENCE LINE CAUSING DAMAGE
THESE TREES NEED TO BE ELIMINATED

NOTICE OF VIOLATION. THIS PROPERTY HAS BEEN OBSERVED TO BE IN VIOLATION OF THE BELOW MUNICIPAL ORDINANCE AND REQUIRES COMPLIANCE WITHIN 30 CALENDAR DAYS FROM THE DATE OF THIS NOTICE

TITLE 2 PUBLIC HEALTH, SAFETY AND WELFARE - CHAPTER 220 NUISANCES - ARTICLE 1 GENERALLY - SECTION 220.020 ENUMERATION [CC 1977 §16-18; Rev. Ords. 1939 Ch. 17 Art. 1 §§21, 45 Art. 3 §§1 — 3; Ord. No. 2284 §1, 8-26-1996; Ord. No. 2512 §1, 6-22-1998; Ord No. 2907 §§1 — 2, 3-7-2005; Ord. No. 2914 §1, 4-18-2005; Ord. No. 3072 §1, 2-2-2009]

A. The following are hereby declared, defined and deemed to be nuisances for the purposes of this Article; provided however, that the following shall not be deemed to be exclusive:

1. All substances which emit or cause foul, obnoxious, unhealthful or disagreeable odor or effluvia in the neighborhood where they exist.
2. All carcasses of animals remaining exposed for twelve (12) hours after death.
3. Any growth of weeds, grasses or bushes to a greater height than twelve (12) inches; provided that this shall not apply to planted and cultivated flowers, shrubbery or other landscaping.
Exception: In agricultural zoned properties, or properties used for agricultural, there shall be no weeds, grasses or bushes over twelve (12) inches in height a minimum distance of twenty (20) feet from any adjoining property line, street or alley.
4. All slop, foul or dirty water, filth, refuse or offal discharged in or upon any street, avenue, sidewalk, alley, park, public square or public enclosure or allowed to accumulate there or in a pond or pool.
5. All articles or things whatsoever caused, kept, maintained or permitted by any person to the injury, inconvenience, danger, detriment or annoyance of the public health, safety or welfare.
6. The keeping or allowing to remain on any premises any trees, shrubs or other vegetation infected with fungus or other diseases that will or might spread to other non-infected trees, shrubs or other vegetation.
7. Any silt caused by water flows which is deposited on downstream property thereby covering or obstructing land, including land normally covered by standing water.
8. Any writing, painting, drawing, marking, inscription, or figure of the type which a reasonable person would deem "graffiti" upon any wall, rock, bridge, building, fence, gate, other structure, tree or other real or personal property, either publicly or privately owned within the City.

Attachment: 1000 S INDEPENDENCE F (1000 S INDEPENDENCE STAFF REPORT)



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Section 220.330 Notice to Remove Dead, Dying and Diseased Trees- if trees on private property are declared a public nuisance, the City Administrator or their duly authorized agents shall give to the owner of the premises where such trees are situated written notice of removal of such trees within a period of thirty (30) days following such notice. Such tree will be removed and disposed of according to the guidelines established by the United States Department of Agriculture Forest Service under the direction and supervision of a certified arborist. Such notice shall also notify the owner of such premises that unless such trees are removed in such a manner within the thirty (30) day period, the City will proceed with the removal of such trees and assess the cost thereof against the property owner.

Section 220.360 Duty of Owner- Upon receipt of the notice required by Section 220.340, it shall be the duty of the owner of any such premises to cause such tree to be removed or trimmed as required by the notice of the City Administrator under the direction and supervision of the City Administrator or his/her authorized agent. In lieu thereof, the person charged with such removal or trimming may request in writing that the same be done by the City Administrator.

Section 220.370 Removal By City- In the event the person upon who is served shall fail to remove or trim any tree in compliance with such notice within the time specified in such notice, the City may enter upon the property involved, perform such work and the owner of such property shall be liable for the expenses thereof.

City of Harrisonville Municipal Ordinance may be viewed at www.harrisonville.com or www.ecode360.com/HA3317

Thank you for your cooperation in resolving this matter.

Regards,
Katie Phelps
Code Enforcement Officer and Building Inspector
816-380-8921

Attachment: 1000 S INDEPENDENCE F (1000 S INDEPENDENCE STAFF REPORT)



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170590828 - CITY OF HARRISONVILLE V MICHAEL S OWENS

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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 Sort Date Entries: ☒ Descending ☐ Ascending

 Display Options:

04/25/2022 **Bench Trial Scheduled**
 Scheduled For: 05/18/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

04/20/2022 **Hearing Held**
 Scheduled For: 04/20/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal
Plea of Not Guilty Entered
 Case set for bench trial. ms
 Filed By: MICHAEL SHAWN OWENS

03/21/2022 **Non-Traf Ordinance Hrng Sched**
 Associated Entries: 04/20/2022 - Hearing Held
 Scheduled For: 04/20/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

03/16/2022 **Hearing Continued/Rescheduled**
 Defendant appears, requests continuance. Granted by Judge. ms
 Hearing Continued From: 03/16/2022; 5:30 PM Non-Traf Ordinance Hrng Sched

02/28/2022 **Non-Traf Ordinance Hrng Sched**
 Revised Event Information: New Event: Non-Traf Ordinance Hrng Sched;
 Associated Entries: 03/16/2022 - Hearing Continued/Rescheduled
 Scheduled For: 03/16/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

02/18/2022 **Warrant Recalled/Withdrawn**
 Document ID - 21-17MFA-286; Served To - MICHAEL SHAWN OWENS; Server - HARRISONVILLE POLICE DEPT; Served Date - 02/18/2022; Served Time - 14:40:00; Service Type - CK; Reason Description - RECL; Service Text -
Bond-Released on Own Recog
 Defendant in custody. Judge ordered ROR. ms
 Filed By: DONALD LEE LOGRASSO

12/29/2021 **Warrant Issued**
 Document ID: 21-17MFA-286, for OWENS, MICHAEL SHAWN , Bond Amount: 200.00, Bond Text: CASH ONLY

12/15/2021 **Warrant Issd Failure to Appear**
 Defendant fails to appear. Warrant ordered by Judge. DL/ms
 Associated Entries: 12/12/2021 - Hearing Scheduled
 Scheduled For: 12/15/2021; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

12/12/2021 **Judge/Clerk - Note**

Attachment: 1000 S INDEPENDENCE F (1000 S INDEPENDENCE STAFF REPORT)

For information prior to 12-01-2021 refer to Legacy System or physical file. clc

Hearing Scheduled

REVISED Event Information: New Judge Id: 29816; New Event: SCHR; New EventRoom: CRTRM;
New EventLocation: HX;

Associated Entries: 12/15/2021 - Warrant Issd Failure to Appear 

Scheduled For: 12/15/2021; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

01/20/2021**Information Filed by Citation**

[Click here to receive MOVANS phone/e-mail notices of future hearings on this case](#)

Case.net Version 5.14.50

[Return to Top of Page](#)

Released 03/10/2022

Attachment: 1000 S INDEPENDENCE F (1000 S INDEPENDENCE STAFF REPORT)

UNSAFE TO OCCUPY

CITY OF HARRISONVILLE

Whereas violations of Chapter _____, Section _____ of the Building Code *IFMC 2018*
 Chapter _____, Section _____ of the Zoning Ordinance *Section 108*
 Chapter 5, Article 500, Section 320 of the Municipal Code
 have been found on these premises, and IT IS HEREBY ORDERED in accordance with the above code that
 all persons cease and desist from OCCUPYING or ENTERING the structure on these premises known as
1000 N. Independence

All persons acting contrary to this order or removing or mutilating this notice
 are liable to arrest unless such action is authorized by the
 Codes Administration Department.

DATE 6/2/21

[Signature]
 BUILDING OFFICIAL
 816-380-8958

ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE
 PROSECUTED



Harrisonville

300 E. Pearl Street
PO BOX 367
Harrisonville, MO 64701
Phone: (816) 380-8958
Fax: (816) 380-8906
www.harrisonville.com
www.ecode360/HA3317

April 06, 2021

62600 E 115 RD
MIAMI, OK 74354

RE: Code Compliance Case No. PM-21-0030

MICHAEL OWENS,

Location : 1000 S INDEPENDENCE , HARRISONVILLE MO

Complaint Description:

IT IS ILLEGAL TO TRANSFER OWNERSHIP OF A PROPERTY WITH ACTIVE VIOLATIONS. ALL TRANSFERS OF THIS NATURE MUST BE APPROVED BY THE CODES DEPARTMENT. IF A PROPERTY IS TRANSFERRED WITHOUT CONSENT OF THIS DEPARTMENT AN APPEARANCE IN COURT WILL BE REQUIRED.

NOTICE OF VIOLATION. THIS PROPERTY HAS BEEN OBSERVED TO BE IN VIOLATION OF THE BELOW MUNICIPAL ORDINANCE AND REQUIRES COMPLIANCE WITHIN THIRTY CALENDAR DAYS FROM THE DATE OF THIS NOTICE.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 8 PROPERTY MAINTENANCE CODE - 500.320 ADOPTION OF STANDARDS [Ord. No. 3503, 8-3-2020]

The City hereby adopts the International Property Maintenance Code, 2018 Edition, as published by the International Code Council, including Appendix Chapter A as the Official Property Maintenance Code of the City of Harrisonville, Missouri.

SECTION 100.200 GENERAL PENALTY - CONTINUING VOILATIONS

A.

Whenever in this Code or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or ordinance shall be punished by a fine of not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or by both such fine and imprisonment; provided however, that in any case wherein the penalty for an offense is fixed by any State law or Statute, the same penalty so fixed by State law or Statute shall be imposed for the punishment of such offense and no other, except that imprisonments, when made under this Section, may be in the City Jail instead of the County Jail.

B.

Each day any violation of any provision of this Code or of any such ordinance shall continue shall constitute a separate offense.

C.

In addition to the penalty set out in Subsection (A), any condition caused or permitted to exist in violation of any of the provisions of this Code or any such ordinance shall be deemed a public nuisance and may be, by the City, abated as provided by law and each day that such condition continues shall be regarded as a new and separate offense.



Harrisonville

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Fax: (816) 380-8906
www.harrisonville.com
www.ecode360/HA3317

PROPERTY OWNERS HAVE THE RIGHT TO A HEARING AFTER 10 DAYS' NOTICE THEREOF. IF NO REPRESENTATIVE IS PRESENT AT THE LISTED HEARING DATE, AND THE VIOLATIONS ARE NOT BROUGHT INTO COMPLIANCE, THE CITY CAN ABATE THE VIOLATION OR REQUIRE AN APPEARANCE IN COURT. IF A SECOND VIOLATION OCCURS WITHIN ONE CALENDAR YEAR, NO HEARING WILL BE SCHEDULED.

THE HEARING DATE FOR THIS VIOLATION IS N/A AT 9:00 AM

City of Harrisonville Municipal Ordinance may be viewed at www.harrisonville.com or www.ecode360.com/HA3317

Thank you for your cooperation in resolving this matter.

Regards,
KATIE PHELPS
Code Enforcement Officer and Building Inspector
816-380-8921

Attachment: 1000 S INDEPENDENCE F (1000 S INDEPENDENCE STAFF REPORT)



TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: May 13, 2022
SUBJECT: 1000 S INDEPENDENCE PUBLIC HEARING

Type of Item: *Public Hearing*

- B. Action Item (ID # 4196)**
1000 S INDEPENDENCE PUBLIC HEARING



TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: May 13, 2022
SUBJECT: 301 E CHESTNUT STAFF REPORT

Type of Item: *Approval*

C. Action Item (ID # 4197)

301 E CHESTNUT STAFF REPORT

Attachments:

Staff Report 301 E. Chestnut BBEA hearing (PDF)

301 E CHESTNUT A (JFIF)

301 E CHESTNUT B (JFIF)

301 E CHESTNUT C (JFIF)

301 E CHESTNUT D (JFIF)

301 E CHESTNUT E (JFIF)

301 E CHESTNUT F (JFIF)

301 E CHESTNUT G (JFIF)

301 E CHESTNUT H (PDF)



City of

Harrisonville^{est. 1836}

3.C.a

300 E. Pearl Street, P.O. Box 367 • Tel: 816-380-8900 • Fax: 816-380-8906 • Harrisonville, MO 64701

To: Board of Building and Engineering Appeals (BBEA)

From: Katie Phelps, Housing and Zoning Specialist

Date: May 24, 2022

Re: 301 E. Chestnut St., Dangerous Building Hearing

GENERAL INFORMATION

Applicant: N/A

Requested Actions: Determination of Finding and Order.

Date of Application: N/A

PROPOSAL

Request for Concurrence of Finding of Dangerous building at 301 E. Chestnut St.

PREVIOUS ACTIONS

December 8, 2020, Original violation sent

January 11, 2021, Second violation letter sent

February 17, 2021, First Appearance in Municipal Court

September 15, 2021, Added to the Vacant, Abandoned, Blighted List

KEY ISSUES

BACKGROUND: The structure at 301 E. Chestnut is, in the Codes Department's opinion, in serious disrepair and constitutes a public nuisance and a dangerous building. The structure has previously been issued multiple exterior violations, has had no utility usage since at least 2018 and has been listed Vacant, Abandoned, and Blighted. Specific violations are: Dangerous Building, Nuisance, including Attractive Nuisance, Property Maintenance, and Fire Code. The structure has been posted and legal notices have been published as required. Please see the attached.

STAFF COMMENTS AND SUGGESTIONS

SUBJECT: Hearing provided for by Article Section 510.080 of the City of Harrisonville Municipal Code., if the evidence supports a finding that the building or structure is a nuisance or detrimental to the health, safety or welfare of the residents of the City, the Board of Building and Engineering shall issue an order making specific findings of fact based upon competent and substantial evidence which shows the building or structure to be a nuisance and detrimental to the health, safety and welfare of the residents of the City and ordering the building or structure to be demolished and removed or repaired. If the evidence does not support a finding that the

Attachment: Staff Report 301 E. Chestnut BBEA hearing (301 E CHESTNUT STAFF REPORT)

building or structure is a nuisance or detrimental to the health, safety, and welfare of the residents of the City, no order shall be issued.

Staff has done everything possible to try to work with deed holders to abate the structure. After several notices the property owner has been in municipal court since February 17, 2021, with no physical progress to the structure. The structure continues to deteriorate. Staff views the property as abandoned and needing demolition of the main structure and all accessory structures. The structure is still an attractive nuisance; a dangerous building due to elements damaged and decayed to the point of possible collapse, unfit for human occupancy. Municipal code 510.010 #1 through #10. Municipal code 220.020, 500.320, 500.330 and adopted IFC 311.1.1.

STAFF RECOMMENDATION

Staff recommends the Board of Building and Engineering Appeals, if the evidence supports such finding, to issue a finding that the building and structure is a nuisance and detrimental to the health, safety, and welfare of the residents of the City of Harrisonville.

ATTACHMENTS

Please see full attached report of all code case documents.

STAFF CONTACT: Katie Phelps, Housing and Zoning Specialist.









05/12/2022 10:20



05/12/2022 10:21



05/12/2022 10:21



Attachment: 301 E CHESTNUT G (301 E CHESTNUT STAFF REPORT)

05/12/2022 10:21



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170590832 - CITY OF HARRISONVILLE V WILLIAM L DAMERON

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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 Sort Date Entries: ☒ Descending ☐ Ascending

 Display Options:

03/16/2022 **Costs &/or Fines Paid in Full**
Municipal Ord- E/R
 Filed By: WILLIAM LEE DAMERON
Defendant Sentenced
 Count 1 - Defendant sentenced to Fine \$50.50,
Guilty Plea
Hearing Held
 Scheduled For: 03/16/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

01/21/2022 **Non-Traf Ordinance Hrng Sched**
 Associated Entries: 03/16/2022 - Hearing Held
 Scheduled For: 03/16/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

01/19/2022 **Hearing Continued/Rescheduled**
 DEFENDANT APPEARS. REQUESTS CONTINUANCE. GRANTED BY JUDGE. clc
 Hearing Continued From: 01/19/2022; 5:30 PM Non-Traf Ordinance Hrng Sched

12/22/2021 **Non-Traf Ordinance Hrng Sched**
 REVISED Event Information: New Judge Id: 29816; New Event: SCOR; New EventDate: Wed Jan 19 00:00:00 CST 2022; New EventTime: 17:30:00; New EventRoom: CRTRM; New EventLocation: HX;
 Associated Entries: 01/19/2022 - Hearing Continued/Rescheduled
 Scheduled For: 01/19/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

12/15/2021 **Hearing Continued/Rescheduled**
 Attorney appears for defendant. Case continued. ms
 Hearing Continued From: 12/15/2021; 5:30 PM Hearing

10/29/2021 **Judge/Clerk - Note**
 For information prior to 12-1-21 refer to legacy system or physical file. ms
Hearing Scheduled
 Revised Event Information: New EventDate: 12/15/2021;
 Associated Entries: 12/15/2021 - Hearing Continued/Rescheduled
 Scheduled For: 12/15/2021; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

05/19/2021 **Entry of Appearance Filed**
 Filed By: JOHN A. LOZANO

02/03/2021 **Information Filed by Citation**

Attachment: 301 E CHESTNUT H (301 E CHESTNUT STAFF REPORT)

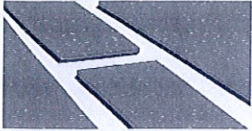
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Released 03/10/2022

Attachment: 301 E CHESTNUT H (301 E CHESTNUT STAFF REPORT)



Harrisonville

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Fax: (816) 380-8906
www.harrisonville.com
www.ecode360/HA3317

January 11, 2021

301 E CHESTNUT
HARRISONVILLE, MO 647010000

RE: Code Compliance Case No. PM-20-0040

WILLIAM DAMERON,

Location : 301 E CHESTNUT , HARRISONVILLE MO

Complaint Description:

ALL DETERIORATED WOODS, WINDOW FRAMES, DOORS, PORCHES, GUTTERS, FENCES, AND SOFFITS MUST BE MAINTAINED STRUCTURALLY SOUND AND IN GOOD REPAIR OR REPLACED. ROOF IS IN DISREPAIR AND NEEDS REPLACED. GARAGE/SHED IS IN DISREPAIR AND MUST BE BROUGHT INTO COMPLIANCE OR DEMOLISHED. ALL FLAKING, PEELING, AND CHIPPED SURFACES MUST HAVE THE PROPER PROTECTIVE TREATMENTS APPLIED. A COMPREHENSIVE COMPLIANCE PLAN MUST BE ON FILE WITH OUR OFFICE BY 1/22/21 OR AN APPEARANCE IN COURT WILL BE REQUIRED.

IPMC 2018
302.7 ACCESSORY STRUCTURES
304.1 GENERAL EXTERIOR VIOLATIONS
304.1.1 GENERAL EXTERIOR UNSAFE CONDITIONS #5,8,12
304.2 PROTECTIVE TREATMENT
304.7 ROOFS AND DRAINAGE
304.10 STAIRWAYS, DECKS, PORCHES, AND BALCONIES
304.13 WINDOW, SKYLIGHT, AND DOOR FRAMES

NOTICE OF VIOLATION. THIS PROPERTY HAS BEEN OBSERVED TO BE IN VIOLATION OF THE BELOW MUNICIPAL ORDINANCE AND REQUIRES COMPLIANCE WITHIN THIRTY CALENDAR DAYS FROM THE DATE OF THIS NOTICE.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 8 PROPERTY MAINTENANCE CODE - 500.320 ADOPTION OF STANDARDS [Ord. No. 3503, 8-3-2020]

The City hereby adopts the International Property Maintenance Code, 2018 Edition, as published by the International Code Council, including Appendix Chapter A as the Official Property Maintenance Code of the City of Harrisonville, Missouri.

Attachment: 301 E CHESTNUT H (301 E CHESTNUT STAFF REPORT)



Harrisonville

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SECTION 100.200 GENERAL PENALTY - CONTINUING VIOLATIONS

A.

Whenever in this Code or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or ordinance shall be punished by a fine of not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or by both such fine and imprisonment; provided however, that in any case wherein the penalty for an offense is fixed by any State law or Statute, the same penalty so fixed by State law or Statute shall be imposed for the punishment of such offense and no other, except that imprisonments, when made under this Section, may be in the City Jail instead of the County Jail.

B.

Each day any violation of any provision of this Code or of any such ordinance shall continue shall constitute a separate offense.

C.

In addition to the penalty set out in Subsection (A), any condition caused or permitted to exist in violation of any of the provisions of this Code or any such ordinance shall be deemed a public nuisance and may be, by the City, abated as provided by law and each day that such condition continues shall be regarded as a new and separate offense.

PROPERTY OWNERS HAVE THE RIGHT TO A HEARING AFTER 10 DAYS' NOTICE THEREOF. IF NO REPRESENTATIVE IS PRESENT AT THE LISTED HEARING DATE, AND THE VIOLATIONS ARE NOT BROUGHT INTO COMPLIANCE, THE CITY CAN ABATE THE VIOLATION OR REQUIRE AN APPEARANCE IN COURT. IF A SECOND VIOLATION OCCURS WITHIN ONE CALENDAR YEAR, NO HEARING WILL BE SCHEDULED.

THE HEARING DATE FOR THIS VIOLATION IS N/A AT 9:00 AM

City of Harrisonville Municipal Ordinance may be viewed at www.harrisonville.com or www.ecode360.com/HA3317

Thank you for your cooperation in resolving this matter.

Regards,

Katie Phelps

Code Enforcement Officer and Building Inspector
816-380-8921

Attachment: 301 E CHESTNUT H (301 E CHESTNUT STAFF REPORT)



Harrisonville

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Phone: (816) 380-8958
Fax: (816) 380-8906
www.harrisonville.com
www.ecode360/HA3317

December 08, 2020

301 E CHESTNUT
HARRISONVILLE, MO 647010000

RE: Code Compliance Case No. PM-20-0040

WILLIAM DAMERON,

Location : 301 E CHESTNUT , HARRISONVILLE MO

Complaint Description:

ALL DETERIORATED WOODS, WINDOW FRAMES, DOORS, PORCHES, GUTTERS, FENCES, AND SOFFITS MUST BE MAINTAINED STRUCTURALLY SOUND AND IN GOOD REPAIR OR REPLACED. ROOF IS IN DISREPAIR AND NEEDS REPLACED. GARAGE/SHED IS IN DISREPAIR AND MUST BE BROUGHT INTO COMPLIANCE OR DEMOLISHED. ALL FLAKING, PEELING, AND CHIPPED SURFACES MUST HAVE THE PROPER PROTECTIVE TREATMENTS APPLIED.

IPMC 2018
302.7 ACCESSORY STRUCTURES
304.1 GENERAL EXTERIOR VIOLATIONS
304.1.1 GENERAL EXTERIOR UNSAFE CONDITIONS #5,8,12
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304.13 WINDOW, SKYLIGHT, AND DOOR FRAMES

NOTICE OF VIOLATION. THIS PROPERTY HAS BEEN OBSERVED TO BE IN VIOLATION OF THE BELOW MUNICIPAL ORDINANCE AND REQUIRES COMPLIANCE WITHIN THIRTY CALENDAR DAYS FROM THE DATE OF THIS NOTICE.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 8 PROPERTY MAINTENANCE CODE - 500.320 ADOPTION OF STANDARDS [Ord. No. 3503, 8-3-2020]

The City hereby adopts the International Property Maintenance Code, 2018 Edition, as published by the International Code Council, including Appendix Chapter A as the Official Property Maintenance Code of the City of Harrisonville, Missouri.

Attachment: 301 E CHESTNUT H (301 E CHESTNUT STAFF REPORT)



Harrisonville

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SECTION 100.200 GENERAL PENALTY - CONTINUING VIOLATIONS

A.

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PROPERTY OWNERS HAVE THE RIGHT TO A HEARING AFTER 10 DAYS' NOTICE THEREOF. IF NO REPRESENTATIVE IS PRESENT AT THE LISTED HEARING DATE, AND THE VIOLATIONS ARE NOT BROUGHT INTO COMPLIANCE, THE CITY CAN ABATE THE VIOLATION OR REQUIRE AN APPEARANCE IN COURT. IF A SECOND VIOLATION OCCURS WITHIN ONE CALENDAR YEAR, NO HEARING WILL BE SCHEDULED.

THE HEARING DATE FOR THIS VIOLATION IS 12/21/20 AT 9:00 AM

City of Harrisonville Municipal Ordinance may be viewed at www.harrisonville.com or www.ecode360.com/HA3317

Thank you for your cooperation in resolving this matter.

Regards,

Katie Phelps

Code Enforcement Officer and Building Inspector
816-380-8921

Attachment: 301 E CHESTNUT H (301 E CHESTNUT STAFF REPORT)



TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: May 13, 2022
SUBJECT: 301 E CHESTNUT PUBLIC HEARING

Type of Item: *Public Hearing*

D. Action Item (ID # 4198)
301 E CHESTNUT PUBLIC HEARING



TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: May 13, 2022
SUBJECT: 204 N INDEPENDENCE STAFF REPORT

Type of Item: *Approval*

E. Action Item (ID # 4199)

204 N INDEPENDENCE STAFF REPORT

Attachments:

Staff Report 204 N. Independence BBEA hearing (PDF)

204 N INDEPENDENCE A (JFIF)

204 N INDEPENDENCE B (JFIF)

204 N INDEPENDENCE C (JFIF)

204 N INDEPENDENCE D (JFIF)

204 N INDEPENDENCE E (JFIF)

204 N INDEPENDENCE F (JFIF)

204 N INDEPENDENCE G (PDF)

204 N INDEPENDENCE H (PDF)



300 E. Pearl Street, P.O. Box 367 • Tel: 816-380-8900 • Fax: 816-380-8906 • Harrisonville, MO 64701

To: Board of Building and Engineering Appeals (BBEA)
From: Katie Phelps, Housing and Zoning Specialist
Date: May 24, 2022
Re: 204 N. Independence St., Dangerous Building Hearing

GENERAL INFORMATION

Applicant: N/A

Requested Actions: Determination of Finding and Order.

Date of Application: N/A

PROPOSAL

Request for Concurrence of Finding of Dangerous building at 204 N. Independence St.

PREVIOUS ACTIONS

November 30, 2015, Original Structural Assessment of West wall by Structura Logica
 September 3, 2019, Current owner obtained building
 May 29, 2020, Building added to Vacant, Abandoned, and Blighted List (VAB).
 September 10, 2020, Original violation sent
 October 13, 2020, Comprehensive schedule requested
 November 23, 2020, Structural Assessment requested
 January 5, 2021, City hired Structura Logica for Structural Assessment
 June 2, 2021, Building posted Dangerous
 August 18, 2021, First appearance in Municipal Court
 May 9, 2022, Permit obtained

KEY ISSUES

BACKGROUND: The structure at 204 N. Independence is, in the Codes Department's opinion, in serious disrepair and constitutes a public nuisance and a dangerous building. The structure has previously been issued a Dangerous Building order and has been listed Vacant, Abandoned, and Blighted since May 29, 2020. Specific violations are: Dangerous Building, Nuisance, including Attractive Nuisance, Property Maintenance, and Fire Code. The structure has been posted and legal notices have been published as required. Please see the attached.

STAFF COMMENTS AND SUGGESTIONS

SUBJECT: Hearing provided for by Article Section 510.080 of the City of Harrisonville Municipal Code., if the evidence supports a finding that the building or structure is a nuisance or detrimental to the health, safety or welfare of the residents of the City, the Board of Building and Engineering shall issue an order making specific findings of fact based upon competent and

substantial evidence which shows the building or structure to be a nuisance and detrimental to the health, safety and welfare of the residents of the City and ordering the building or structure to be demolished and removed or repaired. If the evidence does not support a finding that the building or structure is a nuisance or detrimental to the health, safety, and welfare of the residents of the City, no order shall be issued.

Staff has done everything possible to try to work with deed holders to abate the structure. After several notices the City paid to obtain a structural assessment. The property owner has been in municipal court since August 18, 2021, with no physical progress to the structure. The structure continues to deteriorate. Staff views the property as abandoned and needing repair and/or partial demolition. The structure is still an attractive nuisance; a dangerous building due to elements damaged and decayed to the point of possible collapse, unfit for human occupancy. Municipal code 510.010 #1 through #10. Municipal code 220.020, 500.320, 500.330 and adopted IFC 311.1.1.

STAFF RECOMMENDATION

Staff recommends the Board of Building and Engineering Appeals, if the evidence supports such finding, to issue a finding that the building and structure is a nuisance and detrimental to the health, safety, and welfare of the residents of the City of Harrisonville.

ATTACHMENTS

Please see full attached report of all code case documents.

STAFF CONTACT: Katie Phelps, Housing and Zoning Specialist.



05/12/2022 09:59



05/12/2022 09:58



05/12/2022 09:58





Attachment: 204 N INDEPENDENCE E (204 N INDEPENDENCE STAFF REPORT)

05/12/2022 09:57



Attachment: 204 N INDEPENDENCE F (204 N INDEPENDENCE STAFF REPORT)

05/12/2022 09:57

DANGEROUS

CITY OF HARRISONVILLE

Whereas violations of Chapter _____, Section _____ of the Building Code *IFMC 2013*
Chapter _____, Section _____ of the Zoning Ordinance *Section 108*
Chapter 5, Article 500, Section 320 of the Municipal Code
have been found on these premises, and IT IS HEREBY ORDERED in accordance with the above code that
all persons cease and desist from OCCUPYING or ENTERING the structure on these premises known as
204 N Independence
All persons acting contrary to this order or removing or mutilating this notice are liable to arrest unless
such action is authorized by the Codes Administration Department.
DATE: *6/2/2021* 
BUILDING OFFICIAL
816-380-8958

ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE
PROSECUTED

DANGEROUS

CITY OF HARRISONVILLE

Whereas violations of Chapter _____, Section _____ of the Building Code *IFMC 2018*
Chapter _____, Section _____ of the Zoning Ordinance *Section 108*
Chapter 5, Article 500, Section 320 of the Municipal Code
have been found on these premises, and IT IS HEREBY ORDERED in accordance with the above code that
all persons cease and desist from OCCUPYING or ENTERING the structure on these premises known as
204 N Independence
All persons acting contrary to this order or removing or mutilating this notice are liable to arrest unless
such action is authorized by the Codes Administration Department.
DATE: *6/2/2021* 
BUILDING OFFICIAL
816-380-8958

ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE
PROSECUTED

January 5, 2021

Structura Logica

Construction Logic

Building Consulting • Engineering

18901 East 299th St.

Harrisonville, MO 64701

structura@embarqmail.com, (816) 872-4883

Mr. Chris Arthur, Building Official
City of Harrisonville, MO
 300 East Pearl Street
 P.O. Box 367
 Harrisonville, Missouri 64701
 (816) 400-2140, carthur@harrisonville.com

**SUBJECT: STRUCTURAL INSPECTION OF A WEST
 WALL BUILDING CONDITION
 204 NORTH INDEPENDENCE
 HARRISONVILLE, MISSOURI**



Dear Mr. Arthur:

At your request we met at the rear of the above building to examine conditions at the building's exterior facing west wall. We met January 4, 2021. We discussed a previous inspection and a letter with repair recommendations submitted in 2015 to the Heart of Life Church, the owner of the at that time. It appears none of the repairs recommended in the letter were accomplished. You indicated the new owner has been in contact with the City and expressed the intent to repair and renovate the building this spring.

A visual examination of the west wall suggests deterioration observed in 2015 has progressed. Cracks appear slightly wider and surface stucco appears to be more wavy suggesting delamination has worsened. It was observed that roof water is not well controlled and the west wall is wet.

Because repairs have not been made and conditions have continued to deteriorate, there is a concern for partial collapse and/or falling building debris. Fortunately, the west wall is not near a public sidewalk and pedestrian traffic does not normally occur near the wall. However, the building exists on an open lot without fences and public access is not restricted.

In order to protect the public, the area on the ground around the west wall where debris can fall is recommended to be provided with a barrier to limit the public's access. The use of orange fencing is recommended. In addition, no trespassing signage should be provided. The purpose of orange barrier fencing is intended to be a signal to the public of the potential hazard. It is hoped strengthening repairs can be accomplished soon, before the west wall degrades further. Our 2015 letter should be updated or another engineer could be contacted to provide a repair letter that addresses current conditions.

Let me know if you have any questions.

Sincerely, Structura Logica
 Anthony C. Meister, P.E.



Attachment: 204 N INDEPENDENCE H (204 N INDEPENDENCE STAFF REPORT)



Harrisonville

300 E. Pearl Street
PO BOX 367
Harrisonville, MO 64701
Phone: (816) 380-8958
Fax: (816) 380-8906
www.harrisonville.com
www.ecode360/HA3317

November 23, 2020

1000 OAKWOOD ST
HARRISONVILLE, MO 647010000

RE: Code Compliance Case No. VAB-20-0030

CHAD M GETZ,

Location : 204 N INDEPENDENCE , HARRISONVILLE MO

Complaint Description:

DUE TO THE SEVERITY OF DETERIORATION ON THE NORTH SIDE OF THE BUILDING, A STRUCTURAL ASSESSMENT BY AN ENGINEER MUST BE SUBMITTED TO THE HARRISONVILLE BUILDING DEPARTMENT NO LATER THAN 12/23/20. AT THAT TIME, IT WILL BE DETERMINED IF A SAFETY FENCE WILL NEED TO BE PLACED ON THE PERIMETER OF THE PROPERTY.

VACANT, ABANDONED AND BLIGHTED PROPERTIES AND AREAS ARE DEFINED IN CITY NUISANCE AND PROPERTY MAINTENANCE CODES, MISSOURI STATE STATUTES AND FEDERAL GUIDELINES AS PROPERTIES WHICH BY REASON OF AGE, OBSOLESCENCE, INADEQUATE OR OUTDATED DESIGN OR PHYSICAL CONDITION AND DETERIORATION HAVE BECOME SOCIAL AND ECONOMIC LIABILITIES AND SUCH CONDITIONS ARE CONDUCTIVE TO ILL HEALTH, TRANSMISSION OF DISEASE, CRIME OR INABILITY TO PAY REASONABLE TAXES; ANY PROPERTY WHICH BECAUSE OF IT'S PHYSICAL CONDITION OR USE IS DECLARED OR CITED AS A NUISANCE MAY BE CONSIDERED BLIGHTED; DETERIORATION, DILAPIDATION, DECAY, UNINHABITABILITY, UNSAFE OR UNSANITARY CONDITIONS, EXISTENCE OF ANY CONDITIONS WHICH ENDANGER LIFE OR PROPERTY BY FIRE AND ANY OTHER CAUSES, OR CONSTITUTES AN ECONOMIC OR SOCIAL LIABILITY OR MENACE TO THE PUBLIC HEALTH, SAFETY, MORALS OR WELFARE IN ITS PRESENT CONDITION OR USE.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 8 PROPERTY MAINTENANCE CODE - 500.320 ADOPTION OF STANDARDS [Ord. No. 3503, 8-3-2020]

The City hereby adopts the International Property Maintenance Code, 2018 Edition, as published by the International Code Council, including Appendix Chapter A as the Official Property Maintenance Code of the City of Harrisonville, Missouri.

PROPERTY OWNERS HAVE THE RIGHT TO A HEARING AFTER 10 DAYS' NOTICE THEREOF. IF NO REPRESENTATIVE IS PRESENT AT THE LISTED HEARING DATE, AND THE VIOLATIONS ARE NOT BROUGHT INTO COMPLIANCE, THE CITY CAN ABATE THE VIOLATION OR REQUIRE AN APPEARANCE IN COURT. IF A SECOND VIOLATION OCCURS WITHIN ONE CALENDAR YEAR, NO HEARING WILL BE SCHEDULED.

THE HEARING DATE FOR THIS VIOLATION IS N/A AT 9:00 AM

Attachment: 204 N INDEPENDENCE H (204 N INDEPENDENCE STAFF REPORT)



Regards,
Katie Phelps
Code Enforcement Officer and Building Inspector
816-380-8921

Harrisonville

300 E. Pearl Street
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www.ecode360/HA3317

October 13, 2020

1000 OAKWOOD ST
HARRISONVILLE, MO 647010000

RE: Code Compliance Case No. VAB-20-0030

CHAD M GETZ,

Location : 204 N INDEPENDENCE , HARRISONVILLE MO

Complaint Description:

THIS PROPERTY IS VACANT AND NEGLECTED

A COMPREHENSIVE PLAN OF ACTION AND SCHEDULE OF CONSTRUCTION NEEDS TO BE PRESENTED TO THE HARRISONVILLE BUILDING DEPARTMENT BY 11/30/20 OR AN APPEARANCE IN COURT WILL BE REQUIRED.

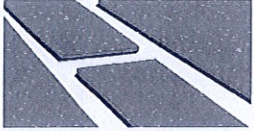
IPMC 2018
301.2 RESPONSIBILITY OF OWNER
301.3 VACANT STRUCTURES AND LAND

VACANT, ABANDONED AND BLIGHTED PROPERTIES AND AREAS ARE DEFINED IN CITY NUISANCE AND PROPERTY MAINTENANCE CODES, MISSOURI STATE STATUTES AND FEDERAL GUIDELINES AS PROPERTIES WHICH BY REASON OF AGE, OBSOLESCENCE, INADEQUATE OR OUTMODDED DESIGN OR PHYSICAL CONDITION AND DETERIORATION HAVE BECOME SOCIAL AND ECONOMIC LIABILITIES AND SUCH CONDITIONS ARE CONDUCTIVE TO ILL HEALTH, TRANSMISSION OF DISEASE, CRIME OR INABILITY TO PAY REASONABLE TAXES; ANY PROPERTY WHICH BECAUSE OF IT'S PHYSICAL CONDITION OR USE IS DECLARED OR CITED AS A NUISANCE MAY BE CONSIDERED BLIGHTED; DETERIORATION, DILAPIDATION, DECAY, UNINHABITABILITY, UNSAFE OR UNSANITARY CONDITIONS, EXISTENCE OF ANY CONDITIONS WHICH ENDANGER LIFE OR PROPERTY BY FIRE AND ANY OTHER CAUSES, OR CONSTITUTES AN ECONOMIC OR SOCIAL LIABILITY OR MENACE TO THE PUBLIC HEALTH, SAFETY, MORALS OR WELFARE IN ITS PRESENT CONDITION OR USE.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 8 PROPERTY MAINTENANCE CODE - 500.320 ADOPTION OF STANDARDS [Ord. No. 3503, 8-3-2020]

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Attachment: 204 N INDEPENDENCE H (204 N INDEPENDENCE STAFF REPORT)



Regards,
Katie Phelps
Code Enforcement Officer and Building Inspector
816-380-8921

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www.ecode360/HA3317

September 10, 2020

1000 OAKWOOD ST
HARRISONVILLE, MO 647010000

RE: Code Compliance Case No. VAB-20-0030

CHAD M GETZ,

Location : 204 N INDEPENDENCE , HARRISONVILLE MO

Complaint Description:

THIS PROPERTY IS VACANT AND NEGLECTED

CONTACT THE HARRISONVILLE BUILDING DEPARTMENT IMMEDIATELY TO DISCUSS FUTURE DEVELOPMENTS

IPMC 2018
301.2 RESPONSIBILITY OF OWNER
301.3 VACANT STRUCTURES AND LAND

VACANT, ABANDONED AND BLIGHTED PROPERTIES AND AREAS ARE DEFINED IN CITY NUISANCE AND PROPERTY MAINTENANCE CODES, MISSOURI STATE STATUTES AND FEDERAL GUIDELINES AS PROPERTIES WHICH BY REASON OF AGE, OBSOLENCE, INADEQUATE OR OUTMODED DESIGN OR PHYSICAL CONDITION AND DETERIORATION HAVE BECOME SOCIAL AND ECONOMIC LIABILITIES AND SUCH CONDITIONS ARE CONDUCTIVE TO ILL HEALTH, TRANSMISSION OF DISEASE, CRIME OR INABILITY TO PAY REASONABLE TAXES; ANY PROPERTY WHICH BECAUSE OF IT'S PHYSICAL CONDITION OR USE IS DECLARED OR CITED AS A NUISANCE MAY BE CONSIDERED BLIGHTED; DETERIORATION, DILAPIDATION, DECAY, UNINHABITABILITY, UNSAFE OR UNSANITARY CONDITIONS, EXISTENCE OF ANY CONDITIONS WHICH ENDANGER LIFE OR PROPERTY BY FIRE AND ANY OTHER CAUSES, OR CONSTITUTES AN ECONOMIC OR SOCIAL LIABILITY OR MENACE TO THE PUBLIC HEALTH, SAFETY, MORALS OR WELFARE IN ITS PRESENT CONDITION OR USE.

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Regards,
Katie Phelps
Code Enforcement Officer and Building Inspector
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200731232 - CITY OF HARRISONVILLE V CHAD GETZ

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ExecutionSort Date Entries: ☒ Descending
Ascending

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04/25/2022

Non-Traf Ordinance Hrng Sched**Scheduled For:** 05/18/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

04/20/2022

Hearing Continued/Rescheduled

Defendant appears, requests continuance. Granted by Judge. ms

Hearing Continued From: 04/20/2022; 5:30 PM Non-Traf Ordinance Hrng Sched

02/23/2022

Non-Traf Ordinance Hrng Sched

REVISED Event Information: New Judge Id: 29816; New Event: SCOR; New EventDate: Wed Apr 20 00:00:00 CDT 2022; New EventTime: 17:30:00; New EventRoom: CRTRM; New EventLocation: HX;

Associated Entries: 04/20/2022 - **Hearing Continued/Rescheduled** **Scheduled For:** 04/20/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

02/16/2022

Hearing Continued/Rescheduled

Defendant appears, requests continuance. Granted by Judge. ms

Hearing Continued From: 02/16/2022; 5:30 PM Non-Traf Ordinance Hrng Sched

01/19/2022

Notice of Court Hearing Sent**Non-Traf Ordinance Hrng Sched****Associated Entries:** 02/16/2022 - **Hearing Continued/Rescheduled** **Scheduled For:** 02/16/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal**Hearing Continued/Rescheduled**

Continuance granted by Judge. DL/ms

Hearing Continued From: 01/19/2022; 5:30 PM Non-Traf Ordinance Hrng Sched

01/18/2022

Correspondence Filed

Request for continuance filed by Code Enforcement Officer. Fwd to Judge. ms

On Behalf Of: CHAD GETZ

12/15/2021

Notice of Court Hearing Sent**Non-Traf Ordinance Hrng Sched**

REVISED Event Information: New Judge Id: 29816; New Event: SCOR; New EventDate: Wed Jan 19 00:00:00 CST 2022; New EventTime: 17:30:00; New EventRoom: CRTRM; New EventLocation: HX;

Associated Entries: 01/19/2022 - **Hearing Continued/Rescheduled** **Scheduled For:** 01/19/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal**Hearing Continued/Rescheduled**

Continuance Reason - Other; Continuance Requestor - Defendant/Respondent;

Hearing Continued From: 12/15/2021; 5:30 PM Hearing

Attachment: 204 N INDEPENDENCE H (204 N INDEPENDENCE STAFF REPORT)

11/29/2021**Judge/Clerk - Note**

For information prior to 12-01-2021 refer to Legacy System or physical file. clc

Hearing Scheduled

REVISED Event Information: New Judge Id: 29816; New Event: SCHR; New EventDate: Wed Dec 15 00:00:00 CST 2021; New EventTime: 17:30:00; New EventRoom: CRTRM; New EventLocation: HX;

Associated Entries: 12/15/2021 - Hearing Continued/Rescheduled ±

Scheduled For: 12/15/2021; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

08/04/2021**Information Filed by Citation**

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200731233 - CITY OF HARRISONVILLE V CHAD GETZ

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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 Sort Date Entries: ☒ Descending ☐ Ascending

Display Options: All Entries

04/25/2022 **Non-Traf Ordinance Hrng Sched**
Scheduled For: 05/18/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

04/20/2022 **Hearing Continued/Rescheduled**
 Defendant appears, requests continuance. Granted by Judge. ms
Hearing Continued From: 04/20/2022; 5:30 PM Non-Traf Ordinance Hrng Sched

02/23/2022 **Non-Traf Ordinance Hrng Sched**
 REVISED Event Information: New Judge Id: 29816; New Event: SCOR; New EventDate: Wed Apr 20 00:00:00 CDT 2022; New EventTime: 17:30:00; New EventRoom: CRTRM; New EventLocation: HX;
Associated Entries: 04/20/2022 - Hearing Continued/Rescheduled
Scheduled For: 04/20/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

02/16/2022 **Hearing Continued/Rescheduled**
 Defendant appears, requests continuance. Granted by Judge. ms
Hearing Continued From: 02/16/2022; 5:30 PM Non-Traf Ordinance Hrng Sched

01/19/2022 **Notice of Court Hearing Sent**
Non-Traf Ordinance Hrng Sched
Associated Entries: 02/16/2022 - Hearing Continued/Rescheduled
Scheduled For: 02/16/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal
Hearing Continued/Rescheduled
 Continuance granted by Judge. DL/ms
Hearing Continued From: 01/19/2022; 5:30 PM Non-Traf Ordinance Hrng Sched

01/18/2022 **Correspondence Filed**
 Request for continuance filed by Code Enforcement Officer. Fwd to Judge. ms
On Behalf Of: CHAD GETZ

12/15/2021 **Notice of Court Hearing Sent**
Non-Traf Ordinance Hrng Sched
 REVISED Event Information: New Judge Id: 29816; New Event: SCOR; New EventDate: Wed Jan 19 00:00:00 CST 2022; New EventTime: 17:30:00; New EventRoom: CRTRM; New EventLocation: HX;
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Scheduled For: 01/19/2022; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal
Hearing Continued/Rescheduled
 Continuance Reason - Other; Continuance Requestor - Defendant/Respondent;
Hearing Continued From: 12/15/2021; 5:30 PM Hearing

Attachment: 204 N INDEPENDENCE H (204 N INDEPENDENCE STAFF REPORT)

11/29/2021

Judge/Clerk - Note

For information prior to 12-01-2021 refer to Legacy System or physical file. clc

Hearing Scheduled

REVISED Event Information: New Judge Id: 29816; New Event: SCHR; New EventDate: Wed Dec 15 00:00:00 CST 2021; New EventTime: 17:30:00; New EventRoom: CRTRM; New EventLocation: HX;

Associated Entries: 12/15/2021 - Hearing Continued/Rescheduled ±

Scheduled For: 12/15/2021; 5:30 PM ; DONALD LEE LOGRASSO; Harrisonville Municipal

08/04/2021

Information Filed by Citation

[Click here to receive MOVANS phone/e-mail notices of future hearings on this case](#)



TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: May 13, 2022
SUBJECT: 204 N INDEPENDENCE PUBLIC HEARING

Type of Item: *Public Hearing*

F. Action Item (ID # 4200)
204 N INDEPENDENCE PUBLIC HEARING



TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: May 13, 2022
SUBJECT: 103 S COMMERCIAL STAFF REPORT

Type of Item: *Approval*

G. Action Item (ID # 4201)

103 S COMMERCIAL STAFF REPORT

Attachments:

Staff Report 103 S. Commercial BBEA hearing (PDF)

103 S COMMERCIAL A (JFIF)
103 S COMMERCIAL B (JFIF)
103 S COMMERCIAL C (JFIF)
103 S COMMERCIAL D (JFIF)
103 S COMMERCIAL E (JFIF)
103 S COMMERCIAL F (JFIF)
103 S COMMERCIAL G (JFIF)
103 S COMMERCIAL H (JFIF)
103 S COMMERCIAL I (JFIF)
103 S COMMERCIAL J (JFIF)
103 S COMMERCIAL K (JFIF)
103 S COMMERCIAL L (PDF)

To: Board of Building and Engineering Appeals (BBEA)

From: Katie Phelps, Housing and Zoning Specialist

Date: May 24, 2022

Re: 103 S. Commercial St., Dangerous Building Hearing

GENERAL INFORMATION

Applicant: N/A

Requested Actions: Determination of Finding and Order.

Date of Application: N/A

PROPOSAL

Request for Concurrence of Finding of Dangerous building at 103 S. Commercial St.

PREVIOUS ACTIONS

May 12, 2021, Original violation letter sent to previous owners. Building added to Vacant, Abandoned, and Blighted List (VAB).

June 2, 2021, Building Posted Unsafe to Occupy

June 28, 2021, Met owner at property to review violations

July 9, 2021, Met potential buyer at property to review violations

July 27, 2021, Property sold to current owner

August 2, 2021, Violation letter sent to current owner

September 9, 2021, Met current owner at property to review violations

January 13, 2022, Letter sent reminding owner all transfers must have authorization of Building Department

April 1, 2022, Final violation notice sent

KEY ISSUES

BACKGROUND: The structure at 103 S. Commercial is, in the Codes Department's opinion, in serious disrepair and constitutes a public nuisance and a dangerous building. The structure has previously been issued an Unsafe to Occupy order and has been listed Vacant, Abandoned, and Blighted since May 12, 2021. Specific violations are: Dangerous Building, Nuisance, including Attractive Nuisance, Property Maintenance, and Fire Code. The structure has been posted and legal notices have been published as required. Please see the attached.

STAFF COMMENTS AND SUGGESTIONS

SUBJECT: Hearing provided for by Article Section 510.080 of the City of Harrisonville Municipal Code., if the evidence supports a finding that the building or structure is a nuisance or detrimental to the health, safety or welfare of the residents of the City, the Board of Building and

Attachment: Staff Report 103 S. Commercial BBEA hearing (103 S COMMERCIAL STAFF REPORT)

Engineering shall issue an order making specific findings of fact based upon competent and substantial evidence which shows the building or structure to be a nuisance and detrimental to the health, safety and welfare of the residents of the City and ordering the building or structure to be demolished and removed or repaired. If the evidence does not support a finding that the building or structure is a nuisance or detrimental to the health, safety, and welfare of the residents of the City, no order shall be issued.

Staff has done everything possible to try to work with deed holders to abate the structure. Staff views the property as abandoned and needing demolition. The structure is still an attractive nuisance; a dangerous building due to elements damaged and decayed to the point of possible collapse, unfit for human occupancy. Municipal code 510.010 #1 through #10. Municipal code 220.020, 500.320, 500.330 and adopted IFC 311.1.1.

STAFF RECOMMENDATION

Staff recommends the Board of Building and Engineering Appeals, if the evidence supports such finding, to issue a finding that the building and structure is a nuisance and detrimental to the health, safety, and welfare of the residents of the City of Harrisonville.

ATTACHMENTS

Please see full attached report of all code case documents.

STAFF CONTACT: Katie Phelps, Housing and Zoning Specialist.





05/12/2022 10:08



3.G.d

05/12/2022 10:07

Attachment: 103 S COMMERCIAL C (103 S COMMERCIAL STAFF REPORT)



05/12/2022 10:07





05/12/2022 10:06



Attachment: 103 S COMMERCIAL G (103 S COMMERCIAL STAFF REPORT)

05/12/2022 10:06



05/12/2022 10:05





05/12/2022 10:05



Harrisonville

300 E. Pearl Street
PO BOX 367
Harrisonville, MO 64701
Phone: (816) 380-8958
Fax: (816) 380-8906
www.harrisonville.com
www.ecode360/HA3317

April 01, 2022

4285 NE COUNTY RD 3
BUTLER, MO 64730

RE: Code Compliance Case No. PM-21-0041

STEPHANIE FOLEY,

Location : 103 S COMMERCIAL , HARRISONVILLE MO

Complaint Description:

THIS PROPERTY IS IN DISREPAIR AND NEGLECTED. PROPER SIDING NEEDS APPLIED WITH THE PROPER PROTECTIVE TREATMENT OVER ALL FLAKING, CHIPPING, AND MISSING PAINTED SURFACES. PROPER DRAINAGE NEEDED. BROKEN WINDOWS/FRAMES REPLACED. DECKS NEED REPAIRED OR REPLACED. HANDRAILS/GUARDRAILS NEEDED ON STAIRWAYS. ELECTRICAL SYSTEM NEEDS REPAIRED.

ALL PERMITS REQUIRED

IPMC 2018

304.1 GENERAL EXTERIOR VIOLATIONS

304.2 PROTECTIVE TREATMENT

304.6 EXTERIOR WALLS

304.7 ROOFS AND DRAINAGE

304.10 STAIRWAYS, DECKS, PORCHES, AND BALCONIES

304.13 WINDOW, SKYLIGHT, AND DOOR FRAMES

307.1 GENERAL HANDRAIL AND GUARDRAIL REQUIREMENTS

604.3 ELECTRICAL SYSTEM HAZARDS

IBC 2018

105.1 PERMITS REQUIRED

THIS VIOLATION WAS ORIGINATED ON 5/12/21 AND WAS THEN SOLD WITH OPEN VIOLATIONS THAT TRANSFERRED WITH THE PROPERTY. WORK ON CORRECTING THE VIOLATIONS NEEDS TO START IMMEDIATELY.

NOTICE OF VIOLATION. THIS PROPERTY HAS BEEN OBSERVED TO BE IN VIOLATION OF THE BELOW MUNICIPAL ORDINANCE AND REQUIRES COMPLIANCE WITHIN THIRTY CALENDAR DAYS FROM THE DATE OF THIS NOTICE.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 8 PROPERTY MAINTENANCE CODE - 500.320 ADOPTION OF STANDARDS [Ord. No. 3503, 8-3-2020]

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Attachment: 103 S COMMERCIAL L (103 S COMMERCIAL STAFF REPORT)



Harrisonville

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Fax: (816) 380-8906
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SECTION 100.200 GENERAL PENALTY - CONTINUING VIOLATIONS

A.
Whenever in this Code or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or ordinance shall be punished by a fine of not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or by both such fine and imprisonment; provided however, that in any case wherein the penalty for an offense is fixed by any State law or Statute, the same penalty so fixed by State law or Statute shall be imposed for the punishment of such offense and no other, except that imprisonments, when made under this Section, may be in the City Jail instead of the County Jail.

B.
Each day any violation of any provision of this Code or of any such ordinance shall continue shall constitute a separate offense.

C.
In addition to the penalty set out in Subsection (A), any condition caused or permitted to exist in violation of any of the provisions of this Code or any such ordinance shall be deemed a public nuisance and may be, by the City, abated as provided by law and each day that such condition continues shall be regarded as a new and separate offense.

PROPERTY OWNERS HAVE THE RIGHT TO A HEARING AFTER 10 DAYS' NOTICE THEREOF. IF NO REPRESENTATIVE IS PRESENT AT THE LISTED HEARING DATE, AND THE VIOLATIONS ARE NOT BROUGHT INTO COMPLIANCE, THE CITY CAN ABATE THE VIOLATION OR REQUIRE AN APPEARANCE IN COURT. IF A SECOND VIOLATION OCCURS WITHIN ONE CALENDAR YEAR, NO HEARING WILL BE SCHEDULED.

THE HEARING DATE FOR THIS VIOLATION IS N/A AT 9:00 AM

City of Harrisonville Municipal Ordinance may be viewed at www.harrisonville.com or www.ecode360.com/HA3317

Thank you for your cooperation in resolving this matter.

Regards,

KATIE PHELPS

Code Enforcement Officer and Building Inspector
816-380-8921

Attachment: 103 S COMMERCIAL L (103 S COMMERCIAL STAFF REPORT)



Harrisonville

300 E. Pearl Street
PO BOX 367
Harrisonville, MO 64701
Phone: (816) 380-8958
Fax: (816) 380-8906
www.harrisonville.com
www.ecode360/HA3317

January 13, 2022

204 W LEE ST
BUTLER, MO 64730

RE: Code Compliance Case No. PM-22-0001

STEPHANIE FOLEY,

Location : 103 S COMMERCIAL , HARRISONVILLE MO

Complaint Description:

ANY PROPERTY WITH OPEN PROPERTY MAINTENANCE VIOLATIONS CANNOT BE TRANSFERRED WITHOUT AUTHORIZATION FROM THE HARRISONVILLE CODE ENFORCEMENT OFFICER OR BUILDING OFFICIAL.

IPMC 2018

NOTICE OF VIOLATION. THIS PROPERTY HAS BEEN OBSERVED TO BE IN VIOLATION OF THE BELOW MUNICIPAL ORDINANCE AND REQUIRES COMPLIANCE WITHIN THIRTY CALENDAR DAYS FROM THE DATE OF THIS NOTICE.

SECTION 100.200 GENERAL PENALTY - CONTINUING VIOLATIONS

A.

Whenever in this Code or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or ordinance shall be punished by a fine of not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or by both such fine and imprisonment; provided however, that in any case wherein the penalty for an offense is fixed by any State law or Statute, the same penalty so fixed by State law or Statute shall be imposed for the punishment of such offense and no other, except that imprisonments, when made under this Section, may be in the City Jail instead of the County Jail.

B.

Each day any violation of any provision of this Code or of any such ordinance shall continue shall constitute a separate offense.

C.

In addition to the penalty set out in Subsection (A), any condition caused or permitted to exist in violation of any of the provisions of this Code or any such ordinance shall be deemed a public nuisance and may be, by the City, abated as provided by law and each day that such condition continues shall be regarded as a new and separate offense.

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PROPERTY OWNERS HAVE THE RIGHT TO A HEARING AFTER 10 DAYS' NOTICE THEREOF. IF NO REPRESENTATIVE IS PRESENT AT THE LISTED HEARING DATE, AND THE VIOLATIONS ARE NOT BROUGHT INTO COMPLIANCE, THE CITY CAN ABATE THE VIOLATION OR REQUIRE AN APPEARANCE IN COURT. IF A SECOND VIOLATION OCCURS WITHIN ONE CALENDAR YEAR, NO HEARING WILL BE SCHEDULED.

THE HEARING DATE FOR THIS VIOLATION IS N/A AT 9:00 AM

City of Harrisonville Municipal Ordinance may be viewed at www.harrisonville.com or www.ecode360.com/HA3317

Thank you for your cooperation in resolving this matter.

A handwritten signature in black ink, appearing to read 'Katie Phelps', is written over the printed name.

Regards,
KATIE PHELPS
Code Enforcement Officer and Building Inspector
816-380-8921

Attachment: 103 S COMMERCIAL L (103 S COMMERCIAL STAFF REPORT)



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August 02, 2021

204 W LEE ST
BUTLER, MO 64730

RE: Code Compliance Case No. PM-21-0041

STEPHANIE FOLEY,

Location : 103 S COMMERCIAL , HARRISONVILLE MO

Complaint Description:

THIS PROPERTY IS IN DISREPAIR AND NEGLECTED. PROPER SIDING NEEDS APPLIED WITH THE PROPER PROTECTIVE TREATMENT OVER ALL FLAKING, CHIPPING, AND MISSING PAINTED SURFACES. BROKEN WINDOWS/FRAMES REPLACED. DECKS NEED REPAIRED OR REPLACED. HANDRAILS/GUARDRAILS NEEDED ON STAIRWAYS. ELECTRICAL SYSTEM NEEDS REPAIRED.

ALL PERMITS REQUIRED

IPMC 2018

304.1 GENERAL EXTERIOR VIOLATIONS

304.2 PROTECTIVE TREATMENT

304.6 EXTERIOR WALLS

304.10 STAIRWAYS, DECKS, PORCHES, AND BALCONIES

304.13 WINDOW, SKYLIGHT, AND DOOR FRAMES

307.1 GENERAL HANDRAIL AND GUARDRAIL REQUIREMENTS

604.3 ELECTRICAL SYSTEM HAZARDS

IBC 2018

105.1 PERMITS REQUIRED

NOTICE OF VIOLATION. THIS PROPERTY HAS BEEN OBSERVED TO BE IN VIOLATION OF THE BELOW MUNICIPAL ORDINANCE AND REQUIRES COMPLIANCE WITHIN THIRTY CALENDAR DAYS FROM THE DATE OF THIS NOTICE.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 8 PROPERTY MAINTENANCE CODE - 500.320 ADOPTION OF STANDARDS [Ord. No. 3503, 8-3-2020]

The City hereby adopts the International Property Maintenance Code, 2018 Edition, as published by the International Code Council, including Appendix Chapter A as the Official Property Maintenance Code of the City of Harrisonville, Missouri.

Attachment: 103 S COMMERCIAL L (103 S COMMERCIAL STAFF REPORT)



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SECTION 100.200 GENERAL PENALTY - CONTINUING VIOLATIONS

A.

Whenever in this Code or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or ordinance shall be punished by a fine of not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or by both such fine and imprisonment; provided however, that in any case wherein the penalty for an offense is fixed by any State law or Statute, the same penalty so fixed by State law or Statute shall be imposed for the punishment of such offense and no other, except that imprisonments, when made under this Section, may be in the City Jail instead of the County Jail.

B.

Each day any violation of any provision of this Code or of any such ordinance shall continue shall constitute a separate offense.

C.

In addition to the penalty set out in Subsection (A), any condition caused or permitted to exist in violation of any of the provisions of this Code or any such ordinance shall be deemed a public nuisance and may be, by the City, abated as provided by law and each day that such condition continues shall be regarded as a new and separate offense.

PROPERTY OWNERS HAVE THE RIGHT TO A HEARING AFTER 10 DAYS' NOTICE THEREOF. IF NO REPRESENTATIVE IS PRESENT AT THE LISTED HEARING DATE, AND THE VIOLATIONS ARE NOT BROUGHT INTO COMPLIANCE, THE CITY CAN ABATE THE VIOLATION OR REQUIRE AN APPEARANCE IN COURT. IF A SECOND VIOLATION OCCURS WITHIN ONE CALENDAR YEAR, NO HEARING WILL BE SCHEDULED.

THE HEARING DATE FOR THIS VIOLATION IS 8/18/21 AT 9:00 AM

City of Harrisonville Municipal Ordinance may be viewed at www.harrisonville.com or www.ecode360.com/HA3317

Thank you for your cooperation in resolving this matter.

Regards,
KATIE PHELPS
Code Enforcement Officer and Building Inspector
816-380-8921

Attachment: 103 S COMMERCIAL L (103 S COMMERCIAL STAFF REPORT)

UNSAFE TO OCCUPY

CITY OF HARRISONVILLE

Whereas violations of Chapter _____, Section _____ of the Building Code _____ of the Zoning Ordinance _____
 Chapter _____, Section _____, Article _____, Section _____ of the Municipal Code _____
 have been found on these premises, and IT IS HEREBY ORDERED in accordance with the above code that
 all persons cease and desist from OCCUPYING or ENTERING the structure on these premises known as

 103 S. Commercial

All persons acting contrary to this order or removing or mutilating this notice
 are liable to arrest unless such action is authorized by the
 Codes Administration Department.

DATE 6/2/21


 BUILDING OFFICIAL
 816-380-8958

ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE
 PROSECUTED



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May 12, 2021

400 ORIOLE ST
HARRISONVILLE, MO 647010000

RE: Code Compliance Case No. PM-21-0041

GERALD P & NANCY J TR STEELE,

Location : 103 S COMMERCIAL , HARRISONVILLE MO

Complaint Description:

THIS PROPERTY IS IN DISREPAIR AND NEGLECTED. PROPER SIDING NEEDS APPLIED WITH THE PROPER PROTECTIVE TREATMENT OVER ALL FLAKING, CHIPPING, AND MISSING PAINTED SURFACES. BROKEN WINDOWS REPLACED. DECKS NEED REPAIRED OR REPLACED.

IPMC 2018

304.1 GENERAL EXTERIOR VIOLATIONS

304.2 PROTECTIVE TREATMENT

304.6 EXTERIOR WALLS

304.10 STAIRWAYS, DECKS, PORCHES, AND BALCONIES

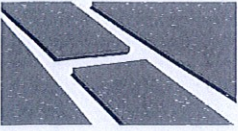
304.13 WINDOW, SKYLIGHT, AND DOOR FRAMES

NOTICE OF VIOLATION. THIS PROPERTY HAS BEEN OBSERVED TO BE IN VIOLATION OF THE BELOW MUNICIPAL ORDINANCE AND REQUIRES COMPLIANCE WITHIN THIRTY CALENDAR DAYS FROM THE DATE OF THIS NOTICE.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 8 PROPERTY MAINTENANCE CODE - 500.320 ADOPTION OF STANDARDS [Ord. No. 3503, 8-3-2020]

The City hereby adopts the International Property Maintenance Code, 2018 Edition, as published by the International Code Council, including Appendix Chapter A as the Official Property Maintenance Code of the City of Harrisonville, Missouri.

Attachment: 103 S COMMERCIAL L (103 S COMMERCIAL STAFF REPORT)



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SECTION 100.200 GENERAL PENALTY - CONTINUING VOILATIONS

A.

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THE HEARING DATE FOR THIS VIOLATION IS 5/25/21 AT 9:00 AM

City of Harrisonville Municipal Ordinance may be viewed at www.harrisonville.com or www.ecode360.com/HA3317

Thank you for your cooperation in resolving this matter.

Regards,
KATIE PHELPS
Code Enforcement Officer and Building Inspector
816-380-8921

Attachment: 103 S COMMERCIAL L (103 S COMMERCIAL STAFF REPORT)



TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: May 13, 2022
SUBJECT: 103 S COMMERCIAL PUBLIC HEARING

Type of Item: *Public Hearing*

H. Action Item (ID # 4202)
103 S COMMERCIAL PUBLIC HEARING