



**AGENDA
CITY OF HARRISONVILLE
BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
CITY HALL
SEPTEMBER 11, 2018
6:00 PM**

- 1. Call to Order**
 - A. Roll Call**
- 2. Approval of Minutes**
 - A. Board of Zoning Adjustments - Regular Meeting - Aug 14, 2018 6:00 PM**
- 3. Agenda Items**
 - A. Public Hearing for VAR-1807: Variance Application for Community Bank of Raymore for a variance to Section 435.080 Appendix A of the Zoning Regulations.**
 - B. Consideration of VAR-1807: Variance Application of Community Bank of Raymore.**
- 4. Discussion Items**
- 5. Adjourn**

Posted on City Hall Bulletin Board this 6th day of September, 2018.

Randall K. Jones, City Clerk



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
CITY HALL
AUGUST 14, 2018
6:00 PM

1. Call to Order

The meeting was called to order at 6:04 PM by Chris O'Connell

Attendee Name	Organization	Title	Status	Arrived
Viola Wieberg	Harrisonville		Absent	
Keith DeBrot	Harrisonville		Present	
Shannon Sipple	Harrisonville		Present	
Chris O'Connell	Harrisonville		Present	
Norma Keltner	Harrisonville		Present	
Jennifer Peters	Harrisonville		Absent	

Also in attendance were Scott Beck, Applicant; Roger Kroh, Community Development Planner; Happy Welch, City Administrator; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Board of Zoning Adjustments - Regular Meeting - Jul 10, 2018 6:00 PM

3. Agenda Items

A. Consideration of VAR-1806: Variance Application of Scott Beck.

Shannon Sipple made a motion to extend Scott Beck's Variance Application for another month, until the September 11, 2018, BZA Meeting. Keith DeBrot seconded the motion.

RESULT:	TABLED [UNANIMOUS]
AYES:	Keith DeBrot, Shannon Sipple, Chris O'Connell, Norma Keltner
ABSENT:	Viola Wieberg, Jennifer Peters

4. Discussion Items

None

5. Adjourn

With nothing further to come before the Board, Keith Debrot made a motion to adjourn. Shannon Sipple seconded the motion.

Respectfully Submitted,

Jamie Martin, Recording Secretary

Minutes Acceptance: Minutes of Aug 14, 2018 6:00 PM (Approval of Minutes)



TO: Board of Zoning Adjustments
FROM: Jamie Martin, Assistant
DATE: September 5, 2018
SUBJECT: Community Bank of Raymore

Type of Item: *Discussion*

- A. Discussion Item (ID # 2996)**
Community Bank of Raymore

Attachments:
bza staff sept (DOC)

STAFF REPORT

TO Board of Zoning Adjustments
FROM Roger Kroh, Community Development Planner
DATE September 6, 2018
SUBJECT Westchester Business Plaza Sign Variance 1807

GENERAL INFORMATION:

Applicant: Andy Cooper, Community Bank of Raymore

Representative: Dean Wille, Gator Graphics

Location: Westchester Business Plaza 817 Westchester Avenue (West side of entrance drive at cul-de-sac)

Requested Action: Variance request to allow a 160 sq. ft. ground sign at the entrance of the Westchester Business Plaza.

Existing Zoning: C-2 Service business District

Surrounding: North: C-2, Casey's
East: C-2, Vacant Lot, Harrisonville Marketplace
West: Interstate 49
South: C-2, Wooded area, Harrisonville Marketplace

Summary

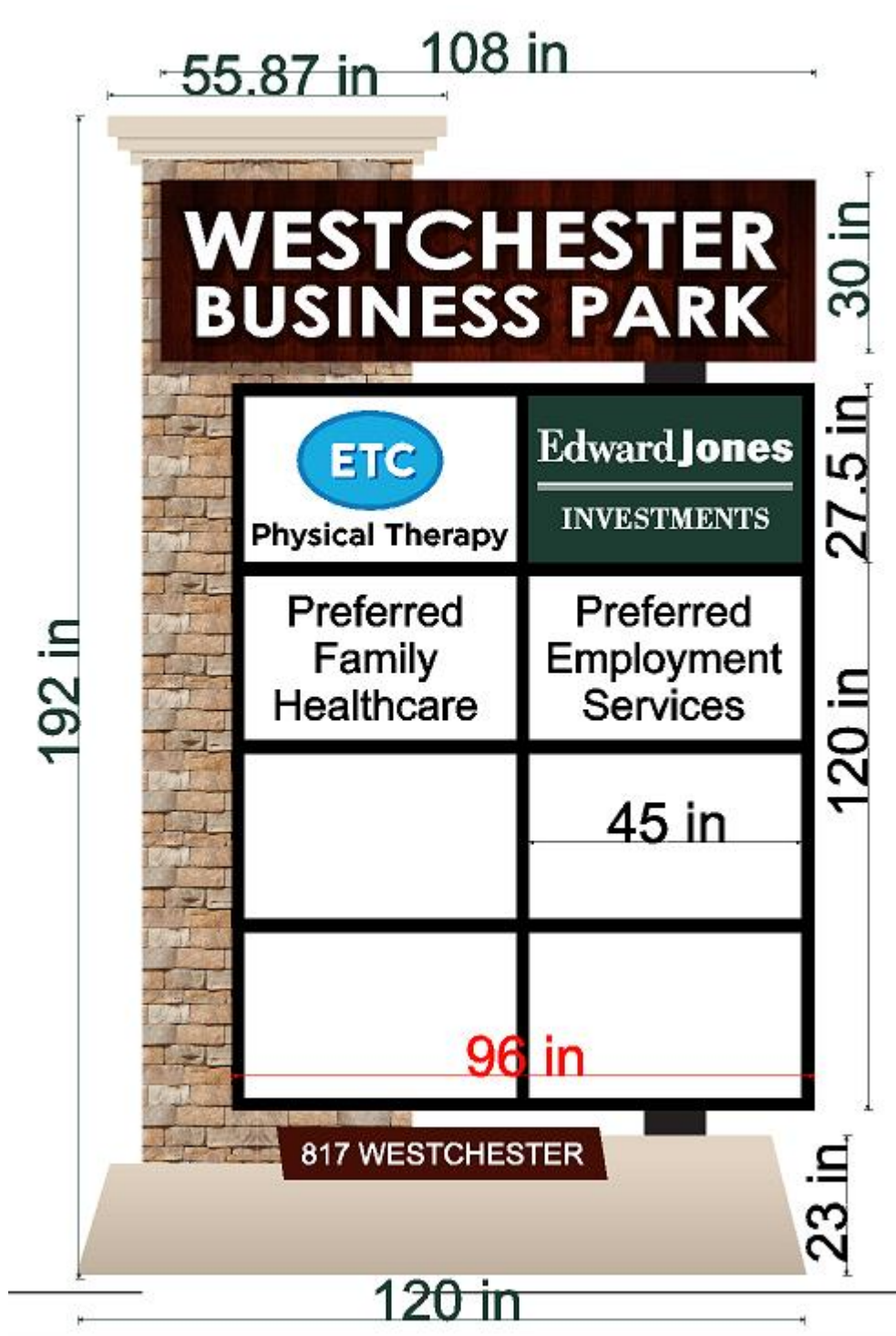
The Westchester Business Plaza is a 1-story multi-tenant office building at the south end of Westchester Drive cul-de-sac. The office building suffers from poor visibility because it is approximately 700 feet from the Westchester cul-de-sac (2.5 football fields), it is partially screened by woods, and the building is at a lower elevation than Westchester Drive. The applicant initially applied for a sign permit for a sign similar in appearance to what is presently proposed which was 18.5 ft. tall and 286 sq. ft. in size. This is significantly larger than the 10 ft. high and 32 sq. ft. in size that the sign ordinance allows.

The applicant and staff worked together to arrive at a sign that would provide the visibility needed given the unique circumstances with the property and which would meet the spirit and intent of the sign code. Although ground signs in the C-2 zoning district can be no larger than 32 sq. ft. in size and no higher than 10 ft., elevated signs in the C-2 zoning district for buildings less than 50,000 sq. ft. in size can be up to 160 sq. ft. in size. Given that the applicant could construct an elevated sign as large as 160 sq. ft. in size and there are unique topography and land configuration issues, staff asked the applicant to

reduce the size of the sign to 160 sq. and height to 16 ft, as ground signs are more attractive than elevated signs. The applicant concurred with staff and is proposing a sign of this size and height. Staff recommends approval of the variance given the unique topography and configuration of the site.

Vicinity Map



Proposed Sign

Attachment: bza staff sept (Community Bank of Raymore)

Evaluation of Request

Chapter 405.610 to 405.625 states that the Board of Zoning Adjustment may grant variances only in the 5 specific situations set forth below provided they are in harmony with the general purpose and intent of the zoning ordinance.

Standard No. 1. Can the subject property yield a reasonable return if used under the regulations governing the zoning district in which it is located?

No, the Westchester Business Plaza cannot yield a reasonable return with only a 32 sq. ft. ground sign because of its distance from Westchester and the poor visibility from the cul-de-sac.

Standard No. 2. Is the plight of the owner due to unique circumstances? Unique circumstances may include, but are not limited to, the shape, topographical conditions, or physical surrounding of the property.

Yes, the unique circumstances are the long distance from Westchester and poor visibility from Westchester.

Standard No. 3. Will the variance, if granted, not alter the essential character of the locality.

The proposed ground sign will not alter the character of area. In fact, the sign will be more attractive than a 160 sq. ft. elevated sign which is legal.

Standard No. 4. Will the variance adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare?

The variance will not have a negative effect on public health, safety, morals, order convenience, prosperity and general welfare.

Standard No. 5. Does the request arise from a condition which was created by an action(s) of the property owner or the applicant?

Yes, the condition was created by an action of the developer / property owner when they constructed an office building at a relatively long distance from the cul-de-sac. However, the community does benefit by having a very attractive building visible to commuters on I-49.

Chapter 405.610-625 also sets out five (5) additional conditions which supplement the above standards, and which are to help the BZA determine whether the evidence shows that there are practical difficulties or hardships that would substantiate the approval of a variance. They are as follows:

- A. The physical surroundings, shape or topographical conditions of the specific property involved would bring a hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out;

Although, the situation was created by the developer, the physical surroundings – distance of building from cul-de-sac and change in elevation – do place business in Westchester Business Plaza at a disadvantage due to lack of visibility from Westchester Drive. However, the proposed 160 sq. ft. ground sign is far more attractive than a 160 sq. ft. elevated sign that the property owner is entitled by code to install.

- B. The conditions upon which the petition for variance is based would not be applicable generally to other property within the same zoning classification;

It is rare that an office building is constructed at such a long distance and at such a change in topography as in this situation.

- C. The alleged difficulty or hardship has not been created by any person having an interest in the property at any time after the effective date of this Chapter;

The alleged difficulty was created by the developer, but it occurred before the present sign ordinance was adopted on October 2, 2004.

- D. The granting of the variance will not be detrimental to the public welfare in the neighborhood in which the property is located;

The granting of a variance will not be detrimental to the public welfare in the neighborhood in which the property is located.

- E. The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

The proposed variance will not impair an adequate supply of light and air to adjacent property, not increase the danger of fire if the storage is properly managed, not endanger the public safety or substantially diminish or impair property values in the neighborhood.

Recommendation:

Approve motion recommending that the Board of Aldermen approve a variance for Westchester Business Park to allow a 160 sq. ft. ground sign that is 16 feet in height at 817 Westchester Drive based upon the following findings:

1. The office building suffers from poor visibility because it is approximately 700 feet from the Westchester cul-de-sac (2.5 football fields), it is partially screened by a mature growth of trees, and the building is at a lower elevation than Westchester Drive.
2. Elevated signs in the C-2 zoning district for buildings of the size of this building can be up to 160 sq. ft. in size. However, the applicant is proposing a ground sign of 160 sq. ft. in size and ground signs are more attractive than elevated signs.
3. The Westchester Business Plaza cannot yield a reasonable return with only a 32 sq. ft. ground sign because of its poor visibility due to the unique configuration and topography of the property.
4. There are unique circumstances with the property that cause poor visibility. They are as follows 1) there is a long distance of approximately 700 feet from the Westchester Drive cul-de-sac to the building, 2) there is a drop in elevation between the cul-de-sac and the building, and 3) a growth of mature trees partially screens the building.
5. The proposed ground sign will not alter the character of area.
6. The variance will not have a negative effect on public health, safety, morals, order convenience, prosperity and general welfare.
7. The community benefits by having a very attractive building visible to commuters on I-49.



TO: Board of Zoning Adjustments
FROM: Jamie Martin, Assistant
DATE: September 6, 2018
SUBJECT: Consideration of VAR-1807

Type of Item: *Approval*

- B. Action Item (ID # 2997)**
Consideration of VAR-1807