



**THE CITY OF
HARRISONVILLE**
WHERE TRADITION MEETS INNOVATION

**AGENDA
CITY OF HARRISONVILLE
BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
CITY HALL
APRIL 9, 2024
6:00 PM**

- 1. Call to Order**
 - A. Roll Call**
- 2. Approval of Minutes**
 - A. Board of Zoning Adjustments - Regular Meeting - Sep 12, 2023 6:00 PM**
- 3. Agenda Items**
 - A. Appl. #VAR-24-001--Variance of Section 405.550.A.3 at 1501 S. Butler Drive - PUBLIC HEARING**
 - B. Appl. #VAR-24-001--Variance of Section 405.550.A.3 at 1501 S. Butler Drive - CONSIDERATION**
 - C. Appl. #VAR-24-002--Variance of Section 405.550.A.3 at 706 S. Butler Drive - PUBLIC HEARING**
 - D. Appl. #VAR-24-002--Variance of Section 405.550.A.3 at 706 S. Butler Drive - CONSIDERATION**
- 4. Discussion Items**
- 5. Adjourn**

Posted on City Hall Bulletin Board this 26th day of March, 2023.

Daniel Barnett, City Clerk



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
CITY HALL
SEPTEMBER 12, 2023
6:00 PM

1. Call to Order

The meeting was called to order at 6:00 PM by Gerald Saling

Attendee Name	Organization	Title	Status	Arrived
Jennifer Love	Harrisonville		Present	
Michelle Hart	Harrisonville		Present	
Charles Hotchkiss	Harrisonville		Absent	
April McLaughlin	Harrisonville		Present	
Gerald Saling	Harrisonville		Present	

Also in attendance were Bharat Patel, Applicant; Bob Barto, Applicant; Christina Stanton, Community Development Director; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Board of Zoning Adjustments - Regular Meeting - Jul 11, 2023 6:00 PM

With no additions or corrections, the minutes from the July 11, 2023, meeting were unanimously accepted.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	April McLaughlin
SECONDER:	Michelle Hart
AYES:	Jennifer Love, Michelle Hart, April McLaughlin, Gerald Saling
ABSENT:	Charles Hotchkiss

3. Agenda Items

A. Appl. #VAR-23-003--Variance of Sec. 405.550.A.3.d(1)(a) for 2400 E. Rock Haven Rd. PUBLIC HEARING

Director Stanton presented the Staff Report for a variance application to Section 405.550.A.3.d(1)(a) to allow for an existing intermodal storage container to remain on the property located at 2400 E. Rock Haven Road. The property is zoned C-2, Service Business District. She told the Board that the property was zoned Service Business District for use as a motel in 1990 and that a building permit and Certificate of Occupancy was issued the same year. She also said that on February 21, 2023, the Board of

Alderman approved code amendments that included new regulations pertaining to intermodal containers. Director Stanton said that under the current Zoning Regulations, intermodal containers are not allowed on commercially zoned property unless tied to an active building permit. The existing container has been existing on the property since at least February of 2020. She said that the only districts allowed to keep intermodal containers for storage purposes, without being tied to an active building permit, are the industrial districts. She also said that there are no irregularities to the lot and that the plight of the owner is due to change in code that have occurred earlier this year and the owner's desire to retain their existing intermodal storage container. Director Stanton told the Board that there are no industrially zoned properties in the vicinity of this property; however, it should be noted that there is an existing mini-warehouse storage facility located immediately to the northwest of the subject property which are typically found in industrial districts. The desire of owners of existing commercially zoned property to retain these cheaper, more affordable intermodal storage containers over providing a more aesthetically pleasing and appropriate addition or separate storage building that is compatible with the existing architecture of the primary building is not particular to any one piece of property. The existing intermodal container appears to have been placed on this property somewhere between July 2019, and February 2020, based on aerial imagery available from Google Earth. She said that in support of the variance, the structure is located in the rear of the property, behind the primary building; there is no encroachment toward any other property; and granting of the variance will not result in a detriment to the public welfare or negatively impact the adequate supply of light and air to adjacent property or increase the danger of fire or otherwise endanger public safety. However, it is the job of staff to uphold the code, so Staff recommends denial.

Mr. Patel spoke to the Board . He told them that he and his family moved here 24 years ago. He said that they use the container to store items that they have to purchase in bulk like air conditioners and mattresses for the rooms. He said that if he had to remove the container, it would take two of his hotel rooms to store all of the items and that would affect his potential income by \$28,000.00 to \$30,000.00 a year. Mr. Patel spoke of Walmart and Sutherlands using their striped parking spaces for summer sales. He said that in the end if he loses rooms, he will lose money.

Public Hearing closed at 6:08 PM.

B. Appl. #VAR-23-003--Variance of Sec. 405.550.A.3.d(1)(a) for 2400 E. Rock Haven Rd. CONSIDERATION

April McLaughlin asked how many businesses have complied with this ordinance? Director Stanton said that several have and several are still in the process.

Ms. McLaughlin asked how many compliance letters were mailed out originally? Director Stanton said she wasn't sure of the exact number, but it was double of the original amount anticipated.

Jennifer Love asked if an accessory structure would be able to be built on the commercial properties instead of using a container. Director Stanton said yes, they would be permitted.

Michelle Hart said that while accessory structures are permitted, the storage containers are more economical.

Jennifer Love asked if Mr. Patel's container was visible from the road. Director Stanton said that it was behind the primary structure so it had very little visibility from the street.

Ms. McLaughlin said that the ordinance does not leave room for containers that were already in place to be "Grand fathered" in.

Mr. Patel spoke again, he said that you can not see his container from the highway or Rock Haven Road. He said the property was bankrupt in 2011 so he took a risk and

bought it. He said he needs the steel container because homeless people break in and steal stuff.

Ms. Love asked Director Stanton if Mr. Patel built a screening type of structure for the container, would that be in compliance. Director Stanton said that a variance would still be necessary.

Michelle Hart made a motion to approve the variance. There were no seconds and no other motions. The Variance application died due to lack of a second.

RESULT:	DEFEATED [1 TO 3]
MOVER:	Michelle Hart
AYES:	Michelle Hart
NAYS:	Jennifer Love, April McLaughlin, Gerald Saling
ABSENT:	Charles Hotchkiss

C. Appl. #VAR-23-004--Variance of Sec. 405.550.A.3.d(1)(a) for 1805 Waters Rd. PUBLIC HEARING

Director Stanton presented the Staff Report for a variance application to Section 405.550.A.3.d(1)(a) to allow for an existing intermodal storage container to remain on the property located at 1805 Waters Rd., also referred to as 3223 N. State Route 291. The property is zoned C-2, Service Business District. She said that a building permit was issued for the conversion of an existing barn into a fabrication store in 1985. In 2018, a building permit was issued for the installation of commercial fencing for the property. She also said that on February 21, 2023, the Board of Aldermen approved code amendments that included new regulations pertaining to intermodal containers. Director Stanton said that under the current Zoning Regulations, intermodal containers are not allowed on commercially zoned property unless tied to an active building permit. The existing container is located behind a solid fence that surrounds the property and the container is not highly visible. She said that the only districts allowed to keep intermodal containers for storage purposes, without being tied to an active building permit, are the industrial districts. She also said that there are no irregularities to the lot and that the plight of the owner is due to change in code that have occurred earlier this year and the owner's desire to utilize their existing intermodal storage container to store a rare vehicle in it at this site. Director Stanton said that the variance, if granted, will not alter the essential character of the locality since the structure is currently existing and fairly well screened by the existing fence that surrounds the property. She said that there are no industrially zoned properties in the vicinity of this property. The desire of owners of existing commercially zoned property to retain these cheaper, more affordable intermodal storage containers over providing a more aesthetically pleasing and appropriate addition or separate storage building that is compatible with the existing architecture of the primary building is not particular to any one piece of property. She also said that the existing structure appears to have been placed on this property somewhere between April 2021, and April 2023, based on aerial imagery available from Google Earth. In support of the variance are the facts that; the structure is located behind a solid fence and is not highly visible; there is no encroachment towards any other property; and the granting of the variance will not result in a detriment to the public welfare or negatively impact the adequate supply of light and air to adjacent properties or increase the danger of fire or otherwise endanger the public safety. She said Staff recommends denial of the variance.

Bob Barta spoke to the Board on behalf of Roy and Cheryl Obermiller. He said that the property is in a very visible location, which is why they put up the fence to screen the construction yard. It is a 2 acre property and they have used all of the space and there is no room to expand any existing structures. The container was originally supposed to be temporary storage for the car that belongs to his step-father to restore in retirement, then covid happened, parts weren't and still aren't available. The car was originally stored in the shop but it had to move to make room for other things. He said his step-father is 75

years old and will not be able to restore it for much longer. He also said that they are willing to paint the container for it to blend in. He asked the Board to give him a timeline for the container to be able to stay on the property.

Michelle Hart said that the Board is going to see many more variance application for this as it is an economical way to store things and if they are kept neat and not an eyesore there should be wiggle room.

Gerald Saling told Mr. Barta that this Board is not able to give a time frame for him.

Mr. Patel spoke and said that laws need to be helpful for the people and businesses.

The Public Hearing was closed at 6:34 PM.

D. Appl. #VAR-23-004--Variance of Sec. 405.550.A.3.d(1)(a) for 1805 Waters Rd. CONSIDERATION

April McLaughlin said that she agrees with Ms. Hart that if the containers are kept neat or hidden behind a fence or a building, that should make a difference, but it looks like the City and Board of Alderman were very specific. She asked what the next steps for the applicants would be denied. Director Stanton said they would need to speak to the Board of Alderman.

Michelle Hart made a motion to approve the variance. There were no seconds and no other motions. The Variance application died due to lack of a second.

RESULT:	DEFEATED [1 TO 3]
MOVER:	Michelle Hart
AYES:	Michelle Hart
NAYS:	Jennifer Love, April McLaughlin, Gerald Saling
ABSENT:	Charles Hotchkiss

4. Discussion Items

Director Stanton told the Board that there will be some code changes going to Planning and Zoning and the Board of Alderman next week pertaining to items that this Board had seen like the number of accessory structures on larger residential lots.

5. Adjourn

With nothing further to come before the Board, April McLaughlin made a motion to adjourn. Michelle Hart seconded the motion. The meeting was adjourned at 6:40 PM.

Respectfully submitted,

Jamie Martin, Recording Secretary

STAFF REPORT

TO: Board of Zoning Adjustments
FROM: Christina Stanton,
DATE: March 6, 2024
SUBJECT: Appl. #VAR-24-001--Variance of Section 405.550.A.3 at 1501 S. Butler Dr. -
PUBLIC HEARING

Type of Item: *Public Hearing*

A. Action Item (ID # 4770)

Appl. #VAR-24-001--Variance of Section 405.550.A.3 at 1501 S. Butler Dr. - PUBLIC
HEARING

Attachments:

Staff Report BZA 3_12_24 Anderson Variance 1501 S Butler (PDF)

Application (PDF)

Carport Brochure (PDF)

Current Pictures (PDF)

Letters of Support (PDF)

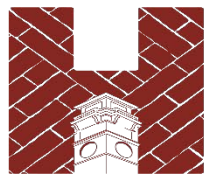
Cass County Assessor Property Record (PDF)

Site Plan for Obermiller's 2013 Variance (PDF)

May 14, 2013 BZA Minutes (Obermiller) (PDF)

Zoning Map (PDF)

Aerial Map (PDF)



To: Board of Zoning Adjustments

From: Christina Stanton, AICP, Director of Community Development

Date: March 12, 2024

Re: Appl. #VAR-24-001—Variance of Section 405.550.A.3 to allow for a carport to be set back 5' from the side property line on property located at 1501 S. Butler Drive

GENERAL INFORMATION

Applicant: Shirley Anderson, 1501 S. Butler Dr.

Requested Actions: Approval of requested variance of Section 405.550.A.3 to allow for a carport to be set back 5' from the side property line on property located at 1501 S. Butler Dr.

Date of Application: February 6, 2024

PURPOSE AND AUTHORITY

In accordance with Section 405.610 of the City's Code, the Board of Zoning Adjustment (BZA) "may decide that there are practical difficulties or particular hardship in the way of carrying out the strict letter of these regulations". The BZA "may grant variances from the provisions of this Chapter in harmony with its general purpose and intent" based upon the standards listed in Section 405.615, which are listed below in staff's analysis. The concurring vote of four (4) members of the Board is required for approval of a variance.

PROPOSAL

The applicant is seeking a variance to requirement that a detached accessory structure be setback eight (8) feet from the side property line (Section 405.550.A.3). The requested variance is a variance of three (3) feet from the required eight (8) feet, which yields a setback of five (5) feet from the north side property line to the proposed detached carport.

PREVIOUS ACTIONS

Required legal notices have been issued.

- May 14, 2013—The Board of Zoning Adjustments approved a variance of 5' to the required 8' side yard setback to allow for a 3' side yard setback for a detached garage at 301 Bowman Avenue (the property immediately to the north of 1501 S. Butler Drive). According to the Site Plan drawn by Obermiller for his requested variance the existing detached structure at 1505 S. Bulter Dr. (labeled as a barn) is approximately 3' from the side yard.

- May 19, 1955—The final plat *Bowman's Subdivision, Lots 1 – 37* was recorded with the Cass County Recorder's Office.
- 1950—According to the Cass County parcel records the existing house and detached structure (identified as a garage) were built sometime during this year.

KEY ISSUES

The property is currently zoned Single-Family Residential (R-1) District.

Under current Zoning Regulations, Section 405.550.A.3.a (as amended by Ord. #3669): "...A detached accessory building shall be located not less than eight (8) feet from any side or rear lot line and no closer to the front of the building than eight (8) feet...."

According to the County Assessor's records the existing house and detached structure were built in 1950.

The Applicant is seeking a variance of 3' from the required side yard setback of 8' for a detached accessory structure (carport) to allow for a side yard setback of 5' for this structure from the north side property line.

Regarding Municipal Code: 405.615 Standards

- A. The Board of Zoning Adjustments may vary the provisions of this Chapter as authorized in this Section, but only when it shall have made findings based upon evidence presented to it in the following specific cases:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;

The property can yield a reasonable return. The property would still be used as a single-family residence if the variance is not granted. The owner desires to have an affordable shelter to park her vehicle under for protection from sun and hail; she believes this will increase the value of her property.

2. The plight of the owner is due to unique circumstances;

This standard typically refers to the shape of the lot, topographical conditions, or other unique physical surroundings of the property such as existing utilities. The shape of this property is not unique. What is unique in this scenario is that the existing detached structure is approximately 3' from the north side property line and there is little room for a detached garage or carport without having to seek a variance as there is only about 20' from the north side of the house to the north side property line.

3. The variance, if granted, will not alter the essential character of the locality.

The variance, if granted, will not alter the essential character of the locality. The existing detached structure and lean-to portion of the neighbor to the north's detached structure are both only about 3' from the property line. Additionally, this structure is not enclosed.

- B. For the purpose of supplementing the above standards, the Board of Adjustment shall also, making the determination of whether there are practical difficulties or particular hardship, take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

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

The particular physical surroundings, shape or topographical conditions of the specific property do not create a particular hardship upon the owner. The hardship to the owner would be not being able to erect a structure to store her vehicle.

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

The main reason the applicant is requesting this variance is to have a structure erected to store her vehicle and keep it somewhat safe from the effects of sun and hail. There are other existing structures on both her lot and the lot to the north of her that are closer to the property line than the requested variance for this detached structure.

3. 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 effective date of this chapter was in 1991. The alleged difficulty or hardship is being caused by the current property owner's desire to have a detached structure to store her vehicle.

4. 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 the requested variance will not result in a detriment to the public welfare in the area. The variance would allow the property owner to have a 12' x 21' carport erected approximately 5' from the northern side property line.

5. 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 or air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety nor will it substantially diminish or impair property values within the neighborhood.

STAFF COMMENTS AND SUGGESTIONS

In support of the requested variance are the facts that:

- There is an existing detached structure located approximately 3' from the north side property line, which already encroaches towards the property to the north and has existed in place since 1950 according to the County Assessor's Records;
- The property owners to the north, which is the property this variance would be encroaching towards, are supportive of the variance and had a variance for their now existing detached structure in 2013 that includes a lean-to that is approximately 3' from the same property line; and

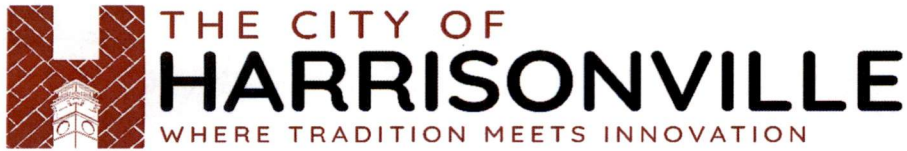
- The granting of the variance will not result in a detriment to the public welfare or negatively impact the adequate supply of light and air to adjacent property or increase the danger of fire or otherwise endanger the public safety or diminish or impair surrounding property values.

STAFF RECOMMENDATION

Staff recommends approval of the requested variance.

ATTACHMENTS

Application
Carport Brochure
Current Pictures
Letters of Support
Cass County Assessor Property Record
Site Plan for Obermiller's 2013 Variance
May 14, 2013 BZA Minutes (Obermiller)
Zoning Map
Aerial Map



VARIANCE APPLICATION

DATE: _____

Applicant (Print): SHIRLEY ANDERSON Signature: *Shirley J Anderson*
 Company Name: NA
 Street Address: 1501 S. BUTLER City: HARRISONVILLE State: MO Zip: 64701
 Telephone: 816-255-8718 Email: cwhyipra@gmail.com

Property Owner Authorization Required if Applicant Different from Property Owner

Property Owner Name (print): NA Signature: _____
 Street Address: _____ City: _____ State: _____ Zip: _____
 Telephone: _____ Email: _____

Firm Preparing Application (if applicable): _____

Contact: NA
 Street Address: _____ City: _____ State: _____ Zip: _____
 Telephone: _____ Email: _____

* All correspondence should be sent to (check one): ☒ Applicant ☐ Property Owner ☐ Firm

Project Information

General Location or Address: 1501 S. BUTLER HARRISONVILLE, MO 64701
 Harrisonville Properties, _____ Acres or Sq. Ft. 0.4 ACRES

Process and Submittal Requirements

City of Harrisonville Zoning Ordinance Section 405.610

The Board of Zoning Adjustment may grant variances from the provisions of this Chapter in harmony with its general purpose and intent and may vary them only in specific instances hereinafter set forth. The Board of Zoning Adjustment, based on standards hereafter prescribed and after hearing, may decide that there are practical difficulties or hardship in the way of carrying out the strict letter of these regulations. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement or decision of the party appealed from or to issue an order or variance or to decide in favor of an appellant.

Step 1. Hold pre-application conference with City staff.

Step 2. Submit complete application and the following at least thirty (30) days prior to the BZA Meeting:

1. \$200 filing fee PLUS \$65.00 notice fee, payable to the City of Harrisonville
2. Letter explaining the project and why variance needed.
3. One (1) 8 1/2 x 11 electronic copy of site plan showing property, existing and proposed structures and additional important information.

Step 3. City staff publishes legal notice and sends letters to property owners within 185 feet.

Step 4. Board of Zoning Adjustments Meeting 2nd Tuesday of month at 6 PM at City Hall.

Please Answer Following Questions

The BZA may approve a variance to the provisions of the Zoning and Subdivision Regulations, but only as allowed by the regulations and only when it has made findings based upon evidence presented to it in specific cases. *Section 405.615 (A) Standards*

1. Can the property in question yield a reasonable return if used only under the regulations governing the zoning district in which it is located?

Applicant Response: IT WILL PROBABLY INCREASE THE PROPERTY VALUE.

2. Is the plight of the owner due to unique circumstances? (*Unique circumstances include, but are not limited to, the shape, topographical conditions, or physical surroundings of the property.*)

Applicant Response: THERE ARE NO UNIQUE CIRCUMSTANCES.

3. Will the variance, if granted, alter the character of the locality and/or neighborhood?

Applicant Response: BEING A CARPORT, THE CHARACTER OF THE PROPERTY WILL NOT CHANGE - NOR WILL IT CHANGE THE CHARACTER OF THE NEIGHBORHOOD.

For the purpose of supplementing the above standards and in determining whether there are practical difficulties or hardships, the BZA shall also take into consideration the extent to which the following facts have been established by the evidence. *Section 405.615 (B)*

1. If the strict letter of the regulation is carried out, will the physical surroundings, shape or topographical conditions of the specific property create a hardship for the owner as distinguished from a mere inconvenience?

Applicant Response: THIS SHOULD NOT AFFECT OR CREATE A HARDSHIP FOR THE OWNER. IF THE LETTER OF THE REGULATION IS CARRIED OUT.

2. Do the reasons for his variance apply just to this property or generally to other properties in the same zoning classification?

Applicant Response: THIS VARIANCE SHOULD APPLY TO THIS PROPERTY ONLY.

3. Has the alleged difficulty or hardship been created by any person having an interest in the property at any time after May 13, 1991, the effective date of this Chapter?

Applicant Response: THERE IS NO HARDSHIP.

4. Will the granting of the variance be detrimental to the public welfare in the neighborhood in which the property is located?

Applicant Response: GRANTING OF THIS VARIANCE WILL NOT BE DETRIMENTAL TO THE PUBLIC WELFARE.

5. Will the proposed variance impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood?

Applicant Response: GRANTING OF THIS VARIANCE WILL NOT IMPAIR THE SUPPLY OF LIGHT OR AIR ADJACENT TO THIS PROPERTY OR INCREASE THE DANGER OR PUBLIC SAFETY. NEITHER SHOULD IT DIMINISH OR IMPAIR PROPERTY VALUES IN THE NEIGHBORHOOD.

Resources

City Website	www.ci.harrisonville.mo.us
Zoning Map	https://www.ci.harrisonville.mo.us/documentcenter/view/6182
Zoning Regulations	https://www.ecode360.com/27908265
Subdivision Regulations	https://www.ecode360.com/27909481
Cass County GIS Map	https://cassgis.integritygis.com/h5/index.html?viewer=cass

Contacts

City Hall, 300 E. Pearl, Harrisonville, MO 64701		(816) 380-8900	Fax (816) 380-8910
John Morris	Building Official	(816) 380-8917	jmorris@harrisonville.com
Christina Stanton	Community Development Director	(816) 380-8922	cstanton@harrisonville.com
Jamie Martin	Administrative Secretary	(816) 380-8958	jmartin@harrisonville.com
Public Works Department, 201 W. Chestnut, Harrisonville, MO 64701			Fax (816) 380-3997
Carl Brooks	Director of Public Works	(816) 380-8964	cbrooks@harrisonville.com
Ted Martin	City Engineer	(816) 380-8964	tmartin@harrisonville.com

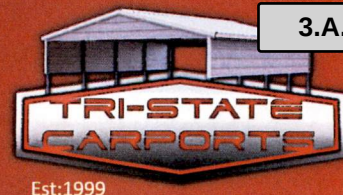
For Office Use Only

Case No: VAR 24-001 Filing Fee. Amount Paid: \$ 265.00 Date: Feb. 6, 2024
 Date Application Received: Feb. 6, 2024 BZA Meeting Date: March 12, 2024
 Note: _____

STANDARD CARPORTS 12' - 24'

STATES: AR, OK, MO, NE, IL, IN, IA, KS

NON CERTIFIED



Vertical Roof Style



Boxed Eave Style



Regular Style

WXL

12x20	18x20	20x20	22x20	24x20
\$2,331	\$2,505	\$3,029	\$3,379	\$3,728
12x25	18x25	20x25	22x25	24x25
\$3,052	\$3,228	\$3,402	\$4,102	\$4,625
12x30	18x30	20x30	22x30	24x30
\$3,593	\$3,942	\$4,291	\$4,815	\$5,340
12x35	18x35	20x35	22x35	24x35
\$3,957	\$4,482	\$5,006	\$5,530	\$6,228
12x40	18x40	20x40	22x40	24x40
\$4,664	\$5,023	\$5,888	\$6,412	\$7,163

WXL

12x21	18x21	20x21	22x21	24x21
\$1,850	\$2,029	\$2,568	\$2,926	\$3,285
12x26	18x26	20x26	22x26	24x26
\$2,412	\$2,591	\$2,770	\$3,488	\$4,026
12x31	18x31	20x31	22x31	24x31
\$2,786	\$3,145	\$3,504	\$4,042	\$4,580
12x36	18x36	20x36	22x36	24x36
\$2,981	\$3,519	\$4,057	\$4,596	\$5,313
12x41	18x41	20x41	22x41	24x41
\$3,527	\$3,895	\$4,783	\$5,321	\$6,093

WXL

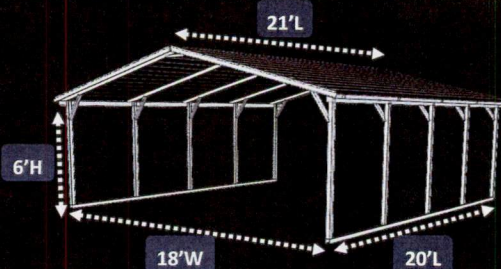
12x21	18x21	20x21	22x21	24x21
\$1,671	\$1,850	\$2,388	\$2,568	\$2,747
12x26	18x26	20x26	22x26	24x26
\$2,232	\$2,412	\$2,591	\$3,129	\$3,488
12x31	18x31	20x31	22x31	24x31
\$2,427	\$2,607	\$3,145	\$3,862	\$4,042
12x36	18x36	20x36	22x36	24x36
\$2,802	\$2,981	\$3,699	\$4,237	\$4,775
12x41	18x41	20x41	22x41	24x41
\$3,348	\$3,527	\$4,424	\$4,962	\$5,500

STANDARD FEATURES:

14 Gauge frame, 6ft Std legs, 29 Gauge roofing, maximum rafter/ column spacing 5' on center or less, braces on all center rafters and on top corner posts, 4 ft welded trusses on 22'-24' wide carports. Single leg system for buildings 6'-12' tall, double leg system for building 13'-16' ft tall legs.



Customer must supply lull lift for buildings 13'-16' tall leg height.



ROOF REFLECTIVE INSULATION ADD ON:

Add 2' to width and multiply by length.
EX. 12' wide x 21' long (14x21= 294 sf x rate = \$ 735.00)

R Value 14.7 **\$2.50 SF** 95% Reflectivity
Helps reduce building condensation



2023 V1



• Free Installation On Your Level Lot

• Engineer Plans Available Call 877-494-2997

• Note: Frame Lengths Are 20', 25', 30' Etc.

• Financing Available / Rent To Own Available

• Rebar Anchors Included /Concrete Anchors Included

• Vertical Roofs Have No Overhang Front Or Back.

*Panel color options shown may look different due to printing ask for color sample sheet if needed.

"ALL PRICES SUBJECT TO CHANGE WITHOUT NOTICE"

©2023 Copyright All Rights Reserved Tri State Carports

Packet Pg. 14

Attachment: Carport Brochure (Appl. #VAR-24-001--Variance of Section 405.550.A.3 at 1501 S. Butler Dr. - PUBLIC HEARING)



Sent from my iPhone





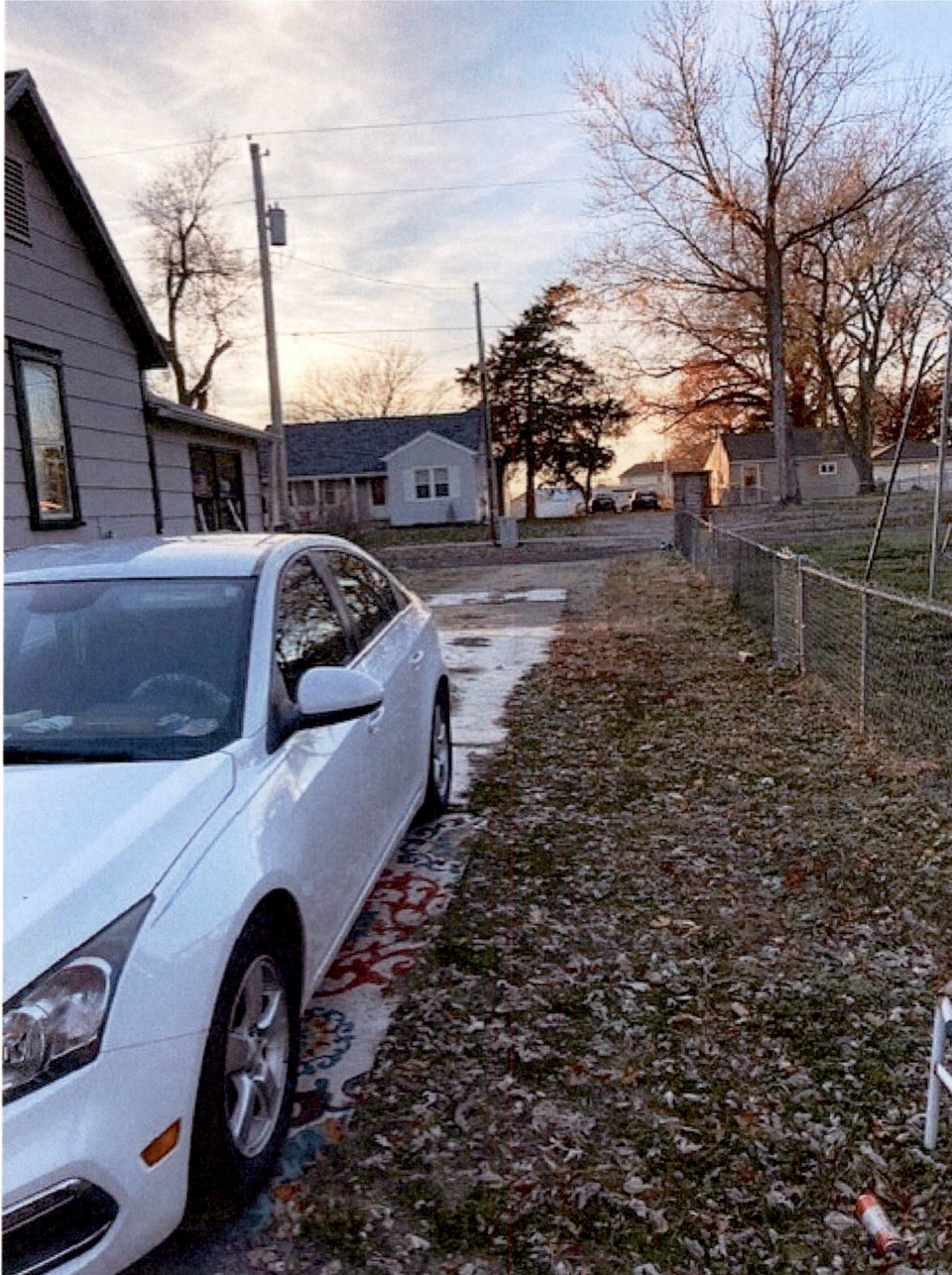
Photos Regarding Shirley Anderson Carport Variance Request

Alvin Poisal <apoisal@icloud.com>

Sun 2/18/2024 11:25 PM

To: Jamie Martin <jmartin@harrisonville.onmicrosoft.com>

This is an email from outside your organization.



Attachment: Current Pictures (Appl. #VAR-24-001--Variance of Section 405.550.A.3 at 1501 S. Butler Dr. - PUBLIC HEARING)

02/05/2024

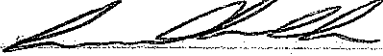
North of
me

To whom it may concern.
I'm alright with
Shirley Anderson @ 1501 S Butler Drive
putting up a car port in her drive way.

signed:

ARON OBERMILLER

301 Bowman St



02/05/2024

Behr
me

To Whom it may concern.
I'm all right with
Shirley Anderson @ 1501 S Butler Drive
putting up a car port in her driveway.

signed:
Charles W. W. 1500 S. Dan St

02/05/2024

To whom it may concern,
I'm alright with
Shirley Anderson @ 1501 S Butler Drive
putting up a car port in her driveway.

signed: Brenda & David Cole
1506 S. Main St.
Harrisonville MO 64701

(702) 716-4430

02/05/2024

To whom it may concern.
I'm alright with
Shirley^{*} Anderson @ 1501 S Butler Drive
putting up a car port in her drive way.

signed

Raymond J PAULMENAUGH

Ray O Menough

500 S Butler Dr

02/05/2024

To whom it may concern.

I'm alright with
Shirley Anderson @ 1501 S Butler Drive
putting up a car port in her driveway.

signed:

Gordon Peterson 1402 S Butler dr

02/05/2024

To whom it may concern.
I'm alright with
Shirley Anderson @ 1501 S Butler Drive
putting up a car port in her drive way.

signed:

1307 S Butler Dr

02/05/2024

To whom it may concern.

I'm alright with
Shirley Anderson @ 1501 S Butler Drive,
putting up a car port in her driveway.

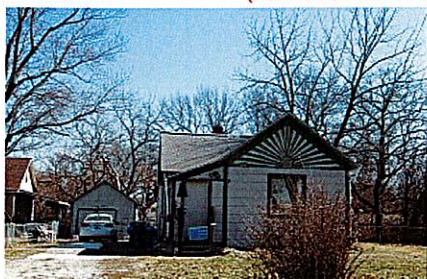
signed:

Paul Magazu

1601 S. BUTLER DR.
HARRISONVILLE, MO
64701



Parcel Number: 13-21-42-201-000-045.000
Computer ID: 918200
Deed Holder: ANDERSON, SHIRLEY
Property Address: 1501 S BUTLER DR
HARRISONVILLE, MO 64701-3018 [MAP THIS ADDRESS](#)
Mailing Address: 1501 S BUTLER DR
HARRISONVILLE, MO 64701-3018 USA
Class: RESIDENTIAL
Map Area: GRND RVR CTY HVILLE
Plat Map: 4674/95
Subdivision: NONE
Sec-Twp-Rng: 4-44-31
Lot-Block: -
Brief Legal Description: PT E2 LT2 NW BG 528' S OF INT RD & N LN LT2
E231'XS82.5'
(NOT TO BE USED ON LEGAL DOCUMENTS)



Pin 13-21-42-201-000-045.000 Photo

1 / 1



Current Value Information

FULL MARKET	Agricultural	Residential	Commercial\Other	Exempt	Total
Land	\$0	\$15,980	\$0	\$0	\$15,980
Building	\$0	\$50,000	\$0	\$0	\$50,000
Total	\$0	\$65,980	\$0	\$0	\$65,980
ASSESSED	Agricultural	Residential	Commercial\Other	Exempt	Total
Land	\$0	\$3,040	\$0	\$0	\$3,040
Building	\$0	\$9,500	\$0	\$0	\$9,500
Total	\$0	\$12,540	\$0	\$0	\$12,540

Prior Year Value Information

2023 Appraised	Agricultural	Residential	Commercial\Other	Exempt	Total
Land Full Market	\$0	\$15,980	\$0	\$0	\$15,980
Building Full Market	\$0	\$50,000	\$0	\$0	\$50,000
Total Full Market	\$0	\$65,980	\$0	\$0	\$65,980
2022 Appraised	Agricultural	Residential	Commercial\Other	Exempt	Total
Land Full Market	\$0	\$15,980	\$0	\$0	\$15,980
Building Full Market	\$0	\$41,600	\$0	\$0	\$41,600
Total Full Market	\$0	\$57,580	\$0	\$0	\$57,580

[More Years...](#)

Land Front Foot Information

Lot	Front	Rear	Side 1	Side 2
Main Lot	83.00	83.00	210.00	210.00

Residential Building Information

Occupancy	Style	Year Built	Total Living Area
-----------	-------	------------	-------------------

-- Single-Family / Owner Occupied

1 Story Frame

1900

Building

Occupancy: Single-Family / Owner Occupied
 Year Built: 1900
 Style: 1 Story Frame
 Area: 1,064
 TLA: 1,064
 Condition: Normal
 Basement: 1/4
 Heating: Yes
 AC: Yes
 Attic: None

Room Count

Rms Above Ground: 6
 Rms Below Ground: 0
 Bedrooms Above: 3
 Bedrooms Below: 0

Building Descriptions

Foundation: Conc
 Exterior Walls: Wd Lap
 Roof: Asph / Gable
 Interior Walls: Panel
 Flooring: Carp
 Architectural Design: N/A
 Single Siding: No

Plumbing

Style	Count
Standard Bath - 3 Fixt	2

Porches

SF Area	Style	Bsmt SF	Qtrs SF	Qtrs Style	Qtrs AC
72	1S Frame Enclosed	0	0	Frame	Yes

Yard Extra Information**Description**

-- Garage (Commercial)

Year Built: 1950
 Description: Garage (Commercial)
 Type: Frame
 Pricing: Average
 Width: 0.00
 Length: 0.00
 Quantity: 260 Square Feet
 # of Stalls: 0.00
 Count: 1
 Plot Number:

Item Count

1

Year Built

1950

Sale Information**Sale Date**

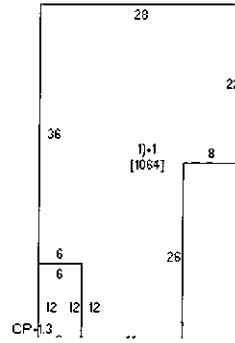
04/22/2021

Recording

4674/95

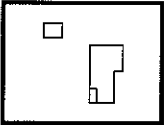
Sketch

DET GAR 260sqft



Sketch of Pin 13-21-42-201-000-045.000

1 / 1



GIS Map Information

GENERAL NOTES:

1. PROPERTY SUBJECT TO VARIANCE REQUEST:

301 BOWMAN AVE
LOTS 36 & 37 BOWMAN'S ADDITION

2. PROPOSED OFFSET DISTANCES:

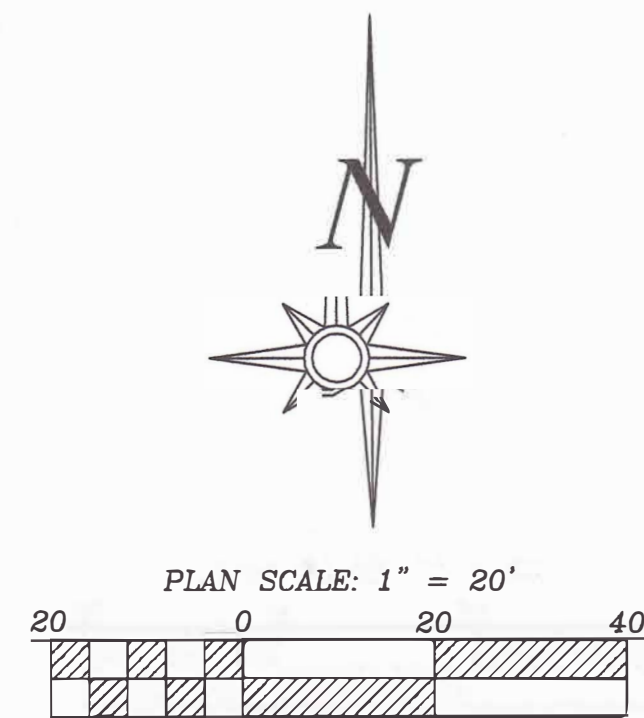
3' EAST PROPERTY LINE - SIDE $\frac{1}{2}$
3' SOUTH PROPERTY LINE - REAR $\frac{1}{2}$

3. PROPOSED STRUCTURE USE:

RESIDENTIAL EQUIPMENT STORAGE
SINGLE ANTIQUE VEHICLE STORAGE

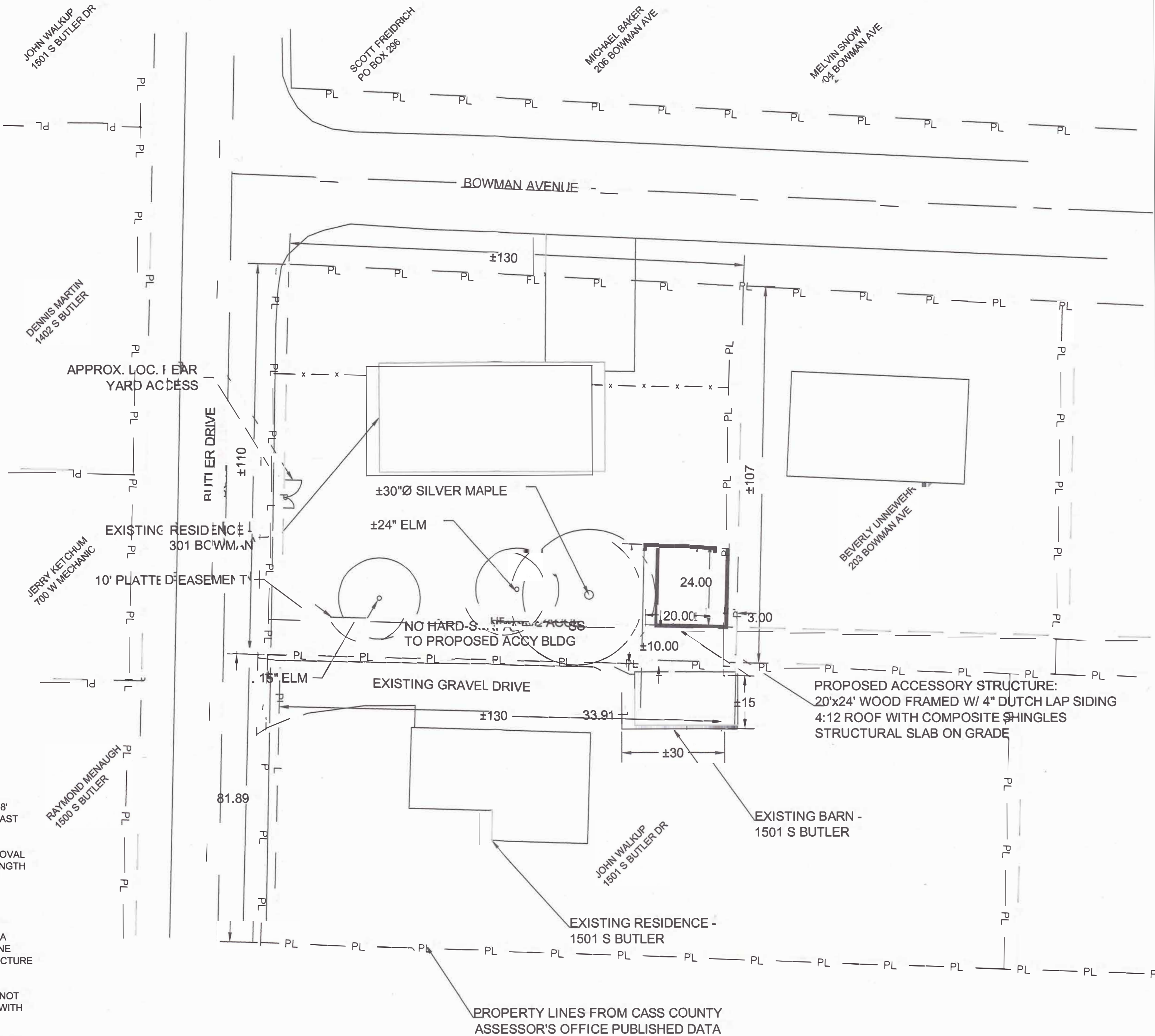
4. STRUCTURE UTILITIES:

HVAC - NONE
WATER - NONE
SEWER - NONE
ELECTRICAL - FUTURE



QUALIFICATIONS FOR VARIANCE:

1. MAINTAINING EXISTING REGULATORY SETBACK OF 8' FROM SIDE AND BACK YARD WOULD RENDER THE SOUTHEAST CORNER OF THE YARD UNUSABLE.
2. REGULATORY SETBACK WOULD REQUIRE THE REMOVAL OF TREE NOTED AS 30"Ø SILVER MAPLE; REDUCTION IN LENGTH OF STRUCTURE IS NOT VIABLE AS SINGLE CAR GARAGE. REDUCING WIDTH WOULD NOT ALLEVIATE THE REMOVAL REQUIREMENT.
3. ROTATING STRUCTURE FOR NORTH OPENING DOOR WOULD CREATE DIFFICULT ACCESS WITHOUT INSTALLING A FENCE OPENING ON NORTH SIDE OF PROPERTY WHERE ONE CURRENTLY DOES NOT EXIST. YARD NORTH OF THE STRUCTURE IS ALSO HEAVILY USED FOR PLAY AREA.
4. LOCATING THE STRUCTURE DUE EAST OF HOUSE IS NOT VIABLE DUE TO USE OF YARD AS WELL AS NOT FITTING IN WITH THE GENERAL LAYOUT OF NEIGHBORHOOD.
5. MODIFYING HOUSE FOR SECOND CAR GARAGE IS NOT VIABLE DUE TO COST CONSIDERATIONS AS WELL AS REDUCING SIDE YARD AREA.
6. LOCATING STRUCTURE IN SOUTHWEST CORNER OF YARD WOULD NOT FIT IN TO GENERAL LAYOUT OF THE NEIGHBORHOOD AND WOULD NECESSITATE THE REMOVAL OF TREE LABELED 15" ELM; POTENTIAL STREET SETBACK ISSUES AS WELL.



SCALES

PLAN SCALE 1"=20'
HORIZ. SCALE
VERT. SCALE

NO.	DATE	DESCRIPTION	FIRST PRINT	BY	ADD	ADD
1	04-04-13	REVISION 1				
2	05-14-13					

SITE PLAN

301 BOWMAN AVENUE
HARRISONVILLE, MO 64701

BZA VARIANCE REQUEST
24'X22' ACCESSORY STRUCTURE

ENGINEERING, P.C.
CIVIL ENGINEERING CONSULTANTS
1805 WATERS ROAD, HARRISONVILLE, MISSOURI 64701
PH: (616) 330-5150 FAX: (616) 884-3220 EMAIL: MAIL@REDEENGINEERING.COM

AARON D. OBERMILLER
PE-2008019580
PROJECT NUMBER
13-000

DATE
04-08-13

SHEET OF

1 Packet Pg. 29



**DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
CITY HALL
MAY 14, 2013
6:00 PM**

1. Call to Order

The meeting was called to order at 6:06 PM by Mike Davis

Attendee Name	Title	Status	Arrived
Robert Cooper		Present	
Matt Turner		Present	
Viola Wieberg		Present	
Clint Rudell		Present	
Mike Davis		Present	

2. Approval of Minutes

A. Approval of Minutes of September 11, 2012

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Cooper
SECONDER:	Viola Wieberg
AYES:	Cooper, Turner, Wieberg, Rudell, Davis

3. Agenda Items

A. Public Hearing to Consider Var1301: Variance Application of Aaron Obermiller, for a Variance to the Sideyard Setback, to Allow the Construction of a Garage on the Property Located at 301 Bowman Avenue

Aaron Obermiller, 301 Bowman, asked for a 5' variance to the side and rear yards of the property from 8' to 3'. He discovered yesterday that there is a 10' utility easement on the south side of the property. He said he would only ask for the variance to the side yard. The variance request is due to the layout and restrictions of the lot. There is an existing chain link fence and also a large tree that he doesn't want to disturb. The tree provides shade and he doesn't want it to die. He also asked for a conditional variance on the south side if he can successfully vacate the easement.

Robert Cooper asked for the size of the proposed structure. Mr. Obermiller said it would be 24' x 20'. Mr. Cooper asked if a driveway would be required. Mr. Obermiller said he wasn't planning a hard-surface drive to the shed. It will store an antique car that does not get driven much per year.

Aaron Lacy, 202 Bowman, said he lives across the street from Mr. Obermiller and that anything Aaron has done on the property before has looked nice. He has no problem or objection to the variance.

John Walkup, 1501 S. Butler Drive, said he lives behind Mr. Obermiller. He also had no objection and agreed that anything Mr. Obermiller had done had been done right.

Chairman Davis closed the public hearing at 6:19PM.

Rick DeLuca informed the Board that City staff had found evidence of the easement at the rear of the property. He said there is definitely a 10' easement and he did not know that Mr. Obermiller was going to ask for a conditional variance if he could vacate the easement. He said it is highly unlikely that the City would support the vacation of an easement. City staff doesn't know what is in the easement, regardless if there are no electric lines in it. He suggested that the Board only consider the side yard variance at this time. He explained that 2 of the 3 conditions required had been met by Mr. Obermiller. It is true that the former side yard setback requirement was 3', and granting the side yard variance would not be detrimental to the property. Staff recommends that the Board make a decision on the side yard only. He explained that this Board does not have the authority to vacate easements, so staff recommends not acting on the rear yard request.

Mr. Obermiller explained his timeline. He said he is ready to build and will just move the building up in order to move forward. Robert Cooper asked Mr. Obermiller if the Board only grants the side yard variance, will he be able to move forward with his garage. Mr. Obermiller said he would.

Mr. DeLuca explained that if an application to vacate the easement was submitted, the City would determine whether or not we would ever need this easement. The City would also contact other utilities to see if they have anything in the easement now, or would ever need it.

Clint Rudell stated that it was up to Mr. Obermiller whether he wants to wait to see if the easement can be vacated or just get the side yard variance and build.

Mr. Cooper asked if there were any conditions for the Board to consider. Mr. DeLuca said the Board could grant a variance for the building of a proposed detached structure.

Matt Turner made a motion to approve the 3' setback on the east side yard for the building of the proposed detached structure. Clint Rudell seconded. The motion carried with a unanimous vote.

Regular Meeting

Tuesday, May 14, 2013

6:00 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Matt Turner
SECONDER:	Clint Rudell
AYES:	Cooper, Turner, Wieberg, Rudell, Davis

4. Discussion Items

There were no additional discussion items.

5. Adjourn

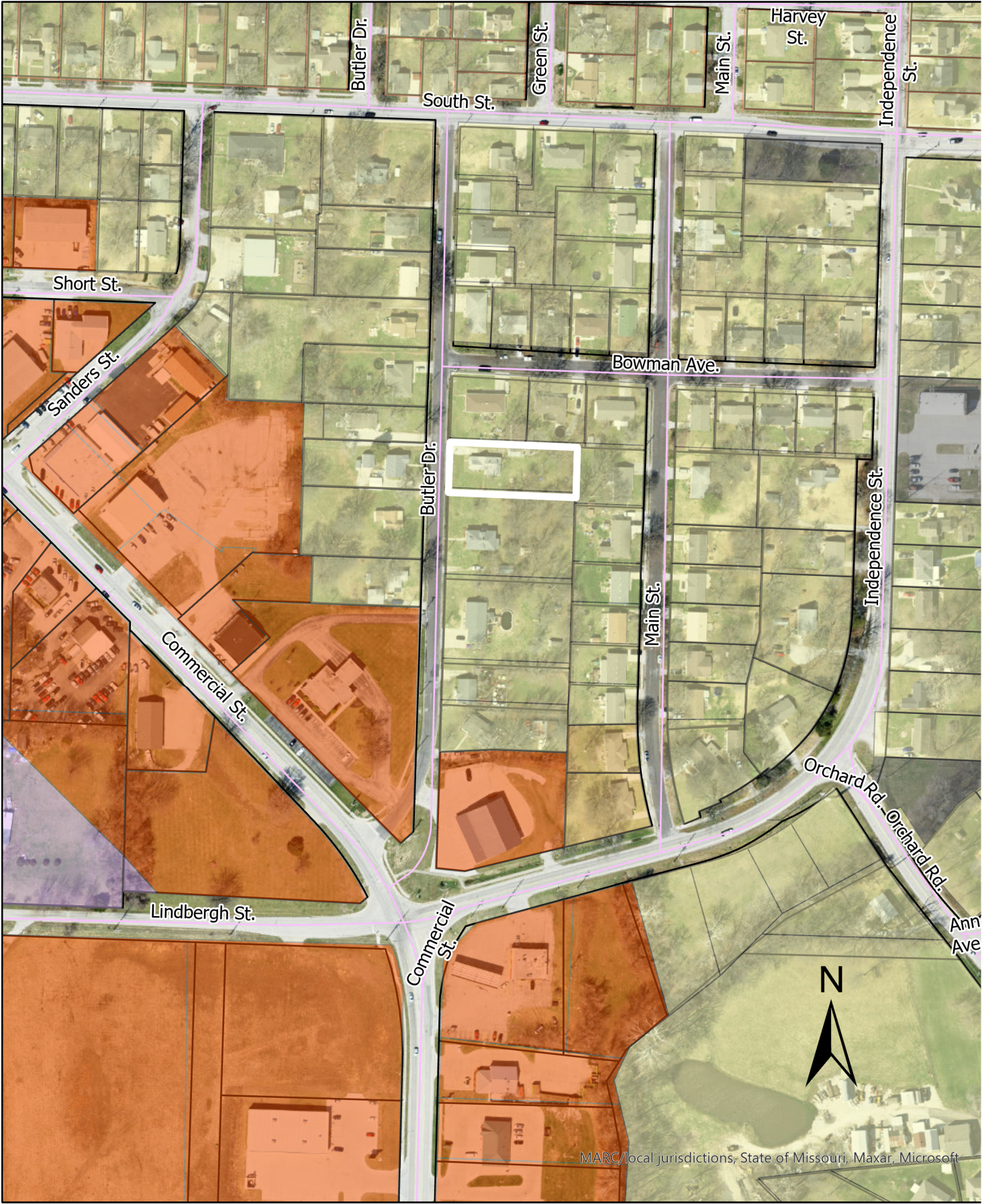
With no further business to come before the Board, the meeting was adjourned at 6:35PM.

Respectfully Submitted,



April Clark, Recording Secretary

Zoning Map



0 125 250 500 US Feet

Aerial Map



MARC/local jurisdictions, State of Missouri, Maxar, Microsoft

Attachment: Aerial Map (Appl. #VAR-24-001--Variance of Section 405.550.A.3 at 1501 S. Butler Dr. - PUBLIC HEARING)

STAFF REPORT

TO: Board of Zoning Adjustments
FROM: Christina Stanton,
DATE: March 6, 2024
SUBJECT: Appl. #VAR-24-001--Variance of Section 405.550.A.3 at 1501 S. Butler Dr. -
CONSIDERATION

Type of Item: *Approval*

B. Action Item (ID # 4771)

Appl. #VAR-24-001--Variance of Section 405.550.A.3 at 1501 S. Butler Dr.-
CONSIDERATION

STAFF REPORT

TO: Board of Zoning Adjustments
FROM: Christina Stanton,
DATE: March 26, 2024
SUBJECT: Appl. #VAR-24-002--Variance of Section 405.550.A.3 at 706 S. Butler Drive -
PUBLIC HEARING

Type of Item: *Public Hearing*

C. Action Item (ID # 4784)

Appl. #VAR-24-002--Variance of Section 405.550.A.3 at 706 S. Butler Drive - PUBLIC
HEARING

Attachments:

Staff Report BZA 4_9_24 Nowell Variance 706 S Butler (PDF)

Application (PDF)

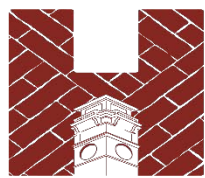
Site Plan (PDF)

Images from Google Street View (DOCX)

Historical Images from Google Earth (DOCX)

Zoning Map (PDF)

Aerial Map (PDF)



To: Board of Zoning Adjustments

From: Christina Stanton, AICP, Director of Community Development

Date: April 9, 2024

Re: Appl. #VAR-24-002—Variance of Section 405.550.A.3 to allow for an additional detached accessory structure on property located at 706 S. Butler Drive

GENERAL INFORMATION

Applicant: Shelton Nowell, 706 S. Butler Dr.

Requested Actions: Approval of requested variance of Section 405.550.A.3 to allow for an additional detached accessory structure on property located at 706 S. Butler Dr.

Date of Application: March 1, 2024

PURPOSE AND AUTHORITY

In accordance with Section 405.610 of the City's Code, the Board of Zoning Adjustment (BZA) "may decide that there are practical difficulties or particular hardship in the way of carrying out the strict letter of these regulations". The BZA "may grant variances from the provisions of this Chapter in harmony with its general purpose and intent" based upon the standards listed in Section 405.615, which are listed below in staff's analysis. The concurring vote of four (4) members of the Board is required for approval of a variance.

PROPOSAL

The applicant is seeking a variance to requirement that a R-1B property of less than 1.5-acres may only be allowed two (2) detached accessory structures (Section 405.550.A.3). The applicant previously had five (5) detached accessory structures and has since removed two, but is seeking a variance to keep the remaining three (3) detached accessory structures.

PREVIOUS ACTIONS

Required legal notices have been issued.

- February 22, 2024—A Code Compliance Case (#ZN-24-0005) was opened on 706 S. Butler Drive. It was found that the property was exceeding the maximum allowable number of detached accessory structures, and that some detached accessory structures were not meeting the minimum setback requirement for the rear property line. Two detached accessory structures have since been removed and there are no longer any structures not meeting the minimum setback requirement for the rear property line.

- **August 17, 2009**—The Board of Aldermen approved an Ordinance (#3094) to vacate and abandon a portion of undeveloped Peyton Street generally located east of West Street and west of Butler Drive.
- **September 28, 2007**—A Building Permit (#07865) was approved for a new aluminum carport to replace a previously existing carport. The Building Permit file contains a “Letter of Understanding” between the then current Community Development Director, Rick DeLuca, and the property owners (signed by Jana Nowell). This letter states that the property owners were being allowed to replace a carport over their driveway provided that they apply for a vacation of right-of-way for that portion of Peyton Street because the carport would not meet the required setbacks from Peyton Street.
- **October 21, 1867**—The Final Plat of *Jack’s Addition* was recorded with the Cass County Records’ Office.

KEY ISSUES

The property is currently zoned Near Downtown Single-Family Neighborhood (R-1B) District.

Under current Zoning Regulations, Section 405.550.A.3.a (as amended by Ord. #3669): “For any “R-1,” “R-1B,” “R-1M,” “R-2,” or “R-2B” zoned lot, two (2) detached accessory building(s) may be permitted, one (1) of the two (2) may be an accessory dwelling unit for any “R-1,” or “R-1B”. Except that properties zoned R-1 of 1.5-acre or larger in size may have one additional detached accessory structure provided all setbacks are met and the lot coverage requirement is not exceeded....”

The 20’ x 20’ carport that was permitted in 2007 is the only detached structure for which there is an approved building permit on file.

A review of the timeline images available from Google Earth indicates that the further west carport, for which the applicant is seeking the variance, was installed somewhere between April of 2018 and July of 2019.

The Applicant is seeking a variance to allow for an additional existing detached accessory structure (the westernmost carport) to remain.

Regarding Municipal Code: 405.615 Standards

- A. The Board of Zoning Adjustments may vary the provisions of this Chapter as authorized in this Section, but only when it shall have made findings based upon evidence presented to it in the following specific cases:
 1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;
The property can yield a reasonable return. The property would still be used as a single-family residence if the variance is not granted. The owner desires to keep the two (2) existing carports and the existing shed (work shop).
 2. The plight of the owner is due to unique circumstances;
This standard typically refers to the shape of the lot, topographical conditions, or other unique physical surroundings of the property such as existing utilities. The shape of

this property is not unique, nor are there topographical conditions or other items typical of a variance request. What is unique in this instance has more to do with the property owners than the property itself as the property owners contend that their hardship stems from disabilities and that the carport provides protection from the elements (rain, sleet, snow, etc.), without this structure the effects of the elements would make their ability to get around more difficult.

3. The variance, if granted, will not alter the essential character of the locality.

The variance, if granted, will not alter the essential character of the locality. All three (3) of the detached accessory structures are currently existing. The latest carport was installed somewhere between April of 2018 and July of 2019. Additionally, the property owners state that the structure they are seeking the variance to keep is not visible from the street.

B. For the purpose of supplementing the above standards, the Board of Adjustment shall also, in making the determination of whether there are practical difficulties or particular hardship, take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

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

The particular physical surroundings, shape or topographical conditions of the specific property do not create a particular hardship upon the owner. The hardship to the owner is a personal physical hardship, not a hardship created by unique conditions of the property in question.

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

The requested variance stems from a personal physical hardship, not a hardship created by unique circumstances or conditions of the property.

3. 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 effective date of this chapter was in 1991. The existing carports were installed upon the property in 2007 and 2018/2019. The alleged difficulty or hardship stems from the property owner's physical disability(-ies) and the need for the variance stems from their desire to maintain the two (2) existing carports as well as an existing shed (work shop).

4. 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 the requested variance will not result in a detriment to the public welfare in the area. The variance would allow the property owner to maintain the two (2) existing carports and the existing shed (workshop).

5. 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 or air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety nor will it substantially diminish or impair property values within the neighborhood.

STAFF COMMENTS AND SUGGESTIONS

In support of the requested variance are the facts that:

- The two (2) carports have existed on this property since 2007 and 2018/19, and the shed appears to have existed on this property since at least 2008; and
- The granting of the variance will not result in a detriment to the public welfare or negatively impact the adequate supply of light and air to adjacent property or increase the danger of fire or otherwise endanger the public safety or diminish or impair surrounding property values.

STAFF RECOMMENDATION

Staff recommends denial of the requested variance.

ATTACHMENTS

Application
 Site Plan
 Images from Google Street View
 Historical Images from Google Earth
 Zoning Map
 Aerial Map



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

VARIANCE APPLICATION

 DATE: 3/1/24

Applicant (Print): Shelton Nowell Signature: Shelton E Nowell
 Company Name: NA
 Street Address: 706 So. Butler Drive City: Harrisonville State: MO Zip: 64201
 Telephone: 816 258 9063 Email: _____

Property Owner Authorization Required if Applicant Different from Property Owner

Property Owner Name (print): SAME Signature: _____
 Street Address: _____ City: _____ State: _____ Zip: _____
 Telephone: _____ Email: _____

Firm Preparing Application (if applicable): NA
 Contact: _____
 Street Address: _____ City: _____ State: _____ Zip: _____
 Telephone: _____ Email: _____

* All correspondence should be sent to (check one): Applicant ☐ Property Owner ☐ Firm ☐

Project Information

General Location or Address: _____

Harrisonville Properties, _____ Acres or Sq. Ft. _____

Process and Submittal Requirements

City of Harrisonville Zoning Ordinance Section 405.610

The Board of Zoning Adjustment may grant variances from the provisions of this Chapter in harmony with its general purpose and intent and may vary them only in specific instances hereinafter set forth. The Board of Zoning Adjustment, based on standards hereafter prescribed and after hearing, may decide that there are practical difficulties or hardship in the way of carrying out the strict letter of these regulations. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement or decision of the party appealed from or to issue an order or variance or to decide in favor of an appellant.

Step 1. Hold pre-application conference with City staff.

Step 2. Submit complete application and the following at least thirty (30) days prior to the BZA Meeting:

1. \$200 filing fee PLUS \$65.00 notice fee, payable to the City of Harrisonville
2. Letter explaining the project and why variance needed.
3. One (1) 8 1/2 x 11 electronic copy of site plan showing property, existing and proposed structures and additional important information.

Step 3. City staff publishes legal notice and sends letters to property owners within 185 feet.

Step 4. Board of Zoning Adjustments Meeting 2nd Tuesday of month at 6 PM at City Hall.

Please Answer Following Questions

The BZA may approve a variance to the provisions of the Zoning and Subdivision Regulations, but only as allowed by the regulations and only when it has made findings based upon evidence presented to it in specific cases. *Section 405.615 (A) Standards*

1. Can the property in question yield a reasonable return if used only under the regulations governing the zoning district in which it is located?

Applicant Response: This is a residential home that my husband and I have lived in for 25 yrs. We've had no problems here for all that time.

2. Is the plight of the owner due to unique circumstances? (Unique circumstances include, but are not limited to, the shape, topographical conditions, or physical surroundings of the property.)

Applicant Response: With weather conditions that Rain Snow etc. and our disabilities the cover of the car port makes it less of a hardship getting around to do things - Doctors appts, store etc.

3. Will the variance, if granted, alter the character of the locality and/or neighborhood?

Applicant Response: No? Not seen from street.

For the purpose of supplementing the above standards and in determining whether there are practical difficulties or hardships, the BZA shall also take into consideration the extent to which the following facts have been established by the evidence. *Section 405.615 (B)*

1. If the strict letter of the regulation is carried out, will the physical surroundings, shape or topographical conditions of the specific property create a hardship for the owner as distinguished from a mere inconvenience?

Applicant Response: Protects from Elements.
Beneficial to disabilities.

2. Do the reasons for his variance apply just to this property or generally to other properties in the same zoning classification?

Applicant Response: Just to this property.

3. Has the alleged difficulty or hardship been created by any person having an interest in the property at any time after May 13, 1991, the effective date of this Chapter?

Applicant Response: No Interest.

4. Will the granting of the variance be detrimental to the public welfare in the neighborhood in which the property is located?

Applicant Response:

Absolutely Not

5. Will the proposed variance impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood?

Applicant Response:

Absolutely Not

Resources

City Website	www.ci.harrisonville.mo.us
Zoning Map	https://www.ci.harrisonville.mo.us/documentcenter/view/6182
Zoning Regulations	https://www.ecode360.com/27908265
Subdivision Regulations	https://www.ecode360.com/27909481
Cass County GIS Map	https://cassgis.integritygis.com/h5/index.html?viewer=cass

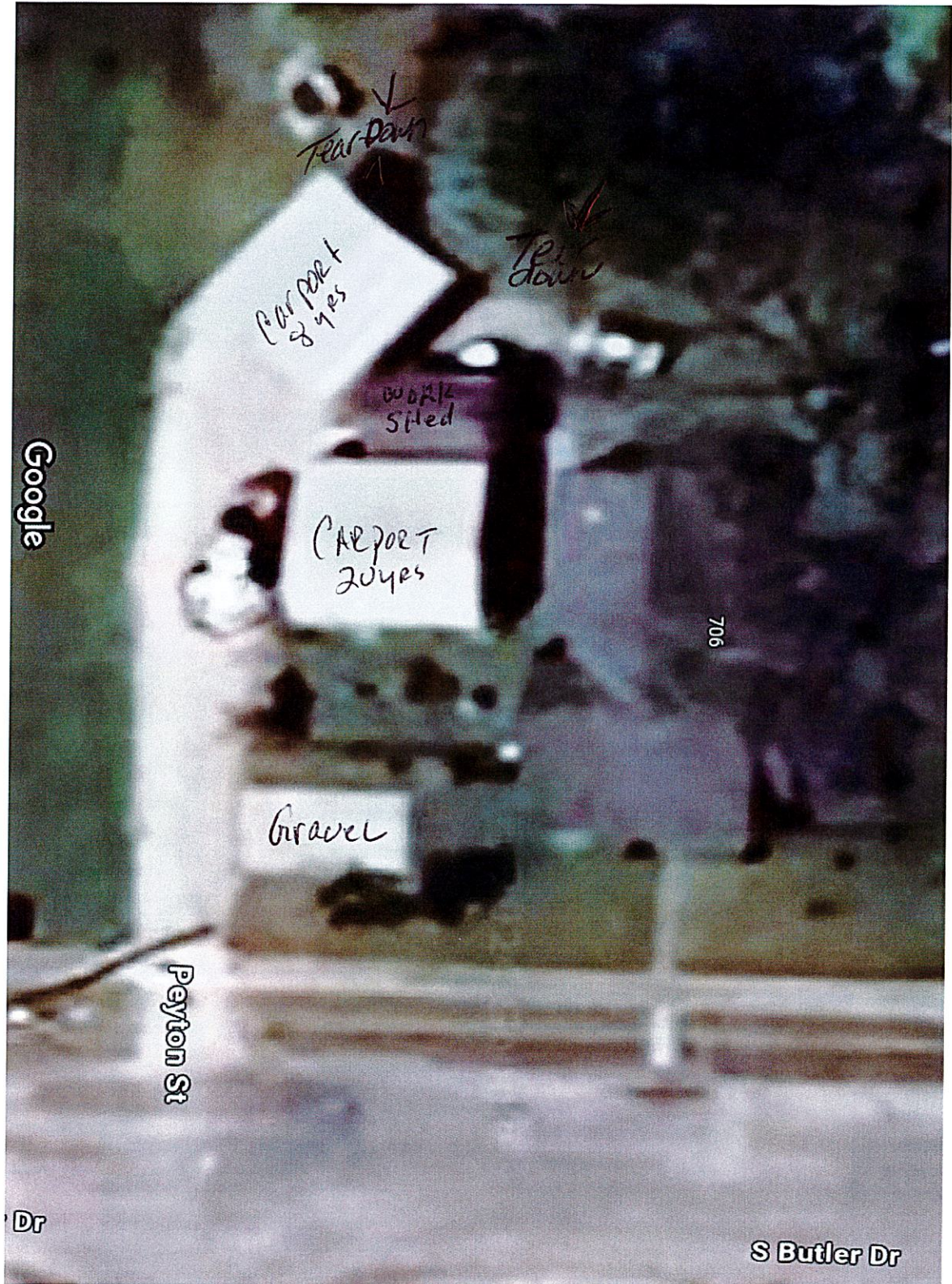
Contacts

City Hall, 300 E. Pearl, Harrisonville, MO 64701		(816) 380-8900	Fax (816) 380-8910
John Morris	Building Official	(816) 380-8917	jmorris@harrisonville.com
Christina Stanton	Community Development Director	(816) 380-8922	cstanton@harrisonville.com
Jamie Martin	Administrative Secretary	(816) 380-8958	jmartin@harrisonville.com
Public Works Department, 201 W. Chestnut, Harrisonville, MO 64701			Fax (816) 380-3997
Carl Brooks	Director of Public Works	(816) 380-8964	cbrooks@harrisonville.com
Ted Martin	City Engineer	(816) 380-8964	tmartin@harrisonville.com

For Office Use Only

Case No: VAR 24-002 Filing Fee. Amount Paid: \$ 265.00 Date: 3/1/24
 Date Application Received: 3/1/24 BZA Meeting Date: April 9, 2024
 Note: _____







Attachment: Images from Google Street View (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at 706





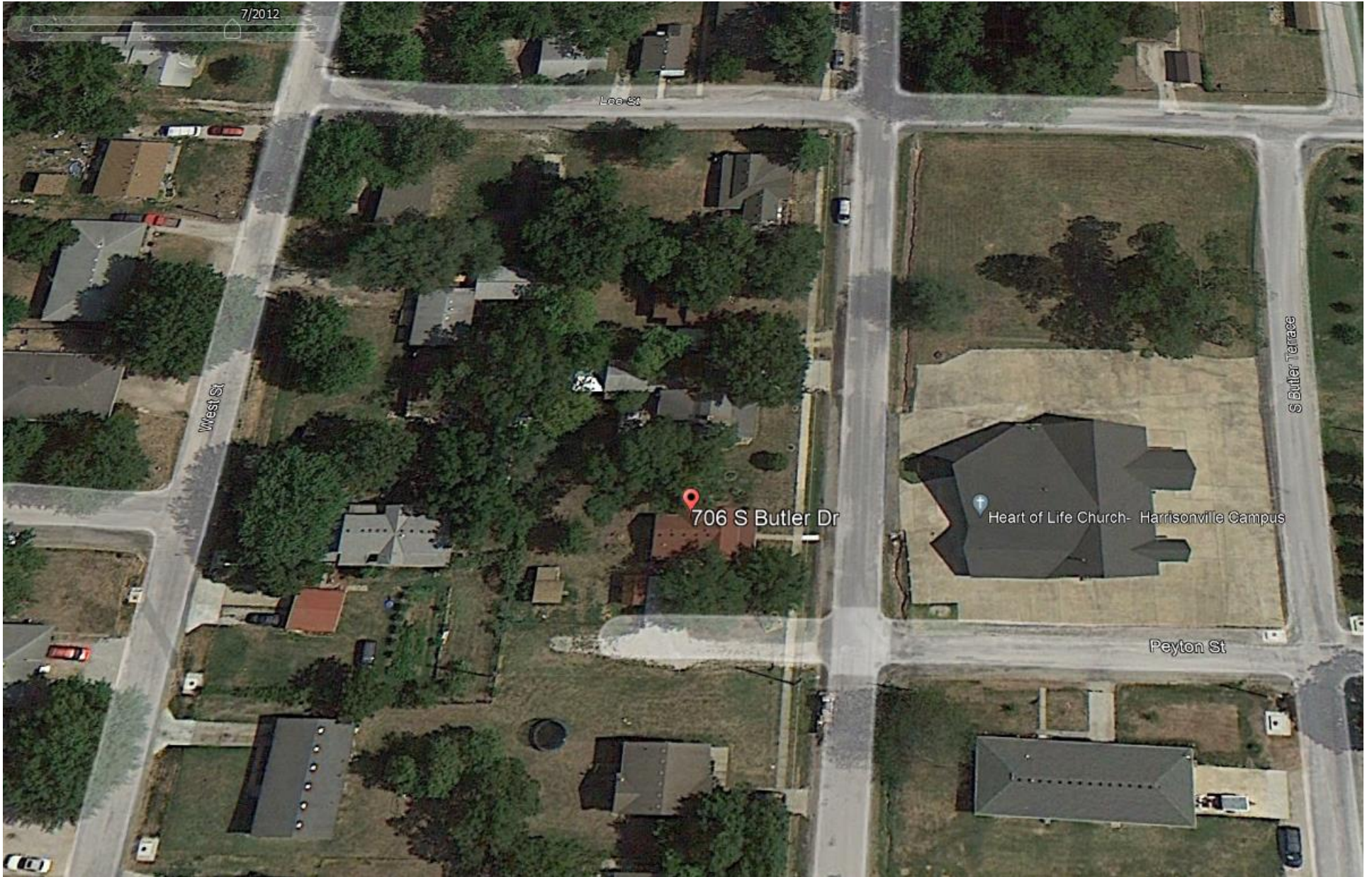
Attachment: Historical Images from Google Earth (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at



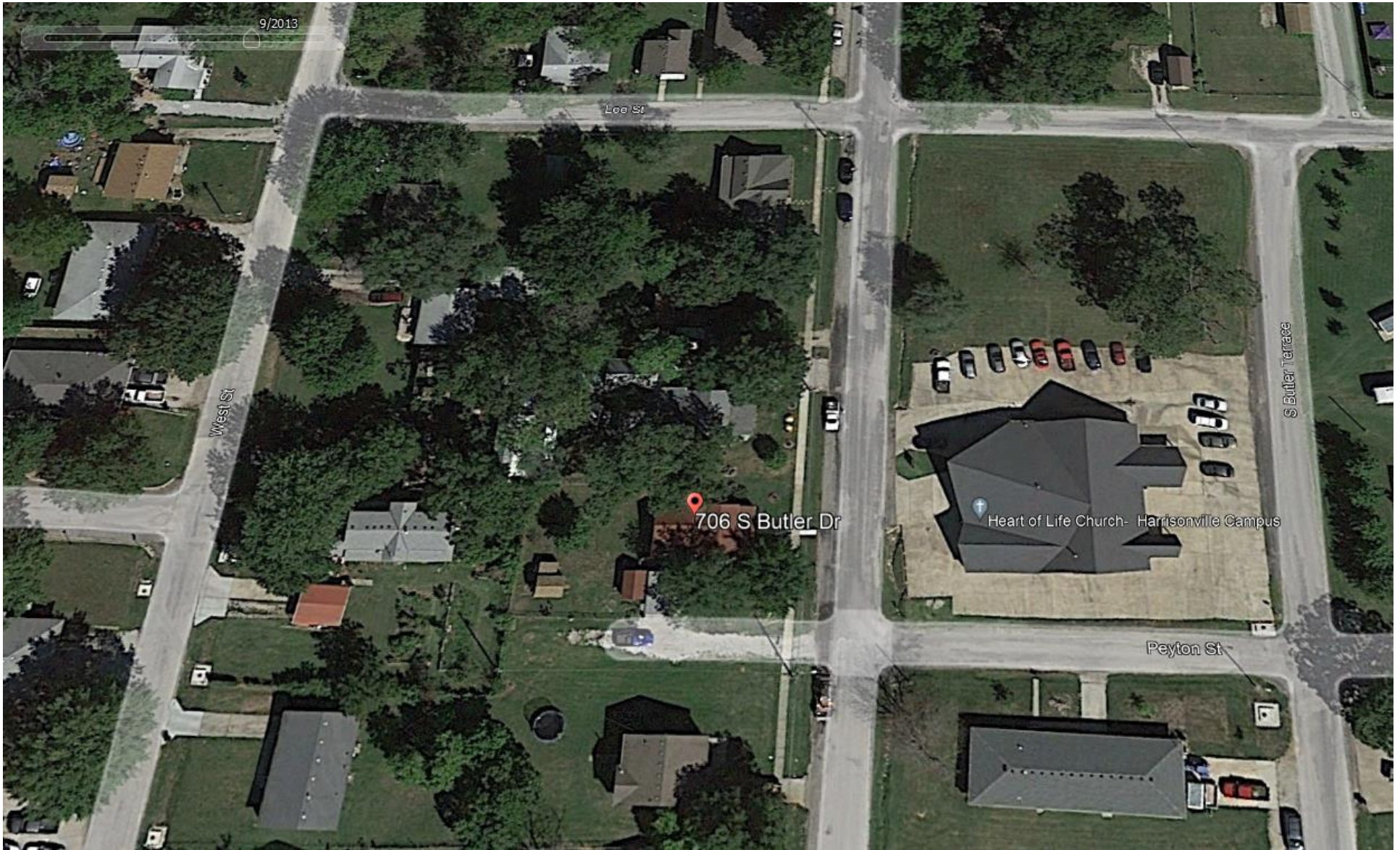
Attachment: Historical Images from Google Earth (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at



Attachment: Historical Images from Google Earth (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at



Attachment: Historical Images from Google Earth (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at



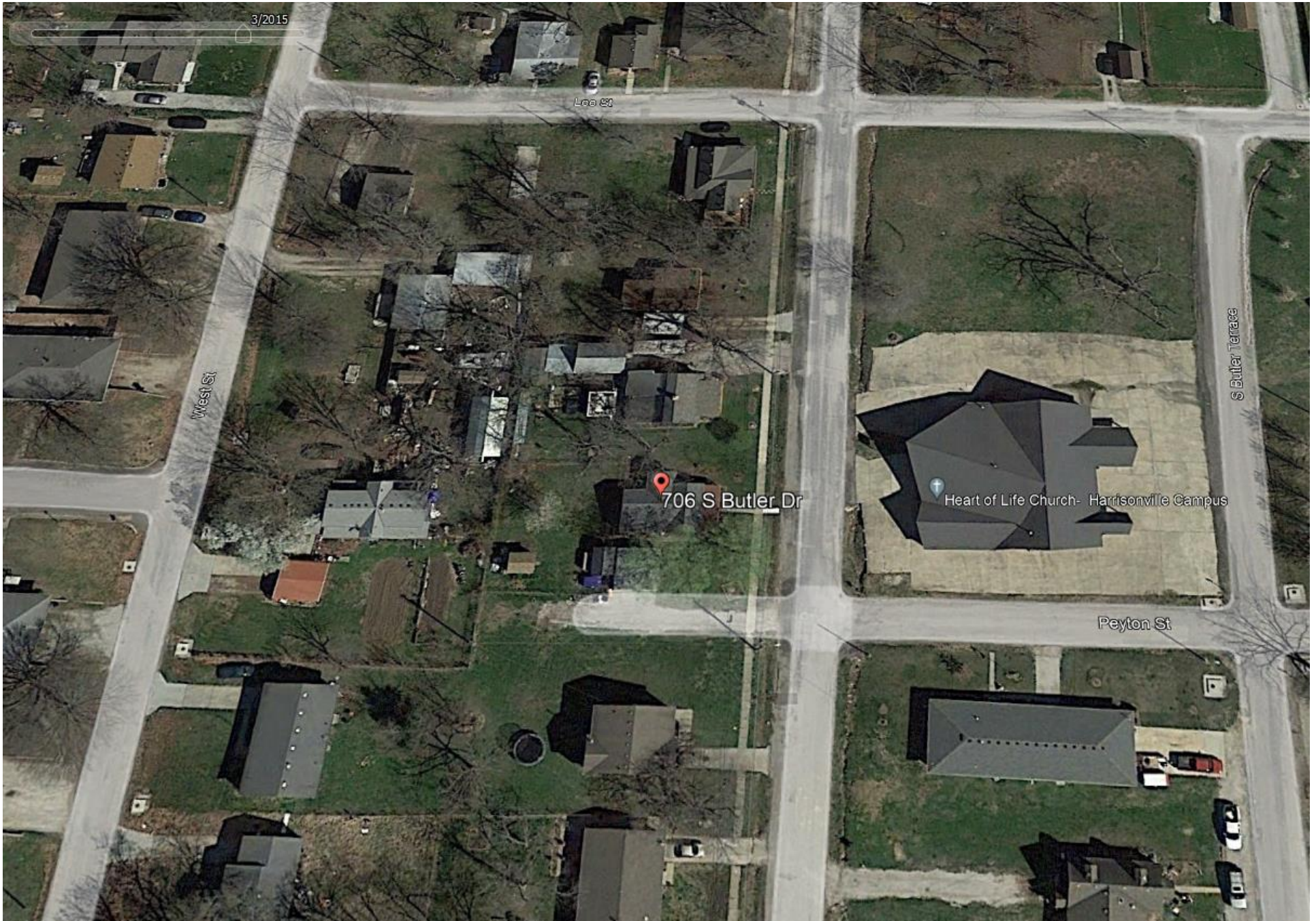
Attachment: Historical Images from Google Earth (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at



Attachment: Historical Images from Google Earth (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at

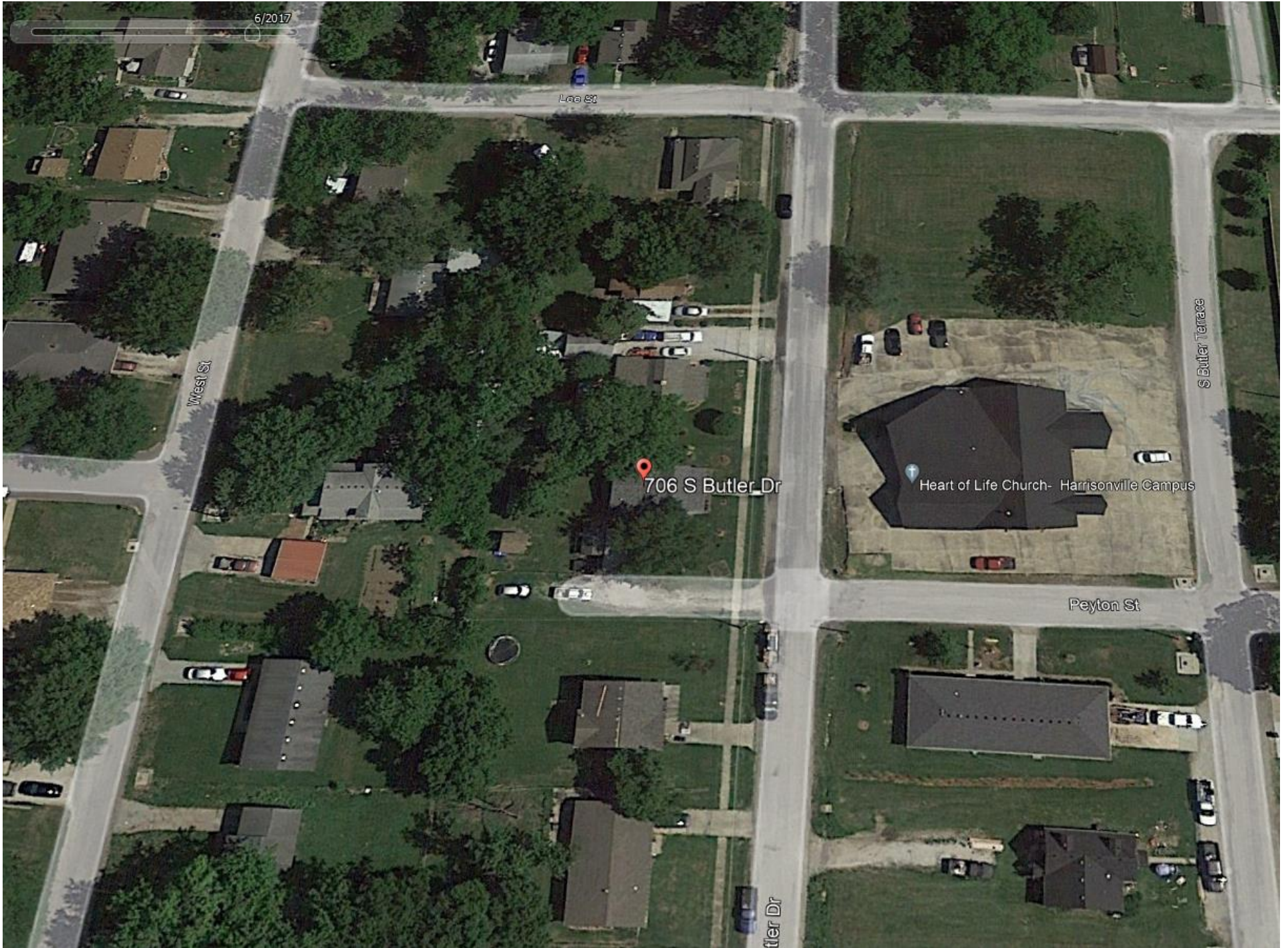


Attachment: Historical Images from Google Earth (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at

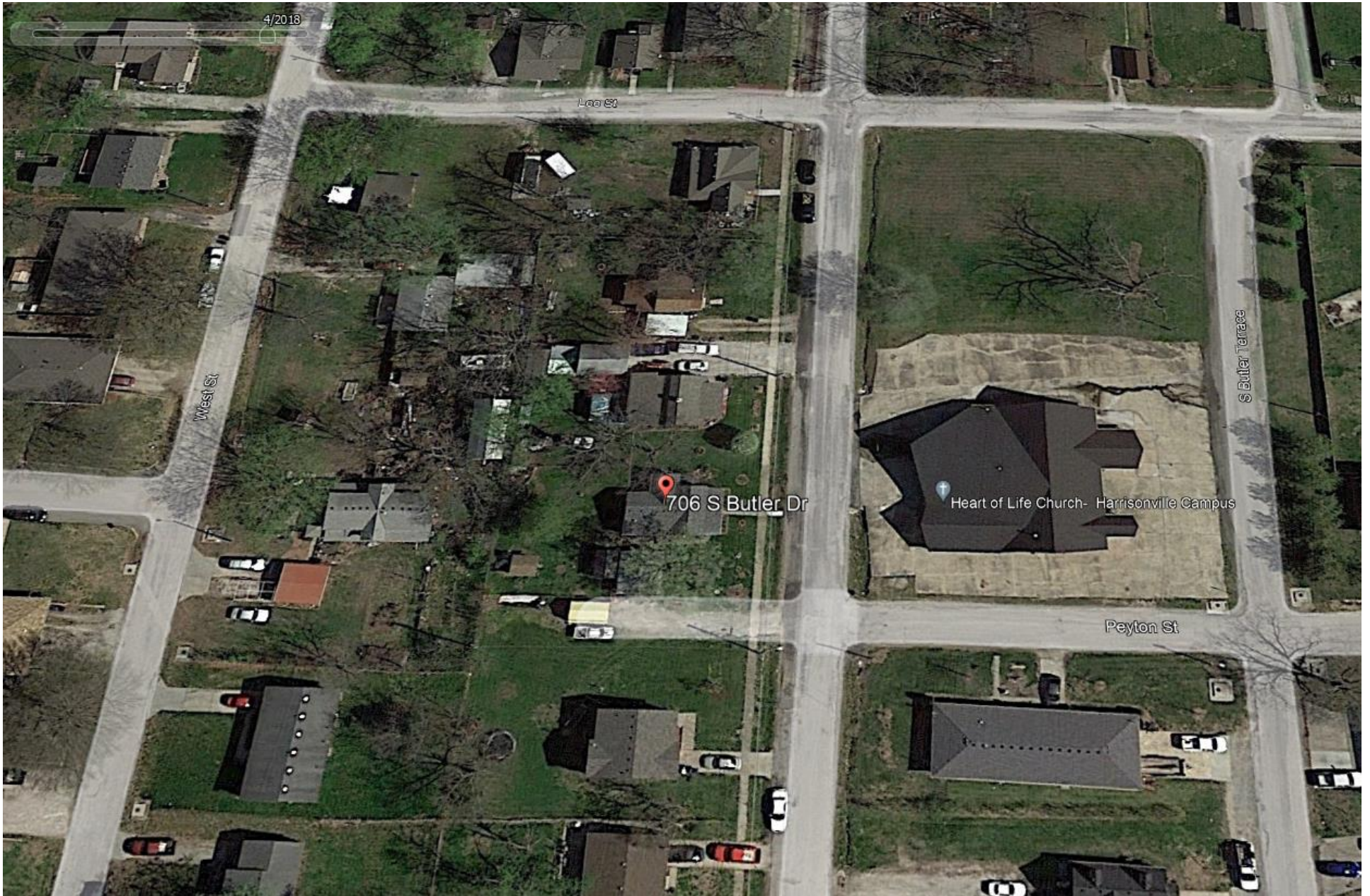


Attachment: Historical Images from Google Earth (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at

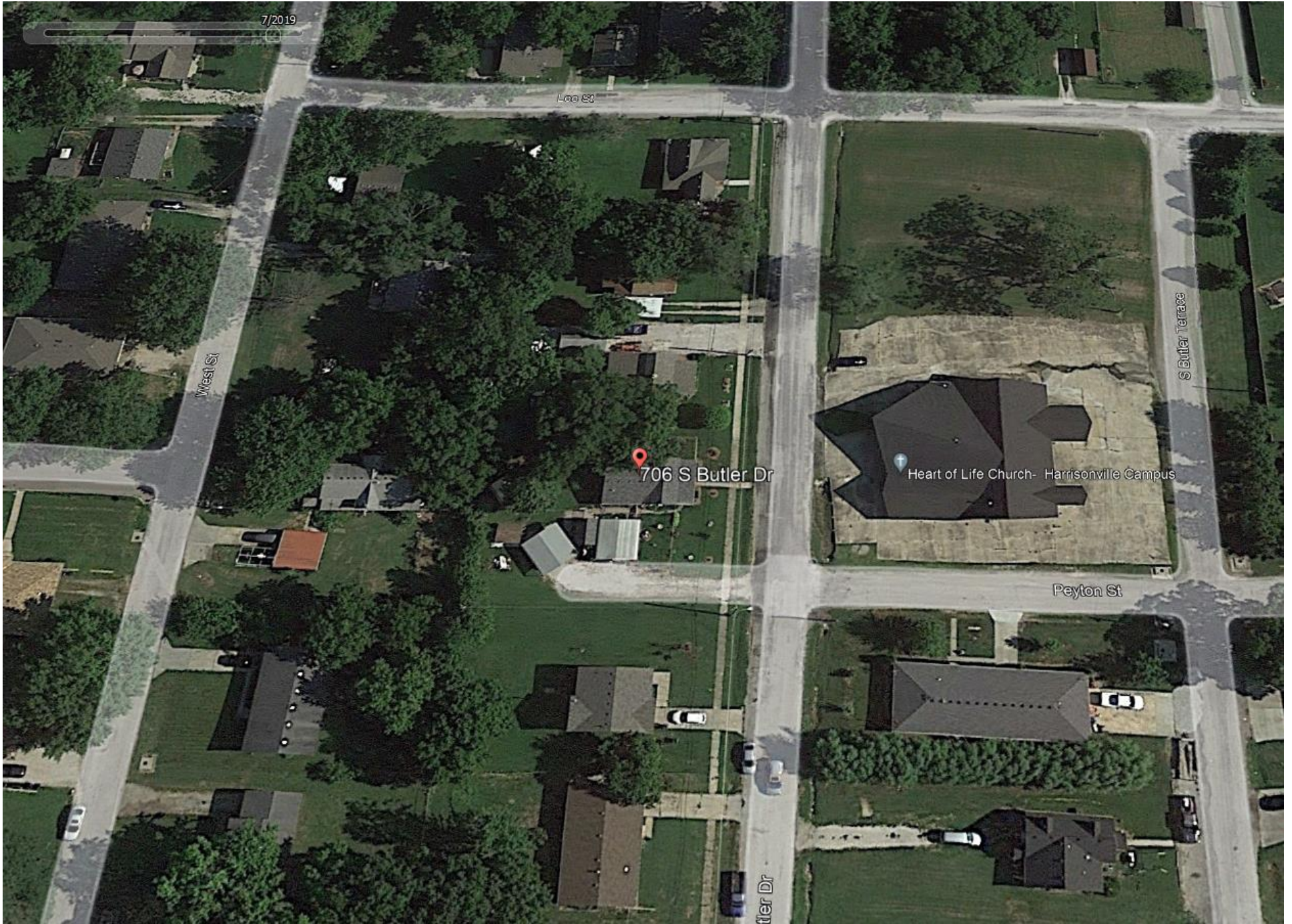




Attachment: Historical Images from Google Earth (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at



Attachment: Historical Images from Google Earth (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at







Attachment: Historical Images from Google Earth (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at

Zoning Map



Attachment: Zoning Map (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at 706 S. Butler Drive - PUBLIC HEARING)

Aerial Map



0 45 90 180 US Feet

Attachment: Aerial Map (Appl. #VAR-24-002--Variance of Section 405.550.A.3 at 706 S. Butler Drive - PUBLIC HEARING)

STAFF REPORT

TO: Board of Zoning Adjustments
FROM: Christina Stanton,
DATE: March 26, 2024
SUBJECT: Appl. #VAR-24-002--Variance of Section 405.550.A.3 at 706 S. Butler Drive -
CONSIDERATION

Type of Item: *Approval*

D. Action Item (ID # 4785)

Appl. #VAR-24-002--Variance of Section 405.550.A.3 at 706 S. Butler Drive -
CONSIDERATION