



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

**AGENDA  
CITY OF HARRISONVILLE  
BOARD OF ZONING ADJUSTMENTS  
REGULAR MEETING  
CITY HALL  
OCTOBER 8, 2024  
6:00 PM**

- 1. Call to Order**
  - A. Roll Call**
- 2. Approval of Minutes**
  - A. Board of Zoning Adjustments - Regular Meeting - Jul 9, 2024 6:00 PM**
- 3. Agenda Items**
  - A. Appl. #VAR-24-009--Variance of Section 405.550.C.4.b - PUBLIC HEARING**
  - B. Appl. #VAR-24-009--Variance of Section 405.550.C.4.b - CONSIDERATION**
- 4. Discussion Items**
- 5. Adjourn**

**Posted on City Hall Bulletin Board this 2nd day of October, 2024.**

*Daniel Barnett*

**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**  
**JULY 9, 2024**  
**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 |
|-------------------|---------------|-----------|---------|---------|
| Vanessa Hargrave  | Harrisonville | Alternate | Excused |         |
| Bryan Wooten      | Harrisonville |           | Present |         |
| Michelle Hart     | Harrisonville |           | Present |         |
| Charles Hotchkiss | Harrisonville |           | Present |         |
| April McLaughlin  | Harrisonville |           | Present |         |
| Gerald Saling     | Harrisonville |           | Present |         |

*Also in attendance were Chris Harty, CEI Engineering on behalf of Murphy Oil USA, Inc.; Billy and Nelda Huffman, Applicants; Twyla Embree, Applicant's daughter; Alex Felzien, City Attorney; Christina Stanton, Community Development Director; and Jamie Martin, Recording Secretary.*

## 2. Approval of Minutes

### A. Board of Zoning Adjustments - Regular Meeting - Jun 11, 2024 6:00 PM

*With no additions or corrections the minutes from the June, 11, 2024, meeting were unanimously accepted.*

|                  |                                             |
|------------------|---------------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                 |
| <b>MOVER:</b>    | April McLaughlin                            |
| <b>SECONDER:</b> | Charles Hotchkiss                           |
| <b>AYES:</b>     | Wooten, Hart, Hotchkiss, McLaughlin, Saling |
| <b>EXCUSED:</b>  | Vanessa Hargrave                            |

### B. Court Reporter Manuscript

## 3. Action Items

### 1. Appl. #VAR-24-006--Variance of Section 405.325.B, C and D at 1720 N. St. Rte. 291 - PUBLIC HEARING

*Director Stanton presented the staff report for a variance application from Murphy USA Oil, Inc., seeking variance to the setback requirements for the Service Business (C-2)*

District. The applicant is requesting a variance of 10' from the required 35' front yard setback, a variance of 1.68' from the required 15' side yard setback on the south side, and a variance of 15' from the required 15' rear yard setback. The requested variances are to allow for the existing gas station to be razed and a new larger model to be rebuilt in its place. She said the Final Plat of Jenkins Addition was recorded in May of 1993 and a Lot Split creating Lots 2A and 2B, Jenkins addition was recorded in December of 2007. The key issues for this property are that it is currently zoned Service Business (C-2) District. Under the current Zoning Regulations, Section 405.325.B: "Front yard. A front yard of not less than thirty-five (35) feet shall be provided."; Section 405.325.C: "Side yards. There shall be a side yard on each side of not less than fifteen (15) feet on each side of a building."; and Section 405.325.D: "Rear yard. The depth of the rear yard shall be at least fifteen (15) feet.". She said the letter provided by CEI states that the variances are being requested due to the odd shape of the lot and because Wal-Mart is unwilling to sell them any additional property. Director Stanton said the uniqueness in this instance is that the lot is an irregular shape. This situation was created when the Lot Split was completed in 2007, which reduced the land area for Murphy's Oil. Additionally, the applicant has noted that Wal-Mart is unwilling to sell Murphy's any additional property. The granting of the variances would not alter the essential character of the area as the existing use is not proposed to change, but the building is proposed to be razed and rebuilt to a newer larger model. The proposed encroachments are towards an 80' right-of-way and Show Me Auto Mall to the east, and towards existing drives and parking lot for Wal-Mart to the west and south. She said the hardship is being caused by the irregular shape of the lot and the current property owner's desire to raze the existing building and rebuild a newer larger model. The granting of the requested variances would not result in a detriment to the public welfare in the area. The variances would allow the property owner to raze an existing gas station and rebuild a newer larger model. The requested variances 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 the property values within the area. Director Stanton said that Staff recommends approval of the requested variance.

Chris Harty, of CEI Engineering, spoke on behalf of Murphy USA, Oil Inc. He said that the tanks on the property are 20 years old and would be replaced. The proposed building would be a 1400 square foot walk-in station. It currently has 4 pumps and the proposed would have 6, and a new dumpster enclosure. Mr. Harty said that the lot was oddly shaped when they purchase it from Wal-Mart. April McLaughlin asked if it was possible to rebuild in the current footprint. Mr. Harty said no. The proposed prototype is much bigger than the current one. Mrs. McLaughlin asked what would be done if the variance were denied. Mr. Harty said the company would probably update the signage and replace the tanks, but leave the site as-is.

With no further questions or comments from the public, Chairman Saling closed the Public Hearing at 6:07 PM.

**2. Appl. #VAR-24-006--Variance of Section 405.325.B, C and D at 1720 N. St. Rte. 291 - CONSIDERATION**

The Variance Request failed due to not meeting the criteria for hardship with a vote of 3 agree and 2 disagree.

**3. Appl. #VAR-24-007--Variance of Section 405.550.C.5.d at 2401 Meadowlark Drive - PUBLIC HEARING**

Director Stanton presented the Staff Report for a Variance Application from James Hale seeking a variance to the fence location requirements in Section 405.550.C.5.d, specifically number 5.d which states: "On corner lots, privacy fence, chain link fence, decorative fence, wall, or hedge may be constructed or planted to a maximum height of six feet abutting the front yard setback line in the rear yard of the home. For the purposes of this Section, the rear yard is defined as the side of the house opposite the front door.". Additionally, 5.e states: "If all the following conditions apply to a corner lot, then the privacy fence, chain link fence, decorative fence, wall or hedge may be installed to a

height of six feet abutting the property line in the rear yard of the structure; i. If the rear yard of a corner lot is adjacent to the rear yard of another corner lot.; ii. The front of each home on each lot faces in opposite directions.; iii. There is no driveway to either home from the street adjacent to the side yard of both lots.". She said in this case, we do not have an adjacent lot, but have undeveloped land. Director Stanton said the Final Plat of Meadow View, Lots 1-30 was recorded in November of 1971 and the building permit for a new single-family residential structure at 2401 Meadowlark was issued 2 years later. February 21, 2023, the Board of Aldermen approved Ordinance #3627, which included changes to the fencing regulations. The key issues for this property are that the property is currently zoned Single-Family Residential (R-1) District, the fencing regulations changed with the approval of Ordinance #3627 on February 21, 2023. The previous regulations pertaining to residential fences simply stated that "6 feet in the side yard and eight feet in the rear yard, provided sight distance shall be maintained on corner lots" was allowed. The current fencing regulations are much clearer about what is allowed and where. The fence has existed in its current state since at least 2003. She said that if we were to assume that it was installed when the house was constructed, it would mean it has existed in its current state for approximately fifty-one years. Director Stanton said the particular surroundings, shape or topographical conditions of the specific property do not create a particular hardship upon the owner. The variance stems from the owner's desire to completely remove the existing fence and replace it. Partial removal/replacement would be allowed as part of general maintenance; however, once the fence is completely removed the property owner would need a variance to replace it in its current location as it does not meet the current fence location requirements. The granting of the variance would not alter the essential character of the area as the existing structure is not proposed to change, just removed and replaced. The alleged hardship was created by changes to the fencing regulations and the homeowner's desire to completely remove and replace the existing fence. The granting of the variance would not result in a detriment to the public welfare in the area. The variance would allow the property owner to remove and replace the existing fence. The encroachment is towards Osage Street and the property owner to the east. Additionally, if the property owner were to perform general maintenance of the fence it could remain in its current location. The requested 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 the property values within the area. Director Stanton said that Staff recommends approval of the requested variance.

With no questions or comments from the public, Chairman Saling closed the Public Hearing at 6:24 PM.

**4. Appl. #VAR-24-007--Variance of Section 405.550.C.5.d at 2401 Meadowlark Drive - CONSIDERATION**

Variance request has met all of the criteria. Variance was approved.

**5. Appl. #VAR-24-008--Variance of Section 405.140.B at 1905 Harry Drive - PUBLIC HEARING**

Director Stanton presented the staff report for a variance application from Billy and Nelda Huffman, seeking a variance to the requirement that the front yard setback in the Single-Family Residential (R-1) District be 30' in Section 405.140.B. The requested variance is a variance of 7'10" from the required 30' front yard setback. The yard exception listed in Section 405.560.F allows for an encroachment of up to 6', which means that the applicant truly only needs a variance of 1'10" to the allowed encroachment. She said the Final Plat of Parkwood South, Lots 57-78 was recorded February 21, 1991. The building permit for this property was issued October 15, 1991 and the Certificate of Occupancy was issued on February 11, 1992. The key issues with this property are that it is currently zoned Single-Family Residential (R-1) District and under current Zoning Regulations, Section 405.140.B: "Front yards. Any building hereafter constructed shall provide for a front yard, the minimum depth of which shall be thirty feet.". Harry Drive has a right-of-way of 50', which means that there is 25' from the centerline of the street to the property line for a

total of 55" from the centerline of the street to the required front yard setback. The applicant has stated that "the overall ramp and deck are forty-seven feet, 2 inches from the center of (the) street.". Director Stanton said that Section 405.560.F states: "Required Yard Or Court To Be Open-Exceptions. Every part of a required yard shall be open from its lowest point to the sky unobstructed, except for... and provided further that canopies or open porches having a roof area not exceeding sixty square feet may project a maximum of six feet into the required front or rear yard and existing open porches extending into the required yard shall not be enclosed.". She said the physical surroundings, shape and topographical conditions of the property are not atypical and thus not unique. The need for the variance is due to the applicant's desire and physical needs to have the existing deck and ramp in its current configuration. No evidence has been submitted to staff as to whether the ramp can be reconfigured, but it does appear that there is very little room to provide for a ramp without a variance. The house was built very near the required setback, which is not atypical, so it is likely that other properties may need a variance if they were to install a ramp. The alleged hardship is being caused by the current property owner's desire to have an existing ramp that, in its current configuration, encroaches into the required front yard setback by 7'10", 1'10" more than allowed by the exception listed in Section 405.560.F. 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 front yard setback of 22'2". The 7'10" encroachment is towards the 50' right-of-way, and the adjacent existing residential building to the north is approximately 98', including the 50' of right-of-way. The requested 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 the property values within the area. Director Stanton said that Staff recommends approval.

Billy Huffman, the property owner, said that the neighbors are happy with the deck and ramp and that the property across the street would like one also.

With no other comments or questions from the public, Chairman Saling closed the Public Hearing at 6:34 PM.

**6. Appl. #VAR-24-008--Variance of Section 405.140.B at 1905 Harry Drive - CONSIDERATION**

*Variance request has met all of the criteria. Variance was approved.*

**4. Discussion Items**

There were no discussion items.

**5. Adjourn**

With nothing further to come before the Board, April McLaughlin made a motion to adjourn. Charles Hotchkiss seconded. The meeting was adjourned at 6:38 PM.

Respectfully submitted,

\_\_\_\_\_  
Jamie Martin, Recording Secretary

STAFF REPORT

**TO:** Board of Zoning Adjustments  
**FROM:** Christina Stanton,  
**DATE:** October 1, 2024  
**SUBJECT:** Appl. #VAR-24-009--Variance of Section 405.550.C.4.b - PUBLIC  
**HEARING**

**Type of Item:** *Public Hearing*

**A. Action Item (ID # 4975)**

Appl. #VAR-24-009--Variance of Section 405.550.C.4.b - PUBLIC HEARING

Attachments:

Staff Report BZA 10\_8\_24 Melhus Variance 2004 N Lexington St (PDF)

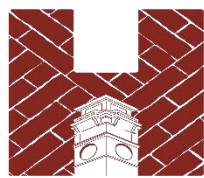
Application (PDF)

Answers to Application (PDF)

Site Plan and Supporting Pictures (PDF)

Zoning Map (PDF)

Aerial Map (PDF)



# THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

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

3.A.a

**To:** Board of Zoning Adjustment

**From:** Christina Stanton, AICP, Director of Community Development

**Date:** October 8, 2024

**Re:** Appl. #VAR-24-009—Variance of Section 405.550.C.4.b to allow for a proposed 8-foot tall privacy fence to be installed along the south side and rear on property located at 2004 N. Lexington Street

## GENERAL INFORMATION

**Applicant:** Dan Melhus, 2004 N. Lexington Street

**Requested Actions:** Approval of requested 2' variance of Section 405.550.C.4.b to allow for a proposed 8-foot privacy fence to be installed along the south side and the rear on property located at 2004 N. Lexington Street

**Date of Application:** September 9, 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 2-foot variance to the maximum fence height requirement of 6-feet to allow for an 8-foot-tall privacy fence to be installed along the south side and the rear of his property, as shown on the applicant's attached site plan.

## PREVIOUS ACTIONS

Required legal notices have been issued.

| 2004 N. Lexington Street (Melhus)                                             | 2002 N. Lexington Street (Jarman)                                             |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| 1965—Year house was built according to Cass County Assessor's parcel records. | 1984—Year house was built according to Cass County Assessor's parcel records. |
| June 1988—Permit #4271 was issued for a 12' x 16' shed.                       | September 1993—Permit #93209 was issued for a 20' x 20' garage.               |

**March 2012—Permit #1206 was issued for 128' of treated wood fence, 6'-tall.**

**June 2022—Permit #22252 was issued for repair/replacement of the existing deck.**

- **February 21, 2023—The Board of Aldermen approved Ordinance #3627, which included changes to the fencing regulations.**

---

## **KEY ISSUES**

---

**The property (Melhus) is not located on a corner lot; however, the rear of this property (2004 N. Lexington Street) is the front of 2002 N. Lexington Street (Jarman's). This situation has been existing since the house located at 2002 was first constructed in 1984, as the house located at 2004 was constructed in 1965.**

**The fencing regulations changed with the approval of Ordinance #3627 on February 21, 2023. The previous regulations pertaining to residential fences simply stated that "six (6) feet in the side yard and eight (8) feet in the rear yard, provided sight distance as shall be maintained on corner lots" was allowed. The current fencing regulations are much clearer about what is allowed and where. The rear portion of the applicant's proposed fence would have been allowed under the prior fencing regulations.**

---

**The Applicant is seeking a variance of 2' from the maximum fence height requirement (6') to allow for an 8-foot-tall privacy fence to be installed along the south side and the rear of his property.**

### **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 use of the property as a single-family residence would not change if the variance were not granted; however, the code allowed 6'-tall privacy fence would not provide the level of privacy or security desired.**
  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 uniqueness of this property is that it is situated such that the rear of the applicant's property is the front of one of their neighbor's, the Jarman's. Additionally, the properties in question do slope from the west to the east as shown below:**



3.A.a

The plight of the owner is due to the way these properties were developed and the slope of the properties. The Jarman's property at 2002 N. Lexington Street was built upon after the Melhus's property at 2004 N. Lexington Street, 1984 and 1965 respectively.

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 variance is for an additional 2' in height for a privacy fence, which will not alter the residential character of the area. If the properties were flatter, it could have more of a visual impact; however, it is due to the change in grade that the additional 2' is being requested and as such should not have a visual impact. There are concerns for drainage and pooling around the proposed fence, for this reason staff recommends that the base of the fence be slightly elevated (6") to allow for proper drainage.

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 and topographical conditions of the specific property create a particular hardship upon the owner in that his property sits lower than his neighbor located behind his property and the properties are situated such that the rear of the applicant's property is the front of his neighbor (Jarman's) property.

The primary reason the applicant is requesting this variance is due to the fact that the properties slope from west to east, and because he has a neighbor located immediately behind his property. This means that he has limited privacy from the neighbor located behind his property, who's front portion of their house sits approximately 8' higher than the rear of the applicant's house.



The effective date of this chapter was in 1991. The house was built in 1965, and the house of the neighbor located behind Mr. Melhus's house was built in 1984. The alleged difficulty or hardship was not created by any person having an interest in the property.

**The granting of the requested variance on this property will not result in a detriment to the public welfare in the area.**

**Staff does not believe the proposed variance will 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.**

---

**STAFF COMMENTS AND SUGGESTIONS**

---

In support of the requested variance are the facts that:

- The two properties affected by the requested variance slope down from the west to the east;
- The difference in elevation between the rear of the applicant's house and the front of the neighbor located behind Mr. Melhus's house is approximately 8'; 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 and Supporting Documents  
Zoning Map  
Aerial Map



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

**VARIANCE APPLICATION**

DATE: 9-9-24

Applicant (Print): DAH MELHUS Signature: [Signature]

Company Name: \_\_\_\_\_

Street Address: 2004 N LEXINGTON City: Harrisonville State: MO Zip: 64701

Telephone: 214-262 8388 Email: \_\_\_\_\_

**Property Owner Authorization Required if Applicant Different from Property Owner**

Property Owner Name (print): \_\_\_\_\_ Signature: \_\_\_\_\_

Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Firm Preparing Application (if applicable):** \_\_\_\_\_

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:

2004 N LEXINGTON

Harrisonville Properties, \_\_\_\_\_ Acres or Sq. Ft. .59

**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 2<sup>nd</sup> Tuesday of month at 6 PM at City Hall.

DECLASSIFICATION AUTHORITY

DATE 07-10-1994 BY 104177

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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:

The code is 6' for a privacy fence, as you can see from the attached pictures, 6' does not provide the security or protection necessary. 8' provides the needed security and protection.

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 surrounding do the property.*)

Applicant Response:

Topography requires 8". From the attached pictures we see the elevation change not only from the street view but also our view from entering our home.

(Both views looking from E to W;  
from the front to the back of property).

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

Applicant Response:

Building an 8' security / privacy fence will not alter 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 surrounding, shape or topographical conditions of the specific property create a hardship for the owner as distinguished from a mere inconvenience?

Applicant Response:

The existing code does not provide or allow for the security or privacy necessary to the need. Again, the elevation change from E to W, Front to the Back of the property is hardship.

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 my property because of the elevation change.

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:

Charley & Sarah Combs to Jack & Pam Combs (Aug 28, 1979)  
No difficulty

Jack & Pam Combs to Dan & Danell Melhus (Sept 1, 2020)  
No difficulty

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

Applicant Response:

No, in fact will should create peace and quiet for the neighborhood.  
Does not include the beauty, security and privacy provided.

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:

All pictures presented have been shot between the hours of 10:00 AM & noon. No light or air dangers or fire or public safety.  
In fact, the security and privacy will enhance property values in our neighborhood.

N

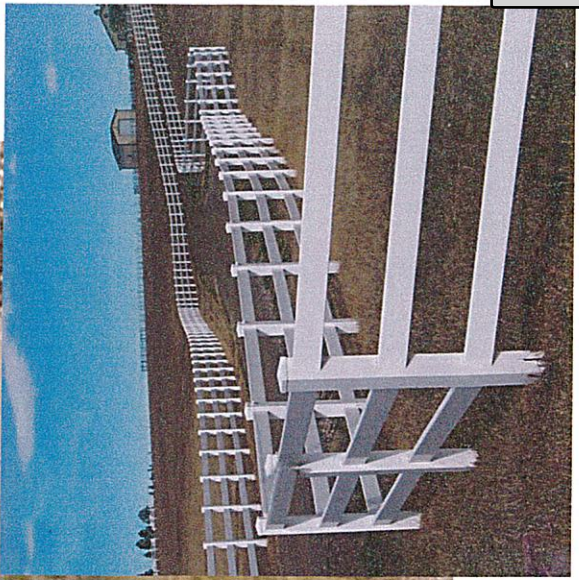
E

08-08-34-000-000-008.000

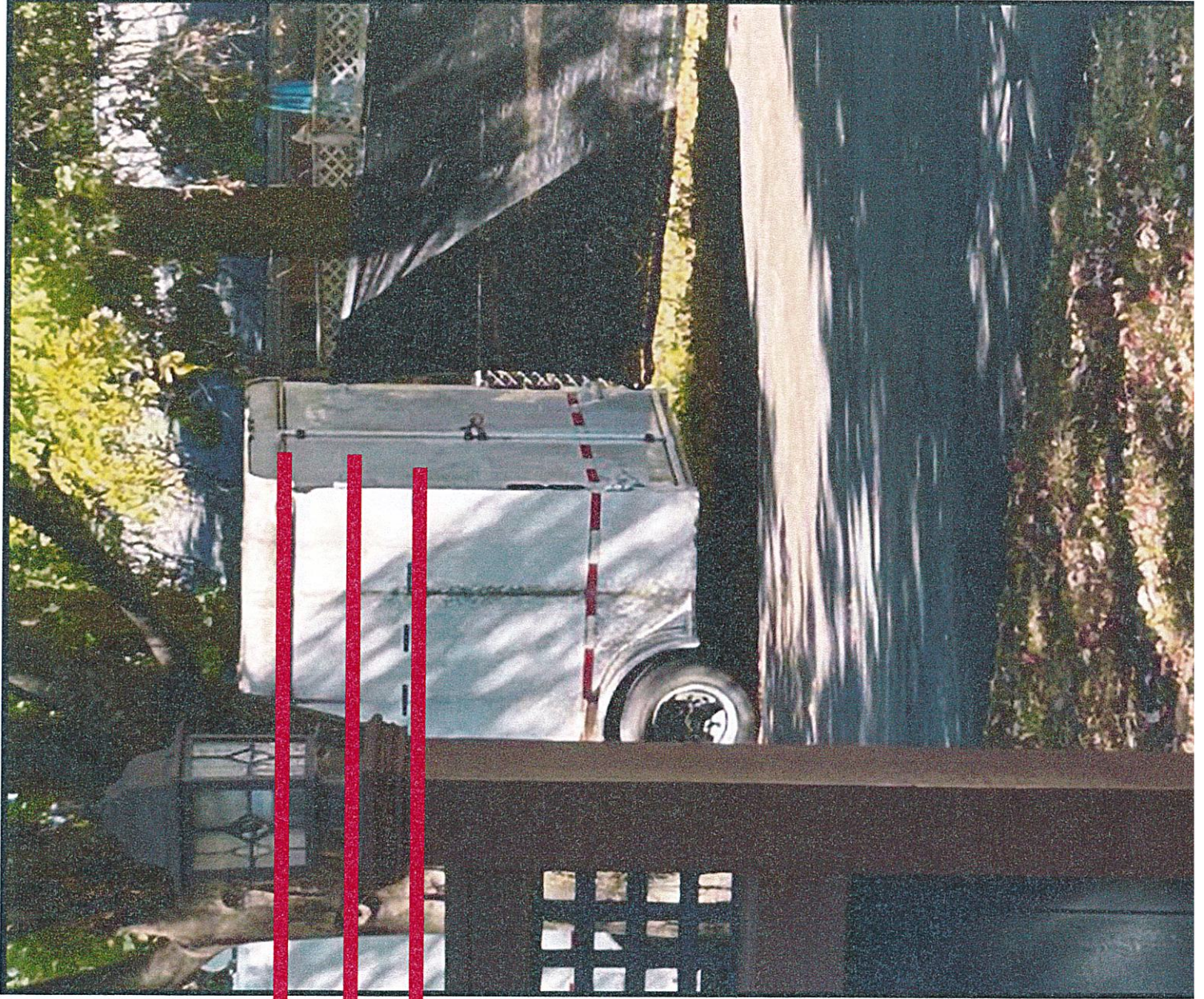
8'

8'

H-42'



3.A.d



8' 7' 6"





10:42

◀ Camera



June 7, 2021  
3:41 PM

Edit



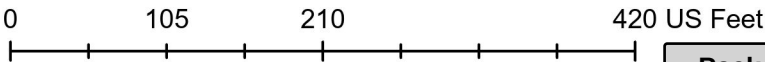
Attachment: Site Plan and Supporting Pictures (Appl. #VAR-24-009--Variance of Section 405.550.C.4.b - PUBLIC HEARING)



# Zoning Map



Attachment: Zoning Map (Appl. #VAR-24-009--Variance of Section 405.550.C.4.b - PUBLIC HEARING)



# Aerial Map



Attachment: Aerial Map (Appl. #VAR-24-009--Variance of Section 405.550.C.4.b - PUBLIC HEARING)

STAFF REPORT

**TO:** Board of Zoning Adjustments  
**FROM:** Christina Stanton,  
**DATE:** October 2, 2024  
**SUBJECT:** Appl. #VAR-24-009--Variance of Section 405.550.C.4.b - CONSIDERATION

**Type of Item:** *Approval*

**B. Action Item (ID # 4977)**

Appl. #VAR-24-009--Variance of Section 405.550.C.4.b - CONSIDERATION