

**AGENDA
CITY OF HARRISONVILLE
BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
CITY HALL
JANUARY 14, 2025
6:00 PM**

- 1. Call to Order**
 - A. Roll Call**
- 2. Approval of Minutes**
 - A. Board of Zoning Adjustments - Regular Meeting - Dec 10, 2024 6:00 PM**
- 3. Agenda Items**
 - A. Variances to Section 405.560.F-Open Yard Exceptions - PUBLIC HEARING**
 - B. Variances to Section 405.560.F-Open Yard Exceptions - CONSIDERATION**
- 4. Discussion Items**
- 5. Adjourn**

Posted on City Hall Bulletin Board this 3rd day of January, 2025.

Daniel Barnett

Daniel Barnett, City Clerk

DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
CITY HALL
DECEMBER 10, 2024
6:00 PM

1. Call to Order

The meeting was called to order at 6:00 PM by Alternate Vanessa Hargrave

Attendee Name	Organization	Title	Status	Arrived
Vanessa Hargrave	Harrisonville	Alternate	Present	
Bryan Wooten	Harrisonville		Present	
Michelle Hart	Harrisonville		Present	
Charles Hotchkiss	Harrisonville		Present	
April McLaughlin	Harrisonville		Excused	
Gerald Saling	Harrisonville		Excused	

Also in attendance were James Battaglia, Surefire Signs; Blake Battaglia, Surefire Signs; Christina Stanton, Community Development Director; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Board of Zoning Adjustments - Regular Meeting - Nov 12, 2024 6:00 PM

With no additions or corrections, the minutes from the November 12, 2024, meeting were unanimously approved.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Michelle Hart
SECONDER:	Charles Hotchkiss
AYES:	Vanessa Hargrave, Bryan Wooten, Michelle Hart, Charles Hotchkiss
EXCUSED:	April McLaughlin, Gerald Saling

3. Agenda Items

A. Appl. #VAR-24-011--Variances to Chapter 435: Sign Regulations - PUBLIC HEARING

Director Stanton presented the Staff Report for a variance application from James Battaglia, seeking two variances to Chapter 435, Sign Regulations. The first request is to the maximum sign area allowed for an elevated sign in the Service Business (C-2)

District located within the Highway Overlay District to allow for a total sign area of 680 square feet, a variance of 536 square feet. 144 square feet is what is allowed. The second request is for the sign type allowed within the Service Business (C-2) District to allow for an elevated roof sign which is only allowed in the General Industrial (M-2) District. She said that in 1966, the property was zoned General Business (C-2) District in the County. July 12, 2007, Cass County adopted their current Sign Regulations. According to Section 400.790.B, Sign Structural Types, Roof Mounted Signs are not permitted within any zoning districts in the County. December 16, 2016 Cass County Building and Codes Department approved a sign permit for a 3' x 38' roof sign. June 17, 2024, the subject property was annexed into the city limits of the City of Harrisonville and established as Service Business (C-2) District by Ordinance #3694. Director Stanton said that the key issues for this property are that the property is currently zoned Service Business (C-2) District. Under the current Sign Regulations, Appendix A: Non-Residential Sign Table by Structural Types, an Elevated Sign located on a property that is zoned C-2 and within the Highway Overlay District can have a sign area of up to 144 square feet. Both Appendices A and B: Table of Permitted and Specially Permitted Signs by Zoning Districts, the sign type "Roof Sign - Elevated/Projecting" is a prohibited sign type for the C-2 District. Director Stanton said that it should be noted that an objection to the requested variances was received and is provided within the packet. She said the applicant states that the property sits 20 feet below grade and has a visibility issue as the southbound off ramp blocks nearly all the visibility from 49 North and Southbound. There is a 500+ square foot 4 sided sign directly south across Highway 7 at Sapp Brothers. The topography of the site is not unique when compared to other commercial lots in the area; however, it should be noted that many of these properties were developed in the County with larger signage and then later annexed into the City. Additionally, it should be noted that the applicant did not provide any documentation indicating what it would look like if the strict letter of the regulations were to be carried out so it is unclear whether this is a true hardship versus a mere inconvenience. Though, it does seem an appropriate request given the existing sign sizes of the other businesses located within the area immediately adjacent to the highway. The requested variances apply to this property due to the topography of the property and the desire of the applicant to install and maintain a larger sign similar to the other existing businesses within the area, and the desire to replace the existing elevated roof sign. The alleged difficulty or hardship is being caused by the topography of the lot and the current property owner's desire to install and maintain a larger sign similar to the other existing businesses within the area immediately adjacent to the highway and replace the existing elevated roof sign. 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 have a larger sign face on the proposed elevated sign and to replace the existing elevated roof mounted sign with a somewhat larger elevated roof mounted sign. However, it should be noted that an objection was received from the owner of Slumber Inn, in which he said that this is not a "highway type" of business and raises concerns that the proposed signage would block the view to his building and signage for drivers traveling south on MO-7 approaching the interchange. He also said that he has concern for how this would impact his business and property value due to the potentially decreased visibility. Director Stanton said 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 is it likely to substantially diminish or impair the property values within the area. Although, it should be noted that Section 435.020.a.7 states: "To protect property values by minimizing adverse effects of Signs on adjacent property, which can occur from conditions such as a light trespass, obstructing views and access, or visual clutter". She said that Staff recommends approval of the requested variances.

Vanessa Hargrave asked if the recommended approval was for both requested variances. Director Stanton said yes. She added that this may warrant a discussion on looking in to changes for the Highway Overlay Districts.

Jim Battaglia spoke to the Board. He said that he had not reviewed the packet before the meeting. He said that he measured the roof sign and there are 42 slats that are 1 foot wide and the length of the roof sign is 41 feet and six inches long and will mount into

brackets. The letters are 34 inches tall. The roof sign will not light up. He said the site sits 20 feet below grade and the existing elevated sign can not be seen from the north bound lane. He discussed how the Sapp Bros. sign is much larger than the proposed and that there is a second one on site that is also large. Mr. Battaglia said that the elevated sign is only 2 sides, not 3. He said he thinks the proposed signs are keeping in conformance with the other signs in the area. He said the Sapp Bros. sign is over 1000 square feet, the sign behind it is much larger and the Loves sign is 121 feet high and 737 square feet. He said that a 144 square foot sign would be too small to be seen.

Charles Hotchkiss asked if the two signs at Sapp Bros are larger than what he is asking for and Mr. Battaglia said yes and that the elevated sign he is proposing is on a "V".

The Public Hearing was closed at 6:24 PM.

B. Appl. #VAR-24-011--Variances to Chapter 435: Sign Regulations - 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, Michelle Hart made a motion to adjourn. Bryan Wooten seconded. The meeting was adjourned at 6:27 PM.

Respectfully submitted,

Jamie Martin, Recording Secretary

Minutes Acceptance: Minutes of Dec 10, 2024 6:00 PM (Approval of Minutes)

STAFF REPORT

TO: Board of Zoning Adjustments
FROM: Christina Stanton,
DATE: January 2, 2025
SUBJECT: Variances to Section 405.560.F-Open Yard Exceptions - PUBLIC HEARING

Type of Item: *Variance*

A. Action Item (ID # 5045)

Variances to Section 405.560.F-Open Yard Exceptions - PUBLIC HEARING

Attachments:

Staff Report BZA 1_14_25 White Variance 404 S Stella St (PDF)

Application and Supporting Documentation (PDF)

Re_ January 14, 2025 zoning meeting for 404 s stella (support) (PDF)

Deacon Place (PDF)

Surrounding Properties (PDF)

Zoning Map (PDF)

Aerial Map (PDF)



To: Board of Zoning Adjustments
From: Christina Stanton, AICP, Director of Community Development
Date: January 14, 2025
Re: Appl. #VAR-24-012—Variance of Section 405.560.F to allow for a front yard setback of approximately 21’10” on property located at 404 S. Stella Street

GENERAL INFORMATION

Applicant: Denise & Craig White, 404 S. Stella Street
Requested Actions: Approval of requested variance of Section 405.560.F to allow for a front yard setback of approximately 21’10” on property located at 404 S. Stella Street
Date of Application: December 16, 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 applicants are seeking a variance to the open yard exception as listed in Section 405.560.F, which allows for an encroachment of up to 6’ when the “open porch having a roof area not exceeding sixty (60) square feet”. The applicants require a variance of 103.3 square feet to allow for their newly constructed front porch improvement with a roofed area of 8’2” x 20’ (163.3 square feet) and a variance of approximately 2’ more than the 6’ yard exception to allow for a front yard setback of approximately 21’10”.

PREVIOUS ACTIONS

Required legal notices have been issued.

- October 7, 1929—The Final Plat of *Deacon Place, Lots 1 – 24* was recorded with the Cass County Recorder’s Office. This plat indicated a 50’ Building Line, but it does not appear to have been observed as none of the homes are set back 50’.
- 1950—The year that the house at 404 S. Stella Street was constructed according to the Cass County parcel data.

- **May 14, 1959**—The Board of Aldermen approved the City’s first Zoning Ordinance (#522-B). Section IX—Residential District established 25’ as the minimum front yard setback.
- **September 20, 1978**—The Board of Aldermen approved a new Zoning Ordinance (#1194). Under this Zoning Ordinance the properties were zoned R-1A with an established front yard setback of 35’.
- **June 1, 1990**—A Building Permit (#90106) was issued for 404 S. Stella Street to move the electric meter and frame in a sun porch.
- **May 13, 1991**—The Board of Aldermen approved a new Zoning Ordinance (#1825). Under this Zoning Ordinance these properties were identified as R-1 with an established front yard setback of 30’ and has remained such since that time.
- **October 7, 2024**—An Electrical Permit (#24455) was approved for a service upgrade at 404 S. Stella Street.
- **December 3, 2024**—Code Enforcement was made aware of work being done to the exterior of the house at 404 S. Stella Street without a building permit. Code Enforcement opened case #PERMIT-24-0039 and issued a stop-work order. The case was closed when the variance application was submitted.

KEY ISSUES

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

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 (30) feet.”

Stella Street has a right-of-way of 56’, which means that there is 28’ from the centerline of the street to the property line for a total of 58’ from the centerline of the street to the required front yard setback. The applicant has stated that they measured 48’2” from the outer edge of the porch to the center of the road. If half the street right-of-way (28’) is taken from the stated measurement of 48’2” the result is the requested front yard setback of approximately 21’10”.

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 the ordinary projection of sills, belt courses, cornices, chimneys, buttresses, ornamental features and eaves; provided however, that none of the above projections shall extend into a minimum yard more than twenty-four (24) inches; and provided further that canopies or open porches having a roof area not exceeding sixty (60) square feet may project a maximum of six (6) feet into the required front or rear yard and existing open porches extending into the required yard shall not be enclosed.”

The previously existing stoop was 3’ x 20’ (60 square feet) and was covered by the roof overhang. The applicants hired a contractor who did not check City Codes or file for a building permit. The newly constructed porch is 8’2” x 20’ (163.3 square feet). Section 405.560.F would have covered the previously existing stoop; the newly constructed porch exceeds the size allowed by Section 405.560.F by 103.3 square feet and is approximately 21’10” from the property line. The front yard setback exception would have allowed for a setback of up to 24’. This means that the applicants require a variance of 103.3 square feet for the overall area allowed in the exception and a variance of 2’2” more than the exception allows by right.

The Applicant is seeking a variance of approximately 8'2" from the required front yard setback of 30' to allow for a front yard setback of 21'10" for the recently constructed front porch improvements. The yard exception listed in Section 405.560.F allows for an encroachment of up to 6' when "canopies or open porches having a roof area not exceeding sixty (60) square feet". This means that in addition to the distance allowed by the open yard exception the applicants require a variance to the maximum roofed area allowed by the open yard exception.

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 existing use of the property as a residence would continue if the variance is not granted. However, the applicant would have to remove the newly constructed porch.

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 lot itself is not unique. The house was built very near the required setback, which is not atypical. The plight of the owner is due to their contractor not checking City Codes.

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 in that the area is and will remain residential. However, it has been stated by at least a couple of the nearby neighbors that the improvement is a welcomed improvement for the area. Additionally, the newly constructed porch is currently existing. The encroachment is towards the 56' street right-of-way and the neighbor across Stella Street (Fran & Michael Cook) who is supportive of the requested variance.

- 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 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 applicants' previous contractor not checking City Codes or obtaining a building permit. As the improvement currently is existing the hardship is a financial hardship.

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 allow for their existing recently constructed front porch improvements to remain.

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 existing front porch improvements that, in its current configuration, encroaches into the required front yard setback by 8’2”. Section 405.560.F allows for an encroachment of up to 6’ when “canopies or open porches having a roof area not exceeding sixty (60) square feet”, which means the applicant needs a variance of 2’2” to the allowed encroachment and a variance of 103.3 square feet.

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 front yard setback of 21’10”. The 8’2” encroachment is towards the 56’ right-of-way, and the adjacent existing residential building to the east is approximately 119’ (includes the 56’ of right-of-way) from the existing structure.

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:

- Section 405.560.F provides for an encroachment of up to 6’;
- The proposed encroachment is towards a 56’ right-of-way and the adjacent existing residential building to the east is approximately 112’ away;
- The intent of setbacks are to provide for separation of uses and a degree of uniformity;
- 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 Documentation

Dean Place, Lots 1 – 34
West Side of S. Stella Street
Zoning Map
Aerial Map

Attachment: Staff Report BZA 1_14_25 White Variance 404 S Stella St (Variances to Section 405.560.F-Open Yard Exceptions - PUBLIC



VARIANCE APPLICATION DATE: _____

Applicant (Print): Denise & Craig White Signature: [Handwritten Signature]

Company Name: _____

Street Address: 404 S Stella City: Harrisonville State: MO Zip: 64701

Telephone: 816-898-9964 Email: dwhite9964@gmail.com

Property Owner Authorization Required if Applicant Different from Property Owner

Property Owner Name (print): Same as above Signature: [Handwritten Signature]

Street Address: _____ City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

Firm Preparing Application (if applicable): N/A

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: 404 S Stella

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.

Attachment: Application and Supporting Documentation (Variances to Section 405.560.F-Open Yard Exceptions - PUBLIC HEARING)

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: Please see attached typed answers

- 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: _____

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

Applicant Response: _____

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: _____

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

Applicant Response: _____

- 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: _____

Attachment: Application and Supporting Documentation (Variances to Section 405.560.F-Open Yard Exceptions - PUBLIC HEARING)

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

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: _____

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-24-012 Filing Fee. Amount Paid: \$ 265.00 Date: 12/16/2024
 Date Application Received: 12/16/2024 BZA Meeting Date: 1/14/2025
 Note: _____

Attachment: Application and Supporting Documentation (Variances to Section 405.560.F-Open Yard Exceptions - PUBLIC HEARING)

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?

This is a residential property so we only hope to beautify it and keep it in our family.

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

No, it's due to our contractor not pulling the permit. It was disappointing since he was licensed and insured and acted professionally in all other ways. Prestige Electric pulled a permit (for work they'll be doing) and we'll ensure permits are pulled if we hire any help going forward.

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

No, it's a very nice neighborhood. This house was the "small and plain" house on the street so improvements to its exterior will enhance the neighborhood and allow this home to fit in more with surrounding larger homes. We've received so many positive comments from neighbors that are excited to see the home being improved. I've attached letters from a couple of the homeowners.

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?

Yes, it would be a huge hardship for us. We've spent about \$30,000 on the home so far including basement wall reinforcements, new roof, new covered porch and we hope to be able to paint/finish the porch, re-side and paint the exterior and add electrical and landscaping upgrades.

The covered porch has cost \$12,000 and would be expensive to modify because of how many things the covered porch touches (the new roof, actual gable, porch posts/porch flooring. If we had to modify it, the hardship would likely result in us having to sell the home. We love the home and really hope to be approved so that we can finish and allow this home to be another beautiful home on Stella street!

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

Just this one property (404 S Stella)

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?

No, our licensed and insured contractor did not pull a permit.

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

No, I believe the neighborhood will definitely benefit if the variance is approved. We've received very positive feedback from several neighbors (especially those right around and across the street) regarding how nice it looks so far. We hope to be able to also add landscaping, new exterior siding/paint and stain as well as upgrading the electrical components of the home.

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?

No, the new covered porch would not cause any negative consequences to adjacent properties (or increase the danger of fire)



Jen and Chris Courter <jwhite9624@gmail.com>

Letter to print for Stella house variance application

1 message

denise white <dwhite9964@gmail.com>

Fri, Dec 13, 2024 at 11:46 AM

To: Jen and Chris Courter <jwhite9624@gmail.com>

Denise is coming this weekend. I've attached the application document for you to print.

letter I
from neighbor

----- Forwarded message -----

From: Fran Cook <frangurl71@gmail.com>
Date: Thu, Dec 5, 2024 at 12:03 PM
Subject: Denise and Craig White front porch
To: dwhite9964@gmail.com <dwhite9964@gmail.com>

My name is Fran Cook.
This email is intended for the city of Harrisonville.
I am the neighbor of Denise and Craig White, who own the property at 404 S Stella St. Denise recently let me know that there are some barriers moving forward with the construction on their house. I wanted to let you know that I think the changes are really needed and will be more aesthetically pleasing once completed. That house has needed some TLC for a long time and I am excited to see that happen! We are excited to have them as neighbors and their vision for the property is a big thumbs up in my opinion.

Thanks for your time!

Stellavariance.odt
43K

Attachment: Application and Supporting Documentation (Variances to Section 405.560.F-Open Yard Exceptions - PUBLIC HEARING)



Jen and Chris Courter <jwhite9624@gmail.com>

Fwd: For the city

1 message

denise white <dwhite9964@gmail.com>

Sat, Dec 14, 2024 at 10:06 AM

To: [Redacted]

[Redacted]

----- Forwarded message -----

From: **Shelly Vanover** <shelly.vanover78@gmail.com>

Date: Sat, Dec 14, 2024, 9:53 AM

Subject: For the city

To: <dwhite9964@gmail.com>

*letter 2
from neighbor*

These comments are for the city of harrisonville regarding 404 S Stella.

My name is Shelly Charlton and I live at 400 S Stella, right next door to 404 S Stella. We have enjoyed seeing the improvements being done to 404 and think they greatly improve the look of the house and make our whole street look nicer. Everything they're doing will enhance our whole neighborhood.

Attachment: Application and Supporting Documentation (Variances to Section 405.560.F-Open Yard Exceptions - PUBLIC HEARING)



Permit Number: _____

BUILDING PERMIT APPLICATION

Jurisdiction of City of Harrisonville
For Inspections CALL (816)380-8958

JOB ADDRESS 404 S. Stella		PARCEL NO. 0993200	
LEGAL DESCR. Deacon Place N2 Lot 25	ZONING Residential	DATE TO COMMENCE We have stopped work	
OWNER Denise/Craig White	MAILING ADDRESS 15 Cedars, Freeman MO	PHONE 816-898-9964	EMAIL ADDRESS dwhite9964@gmail.com
CONTRACTOR	MAILING ADDRESS	PHONE	EMAIL ADDRESS
ARCHITECT OR DESIGNER	MAILING ADDRESS	PHONE	EMAIL ADDRESS
PLUMBER	MAILING ADDRESS	PHONE	EMAIL ADDRESS
ELECTRICIAN Prestige Electric	MAILING ADDRESS Harrisonville, MO	PHONE	EMAIL ADDRESS
MECHANICAL	MAILING ADDRESS	PHONE	EMAIL ADDRESS
CLASS OF WORK <input checked="" type="checkbox"/> NEW <input type="checkbox"/> ADDITION <input checked="" type="checkbox"/> ALTERATION <input type="checkbox"/> REPAIR <input type="checkbox"/> MOVE <input type="checkbox"/> REMOVE			
DESCRIBE WORK: Extend front stoop to a front covered porch (with gable) (3' x 20' stoop already exists) Modified size: 8'2" x 20			
USE OF BUILDING residential home	PLAN REVIEW FEE	PERMIT FEE	
VALUATION OF WORK \$ 10,000⁰⁰	TYPE OF CONST. Conventional	OCCUPANCY GRP	DIVISION
SPECIAL CONDITIONS Have stopped work - submitted variance	SIZE OF BLDG. (TOTAL) SQ. FT. 1080	NO. OF STORIES 1	MAX OCC. LOAD
Our contractor did not file for a permit	NO. OF DWELLING UNITS 1	NO. OF BEDROOMS 2	FIRE SPRINKLER REQUIRED <input type="checkbox"/> YES <input type="checkbox"/> NO
		NO. OF ROOMS 6	PARKING SPACES
APPROVED BY:	DATE	INSPECTIONS REQUIRED	NOT REQUIRED
SETBACKS	COMMENTS	TEMP. ELEC.	FEE
FRONT		FOOTING	
SIDE		UND. FL. PLUMB.	
SIDE		FRAMING	
REAR		ROUGH PLUMB.	
LOT AREA		ROUGH ELEC.	
WATER SUPPLY		WATER	
SEWER DISPOSAL		SEWER	
SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT Denise White		(DATE) 12-5-24	
SIGNATURE OF OWNER IF OWNER BUILDER Craig		(DATE)	
<p>THIS PERMIT BECOMES NULL AND VOID IF WORK AUTHORIZED IS NOT COMMENCED WITHIN 180 DAYS, OR IF WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS AT ANY TIME AFTER WORK IS COMMENCED</p>		FINAL PLUMB.	
		FINAL ELEC.	
		MECHANICAL	
		SPECIAL	
		OCCUPANCY	
		WATER SYSTEM CONNECTION FEE	\$
		WASTEWATER SYSTEM CONNECTION FEE	\$
		ELECTRIC CONNECTION FEE	\$
		TOTAL	\$

Attachment: Application and Supporting Documentation (Variances to Section 405.560.F-Open Yard Exceptions - PUBLIC HEARING)

Congratulations on Your New Property!



**404 S Stella Street
Harrisonville, MO 64701**

**Denise & Craig White
Purchased 5/24/24**

BEFORE



Jan Soper
Realty ONE Group Encompass
913.221.5523
jan@JHSrealtor.com
Office: 913.897.8244







From: [easwink@aol.com](mailto: easwink@aol.com)
To: [Christina Stanton](#)
Subject: Re: January 14, 2025 zoning meeting for 404 s stella
Date: Thursday, December 19, 2024 7:48:00 PM

This email is in regard to our phone conversation on December 19, 2024 where you explained the street to house distance being reduced because of a new porch. We do not have a problem with the house to street variance caused by the new porch that Craig White has added to the residence. The porch has made the house more attractive. The improvement will improve the eye appeal of the house and our street.

Arnold and Sherry Swink
503 s Stella
816 887 2315

This is an email from outside your organization.

DEACON PLACE

This is a subdivision of all those portions of Lots 4 and 5, Northwest Quarter (¼) of Section 3, Township 44, Range 31, in Cass County, Missouri described as follows:
 Beginning at a point in the west line and 807.7 feet south of the Northwest corner of said Lot 5; thence east along a line parallel to the north line of said Lot 5, 35 feet to a point; thence south along a line parallel to the west line of said Lot 5, 80 feet to a point; thence east along a line parallel to the north line of said Lot 5, 60 feet to a point; thence north along a line parallel to the west line of said Lot 5, 80 feet to a point; thence east along a line parallel to the north line of said Lot 5, 349 feet to a point; thence south along a line parallel to the west line of said Lot 5, 703 feet to a point; thence west along a line parallel to the north line of said Lot 5, 162 feet to a point; thence east along a line parallel to the north line of said Lot 5, 162 feet to a point; thence south along a line parallel to the west line of said Lot 5, 240 feet to a point; thence west along a line parallel to the north line of said Lot 5, 162 feet to a point; thence south along a line parallel to the west line of said Lot 5, 444 feet to a point in the west line of said Lot 4; thence north along the west lines of said Lots 4 and 5 1337.83 feet to the point of beginning.

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner represented on the accompanying plat which subdivision and plat shall hereafter be known as "DEACON PLACE".

J. A. DAVIS

444' 349'

Line 807.7 feet South of and parallel to the North line of Lot 5, NW¼ of Sec. 3-44-31

The Streets and Avenue within the limits of the above description and shown on this plat are hereby dedicated to public use as highways.
 All persons or corporations who shall acquire any of the lots shown in this plat shall be taken and held to agree and covenant with the present owners of said land and their successors or assigns and each of them to conform to and observe the following restrictions and stipulations as to the use thereof:

1. None of said Lots may be improved used or occupied for other than private residence purposes, and no flat nor apartment house, though intended for residence purposes may be erected thereon. Any residence erected or maintained thereon shall be designed for occupancy by a single family.
2. No part of any residence except porches may be erected or maintained on any of said Lots nearer to the front street or side street than is the front building line or side building line as shown on accompanying plat.
3. None of said lots shall be conveyed to, used, owned or occupied by negroes as owners or tenants.
4. No residence erected on Lots 15 to 22 both inclusive shall cost less than \$3000.00. No residence erected on any other lot within the boundary lines of this plat shall cost less than \$3500.00.

In testimony whereof Andrew S. Deacon and Stella H. Deacon his wife have hereunto subscribed their names

Andrew S. Deacon

Stella H. Deacon

State of Missouri }
 County of Cass } s.s.

On this 11th day of October 1929, before me personally appeared Andrew S. Deacon and Stella H. Deacon his wife to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

In testimony whereof I have set my hand and affixed my notarial seal at my office in said county the day and year last above written.

My commission expires March 18, 1933

Notary Public in and for Cass County, Mo.

29 2 8 Oct

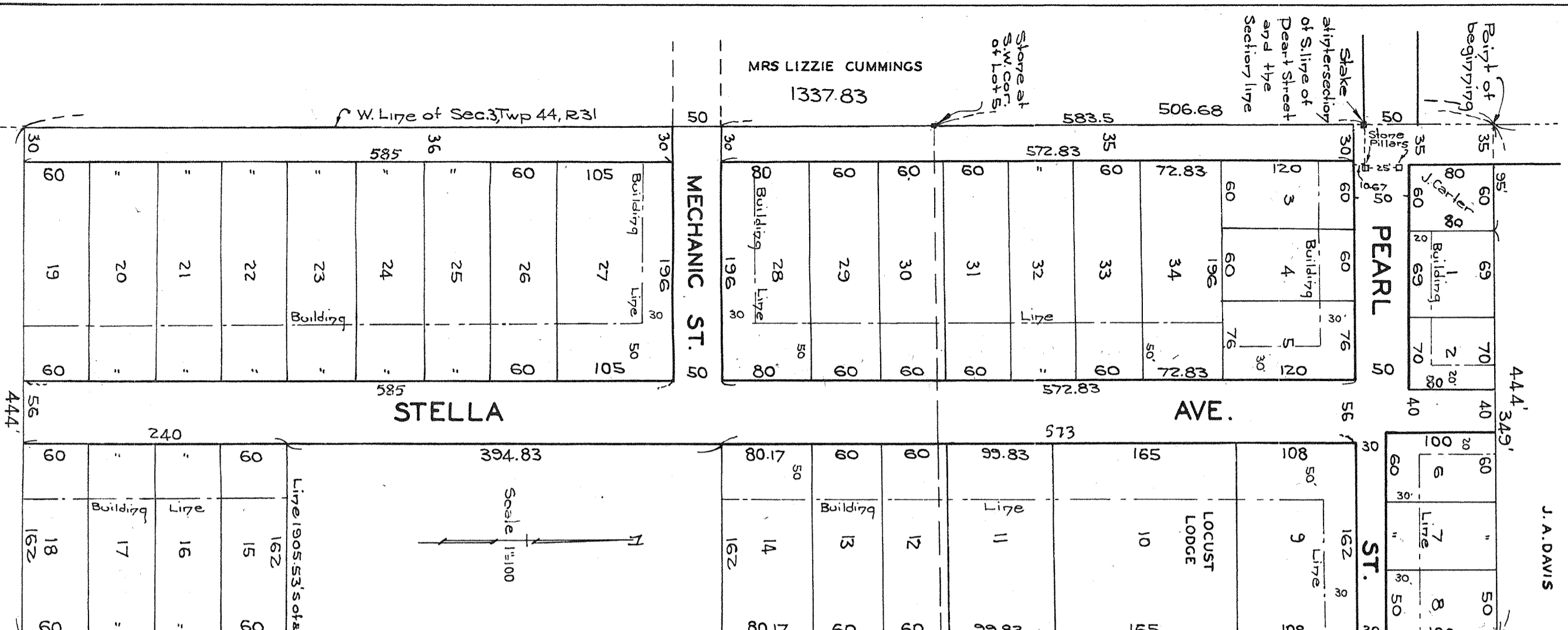
Notary Signature

I, Elizabeth Elysee, Clerk of the City of Harrisonville, Cass County, Missouri, hereby certify that the above and foregoing Plat of "Deacon Place", in addition to the City of Harrisonville, was duly submitted to and approved by the City Council at regular meeting held October 7th, 1929, by ordinance duly passed and approved by the Mayor and Board of Aldermen of said City of Harrisonville. Attested under my hand as such Clerk and Seal of said City hereto affixed at Harrisonville, Missouri, this 7th day of October, 1929.

Elizabeth Elysee
 CLERK

TUTTLE-AYERS-WOODWARD CO.

9-24-29





400 S. Stella St. was built in 1964 (according to the County). A 2009 survey of the property submitted for building permit shows the structure setback 44.2'.

404 S. Stella St. was built in 1950 (according to the County).

500 S. Stella St. was built in 1964 (according to the County).

502 S. Stella St. was built in 1979 (according to the County). One of the building permits on file indicates a front yard setback of 44'.

504 S. Stella St. was built in 1971 (according to the County).

Attachment: Surrounding Properties (Variances to Section 405.560.F-Open Yard Exceptions - PUBLIC HEARING)

Zoning Map



Attachment: Zoning Map (Variances to Section 405.560.F-Open Yard Exceptions - PUBLIC HEARING)

0 100 200 400 US Feet

Aerial Map



Attachment: Aerial Map (Variances to Section 405.560.F-Open Yard Exceptions - PUBLIC HEARING)

0 62.5 125 250 US Feet

STAFF REPORT

TO: Board of Zoning Adjustments
FROM: Christina Stanton,
DATE: January 3, 2025
SUBJECT: Variances to Section 405.560.F-Open Yard Exceptions - CONSIDERATION

Type of Item: *Approval*

B. Action Item (ID # 5046)

Variances to Section 405.560.F-Open Yard Exceptions - CONSIDERATION