

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