



# RAYMORE BOARD OF ADJUSTMENT AGENDA

**Tuesday, September 15, 2020 - 6:00 p.m.**

City Council Chambers  
1007 Municipal Circle  
Raymore, Missouri 64083

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Personal Appearances - None
5. Consent Agenda
  - a. Approval of Minutes from July 21, 2020 meeting
6. Unfinished Business - None
7. New Business
  - a. Case #20017 - Bryant Setback Variance - 828 Bridgeshire Drive (*public hearing*)
8. Staff Comments
9. Board Member Comment
10. Adjournment

*Any person requiring special accommodations (i.e. qualified interpreter, large print, hearing assistance) in order to attend this meeting, please notify the City Clerk at (816) 331-0488 no later than forty-eight (48) hours prior to the scheduled commencement of the meeting.*



THE **BOARD OF ADJUSTMENT** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, JULY 21, 2020** IN THE CITY COUNCIL CHAMBERS, CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING BOARD MEMBERS PRESENT: DAVID WOSTE, JERRY MARTIN, AARON HARRISON, SUSAN DOOLEY AND ALTERNATE PAM HATCHER. ABSENT WAS TERRI WOODS. ALSO PRESENT WAS CITY PLANNER KATIE JARDIEU, DEVELOPMENT SERVICES DIRECTOR JIM CADORET, ECONOMIC DEVELOPMENT DIRECTOR DAVID GRESS, AND CITY ATTORNEY JONATHAN ZERR.

1. **Call to Order** – Chairman Martin called the meeting to order at 6:00 p.m.
2. **Roll Call** – Roll was taken and Chairman Martin declared a quorum present to conduct business.
3. **Pledge of Allegiance**
4. **Personal Appearances – None.**
5. **Consent Agenda –**

**A. Approval of Minutes of June 16, 2020 meeting**

**Motion by Chairman Martin, Seconded by Board member Hatcher, to accept the minutes of the June 16, 2020 meeting.**

City Attorney Zerr, explained the procedure for pulling an item off of the consent agenda in order to discuss, before continuing with the vote.

**Vote on Motion:**

Board member Dooley	Aye
Board member Harrison	Aye
Board member Martin	Aye
Board member Woods	Absent
Board member Woste	Aye
Alt. Board member Hatcher	Aye

**Motion passed 5-0-0**

6. **Unfinished Business – None**
7. **New Business**

Training was conducted in the form of a mock meeting.

8. **Staff Comments** - None
9. **Board member Comment** – None.
10. **Adjournment**

**Motion by Chairman Martin, Seconded by Board member Woste to adjourn.**

**Vote on Motion:**

Board member Dooley	Aye
Board member Harrison	Aye
Board member Martin	Aye
Board member Woods	Absent
Board member Woste	Aye
Alt. Board member Hatcher	Aye

**Motion passed 5-0-0**

The Board of Adjustment meeting for July 21, 2020 adjourned at 6:21 p.m.

Respectfully submitted,

Katie Jardieu



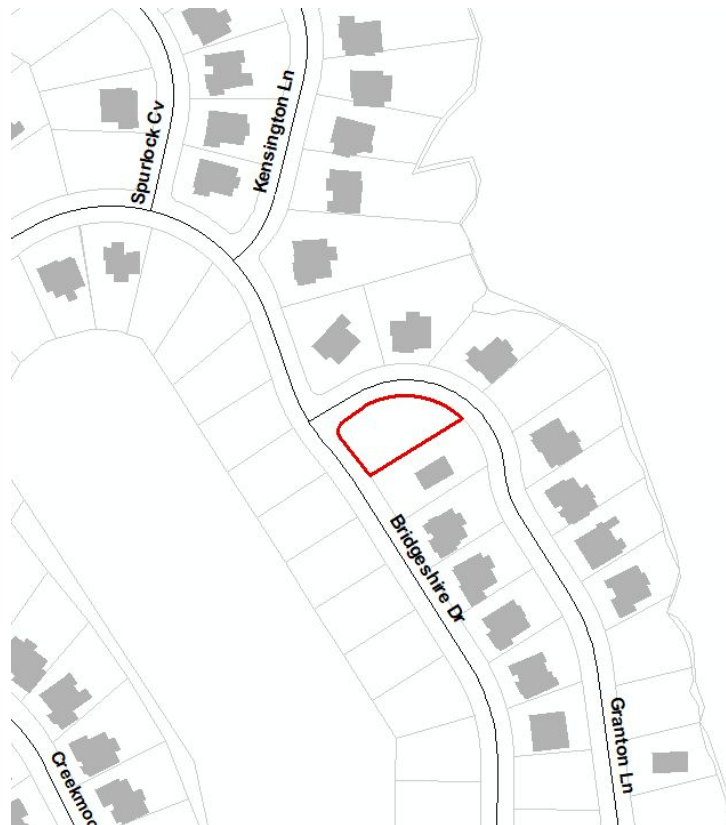
**To:** Board of Adjustment  
**From:** Katie Jardieu, City Planner  
**Date:** September 15, 2020  
**Re:** Case #20017 - 828 Bridgeshire Drive Setback Variance

## GENERAL INFORMATION

**Applicant/  
Property Owner:** Randy Bryant  
1301 SW Ward Road  
Lee's Summit, MO 64981

**Requested Action:** Granting of a 5.1 foot variance to a twenty-five foot (25') building line in the front of the property, and a five foot (5') variance to the twenty-five foot (25') building line on the west side of the property.

**Property Location:** 828 Bridgeshire Drive – Edgewater at Creekmoor 6th Lot 206



**2020 Aerial Photograph:**



**Site Photographs:**



**View looking southeast from the northwest side of the property**





**View looking southwest from the north edge of the property**

**Existing Zoning:** PUD Planned Unit Development

**Existing Surrounding Uses:**

<b>North:</b>	Residential
<b>South:</b>	Residential
<b>East:</b>	Residential
<b>West:</b>	Residential

**Total Tract Size:** 12,667 square feet

**Growth Management Plan:** The Future Land Use Plan Map contained within the 2013 Growth Management Plan designates this property as appropriate for low-density residential development.

**Major Street Plan:** The Major Thoroughfare Plan has Bridgeshire Drive and Granton Lane classified as local streets.

**Advertisement:** August 27, 2020 Journal Newspaper

**Public Hearing:** September 15, 2020 Board of Adjustment

**Items of Record:** **Exhibit 1. Mailed Notices to Adjoining Property Owners**  
**Exhibit 2. Notice of Publication**

- Exhibit 3. Unified Development Code**
- Exhibit 4. Application**
- Exhibit 5. Growth Management Plan**
- Exhibit 6. Staff Report**
- Exhibit 7. Applicant's Personal Statement**
- Exhibit 8. Creekmoor Declaration of Covenants**

## **PROPOSAL**

The applicant is seeking a 5.1 foot variance to a twenty-five foot (25') building line in the west side of the property. The variance would allow the property owner to construct their desired home on the lot. See exhibit 1 page 3 for an image with the areas of encroachment highlighted in yellow.

## **VARIANCE REQUIREMENTS**

City Ordinance Requirements: In order for the applicant to accomplish the aforementioned action, they must first meet the provisions of the Unified Development Code. Chapter 470 of the Unified Development Code outlines the requirements and actions that need to be taken in order to be granted a variance, specifically Section 470.060.

## **PREVIOUS ACTIONS ON OR NEAR THE PROPERTY**

1. On January 24, 2004 the Creekmoor Planned Unit Development preliminary plan and Memorandum of Understanding was approved by the Raymore City Council.
2. The Edgewater at Creekmoor Sixth Plat, which created Lot 206, was recorded on April 5, 2018.
3. On April 17, 2017, The Board of Adjustment approved a variance to Lot 37 in Edgewater at Creekmoor Second Plat to allow a twenty foot (20') rear yard setback instead of the twenty-five foot (25') rear yard established setback.
4. On February 18, 2020 the Board of Adjustment approved a variance to Lot 38 in Edgewater at Creekmoor Second Plat granting a five foot (5') variance to a twenty-five foot (25') building line in the front of the property, and a five foot (5') variance to the fifteen foot (15') building line on the east side of the property.

## **STAFF COMMENTS**

1. The zoning regulations for the Edgewater at Creekmoor Sixth Plat were established in the Creekmoor Memorandum of Understanding. The minimum



regulations for single-family lots are as follows:

- a. Lot Area Minimum: 5,000-6,050 square feet
  - b. Lot Width Minimum: 50-55 ft
  - c. Lot Depth Minimum: 100 ft
  - d. Front Setback Minimum: 25 ft
  - e. Rear Setback Minimum: 25 ft
  - f. Interior Side Lot Minimum: 7.5 ft (15ft for corner lot)
2. The proposed home is roughly 3,182 square feet. The proposed home is comparable in size and appearance to other homes in the neighborhood as it is one of the more popular floor plans.
  3. The lot is bounded on two sides by street right of way and therefore has two front yard setbacks.
  4. Notices of the variance request were mailed to eight (8) property owners that live within 185 feet of the subject property. No comments have been received.
  5. A concurring vote of four (4) members of the Board shall be necessary to decide in favor of the applicant.

## **STAFF PROPOSED FINDINGS OF FACT**

Section 470.060 of the Unified Development Code directs the Board of Adjustment concerning their actions in dealing with a variance request. Specifically, Section 470.060(E) directs the Board of Adjustment to make determinations on eight specific conditions and the findings entered into the public record. The eight conditions and Staff's recommendation concerning each condition are as follows:

1. **The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner and applicant or their agent, employee or contractor.**

The need for the variance arises as a result of the irregular shape of Lot 206, which is not a situation created by an action of the applicant. The applicants have stated this is a very popular home design. They have moved the home forward as much as possible and this corner is the only portion that does not fit within the building envelope.

2. **The strict application of the provisions of the Unified Development Code of which the variance is requested will constitute an unnecessary hardship or practical difficulty upon the property owner represented in the application and that such unnecessary hardships or practical difficulties are not generally applicable to other property in the same district.**

An unnecessary hardship arises when the physical characteristics of a property, coupled with imposed governmental regulations, preclude a property owner from any reasonable use of their land.

The applicant is limited in the practical use of his property under the zoning regulations. Due to the irregular shape of the lot, the applicant is unable to fit a home of similar size as surrounding owners, given the existing setback two front yard setback requirements.

**3. The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.**

The granting of the variance will not adversely affect the rights of adjacent property owners. Lot 206 was platted as part of the 6th phase of the Edgewater at Creekmoor Subdivision. Although the lot has remained undeveloped for sometime, it was expected that this lot would be built upon at some point in time. The encroachment of the home into the setback area is not towards any other platted lot.

**4. The granting of the variance will not result in advantages or special privileges to the applicant or property owner that this code denies to other land, structures or uses in the same district.**

The granting of the variance will allow the owners of Lot 206 to construct a home that is similar in size and design to those in the rest of the neighborhood.

**5. Whether the requested variance is the minimum variance necessary to provide relief.**

The requested variance would allow the applicant to construct a home on the lot, and would not have an impact on other development regulations. The proposed home will still meet all other setback requirements.

**6. The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.**

Setback requirements are in place to provide adequate separation between homes for the purposes of health and safety. The applicant will maintain the setback adjacent to the neighbor, meeting the minimum side-yard setback of 7.5 feet between the neighbor to the east.

While the applicant is requesting to reduce the required setback(s), the request is not deemed to adversely affect public health, safety, morals, order, convenience, prosperity, or general welfare.

**7. The granting of the variance desired will not be opposed to the relevant purposes and intents of this Unified Development Code.**

Relevant purposes and intents of the UDC include the promotion of health, safety, and general welfare and the protection of property values through the regulation of density and mass of structures.

The construction of a home on Lot 206 will not adversely affect the character of the neighborhood or the adjacent properties. The granting of the requested variance will not be opposed to said purposes and intents of the UDC.

**8. The variance will result in substantial justice being done, considering both the public benefits intended to be secured by this code and the individual hardships or practical difficulties that will be suffered if the variance request is denied.**

As stated above, the requested variance is not contradictory to the purpose and intent of the Code, and will not adversely affect the public health, safety or welfare. Thus, granting the variance would be a just application of the Code.

Staff finds that the existing setback requirements create an undue hardship to the applicant, and places the burden of an undeveloped lot on the Edgewater at Creekmoor neighborhood. Granting the variance is necessary to relieve the applicant of substantial hardship or difficulty, and would allow a home to be constructed on an undeveloped lot.

## **STAFF RECOMMENDATION**

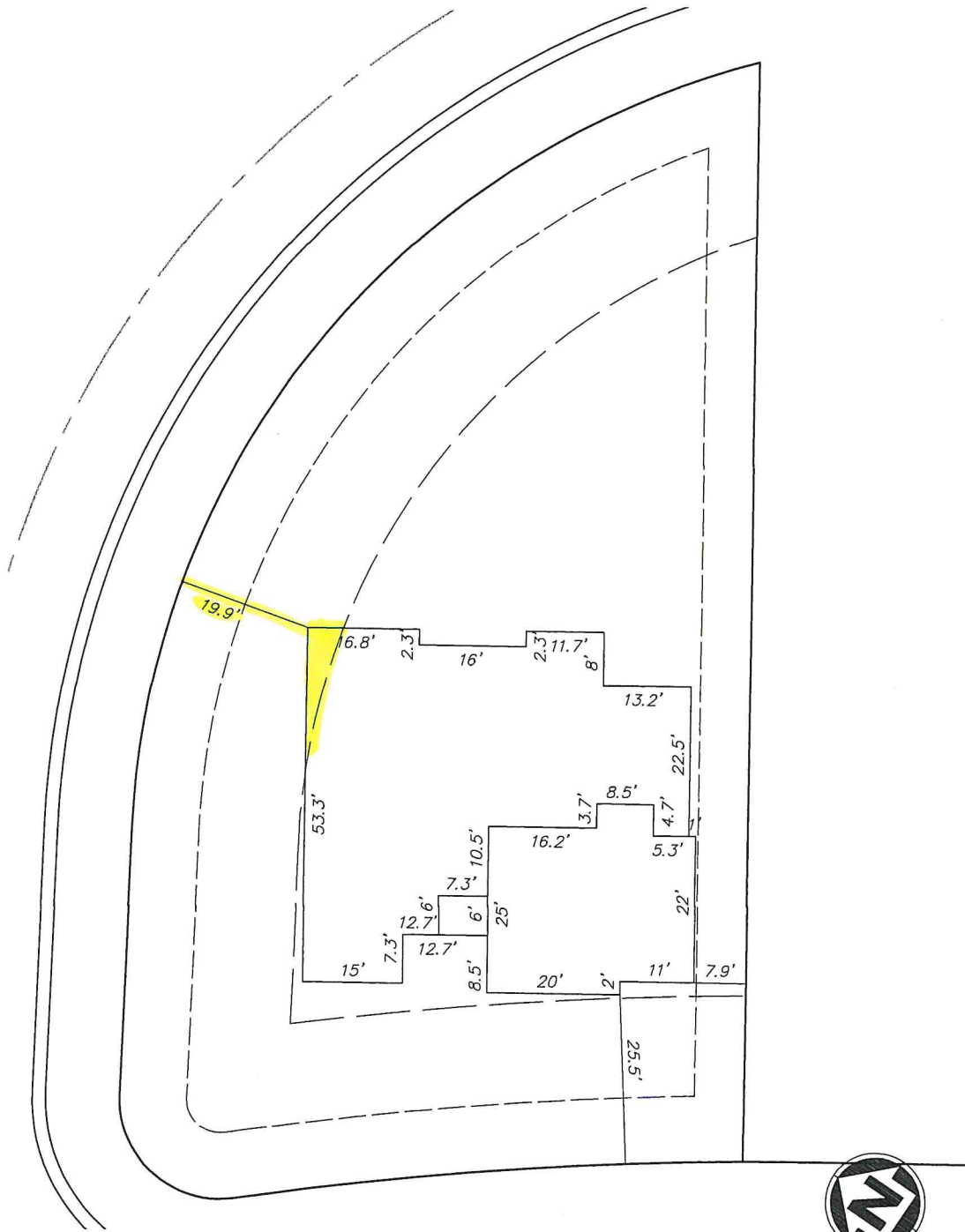
City staff supports the applicant's request for a 5.1 foot variance to a twenty-five foot (25') building line on the west side of the property. The property in question is an irregularly shaped lot, and has proven to be difficult to develop. The granting of the applicant's requested variance would allow adequate space for a home to be built on the lot.

Staff recommends the Board of Adjustment accept the staff proposed findings of fact and approve case #20017 as requested.



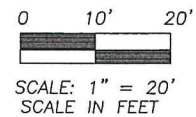
# PLOT PLAN

LOT 206, EDGEWATER AT CREEKMOOR, SIXTH PLAT



**LEGEND**

----- = INSTALL SILT FENCE



THIS PLOT PLAN DOES NOT CONSTITUTE OR REPRESENT A BOUNDARY SURVEY. THIS PLOT PLAN WAS PREPARED FOR BUILDING PERMIT APPLICATION. CONTRACTOR TO CHECK AND VERIFY BUILDING DIMENSIONS, ELEVATIONS, AND PLACEMENT PRIOR TO EXCAVATION. NOT RESPONSIBLE FOR UNPLATTED EASEMENTS.  
NO TITLE WORK PROVIDED

LOT AREA = 9753 SQ FT  
LOT COVERAGE = 24%

BRYANT RATLIFF BUILDING  
LOT 206, EDGEWATER AT  
CREEKMOOR, SIXTH PLAT, A  
SUBDIVISION IN THE CITY OF  
RAYMORE, CASS COUNTY, MISSOURI



1708 VOGT ROAD  
RAYMORE, MO 64083  
816.365.3187

DATE: 7-27-2020

SCALE: 1"=20'

PROJECT : 20-054





## MONTHLY REPORT AUGUST 2020

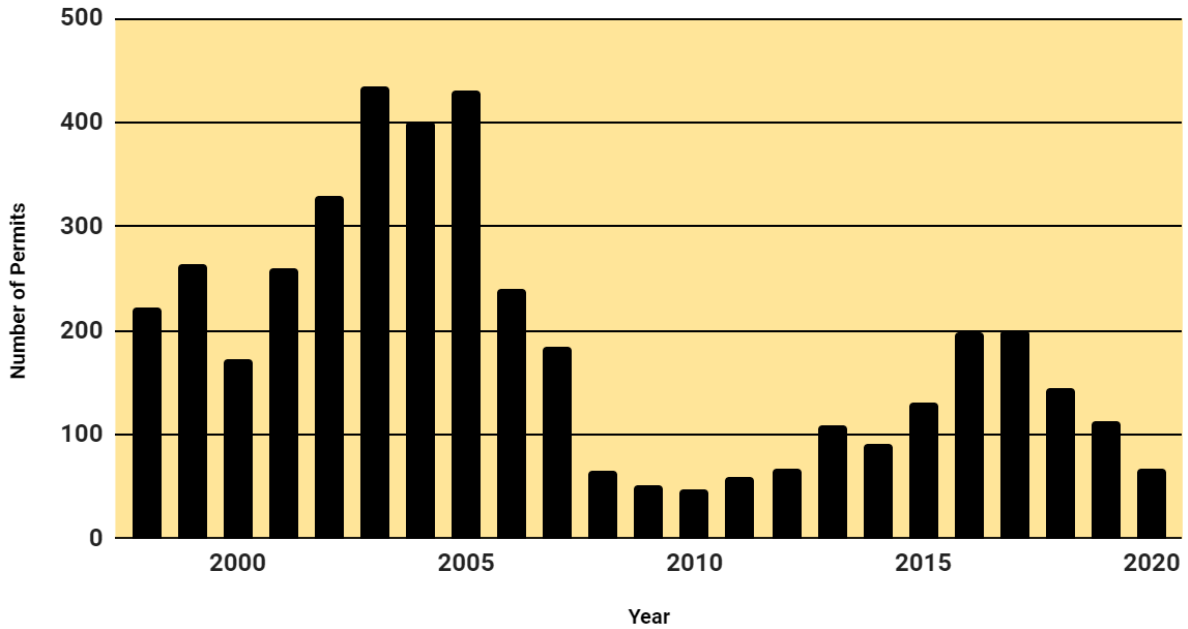
### Building Permit Activity

Type of Permit	Aug 2020	2020 YTD	2019 YTD	2019 Total
Detached Single-Family Residential	11	68	90	113
Attached Single-Family Residential	0	14	0	26
Multi-Family Residential	0	396	0	0
Miscellaneous Residential (deck; roof)	147	904	505	720
Commercial - New, Additions, Alterations	0	10	14	18
Sign Permits	1	21	33	54
Inspections	Aug 2020	2020 YTD	2019 YTD	2019 Total
Total # of Inspections	444	3,145	2,536	3,858
Valuation	Aug 2020	2020 YTD	2019 YTD	2019 Total
Total Residential Permit Valuation	\$3,536,000	\$20,317,400	\$21,729,200	\$34,498,600
Total Commercial Permit Valuation	\$0.00	\$39,045,300	\$1,782,800	\$1,822.300

#### **Additional Building Activity:**

- Construction continues on the Compass Health office building.
- Vertical construction began on the clubhouse at The Lofts of Fox Ridge apartment community. Foundation and slab work continues on the residential apartment buildings.
- Construction continues on the installation of the extension of Dean Avenue and for sanitary sewer main extension to serve the proposed Van Trust Industrial development at the southwest corner of Dean Avenue and North Cass Parkway.

### Single Family Building Permits



## Code Enforcement Activity

Code Activity	Aug 2020	2020 YTD	2019 YTD	2019 Total
Code Enforcement Cases Opened	64	442	431	642
<i>Notices Mailed</i>				
- Tall Grass/Weeds	11	88	111	135
- Inoperable Vehicles	27	130	65	138
- Junk/Trash/Debris in Yard	10	68	94	146
- Object placed in right-of-way	2	6	13	14
- Parking of vehicles in front yard	4	15	8	13
- Exterior home maintenance	1	40	19	41
- Other (trash at curb early; signs; etc)	0	4	2	2
Properties mowed by City Contractor	10	59	52	71
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	1	2	8	10
Signs in right-of-way removed	42	343	190	370
Violations abated by Code Officer	13	105	77	126

# Development Activity

## Current Projects

- Park Side Subdivision, 155 acres south of 163rd Street, west of North Madison, rezoning from Agricultural to R-1P (Single-Family Planned Residential District)
- Oak Ridge Farms Subdivision, 23 acres north of Ramblewood, south of Heritage Hills at the extension of Pine Street, rezoning from R-1 (Single-Family Residential) to Planned Unit Development
- Scooter’s Coffee site plan
- Saddlebrook Subdivision, rezoning 65 acres from R-1P (Single-Family Residential Planned District) to R-2P (Single and Two-Family Residential Planned District)

	As of Aug 31, 2020	As of Aug 31, 2019	As of Aug 31, 2018
Homes currently under construction	529 (396 Lofts Apartments)	145	211
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)	293	339	394
Total number of dwelling units in City	8,766	8,617	8,421

# Actions of Boards, Commission, and City Council

## City Council

### **August 3, 2020 work session**

- Presentation on request for letter of support for Missouri Housing Development Commission tax credit funding on proposed Grant Park Villas

### **August 10, 2020**

- Approved a letter of support for Missouri Housing Development Commission tax credit funding on proposed Grant Park Villas, a 48-unit age-restricted apartment community
- Approved on 1st reading the Dean Avenue Extension Right-of-way Final Plat

### **August 24, 2020**

- Approved on 2nd reading the Dean Avenue Extension Right-of-way Final Plat
- Approved a 1-year extension to the expiration date of the Timber Trails Preliminary Plat
- Approved on 1st reading the Replat of Prairie View of The Good Ranch

## **Planning and Zoning Commission**

### **August 4, 2020**

- Recommended approval of the Dean Avenue Extension Right-of-Way Final Plat
- Recommended approval of the rezoning 23 acres from R-1 (Single-Family Residential) to PUD (Planned Unit Development) to allow for the expansion of the Oak Ridge Farms Subdivision

### **August 18, 2020**

- Recommended approval of the Replat of Prairie View of The Good Ranch

## **Upcoming Meetings – September & October**

### **September 1, 2020 Planning and Zoning Commission**

- FY 2021-2025 Capital Improvement Program (public hearing)
- 32nd Amendment to the Unified Development Code - small wireless facilities (public hearing)

### **September 14, 2020 City Council**

- 1st reading, Oak Ridge Farms Subdivision, rezoning R-1 to PUD (public hearing)
- 2nd reading, The Prairie of The Good Ranch

### **September 15, 2020 Planning and Zoning Commission**

- Park Side Subdivision rezoning A to R-1P (public hearing)
- Scooter's Site Plan

### **September 15, 2020 Board of Adjustment**

- Front yard setback variance for home proposed on Edgewater at Creekmoor Sixth Plat Lot 206

### **September 28, 2020 City Council**

- 1st reading, 32nd amendment to the Unified Development Code - small wireless facilities (public hearing)
- 1st reading, Park Side Subdivision rezoning A to R-1P (public hearing)
- 2nd reading, Oak Ridge Farms Subdivision, rezoning R-1 to PUD
- Request for Resolution of Support for Missouri Housing Development Commission tax credit funding on a proposed 60-unit age-restricted community on 9+ acres located on the east side of Johnston Parkway, north of 58 Highway.

### **October 6, 2020 Planning and Zoning Commission**

- Rezoning of 65 acres located north of Hubach Hill Road, east of Stonegate Subdivision, from R-1P (Single-Family Residential Planned District) to R-2P (Single and Two-Family Residential Planned District) to allow for the proposed Saddlebrook Subdivision (public hearing)

### **October 12, 2020 City Council**

- Sidewalk gaps on residential lots (public hearings)
- 2nd reading, 32nd amendment to the Unified Development Code - small wireless facilities
- 2nd reading, Park Side Subdivision rezoning A to R-1P

### **October 20, 2020 Planning and Zoning Commission**

- 33rd Amendment to the Unified Development Code, misc. Items from 2020 Annual UDC review (public hearing)

### **October 26, 2020 City Council**

- 1st reading, Saddlebrook rezoning R-1P to R-2P (public hearing)
- Resolution to authorize City Staff to install sidewalk on the undeveloped lots meeting the required threshold to create a neighborhood sidewalk network

## **Department Activities**

- Director Jim Cadoret and City Planner Katie Jardieu participated in a Zoom meeting of participating communities in the Communities for All Ages Initiative.
- Building Inspectors have been busy with the continued influx of miscellaneous building permits for roof replacements, decks, and other minor home improvement projects. As of August 31, 904 miscellaneous permits have been issued, a 56% increase over last year.
- Site work commenced on the installation of a new private access drive to the Raymore Galleria North commercial area. The drive will be located to the east of the Belfonte Car Wash and provide access to the commercial pad sites east of the drive and the commercial land area to the north. This access drive was approved in 2010 as part of the Raymore Galleria North development.
- Staff finalized its research and preparation of the 32nd amendment to the Unified Development Code regarding the installation of small wireless facilities in the public right-of-way and upon private property.
- Director Jim Cadoret met with the Brookside Homeowners Association Board to discuss the trailhead park under construction on Bristol Drive and the proposed Saddlebrook subdivision south of Bristol Drive.
- 21 residents attended a Good Neighbor meeting for the proposed rezoning of 65+ acres from "R-1P" Single-Family Residential Planned District to "R-2P" Single and Two-Family Residential Planned District to allow for the [Saddlebrook Subdivision](#), located north of Hubach Hill Road and east of Stonegate Subdivision. The Planning and Zoning Commission will consider the request on Oct. 6.
- A site plan application was filed to locate a Scooter's Coffee on the north side of 58 Highway, immediately west of Foxwood Springs. Staff met with the applicant and project engineers and commenced review of the plan.

- Randy Bryant filed a request for a variance to the front yard setback requirement along Granton Lane for a proposed home to be located at the southeast corner of Granton Lane and Bridgeshire Drive. The Board of Adjustment will consider the request on Sept. 15.
- Vertical construction has commenced on the clubhouse for [The Lofts at Fox Ridge](#) apartment community on Fox Ridge Drive. Vertical construction on the first of the apartment buildings will start in September.

- Construction continues on the Pinnacle Homes Universal Design house on Lasley Branch Court. In 2019, the City of Raymore contracted with Pinnacle Homes to facilitate and construct a home that incorporates Universal Design principles, including zero-entry, larger doorways and other behind-the-scenes accessible details to help residents remain in their home as life changes.



- Staff continued work on finalizing the 33rd amendment to the Unified Development Code. This amendment incorporates changes discussed as part of the annual review of the UDC.
- Staff commenced research on several topics for future consideration by the Commission and/or City Council, including the parkland dedication requirement; the emergency warning siren fee paid by new development; and building permit fees charged for large scale industrial developments.

## GIS Activities

- Configured additional (75+) layers (.lyrs) for desktop users
- Continued to build Enterprise services for Portal users and create items
- Experimented with AGO layer views (trails & parks) for improving workflow
- Improvement of web applications used to manage operational layers by department, starting with planning & zoning, development services
- Improved topology (spatial relationships between layers) for lots, right of way, buildings, address points and subdivisions
- Technical committee meeting for KC Metro GIS
- Database server administrative tasks/backups & support for ArcGIS enterprise upgrade
- Creation of dataset and information as requested
- Reporting of assets as requested for operations
- Server side scripting to improve user experience - employment of esri/identity/credential methods