



# RAYMORE BOARD OF ADJUSTMENT AGENDA

**Tuesday, February 15, 2022 - 6:00 p.m.**

City Hall Council Chambers  
100 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 December 14, 2021 meeting
6. Unfinished Business - None
7. New Business
  - a. Case #22003 - Sean Seibert - Variance to the front yard setback - Oak Ridge Farms Lot 30 (*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, DECEMBER 14, 2021** IN THE COUNCIL ROOM AT RAYMORE CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING BOARD MEMBERS PRESENT: TERRI WOODS, BEN BAILEY, JERRY MARTIN, PAM HATCHER, AND AARON HARRISON. ALSO PRESENT WAS CITY PLANNER DYLAN EPPERT, DEVELOPMENT SERVICES DIRECTOR JIM CADORET, ADMINISTRATIVE ASSISTANT EMILY JORDAN AND CITY ATTORNEY JONATHAN ZERR.

**1. Call to Order** – Chairman Hatcher called the meeting to order at 6:00 p.m.

**2. Roll Call** – Roll was taken and Chairman Hatcher declared a quorum present to conduct business.

**3. Pledge of Allegiance**

**4. Personal Appearances** – None

**5. Consent Agenda** –

**a. Approval of Minutes of November 15, 2021 meeting**

**Motion by Board Member Woods, Seconded by Board Member Bailey, to accept the consent agenda.**

**Vote on Motion:**

Board Member Woods	Aye
Board Member Bailey	Aye
Chairman Hatcher	Aye
Board Member Harrison	Aye
Board Member Martin	Aye

**Motion passed 5-0-0**

**6. Unfinished Business** – None

**7. New Business**

**a. Case #21035 - Dale Falck, Variance to allow for a 2nd driveway - 712 Raven Street (public hearing)**

Chairman Hatcher opened the public hearing at 6:02pm.

Dale Falck, the homeowner at 712 Raven Street, Raymore MO 64083, came to the podium to give an overview of the requested variance. Mr. Falck stated that the request for the variance was to allow for a second driveway to be added to the property to the south of the main home. The second driveway would allow access to the lower level of the home, which is where Mr. Falck's elderly mother lives. This driveway would make getting the car down to her much easier, and stated that the driveway cannot go on the other side of the house, since the apartment where the mother is living is on the south

side of the home.

City Planner Dylan Eppert gave the Staff Report, highlighting that the request is for a variance to allow for a second driveway. The existing zoning of the property is "R-1" Single-Family, and the existing surrounding zoning is "R-1" Single-Family residential to all sides. The Future Land Use Plan Map contained in the Growth Management Plan identifies this area as appropriate for low density residential development. The Major Thoroughfare Plan Map classified Raven Street and Toucan Street as local roads. Mr. Eppert entered six items into record, as well as any additional exhibits as presented during the hearing. Previous planning actions on or near the property include the rezoning of the Sky Vue Estates subdivision from "A" Agricultural District to "R-1" Single-Family Residential District in August 1983. In March 1984, the City Council approved the Final Plat of Sky Vue Estates lots 50-124, and approved the replat of Sky Vue Estates lots 76-85 in June 1986. The home on the subject property was built in 1989, and the accessory structure was built in 2020, and is 336 square feet. Mr. Eppert stated that there are sections of the Unified Development Code that are applicable to the variance request included in Section 425.030 Residential Driveways. The applicant could file a rezoning application to have the subject property rezoned to "RR" Rural Residential District which would allow the property to have a second driveway by right. However, a rezoning of only one lot would be considered spot zoning and is not recommended by Staff. The initial intent of the applicant was to add on to the existing attached garage to the north, but was unable to as there is a sanitary sewer line and easement that prevented the addition. The UDC requires the additional driveway to be paved with asphalt or concrete, and would require a right-of-way permit prior to installation. Mr. Eppert stated that 712 Raven Street is in a phase of the Sky Vue Estates that contains lots over an acre in size, so a case could be made that the lots along Raven Street should be zoned "RR" Rural Residential District. This would allow each of the lots to have a second driveway. The subject property has over 300 feet of frontage along Raven Street, providing adequate separation between the existing driveway and the proposed driveway. Staff recommends the Board of Adjustment accept the staff proposed findings of fact and approve the case.

Mike Capper, 714 Raven Street, came to the podium to give comments. Mr. Capper stated that he is concerned that the second driveway would be used for parking trailers or RVs, although if Mr. Falck won't park trailers on the second driveway, he is not opposed to the request being approved.

The Board asked Mr. Capper why he is opposed to the parking of RVs on the second driveway.

Mr. Capper responded that the parking of a trailer on the second driveway would ruin the beauty of the neighborhood and bring down property values.

Carl Brooks, 721 Raven Street, came to the podium for comments. Mr. Brooks stated that there are City codes for a reason, and that having two driveways is not the norm for single-family homes. Mr. Brooks stated that the rest of the homes in the area have only one driveway, and it should be kept the same. The new garage was built, and Mr. Brooks questioned why the garage wasn't made big enough to store a boat or RV. Mr. Brooks stated that he is also concerned about a trailer being parked in the driveway and how it would affect property value in the neighborhood.

Chairman Hatcher closed the public hearing at 6:14pm.

The Board asked Mr. Falck if he planned on storing a trailer or RV on the driveway.

Mr. Falck responded that no, not as a permanent parking area. The trailer or RV would only be parked there temporarily when repairs are being made.

**Motion by Board Member Woods, Seconded by Board Member Harrison, to accept staff proposed findings of fact and approve Case #21043, 712 Raven Street Residential Driveway Variance.**

**Vote on Motion:**

Board Member Woods	Aye
Board Member Bailey	Aye
Chairman Hatcher	Aye
Board Member Harrison	Aye
Board Member Martin	Aye

**Motion passed 5-0-0**

**8. Staff Comments -**

Mr. Eppert noted that there are no new applications at this time, so there are no future meetings scheduled at the time.

**9. Board Member Comment - None**

**10. Adjournment**

**Motion by Board Member Woods, Seconded by Board Member Bailey to adjourn.**

**Vote on Motion:**

Board Member Woods	Aye
Board Member Bailey	Aye
Chairperson Hatcher	Aye
Board Member Harrison	Aye
Board Member Martin	Aye

**Motion passed 5-0-0**

The Board of Adjustment meeting for December 14, 2021 adjourned at 6:17 p.m.

Respectfully submitted,  
Emily Jordan





**To:** Board of Adjustment  
**From:** City Planner, Dylan M. Eppert  
**Date:** February 15, 2022  
**Re:** Case #22003: 315-317 N. Franklin St. Variance

## GENERAL INFORMATION

**Applicant/Property Owner:** Sean Siebert  
33 I St.  
Lake Lotawana, MO 64086

**Requested Action:** Variance to reduce the front yard setback.

**Property Location:** 315-317 N. Franklin St.

**2021 Aerial Photograph:**





**View looking south from E. Maplewood Ln.**



**View looking east from N. Franklin St.**



**Existing Zoning:** “PUD” Planned Unit Development District

**Existing Surrounding Zoning:** **North:** “R-1” Single-Family Residential  
**South:** “ PUD” Planned Unit Development District  
**East:** “PUD” and Agriculture  
**West:** “PUD” and “R-2” Single and two family residential.

**Total Tract Size:** 11,354 Square Feet

**Growth Management Plan:** The Future Land Use Plan Map contained in the Growth Management Plan identifies this area as appropriate for low density residential development.

**Major Street Plan:** The Major Thoroughfare Plan Map classifies E. Maplewood Ln and N. Franklin St as local roads.

**Advertisement:** January 27, 2022 **Journal** newspaper

**Public Hearing:** February 15, 2022 Board of Adjustment Meeting

**Items of Record:** **Exhibit 1. Mailed Notices to Adjoining Property Owner**  
**Exhibit 2. Notice of Publication**  
**Exhibit 3. Unified Development Code**  
**Exhibit 4. Application**  
**Exhibit 5. Growth Management Plan**  
**Exhibit 6. Staff Report**  
Additional exhibits as presented during hearing

## **PROPOSAL**

The applicant is requesting a variance to the Raymore Unified Development Code (UDC) *Section 415.060* to reduce the front yard setback for a corner lot located in a Planned Unit Development District.

Section 470.060 of the Unified Development Code outlines the requirements and actions that need to be taken for a Variance.

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

1. The property was rezoned to PUD Planned Unit Development District in September 2020. The rezoning to PUD included approval of the preliminary plan and a signed Memorandum of Understanding (MOU).

- Oak Ridge Farms Final Plat was approved by City Council on June 14, 2021.

**STAFF COMMENTS**

- Notices of the request were mailed to 6 adjoining property owners. No objections or concerns were received.
- The current bulk and dimensional standards for this PUD- Planned Unit Development zoning district, established by the Oak Ridge Farms rezoning and MOU, recorded on October 14, 2020, are as follows:

PUD	
<b>Minimum Lot Area</b>	
per lot	6,480
per dwelling unit	-
<b>Minimum Lot Width (feet)</b>	48 ft
<b>Minimum Lot Depth (feet)</b>	105 ft
<b>Yards, Minimum (feet)</b>	
front	30
rear	30
side	6.25
side, corner lot	25
<b>Minimum Building Separation</b>	5
<b>Maximum Building Height (feet)</b>	35
<b>Maximum Building Coverage (%)</b>	45

- A building permit would still need to be reviewed and approved before construction could begin if the variance is approved by the Board of Adjustments.
- All conditions as outlined by the Memorandum of Understanding (MOU) that were approved with the PUD application will still need to be met.
- No foundation work has commenced upon the lot. Foundation work has commenced on adjacent properties.

**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:

- 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 requested variance does result from a condition that is unique to the property as it is not a typical shape for a corner lot. The request is not uncommon as the Board of Adjustments has reviewed and approved front yard setback reductions for corner lots previously. The subject property would be oriented facing west (N. Franklin St.) therefore, staff would consider this to be a side-front setback, which historically was allowed to be reduced to 15' (in areas such as Creekmoor).

- 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. There does appear to be a hardship that would necessitate a variance to be allowed. With the orientation of the house and the shape of the lot there are unnecessary hardships and practical difficulties that arise on the subject property.

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

Granting of the variance would not adversely affect the rights of adjoining property owners as the entire subdivision is owned and operated by the applicant.

- 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.**

Granting of the variance would not result in advantages or special privileges to the applicant. The property is unique in the fact that the subject property is a corner lot with a duplex and is irregularly shaped causing challenges for the applicant to situate the structure in a manner that will meet current setbacks requirements.

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

The requested variance is the minimum variance necessary to allow the property owner to provide relief from the existing Unified Development Code.

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

The variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. The proposed reduction of the front yard setback along E. Maplewood Ln would not cause sight-vision triangle issues nor would there be any kind of encroachment of the existing 10' Utility easement.

- 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. The granting of the proposed variance will not oppose the purpose and intent 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.**

The requested variance supports the purpose and intent of the Code and will not adversely affect the public health, safety or welfare.

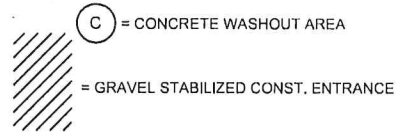
## **STAFF RECOMMENDATION**

The subject property does have some challenges that include the irregular shape of the lot as well as challenges with the orientation of the building not being able to meet the current setback requirements whether the building is facing Franklin or Maplewood.

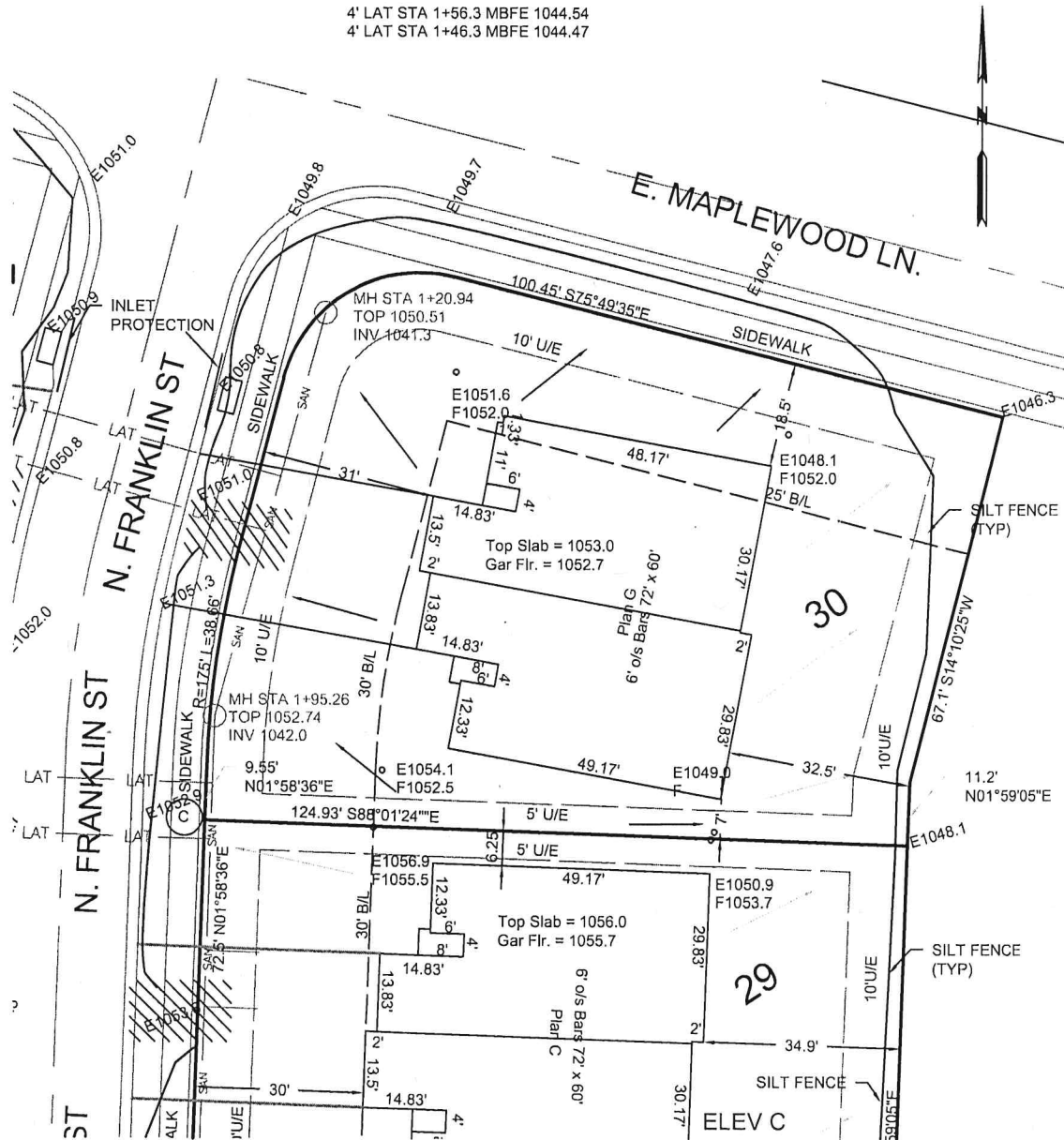
City Staff recommends the Board of Adjustment accept the Staff Proposed Findings of Fact and approve Case #22003 - 315-317 N. Franklin St. Reduction of front yard setback variance.

# CONSTRUCTION STAKE PLOT PLAN

ORDERED BY: APKC LLC  
 DESCRIPTION: Lot 30, OAK RIDGE FARMS, in Raymore, Missouri  
 315-317 N. FRANKLIN ST.  
 Lot Area: 11354 S.F.  
 Footprint: 3200 S.F.



4' LAT STA 1+56.3 MBFE 1044.54  
 4' LAT STA 1+46.3 MBFE 1044.47



→ = DRAINAGE PATTERN

LEE BODENHEIMER, L.S.  
 Land Surveyor

CONSTRUCTION ENGINEERING SERVICES, INC.  
 16810-C East 40 Highway  
 Independence, MO 64055  
 (816)478-2323  
 lee@engineeringkc.com  
 SCALE: 1" = 20'  
 DATE: 11-30-2021  
 JOB NO: 18080



## MONTHLY REPORT

### January 2022

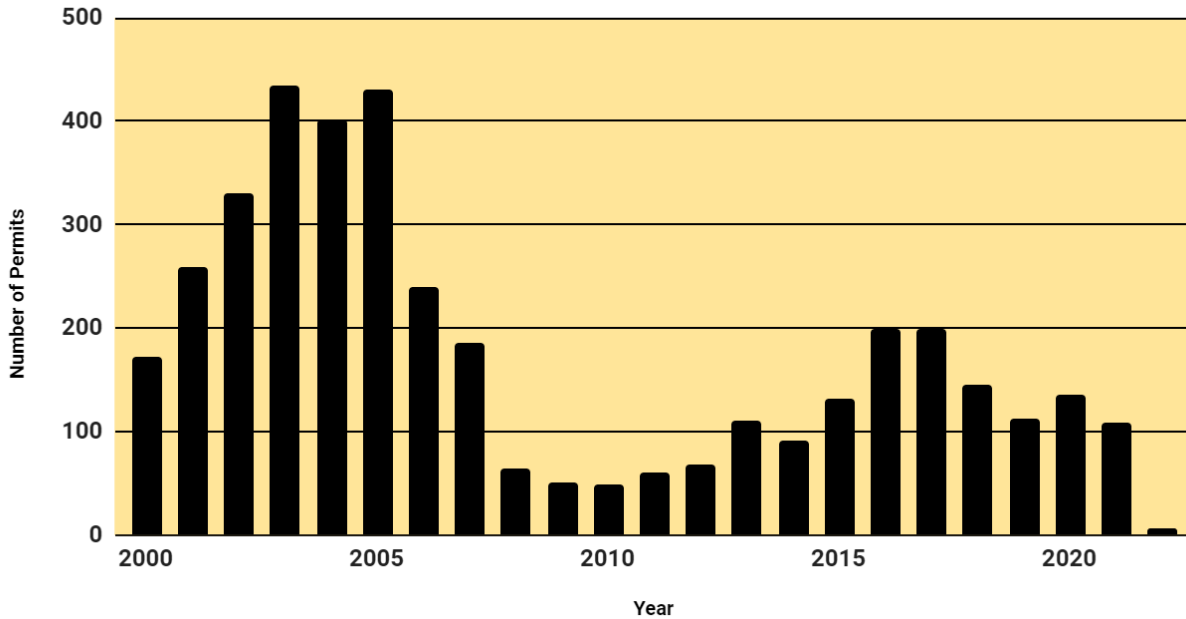
### Building Permit Activity

Type of Permit	Jan 2022	2022 YTD	2021 YTD	2021 Total
Detached Single-Family Residential	7	7	9	108
Attached Single-Family Residential	32	32	0	166
Multi-Family Residential	0	0	0	0
Miscellaneous Residential (deck; roof)	46	46	37	574
Commercial - New, Additions, Alterations	5	5	0	38
Sign Permits	2	2	1	37
Inspections	Jan 2022	2022 YTD	2021 YTD	2021 Total
Total # of Inspections	397	397	219	3,882
Valuation	Jan 2022	2022 YTD	2021 YTD	2021 Total
Total Residential Permit Valuation	\$8,126,700	\$8,126,700	\$2,089,200	\$57,700,900
Total Commercial Permit Valuation	\$11,404,700	\$11,404,700	\$0.00	\$39,600,680

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

- Site work continues for The Venue of The Good Ranch townhome development.
- Building construction continues on the South Town Storage facility, a covered parking area for RV's and similar vehicles
- Site work continues for Alexander Creek Third Plat.
- Site work continues for Eastbrooke at Creekmoor 3rd Plat
- Building construction continued for the South Metropolitan Fire Protection District administration building.
- Construction continued on the townhome units in Sunset Plaza, located east of Sunset Lane and south of 58 Highway
- Construction continues on Building 3 in the Raymore Commerce Center
- Tenant finish work continues for Wing Stop to locate at 1941 W. Foxwood Drive
- Tenant finish work continues for Salon 319 to locate at 319 Municipal Circle
- Work has commenced for interior improvements at Freedom Stop

### Single Family Building Permits



## Code Enforcement Activity

Code Activity	Jan 2022	2022 YTD	2021 YTD	2021 Total
Code Enforcement Cases Opened	42	42	37	575
<i>Notices Mailed</i>				
-Tall Grass/Weeds	0	0	0	85
- Inoperable Vehicles	14	14	18	191
- Junk/Trash/Debris in Yard	9	9	5	94
- Object placed in right-of-way	0	0	0	5
- Parking of vehicles in front yard	2	2	6	45
- Exterior home maintenance	10	10	4	63
- Other (trash at curb early; signs; etc)	0	0	0	6
Properties mowed by City Contractor	0	0	0	42
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	0	0	1	2
Signs in right-of-way removed	43	43	40	524
Violations abated by Code Officer	7	7	4	86



## Development Activity

### Current Projects

- Grube Rezoning
- Sendera, First Plat
- Sendera, Second Plat
- Oak Ridge Farms Lot 30 variance - front yard setback

	As of Jan 31, 2022	As of Jan 31, 2021	As of Jan 31, 2020
Homes currently under construction	593 (252 units at Lofts of Foxridge)	571 (396 units at Lofts of Foxridge)	146
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)	219	259	345
Total number of dwelling units in City	9,088	8,808	8,670

## Actions of Boards, Commission, and City Council

### City Council

#### January 10, 2022

- Approved on 2nd reading the Conditional Use Permit for the Brown Event Space

#### January 24, 2022

- Update on work progress on City Comprehensive Plan

### Planning and Zoning Commission

#### January 18, 2022

- Recommended approval of the rezoning of 10+ acres of land east of Sunrise Drive, south of 58 Highway from M-1 to R-3A
- Approved the Johnny's Tavern Site Plan

## Upcoming Meetings – February & March

### February 1, 2022 Planning and Zoning Commission

- Sendera, First Plat
- Sendera, Second Plat

### February 14, 2022 City Council

- 1st reading - Rezoning of 10+ acres from M-1 to R-3A located south of Dawn Street, east of Sunrise Drive (public hearing)
- 1st reading - Sendera, First Plat
- 1st reading - Sendera, Second Plat
- 1st reading - Amendment to City Code Chapter 605 - Annual License Required

### **February 15, 2022 Board of Adjustment**

- Application filed by Sean Seibert requesting a variance to the front yard setback for Lot 30 in Oak Ridge Farms (public hearing)

### **February 15, 2022 Planning and Zoning Commission**

- Brookside Tenth - Replat of Tract Y Final Plat

### **February 28, 2022 City Council**

- 2nd reading - Rezoning of 10+ acres from M-1 to R-3A located south of Dawn Street, east of Sunrise Drive (public hearing)
- 2nd reading - Sendera, First Plat
- 2nd reading - Sendera, Second Plat
- 2nd reading - Amendment to City Code Chapter 605 - Annual License Required
- 1st reading - Brookside Tenth Plat - Replat of Tract Y
- 1st reading - Transfer of Brookside Tenth Plat Lot 422
- 1st reading - Transfer of Brookside Tenth Plat Tract Y
- 1st reading - Transfer of Brookside Tenth Plat Tract AA

### **March 1, 2022 Planning and Zoning Commission**

- No applications currently pending

### **March 14, 2022 City Council**

- 2nd reading - Brookside Tenth Plat - Replat of Tract Y
- 2nd reading - Transfer of Brookside Tenth Plat Lot 422
- 2nd reading - Transfer of Brookside Tenth Plat Tract Y
- 2nd reading - Transfer of Brookside Tenth Plat Tract AA

### **March 15, 2022 Planning and Zoning Commission**

- No applications currently pending

### **March 28, 2022 City Council**

- No development applications pending

## **Department Activities**

- Building renovation plans were approved for the future Raymore-Peculiar School District LEAD Center to be located in the former Orscheln's building at 1210 W. Foxwood Drive.
- Building construction plans were approved for the proposed [Whataburger](#) restaurant to be located at 1921 W. Foxwood Drive.
- Director Jim Cadoret and City Planner Dylan Eppert have completed meetings with all departments regarding the City's Comprehensive Plan. Next steps will be to revise the Gantt chart and compile all information gathered to formulate a rough draft.

- Staff updated the [City Development Guide](#) that is provided to assist developers, builders, businesses and residents navigate the building and development process.
- Economic Development Director David Gress participated in multiple interviews for the Raymore Chamber of Commerce Executive Director position.
- Economic Development Director David Gress and Assistant City Manager Mike Ekey met with a representative from the Mo-Kan Goodwill to discuss workforce development programs and initiatives.
- Economic Development Director David Gress and Mayor Kristofer Turnbow attended a special meeting of the Cass County Coalition for Economic Development (CCCED).
- Eight residents attended the Good Neighbor meeting concerning the proposed rezoning of the [Grube Property](#), generally located south of Dawn St. and east of S. Sunrise Dr.
- Economic Development Director David Gress participated in a webinar hosted by the Missouri Department of Economic Development on the State's Youth Opportunities Program.
- Economic Development Director David Gress met with Board members and representatives of the Cass County Coalition for Economic Development (CCCED) to discuss strategic planning efforts.
- Economic Development Director David Gress attended the Chamber of Commerce Monthly Morning Coffee hosted by Community America Credit Union, located at 1400 W Foxwood Dr.
- Land clearing activities are set to begin for the [Madison Valley Phase 2](#) subdivision.
- Sean Seibert filed a request for a [variance](#) to reduce the front yard building setback for a proposed home on the the southeast corner of Maplewood Land and N. Franklin Street in Oak Ridge Farms. The Board of Adjustment will consider the request on Feb. 15.
- Director Jim Cadoret and GIS Coordinator Heather Eisenbarth met with representatives from NearMap regarding the 2022 schedule for aerial photography of the City and enhancements to the mapping software.

## GIS Activities

- Coordination for large format printing
- Update of sharing protocol with AGO
- Surface drainage analysis for extraterritorial area
- Drafting of property descriptions for quality assurance
- Evaluation of external operations as required
- Situational and official maps as requested
- Data as requested
- Custom application development as requested
- Addressing and asset inventory operations
- Software & platform updates & configuration