

RAYMORE BOARD OF ADJUSTMENT AGENDA

Wednesday, August 9, 2023 - 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 - Approval of Minutes from July 12, 2023 meeting
6. Unfinished Business - None
7. New Business
 - a. Case # 23026 590 Kreisel Dr. - Variance to allow for a deck to be constructed closer than 5' from the property line. (Public Hearing)
 - b. Case # 23032 590 Kreisel Dr. - Variance for a deck encroachment into a utility easement. (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 **WEDNESDAY, JULY 12, 2023** IN THE COUNCIL ROOM AT RAYMORE CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING BOARD MEMBERS PRESENT: BEN BAILEY, JERRY MARTIN, AND PAM HATCHER. ABSENT WERE TERRI WOODS, AND AARON HARRISON, AS WELL AS BOARD ALTERNATES LINDSAY FOSTER AND STEPHANIE VELASCO. ALSO PRESENT WAS CITY PLANNER DYLAN EPPERT, DEVELOPMENT SERVICES DIRECTOR DAVID GRESS, ADMINISTRATIVE ASSISTANT EMILY JORDAN AND CITY ATTORNEY JONATHAN ZERR.

1. Call to Order – Chairman Hatcher called the meeting to order at 6:01 p.m.

2. Roll Call – Roll was taken and Chairman Hatcher declared there was not a quorum present to conduct business.

3. Pledge of Allegiance

4. Personal Appearances – None

5. Consent Agenda – Approval of Minutes from the June 14th, 2023 meeting

Motion by Board Member Martin, Seconded by Board Member Bailey, to approve the June 14, 2023 minutes.

Vote on Motion:

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

Motion passed 3-0-0

6. Unfinished Business – None

7. New Business

- a. **Case #23026 - 590 Kreisel Dr. Variance to allow a deck to be constructed closer than 5' from the property line**

Since there was not a quorum to conduct business, the Case will be continued to the August 9th meeting.

Motion by Board Member Bailey, Seconded by Board Member Martin, to continue the Case to the August 9th meeting.

Vote on Motion:

Board Member Woods	Absent
Board Member Bailey	Aye

Chairman Hatcher	Aye
Board Member Harrison	Absent
Board Member Martin	Aye

Motion passed 3-0-0

8. Staff Comments -

Mr. Eppert noted that the Board will be meeting in August for the continuance of the Case, and there will be a second Case presented by the same applicant at that meeting.

9. Board Member Comment - None

10. Adjournment

Motion by Board Member Woods, Seconded by Board Member Harrison to adjourn.

Vote on Motion:

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

Motion passed 3-0-0

The Board of Adjustment meeting for July 12, 2023 adjourned at 6:05 p.m.

Respectfully submitted,
Emily Jordan

To: Board of Adjustment
From: Dylan M. Eppert, City Planner
Date: August 9, 2023
Re: **Case #23026: 590 Kreisel Dr. - Deck Variance**

GENERAL INFORMATION

Applicant/Property Owner: William Clay
590 Kreisel Dr.
Raymore, MO 64083

Requested Action: Variance to allow for a deck to be constructed closer than 5' from the property line.

Property Location: 590 Kreisel Dr., Raymore MO 64083

2023 Aerial Photograph:





View looking south from Kreisel Dr.



View looking southwest from adjoining lot 8



View looking north from southeast corner of subject property

Existing Zoning: “R-2P” Single and Two-Family Residential Planned District

Existing Surrounding Zoning: **North:** “R-1P” Single-Family Residential Planned District
South: “R-2P” Single and Two-Family Residential Planned District
East: “R-2P” Single and Two-Family Residential Planned District
West: “R-3B” Apartment Community Residential District

Total Tract Size: 0.1 Acres

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

Major Street Plan: The Major Thoroughfare Plan Map classifies Old Paint Rd and Kreisel Dr. as local roads.

Advertisement: June 21, 2023 **North Cass Herald** newspaper

Public Hearing: July 12, 2023 Board of Adjustment Meeting (**Continued to August 9, 2023**)
August 9, 2023 Board of Adjustments 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

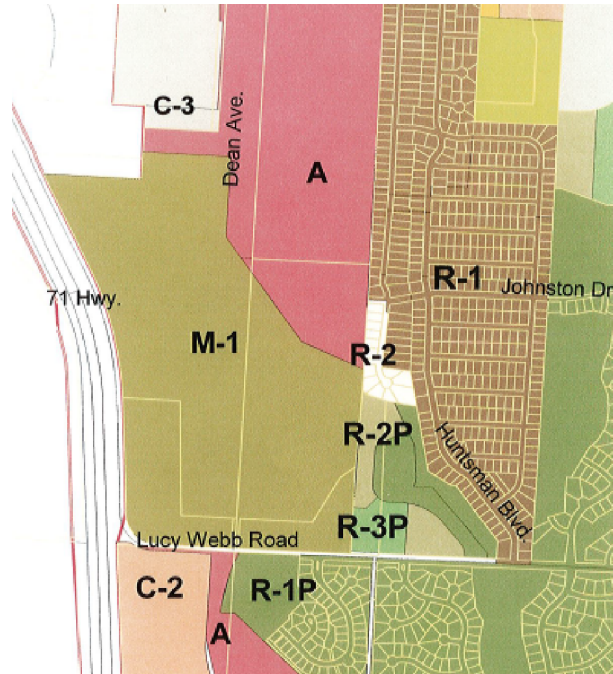
PROPOSAL

The applicant is requesting a variance to the Raymore Unified Development Code (UDC) *Section 405.030.(B) Exceptions to Dimensional Standards Table* to allow for a deck to be constructed closer than 5' from the east property line.

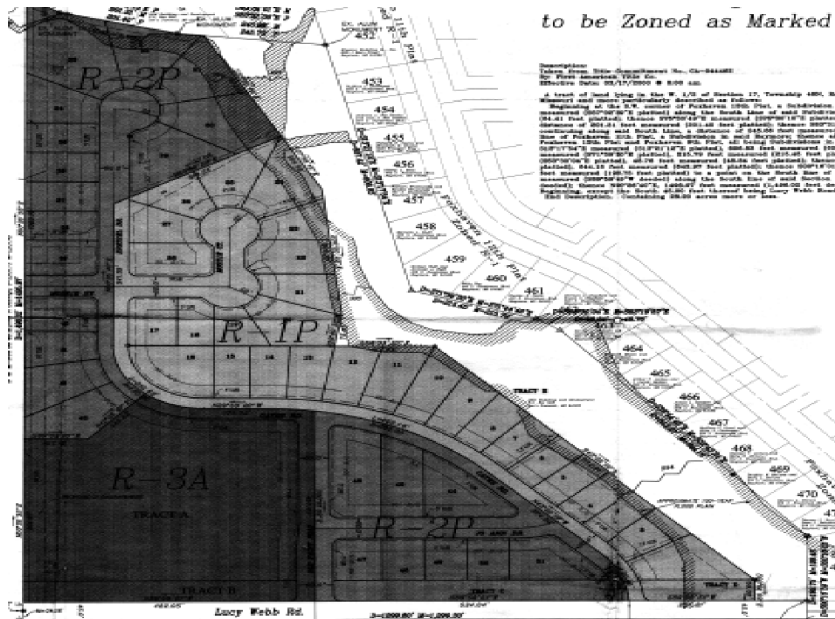
Section 470.060 of the Unified Development Code outlines the requirements and actions that need to be taken for a Variance.

PREVIOUS PLANNING ACTIONS ON OR NEAR THE PROPERTY

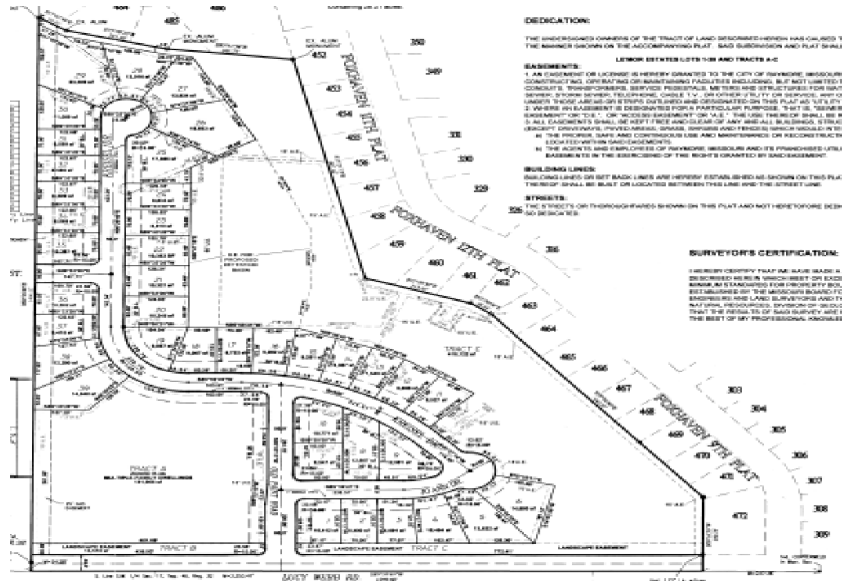
1. Land containing the LeMor Estates Subdivision was rezoned from "A" Agricultural District to "R-1P" Single Family Planned Residential District, "R-2P" Two-Family Planned Residential District, and "R-3A" Multi-Family Residential District, in August and September of 1999. At the time of the rezoning, the land area to the west (now known as the Timber Trails Subdivision) was zoned "M-1" Light Industrial District. The R-1P zoning designation for the Timber Trails Subdivision was established in February of 2004.
2. The rezoning of land in LeMor Estates established the R-2P and R-3A zoning district as a land use buffer adjacent to the industrial zoned land to the west. The R-1P land was established on the land along the west side of the creek. The 1999 rezoning is illustrated below:



- In April of 2001, the zoning boundary line of the R-1P and R-2P district for the land was adjusted as illustrated below:



4. On October 22, 2004 the final plat for LeMor Estates subdivision was recorded.



5. On July 9, 2007, Lots 7, 10, and 25 were rezoned from R-2P to R-1P, and adjustments were made to the applicable development standards for all lots in the subdivision as follows:

“R-1P” Single-Family Planned	
Lot Area Minimum	7,545 sqft
Lot Width	60ft
Lot Depth	100ft
Front Yard	30ft
REAR YARD	18 FT
Side Yard Interior	10% of lot width 10’ maximum
Side Yard Exterior	30ft
Building Coverage	30%
Waiver from 410.290 Lot Design	

“R-2P” Single and Two-Family Planned	
Lot Area Minimum (per lot)	9,547 sqft
Lot Width	70ft
Lot Depth	100ft
Front Yard	30ft
REAR YARD	18 FT

Side Yard Interior	10% of lot width 10' maximum
Side Yard Exterior	30ft
Building Coverage	30%

6. On May 13th, 2013 the City Council voted to deny the rezoning application which would have rezoned Lots 21-25 from R-1P to R-2P. Single family homes are now being constructed on the lots.
7. On December 13, 2021 the City Council voted to approve the rezoning on Lots 7 and 10 from “R-1P” Single-Family Residential Planned District to “R-2P” Single and Two-Family Residential Planned District.
8. Temporary Occupancy was granted for 590 Kreisel Dr. on December 2, 2022.

STAFF COMMENTS

1. Notices of the request were mailed to 20 adjoining property owners. No objections or concerns were received.
2. If the Board of Adjustments were to approve the variance application the applicant would still need to apply for a deck permit and pay any associated fees.
3. 1718 and 1720 JoAnn Dr. (Lot 8) is considered a double frontage lot which means that no primary structures will be built directly east of the subject property as there is an existing primary structure that faces Jo Ann Dr.
4. In 2015 the City embarked on creating a master plan geared towards “Building a Community for All Ages.” Goal #2: Develop housing solutions that promote aging in place. The applicant is seeking to build a walk-out deck in place of the existing patio with stairs to accommodate mobility devices (walker, wheelchair, etc..)
5. The applicant did build the deck without getting a permit to build the deck but did wish to apply for the variance as they are seeking a hardship due to a physical disability.
6. The applicant also applied to vacate the existing 7.5’ utility easement in the side-yard area along the east side of the property. Evergy was found to have existing facilities in the easement and objected to the vacation. The applicant will either need to work with the utility company regarding the encroachment into the easement, and/or pursue a variance to locate the deck within the easement.

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 requested variance does result from a condition that is unique to the property. The property has a 7.5' Utility Easement that runs along the east property line. As an easement is not necessarily unique, it is unique in the fact that the easement takes up approximately half of the side yard. When the house was built the secondary access door was installed on the side of the house instead of the rear of the house. This design limits the applicant's access to the side and rear yard via the existing patio and stair-step. The applicant has mobility issues, and constructing a deck at the finished-floor elevation of the home allows for better access to the outdoor area of the home.

- 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. The applicant has a physical disability that limits their mobility. When the home was built there was a side entry door that was serviced by a set of stairs. This characteristic could prevent the applicant from utilizing the patio area with mobility devices (walker, wheelchair etc...)

- 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 property to the east is a double frontage lot that

would not allow for another primary structure to be built adjacent to the subject property in the area in question.

- 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. Exceptions are looked at on a case-by-case basis when considered for citizens with disabilities.

- 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.

- 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

City Staff did review the request and has determined the variance request is justified given the applicants circumstances, and further supports our goals within the Community for All Ages Master Plan. The requested variance will allow the property owner to better utilize the outdoor area of their home with the use of mobility devices, including walkers, and or wheelchairs). City Staff recommends the Board of Adjustment accept the Staff Proposed Findings of Fact and approve Case #23026 - 590 Kreisel Dr. - Deck Variance.

BOARD OF ADJUSTMENTS ACTION 7/12/2023

At its July 12, 2023 meeting, the Board of Adjustments voted 3-0 to continue this application to a date certain of August 9, 2023 due to not having four members present to render a decision on the application.



...seal Dr

588

590

12'x14'
Deck



Published: 6/23/2023
1 in = 23.51 ft

309925

STATE OF MISSOURI
2004 OCT 22 A.M. 10:15
BOOK 18 PAGE 910
SUBDIVISION RECORDS

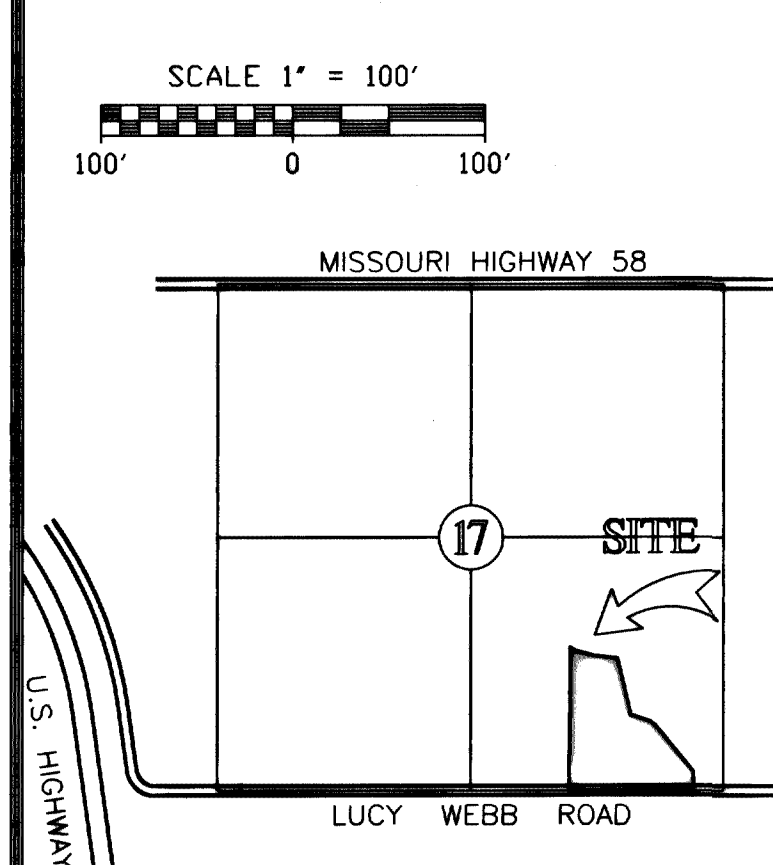
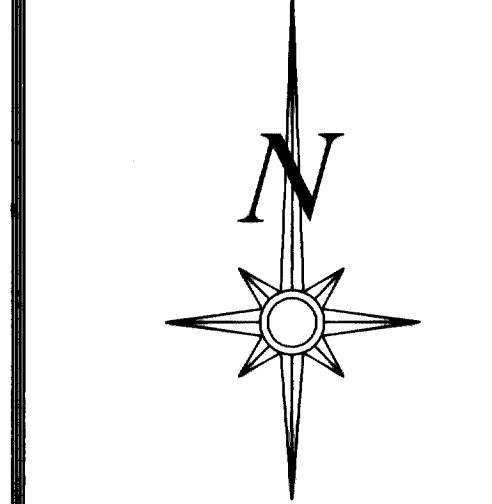
MINIMUM LOW OPENING (MLO) ELEVATIONS

Table with 4 columns: LOT #, M.L.O., LOT #, M.L.O. containing elevation data for lots 6 through 19.

MINIMUM FLOOR ELEVATIONS (MFE)

Table with 4 columns: LOT #, M.F.E., LOT #, M.F.E. containing floor elevation data for lots 1 through 14.

L-Represents Low Side With Respect to Sanitary Line
H-Represents High Side With Respect to Sanitary Line



PROPERTY DESCRIPTION:

A tract of land lying in the W. 1/2 of Section 17, Township 46N, Range 32W, in Raymore, Cass County, Missouri and more particularly described as follows: Beginning at the S.W. corner of Foxhaven 13th Plat, a Subdivision in said Raymore, thence S57°02'39"E along the South Line of said Subdivision, a distance of 64.41 feet, thence S75°30'10"E continuing along said South Line, a distance of 201.40 feet, thence S83°31'38"E continuing along said South Line, a distance of 245.73 feet to a point on the West line of Foxhaven 11th Plat, a Subdivision in said Raymore, thence along the West line of Foxhaven 11th Plat, Foxhaven 12th Plat and Foxhaven 9th Plat, all being Subdivisions in said Raymore, the following 5 courses: S13°21'12"E, 607.42 feet, thence S71°39'30"E, 215.45 feet, thence S53°30'04"E, 48.84 feet, thence S30°44'40"E, 643.97 feet, thence S00°18'59"W, 199.75 feet to a point on the South line of said Section 17, thence S89°59'49"W, 1299.60 feet, thence N00°26'40"E, 1.496.02 feet, thence returning to the True Point of Beginning, except the South 45.00 feet thereof being Lucy Webb Road Right-of-Way, Containing 28.21 acres.

FINAL PLAT
LE'MOR ESTATES

LOTS 1 - 39 AND TRACTS "A" - "C"
Part of Section 17, Township 46, Range 32
Raymore, Cass County, Missouri.

DEDICATION:

THE UNDERSIGNED OWNERS OF THE TRACT OF LAND DESCRIBED HEREIN HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT. SAID SUBDIVISION AND PLAT SHALL HEREAFTER BE KNOWN AS

LE'MOR ESTATES LOTS 1-39 AND TRACTS A-C

EASEMENTS:

- 1. AN EASEMENT OR LICENSE IS HEREBY GRANTED TO THE CITY OF RAYMORE, MISSOURI FOR THE PURPOSE OF LOCATING, CONSTRUCTING, OPERATING OR MAINTAINING FACILITIES INCLUDING, BUT NOT LIMITED TO, POLES, WIRES, PIPES, CONDUITS, TRANSFORMERS, SERVICE PEDESTALS, METERS AND STRUCTURES FOR WATER, GAS, ELECTRICITY, SANITARY SEWER, STORM SEWER, TELEPHONE, CABLE TV, OR OTHER UTILITY OR SERVICE, ANY OR ALL OF THEM, UPON, OVER OR UNDER THOSE AREAS OR STRIPS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" OR "U.E."
2. WHERE AN EASEMENT IS DESIGNATED FOR A PARTICULAR PURPOSE, THAT IS, "SEWER EASEMENT" OR "S.E.", "DRAINAGE EASEMENT" OR "D.E.", OR "ACCESS EASEMENT" OR "A.E.", THE USE THEREOF SHALL BE RESTRICTED TO THAT PURPOSE.
3. ALL EASEMENTS SHALL BE KEPT FREE AND CLEAR OF ANY AND ALL BUILDINGS, STRUCTURES OR OTHER OBSTRUCTIONS (EXCEPT DRIVEWAYS, PAVED AREAS, GRASS, SHRUBS AND FENCES) WHICH WOULD INTERFERE WITH:
a) THE PROPER, SAFE AND CONTINUOUS USE AND MAINTENANCE OR RECONSTRUCTION OF THE FACILITIES LOCATED WITHIN SAID EASEMENTS.
b) THE AGENTS AND EMPLOYEES OF RAYMORE, MISSOURI AND ITS FRANCHISED UTILITIES FROM GOING UPON SAID EASEMENTS IN THE EXERCISING OF THE RIGHTS GRANTED BY SAID EASEMENT.

BUILDING LINES:

BUILDING LINES OR SET BACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE BUILT OR LOCATED BETWEEN THIS LINE AND THE STREET LINE.

STREETS:

THE STREETS OR THOROUGHFARES SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES DESCRIBED HEREIN WHICH MEET OR EXCEED THE CURRENT "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS JOINTLY ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, DIVISION OF GEOLOGY AND LAND SURVEY AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS PLAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

NOTARY CERTIFICATION:

STATE OF Missouri
COUNTY OF Jackson

ON THIS 15th DAY OF September, 2004, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED JOANNE MOSSIE, PRESIDENT OF J & M BUILDING & DEVELOPMENT CORPORATION, A MISSOURI CORPORATION, TO ME KNOWN TO BE THE PERSON DESCRIBED HEREIN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND WHO, BEING DULY SWORN BY ME, ACKNOWLEDGES THAT SHE IS THE PRESIDENT OF J & M BUILDING & DEVELOPMENT CORPORATION AND THAT SAID INSTRUMENT WAS SIGNED AS HER FREE ACT AND DEED.

IN WITNESS THEREOF:

I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THE DATE LAST WRITTEN ABOVE.

MY COMMISSION EXPIRES 12-25-2004, KRISTY FOSTER, NOTARY PUBLIC

IN TESTIMONY WHEREOF:

J & M BUILDING & DEVELOPMENT CORPORATION, A MISSOURI CORPORATION, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS GENERAL PARTNERS THIS 15th DAY OF September, 2004.

Joanne Moosie (PRESIDENT)

CASS COUNTY: RECORDER'S OFFICE:

ENTERED ON TRANSFER RECORD THIS 21st DAY OF Sept, 2004.

DEPUTY COUNTY RECORDER OF DEEDS

CITY OF RAYMORE, MISSOURI: PLANNING AND ZONING COMMISSION:

THIS PLAT OF "LE'MOR ESTATES LOTS 1-39 AND TRACTS A-C" HAS BEEN SUBMITTED TO AND APPROVED BY THE RAYMORE PLANNING AND ZONING COMMISSION THIS 21st DAY OF Sept, 2004.

Helen Worthley, SECRETARY

CITY COUNCIL:

THIS PLAT OF "LE'MOR ESTATES LOTS 1-39 AND TRACTS A-C", INCLUDING EASEMENTS AND RIGHTS-OF-WAY ACCEPTED BY THE CITY COUNCIL HAS BEEN SUBMITTED TO AND APPROVED BY THE RAYMORE CITY COUNCIL BY ORDINANCE NO. 24077, DULY PASSED AND APPROVED BY THE MAYOR OF RAYMORE, MISSOURI, ON THE 12th DAY OF July, 2004.

Justin Alonzo, MAYOR

Susie Gnefkow, CITY CLERK

Mary Jaeger, CITY ENGINEER

SURVEY AND PLAT NOTES:

- 1. THE FOLLOWING STANDARD MONUMENTS WILL BE SET UPON COMPLETION OF PROPOSED CONSTRUCTION OR WITHIN TWELVE (12) MONTH FROM THE RECORDING OF THIS PLAT, WHICH EVER IS EARLIER, AT THE FOLLOWING LOCATIONS UNLESS NOTED OTHERWISE ON THIS PLAT.
a) SEMI-PERMANENT MONUMENTS: SET 1/2" IRON BAR WITH PLASTIC CAP MARKED "LS-2560" AT ALL REAR LOT CORNERS AND AT OTHER LOCATIONS MARKED "O". CURBS ARE NOTCHED AT THE PROJECTION OF SIDE LOT LINES.
b) PERMANENT MONUMENTS: SET 5/8" IRON BAR WITH ALUMINUM CAP MARKED "ROBERT KENT MACE, LS-2560" AT ALL LOCATIONS MARKED "▲".
2. THE POSITION OF EXISTING MONUMENTS AS INDICATED BY AN "X", "Δ" OR "□" IS BY DIFFERENCE IN COORDINATES OR AT RIGHT ANGLES TO THE PROPERTY LINE AT THE DISTANCE NOTED FROM THE NEAREST PROPERTY CORNER.
3. ALL BEARING SHOWN ON THIS PLAT ARE BASED UPON THE WEST LINE OF THE PROPERTY BEING N 00°26'40" W.
4. THE FIELD SURVEY FOR THIS PLAT MEETS THE ACCURACY STANDARDS OF AN URBAN SURVEY AS DEFINED BY THE CURRENT "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS".
5. THE SOURCE OF THE DESCRIPTION USED FOR THIS PLAT WAS DERIVED FROM A WARRANTY DEED RECORDED IN BOOK 1311 AT PAGE 168 AND A PERSONAL REPRESENTATIVE DEED RECORDED IN BOOK 1311 AT PAGE 169 AT THE RECORDER'S OFFICE OF CASS COUNTY, MISSOURI.
6. THE 100 YEAR FLOOD LINE SHOWN ON THIS PLAT IS BASED ON A FLOOD STUDY BY HARRINGTON & CORTELYOU, INC. CONSULTING ENGINEERS. THIS ELEVATION HAS NOT BEEN CONFIRMED BY R. K. MACE ENGINEERING, INC.
7. THE ELEVATION OF THE LOWEST ADJACENT GRADE (LOWEST GROUND ELEVATION TOUCHING THE STRUCTURE) AND THE LOWEST OPENING (INCLUDING BASEMENT OR CRAWL SPACE) OF EACH HOME CONSTRUCTED ON LOTS ADJACENT TO THE 100 YEAR FLOOD PLAIN SHALL BE ELEVATED TO OR ABOVE THE MINIMUM LOW OPENING (MLO) ELEVATION SHOWN ON THIS PLAT OR ONE (1) FOOT ABOVE THE ADJACENT 100 YEAR FLOOD PLAIN ELEVATION, WHICH EVER IS HIGHER.
8. ELEVATIONS ARE BASED UPON THE FOLLOWING BENCHMARK: NORTH RIM MANHOLE A-2 AT LOT 164 AND 165 OF "STONEGATE OF THE GOOD RANCH - 3RD PLAT" ELEVATION = 978.27 FEET.
9. THE COPPERWELD FOUND AND USED FOR THE NW CORNER OF THE NE 1/4 OF SECTION 20, TOWNSHIP 46, RANGE 32, WAS NOT FOUND EQUAL DISTANCE FROM THE NE CORNER OF THE SECTION AND THE NW CORNER OF THE SECTION AS RECORDED ON THE GLO PLAT. SUBSEQUENT PLATS OF CEDAR RIDGE, FOXHAVEN, STONEGATE OF THE GOOD RANCH, AND WOOD CREEK OF THE GOOD RANCH HAVE ACCEPTED BY USE THIS COPPERWELD TO BE THE NW CORNER OF THE NE 1/4 OF THE SECTION.
10. THIS PROPERTY IS CLASSIFIED URBAN PROPERTY (4 CSR 30-16.020).
11. THE LAND THAT IS TO BE FILLED, LOT 6 AND LOTS 11 THRU 15, SHALL MEET ENGINEERING REQUIREMENTS AS TO COMPACTNESS AND SUITABILITY FOR CONSTRUCTION OF HOMES.
12. THE LANDSCAPING REQUIRED IN THE ARTERIAL BUFFER ALONG LUCY WEBB ROAD SHALL BE INSTALLED AS PART OF THE INFRASTRUCTURE IMPROVEMENTS.

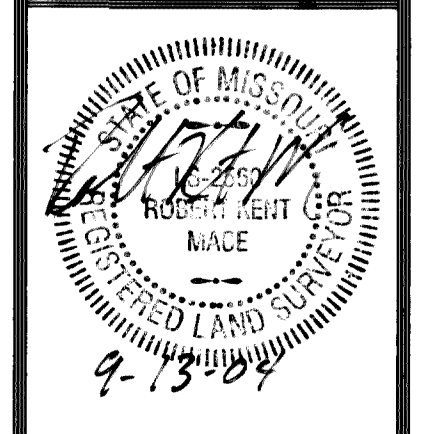
SCALES: PROFILE PLAN, HORIZ. VERT., BENCHMARK, ELEV. N.A.

REVISIONS table with columns: DATE, DESCRIPTION, BY, CHECKED.

R. MACE ENGINEERING, INC. ENGINEERS - SURVEYORS. 317 SW MARKET, LEE'S SUMMIT, MISSOURI 64063. PHONE: 816-525-8424, FAX: 816-525-8429.

FINAL PLAT: Le Mor Estates, LOTS 1 - 41 AND TRACTS A - E, Raymore, Cass County, Missouri. J & M Building & Development Co., PO Box 508, Lee's Summit, Missouri 64063. Phone: 816-524-7048.

CHECKED DATE, Initials, Date



ROBERT KENT MACE, PLS-2560

PROJECT NUMBER: 0055-0301

DATE: Sept. 10, 2003

SHEET 1 OF 1

To: Board of Adjustment
From: City Staff
Date: August 9, 2023
Re: **Case #23032: 590 Kreisel Dr. - Deck Encroachment into Easement - Variance.**

GENERAL INFORMATION

Applicant/Property Owner: William Clay
590 Kreisel Dr.
Raymore, MO 64083

Requested Action: Variance to allow for a deck to be constructed within and existing 7.5' Utility Easement.

Property Location: 590 Kreisel Dr., Raymore MO 64083

2023 Aerial Photograph:





View looking south from Kreisel Dr.



View looking southwest from adjoining lot 8



View looking north from southeast corner of subject property

Existing Zoning: “R-2P” Single and Two-Family Residential Planned District

Existing Surrounding Zoning: **North:** “R-1P” Single-Family Residential Planned District
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West: “R-3B” Apartment Community Residential District

Total Tract Size: 0.1 Acres

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

Major Street Plan: The Major Thoroughfare Plan Map classifies Old Paint Rd and Kreisel Dr. as local roads.

Advertisement: July 19, 2023 **North Cass Herald** newspaper

Public Hearing: August 9, 2023 Board of Adjustments Meeting

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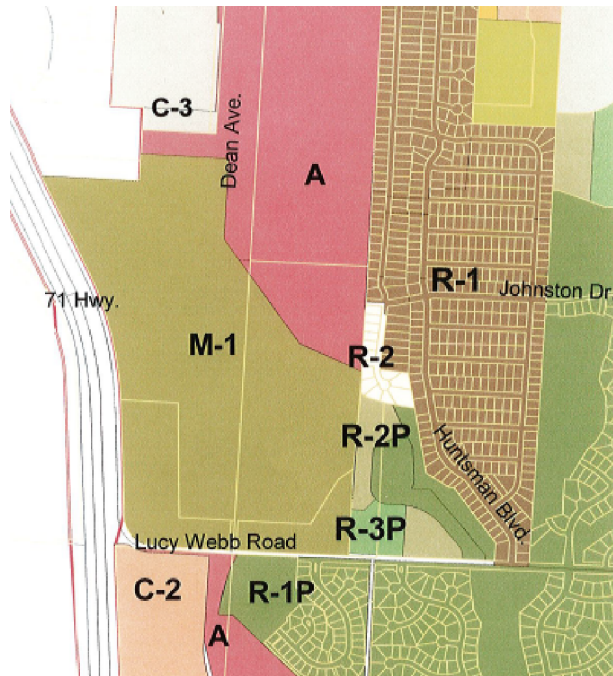
PROPOSAL

The applicant is requesting a variance to the Raymore Unified Development Code (UDC) *Section 420.050 Accessory Uses and Structures* to allow for a deck to be constructed within an existing 7.5' Utility Easement.

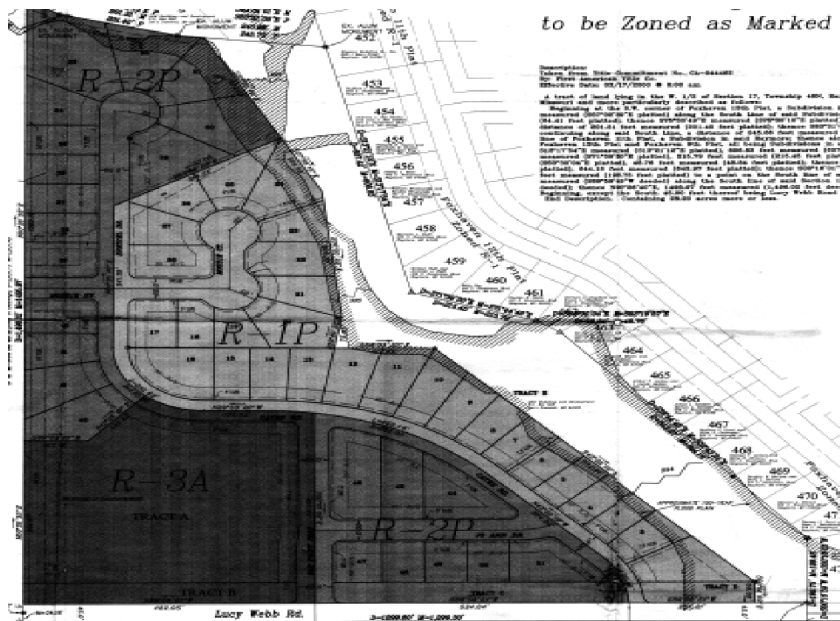
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PREVIOUS PLANNING ACTIONS ON OR NEAR THE PROPERTY

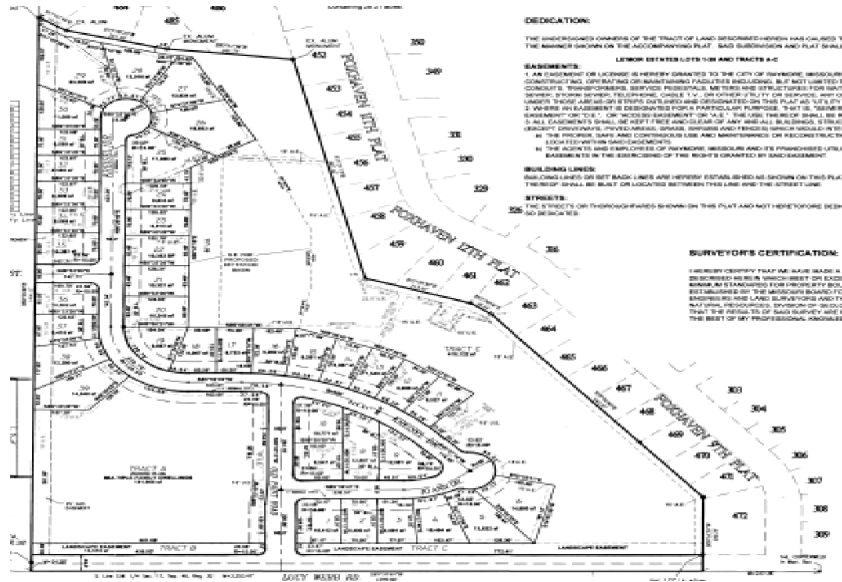
1. Land containing the LeMor Estates Subdivision was rezoned from "A" Agricultural District to "R-1P" Single Family Planned Residential District, "R-2P" Two-Family Planned Residential District, and "R-3A" Multi-Family Residential District, in August and September of 1999. At the time of the rezoning, the land area to the west (now known as the Timber Trails Subdivision) was zoned "M-1" Light Industrial District. The R-1P zoning designation for the Timber Trails Subdivision was established in February of 2004.
2. The rezoning of land in LeMor Estates established the R-2P and R-3A zoning district as a land use buffer adjacent to the industrial zoned land to the west. The R-1P land was established on the land along the west side of the creek. The 1999 rezoning is illustrated below:



- 3. In April of 2001, the zoning boundary line of the R-1P and R-2P district for the land was adjusted as illustrated below:



4. On October 22, 2004 the final plat for LeMor Estates subdivision was recorded.



5. On July 9, 2007, Lots 7, 10, and 25 were rezoned from R-2P to R-1P, and adjustments were made to the applicable development standards for all lots in the subdivision as follows:

“R-1P” Single-Family Planned	
Lot Area Minimum	7,545 sqft
Lot Width	60ft
Lot Depth	100ft
Front Yard	30ft
REAR YARD	18 FT
Side Yard Interior	10% of lot width 10’ maximum
Side Yard Exterior	30ft
Building Coverage	30%
Waiver from 410.290 Lot Design	

“R-2P” Single and Two-Family Planned	
Lot Area Minimum (per lot)	9,547 sqft
Lot Width	70ft
Lot Depth	100ft
Front Yard	30ft
REAR YARD	18 FT

Side Yard Interior	10% of lot width 10' maximum
Side Yard Exterior	30ft
Building Coverage	30%

6. On May 13th, 2013 the City Council voted to deny the rezoning application which would have rezoned Lots 21-25 from R-1P to R-2P. Single family homes are now being constructed on the lots.
7. On December 13, 2021 the City Council voted to approve the rezoning on Lots 7 and 10 from "R-1P" Single-Family Residential Planned District to "R-2P" Single and Two-Family Residential Planned District.
8. Temporary Occupancy was granted for 590 Kreisel Dr. on December 2, 2022.
9. On July 12, 2023 the Board of Adjustments voted to continue the application to a date certain of August 9, 2023. The applicant was requesting to construct a deck closer than 5' to the property line.

STAFF COMMENTS

1. Notices of the request were mailed to 20 adjoining property owners. No objections or concerns were received.
2. If the Board of Adjustments were to approve the variance application the applicant would still need to apply for a deck permit and pay any associated fees.
3. 1718 and 1720 JoAnn Dr. (Lot 8) is considered a double frontage lot which means that no primary structures will be built directly east of the subject property as there is an existing primary structure that faces Jo Ann Dr.
4. In 2015 the City embarked on creating a master plan geared towards "Building a Community for All Ages." Goal #2: Develop housing solutions that promote aging in place. The applicant is seeking to build a walk-out deck in place of the existing patio with stairs to accommodate mobility devices (walker, wheelchair, etc..)
5. The applicant did build the deck without getting a permit to build the deck but did wish to apply for the variance as they are seeking a hardship due to a physical disability.
6. The applicant also applied to vacate the existing 7.5' utility easement in the side-yard area along the east side of the property. Evergy was found to have existing facilities in the easement and objected to the vacation. Rather than vacating the easement, Evergy has indicated that they have no issue with the

deck encroaching into the easement, but that the resident is responsible for maintaining access if needed in the easement area.

7. The applicant has two separate variance requests that are running concurrently and are scheduled to be heard on August 9, 2023 by the Board of Adjustments.

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 requested variance does result from a condition that is unique to the property. The property has a 7.5' Utility Easement that runs along the east property line. As an easement is not necessarily unique, it is unique in the fact that the easement takes up approximately half of the side yard. When the house was built the secondary access door was installed on the side of the house instead of the rear of the house. This design limits the applicant's access to the side and rear yard via the existing patio and stair-step. The applicant has mobility issues, and constructing a deck at the finished-floor elevation of the home allows for better access to the outdoor area of the home.

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. The applicant has a physical disability that limits their mobility. When the home was built there was a side entry door that was serviced by a set of stairs. This characteristic could prevent the applicant from utilizing the patio area with mobility devices (walker, wheelchair etc...)

- 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 property to the east is a double frontage lot that would not allow for another primary structure to be built adjacent to the subject property in the area in question. The deck will not overly-encroach any existing structures adjacent to the home.

- 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. Exceptions are looked at on a case-by-case basis when considered for citizens with disabilities.

- 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. The request allows for the deck to be built to accommodate the homeowner, while also allowing Evergy service lines to remain in place.

- 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.

- 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

City Staff has reviewed the request and has determined the variance request is justified given the applicant's circumstances, and further supports our goals within the Community for All Ages Master Plan. The requested variance will allow the property owner to better utilize the outdoor area of their home with the use of mobility devices, including walkers, and or wheelchairs. The applicant is seeking this variance because Evergy was not supportive of vacating the utility easement given that they have existing infrastructure in the easement. However, Evergy was in support the deck being located in the existing Utility Easement with the condition that the applicant agrees that if Evergy ever needs to access their infrastructure they will not make repairs or be held liable for any cost incurred to the owner of 590 Kreisel Dr.

The requested encroachment allows for the property owner to better utilize the outdoor area of their home, given mobility issues, while allowing Evergy's infrastructure to remain in place.

With this in mind, City Staff recommends the Board of Adjustment accept the Staff Proposed Findings of Fact and approve Case #23032 - 590 Kreisel Dr. - Deck Encroachment into Easement - Variance



309925

STATE OF MISSOURI
2004 OCT 22 A.M. 10:15
BOOK 18 PAGE 910
SUBDIVISION RECORDS

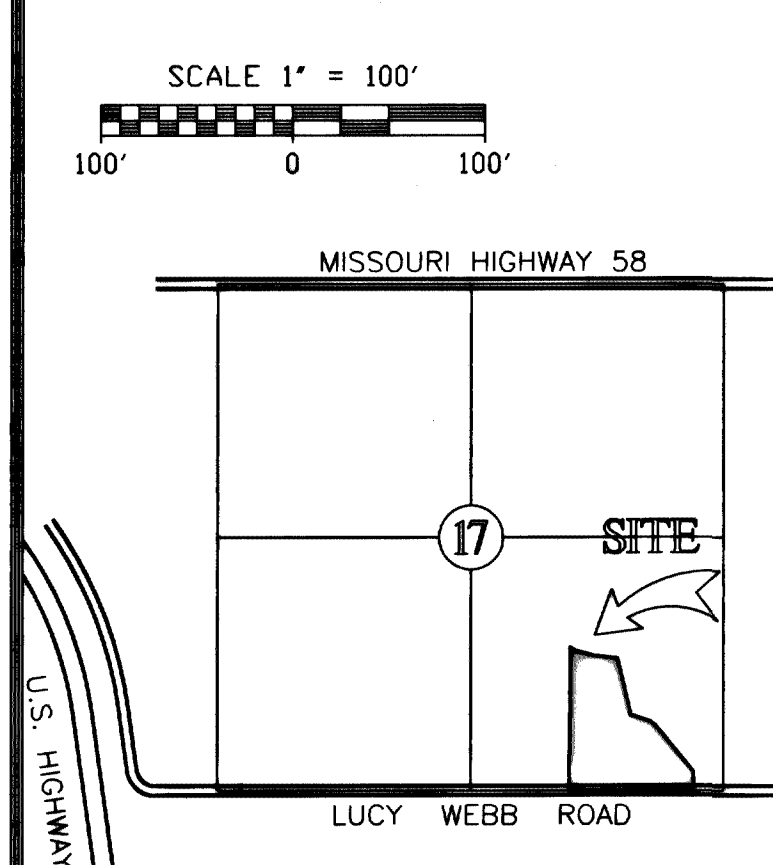
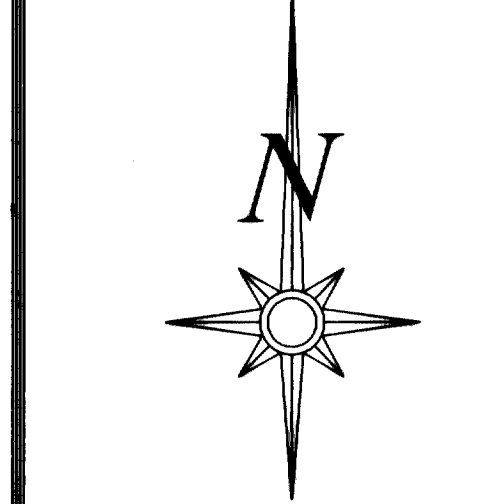
MINIMUM LOW OPENING (MLO) ELEVATIONS

Table with 4 columns: LOT #, M.L.O., LOT #, M.L.O. containing elevation data for lots 6 through 19.

MINIMUM FLOOR ELEVATIONS (MFE)

Table with 4 columns: LOT #, M.F.E., LOT #, M.F.E. containing elevation data for lots 1 through 14.

L-Represents Low Side With Respect to Sanitary Line
H-Represents High Side With Respect to Sanitary Line



PROPERTY DESCRIPTION:

A tract of land lying in the W. 1/2 of Section 17, Township 46N, Range 32W, in Raymore, Cass County, Missouri and more particularly described as follows: Beginning at the S.W. corner of Foxhaven 13th Plat, a Subdivision in said Raymore, thence S57°02'39"E along the South Line of said Subdivision, a distance of 64.41 feet, thence S75°30'10"E continuing along said South Line, a distance of 201.40 feet, thence S83°31'38"E continuing along said South Line, a distance of 245.73 feet to a point on the West line of Foxhaven 11th Plat, a Subdivision in said Raymore, thence along the West line of Foxhaven 11th Plat, Foxhaven 12th Plat and Foxhaven 9th Plat, all being Subdivisions in said Raymore, the following 5 courses: S13°21'12"E, 607.42 feet, thence S71°39'30"E, 215.45 feet, thence S53°30'04"E, 48.84 feet, thence S30°44'40"E, 643.97 feet, thence S00°18'59"W, 199.75 feet to a point on the South line of said Section 17, thence S89°59'49"W, 1299.60 feet, thence N00°26'40"E, 1.496.02 feet, thence returning to the True Point of Beginning, except the South 45.00 feet thereof being Lucy Webb Road Right-of-Way, Containing 28.21 acres.

FINAL PLAT
LE'MOR ESTATES

LOTS 1 - 39 AND TRACTS "A" - "C"
Part of Section 17, Township 46, Range 32
Raymore, Cass County, Missouri.

DEDICATION:

THE UNDERSIGNED OWNERS OF THE TRACT OF LAND DESCRIBED HEREIN HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT. SAID SUBDIVISION AND PLAT SHALL HEREAFTER BE KNOWN AS

LE'MOR ESTATES LOTS 1-39 AND TRACTS A-C

EASEMENTS:

- 1. AN EASEMENT OR LICENSE IS HEREBY GRANTED TO THE CITY OF RAYMORE, MISSOURI FOR THE PURPOSE OF LOCATING, CONSTRUCTING, OPERATING OR MAINTAINING FACILITIES INCLUDING, BUT NOT LIMITED TO, POLES, WIRES, PIPES, CONDUITS, TRANSFORMERS, SERVICE PEDESTALS, METERS AND STRUCTURES FOR WATER, GAS, ELECTRICITY, SANITARY SEWER, STORM SEWER, TELEPHONE, CABLE TV, OR OTHER UTILITY OR SERVICE, ANY OR ALL OF THEM, UPON, OVER OR UNDER THOSE AREAS OR STRIPS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" OR "U.E."
2. WHERE AN EASEMENT IS DESIGNATED FOR A PARTICULAR PURPOSE, THAT IS, "SEWER EASEMENT" OR "S.E.", "DRAINAGE EASEMENT" OR "D.E.", OR "ACCESS EASEMENT" OR "A.E.", THE USE THEREOF SHALL BE RESTRICTED TO THAT PURPOSE.
3. ALL EASEMENTS SHALL BE KEPT FREE AND CLEAR OF ANY AND ALL BUILDINGS, STRUCTURES OR OTHER OBSTRUCTIONS (EXCEPT DRIVEWAYS, PAVED AREAS, GRASS, SHRUBS AND FENCES) WHICH WOULD INTERFERE WITH:
a) THE PROPER, SAFE AND CONTINUOUS USE AND MAINTENANCE OR RECONSTRUCTION OF THE FACILITIES LOCATED WITHIN SAID EASEMENTS.
b) THE AGENTS AND EMPLOYEES OF RAYMORE, MISSOURI AND ITS FRANCHISED UTILITIES FROM GOING UPON SAID EASEMENTS IN THE EXERCISING OF THE RIGHTS GRANTED BY SAID EASEMENT.

BUILDING LINES:

BUILDING LINES OR SET BACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE BUILT OR LOCATED BETWEEN THIS LINE AND THE STREET LINE.

STREETS:

THE STREETS OR THOROUGHFARES SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES DESCRIBED HEREIN WHICH MEET OR EXCEED THE CURRENT "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS JOINTLY ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, DIVISION OF GEOLOGY AND LAND SURVEY AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS PLAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

NOTARY CERTIFICATION:

STATE OF Missouri
COUNTY OF Jackson

ON THIS 15th DAY OF September, 2004, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED JOANNE MOSSIE, PRESIDENT OF J & M BUILDING & DEVELOPMENT CORPORATION, A MISSOURI CORPORATION, TO ME KNOWN TO BE THE PERSON DESCRIBED HEREIN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND WHO, BEING DULY SWORN BY ME, ACKNOWLEDGES THAT SHE IS THE PRESIDENT OF J & M BUILDING & DEVELOPMENT CORPORATION AND THAT SAID INSTRUMENT WAS SIGNED AS HER FREE ACT AND DEED.

IN WITNESS THEREOF:

I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THE DATE LAST WRITTEN ABOVE.

MY COMMISSION EXPIRES 12-25-2004

KRISTY FOSTER
NOTARY PUBLIC - Notary Seal
STATE OF MISSOURI
Cass County
My Commission Expires December 25, 2004

IN TESTIMONY WHEREOF:

J & M BUILDING & DEVELOPMENT CORPORATION, A MISSOURI CORPORATION, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS GENERAL PARTNERS THIS 19th DAY OF September, 2004.

James Moore (PRESIDENT)

CASS COUNTY:
RECORDER'S OFFICE:

ENTERED ON TRANSFER RECORD THIS 21st DAY OF Sept, 2004.

DEPUTY COUNTY RECORDER OF DEEDS

CITY OF RAYMORE, MISSOURI:
PLANNING AND ZONING COMMISSION:

THIS PLAT OF "LE'MOR ESTATES LOTS 1-39 AND TRACTS A-C" HAS BEEN SUBMITTED TO AND APPROVED BY THE RAYMORE PLANNING AND ZONING COMMISSION THIS 21st DAY OF Sept, 2004.

Helen Worthley, SECRETARY

CITY COUNCIL:

THIS PLAT OF "LE'MOR ESTATES LOTS 1-39 AND TRACTS A-C", INCLUDING EASEMENTS AND RIGHTS-OF-WAY ACCEPTED BY THE CITY COUNCIL HAS BEEN SUBMITTED TO AND APPROVED BY THE RAYMORE CITY COUNCIL BY ORDINANCE NO. 24077, DULY PASSED AND APPROVED BY THE MAYOR OF RAYMORE, MISSOURI, ON THE 12th DAY OF July, 2004.

Justin Alonzo, MAYOR

Susie Gnefkow, CITY CLERK

Mary Jaeger, CITY ENGINEER

SURVEY AND PLAT NOTES:

- 1. THE FOLLOWING STANDARD MONUMENTS WILL BE SET UPON COMPLETION OF PROPOSED CONSTRUCTION OR WITHIN TWELVE (12) MONTH FROM THE RECORDING OF THIS PLAT, WHICH EVER IS EARLIER, AT THE FOLLOWING LOCATIONS UNLESS NOTED OTHERWISE ON THIS PLAT.
a) SEMI-PERMANENT MONUMENTS: SET 1/2" IRON BAR WITH PLASTIC CAP MARKED "LS-2560" AT ALL REAR LOT CORNERS AND AT OTHER LOCATIONS MARKED "O". CURBS ARE NOTCHED AT THE PROJECTION OF SIDE LOT LINES.
b) PERMANENT MONUMENTS: SET 5/8" IRON BAR WITH ALUMINUM CAP MARKED "ROBERT KENT MACE, LS-2560" AT ALL LOCATIONS MARKED "▲".
2. THE POSITION OF EXISTING MONUMENTS AS INDICATED BY AN "X", "Δ" OR "□" IS BY DIFFERENCE IN COORDINATES OR AT RIGHT ANGLES TO THE PROPERTY LINE AT THE DISTANCE NOTED FROM THE NEAREST PROPERTY CORNER.
3. ALL BEARING SHOWN ON THIS PLAT ARE BASED UPON THE WEST LINE OF THE PROPERTY BEING N 00°26'40" W.
4. THE FIELD SURVEY FOR THIS PLAT MEETS THE ACCURACY STANDARDS OF AN URBAN SURVEY AS DEFINED BY THE CURRENT "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS".
5. THE SOURCE OF THE DESCRIPTION USED FOR THIS PLAT WAS DERIVED FROM A WARRANTY DEED RECORDED IN BOOK 1311 AT PAGE 168 AND A PERSONAL REPRESENTATIVE DEED RECORDED IN BOOK 1311 AT PAGE 169 AT THE RECORDER'S OFFICE OF CASS COUNTY, MISSOURI.
6. THE 100 YEAR FLOOD LINE SHOWN ON THIS PLAT IS BASED ON A FLOOD STUDY BY HARRINGTON & CORTELYOU, INC. CONSULTING ENGINEERS. THIS ELEVATION HAS NOT BEEN CONFIRMED BY R. K. MACE ENGINEERING, INC.
7. THE ELEVATION OF THE LOWEST ADJACENT GRADE (LOWEST GROUND ELEVATION TOUCHING THE STRUCTURE) AND THE LOWEST OPENING (INCLUDING BASEMENT OR CRAWL SPACE) OF EACH HOME CONSTRUCTED ON LOTS ADJACENT TO THE 100 YEAR FLOOD PLAIN SHALL BE ELEVATED TO OR ABOVE THE MINIMUM LOW OPENING (MLO) ELEVATION SHOWN ON THIS PLAT OR ONE (1) FOOT ABOVE THE ADJACENT 100 YEAR FLOOD PLAIN ELEVATION, WHICH EVER IS HIGHER.
8. ELEVATIONS ARE BASED UPON THE FOLLOWING BENCHMARK: NORTH RIM MANHOLE A-2 AT LOT 164 AND 165 OF "STONEGATE OF THE GOOD RANCH - 3RD PLAT" ELEVATION = 978.27 FEET.
9. THE COPPERWELD FOUND AND USED FOR THE NW CORNER OF THE NE 1/4 OF SECTION 20, TOWNSHIP 46, RANGE 32, WAS NOT FOUND EQUAL DISTANCE FROM THE NE CORNER OF THE SECTION AND THE NW CORNER OF THE SECTION AS RECORDED ON THE GLO PLAT. SUBSEQUENT PLATS OF CEDAR RIDGE, FOXHAVEN, STONEGATE OF THE GOOD RANCH, AND WOOD CREEK OF THE GOOD RANCH HAVE ACCEPTED BY USE THIS COPPERWELD TO BE THE NW CORNER OF THE NE 1/4 OF THE SECTION.
10. THIS PROPERTY IS CLASSIFIED URBAN PROPERTY (4 CSR 30-16.020).
11. THE LAND THAT IS TO BE FILLED, LOT 6 AND LOTS 11 THRU 15, SHALL MEET ENGINEERING REQUIREMENTS AS TO COMPACTNESS AND SUITABILITY FOR CONSTRUCTION OF HOMES.
12. THE LANDSCAPING REQUIRED IN THE ARTERIAL BUFFER ALONG LUCY WEBB ROAD SHALL BE INSTALLED AS PART OF THE INFRASTRUCTURE IMPROVEMENTS.

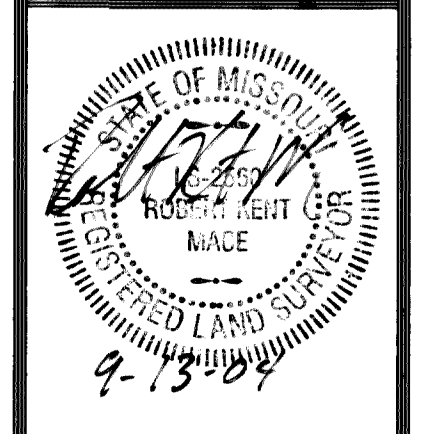
SCALES: PLAN 1"=100', PROFILE 1"=100', BENCHMARK ELEV. N.A.

REVISIONS table with columns: DATE, DESCRIPTION, BY, CHECKED.

R. MACE ENGINEERING, INC. ENGINEERS - SURVEYORS. 317 SW MARKET, LEE'S SUMMIT, MISSOURI 64063. PHONE: 816-525-8424, FAX: 816-525-8429.

FINAL PLAT: Le Mor Estates LOTS 1 - 41 AND TRACTS A - E. Raymore, Cass County, Missouri. J&M Building & Development Co. PO Box 508 Lee's Summit, Missouri 64063. Phone: 816-524-7048.

CHECKED DATE: Initials Date



ROBERT KENT MACE PLS-2560

PROJECT NUMBER: 0055-0301

DATE: Sept. 10, 2003

SHEET 1 OF 1

590 Kreisel Dr.

Kara Pardus <kara.pardus@evergy.com>

Thu, Jul 6, 2023 at 9:56 AM

To: Dylan Eppert <deppert@raymore.com>, Kent Fredlund <kent.fredlund@evergy.com>

Cc: David Gress <dgress@raymore.com>, JaaFar Fahda <jaafar.fahda@evergy.com>

Internal Use Only

Good morning Dylan,

Thank you for sending the pictures of the locates. Evergy does have existing facilities located within the easement in question. After discussing with my supervisor Evergy doesn't have an issue with the deck staying as is. However, the understanding from the customer and the city of Raymore that if Evergy ever needs to access any of their facilities and the deck in in conflict, Evergy will remove any of the deck that is necessary for access and repairs/rebuild will be all customer responsibility. I will also reach out directly to the customer to make sure they are of the same understanding.

Please let me know if this is sufficient information or if you need any additional information.

Kent, please let me know today if you have any issues with the above information.

Thank you

From: Dylan Eppert <deppert@raymore.com>

Sent: Thursday, July 6, 2023 8:17 AM

To: Kara Pardus <kara.pardus@evergy.com>; Kent Fredlund <kent.fredlund@evergy.com>

Cc: David Gress <dgress@raymore.com>

Subject: Re: [590 Kreisel Dr.](#)

This Message Is From an External Sender

Report Suspicious

This message came from outside your organization.

Good Morning Kara,

I was following up after our conversation yesterday regarding getting documentation from Evergy stating something along the lines of the deck is good with the current location but with the understanding that if Evergy has to get to their infrastructure they will not be held liable for any damages caused by work being done.

Dylan M. Eppert | City Planner

City of Raymore | [100 Municipal Circle](#)

(816) 892-3016 | www.raymore.com

On Fri, Jun 30, 2023 at 12:04 PM Dylan Eppert <deppert@raymore.com> wrote:





Good Morning Kara and Kent,

[Quoted text hidden]

MONTHLY REPORT

JULY 2023

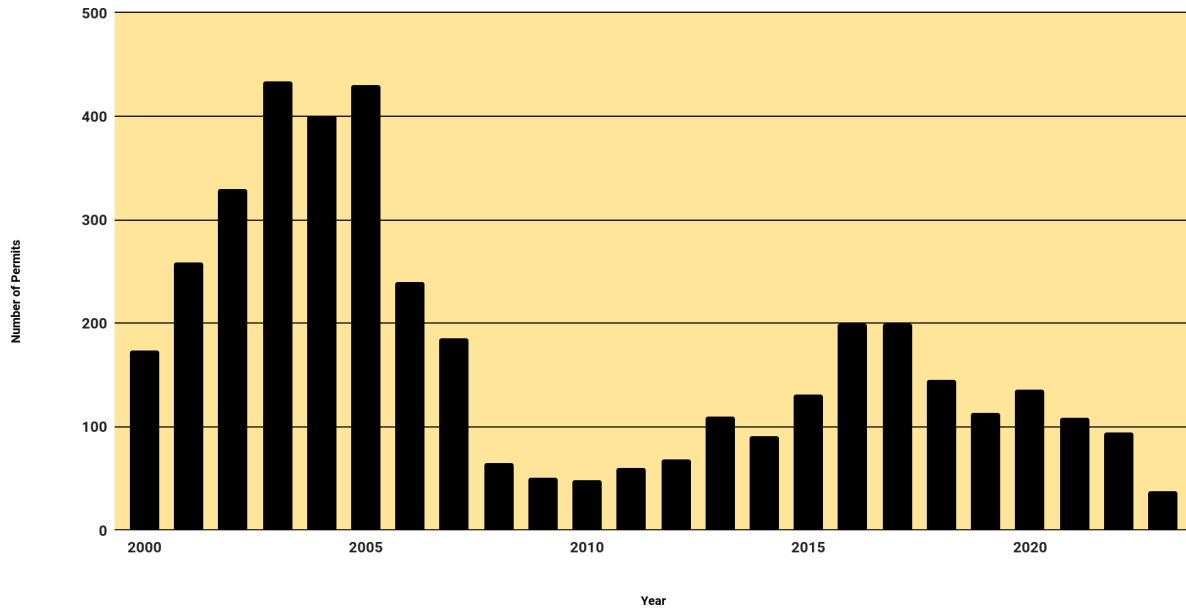
Building Permit Activity

Type of Permit	JUL 2023	2023 YTD	2022 YTD	2022 Total
Detached Single-Family Residential	10	37	82	94
Attached Single-Family Residential	0	58	178	238
Multi-Family Residential	0	0	0	15
Miscellaneous Residential (deck; roof)	50	418	463	763
Commercial - New, Additions, Alterations	1	16	9	20
Sign Permits	1	37	29	49
Inspections	JUL 2023	2023 YTD	2022 YTD	2022 Total
Total No. of Inspections	358	3,188	3,518	6,264
Residential Inspections	179	1,474	-	-
Commercial Inspections	179	1,714	-	-
Valuation	JUL 2023	2023 YTD	2022 YTD	2022 Total
Total Residential Permit Valuation	\$3,472,740	\$25,477,240	\$57,823,550	\$69,322,400
Total Commercial Permit Valuation	\$42,500	\$34,447,400	\$31,671,700	\$93,784,200

Additional Building Activity:

- Vertical construction continues on the residential apartment buildings within The Depot community.
- Staff continues inspections at the Southern Glazer's distribution center as they continue the buildout of their facility at 1100 S. Dean Avenue.
- Multip
- Edward Jones completed a renovation of their facility located at 108 E. Walnut
- Staff continues inspections at the Nuuly distribution facility located at 1300 S. Dean Avenue.

Single Family Building Permits



CODE ENFORCEMENT ACTIVITY

Code Activity	JUL 2023	2023 YTD	2022 YTD	2022 Total
Code Enforcement Cases Opened	70	447	456	705
<i>Notices Mailed</i>			-	-
-Tall Grass/Weeds	16	86	93	144
- Inoperable Vehicles	15	160	149	221
- Junk/Trash/Debris in Yard	14	77	64	122
- Object placed in right-of-way	3	12	9	10
- Parking of vehicles in front yard	4	17	26	46
- Exterior home maintenance	11	52	55	73
- Other (trash at curb early; signs; etc)	0	0	0	0
Properties mowed by City Contractor	8	37	24	55
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	0	4	0	-
Signs in right-of-way removed	27	306	616	1,184
Violations abated by Code Officer	7	34	55	76

DEVELOPMENT ACTIVITY

Current Projects

- Comprehensive Plan
- HTeaO Site Plan Review
- Raymore Galleria Multi-tenant building (1830 W. Foxwood Dr).
- Eastbrook 4th Plat
- 590 Kreisel Dr. Variance request(s)
- Timber Trails Mixed Use Development
- Annual UDC Review

ACTION OF BOARDS, COMMISSIONS & CITY COUNCIL

July 4, 2023 Planning and Zoning Commission

- Meeting Canceled (July 4th Holiday!)

July 10, 2023 City Council

- 1st Reading - Lot 412, Westbrook 15th Plat Easement Vacation (public hearing), approved.
- 1st Reading - Lot 415, Westbrook 15th Plat Easement Vacation (public hearing), approved.
- 2nd Reading - Grant Park Villas Final Plat, approved.

July 12, 2023 Board of Zoning Adjustment

- 590 Kreisel Dr Deck Variance (public hearing), continued to August 9, 2023 meeting

July 18, 2023 Planning and Zoning Commission

- Meeting Canceled

July 24, 2023 City Council

- 1st Reading - 1111 Hillswick Lane Easement Vacation (public hearing), approved.
- 1st Reading - Non-Residential Sewer Contributor Agreement (Nuuly)
- 2nd Reading - Lot 412, Westbrook 15th Plat Easement Vacation, approved.
- 2nd Reading - Lot 415, Westbrook 15th Plat Easement Vacation, approved.
- 2nd Reading - Timber Trails Mixed Use PUD, approved.

UPCOMING MEETINGS JULY & AUGUST

August 1, 2023 Planning and Zoning Commission

- 1830 W Foxwood Drive - Site Plan
- Dean Avenue South Extension ROW Plat
- Annual UDC Review

August 9, 2023 Board of Zoning Adjustment

- Accessory Structure/Deck Setback Variance - 590 Kreisel - (public hearing)
- Accessory Structure/Deck Easement Encroachment Variance - 590 Kreisel (public hearing)

August 14, 2023 City Council

- 1st Reading - Dean Avenue South Extension ROW Plat
- Timber Trails Mixed Use Chapter 100 Request
- 2nd Reading - Non-Residential Sewer Contributor Agreement (Nuuly)
- 2nd Reading - 1111 Hillswick Lane Easement Vacation

August 15, 2023 Planning and Zoning Commission

- Site Plan - HTeaO (Sunset Lane & 58 Highway)

August 28, 2023 City Council

- 2nd Reading - Dean Avenue South Extension ROW Plat

September 5, 2023 Planning and Zoning Commission

- Eastbrook at Creekmoor 4th Final Plat
- 2024-2028 Capital Improvement Program (public hearing)
- 36th Amendment to Unified Development Code (public hearing)

JULY DEPARTMENT ACTIVITY

- Development Services staff held a kickoff meeting with Olsson Studio regarding the City's Comprehensive Plan Update.
- Staff held a meeting to discuss code regulations on mobile vendors.
- Development Services staff attended the monthly Southland Planners meeting.
- GIS Coordinator Heather Eisenbarth attended the ESRI GIS Users Conference in San Diego, CA.
- The Board of Zoning Adjustment met on July 12 to review a variance application regarding the setback of a deck at 590 Kreisel Drive in the LeMor Estate neighborhood. The request was continued to the August 9 meeting.
- City Planner Dylan Eppert attended the First Suburbs Coalition meeting hosted by the City of Westwood, Kansas.
- Development Services Director David Gress attended the MARC Solid Waste Management District meeting.
- Development Services Director David Gress and Economic Development Director Jordan Lea attended the monthly board meeting of the Raymore Chamber of Commerce.

- Economic Development Director Jordan Lea and City Planner Dylan Eppert attended the ribbon cutting for Sunrise Nursing and Memory Care's new memory unit.
- Economic Development Director Jordan Lea, Development Services Director David Gress and City Planner Dylan Eppert attended the ribbon cutting for Elite Fence & Deck.
- Economic Development Director Jordan Lea participated in a webinar hosted by United WE on Effective Advocacy.
- Economic Development Director Jordan Lea and Development Services Director David Gress attended an events committee meeting of the Raymore Chamber of Commerce.
- Economic Development Director Jordan Lea and Development Services Director David Gress attended the Raymore Chamber of Commerce's July Coffee and Conversation event hosted by South Metro Fire.
- City staff met with the owner of Elite Fence & Deck to discuss the potential for expanding the existing business.
- City staff met to discuss the annual review of the Unified Development Code.
- Development Services received an application for Eastbrook at Creekmoor 4th Plat - Final Plat. This project is tentatively scheduled to be heard on Sept. 5, 2023, by the Planning and Zoning Commission.
- Economic Development Director Jordan Lea received the First-Time Conference Attendee scholarship for the 2023 International Economic Development Council Annual Conference.
- Economic Development Director Jordan Lea and City Planner Dylan Eppert attended the ribbon cutting for Geo's Speciality Cheesecakes.
- Economic Development Director Jordan Lea attended the monthly Regional Association of Public Information Officers meeting hosted by Mid-America Regional Council.

GIS ACTIVITY

- Batch optimized plan scans and indexed for reference from web application(s)
- Relocated orthoimagery collections for years prior to yr2000 to make operational space for indexing of ArcGIS Enterprise Portal, backup & indexing of enterprise portal (items)
- Schematic changes - addition of Ch 100 actions to 'Benefit District' dataset for publication/dissemination, annual update of existing land use & addition of publicly acquired property, addition of park area as offered through easement
- Annual International ESRI User's Conference
- Created 'Park Experience' [application](#), retired initial app
- Creation of geospatial data, cartographic output and data delivery as requested
- Addressing operations as required & requested
- Performance testing of three most visited web applications
- Creation of Arcade expressions for pop-up configuration of popular apps
- ArcGIS Field Maps on Apple device pilot for operation of local government solution for tree management (tree inventory/condition survey)