

RAYMORE BOARD OF ADJUSTMENT AGENDA

Tuesday, August 21, 2018 - 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 November 21, 2017 meeting
- 6. Unfinished Business None
- 7. New Business
 - a. Case #18013 Peggy Wansing Variance of Use 302 W. Walnut Street (public hearing)
- 8. Staff Comments
- 9. Board Member Comment
- 10. Adjournment

Any person requiring special accommodation (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, NOVEMBER 21, 2017** IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING BOARD MEMBERS PRESENT: DAVID WOSTE, MIKE VINCK, TOM BUECHLER, JOSEPH WELLS AND ALTERNATE TOM CIRCO. ALSO PRESENT WERE COMMUNITY DEVELOPMENT DIRECTOR JIM CADORET, ASSOCIATE PLANNER DAVID GRESS, AND CITY ATTORNEY JONATHAN ZERR.

- 1. Call to Order Chairman Vinck called the meeting to order at 6:00 p.m.
- 2. Pledge of Allegiance
- **3. Roll Call –** Roll was taken and Chairman Vinck declared a quorum present to conduct business.
- 4. Personal Appearances None.
- 5. Consent Agenda
 - A. Acceptance of Minutes of June 20, 2017 meeting

Motion by Board member Woste, Seconded by Board member Wells to accept the minutes of June 20, 2017 as written.

Vote on Motion:

| Board member Circo | Aye |
|-----------------------|-----|
| Board member Buechler | Aye |
| Board member Wells | Aye |
| Board member Woste | Aye |
| Board member Vinck | Aye |

Motion passed 5-0-0

- 6. Old Business None
- 7. New Business
 - A. Election of Officers

Chairman Vinck opened the floor for nominations.

Motion by Chairman Vinck, Seconded by Board member Buechler to nominate David Woste as Secretary and Joseph Wells as Vice-Chairman.

Vote on Motion:

| Board member Circo | Aye |
|-----------------------|-----|
| Board member Buechler | Aye |
| Board member Wells | Aye |
| Board member Woste | Aye |
| Board member Vinck | Aye |
| | |

Motion passed 5-0-0

Motion by Board Member Wells, Seconded by Board Member Woste to nominate Mike Vinck as Chairman.

Vote on Motion:

Board member Circo Aye
Board member Buechler Aye
Board member Wells Aye
Board member Woste Aye
Board member Vinck Aye

Motion passed 5-0-0

B. Case #17032 - Wade Fence Variance - 1706 Quail Court (public hearing)

Brian Wade, owner of 1706 Quail Court, presented his request. He stated he wants to replace his existing dilapidated fence with a new fence. The location of the fence is not proposed to change. The existing fence encroaches into the front yard setback area along Huntsman. The existing fence is approximately 13 feet from the property line. The fence has been in existence since before 1995.

Mr. Wade indicated he has a unique property that is surrounded on three sides by public streets.

Associate Planner David Gress presented the staff report. The applicant seeks a variance to Section 440.030C of the Unified Development Code to construct a privacy fence in the required front yard setback area on the side of the house. The fence will encroach seventeen feet (17') into the setback area..

Mr. Gress reviewed the photographs of the property and discussed the adjacent land uses.

Mr. Gress entered into the record the mailed notices to adjoining property owners; the notice of publication in The Journal; the Unified Development Code; the application; the Growth Management Plan; the staff report; and the applicant proposed findings of fact.

Mr. Gress indicated staff submitted proposed findings of fact for the Board's consideration and indicated staff recommended approval of the variance request.

Board member Woste asked if an existing section of the fence had already been replaced.

Mr. Wade indicated that a portion of the fence fell during a recent storm and he had to replace it.

Board member Woste asked if there was any comment from any adjoining neighbors.

Mr. Gress stated he was contacted by the neighbor immediately to the east. She had a question regarding the fence on her common lot line with the applicant.

Chairman Vinck opened the public hearing at 6:14 p.m.

No public comment.

Chairman Vinck closed the public hearing at 6:14 p.m.

Chairman Vinck indicated he thought the property was very unique in having street frontage on three sides of the lot. He did not see where there is any sight visibility or safety issue with the encroachment.

Motion by Board member Woste, Seconded by Board member Circo to accept the staff proposed findings of fact and approve Case #17032, variance to the front yard setback requirement for a privacy fence at 1706 Quail Court.

Vote on Motion:

| Board member Circo | Aye |
|-----------------------|-----|
| Board member Buechler | Aye |
| Board member Wells | Aye |
| Board member Woste | Aye |
| Board member Vinck | Aye |

Motion passed 5-0-0

- 8. Staff Comments None
- 9. Board member Comment -

None.

10. Adjournment

Motion by Board member Buechler, Seconded by Board member Circo to adjourn.

Vote on Motion:

| Aye |
|-----|
| Aye |
| Aye |
| Aye |
| Aye |
| |

Motion passed 5-0-0

The Board of Adjustment meeting for November 21, 2017 adjourned at 6:19 p.m.

Respectfully submitted,

Jim Cadoret



To: Board of Adjustment

From: City Staff

Date: August 21, 2018

Re: Case #18013 - Variance of Use - 302 W. Walnut Street

GENERAL INFORMATION

Applicant/ Peggy Wansing

Property Owner: 208 S. Madison Street

Raymore, MO 64083

Requested Action: Variance to allow the operation of a construction sales and service

business within the "C-2" General Commercial District

Property Location: 302 W. Walnut Street



1

Site Photographs:



Aerial photograph of the property.



View looking from 58 Highway



View looking north along the access drive from 58 Highway



View looking south along the access drive from 58 Highway.

3



View looking east from the rear parking lot at the adjacent property.



View looking north at the adjacent property.



View looking west at the adjacent property.



View looking south along the eastern property line.



View showing the visibility of a vehicle exiting the parking lot, looking west.



View showing the visibility of a vehicle exiting the parking lot, looking east.

Existing Zoning: "C-2" General Commercial District

Existing Surrounding Uses: North: Industrial

South: Commercial/Single Family Residential

East: Commercial **West:** Commercial

Total Tract Size: 27,612 Square Feet/0.63 Acres

Growth Management Plan: The Future Land Use Plan Map contained in the Growth Management Plan identifies this property as appropriate for commercial development.

Major Street Plan: The Major Thoroughfare Plan Map contained in the Growth

Management Plan classifies W. Walnut Street (MO-58) as a Major Arterial

Advertisement: Auguest 2, 2018 **Journal Newspaper**

Public Hearing: August 21, 2018 Board of Adjustment meeting

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 Letter to Board

PROPOSAL

The applicant is requesting a variance of use to the Raymore Unified Development Code (UDC) Section 410.020 to allow for the operation of a construction sales and service business as a permitted use in the "C-2" General Commercial District.

VARIANCE REQUIREMENTS AND STANDARDS

1. The following section of the Unified Development Code is applicable to this application:

Section 470.010 Zoning Variances

A. Authority and Applicability

The zoning variance procedures of this section authorize the Board of Adjustment to approve, in specific cases, variances from specific zoning standards of this Code that will not be contrary to public interest and where, owing to special conditions, a literal enforcement of zoning standards would result in unnecessary hardship. In approving variances where there are practical difficulties or unnecessary hardship, the Board may vary or modify the application of any provisions of such ordinance relating to construction or alteration of use of land if it determines the public safety and welfare will be secured and substantial justice will be done.

B. Prohibited Variances (Amendment 21 – Ordinance 2015-005 1.26.15)

The Board of Adjustment may grant variances from all requirements of this Code except:

- **1.** any provision in Chapter 435: Signs;
- **2.** the requirements for public improvements contained within Chapter 445;
- **3.** any provision in Chapter 460, Flood Protection; and
- **4.** any provision in Chapter 455: Natural Resource Protection.

C. Applications

An application for a variance may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Community Development Director so that a public hearing date can be established in accordance with Section 470.010E.

D. Procedure

1. Board of Adjustment Public Hearing

All proposed variance applications must be submitted to the Board of Adjustment. The Board of Adjustment will hold a public hearing on the application in accordance with Section 470.010E. The

public hearing must be held at the next regular meeting of the Board of Adjustment for which the application may be scheduled given public notice deadlines, unless the applicant has consented to an extension of this time period. The Community Development Director or other appointed official as designated by the Planning and Zoning Commission must prepare a written summary of the proceedings, and give notice of the hearing as provided in Section 470.010E.

2. Board of Adjustment Action

Upon conclusion of the public hearing, the Board of Adjustment must approve, approve with conditions or disapprove the requested variance. A concurring vote of at least four members of the Board of Adjustment is required to approve any variance request.

E. Findings of Fact

A request for a variance of use may be granted upon a finding of the Board that all of the following conditions have been met. The Board will make a determination on each condition, and the finding will be entered into the record.

- 1. The strict application of the provisions of the Unified Development Code would constitute an unnecessary hardship upon the applicant or landowner.
- **2.** Relief is necessary because of the unique character of the property.
- **3.** The variance will not destroy the preservation of the Growth Management Plan.
- **4.** Granting the variance will result in substantial justice for all.

F. Conditions of Approval

- 1. IIn making any decision varying or modifying any provisions of the Unified Development Code, the Board may impose such conditions, restrictions, terms, time limitations, landscaping, screening and other appropriate safeguards as needed to protect adjoining property.
- **2.** The Board may require a performance bond to guarantee the installation of improvements such as parking lot surfacing, landscaping, etc. The amount of the bond will be based on a general estimate of cost for the improvements as determined by the Board and will be enforceable by, or payable to, the City Council in the sum equal to the cost of constructing the required improvements.
- **3.** In lieu of the performance bond requirement, the Board may specify a time limit for the completion of such required improvements and in the event the improvements are not completed within the specified time, the Board may declare the granting of the application null and void after reconsideration.

G. Appeal of Board's Decision

Any person or persons jointly or severally aggrieved by any decision of the Board, any neighborhood organization as defined in Section 32.105, RSMo. representing such person or persons, or any officer, department, board or bureau of the municipality may present to the Circuit Court of the County a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition must be presented to the Court within 30 days after the filing of the decision in the office of the Board.

PREVIOUS ACTIONS ON OR NEAR THE PROPERTY

- 1. A Conditional Use Permit was issued for the property on August 23, 2004 in order to allow for the operation of *Trek Auto, LLC*, an automobile retail business.
- 2. The properties located at 214, 216, 210, 208 and 118 W. Walnut, all directly to the east of the subject property were rezoned from "C-1" Neighborhood Commercial district to "C-2" General Commercial district on January 8, 2018.
- 3. The last business to occupy the building was *SMS AutoSports*, a motor vehicle repair facility.

STAFF COMMENTS

1. The use standards applicable to the subject property are as follows:

| SIDENTIAL USES Pusehold Living Single-family Dwelling, Attached Multi-family Dwelling (3+ units) Cluster Residential Development Manufactured Home Park Dwelling Units Located Above the Ground Floor Oup Living Assisted Living Group Home Nursing Care Facility Transitional Living IBLIC AND CIVIC USES | _ _ _ _ | _ _ _ _ | - - | _ | _ | | | |
|--|------------------|------------------|----------|-------------------|-------|----------|---|--------------------------------------|
| Single-family Dwelling, Attached Multi-family Dwelling (3+ units) Cluster Residential Development Manufactured Home Park Dwelling Units Located Above the Ground Floor oup Living Assisted Living Group Home Nursing Care Facility Transitional Living | _ _ | _ _ _ | - | _ | _ | | | |
| Multi-family Dwelling (3+ units) Cluster Residential Development Manufactured Home Park Dwelling Units Located Above the Ground Floor oup Living Assisted Living Group Home Nursing Care Facility Transitional Living | _ _ | _ _ _ | - | - | _ | | | |
| Multi-family Dwelling (3+ units) Cluster Residential Development Manufactured Home Park Dwelling Units Located Above the Ground Floor oup Living Assisted Living Group Home Nursing Care Facility Transitional Living | | - - | - | | | - | - | Section 420.010A |
| Manufactured Home Park Dwelling Units Located Above the Ground Floor oup Living Assisted Living Group Home Nursing Care Facility Transitional Living | | _ | | - | _ | _ | - | Section 420.010A |
| Dwelling Units Located Above the Ground Floor oup Living Assisted Living Group Home Nursing Care Facility Transitional Living | _ _ | _ | ı – | _ | _ | _ | - | Section 420.010B |
| oup Living Assisted Living Group Home Nursing Care Facility Transitional Living | _ | ı | _ | _ | _ | - | _ | Section 420.010C |
| Assisted Living Group Home Nursing Care Facility Transitional Living | | Р | Р | Р | _ | _ | _ | |
| Group Home Nursing Care Facility Transitional Living | | | | | | | | |
| Nursing Care Facility Transitional Living | _ | С | Р | Р | - | _ | _ | |
| Transitional Living | _ | _ | _ | _ | - | _ | _ | Section 420.010E |
| <u> </u> | _ | С | Р | Р | - | _ | _ | |
| IBLIC AND CIVIC LISES | _ | С | С | _ | _ | _ | _ | |
| BEIG AILD GIVIG COLO | | | | | | | | |
| llege or University | С | _ | С | С | С | С | _ | |
| Itural Exhibit or Library | С | С | С | С | С | С | _ | |
| vernment Buildings and Properties | С | С | С | С | С | С | С | |
| spital | Р | С | Р | Р | Р | Р | _ | |
| ace of Public Assembly | Р | Р | Р | Р | Р | Р | _ | |
| blic Safety Services | Р | Р | Р | Р | Р | Р | Р | |
| ligious Assembly | Р | Р | Р | Р | Р | Р | Р | |
| hool | Р | Р | Р | Р | Р | Р | Р | |
| cial Club or Lodge | Р | Р | Р | Р | Р | Р | Р | |
| ilities | | | | | | | | |
| Major | С | С | С | С | С | С | С | |
| Minor | Р | Р | Р | Р | Р | Р | Р | |
| DMMERCIAL USES | | | | | | | | |
| ult Business | _ | _ | S | s | S | S | S | Section 420.030A Section 420.030B |
| imal Services | | 1 | | | | | | |
| Kennel | _ | _ | С | С | С | С | С | Section 420.030E |
| Veterinary Services | _ | Р | | \vdash \vdash | | — | | † |
| t Gallery | | F | Р | Р | l – i | _ | - | |

| Banks and Financial Services | | | | | | | | |
|------------------------------------|----|-----|-----|-----|----|----|----|------------------|
| Banks | _ | Р | Р | Р | Р | _ | _ | |
| Payday Loan Store | _ | _ | С | С | С | _ | _ | Section 420.030D |
| Consumer Loan Establishment | _ | _ | С | С | С | _ | _ | Section 420.030D |
| Use | PO | C-1 | C-2 | C-3 | BP | M1 | M2 | Use Standard |
| Pawn Shop | _ | _ | С | С | _ | _ | _ | |
| Body Art Services | - | _ | С | С | _ | _ | _ | |
| Business Support Service | Р | Р | Р | Р | Р | Р | Р | |
| Construction Sales and Service | - | _ | _ | - | Р | Р | Р | |
| Day Care | | | | | | | | |
| Day Care Center | S | S | S | S | S | S | - | Section 420.030C |
| Eating and Drinking Establishment | | | | | | | | |
| Restaurant | _ | S | S | S | S | _ | _ | Section 420.030F |
| Tavern | _ | С | С | С | _ | _ | _ | |
| Entertainment and Spectator Sports | | | | | | | | |
| Indoor | _ | _ | Р | Р | Р | Р | _ | |
| Outdoor | _ | _ | С | С | С | С | _ | |

| Funeral and Interment Services | | | | | | | | |
|--|---|---|---|---|---|---|---|--------------------------------------|
| Cremating | _ | _ | С | С | С | С | С | |
| Funeral Home | - | С | Р | Р | Р | С | _ | |
| Lodging | | | | | | | | |
| Bed and Breakfast | _ | S | S | S | _ | _ | _ | Section 420.030H |
| Hotel or Motel | _ | ı | Р | Р | Р | _ | _ | |
| Medical or Dental Clinic | Р | Р | Р | Р | Р | С | _ | |
| Office | Р | Р | Р | Р | Р | Р | _ | |
| Personal and Consumer Service | Р | Р | Р | Р | Р | Р | _ | |
| Retail Sales | | | | | | | | |
| Large (100,000+ gfa) | _ | ı | ı | S | ı | С | ı | Section 420.030G Section 420.030B |
| Small (up to 100,000 gfa) | _ | S | S | S | S | С | - | Section 420.030B |
| Self Storage Facility | _ | ı | - | - | _ | Р | Р | |
| Self Storage Facility, Indoor | - | - | S | S | S | Р | Р | 420.030M |
| Sports and Recreation, Participant | | | | | | | | |
| Outdoor | _ | C | Р | Р | С | С | - | |
| Indoor | _ | I | Р | Р | Р | Р | - | |
| Vehicle Sales and Service | | | | | | | | |
| Car Wash | _ | - | S | S | S | S | S | Section 420.030I |
| Gas Station | _ | - | С | С | С | С | С | Section 420.030J |
| Motor Vehicle Repair | _ | - | С | С | С | Р | Р | Section 420.030K |
| Light Equipment and Vehicle Sales or Rental | _ | ı | _ | Р | Р | Р | - | |
| Heavy Equipment Sales or Rental | _ | - | _ | С | Р | Р | Р | |
| Vehicle, Recreational Vehicle or Boat | | | | | | Р | Р | |
| Storage/Towing | _ | | _ | | _ | Г | Г | |
| INDUSTRIAL USES | | | | | | | | |
| Manufacturing, Production and Industrial Service | | | | | | | | |
| Limited | _ | - | _ | - | Р | Р | Р | |
| General | _ | _ | _ | _ | _ | С | Р | |
| Intensive | _ | _ | _ | _ | _ | _ | С | |

| Research Laboratory | | | | | Р | Р | Р | |
|---------------------------------|---|---|---|---|---|---|---|------------------|
| · | | _ | _ | _ | | • | | |
| Trucking/Freight Terminal | _ | _ | - | - | С | Р | Р | |
| Warehousing and Wholesaling | _ | _ | _ | _ | С | Р | Р | |
| Waste-related Use | | | | | | | | |
| Junkyard | _ | _ | _ | _ | _ | С | С | |
| Recycling Facility | _ | _ | _ | _ | С | С | С | |
| Sanitary Landfill | _ | _ | _ | _ | _ | С | С | |
| OTHER USES | | | | | | | | |
| Accessory Uses | S | S | S | S | S | S | S | Section 420.050 |
| Drive-through Facilities | _ | _ | S | S | S | S | _ | Section 420.030L |
| Parking | | | | | | | | |
| Accessory Parking | Р | Р | Р | Р | Р | Р | Р | |
| Non-accessory Parking | С | С | С | С | С | С | С | |
| Wireless Communication Facility | | | | | | | | |
| Freestanding | _ | _ | S | S | S | S | S | Section 420.040C |
| Co-located Co-located | S | S | S | S | S | S | S | Section 420.040C |

A Construction Sales and Service business is only permitted in the "BP", "M-1", and "M-2" zoning districts.

- 2. Section 470.060[B] states that in making any decision varying or modifying any provisions of the Unified Development Code, the Board may impose such conditions, restrictions, terms, time limitations, landscaping, screening and other appropriate safeguards as needed to protect adjoining property.
- 3. If the subject property were currently zoned for a Construction Sales and Service business ("BP", "M-1", or "M-2"), appropriate screening would be required to protect the adjacent properties which are zoned "C-2" General Commercial district.

| Zoning of | Zon | ing c | of Ad | jacent | Lot | | | | | | | | | | | | | |
|----------------|-----|-------|-------|--------|-----|-------|-----|-----|------|------|----|-----|-----|-----|----|-----|-----|-----|
| Subject Lot | A | RE | RR | R1-A | R-1 | R-1.5 | R-2 | R-3 | R-3A | R-3B | РО | C-1 | C-2 | C-3 | ВР | M-1 | M-2 | PUD |
| BP | В | В | Α | Α | Α | Α | Α | Α | Α | Α | В | В | С | С | + | n/a | n/a | n/a |
| M-1 | В | В | Α | Α | Α | Α | Α | Α | Α | Α | В | В | В | С | С | + | n/a | n/a |
| M-2 | В | В | Α | Α | Α | Α | Α | Α | Α | Α | Α | Α | Α | Α | В | С | + | n/a |

NOTE: Where two requirements overlap, the most restrictive shall apply.

- + Six foot minimum landscaping area is required as in Section 430.020.
- * As determined on approved plan.
- 4. Notices were mailed to 16 adjoining residents. No comments or concerns were received.

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 strict application of the provisisons of the Unified Development Code would constitute an unnecessary hardship upon the applicant of landowner

The strict application of the provisions of the Unified Development Code would constitute an unnecessary hardship on the property owner. There are several uses that are permitted within the "C-2" zoning district, however, the design of the existing building - originally built as a fire station - limits the number of uses permitted in the "C-2" zoning district that could potentially operate in the building, particularly retail-based operations. The building on the property is well suited for vehicular sales and service businesses, or light industrial activity.

2. Relief is necessary because of the unique character of the property

The requested variance will provide relief due to the unique character of the building located on the property. The location of the property is well suited for uses permitted in the "C-2" zoning district, however the design of the existing building limits the number of uses that could potentially operate within the building, particularly retail-based businesses.

3. The variance will not destroy the preservation of the Growth Management Plan

The variance will not destroy the preservation of the Growth Management Plan (GMP). This property is identified on the GMP as appropriate for commercial development and activity. The property will remain zoned for commercial business.

4. Granting of the variance will result in substantial justice for all.

Granting of the variance will result in substantial justice for all. The variance will allow the property owner to operate a construction sales and service business out of the building, while preserving the long-term plan for the property as part of a larger commercial area, as designated on the Future Land Use map found in the Growth Management Plan.

STAFF RECOMMENDATION

City staff recommends approval of Case #18013 Variance of Use Application for the opertation of the construction sales and service business on the property at 302 W. Walnut, subject to the following conditions:

1. Any and all signage for the property must comply with the provisions of the Unified Development Code.

- 2. All vehicles rated at a Class 7 or above and/or trailers shall be stored either inside or behind the building on the property.
- 3. All vehicles rated at a Class 7 or above and/or any vehicle pulling a trailer shall be prohibited from exiting the site onto 58 Highway, and shall be required to utilize Adams Street as an exit.
- 4. A six-foot (6') tall wooden or vinyl privacy fence shall be installed on the eastern property line from the northeast corner of the building, roughly 65' to the southern edge of the access aisle, to provide adequate screening between the adjacent property.
- 5. All outdoor storage of materials and/or equipment shall comply with Section 410.010[B] of the Unified Development Code.

PEGGY J. WANSING 308 S. MADISON ST RAYMORE, MISSOURI 64083 (816)564-2374

July 20, 2018

Board of Adjustment CITY OF RAYMORE 100 Municipal Drive Raymore, Missouri 64083

Re: Variance request for 302 W. Walnut

Dear Members:

I am requesting a variance for my property located at 302 W. Walnut and in so doing I feel I should explain a little history regarding our original reason for the purchase of this location.

When my husband and I purchased the property over 20 years ago we did so with the intent to locate our small business there. At that time we were working out of our garage. We sold and serviced commercial meat/food processing equipment. One of the key features of the building was that it had 3 phase electric which was a great asset for us in performing equipment repairs.

Also having the overhead bay doors was advantageous for loading and unloading equipment. We sold some large orders of processing equipment to customers and the large bay doors were extremely handy for us to load containers with equipment to be transported throughout the United States and overseas.

After several years of officing at this location we decided it was in our best interest to utilize this building as a rental property.

We proceeded to rent our building to a business known as Trek Auto. Trek Auto sold muscle cars, they did not do repairs. They rented from us for quite a few years.

After Trek Auto went out of business we rented the premises to a business known as SMS Auto. This business performed auto repairs, inspections, etc.

In late September 2013, I was diagnosed with breast cancer and just a little over a year later I lost my husband, Gary Wansing who died in his sleep. At this point in my life, the rental income on this building is one of my few remaining sources of income.

Breit Construction LLC would like to rent the property from me but approximately 2 weeks ago I was told that they could not rent it because of the zoning. Construction Sales and Service is prohibited in C-2 zoning.

In an attempt to educate myself regarding zoning requirements, it appears that the features of my building are in conflict with the restrictions of C-2 zoning.

The building was originally designed to accommodate the fire station and served that purpose for many years. It lends itself primarily towards automotive uses. It could compare to Harmon Tire with their auto and equipment repairs but with larger square footage and larger bays.

Breit Construction would office there and would also use the shop area for maintenance of its vehicles (light to medium trucks) and occasionally for maintenance of smaller construction equipment, i.e, backhoes and skid loaders, etc. Breit's large equipment is stored at another site and would not be at my property. The building would typically be accessed from the rear and equipment would never be located in front of the building. Semi's and highway trucks would not be present at any time.

In reference to the <u>Guide to Applying for a Variance from the Board of Adjustment</u>, the paragraph titled <u>Background</u> states that sometimes because of atypical conditions unique to a particular property, carrying out the strict letter of a zoning regulation would not allow reasonable use of that property. "To avoid unjust and unnecessary imposition of such extreme hardships on property owners, the Raymore Unified Development Code provides a relief from the standards from unique circumstances."

In the second paragraph title <u>Definition</u>, "variances are granted to a particular property owner because relief is necessary because of the unique character of the property and the strict application of the code would constitute an unnecessary hardship upon the applicant or land owner".

I believe my request for variance is reasonable due to the design of the building. Breit Construction most likely would be a short term renter and could assist me in repairs and maintenance that is needed due to neglect and wear from previous renters. Breit Construction would also take great care not to have equipment or large vehicles in front of the building and would keep the frontage area neat and clean.

Respectfully,

Peggy J. Wansing

| | | CURRENT | CURRENT BOARD MEMBERS | S | | |
|---|---|--|---|--|---|--|
| N | ote: Per Resol | last updated 6/26/2018 Note: Per Resolution 11-02, no person may serve on more than one board, committee or commission. | <mark>last updated 6/26/2018</mark> may serve on more than | one board, committee or | commission. | |
| | | MAYO | AYOR & COUNCIL | | | |
| | | City Council meets on the second & fourth Monday of each month | sond & fourth Mo | nday of each month | | |
| Kristofer P. Turnbow | Mayor | 512 Oak Dr. | 322-1245 | 04/16 - 04/19 | kturnbow@raymore.com | |
| Reginald Townsend | Ward 1 | 1914 Sequoia Dr. | 348-3737 | 04/17 - 04/20 | rtownsend@raymore.com | |
| Kevin Kellogg | Ward 1 | 1605 Stasi Ave. | 913-314-2546 | 04/09 – 04/19 | kkellogg@raymore.com | |
| Thomas R. Circo | Ward 2 | 605 S. Sunset Ln. | 289-1257 | 04/18 - 04/20 | tcirco@raymore.com | |
| Joseph Burke, III | Ward 2 | 118 Rainbow Cir. | 282-8792 | 01/15 - 04/19 | jburke@raymore.com | |
| Jay Holman | Ward 3 | 1915 Harold Dr. | 331-0949 | 04/14 - 04/20 | jayholman1915@yahoo.com | |
| Kevin Barber | Ward 3 | 1509 Cross Creek Dr. | 863-0699 | 04/15 - 04/19 | kbarber@raymore.com | |
| Sonja Abdelgawad | Ward 4 | 917 Birchwood Dr. | 786-2209 | 04/12 - 04/20 | <u>sabdelgawad@raymore.com</u> | |
| John P. Berendzen | Ward 4 | 906 Florence Ave. | 309-4759 | 04/17 - 04/19 | jberendzen@raymore.com | |
| * Mayor Pro-tem | | | | | | |
| | ı | . & SNINING Id | NOISSIOM COMMISSION | NOIS | | |
| | l | | rst & third Tuesdo | yy of each month | | |
| Kristopher Turnhow | Mayor | | | 04/17 - 04/18 | | |
| Fric Bowie | Ward 1 | 508 Eagle Glen Dr | 807-8753 | 06/08/15 - 10/31/19 | howie eric@gmail.com | |
| Kelly Eizer (Vice Chair) | Ward 1 | 102 S. Fastglen Dr | 377-8878 | 10/31/13 - 10/31/21 | kdfizer@aol.com | |
| Donald Meuschke | Ward 2 | 703 W. Bijena Vista Dr | 318-4660 | 01/28/13 - 10/31/18 | dmei ischke@harcros.com | |
| Mario Hranilla | Ward 2 | 612 W Bliena Vista Dr | 838-3595 | 09/25/17 - 10/31/21 | m uranilla@hotmail.com | |
| Matthew Wiggins | Ward 2 | 1201 Brinswick In | 913/817985 | 03/23/17 10/31/18 | m o wireins@amoil com | |
| Indicitiew Wiggins | Walds | EDA NI DON'S DE | 221 0026 | 05/15/01 - 51/21/01 | finite: Wiggins & grant Colling | |
| Jerry Faulkher (Chair) | ward 3 | 2004 N. Park Dr. | 331-9026 | 10/28/02 - 10/31/20 | iauiknes@swbell.net | |
| Melodie Armstrong | Ward 4 | 1603 N. Madison | 913-948-0538 | 05/08/1/ - 10/31/20 | marmst2005@yahoo.com | |
| Charles Crain (Secretary) | Ward 4 | 900 Florence Ave. | 322-2116 | 12/10/07 - 10/31/19 | <u>ccrain10@comcast.net</u> | |
| Per Unified Development Ordi | inance Section | 465.020, the Planning & Zonin | g Commission co | ntains two citizen membe | Per Unified Development Ordinance Section 465.020, the Planning & Zoning Commission contains two citizen members from each ward. In the event no | |
| candidates from the requisite ward may be found or volunteer to fill a Council may fill the vacancy with an annointment from the citizens at | ward may be | found or volunteer to fill a vacani propent from the citizens at large | ant position, then | the Mayor, with the adv | candidates from the requisite ward may be found or volunteer to fill a vacant position, then the Mayor, with the advice and consent of a majority of the City Council may fill the vacancy with an appointment from the citizens at large | |
| בסמובה, חושץ זייו נחב עמבשובץ ע | and de la | PARK BO/ | BOARD (3-year term) | | | |
| | | 3-year terms, meets the fourth Tuesday of each month | e fourth Tuesday | of each month | | |
| Ryan Supple | Ward 1 | 1525 Horseshoe Dr. | 406-9064 | 06/25/18 - 06/01/19 | rsupplekc@gmail.com | |
| Eric Eastwood | Ward 1 | 924 Hedge Apple PI. | 331-3060 | 06/13/11 - 06/01/21 | eeastwood@raymore.com | |
| Jeni Cipolla | Ward 2 | 508 Belmont Dr. | 645-3132 | 07/28/14 - 06/01/19 | <u>icipolla@raymore.com</u> | |
| Melinda Houdyshell | Ward 2 | 106 N. Sunset Ln. | 210-5984 | 06/23/14 - 06/01/20 | mhoudyshell@raymore.com | |
| Jim Heath | Ward 3 | 432 Granite Dr. | 289-1715 | 05/11/15 - 06/01/21 | jheath@raymore.com | |
| Rich Bartow | Ward 3 | 803 Saddle Peak Dr. | 913-360-0995 | 06/25/18 - 06/01/20 | rtbartow@gmail.com | |
| Bryan Harris | Ward 4 | 602 Forrest View Ct. | 353-2266 | 06/11/07 - 06/01/19 | <u>bharris@raymore.com</u> | |
| Steven Trautman (Vice-Chair) | Ward 4 | 709 S. Franklin St. | 309-0227 | 05/12/14 - 06/01/20 | strautman@raymore.com | |
| Michelle Hiles-Seimears | Ward 1 (at l | Ward 1 (at large 1507 Drury Cir. | 590-5397 | 06/23/14 - 06/01/21 | <u>mseimears@raymore.com</u> | |
| Traditionally, the ninth "at-large" member of the Park Board has rotat four at-large members. Accordinaly, if the tradition is followed. Ward | rge" member c rdinalv, if the t | of the Park Board has rotated a tradition is followed. Ward 2 wi | mong the four wo | ed among the four wards.Wards 1, 2, 4 and 3, in that orde ? will sunnly the next at-larae member (Seimears 6/14 W1) | Traditionally, the ninth "at-large" member of the Park Board has rotated among the four wards. Wards 1, 2, 4 and 3, in that order, have supplied the last four at-large members. Accordinaly, if the tradition is followed. Ward 2 will supply the next at-large member (Seimears 6/14 W1). | |
| | | BOARD | BOARD OF ADJUSTMENT | | | |
| | | 5-year terms, meets the t | the third Tuesday of month, as needed | nonth, as needed | | |
| David Woste | | 214 N. Woodson | 816-331-3276 | 816-331-3276 06/25/90 - 10/31/21 | dwoo56@aol.com | |
| 5 | | | | | | |

| | | 400 Alabiali Di. | 2000-270-010 | | din try of C Britains Collin | | |
|--|-------------------------|---|------------------------------------|--|------------------------------|------------------------|--|
| Shannon Weichel | | 1308 Belinder Dr. | 816-360-2176 | 04/23/18 - 10/31/21 | <u>sdweichel@gmail.com</u> | | |
| Michael Vinck | | 1613 Christi Ln. | 816-215-6972 | 02/13/12 - 10/31/21 | mikevinck@comcast.net | | |
| Joseph Wells | | 906 Old Mill Rd. | 816-318-3668 | 06/12/17 - 10/31/22 | <u>sloppyskir@msn.com</u> | | |
| John Seimears (alternate) | | 1507 Drury Cir. | 816-590-9483 | 06/12/17 - 10/31/21 | jcblue3644@gmail.com | | |
| Paul Bertolone (alternate) | | 828 Trailway Dr. | 816-974-2901 | 04/23/18 - 10/31/19 | paulbertolone@gmail.com | | |
| | | LICENSE TAX R | X REVIEW COMMITTEE | TEE | | | |
| | | 2-year term, me | meets on an annual basis | basis | | | |
| Kevin Barber | Council Appointment | intment | | 07/09/18 - 02/24/19 | kbarber@raymore.com | | |
| Cindi Watson | Staff Appointment | ment | | 02/24/15 - 02/24/19 | cwatson@raymore.com | | |
| Gib Good | Local Develop | Local Developer P.O. Box 644 | 331-1343 | 02/24/15 - 02/24/19 | reeve@thegoodranch.com | | |
| Kerrie O'Connor | Citizen | 1704 Knoll Creek Lane | 816-255-9527 | 02/24/15 - 02/24/19 | htti1262@aol.com | | |
| Jack Hopkins | Citizen | Community Bank of Raymore 322-2100 | 322-2100 | 02/24/15 - 02/24/19 | jhopkins@cbronline.net | | |
| | | BOARD | RD OF APPEALS | ı | | | |
| | | 3-year terms | 3-year terms, meets as needed | ρ, | | | |
| Mike Cox | Regular | 42201 E. St. Rt. N. Creighton, MO 64739 | 331-0749 (W) | 10/08/10 - 01/09/20 | | | |
| Chad Buck | Regular | P.O. Box 1033 Raymore | 918-3430 | 10/08/10 - 01/09/20 | | | |
| Randy Reed | Regular | 1915 NW Headgewood Dr. | 838-9553 | 05/14/12 - 01/09/20 | | | |
| | | Grain Valley, MO 64029 | | | | | |
| Lloyd Brown | Layperson | 1006 Oak Dr. | 215-2203 | 09/23/13 - 01/09/20 | | | |
| Dick Maynard | Alternate | 913 Birchwood Dr. | 520-7378 | 09/23/13 - 01/09/20 | | | |
| Mike Ekey | City Staff Member | | | | | | |
| | | | | | | | |
| | CITY REPRI | CITY REPRESENTATIVE TO UNIV. OF MO. (2-y | AO. EXTENSION COU (2-year term) | 10. extension council - cass county center 2-year term) | ENTER | | |
| ;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;; | 020 120 +00045 /10 1812 | | 01/1/6 61/1/6 | | | | |
| ם ווכפ | / TO FAIR SULE! | 0076-TCC | οτ /τ /c - cτ /τ /c | Ivic.giice@giilaii.coiii | | | |
| | | TRE | TREE BOARD | | | | |
| | | 3-year terms, no | no set meeting schedule | edule | | | |
| Jenny Riggs | Citizen | 518 Neptune Dr. | 529-3977 | 08/08/11 - 07/31/20 | jriggs0811@gmail.com | | |
| William Rust | Citizen | 306 S. Franklin St. | 810-4269 | 08/08/11 - 07/31/18 | <u>b.rust@att.net</u> | | |
| Paula Diaz | Citizen | 612 Roanke Dr. | 868-0449 | 08/08/11 - 07/31/19 | diazfour@sbcglobal.net | | |
| Steve Rulo | City Arborist | | | | | | |
| Nathan Musteen | Parks & Rec Director | irector | | | | | |
| | | JEC | COMMISSION | | | | |
| | | | 4-year terms | | | | |
| Patrick Clark | City Rep. | 311 Alder Dr | 806-9440 | 12/28/15 - 11/14/20 | psclark08@gmail.com | | |
| Dale Jacobson (Sec) | City Rep. | 500 Riverbirch Dr. | 591-2646 | 06/09/14 - 11/14/20 | melodale@att.net | | |
| Michael Wilson | City Rep. | 626 Avondale Ln. | 318-9066 | 03/12/18 - 11/13/21 | mwilson1615@att.net | | |
| Tom McVey | City Rep. | 820 S. Foxridge Dr | 913-223-1602 | 12/28/15 - 11/13/21 | t.mcvey9@gmail.com | | |
| Stephanie Como | City Rep. | 1520 Blueskye Ln. | 974-2174 | 10/27/14 - 11/13/19 | k1316como@yahoo.com | | |
| Donald Schmidt | City Rep. | 1403 Spurlock Cove | 660-723-5452 | 03/12/18 - 11/13/19* | deadon5809@yahoo.com | *unexp term of Markham | |
| Ruth Johnson | School Dist. | 730 S. Carlisle Dr. | 797-0241 | 05/01/16 - 05/01/20 | ruth.johnson@raypec.org | | |
| No Vari Managar Vica | - | | | | | | |

| Pam Shipley | Cass County | 2725 Cantrell, 64701 | 380-8377 | 11/01/16 - 11/01/20 | pams@casscounty.com | |
|--------------------------------------|--------------------------------------|--|----------------------|--------------------------------|--------------------------|----------|
| Bob Huston | Cass County | 2725 Cantrell, 64701 | 380-8154 | 11/01/16 - 11/01/20 | bobh@casscounty.com | |
| Mike Gnefkow, Chair | All Other Taxing Entities Rep. | All Other Taxing Entities 1912 Harold Dr. Rep. | 331-0308 | 11/01/16 - 11/01/20 | mhuewi@sbcglobal.net | |
| | | CITY ART | CITY ARTS COMMISSION | | | |
| | | 3-year terms, meets the second Tuesday of each month | second Tuesday | of each month | | |
| Sharon Parys (Chair) | Ward 1 | 411 S. Fox Ridge Dr. | 913-515-6619 | 913-515-6619 7/31/15 - 7/31/20 | <u>slparys@gmail.com</u> | |
| Rebecca Ditgen | Ward 2 | 603 Mayberry Ct. | 816-812-1515 | 816-812-1515 6/12/17 - 7/31/19 | becki.groh@gmail.com | |
| Harriet Lawrence (Vice-Chair) Ward 3 | Ward 3 | 1310 West Johns Blvd. | 816-265-0340 | 816-265-0340 7/31/15 - 7/31/19 | harrharr58@yahoo.com | |
| Christopher Love | Ward 4 | 122 E. Sierra Dr. | 913-213-9484 | 913-213-9484 04/23/18 07/31/19 | chris1281982@gmail.com | resigned |
| Robert Berry | At Large | 102 S. Eastglen Dr. | 816-716-2940 | 816-716-2940 7/31/15 - 7/31/21 | bobberryis@yahoo.com | |
| Loren Jones, II | At Large | 803 Furlong Dr. | 816-405-9988 | 816-405-9988 6/12/17 - 7/31/21 | mr.raymore@yahoo.com | |
| Patricia Setser | At Large | 900 Char Don Ave. | 816-797-8299 | 816-797-8299 7/31/15 - 7/31/20 | psetser@ucmo.edu | |