

THE **BOARD OF ADJUSTMENT** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, AUGUST 21, 2018** 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, SHANNON WEICHEL AND ALTERNATE PAUL BERTOLONE. 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. **Roll Call** – Roll was taken and Chairman Vinck declared a quorum present to conduct business.
3. **Pledge of Allegiance**
4. **Personal Appearances – None.**
5. **Consent Agenda –**

**A. Approval of Minutes of November 21, 2017 meeting**

**Motion by Board member Woste, Seconded by Board member Buechler to accept the minutes of November 21, 2017 as written.**

**Vote on Motion:**

Board member Buechler	Aye
Board member Wells	Aye
Board member Woste	Aye
Board member Weichel	Aye
Board member Vinck	Aye

**Motion passed 5-0-0**

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

**A. Case #18013 - Peggy Wansing Variance of Use - 302 W. Walnut Street (public hearing)**

Peggy Wansing, owner of 302 W. Walnut Street, presented her request to the Board. Also present was Roger Breit.

Mr. Breit stated that he is wanting to move his construction business into the property but it is zoned commercial and the use is not currently allowed. He stated he wants to have his business office there and a place to work on equipment. The larger construction equipment will not be parked on the property. Any overnight parking of trucks will be behind the building. The property was previously an auto repair facility.

Board member Woste asked what type of construction business Mr. Breit has.

Mr. Breit stated he does subdivision development and some municipal work.

Associate Planner David Gress presented the staff report. The applicant seeks a variance a use to allow the operation of a construction sales and service business on the subject property. The building was initially constructed as a fire station and is not set up for a commercial retail business, which is the current zoning classification of the property. The property was most recently utilized as an auto repair facility that was allowed as a conditional use.

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; and the staff report.

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

Board member Woste asked if this request was moving from a more permanent zoning to a temporary zoning classification.

Mr. Gress commented that the zoning of the property remains C-2, General Commercial. This application simply adds Construction Sales and Service as a permitted use on the property for the property owner. The variance is not transferable.

City Attorney Jonathan Zerr stated this variance request is specific to this applicant. The variance is for only this business and this applicant. If the business would change ownership a new application would be required.

Community Development Director Jim Cadoret stated that this is the first variance of use application submitted to the Board. The Unified Development Code allows a property owner to request a use on a property that is not currently allowed.

Chairman Vinck clarified that in the past this application may have been classified as a Special Use. A variance of use is a new application type for the Board to review.

*Chairman Vinck opened the public hearing at 6:20 p.m.*

No public comment.

*Chairman Vinck closed the public hearing at 6:20 p.m.*

Board member Wells asked how the application would be monitored.

Mr. Gress stated a change in business license for the property would flag the need for the new business owners to request a variance of use.

**Motion by Board member Buechler, Seconded by Board member Wells to accept the staff proposed findings of fact and approve Case #18013, variance of use for a Construction Sales and Service business to locate at 302 W. Walnut Street, subject to five conditions as set forth in the staff report**

Board member Woste asked for clarification on what constitutes a Class 7 truck as prohibited in one of the conditions.

Mr. Gress stated a Class 7 truck would be a dump truck or similar heavy construction vehicle.

**Vote on Motion:**

Board member Buechler	Aye
Board member Wells	Aye
Board member Woste	Aye
Board member Weichel	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 Wells to adjourn.**

**Vote on Motion:**

Board member Buechler	Aye
Board member Wells	Aye
Board member Woste	Aye
Board member Weichel	Aye
Board member Vinck	Aye

**Motion passed 5-0-0**

The Board of Adjustment meeting for August 21, 2018 adjourned at 6:23 p.m.

Respectfully submitted,

Jim Cadoret