

Board of Zoning Adjustment

Meeting Summary

August 31, 2020 at 4:00 p.m.

Item 1. Call to Order

Chairman Dr. Nick Houk called the meeting to order at 5:02 p.m.

Item 2. Roll Call

PRESENT: Ambrose Buckman, Tray Harkins, Dr. Nick Houk, Rocky McLaughlin and Dr. Kent Powell (by phone). Alternate Stephen Stubbs was in attendance to observe.

STAFF PRESENT: Doug Hermes, Planning Consultant, City Council Liaison Andrew Kowalski, Logan Sours, City Planner, and Lisa Morgan, Community Development Administrative Assistant.

ABSENT: None

VISITORS: Rita Bemis, Misty Eales, Brenda and Brad Eales.

Item 3. Approval of Meeting Summary – July 9, 2020

Board Member Harkins made a motion to approve the July 9, 2020 meeting summary.

Board Member Powell seconded the motion. Motion carried.

Vote: Motion passed 4-0-1

Yes: Board Members: Harkins, Houk, McLaughlin and Powell

No: None

Abstain: Buckman

Item 4. BZA-20-002 – An application by Brad Eales requesting a variance from Section 406.040 Minimum Design Standards. Paragraph C.3. The maximum depth of residential lots. Excelsior Springs City Code, to permit the maximum depth of multiple residential lots in a proposed subdivision to exceed two and one-half (2 ½) times the width thereof, on property generally located along Wornall Road, east of the Cherry Hills Subdivision and west of the Elementary School, Excelsior Springs, Missouri.

Chairman Houk asked Mr. Hermes to present the staff report for BZA-20-002.

Mr. Hermes presented the staff report stating the City staff recommends that the board approve the variance application and adopt the following Findings of Fact:

1. That the property dimension and the topographical feature of a large drainage way are special circumstances and conditions affecting the property which are not typical of other properties in the City.
2. That the variance is necessary for the reasonable and acceptable development of the property into a large lot, single-family residential subdivision.
3. That the granting of the variance will not be detrimental of the public welfare of injurious to their property in the vicinity.

Chairman Houk questioned whether the homeowners can face their houses on these lots however the homeowners want. Mr. Hermes said that is correct.

Ms. Bemis lives on Wornall Road and asked what would stop someone from purchasing one of the two-acre lots and just building two homes with one acre for each home. Mr. Hermes informed Ms. Bemis that City standards only permit one single-family house per residential lot and if a future landowner would want to further subdivide the property they would have to go through the planning process for appropriate review and consideration.

Hearing no further questions from the Board, Chairman Houk asked if the applicant would like to present testimony to the Board.

Mr. Eales thanked the staff for all work on this project. He noted that drainage was a big issue and putting in a cul-de-sac was the only way to use the lots. He said that for the north three lots, he would probably require that each lot include a turnaround driveway to avoid having to back onto Wornall Road.

Chairman Houk asked if Mr. Eales was personally going to live there. Mr. Eales answered yes and also that his daughter Misty Eales would own one of the lots.

Chairman Houk asked if there were others in attendance that wished to provide testimony. Hearing none, Chairman Houk asked the Board if they had any further questions or items with the application they would like to discuss.

Board Member Harkins moved to approve Case No. BZA-20-002 approving the variance request and adopting the Findings of Fact listed in the staff report.

Board Member Buckman seconded the motion.

Hearing no further discussion, Chairman Houk called for the vote.

Vote: Motion passed 5-0-0

Yes: Board Members: Buckman, Harkins, Houk, McLaughlin and Powell

No: None

Abstain: None

Item 5. COMMENTS OF BOARD MEMBERS:

Chairman Houk introduced Mr. Stephen Stubbs as a new Alternate for the Board of Zoning Adjustment.

Item 6. STAFF COMMENTS

Mr. Hermes informed the Board this is the first step for this application and next the applicant intends to submit a preliminary plat for Planning & Zoning Commission and City Council consideration. Mr. Hermes also mentioned that City staff anticipates receiving another variance application in the coming weeks and that Chairman Houk has agreed to hold a special study session following the next BZA meeting. He assured the Board it will be short and to the point.

Item 7. ADJOURN

Meeting was adjourned at 5:20 p.m.

The next meeting of the Board will be called when needed to review future applications.

Meeting Summary prepared by Lisa Morgan, Community Development Administrative Assistant.