



**City of Blue Springs  
903 Main Street  
Blue Springs, Missouri 64015**

**BOARD OF ADJUSTMENT**

**MINUTES**

**Wednesday, October 10, 2018**

A meeting of the Board of Adjustment of the City of Blue Springs was held in the Howard L. Brown Public Safety Building located at 1100 SW Smith Street on Wednesday, October 10, 2018 with the following members and guests in attendance.

**MEMBERS  
PRESENT**

William Washington III  
Laurie Hatfield, Vice Chairman  
DeWayne Duhon, Chairman

Brian Ross  
Frederick Manning

**STAFF / OTHERS**

Mike Mallon, Assistant Director, Community & Economic Development  
Matt Wright, Senior Planner  
Tom Degenhardt, City Engineer  
Jackie Sommer, City Attorney  
Karen Findora, Recording Secretary  
Brittany Murray, Public Stenographer

**ABSENT**

Board Member Evelyn Ericson

**CALL TO ORDER /  
APPROVAL OF  
MINUTES**

DeWayne Duhon, Chairman, called the meeting to order at 6:32 p.m. with a request that everyone stand for the Pledge of Allegiance. Board Alt. Member Ron Amos made a motion to make a change on page one (1) of the meeting minute. Under Call To Order: "Chairman Duhon advised the audience of the manner in which the Public Hearing would be conducted and noted that as the Board consist of six (6) CHANGE to five (5) voting members; a concurring vote of four (4) would be required to pass any motion." Seconded by Board Member Laurie Hatfield, and a unanimous vote, the change to the minutes where unanimously approved.

Board Member Laurie Hatfield made a motion to approve the May 9, 2018 meeting minutes as corrected. Seconded by Board Member Frederick Manning, and a unanimous vote, the Minutes of May 9, 2018, were approved.

Chairman Duhon advised the audience of the manner in which the Public Hearing would be conducted and noted that as the Board consists of five (5) voting members; a concurring vote of four (4) would be required to pass any motion.

**AGENDA ITEM 2  
PUBLIC HEARING  
VARIANCE / VAR-  
09-18-6584 / "Eagles  
Ridge Villas PR-O 1<sup>st</sup>  
Plat, Lot 41" / 242 /  
244 SW Tennessee  
Drive**

Chairman Duhon opened the public hearing at 6:34 p.m. with a request for exhibits from the City Attorney. Ms. Jackie Sommer entered Exhibits 1 thru 8 for Agenda Item 2 into the public record on behalf of the applicant.

Exhibits:

1. Staff Report with attachments
2. Affidavit of Publication in The Examiner, September 22, 2018
3. Application with attachments
4. 185 Ft. Notification Map
5. Names/addresses of property owners within 185 ft. of site
6. Copy of letter sent to said property owners
7. Unified Development Code "UDC" (By Reference)
8. Letter of Uniqueness

**STAFF  
COMMENTS**

Matt Wright, Senior Planner, stated that before the Board is a Variance request to Lot 41, located in the Eagles Ridge Villas Subdivision. The applicant is requesting approval of a variance to reduce the required rear yard setback from 20-ft. to 11-ft. to allow the construction of a duplex. The variance is being requested to maintain the same building design, front setback pattern, and streetscape that has already been established in the subdivision through the approval of other duplexes on the block.

After review of the variance request and the review criteria, staff does believe that the request is unique. The shape of the lot creates a long diagonal rear setback line and a relatively shallow side setback line. This creates a 20-ft. setback that cuts pretty deep in to the lot, making it difficult to fit the same size duplex.

Mr. Wright stated that granting the variance would not adversely affect the rights of adjacent property owners or residents. The development is currently under single ownership by the developer.

Mr. Wright stated that based on the Preliminary Plat the future lots are similar in size to most of the lots in the rest of the subdivision, which can easily accommodate the 20-ft. rear setback. Therefore, at a minimum there would be at least a 31-ft. building separation from the future duplexes at the rear of the lot.

Staff felt that the strict applications to the zoning regulations would constitute a hardship in this case, as a new and different duplex design would have to be designed for this lot. This would likely result in a design which is not compatible with other duplexes already constructed.

With that Mr. Wright stated that staff does support the request for approval of this variance request.

**QUESTIONS**

Chairman Duhon asked what the interior setbacks are for this particular lot. Mr. Wright stated that it's a 20-ft. rear, and for the sides it's 20% of the lot width. The applicant is at about 48% side setback right now because of the unique size of the lot.

**APPLICANT** Bryan Rahn, Blue Springs South Safety Storage, LLC  
1000 NW High Point Drive  
Lee's Summit, MO

**QUESTIONS** Board Member Fredrick Manning asked the applicant if all the duplexes would fall under the same pattern and all be aligned. Mr. Rahn stated that the duplexes stagger up and down the street, along with several different elevations. Not all the duplexes look identical, but the foot print is identical and that is the difficult part to change.

**WITNESSES IN FAVOR** None.

**WITNESSES OPPOSED** None.

**HEARING CLOSED** With no further testimony to be taken, Chairman Duhon closed the public hearing at 6:42 p.m. with a request for action on the petition.

**MOTION AGENDA ITEM 2 PUBLIC HEARING VARIANCE / VAR-09-18-6584 / "Eagles Ridge Villas PR-O 1<sup>st</sup> Plat, Lot 41" / 242 / 244 SW Tennessee Drive** Board Member Laurie Hatfield made a motion to **approve** Variance / VAR-09-18-6584 / "Eagles Ridge Villas PR-O 1<sup>st</sup> Plat, Lot 41."

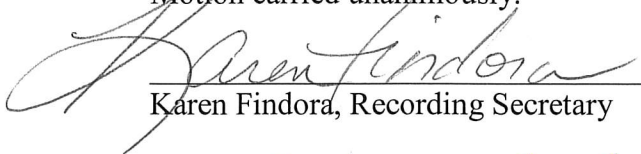
**SECOND** Board Member Brian Ross.

**VOTE**

Brian Ross – Aye	Frederick Manning – Aye
Laurie Hatfield – Aye	William Washington III – Aye
Dewayne Duhon, Chairman – Aye	Evelyn Ericson – Absent
<b>(APPROVED 5-Aye, 0-No)</b>	Ron Amos – Aye

**OTHER BUSINESS** The next meeting is scheduled for Wednesday, November 14, 2018.

**ADJOURN** With no further items to come before the Board, a motion was made by Board Member Laurie Hatfield, and seconded by Board Member Brian Ross to adjourn at 6:43 p.m. Motion carried unanimously.

  
Karen Findora, Recording Secretary

  
DeWayne Duhon, Chairman

  
Date