

# ZONING BOARD OF ADJUSTMENT

July 27, 2021 4:00 p.m.  
1100 Frederick Avenue  
Third Floor, Council Chambers, City Hall  
Regular Meeting



- ***CALL TO ORDER***
- ***CERTIFIED COPY OF CHAPTERS 11, 26 AND 31 AVAILABLE***
- ***ROLL CALL***
- ***APPROVAL OF MINUTES OF REGULAR MEETING***
- ***POSTPONEMENTS/ADJUSTMENTS TO THE AGENDA***

***The following rules of conduct have been adopted by this Board:***

1. Give your name and complete address.
2. No one may speak more than twice on the same item.
3. No one may speak more than ten minutes at a time without permission from the Chairperson.
4. No one may speak a second time on a question until every person who wants to speak has done so.
5. All submissions of evidence, i.e., photos, drawings, will be retained by the Board of Adjustment and will become a part of the permanent file.

***If necessary, adjust the microphone; clearly speak into the microphone.***

It is the intention of the City of St. Joseph to comply in all aspects with the Americans with Disabilities Act (ADA). If you plan on attending a meeting to participate or to observe and need special assistance beyond what is routinely provided, the City will attempt to accommodate you in every reasonable manner. Please contact the ADA Coordinator, 816-271-4610, or TDD# 816-271-4898 at least two business days prior to the meeting to inform the City of your specific needs and to determine if accommodation is feasible.

# **ZONING BOARD OF ADJUSTMENT AGENDA**

July 27, 2021, 4:00 p.m.

1100 Frederick Avenue

Third Floor, Council Chambers, City Hall

Regular Meeting

## **Old Business**

## **New Business**

- **Approval of minutes from June 22, 2021**
- **Case # 2488 Request for a variance from Section 31-025(c)(6) and any and all other Sections of Code of Ordinances necessary to allow a residential care facility consisting of up to 16 occupants on the property located at 2102 Village Drive. Applicants are Abigail and Austin Barnes.**

## **Public Comment**

MINUTES OF THE MEETING OF THE ZONING BOARD OF ADJUSTMENT

Tuesday, June 22, 2021 - 4:00 p.m.

Pursuant to notice, the Zoning Board of Adjustment of the City of St. Joseph met in the 4<sup>th</sup> Floor Conference Room, City Hall, on Tuesday, June 22, 2021 at 4:00 p.m.

	<u>Name</u>	<u>Members' Term Attendance</u>	<u>End of Term</u>
<b>MEMBERS PRESENT:</b>	Terry Hall	(01-00)	06/14/26
	Michael Grimm	(11-00)	05/21/24
	Seth Slayden	(01-00)	02/23/24
	Terri Lowdon	(24-06)	03/14/21
<b>MEMBERS ABSENT:</b>	Jo Pruitt	(01-01)	03/22/26
<b>STAFF PRESENT:</b>	Ted Elo, Assistant City Attorney Zack Martin, City Planner Rebecca Shipp, Executive Administrative Assistant		

Four members constitute a quorum.

Hall called the meeting to order at 4:00 pm.

*(Verbatim transcript starts)*

**Hall:** Certified chapters 11, 26 and 31 are available. Uh, Rebecca, can we have a roll call please?

**Shipp:** Terri Lowdon

**Lowdon:** Present

**Shipp:** Jo Pruitt

\*silence\*

**Shipp:** Mike Grimm

**Grimm:** Present

**Shipp:** Terry Hall

**Hall:** Present

**Shipp:** Seth Slayden

**Slayden:** Present

**Hall:** Approval of minutes we'll leave until the end of the meeting. Uh, however, before we start the agenda and the case before us, we, we have a little housekeeping to take care of. So, um, at the beginning of the year, we didn't have full members to elect officers. So, I'll ask for a motion for a chair for the next six months.

**Lowdon:** I move Terry Hall be appointed as Chairman for the next six months.

**Grimm:** Second.

**Hall:** Any other nominations? Can we have a roll call vote please?

**Shipp:** Terri Lowdon

**Lowdon:** Yes

**Shipp:** Jo Pruitt – sorry. Mike Grimm

**Grimm:** Yes

**Shipp:** Terry Hall

**Hall:** Ted, ted, how does that work? Because I should abstain but if I abstain

**Elo:** Well, we don't

**Hall:** we don't have the four votes required.

**Elo:** You need four votes to approve

**Hall:** Business

**Elo:** a BZA exception or variance.

**Hall:** Okay. Then I will abstain.

**Shipp:** Seth Slayden

**Slayden:** Yes

**Hall:** Alright. Uh, I'll accept motions for Vice Chair. I'll nominate Michael Grimm.

**Lowdon:** There you go. Second.

**Grimm:** Thanks Terry.

\*inaudible\*

**Hall:** Any other nominations? Okay. Rebecca can we have a vote please?

**Shipp:** Terri Lowdon

**Lowdon:** Yes

**Shipp:** Mike Grimm

**Grimm:** I'll pass.

**Shipp:** Terry Hall

**Hall:** Yes

**Shipp:** Seth Slayden

**Slayden:** Yes

**Hall:** Alright. So, unless I hear otherwise, we're, uh, refraining from the normal business until the end of the meeting? Uh, are there any changes to the agenda Zack?

**Martin:** Uh, no changes to the agenda.

**Hall:** Okay. Uh, a little housekeeping business; if you're going to speak, uh, the rules of conduct of this board is to give your name and complete address. No one may speak more than twice on the same item. No one may speak more than ten minutes at a time without permission from the Chairperson. No one may speak a second time on a question until every person who wants to speak has done so. All submissions of evidence, i.e., photos, drawings, will be retained by the Board of Adjustment and will become a part of the permanent file. Uh, so if you brought anything and, and you want to take it, don't give it to us because we can't give it back. I believe the uh, item on the agenda for today is Case # 2487 request for an exception from Article VI

Section 6 (J)(1) and any and all sections of The Commons, commons, Precise Plan for the purpose of construction of two pylon signs on the property located at 4525 Commons Drive. Applicant is Trevin Reed. Zack, does the city have a report on this matter?

**Martin:** Yes, uh, as just stated the request is to allow the erection of two pylon signs at 4525 Commons Drive. Uh, in the Precise Plan that this property is located in, which is The Commons Precise Plan, uh, the property does have signage restrictions in place limiting the property to monument signs. Uh, and this request would be an exception to that regulation um, for two 45' pylon signs. I believe the imagery of which are included with the packet. So, when reviewing this case uh, staff had a few findings. First, that the exception would not be detrimental to or cause undue hardship to the surrounding neighborhood and property owners. Uh, staff did not find that it would cause any hardship to the surrounding area. Um, per the submittals that were mentioned earlier uh, the proposed signage would be aesthetically consistent with the new buildings on the property, which is an auto dealership. Uh, and would be deferential in size to Menard's sign which is the largest sign in that development area right there. Uh, it does also meet the height requirements for the precise plan as a whole. The only true exceptions to this is the fact that these four parcels in the precise plan were limited to monument signage. Uh, the owner has since consolidated those four parcels into one large parcel; meaning that those parcels that were designated in the precise plan technically do not exist anymore. Uh, kinda giving us a fun little grey zone to play with there. Uh, so, these parcels have been vacant for a number of years, and the development of this inward parcel would spur potential additional interest and investment in the surrounding area. Uh, staff also felt the exception sought would be in keeping with the purpose of the sign code. While it does not meet the requirements of the specific parcels indicated which was just discussed, uh, the proposed freestanding signs do meet the

requirements of the general Precise Plan. Uh, staff also found there would be minimal modification to the prescribed regulations and the minimum variance uh, that would accomplish that purpose um, simply allowing the freestanding signage versus monument signage. Uh, and the freestanding signs would still meet the requirements of the Precise Plan without any other variance or exception required. And, then finally, that the literal enforcement of the provisions of the ordinance will result in restrictions inconsistent with the purpose of the applicable section. And, given that the owner has combined those parcels as stated before um, the signage situation could be seen to be different than when this precise plan was originally written up. Um, the proposed signage is designed for visibility from major traffic routes, like I-29, and again is consistence, consistent with the dimensions of a large building. And, uh, staff finds that given the nature of uh, the changing of the property, the provisions would result in restrictions that are inconsistent. So, in summation, staff does recommend approval of this request for an exception um, finding that the exception would not be detrimental uh, or cause undue hardship to the surrounding neighborhood and property owners. That the exception would be in keeping with the purpose of the zone district, sign code or fence ordinance, as the case may be, um, as it directly conflicts with Section 31-303 (a) (1). That the exception would be, to be granted would be one that will require the least modification to the prescribed regulations and the minimum variance that will accomplish that purpose. And, that the literal enforcement of the provisions of the ordinance would result in restrictions inconsistent with the purpose of the applicable decision.

**Hall:** Thank you Zack. Any questions for staff? Hearing none, is there anyone present today that wishes to speak in favor of this proposal?

**Applicant:** Sure, I would like to. Trevin Reed, owner of 4525 Commons Drive.

**Reed:** First of all, thank you for hearing us on this. Uh, you know we've been working with

Menards on some of the deed restrictions on the property. Uh, I, I would say that we wouldn't even present this outside of proper channels had Menards who we purchased this from and were aware of the restrictions when we purchased it had they not agreed to uh, the design as you see it in the, in the attachment there. Um, and really the signage, um, we're, it's a significant investment and that's neither here nor there for us to do this building but the last piece of that to really make it what we all want it to be for the city and for the business and the tax revenue, and everything else that its gonna do, these, these signs, um, we feel that that is gonna really take it from a good to a great. Um, we love the location. Um, we love everything about it at this point and these signs would help put it over the top. So, I'm happy to field any questions anyone may have for me or us. Thank you gain for the opportunity to be here.

**Hall:** Any questions for Mr. Reed?

**Lowdon:** I move to call the vote.

**Hall:** Okay. Uh, Rebecca, have the proper notifications been sent out?

**Shipp:** Yes

**Hall:** And any others received besides what was in the packet?

**Shipp:** No

**Hall:** I have a motion. Is there a second?

**Grimm:** Second

**Hall:** Any further discussion? Rebecca, will you please call the vote?

**Shipp:** Terri Lowdon

**Lowdon:** Approved

**Shipp:** Mike Grimm

**Grimm:** Approved



**Shipp:** Terry Hall

**Hall:** Approved

**Shipp:** Seth Slayden

**Slayden:** Approved

**Hall:** Its approved. Nice and easy.

**Reed:** Thank you guys very much. Thanks for your help Zack.

**Martin:** Yeah, absolutely.

**Lowdon:** Pictures look good. I like, I like how the signs look. It looks good and only makes sense.

\*Inaudible—conversation away from microphone as applicant was leaving\*

**Hall:** Okay. Everybody should have received uh, a copy of the corrected minutes. I'll accept a motion or any other corrections to approve or fix the minutes.

**Lowdon:** Motion to accept as amended.

**Grimm:** Second

**Hall:** All those in favor?

\*All present stated aye verbally\*

**Hall:** Okay. Is there anything else on the agenda? No findings of fact. I believe we're done. I'll entertain a motion to adjourn.

**Grimm:** So moved.

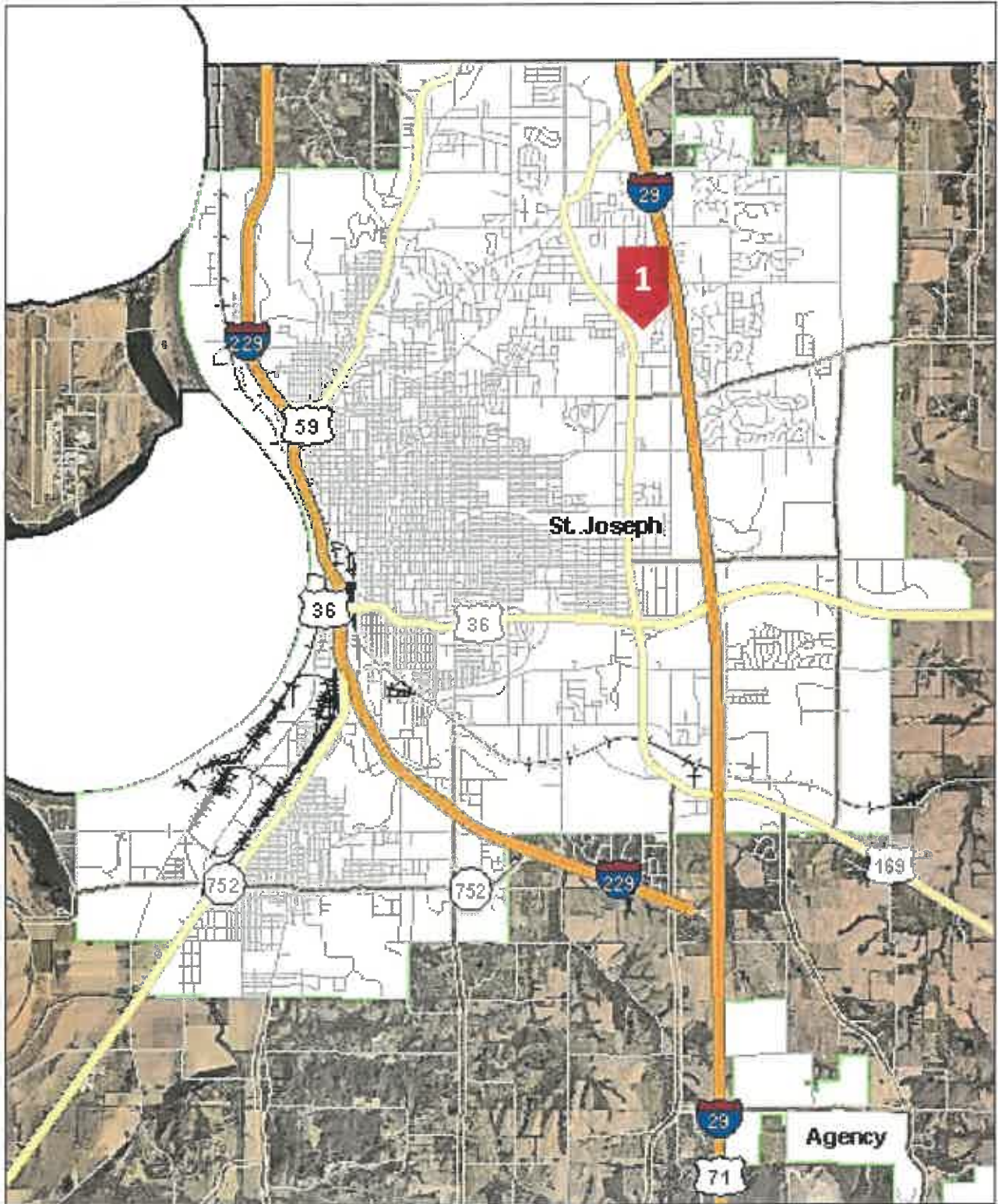
(verbatim ends)

Meeting adjourned 4:09 pm

Minutes respectfully submitted.

Rebecca Shipp

**ITEM MAP**



GIS data provided by Buchanan County GIS: [buchanangis.inegritygis.com](http://buchanangis.inegritygis.com)

AGENDA ITEM #1  
**STAFF REPORT TO ZONING BOARD OF ADJUSTMENT**  
**JULY 27, 2021**



<b>Application</b>	Request for a variance from the maximum number of permitted beds in a residential care facility from 12 to 16 for the property at 2102 Village Drive
<b>Applicant</b>	Abigail and Austin Barnes
<b>Location</b>	2102 Village Drive
<b>Staff Recommendation</b>	<b>APPROVAL</b>

**BACKGROUND**

The property has an existing residential facility, seen in the map below. This property was formerly known as “Eastgate Manor”. The property is currently zoned C-3, Commercial, which allows residential care facilities such as this by right in this district, though limited to 12 bed facilities. The purpose of this request is to allow an additional four beds at the location, bringing the total number of beds to 16.

**OVERVIEW**

**CURRENT ZONING:** C-3

**ADJACENT ZONING:**  
 North: C-3  
 East: C-3  
 South: RP-4  
 West: C-3

---

**FUTURE LAND USE PLAN:**  
 Commercial

---

**NOTIFICATIONS:**  
 Sent: 23  
 Returned in Favor: 0 as of 7/20  
 Returned in Opposition: 0 as of 7/20

**ATTACHMENTS INCLUDED:**

- Application & supporting documents provided by applicant.
- Letter to adjacent property owners.

**FACTORS FOR CONSIDERATION:**

- 1. The particular physical surroundings shape or topographical condition of the specific property involved would result in an unnecessary hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulations were carried out.**

Staff finds that there is no physical hardship or condition of the property that would result in a hardship. The constraint is limited to the limitations of the zoning district. Staff finds that the facility and land are capable of four additional beds.

- 2. The conditions upon which the petition for a variance is based would be applicable, generally, to other property within the same zoning classification.**

The lot is a standard commercial lot, the regulations of which would be applicable to other properties within the C-3 zoning classification.

- 3. The alleged hardship has not been created by any person presently having an interest in the property.**

The hardship has not been created by the applicant. The building is extant and has the capacity for four additional beds as requested. The hardship is the limitations of the zoning district.

- 4. The granting of the variance would not be detrimental to the public health, safety or welfare, or to other property, improvements or the character in the neighborhood which the property is located.**

Staff does not find that the variance would be detrimental to the public health, safety, etc. of the surrounding area.

- 5. The granting of the variance is in keeping with the purpose of the zoning district for which the property is located and is in keeping with the City's comprehensive plan**

The proposed use of a residential care facility is a permitted use in the existing zoning district and would be in keeping with the City's comprehensive plan.

AGENDA ITEM #1

**STAFF REVIEW & RECOMMENDATION**

Staff recommends **APPROVAL** based on the above and following findings:

- Request in keeping with spirit of City's zoning code:
- Proposed variance is not detrimental to public's health, safety, or welfare:
- Proposed variance would allow maximal use of the property for the applicant.

Staff: \_\_\_\_\_



Zack Martin

City Planner

(816) 271-4648

zmartin@stjoemo.org

# City of St. Joseph

1100 FREDERICK AVENUE  
Planning & C.D. Department  
Planning & Zoning Division

ST. JOSEPH, MISSOURI 64501-2346  
Telephone (816) 271-4648  
Telefax (816) 271-4676

CASE NUMBER

2488

## Commercial/Multi-Family Residential APPLICATION FOR APPROVAL OF A VARIANCE FROM THE ZONING BOARD OF ADJUSTMENT

Non-Refundable Filing Fee Must be Attached:

PROPERTY LESS THAN 20,000 SF \$920.00  PROPERTY GREATER THAN 20,000 SF \$1,210.00

- Street address of the Property: 2102 VILLAGE DR ST. JOSEPH, MO 64506
- Legal Description of the Property (must be provided digitally as well as written unless it is lot and block): See attached exhibit A) Legal Description of the property.
- Parcel No.: 06-1.0-02-002-000-007.005
- On a separate sheet of paper, fully describe the activity for which you are applying for a variance from the Zoning Board of Adjustment. Include proposed hours of operation, expected traffic volumes, staffing levels, parking availability and any other information that would be helpful. Please do not exceed one sheet of paper. This information will be included in a letter that will be sent to all property owners within 185 feet of your property.

### THE UNDERSIGNED HEREBY APPLIES FOR THE APPROVAL OF A VARIANCE FROM THE ZONING BOARD OF ADJUSTMENT

With the signing and submittal of this application, the property owner authorizes the City of St. Joseph to enter onto the subject property to collect data and other information in order to accurately prepare reports or other documentation for review by the City Council, City boards & commissions, and City departments.

- Signature of Applicant: Abigail Barnes & Austin Barnes  
Print or type name: Abigail Barnes & Austin Barnes  
Address of applicant: 2014 Lovers Ln. St. Joseph MO, 64506  
Telephone number of applicant: Abigail 210-789-6121 Austin 816-244-8587
- Signature of property owner or his/her legal representative: N/A  
Print or type name: \_\_\_\_\_  
Address of property owner or his/her legal representative: \_\_\_\_\_  
Telephone number of property owner or his/her legal representative: 210-789-6121

Items to be submitted with application:

1.  This completed application -- all sections must be completed or application will be deemed invalid.
2.  Plot plan showing position of proposed alteration or new construction in relation to the property line: One full size copy and one 11" x 17" copy (copies from PMT reduction).
3.  One separate sheet of paper explaining intended use of property.
4.  Non-refundable application fee.
5.  Materials required on checklist (see back).

To be completed by City staff only:

Current zoning of property: C-3  
Provision(s) under which relief is requested: 31-025(C)(6)  
Date application recvd: 6/23/21  
Date filing fee recvd: 6/23/21  
Amt. of filing fee: 920.00  
Staff initial: JM

P221-00058

### ZBA Variance Application Check List:

The following must be submitted prior to the application deadline. Otherwise, the application will be deemed incomplete and may result in unnecessary delays to your application: (Please ✓ when complete)

**A. Variances:** Detail in writing responses to all the following:

1. The special conditions, circumstances or characteristics of the land, building or structure that prevent compliance with this ordinance.
2. The particular hardship which would result if the specified provisions or requirement were to be applied to the subject property.
3. The extent to which it would be necessary to vary the requirements of this ordinance in order to permit the proposed construction on, or use of, the property.
4. An explanation of how the requested variance conforms to each of the standards set out in subsection 31-092(b):
  - a. The particular physical surroundings, shape or topographical condition of the specific property involved would result in an unnecessary hardship upon the owner as distinguished from a mere inconvenience of the strict letter of the regulations were carried out;
  - b. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same zoning classification;
  - c. The alleged hardship has not been created by any person presently having an interest in the property;
  - d. The granting of the variance will not be detrimental to the public health, safety or welfare, or to other property, improvements or the character in the neighborhood which the property is located;
  - e. The granting of the variance is in keeping with the purpose of the zoning district for which the property is located and in keeping with the City's comprehensive plan.
5. A site plan describing the property boundaries, the existing and proposed structures and setbacks.
6. Any other information as directed by the Board or the City Planner to be deemed necessary for the board to make an appropriate decision.

## ZBA Variance Application

2102 Village Dr. St. Joseph, MO 64506

Zack Martin & all Zoning Board Members  
City Planner & Zoning Board  
City of St. Joseph

### VARIANCES

**1. The special conditions, circumstances or characteristics of the land, building or structure that prevent compliance with this ordinance.**

a. Current zoning for 2102 Village Dr. is currently allows for 12 beds. However, the building was originally zoned and built for the physical capacity of 16 beds.

**2. The particular hardship which would result if the specified provisions or requirement were to be applied to the subject property.**

a. We believe DeNovo Recovery will bring an important service to our community and we are wanting to make a substantial investment in this community as well. Residential Treatment centers are high overhead ventures. Having the capacity of only 12 beds creates a substantial financial hardship. By having 16 beds DeNovo's operating costs per patient will go down 33% in most expense categories allowing DeNovo to establish a stable foundation that provides for a successful future. With the approval of this variance, DeNovo Recovery can establish a stable foundation that is necessary for a successful future.

**The extent to which it would be necessary to vary the requirements of this ordinance in order to permit the proposed construction on, or use of, the property.**

b. The 2102 Village Dr. property was originally designed and built to accommodate 16 residential patients/beds, at which time, it did meet zoning requirements. We do not wish to change the classification of our zoning (C-3 Commercial). Our request is for the zoning variance board is to grant a variance allowing 16 residential beds rather than the current 12.

**3. An explanation of how the requested variance conforms to each of the standards set out in subsection 31-092(b)**

a. **The particular physical surroundings, shape or topographical condition of the specific property involved would result in an unnecessary hardship upon the owner as distinguished from a mere inconvenience of the strict letter of the regulations were carried out;**

- The current zoning of 12 beds would result in an unnecessary financial hardship upon the owners of DeNovo Recovery.

b. **The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same zoning classification;**

- The petition for a variance from 12 beds to 16 beds would not be applicable to other properties within the same zoning classification because there are no other substance abuse treatment facilities in St. Joseph. The nearest facility is Valley Hope located in Atchison, Kansas with a 70 bed capacity.



- c. **The alleged hardship has not been created by any person presently having an interest in the property;**
  - The alleged hardship has not been created by an individual.
- d. **The granting of the variance will not be detrimental to the public health, safety or welfare, or to other property, improvements or the character in the neighborhood which the property is located;**
  - We believe that the granting of the variance will in no way be detrimental to the public health, safety or welfare, improvements or the character in the neighborhood in which the property is located. To the contrary we believe DeNovo Recovery, by bringing a Residential Substance Abuse Facility fills a public healthcare need for the community. In addition, we believe granting this variance request will not be detrimental to the character of the neighborhood. DeNovo Recovery will have 24/7 staff that monitor our clients. Furthermore, the majority activities are maintained within the interior of the building and most exterior activities will be within a closed fence. DeNovo Recovery will operate in a similar manner as the previous tenant (Eastgate Manor) leaving a similar impression on the neighborhood.
- e. **The granting of the variance is in keeping with the purpose of the zoning district for which the property is located and in keeping with the City's comprehensive plan.**
  - We believe that adding four beds to the facility is in keeping with the zoning district and with the City's Comprehensive plan.
4. **A site plan describing the property boundaries, the existing and proposed structures, and setbacks.**
  - a. Please see site plan attached. In addition, I have included our floor plan. (2 pages total)
5. **Any other information as directed by the Board or City Planner to be deemed necessary for the board to make an appropriate decision.**
  - a. Please call my cell phone at (210)789-6121, work phone (816)689-0691 or email me at [abigail@denovorecovery.com](mailto:abigail@denovorecovery.com) if there is anything in addition the City Planner or the Board needs from me to make an appropriate decision.

DeNovo Recovery, LLC  
Owners  
Austin & Abigail Barnes

2102 Village Dr.  
St. Joseph, MO 64506  
06/23/2021

To whom it may concern:

Currently 2102 Village Dr., St. Joseph, MO 64506 is zoned as "C-3 Commercial" and was previously used as a Residential Care Facility for long term mental health patient's healthcare facility known as East Gate Manor. My husband, Austin Barnes and I are wanting to open a Residential Treatment Facility to treat people with substance abuse disorders. Appropriate patients that are admitted into our Residential program will be entering a structured program, i.e. individual and group therapy, health & wellness, psychiatric visits, AA/NA meetings and more.

Patients will primarily be in a "group/therapy room", counselor offices and living areas the majority of the day. Patients will only be in their bedrooms during sleeping hours. Hours of operation will be 24/7. Within traditional business hours (8:00 a.m.-6:00 p.m) we will have approximately five staff members on duty; after hours and weekends we will have two. Visitors are only permitted on the weekends at limited times. We anticipate visitor parking demands of 7-8 spots. Traffic volume in general will be minimal. The parking lot allows for a future addition of 8-9 parking spots if needed.

For our type of facility/business we must be classified as "C-3 Commercial". We are currently zoned this way. However, the property is zoned to only allow 12 beds. We wish to request from the zoning board to increase that number from 12 to 16.

The property was originally designed to accommodate 16 beds. The building has 8 bedrooms at approximately 219 sq.ft. each. We believe the bedrooms can comfortably and safely sleep two patients to a room. With the board's approval, we intend to assign two beds to each room equating to our request of the 16 beds.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in cursive script that reads "Abigail Barnes". The signature is written in black ink and is positioned above the typed name and company information.

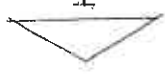
DeNovo Recovery, LLC  
Owners  
Austin & Abigail Barnes

2102 VILLAGE DR.  
ST. JOSEPH, MO. 64506

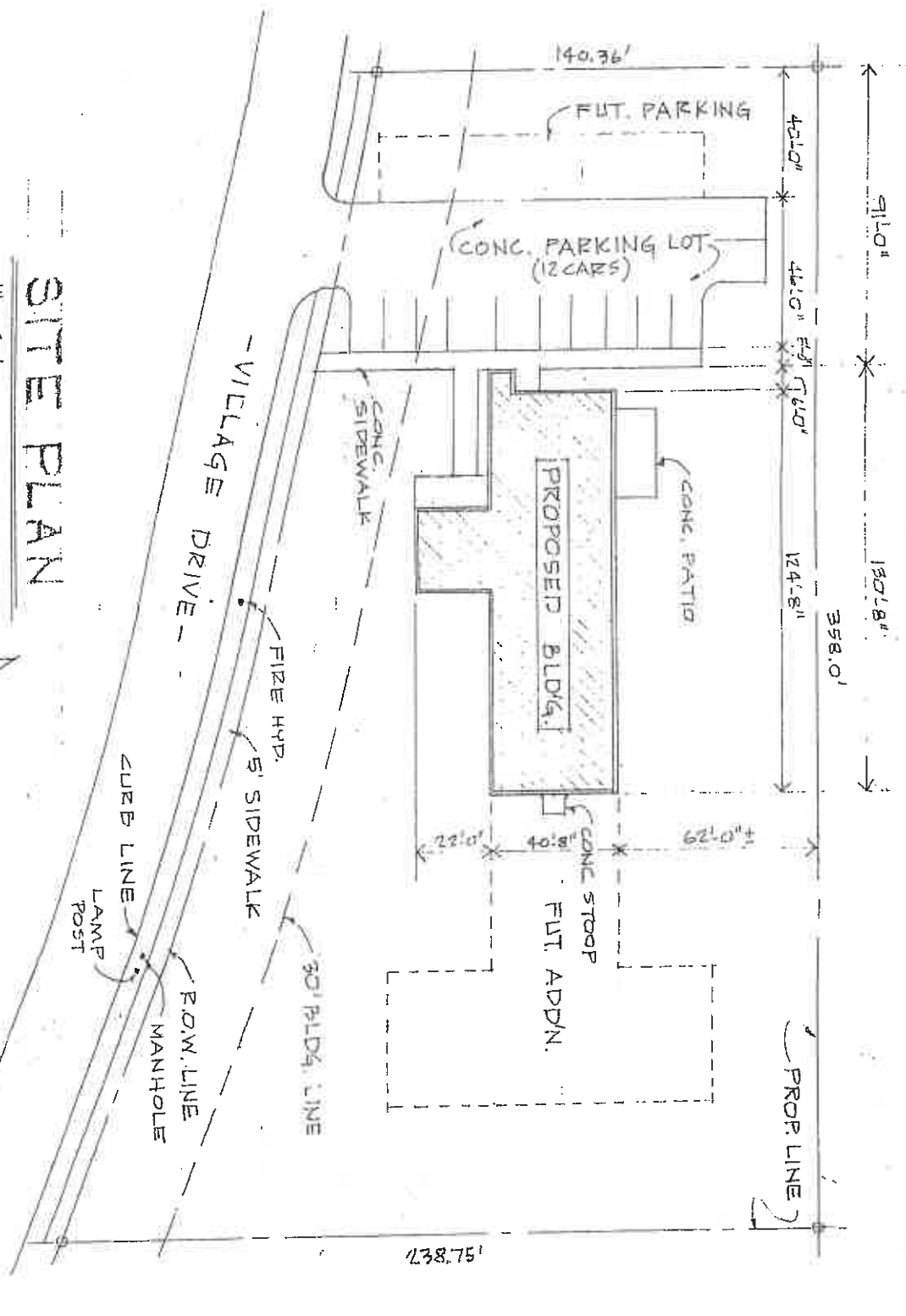
# EASTGATE MANOR

## SITE PLAN

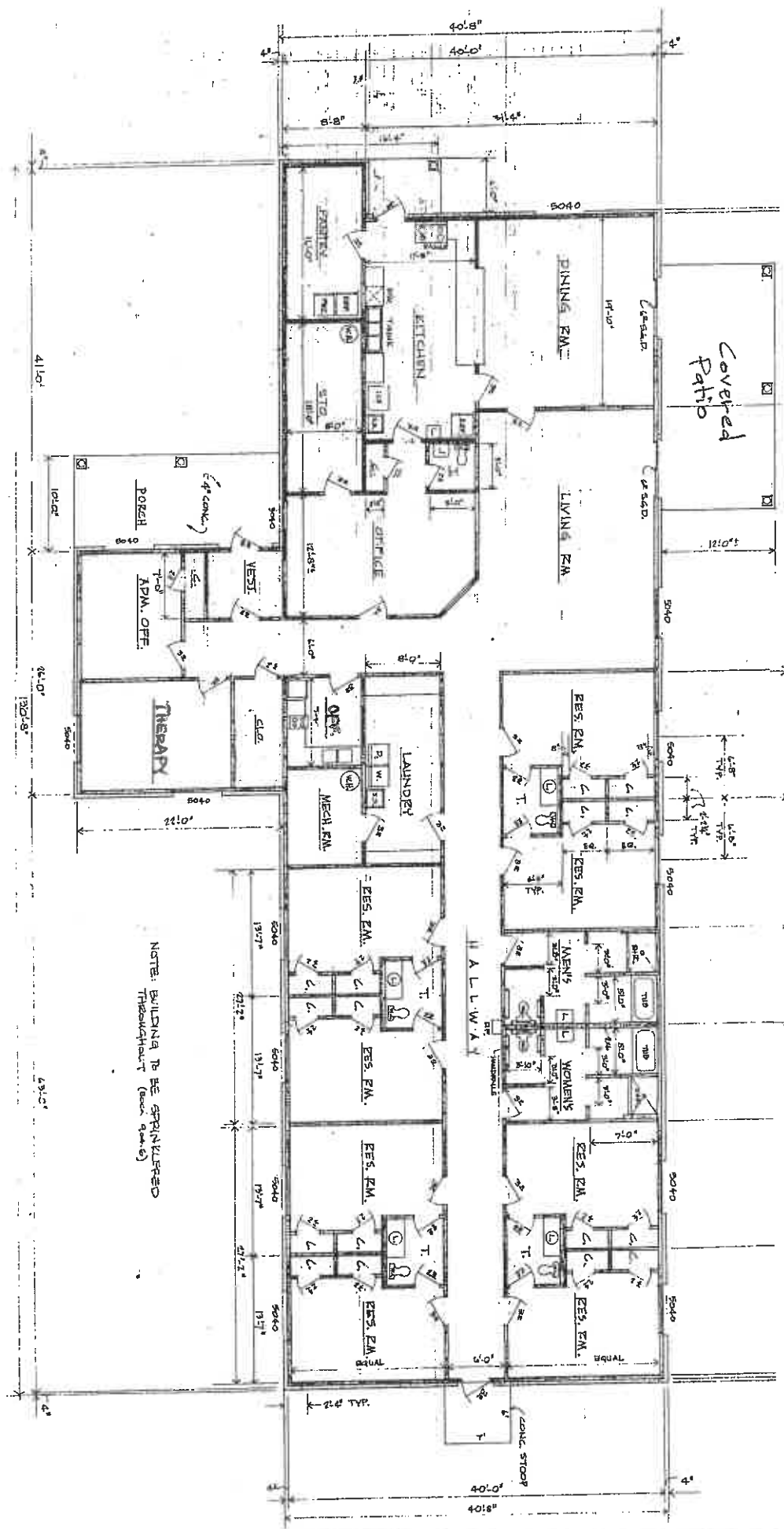
1" = 50'



Lot size = 62,500 sq'



138.75'



# FLOOR PLAN

No Scale

5720 SQ. FT.

Completed 7-1-95

Exhibit (A)

LEGAL DESCRIPTION OF PROPERTY

TRACT D: EAST GATE MANOR

THE SOUTH THREE HUNDRED FIFTY EIGHT (358) FEET OF TRACT SEVEN (7), AS MEASURED ALONG THE WEST LINE OF SAID TRACT SEVEN (7), EASTGATE PLAT NO. 2, A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION TWO (2), TOWNSHIP FIFTY SEVEN (57) NORTH, RANGE THIRTY FIVE (35) WEST, ST. JOSEPH, BUCHANAN COUNTY, MISSOURI. SUBJECT TO ALL PUBLIC AND PRIVATE ROADS AND EASEMENTS.

# City of St. Joseph

1100 Frederick Avenue, St. Joseph, Missouri 64501

## NOTICE OF PUBLIC HEARING

July 2, 2021

### VIA CERTIFIED MAIL

Applicant: Abigail and Austin Barnes  
Location: 2102 Village Drive  
Regarding: Request for a variance from Section 31-025 (c)(6) and any and all other Sections of The Code of Ordinances necessary to allow a residential care facility consisting of up to 16 occupants on the property  
Zoning: C-3, Commercial District  
Case No. 2488 – See attached location map

DEAR ADJACENT PROPERTY OWNER

The Zoning Board of Adjustment will conduct a public hearing in the Council Chamber, 3<sup>rd</sup> floor, City Hall at 4:00 p.m. on Tuesday, July 27, 2021 on this request.

This request is to allow the owners of the property to operate a residential care facility at the location with a maximum of 16 beds, instead of the 12 beds permitted by right in the zoning district. The use of the property as a residential care facility is already allowed by right in this zoning district, the request would simply increase the amount of beds permitted by four.

A comment form is enclosed with this letter for those who would like to express concerns or support for the request. Written comments to be included in the packet sent to the members of the Board of Adjustment should be filed with the Department of Planning and Community Development, Room 107, City Hall, 1100 Frederick Avenue, St. Joseph, MO no later than July 12th. Written or verbal comments received after this date may be given during the public hearing.

All interested citizens are invited to attend this public hearing; however, a special effort to notify property owners within 185 ft. is required by City Code, which is why you have received this certified letter.

Sincerely,

Zack Martin  
City Planner

It is the intention of the City of St. Joseph to comply in all aspects with the Americans with Disabilities Act (ADA). If you plan on attending a meeting to participate or to observe and need special assistance beyond what is routinely provided, the city will attempt to accommodate you in every reasonable manner. Please contact the ADA Coordinator, 816-271-4610, or TDD# 816-271-4898 at least two business days prior to the meeting to inform the City of your specific needs and to determine if accommodation is feasible.

# COMMENTS IN REFERENCE TO PROPOSED EXCEPTION

To the City of St. Joseph, Missouri:

The undersigned state that the facts as entered herein are true to the best of their knowledge and belief, wish to comment on the following Request for a Variance and ask the Board of Adjustment to vote  **FOR**  **AGAINST** said request.

Address of the proposed exception: **2102 Village Drive**

Name, Address & Phone of Party filing Comment (Please print): \_\_\_\_\_  
\_\_\_\_\_  
(Name) (Address) (Phone)

If you own property in the neighborhood of the proposed exception, but do not live at that property, please give address of that property: \_\_\_\_\_  
\_\_\_\_\_

Reason(s) for concern or support to the request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### OWNERS OF RECORD MUST SIGN:

Signature \_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

**NOTE:** To be a valid protest, signatures must be notarized. Comments in favor need not be notarized.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

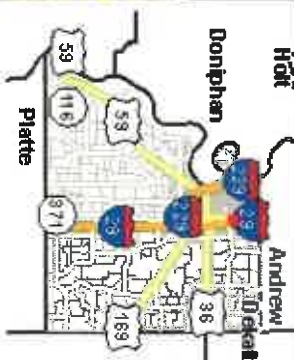
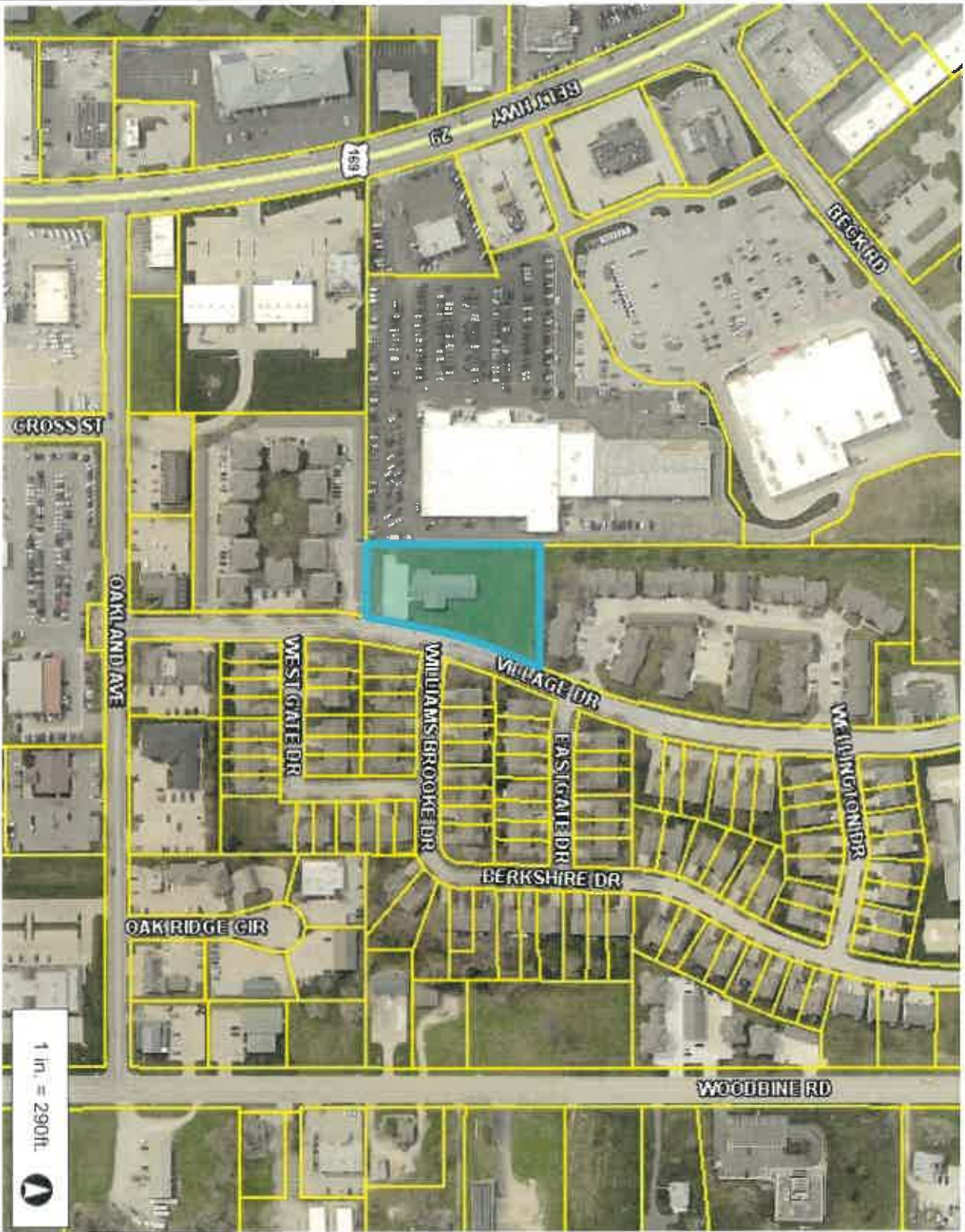
Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_

NOTE: A Notary Public is available at City Hall at no charge

OFFICE USE Within 185 ft. of petitioned property _____ Not within 185 ft. of petitioned property_____
---

# 2102 Village Drive



- Legend**
- Road
    - <all other values>
    - Interstate
    - State Highway L
    - State Highway N
    - U.S. Highway
  - Railroad
  - Parcel
  - Land Hook

**Notes**

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries. THIS MAP IS NOT TO BE USED FOR NAVIGATION



# 2102 Village Drive

Owner Name	Situs Address	Mailing Address	MO	64506	9171	9690	0935	0261	1373	68
DERR PATRICIA	3901 WILLIAMS BROOKE	3901 WILLIAMS BROOKS	MO	64506	9171	9690	0935	0261	1373	68
WEETS MARTIN & MARIA	3907 WILLIAMS BROOKE	3907 WILLIAMS BROOKE	MO	64506	9171	9690	0935	0261	1373	51
BRENTWOOD VILLAGE INC	2010 VILLAGE DR	PO BOX 1250	MO	64079	9171	9690	0935	0261	1373	20
HOOD DONNIS L & MABEL J	3902 WESTGATE DR	3902 WESTGATE DR	MO	64506	9171	9690	0935	0261	1373	13
R & D INVESTMENTS LLC	2207 N BELT HWY	3201 YANKEE HILL RD	NE	68516	9171	9690	0935	0261	1373	44
OAB HOLDINGS LLC	2102 VILLAGE DR	PO BOX 8186	MO	64508	9171	9690	0935	0261	1373	37
VANSICKLE KAREN	3903 EASTGATE DR	33 PARTRIDGE DR	MO	64401	9171	9690	0935	0261	1372	69
MILLER ROGER L & LESLEY M	3906 WILLIAMS BROOKE	12300 PEPPERIDGE AVE	TX	76207	9171	9690	0935	0261	1372	69
ESTEP RONALD L & JEANNE S TRUST	3900 WESTGATE DR	1304 SW SUMMIT HILL D	MO	64081	9171	9690	0935	0261	1372	52
TIETZ ROBERT A & MARY E	3903 WESTGATE DR	3903 WESTGATE	MO	64506	9171	9690	0935	0261	1372	45
MAHAFFY DONALD & SARA	3902 WILLIAMS BROOKE	3902 WILLIAMS BROOKE	MO	64506	9171	9690	0935	0261	1372	38
ALLISON LLOYD E & OPAL ELLEN	3907 WESTGATE DR	3907 WESTGATE DR	MO	64506	9171	9690	0935	0261	1371	91
EULER AUDREY O	3905 WILLIAMS BROOKE	3905 WILLIAMS BROOKE	MO	64506	9171	9690	0935	0261	1372	21
WESTCHESTER VILLAGE OF ST JOSEPH A N	2202 VILLAGE DR	PO BOX 7688	MO	65205	9171	9690	0935	0261	1372	14
WALLACE JAMES E & NORMA D TRUST	3902 EASTGATE DR	3902 EASTGATE DR	MO	64506	9171	9690	0935	0261	1371	84
PADEN CAROLYN & PLUMMER, DEBRA	3905 WESTGATE DR	3905 WESTGATE DR	MO	64506	9171	9690	0935	0261	1371	77
LEVITICUS INVESTMENTS LLC	3901 EASTGATE DR	2209 ASHLAND	MO	64506	9171	9690	0935	0261	1371	60
CONYERS DEBORA & MARK	3904 WILLIAMS BROOKE	3904 WILLIAMS BROOKE	MO	64506	9171	9690	0935	0261	1371	53
NGUYEN DAI & UYEN BUI	3904 EASTGATE DR	13947 DAKOTA CT	MO	64506	9171	9690	0935	0261	1371	22
BURKE JERILYN TRUST	3906 EASTGATE DR	516 RAINTREE	MO	64506	9171	9690	0935	0261	1371	15
ACORD JERRY R	3901 WESTGATE DR	3901 WESTGATE DR	MO	64506	9171	9690	0935	0261	1371	46
SCHOPFER GOLDIA F C/O RICK SCHOPFER	3903 WILLIAMS BROOKE	941 KENDALL RD	MO	64078	9171	9690	0935	0261	1371	39
TODD VERN W & VENA L	3908 WILLIAMS BROOKE	3908 WILLIAMS BROOKE	MO	64506	9171	9690	0935	0261	1371	08
RICHARDSON MARY E	3908 EASTGATE DR	3908 EASTGATE DR	MO	64506	9171	9690	0935	0261	1371	08

**AFFIDAVIT OF PUBLICATION**

*NPG Newspapers, Inc., P.O. Box 29, St. Joseph, MO 64502*

Reference: 12288  
Ad ID: 6687624

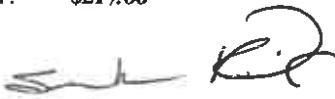
P.O. : DESC :ZBA Meeting July 27. One item


**CITY OF SJ ZONING  
1100 FREDERICK AVE  
ST. JOSEPH, MO 64501-2337**

County of Buchanan  
State of Missouri

I, Sandra Ridings, being duly sworn according to law, state that I am the Legal Advertising Coordinator of the St. Joseph News-Press, a daily newspaper of general circulation in the county of Buchanan, where located; which has been admitted to the Post Office as second class matter in the city of St. Joseph, the city of publication; where newspaper has been published regularly and consecutively for a period of three years and has a list of bona fide subscribers voluntarily engaged to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provisions of Section 493.050 Revised Statutes of Missouri, 1949. The affixed notice appeared in said newspaper on the following date:

Run Dates: 07/03/21 to 07/03/21  
Appearances: 1  
AD SPACE: 46  
TOTAL COST: \$217.00

(Signed) 

Subscribed and sworn before me this 6 day of July 20 21  
 Notary Public

JUDY B. MORENO  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for Buchanan County  
My Commission Expires: June 23, 2024  
Commission Number: 12544882

(Published in the St. Joseph News-Press Sat. 7/03/21)

Notice is hereby given to all citizens of the City of St. Joseph, Missouri, that a meeting of the Zoning Board of Adjustment of the City of St. Joseph, Missouri, will be held on the 27th day of July, 2021 at 4:00 p.m. in the Council Chamber of City Hall wherein the Board will hold a public hearing for the following item and at which time all interested persons will be heard:

● Request for a variance from Section 31-025(c)(6) and any and all other Sections of Code of Ordinances necessary to allow a residential care facility consisting of up to 16 occupants on the property located at 2102 Village Drive. Applicants are Abigail and Austin Barnes.

*tsf* \_\_\_\_\_  
Terry Hall,  
Zoning Board of Adjustment