

**MINUTES**  
**BOARD OF ADJUSTMENT**  
**REGULAR MEETING**  
**JANUARY 15, 2016**  
**11:00 A.M.**

John Briggs called the January 15<sup>th</sup> Board of Adjustment meeting with the following Board members present: Thomas Beisner, John Briggs, David Layne, James Pinjuv (Alternate), and Matthew Smith. Board members Fred Roesel and De'Shannon Shabazz (Alternate) were absent. Taylor Cunningham and Susan Champlin represented the Planning, Development, and Neighborhood Services department.

**OLD BUSINESS**

Approval of December 18, 2015 meeting minutes.

Mr. Briggs                    We'll move on to Old Business—the minutes of the December 18, 2015 meeting. If everybody has had a chance to look at those, I would entertain a motion to approve.

Mr. Layne                    **I make a motion to approve.**

Mr. Beisner                 **Second.**

Mr. Briggs                    **I have a motion by Mr. Layne and a second by Mr. Beisner. All in favor? (Mr. Beisner, Mr. Briggs, Mr. Layne, Mr. Pinjuv, and Mr. Smith voted "aye") Motion carries, 5-0.**

**PUBLIC HEARINGS**

Mr. Briggs                    So with that, I'll read the rules of the Board of Adjustment. It is requested that persons testify before the Board of Adjustment follow these rules:

- 1) State your name and address clearly for the record.
- 2) Please give your testimony as briefly and as completely as possible.
- 3) Please, do not repeat testimony that has been given previously. We want you to state your facts, but limit your information to only new information.
- 4) Everyone is invited to speak; however, if you have a spokesman, please allow him or her to speak.
- 5) When the Public Hearing is closed by the Chairman, no additional testimony is allowed except when invited by the Board.
- 6) Remember that this is a Public Hearing, and all sides have a right to give testimony or state one side of any issue.
- 7) The Board of Adjustment of the City of Joplin through this introduction, accepts into evidence the 2012 Comprehensive Plan, the Zoning Code of

the City of Joplin and the Subdivision Regulations of the City of Joplin being Appendices 29-A and 29-B of the Joplin Municipal Code, the written recommendations of the City staff, and all other written evidence presented at today's hearing.

Thank you for your consideration and understanding.

**Item 01-16-01: 2210, 1210 and 2312 South Harlem – A request for a variance from Section 29A-503 (Height and Area Regulations, R-1), of the Joplin City Code of Ordinances, more particularly described as a waiver of 10 feet from the required 25 feet minimum front yard for the property–Schuber-Mitchell Homes.**

Mr. Briggs Is there anyone here that would like to speak in favor?

Dan Mitchell My name is Dan Mitchell with Schuber-Mitchell Homes, 1621 Anderson Drive, Webb City, Missouri, and I am in favor of this. Do you have any questions? I mean, we sent an application. It's pretty clear cut. I would be happy to answer any—

Mr. Beisner I think one of these addresses is incorrect as listed on the staff planning report. It would be the second address—it should be 2310, not 1210.

Ms. Cunningham Yeah, that's correct. My apologies—I think we had a clerical error. It was advertised correctly.

Mr. Layne It looks like the address for these other—there are other facilities—other buildings on this next door that are the same?

Mr. Mitchell Yeah.

Mr. Layne The variance that you're asking for, they are already in place, or grandfathered in, I guess?

Mr. Mitchell Yes.

Mr. Beisner They took a lot of that territory to finish the street behind the—

Mr. Mitchell That's right. I just want to offer a better experience for those homeowners so they have a good back yard.

Mr. Pinjuv I think we appreciate you guys filling up those empty spots along that road.

Mr. Mitchell Let's keep it going.

**Mr. Pinjuv** I'm looking forward to it, so I'd make a motion that we approve this request.

**Mr. Briggs** I have a motion by Mr. Pinjuv.

**Mr. Layne** I second that motion.

**Mr. Briggs** And a second by Mr. Layne. All in favor? (Mr. Beisner, Mr. Briggs, Mr. Layne, Mr. Pinjuv, and Mr. Smith voted "aye") Motion carries, 5-0. With that, we'll move on to the second item. Thank you.

**Item 01-16-02:** 2221 East 7<sup>th</sup> Street – A request for variance from Section 29A-1404, (Height and Area Regulations, C-3), of the Joplin City Code of Ordinances, more particularly described as a waiver of 15 feet from the required 15 feet minimum front yard and side yard required for the property – Maggie Ryan.

**Mr. Briggs** Would anybody like to speak in favor of this?

**Maggie Ryan** My name is Maggie Ryan. My address is 1005 Canterbury Road, Pittsburg, Kansas.

**Ms. Cunningham** And if you all just want to give kind of a brief description of what you're doing with the property.

**Dennis Ryan** The property at that location—we just want to tear that property down and put up another building in the same place.

**Mr. Beisner** Would it be on the same footprint as the existing building?

**Mr. Ryan** Yes, pretty much the same footprint. We were told that if we tear that down, it's going to open up a whole another bunch of variances, and we want to use the same variances that's there now.

**Mr. Pinjuv** What's the present use of the building, and what will be the use?

**Mr. Ryan** It's not being used right now. It was a dry cleaning pickup and drop-off location.

**Mr. Pinjuv** And is it just spec now?

**Mr. Ryan** It's just been abandoned. It's just sitting there. We don't use it any more.

**Mr. Pinjuv** What will be done with it in the future?

Mr. Ryan Well, we're thinking about opening up a pickup and drop-off location at that location again. But the building is in bad shape, and we're wanting to put up a new building and change the drive-through a little bit.

Mr. Pinjuv I didn't get a chance to go by it, but again, it's another improvement to town that I think we've got to look at and appreciate. I'm glad you're doing it.

Mr. Ryan The building is in bad shape. I mean, it's—you know, we can either tear it down and put up a new one that looks nicer or try to repair what's there, and it's—

Mr. Layne It's not going to sit any closer to Seventh Street than it does now?

Mr. Ryan It's not going to get any closer to Seventh Street, no.

Mr. Beisner Are you going to do anything with the drive-through going around to the side like they do now?

Mr. Ryan The drive-through would be the same as it is now. The only difference is, there is a canopy that covers like one car. We would probably extend the canopy over to where it would cover two car widths instead of one.

Mr. Smith What about parking on McConnell Street? Are you guys going to do anything to—

Mr. Ryan There is no parking—well, people park there now because you've got approximately—just a little bit of space that some customers park there and come in the front door. But we were told that we couldn't use parking there. We weren't planning on using any parking on the McConnell Street side.

Ms. Cunningham If the customers park there, that's one thing, but when we calculate in the parking requirements, any public parking on a city street isn't accounted for because it can't be, you know, specifically allocated to their business. So it has to be on-site parking that we account for.

Mr. Ryan The only parking we were going to have is in the back, and that would be, I think, three or four parking places in the back. And that's pretty much employees only, which is what's there now. The building we're going to put up would probably not be quite as long as that building is now, which would allow a few parking places behind the building. When we had that open before, 95 percent of the customers came through the drive-through. Every once in a great while, someone would park on the McConnell Street side, but that's really not wide enough there to park a car on.

Mr. Pinjuv Again, like I said, I think "new" is a big addition to town, but I would be interested to know what that construction type will be on that new building.

Mr. Ryan                    It would probably be a metal building with brick or rock on the front. And there will be a certain amount of glass on the front, too—glass windows and rock or brick on the front.

Mr. Pinjuv                The building there now is what—block or—

Mr. Ryan                    Part of it is block. Part of it is a metal building. There are actually three buildings in that building. It’s been added onto twice. And the rear piece is a metal building.

Mr. Beisner                You won’t be doing any cleaning at that location?

Mr. Ryan                    No, sir.

Mr. Beisner                It will be strictly a pickup?

Mr. Ryan                    No, sir—just pickup and drop-off.

Ms. Cunningham        When we go through the pre-development process, and they submit commercial plans for building permits, there is like a certain percentage of masonry on the street side that is required. So staff will review and make sure all those requirements are met.

**Mr. Pinjuv                Well, again, I say “great” and I recommend that we approve the application.**

**Mr. Layne                I’ll second that.**

**Mr. Briggs                I have a motion by Mr. Pinjuv and a second by Mr. Layne. All in favor? (Mr. Beisner, Mr. Briggs, Mr. Layne, Mr. Pinjuv, and Mr. Smith voted “aye”) Motion carries, 5-0. Thank you.**

Mr. Ryan                    Thank you.

Mr. Briggs                That is everything on the agenda today, so do we have a motion to adjourn the meeting?

**Mr. Beisner                I make a motion to adjourn.**

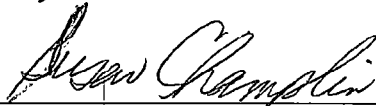
**Mr. Briggs                I have a motion by Mr. Beisner.**

**Mr. Layne                Second.**

**Mr. Briggs                And a second by Mr. Layne. All in favor? (Mr. Beisner, Mr. Briggs, Mr. Layne, Mr. Pinjuv, and Mr. Smith voted “aye”) Motion carries, 5-0.**

The meeting was adjourned at 11:11 a.m.

Approved   
John Briggs, Chairperson

Approved   
Susan Champlin, Senior Clerk