



**Parkville Board of Zoning Adjustment
Meeting Agenda
City of Parkville, Missouri
Tuesday April 26, 2016 at 5:30 p.m.
City Hall Boardroom**

1. Call to Order
2. Roll Call
3. General Business
 - A. Approval of the agenda.
 - B. Approval of Minutes from the Wednesday, February 10, 2016 Board of Zoning Adjustment "Special" meeting.
4. Public Hearing
 - A. Application to consider flood-plain development variance for the Waste Water Treatment Plant located at 12303 NW Highway FF Parkville, MO for construction of new pole barn. Zoned I-1 Light Industrial District. *Case BZA16-03, City of Parkville, applicant.*
5. Regular Business
6. Unfinished Business

None
7. Other Business
 - A. Upcoming meetings & dates of importance:
 - Board of Aldermen Meetings: Tuesday, May 3, 2016 and Tuesday May 17, 2016 at 7:00pm.
 - Board of Zoning Adjustment Meetings: Tuesday May 24, 2016 at 5:30pm if needed.
 - Planning & Zoning Commission Regular Meeting: Tuesday May 10, 2016 at 5:30pm
8. Adjournment

**Minutes of the
Board of Zoning Adjustment Meeting
City of Parkville, Missouri
Wednesday, February 10, 2016 at 5:30p.m.
City Hall Boardroom**

1. CALL TO ORDER

Chairman Al McCormick called the meeting to order at 5:30pm

2. ROLL CALL

Board Members Present:

Al McCormick, Chairman
Carla Dods, Vice Chairman
Russell Downing, Secretary
Ken Wright

Board Members absent with prior notification:

Gia McFarlane

A quorum of the Board of Zoning Adjustment was present.

Staff Present:

Lauren Palmer-City Administrator
Paul Giarratana-Building Official
Alysen Abel-Public Works Director
Stephen Lachky-Community Development Director
Kelly Yulich-Assistant to the Community Development Director
Zach Tusinger-Planning/Development

3. ANNOUNCEMENTS

- A. Introduction of New Community Development Director by City Administrator Lauren Palmer.

Palmer gave an introduction of the new Community Development Director Stephen Lachky and his qualifications and past accomplishments. The board members welcomed him and Lachky thanked the Board and stated he looked forward to working with them on future projects.

Palmer thanked the board for the time and left the meeting at 5:32 p.m.

4. GENERAL BUSINESS

- A. **Approval of Board of Zoning Adjustment Meeting Agenda.**

Chairman Al McCormick called for any discussion of the proposed agenda.

Seeing none he called for a motion to approve the agenda as posted.

Vice Chairman Dodds moved to approve the agenda, Secretary Downing seconded. Motion passed 4-0.

B. Approval of Minutes from the March 21, 2013 and the Wednesday July 29, 2015 Board of Zoning Adjustment meetings.

Chairman McCormick requested approval of the meeting minutes from Wednesday, July 29, 2015 and the meeting minutes from March 21, 2013. The March 21, 2013 meeting minutes were not previously included in the July 29, 2015 meeting packet; thus were not approved at that time. Chairman McCormick called for discussion or changes to the minutes. Seeing none, he called for a motion to approve the minutes.

Chairman McCormick moved to approve the minutes, Vice Chairman Dodds Seconded. Motion passed 4-0

5. PUBLIC HEARING

A. Application to consider flood-plain development variance for the English Landing Park for construction of new restrooms and a parks department storage building on .511 acres, more or less, zoned PLCD Parkland and Conservation District Residential District. *Case BZA16-01, City of Parkville, applicant.*

Chairman McCormick introduced the public hearing item. He asked City of Parkville staff to talk about the application and present their findings.

Stephen Lachky, the Community Development Director, deferred to Paul Giarratana, Building Official and Certified Floodplain Manager, for the presentation to the Board of Zoning Adjustment panel. Paul stated the application had been reviewed against the City of Parkville's City Codes — including the applicable PLCD Parkland and Conservation District — along with the current floodplain management regulations. Additionally, the application was reviewed against the *Parkville Master Plan* and its adopted Future Land Use Plan. Giarratana explained that generally, variances can be issued for new construction and substantial improvements to be erected on a lot of one-half (½) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases beyond the one-half (½) acre, the technical justification is required for issuing the variance increases. The City Codes define how the Board of Zoning Adjustment should determine if a proposed floodplain variance is appropriate. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. Hardships are the least understood and hardest to establish criterion for granting a variance. To determine whether an applicant has established an exceptional hardship sufficient to justify a variance, the Board of Zoning Adjustment must weigh the hardship against the purpose of the ordinance. The floodplain ordinance is based on public safety and damage reduction. If the variance requested is to waive or reduce the elevation requirement, the individual hardship must be weighed against the community's need to protect its citizens against the dangers and damages due to

flooding. Only a truly exceptional and unique hardship should persuade the board to set aside provisions of an ordinance designed with the entire community's safety in mind.

Giarratana concluded that the proposed variance would not result in increased flood height or additional threat to public safety. The facilities would enhance the public's park experience and give the parks division a much needed operational facility. Giarratana explained the need to construct the facility close to the waterfront to serve park patrons and for close proximity to maintenance equipment for parks personnel. Because utilities already exist in this location, it would create a financial and logistical hardship to relocate the restroom facility elsewhere in the park. Furthermore, it is unlikely an alternative location could be identified to serve the park that is outside of the flood plain.

Chairman McCormick asked the board if they had any questions that needed directed to staff.

Vice Chairman Dodds questioned the locations of the floodway versus the floodplain, Giarratana stated that the existing restrooms are actually in the flood fringe zoned AE. Staff reiterated that the buildings are in the floodplain/flood fringe not in the floodway. Explaining that the buildings are further out than the 1993 flood maps, due to the Corps of Engineers updated mapping stating that the Riverside Levee system and the flow of White Aloe Creek has less flow now than previously. Staff explained that the existing Parks Storage building is still considered in a Floodway that is why the structure was erected 14' in height. Member Dodds questioned if the new flood fringe area will have a new zoned code other than the AE/Floodplain zoning. Giarratana stated that there was not an updated code system for the flood fringe area that the zoning code used for the floodplain is still being used.

Secretary Downing questioned the building of the storage building at a different time than the building of the restroom. Alysén Abel, Public Works Director, stated the City of Parkville had acquired a County Grant of \$40,000.00 to construct the restroom. The City had decided to separate the two building projects reasoning that they were different in scope. Abel explained that the restroom facility would be a regular constructed building versus the storage building would be a pre-fab metal constructed building. Giving greater versatility to bidders for the restroom facility compared to pre-fab builders for the storage building. Staff felt that they would acquire more competitive bids for both facilities if separated out to two separate projects versus one.

Secretary Downing questioned if they were approving both buildings now, or just the restrooms. Abel explained that the approval would be for both buildings.

Vice Chairman Dodds stated she had additional questions. She asked if both the buildings would be built at the current grade or if additional fill would be brought in. Secretary Downing stated that the staff analysis explained that the buildings would be two feet higher than the existing restroom building. Public Works Director Abel explained that the footings that will be poured will bring the elevations up which will determine the amount of fill that will have to be brought in. The amount of fill is not expected to be much assuming the demolition of the existing building and the

additional fill that will be needed to bring the finished floor elevations up two feet higher than the existing floor elevation. Vice Chairman Dodds questioned the reasoning that a section 404 permit is not required. Building Official Giarratana stated that the 404 permit is not required however the City will fill out the permit. He stated the City will comply and send the completed form to the Corps of Engineers. The Corps will follow up and state that the form is not needed; however the City prefers to have documentation on file to show it went through the full process. The City of Parkville has not applied for that permit and is waiting for the bid's process to complete for the restroom building prior. The City was required to apply for the "no-rise" permit prior to applying for the flood plain development variance. Dodds questioned staff if the City will be required to do a letter of map revision based on fill. Giarratana stated that they would not on this project due to not enough area. He also directed the board to review page 5 of the staff analysis report giving eleven criteria for them to consider on passing the variance. Directing them to criteria number 4; The importance of the services provided by the proposed facility to the community. This is the reasoning why the applicant is proposing building a restroom facility.

Board member Wright expressed that as the Park expands and additional festivities occur, the City needs a restroom facility to handle the additional traffic that will result in the park. The Johnny on the Spot portable restrooms can be expensive. Wright asked how large the building would be. Staff stated that the building would be very similar to the City of Riverside, Mo.'s. The facility would have a male, female and a family area. The bids criteria that went out created a number of different alternatives, ranging in only heating the family portion so the family area would only be needed for the full year, leaving the male and female portions unheated through the winter months and keeping them closed. The facility would have the male and female areas prepped if the need arises or the budget allows for the additional HVAC than it could be accommodated easily. Giarratana explained that by raising the elevation of the building they will be creating a horizontal system for the HVAC which will be placed in the attic which raises the HVAC above the Base Flood Elevation (BFE). The planning for the building has been based for future needs and budget restraints.

Vice Chairman Dodds questioned the erosion control and the storm water runoff between the restroom and the parks storage building. The concern was whether the runoff would be directed down into White Aloe Creek. Giarratana explained that there is a swale that will be directing runoff to the south side of the restroom directing it out into the street and then onto the low water bridge. Dodds questioned the area in between the two buildings, and the direction that water would be running off to. Staff stated that it would be permeable gravel very similar to what is on the trail.

Chairman McCormick asked if there were any other questions or comments from the board or staff prior to opening up the public hearing portion of the meeting. Seeing none, he then opened up the meeting to the public at 5:53 p.m. No members of the public were present for input; public meeting was closed at 5:54 p.m.

Chairman McCormick asked if there were any additional comments or questions. Seeing none, he called for a motion. **Secretary Downing made a motion to approve the Floodplain Development variance. Board Member Wright seconded. Motion Passed 4-0.**

6. **REGULAR BUSINESS**

A. **Adoption of the Board of Zoning Adjustment Bylaws & Adoption of the Board of Zoning 2016 Meeting Dates & Time**

Chairman McCormick introduced the adoption items. He asked staff to describe the adoptions and staff findings.

Vice Chairman Dodds asked why the Board of Zoning Adjustment is adopting these now. Chairman McCormick stated the board needs to have bylaws, set dates and times for convening. Community Development Assistant Kelly Yulich explained she researched the board bylaws and discovered none had officially been adopted by the Board of Zoning Adjustment. Yulich explained the bylaws were reviewed against the City of Parkville's Municipal Code Title IV, Chapter 480 and based on the information to date; the primary considerations for adoption are consistent with the previously adopted and approved Planning and Zoning Commission bylaws and meeting dates. The findings for the meeting dates were decided upon the Board of Zoning Adjustment's previous meeting on July 29, 2015. The minutes from that meeting state that Tuesday evening's best suited the members. Additionally, the Planning & Zoning Commission and Board of Aldermen convene on Tuesday evenings; therefore, the fourth Tuesday at 5:30 p.m. seemed fitting for the Board of Zoning Adjustment to meet.

Deadlines for applications to be presented to the Board of Zoning Adjustment were determined by time-frames needed for staff to review applications as well as the public notice requirements.

Chairman McCormick asked for any additional comments or discussion on the adoption of the bylaws or minutes and seeing none, Chairman McCormick called for a motion to approve the Board of Zoning Adjustment Bylaws and Meeting dates and time. **Chairman McCormick moved to adopt the bylaws and meeting dates Vice Chairman Dodds seconded. Motion passed 4-0.**

7. **UNFINISHED BUSINESS**

None

8. **OTHER BUSINESS**

A. Upcoming meetings & dates of importance:

- Board of Aldermen Meetings: Tuesday, February 16, 2016 and Tuesday, March 1, 2016 at 7:00pm.
- Board of Zoning Adjustment Meetings: Tuesday February 23, 2016-CXL'd (no agenda), Tuesday March 22, 2016 at 5:30pm.
- Planning & Zoning Commission Regular Meeting: Tuesday March 8, 2016 at 5:30pm

Questions were raised on the process for public notifications; staff explained the process and the locations that the notice was published. Questions also were addressed of the staffing of the board members and the alternates. Community Development Director Stephen Lachky stated that he would communicate the needs for fully staffing the Board of Zoning Adjustments to the Mayor.

9. ADJOURNMENT

Seeing no other discussion, Chairman McCormick called for a motion to adjourn. **Chairman McCormick moved to adjourn, Member Wright seconded. Motion to adjourn passed 4-0.** Meeting adjourned at 6:03pm.

Submitted by:

Kelly Yulich
Assistant to the Community Development Director

2-16-2016



Staff Analysis

- Agenda Item: **4.A**
- Proposal: Application to consider floodplain development variance for the Waste Water Treatment Plant located at 12303 NW Highway FF Parkville, MO for construction of new pole barn.
- Case No: BZA16-03, City of Parkville, applicant
- Applicant: City of Parkville, Missouri
- Owners: City of Parkville, Missouri
- Existing Zoning: County Planned Industrial
- Parcel #: 20-8.0-33-000-000-003.001
- Exhibits: A. This staff report
 B. Application for floodplain development variance
 C. Legal description for the subject property
 D. March 15, 2016 memo from Public Works Director Alysen Abel
- By Reference: A. Parkville Flood Plain Management regulations in its entirety - Parkville zoning code in its entirety - <http://www.ecode360.com/PA3395-DIV-05>
 B. Parkville Master Plan - <http://parkvillemo.gov/departments/community-development-department/master-plan/>
 C. Public Hearing Notice from Parkville web site- <http://parkvillemo.gov/public-hearings/>

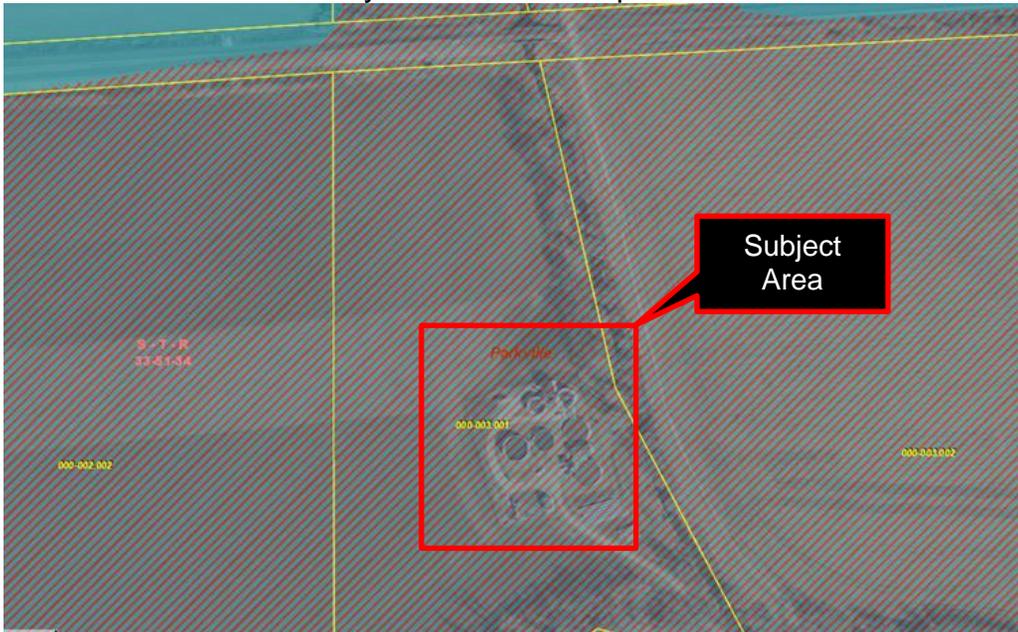
Overview

The applicant requests a floodplain development variance on approximately 1.4 acres, more or less, located at 12303 NW FF Highway, south of the intersection of FF Highway and River Road, two miles west of downtown. The property is legally described as follows: All that part of the Northeast Quarter of Section 33, Township 51, Range 34, described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 33; thence South along the West line of said Northeast Quarter, 2517 feet to the Platte River; thence North 55 degrees East, 650 feet; thence South 80 degrees East, 220 feet to a point which is 2182 feet South and 749 feet East of the Northwest corner of the Northeast Quarter of said Section 33; thence North 19 degrees West, 555 feet; thence North 13 degrees West, 858 feet; thence North 11 degrees East, 210 feet; thence South 55 degrees East, 152 feet; thence North 40 degrees East, 180 feet; thence North 9 degrees West, 278 feet; thence North 45 degrees East, 228 feet; thence due North, 128 feet to a point in the North line of the Northeast Quarter of said Section

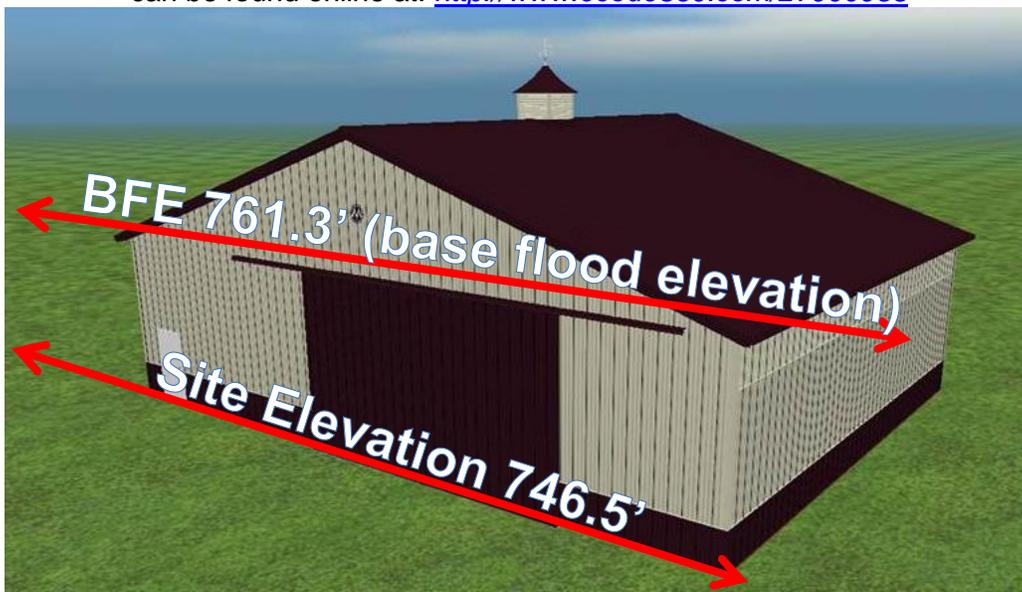
33, which point is 773 feet East of the Northwest corner of said Quarter Section; thence West along the North line of said Quarter Section, 773 feet to the point of beginning, subject to railroad right of way 100 feet wide running East and West across the above described tract at about the center thereof, as at present located and established.

The property contains one parcel - Platte County parcel number 20-8.0-33-000-000-003.001 (see depiction below).

Floodway in redline- Floodplain in blue



Parkville Municipal Code Section 404 Floodplain Management requirements are 760.9 which can be found online at: <http://www.ecode360.com/27900958>



Proposed structure dimensions are as follows: 60' x 45' with 2 - 24'x14'x10" Double End Doors, 1 - 3' Exit w/ closure, 42" Cupola

Subject area outlined below
Approximately 1.4 acres



Depiction below shows proposed location and estimated size of the pole barn.



Aerial overview of total area with area requesting variance outlined.



This property is currently being used as the Parkville Waste Water Treatment Plant. The applicant is proposing a variance in the Floodplain development to construct a new, limited storage facility (pole barn) for the plant.

Review and Analysis

The application has been reviewed against the City of Parkville's City Code, including the applicable zoning district's, along with the current floodplain management regulations, and the City's adopted Master Plan, including the adopted Future Land Use Plan.

Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (½) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases beyond the one-half (½) acre, the technical justification required for issuing the variance increases.

City Codes define how the Board of Zoning Adjustment shall determine if a proposed floodplain variance is appropriate. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. Also variances shall only be issued upon:

- a. A showing of good and sufficient cause;
- b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

- c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- d. The variance granted must be the minimum necessary, considering the flood hazard, to afford relief, the greater the hazard the less the relief that can be afforded. The variance must be modified to be the minimum that will both provide relief and preserve the integrity of the local ordinance. The resulting variance issued may be considerably less than that requested.
- e. Additional conditions may be added to mitigate any possible detrimental effects of granting the variance. Other property owners cannot be adversely affected in any material way.

HARDSHIP AND VARIANCES:

Hardship is the least understood and hardest to establish criterion for granting a variance. To determine whether an applicant has established an exceptional hardship sufficient to justify a variance, the Board of Zoning Adjustment must weigh the hardship against the purpose of the ordinance. The floodplain ordinance is based on public safety and damage reduction. If the variance requested is to waive or reduce the elevation requirement, the individual hardship must be weighed against the community's need to protect its citizens against the dangers and damages due to flooding. Only a truly exceptional and unique hardship should persuade the board to set aside provisions of an ordinance designed with the entire community's safety in mind.

The following are the Floodplain Management Variance Criteria:

In passing upon such applications for variances, the Board of Zoning Adjustment shall consider all technical data and evaluations, all relevant factors, standards in other Sections the following criteria:

1. The danger to life and property due to flood damage;
2. The danger that materials may be swept onto other lands to the injury of others;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity to the facility of a waterfront location, where applicable;
6. The availability of alternative locations, not subject to flood damage, for the proposed use;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the Comprehensive Plan and Floodplain Management Program for that area;

9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, if applicable, expected at the site; and
11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems; streets; and bridges.

In order to minimize flood damages during the one-hundred-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for accessory structures that are constructed at-grade and wet-flood proofed:

1. Use of the accessory structures must be solely for parking and limited storage purposes in flood-prone areas only.
2. For any new or substantially damaged accessory structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below highest adjacent grade, must be built with flood-resistant materials in accordance with Section 404.040(A)(4)(b).
3. The accessory structures must be adequately anchored to prevent flotation, collapse or lateral movement of the structure in accordance with Section 404.040(A)(4)(a). All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
4. Any mechanical, electrical, or other utility equipment must be located above highest adjacent grade or flood proofed so that they are contained within a watertight, flood proofed enclosure that is capable of resisting damage during flood conditions in accordance with Section 404.040(A)(4)(d).
5. The accessory structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the one-hundred-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with the NFIP regulations.
6. Equipment, machinery, or other contents must be protected from any flood damage.
7. No disaster relief assistance under any program administered by any Federal agency shall be paid for.
8. Wet-flood proofing construction techniques must be reviewed and approved by the Floodplain Administrator and a professional engineer or architect registered in the State of Missouri prior to the issuance of any floodplain development permit for construction.



Staff Analysis

Date: March 15, 2016

To: Board of Zoning Adjustment

From: Alysen Abel, P.E. – Public Works Director

CC: Paul Giarratana, CBO, CBI, CFM – Building Official
Kelly Yulich – Assistant to the Community Development Director

RE: Wastewater Treatment Plant – Storage Facility

The existing Wastewater Treatment Plant (WWTP) is located at 12303 NW FF Hwy, just south of Vikings Field at the intersection of NW River Road and NW FF Hwy. The plant is maintained by Alliance Water Resources, who is third party service provider for the City. The sewer plant was constructed in 1995 and processes 450,000 gallons of sewage per day for approximately 1,700 residents.

The waste by-product produces a sludge material that is spread on the City's property adjacent to the plant. The plant managers spread approximately 60 tons per year. The sludge is applied using a tractor with a sludge wagon attachment. The equipment currently is stored outside, being exposed to the elements.

The 2016 Capital Improvements Program (CIP) includes \$90,000 for WWTP Site Improvements, which includes a pole barn to protect and secure the tractor, sludge wagon, pumps, and other equipment.

In February, the City released a bid request for the construction of the WWTP Storage Facility. The bid request included specifications for a pre-fabricated building. The area surrounding the WWTP is within the floodway. The building includes swing doors on the north and south sides of the building for flood control. If there is an impending flood, there is an evacuation plan that includes relocating the equipment to alternate location, outside the floodplain.

Bids were received on March 1st from three contractors. One of the bids did not include the bid form and bid bond, as stipulated in the bid documents, they are therefore disqualified from the bid. Staff will present the contract for the WWTP storage facility at the April 5th Board of Aldermen.



COMMUNITY DEVELOPMENT
 8880 Clark Avenue
 Parkville, MO 64152
 (816) 741-7676,
 FAX (816) 741-0013

Application #: BZA16-03
 Date Submitted: 2-23-16
 Date Approved: _____

FLOODPLAIN DEVELOPMENT VARIANCE APPLICATION

1. Applicant / Contact Information

Applicant(s)

Name: City of Parkville
 Address: 8880 Clark Ave
 City, State: Parkville, Missouri 64152
 Phone: 816-741-7676 Fax: 816-741-7676
 E-mail: inspections@parkvillemo.gov

Owner(s), if different from applicant

Name: _____
 Address: _____
 City, State: _____
 Phone: _____ Fax: _____
 E-mail: _____

We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all information contained therein is true and correct. We acknowledge that development in the City of Parkville is subject to the Municipal Code of the City of Parkville. We do hereby agree to abide by and comply with the above-mentioned codes, and further understand that any violations from the provisions of such or from the conditions as stated herein shall constitute cause for fines, punishments and revocation of approvals as applicable.

Applicant's Signature (Required) _____

Date: 3-7-16

Property Owner's Signature (Required) _____

Date: 3-7-16

2. Type of Request

(Select one): Appeal Variance

The following information may be submitted on a separate sheet if necessary.

Applicable zoning regulation and section: Chapter 404-Floodpain Management, Section404.050

- 1) Is structure in the floodway? Yes [] No []
- 2) Can the development be located outside of the floodplain? Yes [] No []

If yes, then the variance should not be granted. If not, continue

State why the development cannot be located outside of the floodplain The waste water Treatment plant is
is a fixed location facility and all systems and maintained must be maintained on site.
this is a public utility.

3) State why the development will not increase flood heights, create additional threats to public safety, or cause additional public expense:

technical data supports the fact that the proposed development described above will not create
any increase to the 100-year base flood elevations on said flooding
source above at the upstream limits of construction

4) Is this variance submitted under HARDSHIP, Yes [] No []

The exceptional hardship is: The Waste Water Treatment Plant location was approved by ordinance in 1993 with buildings to have flood-proof construction. As the City grows so does the demand for extra equipment and storage facility.

5) Is the requested variance or exception for the construction or restoration of a structure listed on the National Register of Historic Places or the State Historic Register?

Yes [] No []

If yes, Attach a letter or appropriate documentation from either agency that shows that structure is an historic building.

6) Variances for Agricultural Structures.

Yes [] No []

3. Property Information

Address and general location: 12303 NW FF Highway

Attach a separate sheet with complete legal description of the property.

Present zoning: Light Industrial District Proposed zoning: _____

Present use of the property: Waste Water Treatment Plant

Proposed use with variance, appeal or special exception: _____

4. Neighboring Land Use, Zoning, Character and Effects of Amendment on Each

Describe the zoning and uses on the neighboring properties:

	<u>Land use</u>	<u>Zoning</u>
North:	<u>AG</u>	<u>Planned Industrial</u>
South:	<u>AG</u>	<u>Planned Industrial</u>
East:	<u>AG</u>	<u>Planned Industrial</u>
West:	<u>AG</u>	<u>Planned Industrial</u>

General character of the neighborhood: Agricultural

Effects of the requested variance or appeal on adjacent and neighboring property:

None existing use to continue



COMMUNITY DEVELOPMENT
 8880 Clark Avenue
 Parkville, MO 64152
 (816) 741-7676,
 FAX (816) 741-0013

Application #: B2A16-03
 Date Submitted: 2-23-16
 Date Approved: _____

Other comments or factors relating to this request: See Staff report

5. Checklist of Required Submittals

- Completed application and all required submittals as follows.
- Complete legal description of the applicable property.
- Owner's signature and affidavit of ownership.
- Four copies of a plan showing proposed variance, appeal or special exception in relation to existing proposed features, on and off-site and all supporting documentation and exhibits in paper and electronic (pdf) format.

For City Use Only

Application accepted as complete by: Kelly Yulich - ASSISTANT TO 2-23-16
 Name/Title CD DIRECTOR Date

Accepted by: _____ Date _____
 Name/Title Date

Board Action: Approved Approved with Conditions Denied Date of Action: _____

Conditions if any: _____

FLOODPLAIN DEVELOPMENT PERMIT/APPLICATION

Application No. _____

Date: _____

TO THE ADMINISTRATOR: The undersigned hereby makes application for a permit to develop in a floodplain. The work to be performed, including flood protection works, is as described below and in attachments hereto. The undersigned agrees that all such work shall be in accordance with the requirements of the Floodplain Management Ordinance and with all other applicable county/city ordinances, federal programs, and the laws and regulations of the State of Missouri.

City of Parkville, 02/26/2016, Olsson Associates, 02/26/2016, 8880 Clark Avenue, Parkville, MO 64152, 7301 West 133rd, 913-381-1170

SITE DATA

- 1. Location: SW 1/4; NE 1/4; Section 33; Township; 51N; Range 34W
2. Type of Development: Filling, Grading, Excavation, Minimum Improvement, Routine Maintenance, Substantial improvement, New Construction X, Other
3. Description of Development: Construction of storage building.
4. Premises: Structure Size 60 ft. By 45 ft. Area of Site 2700 Sq ft.
5. Value of improvement (fair market) \$, Pre-Improvement/Assessed Value of Structure \$ n/a
6. Property Located in a Designated FLOODWAY? Yes X No

IF ANSWERED YES, CERTIFICATION MUST BE PROVIDED PRIOR TO THE ISSUANCE OF A PERMIT TO DEVELOP, THAT THE PROPOSED DEVELOPMENT WILL RESULT IN NO INCREASE IN THE (100-YEAR) FLOODWAY ELEVATIONS.

- 7. Property Located in a designated Floodplain FRINGE? Yes X No
8. Elevation of the 100-Year Flood (ID source) 761.0 Rush Creek FIS profile NGVD/NAVD
9. Elevation of the Proposed Development Site Approximately 750' NGVD/NAVD
10. Local Ordinance Elevation/Floodproofing Requirement 762.0' Doesn't meet floodplain ordinance requirement w/o variance NGVD/NAVD
11. Other Floodplain Elevation Information (ID and describe source) n/a

- 12. Other permits required? Corps of Engineer 404 Permit: Yes No X Provided
State Department of Natural Resources 401 Permit: Yes No X Provided
Environmental Protection Agency NPDES Permit: Yes No X Provided

All Provisions of Ordinance Number, the "Floodplain Management Ordinance", Shall be in Compliance.

PERMIT APPROVAL/DENIAL

Plans and Specifications Approved/Denied this Day of, 20

Signature of Developer/Owner, Authorizing Official, Print Name and Title

THIS PERMIT IS ISSUED WITH THE CONDITON THAT THE LOWEST FLOOR (INCLUDING BASEMENT FLOOR) OF ANY NEW OR SUBSTANTIALY IMPROVED RESIDENTIAL BUILDING WILL BE ELEVATED 1 FOOT/FEET ABOVE THE BASE FLOOD ELEVATION.

This permit is used with the condition that the developer/owner will provide certification by a registered engineer, architect, or land surveyor of the "AS-BUILT" LOWEST FLOOR (INCLUDING BASEMENT ELEVATION OF ANY NEW OR SUBSTANTIALY IMPROVED BUILDING COVERED BY THIS PERMIT

To be completed by community permit official: Floodplain Development Permit No. _____

ENGINEERING "NO-RISE" CERTIFICATION

Community: Parkville County: Platte State: MO

Applicant: City of Parkville Date: 02/26/2016

Address: 8880 Clark Avenue, Parkville, MO 64152

Telephone: _____

Engineer: Olsson Associates

Address: 7301 West 133rd Street, Suite 200

Overland Park, KS 66213

Telephone: 913-381-1170

SITE DATA:

1. Location SW $\frac{1}{4}$; NE $\frac{1}{4}$; Section 33; Range 34W; Township: 51N

Street Address: 12303 NW FF Hwy

2. Panel(s) No. of NFIP map(s) affected: 29165C0378D

3. Type of development: Filling: _____ Grading: _____ Excavation: _____ Minor Improv _____
Substantial-Improv _____ New Construction X Other _____

4. Description of Development: Construction of storage building

5. Name of flooding source: Missouri River Backwater /Rush Creek Confluence

COMMENTS: The site is located near the confluence of the Missouri River and Rush Creek. The Missouri River creates a high tailwater on Rush Creek and is the controlling flood source in this situation. The site is located in an ineffective flow area of the Missouri River. Therefore, no loss of conveyance will occur during the base flood as a result of the project.

This is to certify that I am a duly qualified engineer licensed to practice in the State of Missouri. It is to further certify that the attached technical data supports the fact that the proposed development described above will not create any increase to the 100-year base flood elevations on said flooding source above at the upstream limits of construction.

Name: Eric Shelton

Signature:  Date: 02/26/2016

Title: Associate Engineer License No. PE2015000604

EXHIBIT A

DESCRIPTION OF SUBJECT PROPERTY

All that part of the Northeast Quarter of Section 33, Township 51, Range 34, described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 33; thence South along the West line of said Northeast Quarter, 2517 feet to the Platte River; thence North 55 degrees East, 650 feet; thence South 80 degrees East, 220 feet to a point which is 2182 feet South and 749 feet East of the Northwest corner of the Northeast Quarter of said Section 33; thence North 19 degrees West, 555 feet; thence North 13 degrees West, 858 feet; thence North 11 degrees East, 210 feet; thence South 55 degrees East, 152 feet; thence North 40 degrees East, 180 feet; thence North 9 degrees West, 278 feet; thence North 45 degrees East, 228 feet; thence due North, 128 feet to a point in the North line of the Northeast Quarter of said Section 33, which point is 773 feet East of the Northwest corner of said Quarter Section; thence West along the North line of said Quarter Section, 773 feet to the point of beginning, subject to railroad right of way 100 feet wide running East and West across the above described tract at about the center thereof, as at present located and established.

The Subject Property shall include all rights, title and interest of Seller in and to (a) all public and private streets, roads, avenues, alleys and passageways, whether open or proposed, in front of or abutting the Land, (b) any condemnation award (or proceeds of a sale in lieu of condemnation and insurance proceeds relating to or attributable to the Subject Property and accruing on or after the date of this Contract, (c) any strips or gores of land adjoining the Land and (d) all and singular the estates, rights, privileges, easements and appurtenances belonging or in any way appertaining to the Land.

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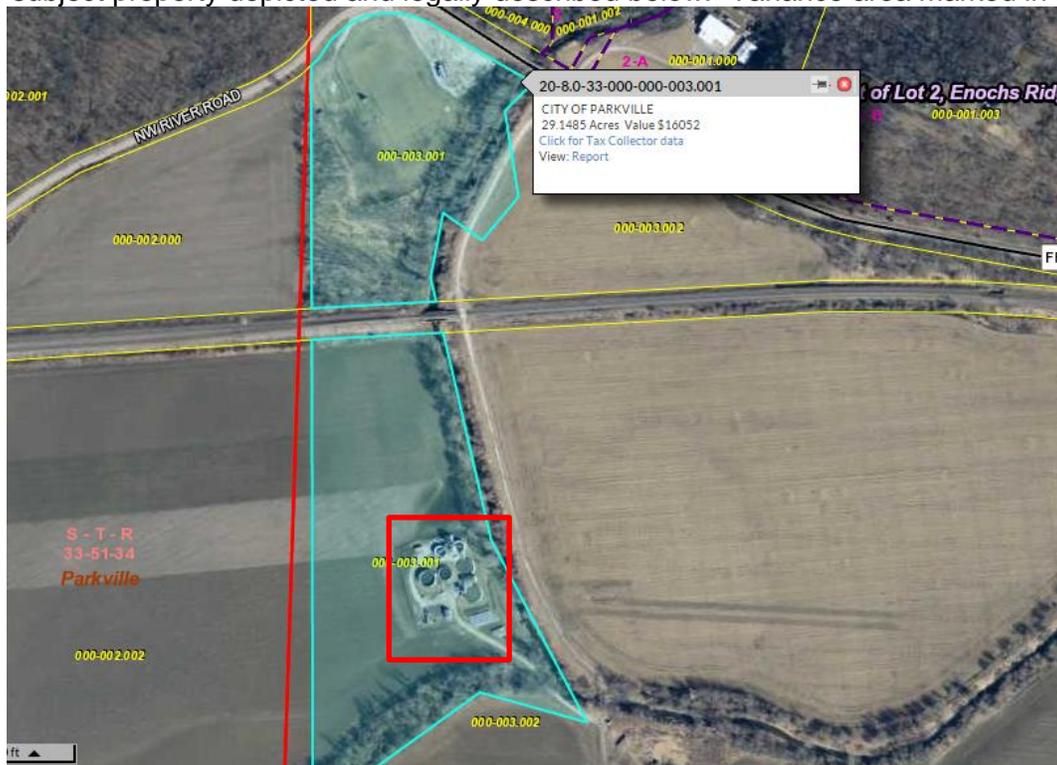
Public Hearing Summary For 4-26-16 Hearing

Application for a floodplain development variance for construction of a pole barn located at 12303 NW Highway FF, Parkville, MO 64152. Case # BZA16-03, City of Parkville, Missouri, applicant.

The public hearing that was scheduled for 3-22-16 was cancelled due to lack of quorum; the new meeting for the same application has been rescheduled for 4-26-16 at Parkville City Hall Board Room at 5:30pm.

The application proposes for a floodplain development variance for 12303 NW Highway FF, Parkville, MO 64152 for construction of a pole barn. The area requesting the variance is in the SE corner of Platte County Parcel number 20-8.0-33-000-000-003.001. This parcel number may also be viewed online using the Platte County GIS map viewer at <http://maps.co.platte.mo.us/>. Enter the parcel number in the address field or zoom to the proposed area using the general location description above.

The subject property depicted and legally described below. Variance area marked in Red.



The property is legally described as follows:

All that part of the Northeast Quarter of Section 33, Township 51, Range 34, described as follows: Beginning at the Northwest corner of the Northeast Quarter of said Section 33; thence South along the West line of said Northeast Quarter, 2517 feet to the Platte River; thence North 55 degrees East, 650 feet; thence South 80 degrees East, 220 feet to a point which is 2182 feet South and 749 feet East of the Northwest corner of the Northeast

Quarter of said Section 33; thence North 19 degrees West, 555 feet; thence North 13 degrees West, 858 feet; thence North 11 degrees East, 210 feet; thence South 55 degrees East, 152 feet; thence North 40 degrees East, 180 feet; thence North 9 degrees West, 278 feet; thence North 45 degrees East, 228 feet; thence due North, 128 feet to a point in the North line of the Northeast Quarter of said Section 33, which point is 773 feet East of the Northwest corner of said Quarter Section; thence West along the North line of said Quarter Section, 773 feet to the point of beginning, subject to railroad right of way 100 feet wide running East and West across the above described tract at about the center thereof as at present located and established. The Subject Property shall include all rights, title and interest of Seller in and to (a) all public and private streets, roads, avenues, alleys and passageways, whether open or proposed, in front of or abutting the Land, (b) any condemnation award (or proceeds of a sale in lieu of condemnation and insurance proceeds relating to or attributable to the Subject Property and accruing on or after the date of this Contract, (c) any strips or gores of land adjoining the Land and (d) all and singular the estates, rights, privileges, easements and appurtenances belonging or in any way appertaining to the Land.

Copies of the proposed floodplain development variance application, full site plan set and other supporting documents may be viewed online at www.parkvillemo.gov/public-hearings or can be viewed at Parkville City Hall (see address above).

A public hearing to discuss the proposed variance will be held on Tuesday April 26, 2016 at 5:30 pm in the Parkville City Hall Boardroom at 8880 Clark Avenue, Parkville, MO 64152. The hearing is open to the public and all interested parties are welcome to attend and express opinions before the Board of Zoning Adjustment Commission during the hearing.

In addition, you are welcome to submit written comments to be distributed to the Board of Zoning Adjustment Commission. Written comments must be received by the Community Development Department on or before 5:00 p.m. Monday April 18, 2016 to be included in the Commission's materials for consideration prior to the meeting. Comments may be mailed to 8880 Clark Avenue, Parkville, MO, 64152, faxed to 816-741-0013 or emailed to slachky@parkvillemo.gov. Comments received after that date will be handed out the night of the meeting.

For additional questions please contact the Parkville Community Development Department at 816-741-7676 ext.: 226.

Associated Applications:

1. Case BZA16-03- Application for Flood-Plain Development Variance Permit

Additional online resources:

1. Public Hearing Summary for the associated Site Plan application - <http://parkvillemo.gov/public-hearings/>
2. Flood Plain Management Regulations - <http://www.ecode360.com/27900958>
3. Parkville zoning code in its entirety - <http://www.ecode360.com/PA3395-DIV-05>
4. Parkville Master Plan - <http://parkvillemo.gov/departments/community-development-department/master-plan/>
5. Platte County GIS map viewer - <http://maps.co.platte.mo.us/>



Public Hearing Summary

For 4-26-16 Hearing

A public hearing to discuss a proposed application for a floodplain development variance for 12303 NW Highway FF Parkville, MO 64152, will be held on Tuesday April 26, 2016 at 5:30 p.m. in the Parkville City Hall Boardroom at 8880 Clark Avenue, Parkville, MO 64152. Case # BPZ16-03, City of Parkville, Missouri, applicant. The application proposes for a floodplain development variance for construction of a pole barn. The area requesting the variance is in the SE corner of Platte County Parcel number 20-8.0-33-000-000-003.001. This parcel number may also be viewed online using the Platte County GIS map viewer at <http://maps.co.platte.mo.us/>. The subject property depicted and legally described as follows: ALL THAT PART OF THE W 1/2 OF THE W 1/2 OF THE NE 1/4 OF SEC 33. Copies of the proposed floodplain development variance application, full site plan set and other supporting documents may be viewed online at www.parkvillemo.gov/public-hearings or can be viewed at Parkville City Hall. The hearing is open to the public and all interested parties are welcome to attend and express opinions before the Board of Zoning Adjustment Commission during the hearing.