

## Public Hearing Summary For July 29, 2015 Hearing

**Application for a uniform variance for the reduction of interior side-yard setbacks from 10 feet to 6.5 feet for all for single-family lots in 43.3 acres, more or less, located east of the southeast corner of the intersection of Brink-Myer Road (north/south alignment) with Brink-Myer Road (east/west alignment), west of Thousand Oaks 10th and 11th Plats and north of Thousand Oaks 12th Plat. Case BZA15-01, Forest Park Development Co. of KC, LLC, applicant.**

The Parkville, Missouri Board of Zoning Adjustment will hold a public hearing on Wednesday, July 29, 2015 at 5:30 pm, in the City Hall Boardroom, 8880 Clark Avenue, Parkville, Missouri, 64152, to consider a uniform variance for the reduction of interior side-yard setbacks from 10 feet to 6.5 feet for all for single-family lots on 43.3 acres, more or less, zoned R-3 Single-Family Residential District. The subject property is generally located east of the southeast corner of the intersection of Brink-Myer Road (north/south alignment) with Brink-Myer Road (east/west alignment), west of Thousand Oaks 10th and 11th Plats and north of Thousand Oaks 12th Plat on property preliminary platted as Thousand Oaks West.

The property contains two parcels - Platte County parcel numbers 20-4.0-19-000-000-005.000 and 20-4.0-19-000-000-006.000. A full legal description is enclosed. The property is shown below and may also be viewed in more detail 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 location description above.



The reduction is proposed to match minimum required interior side-yard setbacks for all other single-family lots in the abutting Thousand Oaks subdivision. Those other single-family lots in the County are zoned “R-7” Single-Family High Density District, which has a minimum interior side-yard setback of 6.5 feet. Those other single-family lots in the City of Parkville are zoned “R-

3" Single-Family Residential District, with variances approved to allow the 6.5 foot minimum interior side-yard setbacks as allowed for those lots in the County.

The public hearing is open to the public and all interested parties are welcome to attend and express opinions before the Board of Zoning Adjustment during the hearings. In addition, you are welcome to submit written comments to be distributed to the Board prior to the meeting. Written comments received by the Community Development Department on or before 5:00 p.m. Wednesday, July 22, 2015 will be included in the Board's materials for consideration prior to the meeting. Comments received after that date will be handed out the night of the meeting. Comments may be mailed to 8880 Clark Avenue, Parkville, MO, 64152, faxed to 816-741-0013 or emailed to [sackerson@parkvillemo.gov](mailto:sackerson@parkvillemo.gov).

For questions, please call the Parkville Community Development Department at 816-741-7676.

Attachments:

1. Application for Variance, Appeal or Special Exception (Variance)
2. Legal description for subject properties

Additional online resources:

1. Parkville Municipal Code Chapter 420: *"R-3" Single-Family Residential District Regulations* - <http://ecode360.com/27901234>
2. Parkville Municipal Code Chapter 467: *Height, Area, and Bulk Requirements* - <http://ecode360.com/27902586>
3. Parkville Municipal Code Chapter 480: *Board of Zoning Adjustment* - <http://ecode360.com/27902810>
4. Parkville zoning code in its entirety - <http://www.ecode360.com/PA3395-DIV-05>
5. Platte County Zoning Order in its entirety, including the "R7" Zoning District regulations - [http://www.co.platte.mo.us/docs/planning\\_zoning/2015/zoning\\_order.pdf](http://www.co.platte.mo.us/docs/planning_zoning/2015/zoning_order.pdf)
6. Platte County GIS map viewer - <http://maps.co.platte.mo.us/>



Application #: BZA15-01  
 Date Submitted: 5-28-15  
 Public Hearing: 6-9-15  
 Date Approved: \_\_\_\_\_

CITY OF PARKVILLE • 9990 Clark Avenue • Parkville, MO 64152 • (816) 741-7676 • FAX (816) 741-0018

**Application for Variance, Appeal or Special Exception**

**1. Applicant / Contact Information**

**Applicant(s)**  
 Name: David Barth / Forest Park Development  
 Address: 6014 N. 9 Highway  
 City, State: Parkville, MO 64152  
 Phone: (816) 591-2550 Fax: \_\_\_\_\_  
 E-mail: dbarth@kc.rr.com

**Owner(s), if different from applicant**  
 Name: Arville A. Myers  
 Address: 14801 NW. 68th Street  
 City, State: Kansas City, MO 64152  
 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) FOREST PARK DEVELOPMENT DAVID BARTH Date: 5/27/15  
**Property Owner's Signature** (Required) Arville A. Myers Date: 5/28/15

**2. Type of Request**

Check one:      Appeal                      Special Exception                      Variance

Applicable zoning regulation and section: R-3 Zoning - Section 467.010

Describe nature of the request: Requesting a variance from the 10' minimum side yard setback to 6.5'

**3. Property Information**

Address and general location: 14801 NW. 68th Street  
Located South of Brink-Myer Road and West of Thousand Oaks Development

If no address issued, submit legal.

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

Present zoning: AG  
 Proposed zoning: R-3  
 Present use of the property: Single Family Residential  
 Proposed use with variance, appeal or special exception: Single Family Residential

**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>Single Family Residential</u>	<u>County R-80</u>
South:	<u>Single Family Residential</u>	<u>County R-7</u>
East:	<u>Single Family Residential</u>	<u>County R-7</u>
West:	<u>Vacant</u>	<u>AG</u>

General character of the neighborhood: Well established with single family residential dwelling units

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

None

Other comments or factors relating to this request:

The proposed preliminary plat of Thousand Oaks West is an extension of the Thousand Oaks Development  
It would be beneficial to the development to stay consistent with the existing Thousand Oaks setbacks.

**5. Checklist of Required Submittals**

- Completed application and all required submittals as follows.
- Nonrefundable application fee of \$300.00. Applicant will be billed to recover costs for required publication and certified notice to adjacent property owners.
- Names and addresses of all property owners within 185' of the applicable property.
- Complete legal description of the applicable property.
- Owner's signature and affidavit of ownership.
- Twelve 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: SEAN ACKERSON, COMM. DEV. DIR. 5-28-15  
Name/Title Date

Application fee payment by:  Check # 3415  M.O.  Cash \$300.00

Accepted by: [Signature] COMM. DEV. DIR. 5-28-15  
Name/Title Date

Hearing notice published in: \_\_\_\_\_ Date of publication: \_\_\_\_\_

Final reimbursable costs paid (if applicable). Date of Action: \_\_\_\_\_

**Board Action:**  Approved  Approved with Conditions  Denied Date of Action: \_\_\_\_\_

Conditions if any: \_\_\_\_\_

**Tract 1:**

A tract of land in the Northeast Quarter and the Southeast Quarter of Section 19, Township 51, Range 34, Platte County, Missouri, being bounded and described as follows: Beginning at the Northeast corner of the Southeast Quarter of said Section 19; thence South 00 degrees 01 minutes 15 seconds West along the East line of the Southeast Quarter of said Section 19, 446.06 feet; thence North 75 degrees 41 minutes 53 seconds West, 630.0 feet; thence North 6 degrees 39 minutes 47 seconds East, 221.24 feet; thence North 36 degrees 19 minutes 23 seconds East, 132.17 feet; thence North 64 degrees 00 minutes 00 seconds East, 315.75 feet to a point in the Centerline of a gravel road as now located; thence South 60 degrees 24 minutes 47 seconds East along said Centerline, 148.59 feet; thence South 66 degrees 17 minutes 09 seconds East, continuing along said Centerline, 100.00 feet to its intersection with the East line of the Northeast Quarter of said Section 19; thence South 00 degrees 16 minutes 06 seconds West, 55.66 feet to the point of beginning.

**Tract 2:**

A tract of land situated in the South 40 Acres of the Northeast Quarter of Section 19, Township 51 North, Range 34 West, and the Southeast Quarter of Section 19, Township 51 North, Range 34 West and the North 19 Acres of the Northeast Quarter of Section 30, Township 51 North, Range 34 West, Platte County, Missouri, described as follows: Beginning at the Southeast corner of Section 19, also being the Northeast corner of Section 30; thence North 00 degrees 14 minutes 22 seconds West along the East line of Section 19, 2,182.49 feet to the Southeast corner of a tract of land deeded to Arville and Marion Meyers as described in a Warranty Deed recorded in Book 429 at Page 76 dated October 29, 1973; thence North 75 degrees 57 minutes 30 seconds West along said Myers tract, 630.00 feet; thence North 06 degrees 24 minutes 10 seconds East along said tract, 221.24 feet; thence North 63 degrees 44 minutes 22 seconds East along said tract, 315.75 feet to the center of an existing county roadway; thence along said roadway the following bearings and distances: North 61 degrees 35 minutes 55 seconds West, 118.58 feet; thence North 59 degrees 48 minutes 34 seconds West, 88.72 feet; thence North 62 degrees 31 minutes 14 seconds West, 80.52 feet; thence North 75 degrees 10 minutes 11 seconds West, 69.47 feet; thence North 86 degrees 09 minutes 33 seconds West, 65.46 feet; thence South 79 degrees 52 minutes 06 seconds West, 62.95 feet; thence South 64 degrees 11 minutes 45 seconds West, 59.58 feet; thence South 46 degrees 42 minutes 17 seconds West, 67.17 feet; thence South 38 degrees 49 minutes 15 seconds West, 421.43 feet; thence South 35 degrees 42 minutes 32 seconds West, 76.06 feet; thence South 24 degrees 39 minutes 05 seconds West, 63.85 feet; thence South 15 degrees 08 minutes 11 seconds West, 58.02 feet; thence South 24 degrees 54 minutes 30 seconds West, 61.26 feet; thence South 42 degrees 01 minutes 41 seconds West, 61.30 feet thence South 64 degrees 05 minutes 28 seconds West, 62.68 feet; thence South 89 degrees 30 minutes 18 seconds West, 53.47 feet; thence North 73 degrees 26 minutes 42 seconds West, 43.58 feet; thence South 02 degrees 49 minutes 28 seconds West from the centerline, 221.55 feet; thence South 78 degrees 08 minutes 31 seconds East, 48.48 feet; thence South 06 degrees 24 minutes 37 seconds West, 93.94 feet; thence South 74 degrees 56 minutes 43 seconds East 451.14 feet; thence South 06 degrees 13 minutes 59 seconds East, 2,140.08 feet to a point on the South line of the North 19 acres of the Northeast Quarter of Section 30; thence South 89 degrees 46 minutes 21 seconds East along said South line 660.18 feet to a point on the East line of the Northeast Quarter of Section 30; thence North 00 degrees 14 minutes 22 seconds West along said East line, 313.50 feet to the Point of Beginning, EXCEPT that part deeded to Forest Park Development Company, L.L.C. by the Warranty Deed recorded October 11, 2002 in Book 982 at Page 960.

**Tract 3:**

That portion of existing Brink-Myers Road described in the Quit Claim Deed executed by the City of Parkville, Missouri to Arville Myers and Marion Myers, a married couple recorded February 8, 2013 as Document No. 2013002216 in Book 1205 at Page 949.