

PARKVILLE BOARD OF ZONING ADJUSTMENT

Wednesday, July 7, 2010 at 5:30 p.m.
City Hall Boardroom
8880 Clark Avenue, Parkville, Missouri

Minutes

ITEM 1. CALL TO ORDER

Acting Chairman Sherwood called the meeting to order at 5:30 p.m.

ITEM 2. ROLL CALL

Members present:

Mark Sherwood, Vice Chairman
Marvin Ferguson, Aldermen
David House
Spencer Keesee
Al McCormick

Alternate members present:

Carla Dods
Pam Scott

Also present:

Sean Ackerson, Assistant City Administrator / Community Development Director
Tracy Sisney, Department Assistant
5 persons in the audience

ITEM 3. GENERAL BUSINESS

Item 3(A) - Approval of the agenda.

Acting Chairman Sherwood called for approval of the agenda as submitted.

Mr. House motioned to approve the agenda as submitted. Mr. Keesee seconded the motion. By voice vote, the motion passed 7-0.

Item 3(B) - Approval of the minutes of the July 29, 2009 Board of Zoning Adjustment meeting.

Mr. Ferguson motioned to accept the minutes as published. Mr. House seconded the motion. By voice vote, the motion passed 7-0.

ITEM 4. PUBLIC HEARING

Item 4(A) - Proposed special exception to allow use of an electronic message center at 1201 East Street. Applicant, Platte County Health Department. *Case No. BZA10-01.*

Acting Chairman Sherwood called for a presentation from staff. Assistant City Administrator Ackerson referred to his staff report, previously submitted exhibits and exhibits distributed at the meeting. Ackerson summarized the application, applicable regulations and general summary as

detailed in his staff report. He called for the staff report, application and other submitted exhibits as listed in his staff report to be made part of the public record.

Ackerson concluded that the proposed special exception was in keeping with the intent of the existing regulations. He further concluded that the proposed exception would not substantially affect adversely the uses of adjacent and neighboring property. He recommended that the proposed exception be approved subject to conditions identified in his staff report which is part of the public record.

Acting Chairman Sherwood called on applicant Lisa Rehard, attorney, representing the Platte County Health Department (PCHD). Ms. Rehard stated that the proposed electronic message center was sought in conjunction with a federal grant received. The grant was in part for communication of H1N1 prevention and treatment opportunities through the proposed electronic message center. She stated that funds were available through July 31, 2010 at which time the electronic message center must be installed and paid for. She concurred with staff findings and asked for any questions.

Mr. Sherwood called for Board discussion. Questions included what grant was received, why the sign needed to stay on until 9, why the conceptual design included an offset between the edge of the existing sign and the edge of the new electronic message center, whether sight lines and adequate visibility existed, and whether the sign would be able to be installed by the deadline. Ms. Rehard stated that the funds were available through a CDC federal grant and that the modification could be completed by July 31st. She introduced Dan Lubert, Mary Jo Everhart and Brandi Moritz with the PCHD. Mr. Lubert stated that he believed they could still accept bids and have the sign constructed by the deadline. Ms. Rehard addressed the hours of illumination stating that they planned to leave the sign on until 9 pm believing that this would be consistent and respectful to the surrounding residential uses.

Regarding visibility, Mr. Ackerson called attention to an aerial photo from google maps which showed the location of the sign and surrounding roads. Mr. Ackerson showed street views which helped demonstrate sight lines. He concluded based on the photos and site visits, that the sight lines would be greater limited than the existing.

Discussion ensued about the cabinet design alternatives. Ms. Scott stated that the cabinet should not include an offset to improve the appearance. Discussion ensued regarding potential impact to the grant. Mary Jo Everhart with the PCHD state that she did not believe it would affect their grant and that excess grant money existed.

Mr. Sherwood opened the public hearing at 5:52 pm.

Mr. Roger Hershey legal council for Park University stated the University's support for the proposed special exception. He asked that their June 30, 2010 letter of support be made part of the record. Mr. Sherwood clarified that it had been made part of the record. Mr. Hershey stated that the PCHD was a good neighbor, a good use and the proposed message center was good for communicating to the public.

Seeing no other discussion, Mr. Sherwood closed the public hearing and called for more discussion or a motion. Discussion resumed regarding design.

Ms. Scott expressed her desire for the offset to be eliminated. Discussion ensued regarding design and hours of operation. Mr. McCormick expressed desire to restrict hours of operation.

Ms. Scott motioned to include in the conditions of approval that the sign be turned off at 9:00 pm and that the sign board be modified to eliminate the offset shown in the design. Mr. Ferguson seconded the motion. By voice vote, the motion passed 6 to 1 with Mr. Keesee voting nay.

Mr. Keesee clarified that he voted against the addition of the conditions not the application. It was clarified that the motion only added conditions but did not pass the exception. As such, acting chairman Sherwood called for a motion.

Ms. Scott motioned to approve the special exception as conditioned (conditions listed in staff report and additional conditions approved above. Mr. Ferguson seconded. Motion passed by voice vote 6 to 1 with Mr. McCormick voting nay.

ITEM 5. UNFINISHED BUSINESS

None.

ITEM 6. OTHER BUSINESS

Item 6(A) - Election of 2010-2011 Board of Zoning Adjustment Officers.

Acting Chairman Mark Sherwood summarized existing officers. The Chairman is vacant following resignation of former Chairman Tom Johnson. Mr. Sherwood is Vice Chairman and Mr. House is Secretary.

Mr. Ackerson explained that by code the BZA must at a minimum elect a chairman. Ackerson advised that the Board also elect a vice chairman to act as acting chairman in the absence of the chairman and a secretary to act as acting chairman in the absence of both he chairman and the vice chairman.

Alderman Ferguson nominated Mark Sherwood. David House seconded the nomination. Seeing no other nominations, nominations were closed.

Aldermen Ferguson motioned to elect Mark Sherwood as Chairman for the 2010-2011 term. Ms. Scott seconded the motion. By voice vote, the motion passed 7-0.

Chairman Sherwood called for nomination of a vice chairman. Ms. Scott nominated Mr. House. Seeing no other nominations, Chairman Sherwood closed nominations.

Mr. McCormick motioned to approve the nomination by acclamation. Seconded by Mrs. Dods. Motion passed 7 to 0 by voice vote.

Chairman Sherwood called for nomination of a secretary. Al McCormick nominated Mr. Keesee. Seeing no other nominations, Chairman Sherwood closed nominations.

Mr. McCormick motioned to approve the nomination by acclamation. Seconded by Mrs. Dods. Motion passed 7 to 0 by voice vote.

ITEM 7. ADJOURNMENT

Seeing no other business Chairman Sherwood called for adjournment.

Mr. Ferguson motioned to adjourn the meeting. Mr. McCormick seconded the motion. By voice vote, the motion passed 7-0.

The meeting adjourned at 6:52 p.m.

Submitted by: _____
Tracy Sisney, Administrative Assistant