

NOTICE OF SPECIAL MEETING

**Cameron Board of Adjustment
Monday, April 23, 2012
6:00 p.m.
City Hall**

AGENDA

1. Call to Order. Kent Osborn, presiding
2. Minutes of Previous Meeting (December 8, 2010)
3. Unfinished Business
 - a. None
4. New Business
 - a. Public Hearing, Cameron Emergency Services – power generator in public right-of-way at 101 N. Chestnut.
5. Miscellaneous
 - a. P&Z minutes 2/13/12
6. Adjourn

MINUTES OF MEETING

Cameron Missouri Board of Adjustments
December 8, 2010
City Council Chambers, Cameron, Missouri

Item 1: Call to Order

Kent Osborn called the meeting to order at 5:04pm.

Members Present:

Chair Kent Osborn
Bob Thompson
Rose Hamer
Scotty Massey
Mike O'Donnell

Members Absent:

None

Others Present:

Ross Worth – Owner of Flight Line Graphics
David Watson – City Manager

Item 2: Minutes from Previous Meeting

Mr. O'Donnell moved and Mr. Massey seconded that the minutes of the May 18, 2010 meeting be approved. Motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 0.

Item 3: Unfinished Business

There was none.

Item 4: New Business

Variance for Ross Worth, Rear Yard Setback and Parking Variance

Ross Worth of Flightline Graphics seeks approval of a rear yard setback and parking variance on an existing building at 718 E Grand Avenue. The building has been located in an R-4, Mobile Home Residential district for several decades and has been used as a commercial building. Mr. Worth has requested the zoning district be changed to C-2, General Commercial, upon approval of a rear yard setback variance. Mr. Worth is also requesting a parking variance and has provided a site plan which includes 10 parking spaces.

Action: Mr. Massey moved and Mr. O'Donnell seconded that a public hearing be convened. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 0.

Mr. Hendee spoke to the Board about the narrative that had been presented for the request of the rear yard setback and parking variance, aerial photos of the property, proposed parking spaces, notice of

hearing published in the local paper, and a copy of the letter sent to neighboring property owners. Mr. Hendee stated that he had not received any comments from the Community about the variance request.

Mr. Watson stated that he was in favor of granting the variance request. He also cautioned as to how the variance was written.

Mr. Osborn asked about the number of parking spots that should be required.

Mr. Watson stated that the variance should state a minimum of 10 parking spots.

Mr. Worth stated that he does not keep vehicles overnight and that there are usually only 2-3 cars parked at his business at a given time.

Mr. O'Donnell stated that the setbacks on all sides of the building should be addressed in the code at one time.

Action: Mrs. Hamer moved and Mr. Massey seconded to leave public hearing. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 0.

Motion made by Mr. Thompson to grant variance for building at 718 E Grand Avenue to be a conforming use building with current setbacks and a minimum of 10 parking spaces. Mr. Massey seconded. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 0.

Rear Yard Setback and Parking Variance granted for Ross Worth – Flightline Graphics by the Board of Adjustments.

Item 5: Miscellaneous

There was none.

Item 6: Adjourn

Mr. Osborn entertained motion to adjourn. Motion made by Mr. O'Donnell; seconded by Mrs. Hamer. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 0.

Meeting adjourned at 5:35 pm.

Minutes submitted by:

*Chris O'Donnell
Secretary Recorder
Cameron, MO 64429*

Memo

To: Cameron Board of Adjustment

Fr: Clyde Han

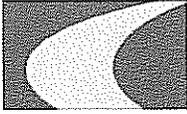
Dt: Monday, April 02, 2012

Re: Agenda item, April 23, 2012

4.a. Public Hearing, Cameron Emergency Services Variance

Public notification was made regarding Cameron Emergency Services Variance appeal.

1. Letters were sent to the 18 property owners whom own property within 185 feet of the Public Safety building on March 21, 2012 (copy of letter and mailing list included).
2. Two (2) signs were placed at the Public Safety Building, one at 2nd and Chestnut and a second at 1st and Cherry on March 21, 2012.
3. "Public Notice" was published in the Cameron Observer paper on March 29, 2012 (certification attached).
4. Site Plan attached showing location of generator "Pad".
 - a. Proposed "Pad" will be 9 feet (north to south) by 14 feet (east and west).
 - b. Pad will extend 6 feet into the right-of-way with the edge of the "Pad" ending roughly 8 feet off the back of curb.
 - c. The generator will not cover the entire pad but access and working room around the generator is required for service and maintenance.
 - d. The generator being used is not large enough to power the Public Safety Buildings growing requirements during an emergency operation; the required generator will not fit into the present generators location inside the building.
 - e. The applicant is requesting a 6 foot variance into the city right-of-way for the generator and pad.
5. As of Monday, April 02, 2012, I have received no "Public Comment". I will of course update the Board during the meeting if this changes. One letter was returned from Damon & Beverly Smart, 112 W. Prospect.



APPLICATION FOR APPEAL / VARIANCE

Instructions to Applicants: An applicant may appeal to the Board of Adjustment for an interpretation, modification, variation, or reversal of a decision of the building/zoning officer. The applicant must provide all information requested below and must present his/her case before the Board of Adjustment.

Address of Property: 101 North Chestnut
 (if appeal is made with regard to a specific parcel of property)

Legal Description of Property: _____

Name of Applicant: City of Cameron Emergency Services Phone: (816) 632-0747

Applicant's Address: 101 North Chestnut

Property Interest of Applicant:
 Owner Contract Purchaser Lessee Other: _____

Name of Owner: City of Cameron Phone: (816) 632-2177

Address of Owner: 205 N. Main

Present Use of Property: Public Safety Building Present Zoning: C-2

Decision of Action of Building/Zoning Officer which is being appealed: _____

Description of appeal or variance of applicant: Appeal to the Cameron Board of Adjustments to locate a emergency power generator in the public right-of-way adjacent to an existing electric power transformer. The location to be on the south side of the Cameron Public Safety Building along Second Street.

Signature of Owner: _____ Date: _____

Signature of Applicant: Mike Shnell Fire Chief Date: 3/19/12

DO NOT MARK BELOW THIS LINE

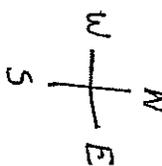
Fee: \$75.00 Date Paid: 3/19/12

Date of Hearing: APRIL 23, 2012 Date Notice Published: MARCH 29, 2012

Decision of Board of Adjustment:
 Approved Denied Date: _____

Form should be filled out, printed, signed and returned to City Hall at the address given above

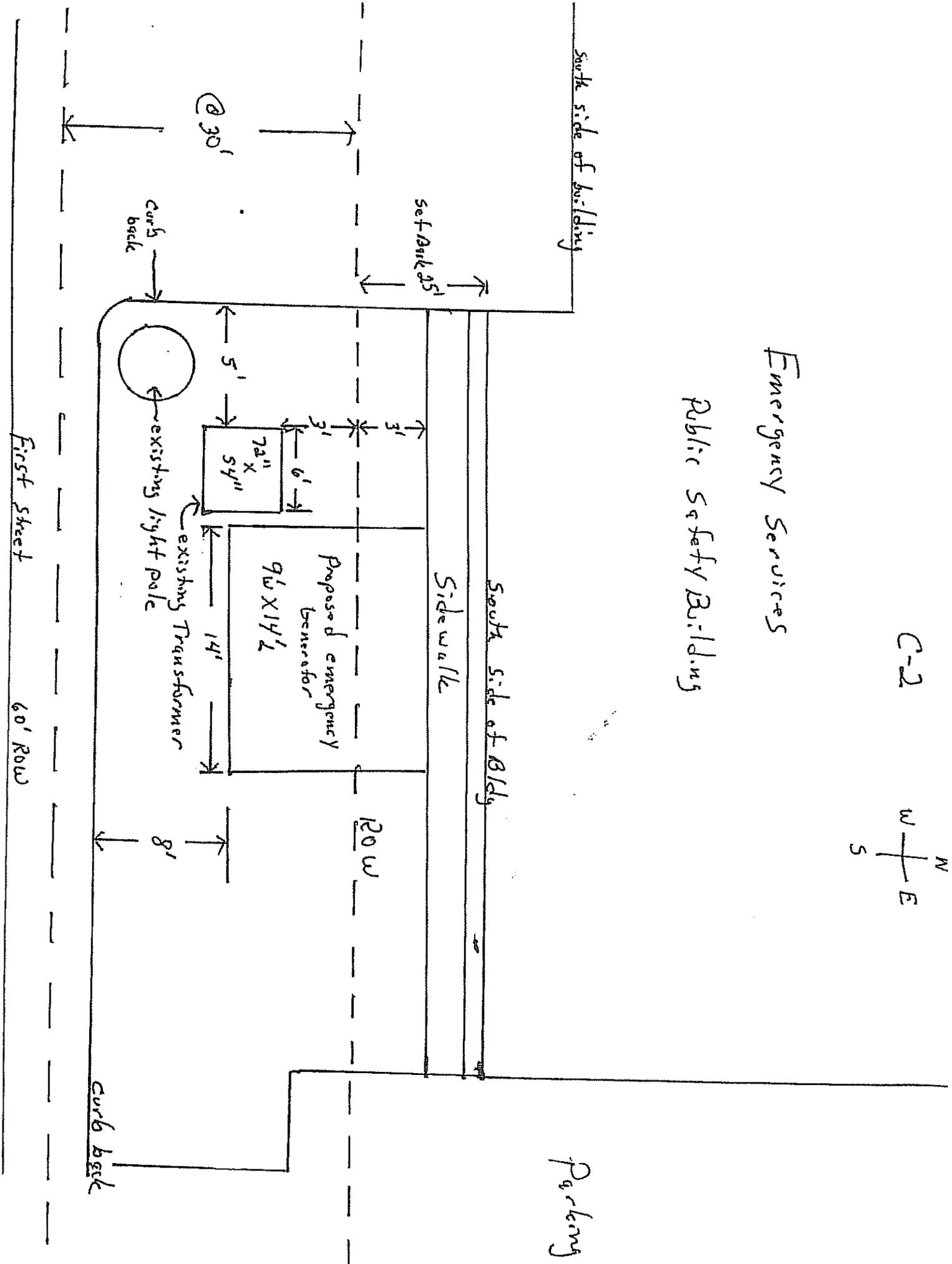
C-2



Emergency Services

Public Safety Building

Parking



Wednesday, March 21, 2012

Dear Property Owner,

An appeal has been filed by the Cameron Emergency Services to locate an emergency power generator in the public right-of-way on the south side of the Cameron Public Safety Building at 101 N. Chestnut.

As required by Ordinance, a "Public Hearing" will be held prior to any decision regarding the issue. The public hearing will be held Monday, April 23, 2012 at 6:00 PM at City Hall by the Board of Adjustments.

Also required by Ordinance is the notification of any property owner within 185 feet of the property of the proposed change; you own property within 185 foot of the proposed change. I will also place a sign on the property notifying of the "Pending Zoning Action" and place a "Public Notice" in the newspaper 15 days prior to the public hearing.

You are invited to attend the "Public Hearing" at 6:00 PM on Monday, April 23, 2012 at City Hall, if you cannot attend or don't care to attend, you may also write, call, e-mail, fax or stop by City Hall anytime to voice your concerns and or opinions. Any and all comments will be forwarded to the Board of Adjustments during the Public Hearing.

Thank you for your time

Clyde Han
City Inspector
205 N. Main
Cameron MO. 64429
Phone – (816) 632-2177 ext 119
Fax – (816) 632-1067
Email inspector@cameronmo.com

Leach Charles W & Mary Lou
112 S Cherry
Cameron, MO 64429

Cameron Children's Center Inc
202 W 2Nd St
Cameron, MO 64429

Mullins Gary F & Pamela L
4320 Se Gridley Rd
Cameron, MO 64429

Walker David A & Brenda L
211 N Chestnut St
Cameron, MO 64429

Beckett Realty Co
P O Box 468
Cameron, MO 64429

Blades John L & Shellie Jo
102 S Cherry
Cameron, MO 64429

L & J Rentals LLC
9202 Ne 69 Hwy
Cameron, MO 64429

Toney Patricia A
103 W 1St Street
Cameron, MO 64429

Cameron Coop Elevator Assoc
102 S Walnut
Cameron, MO 64429

Clark John A Trustee 1/2
605 N Walnut P O Box 406
Cameron, MO 64429

Crouch Jon N & Janice M
2813 Colonel Circle
McKinney, TX 75070

Hamlet Karen M
115 S Cherry
Cameron, MO 64429

Bruner Brad A & Jena D
107 S Chestnut
Cameron, MO 64429

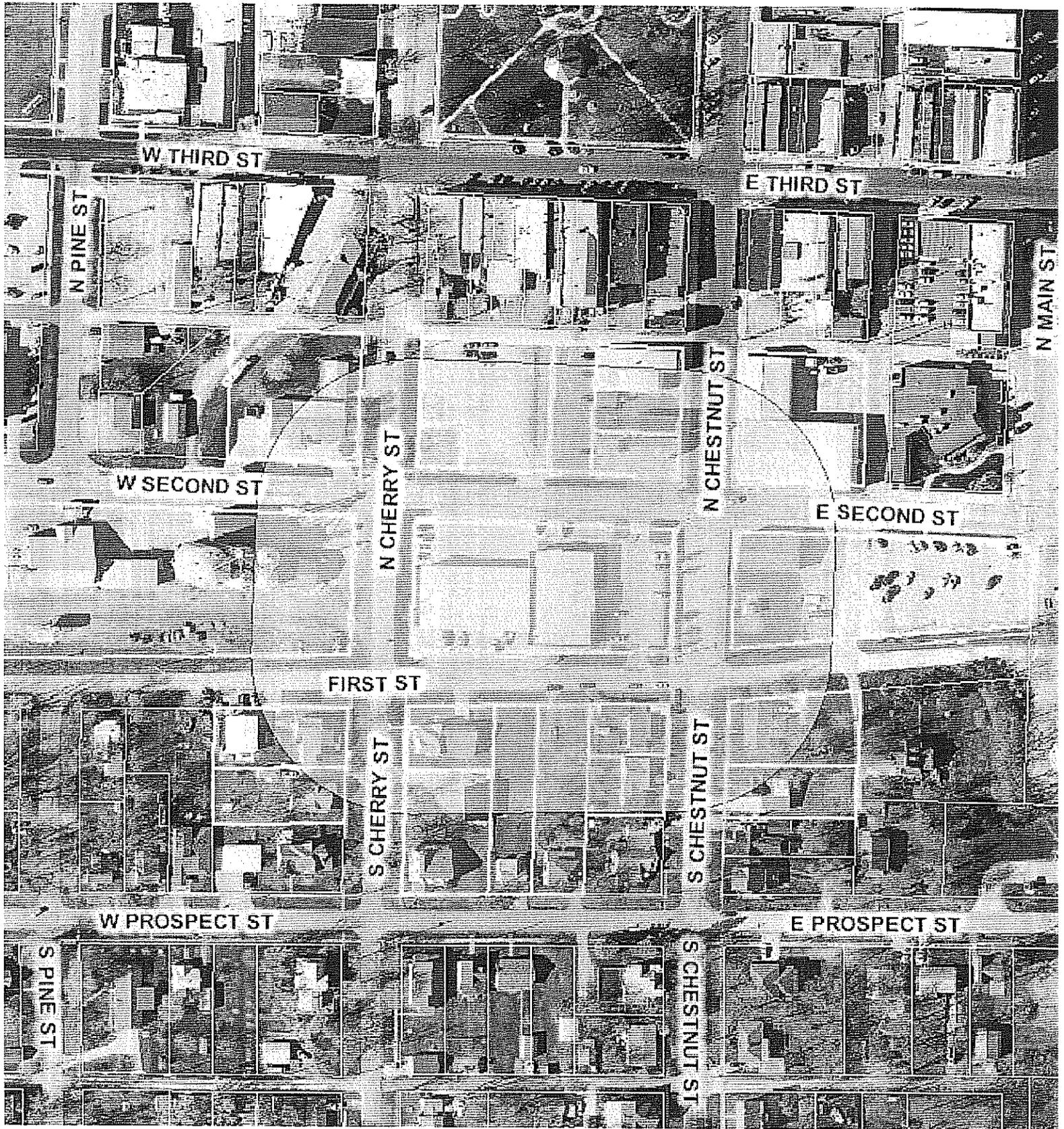
Smart Damon R & Beverly A
112 W Prospect
Cameron, MO 64429

Price Betty J
116 S Chestnut
Cameron, MO 64429

Jones Richard E & Diane
101 S Cherry
Cameron, MO 64429

Cameron Police Dept
101 N. Chestnut
Cameron MO. 64429

City of Cameron
205 N. Main
Cameron MO. 64429



Notice of Public Hearing for Variance

Notice is hereby given that a public hearing will be held by the Board of Adjustments of the City of Cameron, Missouri at 6:00 o'clock (6:00 p.m.) on Monday, April 23, 2012 at City Hall, 205 North Main Street, Cameron, Missouri to hear an appeal to locate an emergency power generator in public right-of-way for the public safety building at 101 N. Chestnut.

Public attendance and comments are invited.

Barbara J. O'Connor, CMC
City Clerk

FILE COPY

AFFIDAVIT OF PUBLICATION
(STATE OF MISSOURI) SS.
(COUNTY OF CLINTON)

Notice of Public Hearing for Variance

Notice is hereby given that a public hearing will be held by the Board of Adjustments of the City of Cameron, Missouri at 6:00 p.m. on Monday, April 23, 2012 at City Hall, 205 North Main Street, Cameron, Missouri, to hear an appeal to locate an emergency power generator in public right-of-way for the public safety building at 101 N. Chestnut. Public attendance and comments are invited.

 **Barbara J. O'Connor, CMC**
CITY OF CAMERON City Clerk

Wally Gallian being duly sworn upon oath, states that he is the Editor and Publisher of The Cameron Citizen Observer, a weekly newspaper printed and published in the City of Cameron, in Clinton County, Missouri; that said newspaper of general circulation in said County; and has been admitted to the post office in the City of Cameron, Missouri, as second class matter; that said newspaper has been published regularly and consecutively for a period of three years; that has a list of bona fide subscribers, voluntarily engaged as such; who have paid or agreed to pay a stated price for a subscription, for a definite period of time; and that said newspaper has fully complied with the provisions of an Act of the Fifty-ninth General Assembly, approved, April 28, 1937, a published in the Laws of Missouri, of the year 1937, at page 432, said Act to be known as Section 13775; and that the notice, a copy of which is hereto annexed, was published in said newspaper for 4 weeks, consecutively, as follows:

- First Insertion: Dated March 29th, 2012
- Second Insertion: Dated _____, 2012
- Third Insertion: Dated _____, 2012
- Fourth Insertion: Dated _____, 2012
- Fifth Insertion: Dated _____, 2012
- Sixth Insertion: Dated _____, 2012

RECEIVED
APR - 4 2012
ANSD

Wally Gallian
Publisher

Subscribed and sworn to before me this 29th day of March, 2012

Deborah Wiedmaier Notary Public

Deborah Wiedmaier
Notary Public - Notary Seal
STATE OF MISSOURI
Camden County
My Commission Expires: 8/7/2013
Commission # 09539328

MINUTES
Regular Meeting
Cameron Missouri Planning & Zoning Commission
February 13, 2012

Item 1: Call to Order

Chairman O'Donnell called the meeting to order at 6:00pm.

Commissioners Present:

Chairman Michael O'Donnell
Mark Garges
George Pratt
Edward Schmidt

Commissioners Absent:

Tom Hamlet
Stan Hendrix
Delvin Jackson

Others Present:

Mark Gaugh – City Manager
Clyde Han
Drew Bontrager
Jerry Hoppenthaler
Chris Johnson – Cameron Newspaper

Item 2: Minutes from Previous Meeting

November 14, 2011

Chairman O'Donnell entertained motion to approve the minutes of the January 9, 2012 meeting as corrected. Motion made by Mr. Pratt to approve the minutes of January 9, 2012;

17th paragraph under Item 5: New Business A to read: Mr. Schulte stated that he believes the utilities (water) is in MO DOT's right of way and is not currently included in an easement. NOT Mr. Schulte stated that he believes it is MO DOT's responsibility as they have the utilities.

Seconded by Mr. Schmidt. On voice vote the motion carries as follows: ayes – 4, nays – 0, abstentions – 0, absent – 3.

Item 3: Public Participation

None

Item 4: Unfinished Business

A: Site plan review for commercial project at 110 E Grand Ave.

At the January 9, 2012 Planning & Zoning meeting, the Board conditionally approved a site plan for Jerry Hoppenthaler to build at 110 E. Grand Ave. The Board passed the site plan on 3 conditions:

1. A letter from Transystems recommending approval of the storm water plan

2. Proof of recorded easements
3. Actual/final storm water calculations

All of the requested items were received prior to final approval and were presented to the Board at the February meeting.

In the original site plan, an addition to the building was unintentionally left out and was not submitted to the Board for approval. Mr. Hoppenthaler would still like to include the addition in the structure. The addition would match the rest of the building and grass will remain around the addition.

Mr. Bontrager reviewed the increase of storm water that would be draining into the drainage area.

The increase was minimal and Mr. Bontrager did not feel that the increase required another 3rd party review.

The site plan for the addition to the building for the 30 X 42 addition was presented to the Board.

Chairman O'Donnell entertained a motion to approve the addition to the building located at 110 E. Grand Ave and the final site plan for Mr. Hoppenthaler. Motion made by Mr. Schmidt, seconded by Mr. Garges. On voice vote the motion carries as follows: ayes – 4, nays – 0, abstentions – 0, absent – 3.

B: Storm Water Presentation

The City of Cameron has been using the same storm water plan that was developed by Snyder and Associates in 1996. The plan is still functional however it does not match the KC Metro and APWA standards and guidelines.

Drew Bontrager has been reviewing the revisions made by APWA and is currently comparing them to the City of Cameron's requirements.

Mr. Bontrager stated that he will be discussing the City's current standards and possible revisions with the City's 3rd party engineer to make sure the *changes* will work for the community. The end goal is to make Cameron's storm water plan reflect APWA standards as much as possible as this is the guidelines most builders use.

Mr. Bontrager also stated that there will be Public Hearings to discuss changes and revisions before a final decision is made.

Chairman O'Donnell stated that he would like to see the revised plan ready for public hearing by late spring.

Mr. Bontrager stated that he will keep Mr. Han and the Planning & Zoning Board informed with the process.

Item 5: New Business

A: Public Hearing – Building Permit Requirements: Zoning Code

Chairman O'Donnell entertained a motion to enter public hearing. Motion made by Mr. Garges, seconded by Mr. Pratt. On voice vote the motion carries as follows: ayes – 4, nays – 0, abstentions – 0, absent – 3.

Mr. Han addressed the commission and stated that the main purpose of Planning & Zoning is to review proper land use of new projects and additions to make sure they are in accordance with zoning regulations. The way the "Commercial Permit Approval" language currently reads states that the commissions is also to review structural drawings and check the compliance of current building codes.

Mr. Han suggested that under Article 21 Regulation 9: Commercial Permit Approval – *City building and* (bolded below) should be removed.

9. Commercial Permit Approval: Prior to the issuance of a building permit for the construction of any building or structure in any commercial district, except CM-P, or prior to same in any industrial/manufacturing district, or in the R-3 Multi-family residential district, or any addition to any existing building or structure therein consisting of more than ten percent (10%) of the floor area of the existing building or structure, the Planning and Zoning Commission shall first consider the application and project plan for compliance with appropriate *City building and* zoning regulations.

Mr. Han also recommends removing the language “the fee must be included at the time of application” in paragraph E;1).

Chairman O’Donnell asked if the calculations of the change in storm water will already be calculated before it is brought to Planning & Zoning.

Mr. Han stated that the increase in storm water will be calculated prior to submission to Planning & Zoning.

Chairman O’Donnell asked if anything that affects storm water would be included in the presentation.

Mr. Han stated that if storm water is affected, the calculations and allowances will be included in the packet.

Chairman O’Donnell entertained a motion to have Mr. Han make the requested changes to the ordinance and present the revised ordinance at the March meeting. Motion made by Mr. Schmidt, seconded by Mr. Pratt. On voice vote the motion carries as follows: ayes – 4, nays – 0, abstentions – 0, absent – 3.

Public Hearing will be continued in March.

B: Public Hearing – Sidewalk Requirements: City Ordinance

Chairman O’Donnell entertained a motion to enter public hearing. Motion made by Mr. Pratt, seconded by Mr. Garges. On voice vote the motion carries as follows: ayes – 4, nays – 0, abstentions – 0, absent – 3.

Incomplete sidewalks have been a concern for the Board and the issue has been included as a ‘vision’ in the City’s Comprehensive Plan.

Mr. Han made some proposed revisions to the ordinance and provided the changes to the Board.

Revisions include adding to Sec. 10-116:

- (a) (1): The developer shall have five (5) years from the date of acceptance of the “Final Plat” to install required sidewalk if the lot is not sold.
- (b) (1): In the event that the “developer” fails to install sidewalk as required herein, the city may install said sidewalks using the “Performance Bond” monies to cover cost as permitted by section 10-213.

Because there is no need to install sidewalks until homes are built, section 10-4 (b) has been revised to read (addition in bold):

The city shall not accept public infrastructure until the developer has submitted, in a form acceptable to the city, as-built drawings which accurately show the location and specifications

of such infrastructure **(excluding sidewalks)**. Such drawings must be submitted to the office of the city clerk and clearly stamped "AS-BUILT."

Mr. Garges asked how the situation would be handled if a property owner purchased the lot next door. Would they have three years to install a new sidewalk?

Mr. Han stated that the owner of the lot can go through an appeal process if they do not want to install a sidewalk.

Mr. Schmidt asked if the performance bond is utilized, will the developer be notified before the City installs the sidewalk.

Mr. Han stated that a notice will be given to the developer notifying them that a sidewalk will be installed using the monies put aside in escrow.

Chairman O'Donnell stated that the issue lies in the "gaps" of missing sidewalk between homes in subdivisions. The missing pieces do not allow the subdivisions to use the sidewalks effectively.

Mr. Garges asked if a property owner could utilize the cost-share with the City to install a sidewalk on a vacant lot.

Mr. Bontrager stated that they would not be able to use the cost-share program. The program is only used for replacement and maintenance of existing sidewalks.

Mr. Hoppenthaler stated that from his experience, when individuals are looking for a subdivision to move into, they do not generally look for a subdivision with sidewalks. Sidewalks make the subdivisions nicer but they are not a make-it or break-it deal.

Chairman O'Donnell asked if the 5 year performance bond was a reality.

Mr. Han stated that 5 years may not be. Mr. Bontrager and Mr. Han will check into the requirements.

Chairman O'Donnell entertained a motion to continue the public hearing during the March meeting so research can be completed on other communities. Motion made by Mr. Pratt, seconded by Mr. Garges. On voice vote the motion carries as follows: ayes – 4, nays – 0, abstentions – 0, absent – 3.

The Board asked Mr. Han to research the sidewalk requirements for Excelsior Springs, Kearney, Chillicothe and Smithville.

Public hearing to be continued in March.

C: Checklist Reviews

Over the years, checklists have been developed to help aid in the data gathering that goes into site plan, storm water, subdivision and final plat review. In order to help the process flow better, Mr. Han has asked the Board to review the checklists to make sure everything they would like to see is included. This will hopefully eliminate "missing" information.

Item 6: Public Participation

None

Item 7: Future

None

Item 8: Miscellaneous

1. **Hard Copy Planning & Zoning Books**

Chairman O'Donnell stated that he would like a new hard copy zoning book for everyone on the Board. A hard copy book makes review of ordinances and regulations easier.

2. Re-plat on the LDS Church

Chairman O'Donnell asked about the re-plat on the LDS Church. Mr. Han stated that the engineer was going to send the approved plat to the LDS Church. After it is signed by the Church, it will be sent back to Planning & Zoning and then sent on to City Council.

3. Conditional Uses

Chairman O'Donnell asked if the Board could get a list of active and inactive conditional uses and the active permits.

Chairman O'Donnell asked if un-used permits need to be terminated by an ordinance. If a permit is accepted by an ordinance, Mr. O'Donnell believes the permit should be terminated by an ordinance.

Mr. Han will draw something up and present it to the Board for review during the March meeting.

Item 9: Adjourn

Chairman O'Donnell entertained a motion to adjourn. Motion made by Mr. Garges, seconded by Mr. Pratt. On voice vote, the motion carried as follows: ayes – 4, nays – 0, and absent –3.

Meeting adjourned at 7:20 pm.

Minutes submitted by:

*Chris O'Donnell
Secretary Recorder
Cameron, MO 64429*

Minutes of the February 13, 2012 Cameron Planning and Zoning Commission approved on _____, 2012

Chairman Michael O'Donnell