

BUCHANAN COUNTY PLANNING AND ZONING

St. Joseph, Missouri

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James Whitson, Chairman
Steve Reardon, Vice - Chairman
Johnaphine Fenton, Secretary

MINUTES OF THE BUCHANAN COUNTY PLANNING AND ZONING COMMISSION

MAY 15, 2019

The Chairman, Jim Whitson, called the Buchanan County Planning and Zoning Commission meeting to order at 7:00 p.m. in the Thomas J. Mann III Room # 223. This room is located on the 2nd floor of the Buchanan County Courthouse, 411 Jules Street, Saint Joseph, Missouri, 64501.

Rosan Bowers, Shirley Day, Rodney Fry*, Pat McLear, Steve Reardon, Fred Corkins, Wayne Dale Barnett and Chairman, Jim Whitson, were the Board Members present for roll call.

Also present were Chad Gaddie, Legal Counsel, Scott Burnham, Eastern District Commissioner, Ron Hook, Western District Commissioner, Ryan Pummell, Code Enforcement and Denise Embrey, Planning and Zoning Director.

The minutes were presented from the April 10, 2019 meeting. With no additions or corrections, the minutes were approved as presented.

AGENDA

ITEM # 1 – A Conditional Use Permit request by David & Leanna Richardson to place one (1) Single Family Dwelling for their son on a one (1) acre m/l parcel located on 1402 SW Contrary Creek Road, St. Joseph, MO, 64504 in Section 12, Township 56, Range 36.

REPRESENTATION OF REQUEST

Leanna Richardson, 1402 SW Contrary Creek Road, St. Joseph, MO, 64504 and Ian Richardson, 407 Hugh Street, St. Joseph, MO, 64504: (Ian) “My plan is to buy a manufactured home and place it on their land at the end of their property.” He explained it would be a new home and would be 1,813 square feet, placed on poured concrete piers with gravel underneath.

Jim Whitson: Chairman: “You will have a separate septic system for your own house? Do you understand the conditions that go with a Conditional Use Permit, like the roads are of capacity and no hardships on anybody?”

Ian Richardson replied yes, he did.

Mr. Whitson, Chairman, then asked for any questions from the Commission. With no further questions from the Commission, he then asked for any opposition to this request. Seeing no opposition and hearing no questions, the hearing was called closed and roll was called to vote on Item # 1.

DECISION OF THE PLANNING & ZONING COMMISSION

Shirley Day: “Yes – Best Use.”

Pat McLear: “Yes – Best use.”

Steve Reardon: “Yes – It’s appropriate use.”

Rosan Bowers: “Yes - Appropriate Use.”

Wayne Dale Barnett: “Yes – Appropriate.”

Fred Corkins: “Yes – Best Use.”

Jim Whitson: “Yes – Best use.”

Mr. Whitson, Chairman, then announced that Item # 1 had passed and Denise Embrey, Director, would be in touch with him on what he needed to do next. She explained there was a thirty day waiting period in case someone wanted to appeal the decision of the Planning & Zoning Commission.

Item # 2 – A Conditional Use Permit by Trevor & Tina Pike to place one (1) Single Family Dwelling on a two (2) acre m/l parcel located on 5200 SW Pitts Road, Dekalb, MO, 64440, in Section 21, Township 55, Range 36.

REPRESENTATION OF REQUEST

Trevor and Tina Pike, 5200 SW Pitts Road, Dekalb, MO, 64440: “We are wanting to section off a couple of acres of our property to give to our boy to start his house. He wants to build a 30’ X 50’ metal building and make a house out of it. My other question is can it be a manufactured home or does that have to go back through?”

Mr. Whitson, Chairman: “No, it could be either manufactured or a metal building, either one.”

Mr. Pike: “Because we have priced out the 30’ x 50’ metal building, but he is still looking at this point. He wants to get the best deal that he can.”

Mr. Whitson, Chairman: “Where is it going to be in retrospect to your house here on the map?”

Mr. Pike explained, using the GIS map, the location would be down below the garage. He was then asked if he would be using the same driveway. He responded it would be the same drive but it would just follow the grass line right down at the bottom of the bank.

Mr. Whitson, Chairman, responded it would be about right in the middle of the property. He then asked for any further questions from the Commission.

Shirley Day: Board Member: “What is the property used for currently?”

Mr. Pike: “It is just pasture right now. I have a guy who mows it. We don’t have any animals or anything like that.”

Mr. Whitson, Chairman, then asked for any questions. Hearing no other questions, he then called for any opposition. Seeing no opposition and hearing no other questions, the hearing was called closed and roll was called to vote on Item # 2.

DECISION OF THE PLANNING & ZONING COMMISSION

Shirley Day: “Yes – Appropriate.”

Pat McLear: “Yes – Best use.”

Steve Reardon: “Abstain.”

Rosan Bowers: “Yes - Best Use.”

Wayne Dale Barnett: “Yes – Best Use.”

Fred Corkins: “Yes – Appropriate Use.”

Jim Whitson: “Yes – Best use.”

Mr. Whitson, Chairman, then announced that Item # 2 had passed and like the other people, they would have a thirty day waiting period for the appeal process.

Item # 3 – Amendment of Zoning Order 109.115.1.

Jim Whitson: Chairman: “This one we talked about at the last meeting, raising the Conditional Use Permit from one (1) acre to two (2) acres. That would give plenty of room for the setbacks and everything. Are there any other questions on that?”

With no questions, roll was called to vote on Item # 3.

DECISION OF THE PLANNING & ZONING COMMISSION

Shirley Day: “Yes – Appropriate.”

Pat McLear: “Yes.”

Steve Reardon: “No.”

Rosan Bowers: “Yes.”

Wayne Dale Barnett: “Yes.”

Fred Corkins: “Yes.”

Jim Whitson: “Yes.”

Mr. Whitson announced Item # 3 had been approved.

Item # 4 – Amendment of Zoning Order 109.96.

Jim Whitson: Chairman: “This one we talked about at the last meeting as well.

TINY HOMES: A structure designed for residential use that is less than 1000 square feet with wheels or on a foundation.

Mr. Whitson, Chairman, asked for any questions or comments on this.

Pat McLear: Board Member: “I have a couple, I think. I am not really sure about this switching out what used to be TRAILER CAMPS. What relationship does that got at all with tiny houses?”

Denise Embrey: Director: “It doesn’t.”

Pat McLear: Board Member: “Yeah, exactly. So, in other words, should this be replacing that?”

Denise Embrey: Director: “That was my intention to replace the TINY HOME definition for TRAILER CAMP because we don’t have any trailer camps.”

Pat McLear: Board Member: “So, we don’t have any Trailer Camps. Is that what you are saying? So, that’s passe. The other question I’ve got is I talked to somebody in construction who told me don’t vote for anything unless it has a foundation under it, no wheels. I am kind of worried about how these are constructed. What’s their value, what’s their durability? How cheap are they and how long are they going to last?”

Jim Whitson: Chairman: “I don’t know that the actual construction is that cheap. They are just small. The cost per square foot may not be a whole lot less than the cost of a big house per square foot.”

Discussion was held regarding the price per square foot of a regular house versus the price per square foot of a Tiny Home.

Shirley Day: Board Member: “Doesn’t that depend on who is building it and who it is being built for?”

Pat McLear: Board Member: “I was told it cost \$25,000 for one. The point is if you’ve got that kind of money, couldn’t you buy a real house? We are here to switch them out right?”

Denise Embrey: Director: “Yes, just the definitions.”

Jim Whitson: Chairman: “Any further comments? If not, I am going to call this hearing closed and roll to vote on this Item.”

DECISION OF THE PLANNING & ZONING COMMISSION

Shirley Day: “Yes.”

Pat McLear: “Abstain.”

Steve Reardon: “Yes.”

Rosan Bowers: “Yes.”

Wayne Dale Barnett: “Yes.”

Fred Corkins: “Yes.”

Jim Whitson: “Yes.”

Mr. Whitson, announced that had passed and if there were anything else.

Denise Embrey: Director: “We will have a meeting June 12. Scott or Ron, do you have an update on the turbine situation?”

Scott Burnham, Eastern District Commissioner: “Yes, we have put out a RFP for Black & Veatch and also Burns and McDonald. That went out and that is due back May 29th. That’s just to get their RFP back. That will start the process as far of interviewing them. Last month we had talked about our plan to engage outside help to come in and help us with some of these restrictions. Hopefully we will have something we will have something that we can present to this Board by the June meeting, July we would have hearings and in August we could take a vote. I don’t think that is a realistic timeline for us any longer. I think we probably need to push that back at least a couple of months to be a little more realistic. I think that we are looking at the very earliest probably in October. We are going to be interviewing these folks sometime in the early part of June. We expect it to be 30 to 60 days before we get anything back from them and then we can start that process. I think that is kind of what we are looking at is maybe by July or August we will have something that we can present and then have the hearings in the following month and then take a vote a month after that.”

Jim Whitson: Chairman: “The only issue is if we get into October and November, sometimes we have a hard time getting a quorum. I just wanted to throw that out there so you know.”

Scott Burnham: “I think we can get it done by October and maybe we can get it done by September, but I think October is a more realistic time line.”

Jim Whitson: Chairman: “It’s pretty early, but I think we should formulate a guideline of how we are going to hold the hearing.”

Chad Gaddie: Legal Counsel: “It’s probably too early to do that right now, but that is something that we definitely want to establish ahead of time so it doesn’t turn into a free-for-all.”

Jim Whitson: Chairman: “We are not going to have any free-for-alls. Do you have any idea what it will be like? When we had the landfill, it was almost like a trial. When one person speaks, somebody can, after he is done, can rebuttal him right then or...?”

Chad Gaddie: Legal Counsel: “I doubt it will be like that. It will be more of a public event where we just have the opportunity for citizens of Buchanan County to approach, offer their commentary on it in just a specified period of time.”

Jim Whitson: Chairman: “I assume we can put a time limit on it?” Mr. Gaddie, Legal Counsel, responded it would have to be a reasonable time limit.

Jim Whitson: Chairman: “A couple of minutes would be enough. Five minutes would be the absolute outside. We will probably have a court reporter for this. I assume we can publish the rules of the meeting at the same time we publish the public hearing so everybody knows. What are you going to do with expert witnesses?”

Steve Reardon, Vice-Chair: “I don’t think you are going to change anybody’s mind, not if you have a pro and con. It’s going to be pointless because the positions are pretty hardened already.”

Chad Gaddie, Legal Counsel: “I guess off the top of my head, the expert witnesses, I think that we should have a provision that will maybe allow you or the group in general to stray from the five minute rule, with permission. So, if you felt like an expert witness was unique and this wasn’t the twelfth or thirteenth one we had heard, you might allow that person to speak for a longer period of time.”

Mr. Whitson, Chairman: “We can hash some more of that out. The Commission needs to be thinking about it, if they have any comments.”

With no further business or discussion the meeting was adjourned at 7:30 p.m.

Denise K. Embrey
Director of Planning + Zoning