

# 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

**June 12, 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 2<sup>nd</sup> floor of the Buchanan County Courthouse, 411 Jules Street, Saint Joseph, Missouri, 64501.

Fred Corkins, Glen Frakes, Rodney Fry, Pat McLear, Alfred Purcell, Steve Reardon, Johnaphine Fenton, Rosan Bowers and Chairman, Jim Whitson, were the Board Members present for roll call.

Also present were Chad Gaddie, Legal Counsel and Denise Embrey, Planning and Zoning Director.

The minutes were presented from the May 15, 2019. A correction was made since Rosan Bowers name had been omitted from the roll call. The Director stated it had already been corrected. With that correction, the minutes were approved as mailed.

### AGENDA

**ITEM # 1 – A Conditional Use Permit request by James & Linda Parrott to place one (1) Single Family Dwelling for their son on a one (1) acre m/l parcel, on a nine (9) acre tract located at 8545 SW Old North Road, Rushville, MO, 64484 in Section 12, Township 55, Range 37.**

### REPRESENTATION OF REQUEST

**James Parrott, 8545 SW Old North Road, Rushville, MO 64484:** “My son would like permission to build a home. It would be a new modular”

Mr. Whitson, Chairman, then asked for any questions from the Commission.

**Steve Reardon: Vice-Chairman:** “Are you sharing a driveway?”

Mr. Parrott replied no. Mr. Reardon commented there wasn't much frontage on the road. Mr. Parrott responded the driveway would be north of his house.

**Steve Reardon: Vice-Chairman:** “So, really the house would sit side by side.” Mr. Parrott responded yes.

Mr. Whitson, Chairman, again asked for any other questions from the Commission.

**Glen Frakes: Board Member:** “Will you set it back a little further than your house?” Mr. Parrott replied it would be placed further back from his home.

Mr. Whitson, Chairman, then asked for anything else. 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**

**Fred Corkins: “Yes – Best Use.”**

**Glen Frakes: “Abstain.”**

**Rodney Fry: “Yes – Best Use.”**

**Pat McLear: “Yes – Best use.”**

**Alfred Purcell: “Yes – Fits the need.”**

**Steve Reardon: “Yes – Appropriate.”**

**Johnaphine Fenton: “Yes – It goes with the rest of the area.”**

**Rosan Bowers: “Yes – Best Use.”**

**Jim Whitson: “Yes – Best use.”**

Mr. Whitson, Chairman, then announced that Item # 1 had passed and to contact Denise Embrey, Director, on what steps to take next. He also informed the Parrott’s there would be a thirty (30) day waiting period if someone would want to appeal the decision.

### **AGENDA**

**ITEM # 2 – A Conditional Use Permit request by Gary & Dianna Power, 10510 NE State Route 6, Easton, MO, 64443 to place one (1) Single Family Dwelling on a ten (10) acre m/l parcel, split from a 31 acre m/l parcel in Section 12, Township 57, Range 34.**

### **REPRESENTATION OF REQUEST**

**Gary Power, 10510 NE State Route 6, Easton, MO 64443:** “I have a ten (10) acre parcel that has frontage on Highway 6. I am wanting to place a Single Family Dwelling and I believe a barn.”

**Jim Whitson: Chairman:** “Are you selling this to somebody?” Mr. Power replied he was. Mr. Whitson, Chairman, asked the buyer to come forward and give his name and address.

**Allan Slavin, 488 Lake Viking Terrace, Gallatin, MO 64640:** “I am planning on putting a 2,500 to 3,000 square feet house and then just an outbuilding, maybe 30’ x 40’ or 30’ x 50’ and that is it.”

**Jim Whitson: Chairman:** “So, this ten (10) acres is coming off right next to the highway?” Mr. Slavin replied yes.

Jim Whitson, Chairman, then called for any questions from the Commission.

**Pat McLear: Board Member:** “Is all of that land currently in agricultural use?” Mr. Power responded he had just put it all in alfalfa.

**Steve Reardon: Vice-Chairman:** “Would wind turbines affect your desire to build at this location if they were in close proximity?”

**Allan Slavin:** “Yes, we don’t really have a desire to have a bunch of wind turbines in our back yard.”

**Steve Reardon: Vice-Chairman:** “Well, Marion Township is a target, so I thought I would throw that out there for you.”

Mr. Whitson, Chairman, then asked for any questions from the Commission. With none presented, he then called for any opposition to this request.

### **OPPOSITION**

**Joe Bauer, 10860 NE State Route 6, Easton, MO 64443:** “My problem is that 30 acres they bought was allowed 2 houses. There looks like to be maybe 3 already. I think there is enough on that property right now. I am opposed to having any more houses built there on 10 acres. I am afraid there will be more to come after that, so that is my concern.”

**Cary Cornelius, 9060 NE State Route 6, Easton, MO 64443 :** “They way we stand right now, it’s 20 acres to put a house and I think we need to stick with that. We are also outside the growth area. That’s my opposition.”

**Jim Whitson: Chairman:** “In Denise’s comments, it says we need to understand that we are just doing 1 house on 10 acres, no subdivisions, it can’t be divided any more without somebody coming back in here. There’s no chance of a subdivision, no chance of selling off 2 lots or anything without approval from this Commission. If this gets approved it’s just a Conditional Use Permit with the condition of 1 house on this 10 acres. The zoning stays the same as agriculture. The zoning does not change. It’s just giving them permission to put 1 house on this 10 acres. I just wanted to clarify all that so there wasn’t any misconception on what we are doing here.”

Mr. Whitson, Chairman, then asked if anyone else would like to speak.

**Cody Cornelius, 101 NE State Route Z, Easton, MO 64443:** “I own property just north of here and I am a young farmer in the area and I believe the 20 acres zoning law should stay as they are because most of that area is used for agriculture and as a young farmer, more and more housing spread out our way continues to threaten the amount of acres that one could farm as a young producer.”

**Jim Whitson: Chairman:** “Just so everyone understands, at 20 acres you don’t have to do any zoning or get any Conditional Use. We can actually go down to as little as 2 acres. The 20 acres is just the guide line where you don’t have to do any kind of zoning or anything.”

Mr. Whitson, Chairman, then asked if anyone else wished to speak or any questions from the Commission. Do we all understand what we are voting on? We are voting on one (1) house, Conditional Use, on ten (10) acres. The hearing was called closed and roll was called to vote on Item # 2.

### **DECISION OF THE PLANNING & ZONING COMMISSION**

**Fred Corkins: “No – Too much opposition.”**

**Glen Frakes: “No – Farm ground.”**

**Rodney Fry: “No – Agricultural Use.”**

**Pat McLear: “No – Agricultural Use.”**

**Alfred Purcell: “No – Agricultural Use.”**

**Steve Reardon: “No – It’s inappropriate. It’s agricultural.”**

**Johnaphine Fenton: “No – There’s already a lot of houses there, don’t need any more.”**

**Rosan Bowers: “No – Outside the growth area and agricultural use.”**

**Jim Whitson: “Abstain.”**

Mr. Whitson, Chairman, then informed the applicant’s they could appeal the decision to the Zoning Adjustment Board within 30 days. Denise could help them do this.

The Director announced there was no meeting scheduled yet for July. Mr. Whitson, Chairman, then asked Scott Burnham, Eastern District Commissioner, how the Commission were progressing on the Wind Turbines.

**Scott Burnham: “We have a meeting Thursday with some engineers. We are going to get some outside expertise. Black and Veatch were the only firm to respond.”**

With no further business, the meeting was dismissed at 7:30 p.m.

*Denise K. Embrey*  
*Director of Planning & Zoning*