

**CITY OF RAYTOWN
BOARD OF ZONING ADJUSTMENT
MEETING**

**October 13, 2016
7:00 P.M.**

**Raytown City Hall
10000 East 59th Street
Raytown, MO 64133**

MEETING

1. Open Meeting

2. Roll Call

Clatanoff _____ Cook _____ Riehle _____
Aprill _____ White _____ Wilson (Alt) _____
Tush (Alt) _____

3. Approval of August 11, 2016 Meeting Minutes

- A. Changes: _____
- B. Motion: _____
- C. Second: _____
- D. Vote: For: _____ Against: _____

4. Approval of September 8, 2016 Meeting Minutes

- A. Changes: _____
- B. Motion: _____
- C. Second: _____
- D. Vote: For: _____ Against: _____

5. Old Business – None

6. New Business:

- A. Case #: BZA-2016-007
Request: Variance to the sign regulations specified in Section 50-493 of the Code of Ordinances of the City of Raytown to allow a

wall sign above the maximum allowed size in a High-Density Residential (R-3) zoning district.

Applicant: Tutera Senior Living & Health Care

Location: 11901 Jessica Lane

- (1) Introduce application
- (2) Open Public Hearing
- (3) Swearing in of any person who may wish to speak for or against the application
- (4) Explanation of any exparte' communication from Board of Zoning Adjustment members regarding the application.
- (5) Entering of exhibits into the record:
 - a. Application for Variance submitted by applicant
 - b. Notice of Public Hearing in the Daily Record newspaper
 - c. Notice of Public Hearing Mailed to Neighboring Property Owners,
 - d. City of Raytown Zoning Ordinance as provided in Chapter 50 of the Raytown Code of Ordinances
 - e. City of Raytown Comprehensive Plan
- (6) Presentation of requested variance by applicant
- (7) Request for public comment
- (8) Rebuttal, if necessary, by the applicant.
- (9) Summary of additional information by staff
- (10) Board discussion
- (11) Close public hearing
- (12) Board decision to approve, conditionally approve or deny the application.
 - a. Motion
 - b. Second
 - c. Additional Board Discussion
 - d. Vote

B. Case #: BZA 2016-005

Request: Appeal to Staff order to remove a nonconforming pole sign as per the sign regulations specified in Section 50-492 and Section 50-498 of the Code of Ordinances of the City of Raytown.

Location: 9323 E 350 Highway

- (1) Open Public Hearing
- (2) Swearing in of any person who may wish to speak for or against the application
- (3) Explanation of any exparte' communication from Board of Zoning Adjustment members regarding the application.
- (4) Entering of exhibits into the record:
 - a. Letter from City to Applicant notifying of the order to have the sign removed.
 - b. Letter from Applicant appealing decision by Staff.
 - c. Notice of Public Hearing in the Daily Record newspaper
 - d. Notice of Public Hearing Mailed to Neighboring Property Owners,
 - e. City of Raytown Zoning Ordinance as provided in Chapter 50 of the Raytown Code of Ordinances
 - f. City of Raytown Comprehensive Plan
- (6) Presentation of requested variance by applicant
- (7) Request for public comment
- (8) Rebuttal, if necessary, by the applicant.
- (9) Summary of additional information by staff
- (10) Board discussion
- (11) Close public hearing
- (12) Board decision to approve, conditionally approve or deny the application.
 - a. Motion
 - b. Second
 - c. Additional Board Discussion
 - d. Vote

C. Case #: BZA-2016-008
Request: Request to allow a variance to the minimum parking regulations specified in Section 50-538 of the Code of Ordinances of the City of Raytown.

- (1) Introduce application
- (2) Open Public Hearing,
- (3) Swearing in of any person who may wish to speak for or against the application
- (4) Explanation of any exparte' communication from Board of Zoning Adjustment members regarding the application.

- (5) Entering of exhibits into the record:
 - f. Application for Variance submitted by applicant
 - g. Notice of Public Hearing in the Daily Record newspaper
 - h. Notice of Public Hearing Mailed to Neighboring Property Owners,
 - i. City of Raytown Zoning Ordinance as provided in Chapter 50 of the Raytown Code of Ordinances
 - j. City of Raytown Comprehensive Plan

- (13) Presentation of requested variance by applicant

- (14) Request for public comment

- (15) Rebuttal, if necessary, by the applicant.

- (16) Summary of additional information by staff

- (17) Board discussion

- (18) Close public hearing

- (19) Board decision to approve, conditionally approve or deny the application.
 - e. Motion
 - f. Second
 - g. Additional Board Discussion
 - h. Vote

5. Other Business

6. Set Tentative Future Meeting Date – November 10, 2016

7. Adjourn

**CITY OF RAYTOWN
BOARD OF ZONING ADJUSTMENT
MEETING**

**August 11, 2016
7:00 P.M.**

**Raytown City Hall
10000 East 59th Street
Raytown, MO 64133**

MEETING

1. Open Meeting: Chairman Pat Riehle opened the meeting.

2. Roll Call

Clatanoff <u>Present</u>	Cook <u>Absent</u>	Riehle <u>Present</u>
Apprill <u>Present</u>	White <u>Absent</u>	Wilson (Alt) <u>Absent</u>
Tush (Alt) <u>Present</u>		

Also present: Ray Haydaripoor, Acting Director of Development and Public Affairs, Andy Boyd, Building Official, George Kapke, City Attorney, Ron Williamson, Planning Consultant, Scott Peterson, Permit Technician, and June Van Loo, Permit Technician

Due to the presence of only four members, Chairman Riehle noted for the public that four members did constitute a quorum, but that all votes would need to be approved unanimously.

3. Approval of April 14, 2016 Meeting Minutes

A. Changes: None

B. Motion: Ms. Clatanoff made a motion to approve the April 14, 2016 minutes.

C. Second: Mr. Apprill seconded Ms. Clatanoff's motion.

D. Vote: For: 4 Against: 0 motion passed unanimously.

4. Approval of July 14, 2016 Meeting Minutes

E. Changes: None

F. Motion: Mr. Apprill made a motion to approve the July 14, 2016 minutes.

G. Second: Ms. Clatanoff seconded Mr. Apprill's motion.

H. Vote: For: 4 Against: 0 motion passed
unanimously.

5. **Old Business** – None

6. **New Business:**

A. Case #: BZA-2016-003
Request: Variance to 720 square foot maximum accessory building size in a Low Density Residential (R-1) zoning district specified in Section 50-127 of the Code of Ordinances of the City of Raytown.
Applicant: Congregation Beth Shalom
Location: 5529 Ditzler Ave

- (1) Introduce application- Mr. Riehle introduced the application.
- (2) Open Public Hearing- Mr. Riehle opened the public hearing.
- (3) Swearing in of any person who may wish to speak for or against the application- Mr. Kapke swore in those wishing to speak on behalf of the application.
- (4) Explanation of any exparte' communication from Board of Zoning Adjustment members regarding the application- None
- (5) Entering of exhibits into the record:
 - a. Application for Variance submitted by applicant
 - b. Notice of Public Hearing in the Daily Record newspaper
 - c. Notice of Public Hearing Mailed to Neighboring Property Owners,
 - d. City of Raytown Zoning Ordinance as provided in Chapter 50 of the Raytown Code of Ordinances
 - e. City of Raytown Comprehensive Plan
- (6) Presentation of requested variance by applicant- Kenny Miller, architect for RMTA, spoke on behalf of the application. The applicant is looking to install a storage shed for the cemetery's maintenance that is larger than is allowed in an R-1 zone.
- (7) Request for public comment- None.
- (8) Rebuttal, if necessary, by the applicant.- None.
- (9) Summary of additional information by staff- Scott Peterson, Permit Technician, stated that the building would be moved closer to the street than the existing maintenance shed by about twenty feet, and also made three recommendations on behalf of staff for Board consideration:
 1. The maintenance building will be located on the site as shown on the plan and will not exceed 1575 sq. ft.

2. Staff shall approve the height and design of the building including elevations and building materials.
3. The existing maintenance building will be removed when the new building is occupied.

(10) Board discussion- None.

(11) Close public hearing- Mr. Riehle closed the public hearing.

- (12) Board decision to approve, conditionally approve or deny the application.
- a. Motion- Ms. Clatanoff made a motion to conditionally approve the application subject to the recommendations made by staff.
 - b. Second- Mr. Tush seconded Ms. Clatanoff's motion.
 - c. Additional Board Discussion- None.
 - d. Vote- Motion passed unanimously 4-0.

B. Case #: BZA 2016-004

Request: Application for a Home Occupation Accessory Use Permit as provided in Article III, Sections 50-79 through 50-86 of the City of Raytown Code of Ordinances which seeks to operate a family day care.

Location: 6300 Sterling Ave

- (1) Introduce application- Mr. Riehle introduced the application.
- (2) Open Public Hearing- Mr. Riehle opened the public hearing.
- (3) Swearing in of any person who may wish to speak for or against the application- Mr. Kapke swore in those wishing to speak for or against the application.
- (4) Explanation of any exparte' communication from Board of Zoning Adjustment members regarding the application.- None.
- (5) Entering of exhibits into the record:
 - a. Application for Accessory Use Home Occupation submitted by applicant
 - b. Notice of Public Hearing in the Daily Record newspaper
 - c. Notice of Public Hearing Mailed to Neighboring Property Owners,
 - d. City of Raytown Zoning Ordinance as provided in Chapter 50 of the Raytown Code of Ordinances
 - e. City of Raytown Comprehensive Plan
- (6) Presentation of requested variance by applicant- Satira Green is seeking an accessory use home occupation to operate a family day care out of her home at 6300 Sterling. Ms. Green is licensed by the State of Missouri.
- (7) Request for public comment- None.

(8) Rebuttal, if necessary, by the applicant.- None.

(9) Summary of additional information by staff- Mr. Peterson stated that the accessory use home occupation is required because Ms. Green is requesting to use her garage as a portion of her business, which is not allowed in an R-1 district. Mr. Peterson made three additional recommendations on behalf of staff for the Board to consider:

1. A concrete or asphalt pad wide enough to accommodate the parking of at least one vehicle be added to the north side of the house or driveway and connected to the driveway to meet the requirement of three parking spaces.
2. A PVC-vinyl, or material of similar durability, fence is to be installed to completely enclose, with a gate that is capable of being locked, at least 500 square feet of the rear yard, to be at a minimum height of at least sixty (60) inches.
3. The applicants comply with all applicable local, state and federal laws and regulations.
4. The hours of operation are limited to the hours indicated in the application.
5. No individuals shall be employed that do not reside on the property.

(10) Board discussion-

Discussion included the width of the driveway to accommodate three off-street parking spaces, and whether the recommended concrete pad needed to be extended all the way to the street. Mr. Peterson stated that it did not need to go all the way to the street, only enough to accommodate the three off street parking spaces.

Discussion also included the number of children that Ms. Green would be allowed to have on the property. Ms. Green is currently licensed for 10 children and does not plan to have more than that number of children at any time.

(11) Close public hearing- Mr. Riehle closed the public hearing.

(12) Board decision to approve, conditionally approve or deny the application.

- a. Motion- Ms. Clatanoff made a recommendation to conditionally approve the application based on staff recommendations, plus one additional condition that the accessory use home occupatio apply only to the current occupant of the property.
- b. Second- Mr. Apprill seconded Ms. Clatanoff's motion.
- c. Additional Board Discussion- None.
- d. Vote- Motion passed unanimously 4-0.

C. Case #: BZA 2016-006

Request: Request for a variance to the twenty (20) foot side yard setback requirement in the Neighborhood Commercial (NC) Zoning District specified in Section 50-187 of the Code of Ordinances of the City of Raytown to allow for a lot split from the neighboring property which would put the dwelling on the property within the side yard setback area.

- (1) Introduce application- Mr. Riehle introduced the application.
- (2) Open Public Hearing- Mr. Riehle opened the public hearing.
- (3) Swearing in of any person who may wish to speak for or against the application- Mr. Kapke swore in those wishing to speak for or against the application.
- (4) Explanation of any exparte' communication from Board of Zoning Adjustment members regarding the application- None.
- (5) Entering of exhibits into the record:
 - f. Application for Variance submitted by applicant
 - g. Notice of Public Hearing in the Daily Record newspaper
 - h. Notice of Public Hearing Mailed to Neighboring Property Owners,
 - i. City of Raytown Zoning Ordinance as provided in Chapter 50 of the Raytown Code of Ordinances
 - j. City of Raytown Comprehensive Plan
- (6) Presentation of requested variance by applicant- Wilson Goddard, representing the Raytown Church of Christ, introduced the variance. The applicant is wishing to split a house from the property and sell it to Wanda Mullins. This lot split will put the house in violation of the twenty foot side yard setback.

Ms. Clatanoff asked what the use of the applicant property would be, and whether or not Ms. Mullins would use it for her business since it is zoned Neighborhood Commercial. Ms. Mullins responded that it would primarily be her residence, but she may incorporate her business into it in some capacity in the future.
- (7) Request for public comment- Steve Shelton, representative for the Raytown Consolidated School District, requested further clarification on the location of the property in relation to Raytown High School. Seeing that it did not affect school district property, Mr. Shelton had no objections to the application.
- (8) Rebuttal, if necessary, by the applicant- None.
- (9) Summary of additional information by staff- None.

(10) Board discussion- Mr. Apprill made a recommendation to add a condition that the variance only apply to the house at 5914 Blue Ridge Blvd. Mr. Kapke clarified that in the event the house was torn down, the variance would no longer apply.

(11) Close public hearing- Mr. Riehle closed the public hearing.

(12) Board decision to approve, conditionally approve or deny the application.
e. Motion- Mr. Apprill made a motion to approve the application.
f. Second- Mr. Tush seconded Mr. Apprill's motion.
g. Additional Board Discussion- None
h. Vote- Motion passed unanimously 4-0.

5. Other Business- None.

6. Set Tentative Future Meeting Date – September 8, 2016

7. Adjourn

**CITY OF RAYTOWN
BOARD OF ZONING ADJUSTMENT
MEETING**

**September 8, 2016
7:00 P.M.**

**Raytown City Hall
10000 East 59th Street
Raytown, MO 64133**

MEETING

1. Open Meeting

2. Roll Call

Clatanoff: Present Cook: Present Riehle: Absent
Apprill: Absent White: Absent Wilson (Alt): Absent
Tush (Alt): Present

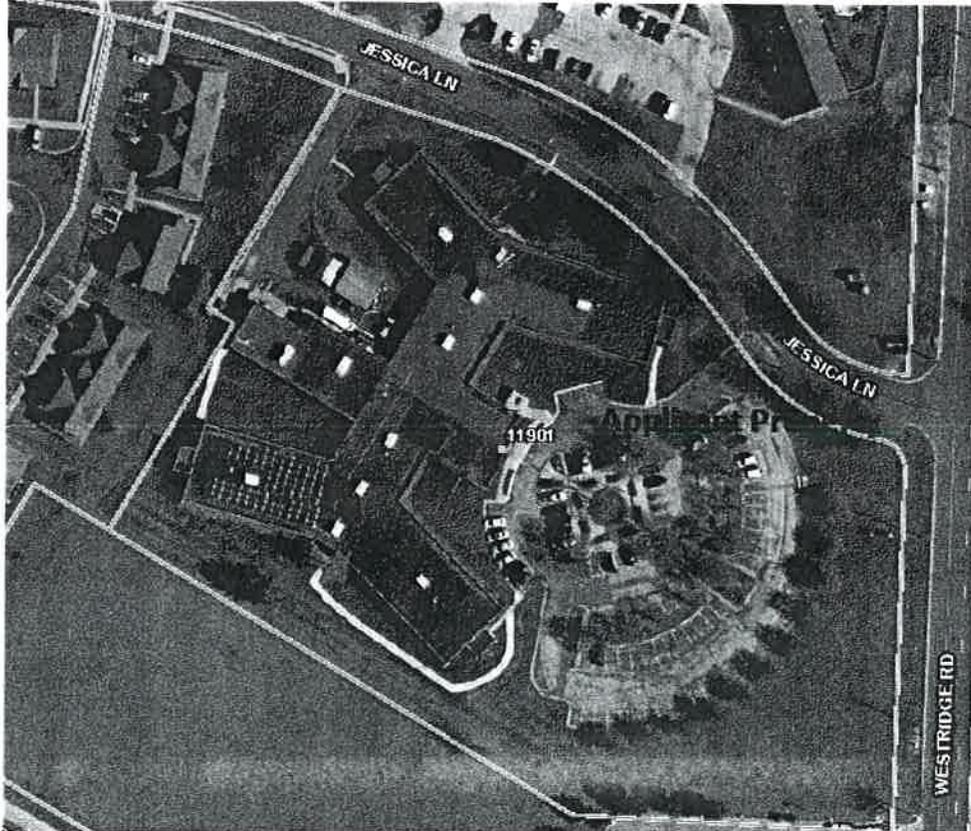
3. New Business- Due to a lack of a quorum, Acting Chairman Cook continued the meeting to October 13, 2016.

STAFF REPORT

To: Board of Zoning Adjustment
From: Development and Public Affairs Department
Date: October 13, 2016
Subject: Agenda Item No. 6.A - Case No. BZA-2016-007: Variance to the sign regulations specified in Section 50-493 of the Code of Ordinances of the City of Raytown to allow a wall sign above the maximum allowed size in a High-Density Residential (R-3) zoning district.

BACKGROUND

Tutera Senior Living & Health Care is seeking to construct a wall sign on the south side of the Westridge Gardens Rehabilitation & Health Care Center. The proposed sign will be facing westbound Highway 350 and is projected to be about ninety (90) total square feet and a total length of thirty-six (36) feet. The applicant property is zoned High-Density Residential (R-3). Section 50-493 states that bulletin board and identification signs in all residential districts may be no larger than sixteen (16) square feet in size and only one identification sign is permitted per zoning lot.



FACTORS TO CONSIDER

The Zoning Ordinance states that a request for a variance may be approved upon a finding that all of the following conditions have been met:

1. **Uniqueness:** *(The variance requested arises from such condition that is unique to the property in question and that is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or the applicant.)*

The applicant states that the existing wall has no existing sign on its façade, and that the sign ordinance restricts the ability of passersby on Highway 350 from knowing the nature and use of the applicant property.

2. **Effects on Adjacent Properties:** *(The granting of the variance will not adversely affect the rights of adjacent property owners or residents.)*

According to the submitted application, the variance will not impact any adjacent properties as there is a vacant tract of land between the proposed sign and the highway, so no neighbors will be impacted by the large sign.

3. **Hardship:** *(The strict application of the provisions of these regulations of which the variance is requested will constitute an unnecessary hardship upon the property owner represented in the application.)*

According to the applicant denial of the variance will cause unnecessary hardship because most properties along the Highway 350 corridor are zoned commercial and are allowed to have large wall signs. The applicant states that Westridge Gardens is at a disadvantage with no community recognition that signs provide.

4. **Spirit and Intent:** *(The variance desired will not be opposed to the general spirit and intent of the zoning regulations and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.)*

According to the applicant, the proposed variance will not be contrary to the general spirit and intent of the zoning ordinance because most businesses along 350 Highway are allowed signs showing the spirit of the code.

5. **Minimum Variance:** *(The amount or size of the variance requested is the minimum amount or size needed to achieve the purpose for which the variance is requested.)*

According to the applicant the variance is the minimum necessary as the readable distance to Highway 350 determines the size of the sign. The applicant believes that the building is far enough away from the highway to warrant a larger sign to allow vehicles passing by to safely read the sign.

POSSIBLE FINDINGS OF FACT

After considering the above factors, the Board will need to decide if the variance request should be:

- ◆ Approved,
- ◆ Approved with conditions, or
- ◆ Denied.

The following are two sets of POSSIBLE findings of fact based upon the information submitted as part of the application, which is contained in this staff report. The set of possible findings of fact provided in the middle column support the approval of the variance requested while the second set of possible findings provided in the column on the right side of the table below provide facts supporting denial of the variance request. The Board should accept a set of findings of fact they deem most appropriate for either approval or denial based upon the information provided in this staff report and at the public hearing. Please note, however, that in order to approve a variance, ALL of the factors described in the middle column must be met. If one or more of the findings in the middle column are not found to be true then the application cannot legally be approved. It should be noted, that the following possible findings of fact are solely based upon the information contained in this staff report. Additional information could be presented at the public hearing, which may alter the following findings of fact. If additional information is presented at the public hearing, which alters the findings contained below, the applicable set of findings of fact need to be modified at the meeting to reflect the additional information presented so that the Board may use it as a basis in making a decision on the variance application. Also, the concurring vote of four members of the Board is required to approve the variance.

FACTORS	POSSIBLE FINDINGS OF FACT FOR APPROVAL OF THE REQUESTED VARIANCE	POSSIBLE FINDINGS OF FACT FOR DENIAL OF THE REQUESTED VARIANCE
<p><u>Uniqueness</u></p> <p><i>(The variance requested arises from such condition that is unique to the property in question, is not ordinarily found in the same zoning district and is not created by an action of the property owner / applicant).</i></p>	<p>The variance is unique as the property is a residentially zoned property along the Highway 350 corridor that allows larger wall signs for commercial properties.</p>	<p>The variance is not unique as the property is zoned correctly for its current use, and therefore its proximity to the highway is not relevant and should be required to follow the applicable zoning ordinance. Also the property does not have access to highway 350.</p>
<p><u>Effects on Adjacent Properties</u></p>	<p>The variance will not impact</p>	<p>The vacant property to the south is potentially</p>

<p><i>(The granting of the variance will not adversely affect the rights of adjacent property owners or residents.)</i></p>	<p>any adjacent properties as the property to the south is currently vacant. Neighboring residential properties will not be in view of the sign.</p>	<p>buildable, and any structure built on that lot would be in full view of, and also could block the view from the highway of The applicant the proposed sign.</p>
<p><u>Hardship</u> <i>(The strict application of the provisions of these regulations of which the variance is requested will constitute an unnecessary hardship upon the property owner represented in the application.)</i></p>	<p>Denial of the variance will result in the applicant not being able to adequately identify the use of the property for those passing by the Highway while other businesses are allowed larger wall signs.</p>	<p>The applicant is currently allowed the same signage as other similar businesses located in a residential district and therefore is on an equal playing field with its competitors.</p>
<p><u>Spirit and Intent of the Zoning Ordinance</u> <i>(The variance desired will not be opposed to the general spirit and intent of the zoning regulations and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.)</i></p>	<p>The proposed variance will not be contrary to the general spirit and intent of the zoning ordinance as it will not hinder neighboring properties, nor negatively affect the quality of the neighborhood.</p>	<p>The proposed variance will be contrary to the general spirit and intent of the zoning ordinance as the applicant property is a multi-family residential complex that does not provide the same business and advertising needs as a commercial business within the 350 Highway Corridor. Also the sign is more than five times larger than the ordinance allows which is well beyond the intent of a variance.</p>
<p><u>Minimum Amount / Size of Variance Necessary</u> <i>(The amount or size of the variance requested is the minimum amount or size needed to achieve the purpose for which the variance is requested.)</i></p>	<p>The variance is the minimum necessary as the property is far enough away from Highway 350 to provide a minimum safe size for the sign for drivers to see passing by.</p>	<p>There is no requirement that vehicles be allowed to see signs on buildings from Highway 350 in the zoning ordinance, so the minimum size of the sign is irrelevant to the property's proximity to the highway.</p>

If the Board approves the variance, it should be conditioned that all other identification signs need to be removed from the building since only one is permitted per zoning lot.



Development & Public Affairs Department
 Building Inspections Division
 10000 E. 59th Street
 Raytown, MO 64133
 Office (816) 737-6011 Fax (816) 737-6164

VARIANCE PERMIT

PERMIT #: 20160838	DATE ISSUED: 7/28/2016
	MUST COMMENCE BY: 7/28/2017
JOB ADDRESS: 11901 JESSICA LN	LOT #:
SUBDIVISION:	BLK #:
OWNER: TUTERA GROUP	CONTRACTOR: TUTERA GROUP
ADDRESS: 7711 STATE LINE	ADDRESS: 7711 STATE LINE
CITY, STATE ZIP: KANSAS CITY MO 00000	CITY, STATE ZIP: KANSAS CITY MO 00000
PHONE:	PHONE:
VALUATION: \$ 0.00	
SQ FT: 0.00	
OCCP TYPE:	
CNST TYPE:	
DESCRIPTION OF WORK: VARIANCE TO MAXIMUM SIGN ALLOWED IN R-3 ZONE.	

FEE CODE	DESCRIPTION	AMOUNT
PZ-08	VARIANCE	\$ 250.00
TOTAL		\$ 250.00

Inspection Information

1. All inspections require one working day (24 hours) advance notice.
2. Inspections must be scheduled and approved before covering any work.
3. APPROVED PLANS AND SITE PLAN MUST BE ONSITE FOR INSPECTIONS!

This permit is issued in reliance upon information submitted by the applicant. The Building Official may suspend or revoke a permit whenever the permit is issued in error, on the basis of incorrect information supplied, or in violation of the adopted code, city ordinance or regulations. This permit shall become null and void if the work authorized by this permit is suspended for a period of 180 days or is not commenced within 180 days. Approval of the plans or any inspections of this project shall not be construed as an approval of a violation of the codes or ordinances of the City of Raytown.

Issued By: _____ Date: _____ Applicant: _____ Date: _____

Case Number: _____

Date Received: 07/28/16

Fee Paid: _____

**CITY OF RAYTOWN
APPLICATION TO BOARD OF ZONING ADJUSTMENT
FILING FEE \$250.00**

1. I hereby apply for:

_____ Appeal from an administrative decision

Variance from any specific requirement

(Specify Section) 50-493

2. Name of Property Owner (as appears on deed): _____

Tutera Senior Living & Health Care

3. Phone Number: 816-278-3104

4. Address of Property Owner: 7611 State Line Rd
Kansas City, MO 64114

5. Email: GeorgeH@Tutera.com

6. Signature of Owner: _____

7. I appoint the following person as my agent during consideration of my request.

Name: George Holler: Director of Capital Projects

Phone: 816-278-3104

Address 7611 State Line Rd, Kansas City, MO 64114

8. The property to which this application applies is located at: _____

11901 Jessica Lane, 64138

Approximate Address (If address is currently unassigned): _____

9. Deed with Legal Description: (Please attach separate sheet).

For each of the following questions, please attach additional sheets if necessary.

10. Please describe what you wish to do that the Zoning Ordinance prohibits: _____

Code limits one wall sign to 16 square feet
on street frontage

Request is to place one channel letter
sign (design and rendering attached) facing
Highway 350.

11. The proposed variance (or exception) would not be contrary to public health, safety and the public interest because: _____

The sign would be a public service
announcement to the community in need
of their service.

12. The literal enforcement of the zoning regulations will result in the following unnecessary hardships: _____

Most Businesses Facing 350 Highway in
Raytown are allowed these sign types by
code. Westridge Gardens is at a disadvantage
with no community recognition that signs
provide.

13. The following condition(s), which were not created by the owner's actions, are unique to this parcel and are not commonly found on parcels used in similar ways:

The existing wall has no sign(s) on it, and the code restricts the ability of passersby on Highway from knowing of this valuable community resource.

14. The proposed development or variance would not adversely affect the rights of adjacent property owners because:

There are no establishments between the building and 350 Highway.

15. The proposed development would not be contrary to the general spirit and intent of the zoning ordinance because:

Most businesses along 350 Highway are allowed signs showing the spirit of the code.

16. The variance (or exception) requested is the minimum needed to make possible the reasonable use of the land or structure because:

The readable distance to 350 Highway determines the size of the letters

I understand that in filing my application with the City of Raytown I am responsible for paying the costs incurred in the processing of my application and agree to pay the City of Raytown for such costs, which include but are not limited to the following:

- Postage
- Published notice in the newspaper

I further understand these costs are estimates. In the event the legal costs exceed the amount paid, payment for the additional charges will be required prior to further departmental action on my case.

CHECKLIST FOR
BOARD OF ZONING ADJUSTMENT

Date Completed

✓

APPLICATION FEE AND LEGAL NOTICE FEE TOTALING \$250

~~AW~~

WRITTEN AND SIGNED CERTIFICATION FROM COUNTY TREASURER THAT ALL PROPERTY TAXES FOR THE PARCEL HAVE BEEN PAID IS ATTACHED.

N/A

WRITTEN AND SIGNED CERTIFICATION FROM THE CITY FINANCE DEPARTMENT THAT ALL OCCUPATIONAL LICENSES FOR THE PARCEL ARE CURRENT IS ATTACHED.

COPY OF DEED WITH EXACT LEGAL DESCRIPTION IS PROVIDED.

N/A

SITE PLAN DEPICTING LAND ASSOCIATED WITH THE REQUEST.

A sketch plan, drawn to scale, showing the location and exterior dimensions of all existing and proposed structures, yard improvements, landscaping, off street parking areas, driveways, signs, all required setback, and right-of-ways, traffic, pedestrian walks and areas, storm water drainage facilities and exterior lighting fixtures in relation to parcel boundaries and adjacent right-of-ways and location of public utilities.

✓

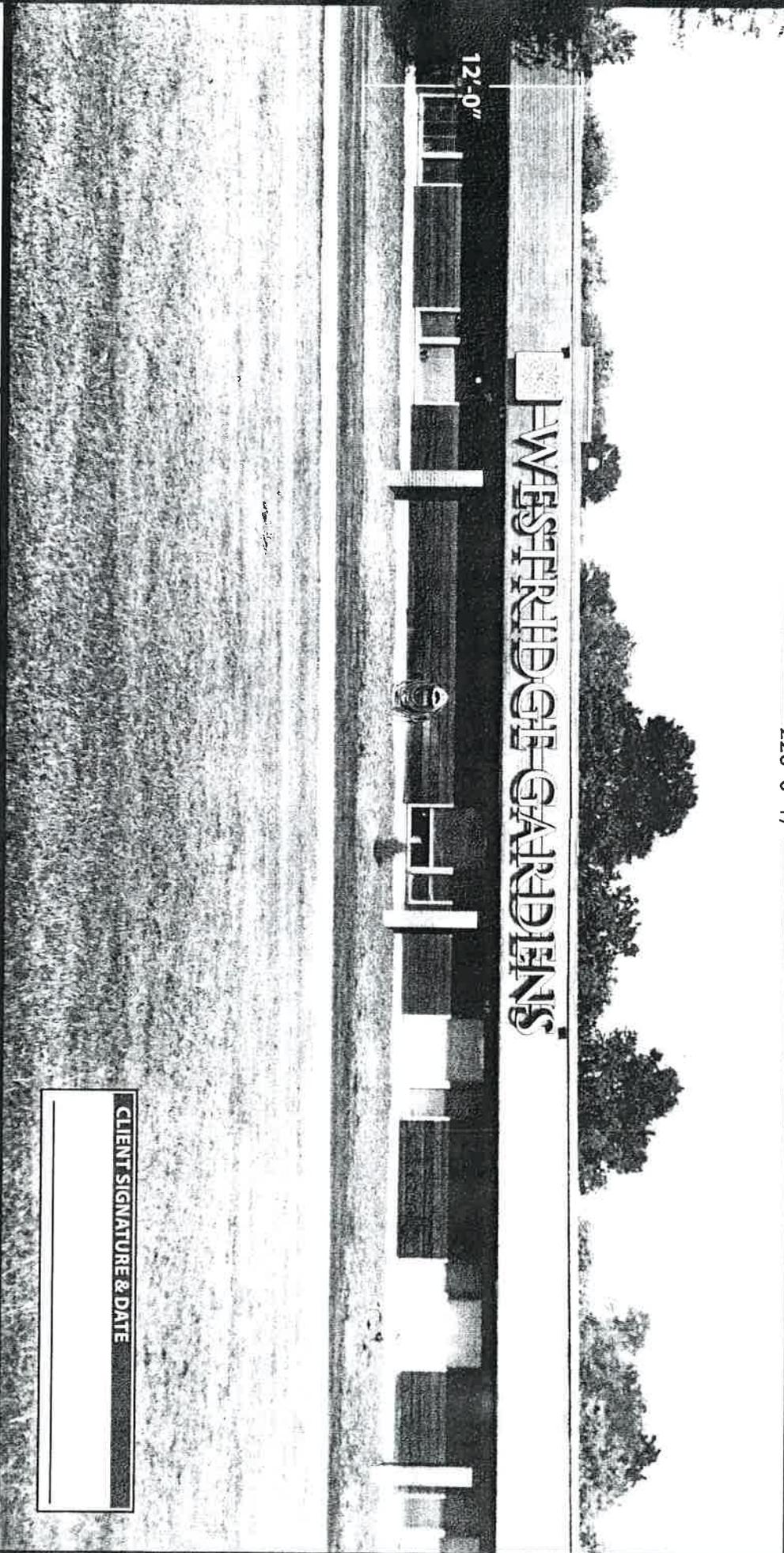
IF SIGN, DRAWING ILLUSTRATING THE PROPOSED SIGN.

BUILDING ELEVATION

SCALE: 1/8" = 1'-0"

2640.0 SOFT OF FACADE

220'-0" +/-



12'-0"

WESTERHEDGE GARDENS

CLIENT SIGNATURE & DATE

THIS DESIGN IS THE SOLE PROPERTY OF HIGHTECH SIGNS AND CAN NOT BE USED IN WHOLE OR PART WITHOUT WRITTEN CONSENT

HIGHTECHSIGNS

SIGNS THAT MEAN BUSINESS

2336 Marrow Dr. Kansas City, KS 66106
Phone (913) 894-4422 Fax (913) 236-7446

CLIENT:

WESTRIDGE GARDENS
RAYTOWN, MISSOURI
11901 Jessica Lane, 64138

DRAWING NO.

14-143

DATE

10.03.2014

SALESPERSON:

DICK ROBINSON

DESIGNER:

KEN ALBIN

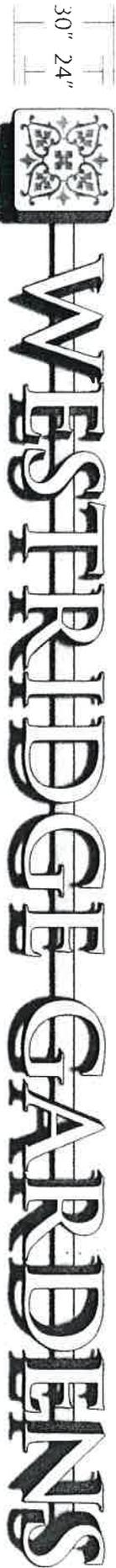
**BUILDING
ELEVATION**

ILLUMINATED CHANNEL LETTERS

90.0 SQFT OF SIGNAGE

SCALE: 1/4" = 1'-0"

36'-0"



WIREWAY MOUNTED CHANNEL LETTERS
 INTERNALLY ILLUMINATED WITH WHITE SAMSUNG LED'S
 5" BRONZE ALUMINUM RETURNS
 3/16" WHITE ACRYLIC FACES
 LOGO TO HAVE APPLIED TRANSLUCENT DIGITAL PRINT APPLIED
 1" BRONZE JEWELITE TRIM CAP
 ALUMINUM WIREWAY PAINTS TO MATCH BUILDING FACADE
 CUSTOMERS ELECTRICIAN TO SUPPLY PRIMARY ELECTRICAL TO SIGN LOCATION

CLIENT SIGNATURE & DATE

--

THIS DESIGN IS THE SOLE PROPERTY OF HIGHTECH SIGNS AND CAN NOT BE USED IN WHOLE OR PART WITHOUT WRITTEN CONSENT

HIGHTECHSIGNS

SIGNS THAT MEAN BUSINESS

2338 Midway Dr. Kansas City, KS 66105
 Phone (913) 894-4422 Fax (913) 236-7446

CLIENT:

WESTRIDGE GARDENS
 RAYTOWN, MISSOURI
 11901 Jessica Lane 64138

DRAWING NO.

14-143 revised

DATE

07.26.2016

SALESPERSON:

DICK ROBINSON

DESIGNER:

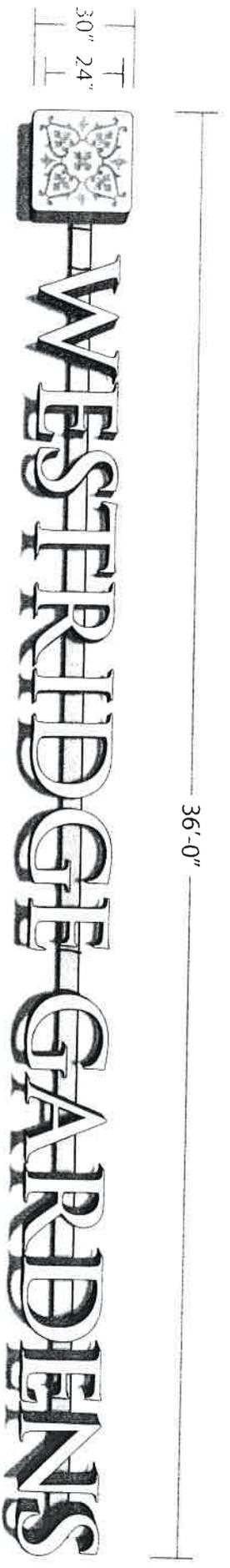
KEN ALBIN

**SIGN
 DETAIL**

ILLUMINATED CHANNEL LETTERS

90.0 SOFT OF SIGNAGE

SCALE: 1/4" = 1'-0"



54.0 SOFT OF SIGNAGE

WIREWAY MOUNTED CHANNEL LETTERS
 INTERNALLY ILLUMINATED WITH WHITE SAMSUNG LED'S
 5" BRONZE ALUMINUM RETURNS
 3/16" WHITE ACRYLIC FACES
 'LOGO' TO HAVE APPLIED TRANSLUCENT DIGITAL PRINT APPLIED
 1" BRONZE JEWELITE TRIM CAP
 ALUMINUM WIREWAY PAINTS TO MATCH BUILDING FACADE
 CUSTOMERS ELECTRICIAN TO SUPPLY PRIMARY ELECTRICAL TO SIGN LOCATION

CLIENT SIGNATURE & DATE

HIGHTECHSIGNS

SIGNS THAT MEAN BUSINESS
 2338 Morning Dr. Kansas City, KS 66106
 Phone (913) 894-4422 Fax (913) 236-7446

THIS DESIGN IS THE SOLE PROPERTY OF HIGHTECH SIGNS AND CAN NOT BE USED IN WHOLE OR PART WITHOUT WRITTEN CONSENT

CLIENT:

WESTRIDGE GARDENS
 RAYTOWN, MISSOURI
 11901 Jessica Lane, 64138

DRAWING NO.

14-143

DATE

10.03.2014

SALESPERSON:

DICK ROBINSON

DESIGNER:

KEN ALBIN

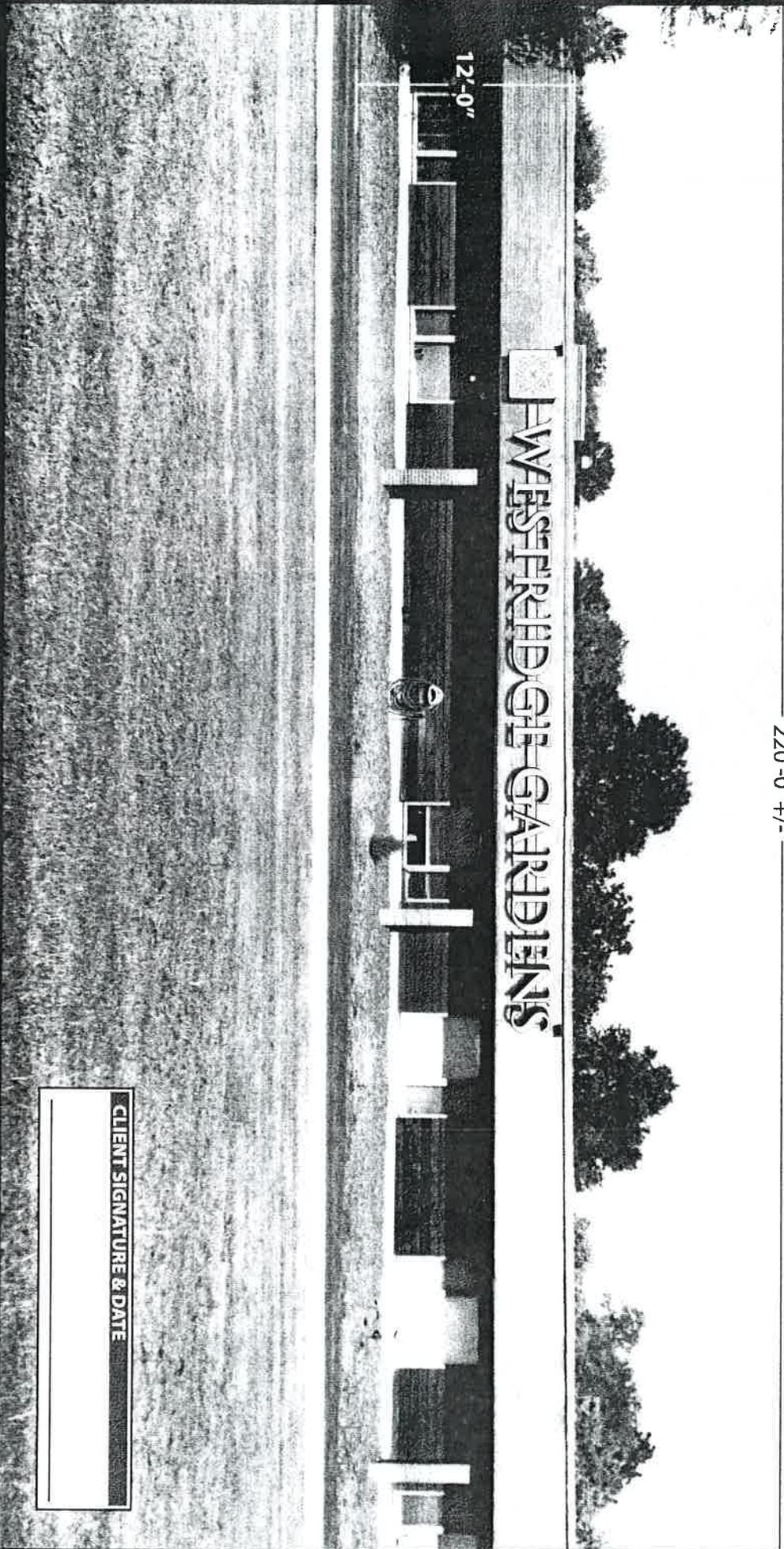
**SIGN
DETAIL**

BUILDING ELEVATION

SCALE: 1/8" = 1'-0"

2640.0 SQFT OF FACADE

220'-0" +/-



12'-0"

WESTRIDGE GARDENS

CLIENT SIGNATURE & DATE

THIS DESIGN IS THE SOLE PROPERTY OF HIGHTECH SIGNS AND CAN NOT BE USED IN WHOLE OR PART WITHOUT WRITTEN CONSENT

HIGHTECH SIGNS

SIGNS THAT MEAN BUSINESS

2338 Meridian Dr. Kansas City, MO 64610
Phone (913) 894-4422 Fax (913) 236-7446

CLIENT:

WESTRIDGE GARDENS
RAYTOWN, MISSOURI
11901 Jessica Lane, 64138

DRAWING NO.

14-143 revised

DATE

07.26.2016

SALESPERSON:

DICK ROBINSON

DESIGNER:

KEN ALBIN

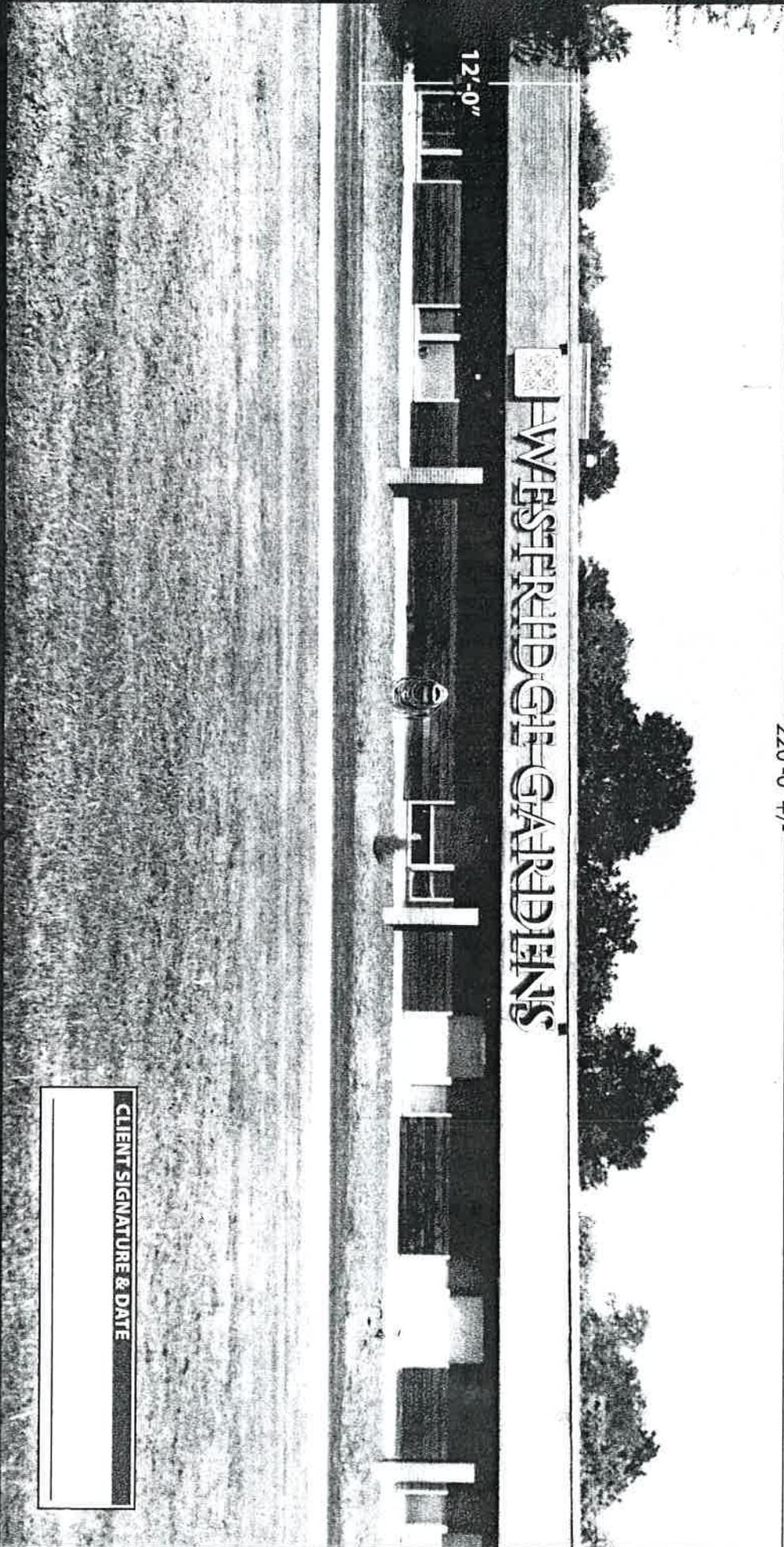
BUILDING ELEVATION

BUILDING ELEVATION

SCALE: 1/8" = 1'-0"

2640.0 SOFT OF FACADE

220'-0" +/-



THIS DESIGN IS THE SOLE PROPERTY OF HIGHTECH SIGNS AND CAN NOT BE USED IN WHOLE OR PART WITHOUT WRITTEN CONSENT

HIGHTECHSIGNS

SIGNS THAT MEAN BUSINESS

2538 Merriam Dr. Kansas City, KS 66110
Phone (913) 891-4422 Fax (913) 236-7446

CLIENT:

WESTRIDGE GARDENS
RAYTOWN, MISSOURI
11901 Jessica Lane, 64138

DRAWING NO.

14-143 revised

DATE

07.26.2016

SALESPERSON:

DICK ROBINSON

DESIGNER:

KEN ALBIN

CLIENT SIGNATURE & DATE

Blank box for client signature and date.

**BUILDING
ELEVATION**

NOTICE OF PUBLIC HEARING

Application: Request for a variance to allow a wall sign to be erected larger than the maximum square footage allowed in accordance with the sign regulations specified in Section 50-493 of the Code of Ordinances of the City of Raytown.

Location: 11901 Jessica Lane, Raytown, MO 64133

Notice is hereby given that the City of Raytown Board of Zoning Adjustment will hold a public hearing regarding the above-described application on Thursday, September 8, 2016 at 7:00 p.m., at Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.

The public is hereby invited to attend the public hearing and be heard.

Certified for publication this 22nd day of August 2016.



Development & Public Affairs Department
10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6014
www.raytown.mo.us

August 24, 2016

**Notice of Public Hearing
to be held by the
City of Raytown Board of Zoning Adjustment
On September 8, 2016 at 7:00 pm**

Notice is hereby given that the City of Raytown Board of Zoning Adjustment will hold a public hearing to consider an application for a variance to Request for a variance to allow a wall sign to be erected larger than the maximum square footage allowed in accordance with the sign regulations specified in Section 50-493 of the Code of Ordinances of the City of Raytown. The property to which the variance applies is located at 11901 Jessica Lane, in Raytown, MO and contains multi-family housing units.

The variance is being requested as the property owner is requesting to place a wall sign facing Highway 350 that is larger than the maximum allowed sixteen (16) square feet for residentially zoned properties.

The public hearing before the City of Raytown Board of Zoning Adjustment to consider the proposed application will be held on Thursday, September 8, 2016 at 7:00 p.m. in the Council Chambers at Raytown City Hall located at 10000 East 59th Street in Raytown, Missouri. You are invited to attend the public hearing to provide input and / or ask questions regarding the application.

If, prior to the public hearing on this application, you would like additional information regarding this application, you may contact the City of Raytown Development and Public affairs Department located in the Raytown City Hall at 10000 East 59th Street by e-mail at scottp@raytown.mo.us or by telephone at (816) 737-6011

Sincerely,

Scott Peterson
Permit Technician
City of Raytown

QUALITY PROPERTY LLC
17101 E KENTUCKY RD
INDEPENDENCE MO 64056

QUALITY PROPERTY LLC
17101 E KENTUCKY RD
INDEPENDENCE MO 64056

TA OPERATING LLC
255 WASHINGTON ST
NEWTON MA 2458

TI WESTRIDGE GARDENS LLC
11901 JESSICA LANE
RAYTOWN MO 64138

JESSICA ESTATES LP
5000 W 95TH ST STE 120
PRAIRIE VILLAGE KS 66207

DEAN DEVELOPMENT LLC
5000 W 95TH ST STE 120
PRAIRIE VILLAGE KS 66207

ARHC EMRAYMO01 LLC
7444 LONG AVE
SKOKIE IL 60077

RAYTOWN SENIORS APARTMENTS LP
3556 S CULPEPPER STE 7
SPRINGFIELD MO 65804

QUALITY PROPERTY LLC
17101 E KENTUCKY RD
INDEPENDENCE MO 64056

WESTRIDGE HOMES ASSOCIATION
8001 WESTRIDGE
RAYTOWN MO 64138

WESTRIDGE HOMES ASSOCIATION
8001 WESTRIDGE
RAYTOWN MO 64138

WESTRIDGE HOMES ASSOCIATION
8001 WESTRIDGE
RAYTOWN MO 64138

LOGUE SHARON R
8001 WESTRIDGE 102
RAYTOWN MO 64138

MAC ARTHUR KAREN M
8001 WESTRIDGE RD
RAYTOWN MO 64138

WINTER ARTHUR N & ANNIE E-TRUSTEES
6616 ENGLEWOOD AVE
RAYTOWN MO 64133

MARPLE VIRGINIA L
8001 WESTRIDGE RD UNIT 12
RAYTOWN MO 64138

WESTRIDGE HOMES ASSOCIATION
8001 WESTRIDGE
RAYTOWN MO 64138

VALVERDE CONNIE
8001 WESTRIDGE RD UNIT 24
RAYTOWN MO 64138

GILLILAND LOIS E
8001 WESTRIDGE RD UNIT 23
RAYTOWN MO 64138

WESTRIDGE HOMES ASSOCIATION
8001 WESTRIDGE
RAYTOWN MO 64138

STAFF REPORT

To: Board of Zoning Adjustment
From: Development and Public Affairs Department
Date: October 13, 2016
Subject: Agenda Item No. 6.B - Case No. BZA-2016-007: Appeal to Staff order to remove a nonconforming pole sign as per the sign regulations specified in Section 50-492 and Section 50-498 of the Code of Ordinances of the City of Raytown.

BACKGROUND

In March of 2016 the QuikTrip service station located at 9323 E 350 Highway closed in order for a new, larger store to be constructed in its place. The existing service station was demolished, as were neighboring buildings to the east that had been purchased by QuikTrip for an expansion of the site. The convenience store was out of business for a period of longer than 60 days, which eliminates the legal status of all nonconforming uses. As such, an existing pole sign on the property that predated the demolition and reconstruction of the convenience store was ordered by city staff to be removed; the pole sign is no longer a legal nonconforming use, and is now subject to Section 50-498 Subsection (2) which reads as follows:

“The lawful use of a sign existing on the effective date of the ordinance from which this chapter is derived, although such sign does not conform to the provisions hereof, may continue, but if such nonconforming sign is discontinued for a period of 60 days, any future use of such sign shall be in conformity with the provisions of these regulations.”

QuikTrip has appealed this decision on the grounds that the use has remained the same prior to and after construction, and that the convenience store has maintained active business and liquor licenses throughout the construction process. However, the test of whether the business has actually been in operation is whether any income has been derived from the business. No income was generated throughout the course of construction, which lasted longer than 60 days, and therefore the business was not active. Actual use of the business is the key element in determining whether the sign maintains its nonconforming status.



QuikTrip Pole Sign

The property is zoned (HC) Highway Commercial Corridor District and is located within the Highway 350 Corridor Design Standards Overlay District. Section 50-418 Applicability Subsection (c) of the Zoning Ordinance states:

“New Development. All of the provisions of the 350 Corridor Overlay Design Guidelines shall be applicable to the construction of a new building or structure on a vacant site...”

Since the buildings and structures on the site were demolished, this is new development even though it is for the same business that occupied the site prior to the demolition. Subsection 50-418 (d) (2) Commercial Development states:

“all of the provisions of the 350 Corridor Design Standards shall be applicable to new construction.”

“The Type amount and size of signage allowed on a property shall be in accordance with Article VIII of the Chapter.” Article VIII is the Sign Regulations and, the Highway Corridor Commercial District, like all districts in the City of Raytown, prohibits pole signs.

It must be emphasized that the objective of the sign ordinance is to gradually eliminate nonconforming pole signs over a period of time. So far, over 100 pole signs have been

eliminated in the City since the ordinance was adopted, many of them along Highway 350 where the applicant property is located. Section 50-80 states that the Board of Zoning Adjustment shall have the power:

“in passing upon appeals, where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this article, to vary or modify the application of any of the regulations or provisions of this article relating to the construction or alteration of buildings or structures so that the spirit of the article shall be observed, public safety and welfare secured and substantial justice done. The board shall not have the power to vary or modify the zoning regulations relating to the use of land.”

When considering the application, the Board should identify if there are practical difficulties or unnecessary hardships brought upon the applicant by removal of the existing pole sign that did not exist when other pole signs were required to be removed from other properties.

It should be pointed out that the applicant can legally construct a monument sign on the property that is no taller than 8 feet.

RECOMMENDATION

In summary, this is new development according to the zoning ordinance; new development is subject to the Highway 350 Corridor Design guidelines; The Design Guidelines require new development to meet the Sign Regulations outlined in Article VIII of the Code of Ordinances of the City of Raytown; the sign regulations prohibit pole signs in the City; The QuikTrip had not been in actual use for more than 60 days during the period of construction, causing the pole sign on the property to lose its legal nonconforming status; and, therefore, it is recommended that the Board uphold the decision of the City Staff and deny the pole sign to be allowed to remain on the property.



City of Raytown – Development and Public Affairs
10000 East 59th Street / Raytown, Missouri 64133 / (816) 737-6011

July 8, 2016

Dear Mr. Daniel Chambers,

After a more thorough review of the Zoning Ordinance, Staff has determined that the Board of Zoning Adjustment (BZA) does not have the authority to consider the variance for the new pole sign at the QuikTrip. Pole signs are not a permitted use in any zoning district in Raytown, see Section 50-492 District Sign Regulations Table of the Zoning Ordinance. The BZA cannot grant a use variance in accordance with Section 50-83 (a) Variances.

Your variance application and filing fee will be returned to you.

According to Section 50-498 Nonconforming Signs, the existing pole sign does not meet the criteria for a legal, nonconforming sign. The reason for this determination is the fact that the use of said site as a QuikTrip has been discontinued for a period of 60 days which includes the sign. Therefore, any future use of such sign shall be in conformity with the provisions of the zoning regulations.

According to Section 50-498 (2), the lawful use of a sign existing on the effective date of the ordinance from which this chapter is derived, although such sign does not conform to the provisions hereof, may continue, but if such nonconforming use is discontinued for a period of 60 days, any future use of such sign shall be in conformity with the provisions of these regulations.

You have the right to appeal this decision within 15 days of the receipt of this letter in accordance with Section 50-82 Appeals. You need to specify in writing the grounds or reason for the appeal and pay the appropriate filing fee. The application will then be advertised and scheduled for a BZA Meeting.

If you have any questions, please contact Scott Peterson or myself.

Sincerely,

Ray Haydaripoor
Acting Director of Development & Public Affairs
City of Raytown



July 20, 2016

Ray Haydripoor
Acting Director of Development & Public Affairs
10000 East 59th Street
Raytown, MO 64133

RE: Appeal of Sign Violation

Mr. Haydaripoor,

QuikTrip Corporation received your July 8, 2016 letter (the "Decision Letter") determining that QuikTrip's existing sign is not subject to the exemption for existing nonconforming signs. Please accept this letter as QuikTrip's notice of appeal of this decision and request to present our case in front of the BZA if needed.

Despite the conclusions of the Decision Letter, QuikTrip's sign has been and remains subject to the protections of Section 50-498 (Nonconforming Signs). QuikTrip's sign has been in continuous use since its erection for purposes of advertising the site of QuikTrip's business to its customers and potential customers. The established sign has continuously displayed the QuikTrip logo that is a major part of our branding. It advertises current and future services and products available to consumers under the QuikTrip brand name. The only change in use for the sign at the current time is that it does not currently display fuel prices, as no fueling options are presently available at the site while QuikTrip completes remodel work on the site. Further, the sign serves a continuing safety purpose. The topography of Hwy 350 impacts the visibility of QuikTrip's site. QuikTrip wants the traveling public to have optimum time to see the sign and make safe lane changes allowing safe ingress into the site.

As further evidence that QuikTrip has not discontinued use of the site, QuikTrip has maintained current City of Raytown business licenses with no interruption throughout the remodel process. Also, the State Liquor License has been kept current. Further, QuikTrip has kept an employee presence on-site throughout the remodel process. This has been witnessed by the Building Inspector, Mr. Andy Boyd.

QuikTrip would like to meet with Staff and discuss the issues further. This will also allow a path forward to be established.

Thank you for your time and help throughout this entire process.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Chambers".

Daniel Chambers
Real Estate Project Manager
(918) 615-7147
daniel.chambers@quiktrip.com

cc: Scott Peterson - City of Raytown

NOTICE OF PUBLIC HEARING

Application: Request for an appeal to allow a pole sign to remain as a legal non-conforming structure in accordance with the sign regulations specified in Section 50-492 and Section 50-498 of the Code of Ordinances of the City of Raytown.

Location: 9323 E. Highway 350, Raytown, MO 64133

Notice is hereby given that the City of Raytown Board of Zoning Adjustment will hold a public hearing regarding the above-described application on Thursday, September 8, 2016 at 7:00 p.m., at Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.

The public is hereby invited to attend the public hearing and be heard.

Certified for publication this 22nd day of August 2016.



Development & Public Affairs Department
10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6014
www.raytown.mo.us

April 25, 2016

**Notice of Public Hearing
to be held by the
City of Raytown Board of Zoning Adjustment**

Notice is hereby given that the City of Raytown Board of Zoning Adjustment will hold a public hearing to consider an application for a variance to allow a pole sign to remain as a legal non-conforming structure in accordance with the sign regulations specified in Section 50-492 and Section 50-498 of the Code of Ordinances of the City of Raytown.

The variance is being requested as the property owner is proposing to install a new sign cabinet for Quik Trip convenience store atop the existing pole sign structure as part of redevelopment of property located 9323 E. Highway 350.

The public hearing before the City of Raytown Board of Zoning Adjustment to consider the proposed application will be held on Thursday, May 12, 2016 at 7:00 p.m. in the Council Chambers at Raytown City Hall located at 10000 East 59th Street in Raytown, Missouri. You are invited to attend the public hearing to provide input and / or ask questions regarding the application.

If, prior to the public hearing on this application, you would like additional information regarding this application, you may contact the City of Raytown Development and Public affairs Department located in the Raytown City Hall at 10000 East 59th Street by e-mail at jbenson@raytown.mo.us or by telephone at (816) 737-6011

Sincerely,

John Benson, MPA, AICP
Director of Development & Public Affairs Department
City of Raytown

BZA QUICK TRIP

QUICKTRIP CORPORATION
PO BOX 3475
TULSA, OK 74101

HY VEE INC
5820 WESTOWN PARKWAY
WEST DES MOINE, IA 50266

VIRGINIA SMITH
12323 GRANADA
LEAWOOD, KS 66209

ROTTINGHAUS REAL ESTATE LLC
510 GILLETTE STREET
LA CROSSE, WI 54603

FIRST FEDERAL BANK
PO BOX 419194
KANSAS CITY, MO 64141

S & Z CORPORATION
12120 STATE LINE ROAD
LEAWOOD, KS 662019

FONTEINSTAD 7 LLC
9000 LEES SUMMIT ROAD
KANSAS CITY, MO 64139

CARLOS ANDINO
7200 OXFORD AVE
RAYTOWN, MO 64133

MARK YOUNG
7216 OXFORD AVE
RAYTOWN, MO 64133

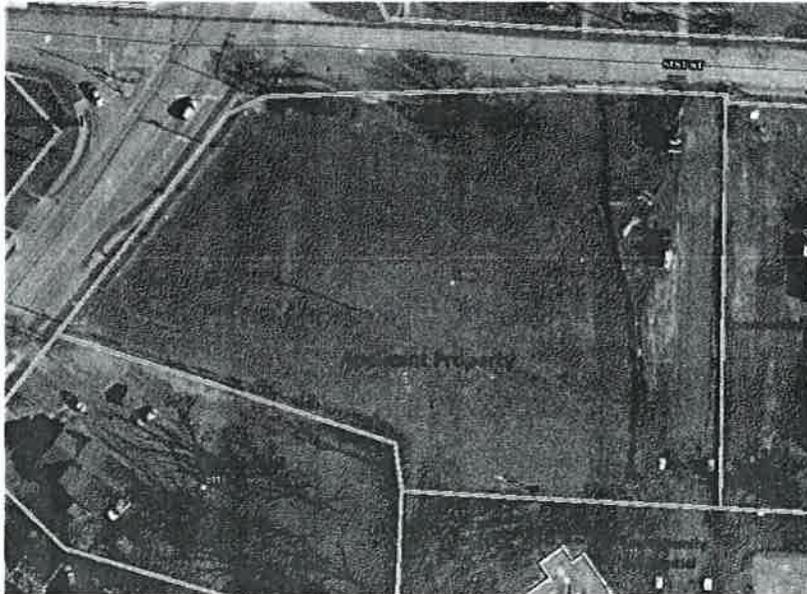
PETER CENCI
7950 SPRING VALLEY ROAD
RAYTOWN, MO 64138

STAFF REPORT

To: Board of Zoning Adjustment
From: Development and Public Affairs Department
Date: October 13, 2016
Subject: Agenda Item No. 6.C - Case No. BZA-2016-008: Variance to the minimum parking regulations for a retail establishment in the Neighborhood Commercial (NC) zoning district as specified in Section 50-539 of the Code of Ordinances of the City of Raytown

BACKGROUND

Dollar General is currently in the process of constructing a retail store located at 5105 Blue Ridge Boulevard. Permits were issued for the project for its construction. During the course of construction and review, it was determined that the proposed site did not meet the minimum standards as set forth in Section 50-539 of the Code of Ordinances of the City of Raytown. The store being constructed is set to be 7,500 square feet in floor area. Section 50-539 states that retail establishments must have one (1) parking space per 200 feet of floor area, meaning that the Dollar General is required to have a minimum of 38 parking spaces. Currently, the development only has thirty (30) proposed parking spaces, making the site eight (8) parking spaces short. Dollar General is requesting a variance so that they may keep the thirty (30) proposed spaces.



FACTORS TO CONSIDER

The Zoning Ordinance states that a request for a variance may be approved upon a finding that all of the following conditions have been met:

1. **Uniqueness:** *(The variance requested arises from such condition that is unique to the property in question and that is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or the applicant.)*

The property that the Dollar General store sits on does not have much more room for expansion. According to the applicant it would be difficult if not impossible to add eight more parking spaces to the project without encroaching upon landscape buffer requirements to the residential properties to the south of the property.

2. **Effects on Adjacent Properties:** *(The granting of the variance will not adversely affect the rights of adjacent property owners or residents.)*

According to the applicant, the variance will not impact any adjacent properties as the proposed variance will reduced the paved footprint of the project that is required by the zoning ordinance, meaning less overall stormwater runoff and more green space.

3. **Hardship:** *(The strict application of the provisions of these regulations of which the variance is requested will constitute an unnecessary hardship upon the property owner represented in the application.)*

According to the applicant denial of the variance will result in the applicant not being issued a certificate of occupancy. This will effectively render the new building unusable until the parking situation can be resolved. Furthermore, the applicant believes that they have no more room to add additional parking spaces, which are parking spaces they believe they do not need.

4. **Spirit and Intent:** *(The variance desired will not be opposed to the general spirit and intent of the zoning regulations and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.)*

According to the applicant, the proposed variance will not be contrary to the general spirit and intent of the zoning ordinance as the reduction of required parking spaces will add to greenspace and landscaping on the property, and will reduce the stormwater runoff and paved footprint of the site.

5. **Minimum Variance:** *(The amount or size of the variance requested is the minimum amount or size needed to achieve the purpose for which the variance is requested.)*

According to the applicant the variance is the minimum necessary as the application is requesting *fewer* parking spaces than is required by the zoning ordinance. Furthermore, the number of spaces proposed is based on standards provided by Dollar General that estimate the necessary number of spaces to operate the business.

POSSIBLE FINDINGS OF FACT

After considering the above factors, the Board will need to decide if the variance request should be:

- ◆ Approved,
- ◆ Approved with conditions, or
- ◆ Denied.

The following are two sets of POSSIBLE findings of fact based upon the information submitted as part of the application, which is contained in this staff report. The set of possible findings of fact provided in the middle column support the approval of the variance requested while the second set of possible findings provided in the column on the right side of the table below provide facts supporting denial of the variance request. The Board should accept a set of findings of fact they deem most appropriate for either approval or denial based upon the information provided in this staff report and at the public hearing. Please note, however, that in order to approve a variance, ALL of the factors described in the middle column must be met. If one or more of the findings in the middle column are not found to be true then the application cannot legally be approved. It should be noted, that the following possible findings of fact are solely based upon the information contained in this staff report. Additional information could be presented at the public hearing, which may alter the following findings of fact. If additional information is presented at the public hearing, which alters the findings contained below, the applicable set of findings of fact need to be modified at the meeting to reflect the additional information presented so that the Board may use it as a basis in making a decision on the variance application.

***It should also be noted that the Planning Commission recommended and the Board of Aldermen approved 31 parking spaces on the 63rd Street Dollar General Store in the approval of the final site plan.**

FACTORS	POSSIBLE FINDINGS OF FACT FOR APPROVAL OF THE REQUESTED VARIANCE	POSSIBLE FINDINGS OF FACT FOR DENIAL OF THE REQUESTED VARIANCE
<p><u>Uniqueness</u></p> <p><i>(The variance requested arises from such condition that is unique to the property in question, is not ordinarily found in the same zoning district and is not created by an action of the property owner / applicant).</i></p>	<p>The variance is unique as the property is a smaller commercial property and based on other Dollar General stores, the number of proposed parking spaces is adequate for that size store.</p>	<p>The variance is not unique as the applicant is creating the need for the variance through their desire to build a larger retail store than can be accommodated on the site and meet the parking requirements.</p>
<p><u>Effects on Adjacent Properties</u></p> <p><i>(The granting of the variance will not adversely affect the rights of adjacent property owners or residents.)</i></p>	<p>The variance will not impact any adjacent properties as the requested variance will limit the amount of developed space on the property.</p>	<p>If the variance is approved overflow of the parking lot could lead to parking on nearby residential streets.</p>

<p><u>Hardship</u></p> <p><i>(The strict application of the provisions of these regulations of which the variance is requested will constitute an unnecessary hardship upon the property owner represented in the application.)</i></p>	<p>Denial of the variance will result in the applicant not being able to be issued a certificate of occupancy for a building that is already under construction.</p>	<p>It is the duty of the developer to understand the laws of the City of Raytown, and issuance of a permit for a project in violation of the zoning code does not excuse the developer from following it.</p>
<p><u>Spirit and Intent of the Zoning Ordinance</u></p> <p><i>(The variance desired will not be opposed to the general spirit and intent of the zoning regulations and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.)</i></p>	<p>The proposed variance will not be contrary to the general spirit and intent of the zoning ordinance as it will not hinder neighboring properties, nor negatively affect the quality of the neighborhood. Furthermore, the proposed variance would reduce the paved footprint of the property, providing for more green space and less stormwater runoff.</p>	<p>The proposed variance will be contrary to the general spirit and intent of the zoning ordinance as the minimum parking requirements are provided to ensure safe and efficient vehicular traffic into and out of a commercial property.</p>
<p><u>Minimum Amount / Size of Variance Necessary</u></p> <p><i>(The amount or size of the variance requested is the minimum amount or size needed to achieve the purpose for which the variance is requested.)</i></p>	<p>The variance is the minimum necessary as there is no way to expand the site to accommodate for the additional parking. Also, the applicant believes they only need 30 spaces to operate their business efficiently.</p>	<p>The parking requirements of the zoning ordinance need to be met in order to accommodate any retail use that might occupy that building. The use of the building may change over time and on-site parking may be inadequate to accommodate a different use.</p>

NOTICE OF PUBLIC HEARING

Application: Request for a variance to allow a variance to the minimum parking regulations specified in Section 50-538 of the Code of Ordinances of the City of Raytown.

Location: 5105 Blue Ridge Boulevard, Raytown, MO 64133

Notice is hereby given that the City of Raytown Board of Zoning Adjustment will hold a public hearing regarding the above-described application on Thursday, October 13, 2016 at 7:00 p.m., at Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.

The public is hereby invited to attend the public hearing and be heard.

Certified for publication this 26th day of September, 2016.



Development & Public Affairs Department
 Building Inspections Division
 10000 E. 59th Street
 Raytown, MO 64133
 Office (816) 737-6011 Fax (816) 737-6164

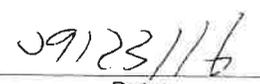
VARIANCE PERMIT

PERMIT #: 20161105	DATE ISSUED: 9/23/2016
	MUST COMMENCE BY: 9/23/2017
JOB ADDRESS: 5105 BLUE RIDGE BLVD	LOT #:
SUBDIVISION:	BLK #:
OWNER: DOLLAR GENERAL	CONTRACTOR: DOLLAR GENERAL
ADDRESS: 5105 BLUE RIDGE BLVD	ADDRESS: 5105 BLUE RIDGE BLVD
CITY, STATE ZIP: RAYTOWN MO 64133	CITY, STATE ZIP: RAYTOWN MO 64133
PHONE:	PHONE:
VALUATION: \$ 0.00	
SQ FT: 0.00	
OCCP TYPE:	
CNST TYPE:	
DESCRIPTION OF WORK: VARIANCE TO PARKING SPACE MINIMUMS	

FEE CODE	DESCRIPTION	AMOUNT
PZ-08	VARIANCE	\$ 250.00
TOTAL		\$ 250.00

- Inspection Information**
- All inspections require one working day (24 hours) advance notice.
 - Inspections must be scheduled and approved before covering any work.
 - APPROVED PLANS AND SITE PLAN MUST BE ONSITE FOR INSPECTIONS!

This permit is issued in reliance upon information submitted by the applicant. The Building Official may suspend or revoke a permit whenever the permit is issued in error, on the basis of incorrect information supplied, or in violation of the adopted code, city ordinance or regulations. This permit shall become null and void if the work authorized by this permit is suspended for a period of 180 days or is not commenced within 180 days. Approval of the plans or any inspections of this project shall not be construed as an approval of a violation of the codes or ordinances of the City of Raytown.

 Issued By: _____ Date: 09/23/16 Applicant: _____ Date: _____

Case Number: _____

Date Received: _____

Fee Paid: _____

***CITY OF RAYTOWN
APPLICATION TO BOARD OF ZONING ADJUSTMENT
FILING FEE \$250.00***

1. I hereby apply for:

_____ Appeal from an administrative decision

X Variance from any specific requirement

(Specify Section) Section 50-539

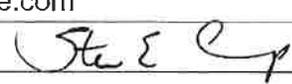
2. Name of Property Owner (as appears on deed): _____

Raytown (Blue Ridge) DG, LLC

3. Phone Number: 205-968-9220

4. Address of Property Owner: 361 Summit Blvd, Suite 110,
 Birmingham, AL 35243

5. Email: scamp@cgpre.com

6. Signature of Owner:  , MANAGER

7. I appoint the following person as my agent during consideration of my request.

Name: Hilary Zerr at Davidson Architecture & Engineering

Phone: 913-652-6230

Address 4301 Indian Creek Pkwy. Overland Park KS 66214

8. The property to which this application applies is located at: _____

Blue Ridge Blvd. & 51st Street.

Approximate Address (If address is currently unassigned): _____

5105 Blue Ridge Blvd. Raytown, MO

9. Deed with Legal Description: (Please attach separate sheet).

For each of the following questions, please attach additional sheets if necessary.

10. Please describe what you wish to do that the Zoning Ordinance prohibits: _____

There are 38 parking spaces required for this site
and only 30 are being provided.

11. The proposed variance (or exception) would not be contrary to public health, safety and the public interest because: _____

The provided 30 spaces are more than adequate per
Dollar General's historical data for their stores. The
lower amount of parking does not affect the public's
health, safety, or their best interest because there is
still plenty of room to park.

12. The literal enforcement of the zoning regulations will result in the following unnecessary hardships: _____

The area of the site makes it hard to fit 8 more spaces
due to size. If the spaces were added we would lose
more green space on the site and the detention basin
would not be possible; causing stormwater runoff to be
an issue. There would also be less landscaping area on
the site which is a requirement also.

13. The following condition(s), which were not created by the owner's actions, are unique to this parcel and are not commonly found on parcels used in similar ways:

There are less parking stalls provided.

14. The proposed development or variance would not adversely affect the rights of adjacent property owners because: _____

The provided 30 spaces are more than adequate for the store and was previously approved by Director of Community Development, John Benson.

15. The proposed development would not be contrary to the general spirit and intent of the zoning ordinance because: _____

Providing fewer spaces will not be contrary to the spirit or intent of the zoning ordinance.

16. The variance (or exception) requested is the minimum needed to make possible the reasonable use of the land or structure because: _____

It will not be possible to add 8 parking stalls to this site because of the size of the lot. The additional parking stalls will be in excess of what Dollar General will need.

I understand that in filing my application with the City of Raytown I am responsible for paying the costs incurred in the processing of my application and agree to pay the City of Raytown for such costs, which include but are not limited to the following:

- Postage
- Published notice in the newspaper

I further understand these costs are estimates. In the event the legal costs exceed the amount paid, payment for the additional charges will be required prior to further departmental action on my case.

CHECKLIST FOR
BOARD OF ZONING ADJUSTMENT

Date Completed

_____ APPLICATION FEE AND LEGAL NOTICE FEE TOTALING \$250

_____ WRITTEN AND SIGNED CERTIFICATION FROM COUNTY TREASURER
THAT ALL PROPERTY TAXES FOR THE PARCEL HAVE BEEN PAID IS
ATTACHED.

_____ WRITTEN AND SIGNED CERTIFICATION FROM THE CITY FINANCE
DEPARTMENT THAT ALL OCCUPATIONATIONAL LICENSES FOR THE
PARCEL ARE CURRENT IS ATTACHED.

_____ COPY OF DEED WITH EXACT LEGAL DESCRIPTION IS PROVIDED.

_____ SITE PLAN DEPICTING LAND ASSOCIATED WITH THE REQUEST.

A sketch plan, drawn to scale, showing the location and exterior dimensions of all existing and proposed structures, yard improvements, landscaping, off street parking areas, driveways, signs, all required setback, and right-of-ways, traffic, pedestrian walks and areas, storm water drainage facilities and exterior lighting fixtures in relation to parcel boundaries and adjacent right-of-ways and location of public utilities.

_____ IF SIGN, DRAWING ILLUSTRATING THE PROPOSED SIGN.



**ELECTRONICALLY RECORDED
JACKSON COUNTY, MISSOURI**

09/29/2015 02:44:09 PM

WD FEE: \$ 30.00 4 Pages

**INSTRUMENT NUMBER:
2015E0088017**

01-15023964-03R (Space Above This Line For Recording Data)
AFTER RECORDING RETURN TO:
OLD REPUBLIC TITLE
ATTN: POST CLOSING
530 SOUTH MAIN STREET
SUITE 1031
AKRON, OH 44311
866-235-4326

RECORDING COVERSHEET MISSOURI

Title of Document: Warranty Deed
Date of Document: 09/03/2015
Name of Grantor/Assignor: H.T. Paul Company, Inc.
Address of Grantor/Assignor: P.O. Box 5318, Topeka, KS 66605
Name of Grantee/Assignee: Raytown (Blue Ridge) DG, LLC
Address of Grantee/Assignee: 361 Summit Boulevard, Suite 110, Birmingham, AL 35243
Legal Description: See Exhibit A for Legal Description
Document No. Reference: 2003I0006222

WHEN RECORDED RETURN TO:
OLD REPUBLIC TITLE
ATTN: POST CLOSING
530 SOUTH MAIN STREET
SUITE 1031
AKRON, OH 44311
#15023964 MMZ

AFTER RECORDING RETURN TO:
~~RAYTOWN (BLUE RIDGE) DG, LLC
361 SUMMIT BOULEVARD, SUITE 110
BIRMINGHAM, AL 35243
File No. 01-15023964-02E~~

MAIL TAX STATEMENTS TO:
RAYTOWN (BLUE RIDGE) DG, LLC
361 SUMMIT BOULEVARD, SUITE 110
BIRMINGHAM, AL 35243

Tax ID No.: 33-920-03-04-01-0-00-000

WARRANTY DEED

FOR VALUABLE CONSIDERATION, in the amount of TWO HUNDRED SIXTY THOUSAND AND 00/100 DOLLARS (\$260,000.00), cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, the undersigned, **H. T. PAUL COMPANY, INC., A KANSAS CORPORATION**, a mailing address of P.O. Box 5318, Topeka, Kansas 66605 ("Grantor"), has GRANTED, SOLD, and CONVEYED and by these presents does GRANT, BARGAIN, SELL and CONVEY to **RAYTOWN (BLUE RIDGE) DG, LLC, A DELAWARE LIMITED LIABILITY COMPANY**, a mailing address of 361 Summit Boulevard, Suite 110, Birmingham, Alabama 35243 ("Grantee"), all right, title, interest and claim to the following real property in the County of Jackson, State of Missouri, with the following legal description (the "Property"):

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

Prior instrument reference: Instrument Number 2003I0006222, Recorded: 01/16/2003

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the Property unto the Grantee, Grantee's heirs, administrators, executors, successors and/or assigns forever IN FEE SIMPLE; so that neither Grantor nor Grantor's heirs, administrators, executors, successors and/or assigns shall have, claim or demand any right or title to the Property, premises or appurtenances or any part thereof.

Grantor further WARRANTS TITLE and agrees to FOREVER DEFEND all and singular the Property unto Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against all persons claiming by, through, or under the Grantor, but against none other.

Tax ID No.: 33-920-03-04-01-0-00-000

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal on this 3rd day of Sept. 2015.

H. T. PAUL COMPANY, INC., A KANSAS CORPORATION

BY: [Signature]
PRINT NAME: Howard T. Paul
TITLE: President

STATE OF Kansas
COUNTY OF Shawnee

In the State of Kansas, County of Shawnee, on this 3rd day of September, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Howard T. Paul, who did say that (s)he is President of the above Entity, known to me to be the person who executed the within deed on behalf of said entity and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Angela Shields
Notary Public

(N.P. Seal)



Angela Shields
Printed Name
My Term Expires 8-7-2019

No title search was performed on the subject property by the preparer. The preparer of this deed makes neither representation as to the status of the title nor property use or any zoning regulations concerning described property herein conveyed nor any matter except the validity of the form of this instrument. Information herein was provided to preparer by Grantor/Grantee and/or their agents; no boundary survey was made by preparer at the time of this conveyance.

EXHIBIT A
LEGAL DESCRIPTION

SITUATED IN THE COUNTY OF JACKSON, STATE OF MISSOURI, DESCRIBED AS FOLLOWS:

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 49 NORTH, RANGE 32 WEST, IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, CHAPEL HEIGHTS, A SUBDIVISION IN SAID CITY; THENCE COINCIDENT WITH THE WEST LINE OF SAID LOT 1, SOUTH 02°07'17" WEST, 267.00 FEET TO THE SOUTHWEST CORNER THEREOF, SAID POINT ALSO BEING ON THE NORTH LINE OF LOT 1, WILLOW BEND VILLAS, A SUBDIVISION IN SAID CITY; THENCE COINCIDENT WITH SAID NORTH LINE, NORTH 87°00'29" WEST, 213.00 FEET TO THE NORTHWEST CORNER THEREOF, SAID POINT ALSO BEING ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE COINCIDENT WITH SAID WEST LINE, NORTH 02°07'18" EAST, 34.04 FEET; THENCE DEPARTING SAID WEST LINE, NORTH 73°20'42" WEST, 237.50 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BLUE RIDGE BOULEVARD AS DESCRIBED IN A WARRANTY DEED RECORDED JANUARY 16, 2003 AS INSTRUMENT NUMBER 200310006222, AT THE JACKSON COUNTY, MISSOURI RECORDER OF DEEDS; THENCE COINCIDENT WITH SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, NORTH 38°32'13" EAST, 64.16 FEET; THENCE NORTHEASTERLY, CONTINUING ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,186.28 FEET, FOR A DISTANCE OF 147.11 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 51ST STREET AS DESCRIBED IN SAID WARRANTY DEED; THENCE COINCIDENT WITH SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 86°59'47" EAST, 325.05 FEET TO THE POINT OF BEGINNING, CONTAINING 93,047 SQUARE FEET, OR 2.136 ACRES, MORE OR LESS, LESS THAT PART IN EXISTING ROAD RIGHT OF WAY.

TAX I.D. NUMBER: 33-920-03-04-01-0-00-000

PROPERTY COMMONLY KNOWN AS: 5105 BLUE RIDGE BOULEVARD, RAYTOWN, MISSOURI 64133

01-15023964-03R (Space Above This Line For Recording Data)
AFTER RECORDING RETURN TO:
OLD REPUBLIC TITLE
ATTN: POST CLOSING
530 SOUTH MAIN STREET
SUITE 1031
AKRON, OH 44311
866-235-4326

**RECORDING COVERSHEET
MISSOURI**

Title of Document: Warranty Deed
Date of Document: 09/03/2015
Name of Grantor/Assignor: H.T. Paul Company, Inc.
Address of Grantor/Assignor: P.O. Box 5318, Topeka, KS 66605
Name of Grantee/Assignee: Raytown (Blue Ridge) DG, LLC
Address of Grantee/Assignee: 361 Summit Boulevard, Suite 110, Birmingham, AL 35243
Legal Description: See Exhibit A for Legal Description
Document No. Reference: 2003I0006222

WHEN RECORDED RETURN TO:
OLD REPUBLIC TITLE
ATTN: POST CLOSING
530 SOUTH MAIN STREET
SUITE 1031
AKRON, OH 44311
#15023964 N112

~~AFTER RECORDING RETURN TO:
RAYTOWN (BLUE RIDGE) DG, LLC
361 SUMMIT BOULEVARD, SUITE 110
BIRMINGHAM, AL 35243
File No. 01-15023964-02E~~

MAIL TAX STATEMENTS TO:
RAYTOWN (BLUE RIDGE) DG, LLC
361 SUMMIT BOULEVARD, SUITE 110
BIRMINGHAM, AL 35243

Tax ID No.: 33-920-03-04-01-0-00-000

WARRANTY DEED

FOR VALUABLE CONSIDERATION, in the amount of TWO HUNDRED SIXTY THOUSAND AND 00/100 DOLLARS (\$260,000.00), cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, the undersigned, **H. T. PAUL COMPANY, INC., A KANSAS CORPORATION**, a mailing address of P.O. Box 5318, Topeka, Kansas 66605 ("Grantor"), has GRANTED, SOLD, and CONVEYED and by these presents does GRANT, BARGAIN, SELL and CONVEY to **RAYTOWN (BLUE RIDGE) DG, LLC, A DELAWARE LIMITED LIABILITY COMPANY**, a mailing address of 361 Summit Boulevard, Suite 110, Birmingham, Alabama 35243 ("Grantee"), all right, title, interest and claim to the following real property in the County of Jackson, State of Missouri, with the following legal description (the "Property"):

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Grantor further WARRANTS TITLE and agrees to FOREVER DEFEND all and singular the Property unto Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against all persons claiming by, through, or under the Grantor, but against none other.

Tax ID No.: 33-920-03-04-01-0-00-000

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal on this 3rd day of Sept., 2015.

H. T. PAUL COMPANY, INC., A KANSAS CORPORATION

BY: [Signature]
PRINT NAME: Howard T. Paul
TITLE: President

STATE OF Kansas
COUNTY OF Shawnee

In the State of Kansas, County of Shawnee, on this 3rd day of September, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Howard T. Paul, who did say that (s)he is President of the above Entity, known to me to be the person who executed the within deed on behalf of said entity and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Angela Shields
Notary Public

(N.P. Seal)



Angela Shields
Printed Name
My Term Expires 8-7-2019

No title search was performed on the subject property by the preparer. The preparer of this deed makes neither representation as to the status of the title nor property use or any zoning regulations concerning described property herein conveyed nor any matter except the validity of the form of this instrument. Information herein was provided to preparer by Grantor/Grantee and/or their agents; no boundary survey was made by preparer at the time of this conveyance.

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LEGAL DESCRIPTION

SITUATED IN THE COUNTY OF JACKSON, STATE OF MISSOURI, DESCRIBED AS FOLLOWS:

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TAX I.D. NUMBER: 33-920-03-04-01-0-00-000

PROPERTY COMMONLY KNOWN AS: 5105 BLUE RIDGE BOULEVARD, RAYTOWN, MISSOURI 64133

REAL PROPERTY CERTIFICATE OF VALUE - JACKSON COUNTY, MISSOURI

(REQUIRED TO BE FILED WITH DEED AT TIME OF RECORDING)

Please type or print all information. This form must be prepared by the Buyer or his/her Representative.

Grantor's (Seller) Name: H.T. PAUL COMPANY, INC.

Grantee's (Buyer) Name: RAYTOWN (BLUE RIDGE)
DG, LLC

Address of Property: 5105 BLUE RIDGE BLVD.
RAYTOWN, MO 64133

Grantee's address, if different from above: 361 SUMMIT
BLVD, SUITE 110, BIRMINGHAM, AL 35243

Parcel ID Number: 33-920-03-04-01-0-00-000

**FOR OFFICE USE ONLY
DO NOT WRITE IN THIS SPACE**

- 1. Is this newly constructed residential property? YES Date occupied: ___/___/___ NO
- 2. Is this vacant land? YES NO
- 3. Intended use of property: Present Use Renovation New Development / Construction Other
- 4. Check if the transaction transfers property in any of the following ways:

<input type="checkbox"/> sale for delinquent taxes	<input type="checkbox"/> by deed pursuant to merger, consolidation, sale or transfer of substantially all of the assets of a corporation.
<input type="checkbox"/> sale of cemetery lot	<input type="checkbox"/> by deed as a part of the contribution to the capital of a corporation, partnership, limited liability company, or other similar entity.
<input type="checkbox"/> lease or transfer of severed mineral interests	<input type="checkbox"/> by deed executed by personal representative to convey to devisees or heirs property passing by testate or intestate succession
<input type="checkbox"/> by order of any court	<input type="checkbox"/> by deed which conveys property held in name of any partnership, not a family, to any partner or his or her spouse.
<input type="checkbox"/> by executory contract for deed	<input type="checkbox"/> by deed which is a gift of property.
<input type="checkbox"/> by lease or easement	<input type="checkbox"/> by deed between family members, or to or from a family corporation, partnership, or trust for the benefit of a family member, for no consideration.
<input type="checkbox"/> to or from the United States, the State of Missouri, or any agency, or political subdivision thereof.	
<input type="checkbox"/> for purpose of confirming, correcting, modifying, or supplementing a previously recorded deed, without additional consideration	
<input type="checkbox"/> solely for the purpose of releasing security for a debt or other obligation	
<input type="checkbox"/> by deed of partition	
<input type="checkbox"/> by deed where no money or other valuable consideration is given for the transfer.	

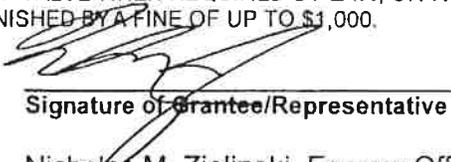
IF ANY OF THE ABOVE ITEMS IN THE SHADED BOX ARE CHECKED, PLEASE PROCEED TO #11 BELOW

- 5. Total Sales Price (including all assumed mortgages and liens): \$ 260,000.00
Points were paid by: SELLER BUYER NONE
- 6. Was there new financing? YES NO. Did financing concessions affect sales price? YES NO
- 7. Is this deed part of a trade? YES NO
- 8. Was any personal property included in the sale price? (For example: furniture, equipment, machinery, livestock, crops, business franchise or inventory... etc.) YES NO
Please describe: _____
- 9. Was this transaction at arm's length? YES NO
(An arm's length transaction is one between unrelated parties under no duress.)
- 10. If you believe this transaction does not represent market value, please attach any additional information that you want the county assessor to consider.
- 11. I certify, under penalties of law, that this statement has been examined by me and, to the best of my knowledge and belief, is a true, correct and complete statement.

ANY PERSON WHO FAILS TO FILE A COMPLETED CERTIFICATE OF VALUE WHEN REQUIRED BY LAW, OR WHO KNOWINGLY FILES A FALSE CERTIFICATE, MAY BE PUNISHED BY A FINE OF UP TO \$3,000.

For assistance in filing this form,
Call the Assessor's Office at (816) 881-3530
415 E. 12th St., Suite 100M
Kansas City, MO 64106-2752

9-5-15
Date


Signature of Grantee/Representative

Nicholas M. Zielinski, Escrow Officer
Print Name and Position

NOTICE OF PUBLIC HEARING

Application: Request for a variance to allow a variance to the minimum parking regulations specified in Section 50-538 of the Code of Ordinances of the City of Raytown.

Location: 5105 Blue Ridge Boulevard, Raytown, MO 64133

Notice is hereby given that the City of Raytown Board of Zoning Adjustment will hold a public hearing regarding the above-described application on Thursday, October 13, 2016 at 7:00 p.m., at Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri.

The public is hereby invited to attend the public hearing and be heard.

Certified for publication this 26th day of September, 2016.



Development & Public Affairs Department
10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6014
www.raytown.mo.us

September 28, 2016

**Notice of Public Hearing
to be held by the
City of Raytown Board of Zoning Adjustment
On October 13, 2016 at 7:00 pm**

Notice is hereby given that the City of Raytown Board of Zoning Adjustment will hold a public hearing to consider an application for a variance to the minimum parking regulations for a retail establishment as specified in Section 50-538 of the Code of Ordinances of the City of Raytown. The property to which the variance applies is located at 5105 Blue Ridge Boulevard in Raytown, MO and is currently under construction for a Dollar General retail store.

The variance is being requested as the property owner is requesting that the property be allowed to have fewer minimum parking spaces than is required under the zoning ordinance of the City of Raytown.

The public hearing before the City of Raytown Board of Zoning Adjustment to consider the proposed application will be held on Thursday, October 13, 2016 at 7:00 p.m. in the Council Chambers at Raytown City Hall located at 10000 East 59th Street in Raytown, Missouri. You are invited to attend the public hearing to provide input and / or ask questions regarding the application.

If, prior to the public hearing on this application, you would like additional information regarding this application, you may contact the City of Raytown Development and Public affairs Department located in the Raytown City Hall at 10000 East 59th Street by e-mail at scottp@raytown.mo.us or by telephone at (816) 737-6011

Sincerely,

Scott Peterson
Permit Technician
City of Raytown

GARRISON HOLDINGS LLC
5100 BLUE RIDGE BLVD
KANSAS CITY MO 64133

MURPHY MICHAEL P & CYNTHIA L
5115 BLUE RIDGE BLVD
RAYTOWN MO 64133

BURFORD PAUL D & JANET L
5110 BLUE RIDGE BLVD
RAYTOWN MO 64133

SHARIM DISTRIBUTION INC
1115 W HAYWARD AVE
INDEPENDENCE MO 64052

WALTERS INVESTMENTS LLC
4406 CAMBRIDGE CRT
INDEPENDENCE MO 64055

BLUE RIDGE BLVD UNITED METHODIST
CH
5055 BLUE RIDGE BLVD
KANSAS CITY MO 64133

BLUE RIDGE BOULEVARD UNITED
5055 BLUE RIDGE BLVD
KANSAS CITY MO 64133

BLUE RIDGE BLVD UNITED METHODIST
CHURCH
5055 BLUE RIDGE BLVD
KANSAS CITY MO 64133

RAYTOWN (BLUE RIDGE) DG LLC
361 SUMMIT BLVD STE 110
BIRMINGHAM AL 35243

FEATHERSTONE CHARLES K &
CONSTANCE M-TR
5123 BLUE RIDGE BLVD
RAYTOWN MO 64133

DEL VALLE KIMBERLY K TRUSTEE &
12017 E 51ST ST
RAYTOWN MO 64133

BLUE RIDGE METHODIST CHURCH
5055 BLUE RIDGE BLVD
KANSAS CITY MO 64133

WILLOW BEND VILLAS LLC
3540 NE RALPH POWELL RD
LEES SUMMIT MO 64064