

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

December 8, 2022  
7:00 P.M.

Raytown City Hall  
10000 East 59<sup>th</sup> Street  
Raytown, MO 64133

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1. **Open Meeting**
2. **Roll Call**
3. **Approval of Meeting Minutes** – May 12, 2022, Meeting and July 14, 2022, Meeting. There was no Quorum for the June 9, 2022, Meeting.
4. **Old Business:**
  - A. **Case #:** BZA 2022-03  
(Relief Granted by BZA on July 14, 2022 with Conditions)  
**Location:** 10402 E. 350 Highway  
**Request:** Request for Additional Time to Complete Part of One Condition  
**Applicant:** Pamela Pierce (on behalf of Big A's Lawn and Snow Removal)  
**Property Owner:** Pamela Pierce
5. **New Business:**
  - A. **Case #:** BZA 2022-04  
**Location:** 5614/5616 Raytown Road  
**Request:** Appeal of an Administrative Decision by the Director of Community Development that the Subject Property Has lost Legal Non-Conforming Status and can only be used for Permitted or Conditional Uses Allowed in the NC, Neighborhood Commercial District  
**Applicant:** McDonald Metro Properties, LLC  
**Property Owner:** Brad McDonald, McDonald Metro Properties, LLC
6. **Other Business: None**
7. **Set Tentative Future Meeting Date** – Next regularly scheduled Meeting date is January 12, 2023, and one variance case is pending for that date.
8. **Adjourn**

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

July 14, 2022  
7:00 P.M.

Raytown City Hall  
10000 East 59<sup>th</sup> Street  
Raytown, MO 64133

---

**MEETING**

**1. Open Meeting**

*Chairman Riehle called the meeting to order at 7:00 PM.*

**2. Roll Call**

*Apprill Present*

*Cook Absent*

*Wilson (Alt.) Absent*

*McDaniel Absent*

*Riehle Present*

*Tush (Alt) Present*

*Robert Walker Present*

**3. Approval of Previous Meeting Minutes** – postponed to next meeting by acclamation due to so many members being absent.

**4. Old Business** – None.

**5. Election of Chairperson and Vice-Chairperson.**

**Nominated for Chairperson: Pat Riehle**

A. Motion: Apprill

B. Second: Walker

C. Vote: Passed 4-0

**Nominated for Vice-Chairperson: James Cook**

- A. Motion: Riehle
- B. Second: Aprill
- C. Vote: Passed 4-0

**6. New Business:**

**A. Case #: BZA 2022-02**

**Location: 8900 E. 350 Highway**

**Request:** Variance from Raytown Municipal Code Section 50-208 to reduce the minimum front yard setback adjacent to 69<sup>th</sup> Street from 25 feet to 8 feet to accommodate a commercial addition to the existing convenience store structure.

**Applicant:** Riad Baghdadi

**Property Owner:** Farah Impex Corporation

Chairman Riehle opened the public hearing and introduced the case.

1. Swearing in of any person who may wish to speak for or against the application

*Performed by City Counsel of all persons wishing to testify.*

2. Explanation of any exparte' communication from Board of Zoning Adjustment members regarding the application.

*None.*

3. Entering of exhibits into the record:

*Chairman Riehle introduced the staff report and its attachments into the record.*

4. Introduction of application by staff.

*Chris Gilbert, planning & Zoning Coordinator, presented the staff report for the case and reviewed the requested variance in detail.*

5. Presentation of variance application by applicant

*Walid El Khoumssi presented the application to the Board on behalf of the applicant.*

6. Request for public comment

*There were no comments from the public.*

7. Rebuttal, if necessary, by the applicant.

*None.*

8. Summary of additional information by staff  
*Mr. Gilbert provided the recommendation that the variance be granted as requested.*

9. Board discussion  
*Board discussion on the merits of the application.*

10. Close public hearing  
*Chairman Riehle closed the public hearing.*

11. Board decision to approve, conditionally approve or deny the application:

**a) Motion – Aprill**

**b) Second – Walker**

**c) Additional Board Discussion – None**

**d) Vote – Motion carried 4-0. Variance request was approved.**

**B. Case #: BZA 2022-03**

**Location: 10402 E. 350 Highway**

**Request:** Appeal of an Administrative Decision by the Acting Director of Community Development that the property can no longer be used as a contractor's office and storage yard as the 6-month legal non-conformity continuation window passed without a valid business license being in effect.

**Applicant:** Pamela Pierce

**Property Owner:** Pamela Pierce

Chairman Riehle opened the public hearing and introduced the case.

1. Swearing in of any person who may wish to speak for or against the application

*Performed by City Counsel of all persons wishing to testify.*

2. Explanation of any exparte' communication from Board of Zoning Adjustment members regarding the application.

*None.*

3. Entering of exhibits into the record:

*Chairman Riehle introduced the staff report and its attachments into the record.*

4. Introduction of application by staff.

*Chris Gilbert, planning & Zoning Coordinator, presented the staff report for the case and reviewed the reasons for informing the applicant the property had lost its legal non-conforming status.*

**5. Presentation of appeal application by applicant**  
*The property owner, Pamela Pierce, and the business owner that was conducting the lawn and snow removal business without a license provided testimony regarding the application.*

**6. Request for public comment**  
*There were no comments from the public.*

**7. Rebuttal, if necessary, by the applicant.**  
*None.*

**8. Summary of additional information by staff**  
*Mr. Gilbert provided the recommendation that staff stands by the finding that legal non-conforming status on the property was lost but does not oppose the BZA considering granting of relief in the case, and if they do, a number of conditions of approval were recommended.*

**9. Board discussion**  
*Board discussion on the merits of the application.*

**10. Close public hearing**  
*Chairman Riehle closed the public hearing.*

**11. Board decision to approve, conditionally approve or deny the application:**

**e) Motion – Walker**

**f) Second – Tush**

**g) Additional Board Discussion – None**

**h) Vote – Motion carried 4-0. Variance request was approved.**

**6. Other Business – None.**

**A. BZA Annual Meeting and Briefings for 2022.**

Jennifer Baird and Chris Gilbert presented briefings to the BZA regarding variance procedures and legal considerations.

**7. Set Tentative Future Meeting Date** – Chris Gilbert stated August 11, 2022, was the next scheduled meeting date but no cases have yet been filed for it.

**8. Adjourn** – Meeting was adjourned by acclamation at 9:13 P.M.

# Board of Zoning Adjustment Meeting

July 14, 2022

SIGN-IN SHEET

PLEASE PRINT LEGIBLY

Name	Mailing Address (Include City, State & Zip Code)	Daytime Phone #	Evening Phone #	E-Mail Address
Pamela Pierce	1301 SW Ryke Ln. 64082	816-885-2321		iamthepam@icloud.com
ANTHONY DAVIS	2308 S.W. FEATHER RIDGE RD. 64082	1.5.MC.64082	(816) 580-7108	biggs.lunnam@sprw.com
WAHID ELKHOLMSSI	11661 College Blvd. OP.	(913) 603 5546	(913) 603 5546	K.C. ELKHO.COM wad_baghdad@yahoo.com



**BZA CASE 2022-03, 10402 E. 350 HIGHWAY APPEAL UPDATE**

To: City of Raytown Board of Zoning Adjustment

From: Chris Gilbert, Planning & Zoning Coordinator

Date: December 8, 2020

Re: Request for Additional Time for Completion of Fencing Requirement

**SUMMARY**

The attached approval letter to Pamela Pierce, the appellant in this case was sent to the applicant on July 19, 2022, containing a number of conditions of approval in conjunction with the granting of relief pursuant to the appeal. The applicant believed the conditions could all be met by the deadline date of October 31, 2022. They were not able to meet the deadline for completing the screening requirement that is part of Condition #3 and requested additional time for this one item. Staff is agreeable to an extension to June 30, 2023, should the BZA agree.

**RECOMMENDATION**

Recognizing that the appellant has made substantial efforts to comply with the conditions the BZA applied pursuant to the granting of relief in this case, staff recommends the Board of Zoning Adjustment permit extra time through June 30, 2023, to complete the screening portion of Condition #3 noted on the letter of approval dated July 19, 2022.



Community Development Department

10000 E 59<sup>th</sup> Street

Raytown, MO 64133-3993

Phone: 816-737-6014 Fax: 816-737-6164

July 19, 2022

Ms. Pierce:

Your appeal of Acting Director of Community Development Missy Wilson's May 2, 2022, letter directing that activities related to the operation of Big A's Lawn and Snow Removal contractor's business cease immediately on property you own located at 10402 E. 350 Highway in Raytown has been heard and acted upon by the Raytown Board of Zoning Adjustment. The original determination in the letter ordering activity to cease was made based upon expiration of the 6-month non-conformity continuation period between the departure of Taylor Mechanical from the property and the period's expiration prior to the issuance of a valid business license for Big A's Lawn and Snow Removal.

In exercising its powers, the Board of Zoning Adjustment, in conformity with the provisions of Municipal Code Section 50-86, voted on Case BZA 2022-03, following a full public hearing process held on July 14, 2022, with 4 in favor and 0 against to reverse the determination made by the Director of Community Development. The 30-day appeal window is now in effect, so the variance status won't be final until this window closes and no appeals have been filed with Jackson County Circuit Court challenging the decision that was rendered.

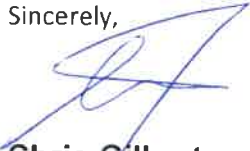
The Board is also granted authority to attach appropriate conditions per Section 50-86 of the Raytown Municipal Code and in voting to reverse the Director's determination, also accepted the conditions recommended by staff in the public hearing staff report and as enumerated below. The Board also established a completion deadline of October 31, 2022, for all the listed site improvements to be completed. Please note that some of the conditions, particularly those regarding parking of vehicles and screening of the dumpster are ongoing requirements.

1. All continued use of the property for Big A's Lawn and Snow Removal shall only be valid for so long as the business continues to operate with a valid business license. Thereafter the property shall only be used in its entirety in conformance with the requirements of the HC, Highway Commercial District.
2. Failure to renew the business license for Big A's Lawn and Snow Removal within 60 days following expiration of the license to operate shall constitute violation of these Conditions of Approval and thereby loss of ability to continue operating Big A's Lawn and Snow Removal at 10402 E. 350 Hwy.
3. All vehicles related to Big A's Lawn and Snow Removal shall be stored only within the existing fenced storage area. This storage area shall be screened in a manner to match the 350 Highway facing portion, and extended all the way around the enclosure including the gates.
4. The driveway access off of 75<sup>th</sup> Street shall be fully repaired and resealed from 75<sup>th</sup> Street to the enclosure gate and the vegetation trimmed back to present a proper and safe view in both

directions along 75<sup>th</sup> Street. Acquire any necessary permits from City Staff prior to commencing paving work.

5. Either install a fully screened dumpster enclosure or store the dumpster behind screened storage area. Dumpster shall not be permitted to remain visible.
6. Install shrubbery landscaping around the perimeter of the screened storage area that will mature into a reasonable continuous screen on all sides (gates excluded). Provide landscaping plan to City staff for approval.
7. Front parking area of property facing 350 Highway shall not be used for any parking or storage purpose other than parking of customers for the principal building on the property. This includes vehicles related to Big A's, tractor units, etc.

Sincerely,



**Chris Gilbert**  
**Planning and Zoning Coordinator**  
10000 E 59<sup>th</sup> St  
Raytown, MO 64133-3993  
816-737-6059  
[chrisg@raytown.mo.us](mailto:chrisg@raytown.mo.us)



**BZA 2022-04**

To: City of Raytown Board of Zoning Adjustment  
From: Chris Gilbert, Planning and Zoning Coordinator  
Date: December 8, 2022  
Re: Application to Appeal Administrative Decision

**APPEAL APPLICATION SUMMARY**

Applicant: Brad McDonald  
Property Owner: McDonald Metro Properties, LLC  
Property Location: 5614/5616 Raytown Road, Raytown, Missouri  
Request: Appeal of an Administrative Decision by the Acting Director of Community Development that the subject Property can no longer be used for non-Neighborhood Commercial compliant activities as the 6-month legal non-conformity continuation window passed without a valid business license being in effect on the Property.

**BACKGROUND**

<b>Property’s Zoning Classification</b>	<b>Highway Commercial (HC)</b>
<b>Surrounding Properties’ Zoning</b>	<b>Neighborhood Commercial</b>
<b>Surrounding Overlay</b>	<b>None</b>
<b>Surrounding Land Use</b>	<b>Commercial/Office, Non-Conforming Industrial Uses</b>
<b>Designated Future Land Use</b>	<b>Commercial</b>
<b>Ward</b>	<b>Ward 3</b>
<b>Approximate Land Area</b>	<b>3 parcels, 0.88 Acres total</b>
<b>Roadway Classification</b>	<b>Arterial</b>

**APPEAL HISTORY**

The subject Property (for purposes of this report, “the Property” means 3 parcels with a single building and a land area totaling 0.88 acres) has supported several non-conforming uses over the decades since the area was rezoned from Manufacturing to C-2 in 1973, then to NC, Neighborhood Commercial, in 2000. The attached letter to this staff report was sent by City staff on September 7, 2022, informing the owner, McDonald Metro Properties, LLC, that 6 months had passed without a valid business license on the Property even though some unlicensed activity may have still been occurring, and that the legal non-conforming status of the Property had lapsed pursuant to Section 50-453 of the Municipal Code. The letter further states that in the future the City would only permit businesses that were either permitted or conditional in the NC, Neighborhood Commercial District. The owner appealed this finding, resulting in this staff report and this public hearing process.

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The Property is surrounded by other Neighborhood Commercial zoned (and former industrial) properties, many of which continue to conduct ongoing legal non-conforming operations.

## **PUBLIC COMMENTS**

The public notice was published in *The Daily Record* on November 21, 2022. The Community Development Department has received no letters or calls regarding this application as of the date of packet publication (December 2, 2022). Any calls or letters received the week before the meeting will be updated at the BZA meeting on December 8, 2022.



**Figure 1 – Location of Subject Property and Surrounding Area**

## **ANALYSIS OF APPEAL APPLICATION**

Prior to examining the staff analysis presented below, please review the Appeal requirements of Raytown Municipal Code Section 50-86:

- (a) In exercising the foregoing powers, the board of zoning adjustment, in conformity with the provisions of this section, may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken, may attach appropriate conditions and may issue or direct the issuance of a permit.



# Staff Report

Community Development  
Planning and Development Services

- (b) The concurring vote of four members of the board shall be necessary to reverse the order, requirement, decision or determination of any such administrative official or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any variation in this article.
- (c) Any persons, jointly or severally aggrieved by any decision of the board of zoning adjustment, or any taxpayer, or any officer, department, board or bureau of the city may present to the circuit court of the county a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after filing of the decision in the office of the board.

Following receipt of the letter dated September 7, 2022, from the Director of Community Development, the applicant swiftly filed to appeal the Administrative Decision. Staff believes that there is good reason to support the findings of the letter and encourage the land uses to become more conforming. However, given the owner is not directly responsible for the failures of tenants to maintain a business license, staff believes some relief could permit substantial justice to be done in this case. With appropriate conditions enumerated below, continuation of formerly legal non-conforming uses on the subject Property would not be a detriment to the City of Raytown.

## RECOMMENDATION

Staff believes the Zoning Board of Adjustment should consider the entirety of the evidence presented as it pertains to the expiration of legal non-conforming rights on the subject Property, including testimony from the applicant, affected neighbors, and the public. **If the appeal is approved**, the following are recommended as Conditions of Approval:

### Conditions of Approval:

1. The continued use of the Property as a contractor's office with storage of vehicles, equipment, and materials without a valid license shall only be valid for so long as the business continues to operate with a valid business license. Thereafter, the Property shall only be used in their entirety in conformance with the requirements of the NC, Neighborhood Commercial District.
2. Failure of any non-conforming business located on the Property to renew the business license within 60 days following expiration of their license to operate shall constitute violation of these Conditions of Approval and thereby loss of ability to continue operating as a legal non-conforming use.
3. The property owner has reported the existence of a contract to sell the Property following receipt of the letter from the City. It is unclear what the potential new owner plans for the Property. Staff would support and consider the use of the Property as a contractor's shop a legal non-conforming activity. The contractor's shop could include storage of work vehicles but not outdoor material storage or debris of any kind.
4. Should the Board of Adjustment decide to permit the scope of the relief granted to include the activity in Condition #3, it will supersede all other activities on the subject Property. staff recommends limiting relief to be valid for so long as this business continues to operate with a valid business license. Thereafter, should the business close or move, the subject Property shall only be used in conformance with the requirements of the NC, Neighborhood Commercial District, or successor zoning as may be implemented in the future by the City.



# Staff Report

Community Development  
Planning and Development Services

5. Should relief be granted under Condition #3 above, staff recommends the new operation be required to follow the industrial design guidelines contained in Section 50-229 of the Raytown Municipal Code relating to surfacing and screening of any outdoor parking/storage areas and any site improvements undertaken including additions and new construction.
6. Should relief be granted under Item #3 above, staff recommends the new operation be required to follow all requirements of Chapter 50, Article IV, Division 11, entitled "Floodplain Overlay District", particularly as pertains to use and storage of hazardous materials in a floodplain.



Community Development Department  
Business License Division  
10000 59<sup>th</sup> Street  
Raytown, MO 64133  
Office (816) 737-6014

September 7, 2022

Mr. Bradley R. McDonald  
c/o McDonald Metro Properties LLC  
9766 Craig Dr.

*Oueland Park*  
~~Shawnee, KS 66212 - 3348~~

RE: Future Permitted Uses at 5614 and 5616 Raytown Road, Raytown, MO

Mr. McDonald:

The City of Raytown has received inquiries regarding future permitted uses at 5614 and 5616 Raytown Road, Raytown, Missouri 64133. The subject properties are within a Neighborhood Commercial zoning district not an Industrial zoning district. Section 50-107 of the Raytown Municipal Code provides a complete list of permitted uses for Neighborhood Commercial zoning district.

Previously the subject property was occupied by Smart Foundation and KCGC, LLC for the purpose of conducting contractor uses. Smart Foundation and KCGC, LLC were permitted due to their use being a grandfathered legal nonconforming use within Neighborhood Commercial zoning. The City Code states a lawful nonconforming use of a building, structure or land that has been discontinued for a period of six consecutive months shall not thereafter be resumed. Per Section 50-453 of the Raytown Municipal Code, the nonconforming use of a contractor's office and storage of vehicles, equipment and materials ceased at 5614 and 5616 Raytown Road in July due to KCGC, LLC not renewing their business license with the City of Raytown and the City not receiving and approving a Commercial Use Permit application identifying the desire to continue the legal nonconforming use for a new business.

Pursuant to Section 50-82 of Raytown Municipal Code, you have the right to file an appeal regarding this decision that the legal nonconforming use of the property has been discontinued. To appeal this decision you must, within 15 days from September 7, 2022, submit to the attention of the Director of Community Development at City Hall an appeal application to be filed with the Board of Zoning Adjustment ("BZA"). The application shall include the specific grounds for the appeal and payment of the \$350.00 application fee. Upon receipt of the appeal application and payment, it will be transmitted to the Board of Zoning Adjustment. For a public hearing on the matter and after proper notice is given, will be scheduled for November 10, 2022.



Community Development Department  
Business License Division  
10000 59<sup>th</sup> Street  
Raytown, MO 64133  
Office (816) 737-6014

Following the November public hearing, the BZA may reverse or affirm, in whole or in part, modify the decision, attach appropriate conditions, or may direct the City to issue a commercial use permit and appropriate business license. A concurring vote of 4 (four) of the BZA members is necessary to reverse the decision that the legal nonconforming use has been discontinued. Any person aggrieved by the BZA's decision can appeal the decision to the Jackson County Circuit Court.

If you have questions regarding this matter, please contact Chris Gilbert in Community Development Department at (816) 737-6059, Monday through Friday, 8:00 am to 5:00 pm.

Sincerely,

A handwritten signature in black ink, appearing to read "Diane Egger", written over a circular stamp or mark.

Diane Egger  
Director  
Community Development

cc: Andy Boyd, Building Official  
Chris Gilbert, Planning and Zoning Coordinator  
Ms. Andrea Wardell



Case Number: \_\_\_\_\_

Date Received: \_\_\_\_\_

Fee Paid:                     \$350.00                    

**City of Raytown – Board of Zoning Adjustments  
Variance/Appeal Application**

1. I hereby apply for:

Appeal from an administrative decision

Variance from any specific requirement

(Specify Zoning Code Section) \_\_\_\_\_

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

McDonald Metro Properties, LLC

3. Phone Number: 816-716-8029

4. Address of Property Owner: 4909 BLACK SWAN DR

Shawnee, KS 66216

5. Signature of Owner: 

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

Name: Brad McDonald

Phone: 816-716-8029

Address 4909 Black Swan Dr Shawnee, KS 66216

7. The property to which this application applies is located at: \_\_\_\_\_

5614 and 5614 Raytown Rd

Approximate Address (If address is currently unassigned): \_\_\_\_\_

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

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

9. Please describe what you wish to do that the Zoning Ordinance prohibits: \_\_\_\_\_

property was occupied and has not  
set vacant for 6 months.

Rail construction occupied 5614 and 5616  
thru 7-4-2022

10. The proposed variance (or exception) would not be contrary to public health, safety  
and the public interest because: no hazardous

11. The literal enforcement of the zoning regulations will result in the following  
unnecessary hardships: \_\_\_\_\_

unable to rent, sell, manage  
the properties due to inaccurate  
zoning and property should still  
be grandfathered in under the wrong  
zoning due to occupancy

12. 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:

we did not realize the business license had lapsed. We had a lease agreement with tenant (Ralt Construction)  
We have had several options to lease or sell property - this is how we found out because applicants were denied to lease or ~~buy~~ buy.

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


all property owners are currently light industrial business owners. Retail in this corridor hinders all businesses due to inaccurate zoning

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

all <sup>businesses</sup> ~~of~~ Raytown Road is light industrial - not retail - and has been for over 20-25 years. All businesses east of Raytown Rd are zoned properly as light industrial and are flourishing.

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

rezoning to correct zoning of light industrial.

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 for public notice letters
- 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

  X   APPLICATION FEE - \$350

see rezoning application

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.

  X   COPY OF DEED WITH EXACT LEGAL DESCRIPTION IS PROVIDED.

see rezoning application

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.

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI  
COUNTY OF JACKSON

} S.S.

Before the undersigned Notary Public personally appeared **Jacob Beran** on behalf of **THE DAILY RECORD, KANSAS CITY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **November 21, 2022** edition and ending with the **November 21, 2022** edition, for a total of 1 publications:

11/21/2022

**Notice of Public Hearing  
City of Raytown Board of Zoning  
Adjustment**

**Affected Property:** 5614 and 5616  
Raytown Road, Raytown, Missouri

**Jackson County Parcel ID#s:**

- 32-840-04-61-00-0-00-000
- 32-840-04-62-00-0-00-000
- 32-840-04-72-00-0-00-000

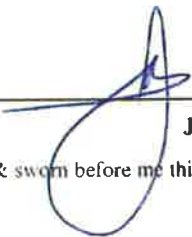
The City of Raytown Community Development Department has received an application appealing to the Board of Zoning Adjustment a determination made by City staff that the affected properties, addressed as 5614 and 5616 Raytown Road, have lost all legal non-conforming rights relating to continuation of industrial-type uses on these properties, that are located in an NC, Neighborhood Commercial, district. This application, submitted by the owner, McDonald Metro Properties, LLC, is contesting the validity of this determination by City staff, in accordance with Section 50-82 of the Raytown Municipal Code.

A public hearing to consider this application will be held by the Raytown Board of Zoning Adjustment **at 7:00 pm on Thursday, December 8, 2022.**

**All public hearings take place in the Council Chambers at Raytown City Hall located at 10000 E. 59th St. Raytown, MO 64133.**

The public is invited to attend the public hearing to ask questions and provide comment regarding this application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59th Street, by telephone at (816) 737-6059 or by e-mail at [chrisg@raytown.mo.us](mailto:chrisg@raytown.mo.us).

If you will require any special accommodation to attend this public hearing, please notify the Department of Community Development at Raytown City Hall at (816) 737-6014 no later than 48 hours prior to the public hearing date.  
12174809 Jackson Nov. 21, 2022

  
Subscribed & sworn before me this 21 day of Nov, 2022  
(SEAL)

  
Notary Public





MAILING LIST FOR CASE BZA 2022-01 CATHERINE PACKARD FRONT YARD OBSTRUCTION VARIANCE

OWNER	OWNER ADDRESS	OWNER	OWNER ADDRESS
Carlos Perza, Jr.	5612 Raytown Road, Raytown MO 64133		
Beth Shalom Congregation	14200 Lamar, Overland Park, KS 66223		
DS Morgan, LLC	5400 W. 148 <sup>th</sup> Terrace, Leawood, KS 66224		
JDI Rentals, LLC	215 Hwy W, Eldon, MO 65026		
CCB RE Holdings, LLC	1 Ward Parkway, Kansas City, MO 64112		

November 15, 2022

Dear Property Owner/Tenant:

## **Notice of Public Hearing in Your Area**

**Affected Property:** 5614 and 5616 Raytown Road, Raytown, Missouri

**Jackson County Parcel ID#s:** 32-840-04-61-00-0-00-000

32-840-04-62-00-0-00-000

32-840-04-72-00-0-00-000

The City of Raytown Community Development Department has received an application appealing to the Board of Zoning Adjustment a determination made by City staff that the affected properties, addressed as 5614 and 5616 Raytown Road, have lost all legal non-conforming rights relating to continuation of industrial-type uses on these properties, that are located in an NC, Neighborhood Commercial, district. This application, submitted by the owner, McDonald Metro Properties, LLC, is contesting the validity of this determination by City staff, in accordance with Section 50-82 of the Raytown Municipal Code..

A public hearing to consider this application will be held by the Raytown Board of Zoning Adjustment at **7:00 pm on Thursday, December 8, 2022**. The full packet and agenda should be available for view on the City of Raytown website on Friday, December 2, 2022.

**All public hearings take place in the Council Chambers at Raytown City Hall located at 10000 E. 59<sup>th</sup> St. Raytown, MO 64133.**

The public is invited to attend the public hearing to ask questions and provide comment regarding this application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59<sup>th</sup> Street, by telephone at (816) 737-6059 or by e-mail at [chrisg@raytown.mo.us](mailto:chrisg@raytown.mo.us).

If you will require any special accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816) 737-6014 no later than 48 hours prior to the applicable public hearing date.

# Raytown, MO



- Legend**
- Road
  - Parcel
  - Address Point
  - City Limit



1 in. = 151ft.

301.9 0 150.97 301.9 Feet

**Notes**

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION



ELECTRONICALLY RECORDED  
JACKSON COUNTY, MISSOURI  
11/21/2017 08:52:21 AM  
WD FEE: \$ 30.00 4 Pages

INSTRUMENT NUMBER:  
2017E0104865

## Special Warranty Deed

THIS DEED dated 20th day of November, 2017 WITNESSETH That Monopoly Acquisitions, LLC, a Missouri limited liability company, Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS does by these presents, BARGAIN AND SELL, Convey and Confirm unto McDonald Marketing Service LLC, a Kansas limited liability company, whose mailing address is Attn: Kathryn McDonald 200 Oak Street, Bonner Springs, KS, Grantee, its successors and assigns, the following described land situate in Jackson County, Missouri, to wit:

**TRACT I:**

→ 66012

**A tract of land described as follows:**

**Beginning at a point 206.76 feet East and 199.87 feet South of the Northwest corner of the East half of the Northwest Quarter of the Southeast Quarter, in Section 32, Township 49, Range 32; thence North 73 degrees 8 minutes East, 163 feet; thence South 16 degrees 52 minutes East, 42.9 feet; thence North 73 degrees 8 minutes East, 10 feet; thence North 16 degrees 52 minutes West, 15 feet; thence North 73 degrees 8 minutes East, 183.75 feet to a point in the center of County Road; thence South 16 degrees 52 minutes East along center of said road, 100 feet; thence South 73 degrees 8 minutes West, 397.23 feet; thence North 138.88 feet to the place of beginning, EXCEPT those parts in Grubb Road and in Raytown Road, all in Raytown, Jackson County, Missouri.**

**TRACT II:**

**A tract of land described as follows:**

**Beginning 386.7 feet East of the West line and 467.1 feet South of the North line of the East half of the Northwest Quarter of the Southeast Quarter of Section 32, Township 49, Range 32; thence North 25 degrees 17 minutes 21 seconds West, 178.64 feet; thence North 72 degrees 30 minutes East, 287.01 feet to the center of Raytown and Kansas City Road; thence South 17 degrees 30 minutes East along said road, 177 feet; thence South 72 degrees 30 minutes**

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*464012*

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**A tract of land described as follows:**

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West, 262.52 feet to beginning, EXCEPT that part in Raytown Road, all in Raytown, Jackson County, Missouri.

**TRACT III:**

A tract of land described as follows:

Beginning at a point 386.70 feet East of the West line and 467.10 feet South of the North line of the East Half of the Northwest Quarter of the Southeast Quarter of Section 32, Township 49, Range 32; thence North 72 degrees 30 minutes East, 262.52 feet to the center line of Raytown and Kansas City Road; thence South 17 degrees 30 minutes East along center line of said road, 165.0 feet; thence South 81 degrees 23 minutes 22 seconds West, 260.94 feet; thence North 0 degrees 40 minutes West and parallel to the West line of the East Half of the Northwest Quarter of the Southeast Quarter of said Section 32, 60 feet; thence West and parallel to the North line of the Northwest Quarter of the Southeast quarter of said Section 32, 40.41 feet; thence North 09 degrees 40 minutes West, 57.49 feet to the point of beginning, EXCEPT that part in Raytown Road, all in Raytown, Jackson County, Missouri.

It being understood that all courses and bearings in this description are made with reference to the North line of the Northwest Quarter of the Southeast quarter of said Section 32, as being a due East and West line.

**TRACT IV:**

Beginning at a point 206.76 feet East and 199.87 feet South of the Northwest corner of the East half of the Northwest Quarter of the Southeast Quarter of Section 32, Township 49, Range 32; thence North 73 degrees 8 minutes East, 163 feet; thence South 16 degrees 52 minutes East, 27.9 feet to the true point of beginning; thence running from said true point of beginning South 16 degrees 52 minutes East, 15 feet; thence North 73 degrees 8 minutes East 10 feet; thence North 16 degrees 52 minutes West, 15 feet; thence South 73 degrees 8 minutes West 10 feet to the true point of beginning, EXCEPT that part in Raytown Road, all in Raytown, Jackson County, Missouri.

**TRACT V:**

Beginning at a point 386.70 feet East of the West line and 714.64 feet South of the North line in the East Half of the Northwest Quarter of the Southeast Quarter of Section 32, Township 49, Range 32; thence North 0 degrees 40 minutes West and parallel to the West line of the East Half of the Northwest Quarter of the Southeast Quarter of said Section 32, 190.01 feet, this and all other courses and bearings in this description being with reference to the North line of the Northwest Quarter of the Southeast Quarter of said Section 32, as being due East and West line; thence East and parallel to the North line of the Northeast Quarter of the Southeast Quarter of said Section 32, 40.41 feet; thence South 0 degrees 40 minutes East, 60.0 feet; thence North 81 degrees 23 minutes 22 seconds East, 260.94 feet to the center line of Raytown and Kansas City Road; thence South 17 degrees 30 minutes East along center line of said road, 103.0 feet; thence South 13 degrees 11 minutes East, and continuing

along center line of said road, 72.75 feet; thence West and parallel to the North line of the Northwest Quarter of the Southeast Quarter of said Section 32, 344.70 feet to a the point of beginning, (being same as Lot 13 unrecorded plat of Economy Acres)., EXCEPT that part in Raytown Road, all in Raytown, Jackson County, Missouri.

**TRACT VI:**

LOTS 12, 13 and 14, EXCEPT that part of said lots taken for Raytown Road and except the South 35.00 feet of said LOT 14, as measured along the West line thereof and as conveyed by Warranty Deed filed under Document No. I-170033, in Book I-486, at Page 177; all in LOTS 10 TO 14, INCLUSIVE, SHRYOCK ADDITION, RAYTOWN, MISSOURI, a subdivision in Raytown, Jackson County, Missouri, according to the recorded plat thereof.

**TRACT VII:**

All that part of the Southeast 1/4 of Section 32, Township 49, Range 32, in Raytown, Jackson County, Missouri, described as follows:

Commencing at the intersection of the center line of Raytown Road, as established 60 feet wide, with the South line of the North 1/2 of said 1/4 Section; thence Westerly along said South line, 52.42 feet, more or less, to the Westerly right of way line of said Raytown Road, being the true point of beginning of the tract of land herein described; thence continuing Westerly along the South line of said 1/2 1/4 Section, 239.58 feet; thence Northerly along a straight line 210.95 feet, more or less, to a point on the South line of LOT 11, LOTS 10 to 14, inclusive, SHRYOCK ADDITION, a subdivision of land, that is 14.40 feet West of the Southeast corner of said LOT 11; thence Easterly along said South line and along the South line of LOT 14 in said subdivision, 212.68 feet to the Westerly right of way line of said Raytown Road; thence Southeasterly along said Westerly right of way line, being a curve to the right, having a radius of 2824.79 feet and an initial tangent bearing of South 5 degrees 35 minutes 39 seconds East, an arc distance of 213.27 feet to the point of beginning.

**TRACT VIII:**

The South 35.00 feet of LOT 14, as measured along the West line thereof, LOTS 10 to 14, inclusive, SHRYOCK ADDITION, a subdivision in Raytown, Jackson County, Missouri, according to the recorded plat thereof, EXCEPT that part taken for Raytown Road.

Subject to easements, reservations, restrictions, and covenants, if any of record.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular rights, privileges, appurtenances and immunities thereto belonging or in anywise appearing unto said Grantee, and unto its successors and assigns forever; said Grantor hereby covenanting that the said premises are free and clear from any encumbrance done or suffered by it; and that it will warrant and defend the title to said premises unto said Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons claiming under Grantor but none other.

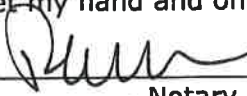
IN WITNESS WHEREOF, said Grantor has caused these presents to be executed, pursuant to due authority, this 20th day of November, 2017

**Monopoly Acquisitions, LLC, a  
Missouri limited liability company**

  
By Chris Payne, Member

STATE OF ~~MISSOURI~~ Kansas  
COUNTY OF Johnson

On this 20th day of November, 2017 before me, the undersigned notary public personally appeared, Chris Payne, Member of Monopoly Acquisitions, LLC, a Missouri limited liability company, known to me to be the person who executed the instrument within and who duly acknowledged execution of the same on behalf of said Partnership. In witness whereof, I hereunto set my hand and official seal.

  
\_\_\_\_\_, Notary Public

My Commission expires: 3/12/20



**QUIT CLAIM DEED**

---

**THIS DEED**, Made and entered in this 21st Day of December, 2017, by and between:

**McDonald Marketing Service, LLC**

of the COUNTY of JOHNSON, STATE of KANSAS party or parties of the first part, Grantor(s) and

**McDonald Metro Properties, LLC**

of the COUNTY of JOHNSON, STATE of KANSAS party or parties of the second part, Grantee(s).

Mailing Address of: **PO Box 136, Bonner Springs, Kansas 66012**

**WITNESSETH**, that the said party or parties of the first part, for and in consideration of the sum of One Dollar and other valuable consideration paid by the said party or parties of the second part, the receipt of which is hereby acknowledged, does by these presents REMISE, RELEASE AND FOREVER QUIT CLAIM unto the said party or parties of the second part, the following described real estate situated in the COUNTY of JACKSON and STATE of MISSOURI to-wit:

**See EXHIBIT A, attached**

**TO HAVE AND TO HOLD** the same, together with all rights and appurtenances to the same belonging, unto the said party or parties of the second part, and to the heirs and assigns of such party or parties forever. So that neither the said party or parties of the first part, nor their heirs, nor and other person or persons for them or in their names or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises, or any part thereof, by they and every one of them shall, by these presents, be excluded and forever barred.

**IN WITNESS WHEREOF**, the said party or parties of the first part has or have hereunto set their hand or hands the day and year first written.

Katelyn McDonald, member

STATE OF: Kansas }  
COUNTY OF: Johnson } }ss.

On this 21<sup>st</sup> day of December, 2017 before me personally appeared,

, to me known to be the person or persons described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

KMSabutis  
Notary Public

My Commission expires: 4/26/21



# EXHIBIT A

## TRACT I:

A tract of land described as follows:

Beginning at a point 206.76 feet East and 199.87 feet South of the Northwest corner of the East half of the Northwest Quarter of the Southeast Quarter, in Section 32, Township 49, Range 32; thence North 73 degrees 8 minutes East, 163 feet; thence South 16 degrees 52 minutes East, 42.9 feet; thence North 73 degrees 8 minutes East, 10 feet; thence North 16 degrees 52 minutes West, 15 feet; thence North 73 degrees 8 minutes East, 183.75 feet to a point in the center of County Road; thence South 16 degrees 52 minutes East along center of said road, 100 feet; thence South 73 degrees 8 minutes West, 397.23 feet; thence North 138.88 feet to the place of beginning, EXCEPT those parts in Grubb Road and in Raytown Road, all in Raytown, Jackson County, Missouri.

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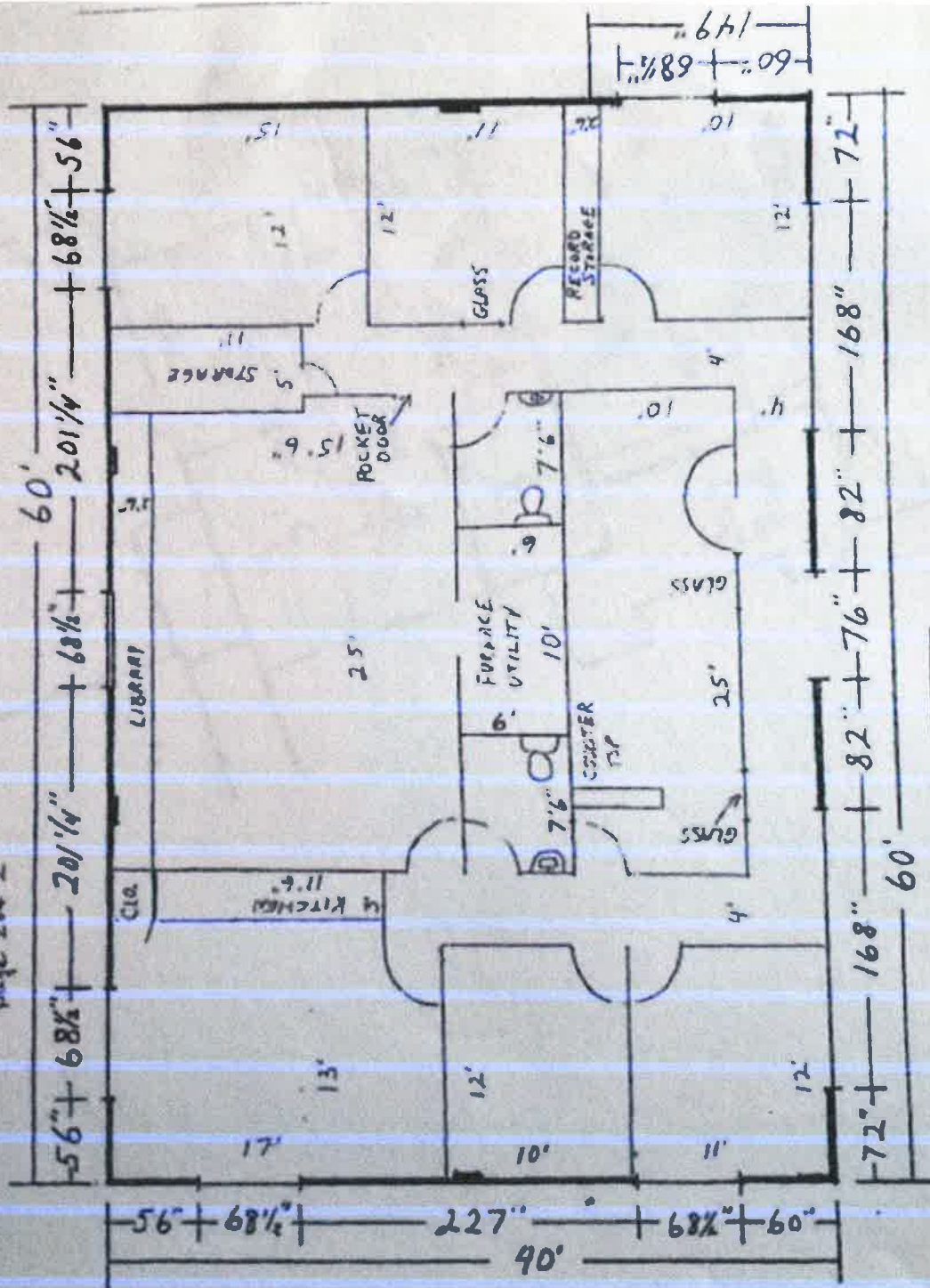
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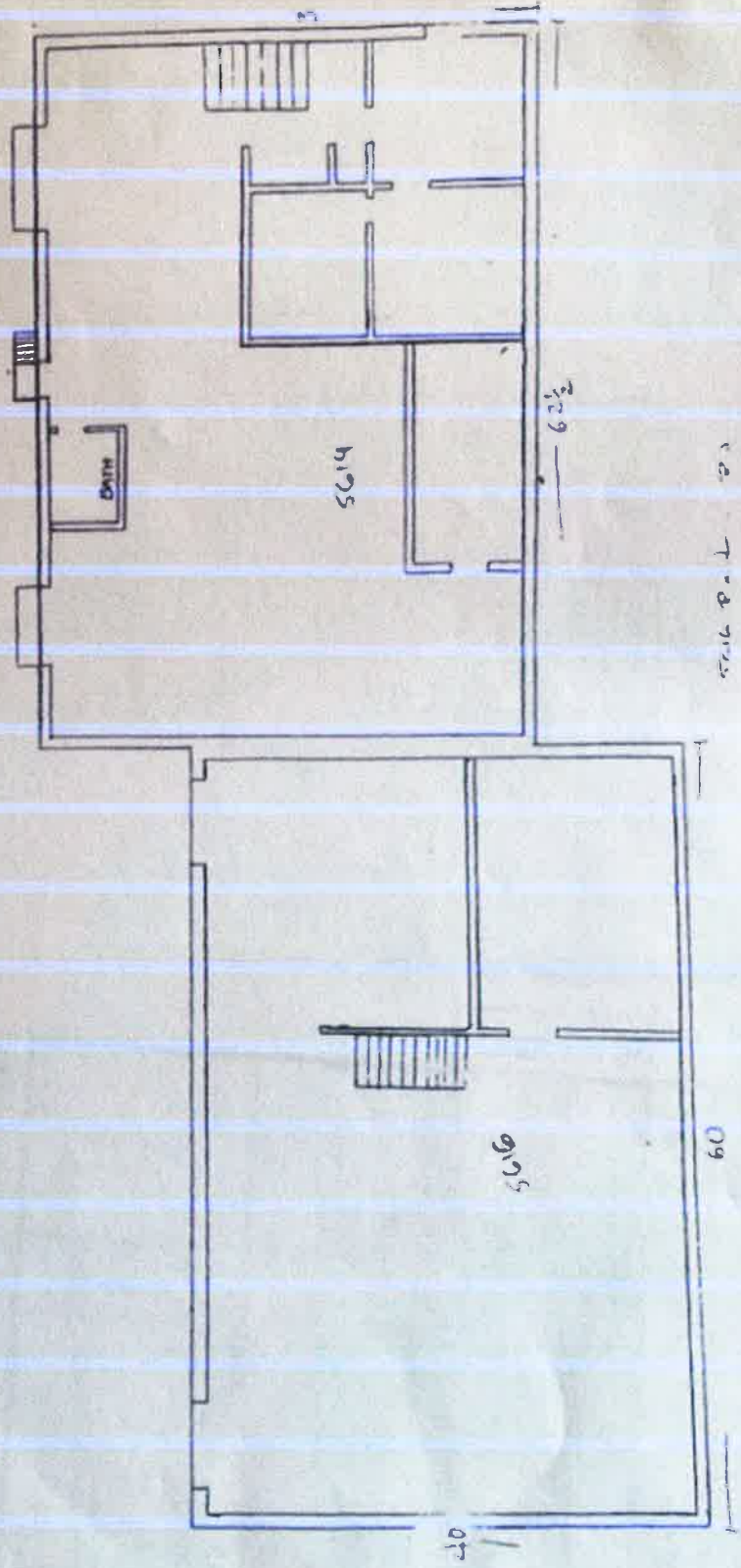
Subject to easements, reservations, restrictions, and covenants, if any of record.

EXHIBIT A  
Page 2 of 2



5 RAYTOWN PARTNERS  
 ST FLOOR PLAN  
 DATE  
 DRAWN BY: S.D.S.  
 SCALE: APPLY  
 REVISED:

Basement  
5616 Raytown Rd 60x40  
5614 Raytown Rd 62 1/2 x 32



BY: SCALE: REVISED:

Bill Robins (cox@bubs@boglobat.net)  
Tuesday, February 23, 2010 11:13 PM  
Jim R. Hogan