

**Minutes of Meeting
Belton Board of Zoning Adjustment
Belton City Hall Annex, 520 Main Street
June 21, 2023**

CALL TO ORDER

Chairman Hubbard called the meeting to order at 5:00 p.m.

ATTENDANCE

Board: Chairman Hubbard, Keith Parks, Phil Trued, and Rusty Sullivan

Absent: Wilma Darlington

Staff: Matt Wright, Planning and Building Director; Jenna Fernandez, City Planner; and Madison Rust, Development Technician

Guests: Curt Admire, 8011 E. 155th St, Belton, MO 64012; Greg McAvoy, 8315 E. 155th St, Belton, MO 64012

MINUTES

Mr. Sullivan moved to approve the minutes of the November 16, 2022, Board of Zoning Adjustment meeting. Mr. Trued seconded the motion. All members present voted in favor and the motion carried.

PUBLIC HEARING

VAR-2023-01: To consider a request for a variance to Section 4-1(b)(1) to allow an accessory dwelling unit to be constructed in the front yard of property addressed as 8011 E. 155th St, Belton, MO.

The public hearing was opened at 5:01 P.M.

The applicant and owner of the property located at 8011 E. 155th St, Belton, MO 64012, Curt Admire, was present to speak. He addressed the board by saying that he wishes to build an accessory dwelling unit on his property. The ADU would be roughly 988 square feet, and would mirror the primary structure as far as construction design and materials. The home would be primarily used for his mother, and out of town family members who come to visit.

There was no one else present to speak either in favor or against the proposal, and the public hearing was closed at 5:04 P.M.

Ms. Fernandez, City Planner, gave an overview of the staff report. Staff does recommend approval of the variance request, with the two conditions listed below.

1. The Variance for the ADU to be placed in the front yard at 8011 E 155th St is hereby approved, as shown on the preliminary site plan provided by Curt Admire.
2. All building codes and zoning requirements shall be met during building permit review.

Greg McAvoy, 8315 E. 155th St, Belton, MO 64012 had a few questions in regard to the proposed variance request. A summary of his questions and/or concerns are listed below:

- Asked if a hydrology study was done on the lake. If any structure is going to be built around a lake, a study should be done to show the lake and soil is sufficient to withstand the construction.
- Asked if a study was done to show that the road is stable to withstand the traffic and weight of construction vehicles.

Mr. Admire ensured that the ADU will be constructed 300 feet West of the pond, not in front of the pond. He also explained that he has not had any sort of hydrology reports done. The front pond is not his property. They just had 190 tons of asphalt put in, and there were no issues with soil compaction. Where the ADU is proposed, on a slab, the amount of dirt that will be brought in will be minimal and no digging will be taking place.

Staff explained that during a building permit process, they do not have the right to request and/or require special tests, studies, or reports like a hydrology study, etc. on a review like this. Staff just ensures that the proposed plans meet the adopted codes. Due to the size and location, there are no stormwater requirements and/or grading studies needed.

Chairman Hubbard asked if the City Engineer has reviewed the plans and/or provided any sort of recommendations. Mr. Wright explained that the City Engineer is aware, and did not have any concerns. An accessory dwelling unit is not something that he looks at in any sort of great detail.

Mr. Parks asked if the driveway was gravel or asphalt, and whether or not this was a shared driveway. Mr. Admire explained that the driveway used to be shared, but there was a vacation done of the easement to allow each property owner to have a separate driveway entrance to their property. The first 300 feet of his driveway is gravel, it will be asphalted once the gravel has settled, but everything else is asphalt. None of the construction vehicles will be entering on any other neighbors driveway.

Ms. Hubbard moved to approve the request for a variance to Section 4-1(b)(1) to allow an accessory dwelling unit to be constructed in the front yard of property addressed as 8011 E. 155th St, Belton, MO.

The motion was seconded by Mr. Sullivan. When a vote was taken, the following was recorded:

Ayes: 4 – Chairman Hubbard, Mr. Parks, Mr. Sullivan, and Mr. Trued

Noes: 0

Absent: 0 – Ms. Darlington

OTHER BUSINESS

An application has been received for a variance. Our next meeting will be Wednesday, July 19th, 2023, at 5:00 P.M.

ADJOURNMENT

Mr. Sullivan moved to adjourn the meeting. Mr. Trued seconded the motion. All members voted in favor and the meeting adjourned at 5:25 p.m.