



Board of Adjustment

July 17, 2025 6:30 PM,
Council Chambers - 111 E. Maple Ave.

CALL TO ORDER

ROLL CALL

PUBLIC HEARING(S)

1. **Continued Case 25-999-06 – 201 E. Partridge Avenue** - Variance to front yard fence height requirements.
2. **Continued Case 25-999-07 – 811 S. Liberty Street** - Variance to setback requirements.

APPROVAL OF MINUTES

1. March 20, 2025, April 17, 2025 & June 16, 2025

ADJOURNMENT

MEETING DATE: July 17, 2025

STAFF: Brian L. Harker, Planner

PROJECT NAME: Front Yard Fencing Standards

CASE NUMBER: 25-999-06 – 201 E. Partridge Avenue – Variance to the Front Yard Commercial Fencing

APPLICANT/OWNER: Vlad Skots

PROPERTY ADDRESS: 201 E. Partridge Avenue

SURROUNDING ZONING/LAND USE:

North:	C-1 (Neighborhood Commercial) R-18/PUD (Moderate Density Residential/Planned Unity Development)	Restaurant Condominiums
South:	C-2 (General Commercial)	Kansas City Southern Railroad Auto Dealership
East:	R-18/PUD (Moderate Density Residential/Planned Unit Development)	Bellevista Condominiums
West:	C-1 (Neighborhood Commercial)	Parking Lot

PUBLIC NOTICE:

- Notification letters sent out to property owners within 185 feet on June 24, 2025.
- Legal notification published in the Independence Examiner on June 28, 2025.

VARIANCE REQUEST

CITY CODE REQUIREMENTS/VARIANCES:

City Code **14-400-02-C. Office, Commercial and Industrial Zoning Districts.** The regulations of this subsection apply to all fences in O, C, and I zoning districts.

1. Location—A fence may be constructed on any side or rear property line but shall not be located in any required exterior setback or be closer to any public or private street than the principal building, whichever is greater.

BACKGROUND:

The subject site is composed of a portion of Lot 9 of the Commissioners' Plat of Oldham Estates (recorded in 1910), and an unplatted tract of land. It is ±55,078 ft² (1.23 ac) in size.

Upon adoption of the Zoning Ordinance, in 1965, the subject site was designated an M-1 (Light Manufacturing) zoning classification. City council adopted Ordinance No. 4831, in December of 1977, amending the zoning classification of the subject site to C-P-1 (Planned, Neighborhood

Commercial) and R-P-3 (Planned, Moderate Density Residential). The zoning district boundary related to this rezoning bisected the subject site.

Real estate records indicate the subject site was developed in 1986 and consists of a four-story building containing ±30,300 ft² of floor area. The site is supplied with ±87 parking spaces.

Upon the adoption of the Unified Development Ordinance, in 2009, the zoning classification for the subject site was updated to C-1 (Neighborhood Commercial) and R-18/PUD (Moderate Density Residential). The zoning of the subject site has remained a mix of commercial/residential since the City Council adopted Ordinance No. 4831 in 1977.

Therefore, in conjunction with the requests for a variance and subsequent fence permit, this property has a pending application to be entirely rezoned to C-1.

The applicant is requesting relief from use-regulations (Section 14-400-02-C) for commercial properties prohibiting fences from extending beyond the building line of the principal structure. In doing so, the applicant seeks to secure their property and parking lot.

ANALYSIS

Comprehensive Plan Guiding Land Use Principles:

The City's Comprehensive Plan designates Commercial uses for this property.

REVIEW CRITERIA

Recommendations made by staff and decisions of the Board of Adjustment must be based on consideration of all the following criteria. All six criteria **MUST** be met for variance to be granted.

1. **The requested variance arises from conditions which are unique to the subject property, that are not ordinarily found in the same zoning district and that are not a result of the owner's intentional action.** *Yes, this is true. The office building is located along the southern property boundary, recessed from the right-of-way making compliance with the Development Code difficult.*
2. **The requested variance will not adversely affect the rights of adjacent property owners or residents.** *Yes, this is true. Construction of a wrought iron fence will not adversely affect the rights of adjacent property owners. The fencing along the eastern property boundary will have to be opaque (no mesh), in accordance with Section 14-503-07.*
3. **Requiring strict compliance with the subject zoning regulation will constitute a practical difficulty for the subject property owner.** *Yes, this is true. The existing building is recessed from the right-of-way on the southern property boundary. The existing configuration of the site makes it difficult for the applicant to secure their parking lot.*
4. **The requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.** *Yes, this is true. It would enhance public safety.*

5. **The alleged hardship has not been created by any person presently having an interest in the property.** *Yes, this is true. The property owner is not responsible for the original development of the site.*
6. **The variance, if granted, will not alter the essential character of the neighborhood.** *Yes, this is true. Erection of a wrought iron fence will not alter the character of the neighborhood. However, opaque screening (no mesh) along the eastern property boundary, abutting the multifamily development, must be provided in accordance with Section 14-503-07.*

EXHIBITS

1. Narrative
2. Application and
3. Applicants Variance Criteria
4. Code Section
5. Notification letter
6. Addresses
7. Notification Area Map
8. Mailing affidavit
9. Site Plan
10. Aerial Imagery



Commercial/Industrial/Flex/Retail/Office/Land/Investment Realtors and Property Management

President
Myron W. Haith

Managing Principal
Joshua S. Haith

Bond Business Center
11415 W. 87th Terrace
Overland Park, KS 66214-3212
(913) 888-3456
FAX: (913) 888-6607
www.haith.com

Cover Sheet

RE: This letter certifies as a general description of the items contained in the variance application.

VS Capital, owner of 201 E. Partridge, wishes to install a perimeter fence to protect the interests of the property, tenants and staff. The property has faced numerous challenges with regards to homeless people trespassing and damaging the property constantly. This has cost the owner significant monetary damage. In addition, the tenants onsite have voiced concerns regarding the homeless approaching their clients and staff.

In order to keep the onsite staff and tenants safe, as well as protect the owner's asset, a perimeter fence is necessary.

Thank you
Vlad Skots





Planning and Zoning

Application Form

Community Development
111 E. Maple Avenue
Independence, MO 64050
(816) 325-7421
cdplanning@indepmo.org

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☐ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☐ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business	☐ Admin. Adjustment ☒ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

Plaza 201 Perimeter Fence

Project Name

201 E. Partridge Ave Independence, MO

Project Address/Location

55,078	1.26	1	No
Sq. Ft. of Building	Acreage	Number of Lots/Tracts	Stream Buffer (Yes or No)
Commercial	N/A	Commercial	N/A
Existing Zoning	Proposed Zoning	Existing Land Use	Proposed Land Use

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

☒ Completed & Signed Application Form ☒ Application Fee ☒ Cover Letter Describing Details of Project	☐ One 24" x 36" set of plans for Land Sub. & Site Dev. ☒ One PDF copy of a plat map or site plan ☒ Legal Description of the property in question
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Contact Information

Applicant		Owner	
Vlad Skots	USKO, Inc.	Vlad Skots	VS Capital, LLC
Name	Company	Name	Company
[Redacted]		[Redacted]	
Phone	Email	Phone	Email
Architect/Engineer/Surveyor/Other: N/A		Architect/Engineer/Surveyor/Other: N/A	
Name	Company	Name	Company
Address		Address	
Phone	Email	Phone	Email

The applicant hereby agrees that the information provided above is accurate.

Vladimir Skots 04/07/2025
Applicant's Signature Date

Vladimir Skots 04/07/2025
Owner's Signature Date

VARIANCE CRITERIA

The Board of Adjustment must make a determination on each criteria listed below. Please explain how the requested variance meets the following criteria. Attach additional sheets if necessary.

1. The requested variance arises from conditions which are unique to the subject property, that are not ordinarily found in the same zoning district and that are not a result of the owner's intentional action.

☒ Yes ☐ No

Explain: This property is vulnerable to homeless encampments as it backs up to a wooded area which is attractive to those seeking shelter. The property is also adjacent to the train tracks which further brings in homeless members. Additionally, gun shots have hit the building due to crossing over from the property to the south where the wooded area is.

2. The requested variance will not adversely affect the rights of adjacent property owners or residents.

☒ Yes ☒ No

Explain: The perimeter fence will not affect the adjacent neighbors

3. Requiring strict compliance with the subject zoning regulation will constitute a practical difficulty for the subject property owner.

☒ Yes ☐ No

Explain: Due to the strict compliance of the zoning regulation, the owner is not able to secure the property, it's staff and tenants. The fence is necessary to protect the property and people on site.

4. The requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

☒ Yes ☒ No

Explain: N/A

5. The alleged hardship has not been created by any person presently having an interest in the property.

☒ Yes ☐ No

Explain: N/A

6. The variance, if granted, will not alter the essential character of the neighborhood.

☒ Yes ☐ No

Explain: N/A

Code Section

14-400-02-C. Office, Commercial and Industrial Zoning Districts. The regulations of this subsection apply to all fences in O, C, and I zoning districts.

1. Location—A fence may be constructed on any side or rear property line but shall not be located in any required exterior setback or be closer to any public or private street than the principal building, whichever is greater.

Property Owner Notification Letter

City of Independence, Missouri

Date: 6/20/2025

Case No. 25-999-05

Dear Property Owner:

This letter is to notify you that an application has been submitted for consideration of a variance. The Board of Adjustment will consider the case on the property, date and time identified below.

Proposed project description: Owner proposes to install a 6 foot rod-iron perimeter
fence

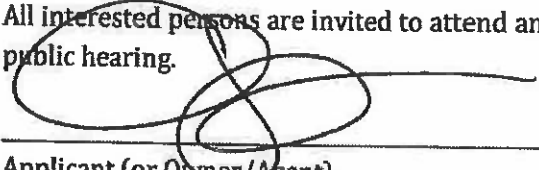
Applicant: VS Captial

Location of Property: 201 E. Partridge Ave

Board of Adjustment Meeting Date: July 17th, 2025, at 6:30 p.m.

Location of public hearings: City Council Chambers, City Hall
111 E Maple Ave, Independence, Missouri, 64050

All interested persons are invited to attend and will have an opportunity to be heard at the public hearing.



Applicant (or Owner/Agent)

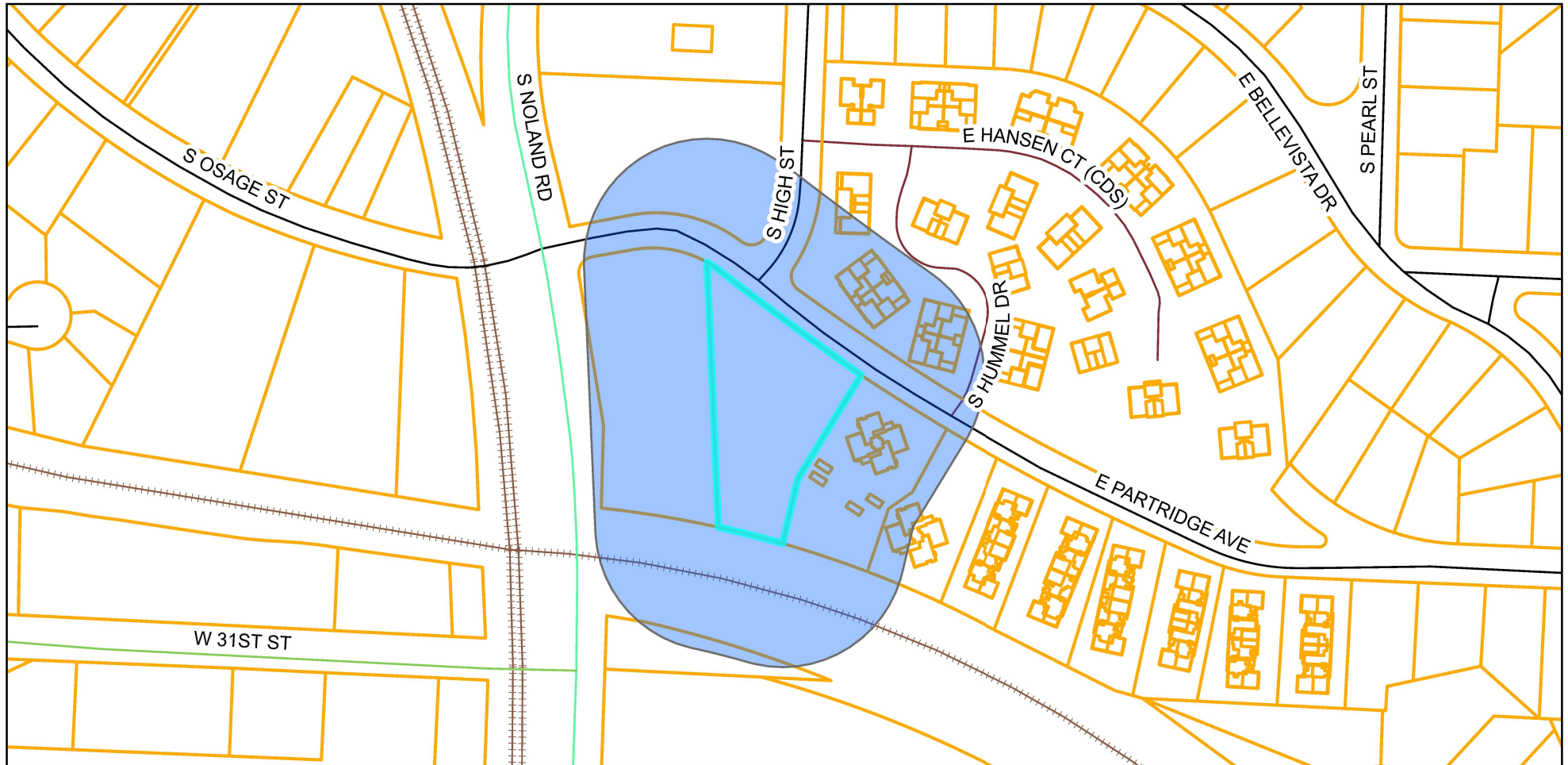
For more information, contact the Community Development Department at 816-325-7421.

Property Address	Property Owner	Owner Address	City	State	ZIP Code
2002 S HUMMEL DR	OSIEK BRIAN M & SHERRY L	17303 E 6TH TER CT N	INDEPENDENCE	MO	64056
2003 S HIGH ST	PITTS EVELYN L	2003 S HIGH ST UNIT 30	INDEPENDENCE	MO	64055
2004 S HUMMEL DR	ELGAN CONNIE LE	2004 S HUMMEL DR	INDEPENDENCE	MO	64055
2005 S HIGH ST	PREJEAN DOROTHY	2005 S HIGH ST	INDEPENDENCE	MO	64055
2006 S HUMMEL DR	DOWNEY DONNA L	2006 S HUMMEL DR	INDEPENDENCE	MO	64055
2007 S HIGH ST	HATTON CINDY LANE	2007 S HIGH ST	INDEPENDENCE	MO	64055
2008 S HUMMEL DR	NICHOLAS SANDRA MICHELLE & ROBERT JR	2008 S HUMMEL DR	INDEPENDENCE	MO	64055
201 E PARTRIDGE ST	VS CAPITAL LLC	11290 POINT EAST DR STE 200	RANCHO CORDOVA	CA	95742
2010 S HUMMEL DR	COGBURN DEBORAH & WILLIAMSON PAUL	2010 S HUMMEL DR	INDEPENDENCE	MO	64055
2012 S HUMMEL DR	MCGRAW CAROL R-TRUSTEE	2012 S HUMMEL DR	INDEPENDENCE	MO	64055
2014 S HUMMEL DR	WILLIAMS JULIA M	2014 S HUMMEL DR	INDEPENDENCE	MO	64055
220 E PARTRIDGE ST	JOY SUZIE TRUST DATED 04/14/2017	220 E PARTRIDGE ST	INDEPENDENCE	MO	64055
222 E PARTRIDGE ST	REEDER SHARLEEN	222 E PARTRIDGE ST	INDEPENDENCE	MO	64055
230 E PARTRIDGE ST	ASHLEY VERONICA	230 PARTRIDGE AVE	INDEPENDENCE	MO	64055
232 E PARTRIDGE ST	LESH RALPH F & LESH JANIS D	232 E PARTRIDGE ST	INDEPENDENCE	MO	64055
2931 S NOLAND RD	LIANG PROPERTY LLC	2931 S NOLAND RD	INDEPENDENCE	MO	64055
3001 S NOLAND RD	RLDS/CHURCH OF JESUS CHRIST	1001 W WALNUT ST	INDEPENDENCE	MO	64050
301 E PARTRIDGE ST	FISHER TIMOTHY	303 E PARTRIDGE AVE # 1 UNIT 45	INDEPENDENCE	MO	64055
301 E PARTRIDGE ST	GAMBLE JOHN S	301 PARTRIDGE	J INDEPENDENCE	MO	64055
301 E PARTRIDGE ST	STICKNEY DEBRA	301 E PARTRIDGE ST APT L	INDEPENDENCE	MO	64055
301 E PARTRIDGE ST UNIT A	HAMILTON RICHARD G	301 E PATRIDGE APT A	INDEPENDENCE	MO	64055
301 E PARTRIDGE ST UNIT B	O'ROURKE BETTY J & HOLM LINDA	301 E PARTRIDGE AVE UNIT B	INDEPENDENCE	MO	64055
301 E PARTRIDGE ST UNIT C	PETERS DEBRA A	301 E PARTRIDGE ST	C INDEPENDENCE	MO	64055
301 E PARTRIDGE ST UNIT D	STARKE GARY R	301 E PARTRIDGE AVE UNIT D	INDEPENDENCE	MO	64055
301 E PARTRIDGE ST UNIT E	CARMICHAEL DEBORA L	301 E PARTRIDGE ST UNIT 29	INDEPENDENCE	MO	64055
301 E PARTRIDGE ST UNIT F	SIMCOSKY MARK A & PATRICIA E	301 E PARTRIDGE ST	INDEPENDENCE	MO	64055
301 E PARTRIDGE ST UNIT G	NASH NANNETTA B	301 E PARTRIDGE G	INDEPENDENCE	MO	64055
301 E PARTRIDGE ST UNIT H	CALDERONE STEPHEN	301 E PARTRIDGE AVE UNIT H	INDEPENDENCE	MO	64055
301 E PARTRIDGE ST UNIT I	EGGERS MARGARET L	301 E PARTRIDGE AVE APT 1	INDEPENDENCE	MO	64055
301 E PARTRIDGE ST UNIT J	GAMBLE JOHN S	301 E PARTRIDGE AVE # J	INDEPENDENCE	MO	64055
301 E PARTRIDGE ST UNIT K	KIMBROUGH FRANKLIN D & SUZANNE B	11288 COUNTY ROAD 99	LILLIAN	AL	36549
301 E PARTRIDGE ST UNIT L	STICKNEY DEBRA	301 E PARTRIDGE ST APT L	INDEPENDENCE	MO	64055
303 E PARTRIDGE AVE UNIT L	ROUSH GARY D	303 E PARTRIDGE AVE UNIT L	INDEPENDENCE	MO	64055
303 E PARTRIDGE ST UNIT A	DAVIS DIANE M	303 E PARTRIDGE ST	INDEPENDENCE	MO	64050
303 E PARTRIDGE ST UNIT D	FENSOM WILLIAM F & GEORGIANNA F	303 E PARTRIDGE AVE	INDEPENDENCE	MO	64055
303 E PARTRIDGE ST UNIT E	EHRLICH DONALD B & NANCY M	303 PARTRIDGE AVE E	INDEPENDENCE	MO	64055
303 E PARTRIDGE ST UNIT H	ANDRADE ANTONIO OMAR SOLORZANO	303 E PARTRIDGE UNIT H	INDEPENDENCE	MO	64055
303 E PARTRIDGE ST UNIT I	FISHER TIMOTHY	303 E PARTRIDGE AVE # 1 UNIT 45	INDEPENDENCE	MO	64055
3101 S NOLAND RD	3101 S NOLAND INDEPENDENCE LLC	7450 E PROGRESS PL	GREENWOOD VILLAGE	CO	80111
CA RESIDENTIAL	BELLEVISTA CONDOMINIUM ASSOC	1354 FRANKLIN ST	ALTAMONTE SPRINGS	FL	32701-7924
CA RESIDENTIAL	BELLEVISTA CONDO ASSOC	311 E PARTRIDGE AVE	INDEPENDENCE	MO	64055

Notification Area Map

201 E Partridge Ave

Case #25-999-06



Legend

-  Notification Area
-  Parcels



0 125 250 500 Feet

Prepared For: Board of Adjustment
Meeting Date: May 15, 2025

Appendix C - Property Owner Notification Affidavit

STATE OF MISSOURI

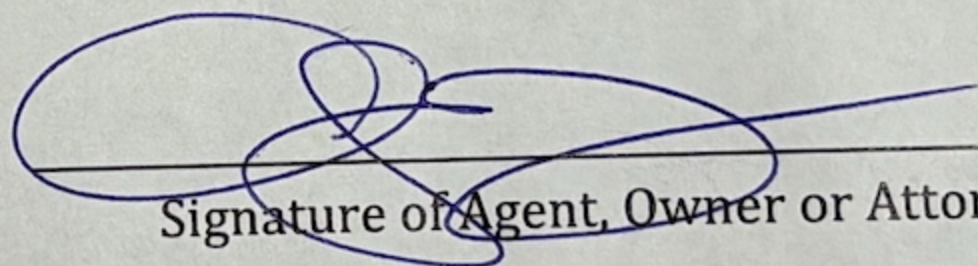
COUNTY OF JACKSON

Case No. 25100-15
Case No. 25-999-05

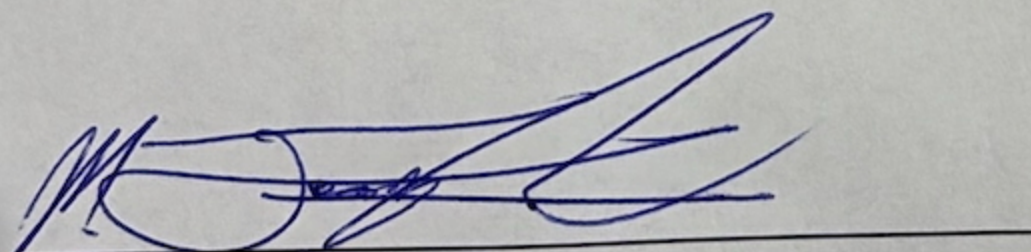
I, Carolyn Dino, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

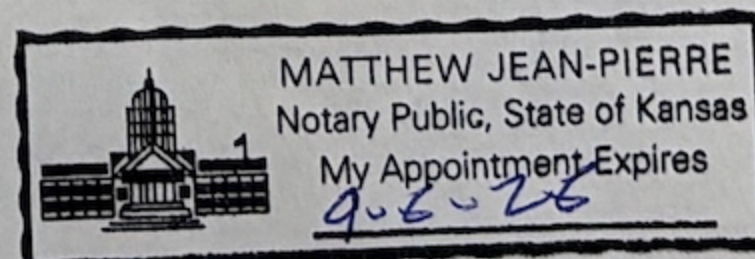
These notices were mailed on the 24 day of June, 2025.


Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 24th day of June, 2025.


Notary Public

9/6/26
Commission Expiration Date

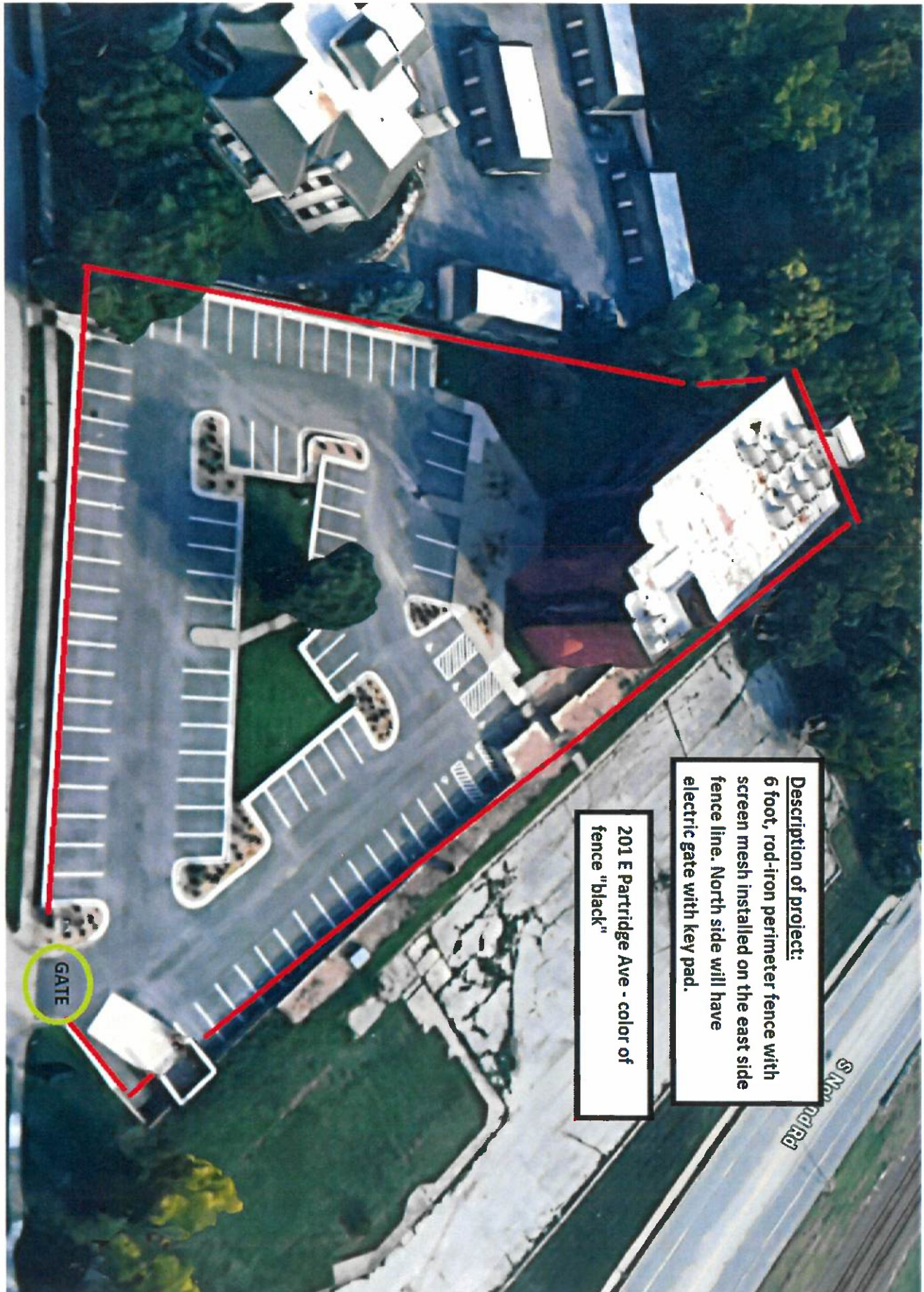


CLASSIC™



Experience traditional grace.

The extended pickets — topped with arrow-pointed spears — of this classic style capture the look of traditional wrought iron fencing. Single, double and arched walk gates are also available to match this style.



Description of project:
6 foot, rod-iron perimeter fence with screen mesh installed on the east side fence line. North side will have electric gate with key pad.

201 E Partridge Ave - color of fence "black"

MEETING DATE: July 17, 2025

STAFF: Gabe Glaser, Planner

PROJECT NAME: Shed Setback Variance at 811 S Liberty

CASE NUMBER: Case 25-999-07 – 811 S. Liberty Street - Variance to setback requirements

APPLICANT: Candice McGlone & John Anthony Schuller

OWNER: Candice McGlone & John Anthony Schuller

PROPERTY ADDRESS: 811 S Liberty St

SURROUNDING ZONING/LAND USE:

North: R-6 (Single Family Residential) / Single Family Residence

South: R-6 (Single Family Residential) / Single Family Residence

East: R-6 (Single Family Residential) / Single Family Residence

West: R-6 (Single Family Residential) / Single Family Residence

PUBLIC NOTICE:

- Notification letters sent out to property owners within 185 feet on June 25, 2025
- Legal notice was published in the Independence Examiner on June 27, 2025

VARIANCE REQUEST

CITY CODE REQUIREMENTS/VARIANCE:

SECTION 14-400-01-C. 4. requires accessory structures to be separated from all other structures by at least ten (10) feet.

The applicant's preliminary plans indicate the proposed accessory structure will be 4 feet from the principal structure.

BACKGROUND:

The subject property is composed of a combination of multiple lots in the Barnes Place Subdivision, originally platted in 1888. More specifically, the property can be described as parts of lots 12, and 13 of Barnes Place. The subject site has a width of ±47 feet and a depth of ±135 feet. Real estate records indicate the principal structure was constructed in 1915. County records indicate the applicant obtained ownership of the subject property in 2013.

The applicant requests a variance to the building separation requirements for accessory structures due to the existing configuration of the property. There are two existing accessory structures on the subject site. The applicant proposes to replace the Western accessory structure closest to the house. The side and rear yard area available to the property owner limits the size and location of their proposed replacement accessory structure.

ANALYSIS

Comprehensive Plan Guiding Land Use Principles:

The City's Comprehensive Plan designates Residential Uses for this property. Imagine Independence Comprehensive Plan 2040 provides a policy to, "Encourage reinvestment in our existing neighborhoods"

REVIEW CRITERIA

Recommendations made by staff and decisions of the Board of Adjustment must be based on consideration of all the following criteria. All six criteria **MUST** be met for variance to be granted.

1. The requested variance arises from conditions which are unique to the subject property, that are not ordinarily found in the same zoning district and that are not a result of the owner's intentional action. *Yes and No. The existing parcel is composed of a combination of two platted lots in the Barnes Place Subdivision. As such, the property lines limit development. However, there are areas to relocate the proposed accessory structure elsewhere on the property. If a different location was chosen, there may be no need for a variance;*
2. The requested variance will not adversely affect the rights of adjacent property owners or residents. *Yes, the proposed variance will comply with all other provisions of the Development Ordinance and would not appear to affect the rights of adjacent properties;*
3. Requiring strict compliance with the subject zoning regulation will constitute a practical difficulty for the subject property owner. *No, the planned structure could be located elsewhere on the property;*
4. The requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. *Yes, the proposed accessory structure will not adversely affect the surrounding neighborhood.*
5. The alleged hardship has not been created by any person presently having an interest in the property. *No, the applicant is requesting a variance due to the desire to replace an accessory structure.*
6. The variance, if granted, will not alter the essential character of the neighborhood. *Yes, this is true. The variance, if granted, will not alter the essential character of the neighborhood.*

The request does not meet all six of the above-mentioned hardships or facts for the variances listed in the City Code for consideration.

EXHIBITS

1. Narrative
2. Code Section
3. Application
4. Applicants' Variance Criteria
5. Notification letter
6. Notification addresses
7. Notification area map
8. Mailing affidavit
9. Applicants' Supplement A
10. Applicants' Supplement B
11. Applicants' Site Plan

We are wanting to build a new shed on an existing foundation.

The proposed new 12'W x 16' L shed will sit on a 12x24' U shaped concrete footing from a previous detached garage. This might have been original to the home as most of our neighbors have similar garages.

It will be 8 feet shorter than the footing, leaving 4' of space between the shed & home, which is where the need for a variance comes in.

The sidewalls of the shed are 8' in height.

The property line to the left(facing shed) is over 6' away.

It will be over 10' from all other structures.

It will be built by TuffShed, using standard materials of wood, LP siding and asphalt shingles.

It will be painted to match the home exactly. Grey body, white trim, navy blue accent.

Premier Pro Tall Barn - 12' wide by 16' long



Case #25-999-07 - City Code Section

14-400 - ACCESSORY USES AND STRUCTURES

14-400-01-C. Lot and Building Standards.

4. Separation. Accessory buildings must be separated by a minimum distance of ten feet from all other accessory and principal buildings.

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☐ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☐ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business	☐ Admin. Adjustment ☒ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

12' x 16' Shed Setback Variance at 811 S Liberty

Project Name

811 S. Liberty Independence, MO 64050

Project Address/Location

192

Sq. Ft. of Building	Acreage	Number of Lots/Tracts	Stream Buffer (Yes or No)
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Existing Zoning	Proposed Zoning	Existing Land Use	Proposed Land Use
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Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

☐ Completed & Signed Application Form ☐ Application Fee ☐ Cover Letter Describing Details of Project	☐ One 24" x 36" set of plans for Land Sub. & Site Dev. ☐ One PDF copy of a plat map or site plan ☐ Legal Description of the property in question
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Contact Information

Applicant

Candice McGlone & John- Anthony Schuller

Name	Company
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Phone	Email
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Architect/Engineer/Surveyor/Other:

Tim Ash TuffShed

Name	Company
------	---------

Phone	Email
-------	-------

The applicant hereby agrees that the information provided above is accurate.

Candice McGlone & John- Anthony Schuller 4-16-25
Applicant's Signature Date

Owner

Candice McGlone & John- Anthony Schuller

Name	Company
------	---------

Phone	Email
-------	-------

Architect/Engineer/Surveyor/Other:

Name	Company
------	---------

Address

Phone	Email
-------	-------

Candice McGlone & John- Anthony Schuller 4-16-25
Owner's Signature Date

VARIANCE CRITERIA

The Board of Adjustment must make a determination on each criteria listed below. Please explain how the requested variance meets the following criteria. Attach additional sheets if necessary.

1. The requested variance arises from conditions which are unique to the subject property, that are not ordinarily found in the same zoning district and that are not a result of the owner's intentional action.

☐ *Yes ☐ No

Explain: This is kinda a yes and no question. In our neighborhood, many of the older homes have the old smaller detached garages. They are especially common in the 1st district. Several of our neighbors have them. Our's just happens to not be there anymore, so that is unique to our property. Our home is over 100 years old and I believe has had additions over time. None we have done, however this extended the home closer to the existing footing. The footing of the old detached garage seems to have been there for many decades. Again, none of these things were done by us, intentionally or otherwise. They're just the issues we're trying to navigate with our older home.

2. The requested variance will not adversely affect the rights of adjacent property owners or residents.

☐ *Yes ☐ No

Explain: Correct, it will not in the least affect our neighbors, it's in our backyard, out of the way. There's already a shed there, this will just be bigger. It will block nothing, not impede on their property, nor will it negatively impact any of our neighbors.

3. Requiring strict compliance with the subject zoning regulation will constitute a practical difficulty for the subject property owner.

☐ *Yes ☐ No

Explain: I'm not sure if this is a "zoning" regulation, but if so, yes, not building on the existing footing will cause much difficulty and added costs. It will also not allow us to build the size shed we sorely need. The 10ft setback requirement will force us to go to a much smaller shed, which will not fill our needs. We actually need a shed bigger than 12'x16', but this is what will fit on the existing foundation, without overlapping the home and giving us ample room to walk into the backyard.

4. The requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

☐ *Yes ☐ No

Explain: Correct, nothing about this will affect any of those important criteria. It will simply allow us to build our shed 6ft closer to our home, on an already existing foundation.

5. The alleged hardship has not been created by any person presently having an interest in the property.

☐ * Yes ☐ No

Explain: Correct. This is needed because we are in desperate need of more space. Mainly because we're huge holiday people & decorate our home to show our love for the seasons/holidays. This will primarily hold holiday decorations. Our basement has the oddest staircase & it's beyond difficult to get the totes up from the basement. And it's also too much to store in our unfinished small basement, we're out of space. It's very much a hardship we need to rectify, and hope to with your help.

6. The variance, if granted, will not alter the essential character of the neighborhood.

☐ * Yes ☐ No

Explain: Correct, the shed is just a standard shed from TuffShed. It will improve the character of the neighborhood in our opinion. It will be painted with the exact paint colors our home is, grey, white, and blue. We take a ton of pride in our home and we guarantee it will look great.

Property Owner Notification Letter

City of Independence, Missouri

Date: _____

Case No. _____

Dear Property Owner:

This letter is to notify you that an application has been submitted for consideration of a variance. The Board of Adjustment will consider the case on the property, date and time identified below.

Proposed project description: _____

Applicant: _____

Location of Property: _____

Board of Adjustment Meeting Date: _____, 20____, at 6:30 p.m.

Location of public hearings: City Council Chambers, City Hall
111 E Maple Ave, Independence, Missouri, 64050

All interested persons are invited to attend and will have an opportunity to be heard at the public hearing.

Applicant (or Owner/Agent)

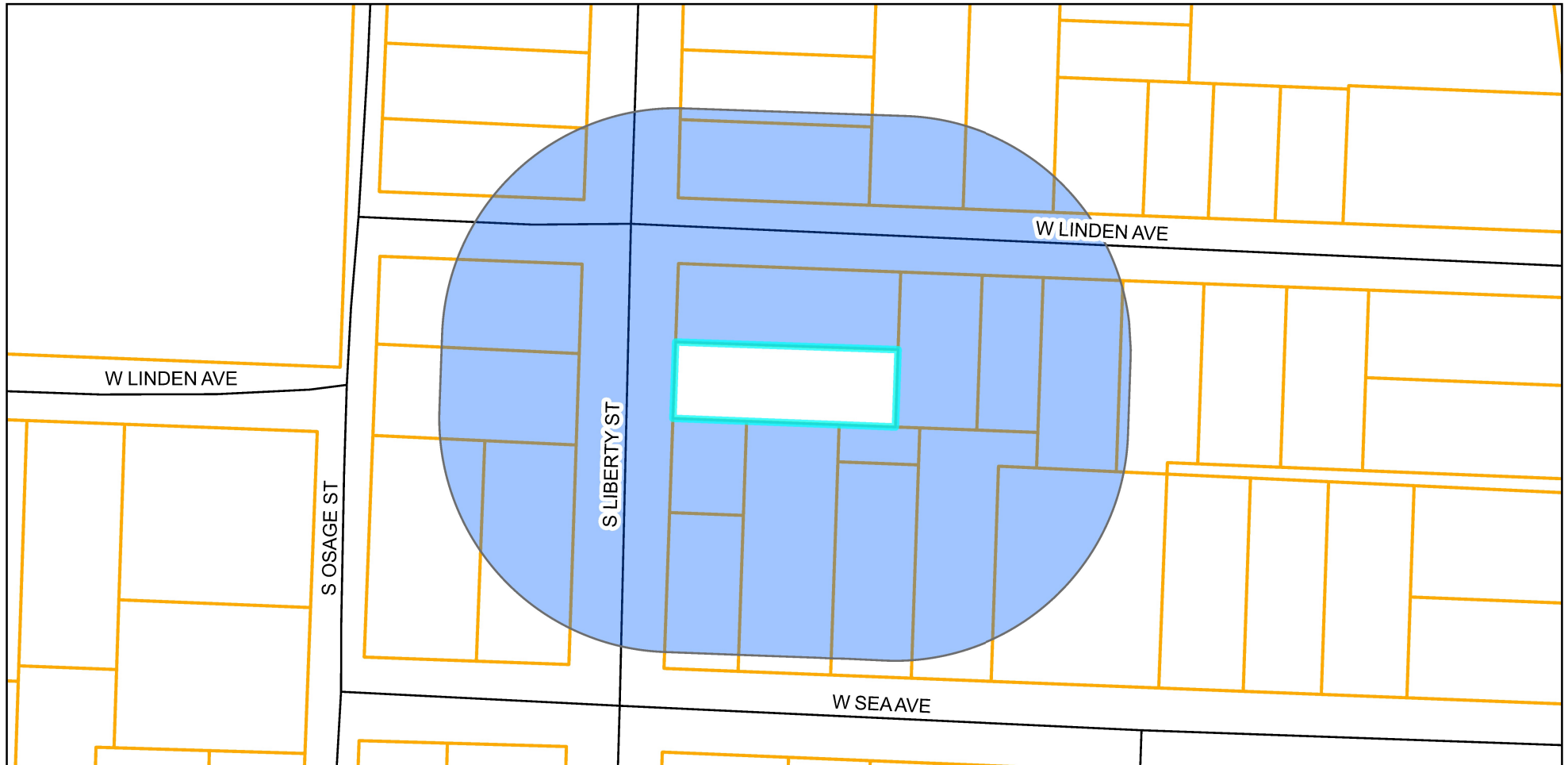
For more information, contact the Community Development Department at 816-325-7421.

Property Address	Property Owner	Owner Address	City	State	ZIP Code
119 W LINDEN AVE	CEDILLO CHRISTIAN JEFFREY & MARIA BLANCA AYDE LAINE	119 W LINDEN AVE	INDEPENDENCE	MO	64050
124 W LINDEN AVE	DEATON TRUST AGREEMENT DATED DECEMBER 12, 2023	4409 SE SECRETARIAT DR	LEES SUMMIT	MO	64082
128 W SEA AVE	NELSON TREVOR & ERYEN	128 W SEA AVE	INDEPENDENCE	MO	64050
129 W LINDEN AVE	JULIAN JACKLYN L	129 W LINDEN AVE	INDEPENDENCE	MO	64050-4409
131 W LINDEN AVE	LATTA CAROL L	PO BOX 1025	BLUE SPRINGS	MO	64013
132 W LINDEN AVE	T SAUK SFR LLC	PO BOX 1778	HIGLEY	AZ	85236
132 W SEA AVE	CLEMENTS SHELBY	132 W SEA AVE	INDEPENDENCE	MO	64050
133 W LINDEN AVE	LAPENA VICTOR M ROBLES DE	4738 HEINTZ ST	KANSAS CITY	MO	64133
134 W LINDEN AVE	SAPP MICHAEL C JR & JENNIFER L	731 S LIBERTY ST	INDEPENDENCE	MO	64050
134 W SEA AVE	RODRIGUEZ CHRISTOPHER WILLIAM	134 W SEA AVE	INDEPENDENCE	MO	64050
138 W SEA AVE	COPP ALYSON	138 W SEA AVE	INDEPENDENCE	MO	64050
140 W SEA AVE	GILBERT BARBARA JO	140 W SEA	INDEPENDENCE	MO	64050
200 W SEA AVE	ADAMS DAMION L & TOMBLINSON ARIKA D	200 W SEA AVE	INDEPENDENCE	MO	64050
204 W SEA AVE	COX GORDON L JR	204 W SEA	INDEPENDENCE	MO	64050
726 S LIBERTY ST	MIDLAND TRUST COMPANY	1165 OLD CHASE AVE	EL CAJON	CA	92020
728 S LIBERTY ST	PREMIER PROPERTY REMODELING LLC	1921 BARBER AVE	KANSAS CITY	KS	66103
729 S LIBERTY ST	HANKS THERESA FOSTER	729 S LIBERTY ST	INDEPENDENCE	MO	64050
731 S LIBERTY ST	SAPP MICHAEL CHARLES & NANCY B	731 S LIBERTY	INDEPENDENCE	MO	64050
801 S LIBERTY ST	LANGKRAHR CURTIS N	1124 NE 701 RD	CONCORDIA	MO	64020
802 S LIBERTY ST	BARR FAMILY PARTNERSHIP LLC	4410 E TRUMAN RD	KANSAS CITY	MO	64127
810 S LIBERTY ST	MORENO CHRISTIAN	15750 SW 45TH ST	MIAMI	FL	33185
813 S LIBERTY ST	DRAPER C M	813 S LIBERTY ST	INDEPENDENCE	MO	64050
NO ADDRESS ASSIGNED BY CITY	LAND TRUST OF JACKSON COUNTY MISSOURI	4035 CENTRAL ST	KANSAS CITY	MO	64111

Notification Area Map

811 S Liberty St

Case #25-999-07



Legend

-  Notification Area
-  Parcels



0 40 80 160 US Feet

Prepared For: Board of Adjustment
Meeting Date: July 17, 2025

Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 25-999-07

I, Cheryl Wrisinger, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the 25 day of June, 2025.

Cheryl Wrisinger

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 25 day of June, 2025.

Miranda L Rice

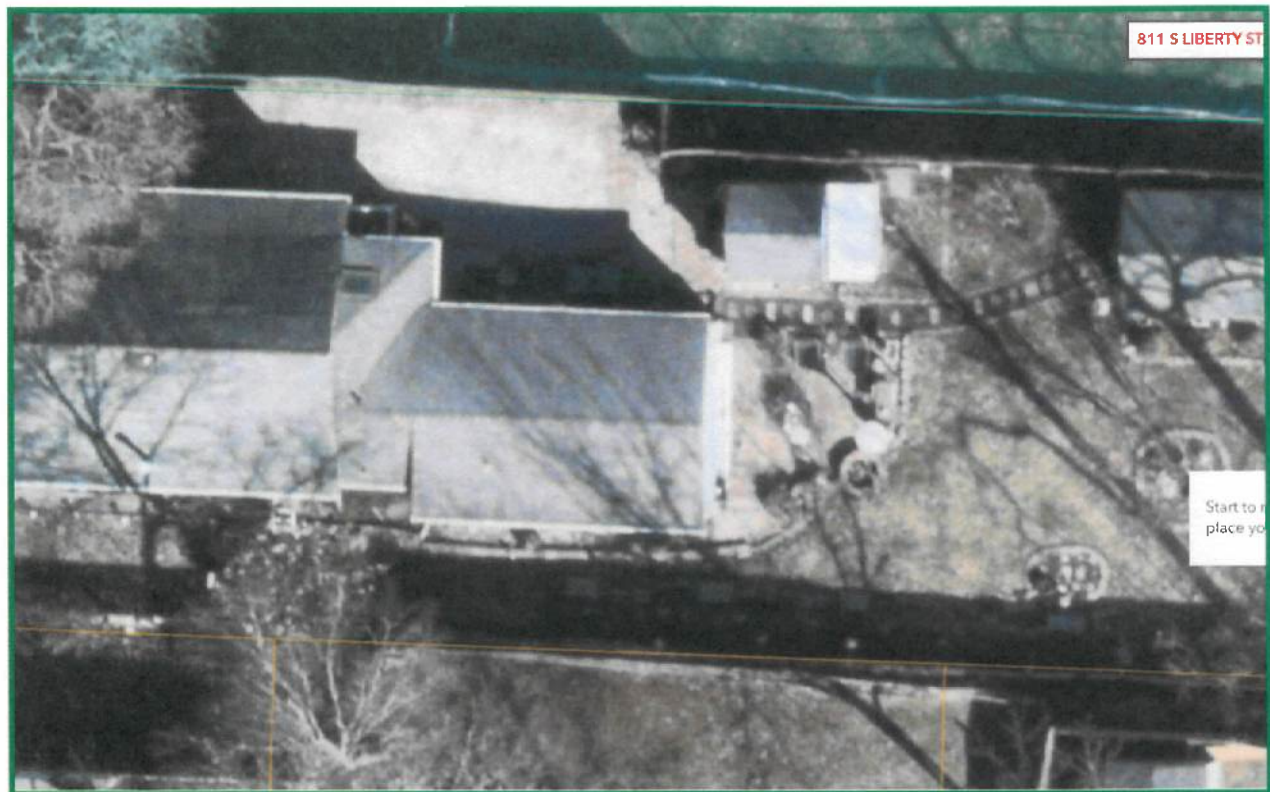
Notary Public

3-12-28

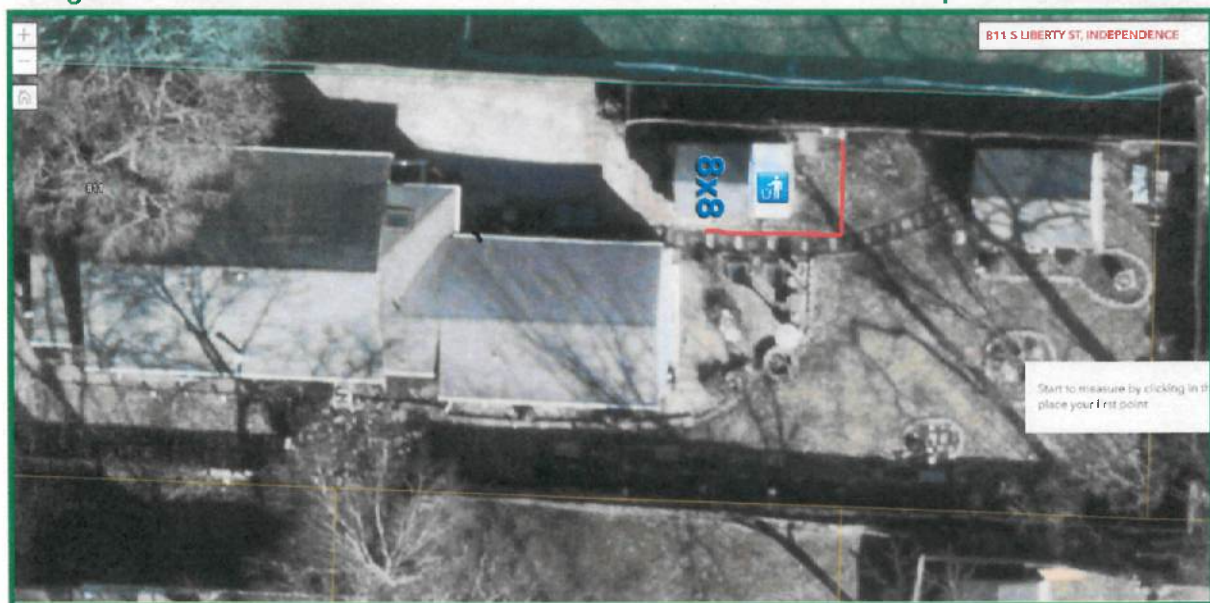
Commission Expiration Date



NOTARIAL PUBLIC
Notary Public - Notary Seal
State of Missouri
Commission Expires March 12, 2018
Commission Number: 15813212



In this photo if you look closely you can actually see the back side of the concrete footing. The smaller shed will be (or has been) removed, along with our trash cart holder. These are the 2 items you can see in the picture. The new shed will be pushed all the way back to set on the back side of the footing. It will actually not come as far forward as the old shed did, it however is wider, so that still brings it 4' from the home. I have marked those items in the picture below.



Here is the requested parcel viewer drawing that shows the size of and where the new shed will sit. Also the legal description of the home.



2024 Real Property Tax (Paid)



811 S LIBERTY ST

Due Date: December 31, 2024

Property Account Number

26-520-10-09-00-0-00-000

Property Address

811 S LIBERTY ST INDEPENDENCE, MO 64050

Property Description

Real Property

Property Details

LEGAL LINE #1: BARNES PLACE PT LOTS 12 & 13 DAF: BEG 20' N OF SW COR LOT 13 TH N 47.04' TH E 109' TH S 47.04' TH W 109' TO POB

Owner Name

MCGLONE CANDICE & SCHULLER JOHN

Upclose of footing and old shed.

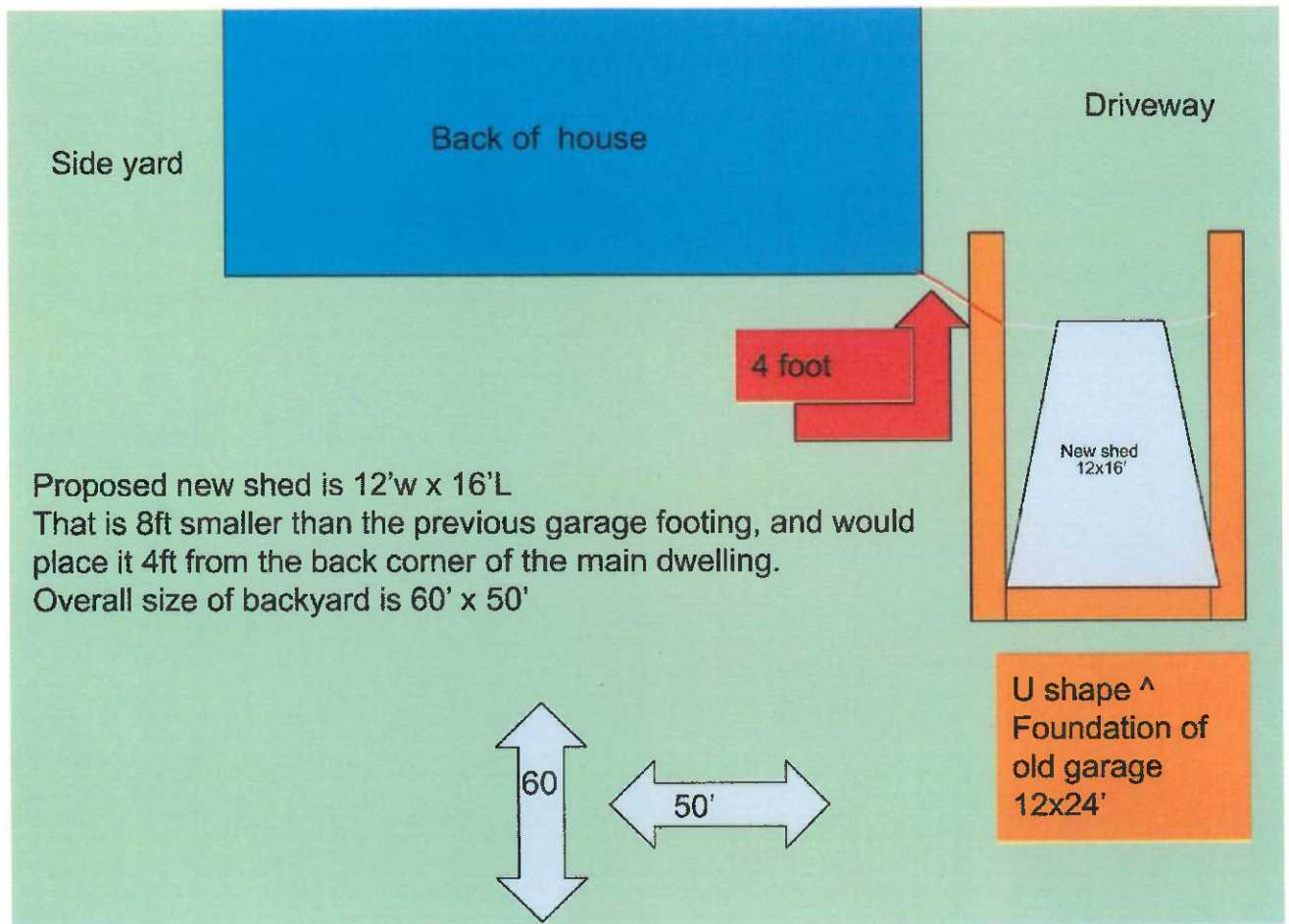




Colors will be exactly those of the home, pictured below With a bit of what the shed will be used for, an insane amount of holiday decorations!



Thank you for your time and consideration.





Board of Adjustment Minutes

March 20, 2025 6:30 PM

Council Chambers - 111 E. Maple Ave.

CALL TO ORDER

A meeting of the Board of Adjustment was held at 6:30 PM on 3/20/2025, at 111 E Maple Avenue, Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Roy Browne, John Davies, Cody Atkinson, Cindy McClain, Caleb Holder. Absent - Sarah Wimberley.

PUBLIC HEARING

1. **Case 24-999-12 – 790 & 800 N. Bly Rd. –** Variances to lot standards.

Gabe Glaser gave the staff report.

Motion

Commissioner Cindy McClain made a motion to approve the case. Commissioner Caleb Holder seconded the motion. The motion was approved Yes 5, No 0, Abstained 0.

APPROVAL OF MINUTES

1. February 20, 2025

Motion

Commissioner Cody Atkinson made a motion to approve the minutes. Commissioner John Davies seconded the motion. The motion was approved Yes 5, No 0, Abstained 0.

ADJOURNMENT

The meeting was adjourned at 7:00 p.m.



Board of Adjustment Minutes

April 17, 2025 6:30 PM

Council Chambers - 111 E. Maple Ave.

CALL TO ORDER

A meeting of the Board of Adjustment was held at 6:40 PM on 4/17/2025, in the 111 E Maple Avenue, Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Roy Browne, Cody Atkinson, Cindy McClain, Caleb Holder. Absent - Sarah Wimberley.

PUBLIC HEARING(S)

1. **Case 25-999-04 – 18707 E. 28th Street S** – Variance to setback and screen/fence height requirements.

The applicant requested this case be continued indefinitely.

Motion

Board Member Cindy McClain made a motion to continued the case indefinitely.

Commissioner Cody Atkinson seconded the motion. The motion was approved Yes 4, No 0, Abstained 0.

APPROVAL OF MINUTES

1. March 20, 2025

The minutes were never considered by the Board of Adjustment, so they will be continued to the next meeting.

ADJOURNMENT

The meeting was adjourned at 6:56 p.m.



Board of Adjustment Special Called Meeting Minutes

June 16, 2025 2:00 PM

Council Chambers (Ground Floor) - 111 E. Maple Ave.

CALL TO ORDER

A meeting of the Board of Adjustment was held at 2:25 PM on 6/16/2025, in the City Council Chambers, 111 E Maple Ave (Ground Floor), Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Roy Browne, John Davies, Anthony Sommer, Cody Atkinson, Cindy McClain.

PUBLIC HEARING

1. **Continued Case 25-999-04 – 18707 E. 28th Street S** – Variance to setback and screen/fence height requirements.

Rick Arroyo gave the staff report.

Board Comments

Board Member Sommer stated he doesn't believe it's the board's responsibility to interpret the City Code or determine if the construction is good quality. He noted that the applicant needs a variance for each violation, one for the setback and one for the height. City Attorney Purifoy clarified that the applicant had already received a variance for the backside.

In response to Board Member Sommer's question, Mr. Arroyo stated the property owner building the fence would have to make arrangements with adjoining property owners to get access to maintain that side of the fence. If the adjoining property owners are not willing to grant permission for them to be on their property, they could move their fence inward so they still have access to the outside of the fence from their property. The other option would be to

obtain an easement, which is a legal document that would allow that property owner access to maintain their fence.

In response to Board Member McClain's question, Mr. Arroyo stated the variance is for two feet of additional height (over the City Code).

In response to discussion with the Board, Chair Browne stated the Board could recommend that the applicant allow the neighbor to maintain his side of the fence from the yard, but that it cannot be a condition of approval. In response to Board Member Sommer's question, Mr. Purifoy stated if the variance is denied, they cannot come back and request the same variance again.

Motion

Commissioner John Davies made a motion to approve the setback variance. Commissioner Cody Atkinson seconded the motion. The motion was approved Yes 4, No 1, Abstained 0.

Board Member McClain commented that if the height variance is approved, she would prefer it not be the reflective material. Mr. Purifoy stated the applicant would try to limit the reflectativity of the material.

Chair Browne noted he and the board would hope that the neighbors could get along in the future and that the applicant would allow her neighbor to maintain his fence from her side of the yard when needed.

Motion

Commissioner Cindy McClain made a motion to approve the height variance with the condition that the applicant try to limit the reflective material. Commissioner Anthony Sommer seconded the motion. The motion was approved Yes 5, No 0, Abstained 0.

ADJOURNMENT

The meeting was adjourned at 5:14 p.m.