INDEPENDENCE
MISSOURI
A GREAT AMERICAN STORY

Board of Adjustment

September 18, 2025 6:30 PM,

Council Chambers - 111 E. Maple Ave.

CALL TO ORDER

ROLL CALL

PUBLIC HEARING(S)

1. **Case 25-999-11 – 1905 S Arlington Ave -** Variance to setback requirements.
2. **Case 25-999-12 – 14108 E 39th St S -** Variance to lot standards.

APPROVAL OF MINUTES

1. July 17, 2025

ADJOURNMENT

INDEPENDENCE
★ COMMUNITY DEVELOPMENT ★

Board of Adjustment
Staff Report

MEETING DATE: September 18, 2025 **STAFF:** Gabe Glaser, Planner

PROJECT NAME: Arlington House Remodel

CASE NUMBER: **Case 25-999-11 – 1905 S Arlington Ave -** Variance to setback requirements

APPLICANT: Paul Do, Casa Lotus Investments LLC

PROPERTY ADDRESS: 1905 S Arlington Ave

SURROUNDING ZONING/LAND USE:

North: R-12 (Two Family Residential) / Single Family Residence
South: R-12 (Two Family Residential) / Duplex
East: R-12 (Two Family Residential) / Single Family Residence
West: R-12 (Two Family Residential) / Single Family Residence and Duplex

PUBLIC NOTICE:

- Notification letters sent out to property owners within 185 feet on August 28, 2025
- Legal notice was published in the Independence Examiner on August 30, 2025

VARIANCE REQUEST

CITY CODE REQUIREMENTS/VARIANCE:
SECTION 14-300-05-A.2 requires all development in R districts to comply with the lot and building standards of Table 300-2.

The applicant's site plan indicates the structure is located two (2) feet from the side property line.

BACKGROUND:
The subject property is defined as lots 187 and 188 of Harrison's Park subdivision recorded in 1923. The subject site has a width of ±80 feet and a depth of ±135 feet, containing ±10,800 ft^2 of land area. Jackson County property records indicate the bungalow-style residential dwelling was constructed in 1925 and contains ±660 ft^2 of living area. City utility records indicate there has been no utility usage since 2012, seeming to indicate the dwelling has not been legally occupied for more than a decade. The last deed of record indicates the property changed ownership in April of 2025. Subsequently, a building permit application was submitted to the city to rehabilitate the structure, in May of 2025.

In accordance with Chapter 14, Article 8 of the city code, a structure may not be rebuilt unless it is in full conformity with the development code, once it has lost its nonconforming status. The loss of nonconforming status was triggered under section 14-800-12 of the city code—if a nonconforming structure is destroyed by any means, including, but not limited to neglect, to

the extent of mora than 50 percent of its market value, as determined by the Jackson County Assessment Department, the nonconforming structure may not be restored unless it is in full compliance with the development ordinance. Whereas the required interior side setback for structures in R-12 zoning districts is five (5) feet, the existing structure is set back from its northern (side) property line a distance of two (2) feet and does not meet the required setback. The applicant is requesting relief from strict compliance with the lot and building standards, in order to rehabilitate the 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, the structure was built in 1925 under different building and development codes. The existing nonconforming aspect of the structure was not caused by the applicant;*
2. The requested variance will not adversely affect the rights of adjacent property owners or residents. *Yes and no, the proposed variance will not cause an encroachment in a neighboring property. However, future development will need to be mindful of building separation requirements;*
3. Requiring strict compliance with the subject zoning regulation will constitute a practical difficulty for the subject property owner. *Yes, under Chapter 14, Article 8 of the city code, the existing 1925 structure cannot be rebuilt with the existing side yard setback;*
4. The requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. *Yes, the proposed rehabilitation 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. *Yes, the applicant obtained ownership of the property recently, whereas the dwelling was constructed 100 years ago.*
6. The variance, if granted, will not alter the essential character of the neighborhood. *Yes, the variance, if granted, will not alter the essential character of the neighborhood.*

The request meets all six of the above-mentioned hardships or facts for the variances listed in the city code for consideration.

EXHIBITS

1. Cover Letter
2. Code Section
3. Application
4. Applicants' Variance Criteria
5. Notification letter
6. Notification addresses
7. Notification area map
8. Mailing affidavit
9. Survey

Permit Cover Letter - 1905 S Arlington Ave

Pura Vidas Capital
1905 S Arlington Ave
Independence, MO 64052
August 12, 2025

City of Independence
Community Development Department - Building Inspections Division
111 E Maple Ave
Independence, MO 64050

RE: Project Scope and Permit Application - 1905 S Arlington Ave, Independence, MO

To Whom It May Concern,

Pura Vidas Capital is submitting this letter to outline the proposed remodeling project for 1905 S Arlington Ave, Independence, MO.
The intent of this project is to enhance the property's livability and market value while ensuring all work meets applicable city
requirements and safety standards.

Project Overview:
1. Basement Renovation - Adding two new bedrooms in the basement, each with a new egress window to provide safe emergency exits.
2. Second Bathroom Addition - A new full bathroom will be added on the main floor to accommodate the increased occupancy.
3. Interior Updates - Necessary framing, drywall, insulation, flooring, lighting, and trim work will be completed throughout the remodeled areas.
4. Plumbing and Electrical Modifications - Plumbing and electrical systems will be extended and/or modified to service the new bathroom and bedrooms. All work will be performed by licensed professionals.
5. HVAC Adjustments - Existing heating and cooling systems will be extended to provide adequate

climate control to the new living spaces.

Our goal is to complete this remodel to a high standard, ensuring safety, functionality, and aesthetic appeal. All construction
will follow the approved plans submitted with this permit application.

We appreciate your review of this application and look forward to your approval so that work may commence.

Sincerely,
Pura Vidas Capital

14-300-05 - Lot and building standards

14-300-05-A. General

1. This section establishes basic lot and building standards for all development in R districts. The standards that apply vary on the basis of zoning, building type and development type.

2. All residential and nonresidential development in R districts must comply with the lot and building standards of Table 300-2, except as otherwise expressly provided in this ordinance.

3. Rules for measuring compliance with the lot and building standards established in Table 300-2 and applicable exceptions to the standards can be found in Article 14-202.

Table 300-2 Lot and Building Standards						
	R-A	R-1	R-2	R-4	R-6	R-12
CONVENTIONAL DEVELOPMENT						
Lot Size						
Min. lot area (square feet)	3 Ac	40,000	20,000	10,000	7,000	7,000
Min. lot area per unit (square feet)	3 Ac	40,000	20,000	10,000	7,000	3,500
Min. lot frontage (feet)	240	120	100	75	60	60
Max. lot depth to width ratio	4/1	NA	NA	NA	NA	NA
Min. Exterior Setback (feet)						
Arterial streets	50	50	50	50	50	50
Collector/minor arterial	50	50	35	35	35	35
All other streets	50	50	35	25	25	25
Min. Interior Rear Setback (feet)	50	50	30	30	20	20
Min. Interior Side Setback (feet)	35	15	10	5	5	5
Maximum Height (feet)	None	35	35	35	35	35

INDEPENDENCE
MISSOURI

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

Arlington House Remodel
Project Name

1905 S Arlington Ave, Independence, MO, 64052
Project Address/Location

Sq. Ft. of Building	Acreage	Number of Lots/Tracts	Steam Buffer (Yes or No)
1,200 Ft²	10,995 Ft²	1	No

Existing Zoning	Proposed Zoning	Existing Land Use	Proposed Land Use
R-12	N/A	Vacant	SF Residence

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

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

Contact Information

Applicant

Name	Company
Paul Do	Casa Lotus Investments LLC

[redacted]

Owner

Name	Company
Paul Do	Casa Lotus Investments LLC

[redacted]

Architect/Engineer/Surveyor/Other: Surveyor

Name	Company
Victor Jodts	Region Land Survey

[redacted]

Architect/Engineer/Surveyor/Other: Surveyor

Name	Company
Victor Jodts	Region Land Survey

[redacted]

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

Applicant's Signature	Date	Owner's Signature	Date
Paul Do	Aug 12, 2025	Paul Do	Aug 12, 2025

May 2022

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: The existing house was built 2 feet from the property line.

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

   ☒ Yes ☐ No

   Explain: The house is built inside the property lines.

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

   ☒ Yes ☐ No

   Explain: Rebuilding the property is not possible without a variance.

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

   ☒ Yes ☐ No

   Explain: The house is built inside the property lines.

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

☒ Yes ☐ No

Explain: We purchased the property in its current condition

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

☑ Yes ☐ No

Explain: We are rehabbing an existing structure

Property Owner Notification Letter

City of Independence, Missouri

Date: August 28, 2025 Case No. 25-999-11

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: Complete interior and exterior rehab of the exisitng property. The scope of work will include demo and full rebuild to bring the property up to code.

Applicant: Paul Do

Location of Property: 1905 S Arlington Ave, Independence, MO 64052

Board of Adjustment Meeting Date: September 18, 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.

Paul Do

Applicant (or Owner/Agent)

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

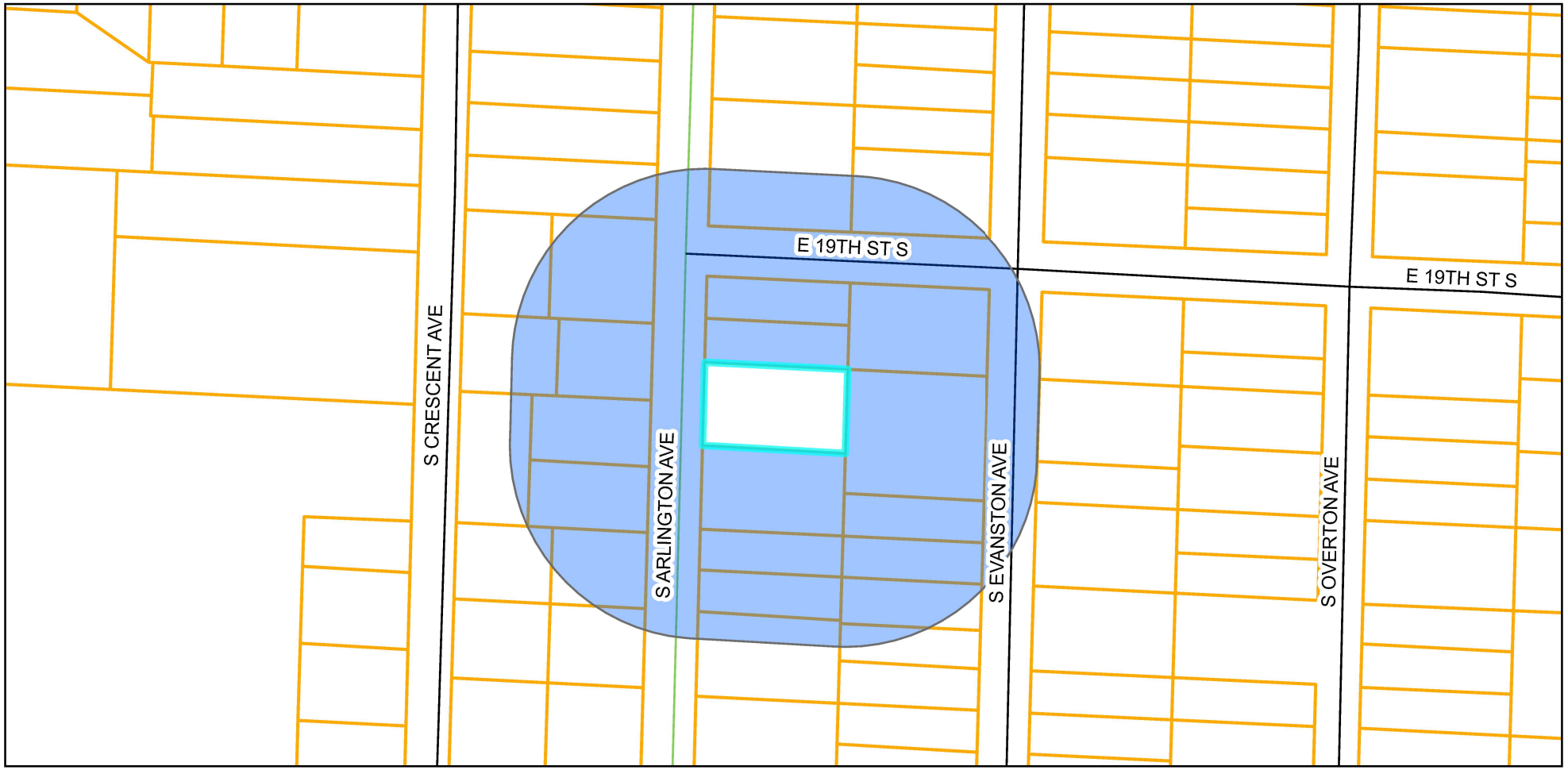
Property Address	Property Owner	Owner Address	City	State	ZIP Code
1827 S ARLINGTON AVE	BAILEY JERRY T	1824 S EVANSTON AVE	INDEPENDENCE	MO	64052
1828 S EVANSTON AVE	COXON SHELBY ELISE	1828 S EVANSTON AVE	INDEPENDENCE	MO	64052
1836 S ARLINGTON AVE	WALSH JEFFREY T & WALSH CAREY M	2801 SW TWINCREEK CT	BLUE SPRINGS	MO	64015
1839 S CRESCENT AVE	YOUNG RONNIE G	1839 CRESCENT	INDEPENDENCE	MO	64053
1841 S CRESCENT AVE	HIDDEN TREASURE INVESTMENTS LLC	8440 LEES SUMMIT RD	KANSAS CITY	MO	64139
1901 S ARLINGTON AVE	PIERCE MARCIA EILEEN	16107 E 28TH TER S APT 2913	INDEPENDENCE	MO	64055
1901 S CRESCENT AVE	LIMITLESS PROPERTY INVESTMENTS LLC	6331 SNOWBERRY LN	NIWOT	CO	80503
1901 S EVANSTON AVE	DEMPSEY DOYLE W	1901 S EVANSTON AVE	INDEPENDENCE	MO	64052
1902 S EVANSTON AVE	HERONEME WILLIAM G & DIANN M	1902 EVANSTON AVE	INDEPENDENCE	MO	64052
1904 S ARLINGTON AVE	WREF III LOAN 3B LLC	7957 N UNIVERSITY DR STE 145	PARKLAND	FL	33067
1905 S ARLINGTON AVE	CASA LOTUS INVESTMENTS LLC	10524 W 92ND PL	OVERLAND PARK	KS	66214
1905 S CRESCENT AVE	WEAVER LUKE W	1907 S CRESCENT AVE	INDEPENDENCE	MO	64052
1906 S ARLINGTON AVE	KROENKE MARK A & LAURIE L	32712 E COLBERN RD	OAK GROVE	MO	64075
1906 S EVANSTON AVE	MALONEY JENNIFER & VAN CLEAVE RICHARD	1906 S	EVANSTON INDEPENDENCE	MO	64052
1907 S EVANSTON AVE	KCSJ REALTY LLC	617 NE LAKE POINTE DR	LEES SUMMIT	MO	64064
1909 S ARLINGTON AVE	ARF4 LLC	16657 E 23RD ST S STE 370	INDEPENDENCE	MO	64055
1910 S ARLINGTON AVE	CASTILLO CAMILA FERNANDA REINA	1910 S ARLINGTON AVE	INDEPENDENCE	MO	64052
1910 S EVANSTON AVE	DE LONG DENNIS B & FELICIDAD L	1910 S EVANSTON AVE	INDEPENDENCE	MO	64052
1911 S CRESCENT AVE	BLUE SKY 1 LLC	227 HIDDEN VALLEY LN	CASTLE ROCK	CO	80108
1912 S EVANSTON AVE	COLE CHRISTOPHER C	1400 NE 69TH TER	GLADSTONE	MO	64118
1913 S ARLINGTON AVE	LOULOS NICKOLS & BONNIE SUE	1913 ARLINGTON	INDEPENDENCE	MO	64052
1914 S EVANSTON AVE	MINT HOMES KC LLC	18232 W 157TH TER	OLATHE	KS	66062
1915 S ARLINGTON AVE	PINK HILL PROPERTIES LLC	32202 E PINK HILL RD	GRAIN VALLEY	MO	64029
1916 S ARLINGTON AVE	BSK REAL ESTATE LLC	40637 LENOX PARK DR	NOVI	MI	48377
1916 S EVANSTON AVE	PRODIGY ENTERPRISES LLC	PO BOX 4066	INDEPENDENCE	MO	64051
1917 S ARLINGTON AVE	KULSHRESTHA ANISH	1917 S ARLINGTON AVE	INDEPENDENCE	MO	64052
1940 S ARLINGTON AVE	MARTINEZ KARELL	618 NE 114TH	KANSAS CITY	MO	64155

INDEPENDENCE
COMMUNITY DEVELOPMENT

Notification Area

1905 S Arlington Ave

Case #25-999-11



Legend

- Notification Area
- Parcels

0 100 200 400 US Feet

Prepared For: Board of Adjustment
Meeting Date: September 18, 2025

N

Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 25-999-11

I, Paul Do, 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 Board of Adjustment, 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 28 day of August, 2025.

Paul Do

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 29 day of August, 2025.

Notary Public

NOTARY PUBLIC - State of Kansas
JAKLING PENNINGTON
My Appt. Expires 10/6/25

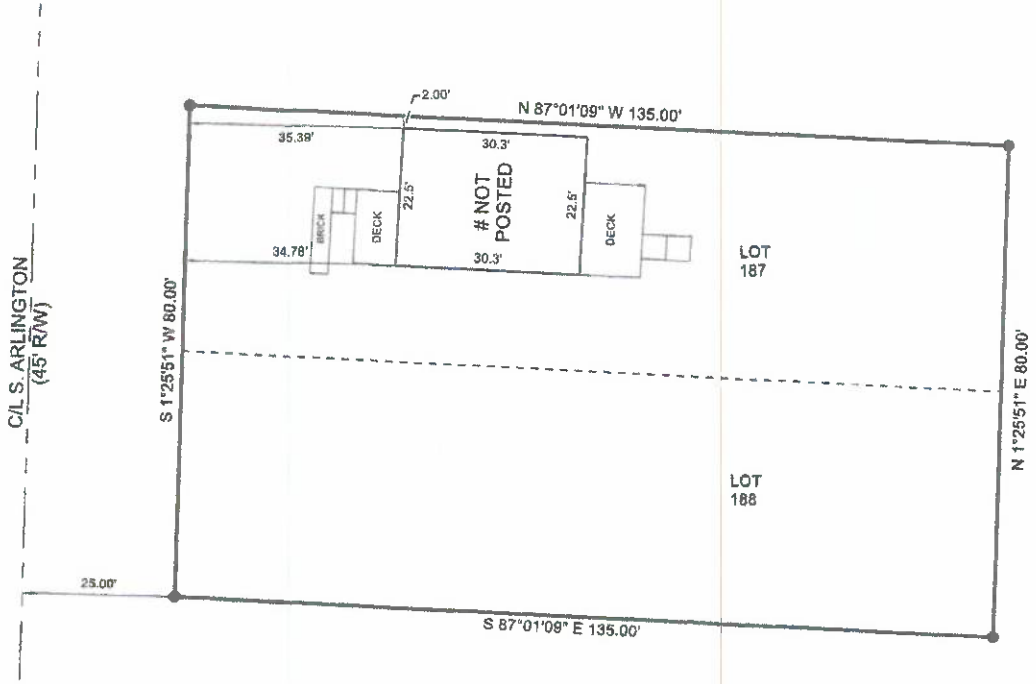
10/6/25 8/29/25

Commission Expiration Date

PLAT OF SURVEY

DESCRIPTION:

Lots 187 and 188, HARRISON PARK, a subdivision in Independence, Jackson County, Missouri.



NOTES:

NO TITLE REPORT WAS FURNISHED TO ME SHOWING ANY EASEMENTS, IF ANY, WHICH MIGHT AFFECT THIS SURVEY.

PARENT DEED - WARRANTY DEED INSTR.#2025E0029262

SURVEY ACCURACY CLASS - URBAN

NO ATTEMPT TO LOCATE ANY UTILITIES ON THIS SURVEY.

BEARING REFERENCE: NAD 83 MO WEST

FOR: PAUL DO
1905 S. ARLINGTON
INDEPENDENCE, MO.

DATE: AUGUST 11, 2025 **JOB#: 2025-274**

THIS IS TO CERTIFY THAT THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Region Land Survey

Region Land Survey, Inc.
202 NW 12th Street
Blue Springs, MO. 64015
816.966.1191 office
816.966-1441 fax
service@regionsurvey.com

STATE OF MISSOURI
VICTOR B. JODRY
NUMBER LS-2519
PROFESSIONAL LAND SURVEYOR

LEGEND

● SET 1/2" BAR W/ CAP STAMPED MO 2519

0 20' 40'

Traverse PC

INDEPENDENCE
★ COMMUNITY DEVELOPMENT ★

Board of Adjustment
Staff Report

MEETING DATE: September 18, 2025 **STAFF:** Brian L. Harker, Planner

PROJECT NAME: Lot Size for New Lot on the West Side of 1408 E. 39th Street S.

CASE NUMBER: **25-999-12** – 14108 E. 39th Street S. – Variance to Lot Standards

APPLICANT/OWNER: Steven Ward

PROPERTY ADDRESS: 14108 E. 39th Street S.

SURROUNDING ZONING/LAND USE:

North = R-6 (Single-Family Residential)…single-family home
South = R-6 (Single-Family Residential)…single-family homes
East = R-6 (Single-Family Residential)…single-family home
West = R-12 (Two-Family Residential)…single-family home

PUBLIC NOTICE:

- Notification letters sent out to property owners within 185 feet on August 29, 2025.
- Legal notification published in the Independence Examiner on August 30, 2025.

VARIANCE REQUEST

CITY CODE REQUIREMENTS/VARIANCES:

City Code **14-300-5 Lot and Building Standards...TABLE 300-2…** The table indicates that in R-6 (Single-Family Residential) districts should have a minimum lot size of 7,000 square feet. The applicant's request is for the creation of a lot (Lot 31B) from the west interior side yard of 14108 E. 39th Street S. (Lot 31). The new lot would be 5,815 square feet in area: thus, needing a variance of 1,185 square feet. The variance would be necessary to approve a proposed Minor Subdivision to split Lot 31 of the Edgevale addition.

BACKGROUND:

The proposed west lot would be created from the western 60 feet of Lot 31, Edgevale, a 0.36-acre lot of a platted subdivision recorded in 1954. Upon adoption of the Zoning Ordinance in 1965, the lot was designated with an R-1 (Single-Family Residential) zoning designation. In 1980, the city relabeled the zoning designation, R-1b (Single-Family Residential). In 2009, the city's Unified Development Ordinance (UDO) relabeled the zoning designation, R-6 (Single-Family Residential).

In addition to a variance that would allow for the construction of an additional residence, there is an additional consideration. The construction of an additional driveway would complicate the density of driveways near the intersection of E. 39th Street and S. Dodgion Avenue. Additionally, the shed on the west side of Lot 31 would need to be removed and the applicant's residence at 14108 E. 39th Street S. would need to be readdressed as 14110 E. 39th Street S.

ANALYSIS

Comprehensive Plan: The City's Comprehensive Plan designates Residential 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.** *No. The applicant's proposed actions will create a new lot size nonconformity. Further, creation of two smaller lots, and the development of the new home on one of them, will result in a higher residential density than for the adjacent single-family residential neighborhood.*
2. **The requested variance will not adversely affect the rights of adjacent property owners or residents.** *No. Other homes in the surrounding R-6 district were developed at a lower density.*
3. **Requiring strict compliance with the subject zoning regulation will constitute a practical difficulty for the subject property owner.** *No. The applicant can continue to use his property under the existing regulations as others in the neighborhood.*
4. **The requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.** *No. The lot split would not arguably enhance the prosperity or general welfare of the neighborhood by changing the area's expectations for the intensity of the dominant single-family use in the area.*
5. **The alleged hardship has not been created by any person presently having an interest in the property.** *No. The property owner is the one requesting an action that would result in a nonconformity.*
6. **The variance, if granted, will not alter the essential character of the neighborhood.** *No. The neighborhood would be denser than originally conceived.*

EXHIBITS

1. Cover Letter
2. Code Section
3. Application
4. Applicants Variance Criteria
5. Notification letter
6. Addresses
7. Notification Area Map
8. Mailing affidavit
9. Survey
10. Aerial Imagery

Cover Letter

August 20, 2025

FROM: Karen, David, and Steven Ward
TO: Independence, MO Board of Adjustment
SUBJECT: Edgevale Minor Subdivision project at 14108 E. 39th St. S

The house at 14108 E. 39th St. S. was built by Harry Pitchford; a home builder, carpenter, and pillar of the community that personally built many of the homes in Independence over his decades-long career.

This variance application relates to two properties that remain in his family to this day: The house at 14108 and the duplex next door at 14106/14104.

The properties were left to Harry's wife Lois, who then left 14108 to their daughter Karen and her husband Dave.

Lois, in turn, left 14106/14104 to their other daughters, Barbara and Mary Jo. Some years later, Karen and Dave bought out Barbara's ownership portion of 14106/14104.

Over the decades, these three residences have been effectively used as communal family property. Currently Karen and Dave live at 14106, their son Steven and his family live at 14104, and Mary Jo lives with her daughter, son in-law, and granddaughter at 14108.

This variance request is part of a larger effort to align the ownership of these properties on paper with the people actually residing, maintaining, and paying expenses on them.

Ultimately, 14108 will be put in Mary Jo's daughter Alexis' name, and 14106/14104 will be put in Karen and Dave's Son Steven's name as Alexis and Steven have been the ones primarily responsible for the separate structures for the past few years.

In summary, splitting off the plot of land between the two properties helps facilitate three objectives:

1. Make the 'trade' of Mary Jo's half ownership of 14106/14104 for the full ownership of 14108 somewhat more equitable.
2. Align the legal ownership on paper with the currently existing facts on the ground of who is living in and taking responsibility for the properties.
3. Leave open the possibility for the construction of an additional residence in the future as one or more of Harry's aging children may someday require living in a location without stairs.

Sincerely,

Karen M. Ward
David J Ward

Karen, David, and Steven Ward

14-300-05 - Lot and building standards

14-300-05-A. General

1. This section establishes basic lot and building standards for all development in R districts. The standards that apply vary on the basis of zoning, building type and development type.
2. All residential and nonresidential development in R districts must comply with the lot and building standards of Table 300-2, except as otherwise expressly provided in this ordinance.
3. Rules for measuring compliance with the lot and building standards established in Table 300-2 and applicable exceptions to the standards can be found in Article 14-202.

EXPAND

Table 300-2 Lot and Building Standards

	R-A	R-1	R-2	R-4	R-6	R-12	R-18 PUD	R-30 PUD
CONVENTIONAL DEVELOPMENT								
Lot Size								
Min. lot area (square feet)	3 Ac	40,000	20,000	10,000	7,000	7,000	3,500	3,500
Min. lot area per unit (square feet)	3 Ac	40,000	20,000	10,000	7,000	3,500	2,400	1,450[1]
Min. lot frontage (feet)	240	120	100	75	60	60	30	30
Max. lot depth to width ratio	4/1	NA	NA	NA	NA	NA	NA	NA
Min. Exterior Setback (feet)								
Arterial streets	50	50	50	50	50	50	50	50
Collector/minor arterial	50	50	35	35	35	35	35	35
All other streets	50	50	35	25	25	25	25	25
Min. Interior Rear Setback (feet)	50	50	30	30	20	20	25	25
Min. Interior Side Setback (feet)	35	15	10	5	5	5	5	5
Maximum Height (feet)	None	35	35	35	35	35	35[3]	35[3]

INDEPENDENCE
• MISSOURI •

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

Edgevale Minor Subdivision
Project Name

14108 E. 39th St. S.
Project Address/Location

N/A	0.36	1	No
Sq. Ft. of Building	Acreage	Number of Lots/Tracts	Steam Buffer (Yes or No)
N/A	N/A	Residential	Residential
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	☐ One 24" x 36" set of plans for Land Sub. & Site Dev.
☒ Application Fee	☒ One PDF copy of a plat map or site plan
☒ Cover Letter Describing Details of Project	☒ Legal Description of the property in question

Contact Information

Applicant

Steven Ward
Name

Company

[redacted]

Owner

Karen and Dave Ward
Name

Company

[redacted]

Architect/Engineer/Surveyor/Other:

Erwin Gard
Name

Gard Horizon LLC
Company

[redacted]

Architect/Engineer/Surveyor/Other:

Name

Company

[redacted]

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

Applicant's Signature — Date: 8/20/25

Karen M Ward David J Ward — Owner's Signature — Date: 8/20/25

May 2022

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: The homes at 14108, and at 14106/14104 were built by Harry Pitchford and passed down to his children. The request to divide the lot at 14108 is part of an effort to equitably distribute the property to Harry's grandchildren.

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

   ■ Yes ☐ No

   Explain: No impact on the rights of adjacent property owners.

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

   ■ Yes ☐ No

   Explain: Dave and Karen Ward are the current owners of 14108, and half owners of 14106/14104 along with Mary Jo Tentori.
   The house at 14108 will be transfered to Mary Jo's daughter, Alexis.
   14106/14104, and the new divided lot will be put in Karen and Dave's son's name, Steven Ward.

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

   ■ Yes ☐ No

   Explain: There is no impact on public health, safety, morals, order, convenience, prosperity or general welfare.

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

■ Yes ☐ No

Explain: No person presently having an interest in the property was involved in the creation of the hardship.

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

■ Yes ☐ No

Explain: The essential character of the neighborhood will remain unchanged.

Property Owner Notification Letter

City of Independence, Missouri

Date: 8/29/2025 Case No. 25-999-12

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: Splitting off the land in between the house at 14108 East 39th St. S. and the duplex at 14104/14106 into a separate lot.

Applicant: Steven Ward

Location of Property: 14108 East 39th St. S., Independence, MO

Board of Adjustment Meeting Date: September 18, 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.

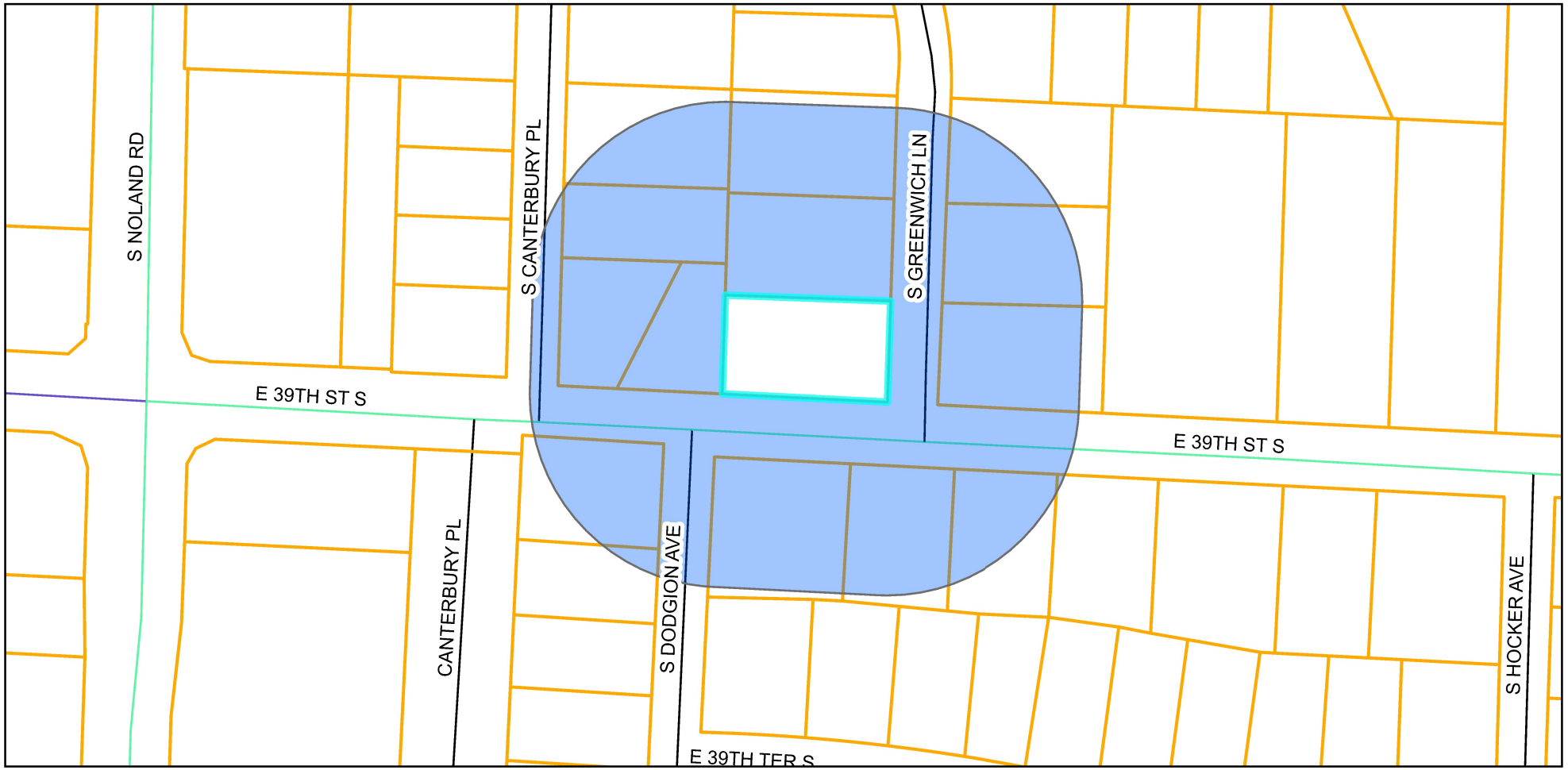
Property Address	Property Owner	Owner Address	City	State	ZIP Code
14101 E 39TH ST S	ELLIS ANTHONY	14101 E 39TH ST S	INDEPENDENCE	MO	64055
14104 E 39TH ST S	WARD DAVID J & KAREN M & TENTORI MARY JO	14106 E 39TH ST S	INDEPENDENCE	MO	64055
14105 E 39TH ST S	ROBERTS RAYMOND R	P O B0X 3229	INDEPENDENCE	MO	64055
14108 E 39TH ST S	WARD DAVID & KAREN	14106 E 39TH ST S	INDEPENDENCE	MO	64055
14109 E 39TH ST S	SCIFRIES LARRY J JR	14109 E 39TH ST S	INDEPENDENCE	MO	64055
14113 E 39TH ST S	GALLEGOS JOSE A & ELVIRA	14113 E 39TH ST	INDEPENDENCE	MO	64055
3804 S GREENWICH LN	ADAMS STEVEN DALE	3804 GREENWICH LN	INDEPENDENCE	MO	64055
3805 S CANTERBURY PL	MENJIVAR NICOLAS	3805 CANTERBURY PL	INDEPENDENCE	MO	64055
3805 S GREENWICH LN	TODD RONALD E	3805 GREENWICH LN	INDEPENDENCE	MO	64055
3806 S GREENWICH LN	MILLER BOYD J & DAWN G	3806 S GREENWICH LN	INDEPENDENCE	MO	64055
3807 S GREENWICH LN	SHEPHERD RICK W	3807 GREENWICH LN	INDEPENDENCE	MO	64055
3809 S GREENWICH LN	CASEY CATHERINE H	3809 S GREENWICH LN	INDEPENDENCE	MO	64055
3841 S CANTERBURY PL	G1 REAL ESTATE 008 LLC	1206 W 39TH ST	KANSAS CITY	MO	64111
3845 S CANTERBURY PL	ALPINE EQUITY LLC	PO BOX 241	INDEPENDENCE	MO	64051
3900 S DODGION AVE	WILSON DONNA L	3900 S DODGION AVE	INDEPENDENCE	MO	64055
3904 S DODGION AVE	TRUST DATED 08/12/2000	3904 S DODGION AVE	INDEPENDENCE	MO	64055

INDEPENDENCE
COMMUNITY DEVELOPMENT

Notification Area

14108 E 39th St S

Case #25-999-12



Legend

- Notification Area
- Parcels

0 100 200 400 US Feet

Prepared For: Board of Adjustment
Meeting Date: September 18, 2025

N

Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 25-999-12

I, Steven Ward, 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 Board of Adjustment, 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 29 day of August, 2025.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 3 day of September, 2025.

Notary Public

ANNINE S TOKEAK
Notary Public - Notary Seal
Jackson County - State of Missouri
Commission Number 23073772
My Commission Expires Aug 6, 2027

08/06/2027

Commission Expiration Date

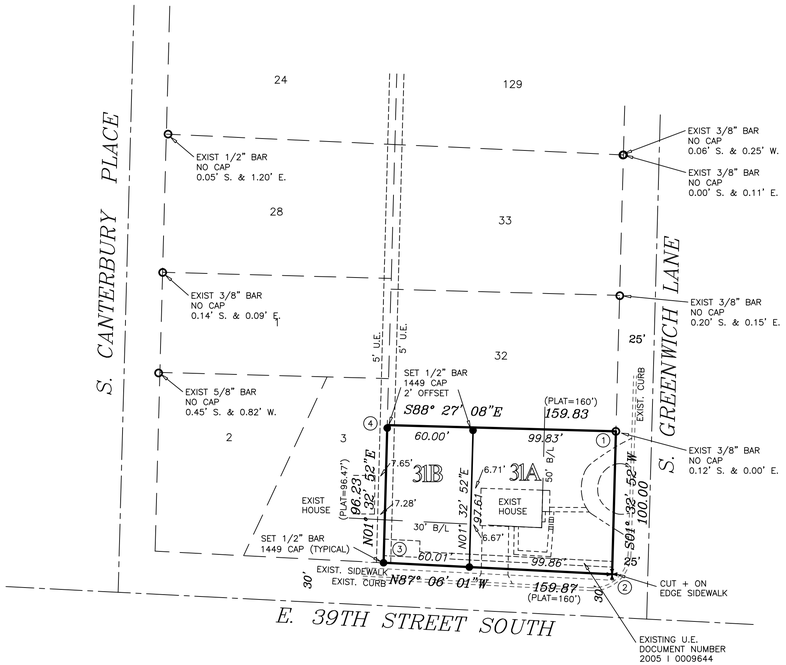
Z:\CAD drawing (from home comp)\CAD Drawings_SUBDIVISION Files\Edgevale\ IN\Edgevale MASTER.dwg, 8/20/2025 9:10:28 AM, DWG To PDF.pc3

CERTIFICATE OF SURVEY

EDGEVALE REPLAT A

A LOT SPLIT MINOR SUBDIVISION

THIS IS A RE-PLAT OF LOT 31, EDGEVALE, A SUBDIVISION IN SECTION 23-TWP.49-RNG.32, INDEPENDENCE, JACKSON COUNTY, MISSOURI



W E S

0' 50'

SCALE = 1" = 50'

PROPERTY DESCRIPTION:

CONTAINING 15,681 SQ.FT. OR 0.3600 ACRES.

ALL OF LOT 31, EDGEVALE, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.

DEDICATION:

THE UNDERSIGNED PROPRIETORS OF THE TRACT OF LAND DESCRIBED IN THIS PLAT HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN HEREON WHICH SHALL HEREAFTER BE KNOW AS:

EDGEVALE REPLAT A

STREETS: ALL THOROUGHFARES SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED.

EASEMENTS: AN EASEMENT OR LICENSE IS HEREBY GRANTED TO INDEPENDENCE, MISSOURI TO LOCATE, CONSTRUCT AND MAINTAIN OR TO AUTHORIZE THE LOCATION, CONSTRUCTION OR MAINTENANCE OF POLES, WIRES, CONDUITS AND/OR STRUCTURES FOR WATER, GAS, SANITARY SEWER, STORM SEWER, ELECTRICITY, TELEPHONE, CABLE T.V. OR ANY OTHER PUBLIC SERVICE OR UTILITY, ANY OR ALL OF THEM UPON, OVER OR UNDER THOSE AREAS OUTLINED AND DESIGNATED UPON THIS PLAT AS "UTILITY EASEMENT" (U.E), "DRAINAGE EASEMENT" (D.E.), "WATER EASEMENT" (W.E.), OR "SEWER EASEMENT" (S.E.) AND WITHIN ANY STREET OR THOROUGHFARE DEDICATED TO PUBLIC USE ON THIS PLAT. WHERE AN EASEMENT IS DEDICATED TO A SPECIFIC USE, THE USE THEREOF SHALL BE RESTRICTED TO SAID USE. ALL EASEMENTS SHALL BE KEPT FREE AND CLEAR OF ALL BUILDINGS, STRUCTURES OR OTHER OBSTRUCTIONS (EXCEPT DRIVEWAYS, PAVED AREAS, GRASS, SHRUBS, AND FENCES) WHICH WOULD INTERFERE WITH ; A) THE PROPER, SAFE, AND CONTINUOUS USE AND MAINTENANCE OR RECONSTRUCTION OF THE FACILITIES LOCATED WITHIN SAID EASEMENT, AND; B) THE AGENTS AND EMPLOYEES OF INDEPENDENCE, MISSOURI AND ITS FRANCHISED UTILITIES FROM GOING UPON SAID EASEMENT IN THE EXERCISING OF THE RIGHTS GRANTED BY SAID EASEMENT.

STREAM BUFFER: NOT SUBJECT TO A STREAM BUFFER AND/OR CONSERVATION EASEMENT.

BUILDING SET BACK LINE: BUILDING LINE(S) OR SET BACK LINE(S) ARE HEREBY ESTABLISHED AS SHOWN AND DESIGNATED ON THIS PLAT AS "B/L". NO BUILDING OR PORTION THEREOF SHALL BE CONSTRUCTED BETWEEN THIS LINE AND THE STREET RIGHT-OF-WAY LINE.

IN TESTIMONY WHEREOF: HARRY J. PITCHFORD AND LOIS E. PITCHFORD, HUSBAND AND WIFE, AND KAREN WARD AND DAVID WARD (DEED = WARE), HUSBAND AND WIFE, HAVE CAUSED THESE PRESENTS TO BE SIGNED THIS _____ DAY OF _____ 20_____.

_____ _____

HARRY J. PITCHFORD LOIS E. PITCHFORD

_____ _____

KAREN WARD DAVID WARD

NOTARY CERTIFICATION:

STATE OF MISSOURI)
)SS
COUNTY OF JACKSON)

ON THIS _____ DAY OF _____, 20____, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED HARRY J. PITCHFORD, LOIS E. PITCHFORD, KAREN WARD AND DAVID WARD, BEING KNOWN BY ME TO BE THE PERSONS DESCRIBED HEREIN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND BEING DULY SWORN BY ME DID ACKNOWLEDGE THAT THEY EXECUTED THIS INSTRUMENT AS THEIR FREE ACT AND DEED.

IN TESTIMONY THEREOF:
I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THE DAY AND YEAR LAST WRITTEN ABOVE.

_____

_____ , NOTARY PUBLIC

_____
MY COMMISSION EXPIRES

(NOTARY SEAL)

SURVEY NOTES:

1. SEMI-PERMANENT MONUMENTATION:
SET 1/2" BAR WITH CAP STAMPED "E.W.GARD PLS-1449" AT CORNERS MARKED "●".

2. THE BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE, BY GPS OBSERVATIONS USING THE MoDOT GPS NETWORK IN APRIL 2024. GRID FACTOR EQUALS 0.9998982.

3. THE SOURCE OF THE DESCRIPTION USED FOR THIS PLAT WAS DERIVED FROM THE PLAT OF EDGEVALE AND A QUIT CLAIM DEED RECORDED AS DOCUMENT NO 1983 I 0518498.

4. THE EASEMENTS SHOWN HEREON ARE FROM THE PLAT AND DOCUMENT NUMBER 2005 I 0009644. A TITLE COMMITMENT WAS NOT PROVIDED BY THE CLIENT TO DISCLOSE ANY OTHER EASEMENTS AND/OR RIGHTS-OF-WAY THAT MAY AFFECT THE SUBJECT PROPERTY; THEREFORE, THIS SURVEYOR ACCEPTS NO LIABILITY SHOULD THERE BE ANY OTHER EXISTING EASEMENTS AND/OR RIGHTS-OF-WAY THAT AFFECT THE SUBJECT PROPERTY.

5. THIS SURVEY AND PLAT MEETS OR EXCEEDS THE STANDARDS FOR URBAN CLASS PROPERTY AS DEFINED BY THE CURRENT "MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS".

6. THE SURVEYOR'S "CERTIFICATION" STATEMENT USED HEREON IS MADE TO THE PARTIES NAMED HEREIN AND IS NOT TRANSFERABLE TO ADDITIONAL PARTIES, INSTITUTIONS, OR SUBSEQUENT OWNERS AND MEANS AN EXPRESSION OF PROFESSIONAL BELIEF REGARDING THE DATA SHOWN ON THIS PLAT AND DOES NOT REPRESENT A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

LOT AREAS

3IA	9,864 SQ.FT. OR 0.2264 AC.
3IB	5,815 SQ.FT. OR 0.1335 AC.

	STATE PLANE FEET
1	1050003.025 2813582.074
2	1049903.072 2813579.373
3	1049911.159 2813419.721
4	1050007.342 2813422.319

CITY OF INDEPENDENCE APPROVALS:

_____ _____
ALEXANDER LOPEZ DATE
MUNICIPAL SERVICES ENGINEER

_____ _____
TOM SCANNELL DATE
DIRECTOR OF COMMUNITY DEVELOPMENT

APPROVED BY THE CITY COUNCIL AND MAYOR OF THE CITY OF INDEPENDENCE, MISSOURI, PURSUANT TO ORDINANCE NO. 17339.

_____ _____
SUSANNE HOLLAND DATE
CITY CLERK

(CITY SEAL)

JACKSON COUNTY APPROVALS:

_____ _____
ASSESSOR'S OFFICE DATE

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT WE PERFORMED A SURVEY OF THE PROPERTY DESCRIBED HEREIN AND PREPARED THIS DRAWING IN ACCORDANCE WITH THE CURRENT "MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS JOINTLY ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS AND THE MISSOURI DEPARTMENT OF AGRICULTURE, LAND SURVEY PROGRAM TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

6/26/2025
ERWIN W. GARD, PLS-1449 DATE

DRAWINGS OF A PRELIMINARY NATURE ARE NOT REQUIRED TO BE SIGNED OR SEALED PER RSMO 327.411(4)

SIGNATURE & SEAL WILL BE ADDED TO FINAL PRINTS

(SURVEYOR SEAL)

REVISED LOT WIDTH ON LOT 31B PER CITY REVIEW – E. GARD 8/20/25

GARD HORIZON LLC
LAND SURVEYING : BUILDING PERMIT & HOUSE PLAN SERVICES
REAL ESTATE : LARGE FORMAT SCANS & PRINTS
1212 SW Luttrell, Suite C
Blue Springs, Missouri 64015
Phone: 816-295-5951
Web: gardhorizon.com
Erwin W. Gard, Owner
Professional Surveyor ~ Realtor
Cell: 816-853-4559
Email: erwin@gardhorizon.com

MINOR SUBDIVISION LOT SPLIT
14108 EAST 39TH STREET SOUTH
ALL OF LOT 31, EDGEVALE
INDEPENDENCE, JACKSON COUNTY, MISSOURI

HARRY & LOIS PITCHFORD AND KAREN & DAVID WARD
14108 EAST 39TH STREET SOUTH
INDEPENDENCE, MISSOURI 64055

JOB NO.: 1369-2501
MASTER FOLDER: CAD Drawings\Sub
SUB FOLDER: E
FILE NAME: Edgevale MASTER
FIELD BOOK – PAGE: GPS
DRAWN BY: E. GARD
SHEET 1 OF 1

Aerial Photograph

14108 E. 39th Street S.

INDEPENDENCE
★MISSOURI★

A GREAT AMERICAN STORY

Board of Adjustment Minutes

July 17, 2025 6:30 PM

Council Chambers - 111 E. Maple Ave.

CALL TO ORDER

A meeting of the Board of Adjustment was held at 6:38 PM on 7/17/2025, 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, John Davies*, Anthony Sommer, Cody Atkinson, Caleb Holder. Absent - Cindy McClain.
*John Davies entered the meeting at 6:45 p.m.

PUBLIC HEARING(S)

1. **Continued Case 25-999-06 – 201 E. Partridge Avenue** - Variance to front yard fence height requirements.

Gabe Glaser gave the staff report.

Motion
Commissioner John Davies made a motion to approve the case. Commissioner Anthony Sommer seconded the motion. The motion was approved Yes 5, No 0, Abstained 0.

2. **Continued Case 25-999-07 – 811 S. Liberty Street** - Variance to setback requirements.

Gabe Glaser gave the staff report.

Motion

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

APPROVAL OF MINUTES

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

Motions

Commissioner John Davies made a motion to approve the minutes from March 20, 2025. Commissioner Anthony Sommer seconded the motion. The motion was approved Yes 5, No 0, Abstained 0.

Commissioner Cody Atkinson made a motion to approve the minutes from April 17, 2025 and June 16, 2025. Commissioner Anthony Sommer seconded the motion. The motion was approved Yes 5, No 0, Abstained 0.

ADJOURNMENT

The meeting was adjourned at 7:45 p.m.