



Board of Adjustment

May 21, 2026 6:30 PM,

20201 E Jackson Drive, Independence, MO 64057

CALL TO ORDER

ROLL CALL

PUBLIC HEARING(S)

1. **Case 26-999-02 – 17226 E 40th Ter S** – Variances to the fence requirements.
2. **Case 26-999-05 – 18901 E 33rd Ter Ct S** – Variances to setback requirements.

APPROVAL OF MINUTES

1. March 19, 2026

ADJOURNMENT

MEETING DATE: May 21, 2026

STAFF: Gabe Glaser, Planner

PROJECT NAME: Bilyk Fence

CASE NUMBER: Case 26-999-02 – 17226 E 40th Ter S - Variances to the fence requirements.

APPLICANT: Shelby Bilyk

PROPERTY ADDRESS: 17226 E 40th Ter S

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
- Legal notice was published in the Independence Examiner on May 2, 2026

VARIANCE REQUEST

CITY CODE REQUIREMENTS/VARIANCE:

SECTION 14-400-02-A. of the city code requires all fence support structures to be located on the inside of the fence covering material.

The fence support structures of the applicant’s fence are located on the outside of the fence covering material.

BACKGROUND:

The subject site is located in the Coventry Estates subdivision recorded in 1965. The subdivision is located on the south side of 39th Street, between Lees Summit Road on the west, and 291 Highway on the east. Coventry Estates is characterized by split-level, ranch-style, and two-story architecture. The properties in the subdivision are approximately 8,400 square feet in size and are similar in characteristics, age and design.

Code Enforcement Case #26-000033 was initiated on January 6, 2026. The code enforcement case cites Section 14-400-02 of the city code related to the regulations for fences, and indicates the subject fence was not built in accordance with city code. Namely, the fence support structures (post and rail) are located on the outside of the fence covering material (pickets). Subsequently, the property owner submitted an application for a variance to the fence requirements in March of 2026.

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 guiding principle to, "Preserve the integrity of 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. *No, the fence was not built in accordance with city code. Nor is it a legal nonconforming structure. There are no unique conditions preventing full compliance with regulations pertaining to fences;*
2. The requested variance will not adversely affect the rights of adjacent property owners or residents. *Yes and No, the proposed variance will not limit access to adjacent properties however the fence structure is in violation of code section 14-400-02-A (7);*
3. Requiring strict compliance with the subject zoning regulation will constitute a practical difficulty for the subject property owner. *No, there are no aspects of the property that prevent full compliance with city code regulations pertaining to fences;*
4. The requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. *No, the proposed variance, if granted, will create a nonconformity in the neighborhood.*
5. The alleged hardship has not been created by any person presently having an interest in the property. *No, the current property owner constructed the subject fence in a manner that violates city code.*
6. The variance, if granted, will not alter the essential character of the neighborhood. *No, the variance, if granted, will create a nonconformity in 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. Code Section
2. Application
3. Applicant's Variance Criteria
4. Notification letter
5. Notification addresses
6. Notification area map
7. Mailing affidavit
8. Picture

14-400-02 Fences

14-400-02-A.General. The general regulations of this subsection apply to all fences, regardless of the zoning district in which they are located.

1. All fences must be constructed in a workman-like manner of customary or normal fencing materials.
2. The materials used in fence construction must be manufactured and marketed for construction of permanent fences.
3. Plastic-coated, chain-link fences are allowed only in those instances where chain-link fencing is allowed.
4. Materials typically used for temporary fences, such as plastic, PVC, or similar materials may not be used for permanent fences.
5. Bright colors such as orange, yellow or red are not permitted for permanent fences.
6. Not more than two different types of materials may be used in the construction of any fence.
7. All fence support structures must be located on the inside of the fence covering material.
8. All fences must be maintained in a reasonable condition and vertical position, and any missing or deteriorated slats, pickets, other fencing material, or structural elements must be replaced in a timely manner with the same quality of material and workmanship.
9. No fence may be used to display any sign or advertising material other than a small—maximum one square foot—placard identifying the sign contractor/manufacturer. Advisory 'No Trespassing' and related safety/warning signs of two square feet or less may be posted on fences.
10. No private fence shall be installed on public property, including in the street right-of-way. Fences are subject to the intersection visibility standards of the Design and Construction Manual.
11. Fences around public and semipublic recreational facilities, including but not limited to tennis courts, swimming pools and other similar recreational facilities, are limited to ten feet in height. Such fences must comply with any other requirements of the City Code.
12. Electrically charged fences are prohibited except in the R-A district, where they may be used in conjunction with bona-fide farming activities.
13. Barbed wire fencing is prohibited except where it may be used in conjunction with bona-fide agricultural activities. Barbed wire fencing may also be approved as an administrative adjustment when deemed necessary to protect health and safety in association with utility structures, landfills, airports or similar facilities. When approved as an administrative adjustment, barbed wire fencing must be located at least seven feet above grade. For the purposes of this chapter, the term "barbed wire" shall include concertina wire, razor wire, razor ribbon and other security wire types.

14-400-02-B.Residential Zoning Districts. The regulations of this subsection apply to all fences in R zoning districts.

1. Chain-link fences must be installed with barbs turned down.
2. No fence or wall in a residential district may exceed eight feet in height.
3. Residential fencing locations, see Figure 400-1 below.
 - (a) Interior Side and Rear Yards — Fences or walls in interior side or rear yards shall not exceed six feet without a fence permit, or up to eight feet with a fence permit.
 - (b) Front and Street Side Yards — Except for fencing around bona-fide agricultural activities, no fence or wall located in front yard of a residence, or along a side street in front of a residence,

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
<input type="checkbox"/> Rezoning <input type="checkbox"/> PUD Rezoning	<input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Final Site Plan <input type="checkbox"/> Preliminary Dev Plan <input type="checkbox"/> Final Dev Plan (PUD)	<input type="checkbox"/> Special Use <input type="checkbox"/> Homebased Business	<input type="checkbox"/> Admin. Adjustment <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Street Name Change <input type="checkbox"/> Special Sign Permit

Project Information and Location

Bilyk Fence

Project Name

17226 E 40th Ter S, Independence MO 64055

Project Address/Location

Sq. Ft. of Building

Acreage

Number of Lots/Tracts

Stream Buffer (Yes or No)

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

Contact Information

Applicant

Name Company

Address

Phone Email

Architect/Engineer/Surveyor/Other: _____

Name Company

Address

Phone Email

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

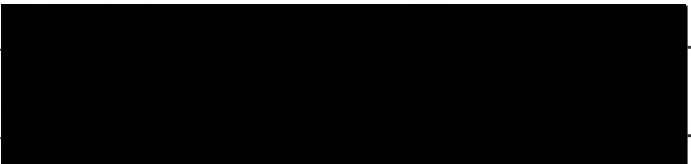
Applicant's Signature

Date

Owner

Shelby Bilyk

Name Company



Architect/Engineer/Surveyor/Other: _____

Name Company

Address

Phone Email

Owner's Signature

Date

Shelby Bilyk 3/18/20

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: We had to install the pickets on the inside for a few reasons the main one being I did not have permission from my neighbors to enter their yards in order to attach the pickets to the outside which left attaching them "with the pretty side in" the only option. Each of my neighbors also have large dogs which was a safety issue as they rush the fence.

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

Yes No

Explain: Correct, the requested variance would not affect my neighbors in any capacity.

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

Yes No

Explain: I would have to remove all the pickets from the inside of the fence and would have no way to reinstall them on the opposite side (so that the pretty side is facing out). As was the issue when we originally installed the fence.

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

Yes No

Explain: The requested variance would have no adverse affect whatsoever.

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

Yes No

Explain: The hardship we had and why we installed the pickets on the inside of the fence was that we didn't have permission to enter my neighbors yards to attach them to the outside. Also, the Neighbor directly behind me we have an active court ordered "No Trespass" against. There is no scenario where they would have allowed me to ask, let allow given me

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

Yes No

Explain: The fence from the front has the pickets on the outside and only are on the inside in the backyard. It does not alter the neighborhood in any capacity.

Property Owner Notification Letter

City of Independence, Missouri

Date: 05/03/2026

Case No. 26-999-02

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: Application for variance regarding picket placement of installed privacy fence.

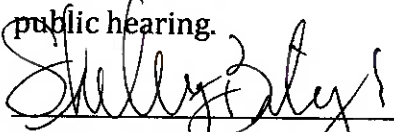
Applicant: Shelby Bilyk

Location of Property: 17226 E 40th Ter S, Independence MO 64055

Board of Adjustment Meeting Date: May 21, 2026, at 6:30 p.m.

Location of public hearings: Room 149 - Santa Fe, Independence Municipal Commons
20201 E. Jackson Drive, Independence, Missouri, 64057

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



Applicant (or Owner/Agent)

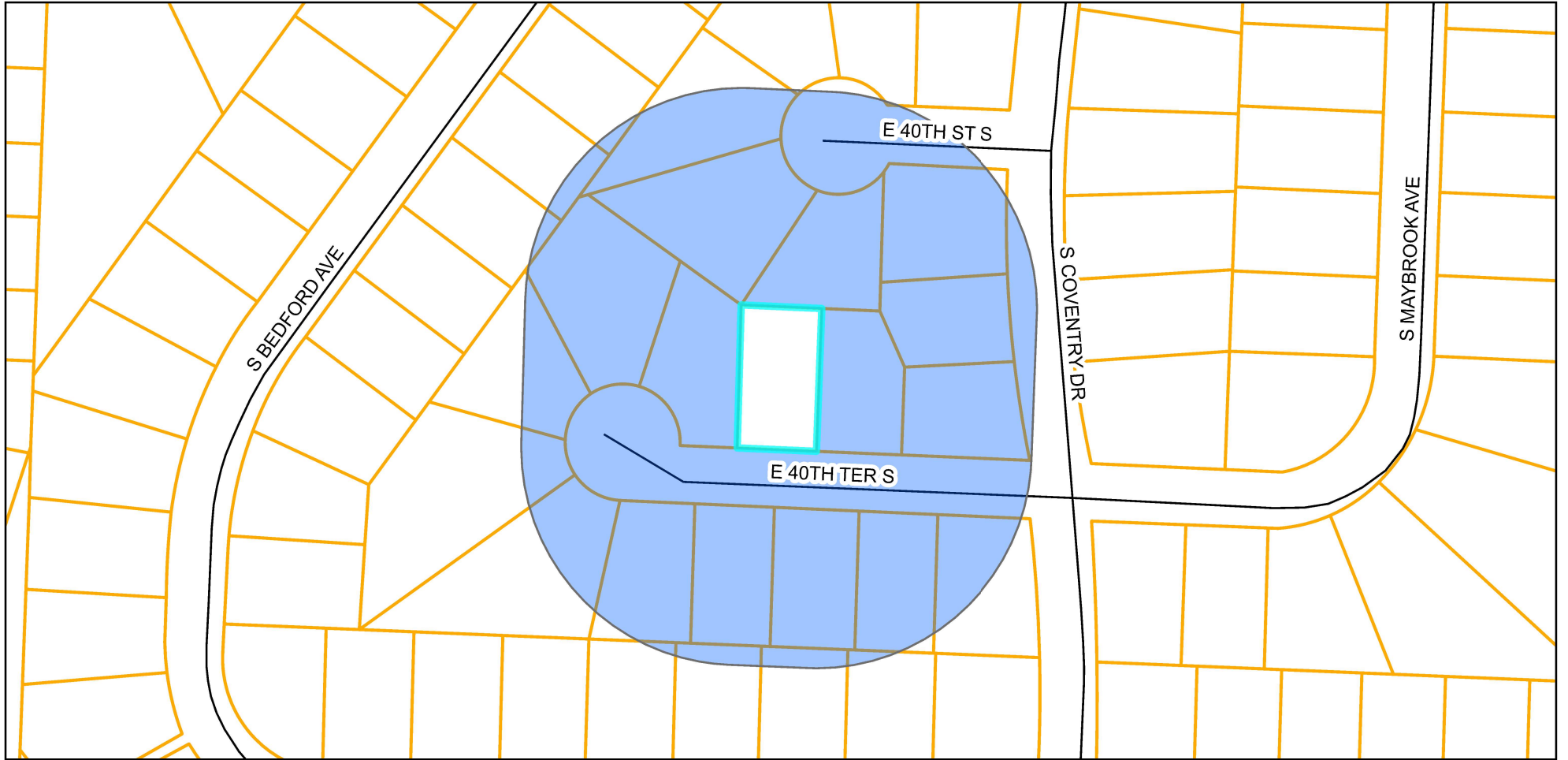
For more information, contact the Community Development Department at 816-325-7421.

Property Address	Property Owner	Owner Address	City	State	ZIP Code
17226 E 41ST ST	BROWN ANTHONY A & MICHELLE K	17226 E 41ST ST S	INDEPENDENCE	MO	64055
17226 E 40TH TER	BILYK MICHAEL & SHELBY	17226 E 40TH TER S	INDEPENDENCE	MO	64055
17237 E 40TH TER	SCARLETT JOHN E & WALLACE SYLVIA	13012 S LONE JACK LEES	SUMMIT	MO	64086
4001 S BEDFORD AVE	WUNDERLICH MARCK W & BRENDA G	4001 BEDFORD	INDEPENDENCE	MO	64055
17217 E 40TH TER	SNEAD DOUGLAS & JESSICA	17217 E 40TH TER S	INDEPENDENCE	MO	64055
17213 E 40TH TER	BRADFORD WILLIAM F & KAREN E	17213 E 40TH TER S	INDEPENDENCE	MO	64055
17222 E 40TH TER	RICHARDSON MICHAEL F	17222 E 40TH TER	INDEPENDENCE	MO	64055
4000 S COVENTRY DR	PERSON DUSTIN W	4000 COVENTRY DR	INDEPENDENCE	MO	64055
17221 E 40TH TER	COBB RYAN MICHAEL	17221 E 40TH TER S	INDEPENDENCE	MO	64055
3929 S BEDFORD AVE	ELLEBRACHT LAWRENCE H TRUSTEE	3929 BEDFORD AVE	INDEPENDENCE	MO	64055
4005 S BEDFORD AVE	BUSH BENJAMIN & MARGARET	201 -D W NICHOLAS DR	LONE JACK	MO	64070-7163
17229 E 40TH TER	MONDRAGON HILDA	17229 E 40TH TER S	INDEPENDENCE	MO	64055
17222 E 41ST ST	JOHNSTON ALLEN	17222 E 41ST ST	INDEPENDENCE	MO	64055
17230 E 40TH TER	ALLEN TIMBERLEY A	17230 E 40TH TERR S TER	INDEPENDENCE	MO	64055
4004 S COVENTRY DR	TURLEY MARK E	4004 COVENTRY DR	INDEPENDENCE	MO	64055
17218 E 40TH TER	BUNCE NATHAN	17218 E 40TH TER	INDEPENDENCE	MO	64055
17233 E 40TH ST	ARREGUI LETICIA	17233 E 40TH ST S	INDEPENDENCE	MO	64055
17229 E 40TH ST	MACKAY WENDY & SAMANTHA	17229 E 40TH ST S	INDEPENDENCE	MO	64055
17233 E 40TH TER	WIEBE JOHN A & VICTORIA L	17233 E 40TH TER	INDEPENDENCE	MO	64055
17225 E 40TH TER	CONREX RESIDENTIAL SMA I	PO BOX 4900	SCOTTSDALE	AZ	85261
17234 E 40TH ST	GUESS SHARON P & JAMES	17234 E 40TH ST	INDEPENDENCE	MO	64055
17216 E 41ST ST	MATHEWS DONAL D III	17216 E 41ST ST	INDEPENDENCE	MO	64055
17214 E 40TH TER	OLAM INVESTMENTS LLC	1604 ASHTON CIR	LIBERTY	MO	64068
17230 E 41ST ST	LEM CHENDA	17230 E 41ST ST S	INDEPENDENCE	MO	64055
17230 E 40TH ST	KELLY ROBROY J & REBECCA D	17230 E 40TH ST	INDEPENDENCE	MO	64055
17226 E 40TH ST	BRUMBLE CHARLES K & TRINI JO	17226 E 40TH ST S	INDEPENDENCE	MO	64055
4008 S COVENTRY DR	UPDIKE STEVE L & HEIDI G	4008 COVENTRY DR	INDEPENDENCE	MO	64055

Notification Area Map

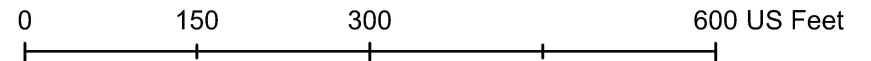
17226 E 40th Ter S

Case #26-999-02



Legend

 Notification Area



Prepared For: Board of Adjustment
Meeting Date: May 21, 2026



Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 26-999-02

I, Shelby Bilyk, of lawful age being first duly sworn upon oath, state:

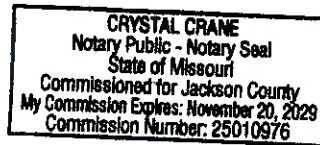
That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Board of Adjustment, mail notices to all persons owning property within 185 feet of the subject property.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

These notices were mailed on the 3rd day of May, 2026.

Shelby Bilyk
Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 13th day of May, 2026.

Crystal Crane
Notary Public



11/20/29
Commission Expiration Date



MEETING DATE: May 21, 2026

STAFF: Gabe Glaser, Planner

PROJECT NAME: Backyard Shed

CASE NUMBER: Case 26-999-05 – 18901 E 33rd Ter Ct S - Variances to the setback requirements.

APPLICANT: Thomas Thompson

PROPERTY ADDRESS: 18901 E 33rd Ter Ct S

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 May 1, 2026.
- Legal notice was published in the Independence Examiner on May 2, 2026

VARIANCE REQUEST

CITY CODE REQUIREMENTS/VARIANCE:

SECTION 14-400-01-C. of the city code stipulates that accessory buildings and structures shall be subject to the same required setback as the primary structure.

The applicant proposes to construct an accessory structure 1.5 feet from the property line, resulting in a variance to the setback requirements in the amount of 23.5 feet.

BACKGROUND:

The subject site is located in the Nottingham Place subdivision recorded from 1993 to 1995. The subdivision is located on the south side of R D Mize Road, between 291 Highway on the west, and Jackson Drive on the east. Nottingham Place is characterized by lots approximately 8,000 to 12,000 square feet in size and are similar in characteristics, age and design.

The property owner obtained a building permit to construct a pool in the rear yard in 2022 (Building Permit #2022-02933). As a result of the addition of the pool, there is limited area to add an accessory structure in accordance with the development code. Subsequently, the property owner submitted an application for a variance in April of 2026 requesting relief from the setback requirements for accessory structures.

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 guiding principle to, "Preserve the integrity of 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. *No, the reason for the requested variance arises from the addition of a pool in 2022;*
2. The requested variance will not adversely affect the rights of adjacent property owners or residents. *Yes, the proposed variance will not cause an encroachment in a neighboring property;*
3. Requiring strict compliance with the subject zoning regulation will constitute a practical difficulty for the subject property owner. *Yes, requiring full compliance with the development code would make placing the accessory structure back five feet due to an existing pool location;*
4. The requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. *Yes, the proposed variance, if granted, will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare of the neighborhood.*
5. The alleged hardship has not been created by any person presently having an interest in the property. *No, the current property owner constructed a pool in their backyard creating the practical difficulty in constructing an accessory structure in accordance with the development code.*
6. The variance, if granted, will not alter the essential character of the neighborhood. *Yes, the variance, if granted, should 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. 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. Site plan

We have lived in our home for almost 20 years and have been challenged with our backyard geography since the onset of our ownership.

The house has a deck out the back door and beyond that the yard sloped 5-6 ft to the south and 3 ft before reaching the fence at the edge of the property was a 2-foot rock wall running halfway down the yard,

To the west stepping off the deck, the yard sloped 12 ft to the fence bordering the yard.

Heavy rains and melting snow cause constant erosion and runoff down the sloping of the yard. There were 2 large Oak trees on the south perimeter and 2 large Ash trees on the west.

Those trees were removed once the decision was made to place a pool in the backyard.

Due to the sloping of the backyard, our choice was limited to an on-ground pool made of steel that could be built into the downward slope from the end of the deck.

Once the pool was placed, a small cement border was added around the pool, and a retaining wall was built around the perimeter. A row of decorative trees was added along the wall for aesthetics and to one day provide privacy from neighbors to the west. The pool and retaining wall now consume over half the space of the backyard.

The yard was graded somewhat during construction on the west side of the yard but still sloped 5-6 ft before transitioning somewhat to a flatter space 10 ft or so before reaching the privacy fence on the yard's edge.

We are left with a single option to place an 8x12 or 96 sq ft shed on the flat portion of the west yard specifically in the northwest corner.

The SW corner has some landscaping with ornamental grass and a rock border.

The shed will be 1.5 ft from the privacy fence. It will be built of wood with smart siding and painted the same color as the house. The shingles for the roof will also match those used on the home. Only a small portion of the shed would be seen from the street since there is a 6 ft privacy fence encircling the yard.

We would utilize the shed to house small yard appliances, planting and potting materials and pool supplies and toys.

14-400 ACCESSORY USES AND STRUCTURES

14-400-01 General

Accessory uses and structures are permitted in connection with any lawfully established principal use unless otherwise expressly provided in this development ordinance. Also, unless otherwise expressly stated, accessory uses and structures are subject to the same regulations as the principal use or structure.

14-400-01-A. Time of Construction. Unless otherwise noted in this article, accessory structures must be constructed in conjunction with or after the principal building. They may not be built prior to the construction of the principal building. In R-A districts, detached accessory buildings and structures may be constructed prior to the principal structure only in accordance with this section.

14-400-01-B. Subordinate Nature.

1. Accessory uses must be subordinate and clearly incidental to the principal use of the property.
2. Accessory structures must be of secondary importance and subordinate to the principal building on the property.

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

1. **General.** The lot and building standards of the base zoning district apply to accessory structures unless otherwise expressly stated. This provision shall include the use durable building materials and not canvas, plastic, and similar materials.
2. **Interior Setbacks.** In the R-A district, detached accessory buildings and structures must be set back at least 35 feet from all interior lot lines. In all other R districts, detached accessory buildings and structures must be set back at least five feet from all interior lot lines.
3. **Exterior Setbacks.** Accessory buildings and structures shall be subject to the same required setback as the primary structure. For non-corner lots, accessory buildings and structures shall not project past the front of the primary structure. This provision shall not apply to accessory structures on R-A and R-1 zoned properties of over five acres in size, where detached accessory buildings shall be set back at least 50 feet from all exterior lot lines.
4. **Separation.** Accessory buildings must be separated by a minimum distance of five feet from all other accessory and principal buildings subject to meeting the City's latest adopted building codes.
5. **Height of Accessory Structures.** Unless otherwise provided in this development ordinance, accessory structures may not exceed 25 feet in height, or the height of the principal building on the same lot, whichever is less. This provision shall not apply to accessory structures on R-A zoned properties of over ten acres in size. In any case, no structure or any appurtenances thereto shall exceed the height limitations prescribed by the Federal Aviation Agency within the flight approach zone of an airport.
6. **Building Coverage.** In R districts, detached accessory buildings may not cover more than 15 percent of the actual area of the rear yard or an area exceeding 50 percent of the building coverage of the principal building, whichever is greater, provided that at least 600 square feet of accessory building coverage is allowed on any lot in an R district. This provision shall not apply to accessory buildings on R-A zoned properties of over ten acres in size.

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7. **Design and Appearance.** In all residential districts, the design and construction of any accessory garage, carport or storage building or shed larger than 120 square feet shall be similar to or compatible with the design and construction of the main building. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction. This provision shall not apply to accessory structures used for bona-fide agricultural activities on properties over ten acres in size.
 8. **Accessory Buildings as Primary Structures, R-A District Only.** In R-A Districts, detached accessory buildings may be constructed prior to the principal structure provided that all the following conditions are met:
 - (a) The subject property must be at least ten acres in size.
 - (b) The accessory building must be setback at least 200 feet from any exterior lot lines, and 100 feet from any interior lot lines.
 - (c) The use of the accessory building is limited to agricultural uses including, but not limited, to the keeping of livestock and the storage of farm machinery and equipment.

(Ord. No. 17782; Ord. No. 17942; Ord. No. 18898; Ord. No. 19149, § 1, 8-17-2020; Ord. No. 19793, § 2, 3-16-2026)

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
<input type="checkbox"/> Rezoning <input type="checkbox"/> PUD Rezoning	<input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Final Site Plan <input type="checkbox"/> Preliminary Dev Plan <input type="checkbox"/> Final Dev Plan (PUD)	<input type="checkbox"/> Special Use <input type="checkbox"/> Homebased Business	<input type="checkbox"/> Admin. Adjustment <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Street Name Change <input type="checkbox"/> Special Sign Permit

Project Information and Location

Project Name: Backyard Shed

Project Address/Location: 18901 E. 33rd Terr. Ct. So. Indep. Mo. 64057

Sq. Ft. of Building: 96 Acreage: _____ Number of Lots/Tracts: _____ Steam Buffer (Yes or No): _____

Existing Zoning: _____ Proposed Zoning: _____ Existing Land Use: _____ Proposed Land Use: _____

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

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

Contact Information

Applicant
Thomas Thompson
Name: _____ Company: _____
[Redacted]

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

Owner
"Same"
Name: _____ Company: _____
Address: _____
Phone: _____ Email: _____

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

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

Thomas Thompson 4/9/26 Thomas Thompson 4/9/26
Applicant's Signature Date 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: *Request to place shed in N.W. corner of our backyard*

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

Yes No

Explain:

Back yard shed will be blocked by 6ft. privacy fence.

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

Yes No

Explain:

No other location on property that shed will fit.

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

Yes No

Explain:

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

Yes No

Explain:

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

Yes No

Explain:

Multiple homes have sheds in the neighborhood.

Our home is located on a corner lot with a swimming pool directly behind the house.

Property Owner Notification Letter

City of Independence, Missouri

Date: 5-1-2026

Case No. 26-999-05

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: _____

Shed placement in N.W corner of backyard.

Applicant: Jim Thompson

Location of Property: 18901 E. 33rd Terr. Ct. S.

Board of Adjustment Meeting Date: 5/21, 2026, at 6:30 p.m.

Location of public hearings: Room 149 - Santa Fe, Independence Municipal Commons
20201 E. Jackson Drive, Independence, Missouri, 64057

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

Jim Thompson

Applicant (or Owner/Agent)

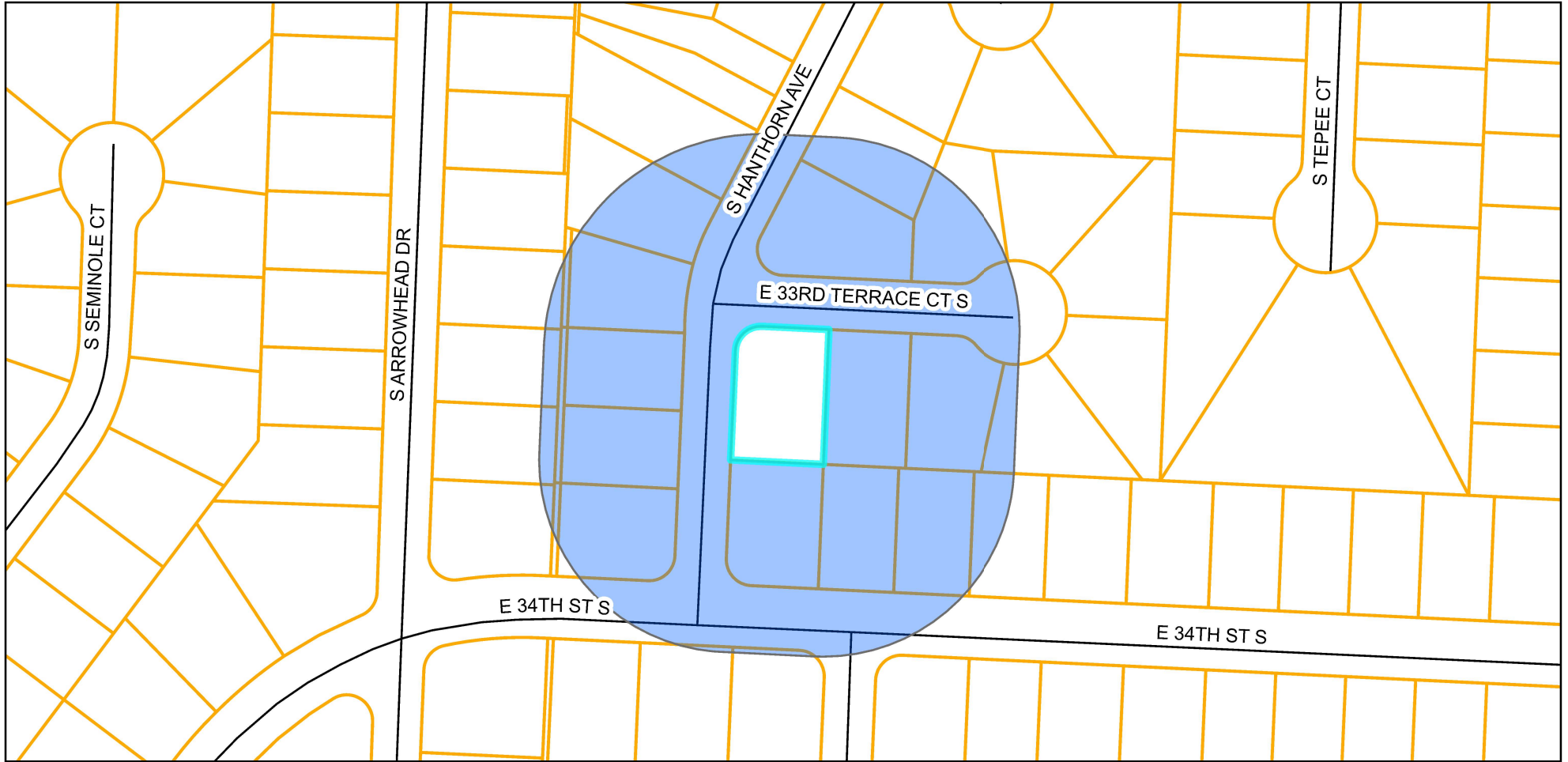
For more information, contact the Community Development Department at 816-325-7421.

Property Address	Property Owner	Owner Address	City	State	ZIP Code
18909 E 33RD TERRACE CT	ASHENFELTER ANGELA D & DAVID M	18909 E 3RD TERRACE CT S	INDEPENDENCE	MO	64057
18901 E 33RD TERRACE CT	THOMPSON THOMAS R & LA WANDA S	18901 E 33RD TER CT S	INDEPENDENCE	MO	64057
18908 E 34TH ST	CAWTHON PAMELA KAYE TRUSTEE	18908 E 34TH ST S	INDEPENDENCE	MO	64057
18905 E 33RD TERRACE CT	GREELEY ELIZABETH ANN & THOMAS EVAN	18905 E 33RD TERRACE CT	INDEPENDENCE	MO	64057
18904 E 33RD TERRACE CT	GRADO CHRISTY L & HARRIS MICHELE L	18904 E 33RD TER CT	INDEPENDENCE	MO	64057
3333 S ARROWHEAD DR	GRAHAM RODNEY E & DEENA RUTH	3333 S ARROWHEAD DR	INDEPENDENCE	MO	64057
18913 E 33RD TERRACE CT	MEDINA LORENZA	18913 E 33RD TER CT S	INDEPENDENCE	MO	64057
3325 S ARROWHEAD DR	KELLEY WILLIAM & JENNIFER	3325 S ARROWHEAD DR	INDEPENDENCE	MO	64057
18900 E 34TH ST	EARRING DEBRA CHRISTENE TRUSTEE	18900 E 34TH ST S	INDEPENDENCE	MO	64057
3320 S HANTHORN AVE	SWAYNE RONALD E & KATHERINE L-TRUSTEES	3320 S HANTHORN AVE	INDEPENDENCE	MO	64057
3312 S HANTHORN AVE	THE RONALD J STEWARD LVG TRUST 1-28-1999	3312 HANTHORN AVE	INDEPENDENCE	MO	64057
3328 S HANTHORN AVE	BEGEMANN STEVEN DOUGLAS	3328 HANTHORNE AVE	INDEPENDENCE	MO	64057
18811 E 34TH ST	SPEVAK FRANCIS C & STEPHANIE M	18811 E 34TH ST S	INDEPENDENCE	MO	64057
NO ADDRESS ASSIGNED BY CITY	POLLARD JAMES W & CATHY L	3030 S CRENSHAW RD	INDEPENDENCE	MO	64057
3308 S HANTHORN AVE	MARTIN TAMIKA J & JACKSON DAMON RAY	3308 HANTHORN AVE	INDEPENDENCE	MO	64057
3321 S ARROWHEAD DR	COLLETTI GREG M & DEBRA K	3321 S ARROWHEAD DR	INDEPENDENCE	MO	64057
3324 S HANTHORN AVE	AMNL ASSET COMPANY 1 LLC	5001 PLAZA ON THE LAKE STE 200	AUSTIN	TX	78746
NO ADDRESS ASSIGNED BY CITY	POLLARD JAMES W & CATHY L	19201 E 32ND TER	INDEPENDENCE	MO	64057
NO ADDRESS ASSIGNED BY CITY	POLLARD JAMES W & CATHY L	19201 E 32ND TER	INDEPENDENCE	MO	64057
3309 S HANTHORN AVE	MOORE SANDRA K	3309 HANTHORN AVE	INDEPENDENCE	MO	64057
3316 S HANTHORN AVE	GRAYS QUENTIN	3316 HANTHORN AVE	INDEPENDENCE	MO	64057
18904 E 34TH ST	WISELY BRANDON A & MELISSA L	18904 E 34TH ST S	INDEPENDENCE	MO	64057
3305 S HANTHORN AVE	CHRIST UNITED METHODIST CHURCH	3305 HANTHORNE AVE	INDEPENDENCE	MO	64057
3329 S ARROWHEAD DR	MCCANDLESS WILLIAM E & MARCILLE F	3329 S ARROWHEAD DR	INDEPENDENCE	MO	64057
18815 E 34TH ST	POTTINGER TRUST AGREEMENT DATED 02/08/2023	18815 E 34TH ST S	INDEPENDENCE	MO	64057
18912 E 34TH ST	BROWN MERIT E STARR	18912 E 34TH ST	INDEPENDENCE	MO	64057

Notification Area Map

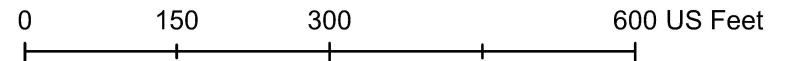
18901 E 33rd Terr Ct S

Case #26-999-05



Legend

 Notification Area



Prepared For: Board of Adjustment
Meeting Date: May 21, 2026



Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 26-999-05

I, Thomas Thompson, 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 1st day of May, 2026.

Thomas R Thompson
Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 1st day of May, 2026.

Raynelle M Rucker
Notary Public

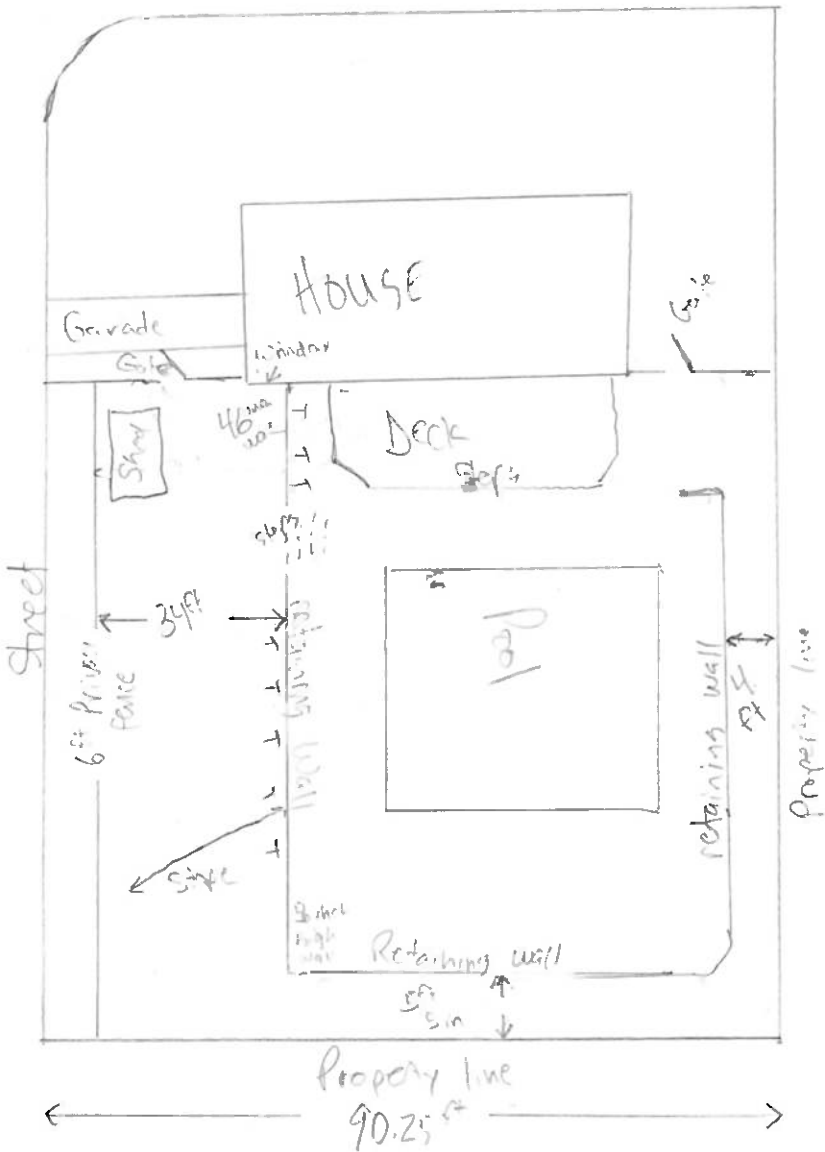
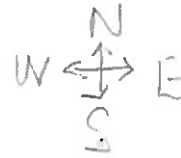
01/24/2029
Commission Expiration Date

RAYNELLE M. RUCKER
Notary Public-Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires Jan. 24, 2029
Commission # 17313488

PLOT PLAN

To be submitted with your permit application

1. Will the building be used to park/store vehicles? ___ Yes No
 If yes, show the paved surface to the building on the plot plan. Gravel will not be approved.
2. Will the colors of the walls and the roof of the building match the house? Yes ___ No
3. What is the height of the house? ___ ft What is the height of the building? 12 ft
4. Will the building have electrical service? ___ Yes No
 If yes, show the electrical line noting overhead or underground. Show the sub panel, outlets and lighting locations.
5. Will the building have plumbing service? ___ Yes No
 If yes, show the plumbing services lines on the plot plan.



Slopes 5 foot plus from West side retaining wall to fence



INDEPENDENCE ★ MISSOURI ★

A GREAT AMERICAN STORY

Board of Adjustment Minutes

March 19, 2026 6:30 PM

20201 E Jackson Drive – Room 149 – Santa Fe

CALL TO ORDER

A meeting of the Board of Adjustment was held at 6:40 PM on 3/19/2026, in the 20201 E Jackson Drive Room 149 - Santa Fe Conference Room, Independence, MO 64057. 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. Absent - .

PUBLIC HEARING(S)

1. **Case 26-999-01 – 1001 W. US Highway 24** – Variances to the building and parking lot setbacks.

Brian Harker 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.

APPROVAL OF MINUTES

1. December 18, 2025

Motion

Commissioner Anthony Sommer made a motion to approve the minutes. Commissioner Cindy McClain seconded the motion. The motion was approved Yes 5, No 0, Abstained 0.

ADJOURNMENT

The meeting was adjourned at 6:57 p.m.