

PLANNING AND ZONING COMMISSION

September 12, 2011

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., September 12, 2011 at Kearney City Hall with Kathy Whipple presiding. Members present were Kim Murphy, Eric Shumate, Dan Holt and Darren Hiley. Kent Porter and Heath Courtney were absent. Staff members present were David Pavlich and Shirley Zimmerman.

Kathy Whipple opened the meeting with the Pledge of Allegiance.

CONSENT AGENDA

➤ Minutes of the August 8, 2011 meeting

Kim Murphy asked that on Page 2, third paragraph from the bottom, the word purposing be changed to proposing.

Kathy Whipple asked that in the last paragraph on Page 2, the word disabled be removed from the paragraph.

A motion was made by Darren Hiley and seconded by Kim Murphy to approve the Consent Agenda with the corrections. The motion carried unanimously.

PUBLIC HEARINGS

SLM II ENTERPRISES-CUP 101 EAST MAJOR Staff presented an application from Cheryl Meyer, SLM II Enterprises for a conditional use permit to allow a single-family dwelling at 101 East Major Street.

Staff said the property is zoned C – Commercial, which allows by conditional use permit, single-family dwellings either constructed originally as single family structures or converted from structures originally intended for other purposes.

Staff said this property was most recently used commercially as a hair salon. Ms. Meyer has been searching for a commercial tenant but hasn't been successful. The property has been inspected by our building inspector and is in sufficient condition for use as a residence.

The floor was opened to the public.

There being no comment from the public, the floor was closed.

Dan Holt asked if this was the house that Bob Buhlig had remodeled several years ago. Staff said they didn't know.

SLM II ENTERPRISES-CUP 101 EAST MAJOR-CONT Darren Hiley asked if the applicant knows that if the house is vacant for six months the conditional use permit expires. Staff said yes.

A motion was made by Kim Murphy and seconded by Darren Hiley to approve the application from Cheryl Meyer, SLM II Enterprises for a conditional use permit to allow a single-family dwelling at 101 East Major Street. The motion carried unanimously.

TEXT AMENDMENT TO ZONING CODE Staff represented the amendment to the Zoning Order allowing “group child care home, child care center, nursery school” as a conditional use in the R-R (rural residential) District.

Staff said they have added definitions identical or similar to definitions provided in the Missouri Department of Health and Senior Services child care licensing rules.

A motion was made by Kim Murphy and seconded by Darren Hiley to remove the tabling of this item and put it back on the agenda. The motion carried unanimously.

The floor was opened to the public. There being no comments from the public, the floor was closed.

Kathy Whipple asked if this will keep a home for behavioral children from going in this area. Staff said group homes requirements are separate, and not part of the proposed day care amendment.

Eric Shumate asked if this change in the Zoning Code would benefit the potential applicant that the City had. Staff said yes.

A motion was made by Kim Murphy and seconded by Darren Hiley to approve the amendment to the Zoning Order allowing “group child care home, child care center, nursery school” as a conditional use in the R-R (rural residential) District and adding definitions for these in the Code. The motion carried unanimously.

DISCUSSION ITEMS

KIM MURPHY – PARKING ON GRASS Kim Murphy said his neighbor asked why he had to pour an extra concrete pad for his boat and people on Stonecrest Drive don't abide by that. He said he explained that they are handled on a complaint basis.

Mr. Murphy said there is also a problem on Stonecrest and Clear Creek Drive.

ADJOURNMENT There being no further business on the agenda, a motion was made by Darren Hiley and seconded by Dan Holt to adjourn. The motion carried unanimously.

Approved: _____ **Attest:** _____
Kathy Whipple, Chairperson **Darren Hiley, Secretary**