AMENDED AGENDA
AURORA PLANNING AND ZONING COMMISSION

REGULAR SESSION
AURORA CITY HALL, COUNCIL CHAMBERS
Tuesday, January 20, 2014 at 7:00 PM

I. Call to order

II. Roll Call:

Chairperson:	Regina Payne (2015)
Vice Chairperson:	Rita Engeldinger (2017)
Commission Member:	Heidi Ryan (2017)
Commission Member:	Linda Barton (2015)
Commission Member:	Leslie Horner (2017)
Commission Member:	Doris Colwell (2016)
Commission Member:	Eddie Breeding (2018)
Secretary:	Kathie Needham

III. Approval of Minutes

Approval of minutes from meeting held on December 16, 2014 at 7:00 p.m.

IV. New Business

A. Public Hearing – Request from Michael Singer for a lot split in Singer Place Subdivision.

B. Request from Shawn Briggs to install a street light at 3100 S. Elliott

C. Review drawing for Community Center parking lot and make recommendation to City Council

V. Public Comment/Discussion

VI. Department Report

VII. Adjournment

Posted January 16, 2015 by Kathie Needham, City Clerk

AURORA PLANNING AND ZONING COMMISSION COMMUNICATION

DATE: January 20, 2014

SUBJECT: Approval of Minutes

AGENDA NO. III

AGENDA DESCRIPTION

Approval of Minutes
Approval of minutes from meeting held on December 16, 2014 at 7:00 p.m.

Notes:

AURORA PLANNING AND ZONING COMMISSION
MINUTES

REGULAR SESSION
AURORA CITY HALL, COUNCIL CHAMBERS
Tuesday, December 16, 2014 at 7:00 PM

I. Call to order: Chairperson Payne called the meeting to order at 7:oo p.m.

II. Roll Call:

Chairperson:	Regina Payne (2015)
Vice Chairperson:	Rita Engeldinger (2017)
Commission Member:	Heidi Ryan (2017)
Commission Member:	Linda Barton (2015)
Commission Member:	Leslie Horner (2017)
Commission Member:	Doris Colwell (2016)
Commission Member:	Eddie Breeding (2018)
Secretary:	Kathie Needham

All members were noted present.

III. Approval of Minutes

Approval of minutes from meeting held on September 9, 2014 at 7:00 p.m.
Commissioner Colwell moved to approve the minutes from the September 9, 2014 meeting. Commissioner Ryan seconded the motion. Motion passed 6-0 with the following members voting aye:
AYES: Payne, Engeldinger, Ryan, Barton, Colwell, Breeding
NAYES: 0
ABSTAIN: Horner

Approval of minutes from meeting held on September 16, 2014 at 6:00 p.m.
Commissioner Barton moved to approve the minutes from the September 16, 2014 meeting. Chairman Payne seconded the motion. Motion passed 5-0 with the following council members voting aye:
AYES: Payne, Engeldinger, Barton, Horner, Breeding
NAYES: 0
ABSTAIN: Colwell, Ryan

IV. New Business

A. Public Hearing – Request from the City of Aurora to zone property owned by Richard & Sheri Fulp and Briggs and Fulp, LLC from "A-1" Agricultural to "C-2" General Business District:

Tract 1:

Part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-Six (26) Range Twenty-Five (25), in Lawrence County, Missouri, described as: Commencing at the Southwest corner of the said Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said section Nineteen (19), and running thence East to the East right-of-way line of Missouri State Highway 39 for a point of beginning, thence East 178.2 feet, thence North 170 feet, thence West 178.8 feet, thence South 170 feet to the point of beginning, except any part taken or used for road or highway purposes.

Tract 2:

Part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section 19, Township 26, Range 25, in Lawrence County, Missouri described as follows: Beginning 702 feet West of the Southeast corner of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said section running thence North 170 feet, thence West 216 feet, thence South 170 feet, thence East 216 feet to the place beginning, except any part taken or used for road or highway purposes. Subject to easements, restrictions, reservations and covenants of record, it any.

Commission Chairman Payne moved to open the public hearing at 7:04 p.m. Commissioner Ryan seconded the motion. All commissioners voted aye.

City Manager Randall informed the council that this property was annexed into the city without first changing the zoning classification. The property was originally annexed in to accommodate a commercial building site and the rezoning of the property was merely overlooked at that time.

Commissioner Barton moved to close the public hearing time noted 7:08 p.m. Commissioner Ryan seconded the motion. All commissioners voted aye.

Commissioner Colwell moved to recommend to city council to change the rezoning classification for the Briggs/Fulp property from "A-1" Agricultural to "C-2" General Business District. Commissioner Horner seconded the motion. Motion passed 7-0 with the following commissioners voting aye:

AYE: Payne, Engeldinger, Ryan, Barton, Horner, Colwell, Breeding
NAYES: 0

B. Discussion on allowing burning of garbage and trash upon private properties. Make recommendation to city council.

City Manager Randall informed the commission that Brett Falls, had addressed Council on Nov. 10th about trash and garbage being allowed to burn inside the city limits. Council asked for a recommendation from Planning and Zoning on the matter.

It was stated that the city presently had an ordinance on file and the fire department was currently handling the matter on a call by call basis. Fire Chief Ward was unable to attend the meeting and wanted to be present for the conversation. He had requested for this matter be tabled until he could be present to discuss the matter further.

Brett Falls was in attendance and addressed the Planning and Zoning board on the same matter and provided information that he had contacted surrounding communities and found that burning was not allowed. He had inquired with a local trash hauler about the cost for trash removal and found it was very affordable and he felt the city should come into the twenty-first century and make trash collection mandatory. He discussed the obnoxious odors that come from neighbors allowing plastic and dirty diapers to smolder. He asked the commission to provide for him the positives to allowing burning.

Several board members discussed the different avenues of recycling that was available to residents. Commissioner Barton stated that the idea of mandatory trash had come before council a couple of years ago and everyone was against it. She stated you will never stop people from burning.

Commission Ryan moved to table the matter until Fire Chief Ward could be present for the discussion. Commissioner Breeding seconded the motion. All commissioners voted aye.

C. Discussion on proposed Verizon cell phone tower located at 402 S. Hudson

Trent White , Building Inspector informed the council that the cell phone company had been in contact with him about placing a cell phone tower in town. They requested him to supply them with several suitable locations they could place the tower. They chose his number one location and will start construction within the month. With current legislation the city has limited ability to control or interfere with cell tower construction.

Commission Ryan moved to approve allowing the cell phone tower to be constructed at 402 S. Hudson. Commission Engeldinger seconded the motion. All commissioners voted aye.

D. Request from Architectural Systems Inc. at 909 Industrial Drive to install 2 – 3 pole lights. Make recommendation to city council.

ASI reported that they had a recent break in and were concerned with the lack of lighting on Industrial Drive. Inspector White had consulted with Empire District Electric and came up with an estimate for installing two new lights. The cost for installation is $9,000 with the city paying a monthly bill of $85 for the two lights. In an effort to

reduce the cost to the city Empire offered to allow the city workers to dig the ditch and lay the conduit.

Commissioner Ryan moved to recommend the placement of the two lights to city council for approval. Commissioner Colwell seconded the motion. Motion passed with all commissioners voting aye.

E. Consider allowing certain current owners of properties located adjacent to White Park to access their backyards through White Park.

City Manager Randall informed the commission that he had received a phone call from a home owner abutting the trail about being able to use his gate in the back of his property. Historically the home owners have been allowed to access their property through their back yards. This matter was requested to be put on the agenda by a couple of council members.

He informed the council that records had been researched and no information has been found to substantiate either an alley or easement exists on the property.

Lisa Rentfro, Councilwoman used to live at 710 Pleasant. She stated there was a platted alley when she bought the property and had provided city hall with a copy of her abstract. She stated there had always been an alley there and people have been allowed to use it. A sewer line runs through the property as well. She had received a phone call from a property owner stating they were being denied access to their property. She stated the trash truck used to always back down the alley to pick up trash. There were poles in the alley at one time that have long since been removed.

Commissioner Barton stated the city had gotten copies of deeds of present owners and no alley existed. The plats showed that in 1925 a plat was deeded to the city for White Park. The Huellhorst subdivision was drawn up in 1954 and no alley or easement was shown on it either.

King Coltrin, Great River Engineering stated he had no doubt that home owners had used the property to gain access to their properties but whether they have the legal right to do so is a different matter. He referred to a survey that was done by an independent agency prior to entering into the grant which did not show any easements or alleys along the property lines. The trail resides on park land and was not built on an alley. Surveyor pins were found along the area right where the assessor's office indicated.

Commissioner Barton stated that the homeowners were asking if they could drive over the trail. Commissioner Ryan asked if homeowners were allowed to access their

properties over the trail would it hold up. King replied no because it only had an aggregate base with a top overlay of asphalt.

Yvonne Schellen, home owner, informed the commission that her and her husband had purchased their property a year and half ago and was informed that they would be able to utilize their back gate. They widened their side gate to get their lawn mower threw so they could mow without going around. She feared for the resale of her property if the home owners were not allowed access to their properties through the back.

Theresa Pettit, Park Board President stated this project had begun in 2009 with a public survey. The park board had paid over $5,500 to have an initial survey done of the park land before applying for the grant. The board had relied on professional services. She feared if it was publicly announced that home owners would be allowed access to their properties through the back yards that it would open a flood gate.

The park board voted to install 3 ft. poles that are 4" in diameter to be installed in the middle of the trails to keep vehicle traffic off the trail. The board is getting ready to plant red bud and dog wood trees along the back side of the home owner's property that border the trail to the North to give them some privacy.

Theresa asked King to discuss the difference between a plat and an abstract. King explained that a abstract will define property lines from the center of the roadway where a plat defines the dimensions of the lot. That is why there is conflicting information on property lines. Commissioner Horner stated she was a real estate agent by trade and that when a property owner buys a piece of property they buy title insurance. If an alley or easement exists it will always be spelled out in the insurance policy. Adverse possession would not apply in this situation as no one is taking land from anyone else.

City Manager Randall explained that he had spoken with the City Attorney about the matter. The city currently has an ordinance on the books and he did not want the board to create a permanent property right by taking a vote. The board could possibly create a license that would only be in effect for that homeowner and would not be transferrable. Restrictions would have to be put to it.

Commissioner Ryan inquired as to whether it would ruin further grant possibilities if any changes were made. President Pettit stated that Phase II of the grant would be decided by January and she felt it could be detrimental to that decision.

Commissioner Ryan made the motion to keep the ordinance as it stands. Commissioner Horner seconded the motion. Motion passed 6-1 with the following commission members voting aye:
AYE: Horner, Ryan, Engeldinger, Payne, Ryan, Colwell

NAYES: Breeding

V. Public Comment/Discussion

None

VI. Department Report

None

VII. Adjournment

Chairman Payne moved to adjourn the meeting at 8:10 p.m. Commissioner Colwell seconded the motion. All commission members voted aye.

APPROVED:

_____

Regina Payne, Commission Chairman

ATTEST:

_____

Kathie Needham, City Clerk, MMC/MPCC

AURORA PLANNING AND ZONING COMMISSION COMMUNICATION

DATE: January 20, 2014

SUBJECT: Public Hearing

AGENDA NO. IV

AGENDA DESCRIPTION

Public Hearing – Request from Michael Singer for a lot split in Singer Place Subdivision.

Notes:

CITY OF AURORA

December 29, 2014

To Whom It May Concern:

This letter is to inform you that a public hearing has been called by the Planning and Zoning Commission to consider a request from Michael Singer for a lot split in a Minor Subdivision. Existing zoning R-1 (Single Family Residential) more particularly described herein as follows:

Legal Description: Lot 1 of Singer Place S/D – Aurora

As a property owner within 185 feet (exclusive of streets and alleys) of these properties, you are hereby notified of this Public Hearing. The City is looking to rezone this property in the City Limits of the City of Aurora. If you wish to have any input into this hearing, either for or against the request, you may do so at this hearing. If you cannot attend the hearing but want to voice an opinion, you can send a letter to the Planning and Zoning Commission at the Aurora City Hall, P.O. Box 30, Aurora, MO 65605.

The Public Hearing will be held on the third floor, Council Chambers at City Hall on, Tuesday, January 20th, 2015 at 7:00 p.m.

If you have any questions concerning this request, please contact me at 417-678-5121 ext 31.

Thank You,

Trent White
Planning & Zoning Director

PO BOX 30 • AURORA, MO • 65605
PHONE: 417-678-5121 • FAX: 417-678-6599

CITY OF AURORA

Dec. 23, 2014

Public Notice

This letter is to inform you that a public hearing has been called by the Planning and Zoning Commission to consider a request from Michael Singer for a lot split in a Minor Sub Division. Existing zoning R-1(Single Family Residents) zoned district, more particularly described herein as follows:

Legal Description; Lot 1 of Singer Place S/D - Aurora

Petitioner: Michael Singer

As a property owner within 185 feet (exclusive of streets and alleys) of this property, you are hereby notified of this Public Hearing. If you wish to have any input into this hearing, either for or against the request, you may do so at this hearing. If you cannot attend the hearing but want to voice an opinion, you can send a letter to the Planning and Zoning Commission at the Aurora City Hall.

The Public Hearing will be held on the third floor, Council Chambers at City Hall on Tuesday, January 20th, at 7:00 p.m.

If you have any questions concerning this request, please contact me at 417-678-5121 ext 31.

Thank You,

Trent White
Planning & Zoning Director

PO BOX 30 • AURORA, MO • 65605
PHONE: 417-678-5121 • FAX: 417-678-6599

City of Aurora

Public Notice Information- 185' Property owner to Singer Place S/D

John B Sr. & N Eujeania Mais	17638 Lawrence 2220 Verona Mo. 65769
Mary E Leyba	1113 Chicory Ln. Aurora Mo. 65605
Andrew C & Tetyana Filon Smith	1111 Chicory Ln. Aurora Mo. 65605
Howard & Rayla Mease ET AL	1108 Chicory Ln. Aurora Mo. 65605
Bill Michel Homes LLC	1901 W Meadow Lark Aurora Mo. 65605

Total 5

Request from Michael Singer to split lot #1 of the Singer Place sub-division

Questions or comments can be addressed by contacting the Building Inspector at City of Aurora, Mo. 417-678-5121 ex 31 or by cell # 417-229-0128
Best regards,

Trent White
Building Inspector
P&Z Dept.
City of Aurora, Mo.

P.O. BOX 30 • AURORA, MO. • 65605
PHONE: 417-678-5121 • FAX: 417-678-6599

City Of Aurora Planning & Zoning Department
Application

Date of Application 12/22/2014

Project Title & Type **Title as it Appears on Plans** _____

- ☐ Annexation, Zoning & Concept Plan
- ☐ Preliminary Plat
- ☐ Special Use Permit
- ☐ Rezoning & Concept Plan
- ☑ Minor Subdivision
- ☐ Final Plat
- ☐ Board of Adjustments or Building Board of Appeals
- ☐ Exception to Subdivision Regulations
- ☐ Zoning Code Amendment
- ☐ Vacation of Easement
- ☐ Vacation of Right of Way
- ☑ Other Lot Split

Information

Applicant's Name Michael Singer

Applicant's Address 821 Rosemary Aurora, Mo 65605

Phone/Fax/Mobile 229-0764

Relationship to Owner _____

Project Location Lt 1 Singer Place S/D

Existing Use Resident

Proposed Use Resident

Existing Zoning R-1 Single Family

Proposed Zoning R-1 Single Family

Description of Project: Singer Place Plat - split Lot #1 into 2 Lots - build House

Persons In Interest

Property Owner(s)

Name	Address	Zip	Phone/Fax/Mobile
Kenny Singer	PO Box 631	Aurora Mo. 65605	229-0289

Mortgagees/Consultants

Contact Person

Identify one person to serve as the contact for the Planning & Zoning Department during the review process. This will be the only person notified by the Planning& Zoning Department of meeting schedules. It will be his/her responsibility to notify the other parties who may be involved in the project.

Name	Address	Phone/Fax
[signature]		229-0764

City Of Aurora Planning & Zoning Department
Application

Owners Certification

I Certify that I am the person in interest and the information and exhibits herewith are true and correct to the best of my knowledge and that in filing this application, I am acting with the knowledge and consent of all persons in interest. Without the consent of persons in interest, the request action cannot lawfully be accomplished.

Name **Address** **Phone/Fax**

Staff Use Only

Application Accepted

Date_____ ☐ Property Owners within 185 feet of Property Notified

Time_____ ☐ Application requirements Complete

Received By_____ Fees Received_____

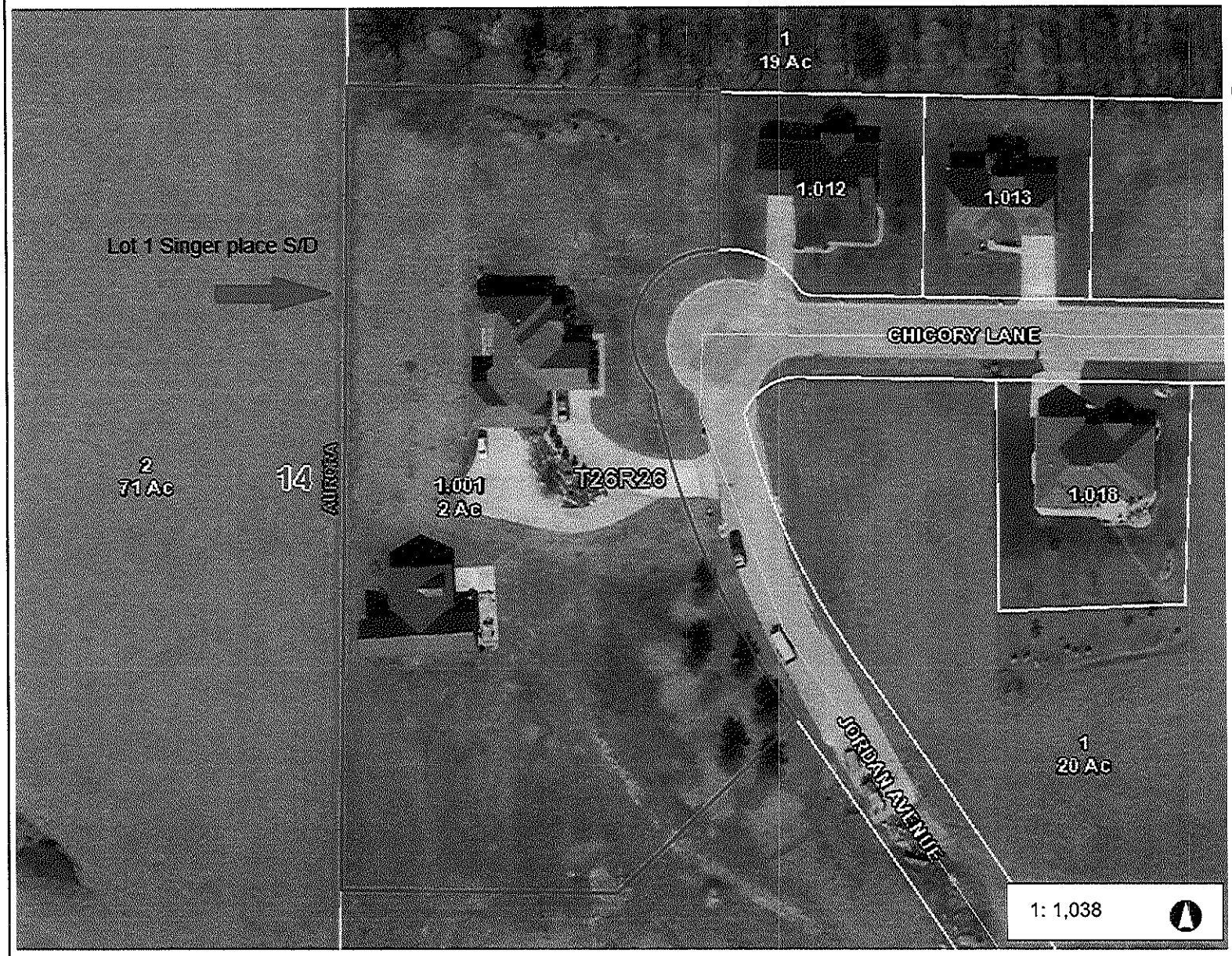
Pre-application conference was held with/on _____

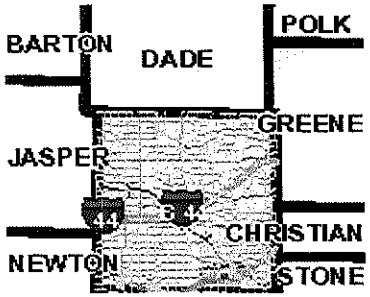
Fees Table

Plan Review	$ 68.00 per hour
Plat Review	$150.00 plus $10.00 per lot
Minor Subdivision	$ 50.00
Rezoning Fees	$100.00 per application
Special Use Permit	$100.00 per application
Board of Adjustment	$100.00 per application
Building Board of Appeals	$100.00 per appeal

P.O. BOX 30 • AURORA, MO. • 65605
PHONE: 417-678-5121 • FAX: 417-678-6599

Lawrence County, MO





Legend

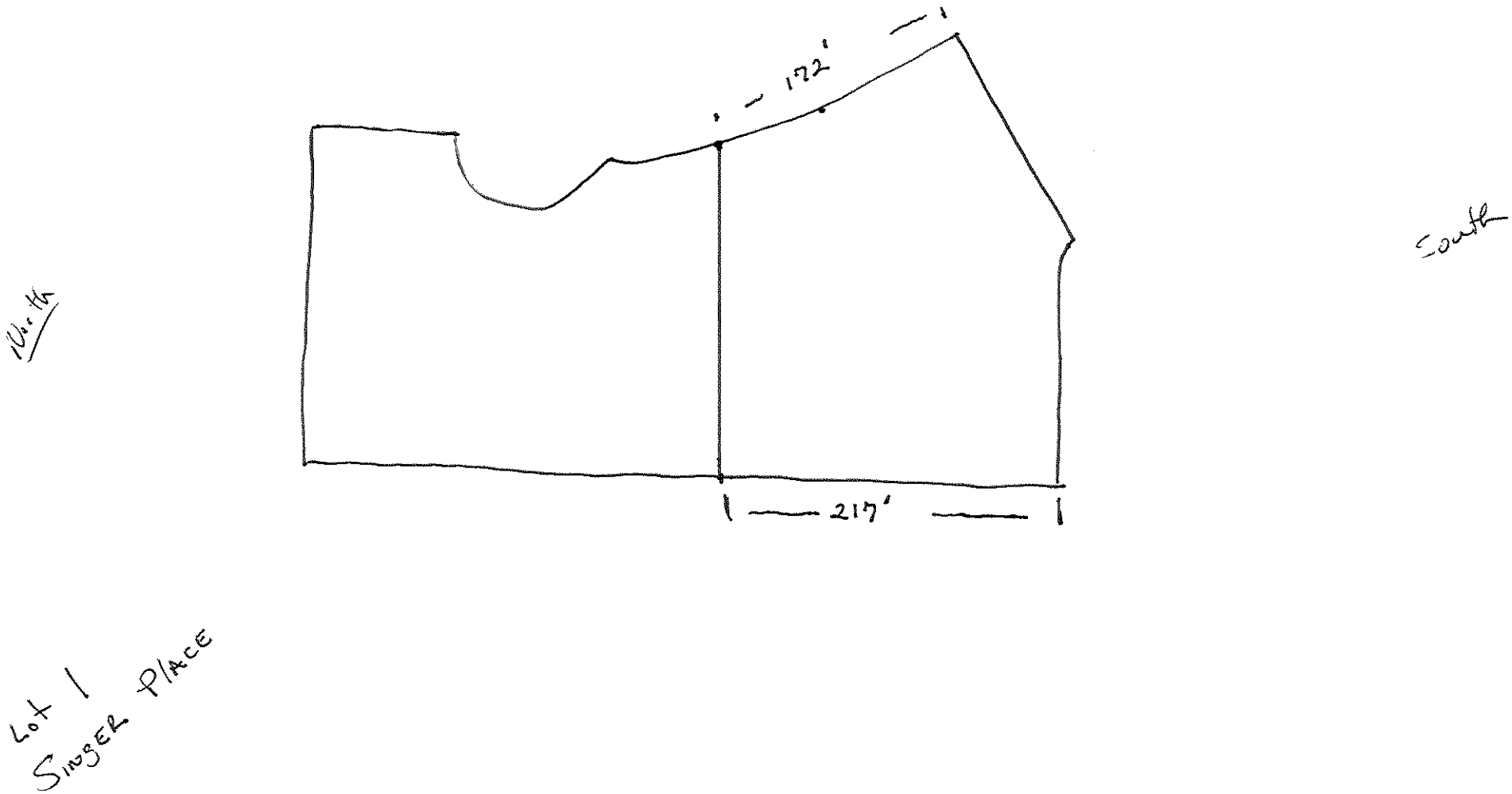
- Road
  - All Other Roads
  - Interstate Highway
  - US Highway
  - Numbered State Highway
  - Lettered State Highway
- Address Point
- Parcel
- Parcel Number/Acres
- Corporate Limit Line
- Section
- Township Range
- County Boundary

Notes

173.0 0 86.49 173.0 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION


172'
217'
North
South
Lot 1
Singer Place

AURORA PLANNING AND ZONING COMMISSION COMMUNICATION

DATE: January 20, 2014

SUBJECT: Request from Shawn Briggs to install a street light at 3100 S. Elliott

AGENDA NO. IV (B)

AGENDA DESCRIPTION

Request from Shawn Briggs to install a street light at 3100 S. Elliott

Notes:

STREET LIGHT INSTALLATION REQUEST

Applicant: Shawn Briggs

Address of Applicant: 3100 S. Elliott Ave.
Phone:

Type of Request: X Verbal __Written __ Engineer/Police/Fire (Public Safety)

Type/Size of Light: 150 Sodium Vapor (Cobra Head Type II)

Approximate Location of Requested Street Light: Intersection of S. Elliott Ave and Farm Road 2227
Notes: Existing pole light at intersection is no longer in use, as per Empire's records Mr. Briggs has asked for the City to activate the light. Cost for installing an arm and light that would light up the intersection properly will increase the monthly street light bill $10 to $15 per month.

See attached map of location;
As per city code;
SECTION 535.110: MINIMUM DISTANCE BETWEEN STREET LIGHTS
There shall be a minimum of one (1) streetlight located at every intersection within the City of Aurora. The City may authorize the installation of any street lights which would be one hundred fifty (150) feet from the nearest existing street light in any "R-1", "R-2" or "R-3" Zoning Districts in the City as defined in the Zoning Regulations, Chapter 400 of this Code. In all other zoning districts, the City may authorize the installation of any street lights which would be two hundred (200) feet from the nearest existing street light. (Ord. No. 91-2035 §24-30, 5-13-91; Ord. No. 2009-2847 §1, 8-25-09)

Staff Report: Intersection is in question of being in the City Limits, the business south of intersection has been brought into the City, but FM RD 2227 has not been accepted. The current City limits ends at FM RD 2227 and Elliott Ave. or 39 Hwy. Staff recommends setting the light for Safety and security reasoning.
Closest City street light is at Braum's 3030 S. Elliott Ave. - 290' feet

Building Inspector
P&Z Dept.

Street Dept. Recommendation:

_____

_____

_____

_____

Street Dept. Supervisor

Planning & Zoning Commission Recommendation:

_____

_____

_____

_____

Approval Date _____ Denial Date _____

_____

P&Z Chairperson

Council Action:

_____

_____

_____

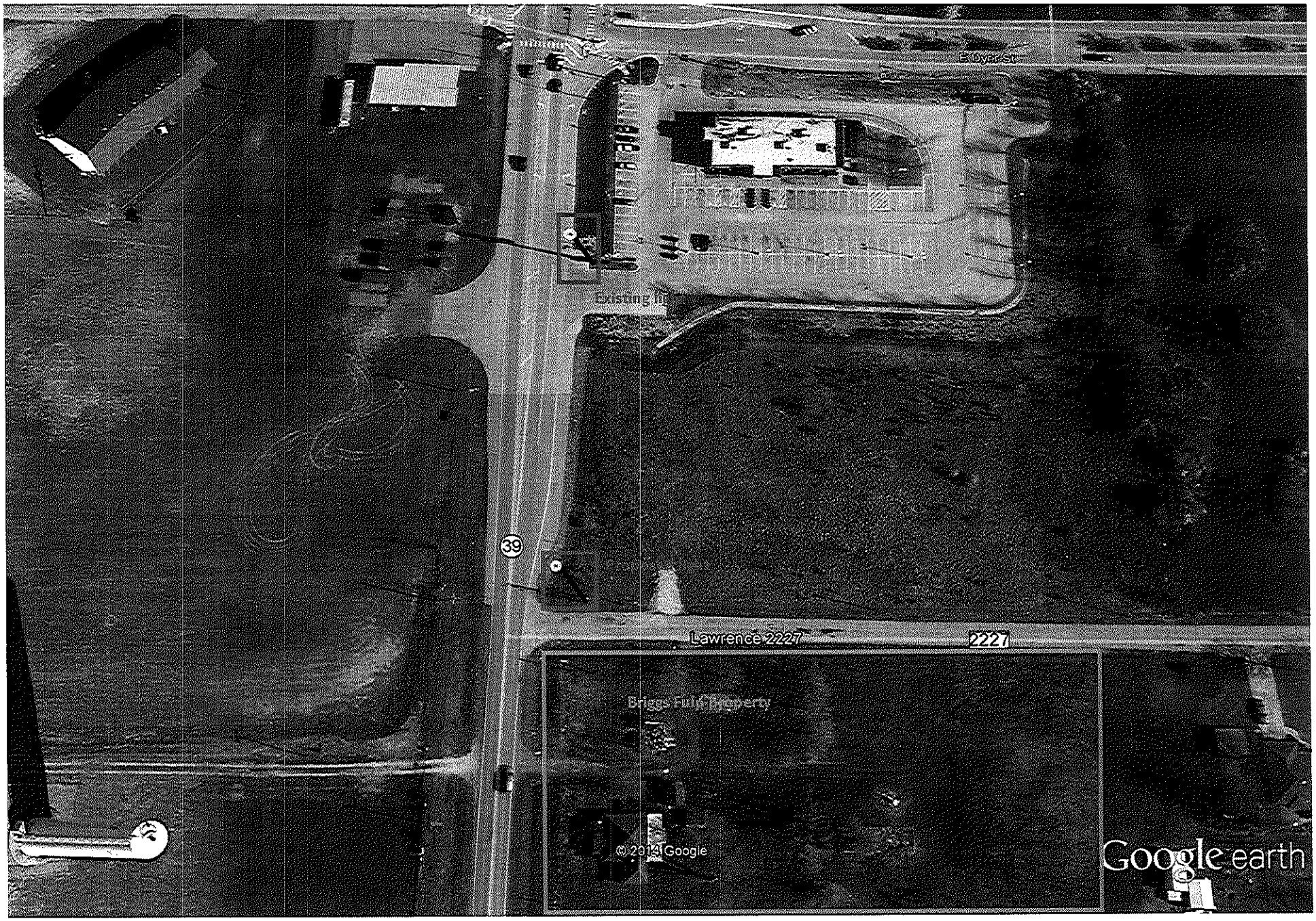
Approval Date _____ Denial Date _____

_____

Mayor/ Council Member

Forward to Empire Electric Co. Date _____

Light Installation Date _____


E Dyer St
Existing lig
39
Lawrence 2227
2227
Briggs Fuel Property
© 2014 Google
Google earth

AURORA PLANNING AND ZONING COMMISSION COMMUNICATION

DATE: January 20, 2014

SUBJECT: Review drawing for Community Center parking lot and make recommendation to City Council

AGENDA NO. IV (C)

AGENDA DESCRIPTION

Review drawing for Community Center parking lot and make recommendation to City Council

Notes:

AURORA PLANNING AND ZONING COMMISSION COMMUNICATION

DATE: January 20, 2014

SUBJECT: Public Comment/Discussion

AGENDA NO. V

AGENDA DESCRIPTION

Public Comment/Discussion

Notes:

AURORA PLANNING AND ZONING COMMISSION COMMUNICATION

DATE: January 20, 2014

SUBJECT: Department Report

AGENDA NO. VI

AGENDA DESCRIPTION

Department Report

Notes:

AURORA PLANNING AND ZONING COMMISSION COMMUNICATION

DATE: January 20, 2014

SUBJECT: Adjournment

AGENDA NO. VII

AGENDA DESCRIPTION

Adjournment

Notes: