



**City of Grain Valley**  
**Board of Zoning Adjustment**  
**Meeting Minutes Summary**

**12/15/2022**  
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**ITEM I: CALL TO ORDER**

- The Board of Zoning Adjustment of the City of Grain Valley, Missouri met on December 15, 2022, in the City Hall Council Chambers.
- The meeting was called to order at 6:30 PM by Chair Steve Shatto.

**ITEM II: ROLL CALL**

- *Present: Steve Shatto*
- *Present: Mark Clark*
- *Present: Mike Coon*
- *Present: Joe Panza*
- *Absent: Lynne Berend*
- ***There was a quorum.***

**ITEM III: APPROVAL OF MINUTES**

- Board member Clark made a motion to approve the minutes from the November 2, 2021, meeting. Board member Coon second the motion. The Board approved the minutes by vote 4-0.

**ITEM IV: PUBLIC HEARING**

Chair Shatto opened the following public hearing:

- 1) **VAR2022-01 Nilesh Patel** – Requesting a 765-foot variance to the 10,000 square foot minimum lot area in Section 400.080 C.6, District R-2 (Duplex Residential District). The applicant wants to split an existing lot that contains 19,235 square feet into two lots which one lot will have the minimum lot area of 10,000 square feet more or less and the other lot will have 9,235 square feet more or less. The existing vacant lot is located at the southeast corner NW Sni-A-Bar Blvd. and NW Sni-A-Bar Parkway and is legally described as Lot 50 in Creekside Landing – 2<sup>nd</sup> Plat, a subdivision in the Southwest Quarter of Section 34, Township 49 North, Range 30 West in Grain Valley, Missouri aka 111-113 NW Sni-A-Bar Parkway.

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**Board Members Present**

Mark Clark  
Mike Coon  
Joe Panza  
Steve Shatto

**Board Members Absent**

Lynne Berend

**Staff Officials Present**

Mark Trosen – CD Director  
Joe Lauber – City Attorney



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Exhibits:

- 1) Area Variance Application
- 2) Applicant Plot Plan
- 3) Aerial Map
- 4) Staff Report
- 5) Building Plan
- 6) Creekside Landing – 2<sup>nd</sup> Plat

- Director Trosen entered the exhibits and presented the Staff Report. The granting of the variance will not adversely affect the rights of adjacent property owners. With the Applicant’s statements of why a variance should be granted and the facts presented, the interests of justice will be served by granting the variance.
- Nilesh Patel presented his request for a variance and stated that this property has been platted for several years but no interest in building on.
- Board member Panza asked if these duplexes were going to be rental units. Patel stated yes initially but if the market changes, then they could be sold.
- Board member Panza asked how many square feet. Patel responded that they will be 3 bedrooms and 2 baths with approximately 1,400 square foot per unit.
- City Attorney Lauber stated that Mr. Patel is dividing into two lots and only one lot needs the variance. He is still 92.35% compliant with the standards and the practical difficulties are the lower of the two standards for granting a variance. Given the street right-of-way and the FEMA floodway, this is probably one of the better examples of why variance is needed.
- The City Attorney cautions the Board that we are here tonight to look at the lot sizes and not to be concerned about what product will be built on the lots. I asked Mr. Trosen if the proposed product would meet the required setback requirements and he said yes.
- Board member Clark made a motion to approve the variance as requested by the applicant. Mr. Coon second the motion. The motion was approved by a vote of 4 to 0.

**ITEM VIII: PREVIOUS BUSINESS**

- None

**ITEM IX: NEW BUSINESS**

- Director Trosen announced that this would be Mr. Coon’s last meeting. Mr. Coon was moving to Oak Grove and would no longer be able to serve on the Board.

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**Board Members Present**

Mark Clark  
Mike Coon  
Joe Panza  
Steve Shatto

**Board Members Absent**

Lynne Berend

**Staff Officials Present**

Mark Trosen – CD Director  
Joe Lauber – City Attorney



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Mr. Trosen thanked Mr. Coon for his service to the BZA and the countless hours he spent attending meetings.

**ITEM X: ADJOURNMENT**

- Board member Clark motioned to adjourn the meeting. Board member Coon second the motion. The Board approved the motion by a vote of 4 to 0.

*-The Meeting Adjourned at 6:50 PM-*

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**Board Members Present**

Mark Clark  
Mike Coon  
Joe Panza  
Steve Shatto

**Board Members Absent**

Lynne Berend

**Staff Officials Present**

Mark Trosen – CD Director  
Joe Lauber – City Attorney