

**PLANNING AND ZONING COMMISSION  
REZONING FINDINGS AND RECOMMENDATION**

Property owned by: William G. Norvell and Pakaruedee Norvell a/k/a Pat Norvell, Trustees of the Norvell Revocable Trust u/t/a dated June 29, 2011

Request for Conditional Use Permit to use the property located at 123 E. Young St., for a conforming purpose without correcting the non-conforming situations that are not reasonably possible to eliminate. This request involves a request to use the property for Land Use 4.120 MANUFACTURING, PRINTING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS, MERCHANDISE AND EQUIPMENT: Majority of dollar volume of business not done with walk-in trade, and the existing building setbacks as the non-conforming situation. This request involves Section 27-28 (g) (2) of the City Code of Ordinances. The property is legally described as follows:

Tract 1: The South 125 feet of Lot 41 in Hedges' Addition, as shown by the plat recorded in Plat Book 2, Page 22, in Warrensburg, Johnson County, Missouri, and Part of the Northeast Quarter of the Northwest Quarter of Section 24, Township 46, Range 26, described as: Beginning at the Southwest corner of said Lot 41, thence West, along the North line of Business Route U.S. Highway No. 50, 25 feet, to a point which is 70 feet West of the Southeast corner of said Lot 41; thence North, parallel with the East line of said Lot 41, 125 feet; thence East, parallel with the North line of said highway, 25 feet, to the West line of said Lot 41; thence South, along the West line of said Lot 41, 125 feet, to the point of beginning.

Tract 2: Part of the Northeast Quarter of the Northwest Quarter of Section 24, Township 46, Range 26, in Warrensburg, Johnson County, Missouri, described as: Beginning at the Southeast corner of Lot 41 in Hedges' Addition, as shown by the plat recorded in Plat Book 2, Page 22, thence West, along the North line of Business Route U.S. Highway No. 50, 200 feet; thence North, at right angles, thereto, 125 feet; thence East and parallel with the North line of said Business Route U.S. Highway No. 50, 200 feet, to the East line of said Lot 41; thence South, along the East line of said Lot 41, 125 feet, to the point of beginning; except that part, thereof, conveyed to Chuen Fun Ng, by deed recorded in Book 1434, Page 75, and, further except that part, thereof, conveyed to Tile Time, Inc., by deed recorded in Book 1677, Page 263.

The Planning and Zoning Commission has considered the request for a conditional use permit at an open public meeting on January 6, 2020 and makes the following findings and recommendations based upon the evidence presented with respect to these matters:

1. The site plan required to be submitted by Section 27-350 (e) is

\_\_\_\_\_ Not waived \_\_\_\_\_

\_\_\_\_\_ Waived because the use will not affect existing drainage, circulation, relationship of buildings to each other, landscaping, buffering, lighting, and other conditions of site plan approval, and the existing facilities do not require upgraded or additional site improvements.

2. The proposed conditional use permit is consistent with the goals of the City's Comprehensive Plan Update and \_\_\_\_\_ will or \_\_\_\_\_ will not further the applicable objectives of the plan.
3. The effect of the conditional use permit upon the existing uses of land within the general area could be \_\_\_\_\_ minimal, \_\_\_\_\_ major.

4. The impact the change would have on the character of the neighborhood should be \_\_\_\_\_ minimal, \_\_\_\_\_ major.
5. Public health and safety \_\_\_\_\_ will \_\_\_\_\_ will not be jeopardized if the permit is granted.
6. The existing building on said property is approximately 27 ft. from E. Young St. and 26 ft. from N. College St. The required setback is 40 ft. from E. Young St. and 30 ft. from N. College St. The existing building cannot be developed for any use including the proposed use without setback deviations.
7. The proposed use and redevelopment of the site does not increase the extent of the nonconformity of the nonconforming situation, increase the total amount of space devoted to a nonconforming situation, or create a greater nonconformity with respect to the dimensional setback requirements.
8. The applicant has demonstrated all other non-conforming situations, except setbacks, can be brought into compliance with the current zoning code.
9. Additional Comments: \_\_\_\_\_  
\_\_\_\_\_

The Planning and Zoning Commission

\_\_\_\_\_ Recommends Approval of the Conditional Use Permit to allow the use of the existing building and property located at 123 E. Young St., for a conforming purpose, Land Use 4.120 MANUFACTURING, PRINTING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS, MERCHANDISE AND EQUIPMENT: Majority of dollar volume of business not done with walk-in trade, without correcting the non-conforming situations that are not reasonably possible to eliminate which are specifically limited to the existing setbacks between the existing building and the property lines adjacent to Young St. and College St.

\_\_\_\_\_ Does Not Recommend Approval of the Conditional Use Permit to allow the use of the existing building and property located at 123 E. Young St., for a conforming purpose, Land Use 4.120 MANUFACTURING, PRINTING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS, MERCHANDISE AND EQUIPMENT: Majority of dollar volume of business not done with walk-in trade, without correcting the non-conforming situations that are not reasonably possible to eliminate which are specifically limited to the existing setbacks between the existing building and the property lines adjacent to Young St. and College St.

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Chairperson, Planning and Zoning Commission