

**Board of Zoning Adjustment Agenda  
Aurora City Hall  
City Council Chambers  
2 W. Pleasant  
Aurora, Missouri  
Monday, January 6, 2025 - 6 P.M.**

1. CALL TO ORDER

2. ROLL CALL

Chairman Mike Bloss

Vice Chairwoman Shannon Walker

Board Member Deb Dillman

Board Member Cyndy Muench

Board Member *Vacancy*

3. APPROVAL OF SESSION MINUTES

3.1. Approval Of Minutes From Meeting Held November 25, 2024

Documents:

[COVER SHEET AGENDA ITEM MINUTES FROM MEETING HELD  
NOVEMBER 25, 2024.PDF](#)  
[DRAFT 11.25.24.PDF](#)

4. NEW BUSINESS

4.1. Public Hearing - City Code Variance

Documents:

[COVER SHEET AGENDA ITEM GUTHRIE VARIANCE 1.6.25.PDF](#)  
[ATTACHMENT LIST.PDF](#)  
[APPLICATION AND RECEIPT.PDF](#)  
[PROPERTY REPORT CARD.PDF](#)  
[DEED FROM COUNTY.PDF](#)  
[ORIGINAL PLAT.PDF](#)  
[PUBLIC HEARING LETTER TO 185.PDF](#)  
[NEWSPAPER NOTICE.PDF](#)  
[CITY CODE.PDF](#)

5. ADJOURNMENT

# **City of Aurora Agenda Item Cover Sheet**

To: City of Aurora Board of Zoning Adjustment  
From:  
Department:  
Date:

**AGENDA ITEM NARRATIVE**

**BACKGROUND**

**SPECIFIC ACTION REQUESTED**

**ATTACHMENTS**

# Board of Zoning Adjustment Minutes

**Aurora City Hall  
City Council Chambers  
2 W Pleasant Street  
Aurora, Missouri**

**Monday, November 25, 2024 - 6 PM**

11/25/2024 - Minutes

1. CALL TO ORDER

6:03 PM

2. ROLL CALL

Chairman Mike Bloss - Present

Vice Chairwoman Shannon Walker - Present

Board Member Cyndy Muench - Present

Board Member Deb Dillman - Present

Board Member - Vacancy

Quorum is satisfied.

Draft

3. APPROVAL OF SESSION MINUTES

3.1. Approval Of Minutes From Meeting Held September 23, 2024

Board Member Dillman made a motion to approve the minutes from the meeting held on September 23, 2024. Motion seconded by Board Member Muench. Motion passed with all members voting aye.

4. NEW BUSINESS

4.1. Discussion Regarding Setback Regulations In City Code

Director Howlett provided an update to the Board regarding the recurring request for setback variances. The Planning and Zoning Commission is in support and Director Howlett will be working on taking code revision submissions to the Commission and will have a new update near January 2025.

4.11. Public Hearing - Setback Variance Request

Vice Chairwoman Walker made a motion to open the public hearing, time noted 6:06 PM. Motion seconded by Board Member Dillman. Motion passed with all members voting aye.

Director Howlett addressed the Board regarding the formal application presented to them. Applicant, Brett Heman, with Heman Houses requested a variance to the front and rear yard setbacks. This request is due to unconventional placement of the structures on the parcels. Mr. Heman will be constructing duplexes and they will face east and west. Mr. Heman is requesting a variance for a front yard setback of 15 feet and a rear yard setback of 18 feet. This variance request is the first step to take. The next step would be a formal survey to combine lots, followed by lot splits for the duplexes. Each unit will meet proper yard and space per City Code. Mr. Heman has adequate land space but the setbacks are a challenge.

Applicant is present at the meeting. Mr. Heman informed the Board that the front doors will be facing each other and will still allow for off street parking. The parcels will be further subdivided into 4 lots with ample space. From the front door of one duplex to the other will be 30 feet. Mr. Heman is also creating some Community space that will allow for grilling, a smoking area, and an area for kids to play that will include a covered patio area. Mr. Heman will be working with Liberty Utilities to get trees and overgrowth cleared for the upcoming new construction. The current sewer line managed by the City of Aurora ends before his proposed new construction would begin, therefore Heman Houses will be installing a private sewer line with clean outs for all dwellings and will be attaching to the City sewer infrastructure. The units will be 945 square feet, which meets the City Code requirements of 850 square feet for each side of a duplex. The addresses will be on the front of the units for Emergency management purposes. Power lines will be underground.

No public comment.

Vice Chairwoman Walker made a motion to close the public hearing. Board Member Dillman seconded the motion; time noted 6:21 PM. Motion passed with all members voting aye.

Board Member Dillman made a motion to approve the variance request of 15 feet for a front yard setback and 18 feet for a rear yard setback. Motion seconded by Vice Chairwoman Walker. Motion passed with all members voting the following:

Bloss - AYE

Walker - AYE

Muench - AYE

Dillman - AYE

Draft

5. ADJOURNMENT

Vice Chairwoman Walker made a motion to adjourn at 6:22 PM. Motion seconded by Board Member Muench. Motion passed with all members voting aye.

APPROVED:

\_\_\_\_\_

Mike Bloss, Chairman

ATTEST:

\_\_\_\_\_

Crystal Gregory, Administrative Assistant

# **City of Aurora Agenda Item Cover Sheet**

To: City of Aurora Board of Zoning Adjustment  
From:  
Department:  
Date:

**AGENDA ITEM NARRATIVE**

**BACKGROUND**

**SPECIFIC ACTION REQUESTED**

**ATTACHMENTS**

## Attachment List

1. Application and Receipt
2. Property Report Card(s)
3. Deed(s)
4. Plat(s)
5. Public Hearing Letter
6. Public Hearing Notice
7. City Code



## APPEAL FORM

City of Aurora, MO  
Board of Zoning Adjustment  
2 W Pleasant Street  
Aurora, MO 65605

Address Involving Appeal: 1003 Oak Ridge Drive Fee \$ 100.00

### Submittal Information and Procedures:

The applicant will submit to the Community Development Department staff the application form and all necessary documentation prior to the Board of Adjustment hearing date.

Supplementary information is considered a required part of the application. Applications will not be considered accepted for review unless all required information is provided.

A fee in accordance with the city's adopted fee schedule must accompany the application.

The applicant is expected to attend the hearing to present evidence and answer questions from the Board. The applicant must be prepared to be cross examined concerning evidence or testimony provided. The absence of the applicant is grounds to warrant deferral of action by the Board of Adjustment.

### General

Appeals to the Board may be taken by any person aggrieved, by any neighborhood organization as defined in § 32.105, RSMo., representing such person, or by any officer, department, board or bureau of the City affected by any decision of the Planning and Zoning Commission or Administrative Officer. Such appeal shall be taken within a reasonable time as provided by the rules of the Board by filing with the Planning and Zoning Commission or Administrative Officer from whom the appeal is taken, and with the Board a notice of the appeal specifying the grounds thereof. The Planning and Zoning Commission or Administrative Officer thereof, from whom the appeal was taken, shall forthwith transmit to the Board all the papers constituting the records upon which the action appealed from was taken. Service of such notices, papers, and records shall be constituted by depositing the same with the City Clerk.

An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Board, after the notice of appeal shall have been filed with him/her, that by reason of facts stated in the certificate a stay would, in his/her opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application or notice to the officer from whom the appeal is taken and on due cause shown.

The Board may reverse, affirm or modify any decision made by an Administrative Officer of the City.



Section A: Applicant Information

Name: Aiden Stidh

Mailing Address: 4530 W Republic Rd, Brookline, MO 65619

Phone Number: 417 576 3720

Email: stidhelectric@yahoo.com

Property Owner Information (if different from the applicant):

Name(s): Ricky Guthrie

Address: 1003 Oak Ridge Dr Aurora, MO 65605

Phone Number: 417 440 1160

Email: hollywoodfint@gmail.com

Section B: Property Information

Address of site: 1003 Oak Ridge Dr Aurora, MO 65605

Property Identification Number: 196013002011026000

Lot/Block/Section: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Required setbacks: Front: \_\_\_\_\_ Side: \_\_\_\_\_ Rear: \_\_\_\_\_

Total Site Area: \_\_\_\_\_



Flood Zone: \_\_\_\_\_

**Section C: Hearing Type (Please Check One)**

Variance

Appeal

Reason for appeal or variance request:

Liquid propane tank for  
generator.

**Section D: Certification**

In filing this application to the Board of Adjustment, I hereby certify that all of the information presented in the application is accurate to the best of my knowledge, information, and belief.

[Signature]

11/21/2024

Signature of Applicant(s)

Date

I have received, read, and fully understand Section 400.480 Appeals, of the City of Aurora Municipal Code of Ordinances as it pertains to my application. I have also read and understood the application to the Board of Adjustment. The items I did not understand, if any, have been explained to my satisfaction by an employee of the City of Aurora Community Development Department.

I understand the Board of Adjustment, being quasi-judicial in nature, will receive only competent evidence concerning my application. I understand that I have the right to cross-examine witnesses presented and that I may be cross examined on matters pertaining to the evidence and testimony that I present. I further understand that I have the right to have an agent or legal counsel present to represent me.

[Signature]

11/21/2024

Signature of Applicant(s)

Date

\_\_\_\_\_

Signature of Applicant (if jointly applying)



**Appointment of Authorized Agent**

I, Ricky Guthrie, the owner of the property subject to the Application to the City of Aurora Board of Adjustment, do hereby appoint, as my authorized agent regarding this application, to provide testimony and evidence and respond to testimony and evidence on my behalf and to represent me regarding this application. If chosen to have a third party representation at the evidentiary hearing, representation must be a registered attorney.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

Arl Hill  
\_\_\_\_\_  
Authorized Agent Signature

11/21/2024  
\_\_\_\_\_  
Date

Rec'd  
11/21/24  
CW

CITY OF AUBURN  
2 W PLEASANT  
PO BOX 20  
AUBURN

NO 45675

Description	Amount
RICKY GUTHRY BOA BBGA 1001 OAK RIDGE DR	100.00
CASH Received	100.00
Change	.00

FILE 11/21/24 15:47 Rcpt# 40775

# Lawrence County, MO

## Property Report Card

**Parcel Number: 196013002011026000**

Owner Name: GUTHRIE, RICKY

Situs Address: 1003 OAK RIDGE

Mail To Address: 1003 OAK RIDGE

Mail To Address 2:

Mail To City State Zip: AURORA MO 65605-0000

Database Acres: 0

Book/Page: 0417-0142

Section: 13

Township: 26

Range: 26

Date Acquired: 2005-06-07

Land Assessed: 2050

Total Assessed Including Land: 12100

Legal Description: OAK RIDGE DR.,1003; LT 4 THACH OAK RIDGE S/D - AURORA

Printed 11/26/24  
-CG



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STATE OF MISSOURI # 4270  
County of Lawrence

12.75  
17.25  
30.00 pd.  
GTC

The within instrument of writing was duly filed for record in the Recorder's office on the 7th day of June 2005 at 2 o'clock 15 minutes P M. and has been recorded in book 417 page 142. Witness my hand and seal at said office on the day and year aforesaid.

PAM ROBERTSON Recorder  
By Fred W. Mieswinkel Deputy

Space Above this Line for Recording Data

File # GT051547

Title(s) of Document : WARRANTY DEED BY CORPORATION

Date of Document : May 31, 2005

Grantor(s) :  
Whitewood Properties, Inc

GUARANTY TITLE COMPANY  
1402 S. ELLIOTT  
AURORA, MO 65605  
FILE: GT051547

Grantor's Address:  
PO Box 471  
Marionville, MO 65705

Grantee(s) :  
Ricky Guthrie, a married man,

Grantee's Address :  
1003 Oak Ridge  
Aurora, MO 65605

Reference Book(s) and Page(s) , if required.

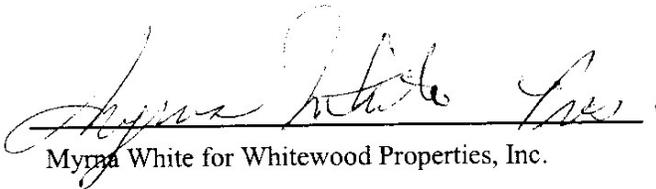
Legal Description :  
Lot 4, THACH OAK RIDGE SUBDIVISION to the City of Aurora, Lawrence County, Missouri, as per the recorded plat thereof.

GTC



TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances, and immunities thereto belonging or in anywise appertaining unto the said part second part, and unto their heirs and assigns, forever. The said party of the first part hereby conveying that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear of any encumbrance done or suffered by it or those under whom it claims; and that it will warrant and defend the title to the said premises unto the said part of the second part and unto their heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the Whitewood Properties, Inc  
The said party of the first part has caused these presents to be signed by its President  
And attested by its secretary, and corporate seal to be hereunto affixed, this the 31st day of May  
20 05

  
Myrna White for Whitewood Properties, Inc.

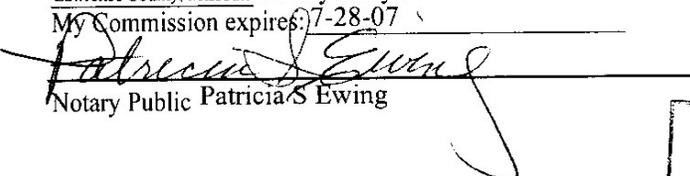
Attested: \_\_\_\_\_  
Secretary

STATE OF MISSOURI  
COUNTY OF Lawrence On this 31st day of May, 20 05

Before me personally appeared Myrna White for Whitewood Properties, Inc.  
To me personally known, who being duly sworn, did say that she is President  
Of Whitewood Properties, Inc that the seal affixed to this instrument is the  
corporate seal of said corporation, and that the said instrument was signed and sealed.

In behalf of said corporation by authority of its Board of Directors and the said  
Myrna White for Whitewood Properties, Inc.  
Acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in  
Lawrence County, Missouri the day and year first above written.

My Commission expires: 7-28-07  
  
Notary Public Patricia S Ewing

PATRICIA S. EWING  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Lawrence County  
My Commission Expires July 28, 2007

67



2 W. PLEASANT ST.  
P.O. BOX 30  
AURORA, MO 65605



PH: 417-678-5121  
FAX: 417-678-6599  
AURORA-CITYHALL.ORG

Date: December 2, 2024

To Whom It May Concern:

This letter is to inform you that a public hearing has been called by the Board of Zoning Adjustment to consider a request from Ricky Guthrie involving 1003 Oak Ridge Drive, more particularly described herein as follows;

OAK RIDGE DR.,1003; LT 4 THACH OAK RIDGE S/D – AURORA

Petitioner: Ricky Guthrie

Request made by applicant for a variance to City Code Section 520.050.

As a property owner within 185 feet of these properties, 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 Board of Zoning Adjustment at 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 Monday, January 6, 2025, at 6:00 p.m.

If you have any questions concerning this request, please contact the Community Development office at 417-678-5121 option 5.

Thank You,

A handwritten signature in black ink that reads "Carrie Howlett". The signature is written in a cursive, flowing style.

Carrie Howlett  
Community Development Director

## NOTICE OF PUBLIC HEARING

NOTICE is hereby given to all citizens and parties of interest that the Aurora Board of Zoning Adjustment will conduct a PUBLIC HEARING at 6:00 p.m., Monday, January 6, 2025, in the City Council Chambers at Aurora City Hall, 2 West Pleasant, Aurora, Missouri 65605 to consider a request from **Ricky Guthrie** to discuss a variance involving 1003 Oak Ridge Drive, also known as:

OAK RIDGE DR.,1003; LT 4 THACH OAK RIDGE S/D - AURORA

## Chapter 520. Fire Code and Fire Protection

### Article II. Fire Code Adoption And Implementation

#### Section 520.050. Establishment Of Limits Of Districts In Which Storage Of Flammable Or Combustible Liquids In Outside Aboveground Tanks Is Prohibited.

[R.O. 1993 § 520.050; Ord. No. 2010-2862 § 1, 2-9-2010; Ord. No. 2021-3215, 2-9-2021]

The limits referred to in certain Sections of the 2018 International Fire Code are hereby established as follows:

**Chapter 55** (limits in which the storage of flammable cryogenic fluids in stationary containers is restricted to): "M-2."

**Section 5706.2.4.4** (limits in which the storage of Class I and Class II liquids in aboveground tanks outside of buildings is prohibited): "R-1," "R-2," "R-3," "C-O," "C-1," "C-P," "MHP," "PRD," "CP," "AE."

**Section 5706.2.4.4** (limits in which the storage of Class I and Class II liquids in aboveground tanks is prohibited): "R-1," "R-2," "R-3," "C-O," "C-1," "C-P," "MHP," "PRD," "CP," "AE."

**Section 61.04.2** (limits in which the storage of liquefied petroleum is restricted to for the protection of heavily populated or congested areas): "A-1," "M-2."