

**Board of Zoning Adjustment Minutes**  
**Aurora City Hall**  
**City Council Chambers**  
**2 W Pleasant Street**  
**Aurora, Missouri**  
**Monday, January 6, 2025 - 6 PM**

1/6/2025 - Minutes

1. CALL TO ORDER

6:00 PM

2. ROLL CALL

Chairman Mike Bloss - Present

Vice Chairwoman Shannon Walker - Present

Board Member Deb Dillman - Present

Board Member Cyndy Muench - Present

Board Member - Vacancy

Quorum Satisfied

3. APPROVAL OF SESSION MINUTES

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

Board Member Dillman motioned to approve the minutes from the meeting held on November 25, 2024. Motion seconded by Board Member Muench. Motion passed with all members voting aye.

4. NEW BUSINESS

4.1. Public Hearing - City Code Variance

Vice Chairwoman Walker made a motion to open the public hearing, time noted 6:01 pm. Motion seconded by Board Member Dillman. Motion passed with all members voting aye.

Director Howlett addressed the Board regarding the appeal brought before them. The appeal today is from Ricky Guthrie, applicant, and owner of 1003 Oak Ridge Drive. The request started as a conversation with the fire chief, Gregory Hurd. Applicant asked about installing a propane tank to fuel a generator at his home. Chief Hurd reached out to Director Howlett inquiring about any code that may prohibit this. City Code 520.050 addresses storage of flammable combustible liquids in an above ground tank and does prohibit this in a residential zone. 1003 Oak Ridge Drive is zoned R-1, single family residential. Therefore, Director Howlett had to deny the request for the propane tank, which in turn resulted in the appeal before the Board. Director Howlett advised the applicant to consider natural gas. The applicant stated that natural gas is not an option for them as there is no line in their neighborhood supplying natural gas. City Staff reached out to Spire Gas and did indeed confirm that there is no natural gas option for that particular address. Since propane tanks are not allowed within the city limits, the City Code doesn't address any guidelines on sizing or location since it is prohibited. Director Howlett researched the IFC, International Fire Code, as well as IFPA, International Fire

Protection Association. The IFC and IFPA codes state that any propane tank must be a minimum of 10 feet from any structure and 25 feet from electrical lines. These codes govern any tank up to 500 gallons. Director Howlett determined that if allowed, any tank must meet those international codes on dimension and measurements and must meet all fire codes for safety.

Applicant and property owner Ricky Guthrie was present at the meeting and spoke to the Board. He confirmed he has no natural gas and he already attempted to gain natural gas in the last 19 years that he has owned the home. Mr. Guthrie has endured several ice storms and had to relocate during those times. He would like a generator to prevent these hardships if he happens to lose power in the future. The tank will be placed on a concrete slab. There will be a minimum of 10 feet between the generator and the propane tank. It will be a 320 gallon tank and will hold 260 gallons of propane. The propane will only be used as a generator and only during emergencies for back up.

Fire Chief Gregory Hurd went to the topic property prior to the meeting. Chief Hurd found the area for the tank is spacious with no power lines nearby. He would like to see inspection and maintenance records sent to the fire department annually pertaining to the propane tank. Chief Hurd would like to add a stipulation that if natural gas becomes available in the future that the property owners would convert the generator to natural gas.

Board Member Dillman grew up with propane and was not aware of any concerns. Chief Hurd stated that any concern would only arise if there was a leak. In the event of a fire, propane tanks are fairly safe. Chief Hurd will place the property at 1003 Oak Ridge Drive into the CAD system so dispatch will be alerted to propane on the premises. Chief Hurd does not see any issues with the proposed tank with the safeguards he mentioned.

Chairman Bloss stated that this was a unique situation and he would decline the appeal request if natural gas was an option, however he does agree that Chief Hurd's stipulations will protect both the City and the property owner.

Public hearing notices were mailed to all property owners within 185 feet of 1003 Oak Ridge Drive. One voice of opposition was received from Tom DeMoss of West Springfield Street in Aurora. No other opposition received by City staff.

City Attorney Nate Dally stated the variance requirements and feel that the request meets and exceeds all requirements. The request arises from a unique condition of the property, having no access to natural gas. The condition was not created by the property owner. Strictness by the Board would result in undue hardship as the property owner would not have power during an outage, possibly causing them to relocate. Granting the request will not have adverse reactions on the neighborhood in most cases. The request will not adversely affect public safety and granting the request will give substantial justice. Attorney Dally reiterated that the Board can add stipulations to meet any other requirements they may have. Director Howlett advised the Board to please state any stipulations requested in their final decision.

Fire Chief Hurd's recommended stipulations are as follows:

1. inspection/testing records submitted to the fire department annually.
2. Maintenance records submitted to the fire department annually.
3. If natural gas becomes available, the property owners must convert from propane to natural gas.

This request and decision will only apply to Ricky Guthrie of 1003 Oak Ridge Drive.

Vice Chairwoman Walker inquired of when they would be doing this project if it is approved. Aaron Stich of All Electric out of Springfield is the hired contractor and present at the meeting. He stated they would begin at the end of January 2025.

Chairman Bloss made a motion to close the public hearing, time noted 6:29 pm. Motion seconded by Board Member Dillman. Motion passed with all members voting aye.

Board Member Muench made a motion to approve the variance for installation of a propane tank to fuel a generator at 1003 Oak Ridge Drive with the following stipulations:

1. Annual maintenance/testing records to be sent to the fire department annually.

2. If natural gas becomes available in the future, then the property owners will convert to natural gas, thus eliminating the propane tank.
3. The propane tank will be 10 feet minimum away from all buildings/structures.
4. The propane tank will be 25 feet from all electrical lines.
5. The propane tank is not to exceed 330 gallons in size.

Motion seconded by Board Member Dillman. Motion passed with all members voting the following:

Bloss - AYE

Walker - AYE

Dillman - AYE

Muench - AYE

#### 5. ADJOURNMENT

Vice Chairman Walker made a motion to adjourn, time noted 6:33 pm. Motion seconded by Board Member Muench. Motion passed with all members voting aye.

APPROVED:

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Mike Bloss, Chairman

ATTEST:

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Crystal Gregory, Administrative Assistant