

Planning and Zoning Commission meeting

September 24, 2024, 7 p.m.

**City Hall
101 Front Street**

Agenda

1. Call to Order
2. Roll Call
3. Approval of minutes, June 25, 2024, pages 1-3
4. Public Hearings, a. Special Use Permit application, pages 4-6
 - a. Special Use Permit application, for a vacation rental, applicant Mark Bauche, 1006 George Street. This property is zoned Single Family Residential, (R-1A); a commercial use such as the one proposed in this district requires a Special Use Permit. (requires property located within 200 feet of the subject property be given notice as provided by the New Haven Municipal Code Section 405.950 A4). Eight properties were sent notices.
 - i. Applicant presentations
 - ii. City Staff report, Michael Fleege
 - iii. Public Comment
5. Motion to close Public Hearings
 - a. Commission discussion / recommendations
 - i. Special Use Permit application, vacation rental
6. Miscellaneous
7. Adjourn

**Planning and Zoning Commission Meeting
June 25, 2024
New Haven City Hall**

Call to Order:

Tim Otten called the meeting to order at 7:00 p.m.

Board Members Present

Tim Otten, Ed Shivers, Charlie Tritch, Jill Terschluse and Phil McKernan vis phone

Staff Members Present:

Kathleen Trentmann, Lori Quick and Mike Fleege

Others Present:

Mark Willimann, Rachel Maczuk and Dena Kruse

****Motion to approve the minutes from February 27, 2024 Jill Terschluse, Ed Shivers 2nd.
All were in favor**

**Public Hearing: Willimann GMC Apartments is requesting the property at 807 Maupin
be rezoned from R-1A to R-2 Residential Duplex.**

Rachel Maczuk represented the Willimann's stating that the application for rezoning was submitted along with a letter explaining the request to rezone 807 A & B Maupin to R-2 Residential Duplex. As it stands now any prospective buyers cannot get financial assistance because if there was an event that destroyed the home the only thing that could be rebuilt is a single-family home. Mike Fleege building inspector reiterated that it was zoned R-1A and in the event of a catastrophic event and the home was destroyed that currently only a single-family home could be built to replace it.

Public Comment: Kathy had not received any feedback from the Public on this issue. There was no other comments.

****Motion to close Public Hearing Jill Terschluse, Ed Shivers 2nd. All were in favor.**

Board discussion: This had been approved before further down Maupin and they did not see why this should be an exception.

****Motion to approve and recommending to the Board of Aldermen rezoning 807 Maupin
to R-2 Residential Duplex Jill Terschluse, Ed Shivers 2nd. All were in favor.**

Tim Otten explained that this would be sent to the Board of Aldermen at the July 8 meeting. The Willimann's will be notified after the meeting.

Request to vacate a section of Revere Lane platted in Baltimore Subdivision and Catawba Street platted in EB Hammack Addn 3. Kyle and Dena Kruse is proposing to vacate the street as part of a Lot Consolidation request.

Tim Otten explained that the lot consolidation includes lots 71, 86, 87 and 88 on the west side of Catawba Street and along a portion of Revere Lane. There are 6 lots on the east side of Catawba, all 10 lots will be consolidated. He would like to suggest that lot 88 go straight down.

Dena Kruse explained that she and her husband Kyle would like to consolidate 10 lots into one and vacate Catawba Street and a portion of Revere Lane. Catawba which was made of gravel is now gone. They will build a family home on all lots and easements are no problem.

This property has been discussed for development but the talk ended with having to develop the street. The property owned by Larry Hanks is accessible by using Olive Street.

Commission discussion: It was suggested that when combining that lot 88 go straight down. If approved the Kruse's will need to bring back drawings with the utilities and easements marked. This area has been a problem for many years and this will solve the problem. This area has been vacated for many years. This proposal is the first reasonable one submitted and made sense.

****Motion to approve and recommend to the Board of Aldermen consolidation of all 10 lots, with lot 88 going straight down; vacate Catawba and a portion of Revere Lane Jill Terschluse, Ed Shivers 2nd All were in favor.**

If the Board of Aldermen approves an official plat from Wunderlich showing the easements and lot 88 going straight down. They will submit to the recorder of deeds in Union.

Dave Burke and Tony Carosella have resigned from the P & Z Board and Charlie Tritch was welcomed to the board.

****Motion to adjourn Jill Terschluse, Charlie Tritch 2nd. All were in favor.**

Respectfully submitted,



Lori Quick



City of New Haven

101 Front Street
PO Box 236
New Haven, MO 63068



June 25, 2024

To the Mayor and Board of Aldermen,

On June 25, 2024 the Planning and Zoning Commission had their monthly meeting. A request to vacate a Section of Revere Lane platted in Baltimore Subdivision and Catawba Street platted in EB Hammack Addn 3. There was also a request to consolidate 10 lots into one. The lots are located on the west side of Catawba. They are numbers 71, 86, 87 and 88. There are 6 lots on the east side of Catawba. The P&Z Planning board has requested that lot 88 go straight down.

Motion to approve and recommend to the Board of Aldermen to allow the consolidation of all 10 lots, with lot 88 going straight down and vacate Catawba and a portion of Revere Lane Jill Terschluse, Ed Shivers 2nd. All were in favor.

Regards,

Philip McKernan
President, Planning & Zoning Commission

lq



City of New Haven

101 Front Street
PO Box 236
New Haven, MO 63068



June 25, 2024

To the Mayor and Board of Aldermen,

On June 25, 2024 the Planning and Zoning Commission had their monthly meeting. A Public Hearing was held. Rachel Maczuk represented the Willimann's stating that the application for rezoning was submitted along with a letter explaining the request to rezone 807 A & B Maupin from R-1A to R-2 Residential Duplex. Prospective buyers cannot get financing because it is R-1A meaning if there was a catastrophic event and the house was destroyed they could only rebuild a single-family home.

There was no public comment, Administrator Kathy Trentmann had not received any feedback from the public.

The Board discussion was minimal due to the fact that a similar request was granted further down Maupin Ave.

****Motion to approve and recommend to the Board of Aldermen rezoning 807 Maupin to R-2 Residential Duplex Jill Terschluse, Ed Shivers 2nd. All were in favor.**

Regards,

Philip McKernan
President, Planning & Zoning Commission

lq

City of New Haven, Missouri

August 30, 2024

Notice of Public Hearing City of New Haven Board of Aldermen Planning & Zoning Commission

Notice is hereby given that Public Hearings at the following dates and times shall be held by the City of New Haven and the Planning and Zoning Commission to consider the following matters:

- Planning and Zoning Commission, Tuesday, September 24, 2024, 7 p.m., 101 Front Street
 - Board of Aldermen, Monday, October 14, 2024, 7 p.m., 205 Industrial Drive
1. Special Use Permit application, for a vacation rental, applicant Mark Bauche, 1006 George Street. This property is zoned Single Family, (R-1A); a commercial use such as the one proposed in this district requires a Special Use Permit. (requires property located within 200 feet of the subject property be given notice as provided by the New Haven Municipal Code Section 405.950 A4).

Anyone interested in the proceedings will be given an opportunity to be heard. Copy of the application is for review at City Hall, 101 Front Street, during weekdays between the hours of 8:00 a.m. and 5:00 p.m. If you should need additional information, please contact Kathleen Trentmann, City Administrator, by telephone 573-500-2530 or by email at kathy.trentmann@newhavenmo.org

Publish in the New Haven Independent News September 4, 2024

Please note: you are receiving this notice because your property is located within 200 feet of the subject property (1006 George Street) as provided by the New Haven Municipal Code Section 410.060 paragraph A1.

Planning &
Zoning

101 Front Street
New Haven, Missouri 63068
(573) 237-2349

City of New Haven

SPECIAL USE PERMIT APPLICATION

Please print or type

Applicant Name and Address: MARK BAUCHE 1006 GEORGE ST.

Applicant Signature and Date: *Mark Bauché* 8/23/24

Applicant Phone: 315/660-1148 Applicant Email Address: mbauch44@gmail.com

Description of proposed Special Use

(Please use additional sheets and / or attach additional information if necessary.)

Bed & Breakfast / Air BnB / VRBO

Special Use Permit overview

- The fee for a Special Use Permit application is \$150 and is set by ordinance. The fee covers costs of advertising, printing and administrative costs related to processing of the application.
- The City reserves the right to require additional information if necessary for evaluation of the permit application. Information that may be required includes building, floor area and lot dimensions; parking areas and diagrams, site features including light standards, fencing, and exterior enclosures, and other info.
- A Special Use Permit requires a Public Hearing before the Planning and Zoning Commission and Board of Aldermen. A minimum 15-day notice is required for all Public Hearings.

Please note: The information provided here is a general summary of the Special Use Permit regulations. A copy of the full regulations is available at City Hall or on the city website, www.newhavenmo.org.

Office Use Only

Fee paid: \$150.00

Public Hearing Date: 9/24 + 10/14/24

Administrative Officer

5

CASH RECEIPT

Date 8-23-24

005479

Received From

Address

For

Dollars \$

ACCOUNT

HOW PAID

AMT. OF ACCOUNT		CASH	
AMT. PAID	1500	CHECK	
BALANCE DUE		MONEY ORDER ☐	
		CREDIT CARD ☐	

By

John Quick

City of New Haven
101 Front Street, PO Box 236
New Haven, MO 63066
573-237-2349

CFB1173

**MARK BAUCHE
OR ANGELA BAUCHE**
891 HILLSIDE FARM RD
WASHINGTON, MO 63090

1430

80-919815
04

Date

8-23-24

Pay to the
Order of

City of New Haven

one hundred fifty and 00/100

\$ 150.00

Dollars

HERITAGE
COMMUNITY BANK
WASHINGTON, MISSOURI 63090

For

[Signature]

MP 1130

MP

Heritage Checks

PLEASE RECYCLE

Chapter 405. Zoning Regulations

Article XIII. Administration and Enforcement

Section 405.935. Special Use Permit.

[Ord. No. 918 §2, 5-1-2008; Ord. No. 956 §8, 1-11-2010]

- A. *Intent And Purpose.* In this Zoning Code, the City has set forth districts within which the use of land and structures and the bulk and location of structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses which because of their unique characteristics and features cannot be classified in a particular district or districts without consideration, in each case, of the impact of such uses on the health, safety, morals and general welfare of the City. Such uses are therefore treated as special uses. A special use is not the automatic right of any applicant. The City of New Haven reserves the full discretion to deny any such application which is detrimental to the health, safety, morals and general welfare of the inhabitants of the City or areas adjacent to the City.
- B. *Authorization.* Upon receipt of a recommendation from the Planning and Zoning Commission, the Board of Aldermen may, after a legal public notice and hearing, authorize the issuance of a special use permit. In acting upon any application, the Board of Aldermen shall give due consideration to the standards and conditions as prescribed herein and shall grant such permits if it finds, in its judgment, that such action is in the best interest of the public health, safety, morals and welfare of the residents of the City of New Haven, Missouri.
- C. *Standards For Special Use Permit Approval.*
 - 1. Before issuing a recommendation with respect to any application for special use permit, the Planning and Zoning Commission shall, in each case, make specific written findings of fact based directly upon the particular evidence presented to it regarding the effect of such proposed buildings or use upon:
 - a. The character of the surrounding area;
 - b. The traffic conditions in the surrounding area;
 - c. The public utility facilities;
 - d. The Comprehensive Plan (including street and public utility plans); and
 - e. Other matters pertaining to the general welfare.
 - 2. In approving a special use permit, the Board of Aldermen may impose conditions and safeguards as are deemed necessary to protect the neighborhood such as, but not limited to, the following:
 - a. Requirement of front, side or rear yards greater than the minimum required by this Chapter.
 - b. Requirement of additional screening or landscaping of parking areas or other parts of the premises from adjoining premises or from the street and deemed necessary by the Board.

- c. Place limitations on egress and ingress so as to minimize congestion on the local streets.
 - d. Limitations of size, number of occupants, method or time of operation or extent of facilities.
 - e. Regulation of number, design and location requirement of off-street parking or other special features beyond the minimum required by this or other applicable codes or regulations.
- D. *Filing Application — Review Procedures And Fees.* The procedures for filing and review of special use application shall be the same as those provided in the "Amendments and Changes" Article of this Chapter with the following exceptions:
- 1. An application for special use permit can be filed only by the owner or authorized agent of the property in question.
 - 2. An application form for special use permit must be obtained by the owner or authorized agent of the property in question.
 - a. The fee shall be as established by ordinance.
 - 3. *Non-transferability.* Special use permits as authorized by this Section shall be issued to the property owner only and shall not be transferable to any other party.
 - 4. In conjunction with an application for a special use permit, a concept plan shall be submitted indicating the following:
 - a. Building(s) outline and floor area.
 - b. Parking areas and parking calculations.
 - c. Curb cuts and cross access with adjacent parcels, if applicable.
 - d. Site features including light standards, trash enclosures, fencing.
 - e. General location of landscaping.
 - f. Setback and appropriate yards.
 - g. Boundary of the subject property.
 - h. Adjacent or connecting streets and their names.
 - i. Other items as deemed necessary.

A site plan in compliance with the provisions of this Chapter may be submitted in lieu of a concept plan.

- 5. *Permit revocation.* In the event the City receives information that the holder of a special use permit may be in violation of the terms of the permit, the Administrative Officer may make such investigation and inspections as necessary to determine the nature of the violation. If a violation is found, the Administrative Officer may take necessary action to address the violation, including revocation of the permit and ordering the use to cease.
 - a. *Appeal process.* The holder of a special use permit may appeal the actions of the Administrative Officer and request a hearing before the Board of Aldermen. If such hearing is requested, notice of such hearing shall be published at least once in a newspaper of local distribution and shall be mailed to all property owners located within two hundred (200) feet of the subject property, such notices to be given at least fifteen (15) days in advance of the hearing. The Board of Aldermen action on such appeal shall be final.
- E. *Extension Or Alterations.* Where an existing use which is permitted by special use permit is proposed to be extended or substantially altered in a manner which would in any way change the

character or intensity of the use, such proposed extension or substantial alteration shall be treated as a special use under this Section.

F. *Period Of Validity.*

1. No special use permit granted by the Board of Aldermen shall be valid for a period longer than one hundred eighty (180) days from the date of granting of the special use permit, unless within such period:
 - a. A building permit is obtained and the erection or alteration of the structure is commenced;
or
 - b. A special use permit is obtained and the use commenced.
2. The Board of Aldermen may, upon written request of the applicant, grant extensions not exceeding one hundred eighty (180) days each, without notice of hearing.