

1 **MINUTES OF THE BUCHANAN COUNTY**
2 **PLANNING & ZONING COMMISSION**

3 **APRIL 13, 2022**

4 Chairman Jim Whitson called the Buchanan County
5 Planning & Zoning Commission meeting to order at 7:00
6 p.m. in the Thomas J. Mann III Room #223. This room is
7 located on the 2nd floor of the Buchanan County
8 Courthouse, 411 Jules Street, St. Joseph, Missouri
9 64501.

10 Board members Scotty Sharp, Glen Frakes, Shirley
11 Day, Rodney Fry, Pat McLearn, Alfred Purcell, Steve
12 Reardon, Wayne Barnett, and Jim Whitson, Chairman, were
13 present for roll call and a quorum was present.

14 Also present were Chad Gaddie, Lee Sawyer, Scott
15 Burnham, Ryan Pummell, and Kristy Theas.

16 The minutes were presented from the January 12,
17 2022, meeting. Chairman Whitson asked if there were
18 any additions or corrections. Hearing none, the
19 minutes were approved as written.

20 **AGENDA**

21 Chairman Whitson called Item No. 1 on the agenda.

22 **ITEM #1** - A request has been made by Joel Steele, 6071
23 SW Old North Road, DeKalb, Missouri 64440, to obtain a
24 Conditional Use Permit to construct one (1) Single
25 Family Dwelling on a 4.10 m/l acre parcel located on SW
Old North Road, DeKalb, Missouri, all located in
Section 5, Township 55, Range 36 of Buchanan County,
Missouri.

No one appeared representing the request. There was a
consensus of the Board to table the request.

Chairman Whitson called Item No. 2 on the agenda.

ITEM #2 - A request has been made by Michael and
Barbara Fimple, 9461 SE 28 Road, St. Joseph, Missouri
64507, to obtain a Conditional Use Permit to construct
one (1) Single Family Dwelling on 17.14 m/l acre parcel
located at 9461 SE 28th Road, St. Joseph, Missouri

1 64507, all located in Section 15, Township 56, Range 35
2 of Buchanan County, Missouri.

3 Mike Fimple appeared and addressed the board and
4 the following proceedings were had:

5 CHAIRMAN WHITSON: Is someone here
6 representing that request?

7 MR. FIMPLE: Yes.

8 CHAIRMAN WHITSON: Come forward and give your
9 name and address for the record, please.

10 MR. FIMPLE: My name is Mike Fimple, 9603
11 Southeast 28th Road.

12 CHAIRMAN WHITSON: Okay, what's your plans
13 here?

14 MR. FIMPLE: My son's going to build a house.

15 CHAIRMAN WHITSON: Okay. Is it going to be a
16 stick-built house --

17 MR. FIMPLE: Yes.

18 CHAIRMAN WHITSON: -- a modular or --

19 MR. FIMPLE: No, a stick-built.

20 CHAIRMAN WHITSON: A stick-built? Is your
21 home on this location, too?

22 MR. FIMPLE: We own the 26 acres below it.

23 CHAIRMAN WHITSON: Okay. But there's no other
24 structures there?

25 MR. FIMPLE: No, just -- just an old barn on
this structure.

CHAIRMAN WHITSON: Okay.

MR. FIMPLE: Or ground, I mean.

CHAIRMAN WHITSON: How many square foot are
you talking, do you know? Rough guess?

UNIDENTIFIED AUDIENCE MEMBER: 2,300.

MR. FIMPLE: Roughly 2,300.

CHAIRMAN WHITSON: Okay.

(Inaudible.)

CHAIRMAN WHITSON: Yeah, we've got a map. Any
questions from the commission?

MR. BARNETT: Are you going to put a driveway
on 28th?

MR. FIMPLE: Yeah, it will be on 28th.

MR. BARNETT: All right.

MR. FIMPLE: We talked to Ron -- I talked to
Ron Hook and he said, well, we're putting it on top of
the knob there and we won't need a tube or nothing, you
know. It's right on top.

MR. FRY: How far back on that land are you
going to build?

MR. FIMPLE: When you're going down 28th,
there on the left-hand side, it will be right there in

1 the south, southeast corner. Let's see. 28th -- It
would be right here.

2 MR. FRY: What's that being used for now?
MR. FIMPLE: Pasture.

3 MR. REARDON: So it will be closer to your
property is what you're saying; right?

4 MR. FIMPLE: Yeah, it actually will be --
MR. REARDON: Right at the property line
5 there.

MR. FIMPLE: Yeah, right at the property line.
6 Just back a little bit.

CHAIRMAN WHITSON: Any other questions from
7 the commission?

MR. McLEAR: Yeah, I'm looking at this and,
8 you know, it's kind of grainy. Are those old terraces
up here?

9 MR. FIMPLE: On that side, no. Now, on the
other side of the -- over here?

10 MR. McLEAR: Yeah.

MR. FIMPLE: This -- This is a hay field.
11 These are all terraces.

MR. McLEAR: What's this here side?

12 MR. FIMPLE: This is on me. That's pasture
and this is pasture. This is where my home is.

13 MR. McLEAR: Okay.

CHAIRMAN WHITSON: Any other questions?
14 (No response.)

CHAIRMAN WHITSON: Is anyone here in
15 opposition to this request?
(No response.)

16 CHAIRMAN WHITSON: Seeing no opposition and no
other questions, I will call the hearing closed. Call
17 for roll.

MS. THEAS: Wayne Barnett?

18 MR. BARNETT: Yes, best use.

MS. THEAS: Scotty Sharp?

19 MR. SHARP: Yes, best use.

MS. THEAS: Glen Frakes?

20 MR. FRAKES: Yes, best use.

MS. THEAS: Shirley Day?

21 MS. DAY: Yes, best use.

MS. THEAS: Rodney Fry?

22 MR. FRY: Yes, best use.

MS. THEAS: Pat McLearn?

23 MR. McLEAR: Family member.

MS. THEAS: Alfred Purcell?

24 MR. PURCELL: Yes, best use.

MS. THEAS: Steve Reardon?

25 MR. REARDON: Yes, best use.

MS. THEAS: And Jim Whitson?

1 CHAIRMAN WHITSON: Yes, family.
2 Okay. That did pass, so there is a 30-day
3 appeal period, if anybody would, so we will be in
4 contact with you on what you need to do next.

5 MR. FIMPLE: Okay.

6 CHAIRMAN WHITSON: Thank you.

7 MR. FIMPLE: Thank you very much.

8 Chairman Whitson called Item #3 on the agenda.

9 **ITEM #3** - A request by Justin parr, 5409 NW Fox Hill
10 Road, Parkville, Missouri 64152, to obtain a
11 conditional use permit to construct one (1) single
12 family dwelling on a 9.92 m/1 acre parcel located at SW
13 Martin Road, DeKalb, MO 64440, all located in Section
14 35, Township 55, Range 36, of Buchanan County,
15 Missouri.

16 Justin Parr appeared and addressed the board and
17 the following proceedings were had:

18 CHAIRMAN WHITSON: Anyone here representing
19 this request?

20 UNIDENTIFIED GENTLEMAN: We're just building
21 a --

22 CHAIRMAN WHITSON: We need your name and
23 address for the record, please.

24 MR. PARR: Justin Parr, 5409 Northwest Fox
25 Hill Road, Parkville, Missouri 64152.

26 CHAIRMAN WHITSON: Okay.

27 MR. PARR: We're just looking to build a
28 single family dwelling and outbuilding.

29 CHAIRMAN WHITSON: Is this for your use or --

30 MR. PARR: Yes.

31 CHAIRMAN WHITSON: Okay. Is this going to be
32 a stick built --

33 MR PARR: Yep.

34 CHAIRMAN WHITSON: -- or modular? How big are
35 you looking to build?

36 MR. PARR: About 1,450 square feet. The
37 outbuilding will be 40 x 60.

38 CHAIRMAN WHITSON: Where is it going to be on
39 the property?

40 MR. PARR: I've got a -- I don't know if you
41 all can see it here.

42 (Mr. Parr approaches the board members.)

43 MR. PARR: All right. That's the county line
44 there, and then we also own another --

45 (Brief interruption by the Reporter.)

1 MR. PARR: So this is the county line here.
This is the 9.92 acres that we own in Buchanan.

2 CHAIRMAN WHITSON: We've got it outlined here.
Where on this are you planning on building?

3 MR. PARR: Right there. That's the driveway.
That will be the outbuilding and the house there.

4 CHAIRMAN WHITSON: Okay.

5 MR. PARR: And then we own another adjoining
36 acres in Platte as well. I don't know if anybody
6 else needs to see it. It --
(Multiple people talking at once. Brief
7 interruption by the Reporter.)

8 MS. DAY: Platte County's this way.
UNIDENTIFIED SPEAKER: Yeah.

9 MS. DAY: Yeah.
UNIDENTIFIED SPEAKER: Is this a home or --
MS. DAY: This is Platte down here.

10 MR. PARR: Yeah.
UNIDENTIFIED: On Nicholson? Is that where
11 you are?
(Inaudible.)

12 CHAIRMAN WHITSON: We need to speak up because
we're --
(Brief interruption by the Reporter.)

13 CHAIRMAN WHITSON: We've got too much back
noise so --

14 THE REPORTER: I'm writing this gentleman
because he's the petitioner basically.

15 MR. McLEAR: What's that ground being used for
now?

16 MR. PARR: Right now it's fallow field.
MR. McLEAR: It's what?

17 MR. PARR: It's a fallow field.
MR. McLEAR: It looks to me like it's been
18 farmed. Was it terraced?

19 MR. PARR: It was at one point. We've owned
it since 2020. It had been farmed previous to that for
20 a couple of years. (Inaudible) had owned the ground.
I think they had cattle in there at one point or
21 another, but they had the property prior to selling it
to us.

22 MR. McLEAR: Are those -- How old are those
terraces?

23 MR. PARR: That I -- Well, we weren't the ones
that put them in.

24 MR. McLEAR: Well, there's a -- there's a
ten-year requirement on them from the day they're
25 built.

CHAIRMAN WHITSON: So that would be something
he'd have to take up with the SCS office.

1 MR. McLEAR: Do what?
CHAIRMAN WHITSON: That would be something
2 that would have to go before the SCS office, if it's
been --
3 MR. McLEAR: Yeah, but why not ask that
question now and save a lot of trouble?
4 CHAIRMAN WHITSON: Well, we don't have any
power over the SCS, for one thing.
5 MR. McLEAR: No. It's a piece of farm ground
and it's a live terrace. I have a vote no or yes.
6 MR. FRAKES: Is that Brad back there, too.
MR. PARR: Yes. Yeah.
7 MR. REARDON: Justin, would you show us what
you have there?
8 MR. PARR: Yeah. That's the county line
there. There's already an entrance right here on the
9 tree line on Southwest Martin Road. Both this curve up
there and that little square will be the outbuilding
10 and then the home.
MR. REARDON: So that's coming.
11 UNIDENTIFIED SPEAKER: No, that's the
existing.
12 MR. BARNETT: Yeah, that would be over in
here.
13 MR. PARR: Yeah, that's -- that's somebody
else's property.
14 MR. REARDON: Would that be over in here,
then?
15 MR. PARR: Yes, sir.
MR. REARDON: If you already own all this, why
16 are you separating 9 out?
MR. PARR: Because that's the county line.
17 MR. REARDON: Oh, okay.
MS. DAY: That's fallow.
18 CHAIRMAN WHITSON: Yeah.
MR. BARNETT: So you'll be in Buchanan.
19 MR. PARR: Yep, yep.
MR. BARNETT: Good deal. I like that.
20 MR. PARR: Yeah, I mean, this is in Buchanan
so this is where it's going to be. Do you guys need to
21 see it?
CHAIRMAN WHITSON: Questions?
22 MS. DAY: What's your plan -- What's your plan
for the rest of the property?
23 MR. PARR: The rest of the property?
MS. DAY: Yeah.
24 MR. PARR: I've actually been doing some --
We've been seeding warm season grasses in the back
25 fields. Well, on the Platte portion, so I guess that's
pretty much irrelevant. As far as the rest, that top

1 terrace, that will be actually to the west of the
2 house. We've actually got rid of some of the brome in
3 there and reseeded with pollinator habitat and probably
4 looking to do something similar with that lower terrace
5 that's closest to Southwest Martin Road. But basically
6 we're just doing habitat work.

4 MR. PUMMELL: Scotty?
MR. SHARP: Yep.

5 MR. PUMMELL: You said you know exactly where
6 it's at. Maybe you can clarify with Pat if it's been
7 farmed or his interest on that or --

MR. SHARP: It's John Meyer.

7 UNIDENTIFIED SPEAKER: Do you remember John
8 Meyer?

UNIDENTIFIED SPEAKER: Yeah.
MR. SHARP: He owns a combine.

9 UNIDENTIFIED SPEAKER: Yeah.
MS. DAY: Mm-hmm.

10 MR. PUMMELL: Pat's question is if it is being
11 farmed.

MR. SHARP: It's pretty thin.
MR. PUMMELL: Okay. I just figured it may
12 help Pat make a decision, all what he wanted.

MR. SHARP: It's a pretty thin piece right
13 there. With the grass terrace, pretty thin piece.

MR. FRAKES: When's the last time he's ever
14 tried to row crop in there?

MS. SHARP: Uh --

15 MR. FRAKES: Pastures or whatever?

MR. SHARP: Well, they put it all in -- For
16 several years the south end where this little neck is,
17 it was in -- Ed Jenkins owned it for several years and
18 he had pasture, and then it got broke out to row crop
19 and stuff.

CHAIRMAN WHITSON: But it hasn't been farmed
20 since 2020.

MR. SHARP: Yeah, it hasn't been farmed since
21 2020.

MR. FRAKES: That's a year.
CHAIRMAN WHITSON: Well, 2020. '20 and '21
22 and --

MR. SHARP: Yeah.
CHAIRMAN WHITSON: Two years.

MR. McLEAR: Is your house going to have any
23 impact -- I mean, I guess you already said where you
24 thought you were going to put it -- on the terraces and
25 the water work -- and the water runoff?

MR. PARR: No, it's irrigated right now. I've
already had -- We've already looked out there with the
builder and the person that's doing the driveway to

1 make sure we don't have to adjust any of the
2 irrigation. It works favorably for the way that we
3 designed that driveway.
CHAIRMAN WHITSON: Any other questions?
4 (No response.)
CHAIRMAN WHITSON: Is there anyone here in
5 opposition to this request?
6 (No response.)
CHAIRMAN WHITSON: Seeing no opposition and
7 hearing no other questions, I will call the hearing
8 closed and call for roll.
MS. THEAS: Wayne Barnett?
9 MR. BARNETT: Yes, compatible.
MS. THEAS: Scotty Sharp?
10 MR. SHARP: Yes, best use.
MS. THEAS: Glen Frakes?
11 MR. FRAKES: Yes, best use.
MS. THEAS: Shirley Day?
12 MS. DAY: Yes. Can they put a condition on it
13 that it not be divided again?
CHAIRMAN WHITSON: Not now. We've already
14 started this. We could have earlier but --
MS. DAY: Okay.
15 MS. THEAS: Rodney Fry?
MR. FRY: Yes, best use.
16 MS. THEAS: Pat McLear?
MR. McLEAR: No, it's farm ground.
17 MS. THEAS: Alfred Purcell?
MR. PURCELL: Yes, best use.
18 MS. THEAS: Steve Reardon?
MR. REARDON: Yes, best use.
19 MS. THEAS: And Jim Whitson?
CHAIRMAN WHITSON: Yes, best use.
20 Well, that did pass so we will be in touch
with you on what you need to do next.
MR. PARR: Thank you.
21 Chairman Whitson asked for a motion to table
Item #1 until the next meeting.
Shirley Day made the motion. Glen Frakes
22 seconded.
A vote was taken and the motion carried.
23
Commissioner Lee Sawyer updated the Board on
the Buchanan County Comprehensive Plan. Copies of a
24 draft of the plan was handed out to the Board members.
Glen Frakes made a request to mark with dots
25 on maps exactly where someone would build.
Discussion ensued.

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Pat McLear discussed recipients needing to build where they say they are going to and not somewhere else.

Commissioner Sawyer addressed working with GIS to pinpoint areas of build.

Ryan Pummell discussed having to have soil morphologies before construction begins and that building sites cannot be moved based on obtaining those soil morphologies.

Discussion ensued.

Chairman Whitson asked for a motion to adjourn the meeting.

Alfred Purcell made the motion. Glen Frakes seconded.

(Meeting was adjourned.)

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C E R T I F I C A T E
STATE OF MISSOURI)
)
COUNTY OF BUCHANAN)

I, Karen J. Lyman, Certified Court Reporter for the State of Missouri, do hereby certify that I appeared at the time and place first hereinbefore set forth, that said proceedings were taken before me and thereafter transcribed into typewriting under my direction and supervision; and I hereby certify that the foregoing transcript of proceedings is a full, true and correct transcript of my shorthand notes.

I further certify I am neither counsel, nor related to any party to said action, nor otherwise interested in the outcome thereof.

IN WITNESS WHEREOF, I have hereto set my hand this 25th Day of May, 2022.



KAREN J. LYMAN, CCR #395