

AGENDA OF THE BOARD OF ADJUSTMENT

Busch Building 2nd Floor West (840 Boonville)

DATE: May 5, 2015

TIME: 1:30 p.m.

MEMBERS: Matt Cologna, (Chair); Robert Sweere (Vice-Chair); Ed Alden, Katy Baker and King Coltrin.

ROLL CALL:

INTRODUCTION OF ZONING ORDINANCE AS EVIDENCE:

APPROVAL OF MINUTES: April 7, 2015

COMMUNICATIONS:

UNFINISHED BUSINESS: None

ZONING VARIANCE:

1. Variance 568
(1665 E. Delmar)

Nick Sibley

OTHER BUSINESS: None.

ADJORNMENT

You are welcome to speak to any item on this agenda. The Board of Adjustment Chairperson will invite anyone who wishes to speak to an item after staff makes its presentation. When you address the Board of Adjustment, please step to the microphone at the podium and state your name and address. All meetings are tape recorded. Please limit your remarks to five minutes unless the Board of Adjustment allows a longer time. In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the City Clerk's Office at 864-1443 at least three days prior to the scheduled meeting.

MINUTES OF THE BOARD OF ADJUSTMENT

DATE: April 7, 2015

TIME: 1:30 p.m.

The regular meeting and public hearing of the Board of Adjustment was held on the above date and time in City Council Chambers with the following members and personnel in attendance: Matt Cologna (Chair), Robert Sweere (Vice-chair), Ed Alden; Katy Baker and King Coltrin. Staff: Alana Owen, Senior Planner Sarah Kerner, Assistant City Attorney; Sandy Goddard, Administrative Assistant. Absent: None.

Roll Call:

INTRODUCTION OF ZONING ORDINANCE AS EVIDENCE:

The Zoning Ordinance dated March 7, 1995, and last amended January 2015, was introduced into evidence.

APPROVAL OF MINUTES: The minutes of March 3, 2015 were approved unanimously.

COMMUNICATIONS: None.

UNFINISHED BUSINESS: None.

Special Exception

1. Special Exception 1299
(1223 West Linwood)

R. Gerald Chism

Ms. Owen stated this is a request to permit an accessory structure to exceed the maximum height permitted within an R-SF, Single Family Residential District. The applicant is planning to construct a new accessory structure on his property and has applied for this Special Exception to increase the height of the proposed structure from a maximum height of sixteen (16) feet to twenty-three (23) feet. The proposed accessory structure is consistent with the height and design of the primary structure on the lot by utilizing the same architectural style, color and materials. The proposed accessory structure otherwise conforms to all other applicable requirements of the Zoning Ordinance including Section 5-1000 Accessory Uses and Structures.

Mr. R. Gerald Chism, 1223 W. Linwood St. Springfield, commented he purchased the adjacent property from a neighbor and is planning on building a garage which will be consistent with the house and existing structures in the neighborhood.

Mr. Alden asked the height of the walls.

Mr. Chism stated twelve (12) feet as he needs ten (10) foot doors. The doors will be on the north side of the building away from the street.

Mr. Cologna asked Mr. Chism about the notification process and why some were not contacted.

Mr. Chism said he was unable to make contact with everyone; he works nights.

Mr. Cologna opened the public hearing.

Ms. Linda Lanham, 1212 W. Linwood asserted Mr. Chism did not contact her or the neighbor or to the west of her. Ms. Lanham stated the proposed structure is not in keeping with the character of the neighborhood and it appears to be a commercial building, expressing concern about the height of the building and having to look at this commercial structure from her home. Ms. Lanham presented a letter from the neighbor to the west who is in opposition to the proposed structure.

Ms. Baker asked Ms. Lanham if the building was moved further back if she would be in opposition to it or is the issue the distance to the street.

Ms. Lanham said it is the character; it's the height. This will negatively impact her property values and asked how big the structure would be.

Ms. Baker observed it is 28 x 42 feet.

Ms. Lanham commented it would be the size of a small house.

Mr. Alden commented it is allowed by ordinance.

Ms. Lanham stated it is the size of a small house and is not setback as far as a house.

Mr. Alden commented the twenty-five (25) foot setback is allowed by the ordinance.

Ms. Lanham commented her understanding of that adding the property has been clear cut and she is going to be looking at the side of a building.

Mr. Sweere noted that it appears the structure will be built the same distance back from the street as his house asking Ms. Lanham if that is her understanding.

Ms. Lanham stated she has no understanding at all. Ms. Lanham said some of the neighbors were approached by Mr. Chism, but were not informed as to the height of the proposed structure.

Mr. Sweere questioned prior to Mr. Chism purchasing the property, was the lot a buildable lot.

Ms. Lanham said she did not believe so as the property is narrow and close to the creek.

Mr. Sweere suggested the letter from the neighbor be submitted into evidence.

Mr. Cologna, upon hearing no objections, entered the letter as evidence.

Mr. Cologna noted that Ms. Lanham has ascertained that it was not so much the setback but the height of the structure and not consistent with the character of the neighborhood. Mr. Cologna asked if there was a building that could be built there that she could live with.

Ms. Lanham stated it needs to be hidden from view.

Mr. Chism provided a hand drawn sketch of the proposed structure; it was entered into evidence.

Mr. Cologna asked Mr. Chism if he had given thought to putting in a row of trees next to the proposed structure.

Mr. Chism said yes, that is part of his plan adding there are well established mature trees already there. Mr. Chism pointed out on the photographs where the structure would be; approximately sixty (60) feet east of the house. The entire building is behind the back corner of the house. Mr. Chism disclosed after the landscaping is completed, he planned to put in a couple of pine trees. Mr. Chism pointed out that Ms. Lanham's home sits high on a hill and regardless of how high the side walls of that house are or the roof, she will be looking at the roof because of the elevation of her property.

Mr. Sweere asked the type of siding on Mr. Chism's house.

Mr. Chism stated it is vinyl and he has proposed that material for the garage which will match the house. Mr. Chism explained how he would access the garage.

Ms. Baker asked Mr. Chism to his knowledge if there has ever been a structure on the property.

Mr. Chism mentioned a home had been moved onto the property illegally and the city removed the house and placed a lien on the property.

Mr. Cologna closed the public hearing.

Mr. Alden commented he believes the Special Exception request is the best solution for having a building in this area.

Mr. Coltrin remarked the applicant has left vegetation between where he proposes to build and the street itself. Mr. Coltrin stated this is a good use of the variance.

Mr. Cologna commented he is inclined to place conditions on the Special Exception that it substantially comply with the rendering presented and constructed in a similar character as the existing residence.

Mr. Cologna re-opened the public hearing for testimony with relation to the landscaping question.

Ms. Baker commented she is unable to ascertain how many trees would be necessary, if the Board needs to quantify two or more.

Mr. Chism reviewed the photographs showing where the proposed building would go, behind three (3) trees approximately thirty-five feet off the street. There are already five (5) trees in that location.

Mr. Cologna clarified that Mr. Chism had mentioned that his intent was to put up two (2) pine trees when the structure was completed.

Mr. Chism affirmed his intent was to put two (2) pine trees between a couple of the existing mature trees in front of the building and landscape it with shrubs.

Ms. Lanham commented that putting in pine trees are minimal and it will take forever for them to get tall enough. Since the building is so close to the road and putting the pine trees in, there is a potential for the City to come in and cut back the trees.

Mr. Chism stated the power lines are on the opposite side of the street and there would be no need for the City to come in and cut back trees for power lines.

Mr. Cologna closed the public hearing.

Mr. Alden clarified that the Board agrees on two (2) pine trees eight (8) feet tall or better.

Mr. Cologna stated he would support that.

Mr. Sweere **motioned** that Special Exception 1299 be granted on condition that the structure being built with roofing and siding consistent with the residential dwelling located at 1223 W. Linwood and to also include a minimum of two (2) eight (8) foot fir trees for landscaping and shielding. Mr. Alden **seconded** the motion. The motion **carried** as follows: Ayes: Cologna, Sweere, Baker, Alden, and Coltrin. Nays: None. Abstain: None. Absent: None.

After Mr. Cologna tallied the votes, the request was approved.

Zoning Variance

2. Variance 567
(2737 East Pythian Street)

Presbyterian Children's Homes & Services

Mr. Coltrin recused himself from the hearing.

Ms. Owen disclosed the purpose of this request is to allow a retaining wall in the required rear yard to exceed the maximum height limitation of two-and-one-half (2 ½) feet within an R-MD, Medium Density Multi-Family Residential District. The applicant is requesting a retaining wall in the required rear yard along the west property line that exceeds the maximum height permitted. The northwest corner of the site falls off sharply into what will become a regional detention basin for the City. Section 5-1305.A. of the Zoning Ordinance states that the maximum height for a retaining wall in any required yard is two-and-one-half (2 ½) feet. The slope works well for the detention; however it poses a problem when trying to provide handicapped accessibility throughout the site. The primary purpose of the variance is to maintain ADA accessibility between the proposed buildings to be located on the site. A portion of the units will be

inhabited by those with physical handicaps which require ADA accessibility between the buildings. The proposed retaining wall begin approximately one-hundred-fifty (150) feet north of Pythian Street and will run approximately two-hundred-twenty-three (223) feet north and will range in height from one-and one-half (1 ½) feet to a little over ten (10) feet at the tallest point and then taper back down to one-and-one-half (1 ½) feet at the north end. The wall will be a concrete block wall with handrails or fencing along the top for safety. At the south end of the wall the face of the wall is setback approximately eight (8) feet from the property line and at the north end of the wall the face of the wall is setback approximately thirteen-and-one-half (13 ½) feet from the property line. At its tallest point the retaining wall is setback approximately eleven-and-one-half (11 ½) feet. The retaining wall is not expected to have any impact on sight or safety along the adjacent roadway or visually with adjacent properties. The adjacent property to the west is owned by the Springfield Park Board and the property immediately west of the proposed retaining wall is used for maintenance equipment. The Parks Department does not have any objections to the requested variance (Exhibit H). Staff believes this application meets the Standards for Variances.

Mr. Alden asked for clarification on the retaining wall; the 2 1/2 feet rule is in case you are building something taller than the average retaining wall so it is engineered and constructed for safety.

Ms. Owen referred the question to the applicant.

Mr. Cologna opened the public hearing.

Ms. Marie Carmichael stated they are building a multi-family development; forty-six (46) units and is partnered and funded through the Missouri Housing Development Commission. This was proposed as a special needs project with the ARC of the Ozarks to provide a certain number of units for their referrals that will be fully accessible across the site. Ms. Carmichael outlined on a map the area of the proposed regional detention area, not for their site needs, but for the water issues that are currently there. In order to maintain accessibility the ground has to be raised.

Mr. David Lundstrom stated that to add to what Ms. Carmichael has said, the primary purpose of the variance is to maintain ADA accessibility between the proposed buildings on the site. A portion of the units will be inhabited by those with physical handicaps which require the accessibility between the buildings. This is the best and most reasonable layout while adding the retaining wall. The west boundary under the strict interpretation of the Zoning Ordinance, becomes their rear yard because the shortest amount of street frontage for a corner property is their east line, which makes this a non typical lot.

Mr. Alden asked Mr. Lundstrom if this project has been submitted to Building Development Services for plan review yet.

Mr. Lundstrom said yes.

Mr. Alden commented that it was during the plan review process that it was decided, since this is now a rear yard instead of a side yard, that this came up.

Mr. Lundstrom stated that is correct.

Mr. Alden commented he still hasn't figured out why they need this for a rear yard and not a side yard.

Mr. Steve Ragan stated he represents the owner of the property which is the location of the Springfield Down Town Airport. When this case was previously discussed they expressed concern about water detention issues in that particular area being in close proximity to the end of the runway for fear of birds flocking there. Mr. Ragan stated this is a much better proposal than what was initially proposed, and they do not really have an issue, but wanted to ask if the issue has been raised with regard to whether or not this detention area is going to hold water or be a one day runoff. The concern is standing water that will attract water fowl and possibly cause the crash of an aircraft.

Mr. Cologna asked Mr. Lundstrom to address the question.

Mr. Lundstrom stated the regional detention basin is being designed and constructed by the City of Springfield. They have no bearing on the design of that, adding they understand it will be a dry detention and it will not be a lake with stormwater on top of it except in the event of rain water effects.

Mr. Ragan stated that is their primary concern adding he assumes the City will coordinate with the FFA which is more significant and important than what we might think. Mr. Ragan reviewed the way the water flows south through the property as described and it does not create a problem as there is no standing water and as long as there will be no standing water, they have no objections to the project.

Mr. Cologna closed the public hearing.

Mr. Cologna expressed his support of the application.

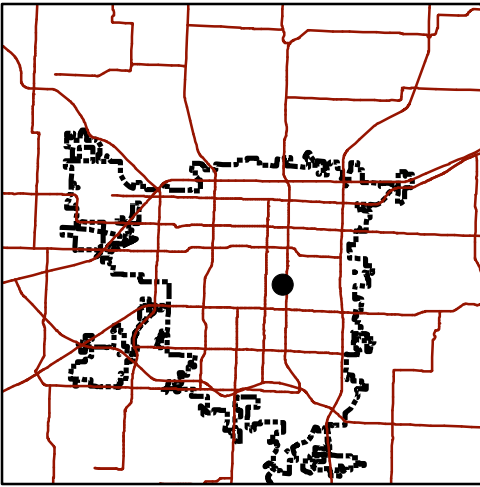
Ms. Baker motioned to take a vote. Mr. Sweere seconded the motion. The motion carried unanimously.

Mr. Cologna reviewed the votes and the request for the Variance was approved.

There being no further business, the meeting was adjourned at approximately 2:25 p.m.



Alana Owen
For Executive Secretary



Zoning & Subdivision Report

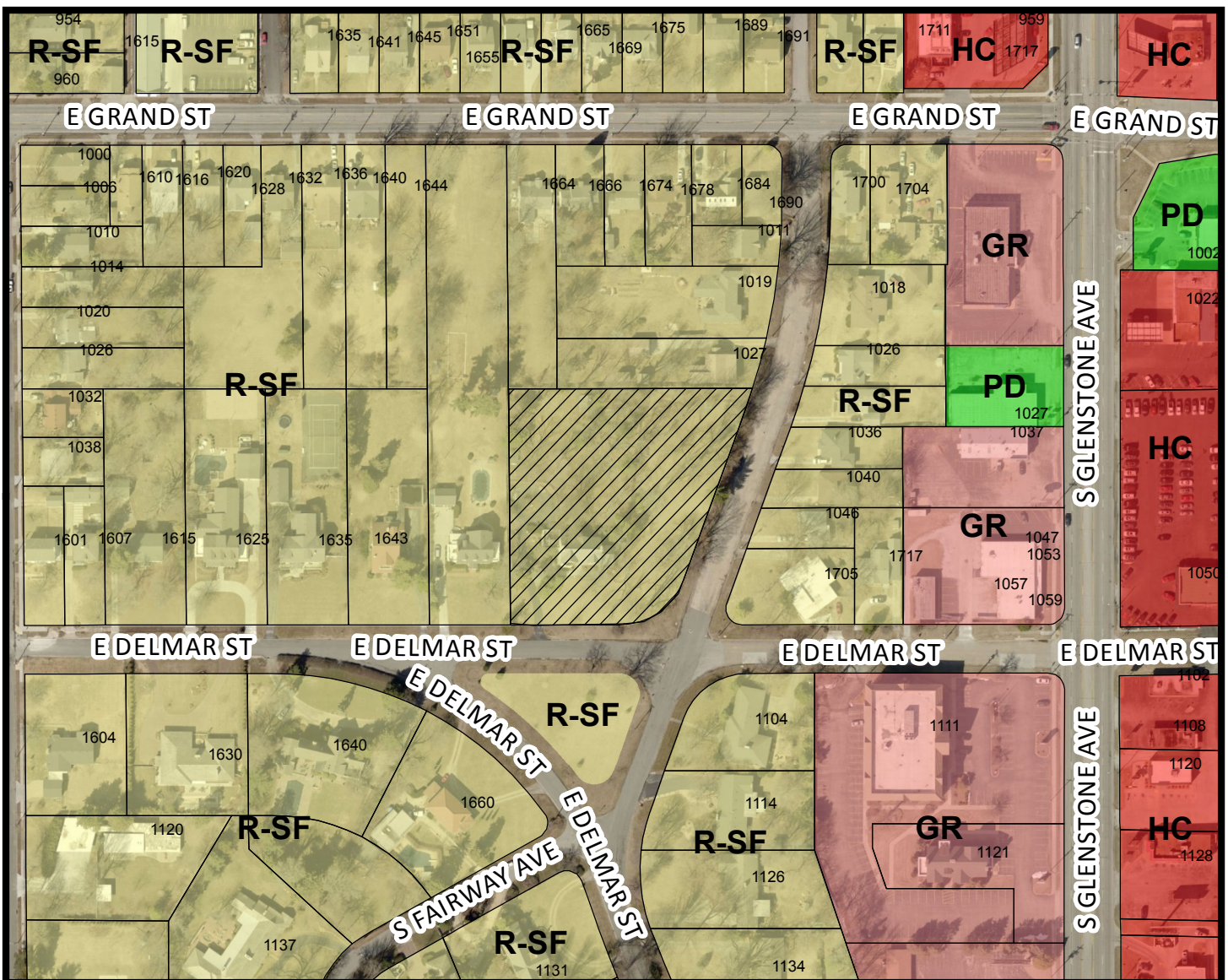
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Variance No. 568

LOCATION: 1665 East Delmar Street

CURRENT ZONING: R-SF, Single Family Residential

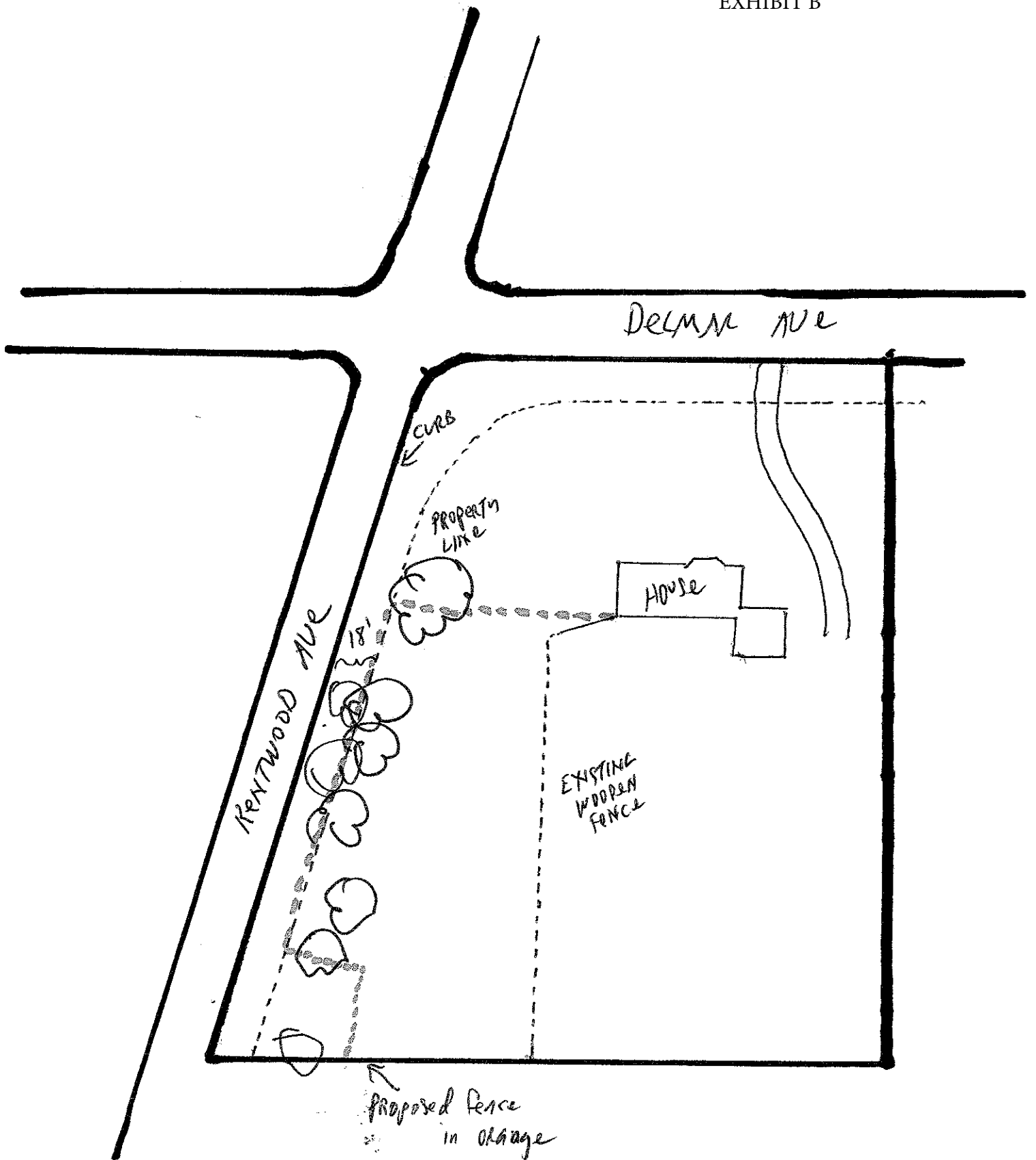
LOCATION SKETCH

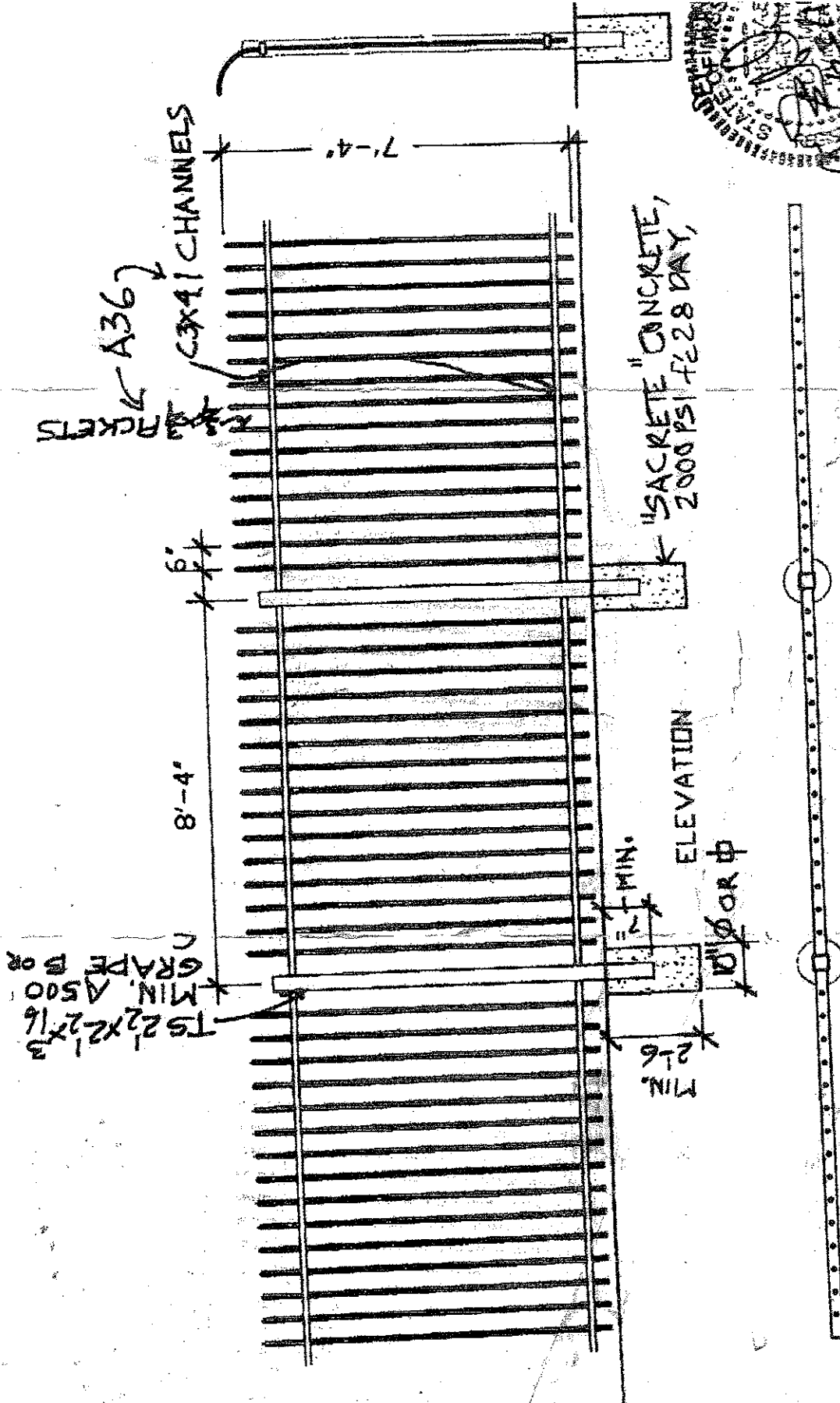


- Area of Proposal



1 inch = 200 feet



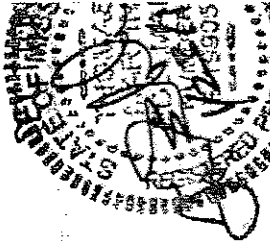


PLAN VIEW

FENCE FOR NICK SIBLEY, DELMAR STREET, SPAD. TOM EDELL

802-9850

THIS FENCE EXCEEDS ALL STRUCTURAL REQUIREMENTS FOR HAND RAIL LOADING AND WIND @ 105 MPH, 89 MPH WORKING STRESS



A36
C3x41 CHANNELS
RACKETS

"SACKETE" CONCRETE,
2000 PSI F28 DAY,

ELEVATION

8'-4"

7'-4"

2'-6"

MIN.

10" Ø OR φ

Zoning & Subdivision Report

Planning & Development Department ~ 417/864-1611

840 Boonville Avenue ~ Springfield, Missouri 65801

ZONING VARIANCE NUMBER V-568

EXHIBIT C

DATE: April 13, 2015

PURPOSE: To allow a fence within a required side yard that exceeds seven (7) feet in height within an R-SF, Single Family Residential District.

BACKGROUND:

LOCATION: 1665 East Delmar Street

APPLICANT: Nick Sibley

BOARD'S AUTHORITY: Subsection 3-3500

FINDINGS:

1. The requested fence will be located approximately eighteen (18) feet from the curb of Kentwood Avenue.
2. The proposed fence is not expected to have any impact on safety on the adjacent roadway.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
(417) 864-1831

ZONING VARIANCE NO. V-568
EXHIBIT D

ORDINANCE AUTHORIZATION:

The following excerpt from the Zoning Ordinance lists the limits of the Board of Adjustment's authorization in this instance:

Subsection 3-3503. **Standards for Variances.** The Board of Adjustment shall not vary the regulations of this Article as authorized above unless and until it shall make written findings based upon the particular evidence presented to it in each specific case that:

- A. The particular physical surroundings, shape, or topographical condition of the specific property involved would result in an unnecessary hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulations were carried out; and

Applicant's Response:

The residence was built in 1933 and we wanted a fence that went with the home, both historically and cosmetically. I looked for appropriate fencing for over a decade and found enough to do the side yard along Kentwood and would reach up to the corner of the house where the existing wood fence currently attaches. It is solid one-inch bars that are spaced about six inches apart. They are held together by two heavier braces that are six feet apart, leaving a foot above and a foot below the cross beams. It is not practical, structurally or cosmetically to cut them back to the cross braces.

- B. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same zoning classification; and

Applicant's Response:

The property line was surveyed and found to be about 18 feet from the curb of Kentwood. There is no sidewalk presently along either side of Kentwood here, but allowing the fence to be placed on the property line still allows plenty of room for a sidewalk, should the City decide to do that in the future. The fence is totally see-through and present no visual impairment from traffic or people walking by.

- C. The purpose of the variance is not based exclusively upon a desire to enhance the value of the property, or increase the return or income therefrom; and

Applicant's Response:

The purpose of the fence is primarily to keep our dog in, but also for security. In the fourteen years we have owned the property, we have had cars burglarized as we slept numerous times. As far as enhancing value, I'm sure it would do that, but that enhancement would improve the neighborhood as a whole.

- D.** The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; and

Applicant's Response:
NA

- E.** The alleged hardship has not been created by any person presently having an interest in the property; and

Applicant's Response:
NA

- F.** The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located, or diminish or impair the values thereof; and

Applicant's Response:
The fence I am asking to erect is not detrimental to the public in any way. The yard is just over two acres and its size and easy access make it a good target for burglars. You can't keep an eye on it at night. As far as diminishing values, there is nothing in the house that you can buy at Lowes. A shorter, conventional six foot fence, made of white plastic, or light gauge aluminum would look out of place and would diminish the value of the property and neighbor's accordingly.

- G.** The proposed variance will not impair an adequate supply of light and air to adjacent property, or cause or substantially increase congestion in the public streets, or increase the danger of fire or the spread of fire, or endanger the public safety; and

Applicant's Response:
The variance will not impair any line of sight, increase congestion, or increase the danger of fire in any way.

- H.** The variance, if granted, will not alter the essential character of the neighborhood, and

Applicant's Response:
The variance would enhance the character of the neighborhood.

- I.** The variance requested is consistent with the purposes and intent of this Article and the *Springfield Comprehensive Plan*.

Applicant's Response:
I don't know how this would be inconsistent with this Article or the Springfield Comprehensive Plan.

EXHIBIT E
BACKGROUND REPORT
ZONING VARIANCE NO. V-568

APPLICANT'S PROPOSAL:

The applicant is requesting a variance to Subsection 5-1305.B.3. of the Zoning Ordinance that sets out seven (7) feet as the the maximum height for a fence within a required yard. The applicant is requesting to place a fence that is seven feet and four inches tall in the required side yard.

ORDINANCE AUTHORIZATION:

The Board of Adjustment has the authority to approve variances only if it finds that the request meets each of the Standards for Variance listed in Subsection 3-3503 (shown in Exhibit D).

ZONING ORDINANCE:

5-1305. B. In any yard except a front yard:

3. Fences not exceeding seven (7) feet in height and which comply with the provisions of *Subsection 5-1306*.

3-3502. Authorized Variance. Variances from the regulations and restrictions contained in this Article may be granted by the Board of Adjustment in the following instances.

- A. A variance of the applicable bulk regulations for buildings and structures, including maximum height, lot coverage, floor are ratio, required yard areas, and other required open space.

3-3505. Burden on Applicant. The applicant for a variance shall bear the burden of producing evidence establishing that the requested variance satisfies the standards set out in *Subsection 3-3503*.

3-3508. Extent of Variance Limited. The Board in exercising its authority to grant variances from this article, shall be empowered to vary the provisions of this Article only to the extent necessary to relieve or alleviate the demonstrated hardship.

3-3509. Conditions and Restrictions. The Board of Adjustment may impose such conditions and restrictions upon the premises benefited by a variance as may be necessary to comply with the standards set out in this Article to reduce, minimize, or mitigate the effect of such variance upon other property in the neighborhood, and better to carry out the general intent of the Article. Failure to comply with any such conditions and

restrictions shall constitute a violation of this Article.

ADJACENT PROPERTY OWNER COMMENTS:

Seven (7) property owners are within 185 feet of this site and have been notified of this request. Staff received a letter of support from the adjacent property owner at 1655 East Delmar Street (Exhibit H).

STAFF COMMENTS:

1. The applicant is requesting a variance to allow the construction of a fence within the required side yard that exceeds seven (7) feet in height. The fence is proposed to be placed on the property line which is approximately eighteen (18) feet from the curb on Kentwood Avenue. The required side yard setback along Kentwood Avenue is half of the required front yard setback on the lot to the north since this is a corner lot, which would be seven and one-half (7 1/2) feet from the property line. The applicant states that moving the fence seven and one-half feet west of the property line to meet the setback requirements would disturb a line of existing trees and would not be visually appealing with a fence set so far off the street.
2. The proposed fence will be setback from the roadway and is an open fence and is not anticipated to create any visual impacts on the adjacent roadway.



Case Number: _____
 Date Filed: _____
 Received By: _____
 Application Fee: * _____
 Recording Fee: _____

APPLICATION FOR BOARD OF ADJUSTMENT ZONING VARIANCE

The signers of this application request that the Board of Adjustment of the City of Springfield, Missouri, approve a variance from the strict application of the terms of the *Springfield Zoning Ordinance* on the following described property:

LAND DESCRIPTION (an attached sheet may be used):

This property is located at 1665 E. Delmar

It is requested that a hearing be held in this matter, in which the applicant may appear in person or by agent or by attorney, and present to the Board sufficient evidence upon which the Board may make the findings required by such *Zoning Ordinance* in the granting of such Variance. The applicant requests that the Board vary the provisions of the following Section(s) of the *Springfield Zoning Ordinance* because strict and literal enforcement of its provisions would result in unusual difficulty or hardship:

Section(s) which should be varied: 5-1305 B3

Answer the following in writing (attached sheets may be used):

- A. List the specific provisions or requirements of the *Zoning Ordinance* which prevent the proposed construction on, or use of the property: ~~Section 5-1305 B3~~
FENCE LIMITED TO SIX FEET
- B. List the existing zoning district classification of the property: RSF
- C. List the special conditions, circumstances or characteristics of this land, building or structure that prevent compliance with the above requirements of the *Zoning Ordinance*: THE FENCE IS TOO TALL. IT IS MADE FROM ONE INCH SOLID STEEL - NOT ALUMINUM AND NOT HOLLOW.
- D. List the particular hardship which would result if the specified provisions or requirements were to be applied to this property: I PURCHASED ANTIQUE WROUGHT-IRON FENCE BEFITTING THE HISTORY & STYLE OF THE HOME. AFTER SPENDING THE SUBSTANTIAL SUM, I DISCOVERED THE ISSUE WITH THE HEIGHT.
- E. State the extent to which it would be necessary to vary the requirements of the *Zoning Ordinance* in order to permit the proposed construction on, or use of the property: I WOULD LIKE TO ERECT THE FENCE ON THE PROPERTY LINE, WHICH UPON SURVEYING FOUND WAS 18 FEET FROM THE CURB OF KENTWOOD STREET.
- F. Explain how the requested variance conforms to each of the standards set out in Subsection 3-3503 of the *Springfield Zoning Ordinance* (attached). A written response to these standards must be attached to this application.

(Continued on reverse side)

We, the undersigned, do attest to the truth and correctness of all facts and information presented with this application.

CURRENT PROPERTY OWNER'S NAME(S):

Name of current property owner(s) Nick Lee Sibley & Tina Marie Sibley
(please print)

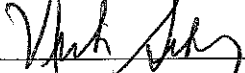
If corporation: Corporate official: _____
(please print)

Mailing Address: 1665 E. Delmar

Telephone Number: 643 1011 8311362 Fax number: _____

E-mail: nick@nicksibleymusic.com

PROPERTY OWNER'S SIGNATURE:



APPLICANT'S NAME (If different than owner):

Name of Applicant: _____
(please print)

If corporation: Corporate Official: _____
(please print name and title)

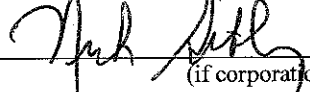
(Corporate Seal)

Mailing address: _____ Zip code: _____

Telephone number: _____ Fax number: _____

E-mail: _____

APPLICANT'S SIGNATURE (If different than owner):


(if corporation, need signature of one official)

*Fees are non-refundable

Development Review Office
Planning and Development Department
840 Boonville, P.O. Box 8368
Springfield, MO 65801
(417) 864-1031 Fax: (417) 864-1882

ZVARAPP.DOC

7/1/2012

EXHIBIT G
Property Description

ALL OF THE NORTH 50 FEET OF LOTS FOUR (4) AND TWENTY (20), AND THE SOUTH 41.5 FEET OF LOT FIVE (5), ALL IN COUNTRY CLUB DISTRICT, A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI.

AND

ALL OF THE SOUTH 200 FEET OF LOTS FOUR (4) AND TWENTY (20), IN COUNTRY CLUB DISTRICT, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

THIS DEED OF TRUST IS BEING RECORDED TO CORRECT DEED OF TRUST DATED SEPTEMBER 26, 2002 AND RECORDED OCTOBER 10, 2002 IN BOOK 2990 PAGE 0582.

EXHIBIT H

Craig and Joann Hosmer

1655 East Delmar
Springfield, Missouri 65804
417-864-7738

Alana Owen, Senior Planner
City of Springfield
VIA FACSIMILE 417-864-1030

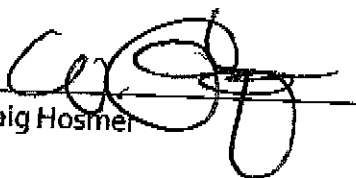
Re: Zoning Variance 568

Dear Ms. Owen:

We are the owners of the property immediately to the west of the property seeking a variance in the above captioned matter. We have no objection to the applicant's request for variance and would request that the Board of Adjustment favorably review this request.

If you need any additional information from us, please let us know.

Sincerely,


Craig Hosmer