

November 6, 2018 Agenda
BOARD OF ADJUSTMENT
City Council Chambers, Historic City Hall, 830 Boonville Avenue
Time: 1:30pm

MEMBERS: Matt Cologna (Chair), Robert Sweere (Vice-Chair), Ed Alden, Derek Lee, and Bryan Fisher.

1. **ROLL CALL:**
2. **INTRODUCTION OF ZONING ORDINANCE AS EVIDENCE:**
3. **APPROVAL OF MINUTES:** March 6, 2018
4. **COMMUNICATIONS:**
5. **UNFINISHED BUSINESS:**
6. **PUBLIC HEARINGS:**
7. Special Exception 1302
624 East Walnut Lawn Street
Project Collective, LLC
8. **OTHER BUSINESS:**
9. Approval of 2019 Board of Adjustment Meeting Calendar
City of Springfield
10. **ADJOURN:**

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: March 6, 2018

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 2 West Conference Room, Busch Building with the following members and personnel in attendance: Matt Cologna (Chair), Robert Sweere (Vice-chair), Bryan Fisher, and Derek Lee. Absent: Ed Alden. Staff: Daniel Neal, Senior Planner, Duke McDonald, Assistant Attorney, Tom Rykowski, Assistant Attorney, and Bob Hosmer, Principal Planner.

Roll call:

INTRODUCTION OF ZONING ORDINANCE AS EVIDENCE: Daniel Neal introduced the Zoning Ordinance.

APPROVAL OF MINUTES: The minutes of December 5, 2017 approved unanimously.

COMMUNICATIONS: None

PUBLIC HEARING:

Appeal 70

715 North West Bypass

Applicant: Patricia Johnson

Mr. Daniel Neal stated that this is a request to appeal the Director of Building and Development Services' determination relating to Section 36-454 (20) Scenic Corridor Overlay District. The owner is Patricia Johnson, formerly known as Patricia Bridgeforth, and Pioneer Outdoor, LLC, is leasing the area for an off-premise sign. This is a request to appeal the Director of Building and Development Services' determination relating to Section 36-454 (20) Scenic Corridor Overlay District to revoke an off-premise sign permit issued to Pioneer Outdoor, LLC on December 21, 2017 and a related stop work order for the construction of off-premise sign. The applicant is requesting that the application for appeal be approved and that the Board overturn the decision to revoke the off-premise sign permit. They ask that the City sign permit be re-issued to Pioneer Outdoor, LLC, the stop work order be rescinded and for such other and further relief to which Pioneer Outdoor, LLC, may be entitled. Where the board has determined there was an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this article, the director of planning and development shall also refund the appeal application fee to the appellant.

Pioneer Outdoor, LLC, applied and received a sign permit from MoDOT on November 2, 2017 and applied and received a sign permit from City of Springfield's Building Development Services on December 21, 2017 for an off-premise sign for property located at 715 N. West Bypass. Construction plans were submitted and approved by BDS on December 26, 2017. Building Development Services inspected and approved the sign structure footings on January 9, 2018. Building Development Services notified the applicant on January 10, 2018 that a stop work order was being issued for the off-premise sign. A letter revoking the sign permit and issuing a stop work order proceeded this notification. The letter stated that the sign permit for the off-premise sign was issued in error and that it was in violation of the Scenic Corridor Overlay District requirements (Section 36-454(20)). West Bypass and US 160 is one of the designated Scenic Corridor Overlay Districts in the City and includes any property within 660 feet off the nearest edge of the right-of-way of the designated scenic roadway.

Matt Cologna opened the public hearing.

Tom Auner, 3645 S. Culpepper Avenue on behalf of Pioneer Outdoor Billboard stated that the sign is in the MoDot requirements and the City is at fault and in error. He also stated that the sign is not in the most scenic area of the City and that further south of Sunshine is where the scenic location is at.

Trey Watts, Springfield Signs, had received full approval permit on the entire structure and then received a stop-order, however the permit was approved for the entire design and location based on the site plan submitted.

Mr. Sweere reaffirmed the estimated value of \$50,000 and if the permit fee is related to the value of the sign and way the scenic overview of Northwest Bypass was included in the scenic overlay corridor and if any objections have been given by any member of the public and also questioned if the City has any objections to the stop order.

Mr. Auner stated that there is no connection on the value and Daniel Neal also stated he is not aware of any connection.

Mr. Bob Hosmer stated that it was implemented in 2004/2005 and worked with a task force and the corridor could change with more commercial activity and is not aware of any objections.

Mr. McDonald stated that under these unique circumstances, it would be fine to allow the sign.

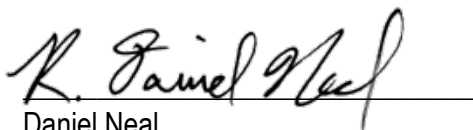
Mr. Bryan Fisher noted that finding the fact is the issue and what factual error is found.

BOA members found that the "proposed sign is a non-conforming structure" through discussion.

Mr. Bryan Fisher motioned to **Reverse the Administrative Decision**. Mr. Matt Cologna seconded the motion. The motion carried as follows: Ayes: Sweere, Lee, Cologna, and Fisher. Nays: None. Abstain: None. Absent: Alden.

UNFINISHED BUSINESS: None

OTHER BUSINESS: None

A handwritten signature in black ink, appearing to read "Daniel Neal", written over a horizontal line.

Daniel Neal
For Executive Secretary

BOARD of ADJUSTMENT

Appeal Findings of Fact and Conclusions of Law

Applicant: Pioneer Outdoor, LLC Case No. A: _____

I, the undersigned, as a member of the Board of Adjustment, make the following finding in regard to the appeal of the Administrative decision after taking into consideration, among other things, the following:

The decision or determination by an administrative officer and the reasons therefore.

All ordinances and regulations applicable to the case in question.

Prior interpretations/determinations related to the case in question.

Particular facts and circumstances related to the cause in question.

CHECK ONE

(☐) Affirm wholly the administrative decision.

(☐) Affirm partly the administrative decision, and make the following order:

(☒) Reverse wholly the administrative decision, and make the following order:

Proposed sign is declared a non-conforming structure.

(☐) Modify the administrative decision, and make the following order:

OTHER FINDING:

BOARD MEMBER:

Matt Colonna
Print Name

M. Colonna
Signature

BOARD of ADJUSTMENT

Appeal Findings of Fact and Conclusions of Law

Applicant: Patricia Shiner Case No. A: 70

I, the undersigned, as a member of the Board of Adjustment, make the following finding in regard to the appeal of the Administrative decision after taking into consideration, among other things, the following:

The decision or determination by an administrative officer and the reasons therefore.

All ordinances and regulations applicable to the case in question.

Prior interpretations/determinations related to the case in question.

Particular facts and circumstances related to the cause in question.

CHECK ONE

☐ Affirm wholly the administrative decision.

☐ Affirm partly the administrative decision, and make the following order:

☒ Reverse wholly the administrative decision, and make the following order:

Order is revoked.

☐ Modify the administrative decision, and make the following order:

OTHER FINDING:

1) Order revoking was issued in error as there is no evidence that any of the grounds for revocation set forth in Code 30-454 22(d) (e.g. fraud)

BOARD MEMBER:

Bryna Fisher

Print Name

[Signature]

Signature

BOARD of ADJUSTMENT

Appeal Findings of Fact and Conclusions of Law

Applicant:

Pioneer Outdoor, LLC

Case No. A:

Appeal 70

I, the undersigned, as a member of the Board of Adjustment, make the following finding in regard to the appeal of the Administrative decision after taking into consideration, among other things, the following:

The decision or determination by an administrative officer and the reasons therefore.

All ordinances and regulations applicable to the case in question.

Prior interpretations/determinations related to the case in question.

Particular facts and circumstances related to the cause in question.

CHECK ONE

☐ Affirm wholly the administrative decision.

☐ Affirm partly the administrative decision, and make the following order:

☒ Reverse wholly the administrative decision, and make the following order:

proposed sign is declared a non-conforming ^{structure} ~~use~~

☐ Modify the administrative decision, and make the following order:

OTHER FINDING:

BOARD MEMBER:

Robert Swearer

Print Name

Robert Swearer

Signature

BOARD of ADJUSTMENT

Appeal Findings of Fact and Conclusions of Law

Applicant: PATRICIA JOHNSON Case No. A: APPEAL 70

I, the undersigned, as a member of the Board of Adjustment, make the following finding in regard to the appeal of the Administrative decision after taking into consideration, among other things, the following:

The decision or determination by an administrative officer and the reasons therefore.

All ordinances and regulations applicable to the case in question.

Prior interpretations/determinations related to the case in question.

Particular facts and circumstances related to the cause in question.

CHECK ONE

(☐) Affirm wholly the administrative decision.

(☐) Affirm partly the administrative decision, and make the following order:

(☒) Reverse wholly the administrative decision, and make the following order:

PROPOSED SIGN IS A NON-CONFORMING STRUCTURE

DAL
(☒) Modify the administrative decision, and make the following order:

OTHER FINDING:

BOARD MEMBER:

DEREK LEE
Print Name

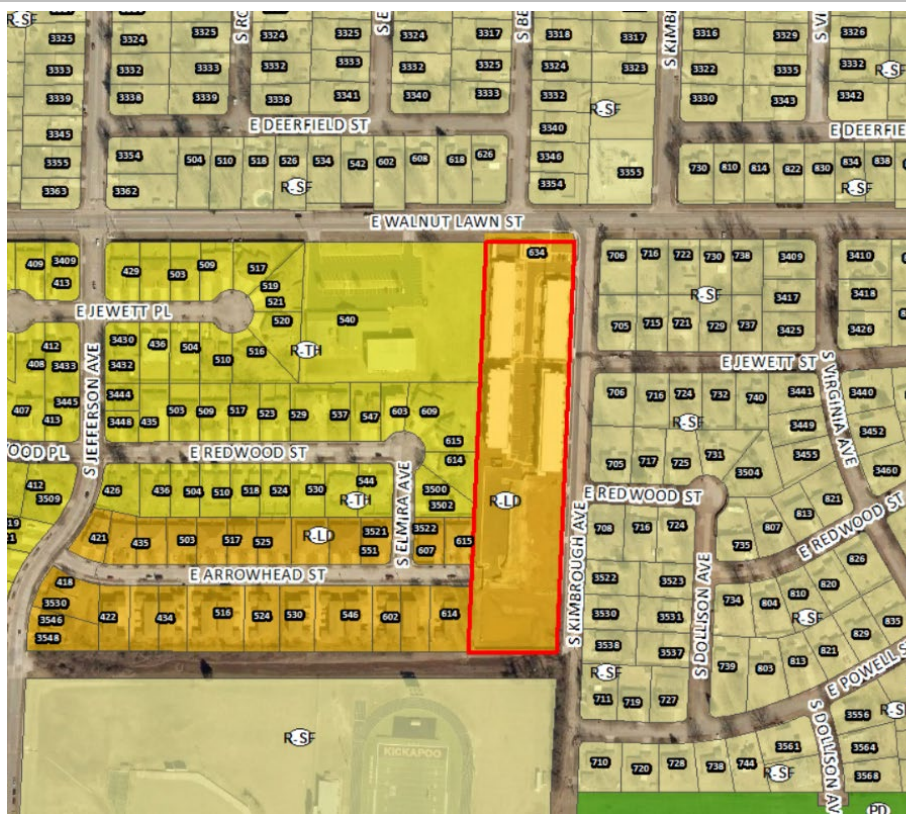
Derek Lee
Signature

Development Review Staff Report



BOARD OF ADJUSTMENT PUBLIC HEARING:

NOVEMBER 6, 2018



CASE NUMBER:
Special Exception 1302

LOCATION:
634 E. Walnut Lawn Street

ACRES:
Approximately 5 acres

EXISTING LAND USE:
Multi-family residential uses

APPLICANT:
Project Collective, LLC

STAFF:
Daniel Neal, 864-1036

SUMMARY OF SPECIAL EXCEPTION:

Request to permit a fence in a required front yard in excess of the height prescribed in the Zoning Ordinance.

STAFF FINDINGS:

1. In this special exception, the Board of Adjustment has jurisdiction and authority to grant special exceptions from the terms of this article in certain instances. In this case, the Board of Adjustment must determine whether the existing fence in the front yard of this R-LD, Low Density Multi-Family Residential District lot meets the conditions to grant a special exception.
2. Walnut Lawn Street and Kimbrough Avenue are the roadways immediately adjacent to the lot. Walnut Lawn Street is considered the front of the lot because it is the narrowest side that is adjacent to a public street. All buildings are to be setback at least 25 feet from Walnut Lawn Street. The ordinance does not allow most structures to be located within 35 feet from the centerline of the right-of-way plus the required yard setback of 25 feet. One of the exceptions are open fences not exceeding 50 percent screening and four feet in height above yard grade shall not be deemed to obstruct the view.
3. This issue with the existing solid fence height was discovered during a plan review for the pool on March 13, 2018. The Director of Building Development Services sent an email to the applicant/owner stating the plan was previously reviewed by ARC and approval granted under PLN2016-00083. This plan graphically illustrates a proposed fence around the perimeter of the pool. Key Note 3 indicates a 6 foot high open decorative aluminum fence shown to extend into the required front yard. Therefore, the currently installed non-permitted, non-compliant fence shall be removed and the ARC approved fence may be installed. Otherwise, a 6 foot high solid fence may only be installed if it does not project into the required front yard. The applicant was instructed to apply to the board of adjustment for an appeal, variance or special exception or comply with the ordinance.
4. The existing fence encroaches approximately 6 six feet into the required front yard at its closest point. It has two different front yard encroachment issues both the height being above the required 4 feet and that the portion along

Development Review Staff Report



the pool is less than 50% open. A portion of the fence to the west of the pool would meet the 50% open requirement, but not the 4 foot height requirement.

5. It does not appear all requirements of Subsection 36-366(1)(c) have been met. Subsection 36-366(1)(c)(2) states that the proposed fence must either satisfy the 50% open voids requirement (which a portion of the fence does not); or the fence must screen a parking lot (which it does not primarily screen a parking lot), show that open voids are not needed for safety, or the fence would be outside of a triangular area adjacent to R-TH (which a portion of the fence is not).
6. Public Works Traffic Division reviewed the special exception and verified that the existing fence is not within public right-of-way. They also determined that the fence does not create any sight distance or traffic safety issues.
7. The applicant has submitted a site plan specific to the fence encroachment, existing site photos and an overall site development plan. They are attached as Exhibit 2.
8. If the appeal is approved; the existing fence shall be considered a nonconforming structure and use and will be subject to the provisions in Section 36-457 of the Zoning Ordinance.
9. If this special exception is denied; the applicant must comply with the ordinance and construct a new fence that is no taller than 4 feet and at least 50% open in the required front yard.

APPLICANTS RESPONSES TO STANDARDS

36-366 (1) (c) Fences, walls and hedges in front yards. In any multifamily or nonresidential zoning district, the board of adjustment may grant a special exception to permit a fence, wall, or hedge in a required front yard in excess of the height prescribed in subsection 36-453(6)(a)2 provided the following conditions are met:	Applicant Response:
1. The proposed fence, wall, or hedge, in no event, exceeds a height of seven feet.	As is noted on the site plan, the proposed fence has a height of six feet.
2. The proposed fence, wall or hedge either satisfies the requirements in subsection 36-453(6)(a)2 regarding open voids; or that the proposed fence, wall or hedge complies with the following:	
a. It screens a parking lot.	The proposed fence screens a portion of the parking lot and asphalt drive located on the property. Further, a portion of the proposed fence does contain open voids (see attached Site Plan).
b. The open voids are not needed for safety.	Given the location of the proposed fence on the property and absence of street intersections West of the property, the applicant does not believe that the open voids are needed for safety (this has been confirmed with Building Development Services staff). Further, a portion of the proposed fence does contain open voids (see attached Site Plan).
c. If the fence adjoins an R-SF, R-TH or R-MHC tract, then no part of the fence would be placed within a triangular area determined by measuring 25 feet from the right-of-way line down the side property line of the two tracts, and 100 feet along the right-of-way line of the	See site plan. The proposed fence adjoins an R-TH tract and does not strictly satisfy the requirements of this subsection (c). However, the applicant believes that the intent of this subsection is to preserve the nature and

Development Review Staff Report



subject tract, and by a diagonal connecting the outermost points of the two lines.	character of neighboring residential developments (a belief that is shared with Building Development Services staff). With that in mind, the adjacent R-TH tract is a non-residential development (Grace Church of the Nazarene), and the proposed fence in no way impairs or burdens said tract. Additionally, the proposed fence, at its nearest point, is located several feet from any of the improvements constructed on the adjacent R-TH tract. The applicant believes that the intent of this subsection (c) is satisfied since the proposed fence does not adjoin a residential development
3. The proposed fence, wall or hedge otherwise satisfies the requirements of subsection 36-453(6)(b) regarding sight triangles at intersecting streets and driveways intersecting public streets. In particular, no fence, structure, or plant shall be erected or allowed to grow above a point two feet above the lowest grade of two or more intersecting streets and/or driveways shall be permitted within the area of a triangle measuring 30 feet along the pavement edge of the intersecting streets or driveways.	See site plan. E. Walnut Lawn St. and S. Kimbrough Ave. are classified as “collector” streets, requiring a sight triangle of 10’ x 10’. Requirement satisfied
4. The proposed fence, wall, or hedge shall not be located in the required right-of-way of the adjoining street based on the classification of the street (subsection 36-303(17)).	See site plan. Requirement satisfied.
5. The proposed fence is compatible with the general area and with adjoining properties. In particular, the fence shall not unduly obstruct views along the street to the detriment of the overall streetscape and shall not deviate substantially from the front yard treatment common to the street and for similar properties in the vicinity.	The proposed fence is compatible and consistent with the area and adjoining properties, most of which contain privacy fences which sit closer to E. Walnut Lawn St. than the proposed fence. The proposed fence does not unduly obstruct views along E. Walnut Lawn St. or S. Kimbrough Ave. and does not in any way deviate from the front yard treatment common to said streets or similar properties in the vicinity.

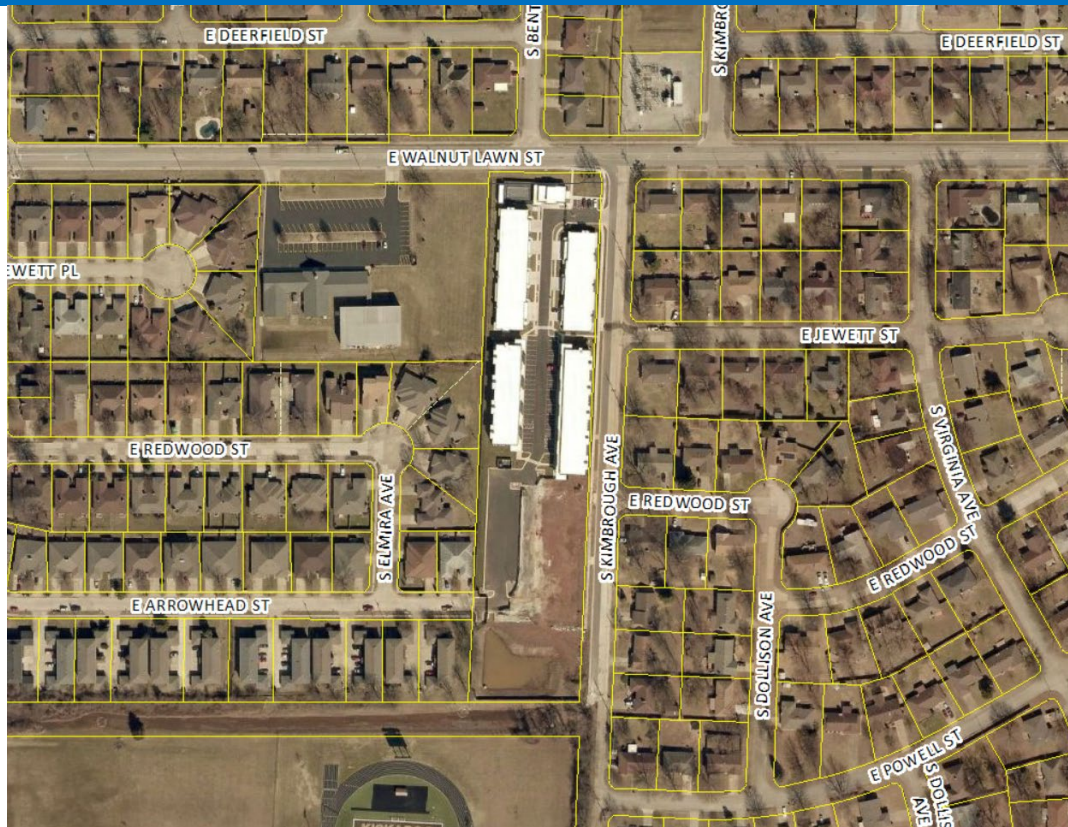
SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-TH & R-LD
LAND USE	Single-family residential uses	Public school uses	Single-family residential uses	Church and duplex uses

Development Review Staff Report



SURROUNDING LAND USES (AERIAL VIEW):



STREET VIEW:



BOARD OF ADJUSTMENT ORDINANCE AUTHORIZATION:

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

Sec. 36-366. - Special exceptions.

- (1) *Jurisdiction and authority.* The board of adjustment shall have jurisdiction and authority to grant special exceptions from the terms of this article in the following instances:
 - (c) *Fences, walls and hedges in front yards.* In any multifamily or nonresidential zoning district, the board of adjustment may grant a special exception to permit a fence, wall, or hedge in a required front yard in excess of the height prescribed in subsection 36-453(6)(a)2 provided the following conditions are met:
 1. The proposed fence, wall, or hedge, in no event, exceeds a height of seven feet.
 2. The proposed fence, wall or hedge either satisfies the requirements in subsection 36-453(6)(a)2 regarding open voids; or that the proposed fence, wall or hedge complies with the following:
 - a. It screens a parking lot.
 - b. The open voids are not needed for safety.
 - c. If the fence adjoins an R-SF, R-TH or R-MHC tract, then no part of the fence would be placed within a triangular area determined by measuring 25 feet from the right-of-way line down the side property line of the two tracts, and 100 feet along the right-of-way line of the subject tract, and by a diagonal connecting the outermost points of the two lines.
 3. The proposed fence, wall or hedge otherwise satisfies the requirements of subsection 36-453(6)(b) regarding sight triangles at intersecting streets and driveways intersecting public streets. In particular, no fence, structure, or plant shall be erected or allowed to grow above a point two feet above the lowest grade of two or more intersecting streets and/or driveways shall be permitted within the area of a triangle measuring 30 feet along the pavement edge of the intersecting streets or driveways.
 4. The proposed fence, wall, or hedge shall not be located in the required right-of-way of the adjoining street based on the classification of the street (subsection 36-303(17)).
 5. The proposed fence is compatible with the general area and with adjoining properties. In particular, the fence shall not unduly obstruct views along the street to the detriment of the overall streetscape and shall not deviate substantially from the front yard treatment common to the street and for similar properties in the vicinity.

Sec. 36-351. - Board of adjustment.

In considering and deciding appeals and applications for variances and special exceptions, the board acts in a quasi-judicial capacity.

(4) Conduct of hearings by board of adjustment. Public hearings conducted by the board of adjustment on any matter over which it has jurisdiction shall be subject to the following rules.

(a) Any person, or his agent, who has an interest in the subject matter of the hearing shall be afforded an opportunity to present evidence, exhibits and argument, and to question, through the chairman of the board of adjustment, witnesses on all relevant issues, subject to the chairman's imposition of reasonable limitations on the number of witnesses, and the nature and length of testimony and questioning.

(b) All testimony at the hearing shall be under oath, or by affirmation, administered by the chairman.

Development Review Staff Report



(c) The board of adjustment shall have a written record of each public hearing and the deliberations of the board kept.

(d) Members of the board of adjustment shall base their consideration of matters on which the board conducts a public hearing upon the following information and evidence:

1. Testimony, exhibits, and argument presented at the hearing, and not upon direct or indirect communication with any party or representative of such party made outside of the hearing;
2. Reports, memoranda and other materials prepared by the director of planning and development, director of building development services, director of public works, other employees of the City of Springfield or consultants in connection with the application and made a part of the record at the time of hearing; and
3. Inspections of the site when all interested parties or their representatives have the opportunity to be present, or when no such parties or their representatives are present.

(e) The board of adjustment shall adopt, and may from time to time amend, such additional procedural rules as it may deem necessary or desirable for the efficient and orderly conduct of its business. Copies of such rules shall be available in the office of the director of building development services.

(5) Required vote. The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official of the city, or to decide in favor of the applicant on any matter upon which it is required to act under this article, such as granting a variance or allowing a special exception.

(6) Limitation on refiling. No appeal, request, or application to the board of adjustment shall be allowed with respect to the same parcel of land, building, or structure prior to the expiration of six months from the date of the ruling of the board unless a substantial change of circumstances or conditions can be demonstrated by the applicant.

(7) Recordation of orders of the board. Whenever the board of adjustment shall have acted upon an appeal, application for special exception, or variance the board shall cause its order granting or denying said appeal or application to be recorded in the land records of the county recorder of deeds, however, no order shall be recorded until the order has become final by the passage of 30 days from the date said order is filed in the department of planning and development without an action being filed in a court of competent jurisdiction challenging the issuance of said order or until a court of competent jurisdiction upholds said order if it is challenged within said 30-day period.

ZONING ORDINANCE SECTIONS SUBJECT TO THE SPECIAL EXCEPTION:

The following excerpts contain pertinent passages from the Zoning Ordinance:

Section 36-321. Definitions.

Lot, front of: The front of a lot shall be considered to be that side of the lot which fronts on a street. In the case of a corner lot, unless specifically noted otherwise on the final plat, the narrowest side fronting on the street shall be considered to be the front of the lot. In case the corner lot has equal frontage on two or more streets, unless specifically noted otherwise on the final plat, the lot shall be considered to front on that street with the greatest number of lots fronting between the closest intersecting streets.

Yard: An open space located on the same lot as and that lies between the principal or accessory building or buildings and the nearest lot line. Such yard is unoccupied and unobstructed from the ground upward except as otherwise provided herein (Figure 2-9).

Yard, front: An open space extending the full width of the lot between the nearest principal building and the front lot line, and measured perpendicular to the front lot line. The minimum front yard required in each district of this article shall be unoccupied and unobstructed from the ground upward except as otherwise provided herein (Figure 2-9).

Sec. 36-453. – Supplemental open space and yard regulations.

(6) *Vision obstruction restrictions.*

(a) *Front yards.*

1. *No obstructions in front yards.* On any lot on which a front yard is required by this article, no wall, fence or other structure shall be erected and no hedge, tree, shrub, or other growth or object of any kind shall be maintained in such location within such required front yard so as to obstruct the view, except as permitted by this subsection.
2. *Fences in front yards.*
 - a. Open fences not exceeding 50 percent screening and four feet in height above yard grade shall not be deemed to obstruct the view.
 - b. The square footage of the open voids shall be measured by taking the total square footage of an area defined by the length of the fence and a height of four feet above yard grade, and subtracting the total square footage of screening within the fence. The percent of open voids shall then be derived by dividing the total square footage of the open voids by the total square footage of the area calculated above, and multiplying this figure by 100. The fence's framing (the vertical posts supporting the fence from the ground and no more than two horizontal cross bars between the posts) shall not be included in the calculation of the total square footage of screening, provided the framing posts and cross bars do not exceed a four-inch width and the posts are spaced at least eight feet apart. If the fencing is placed between brick or stone pillars, these pillars shall be included in the calculation of the total square footage of screening.
 - c. Questions regarding the yard grade shall be resolved by the director of the department of building development services.
 - d. A building permit, at no charge, shall be required to construct a fence in any required front yard.
3. *Vegetation in front yards.* Hedges, shrubbery, flowers, or other similar vegetation planted to form a continuous line of growth shall not exceed a height of four feet.

COMPREHENSIVE PLAN:

The *Community Physical Image and Character Plan* element of the *Comprehensive Plan* developed goals to improve the visual appearance of the urban area and the *Growth Management and Land Use Plan* element encourages the protection of residential neighborhoods from adverse impacts of proposed development and inappropriate land use changes. New development should be compatible with existing development in terms of scale, materials, rooflines, setbacks and open space.

PUBLIC NOTIFICATION:

The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

Notices sent to property owners within 185 feet: Mailed: 34 Returned: 0

DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No comments.

Development Review Staff Report



CITY UTILITIES:

City Utilities has no issue with fence height adjustment.

CLEAN WATER SERVICES COMMENTS:

No impact on public sewer.

FIRE DEPARTMENT COMMENTS:

No comments.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Survey has been verified - the existing fence is not within public right-of-way. Traffic has no issues with the proposed special exception, as long as Law has no objections. Defer to Planning/Law for final decision.

STORMWATER COMMENTS:

No issues.

Development Review Staff Report



PROPERTY DESCRIPTION:

EXHIBIT 1 Special Exception 1302

TRACT 1

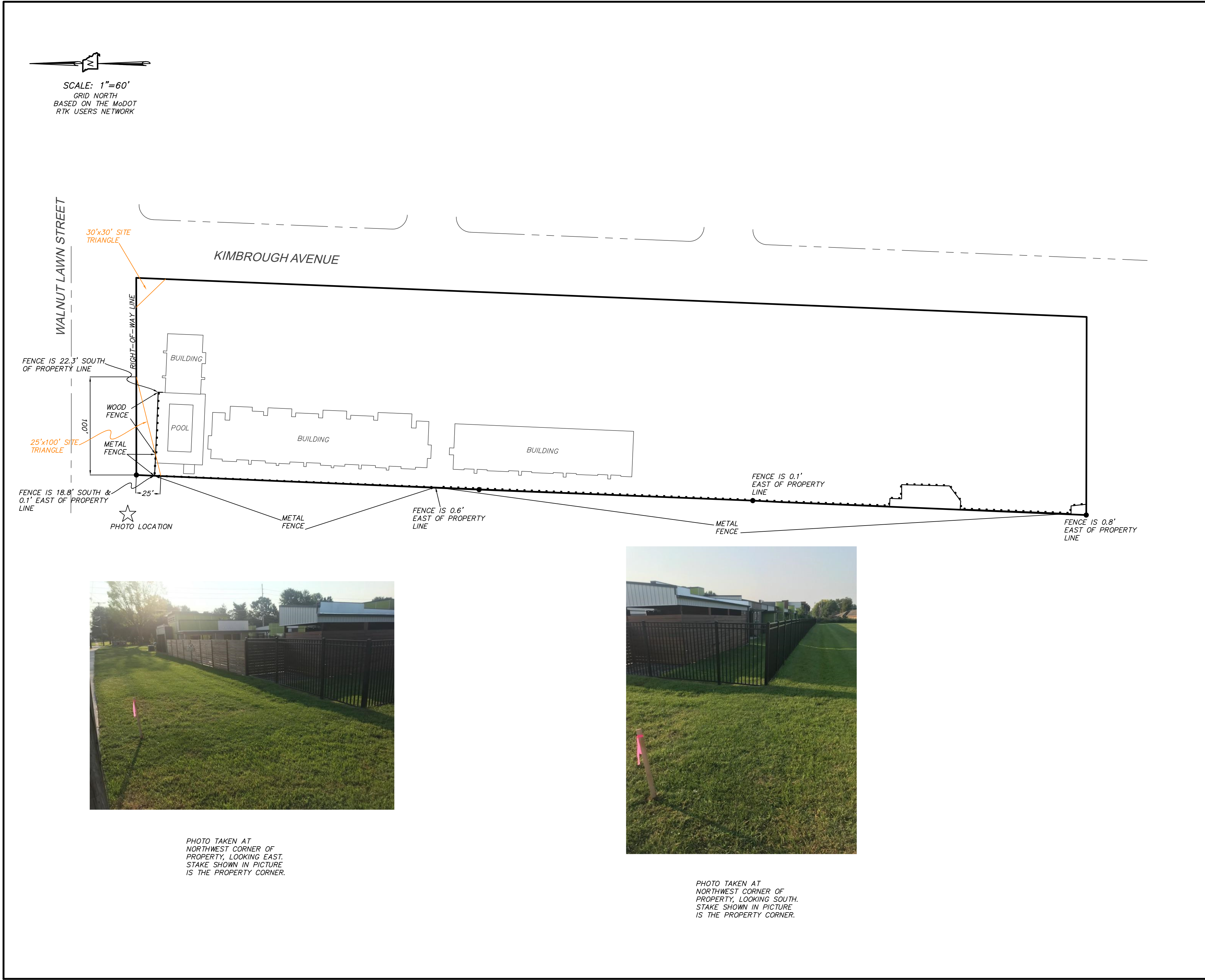
A TRACT OF LAND BEING A PART OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TWELVE, (12), TOWNSHIP TWENTY- EIGHT (28), RANGE TWENTY-TWO (22), CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE¼) OF THE NORTHWEST QUARTER (NW ¼); THENCE SOUTH 01°22'50" WEST, 21.01 FEET; THENCE SOUTH 88°49'09" WEST, 144.49 FEET FOR A POINT OF BEGINNING (SAID POINT OF BEGINNING IS ON THE SOUTH RIGHT OF WAY LINE OF WALNUT LAWN STREET); THENCE SOUTH 01°10'51" WEST, 200.59 FEET; THENCE SOUTH 89°59'59" EAST, 125.63 FEET TO THE WEST RIGHT OF WAY OF KIMBROUGH AVENUE; THENCE SOUTH 01°10'31" WEST, ALONG SAID RIGHT OF WAY OF KIMBROUGH AVENUE 766.41 FEET TO THE NORTH RIGHT OF WAY OF POWELL STREET; THENCE SOUTH 88°58'41" WEST, ALONG SAID NORTH RIGHT OF WAY OF POWELL STREET, 222.29 FEET TO THE EAST LINE OF ARROWHEAD ESTATES; THENCE NORTH 01°17'08" EAST, ALONG THE EAST LINE OF SAID ARROWHEAD ESTATES, 969.24 FEET TO THE SOUTH RIGHT OF WAY OF WALNUT LAWN; THENCE NORTH 88°49'09" EAST, ALONG SAID SOUTH RIGHT OF WAY OF WALNUT LAWN, 96.49 FEET TO THE POINT OF BEGINNING, ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI AND SUBJECT TO ANY PART THEREOF TAKEN, DEEDED, OR USED FOR ROAD OR HIGHWAY PURPOSES.

TRACT II

A TRACT OF LAND BEING A PART OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TWELVE, (12), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-TWO (22), CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼); THENCE SOUTH 01°22'50" WEST, 21.01 FEET; THENCE SOUTH 88°49'09" WEST, 144.49 FEET, FOR A POINT OF BEGINNING (SAID POINT OF BEGINNING IS ON THE SOUTH RIGHT OF WAY LINE OF WALNUT LAWN STREET); THENCE SOUTH 01°10'51" WEST, 200.59 FEET; THENCE SOUTH 89°59'39" EAST, 125.63 FEET, TO THE WEST RIGHT OF WAY OF KIMBROUGH AVENUE; THENCE NORTH 01°10'31" EAST, ALONG SAID WEST RIGHT OF WAY, 203.37 FEET, TO THE SOUTH RIGHT-OF-WAY OF WALNUT LAWN; THENCE SOUTH 88°49'09" WEST, ALONG SAID SOUTH RIGHT-OF-WAY OF WALNUT LAWN, 133.97 FEET TO THE POINT OF BEGINNING, SUBJECT TO THE PART TAKEN, DEEDED, OR USED FOR ROAD PURPOSES ALONG THE NORTH AND EAST SIDES, ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.



WHITE
LAND SURVEYING, LLC
1154 BEAL ROAD
REPUBLIC, MISSOURI
PHONE: 417.732.0005 FAX: 417.732.0010
email: info@whitelandsurvey.com
www.whitelandsurvey.com

SURVEY DATE: 07/12/18
DWG DATE: 09/21/18
DRAWN BY: MW
FIELD BOOK: DC
PROJECT No.: 2018-124

SITE PLAN EXHIBIT
PREPARED OF
THE EDGE
PROJECT LOCATION: 624 E. WALNUT LAWN STREET
SPRINGFIELD, GREENE COUNTY, MISSOURI

PREPARED BY:
MICHAEL WHITE- MISSOURI
PROFESSIONAL LAND
SURVEYOR #2488
WHITE LAND SURVEYING, LLC -
MISSOURI PROFESSIONAL
LAND SURVEYING
CORPORATION #2003000370



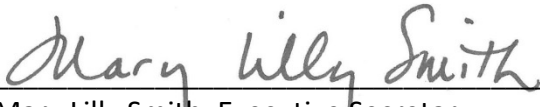
09/21/18



**OFFICIAL NOTICE
BOARD OF ADJUSTMENT
2019 SCHEDULE**

NOTICE is hereby given to all citizens and interested parties that the Board of Adjustment of the City of Springfield, Missouri, has scheduled the following regular meeting dates for the year 2019. Meetings are scheduled for 1:30pm in the City Council Chambers, third floor of City Hall.

APPLICATION DEADLINE	MEETING
December 7, 2018	January 20, 2019
January 4, 2019	February 5, 2019
February 1, 2019	March 5, 2019
March 1, 2019	April 2, 2019
April 5, 2019	May 7, 2019
May 3, 2019	June 4, 2019
May 3, 2019	July 2, 2019
July 5, 2019	August 6, 2019
August 2, 2019	September 3, 2019
August 30, 2019	October 1, 2019
October 4, 2019	November 5, 2019
November 1, 2019	December 3, 2019



Mary Lilly Smith, Executive Secretary
Board of Adjustment
City of Springfield