CASE 036-24: Special Use Permit

2120 E 24th St- Special Use Permit- A request for a Special Use Permit to operate a Concert House (second request)- Jeffery Morrow

Mr. Kimble asked if the applicant would come forward and state their name and address for the record.

Jeffery Morrow of 2120 E 24th St. Joplin, Missouri presented the case for the request for a Special Use Permit.

Mr. Morrow stated the reason for the request for this Special Use Permit is so that he can continue to hold home concerts for the community. Mr. Morrow explained that he has been holding in home concerts since 2013 at his residence. Mr. Morrow explained what a concert house is. Mr. Morrow explained that they present performances in their living room. Mr. Morrow stated that it is not a business, and the proceeds from the concerts go directly to the artist. Mr. Morrow also stated that there are only a few house concerts held every year at this residence and the concerts end before 10 PM. Mr. Morrow further explained that guests are required to use off street parking and shuttle to the home, and that they never offer or sell food or drinks to guests. Mr. Morrow continued to explain that he has followed the conditions of the first Special Use Permit as directed, by not sharing the address of the concerts and requiring guests to make reservations to attend shows. Mr. Morrow asked the commission for consideration of permanent approval for his concert house.

Mr. Kimble asked the commission if they had any questions for the applicant.

Dr. Rosenberg asked Mr. Morrow the amount of guest he allowed in his house during a concert.

Mr. Morrow explained that he had spoken with the Fire Marshall earlier in the day regarding the number of guests, and the Fire Marshall had given him a number of 49 with recommendations on ways he could increase that number.

Dr. Rosenberg asked Mr. Morrow if he was still utilizing portable bathrooms for guests during the home concerts.

Mr. Morrow explained that he has a portable bathroom located on his back porch for guests to use, and he has constructed a privacy fence as requested by City council during the first request of the Special Use Permit.

Dr. Rosenberg asked Mr. Morrow if it was correct that he does not sell any food or drink to guests during the home concerts.

Mr. Morrow explained that it was correct, and he does not sell any food or drink to guests during the home concerts.

Dr. Rosenberg asked Mr. Morrow if he allowed guests to bring and consume alcohol to the home concerts if they bring it themselves.

Mr. Morrow explained that if a guest brings or consumes alcohol during the home concert themselves, he allows the guest to. Mr. Morrow continued to explain that he has never had a problem with guest behavior with this policy, and he does not encourage guests to bring or consume alcohol during the home concerts.

Mr. Kimble asked if there were any other questions from the commission.

Mr. Bellairs stated that the changes Mr. Morrow was required to make for the second request for the special use permit were a limit on occupancy to 49 guests at one time and request for a permanent permit. Mr. Bellairs also explained that in the 2 years since the first special use permit was granted, there had been no comment, petition or complaints had been submitted to the planning office.

Mr. Kimble asked if anyone in the audience would like to speak in favor of this case.

Mr. Kimble asked if anyone in the audience would like to speak in opposition to this case.

Mary Prigmore of 2202 E 24th Street, Joplin, Missouri asked to speak in opposition to this case. Ms. Prigmore stated that she has experienced large tour buses parked on Delaware Street. Ms. Prigmore explained that there was a situation this past summer where a man had yelled obscenities from the front porch of the concert house. Ms. Prigmore asked the commission to deny this special use permit for these reasons.

Mr. Kimble asked if there was anyone else in the audience that would like to speak in opposition to this case.

Ms. Phillips asked Mr. Bellairs if there had been any complaints or petitions received to the planning department since the commission had received the information for this meeting.

Mr. Bellairs stated that the planning department had not received any calls or complaints that any conditions of the special use permit had been violated.

Ms. Phillips asked Mr. Bellairs including police, fire and health department.

Mr. Bellairs stated that was correct.

MRS. KLUE-MICHAEL MADE A MOTION TO APPROVE CASE 036-24. MR. KIMBLE SECONDED THIS MOTION. MOTION DOES NOT CARRY. (3 IN FAVOR, 4 NAY)