CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
RS 2024-012 – Special Use Permit

MEETING DATE:
August 5, 2024

ORIGINATING DEPARTMENT:
Planning, Development and Neighborhood Services

REVIEWED BY:
Director of Planning, Development & Neighborhood Services – Troy Bolander
Director of Finance – Leslie Haase
City Attorney – Peter Edwards
Assistant City Manager – Tony Robyn
City Manager – Nicholas Edwards

FUNDING SOURCE:
Not applicable for this item.

SUMMARY REQUEST:
Case 026-24: 3502 S Park Ave – Special Use Permit – A request for a Special Use Permit to operate a Home Beauty Salon – Jennifer Hicks

BACKGROUND:
Jennifer Hicks is requesting to build a detached accessory structure in her backyard, which will house a home beauty salon. The building will be required to follow the Joplin Development Code regulations. She will be requesting to operate her business Monday through Friday from 9AM to 6PM. There will be no other employees or assistants.

Due to the costs associated with the new building, Jennifer is requesting a permanent special use permit.

Off-street parking is provided with the existing site. There is a 2-car driveway and a 2-car garage. This will accommodate the required 2 off-street parking requirement for the single-family use, along with 2 additional spaces.

PLANNING & ZONING COMMISSION TESTIMONY:
Ms. Jennifer Hicks represented the case. Dr. Rosenberg asked if the applicant had spoken to the neighbors on either side. Ms. Hicks said that she has a vacant rental to the North of her and Beverly to the South of her. Ms. Hicks stated Beverly is in support of her and wishes her luck. Ms. Hicks said the person to the East is in favor. Ms. Hicks said that the neighbor to the East of her on Finley asked if he could put a gate there to walk over and get his hair done. Mr. Kimble asked about parking. Ms. Hicks said there is a 2-car garage and a driveway that can fit 4 parking spaces.

PUBLIC COMMENT;

Ms. Rhonda Fanning was in opposition of the case. Her and her husband are the trustees for the house North of the applicant. Ms. Fanning stated she was opposed to the neighborhood becoming commercial and was concerned with parking. Ms. Phillips asked to clarify with staff, as she believed there was a difference between commercial and a special use permit. Mr. Bellairs stated that this is not a request for the property to become commercial, and that the special use permit is to allow the salon as a secondary use to the primary function of the property, which is still single-family residential. Mr. Bellairs stated that many home occupations are permitted by right, but when your business may generate traffic or frequent business from customers, the City requires a special use permit to set limitations on the use.

Ms. Fanning asked about signs. Mr. Bellairs explained that the applicant is not requesting a sign at this time, but if they did, they would have to comply with the home occupation standards for signs, which are very conservative and restrictive. Ms. Fanning asked what is and what is not allowed, and how the residents would know. Mr. Bellairs responded and read the conditions set on the special use permit, and reminded the commission that they have the authority to recommend additions/changes to the restrictions. Ms. Blue-Michael stated that she does not believe that this would cause a negative impact on the neighborhood. Dr. Rosenberg stated that if it was not a new building he would not be opposed. Mr. Bellairs stated that the building would still have to meet the residential accessory structure requirements under the development code. Any new building would have to appear subordinate to the primary building, and compatible with a residential use, whether it be a home salon, garage, or a mother-in-law flat.

RECOMMENDATIONS:

Planning & Zoning Commission recommends approval for Case 024-24 (5 in Favor, 1 Opposed, 1 Absent)

ATTACHMENTS

Staff Planning Report
P&Z Commission Minutes
Applicant Materials
Map