JOPLIN | BUILDING BOARD OF APPEALS

Building Board of Appeals

Special Meeting

Minutes

December 28, 2022

Call to order

Mr. Denham called to order the Special Meeting of the Building Board of Appeals on December 28, 2022.

Roll call

Mr. Denham conducted a roll call. The following persons were present: Kyle Denham, Garret Wagner, Lance Windsor, Christopher Tucker, Leif Malone, Gary Duncan, City Building Official Bryan Wicklund, Jeff Oliver and Administrative Assistants Olivia Stockdale and Danya Walker.

Motion to Excuse

Mr. Duncan made a motion to excuse Mr. Brown from the Special Meeting of the Building Board of Appeals on December 28, 2022. Mr. Windsor seconded the motion. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Continued Items

Item 3005, 2611 S. Pearl Ave.

Item 3006, 2617 S. Pearl Ave.

Item 3007, 2621 S. Pearl Ave.

Mr. Jeremy Brown, 502 S. Pearl, Joplin, attorney represented the current owner of the property, J. Pearl Properties. He thanked the Board for calling this Special Meeting of the Board. He stated the main issue they were here today was that Mr. Papen is attempting to buy this property so he can finish the project. The biggest issue was financing. He stated as you can imagine the lender does not want to loan money on this project while there is this demolition status out there. We are asking for this to be lifted so financing can go through and then the normal process of permits, applications and all that can happen. Mr. Papen will talk more about this. Mr. Brown stated there had been a lot of clean up done over the last couple of weeks. His guys were out there right now putting up safety fencing to address some concerns. If we get this lifted, he would get some lights and cameras and temporary power out there as soon as possible. Closing can likely occur within 3-4 weeks to transfer ownership. Mr. Brown stated he believed the plans had to be adjusted from what was originally there. It may take another month or two to get the plans updated so a permit could be applied for and then construction ready to go to finish it out. Mr. Brown stated that is what we are here for and what we are asking. Mr. Papen thanked the Board. He stated they absolutely did some clean up on the parking lot. They cleaned the concrete spills, and they were presently putting up orange safety fence. They secured the OSB and the building from the outside. He stated he would prefer to put up temporary power and get some lights and camera out there so that it was well lit and well posted. So, it looks like a project that is actually going. He stated he was sure that Bryan and the office crew could confirm that all the architects and engineers have reached out about updating the prints. They are working on putting together a new set of prints. From the time it was started to the time it is now they must have a complete set of updates for every single trade. We must engage those architects and engineers to get that going. Their estimated timeline is between 30-45 days to get those prints done and back to the City. He stated he tried to get some faster times, but everyone is behind right now. He stated they have the funding and the crews in place, but they will just not close under any circumstances with a demolition order in place. He stated he thought what needed to be addressed here was most importantly that once they purchase the property since it is a new entity going forth that the building code itself will enforce the timeline and the significant outlay of money and engineering in place. So, Mr. Papan respectfully asked that this order be lifted to get this closed. Mr. Duncan asked if these were going to remain single family units. Mr. Papen stated yes. Mr. Duncan wanted to clarify that there would not be zoning issues to change. Mr. Papen stated he did not think so. He stated he was not an expert on what was zoned there but he does not expect that. Mr. Wicklund stated he wanted to make sure everyone was on the same page. Mr. Wicklund was not sure on what Mr. Duncan meant by a single family residence. They are not houses. It was zoned properly. The intent was for those to be apartments. Mr. Denham asked about the one structure that was there and the intent for it to remain and trying to get it up to code. Mr. Denham stated he knew it had not passed any

inspections. Mr. Papen stated the bank wanted that brought up right away. The prior admin of the company before he brought it out and brought that unit up there, he was there the day it was actually brought in and set there. We are going to come up and would bring into code. It will be inspected on site as well as the other units that were built. We will bring those up and have them inspected on site by Joplin. They would be finished out not as a modular build on those. Mr. Papen felt it was imperative that they bring those into the normal inspection process. Mr. Wicklund stated along with that you probably need to know the last time one of his inspectors were in the structure there were some concerns given about the condition of some land beams that were inside there having been deteriorated by the weather over the past 1.5 years or however long. Mr. Papen stated they would have those addressed and also if they have to be replaced, they have to be replaced. They will be inspected by the engineers prior to the building permit. If there are any questions, it will all be addressed in the building permit process. Mr. Tucker asked about the time frame for completion. Mr. Papen stated if we got this lifted the temporary power and lights and camera would be immediate. There would be immediate engagement of the architects and engineers. They were saying 30-45 days to submit for permit. Once the permit, he imagined a few weeks. So, we would be looking at the beginning of March and we hope to get that done within 6 months after that. Mr. Papen stated so what he saw when he went in there after the last meeting was no value on the electrical that they put in there. He stated it literally made no sense what was done before. He stated they would have to pull all that and have it reinspected. He stated it did not literally meet his standards or definitely not the City. He stated there is a certain amount of stuff that would be handled right away before that process. He hoped to get a conditional permit to go in to fix and repair and remove some of those prior to the process. Mr. Tucker stated so by July or August before construction is complete. Mr. Papen stated he thought that was a very conservative estimate. Mr. Denham asked how many structures he was talking about having completed by that time. Mr. Papen stated just the three. They were going to focus on the three. He stated he would be putting in an application for some other stuff in addition to those after they get this handled. Mr. Denham stated separate permits. Mr. Papen stated yes. Mr. Denham asked Mr. Papen if these units were duplexes or triplexes. Mr. Papen stated they were single family apartments. Mr. Denham asked how many units per building. Mr. Papen stated he thought there were six in building one, four in building two and six in building three. Mr. Denham asked Mr. Papen if he was aware of the fire suppression system requirements. Mr. Papen stated yes. Mr. Papen stated those plans have already been paid for and put in place. They hired Mainline. Mr. Tucker asked isn't there a runoff that goes through those properties. A water runoff that goes through those properties. Mr. Wicklund stated that the City Stormwater Engineer reviewed the plans originally and was okay with that. He stated he did not know if they were close to. Yes, there is a storm drain that runs pretty close there, but he doesn't know how that will affect this project. They will leave that to Engineering.

Mr. Wicklund stated it was checked. Mr. Oliver asked Mr. Papen when he said, we, when you are talking about your project are you referring to your own crews. Mr. Oliver stated you are going to be owner and general contractor on it. He asked if Mr. Papen had contacted subs that may be needed for this project. Mr. Oliver asked if he had done the leg work yet? Mr. Papen stated yes, they do have staff including a master plumber. They will be putting in for licensing. They will hire an electrician. They have already talked to several companies. Mr. Denham stated he was curious as to why Mr. Papen is opposed to it coming back up on the agenda once it is closed. Mr. Papen stated that when they put in for a new permit technically it is a whole new process. He stated he did not want to be penalized for what happened there before. He stated he wanted a fresh start and to be able to do this without a cloud hanging over his head. Immediately, that will raise a red flag to my lender. He stated he thought the building code policed that whole process very well. Mr. Denham asked how the lender would be aware of it. Mr. Papen stated they were very aware of the entire situation. He did not know. Mr. Wicklund stated they would send them notification if it was put back on the agenda. Mr. Wicklund stated so, let me run through this real quick. With the Board's blessing there is certainly no reason why the temporary electric could not be set up and Mr. Papen could begin even the demo of the electric. You could begin to have the engineers evaluate the existing structure structurally. Mr. Wicklund stated he did not know if he wanted to get down the road so far as to where we were replacing the existing structure with new work until the permits were in place. Mr. Wicklund stated you are correct. Once we get all the plans in that need to be submitted it will probably be about two weeks or so in review in order to get the permit in place. Once the permit was issued, they are good for one year. That does not mean it won't be brought back before the Board for a period of one year. If the Building Department is not satisfied with the speed of the progress, if the Building Department gets complaints, the project will be brought right back before the Board again. Mr. Wicklund stated he wanted to make sure everyone knew that the Board as well as Mr. Papen. Mr. Papen stated he thought that was more than fair. Mr. Papen stated he was okay with-it being performance based. Mr. Wicklund stated he would be open even though we were considering the option of releasing these three items completely from the agenda currently. He stated if the Board wanted to give him a date that the permit needed to be in place by, he could certainly follow that order from the Board. If there is not a permit in place by March 1, 2023, we can place it right back on the agenda just based off that. There are extenuating circumstances. The review process could take longer, licensing could take longer but Mr. Wicklund stated he thought it would be helpful if everyone had a date in mind when a permit would actually be required. Mr. Wicklund stated it would help him out. Mr. Denham stated he thought March 1st was more than fair.

Mr. Tucker made a motion to lift the Order of Demolition and to Release Item 3005, 3006, and 3007 located at 2611 S. Pearl Ave, 2617 S. Pearl Ave. and 2621 S. Pearl Ave. based on the contingency that a building permit be in place by March 1, 2023. Seconded by Mr. Windsor. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Mr. Wagner asked for a motion to adjourn the meeting. Seconded by Mr. Tucker. Meeting adjourned at 9:22 a.m. (6 Aye, 0 Nay, 1 Absent) Motion carried.

Approved _____

Mr. Kyle Denham, Chairman

Approved _____

Vicky Lynn Copeland, Notary Public

My commission expires: May 22, 2026

VICKY LYNN COPELAND
Notary Public - Notary Seal
STATE OF MISSOURI
Newton County
Commission Expires 05/22/2026
Commission Number #09804844