

**City of Bellefontaine Neighbors
Planning & Zoning Commission Minutes
January 13, 2020**

Acting Chairman Borzymowski called the meeting to order at 7:02 pm.

Present: City Engineer Klein, Inspector Raben, Alderwoman Dailes, Members Borzymowski, Gordon, Duhadway, Lane & Barrett
Excused: Chairman Wiese

Borzymowski opened the meeting by stating only agenda items would be discussed during the meeting proper, with discussion of any other items to take place after the meeting. All present were in agreement.

Home Occupation, Child Care at 1214 Forest Home Drive, Blessing Hands Child Development Center

Applicant Keona Porter was present to answer questions.

Borzymowski asked Barrett what developments and new information had been found since the previous month's meeting. Barrett explained that Ms. Porter had submitted most of the documents requested at the previous month's P&Z meeting including a revised floor plan, a revised yard plan, the Certificate of Registration with the state and had scheduled a time for Ameren to install a shield on a guy wire from an Ameren-owned utility pole in her backyard.

She also submitted a notarized letter from the property management company for her residence, Starting Point Property Management, stating they were aware of its intended use (in-home child care). This was somewhat different than what was requested which was an appearance by, or notarized letter from, the property owner. Barrett went on to explain he had been in contact with the Building Department recently and it was explained to him that, when building- or code-related issues arise at a rental property, they usually contact the property manager before the property owner. It is usually easier for them to procure a "legal pedigree" on an individual in a property management company than for an owner who is often an out-of-town entity. The "legal pedigree" consists of an individual's name, date of birth, race and gender and is needed to bring them to court. The Building Department was attempting to contact the City Attorney to get his opinion on who the first contact should be - property manager or property owner – and later heard that obtaining a letter from the property management company would be sufficient.

Barrett also said that Bellefontaine's code states that no more than 20% of the square footage of the main building can be used as a home occupation under Section 29-9 Definitions. He had also learned from Inspector Raben that the state requires 35 SF to 45 SF of usable floor space per child (depending on age), verified later in accordance with Missouri DHSS 19 CSR 30-60 for License-Exempt Child Care Facilities. From the drawing supplied, it was determined that 20% of the floor space equated to 170 SF. Using that as a basis, it was determined that a maximum of four children would comply with Bellefontaine's and state of Missouri requirements.

The matter was discussed between members to determine a way forward. After several minutes of discussion, a vote was held to recommend approval to the BOA conditioned on: a) No more than four children would be cared for and b) An opinion rendered by the City Attorney concerning acceptance by a property manager vs. property owner (later determined acceptance by a property manager is satisfactory). Member Duhadway made a motion to accept the recommendation, seconded by Gordon. Approval of a conditional recommendation to the BOA for this home occupation application was unanimous.

Election of New P&Z Chairperson

Chairman Wiese had tendered his resignation as Chair in order to fill his appointment as Ward 2 Alderman. We congratulate Mike in his new role and wish him well. Borzymowski called for a motion to nominate a new chairperson. Duhadway made a motion to nominate Barrett as Chair, seconded by Gordon. A vote was taken and Barrett was elected unanimously.

Meeting adjourned at 7:42 pm.

Recommendations & Action Items:

1. Recommend approval of the Home Occupation, Child Care at 1214 Forest Home Drive, Blessing Hands Child Development Center, to the BOA on the condition that no more than four (4) children will be cared for at any one time.
2. Minutes from the P&Z meeting 12/9/2019 will be reviewed, revised if needed, and approved at the next P&Z meeting 2/10/2020.

Respectfully Submitted,

Pat Barrett