

**CITY OF JOPLIN
COUNCIL AGENDA ITEM**

ITEM:

Resolution No. 2021-013 – Special Use Permit (1st Request)

MEETING DATE:

August 2, 2021

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, City Manager Nicholas Edwards.

SUMMARY REQUEST:

Case 032-21: 3001 Sunset Dr. – A request for a Special Use Permit (1st Request) for the operation
of a short-term rental – Lauren Peterson

BACKGROUND:

The is a 1st Request for a Special Use Permit for the operation of a short-term rental. The facility
provides 2 off-street parking spaces and there are 0 assistants.

PLANNING & ZONING COMMISSION TESTIMONY:

Lauren Peterson, 3001 Sunset Drive, Joplin, MO., and the homeowner. The past three (3) years she
has been running an Air B&B in the basement of her home. The home is three stories, and the
basement is fully finished. The basement has a kitchenette, 2 bedrooms and some free space. The
family was not getting much use out of the basement. Ms. Peterson lives at the residence with four
(4) children and is a single mother. The Air B&B requires certain credentials, which I have listed on
my application and, I can request additional information for the applicants that apply.

Mr. Kimble wanted to know if the space that was being rented is only rented to one person or one
family at a time?

Ms. Peterson stated that is either one person at a time or one group of people at a time and does not
rent out the rooms separately. The people that stay in the Air B&B, for example, the people that is
staying there now is a physician starting a new job that works for Freeman Hospital, just moving here
and their house is not ready to move in.

Ms. Phillips had a question for Keegan Stanton. Is there a requirement that there be a separate
entrance?

Mr. Stanton stated that there was not. This would be an accessory use to a single-family home.

Ms. Phillips asked Ms. Peterson if they had their own entrance and Ms. Peterson stated they did.

The following items are conditions for consideration of the Special Use Permit:

1. This Special Use Permit is issued to Lauren Peterson for the operation of a short-term rental at 3001 Sunset Drive.
2. The permit shall be valid for 2 years upon approval, being eligible for renewal in July 2023.
3. Off street parking for at least two (2) vehicles shall be provided.
4. The compliance with all provisions of the Fire/Safety codes as required by the State Fire Marshall is required.
5. All regulations as stated in Appendix 29-A (Zoning Code) of the Joplin Municipal Code shall be followed at all times.
6. Any other conditions set by the City Council of the City of Joplin.

PUBLIC COMMENT:

Gary Ivy, 3101 Sunset Drive, Joplin, MO. He lives directly to the West of Ms. Peterson. He has not had any issues with the Air B&B guests. If there are complaints of parking in the street, the folks that are complaining are actually parking in the street themselves. We are the only neighbors that Ms. Peterson has, and for the record she has great neighbors.

Chuck Brown, 3018 Sunset Drive West, Joplin, MO. He is the President and representing the Sunset Ridge Homeowners Association. The Board has taken a vote and wish to express opposition to the request. We do this primarily to the location and the traffic. The house in question is right at the entrance.

Mr. Kimble wanted to know if there is anything in the Homeowners Association contract that states Air B&B are against policy?

Mr. Brown stated not specifically. The Association Rules and Regulations prohibit the use of properties for commercial purposes. The problem is you have several cars coming and going and it is a short-term rental not a year or two.

Ms. Phillips has a question for Mr. Stanton. If she remembered correctly, the City of Joplin does not recognize Homeowner Association agreements

Mr. Stanton stated the City does not have jurisdiction to enforce subdivision rules and regulations, just City Code.

Bryan Goodace, 3401 Sunset Drive, Joplin, MO, also on the Homeowners Association Board. There are concerns of short-term stay and in our covenants not specifically but verbiage of the commercial uses of residence.

Dr. Matt Spencer, 3003 Schifferdecker, Joplin, MO, which is across the street from Ms. Peterson. He would like to interject into the conversation is that Sunset Ridge was designed as a single-family home development. It seems like the homeowner is now absent from that home. They are no longer the resident of that home and renting it in a commercial status.

Ms. Peterson stated that she lives in her home all the time with her four children.

FUNDING SOURCE:

These payments are included in the FY 2020-21 budget of the Community Planning Fund.

RECOMMENDATIONS:

Planning & Zoning Commission recommends approval for Case 032-21 (6 Favor, 0 Nays, 1 Absent)

ATTACHMENTS

RS 2021-013, Staff Planning Report, P&Z Commission Minutes.