



Board of Aldermen Request for Action

MEETING DATE: 5/5/2026

DEPARTMENT: Development

AGENDA ITEM: Bill No. 3112-26, approving a Conditional Use Permit for an Accessory Dwelling Unit at 1600 East Main Street – 2nd reading.

REQUESTED BOARD ACTION

A motion to approve Bill No. 3112-26, amending the Zoning Ordinance of the City of Smithville, Missouri by granting a conditional use permit for an ADU at 1600 East Main Street. 2nd reading by title only.

SUMMARY

The original application was submitted in February of 2026 for a CUP to construct an Accessory Dwelling Unit on A-1 zoned land. This is the first such application since the Board approved the Ordinance in July of 2025. The proposed CUP would authorize construction of a secondary residential unit that is smaller than the primary home and otherwise meets all the standards required in the new ADU Ordinance. Following a public hearing, the Commission recommended approval in accordance with the staff report and evidence presented.

PREVIOUS ACTION

Board approval of new ADU regulations on July 1, 2025.

POLICY ISSUE

Implementation of the Comprehensive Plan and Zoning Ordinance.

FINANCIAL CONSIDERATIONS

None anticipated.

ATTACHMENTS

- | | |
|--|---|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input checked="" type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input checked="" type="checkbox"/> Other: Planning and Zoning Commission meeting can be viewed online . | |

FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicant: William and April Richardson
Land Use Proposed: Accessory Dwelling Unit
Zoning: A-1
Property Location: 1600 E. Main St.

Pursuant to the provisions of Section 400.570 concerning the minimum requirements for the issuance of a conditional use permit and based on the testimony and evidence presented in a public hearing of the Planning and Zoning Commission held on April 14, 2026, the Planning Commission of the City of Smithville, Missouri hereby makes the following *Finding of Facts and Conclusions of Law*.

Finding of Facts

1. The proposed special use complies with all applicable provisions of the zoning regulation including intensity of use regulations, yard regulations and use regulations.
2. It is found that the proposed special use at the specified location will contribute to and promote the welfare and convenience of the public in that it will be consistent with the Comprehensive Plan goals to expand aging in place opportunities and improve affordable housing.
3. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located. The property is adjacent to Grace Church to the west and Corps land to the east and north.
4. The location and size of the conditional use will not dominate the immediate neighborhood to prevent development. The proposal would match the existing main house, and the location, size and screening are such that no impact is anticipated.
5. There is sufficient parking for the anticipated vehicles.
6. All utilities will be constructed by the developer prior to this project, and additional stormwater reviews WILL occur at the site plan review of the building(s) themselves if and when changes may occur.

7. Adequate access roads and entrances are provided.
8. That in rendering this Finding of Fact, testimony at the public hearing on April 14, 2026, has been taken into consideration.

Conclusions of Law

Based on the foregoing findings of fact, we conclude that:

- A. This application and the granting of a Conditional Use permit is governed by Section 400.570 of the zoning ordinance of Smithville, Missouri.
- B. The proposed use complies with minimum standards required for the issuance of a conditional use permit as set out in Section 400.570 and 400.370.E. of the zoning ordinance.
- C. A conditional use permit should be granted to allow an ADU at 1600 East Main St.

Planning Commission

BILL NO. 3112-26

ORDINANCE NO. 330X-26

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF SMITHVILLE, MISSOURI AND GRANTING A CONDITIONAL USE PERMIT FOR CONSTRUCTION OF AN ACCESSORY DWELLING UNIT AT 1600 EAST MAIN STREET

WHEREAS, On April 14, 2026, the Planning Commission of Smithville, Missouri held a public hearing relative to a request for a conditional use permit; and

WHEREAS, the Planning Commission forwarded consideration of said request to the Board of Aldermen with a recommendation of granting said request in accordance with the plans and specifications provided; and

WHEREAS, the Board of Aldermen, based on substantial evidence provided by the applicant, staff, and members of the public found that applicant's proposed accessory dwelling unit at 1600 East Main Street would not seriously injure the public or the appropriate use of neighboring property and that said use would conform to the general intent and purpose of the zoning ordinance if the conditions of the Planning Commission recommendation were met; and

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI AS FOLLOWS:

Section 1. A Conditional Use Permit for the installation of an Accessory Dwelling Unit at 1600 East Main Street is hereby approved subject to the conditions placed on the same by applicable provisions of the Municipal Code of the City of Smithville, Missouri (the "Code"), the staff report attached hereto as Exhibit A, and the Findings of Fact and Conclusions of Law hereby adopted and attached hereto as Exhibit B.

Described as follows:

Lot 2, Grace Community Church Plat, commonly known as 1600 East Main Street.

Section 2. This ordinance shall take effect and be in full force from and after its passage according to law.

PASSED THIS 5th DAY OF MAY 2026.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

1st Reading: 04/21/2026

2nd Reading: 05/05/2026



STAFF REPORT
April 15, 2026
Conditional Use Permit for Parcel Id # 05-604-00-01-003.00

Application for a Conditional Use Permit (Accessory Dwelling Unit)

Code Sections:

400.370.E & 400.570(D)(7) Accessory Dwelling Unit

Property Information:

Address: 1600 E MAIN ST
Owner: RICHARDSON WILLIAM C & APRILL M
Current Zoning: A-1

GENERAL DESCRIPTION:

The Richardson's submitted an application proposing to build a detached ADU on their property. ADU's are subject to a conditional use permit in accordance with 400.370.E.3 with the following requirements:

Location And Construction.

(1) May only be authorized if located on land within zoning districts A-1, A-R, R-1A, R-1B, R-1C, R-1D or B-4.

(2) n ADU may either be located within the principal structure with no direct communication between the two (2) units or may be a separate structure.

(3)

Only one (1) ADU may be constructed on the lot or parcel.

(4) All water, sewer or septic, and solid waste services to the property must be through the primary structure's service. Electric, phone, cable, gas or other service may be served by separate meters and/or services.

(5) The ADU shall be constructed in full compliance with the then adopted building and property maintenance codes, including an approved frost protected foundation.

Ownership, Use And Occupancy.

(1) Any land with an ADU must be under one ownership and the owner must occupy either the principal structure or the ADU.

(2) The ADU shall be occupied by no more than two (2) adults unrelated by blood, marriage or civil union.

(3) The minimum rental term for either structure shall be not less than thirty (30) days.

- (4) No ADU shall operate any home occupation.
- (5) No ADU's may be occupied without a valid certificate of occupancy.
- (6) All ADU's must reapply for a new certificate of occupancy every three (3) years where the owner certifies compliance with the provisions herein.

LOCATION AND CONSTRUCTION

The zoning (A-1) allows ADU construction with CUP approval. The applicant is aware all utilities must run through the primary structure. Clay county will approve the additional plumbing traps (property is on septic).

The applicant has signed the affidavit noting it will be built in full compliance with adopted building codes.

OWNERSHIP, USE AND OCCUPANCY

The property is under single ownership, and the owner will live in either the principal residence or the ADU. The applicant has signed the affidavit stating all use and occupancy requirements will be met.

LOT COVERAGE, SIZE AND LOCATION

The proposed location is 76.6 ft from the primary dwelling (requirement is no more than 100ft). The proposed square footage is 1,985sq ft (86% the size of the primary dwelling). The size is within the 90% to 10% footprint range. The total lot coverage is 3%. This is well below the 30% max. Height of the ADU is not taller than the primary residence.

OVERALL LOOKS AND INGRESS

The elevation plan shows the ADU having a generally similar look to the primary residence (white, LP Smartside or Hardie Board). No screening is required since it is detached from the primary residence. Vehicle ingress/egress plan to be approved by first responders.



THE PROPOSED CONDITIONAL USE AT THE SPECIFIED LOCATION WILL CONTRIBUTE TO AND PROMOTE THE WELFARE OR CONVENIENCE OF THE PUBLIC 400.570C.2

As a part of the 2030 comprehensive plan, ADUs have been approved as conditional use as a way to "age in place", help keep families together and save on housing costs.

THE PROPOSED CONDITIONAL USE WILL NOT CAUSE SUBSTANTIAL INJURY TO THE VALUE OF OTHER PROPERTY IN THE NEIGHBORHOOD IN WHICH IT IS TO BE LOCATED.

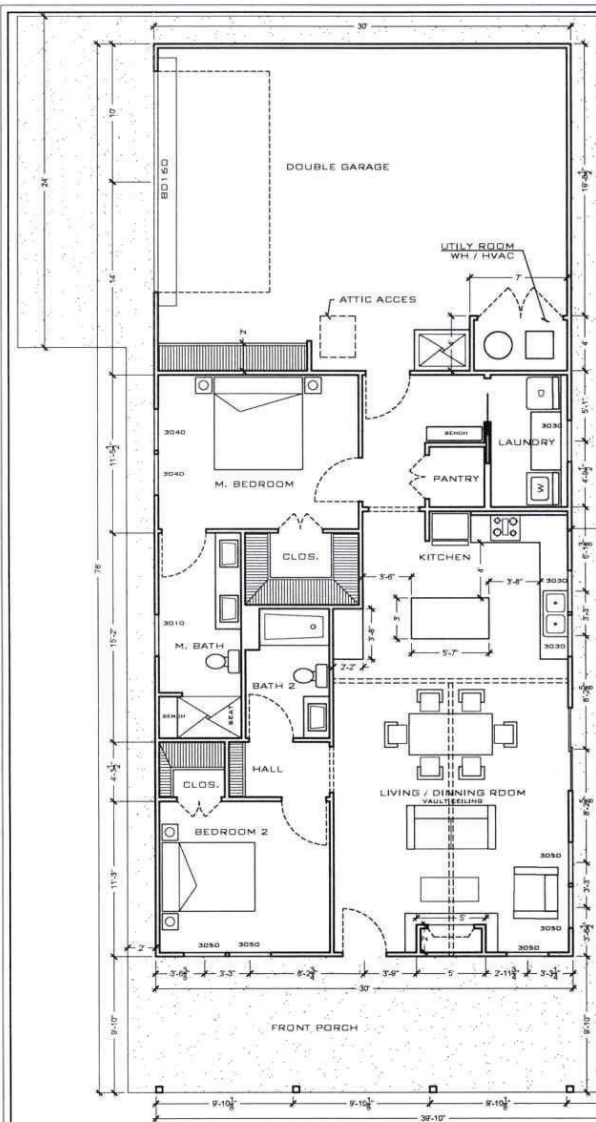
No detrimental effects are known.

STAFF RECOMMENDATION:

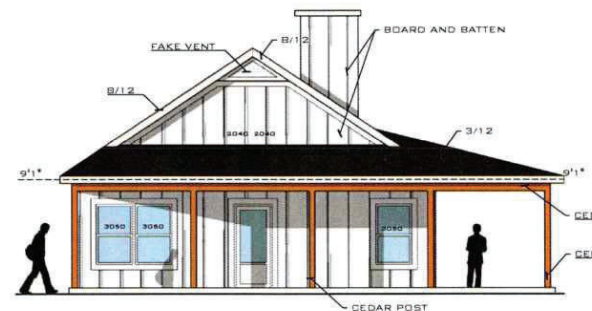
Staff recommends APPROVAL of the proposed conditional use permit.

Respectfully Submitted,

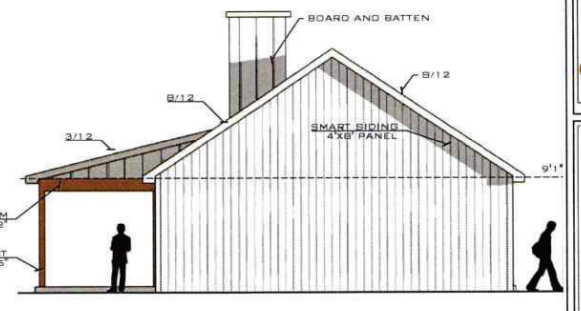
Zoning Administrator



1 MAIN PLAN
SCALE: 1/4" = 1'-0"



2 FRONT
SCALE



3 BACK
SCALE



4 LEFT
SCALE



5 RIGHT
SCALE

CAMPBELL
CUSTOM HOMES

DRAWING: MARCO BANEGAS
CHECK OVER: ADAM CAMPBELL
DATE: OCT - 2025

CUSTOMER: RICHARDSON RESIDENCE
CLIENT:

CONTENT:

SHEET: 1

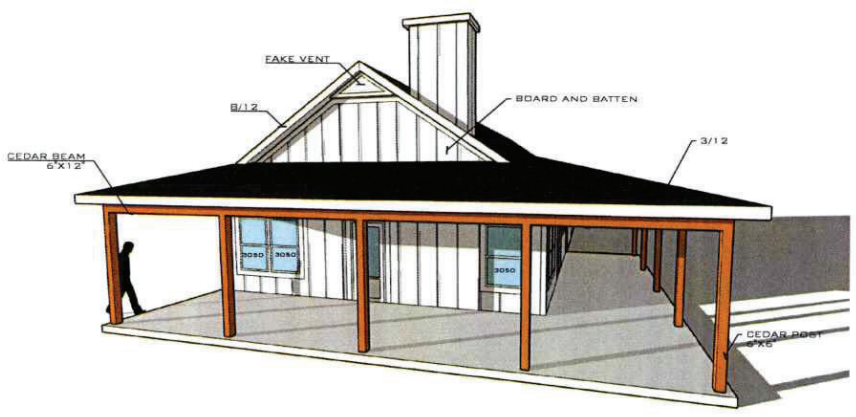


DRAWING: MARCO BANEGAS
 CHECK OVER: ADAM CAMPBELL
 DATE: OCT - 2025

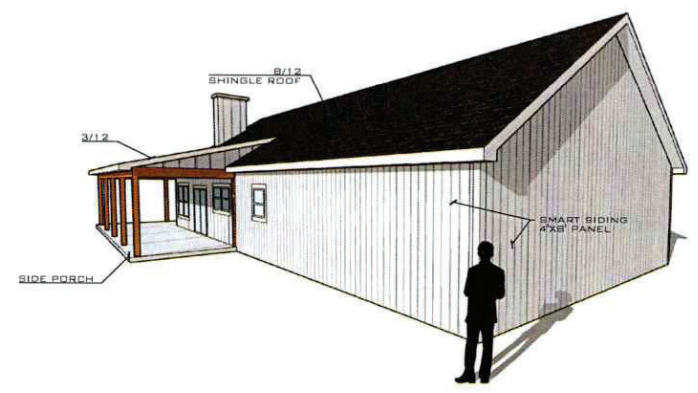
CUSTOMER: RICHARDSON RESIDENCE
 CLIENT:

CONTENT:

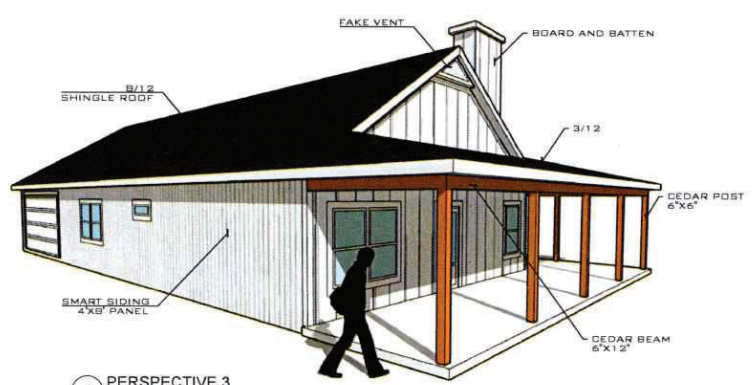
SHEET: 2



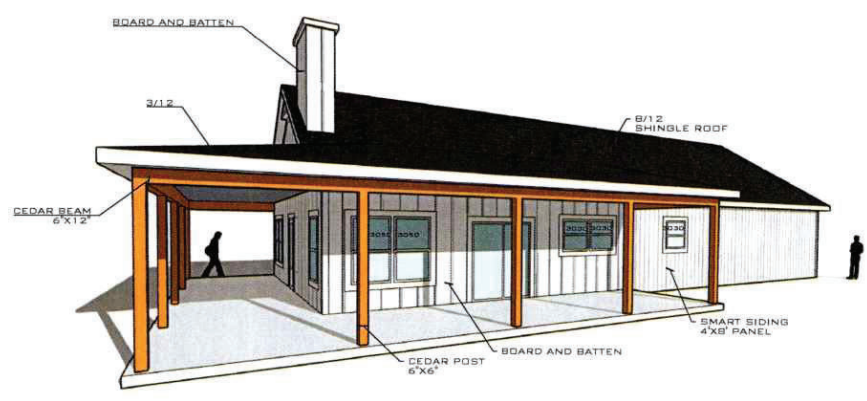
1 PERSPECTIVE 1
 SCALE



2 PERSPECTIVE 2
 SCALE



3 PERSPECTIVE 3
 SCALE



4 PERSPECTIVE 4
 SCALE

