

Board of Zoning Appeals AGENDA

April 10, 2023
6:00 PM

A. Zoning Appeal Application(s)

1. **BOZA2022-065**

Filed: Petitioner: **LUKE KUSH**
11/28/2022

Address: **1327 MINNESOTA AVE, KANSAS CITY, KS 66102**

SYNOPSIS: This appeal has been filed to grant a variance from the paved area setback. Section 27-467(d)(2)e states that parking and other paved areas shall be not less than six (6) feet from any property line and not less than 10 feet from any street right-of-way. The appellant is requesting a paved area/parking space setback of no more than zero (0) feet from the property line and no more than zero (0) feet from the street right-of-way, a violation of six (6) feet and 10 feet, respectively.

2. **BOZA2022-070**

Filed: Petitioner: **AUSTIN THOMPSON/ATLAS LAND CONSULTING**
12/30/2022

Address: **706 SHAWNEE RD, KANSAS CITY, KS 66103**

SYNOPSIS: This appeal is requesting two (2) variances. This appeal is requesting in conjunction with COZ2022-051, a Change of Zone from R-1 Single-Family District to R-2(B) Two-Family District.

Variance 1: This appeal has been filed to grant a variance from the minimum size of a residential lot that abuts a major street. Section 27-280(f) states that a residential lot facing or receiving access onto a street designated as a major street must have a minimum lot size of five (5) acres. The subject property receives access from Shawnee Road, which is designated as a Collector Street per Section 27-763(f)(32). The appellant is requesting a lot of 0.39 acre, a violation of 4.61 acres.

Variance 2: This appeal has been filed to grant a variance from the minimum frontage of a residential lot that abuts a major street. Section 27-280(f) states that a residential lot facing or receiving access onto a street designated as a major street must have a minimum frontage of 300 feet. The subject property created receives access from Shawnee Road, which is designated as a Collector Street per Section 27-763(f)(32). The appellant is requesting a lot with a frontage of 154 feet, a violation of 146 feet.

3. **BOZA2023-006**

Filed: Petitioner: **ROBERT BECKER DBA LEGENDS 267 LLC**
04/10/2023

Address: **1879 VILLAGE WEST PKWY, KANSAS CITY, KS 66111**

SYNOPSIS: This appeal is requesting four (4) variances.

Variance 1: This appeal has been filed to grant a variance from the “dark” hours for an illuminated sign in a residentially zoned area. Section 27-726(d)(6) states that illuminated signs within a residentially zoned area shall shut off between the hours of 10:00 p.m. and 6:00 a.m. The appellant is requesting an illuminated sign within the RP-6 District with will be illuminated for 24 hours per day, a violation of eight (8) hours per day.

Variance 2: This appeal has been filed to grant a variance from the maximum number of wall signs. Section 27-728(b)(8)b, Table VIII-11-7.5 states that no more than one (1) wall sign is allowed on a single-tenant building in the RP-6 District. The appellant is requesting four (4) wall signs, a violation of three (3) wall signs.

Variance 3: This appeal has been filed to grant a variance from the maximum sign face area. Section 27-728(b)(8)b, Table VIII-11-7.7 states that a maximum sign face of a wall sign in the RP-6 District is 50 square feet. The appellant is requesting a collective sign face area of 283 square feet, a violation of 233 square feet.

Variance 4: This appeal has been filed to grant a variance from the maximum wall sign height. Section 27-728(b)(8)b, Table VIII-11-7.8 states that the maximum wall sign height in the RP-6 District is four (4) feet. The appellant is requesting two (2) wall signs with a height of 44 feet and four (4) inches each, a violation of 40 feet and four (4) inches each.

4. BOZA2023-007

Filed: 04/10/2023 Petitioner: **CHRISTOPHER CIESIEL/THE CAMPGROUND LLC**

Address: **1639 SOUTHWEST BLVD, KANSAS CITY, KS 66103**

SYNOPSIS: This appeal has been filed to covert a vacant storefront into a drinking establishment and allow sales and consumption within an existing coffee shop. Sec. 27-668(a) (12) states taverns or private clubs serving alcoholic or cereal malt beverages shall provide one (1) space for each 50 square feet of seating area or assembly area plus one (1) space for each remaining 200 square feet of total floor area. The Appellant is requesting three (3) spaces for the building, a violation of 33 spaces.

5. BOZA2023-008

Filed: 02/24/2023 Petitioner: **ROBERT GEORGE / CREATIVE INVESTMENTS, LLC**

Address: **4439 SHAWNEE DR, KANSAS CITY, KS 66106**

SYNOPSIS: This appeal has been filed to grant a variance from the buffering requirement in the MP-1 District. Section 27-700(b)(3) states that a buffer area shall be provided along all side and rear property lines common to or across an alley from residentially zoned property and shall consist of an area 15 feet in width improved with a six (6)-foot architectural screen adjacent to the property line and one (1) row of shade trees spaced not more than 40 feet on center and one (1) row of large shrubs spaced not more than eight (8) feet on center. The west boundary line of the subject property is adjacent to residentially zoned properties. The appellant is requesting that, along the west boundary line, there be a landscaped buffer of zero (0) feet before the architectural screen, a violation of 15 feet.

6. BOZA2023-010

Filed: 02/24/2023 Petitioner: **AUSTIN THOMPSON / ATLAS LAND CONSULTING**

SYNOPSIS: This appeal has been filed to build a 23-unit mobile home park. Sec. 27-462(b)(1) states mobile home dwellings in a mobile home park of at least five (5) acres that shall be designed for a maximum density of 7 mobile homes per acre. Appellant is requests 2.61 acres and 8.81 homes per acre, a violation of 2.39 acres and 1.81 homes per acre, respectively.

Sec. 27-462(c)(3)d. states the home must be at least 22 feet wide over the major part of the mobile home. Appellant requests 15 feet wide, a violation of 7 feet.

Sec. 27-462(d)(1) states on a minimum 24-foot wide paved public street no more than 50 0feet from a street designated and improved as a collector or thoroughfare on the major street plan. Appellant requests not to improve Ruby Avenue, which is 22 feet wide, a violation of two (2) feet.

Sec. 27-462(e)(2)b. states the front yard setback is 25 feet. Appellant requests 20 feet from Metropolitan Avenue and 15 feet from Ruby Avenue, a violation of five (5) feet from Metropolitan Avenue and 10 feet Ruby Avenue, respectively.

Sec. 27-462(e)(2)c. states side yard, interior setback not less than 20 feet on the entry side of the mobile home and not less than five (5) feet on the non-entry side from the side lot line. Appellant requests two (2) feet for the community building, a violation of three (3) feet.

Sec. 27-462(e)(2)d. states side yard, corner setback not less than 25 feet. Appellant requests five (5) feet from South 10th Street and 15 feet from Ruby Avenue, a violation of 20 feet and 10 feet, respectively.

Sec. 27-462(f)(1) states a concrete patio 128 square feet or larger. Appellant requests 90 square feet, a violation of 38 square feet.

Sec. 27-462(f)(7) states a storm shelter shall be provided for persons living in the mobile home park. The storm shelter shall be adequately designed to protect occupants, and shall have an area of not less than 12 square feet per mobile home lot. The storm shelter shall have adequate fresh air ducts to accommodate the occupants, and storm shelters shall be so located to provide a reasonable degree of safety for all residents. Appellant requests 7 square feet per person to accommodate a 162 square foot pre-made shelter, a violation of 5 square feet per person.

Sec. 27-700(b) Buffer plantings, which shall include the equivalent of a minimum of one evergreen tree or one shade tree and three large shrubs for each 30 feet of adjacent project boundary, shall be provided for such development adjacent to single-family or two-family zoned property. Appellant requests a six (6) foot fence around the entire property in lieu of buffer plantings, a violation of 18 trees and 53 shrubs.

Sec. 27-462(h) Two off-street parking spaces shall be provided for each dwelling unit. In addition, mobile home parks that do not have public streets shall provide visitor parking at a rate of one-quarter parking space for each mobile home lot, appropriately located and dispersed in separate parking lots having no more than eight parking spaces each. Appellant request 10 parking spaces, a violation of 42 parking spaces.

Total Number of Agenda Items: 6