

# Board of Zoning Appeals AGENDA

February 13, 2023  
6:00 PM

## A. Zoning Appeal Application(s)

1. **BOZA2022-060**

Filed: 10/25/2022                      Petitioner: **ROGER BARRETT/SK DESIGN GROUP**

Address: **810 N 6TH ST, KANSAS CITY, KS 66101**

**SYNOPSIS:** This appeal has been filed to build a 60-unit, six (6) story apartment building with ground floor retail. Sec. 27-465(f)(1) states uses in this district need not provide off-street parking, except that residential occupancies shall provide not less than one (1) off-street parking space for each dwelling unit, and hotels shall provide one (1) off-street parking space for each room. Such parking spaces shall be paved and shall be on the premises or off the premises within 200 feet on the main entrance to the building served. Appellant is requesting 14 parking spaces, a violation of 46 spaces.

2. **BOZA2022-068**

Filed: 12/02/2022                      Petitioner: **SCOTT BREWER/GRINTER'S CHAPLE**

Address: **1020 S 78TH ST, KANSAS CITY, KS 66111**

**SYNOPSIS:** This appeal is requesting two (2) variances. This appeal is requesting in conjunction with PLAT2022-043, a Preliminary and Final Plat for the subdivision of one (1) single-family residential parcel into two (2) residentially zoned parcels, one (1) parcel (thereafter "Lot 1") which contains a vacant place of worship, and one (1) parcel (thereafter "Lot 2") which contains an existing single-family residence.

**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. Lot 2, created by PLAT2022-043, receives access from South 78th Street, which is designated as a Class A Thoroughfare per Section 27-763(c)(6). The appellant is requesting that Lot 2 be 0.34 acre, a violation of 4.66 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. Lot 2, created by PLAT2022-043, receives access from South 78th Street, which is designated as a Class A Thoroughfare per Section 27-763(c)(6). The appellant is requesting that Lot 2 have a frontage of 88.5 feet, a violation of 211.5 feet.

**3. BOZA2022-069**

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

Address: 4601 GIBBS RD, KANSAS CITY, KS 66106

**SYNOPSIS:** This appeal has been filed to allow for one (1) variance in conjunction with Change of Zone COZ2022-047 for a Change of Zone from R-1 Single Family Residential to AG Agricultural District. Variance 1: This appeal has been filed to grant a variance from the maximum allowed depth in the AG Agricultural District. Section 27-280(b)(2) states that the depth of a lot, measured as the average horizontal distance from the front street line to the rear lot line, shall not exceed three times the width. The width of the lot is 139 feet and the depth of the lot is 830, a violation of 413 feet.

**4. BOZA2022-071**

Filed: Petitioner: MARK WOLF/HOME REHAB, LLC  
12/30/2022

Address: 4547 MELODY LN, KANSAS CITY, KS 66106

**SYNOPSIS:** This appeal has been filed to allow for two (2) variances in conjunction with Change of Zone COZ2022-052 for a Change of Zone from R-1 Single Family Residential to RP-2 Two-Family District

**Variance 1:** This appeal has been filed to grant a variance from the minimum rear yard open space. Section 27-609 states that no accessory use shall cover more than 30 percent of a required rear yard. The subject property has a parking lot that covers the entire rear yard, a violation of 70 percent.

**Variance 2:** The appeal has been filed to grant a variance from the minimum setback requirements. Section 27-456(c)(2) states that the front yard setback shall be 25 feet. The property has a front yard setback of 18 feet, a violation 7 feet.

**5. BOZA2022-072**

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

Address: 5110 HUTTON RD, KANSAS CITY, KS 66109

**SYNOPSIS:** This appeal has been filed to grant a variance from the maximum accessory building floor area in the R-1 District. Section 27-609(2) requires that the total area of a detached accessory building not exceed 1,000 square feet. The appellant is requesting an accessory building with a total floor area of 1,600 square feet, a violation of 600 square feet.

**6. BOZA2022-075**

Filed: Petitioner: MIKE AND PAULA WALLACE  
12/30/2022

Address: 12200 DONAHOO RD, KANSAS CITY, KS 66109

**SYNOPSIS:** The appeal has been filed in conjunction with SP2022-081, a Special Use Permit to keep a dog kennel for six (6) dogs. This appeal has been filed to grant a variance from the lot line setback for kennels in the R-1 (WyCo) District. Article VII Section 4.7, via Article VI Section 4.7, via Article V Section 4.7.E of the 1992 Piper Area Annex Zoning Code, states that all

buildings and structures for kennels shall be located at least 200 feet from any lot line. The appellant is requesting a kennel with setbacks from the side yard lines of 57 feet and 65 feet, and a setback from the rear yard line of 72 feet, a violation of 243 feet, 235 feet, and 228 feet, respectively.

**7. BOZA2022-077**

Filed: Petitioner: **CHAD R. SCHIMKE**  
**12/30/2022**

Address: **13700 MARXEN RD, KANSAS CITY, KS 66109**

**SYNOPSIS:** This appeal has been filed to allow for two (2) variances in conjunction with Change of Zone COZ2022-045 for a Change of Zone from AG WyCo Agricultural District to C-3 Commercial District, MPL2022-026 Master Plan Amendment, and PLAT2023-001 Subdivision Plat.

**Variance 1:** This appeal has been filed to grant a variance from the minimum parking requirements in a C-3 zone. Section 27-467(e) states that parking requirements for this district are required at a ratio of four (4) spaces per 1,000 square feet of floor area. The subject property has multiple buildings for a total of 81,616 square feet, requiring 327 parking spaces including eight (8) ADA parking spaces. The current proposal has 11 parking spaces, a deviation of 316 parking spaces.

**Variance 2:** The appeal has been filed to grant a variance from the maximum allowed outdoor storage in a C-3 Zone. Section 27-467(c)(6) states that outdoor storage shall not be allowed to exceed 20 percent of the property. The proposed project has approximately 50 percent outdoor storage, a violation of 30 percent.

**Total Number of Agenda Items: 7**