

BOARD OF ZONING APPEALS Agenda

6/13/2022
6:00 PM

A. Zoning Appeal Petitions

1. **BOZA2021-027**

Filed: 09/07/2021 Petitioner: **DANA BLAY / DBL ARCHITECTURE, INC**

Address: **4720 STATE AVE, KANSAS CITY, KS 66102**

SYNOPSIS: This appeal has been filed to allow for two (2) variances.

Variance 1: This appeal has been filed to grant a variance from the parking minimum requirement. Section 27-464(e) states that paved off-street parking spaces are required at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building. The existing building on the parcel measures 3,873 square feet, which requires 16 parking spaces. The appellant is requesting six (6) parking spaces, a violation of 10 parking spaces.

Variance 2: This appeal has been filed to grant a variance from the front yard setback. Section 27-464(d)(2)a states that the front yard setback shall be no less than 15 feet. The appellant is requesting a front yard setback of zero (0) feet, a violation of 15 feet.

2. **BOZA2021-028**

Filed: Petitioner: **JEFF MEADOR WITH OPEN DOOR HOMES**

Address: **4136 SPRINGFIELD ST, KANSAS CITY, KS 66103**

SYNOPSIS: This appeal has been filed to build two (2) triplex units. Sec. 27-460(c)(2)a. states the front yard setback shall not be less than twenty-five (25) feet from any public street. Appellant is requesting thirteen (13) feet, a violation of twelve (12) feet.

3. **BOZA2021-037**

Filed: 10/26/2021 Petitioner: **MICHAEL R. BOURQUIN**

Address: **5910 COUNTY LINE RD, KANSAS CITY, KS 66106**

SYNOPSIS: This appeal has been filed to grant a variance from the maximum total area allowed for an accessory building. Section 27-609(2) states that total area of a detached accessory building shall not exceed 1,000 square feet. The appellant is requesting an accessory building measuring a total area of 4,800 square feet, a violation of 3,800 square feet.

4. **BOZA2021-041**

Filed: 10/29/2021 Petitioner: **DANA BLAY/DBL ARCHITECTURE**

Address: **146 S 18TH ST, KANSAS CITY, KS 66102**

SYNOPSIS: This appeal has been filed to allow for six (6) variances. The appeal has been filed in conjunction with SP2021-090, a Special Use Permit for a liquor store.

Variance 1: This appeal has been filed to grant a variance from the parking minimum requirement. Section 27-467(e) states that paved off-street parking spaces are required at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building. The proposed building on the subject property measures 4,200 square feet, which requires 17 parking spaces. The appellant is requesting 10 parking spaces, a violation of seven (7) parking spaces.

Variance 2: This appeal has been filed to grant a variance from the minimum allowed distance between a new liquor store and any existing or proposed liquor store location, church, school, or public park. Section 27-593(b)(18) states that there must be a minimum separation distance of 1,300 feet between any new liquor store location and any existing or proposed liquor store location, church, school, or public park. Nearest distance between the parcel with the new liquor store and closest parcel containing another liquor store, church, school, or public park is 1,034 feet, a violation of 266 feet.

Variance 3: This appeal has been filed to grant a variance from the front yard setback. Section 27-467(d)(2)a states that the front yard setback shall be no less than 25 feet. The appellant is requesting a front yard setback of zero (0) feet, a violation of 25 feet.

Variance 4: This appeal has been filed to grant a variance from the corner side yard setback. Section 27-467(d)(2)c states that the corner side yard setback shall be no less than 25 feet. The appellant is requesting a corner side yard setback of zero (0) feet, a violation of 25 feet.

Variance 5: This appeal has been filed to grant a variance from the rear yard setback. Section 27-467(d)(2)d states that the rear yard setback shall match the setback required by an abutting district. The rear yard of the subject property abuts the R-1(B) District, which has a rear yard setback of 25 feet per Section 27-455(c)(2)d. The appellant is requesting a rear yard setback of zero (0) feet, a violation of 25 feet.

Variance 6: 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.

5. BOZA2022-019

Filed: Petitioner: **DONALD PIKE**
03/18/2022

Address: **3311 N 72ND ST, KANSAS CITY, KS 66109**

SYNOPSIS: This appeal has been filed to allow for three (3) variances.

Variance 1: This appeal has been filed to grant a variance from the maximum number of accessory buildings allowed in the R-1 District. Section 27-609(2) allows for one (1) detached accessory building. The appellant is requesting the construction on an additional accessory building for a total of two (2) accessory buildings, a violation of one (1) accessory building.

Variance 2: This appeal has been filed to grant a variance from the side yard setback for an accessory building in the R-1 District. Section 27-609(2) requires a setback of at least three (3) feet from the side yard property line. The appellant is requesting a side yard setback of one (1) foot, a violation of two (2) feet.

Variance 3: 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 a total floor area of all accessory buildings of 2,192 square feet, a violation of 1,192 square feet.

6. BOZA2022-021

Filed: 03/25/2022 Petitioner: **JOHN EMANUELS**

Address: **4411 N 67TH ST, KANSAS CITY, KS 66104**

SYNOPSIS: The appeal has been filed in conjunction with COZ2022-015, a Change of Zone from A-G Agriculture District and C-1 Limited Business District to A-G Agriculture District, R-1 Single Family District, and C-1 Limited Business District. This appeal has been filed to grant a variance from the maximum length of a cul-de-sac street. Section 27-281(b) states that a cul-de-sac shall normally be no longer than 500 feet. The appellant is requesting a cul-de-sac street of 1,580 feet, a violation of 1,080 feet.
ON 04/07/2022 OBSERVED NO VIOLATIONS

7. BOZA2022-025

Filed: 03/28/2022 Petitioner: **KALLA MCLAUGHLIN/CITY BEAUTIFUL ENTERPRISES LLC**

Address: **3020 N BALTIMORE ST, KANSAS CITY, KS 66104**

SYNOPSIS: This appeal has been filed to allow for two (2) variances. This appeal has been filed in conjunction with COZ2022-017, a Change of Zone from RP-5 Planned Apartment District to A-G Agriculture District, with PLAT2022-011, a Preliminary Plat for two (2) single-family lots, and with SP2022-045, a Special Use Permit to sell produce and farm goods grown on site.

Variance 1: This appeal has been filed to grant a variance from the minimum lot size in the A-G District. Section 27-452(a) requires that all new lots must be five (5) acres or greater. The appellant is requesting a lot size of 3.79 acres, a violation of 1.21 acres.

Variance 2: This appeal has been filed to grant a variance from the minimum habitable area of a residence in the A-G district. Section 27-452(d)(4) requires a minimum habitable floor area of 864 square feet for each residence. The appellant is requesting a residence with a habitable floor area of 350 square feet, a violation of 514 square feet.

8. BOZA2022-028

Filed:
04/29/2022

Petitioner: **JESSE ELDRINGHOFF/THE SIGN GUY KC**

Address: **2205 N 102ND ST, KANSAS CITY, KS 66109**

SYNOPSIS: This appeal is requesting two (2) variances.

Variance 1: This appeal has been filed to grant a variance from the maximum distance between a monument sign and the street right-of-way abutting the driveway entrance. Section 27-728(c)(3)b.4 requires that a monument sign shall be located within 25 feet of the edge of the street right-of-way abutting the principal driveway entrance into the lot. The appellant is requesting a monument sign located 400 from the nearest portion of the street right-of-way abutting the principal driveway, a violation of 375 feet.

Variance 2: This appeal has been filed to grant a variance from the maximum sign area. Section 27-728(c)(3) Table VIII-11-9.7 requires a sign area no greater than 40 square feet. The appellant is requesting a sign face of 297 square feet, a violation of 257 square feet.

Total Number of Agenda Items: 8