

# Board of Zoning Appeals AGENDA

May 8, 2023  
6:00 PM

## A. Zoning Appeal Application(s)

1. **BOZA2022-077**

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

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.

2. **BOZA2023-005**

Filed: 04/10/2023                      Petitioner: PAMELA LARK

Address: 2320 N 20TH PL, KANSAS CITY, KS 66104

**SYNOPSIS:** 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.

**3. BOZA2023-006**

Filed:  
04/10/2023

Petitioner: **ROBERT BECKER DBA LEGENDS 267 LLC**

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

**SYNOPSIS: This appeal requests 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 the maximum sign face of a wall sign in the RP-6 District is 50 square feet. The appellant is requesting two (2) signs each with a sign face area of 137 square feet, a violation of 87 square feet each.**

**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. BOZA2023-014**

Filed:  
03/24/2023

Petitioner: **FLORES, JULIAN / 1 CORE CONSTRUCTION LLC**

Address: **410 ANN AVE, KANSAS CITY, KS 66101**

**SYNOPSIS: This appeal has been filed to use an existing residential building as a duplex.**

**Sec. 27-457(c)(2)a. states the front yard setback shall not be less than 25 feet from any property line. Appellant is requesting 14 feet, a violation of 16 feet.**

**Sec. 27-457(c)(2)b. states the side yard, interior setback shall not be less than five (5) feet from any property line. Appellant is requesting zero (0), a violation of five (5) feet.**

**Sec. 27-457(c)(2)b. states the side yard, interior setback shall not be less than five (5) feet from any property line. Appellant is requesting three (3), a violation of two (2) feet.**

**Sec. 27-457(3)a. states that the lot width is not less than 50 feet measured at the building line. Appellant is requesting 25 feet, a violation of 25 feet.**

**Sec. 27-457(3)b. states that the lot area shall not be less than 2,500 square feet per dwelling unit for buildings erected, converted, or structurally altered for two-family occupancy. Appellant is requesting 3,084.048 square feet, a violation of 1,915.952 square feet**

**Sec. 27-457(d) states that one (1) parking space for each dwelling unit shall be provided on the premises. Appellant is requesting zero (0) off-street parking spaces, a violation of two (2) spaces.**

**Sec. 27-609(2) states a detached accessory building shall not be located less than three (3)**

feet to any side or rear property line. Appellant is requesting zero (0) feet, a violation of three (3) feet.

Sec. 27-609(2) states the total area of such detached accessory building shall not exceed 1,000 square feet or cover more than 30 percent of the required rear yard. Appellant is requesting 560 square feet or 38.3 percent, a violation of 8.3 percent.

**5. BOZA2023-015**

Filed: 03/24/2023                      Petitioner: JENNIFER EARNSHAW

Address: 2734 N 74TH ST, KANSAS CITY, KS 66109

**SYNOPSIS:** This appeal requests two (2) 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 to keep a total of three (3) accessory buildings, a violation of two (2) accessory buildings. Variance 2: 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 accessory buildings with a combined floor area of 1,250 square feet, a violation of 250 square feet.

**Total Number of Agenda Items: 5**