

BOARD OF ZONING APPEALS

DECEMBER 9, 2019

ORDER OF BUSINESS

MEETING TO CONVENE AT 6:00 P.M.

- I. CALL TO ORDER**
- II. BOARD OF ZONING APPEALS STATEMENT**
- III. CONSIDERATION OF AGENDA**
- IV. ADJOURN**

BOARD OF ZONING APPEALS

AGENDA

DECEMBER 9, 2019

6:00 PM

A. Zoning Appeal Petitions

1. #ZA-19410-00038 Reference: 2350

Filed: 09/27/2019 Petitioner: STEPHEN MASLAN
Address: 2423 METROPOLITAN AVE

SYNOPSIS: This appeal has been filed to remove landscaping requirements as approved in the final development plan. Section 27-577(B)3a states that one tree with a minimum caliper of two inches (ornamental evergreen trees must be at least six feet tall when planted) provided for every 30 feet of street easement or frontage. Section 27-577(b)2 states that landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. The final development plan was approved for 9 street trees along Metropolitan Avenue and a continuous row of shrubs for screening. The applicant has requested no street trees along Metropolitan Avenue and no shrubs, a violation of 9 street trees and a row of continuous shrubs.

2. #ZA-19410-00040 Reference: 2352

Filed: 10/25/2019 Petitioner: DAN MOTUSH/INFINITY SIGN MONUMENTS
Address: 7524 STATE AVE

SYNOPSIS: This appeal has been filed to attach a wall sign on the North facade of the property. Sec. 27-727(b) states that for development with a zoning designation of CP-2, a total of three wall signs are allowed. Appellant is requesting a fourth wall sign; a violation of one wall sign.

3. #ZA-19410-00041 Reference: 2353

Filed: 10/25/2019 Petitioner: ABDUL MAZID
Address: 1010 MERRIAM LN

SYNOPSIS: This appeal has been filed to appeal the denial of a rehearing of Special Use Permit #SP-2019-84 by the Deputy County Attorney.

A. Zoning Appeal Petitions

4. #ZA-19410-00042 Reference: 2354

Filed: 10/25/2019 Petitioner: JOHN ABNEY
Address: 8015 TAUROMEE AVE

SYNOPSIS: This appeal has been filed to allow an accessory building that exceeds the maximum number of allowable accessory units. Sec. 27-609(2) states that for any dwelling unit there may be permitted a detached accessory building. The appellante is requesting to build a second accessory building, a violation of one (1) accessory building.

5. #ZA-19410-00043 Reference: 2355

Filed: 10/25/2019 Petitioner: KORB MAXWELL/POLSINELLI PC
Address: 11704 STATE AVE

SYNOPSIS: This appeal has been filed to build a livestock expo arena, indoor/outdoor warm-up arenas, and agricultural-related ancillary facilities for the American Royal Association. Sec. 27-452(d)(2)a. states that setbacks from the front yard property line shall not be less than 50 feet. Appellant is requesting 25 feet; a violation of 25 feet.

Sec. 27-452(d)(2)b. states that setback from the side yard interior property line shall not be less than 20 feet. Appellant is requesting 0 feet; a violation of 20 feet.

Sec. 27-675(b)(2) Parking, loading and maneuvering areas for agricultural uses on ownerships of five acres or more shall be paved or improved with a four inch depth of gravel or its equivalent. Appellant is requesting gravel drives and grass parking in various areas; a violation of paved or improved surfaces.

Sec. 27-452(d)(1) states that height of all buildings and structures shall not be more than 2= stories or 35 feet. Appellant is requesting a maximum height of 115 feet, a violation of 80 feet.

6. #ZA-19410-00044 Reference: 2356

Filed: 10/25/2019 Petitioner: FRED DEL TORO
Address: 3447 N 31ST TER

SYNOPSIS: This appeal has been filed to build a stable on the property. Sec. 27-609(2) states that for any dwelling unit there may be permitted a single detached accessory structure. Appellant is requesting a second detached accessory structure; a violation of one structure.

A. Zoning Appeal Petitions

7. #ZA-19410-00045 Reference: 2357

Filed: 10/25/2019 Petitioner: LA DENA WASHINGTON/ALTAR SUPPORT, INC
Address: 9151 PARALLEL PKWY

SYNOPSIS: This appeal has been filed to allow a daycare center with less than the required number of off-street parking spaces. Sec. 27-463(e) states that uses of this type require off-street parking at a ratio not less than four spaces per 1,000 square feet of floor area. The proposed building will be 4,930 square feet, requiring 20 off-street parking spaces. Appellate is requesting 5 parking spaces, a violation of 15 off-street parking spaces.

Total number of agenda items: 7

CITY PLANNING COMMISSION

DECEMBER 9, 2019

ORDER OF BUSINESS

MEETING TO CONVENE AT 6:30 P.M.

- I. CALL TO ORDER**
- II. PLANNING COMMISSION STATEMENT**
- III. CONSIDERATION OF CONSENT AGENDA**
- IV. CONSIDERATION OF NON-CONSENT AGENDA**
- V. REPORTS:**
 - 1. CMIP Project Selection Process – Turn in surveys from last month’s presentation.**
 - 2. Adoption of 2020 Deadlines Calendar**
- VI. ADJOURN**

**CITY PLANNING COMMISSION
AGENDA**

DECEMBER 9, 2019

6:30 PM

I. CALL TO ORDER

II. REPORTS

2020 Calendar

III. PLANNING COMMISSION STATEMENT

IV. CONSENT AGENDA

CONSIDERATION OF THE NOVEMBER 12, 2019 MINUTES

A. Special Use Permit Petitions

1. #SP-19402-00068 Reference: **SP-2019-76**
 Filed: 05/24/2019 Petitioner: **WATHIQ KASSIM**
 Address: **744 KANSAS AVE**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2016-92 - expired 1/5/2019) for vehicle repair/body shop

B. Subdivision Petitions

1. #SB-19404-00027 Reference: **BEVERLY HILLS**
 Filed: 10/15/2019 Petitioner: **JACOB GOOD**
 Address: **4110 N 71ST TER**

SYNOPSIS: Final Plat for one lot

IV. CONSENT AGENDA

B. Subdivision Petitions

2. **#SB-19404-00029** Reference: **WOLCOTT WWTP**
Filed: 10/25/2019 Petitioner: **KURT WINTERS/UG WATER POLLUTION CONTROL DPT**
Address: **9407 MAIN ST**

SYNOPSIS: Final Plat for one (1) lot at 9407 Main Street (NE of Wolcott Drive and Hutton Road) in conjunction with Final Plan Review #PR-2019-29

C. Plan Review Petitions

1. **#PR-19405-00027** Reference: **PR-2019-29**
Filed: 10/25/2019 Petitioner: **KURT WINTERS/UG WATER POLLUTION CONTROL DPT**
Address: **9407 MAIN ST**

SYNOPSIS: Final Plan Review for upgrades to the facility at 9407 Main Street (NE of Wolcott Drive and Hutton Road) in conjunction with Wolcott WTP Expansion Final Plat

V. NON-CONSENT AGENDA

A. Change of Zone Petitions

1. **#CZ-19401-00032** Reference: **3210**
Filed: 10/25/2019 Petitioner: **KORB MAXWELL / POLSINELLI PC**
Address: **11704 STATE AVE**

SYNOPSIS: Change of Zone from A-G Agriculture District to CP-2 Planned General Business District for the American Royal Hotel. This application will be heard with Special Use Permit #SP-2019-116, Plan Review Application #PR-2019-28, Master Plan Amendment #MP-2019-6 and American Royal Plat

B. Special Use Permit Petitions

V. NON-CONSENT AGENDA

B. Special Use Permit Petitions

1. **#SP-19402-00089** Reference: **SP-2019-97**
Filed: **08/06/2019** Petitioner: **DAMON DOWNS WITH DOWNS TRUCKING COMPANY**
Address: **4510 PARKVIEW AVE**

SYNOPSIS: Special Use Permit to park two (2) heavy dump trucks on vacant residential property overnight

2. **#SP-19402-00099** Reference: **SP-2019-107**
Filed: **09/27/2019** Petitioner: **TOM IRISH/4101 POWELL INC**
Address: **5831 STATE AVE**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2018-87 - expired 5/29/2019) for an earthen fill at 5700, 5832, 5900, 5831, 5831R and 5841 State Avenue and 1204 and 1215 North 59th Sreet

3. **#SP-19402-00104** Reference: **SP-2019-112**
Filed: **10/16/2019** Petitioner: **PETE DAVIS JR./KZK PROPERTIES**
Address: **1830 QUINDARO BLVD**

SYNOPSIS: Special Use Permit for a car dealership with auto repair

4. **#SP-19402-00105** Reference: **SP-2019-113**
Filed: **10/16/2019** Petitioner: **EDWARD J. BAIN**
Address: **1324 N 75TH DR**

SYNOPSIS: Home Occupation Special Use Permit for a short-term rental/AIRBNB

V. NON-CONSENT AGENDA

B. Special Use Permit Petitions

5. #SP-19402-00106 Reference: **SP-2019-114**
Filed: 10/25/2019 Petitioner: **BILL DUCKWORTH/BRICK ROAD MOTORSPORTS**
Address: **2820 ROE LN, U**

SYNOPSIS: Special Use Permit for a used car lot

6. #SP-19402-00108 Reference: **SP-2019-116**
Filed: 10/25/2019 Petitioner: **KORB MAXWELL/POLSINELLI PC**
Address: **11704 STATE AVE**

SYNOPSIS: Special Use Permit for American Royal events and amenities. This application will also be heard with Change of Zone #3210, Plan Review #PR-2019-28, Master Plan Amendment #MP-2019-6 and American Royal Plat.

The special use permit, plan review, master plan amendment and plat are addressed as 1620 North 118th Street, 11602 and 11704 State Avenue.

7. #SP-19402-00109 Reference: **SP-2019-117**
Filed: 10/25/2019 Petitioner: **FRED DEL TORO**
Address: **3447 N 31ST TER**

SYNOPSIS: Special Use Permit to keep a horse

8. #SP-19402-00110 Reference: **SP-2019-118**
Filed: 10/25/2019 Petitioner: **FRED DEL TORO**
Address: **3456 N 31ST TER**

SYNOPSIS: Special Use Permit to keep chickens and livestock

V. NON-CONSENT AGENDA

B. Special Use Permit Petitions

9. #SP-19402-00111 Reference: **SP-2019-119**
Filed: 10/25/2019 Petitioner: **LA DENA WASHINGTON/ALTAR SUPPORT INC.**
Address: **9151 PARALLEL PKWY**

SYNOPSIS: Special Use permit for a child/day care facility for a church

C. Vacation Petitions

1. #VC-19403-00013 Reference: **U/E-2019-14**
Filed: 10/30/2019 Petitioner: **MICHAEL CALLAHAN**
Address: **5205 N 130TH TER**

SYNOPSIS: Vacation of utility easements at 5125 and 5205 North 130th Terrace

D. Subdivision Petitions

1. #SB-19404-00028 Reference: **AMERICAN ROYAL**
Filed: 10/25/2019 Petitioner: **KORB MAXWELL/POLSINELLI PC**
Address: **11704 STATE AVE**

SYNOPSIS: Preliminary Plat for three (3) lots for the American Royal at 11602 and 11704 State Avenue and 120 North 118th Street. This application will be heard with Change of Zone #3210, Special Use Permit #SP-2019-116, Master Plan Amendment #MP-2019-6 and Plan Review #PR-2019-28

E. Plan Review Petitions

V. NON-CONSENT AGENDA

E. Plan Review Petitions

1. **#PR-19405-00025** Reference: **PR-2019-27**
Filed: 10/25/2019 Petitioner: **JESUS G. CASTANEDA,**
Address: **4301 POWELL AVE**

SYNOPSIS: Final Plan Review for an accessory structure

2. **#PR-19405-00026** Reference: **PR-2019-28**
Filed: 10/25/2019 Petitioner: **KORB MAXWELL/POLSINELLI PC**
Address: **11704 STATE AVE**

SYNOPSIS: Preliminary Plan Review for American Royal events and amenities. This application will be heard with Change of Zone #3210, Special Use Permit #SP-2019-116, Master Plan Amendment #MP-2019-6 and American Royal Preliminary Plat.

3. **#PR-19405-00028** Reference: **PR-2019-30**
Filed: 10/25/2019 Petitioner: **KURT WINTERS/UG WATER POLLUTION CONTROL DPT**
Address: **5425 N 99TH ST**

SYNOPSIS: Preliminary and Final Plan Review for upgrades to the existing Wolcott Wastewater Treatment Plant influent pump station

F. Miscellaneous Planning Petitions

1. **#MP-19409-00009** Reference: **MP-2019-6**
Filed: 10/25/2019 Petitioner: **KORB MAXWELL/POLSINELLI PC**
Address: **11704 STATE AVE**

SYNOPSIS: Master Plan Amendment from Planned Commercial/Business Park to Commercial/Entertainment. This application will be heard with Change of Zone #3210, Special Use Permit #SP-2019-116, Plan Review #PR-2019-28 and American Royal Preliminary Plat.

Total number of agenda items: 20

VI. ADJOURN