

**BOARD OF ZONING APPEALS**

**JANUARY 13, 2020**

**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

JANUARY 13, 2020

6:00 PM

### A. Zoning Appeal Petitions

1. #ZA-19410-00046 Reference: 2358

Filed: 11/13/2019 Petitioner: MICHAEL C. MILLS  
Address: 13300 PARALLEL PKWY

**SYNOPSIS:** This appeal has been filed to allow for a setback less than the required distance. Article VII, Section 4.2.A. states that there shall be a side yard on each side of a building not less than twenty (20) feet. The appellant is requesting to erect a building that sits ten (10) feet from the side boundary line, a violation of ten (10) feet.

2. #ZA-19410-00048 Reference: 2360

Filed: 12/02/2019 Petitioner: CHERI SCHRAG  
Address: 1856 N 28TH ST

**SYNOPSIS:** This appeal has been filed to allow a property to have a paved area exceeding forty percent (40%) of the yard. Section 27-673(b) states that paved parking areas or customary driveways in the required yards abutting streets shall not exceed 40 percent of the area of those yards for one- and two-family dwellings. The appellant has paved a driveway that encompasses sixty-four percent (64%) of the front yard, a violation of twenty-four percent (24%).

3. #ZA-19410-00049 Reference: 2361

Filed: 12/02/2019 Petitioner: ROSA A. GALVEZ  
Address: 545 SHAWNEE RD

**SYNOPSIS:** This appeal has been filed to allow for construction of the porch that will place the porch and a portion of the primary structure within the 25-foot setback. Section 27-467(d)(2)a states that setbacks from the front yard line shall be no less than 25 feet. The appellant is proposing to construct a sixty (60) square foot egress on the front yard of a structure with legal non-conforming setbacks. Construction of the egress with void the legal non-conforming status of the setback. The appellant is requesting a setback of 12.5 feet, a violation of 12.5 feet.

## A. Zoning Appeal Petitions

4. #ZA-19410-00050 Reference: 2362

Filed: 12/02/2019 Petitioner: FRANK SAIDOR/FRANK MOTORS INC  
Address: 402 OSAGE AVE

**SYNOPSIS:** This appeal has been filed to operate a used car dealership at 402 Osage Avenue and an automotive repair shop at 426 Osage Avenue, both businesses are operated in one building along with multiple additional existing tenant spaces. Sec. 27-446(e) states that commercial uses require off-street parking at a ratio of not less than four spaces per 1,000 square feet of floor area. Section 27-469(e) states that standard M-2 uses require off-street parking at a ratio of no less than one space per 500 square feet of floor area. The proposed use will contain 2,000 square feet of building area for the used car dealership, 3,000 square feet of building area for the automotive repair, and 17,000 square feet for additional industrial uses; requiring a total of 54 off-street parking stalls. Appellate is requesting to provide 42 off-street parking stalls; a violation of 12 parking stalls.

5. #ZA-19410-00051 Reference: 2363

Filed: 12/02/2019 Petitioner: KURT WINTERS/UG WATER POLLUTION CONTROL DEPT  
Address: 5425 N 99TH ST

**SYNOPSIS:** This appeal has been filed to allow 6 foot tall barbed wire fencing on a residentially zoned parcel. Sec. 8-225 states that barbed wire fences, sharp pointed fences, electrically charged fences or fences constructed of any materials which are liable to snap, tear, cut or otherwise injure anyone coming into contact with them shall not be permitted in residential districts. Sec. 8-223(a and b) state that an open fence of four feet in height is permitted anywhere on the property other than the sight distance triangle and a fence no more than six feet in height is permitted on side and rear property lines. Appellate is requesting to install a fence that is 6 feet high on all sides, with barbed wire at the top; a violation of two feet of height on the front of the property and one barbed-wire fence.

6. #ZA-19410-00052 Reference: 2364

Filed: 12/03/2019 Petitioner: RONALD GROTENHUIS/HICKORY UNION MOTO  
Address: 10 S JAMES ST

**SYNOPSIS:** This appeal has been filed to operate a motorcycle repair business with the possibility of alcohol consumption on the premises. Sec. 27-470(f) states that commercial uses shall provide parking as would be required in the C-3 District. Sec. 27-467(e) states that uses in this district require paved off-street parking at a ratio of no less than four spaces per 1,000 square feet of floor area in the building. Appellant is requesting 8 parking stalls for the building; a violation of 14 parking stalls. Sec. 27-668(a)(12) Taverns or private clubs serving alcoholic or cereal malt beverages, bingo parlors, discotheques, dance halls. One space for each 50 square feet of seating or assembly area plus one space for each remaining 200 square feet of total floor area. Appellant is requesting 8 parking stalls; a violation of 34 parking stalls.

## A. Zoning Appeal Petitions

7. #ZA-19410-00053      Reference:      2365

Filed: 12/03/2019      Petitioner:      NATHANIEL HAGEDORN / NORTHPOINT DEVELOPMENT  
Address:      747 N 69TH ST

**SYNOPSIS:** This appeal has been filed in conjunction with a Change of Zone application to MP-2 Planned General Industrial District to allow reduced screening requirements from adjacent residential properties. Sec. 27-700(b)3 states that in M-2 Districts, a buffer area shall be provided along 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-foot architectural screen adjacent to the property line and one row of shade trees spaced not more than 40 feet on center and one row of large shrubs spaced not more than eight feet on center. Appellate is requesting to install alternate screening of a double row of evergreen trees with triangular spacing at 20 feet on center and retention of existing landscaping; a violation of one six-foot architectural screen, one row of shade trees, and one row of large shrubs.

**Total number of agenda items:      7**

**CITY PLANNING COMMISSION**

**JANUARY 13, 2020**

**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. ELECTION OF OFFICERS**
- VI. REPORTS**
- VII. ADJOURN**

**CITY PLANNING COMMISSION  
AGENDA**

**JANUARY 13, 2020**

**6:30 PM**

**I. CALL TO ORDER**

**II. REPORTS**

Election of Officers

**III. PLANNING COMMISSION STATEMENT**

**IV. CONSENT AGENDA**

**CONSIDERATION OF THE DECEMBER 9, 2019 MINUTES**

**A. Special Use Permit Petitions**

- |                           |             |   |
|---------------------------|-------------|---|
| <b>1. #SP-19402-00115</b> | Reference:  | <b>SP-2020-4</b>                          |
| Filed: 12/02/2019         | Petitioner: | <b>JOE HEIDRICK/CACTUS BED PROPERTIES</b> |
|                           | Address:    | <b>4313 RAINBOW BLVD</b>                  |

**SYNOPSIS: Renewal of a Special Use Permit (#SP-2018-88 - expired 11/29/2019) for a short-term rental/AIRBNB**

- |                           |             |                                  |
|---------------------------|-------------|----------------------------------|
| <b>2. #SP-19402-00117</b> | Reference:  | <b>SP-2020-6</b>                 |
| Filed: 12/02/2019         | Petitioner: | <b>STEFANIE WERTH/KVC KANSAS</b> |
|                           | Address:    | <b>344 N 38TH ST</b>             |

**SYNOPSIS: Renewal of a Special Use Permit (#SP-2017-75 - expired 11/30/2019) for short-term youth foster care at 316-334 North 38th Street**

## IV. CONSENT AGENDA

### A. Special Use Permit Petitions

3. **#SP-19402-00118**      Reference: **SP-2020-7**  
Filed: **12/02/2019**      Petitioner: **FREDERICK AVERY/AVERY'S VILLAGE**  
Address: **6261 LEAVENWORTH RD**

**SYNOPSIS: Renewal of a Special Use Permit (#SP-2017-36 - expired 11/30/2019) for a youth residential facility**

4. **#SP-19402-00119**      Reference: **SP-2020-8**  
Filed: **12/02/2019**      Petitioner: **ANN AND ROY BAUGH**  
Address: **1615 N 86TH ST**

**SYNOPSIS: Renewal of a Home Occupation Special Use Permit (#SP-2018-2 - expired 1/2/2020) or a short-term rental/AIRBNB**

5. **#SP-19402-00120**      Reference: **SP-2020-9**  
Filed: **12/02/2019**      Petitioner: **ALMA MENDOZA**  
Address: **741 WASHINGTON BLVD**

**SYNOPSIS: Renewal of a Special Use Permit (#SP-2017-62 - expired 1/2/2020) or auto detailing and used car sales**

6. **#SP-19402-00121**      Reference: **SP-2020-10**  
Filed: **12/03/2019**      Petitioner: **RUBY MARTIN/HILL TOP SADDLE CLUB**  
Address: **5025 MUNCIE DR**

**SYNOPSIS: Renewal of a Special Use Permit (#SP-2017-61 - expired 11/30/2019) for a trailer to hold monthly meetings and storage of supplies for horse riding club**

## IV. CONSENT AGENDA

### A. Special Use Permit Petitions

7. #SP-19402-00122      Reference:      **SP-2020-11**  
Filed: 12/03/2019      Petitioner:      **D. SCOTT CUMMINS/TIRE & WHEEL**  
Address:                      **3748 STATE AVE**

**SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-67 - expired 10/30/2019) for tire sales and light mechanical auto work**

## V. NON-CONSENT AGENDA

### A. Change of Zone Petitions

1. #CZ-19401-00034      Reference:      **3212**  
Filed: 11/21/2019      Petitioner:      **ANISHA M. EVANS ROARK**  
Address:                      **2815 N 20TH ST**

**SYNOPSIS: Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District for a duplex**

2. #CZ-19401-00035      Reference:      **3213**  
Filed: 12/03/2019      Petitioner:      **NATHANIEL HAGEDORN / NORTHPOINT DEVELOPMENT**  
Address:                      **747 N 69TH ST**

**SYNOPSIS: Change of Zone from R-1 Single Family, RP-M Planned Mobile Home Park, RP-5 Planned Apartment and CP-2 Planned General Business Districts to MP-2 Planned General Industrial District for a logistics park for warehousing, distribution and light manufacturing business in conjunction with Master Plan Amendment #MP-2020-1 from Low Density Residential and Mixed Use to Industrial and Turner Logistics Center East Preliminary Plat**

### B. Special Use Permit Petitions



## V. NON-CONSENT AGENDA

### B. Special Use Permit Petitions

1. **#SP-19402-00061**      Reference: **SP-2019-70**  
Filed: **04/26/2019**      Petitioner: **RONALD GROTENHUIS/HICKORY UNION MOTO**  
Address: **10 S JAMES ST**

**SYNOPSIS: Special Use Permit for a community motorcycle garage for do-it-yourself repair and storage of your own motorcycle**

2. **#SP-19402-00072**      Reference: **SP-2019-80**  
Filed: **05/24/2019**      Petitioner: **ALEXANDER REPSHOLDT/AREP AND ANDERSON LLC**  
Address: **338 N 14TH ST**

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

3. **#SP-19402-00073**      Reference: **SP-2019-81**  
Filed: **05/24/2019**      Petitioner: **ERIK FRANK ANDERSON/KC VIKING REALTY, LLC**  
Address: **334 N 14TH ST**

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

4. **#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**

## V. NON-CONSENT AGENDA

### B. Special Use Permit Petitions

5. **#SP-19402-00090**      Reference:    **SP-2019-98**  
Filed: **08/08/2019**      Petitioner:    **FARKHOD A. SAIDOV/FRANK MOTORS, INC.**  
Address:                    **402 OSAGE AVE**  
                                     **406 OSAGE AVE**

**SYNOPSIS: Special Use Permit for automobile sales and auto repair**

6. **#SP-19402-00095**      Reference:    **SP-2019-103**  
Filed: **09/23/2019**      Petitioner:    **EVAN DOLBY**  
Address:                    **3140 S 28TH ST**

**SYNOPSIS: Special Use Permit (#SP-2017-4 - expired 3/30/2019) for a tire distribution center**

7. **#SP-19402-00100**      Reference:    **SP-2019-108**  
Filed: **09/27/2019**      Petitioner:    **SCHAEFFER STEVENSON**  
Address:                    **3420 N 67TH ST**

**SYNOPSIS: Special Use Permit for the Temporary Use of Land to park work trucks and store work equipment**

8. **#SP-19402-00102**      Reference:    **SP-2019-110**  
Filed: **09/30/2019**      Petitioner:    **ADRIENE NORTON/BIZY DOGS**  
Address:                    **1046 MERRIAM LN**

**SYNOPSIS: Special Use Permit for a dog grooming and boarding operation**

## 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**

10. #SP-19402-00112      Reference:    **SP-2020-1**  
Filed: 11/05/2019      Petitioner:    **CLIFFORD DALE JR/4104 POWELL AVE, LLC**  
Address:                **941 N 74TH DR**

**SYNOPSIS: Special Use Permit (#SP-2017-11 - expired 3/30/2019) for live entertainment in conjunction with Mason Jar restaurant**

11. #SP-19402-00113      Reference:    **SP-2020-2**  
Filed: 11/15/2019      Petitioner:    **JOHN DENNISON**  
Address:                **4447 BOOTH ST**

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

12. #SP-19402-00116      Reference:    **SP-2020-5**  
Filed: 12/02/2019      Petitioner:    **ADVANCE STORES CO INC**  
Address:                **21 S 18TH ST**

**SYNOPSIS: Special Use Permit (#SP-2017-34 - expired 6/29/2019) for a parking lot**

### C. Vacation Petitions

## V. NON-CONSENT AGENDA

### C. Vacation Petitions

1. **#VC-19403-00006**      Reference: **U/E-2019-7**  
Filed: **09/27/2019**      Petitioner: **TORY GRAHAM WITH GTS HOMES LLC**  
Address: **3640 N 110TH TER**

**SYNOPSIS: Vacation of utility easements**

2. **#VC-19403-00007**      Reference: **U/E-2019-8**  
Filed: **09/27/2019**      Petitioner: **TORY GRAHAM WITH GTS HOMES LLC**  
Address: **3638 N 110TH TER**

**SYNOPSIS: Vacation of utility easements**

3. **#VC-19403-00008**      Reference: **U/E-2019-9**  
Filed: **09/27/2019**      Petitioner: **TORY GRAHAM WITH GTS HOMES LLC**  
Address: **3636 N 110TH TER**

**SYNOPSIS: Vacation of utility easements**

4. **#VC-19403-00009**      Reference: **U/E-2019-10**  
Filed: **09/30/2019**      Petitioner: **TORY GRAHAM WITH GTS HOMES LLC**  
Address: **3630 N 110TH TER**

**SYNOPSIS: Vacation of utility easements**

## V. NON-CONSENT AGENDA

### C. Vacation Petitions

5. **#VC-19403-00010**      Reference: **U/E-2019-11**  
Filed: **09/30/2019**      Petitioner: **TORY GRAHAM WITH GTS HOMES, LLC**  
Address: **3624 N 110TH TER**

**SYNOPSIS: Vacation of utility easements**

6. **#VC-19403-00011**      Reference: **U/E-2019-12**  
Filed: **09/30/2019**      Petitioner: **TORY GRAHAM WITH GTS HOMES, LLC**  
Address: **3618 N 110TH TER**

**SYNOPSIS: Vacation of utility easements**

7. **#VC-19403-00014**      Reference: **U/E-2020-1**  
Filed: **12/02/2019**      Petitioner: **MELISSA VANCNUM/DEAN REALTY CO.**  
Address: **10 E CAMBRIDGE CIRCLE DR**

**SYNOPSIS: Vacation of utility easements**

8. **#VC-19403-00015**      Reference: **U/E-2020-2**  
Filed: **12/02/2019**      Petitioner: **MELISSA VANCNUM/ROUSE FRETS WHITE GOSS**  
Address: **1155 ADAMS ST**

**SYNOPSIS: Vacation of utility easements**

## V. NON-CONSENT AGENDA

### C. Vacation Petitions

9. #VC-19403-00016      Reference:      **S-2020-3**  
Filed: 12/03/2019      Petitioner:      **MICKY DAVIS/REECE AND NICHOLS ROBERTS**  
Address:                      **640 CENTRAL AVE**

**SYNOPSIS: Vacation of a street between North Tremont to 7th Street Trafficway**

10. #VC-19403-00017      Reference:      **S-2020-4**  
Filed: 12/03/2019      Petitioner:      **MICKY DAVIS/REECE AND NICHOLS ROBERTS**  
Address:                      **3 N 6TH ST TRFY**

**SYNOPSIS: Vacation of a street between North 7th Street Trafficway to Simpson Avenue**

### D. Subdivision Petitions

1. #SB-19404-00026      Reference:      **3450 EAST DRIVE**  
Filed: 09/30/2019      Petitioner:      **DOUG BACH FOR UNIFIED GOVERNMENT OF WY  
CO/KCK**  
Address:                      **3450 EAST DR**

**SYNOPSIS: Preliminary and Final Plat for 1 lot**

2. #SB-19404-00025      Reference:      **4400 WEST DRIVE**  
Filed: 09/30/2019      Petitioner:      **DOUG BACH FOR UNIFIED GOVERNMENT OF WY  
CO/KCK**  
Address:                      **4400 WEST DR**

**SYNOPSIS: Preliminary and Final Plat for 1 lot**

## V. NON-CONSENT AGENDA

### D. Subdivision Petitions

3. **#SB-19404-00030**      Reference:    **TURNER LOGISTICS EAST**  
Filed: 12/03/2019      Petitioner:    **NATHANIEL HAGEDOM / NORTHPOINT DEVELOPMENT**  
Address:                **747 N 69TH ST**

**SYNOPSIS: Preliminary Plat for nine (9) lots in conjunction with Change of Zone Application #3213 and Master Plan Amendment #MP-2020-1**

### E. Plan Review Petitions

1. **#PR-19405-00029**      Reference:    **PR-2020-1**  
Filed: 11/15/2019      Petitioner:    **TED MCANANY/ASPHALT SALES COMPANY**  
Address:                **2751 S 88TH ST**

**SYNOPSIS: Preliminary and Final Plan Review for an asphalt manufacturing facility**

### F. Miscellaneous Planning Petitions

1. **#MP-19409-00010**      Reference:    **MP-2020-1**  
Filed: 12/03/2019      Petitioner:    **NATHANIEL HAGEDORN / NORTHPOINT DEVELOPMENT**  
Address:                **747 N 69TH ST**

**SYNOPSIS: Master Plan Amendment from Low Density Residential and Mixed Use to Industrial in conjunction with Change of Zone Application #3213 from R-1 Single Family, RP-M Planned Mobile Home Park, RP-5 Planned Apartment and CP-2 Planned General Business Districts to MP-2 Planned General Industrial District for a logistics park for warehousing, distribution and light manufacturing business and Turner Logistics East Preliminary Plat**

**Total number of agenda items:    36**

## VI. ADJOURN