



# BOARD OF ZONING ADJUSTMENT DOCKET

February 13, 2024

9:00 A.M.

The hearing will be hybrid, both in-person at City Hall, 414 East 12th Street, 10th floor Council Committee Room, Kansas City, Missouri and virtually via Zoom. Details can be found at <https://kcmo.gov/bza>

## OTHER MATTERS

1. The Board of Zoning Adjustment may hold a closed session to discuss legal matters and legal advice pursuant to Section 610.021 (1), RSMO.
2. There may be general discussion(s) regarding current Board of Zoning Adjustment issues.
3. The Board of Zoning Adjustment will take breaks (lunch and water) at regular intervals. The Chair will announce the time length of each break.

## BZA CASES

Docket Item	Planner	Case Information	Council District
1	Stephanie Saldari	<p><b><u>CD-BZA-2023-00160 – 848 W 52<sup>nd</sup> Ter</u></b> – A request to approve a variance to allow for an accessory structure in the street side yard, plus any other needed variances in an R-10 zoning district on about 0.46 acres generally located at 848 W 52nd terrace.</p> <p>Owner: Bridget Grams &amp; Aan Gaylin            Applicant: Jacques LeBlanc            Owner Attendance  <b>Continued from 12/12/23, 1/9/24</b>  <b>Required Quorum: Ebbitts, Mixdorf, Moran, Wright</b></p>	6
2	Ahna Nanoski	<p><b><u>CD-BZA-2023-00153 – 1704 Jefferson St</u></b> – A request to appeal the denial of a Certificate of Legal Nonconforming Use for a Short Term Rental on about .15 acres generally located at 174 Jefferson St.</p> <p>Owner &amp; Applicant: Megan Duma            MD KC LLC            1943 Edgemont St            San Diego, CA 92102            Property Owner Attendance  <b>Continued from 12/12/23*, 1/9/24</b>  <b>Required Quorum: Gorenc, Moran, Mixdorf, Wright</b></p>	4

3	Stephanie Saldari	<p><b><u>CD-BZA-2023-00129 – 1200 W 20th Ter</u></b> – A request to approve a variance to the footprint of a detached garage, the rear setback, and placement on the street side yard, plus any other needed variances in an R-6 zoning district on about 0.1 acres generally located at 1200 W 20th Terrace.</p> <p><b>Owner:</b> Mary &amp; Erie Lopez  <b>Applicant:</b> Mario Leon  <b>Property Owner Attendance</b>  <b>Continued from 10/10/23, 11/14/23, 12/12/23</b>  <b>Required Quorum: Ebbitts, Gorenc, Mixdorf, Moran, Wright</b></p>	4
4	Ahna Nanoski	<p><b><u>CD-BZA-2023-00084 – 4821 Roanoke Pkwy Unit 10 C –</u></b>  <b>Applicant's Request</b></p> <p>I [the STR permit applicant] am making this application under protest, and in order to preserve my rights. I was never notified via email that my application was voided, and it was denied May 31, 2023.</p> <p>That email did not meet the requirements as set forth in 88-321-04-C. PERMIT DENIAL, SUSPENSION, OR REVOCATION. Specifically, it does not identify the "basis for the determination of ineligibility." Nor does it "include a statement of information advising the short term host or proposed host that the host is entitled to a hearing to contest the determination of ineligibility for listing, suspension, or revocation by filing an appeal of administrative decision in accordance with 88.575. 3.</p> <p>I am submitting the current application to appeal in an abundance of caution as to not waive any rights I have under law.</p> <p>Owner: Sunset Building LLC  803 W 48<sup>th</sup> St  Kansas City, MO 64112  Applicant: Adam Weindling  PO BOX 10110  Kansas City, MO 64171  Attorney Representation = Patricia Jensen  <b>Continued from 8/08/23*, 9/12/23*, 10/10/23, 11/14/23, 12/12/23*</b></p>	4
5	Stephanie Saldari	<p><b><u>CD-BZA-2023-00126 – 8201 E 49<sup>th</sup> St</u></b> – A request to approve a variance to the footprint of an accessory structure and its placement on the front yard, plus any other needed variances in an R-7.5 zoning district on about 2.6 acres generally located at 8201 E 49th Street.</p> <p>Owner: Maria &amp; Isidro Roldan  Applicant: Isidro Roldan  Property Owner Attendance  <b>Continued from 10/10/23, 11/14/23, 12/12/23*</b>  <b>DIMISS</b></p>	2

6	Stephanie Saldari	<p><b><u>CD-BZA-2023-00127 – 4924 NW Linden Rd</u></b> – A request to approve a variance to the permitted max width for a driveway plus any other needed variances in an R-7.5 zoning district on about 0.65 acres generally located at 4924 NW Linden Road.</p> <p>Owner: Sami &amp; Frank Nguyen  Applicant: Black Jack Contracting  Owner Consent Form: Attached to CompassKC  <b>Continued from 10/10/23, 11/14/23, 12/12/23*</b></p>	2
7	Connor Tomlin	<p><b><u>CD-BZA-2023-00145 – 5127 NE 71<sup>st</sup> Pl</u></b> – A request to approve a special exception to permit a 6 foot fence in an R-7.5 district, plus any additional variances on about 0.2 acres generally located at 5127 NE 71<sup>st</sup> Place</p> <p>Owner: Juli Ann Garber  Applicant: Midtown KC  Property Owner Consent or Attendance: Unknown  <b>Continued from 11/14/23, 12/12/23*</b>  <b>DISMISS</b></p>	2
8	Connor Tomlin	<p><b><u>CD-BZA-2023-00159 – 5421 Wornall Rd</u></b> – A request to approve a variance to the rear yard setback requirements to permit an addition to the primary structure, plus any additional variances on about 0.3 acres generally located at 5421 Wornall Road.</p> <p>Owner: Guy Teel  Applicant: Castrop Design  Consent Form or Property Owner Attendance: Property Owner Attendance  <b>Continued from 12/12/23*</b></p>	6
9	Genevieve Kohn	<p><b><u>CD-SUP-2023-00049 – 2 NE 32<sup>nd</sup> St</u></b> – A request to approve of a special use permit to allow construction of a 12,000 square foot addition to the KCMO water treatment plant in district R-6 on about 83 acres generally located at the northwest corner of NW 32nd Street and N Oak Trafficway.</p> <p>Owner: City of Kansas City C/O Water Service Dept  Applicant: Debra Smith (Water Services Department)  Property Owner Attendance or Consent Form: Attendance  <b>CPC Recommendation: Approval with Conditions</b>  <b>Continued from 1/9/24</b></p>	4

10	Ahanna Nanoski	<p><b><u>CD-BZA-2023-00142 – 131 E 39th St</u></b>– A request to appeal zoning violations related to a nonconforming sign (Fast Stop/Park 39 pole sign) on about .2 acres generally located at 131 E 39th St.</p> <p>Owner: HP Development Partners 5 LLC  Applicant: Chip Walsh (Sustainable Development Partners of Kansas City) and David Brian (Brain Group)  Property Owner Consent: Attached to Compass KC  <b>Continued from 11/14/23, 1/9/24</b>  <b>DISMISS</b></p>	4
11	Ahanna Nanoski	<p><b><u>CD-BZA-2023-00143 – 12800 Holmes Rd</u></b></p> <p>Chris McMurray Trust, owner of the property adjoining Limeview's property at 12800 Holmes Road, appeals the September 11, 2023 determination by Joe Rexwinkle that Limeview's submitted construction drawings for utility work are in conformance with the approved Limeview preliminary plat and that the tree preservation ordinance is not applicable because the preliminary plat was approved before the tree preservation ordinance went into effect. Sheet C1.30 of the approved preliminary plat dated Jan. 1, 2023 shows the sanitary sewer line connection outside of the Holmes Road right of way. Sheet C-110 of the Limeview sanitary sewer plans submitted April 2023 shows the sanitary sewer line in the Holmes Road right of way. The city's master street plan shows this section of Holmes to be 4 lanes in the future meaning Limeview's unilateral change in the sewer line location between the approved preliminary plat and the sanitary sewer plans will result in the sewer line being under the pavement of Holmes Road. Such a unilateral deviation by the developer, after the DRC was shown the sewer line to be outside of the Holmes Road right of way, on such a critical plan element constitutes an abandonment of the approved preliminary plat and/or requires the re-submittal of an application for approval of a new preliminary plat with the sewer line in the new proposed location of being in the city's right of way and likely ending up under the pavement of Holmes Road. That is the only way for the DRC or the CPC to determine whether to approve a preliminary plat with a sewer line proposed to be in the city's right of way and likely under the pavement of Holmes Road at some point in the future. And, because a new application for approval of a preliminary plat is required by Limeview, that application will necessarily come after the tree preservation ordinance went into effect meaning the provisions of the tree preservation ordinance (i.e., Sections 88-424-01 through 88-424-11, Tree Preservation and Protection) are applicable to the Limeview project at 12800 Holmes.</p> <p>Owner: Limeview Developmnet LLC  Applicant: John Roe (The Roe Law Frim LLC)  Attorney Attendance  <b>Continued from 11/14/23, 12/12/23, 1/9/24</b></p>	6

12	Ahnna Nanoski	<p><b><u>CD-BZA-2023-00137 – 208 Westport Rd</u></b> – A request to appeal zoning violations related to a prohibited use (Adult Business) on about .4 acres generally located at 208 Westport Rd.</p> <p>Owner: Lanc Investments LLC  Applicant: Patrica Jensen (Rouse Frets White Goss)  Attorney Attendance.  <b>Continued from 11/14/23</b></p>	4
13	Ahnna Nanoski	<p><b><u>CD-BZA-2023-00133 – 1321 Westport Rd</u></b> – A request to appeal zoning violations related to a nonconforming sign (vacant pole sign) on about .15 acres generally located at 1321 Westport Rd.</p> <p>Owner: Jjre of Kansas City LLC 2  Applicant: Chris Mattix (Rouse Frets White Goss)  Attorney Attendance  <b>Continued from 11/14/23, 1/9/24</b>  <b>DISMISS</b></p>	6
14	Ahnna Nanoski	<p><b><u>CD-BZA-2023-00156 – 6902 Prospect Ave</u></b> – A request to appeal zoning violations related to a tavern/bar and parking requirements on about .14 acres generally located at 6900 Prospect Ave.</p> <p>Owner &amp; Applicant: Lounge 42 LLC, Alfie Carter  Attorney Attendance: John Roe  Roe Law Firm LLC  <b>Continued from 12/12/23, 1/9/24</b>  <b>DISMISS</b></p>	5
15	Stephanie Saldari	<p><b><u>CD-BZA-2023-00170 – 5930 Ward Pkwy</u></b> – A request to approve a variance to the platted side setback in an R-6 zoning district, plus any other needed variances on about 0.75 acres generally located at 5930 Ward Parkway.</p> <p>Owner: Claudia Onate &amp; Edward Greim  Applicant: Hilary Bybee  Consent Form  <b>Continued from 1/9/24</b></p>	6
16	Connor Tomlin	<p><b><u>CD-BZA-2023-00162 – 4232 Park Ave</u></b> – A request to approve a variance to the Infill Residential Standards to permit a garage on the subject site, plus any additional variances on about 0.1 acres generally located at 4232 Park Avenue.</p> <p>Owner: National Home Corporation  Applicant: Kim Gard  Property Owner Attendance or Consent Form: Owner Consent Form  <b>Continued from 1/9/24</b></p>	3

17	Connor Tomlin	<p><b><u>CD-BZA-2023-00164 – 14333 Kelley Rd</u></b> – A request to approve a variance to the Accessory Dwelling Units standards in an R-80 zoning district, plus any additional variances on about 13.54 acres generally located at 14333 Kelley Road.</p> <p>Owner: John Daley &amp; Cutrara-Daly  Applicant: Sean Sparks  Property Owner Attendance or Consent Form: Unknown  <b>Continued from 1/9/24</b></p>	5
18	Connor Tomlin	<p><b><u>CD-SUP-2023-00042 – 3242 Benton Blvd</u></b> – A request to approve a Special Use Permit to permit a bed and breakfast in district R-2.5 on about 0.13 acres generally located at 3242 Benton Boulevard.</p> <p>Owner: Christopher Morris  Applicant: Christopher Morris  Consent Form or Property Owner Attendance: Owner attendance  <b>CPC Recommendation: Approval, Subject to Conditions</b></p>	3
19	Genevieve Kohn	<p><b><u>CD-SUP-2023-00050 – 916 Newton Ave</u></b> – A request to approve a Special Use Permit to site a group living in district R-1.5 on about 0.354 acres generally located at 916 Newton Ave.</p> <p>Owner: Semsudin Skender  Applicant: Kelly Welch (Sheffield Place)  Consent Form: Attached to CompassKC  <b>CPC Recommendation: Approval, Subject to Conditions</b></p>	4
20	Larisa Chambi	<p><b><u>CD-SUP-2023-00051 – 2140 E Meyer Blvd</u></b> – A request to approve a special use permit for an extension of the Research College of Nursing and HCA Healthcare on about 50.42 acres generally located at the southwest corner of East Meyer Blvd and Hospital Access Rd.</p> <p>Owner: Hospital Corporation of Tennessee  Applicant: George Buttler Associates  Property Consent Form: Attached to CompassKC  <b>CPC Recommendation: Approval, Subject to Conditions</b></p>	5
21	Andrew Clarke	<p><b><u>CD-SUP-2023-00052 – 6409 Agnes Ave</u></b> – A request to approve a major amendment to a previously approved Special Use Permit on about 5.8 acres generally located at Agnes Ave and E 65<sup>th</sup> St.</p> <p>Owner: Hogan Prep  Applicant: Hogan Prep  Consent Form or Property Owner Attendance: Attendance  <b>CPC Recommendation: Approval, Subject to Conditions</b></p>	5

22.1	Stephanie Saldari	<p><b><u>CD-BZA-2023-00121 – 3850 Bernard Powell Dr Lot 1</u></b> – A request to approve a variance to the accessory structure lot and building standards of several detached garages and accessory structures, plus any other needed variances and special exceptions in an R-2.5 and M1-5 zoning districts on about 2 acres generally located at 3850 Bernard Powell Drive.</p> <p>Owner: Black Economic Union of Greater KC  Applicant: Jim Gamble  Property Owner Attendance</p>	3
22.2	Stephanie Saldari	<p><b><u>CD-BZA-2023-00122 – 3850 Bernard Powell Dr Lot 2</u></b> – A request to approve a variance to the accessory structure lot and building standards of several detached garages and accessory structures, plus any other needed variances and special exceptions in an R-2.5 and M1-5 zoning districts on about 2 acres generally located at 3850 Bernard Powell Drive.</p> <p>Owner: Black Economic Union of Greater KC  Applicant: Jim Gamble  Property Owner Attendance</p>	3
23	Stephanie Saldari	<p><b><u>CD-BZA-2023-00166 – 820 E 86<sup>th</sup> Ter</u></b> – A request to approve a variance to the footprint of an accessory dwelling unit, plus any other needed variances in an R-7.5 zoning district on about 0.67 acres generally located at 820 E 86<sup>th</sup> Terrace.</p> <p>Owner: Angela Crane  Applicant: Scott Crane  Property Owner Attendance</p>	6
24	Connor Tomlin	<p><b><u>CD-BZA-2023-00173 – 5144 Oak St</u></b> – A request to approve the maximum size of a wall sign, plus any additional variances on about 3.08 acres generally located at 5144 Oak Street.</p> <p>Owner: Church of the Resurrection – United Methodist  Applicant: Rachel Gray (Schurle Signs)  Consent Form or Property Owner Attendance: Consent Form</p>	6
25	Connor Tomlin	<p><b><u>CD-BZA-2023-00176 – 3201 NW 100<sup>th</sup> St</u></b> – A request to approve a variance to the maximum size of a monument sign, plus any additional variances on about 118.25 acres generally located at 3201 NW 100<sup>th</sup> Street.</p> <p>Owner: Ashlar Homes LLC  Applicant: Matthew Kist (Kimley-Horn)  Property Owner Attendance</p>	1

26	Connor Tomlin	<p><b><u>CD-BZA-2024-00001 – 5134 Wyandotte St</u></b> – A request to approve a variance to the maximum height of a detached garage, plus any additional variances on about 0.7 acres generally located at 5134 Wyandotte Street.</p> <p>Owner: James D and Courtney Root  Applicant: Castrop Design  Consent Form or Property Owner Attendance: Owner Attendance</p>	6
27	Stephanie Saldari	<p><b><u>CD-BZA-2024-00004 – 3504 Genessee St</u></b> – A request to approve a special exception for the height of a fence on the north side of the lot, plus any other needed special exceptions in an R-5 zoning district on about 0.3 acres generally located at 3504 Genessee Street.</p> <p>Owner: Mallory Henrich &amp; Nathan Marion  Applicant: Nathan Marion  Property Owner Attendance:</p>	4