



Board of Zoning Adjustment Minutes

Hearing Date: July 10, 2024

414 E 12th Street, 10th Floor, Council Committee Room
Kansas City, Missouri 64106
kcmo.org/planning

Docket Item: 1

CD-SUP-2023-00010 A request to approve a Special Use Permit for a drive-through restaurant within the Main Street Corridor Overlay District on about 1 acre generally located at 3255 Main St.

Applicant: Rachelle Biondo of Rouse Frets White Goss Gentile Rhodes, a Professional Corporation

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Commissioners Absent: Wright

Commissioners Recusing: None

Testimony: No

Ahna Nanoski introduced the case and stated staff recommended a continuance to August 14, 2024 without a fee. No one appeared for testimony. Board members continued the case to August 14, 2024 without fee.

Motion: Continued Fee: NO

Motioned by: Mixdorf

Seconded by: Moran

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 2

CD-SUP-2024-00012 A request to approve a special use permit to allow for drive-through facility for an eating and drinking establishment in district DC-15 on about .8 acres generally located at Grand Boulevard and E. 12th Street.

Applicant: David Waters of Spencer Fane LLP

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Commissioners Absent: Wright

Commissioners Recusing: None

Testimony: No

Ahna Nanoski introduced the case and stated staff recommended a continuance to August 14, 2024 without a fee. No one appeared for testimony. Board members continued the case to August 14, 2024 without fee.

Motion: Continued Fee: NO

Motioned by: Mixdorf

Seconded by: Moran

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 3

CD-BZA-2024-00045 A request to approve a special exception for a fence to be greater than 4 feet in height on a vacant lot, plus any additional variances on about 0.12 acres generally located at 4432 Troost Avenue.

Applicant: ERNEST WEDOFF

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Meier

Commissioners Absent: Wright

Commissioners Recusing: Mixdorf

Testimony: Yes

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Connor Tomlin presented the case. Quorum was reestablished. 11 Exhibits were admitted. The applicant, Ernest Wedoff, and HOA board member, Chris Koch, appeared and spoke about their requests. Board members discussed the merits of the case and continued the case without fee to 1/8/25 to allow the applicant time to obtain funds for wrought iron fence.

Motion: Continued Fee: NO

Motioned by: Moran

Seconded by: Hays

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Meier

Voting Nay: None

Abstaining: None

Docket Item: 4

CD-BZA-2024-00021 A request to approve a variance to allow a gravel driveway plus any other needed variances in an R-7.5 zoning district on about 3.5 acres generally located at 9350 Olmstead Road.

Applicant: Andrew Madasz of EAST WING CONSTRUCTION LLC

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. 9 Exhibits were admitted. The applicant Andrew Madasz appeared and spoke about their requests. No one appeared for public testimony. Board members discussed the merits of the case and approved it with condition to use 3/4 clean gravel or other dustless gravel.

Motion: Approved with Conditions

Motioned by: Moran

Seconded by: Gorenc

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 5

CD-BZA-2024-00052 A request to appeal determinations related to a denied Temporary Use Permit on about 2.29 acres generally located at 5005 N Brighton Ave.

Applicant: Randall Brack of Trinity Christian Center

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Testimony: Yes

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced and presented the case. 11 Exhibits were admitted. The applicant team Randall Brack and Judith Rodriguez appeared and spoke about their requests. For public testimony, William O. appeared in opposition. Board members discussed the merits of the case and continued the case without fee to 10/9/24 to allow the applicant time to consider re-zoning and to satisfy neighbors' complaints.

Motion: Continued Fee: NO

Motioned by: Hays

Seconded by: Moran

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 6

CD-BZA-2024-00025 A request to approve a variance to the monument sign setback standards, plus any other needed variances in an B2-2 zoning district on about 0.9 acres generally located at 8430 N Indiana Avenue.

Applicant: Zach Steele of Hilton Displays

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Commissioners Absent: Wright

Commissioners Recusing: None

Testimony: No

Ahna Nanoski introduced the case and stated staff recommended a continuance to August 14, 2024 without a fee. No one appeared for testimony. Board members continued the case to August 14, 2024 without fee.

Motion: Continued Fee: NO

Motioned by: Mixdorf

Seconded by: Moran

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 7

CD-SUP-2024-00013 A request to approve a Special Use Permit for a Bed and Breakfast (without an onsite manager or property owner) and event space in district R-7.5 on about .4 acres generally located at 511 Gladstone Blvd.

Applicant: Megan Duma of MD KC, LLC

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Testimony: Yes

Board chair Ebbitts swore in staff and applicant. Ahna Nanoski introduced and presented the case. 10 Exhibits were admitted. The applicant Megan Duma appeared and spoke about their requests. The applicant submitted a powerpoint presentation that was admitted as exhibit 11. No one appeared for public testimony. Board members discussed the merits of the case and went to closed session. When board members came back from closed session they decided to continue without fee to 9/11/24.

Motion: Scheduled Fee: NO

Motioned by: Mixdorf

Seconded by: Hays

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 8

CD-SUP-2024-00017 A request to approve a Special Use Permit in District M1-5 (Manufacturing) to allow for a General Recycling facility on about 23 acres generally located at 3005 Manchester Trfy.

Applicant: Dan Koziatek of CEC, Inc.

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff and applicant. Ahna Nanoski introduced the case. Justin Smith presented the case. 9 Exhibits were admitted. The applicant Amanda Schoolcraft appeared and spoke about their requests. No one appeared for public testimony. Board members discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Mixdorf

Seconded by: Hays

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 9

CD-BZA-2024-00037 A request to approve a variance to the maximum size of a wall sign, plus any additional variances on about 16.9 acres generally located at 11601 E US 40 Highway.

Applicant: Lisa Collins of BRR Architecture

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Commissioners Absent: Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff. Ahnna Nanoski introduced the case and stated that the applicant requested dismissal since they are no longer requesting variances for the sign. Board members approved to dismiss the case.

Motion: Dismissed

Motioned by: Mixdorf

Seconded by: Moran

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 10

CD-BZA-2024-00081 A request to approve a variance in an R-2.5 district to permit a digital sign be located in a residentially zoned parcel, plus any additional variances on about 19.77 acres generally located at 1801 White Ave.

Applicant: Douglas Day of Frontier Restoration, LLC.

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Commissioners Absent: Wright

Commissioners Recusing: None

Testimony: No

Board chair Ebbitts swore in staff. Ahnna Nanoski introduced the case and stated staff recommended a continuance to August 14, 2024 without a fee. No one appeared for testimony. Board members continued the case to August 14, 2024 without fee.

Motion: Continued Fee: NO

Motioned by: Mixdorf

Seconded by: Moran

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 11

CD-BZA-2024-00082 A request to approve a variance to the infill vehicular standards to permit a front facing attached garage on an infill lot in an R-2.5 district on about 0.12 acres generally located at 4121 Brooklyn Ave.

Applicant: Joya Graves-Stevens of Built by Stevens

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Testimony: Yes

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Connor Tomlin presented the case. 9 Exhibits were admitted. The applicant Stacy Landis appeared and spoke about their requests. The staff submitted a Parcel viewer map that was admitted as exhibit 10 and Google map image that was admitted as exhibit 11. No one appeared for public testimony. Board members discussed the merits of the case and continued the case without fee to 9/11/24.

Motion: Continued Fee: NO

Motioned by: Mixdorf

Seconded by: Hays

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 12

CD-BZA-2023-00049 A request to appeal city staff's determination related to zoning violations issued for the subject site on about 13 acres generally located at 5500 Bennington Ave.

Applicant: Daniel Heryer of Urbavore Urban Farm

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Testimony: No

Board chair Ebbitts swore in staff, applicant, and those asking procedural questions. The applicant appeared and requested the case to be continued to December 2024. Debora Nabors and Council Member Patterson Hazley appeared to ask procedural questions. Board members approved to continue the case to 9/11/24 without fee.

Motion: Continued Fee: NO

Motioned by: Moran

Seconded by: Gorenc

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 13

CD-BZA-2024-00063 A request to appeal a Notice of Abandonment related to a nonconforming sign on about 1.6 acres generally located at 8912 E US 40 Hwy.

Applicant: Anthony Privitera of MARK ONE ELECTRIC COMPANY, INC.

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Testimony: Yes

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced and presented the case. 8 Exhibits were admitted. The applicant team Martin Haley and Craig F. appeared and spoke about their requests. The applicant submitted a screenshot that was admitted as exhibit 9. No one appeared for public testimony. Board members discussed the merits of the case and continued without fee to 8/14/24.

Motion: Continued Fee: NO

Motioned by: Hays

Seconded by: Mixdorf

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 14

CD-BZA-2024-00080 A request to approve a rear setback variance to the B3-2 lot & building standards, plus any other needed variances on about 0.44 acres generally located at 130 E Linwood Boulevard.

Applicant: Jasmin Sangha of Hive Design Collaborative

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. 9 Exhibits were admitted. The applicant team Jasmine Sangha and Minny Sangha appeared and spoke about their requests. No one appeared for public testimony. Board members discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Mixdorf

Seconded by: Moran

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 15

CD-BZA-2024-00061 A request to approve a variance to the infill residential vehicular standards to permit a driveway in the front yard, plus any other needed variances on about 0.11 acres generally located at 4233 Scarritt Avenue.

Applicant: Araik Suarez Ruiz

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. 9 Exhibits were admitted. The applicant Araik Suarez Ruiz appeared and spoke about their requests. No one appeared for public testimony. Board members discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Hays

Seconded by: Moran

Voting Aye: Moran; Ebbitts; Hays; Mixdorf

Voting Nay: Gorenc

Abstaining: None

Docket Item: 16

CD-BZA-2024-00078 A request to approve a variance to the maximum size of a wall sign in an R-0.3 district on about 1.83 acres generally located at 3927 State Line Road.

Applicant: Devon Coffey

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Connor Tomlin presented the case. 9 Exhibits were admitted. The applicant team Devon Coffey and Jeremy C. appeared and spoke about their requests. The applicant submitted photos that were admitted as exhibit 10. No one appeared for public testimony. Board members discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Moran

Seconded by: Hays

Voting Aye: Moran; Ebbitts; Gorenc; Hays

Voting Nay: Mixdorf

Abstaining: None

Docket Item: 17

CD-BZA-2024-00067 A request to appeal a Notice of Abandonment related to a nonconforming sign on about .9 acres generally located at 6850 E Front St.

Applicant: Kerrie Hale of Hale Real Estate

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Commissioners Absent: Wright

Commissioners Recusing: None

Testimony: No

Board chair Ebbitts swore in staff and applicant. The applicant appeared and requested the case to be continued to August 14, 2024. Board members approved to continue the case to August 14, 2024 without fee.

Motion: Continued Fee: NO

Motioned by: Mixdorf

Seconded by: Moran

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 18

CD-SUP-2024-00020 A request to approve a special use permit (SUP) in proposed district R-1.5 to allow for group living for a university on about 4.7 acres generally located at Martha Truman Road and Wornall Road.

Applicant: Rachelle Biondo of Rouse Frets White Goss Gentile Rhodes, a Professional Corporation

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Andrew Clark presented the case. 9 Exhibits were admitted. The applicant team Patricia Jensen and Greg Levor appeared and spoke about their requests. Board members discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Mixdorf

Seconded by: Gorenc

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 19

CD-BZA-2024-00065 A request to approve a variance to the lot and building standards to expand the front setback plus any other needed variances on about 0.15 acres located on 6645 Edgevale Road.

Applicant: Laura Bauers of Lo Design

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. 9 Exhibits were admitted. Laura Bauers appeared to represent the applicants Kelli and Eric Riner and spoke about their requests. No one appeared for public testimony. Board members discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Moran

Seconded by: Hays

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 20

CD-BZA-2024-00069 A request to approve a variance to the accessory dwelling unit standards to allow for an ADU in the side yard, plus any other needed variances on about 1.34 acres generally located at 1025 W 55th Street.

Applicant: SARAH KEMPF of PIPER-WIND ARCHITECTS INC

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. 9 Exhibits were admitted. The applicant team Sarah Kempf and John Wind appeared and spoke about their requests. No one appeared for public testimony. Board members discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Moran

Seconded by: Mixdorf

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 21

CD-BZA-2024-00071 A request to approve a variance to the infill residential vehicular standards to allow for a front-facing garage, plus any other needed variances on about 0.8 acres generally located at 5235 Cherry Street.

Applicant: Weston Coble of ESC Architects

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. 9 Exhibits were admitted. The applicant Weston Coble appeared and spoke about their requests. No one appeared for public testimony. Board members discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Hays

Seconded by: Moran

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 22

CD-SUP-2024-00022 A request to approve a renewal of a special use permit to complete fill work for a demolition debris landfill in district R-80 on about on about 7.37 acres generally located at generally located at 11202 and 11206 E MO 150 HWY.

Applicant: Jadrienne Rodell-Tipton of Powell CWM

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Genevieve Kohn presented the case. 9 Exhibits were admitted. The applicant team Kevin Ash and Jade Roddell-Tipton appeared and spoke about their requests. No one appeared for public testimony. Board members discussed the merits of the case and approved it.

Motion: Approved with Conditions

Motioned by: Mixdorf

Seconded by: Gorenc

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 23

CD-BZA-2024-00064 A request to approve a a setback variance to he infill residential lot & building standards, plus any other needed variances on about 0.15 acres generally located at 8255 Paseo.

Applicant: Dan Martin

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. 9 Exhibits were admitted. The applicant team Dan Martin and Kerry Duke appeared and spoke about their requests. No one appeared for public testimony. Board members discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Moran

Seconded by: Hays

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 24

CD-BZA-2024-00058 A request to approve a variance for signage lighting standards in an R-6 zoning district, plus any other needed variances on about 0.35 acres generally located at 2801 NE 102nd Terrace.

Applicant: Jeff Julian of SF Development LLC

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Commissioners Absent: Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff. Ahnna Nanoski introduced the case and stated that the applicant requested dismissal since they are no longer requesting variances for the design of their signs. Board members approved to dismiss the case.

Motion: Dismissed

Motioned by: Mixdorf

Seconded by: Moran

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Meier; Mixdorf

Voting Nay: None

Abstaining: None

Docket Item: 25

CD-BZA-2024-00028 A request to approve a variance to the maximum width of a driveway in an R-7.5 district to permit a driveway width greater than code allows on about 0.61 acres generally located at 8900 N Marsh Ave.

Applicant: Kevin Hendrix

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Connor Tomlin presented the case. 9 Exhibits were admitted. The applicant Linda Hendrix appeared and spoke about their requests. No one appeared for public testimony. Board members discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Moran

Seconded by: Gorenc

Voting Aye: Moran; Gorenc; Hays; Mixdorf

Voting Nay: Ebbitts

Abstaining: None

Docket Item: 26

CD-BZA-2024-00076 A request to approve a variance to the size of an accessory structure in an R-6 district, plus any additional variances on about 0.37 acres generally located at 11004 N Grand Ave.

Applicant: Michael Sartain

Commissioners Present: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Commissioners Absent: Meier; Wright

Commissioners Recusing: None

Board chair Ebbitts swore in staff and applicant. Ahnna Nanoski introduced the case. Alec Gustafson presented the case. 9 Exhibits were admitted. The applicant Michael Sartain appeared and spoke about their requests. No one appeared for public testimony. Board members discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Moran

Seconded by: Gorenc

Voting Aye: Moran; Ebbitts; Gorenc; Hays; Mixdorf

Voting Nay: None

Abstaining: None