



## Board of Zoning Adjustment Minutes

Hearing Date: March 12, 2024

414 E 12th Street, 10th Floor, Council Committee Room  
Kansas City, Missouri 64106  
[kcmo.org/planning](http://kcmo.org/planning)

**Docket Item:** 1

**CD-BZA-2023-00129** 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.

**Applicant:** Mario Leon of Martell+Leon

**Commissioners Present:** Moran; Ebbitts; Gorenc; Mixdorf; Wright

**Commissioners Absent:**

**Commissioners Recusing:** None

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. 9 exhibits were admitted. The applicant appeared and spoke about their requests. Board members discussed the merits of the case and approved it in accordance to the revised plan.

**Motion:** **Approved**

**Motioned by:** Moran

**Seconded by:** Wright

**Voting Aye:** Moran; Ebbitts; Gorenc; Wright

**Voting Nay:** Mixdorf

**Abstaining:** None

**Docket Item:** 2

**CD-BZA-2024-00004** 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.

**Applicant:** Nathan Marion

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

**Commissioners Absent:** Mixdorf

**Commissioners Recusing:** None

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. 10 exhibits were admitted. The applicant appeared and spoke about their requests. Board members discussed the merits of the case and approved it in accordance with site plan and staff report.

**Motion:** **Approved**

**Motioned by:** Moran

**Seconded by:** Gorenc

**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright

**Voting Nay:** None

**Abstaining:** None

**Docket Item:** 3.1

**CD-BZA-2023-00168** A request to approve a special exception to permit a 6-foot fence on the subject site plus any other needed special exceptions on about 0.1 acres generally located at 812 E Linwood Boulevard.

**Applicant:** David Bell of Wyrsh Hobbs

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

**Commissioners Absent:** Mixdorf

**Commissioners Recusing:** None

Testimony: No

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. Representing the High Park neighborhood appeared Chris Koch. The applicant David Bell appeared and requested to the board to continue the case to allow them to work further with the neighborhood to obtain support. Merits of the case were not discussed. Board members approved to continue the case to 4/9/24.

**Motion:** Continued Fee: NO  
**Motioned by:** Moran  
**Seconded by:** Gorenc  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright  
**Voting Nay:** None  
**Abstaining:** None

**Docket Item:** 3.2

**CD-BZA-2023-00169** A request to approve a special exception to permit a 6-foot fence on the subject site plus any other needed special exceptions on about 0.11 acres generally located at 814 E Linwood Boulevard.

**Applicant:** David Bell of Wyrsh Hobbs

**Commissioners Present:** Moran; Ebbitts; Gorenc; Hays; Meier; Wright  
**Commissioners Absent:** Mixdorf  
**Commissioners Recusing:** None

Testimony: No

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. Representing the High Park neighborhood appeared Chris Koch. The applicant David Bell appeared and requested to the board to continue the case to allow them to work further with the neighborhood to obtain support. Merits of the case were not discussed. Board members approved to continue the case to 4/9/24.

**Motion:** Continued Fee: NO  
**Motioned by:** Moran  
**Seconded by:** Gorenc  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright  
**Voting Nay:** None  
**Abstaining:** None

**Docket Item:** 4

**CD-SUP-2024-00005** A request to approve a Special Use Permit in zoning districts B3-2 and R-1.5 to allow for outdoor storage and staging of the Main Street streetcar extension on about 1.608 acres generally located at the southeast corner of Summit Street/Southwest Trafficway and W 33rd St.

**Applicant:** Chase Neal of Capital Electric Line Builders

**Commissioners Present:** Moran; Ebbitts; Gorenc; Hays; Meier; Wright  
**Commissioners Absent:** Mixdorf  
**Commissioners Recusing:** None

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced the case. Alec Gustafson presented the case. 9 exhibits were admitted. The applicant appeared and spoke about their requests. Also for testimony in opposition to the fence, appeared Gina Anderson representing the owner of the lot. Board members discussed the merits of the case. A first motion was offered by Board member Ms. Moran and seconded by board member Mr. Gorenc, however that motion was not voted on. A second motion was offered and board members approved the case with the following requirements: remove the requirement of the fence, with the exception that if project extends passed November 30, then a fence has to be constructed, the sidewalk reconstructed on 33rd and 34th street, as well as the landscaping after the project is done, as well as condition imposed by CPC about the lighting.

**Motion:** Approved  
**Motioned by:** Moran  
**Seconded by:** Wright  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright  
**Voting Nay:** None  
**Abstaining:** None

**Docket Item:** 5

**CD-BZA-2024-00011** A request to approve a variance to the setbacks of an accessory structure, plus any additional variances on about 0.1 acres generally located at 143 Lawn Avenue.

**Applicant:** Joseph Dreher of Dreher construction

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

**Commissioners Absent:** Mixdorf

**Commissioners Recusing:** None

Testimony: No

Automatically continued to 3/15/24 overflow special hearing. Board members approved continuance to 3/15/24.

**Motion:** Continued Fee: NO

**Motioned by:** Moran

**Seconded by:** Gorenc

**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright

**Voting Nay:** None

**Abstaining:** None

**Docket Item:** 6

**CD-BZA-2024-00016** A request to appeal zoning violations related to an off-premise sign on about 16 acres generally located at 1550 NE 44th St.

**Applicant:** Marcia Witherow of St. Pius X High School - Business Office

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

**Commissioners Absent:** Mixdorf

**Commissioners Recusing:** None

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski presented the case. The applicant team Marcia Witherow, Toni Calcara and Joe Ross appeared and spoke about their requests. Board members discussed the merits of the case, and approved to deny it and uphold the zoning determination.

**Motion:** Denied

**Motioned by:** Moran

**Seconded by:** Wright

**Voting Aye:** Moran; Ebbitts; Hays; Wright

**Voting Nay:** Gorenc

**Abstaining:** None

**Docket Item:** 7

**CD-BZA-2023-00173** A request to approve a variance to the maximum size of a wall sign, plus any additional variances on about 3.08 acres generally located at 5144 Oak Street.

**Applicant:** Rachel Gray of Schurle Signs

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

**Commissioners Absent:** Mixdorf

**Commissioners Recusing:** None

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced the case. Connor Tomlin presented the case. 9 exhibits were admitted. The applicant Jennifer Schurle appeared and spoke about their requests. No one else appeared for testimony. Board members discussed the merits of the case and approved it according to the staff report and adding that the sign must be turned off at midnight or earlier.

**Motion:** Approved

**Motioned by:** Wright

**Seconded by:** Gorenc

**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright

**Voting Nay:** None

**Abstaining:** None

**Docket Item:** 8

**CD-BZA-2024-00002** A request to approve a variance to the set back standards in an R-6 zoning district, plus any other needed variances on about 0.15 acres generally located at 4801 Holly Street.

**Applicant:** Robert Anderson of Anderson Survey Company

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

**Commissioners Absent:** Mixdorf

**Commissioners Recusing:** None

Testimony: Yes

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced the case. Alec Gustafson presented the case. 11 exhibits were admitted. The applicant team Bob Anderson and James Hamilton appeared and spoke about their request. To testify in opposition appeared neighbor Sharon Pendleton. Board members discussed the merits of the case and approved to continue it to 4/9/24.

**Motion:** Continued Fee: NO  
**Motioned by:** Moran  
**Seconded by:** Gorenc  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright  
**Voting Nay:** None  
**Abstaining:** None

**Docket Item:** 9

**CD-BZA-2024-00017** A request to approve a variance to the accessory structure standards in a residential area to allow for a pool to encroach into the front yard, plus any other needed variances in an R-6 zoning and Wornall Homestead Overlay district on about 0.3 generally located at 5700 Central Street.

**Applicant:** Michael Blackledge of Piper-Wind Architects, Inc

**Commissioners Present:** Moran; Ebbitts; Gorenc; Hays; Meier; Wright  
**Commissioners Absent:** Mixdorf  
**Commissioners Recusing:** None

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. 9 exhibits were admitted. The applicant appeared and spoke about their requests. Also for testimony in opposition appeared James Bowman. No one else appeared for testimony. Board members discussed the merits of the case and denied the request for the variance.

**Motion:** Denied  
**Motioned by:** Moran  
**Seconded by:** Wright  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright  
**Voting Nay:** None  
**Abstaining:** None

**Docket Item:** 10

**CD-BZA-2024-00008** A request to appeal zoning violations related to a non-conforming sign on about .3 acres generally located at 7640 Wornall Rd .

**Applicant:** Mark Untersee of Untersee & Associates, P.C.

**Commissioners Present:** Moran; Gorenc; Hays; Meier; Mixdorf; Wright  
**Commissioners Absent:** Mixdorf  
**Commissioners Recusing:** Ebbitts

Interim Vice-chair Moran swore in staff, applicant and those providing testimony. Ahnna Nanoski presented the case. 12 exhibits were admitted. The applicant appeared and spoke about their requests. Board members discussed the merits of the case and denied the request to appeal the zoning violation.

**Motion:** Denied  
**Motioned by:** Wright  
**Seconded by:** Hays  
**Voting Aye:** Moran; Gorenc; Hays; Wright  
**Voting Nay:** Meier  
**Abstaining:**

**Docket Item:** 11

**CD-SUP-2023-00020** A request to reapprove a Special Use Permit in District R-2.5 to allow for Public and Civic Uses (Office/ Administrative) for the reuse of Franklin Elementary School as a Community Center and KCSD Operation offices, on about 4.5 acres generally located on the north side of E. 35th Street, between Highland Avenue on the east and Wayne Avenue on the west.

**Applicant:** Douglas Loveland of ACI Boland

**Commissioners Present:** Moran; Ebbitts; Gorenc; Hays; Meier; Wright  
**Commissioners Absent:** Mixdorf

**Commissioners Recusing:** None

Testimony: No

Board chair Ebbitts swore in staff. Ahnna Nanoski introduced the case and stated that it needed to be continued to 4/9/24 hearing since the applicant did not resubmit the needed plans. No one appeared for testimony. Board members approved to continue the case to 4/9/24.

**Motion:** Continued Fee: NO  
**Motioned by:** Moran  
**Seconded by:** Gorenc  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright  
**Voting Nay:** None  
**Abstaining:** None

**Docket Item:** 12

**CD-BZA-2024-00007** A request to approve a variance to the outdoor lighting standards to meet international building code standards plus any other needed variances on about 0.1 acres generally located at 3101 Troost Avenue.

**Applicant:** Elvis Achelpohl of BNIM

**Commissioners Present:** Moran; Ebbitts; Gorenc; Hays; Meier; Wright  
**Commissioners Absent:** Mixdorf  
**Commissioners Recusing:** None

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

**Motion:** **Approved**  
**Motioned by:** Wright  
**Seconded by:** Moran  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright  
**Voting Nay:** None  
**Abstaining:** None

**Docket Item:** 13

**CD-BZA-2024-00015** A request to appeal zoning violations related to the storage of commercial vehicles and gravel parking areas on about 5 acres generally located at 2804 Blue Ridge Blvd.

**Applicant:** TIMOTHY GATES

**Commissioners Present:** Moran; Ebbitts; Gorenc; Hays; Meier; Wright  
**Commissioners Absent:** Mixdorf  
**Commissioners Recusing:** None

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced the case. Olofu Agbaji presented the case. The applicant appeared and spoke about their requests. Also for testimony in opposition appeared neighbor Becky Heart. Board members discussed the merits of the case and granted the applicant's request to wave the 15-day requirement for the notice of appeal and continue the matter to 9/10/2024.

**Motion:** Continued  
**Motioned by:** Moran  
**Seconded by:** Gorenc  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays  
**Voting Nay:** Wright  
**Abstaining:** None

**Docket Item:** 14

**CD-BZA-2024-00012** A request to appeal zoning violations related to a non-conforming sign on about 4 acres generally located at 7815 E US 40 Hwy.

**Applicant:** Eric Krikke

**Commissioners Present:** Moran; Ebbitts; Gorenc; Hays; Meier; Wright  
**Commissioners Absent:** Mixdorf  
**Commissioners Recusing:** None

Testimony: No

Automatically continued to 3/15/24 overflow special hearing. Board members approved continuance to 3/15/24.

**Motion:** Continued Fee: NO  
**Motioned by:** Moran  
**Seconded by:** Gorenc  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright  
**Voting Nay:** None  
**Abstaining:** None

**Docket Item:** 15

**CD-SUP-2023-00053** A request to approve a Special Use Permit for a 5,536 parking lot for Warehousing, Wholesaling, Freight Movement (outdoor) on about 26.9 acres generally located south of US M 210 Highway and east of Birmingham Levee District Drive Rd.

**Applicant:** Steve Warger of Warger Associates LLC

**Commissioners Present:** Moran; Ebbitts; Gorenc; Hays; Meier; Wright  
**Commissioners Absent:** Mixdorf  
**Commissioners Recusing:** None

Testimony: No

Automatically continued to 3/15/24 overflow special hearing. Board members approved continuance to 3/15/24.

**Motion:** Continued Fee: NO  
**Motioned by:** Moran  
**Seconded by:** Gorenc  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright  
**Voting Nay:** None  
**Abstaining:** None

**Docket Item:** 16

**CD-BZA-2024-00013** A request to approve a variance to the residential vehicular standards to permit a larger percentage of impervious coverage on the front yard, plus any other needed variances on about 0.39 acres generally located at 812 NW 68th Place.

**Applicant:** Roger Avalos of raengineering

**Commissioners Present:** Moran; Ebbitts; Gorenc; Hays; Meier; Wright  
**Commissioners Absent:**  
**Commissioners Recusing:** None

Testimony: Yes

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. 9 exhibits were admitted. The applicant appeared and spoke about their request. Also for testimony in opposition appeared neighbor Tammy Dunkin. Board members discussed the merits of the case and continued it to 4/9/24 to allow the applicant to come up with an alternate plan.

**Motion:** Continued Fee: NO  
**Motioned by:** Moran  
**Seconded by:** Gorenc  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright  
**Voting Nay:** None  
**Abstaining:** None

**Docket Item:** 17

**CD-BZA-2024-00006** A request to appeal zoning violations related to a non-conforming sign on about .8 acres generally located at 8170 NW Prairie View Rd.

**Applicant:** Andrew Zarda

**Commissioners Present:** Moran; Ebbitts; Gorenc; Hays; Meier; Wright  
**Commissioners Absent:** Mixdorf  
**Commissioners Recusing:** None

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski presented the case. The applicant appeared and spoke about their requests. Also providing testimony appeared Mr. James Duddy, Development Compliance Supervisor. Board members discussed the merits of the case and approved to grant the applicant request to allow the appeal to go forward and continue to the BZA on 4/9/24.

**Motion:** Continued  
**Motioned by:** Moran  
**Seconded by:** Hays  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright  
**Voting Nay:** None  
**Abstaining:** None

**Docket Item:** 18

**CD-BZA-2023-00176** 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 100th Street.

**Applicant:** Ashley Serr of Kimley-Horn

**Commissioners Present:** Moran; Ebbitts; Gorenc; Hays; Meier; Wright  
**Commissioners Absent:** Mixdorf  
**Commissioners Recusing:** None

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced the case. Connor Tomlin presented the case. 9 exhibits were admitted. On behalf of the applicant papered Adam Bendrick and spoke about their requests. Board members discussed the merits of the case and approved it.

**Motion:** Approved  
**Motioned by:** Wright  
**Seconded by:** Moran  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright  
**Voting Nay:** None  
**Abstaining:** None

**Docket Item:** 19

**CD-BZA-2024-00009** A request to appeal the City Plan Commission decision regarding case no. CD-CPC-2023-00164 on about 1.5 acres generally located at NW Barry Road and N. Green Hills Road.

**Applicant:** ERIC BYRD of BHC RHODES

**Commissioners Present:** Moran; Ebbitts; Gorenc; Hays; Meier; Wright  
**Commissioners Absent:** Mixdorf  
**Commissioners Recusing:** None

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced the case. Andrew Clark presented the case. 14 exhibits were admitted. The applicant team attorney John Roe, Ernie Johnston, Chris Woods and Scott Tanner appeared and spoke about their requests. No one else appeared for testimony. Board members discussed the merits of the case and approved to overturn City Plan Commission decision, as well as grant the appeal in accordance with the revised plan and updated materials, the site plan, the staff report and all the conditions.

**Motion:** Approved  
**Motioned by:** Moran  
**Seconded by:** Gorenc  
**Voting Aye:** Moran; Ebbitts; Gorenc; Hays; Wright  
**Voting Nay:** None  
**Abstaining:** None

**Docket Item:** 20

**CD-BZA-2024-00010** A request to approve a variance to the Infill Residential setback standards to allow for an expansion the the back of the house, plus any other needed variances on about 0.19 acres generally located at 5032 Tracy Avenue.

**Applicant:** Gail Kelley

**Commissioners Present:** Moran; Ebbitts; Gorenc; Hays; Meier; Wright  
**Commissioners Absent:** Mixdorf  
**Commissioners Recusing:** None

Board chair Ebbitts swore in staff, applicant and those providing testimony. Ahnna Nanoski introduced the case. Stephanie Saldari presented the case. 11 exhibits were admitted. The applicant appeared and spoke about their requests. No one else appeared for testimony. Board members discussed the merits of the case and approved it.

**Motion:** Approved  
**Motioned by:** Moran

<b>Seconded by:</b>	Gorenc
<b>Voting Aye:</b>	Moran; Ebbitts; Gorenc; Hays; Wright
<b>Voting Nay:</b>	None
<b>Abstaining:</b>	None