

# LEAVENWORTH BOARD OF ZONING APPEALS

MONDAY, December 21, 2020 – 6:00 P.M.  
COMMISSION ROOM, CITY HALL  
LEAVENWORTH, KANSAS

## AGENDA

*City Hall is now open to the public. Citizens wishing to comment may either attend in person or may dial in to the GoToMeeting using your phone at 6:00 p.m.:*

*Phone Number: +1 (872) 240-3311*

*Access Code: 876-948-869*

*Your call will be placed into queue for comment.*

*Face coverings are required for anyone attending the meeting. Must cover the nose and mouth.*

### CALL TO ORDER:

1. Roll Call/Establish Quorum
2. Approval of Minutes: November 16, 2020 **Action:** Motion

### OLD BUSINESS:

**None**

### NEW BUSINESS:

**1. 2020-38 BZA – 2500 S. 4<sup>TH</sup> STREET**

Hold a public hearing for Case No. 2020-38 BZA – 2500 S. 4<sup>th</sup> Street, wherein the applicant is requesting a variance to allow more than one sign on a storefront for a property zoned GBD, General Business District.

**2. 2020-39 BZA – 2614 S. 24<sup>TH</sup> STREET**

Hold a public hearing for Case No. 2020-39 BZA – 2614 S. 24<sup>th</sup> Street, wherein the applicant is requesting an exception from section 1.05.C.4 of the adopted Development Regulations to allow the restoration of a building that is not in conformance with the regulation for the zoning district.

ADJOURN



**BOARD OF ZONING APPEALS MINUTES  
MONDAY, November 16, 2020, 6:00 P.M.  
COMMISSION ROOM, CITY HALL  
LEAVENWORTH, KANSAS**

The Leavenworth Board of Zoning Appeals (BZA) met Monday, November 16, 2020. It was determined a quorum was met with the following board members present: Mike Bogner, Dick Gervasini and Jan Horvath were present in the Commission Chambers and Kathy Kem participated remotely. Ron Bates was absent. Staff members Planning Director Julie Hurley, City Planner Jackie Porter and Administrative Assistant Michelle Baragary were present in the Commission Chambers.

Chairman Bogner called the meeting to order at 6:00 p.m. and called for the first item on the agenda – approval of minutes from October 19, 2020. Mr. Gervasini moved to accept the minutes as presented, seconded by Mr. Horvath and approved by a vote of 4-0.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**1. CASE NO. 2020-36 BZA – 708 SHAWNEE STREET – VARIANCE REQUEST**

Hold a public hearing for Case No. 2020-36 BZA – 708 Shawnee Street, wherein the applicant is requesting a variance to allow refacing of a nonconforming freestanding sign located less than five feet from a property line.

Chairman Bogner called for the staff report.

City Planner Jackie Porter stated the applicant is requesting a variance to allow refacing of a nonconforming freestanding sign. The existing sign is located less than five feet from a property line as required in CBD, Central Business District.

Young Sign Company is applying for the variance on behalf of Raymos Pawn & Gold. Raymos Pawn & Gold is located at 708 Shawnee Street zoned CBD, Central Business District. The Development Regulations state that no part of a free standing sign face or sign structure shall be closer than five feet to any property line and shall not obstruct traffic vision. The location has an existing nonconforming freestanding sign that has been vacant longer than 6 months that Raymos Pawn & Gold would like to reface.

The Development Regulations also states the reuse of a vacated, nonconforming sign, or any of its appurtenances shall require altering the sign to comply with this sign code. A new business use intending

to reuse a conforming sign base or pole properly capped and vacated shall obtain a sign permit in accordance with this sign code.

The requested variance is to allow the refacing of a nonconforming freestanding sign that is less than five feet from the property line.

Chairman Bogner called for discussion among the commissioners.

Mr. Bogner stated there are at least five more signs just like the subject sign down the same street. Mr. Bogner asked when the sign code was changed that made this sign nonconforming.

Planning Director Julie Hurley stated it was some time prior to the 2011 update of the sign regulations.

Ms. Kem asked if the only nonconforming issue with this sign is the distance to the street.

Ms. Hurley responded in the affirmative.

Mr. Bogner asked if there are any restrictions if the sign is illuminated.

Ms. Hurley stated there are not.

Mr. Bogner asked if Raymos is actually located in the building.

Ann Hoins, Young Sign Company, responded that Raymos is waiting for approval on the sign variance request. Ms. Hoins further stated Raymos also owns the property to the east with the gray and white building. However, Raymos Pawn & Gold will be located in the brick building that sits further from the street back at 708 Shawnee. The sign will not be lit and the property owners have already repainted the sign pole so it looks much better than what the photo in the policy report renders.

Mr. Bogner asked if staff has any issues with the sign hanging over the sidewalk.

Ms. Hurley responded in the negative stating the sign is not low enough to obstruct the ROW.

With no further questions about the staff report, Chairman Bogner opened the public hearing. With no one wishing to speak, Chairman Bogner closed the public hearing and asked for discussion among the commissioners.

Ms. Hurley stated staff did not receive any comments after notifications were mailed out.

Mr. Gervasini asked if staff knew when the sign pole was installed.

Ms. Hurley responded staff has no records of when the pole was installed but has been there for a very long time.

With no further discussion among the commissioners, Chairman Bogner read the following criteria regarding the Board's authority and reviewed each item.

**BOARD OF ZONING APPEALS AUTHORITY:**

The Board's authority in this matter is contained in Article 11 (Board of Zoning Appeals), Section 11.03.B (Powers and Jurisdictions – Variances)

**Variances:** To authorize in specific cases a variance from the specific terms of these Development Regulations which will not be contrary to the public interest and where, owing the special conditions, a literal enforcement of the provisions of these Development Regulations will, in an individual case, result in unnecessary hardship, provided the spirit of these Development Regulations shall be observed, public safety and welfare secured, and substantial justice done. Such variance shall not permit any use not permitted by the Development Regulations of the City of Leavenworth, Kansas in such district. Rather, variances shall only be granted for the detailed requirements of the district such as area, bulk, yard, parking or screening requirements.

1. The applicant must show that his property was acquired in good faith and where by reason of exceptional narrowness, shallowness or shape of this specific piece of property at the time of the effective date of the Zoning Ordinance, or where by reason of exceptional topographical conditions or other extra-ordinary or exceptional circumstances that the strict application of the terms of the Development Regulations of the City of Leavenworth, Kansas actually prohibits the use of his property in the manner similar to that of other property in the zoning district where it is located.
2. A request for a variance may be granted, upon a finding of the Board that all of the following conditions have been met. The Board shall make a determination on each condition, and the finding shall be entered in the record.
  - a) *That the variance requested arises from such condition which is unique to the property in question and is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant.*

**Vote 4-0**  
**All board members voted in the affirmative.**

- b) *That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.*

**Vote 4-0**  
**All board members voted in the affirmative.**

- c) *That the strict application of the provisions of the Development Regulations from which the variance is requested will constitute unnecessary hardship upon the property owner represented in the application.*

**Vote 4-0**  
**All board members voted in the affirmative.**

- d) *That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.*

**Vote 4-0**  
**All board members voted in the affirmative.**

e) *That granting of the variance desired will not be opposed to the general spirit and intent of the Development Regulations.*

**Vote 4-0**

**All board members voted in the affirmative.**

3. In granting a variance, the Board may impose such conditions, safeguards, and restrictions upon the premises benefited by the variance as may be necessary to reduce or minimize any potentially injurious effect of such variance upon other property in the neighborhood, and to carry out the general purpose and intent of the Development Regulations.

**ACTION:**

Approve or deny the variance to allow the refacing of a nonconforming freestanding sign at 708 Shawnee Street.

Chairman Bogner stated the board approves the variance request for the refacing of the existing sign pole located at 708 Shawnee Street.

Ms. Hurley stated there are two items on the agenda for December. Administrative Assistant Michelle Baragary will send an email to the board members to check availability as the meeting is scheduled for December 21, 2020, the week of Christmas.

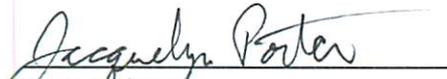
Chairman Bogner called for a motion to adjourn. Mr. Gervasini moved to adjourn, seconded by Mr. Horvath and approved by a vote of 4-0.

The meeting adjourned at 6:13 p.m.

JP:mb

**BOARD OF ZONING APPEALS AGENDA ITEM**  
**VARIANCE REQUEST**  
**2020-38-BZA**  
**2500 South 4<sup>th</sup> Street**

**DECEMBER 21, 2020**

  
Prepared By:

Jacquelyn Porter  
City Planner

  
Reviewed By:

Paul Kramer  
City Manager

**SUMMARY:**

The applicant is requesting a variance to allow more than one sign on a wall for a property zoned GBD, General Business District.

**DISCUSSION:**

Kung Fu Tea is located at 2500 South 4<sup>th</sup> Street zoned GBD, General Business District. Kung Fu Tea is a business operating inside the main business operation of Kare Pharmacy. The Development Regulations limit the number of wall signs allowed for each side of a structure or part of a structure clearly identified as a storefront to one sign. Kare Pharmacy has one existing wall sign on the East wall, "Kare Pharmacy".

The variance request is for an additional sign on the east side of the building. The proposed sign is located on the Northeast portion of the building reading "Kung Fu Tea" and a logo, and is roughly 9.5 square feet.

The proposed sign meets the size requirement of the GBD zoning district.

**BOARD OF ZONING APPEALS AUTHORITY:**

The Board's authority in this matter is contained in Article XV (Board of Zoning Appeals), Section 11.03.B (Powers and Jurisdictions – Variances).

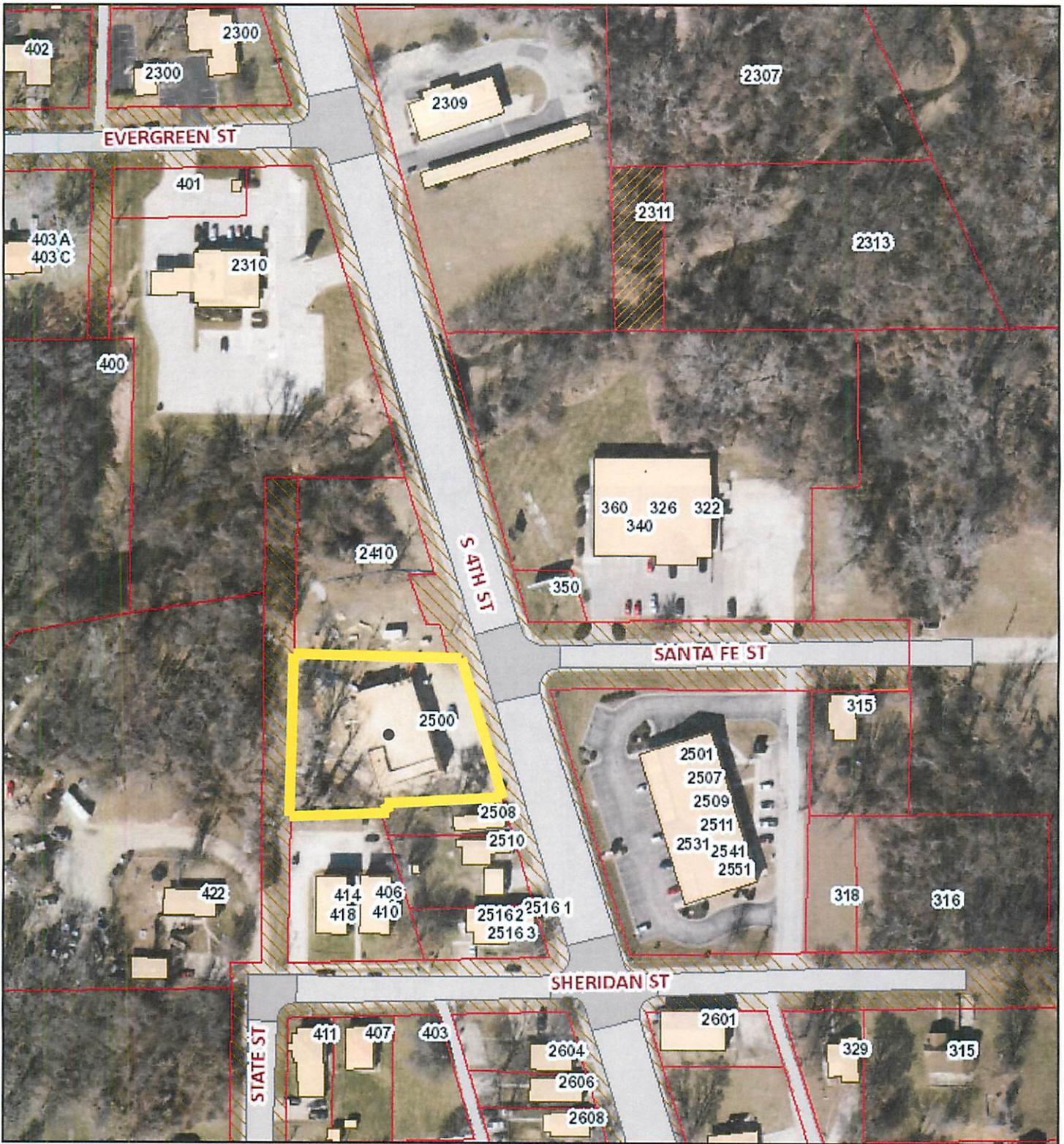
**Variances:** To authorize in specific cases a variance from the specific terms of these Development Regulations which will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of these Development Regulations will, in an individual case, result in unnecessary hardship, provided the spirit of these Development Regulations shall be observed, public safety and welfare secured, and substantial justice done. Such variance shall not permit any use not permitted by the Development Regulations of the City of Leavenworth, Kansas in such district. Rather, variances shall only be granted for the detailed requirements of the district such as area, bulk, yard, parking or screening requirements.

1. The applicant must show that his property was acquired in good faith and where by reason of exceptional narrowness, shallowness or shape of this specific piece of property at the time of the effective date of the Zoning Ordinance, or where by reason of exceptional topographical conditions or other extra-ordinary or exceptional circumstances that the strict application of the terms of the Development Regulations of the City of Leavenworth, Kansas actually prohibits the use of his property in the manner similar to that of other property in the zoning district where it is located.
2. A request for a variance may be granted, upon a finding of the Board that all of the following conditions have been met. The Board shall make a determination on each condition, and the finding shall be entered in the record.
  - a) *That the variance requested arises from such condition which is unique to the property in question and is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant.*
  - b) *That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.*
  - c) *That the strict application of the provisions of the Development Regulations from which the variance is requested will constitute unnecessary hardship upon the property owner represented in the application.*
  - d) *That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare;*
  - e) *That granting of the variance desired will not be opposed to the general spirit and intent of the Development Regulations.*
3. In granting a variance, the Board may impose such conditions, safeguards, and restrictions upon the premises benefited by the variance as may be necessary to reduce or minimize any potentially injurious effect of such variance upon other property in the neighborhood, and to carry out the general purpose and intent of these Development Regulations.

**ACTION:**

- Approve or deny the appeal to allow installation of an additional sign to the east side of the Kare Pharmacy building located at 2500 South 4<sup>th</sup> Street.

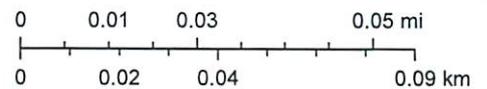
# 2500 S. 4th St Aerial Map



12/4/2020, 10:55:59 AM

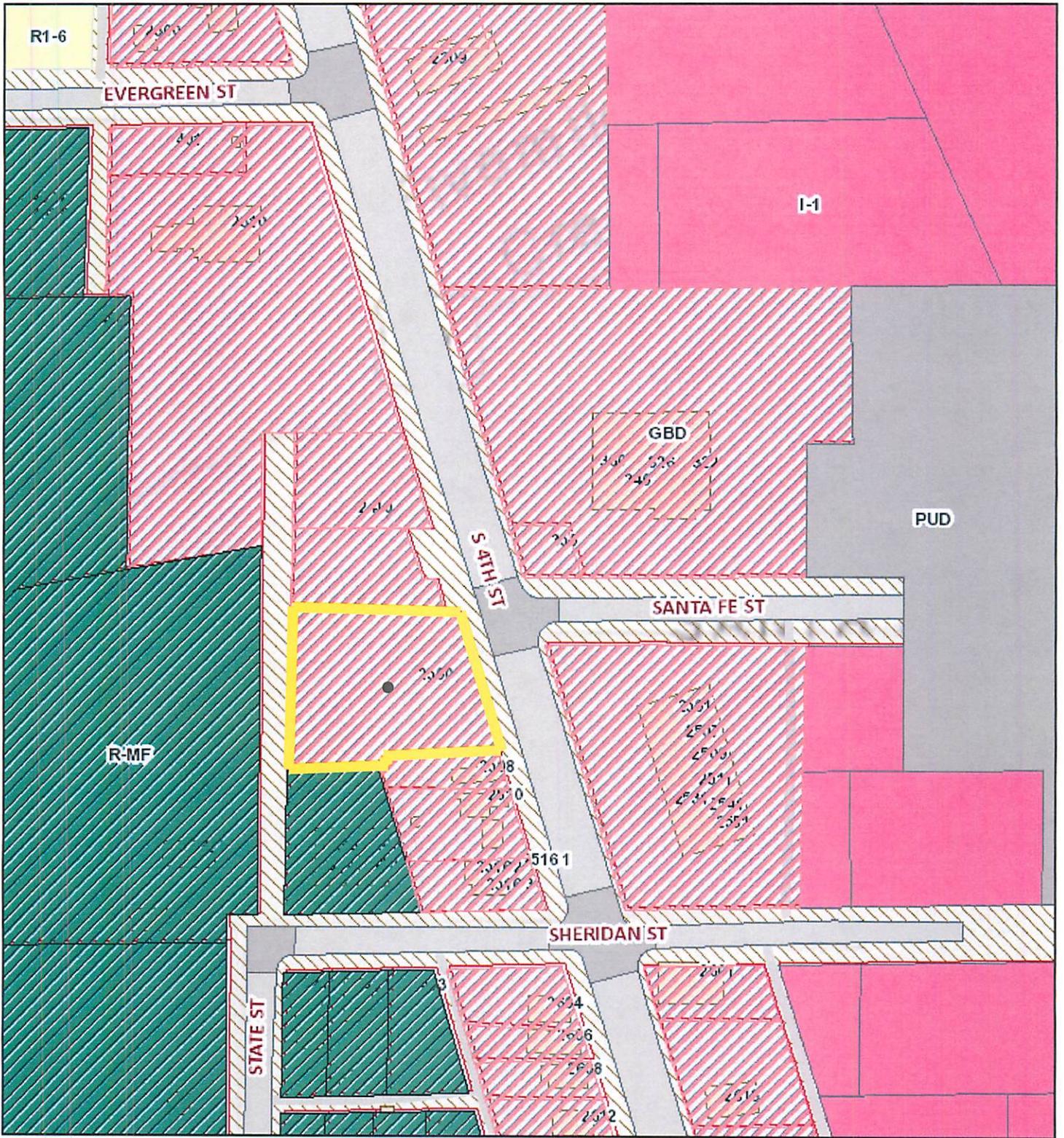
1:2,257

- Override 1
- Missouri River
- Parcels (City Owned)
- Lansing City Limits
- Parcels\_Current
- Ft Leavenworth Military Installation
- Buildings
- Leavenworth City Limits
- Address (Points)
- City Right-of-Way



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

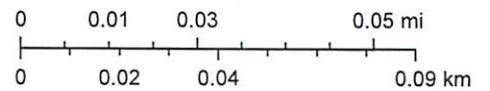
# 2500 S. 4th St Zoning Map



12/4/2020, 10:54:03 AM

1:2,257

- Override 1
- MP
- Zoning\_CURRENT NBD
- CBD
- OBD
- GBD
- PUD
- I-1
- R-MF
- I-2



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community



**BOARD OF ZONING APPEALS**  
CITY OF LEAVENWORTH, KANSAS

**OFFICE USE ONLY**

Case No.: 2020-38 BZA

Application No. 8452  
Fee (non-refundable) \$350.00  
Filing Date 10-22-20  
Hearing Date 12-21-20  
Publication Date 11-24-20

**PETITION**

Property Zoning: GBD  
Location of Subject Property: 2500 S. 4th Street, Leavenworth KS 66048  
Legal Description: (Attach full legal description provided by the REGISTER OF DEEDS OFFICE)  
Petitioner: Sandeep Khandelwal  
Petitioner Address: 15601 LINDEN ST OVERLAND PARK KS 66224  
Email: info@karepharmacy.com Telephone: 816-588-3501  
Petitioner's Interest in Property: Owner Section 8.11.c.1

Purpose of Petition: Sign for additional Juice bar/Kung Fu Tea on <sup>EAST</sup> north side of the building  
Drive Thru sign on the roof of east side of the building above the drive through awning

- Appeal of Administration Decision \_\_\_\_\_ Date of Decision \_\_\_\_\_  
Section 11.03.A
- Variance:  
Section 11.03.B
- Exception:  
Section 11.03.C

Site Plan or drawing attached (hard & digital copy): Yes  No

I, the undersigned, certify that I am the legal owner of the property described above and that if this request is granted, I will proceed with the actual construction in accordance with the plans submitted within four (4) months from the date of filing or request in writing an extension of time for the Board's consideration

Property Owner Name (print): Sandeep Khandelwal (Innovative)

Signature: [Signature] Date: 09/17/2020

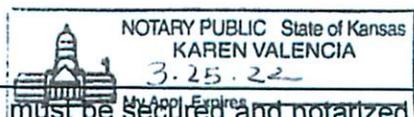
State of Kansas

County of Leavenworth

Signed or attested before me on 9-17-2020 by Sandeep Khandelwal

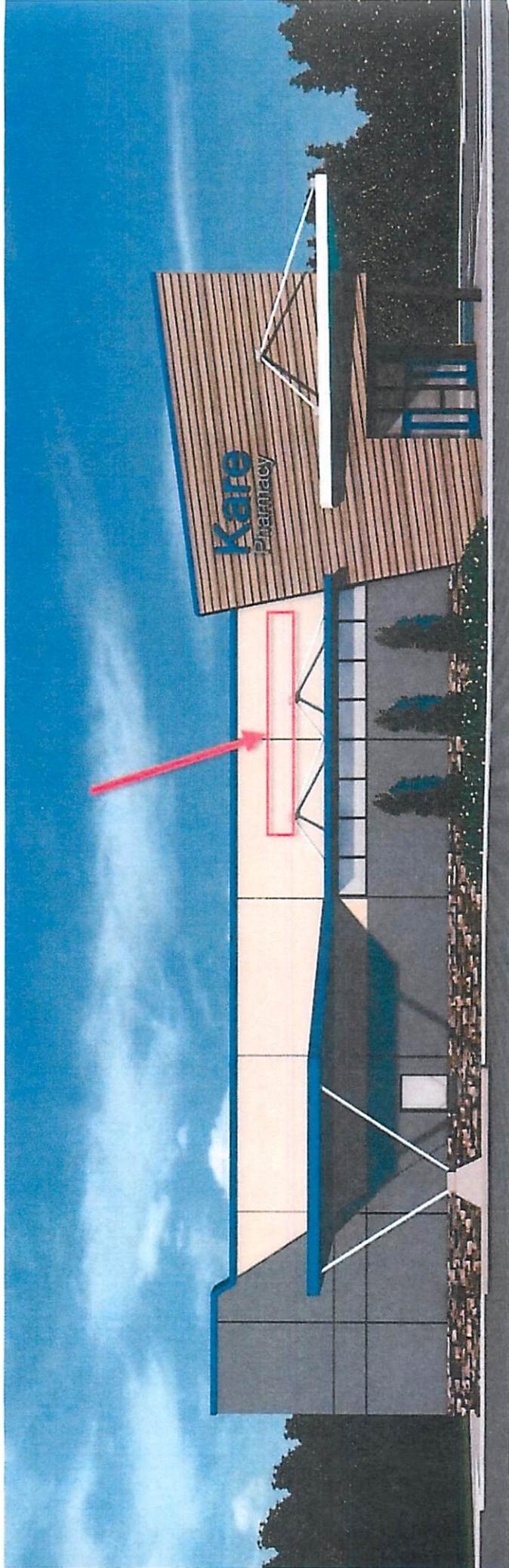
Notary Public: [Signature]

My appointment expires: 3-25-22 (Seal)



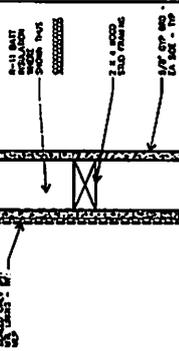
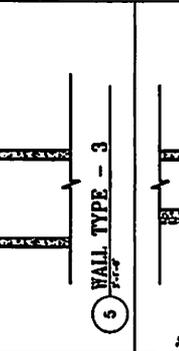
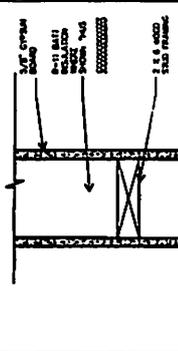
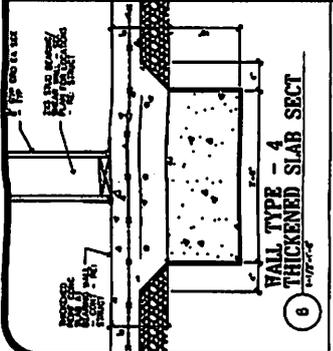
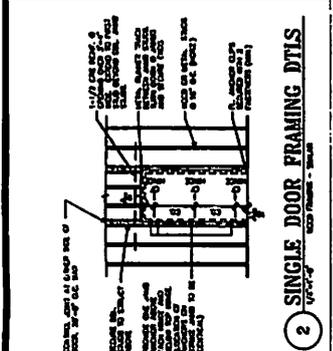
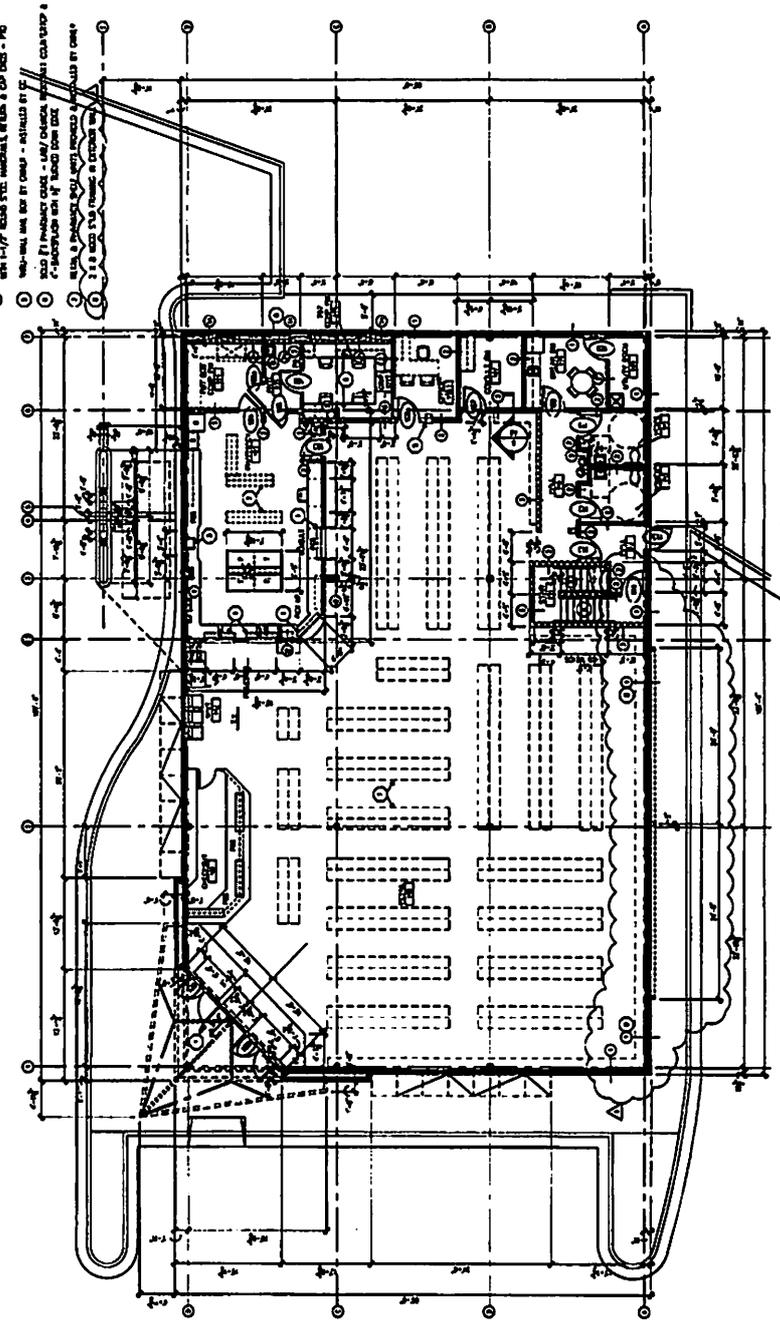
**NOTE:** All signatures must be in black or blue ink. Signature of owner(s) must be secured and notarized. Check list below...

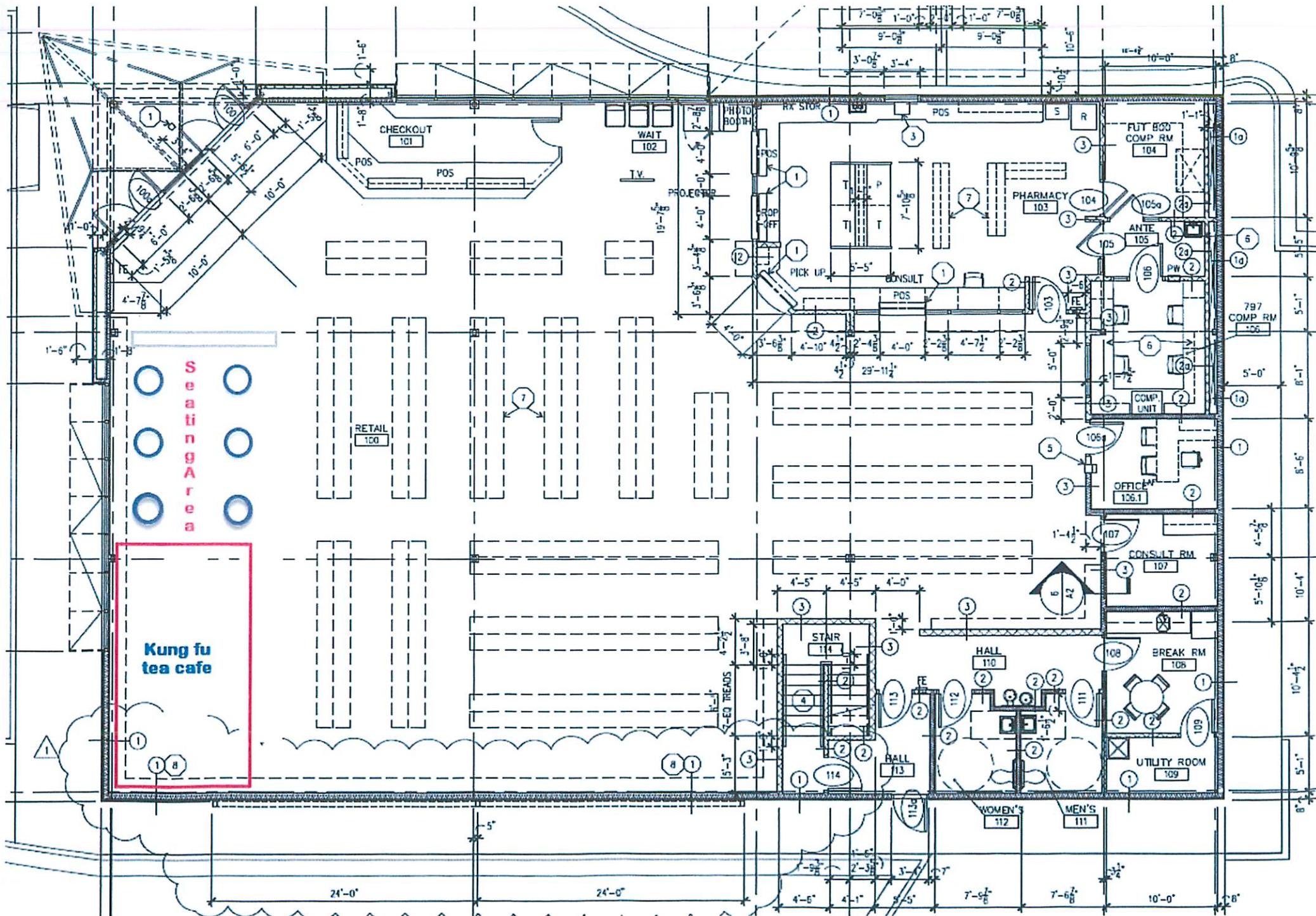
<input checked="" type="checkbox"/>	Supporting documentation: Site plan, plot plan, a drawing and any other pertinent data
<input checked="" type="checkbox"/>	Full legal description of subject property obtained from the Register of Deeds Office (913-684-0424)
<input checked="" type="checkbox"/>	Certified list of property owners within two hundred (200) feet of the subject property – County GIS Department 913-684-0448
<input checked="" type="checkbox"/>	A filing fee of Three Hundred- fifty dollars (\$350)



MATERIAL & COLOR SCHEDULE		INTERIOR FINISH SCHEDULE	
NO.	DESCRIPTION	NO.	DESCRIPTION
1	CEILING - POP	1	WALL - 1/2" GYPSUM BOARD
2	CEILING - POP	2	WALL - 1/2" GYPSUM BOARD
3	CEILING - POP	3	WALL - 1/2" GYPSUM BOARD
4	CEILING - POP	4	WALL - 1/2" GYPSUM BOARD
5	CEILING - POP	5	WALL - 1/2" GYPSUM BOARD
6	CEILING - POP	6	WALL - 1/2" GYPSUM BOARD
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- PLAN NOTES**
1. ALL NEW AND EXISTING 1" DIA. JOIST DRIVEN
  2. (COURT) WALLS TO BE CONCRETE BLOCK WITH 2" PLY
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Seating Area

Kung fu tea cafe

CHECKOUT 101

WAIT 102

PHARMACY 103

FLY BGG COMP RM 104

ANTE 105

797 COMP RM 106

COMP. UNIT 106.1

CONSULT RM 107

BREAK RM 108

UTILITY ROOM 109

HALL 110

WOMEN'S 112

MEN'S 111

STAIR 114

HALL 113

RETAIL 100

24'-0"

24'-0"

7'-9 1/2"

7'-6 1/2"

10'-0"

8'

5'-1"

5'-0"

8'-1"

8'-6"

4'-5 1/2"

5'-10 1/2"

10'-4"

10'-4 1/2"

5'-1"

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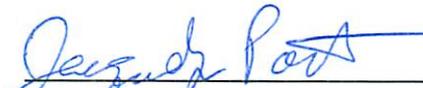
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**Board of Zoning Appeals Agenda Item  
Exception Request  
2020-39-BZA  
2614 South 24<sup>th</sup> Street**

**DECEMBER 21, 2020**

  
\_\_\_\_\_  
**Prepared By:**

Jacquelyn Porter  
City Planner

  
\_\_\_\_\_  
**Reviewed By:**

Paul Kramer  
City Manager

**SUMMARY:**

The applicant is requesting an exception from section 1.05.C.4 of the adopted Development Regulations to allow the restoration of a building that is not in conformance with the regulation for the zoning district.

**DISCUSSION:**

The applicant, Robert H. & Patricia A. Steele is requesting an exception from section 1.05.C.4 of the adopted Development Regulations to restore a nonconforming structure that was damage by more than 50% of its fair market value. The dwelling structure located at 2614 S. 24<sup>th</sup> St. suffered damage by a fire on October 12<sup>th</sup>, 2020, and the reconstruction cost is more than 50% of the market value. The proposed reconstruction project is going to use the existing foundation to rebuild a like construction of the prior structure. In May 2020, the roof was replaced. 2614 S. 24<sup>th</sup> is part of the Whispering Hill Phase 5A with the dwelling structure being built in 2003. The current zoning for this location is Planned Unit Development (PUD). All of Whispering Hill Subdivision Phases are zoned as a PUD. The PUD was established back in 1987 when the Whispering Hills subdivision as a whole was annexed into the city limits. The subdivision phases have been developed meeting the R1-9 zoning restrictions, even though the subdivision is a PUD. R1-9 regulations require for a 6 feet interior side yard setback. There is no variance on file that allows for the dwelling structure located at 2614 S. 24<sup>th</sup> to encroach the side yard setback requirement. The current structure is roughly 5 feet from the property line. Leaving the structure to be consider a legal nonconforming structure since the adoption of the current development regulations in 2017.

There has been one inquire by Erin Sullivan that has requested to be on record in support of the exception.

**BOARD OF ZONING APPEALS AUTHORITY:**

The Board's authority in this matter is contained in Article XV (Board of Zoning Appeals), Section 11.03.C (Powers and Jurisdictions – Exceptions)

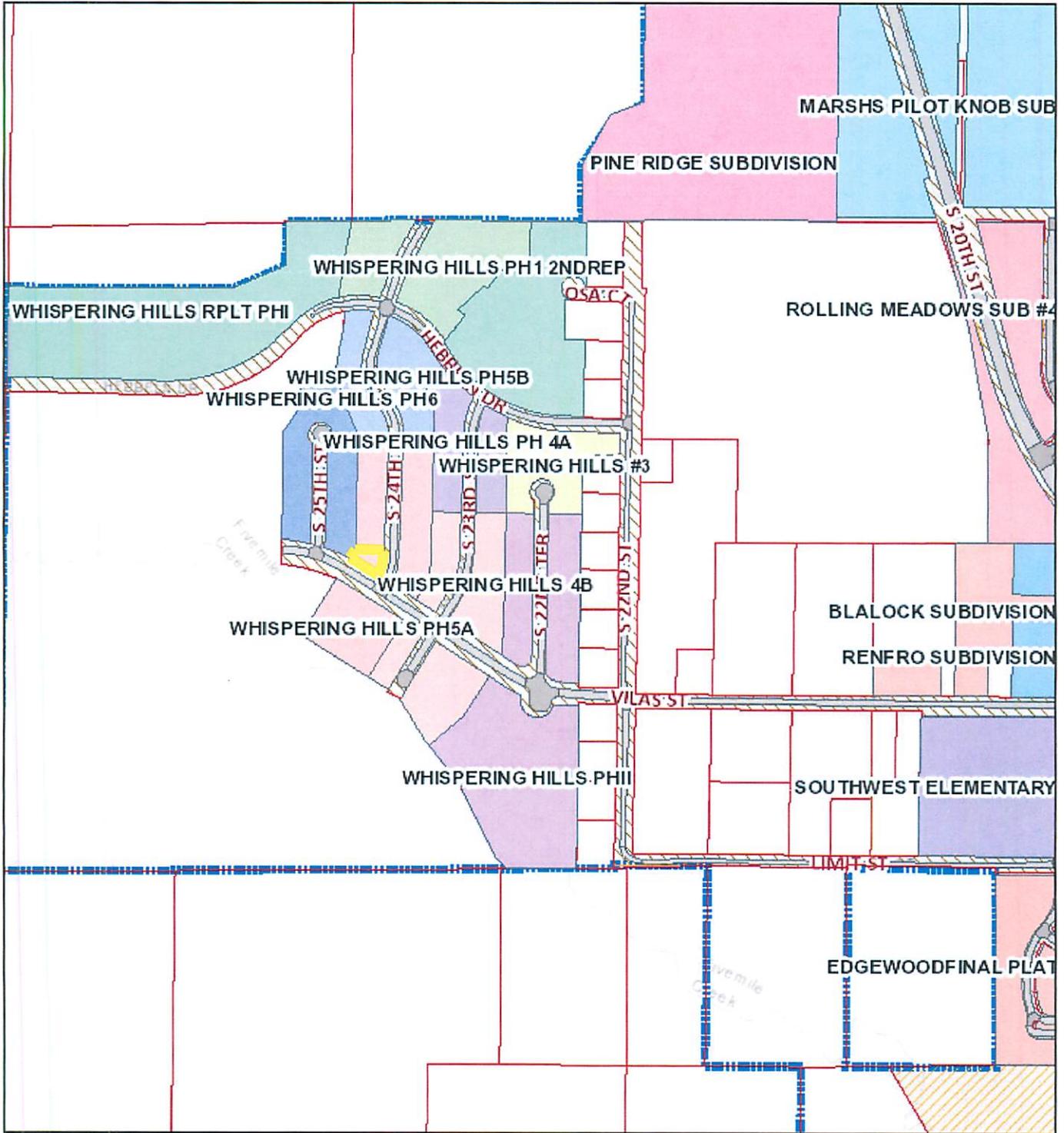
**Exceptions:** To grant exceptions which are specifically listed as permitted in these Development Regulations. In no event shall exceptions to the provisions of the Development Regulations be granted where the exception contemplated is not specifically listed as in the Development Regulations of the City of Leavenworth, Kansas. An exception is not a variance. Further, under no conditions shall the Board have the power to grant an exception when the conditions of this exception, as established by these Development Regulations, are not found to be present.

1. The Board shall not grant an exception unless it shall, in each specific case, make specific written findings of facts directly based upon the particular evidence presented to it, that support conclusions that:
  - a. The proposed exception complies with all applicable provisions of these Development Regulations, including intensity of use regulations, yard regulations, and use limitations.
  - b. The proposed exception at the specified location will contribute to and promote the welfare or convenience of the public.
  - c. The proposed exception will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
  - d. The location and size of the exception, the nature and intensity of the operation involved or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the exception will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the exception will so dominate the immediate neighborhood, consideration shall be given to:
    - (1) The location, nature and height of buildings, structures, walls, and fences on the site, and
    - (2) The nature and extent of landscaping and screening on the site.
  - e. Off-street parking and loading areas will be provided in accordance with the standards set forth in these Development Regulations, and such areas will be screened from adjoining residential uses and located to protect such residential uses from any injurious effect.
  - f. Adequate utility, drainage, and other such necessary facilities have been or will be provided.
  - g. Adequate access roads or entrance and exit drives will be provided and shall be so designated to prevent traffic hazards and to minimize traffic congestion on public streets and alleys.

**ACTION:**

Approve or deny the request for an exception of section 1.05.C.4 of the Development Regulations to allow 2614 S. 24<sup>th</sup> St to restore a nonconforming structure that was damage by more than 50% of its fair market value in the Whispering Hill PUD zoning district.

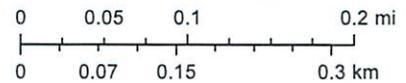
# 2614 S 24th Sub. Phase Map



12/16/2020, 11:20:46 AM

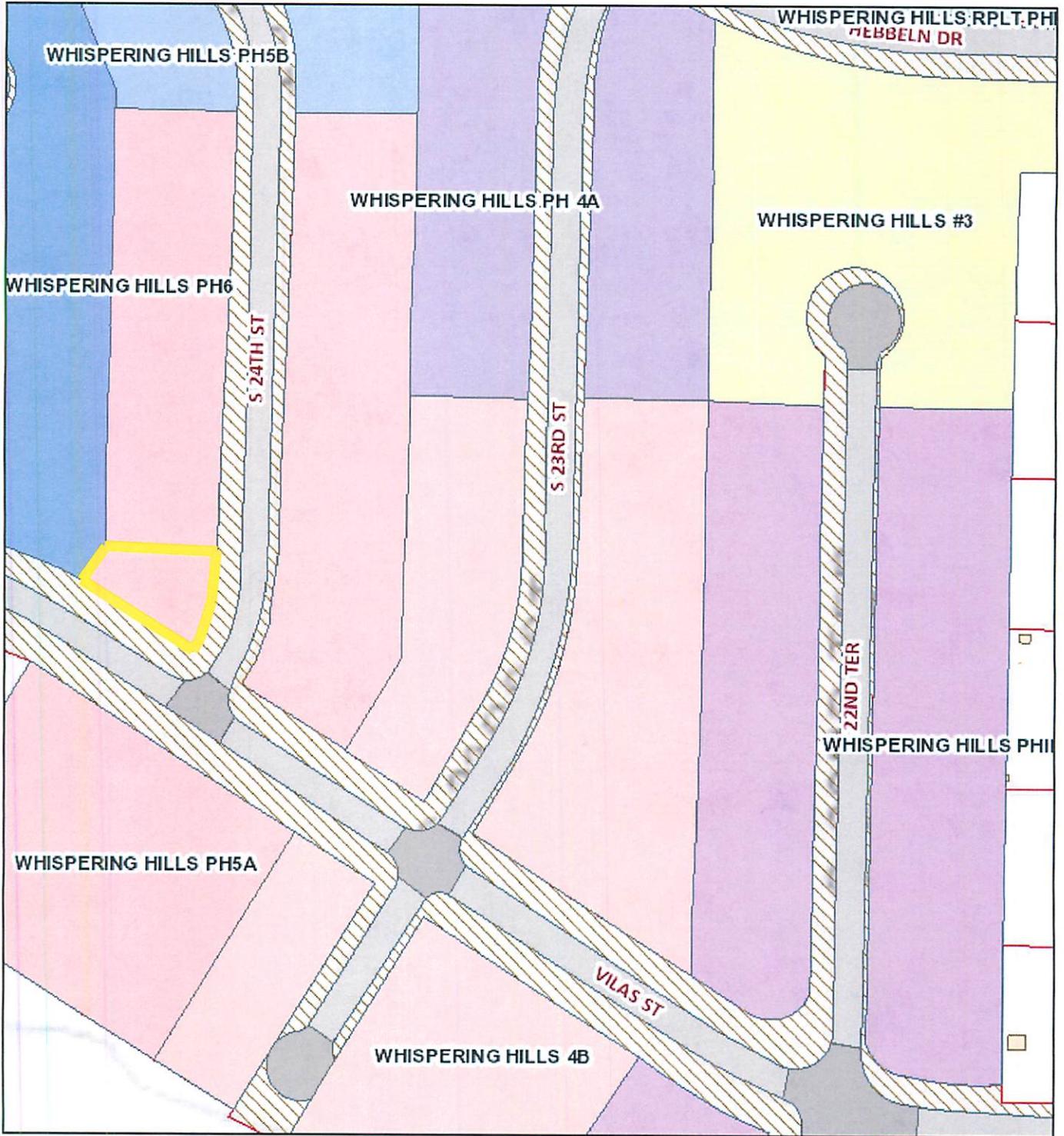
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- Override 1
- Parcels (City Owned)
- Parcels\_Current
- Missouri River
- Lansing City Limits
- Ft Leavenworth Military Installation
- Leavenworth City Limits
- City Right-of-Way
- RoadCenterline
- Alleys



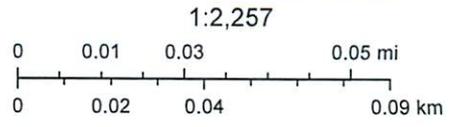
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

# 2614 S 24th Sub. Phase Map



12/16/2020, 11:22:09 AM

- Override 1
- Parcels (City Owned)
- Parcels\_Current
- Buildings
- Address (Points)
- Missouri River



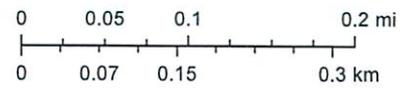
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

# 2614 S 24th Zoning Map



12/16/2020, 11:19:16 AM

1:9,028



- Override 1
- MP
- NBD
- CBD
- OBD
- PUD
- GBD
- R-MF
- I-1
- I-2

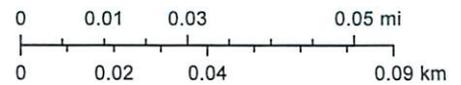
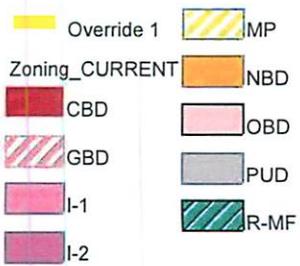
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

# 2614 S 24th Zoning Map



12/16/2020, 11:18:03 AM

1:2,257



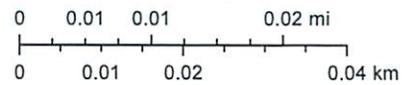
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

# 2614 S 24th Aerial Map



12/16/2020, 11:23:22 AM

1:1,128



- Override 1
- Missouri River
- Parcels (City Owned)
- Lansing City Limits
- Parcels\_Current
- Ft Leavenworth Military Installation
- Buildings
- Leavenworth City Limits
- Address (Points)
- City Right-of-Way

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BOARD OF ZONING APPEALS  
CITY OF LEAVENWORTH, KANSAS

OFFICE USE ONLY

Case No.: 2020-39 BZA  
Application No. 8513  
Fee (non-refundable) \$350.00  
Filing Date 11-6-20  
Hearing Date 12-21-20  
Publication Date 11-24-20

PETITION

Property Zoning: \_\_\_\_\_  
Location of Subject Property: 2614 S. 24<sup>th</sup> Street  
Legal Description: (Attach full legal description provided by the REGISTER OF DEEDS OFFICE)  
Petitioner: Robert H. : Patricia A. Steele  
Petitioner Address: 2614 South 24<sup>th</sup> St. Leavenworth, KS 66048  
Email: rhsteele62@aol.com Telephone: 913.306.4735  
Petitioner's Interest in Property: Homeowner  
Purpose of Petition: Suffered A house fire on 12 Oct - Need Reconstruction to build house.

- Appeal of Administration Decision \_\_\_\_\_ Date of Decision \_\_\_\_\_  
Section 11.03.A
- Variance:  
Section 11.03.B Exception: Section 1.05.C.4
- Exception:  
Section 11.03.C

Site Plan or drawing attached (hard & digital copy): Yes  No

I, the undersigned, certify that I am the legal owner of the property described above and that if this request is granted, I will proceed with the actual construction in accordance with the plans submitted within four (4) months from the date of filing or request in writing an extension of time for the Board's consideration

Property Owner Name (print): Robert H. Steele : Patricia A. Steele

Signature: R. Steele : Patricia A. Steele Date: 6 Nov. 2020

State of KANSAS )

County of Leavenworth )

Signed or attested before me on 6 November 2020 by Birgitta E. Popp

Notary Public: Birgitta E. Popp

My appointment expires: 06062021 (Seal)



**NOTE:** All signatures must be in black or blue ink. Signature of owner(s) must be secured and notarized.  
**Check list below...**

<input type="checkbox"/>	Supporting documentation: Site plan, plot plan, a drawing and any other pertinent data
<input checked="" type="checkbox"/>	Full legal description of subject property obtained from the Register of Deeds Office (913-684-0424)
<input checked="" type="checkbox"/>	Certified list of property owners within two hundred (200) feet of the subject property – County GIS Department 913-684-0448
<input checked="" type="checkbox"/>	A filing fee of Three Hundred- fifty dollars (\$350)

**GENERAL WARRANTY DEED - JOINT TENANCY**

(Following Kansas Statutory Warranty Form)

This 1st day of July, 2003

Reilly Homes, Inc.

C1006  
FILE  
2/23

**CONVEY(S) AND WARRANT(S) TO:**

Robert H. Steele and Patricia A. Steele husband and wife

as **JOINT TENANTS**, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, all the following described **REAL ESTATE** in the County of Leavenworth, State of Kansas, to-wit:

Lot 5, WHISPERING HILLS, PHASE 5A, City of Leavenworth, Leavenworth County, Kansas.

for the sum of One Dollar and other Good and Valuable Consideration.

**EXCEPT AND SUBJECT TO:**

Easements, restrictions, reservations, and covenants now of record, all taxes, both general and special not now due and/or payable.

Reilly Homes, Inc.

BY: [Signature]  
Jerome H. Reilly  
President

STATE OF KANSAS  
COUNTY OF LEAVENWORTH }  
FILED FOR RECORD }

2003 JUL -1 P 4 128

STACY R. DRISCOLL  
REGISTER OF DEEDS

STATE OF Kansas

COUNTY OF Leavenworth

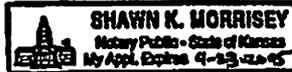
I, Shawn K. MORRISEY, a Notary Public of the County and State first above written, do hereby certify that Jerome H. Reilly, President of Reilly Homes, Inc., on behalf of the above named Corporation, which is duly incorporated and existing under the laws of the State of Kansas, is personally known to me to be the same person who executed, as such officer, the foregoing document on behalf of said Corporation, and such person duly acknowledged the execution of the same to be the act and deed of said Corporation.

Witness my hand and official seal, this the 6<sup>th</sup> day of June, 2003.

Shawn K. MORRISEY  
Notary Public

My Commission Expires: 04-23-2005

(SEAL)



Entered in the transfer record in my office this  
1st day of July, 2003  
Wanda Schoenly County Clerk

**Statement of Intent**

**In Support of Request for Exception**

**2614 South 24<sup>th</sup> Street, Leavenworth, Kansas 66048**

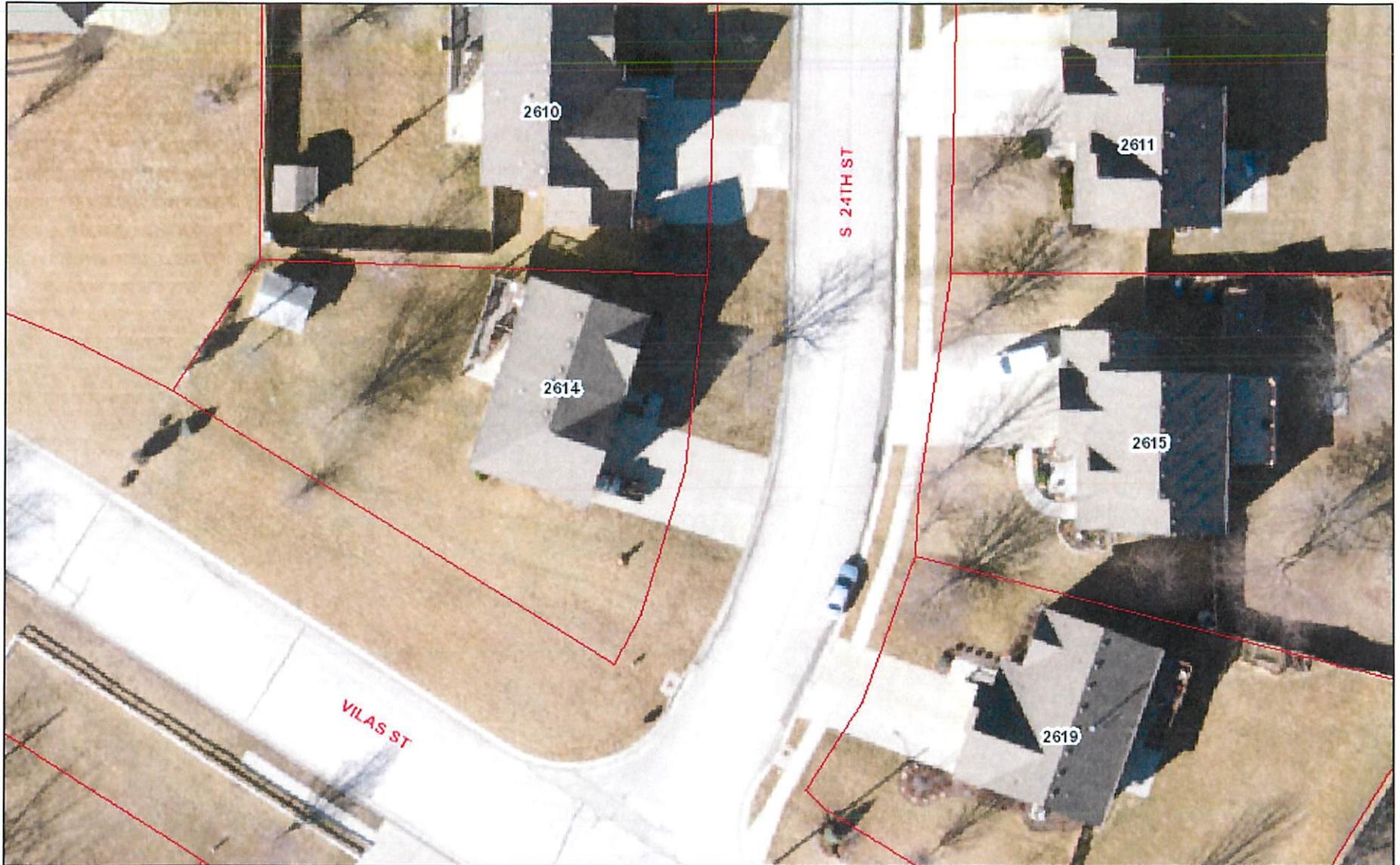
This Statement of Intent is in support of the Request for Exception for the property located at 2614 South 24<sup>th</sup> Street, Leavenworth Kansas 66048. The resident structure suffered a fire that did considerable damage to the interior of the home. Prior to the fire, the building was a legal non-conforming structure that encroached on the required interior side yard setback. The repair plans utilize the existing foundation from before the fire, and do not encroach any further into the side yard than the previous legal non-conforming structure. The existing foundation is the original foundation from the structure, and the repair construction will utilize the existing foundation and have the same exterior dimensions as the previously accepted legal non-conforming structure.

The requirements to meet all development regulations due to the repairs of the structure exceeding 50% of the structures market value are recognized and understood, but this request for Exception is being submitted in the interest of utilizing the existing foundation and recognizing that the Exception requested is minor.

Thank you for your consideration,

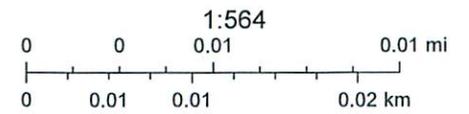
Robert H. Steele

# 2614 S. 24th Street



12/8/2020, 12:09:18 PM

- |                      |               |                     |                                      |
|----------------------|---------------|---------------------|--------------------------------------|
| Parcels (City Owned) | Ortho 2018    | Blue: Band_3        | Lansing City Limits                  |
| Parcels_Current      | Red: Band_1   | East_of_River_Blank | Ft Leavenworth Military Installation |
| Address (Points)     | Green: Band_2 | Streets             | Leavenworth City Limits              |



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