



Civil Engineering
Landscape Architecture
Community Planning
Surveying

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December 4, 2008

Scott McCullough, Director
Lawrence City Commission
6 E. Sixth Street
Lawrence, KS 66044

**Re: Zarco 66 – Earth Friendly Fuels
Request for Variance by the City Commission**

Dear Scott and Commissioners,

As suggested by Utility Department staff in accordance with Section 19-214(b), and on behalf of the property owner, this letter constitutes our request for a variance by the City Commission. This request accompanies an extensive series of similar requests to numerous City representatives, pursuant to receiving site plan approval.

19-214(b) states, "A private sanitary sewer service line shall not be located in a City public utility easement of City public right-of-way for a length greater than 15 feet."

The situation in question pertains to the existing domestic wastewater service line extending to the south from the Scooters drive-through coffee shop in operation at the southeast corner of 9th & Iowa Streets. This existing service line ties into the closest sanitary sewer main, which lies beneath 9th Street Terrace.

This condition is thought to have been constructed in the late 1970's, and there is no identifiable alternative short of reconstructing and/or extending the existing sanitary sewer main that presently serves numerous properties in this locale, which would also result in significant [although temporary] disturbance to 9th Street Terrace. The required effort would far outweigh the benefit, in this instance.

Specifically, the domestic service line is approximately 56 feet in length, 40 feet of which lies in the 9th Street Terrace right-of-way (see attached plan.) We request that this existing non-conforming condition be allowed to continue as it has for the previous 30 or so years. This condition is not of the making of the present owner, the granting of this variance would not negatively affect the rights or general welfare of the public and, because it is an existing condition, would not oppose the spirit of the Code. Conversely, denial of this variance would impose unnecessary hardship upon the present owner.

Thank you very much for your time and consideration of this request. Please feel free to contact me if you have questions or comments prior to this item being acted upon by the Governing Body.

Sincerely,

Tim A. Herndon

cc: Scott Zaremba
Sandra Day
file

encl.

DATE:	2/21/88	SHEET NO.	1
PROJECT NO.:	2058.023		
DRAWN BY:	LPE		
CHECKED BY:	BJ		
	TAJ		

North
to Scale

1. OWNER
DAVID E. BLOOM
LAWRENCEVILLE, GA
2. DAVID BLOOM/
BROOKVIEW
SAVANNAH, GEORGIA
3. PROPERTY ADDRESS:

LAWRENCEVILLE, GA 30046

STREET INDEX 1 TREE/NO. L.F. ROW
REQUANT 233 L.F. ROW/40 = 13 TREES
PROPOSED 4
INTERIOR 60 SET LANDSCAPING:
REMOVED: 40 SET LANDSCAPING/40 SPACES 1 SHADE TREE/NO SPACES 3 SHRUBS/NO SPACES
15 SPACES = 600 SF LANDSCAPING; 2 SHADE TREES, 3 SHRUBS
PROPOSED: 0 SET 0 TREES 0 SHRUBS

[illegible][illegible]

D01 1" DIA. 1/2" LIFE PLASTIC CAP LOCATED BETWEEN THE CURB AND SIDEWALK ON THE SOUTH SIDE OF W. 8TH STREET (SOUTH) AND SOUTHEASTERSLY 13' FROM THE S.E. CORNER OF LOT 4
ELEV = 1014.11

D02 1" DIA. 1/2" LIFE PLASTIC CAP LOCATED APPROX. 30' EAST OF THE EAST CURB LINE OF IOWA ST. SOUTH STREET (SOUTH) LOCATED AT 2025 W. 8TH STREET.
ELEV = 1014.78

D03 1" DIA. 1/2" LIFE PLASTIC CAP LOCATED AT S.W. CORNER OF SEVENTEENTH AVENUE ALONG 8TH STREET. CURB LOCATED AT 2025 W. 8TH STREET AND 15' SOUTHWEST OF PUNKER PALE.
ELEV = 1014.73

[illegible][illegible]