

**BOARD OF ZONING APPEALS**  
**Meeting Minutes of October 6, 2011 –6:30 p.m.**

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Members present: Christie, Lowe, Edie, Holley  
Members excused: Perez, Mahoney  
Staff present: Guntert, Parker

**ITEM NO. 1            COMMUNICATIONS**

No communications came before the Board.

No abstentions from the discussion or vote on any agenda item under consideration.

No items deferred.

**ITEM NO. 2            MINUTES**

Motioned by Christie, seconded by Edie, to approve the July 7, 2011 Board of Zoning Appeals minutes.

Motion carried, 3-0-1 Holley abstained

**BEGIN PUBLIC HEARING:**

**ITEM NO. 3            1421 WEST 19<sup>TH</sup> STREET [DRG]**

**B-8-8-11:** A request for variances as provided in Section 20-1309 of the Land Development Code of the City of Lawrence, Kansas, 2011 edition. The request involves variances from off-street parking requirements for a neighborhood religious institution seeking to locate in a developed residential property near the University of Kansas Campus. The applicant is seeking relief from the standards set forth in Article 9 of the Development Code that address the required amount of parking spaces and parking area setback from a street right-of-way. The requested property is located at 1421 West 19<sup>th</sup> Street. Submitted by Brian Sturm with Landplan Engineering, PA, for Lutheran Campus Ministry at KU, Inc., the property owner of record. **The legal description for the property in the appeal and the case file for the public hearing item are available in the Planning Office for review during regular office hours, 8-5 Monday - Friday.**

**STAFF PRESENTATION**

Mr. Guntert presented the item.

Lowe asked Mr. Guntert if the handicap parking space was a requirement of the city.

Mr. Guntert stated the city required one handicap parking space. He said the primary time when the student center would be most active was on Sunday evenings when they would have a worship service.

Christie asked if there would be activities other than on Sundays.

Mr. Guntert said there would be some staff at the center during the week but activities would be very limited in nature.

Christie asked if the application request targeted just the university students or if it might be open for others to attend.

Mr. Guntert said the use was focused upon a campus ministry outreach to the students, but it would not be exclusive to that audience. He understood the Islamic Center had no objection to the Lutheran Campus Ministry using their parking lot but they did not want to be in a formal parking agreement. Mr. Guntert stated the applicant had filed a site plan with the City that was awaiting the outcome of the Board of Zoning Appeals decision before it could be approved.

### **APPLICANT PRESENTATION**

Brian Sturm stated the site was unique due to its location and use. He said the center would be open during the school year and services were typically on Sunday evenings. The lot was small and without a variance there could be a worship service of only 12 people based upon how much parking they could provide on this property. Mr. Sturm stated the site was no longer suitable for a single dwelling residential use because of its proximity to the university campus and other nonresidential uses nearby. He said there had been no correspondence from the neighbors indicating a concern. The Islamic Center was supportive of their application.

Lowe asked Mr. Sturm what day of the week the Islamic Center normally had their activities.

Mr. Sturm stated the Islamic Center had prayer services around the clock at different times but the majority of services were on Fridays. He said there would not be a major scheduling conflict.

### **PUBLIC COMMENT**

There was no public comment.

### **PUBLIC HEARING CLOSED**

Motioned by Edie, seconded by Christie, to close the public hearing.

Motion carried unanimously, 4-0

### **BOARD DISCUSSION**

Lowe stated there was not a way to fit all the parking spaces required on the lot. What was being represented as far as the intensity of activities happening at the site did not seem to be an issue for the neighbors. The primary times when people would be gathering at the center were off-peak hours for the university so parking in the university lots nearby should not be a problem. The Islamic Center also did not seem to have a problem with them using some of their parking if needed.

### **ACTION TAKEN**

Motioned by Christie, seconded by Edie, to approve the variance requests at 1421 West 19<sup>th</sup> Street, based on the findings of fact in the staff report with the following conditions as listed in the staff report:

1. The maximum number of vehicles allowed to park outside on this property at one time is 3.
2. The parking variance approvals are specific to the use of the Lutheran Campus Ministry and do not run with the property.

Motion carried unanimously, 4-0

**ITEM NO. 4**      **MISCELLANEOUS**

a)      Mr. Guntert stated two new members, Jonathan Holley and Anthony Perez, had been recently appointed to the Board. There is still an open position that needs to be filled – a replacement for Micah Kimball, who resigned because of a job transfer out of state. He suggested having another training session after the first of the year.

**ACTION TAKEN**

Motioned by Edie, seconded by Holley, to adjourn the Board of Zoning Appeals meeting.

Motion carried unanimously, 4-0

**ADJOURN- 7:00 p.m.**

Official minutes are on file in the Planning Department office.