

**BOARD OF ZONING APPEALS**  
**Meeting Minutes of September 5, 2013 - 6:30 p.m.**

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Members present: Fertig, Holley, Lowe, Mahoney, Perez  
Staff present: Guntert, A. Miller, Ewert, B. Walthall, Larkin, Schroeder

**ITEM NO. 1      COMMUNICATIONS**

No communications came before the Board.

No Board member disclosure of ex parte contacts or abstentions from the discussion or vote on any agenda item under consideration.

No agenda items were deferred.

**ITEM NO. 2      MINUTES**

Consider approval of the minutes from the July 11, 2013 meeting of the Board

**ACTION TAKEN**

Motioned by Perez, seconded by Holley, to approve the July 11, 2013 Board of Zoning Appeals minutes.

Motion carried 2-0-3, with Fertig, Holley, and Lowe abstaining.

**BEGIN PUBLIC HEARING:**

**ITEM NO. 3      YANKEE TANK ESTATES FLOODPLAIN DEVELOPMENT VARIANCES;  
SE OF W. 31<sup>ST</sup> STREET AND KASOLD DRIVE [AM]**

**B-13-00307:** A request for a variance as provided in Section 20-1309 of the Land Development Code in the Code of the City of Lawrence, Kansas, 2013 edition. The request is from the provisions in Article 12, Sections 20-1204 (e) (1)(i), 20-1204 (e) (2) ii (a), and 20-1204 (e) (2) ii (b) of the City Code as they pertain to development in the Regulatory Floodplain Overlay District. The variance requests are related to a proposed new residential development planned for the southeast corner of West 31<sup>st</sup> Street and Kasold Drive to be known as Yankee Tank Estates. Submitted by J. Dean Grob, Grob Engineering Services, LLC, for Kansas District of the Wesleyan Church, 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**

Ms. Amy Miller presented the item.

**APPLICANT PRESENTATION**

Mr. Dean Grob, Grob Engineering, was present for questioning.

**PUBLIC HEARING**

There was no public comment.

**BOARD DISCUSSION**

Fertig felt this item was in the interest of the city.

**ACTION TAKEN**

Motioned by Fertig, seconded by Lowe, to approve the variance request based on Staff's recommendation of the variance from the floodplain regulations with respect to non-residential development standards, subject to the following conditions:

1. Approval of a local Floodplain Development Permit, and
2. Approval of a Final Plat for the subdivision

Approved unanimously, 5-0.

**ITEM NO. 4 MISCELLANEOUS**

- a) Consider any other business to come before the Board.

Ms. Miller advised the Board that at least one item had been submitted for the August BZA meeting.

**ADJOURN 6:37pm**