



LAWRENCE BOARD OF ZONING APPEALS
Meeting Minutes of August 4, 2016 – 6:30 p.m.

Members present: Fertig, Gascon, Holley, Mahoney, Wilbur
Staff present: Cargill, Crick, Guntert

ITEM NO. 1 COMMUNICATIONS

There were no communications to come before the Board.

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

There were no agenda items that will be deferred.

ITEM NO. 2 MINUTES

Consider approval of the minutes from the April 7th and May 5, 2016 meetings of the Board.

ACTION TAKEN

Motioned by Fertig, seconded by Gascon, to approve the minutes from the April 7th meeting of the Board, with a correction to reflect Mahoney's attendance.

Unanimously approved 5-0.

Motioned by Mahoney, seconded by Holley, to approve the minutes from the May 5th meeting of the Board.

Unanimously approved 5-0.

BEGIN PUBLIC HEARING:

**ITEM NO. 3 FRONT AND EXTERIOR SIDE YARD SETBACK VARIANCES FOR AN
ADDITION TO EXISTING RESIDENTIAL DWELLING; 316 N 8TH STREET
[DRG]**

B-16-00279: A request for variances as provided in Section 20-1309 of the Land Development Code of the City of Lawrence, Kansas, 2015 edition. The first request is for a variance to reduce the 25 feet minimum front setback requirement listed in Section 20-601(a) of the City Code to a minimum of 13 feet for an existing porch and 20.37 feet for a proposed house addition. The second request is for a variance to reduce the 25 feet minimum exterior side setback requirement listed in Section 20-601(a) of the City Code to a minimum of 16 feet for the north building line of the existing carport and garage and 19 feet for the existing home. The property is located at 316 N. 8th Street. Submitted by James and Holly Balch, the property owners of record.

STAFF PRESENTATION

Gunttert presented the item.

Holley asked if there is any scenario that would not allow the owners to rebuild as is.

Guntert said the code allows redevelopment of the property if it is less than 60% of the assessed property value, any more than that would require compliance with building setbacks or a new variance request.

APPLICANT PRESENTATION

Mr. James Balch said they've been living in the house since 2000 and felt it was time to add some square footage.

Ms. Holly Balch said their only storm shelter is an old cellar, so they plan to add one with the addition.

No public comment

ACTION TAKEN

Motioned by Wilbur, seconded by Mahoney, to close public comment for the item.

Unanimously approved 5-0.

BOARD DISCUSSION

Holley said the plan looks great and is appropriate for the neighborhood.

Mahoney agreed.

ACTION TAKEN

Motioned by Wilbur, seconded by Gascon, to approve the variance based on the staff report.

Unanimously approved 5-0.

ITEM NO. 4 **ST JOHN'S CATHOLIC CHURCH AND SCHOOL BUILDING ADDITIONS; 1208 KENTUCKY STREET [JSC]**

B-16-00281: A request for variances as provided in Section 20-1309 of the Land Development Code of the City of Lawrence, Kansas, 2015 edition. The request is to reduce the front and rear building setbacks for two separate building additions being planned for the St. John the Evangelist Catholic Church and School campus. Section 20-601(a) of the City Code requires a minimum front and rear yard building setback of 25 feet. The applicant is requesting a 0 feet setback along the property's Kentucky Street frontage (front setback) and a 10.9 feet setback along Vermont Street (double frontage lot rear setback). The property is located at 1208 Kentucky Street. Submitted by Dan Sabatini, Sabatini Architects, for Roman Catholic Archdiocese of Kansas City, the property owner of record.

STAFF PRESENTATION

Crick presented the item.

Fertig asked if the approval has any conditions.

Crick said no.

Mahoney asked if staff received any correspondence from neighbors regarding the project.

Crick said no.

Fertig asked if Crick could point to which house is being relocated.

Crick located the house on the displayed map.

Holley asked if there are other zoning classifications more appropriate for the site.

Crick said GPI would be a less fitting zoning category because it would typically be used for a City Hall or a water tower installation, while the RM32 permits this use. Short of commercial zoning, which would be a stretch, this is the best zoning classification.

APPLICANT PRESENTATION

Ms. Katie Nichols, Sabatini Architects, clarified the proposed new location of the house and the boundaries of the addition.

Wilbur asked if they are losing any parking.

Nichols said the site plan proposes additional parking- they're losing some of the north parking lot but replacing those spaces.

ACTION TAKEN

Motioned by Holley, seconded by Gascon, to close public comment for the item.

Unanimously approved 5-0.

BOARD DISCUSSION

Wilbur said it is a clever solution to a restricted area.

Fertig agreed, adding that they are dealing with several challenges, including parking and historic review. She said she was surprised they didn't receive any feedback from neighbors.

ACTION TAKEN

Motioned by Mahoney, seconded by Gascon, to approve the variance based on the staff report.

Unanimously approved 5-0.

ITEM NO. 5 MISCELLANEOUS

a) There was no other business to come before the Board.