



LAWRENCE BOARD OF ZONING APPEALS
Meeting Minutes of October 6, 2016 – 7:16 p.m.

Members present: Clark, Gardner, Gascon, Holley, Mahoney, Wilbur
Staff present: Ewert, Crick, Guntert

ITEM NO. 1 COMMUNICATIONS

Mr. David Guntert said Mr. Doug Hassig sent an email requesting Item 5 be tabled for two months so he can gather additional support.

No board members had ex parte to disclose.

Items 3 and 4 were deferred prior to the meeting.

ELECTION OF OFFICERS FOR 2016-2017

Accept nominations for and elect a Chair and Vice-Chair for the coming year.

Mahoney suggested holding elections next month when all board members could be present.

Mr. Guntert said Mr. Eric Wisner was recently appointed by the Mayor to replace Mr. Scott Kimzey, whose term expired the end of September.

ITEM NO. 2 MINUTES

Consider approval of the minutes from the August 4, 2016 meeting of the Board.

Motioned by Holley, seconded by Wilber, to approve the August 4, 2016 Board of Zoning Appeals minutes.

Motion carried 3-0-2, with Clark and Gardner abstaining. Gascon was not present for the vote.

BEGIN PUBLIC HEARING:

**ITEM NO. 3 OUTDOOR LIGHT CONTAINMENT VARIANCE FOR A NEW
AUTOMOTIVE SALES DISPLAY LOT; SW CORNER OF W. 29TH
STREET AND IOWA STREET [DRG]**

B-16-00338: A request for a variance as provided in Section 20-1309 of the Land Development Code of the City of Lawrence, Kansas, 2015 edition. The request is for a variance from the Outdoor Lighting Standards relating to Spillover Light, which is listed in Section 20-1103(d)(3)(ii) of the City Code. This code provision states that spillover light from a development site shall not exceed 3 foot-candles measured at the lot line onto public street rights-of-way or other properties in a nonresidential zoning district. The property is located on the southwest corner of W. 29th Street between Iowa Street and the Iowa Street frontage road. Submitted by David Hamby, P. E. with BG Consultants, Inc., for AFAD, Inc., the property owner of record. Deferred from the September 1 meeting by the applicant.

**ITEM NO. 4 AUTOMOTIVE SALES DISPLAY AREA VARIANCE FROM A PUBLIC
STREET RIGHT-OF-WAY; 2851 IOWA STREET [JSC]**

B-16-00339: A request for a variance as provided in Section 20-1309 of the Land Development Code of the City of Lawrence, Kansas, 2015 edition. The request is for a variance to reduce the code required 15 feet minimum off-street parking area setback from public street rights-of-way, which is provided in Section 20-908(c) of the City Code, to a minimum of 0 feet along the property's frontage on W. 28th Terrace and Iowa Street frontage road. The property is located at 2851 Iowa Street. Submitted by David Hamby, P. E. with BG Consultants, Inc., for AFAD, Inc., the property owner of record. Deferred from the September 1 meeting by the applicant.

**ITEM NO. 5 VARIANCE FROM THE REAR YARD BUILDING SETBACK FOR A
RESIDENTIAL DWELLING DECK ADDITION; 315 HEADWATERS
DRIVE [DRG]**

B-16-00380: A request for a variance as provided in Section 20-1309 of the Land Development Code of the City of Lawrence, Kansas, 2015 edition. The request is for a variance from the 30 feet minimum rear yard building setback standard in an RS7 (Single-Dwelling Residential) District which is provided by Section 20-601(a) of the City Code. The applicant is seeking an exception from this code standard to allow the construction of a 10 feet rear deck addition that will reduce the rear yard building setback to a minimum of 20 feet. The property is located at 315 Headwaters Drive. Submitted by Doug Hassig, President of R&H Builders, Inc., who is the property owner of record.

ITEM NO. 6 MISCELLANEOUS

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

Adjourn 7:21pm