CALL THE MEETING TO ORDER

TAKE A ROLL CALL TO DETERMINE IF THERE IS A QUORUM OF MEMBERS PRESENT

SWEAR IN ANY APPLICANTS, WITNESSES, OR OTHERS PLANNING TO GIVE TESTIMONY ON ANY OF THE AGENDA ITEMS

ITEM NO. 1 COMMUNICATIONS

Acknowledge any communications to come before the Board.

Board member disclosure of any ex parte contacts and/or any abstentions from the discussion and vote on any agenda item under consideration.

Announce any agenda items that will be deferred.

ITEM NO. 2 MINUTES

Consider approval of the minutes from the June 4, 2009 meeting of the Board.

BEGIN PUBLIC HEARING:

ITEM NO. 3 1004 ALABAMA STREET [DRG]

B-6-7-09: 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, 2009 edition. The request is for a variance to exceed the maximum 12 dwelling units per acre standard as it relates to the minimum lot area standard in the RM12D District per Section 20-601(a) of the City Code. The variance is needed for the applicant to be able to construct a duplex dwelling on the lot. The property is legally described as: Lot 15, Block 26, in Sinclair’s Addition to the City of Lawrence. The subject property is addressed as 1004 Alabama Street. Submitted by Eric Oligschlaeger for Odyssey Rentals, LLC, the property owner of record.

ITEM NO. 4 MISCELLANEOUS

a) Consider any other business to come before the Board.
BOARD OF ZONING APPEALS  
Meeting Minutes of June 4, 2009 - 6:30 p.m.

Members present: Carpenter, Bowman, Lowe, Blaufuss, Lane, Kimball, von Tersch  
Staff present: Guntert, Parker, Miller

ITEM NO. 1  COMMUNICATIONS

Staff stated the Board had received all communications.

No Board member disclosed ex parte contacts or abstentions.

No agenda items deferred.

ITEM NO. 2  MINUTES

ACTION TAKEN
Motioned by Bowman, seconded by Lowe, to approve the May 7, 2009 Board of Zoning Appeals minutes.

Motion carried unanimously, 7-0

ITEM NO. 3  1023 HIGHLAND DRIVE [DRG]

B-5-5-09: 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, 2009 edition. The request is to reduce the amount of off-street parking spaces provided for a group daycare center from a minimum of 6 parking spaces required by City standards for off-street parking set forth in Article 9, Section 20-902 of the City Code, to a minimum of 2 spaces. The property is legally described as: Beginning at the northeast corner of Lot 13, thence South 10 feet, thence Northwesterly on a straight line to a point 5 feet South of the Northwest corner of said Lot 13, thence North 5 feet, thence East 135 feet to the point of beginning; and, the South 45 feet of Lot 14; both being in Block 2 in Hillcrest Addition to the City of Lawrence. The subject property is addressed as 1023 Highland Drive. Submitted by Mary McGee, ABC Imagination Center with the permission of Randall C. Pine, POA for Richard R. Pine, the property owner of record.

STAFF PRESENTATION
Mr. David Guntert presented the item.

Blaufuss asked Mr. Guntert if Hillcrest school changed principals if it would make a difference in the fact the current principal gave approval to use the schools parking area. She asked if the school principal's approval would be necessary if the variance was granted.

Mr. Guntert stated approval from the principal at Hillcrest school would not be necessary if the variance was granted. He said parking was allowed on the street on the east side of Highland Drive throughout the day. Parking was restricted on the west side of the street from the hours of 7:00 am and 5:00 pm Monday through Friday. Depending on when the children were brought to the center or were being picked up, it might be possible to parking on the west side of the street.
Bowman asked if the use would be allowed according to the Development Code.

Mr. Guntert stated the applicant had gained approval from the Planning Commission and City Commission for a Special Use Permit. The Special Use Permit was required in this case because the residence would not be inhabited by the applicant or anyone else. Therefore it was considered in the Development Code to be a day care center rather than a day care home. During the hearing at the Planning Commission meeting the commissioners went on record in support of the applicant seeking the parking space variance citing as their reason that it would help preserve the residential character of the street. The Board of Zoning Appeals was the final step for the applicant in the approval process.

APPLICANT PRESENTATION
Mary McGee, the applicant and operator of the child care center, stated she was available for questions.

Lowe asked Ms. McGee if she had operated her daycare business from a different location.

Ms. McGee stated there was previously a daycare located at 1023 Highland Drive operated by a different owner. She stated she was a new daycare provider and did not currently have children enrolled in the daycare center. She was waiting to get all of the approvals before advertising. Ms. McGee said the drop off and pick up time would not be the same as the Hillcrest school drop off or pick up time so the two uses should not be competing for parking spaces at the same time of the day.

von Tersch stated there could be a problem if there was as many as twelve children being dropped off at the daycare center at the same time.

Ms. McGee stated she believed the children would be dropped off at different times unless there was something special scheduled at the daycare center.

Blaufuss asked the applicant if the variance would be needed if she would reside at 1023 Highland Drive.

Ms. McGee stated the variance would not be needed if she would reside in the home. The parking standards did not require as much off-street parking if operated as a day care home.

Blaufuss asked Ms. McGee if she was limited to twelve children at the day care center.

Ms. McGee stated there would be a limit of twelve children attending the daycare center.

Mr. Carpenter asked in anyone had spoken against the day care center at the Planning Commission meeting.

Ms. McGee said Virginia Anderson owned a home two doors down. She had expressed concern that the day care center would create additional traffic on the street. Ms. McGee stated the Planning Department staff did not believe traffic would be a problem.

Lane stated he lived in the neighborhood and there was plenty of parking in the area.

PUBLIC COMMENT
No one from the public spoke to this item.

PUBLIC HEARING CLOSED
BOARD DISCUSSION
No Board discussion on this item.

ACTION TAKEN
Motioned by Lowe, seconded by Kimball, to approve the variance to reduce the amount of off-street parking spaces provided for a group day care center located at 1023 Highland Drive from the required 6 spaces to a minimum of 2 parking spaces, based on the findings of fact and recommendation in the staff report.

Motion carried unanimously, 7-0

ITEM NO. 4  1022 AVALON ROAD [DRG]

B-5-6-09: A request for a variance as provided in Section 20-1309 of the Land Development Code of the City of Lawrence, Kansas, 2009 edition. The request is to allow a second driveway access to remain on a property having less than 200 feet of street frontage as required in Article 9, Section 20-915(f) of the City Code. The request is submitted for the property legally described as Lot 14 and the South 53 feet of Lot 15, in Hillcrest Third Addition to the City of Lawrence, Douglas County, Kansas. The property address is 1022 Avalon Road. Submitted by Michael Nuffer of Michael Nuffer Construction, Inc., for Robert Brent Morrison, the property owner of record.

STAFF PRESENTATION
Mr. David Guntert presented the item.

Carpenter asked Staff if there was one curb cut on the property.

Mr. Guntert said there were two curb cuts on the lot. The lot has a driveway in front of the residence and a curb break exists to the north end of the lot. He said the northern curb break had been blocked off with large rocks to prevent vehicles from parking in that area.

Carpenter asked Staff if the homes in the area were constructed prior to the Development Code.

Mr. Guntert said the homes were built prior to the adoption of the current regulations. The 200 feet lot frontage standard needed to be eligible for a second curb cut went into effect July 2006. Prior to that date, the lot frontage standard was 100 feet to become eligible for two driveway accesses.

Blaufuss asked Staff if parking was allowed on the west side of Avalon Road.

Mr. Guntert stated he had reviewed the area and there was rarely vehicles parked on either side of the street.

Kimball asked if the property consisted of two lots that had been combined.

Mr. Guntert stated the property consisted of approximately one lot and a half.

Lane asked if the garage would be built within the utility easement.

Mr. Guntert stated the drawing the applicant provided with the variance application did not show the location of the proposed garage to scale. The garage would not encroach into the utility easement.
APPLICANT PRESENTATION

Robert Morrison, the property owner, stated he bought the property at 1022 Avalon Road in 2000. He said the City replaced all the curbs in 2005 and changed the parking on the street. He received a permit from the City to build a second driveway with the anticipation of building a garage. Mr. Morrison stated the City approved the second driveway access prior to the new Development Code being adopted. The driveway permit was issued in 2005.

Mr. Morrison said he had no parking space for entertaining and the street usually lacked parking spots. The driveway leading to his garage and residence was very shallow and only provided room for two vehicles.

He presented photos of parking in the area. When classes were in session at KU, the street was used by students for parking. It also provided overflow parking for the sororities in the neighborhood.

Kimball asked the applicant if the garage would have an accessory residence in it.

Mr. Morrison said the garage would not have a residence. He said there would be additional storage space within the garage and he was still considering whether to finish some of the building for an office/hobby room.

Lowe asked Mr. Morrison if he had a picture of the front of his house.

Mr. Morrison stated he did not bring a picture of the front of his house.

PUBLIC COMMENT

No one from the public spoke to this item.

PUBLIC HEARING CLOSED

BOARD DISCUSSION

Lowe was disappointed there were no pictures available of the property to help him visualize the layout and relationship to other adjacent properties.

John Miller recommended the Board members take a moment to view the Google street view pictures of the property that Board member Carpenter had accessed on his computer.

Lowe asked the applicant if there were large rocks sitting near the driveway.

Mr. Morrison stated the rocks were placed in the area to block the extra driveway. He said the City had notified him that it could not be used for parking because it was unimproved and parking had to be on a paved surface.

Blaufuss asked the applicant to provide the Board with the letter he had received from the City of Lawrence concerning the approval of a second driveway.

Carpenter said he used to live in this area and was aware that the driveway had been used as parking spots from August 1992 to the spring of 1994.

Blaufuss stated the letter from the City said the garage had to be completed within a year.
Carpenter asked the applicant if there was a way to design the second driveway using the existing driveway access.

Mr. Morrison stated there was not enough room within the existing driveway for it to be able to serve as the access to a detached garage. His existing driveway was very short and the turning movements would be challenging at best.

Kimball stated the letter Mr. Morrison provided to the Board indicated there was not an approved building permit for a garage.

Mr. Guntert stated under the old zoning regulations and City Codes, the applicant had enough lot frontage on the property to support the development of a second driveway access. The new Development Code changed the minimum lot frontage requirement to support a second driveway access. The applicant's property no longer met the standard.

Lane asked Mr. Guntert if Staff's denial recommendation was based on a technical nature or if there was a life safety issue with them having a second driveway access.

Mr. Guntert stated if two access points were allowed there is potential for additional traffic conflict on the street. Anytime there are access driveways added along a street it creates opportunity for conflicting vehicle turning movements that may pose safety problems for neighbors and motorists using the street.

Mr. Morrison asked Mr. Guntert if the City was going to add sidewalks to both sides of the street.

Mr. Guntert stated a local residential street would typically have a sidewalk on one side of the street. He did not know of any plans the City had for building a sidewalk on this street.

**ACTION TAKEN**

Motioned by Blaufuss, seconded by von Tersch, to deny a second driveway access for 1022 Avalon Road based upon the findings and recommendation in the staff report.

> Motion failed, 2-5

Lowe stated the applicant had a unique situation because parking was only allowed on one side of the street. He felt the on-street parking limitations caused a hardship to the applicant.

Carpenter stated by eliminating the parking to one side of the street it made the area safer. The area was very hilly. He said it would be beneficial to the area to have additional off street parking.

Lane said there was already a second curb cut on the property that the City had approved in the past.

von Tersch stated the property consisted of two lots.

John Miller, Staff Attorney stated the Board could look at the factors submitted by the applicant and look at the reasoning behind them for meeting the five criteria. He said the decision making process should go along with all five criteria.
ACTION TAKEN
Motioned by Lowe, seconded by Bowman, to approve the second driveway access variance for 1022 Avalon Road based on the following:

1. The property is unique in that the lot frontage standards for having a second driveway access have changed since the applicant purchased the property. The City previously approved a second driveway access on the property before the regulations changed.
2. Granting the variance would not adversely affect the rights of the adjacent property owners, but may in fact benefit them by allowing more parking spaces on the property.
3. Strict application of the provisions of this chapter would put unnecessary hardship on the applicant, due to inadequate parking for the applicant’s residence.
4. Granting the variance would not adversely affect public health, safety, morals, order, convenience, prosperity or general welfare. Granting the variance would improve the area by moving the parking off the street.
5. Granting the variance would not be opposed to the general spirit and intent of this chapter.

Motion carried, 5-2

ITEM NO. 5  MISCELLANEOUS

a) No other business to come before the Board.

ACTION TAKEN
Motioned by Kimball, seconded by Lane, to adjourn the Board of Zoning Appeals meeting.

Motion carried unanimously, 7-0

ADJOURN – 7:35p.m.
Official minutes are on file in the Planning Department office.
August 2, 2005

Mr. Robert B. Morrison
1022 Avalon Road
Lawrence, KS 66044

RE: Project No. 21-SR5-405(C)
2005 Overlay and Concrete Repair Program, Phase 3
Driveway at 1022 Avalon Road

Dear Mr. Morrison:

I have received your permit and letter for a second driveway curb cut for your property at 1022 Avalon Road. Although this property meets the length dimension (City Code Section 16-114) along Avalon Road for a second driveway access, there is no approved building permit for the construction of a new garage.

The curb repair along Avalon Road has been completed and we have installed your second driveway access as requested. However, we will not be constructing a driveway apron because there is not an existing driveway to tie into. Also, per City Code Section 16-302.1, gravel is not an approved surface for parking vehicles, and per City Code Section 17-410.28 no parking is allowed in the area between the street and the adjacent property line. You are prohibited from parking in this gravel area. Please remove all the gravel which has been placed in the city right-of-way for parking purposes by September 1, 2005.

Per the notarized letter you provided dated July 25, 2005, a garage will be constructed within one year (before July 25, 2006) or this access point will be removed by the city. If you have any questions, please feel free to call me at 832-3130.

Sincerely,

Terese A. Gorman, P.E.
City Engineer

TAG/jje

cc: Dave Corliss
    Chuck Soules
    Linda Finger
    Sheila Stogsdill
    Chief Ron Olin
    Ed Ogle
    Wayne Hall
ITEM NO. 3  1004 ALABAMA STREET [DRG]

B-6-7-09: 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, 2009 edition. The request is for a variance to exceed the maximum 12 dwelling units per acre standard as it relates to the minimum lot area standard in the RM12D District per Section 20-601(a) of the City Code. The variance is needed for the applicant to be able to construct a duplex dwelling on the lot. The property is legally described as: Lot 15, Block 26, in Sinclair’s Addition to the City of Lawrence. The subject property is addressed as 1004 Alabama Street. Submitted by Eric Oligschlaeger for Odyssey Rentals, LLC, the property owner of record.

B. REASON FOR REQUEST

Applicant’s Request - “Allow the construction of a duplex on 1004 Alabama. Variance applied for lot size.”

C. ZONING AND LAND USE

Current Zoning & Land Use: RM12D (Multi-Dwelling Residential) District; duplex residential structure under construction.

Surrounding Zoning and Land Use: RM12D (Multi-Dwelling Residential) District in all directions; duplex residential use to the north.

single-family residential dwellings and residential dwellings converted to apartments exist to the east, southeast, west and southwest.

4-plex residential dwelling to the south.

D. ZONING ORDINANCE REQUIREMENTS

- Section 20-402 is a use table identifying uses allowed in the Residential Districts. It indicates duplexes are permitted in the RM12D (Multi-Dwelling Residential) District.
- Section 20-601(a) requires a 6,000 sq. ft. minimum lot area for the RM12D (Multi-Dwelling Residential) District.
- Section 20-601(a) allows a maximum of 12 dwelling units per acre for the RM12D (Multi-Dwelling Residential) District.
- Section 20-1701, “General Terms” provides a definition for “unnecessary hardship” as follows:

  **Unnecessary Hardship**
  
  The condition resulting from application of these regulations when viewing the property in its environment that is so unreasonable as to become an arbitrary and capricious interference with the basic right of private property ownership, or convincing proof exists that it is impossible to use the property for a conforming use, or sufficient factors exist to constitute a hardship that would in effect deprive the Owner of their property without compensation. Mere financial loss or the loss of a potential financial advantage does not constitute Unnecessary Hardship.
E. SPECIFIC ANALYSIS

Section 20-1709.1 lists the five requisite conditions for granting a variance.

1. The variance request arises from such conditions which are unique to the property in question and not ordinarily found in the same zone or district; and are not created by an action or actions of the property owner or applicant.

   Applicant response: "The variance request for 1004 Alabama is to build a duplex on land that was once occupied by a quad-plex. The lot size of 50 x 117 typical to the neighborhood, does not allow enough square footage to build a duplex due to changes in code that went into effect as building plans were being submitted."

The lot in question was platted as part of the final plat of Sinclair's Addition in the City of Lawrence in 1886. The lot is a typical size found in the original townsite area of the city. It is a 50 feet x 117 feet lot with alley access along the east boundary. The total lot area is 5,850 square feet. The lot qualifies as an existing lot of record platted before the adoption of the city’s first zoning ordinance or the current Development Code.

Prior to the adoption of the Development Code, the subject property was zoned RM-D (Duplex Residential) District. In that zoning district the minimum lot size was 7,000 square feet; and, the minimum lot area per dwelling unit requirement was 3,500 square feet. The previous Zoning Ordinance addressed development on existing lots of record when the lot did not meet the lot size standards for the district through a provision in the ordinance that allowed the application of a 20 percent reduction in the lot area per dwelling unit requirement. This special provision only applied to three zoning districts of which the RM-D District was one. Based upon that provision, the minimum lot area needed for a duplex density was reduced to 5,600 square feet. Thus, a standard size lot was capable of supporting the development of a duplex.

When the City adopted the Development Code in July 2006, the existing zoning in the city converted to new zoning districts according to a conversion table found in Section 20-110(e) of the Development Code. The conversion of the RM-D zoning went to the new classification of RM12D. Article 6, Density Table establishes a minimum lot area of 6,000 square feet for RM12D zoned property. At 12 dwelling units per acre, the minimum lot size needs to be 7,260 square feet for a duplex (2 dwelling units). The Development Code does not provide any automatic reduction from the density provisions like what had existed in the old zoning ordinance.

The applicant had nothing to do with the creation of these regulations which define the minimum standards needed for the development of a residential duplex dwelling structure. The applicant also was not involved with the division of the property into the size lots found in the area. These conditions are not only unique to the property in question but also affect other areas of the city having similar size lots and RM12D zoning.

2. That the granting of the variance will not adversely affect the rights of adjacent property owners or residents.

   Applicant response: "The duplex would not adversely affect the rights of adjacent property owners or residence for there will be the same number of occupants (8). However the duplex will provide off street parking for eight residents compared to the quad-plex which only offered five."
A variance from the dwelling unit density standard to allow the applicant to have the ability to develop the property with a duplex residential structure should not adversely affect the rights of adjacent property owners or residents. There are many other properties in the immediate vicinity of this request that are now developed with multi-dwelling residential uses.

Staff has identified this issue resulting in the need for a variance as an inconsistency in the Development Code that needs to be considered with a text amendment. The issue was part of the discussion of Item No. 10 on the Planning Commission’s Agenda in May. At that meeting, the Planning Commission voted to initiate a list of text amendments for discussion and action at future planning commission meetings later this year. At this time, no recommended language has been drafted by staff. It may be months before a text amendment is prepared and ready to be considered by the Planning Commission due to the number of other text amendments being processed and a reduction of staff resources that can be devoted to processing them.

The variance request only relates to the issue of development density. The building complies with the setback requirements for the district and meets the minimum standards for the number of parking spaces. No other variances are involved with the request.

3. That the strict application of the provisions of this chapter for which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.

   Applicant response: “Currently the project is 65% complete with a total of $500,000 already being invested in the property. Denial of variance would result in loss of investment.”

In staff’s opinion, strict application of the provisions of the Development Code is an unnecessary hardship for the property owner. The Development Code states that duplex residential dwellings are what should be constructed on lots in the RM12D Zoning District. Single-family homes are only allowed with a Special Use Permit or when a majority of the homes on that face of the block are constructed as single-family homes.

The minimum lot size shown in Section 20-601(a) (Density and Dimensional Standards Table) is 6,000 square feet for a lot within the RM12D Zoning District. Applying the 12 dwelling units per acre density standard to determine the amount of land area needed for a duplex calculates to a minimum lot area of 7,260 square feet \([43,560 \text{ sf in an acre} / 12 \text{ du/acre} = 3,630 \text{ sf per dwelling unit} \times 2 \text{ du}]\). Staff has identified this issue as an inconsistency in the Development Code that needs to be considered with a text amendment.

The issue is on a list of text amendments the Planning Commission initiated for future public hearing. At this time, no recommended language has yet been drafted by staff. While staff anticipates this issue will be resolved in the Development Code with text changes in the code provisions so a zoning variance will no longer be needed, it may be months before that process is finished. Denying the applicant’s request would keep the owner from being able to complete construction of this duplex structure which they began in good faith after the City issued the building permit for the project.

4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

   Applicant response: “Variance is for a residence and shall have no affect on the public health, safety, morals, order, convenience, prosperity or general welfare.”
A variance from the 12 dwelling units per acre standard as it relates to the area of this lot is not anticipated to adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. The purpose for the variance is to allow the owner the ability to complete the construction of a duplex residential structure on his lot. No other variances have been requested for this project and construction will conform to the City’s adopted building codes and other zoning standards.

5. That granting the variance desired will not be opposed to the general spirit and intent of this chapter.

Applicant response: “Granting the variance desired would not be opposed to the general spirit and intent of the Development Code because some of the architecture was styled off of houses in the neighborhood including pitch of roof and lap siding. The quad-plex that previously occupied the land had no features consistent to the original architecture of the neighborhood.”

When the Development Code was considered for adoption, it came to light through comments received at public hearings that the code did not contain a duplex zoning district like what existed in the old zoning code. In an attempt to address that issue, language was drafted to create the RM12D District. The purpose of that district is described in Section 20-204(a)(3) as follows: “The RM12D District is differentiated from the other RM Districts on the basis of Building Type and the maximum allowed Net Density. In the RM12D district, the Building Type is restricted to Duplexes or Attached Dwellings of 2 units. Only one Principal Building per Lot is permitted in this District.”

In the haste of creating the RM12D District, the standards for the maximum residential density were not adjusted to take into account the smaller sized lots typically found in the older areas of town. This created a conflict between the intent of the code and the ability to build a duplex on an older platted lot in the community.

The only resolution currently available to a property owner facing this problem is a variance from this code provision. The issue is one of a number of code provisions in a staff memo the Planning Commission received at the May meeting. The commission voted to initiate the first priority list of text amendments recommended by staff and to place them on future agendas for public hearing and action. At this time, staff has not drafted any proposed regulatory language pertaining to this code provision. It will be some time before any changes to the regulation work their way through the hearing process and are eventually passed and become effective.

**Recommendation:**

Staff recommendation is for approval of a variance to allow a maximum dwelling unit per acre sufficient to allow the duplex dwelling structure to be completed on the subject lot based upon the findings in the staff report.
Memorandum
City of Lawrence / Douglas County
Planning & Development Services

TO: Planning Commission
FROM: Scott McCullough, Director
Date: May 7, 2009
RE: Prioritization and Initiation of Text Amendments

Attached is a list of potential Lawrence Development Code and Joint Subdivision Regulation amendments that staff has been compiling for several months based upon internal review and observations and also based upon comments received from neighborhood associations, the development community, and other users and stakeholders.

The 2006 Development Code will have been in use for three years this June and staff has processed many amendments to date. During the first two years of implementing the 2006 code, the amendments were processed in an urgent and somewhat inefficient fashion as code issues were brought to staff’s attention. As we move forward, we anticipate having the resources to process only a limited number of amendments that will be processed in groups so that the process is more efficient. The Director and Assistant Director have assumed greater roles in processing text amendments since the Current Planning Division has been reduced, thus creating the need to limit the amendments and be more deliberate about which ones are initiated.

Staff recognizes that even with all of the amendments to date, there remains a need that outstrips staff’s ability to process all of the currently recognized amendments. The amendments in the attached list are organized by code section and include staff’s recommended priorities (highlighted in yellow and with an asterisk). We have prioritized the amendments based on staff’s opinion of the need for the amendment, the complexity of the amendment, and the resources required to process the amendment. Several of the amendments could be considered “house keeping” issues and do not rise to the level of initiation at this time in staff’s opinion. Others, such as revisions to address energy related development or revisions that support infill housing, will have community wide impacts once implemented and are recognized as being needed sooner rather than later.

Staff requests that the Planning Commission review the list and initiate those amendments that are appropriate.
<table>
<thead>
<tr>
<th>Article or Section</th>
<th>Potential Amendment</th>
</tr>
</thead>
</table>
| Articles 4, 9 and 17 | Amendments for use terminology consistency.  
  Staff |
| 402 403* | Add Non-Ground Floor Dwelling and Work/Live Unit as uses permitted in the CS District (consider other districts as well).  
  Staff |
| 402 403 510 1744 | Separate payday loans from other FIRE office uses in use table, and definitions and use standards, if applicable.  
  PC discussion |
| 403 | Amend the Nonresidential District Use Table to make “Explosive Storage” uses permitted only with an SUP in the IG Districts.  
  Requested by League of Women Voters |
| 517* | Review ratio of dwelling units to commercial space in the CS and other commercial districts to encourage more residential living units (mixed use).  
  Requested by local design professionals. |
| Article 5 or 6* | Include comprehensive standards for energy related site elements such as wind turbines, solar panels, and other alternative forms of energy generators.  
  Product of Mayor’s Climate Protection Task Force and several public inquiries |
| 601(a)* | (1) Revise Density and Dimensional standards as they relate to RM12D to review alignment between Min. Lot Area and Max. Dwelling Units per acre standards, and (2) consider revising standards to recognize more practical and realistic dimensions for a duplex lot (may be more reasonable to retile district to RM7D since developing 7 units per acre is more practical than developing to 12 units per acre.)  
  Requested by local design professionals and Staff |
| 601(b) | Add Max. Dwelling Units per acre standards in the nonresidential district density and dimensional (D&D) standards table. Residential uses are permitted in CN1, CN2, CD, CC, CS, IL, IG, GPI and H Districts, but the D&D table that contains these districts does not speak to permitted residential densities.  
  Staff |
| 701(j) | Definition of ‘Immediately adjacent’ is used, but not defined. Definitions of ”adjacent” and ‘immediately adjacent’ should be included. The term adjoining property is defined in the public notice section for site plans (20-1305(g)) for the purpose of that section only.  
  Staff |
| 702(c)&(e) | (c) states that cluster development is permitted in all residential districts and the CN1 District but (e) limits housing type to detached dwelling units on individual lots. This seems to be inconsistent with the types of dwellings that are permitted in these districts. This is a consistency issue. If clusters are permitted in RM, then why are only detached dwellings permitted in clusters? |
| Article 8 | Comprehensive revisions to when dedications are made during the plat process.  
(1) Consider requiring dedications with final plat instead preliminary plat. (2) Consider providing administrative authority to permit minor adjustments in the number of lots or lot layout after preliminary plat approval.  

*Requested by local design professionals*

| 801(e)(1), 806, 813(d)(2) | Language currently states that a division created in conformance with this article retains its right to a building permit. This should be clarified to exclude 806 Certificates of Survey, property in the original tract but not included in a RDP. It is important to make it clear that the property owner will lose his right to a building permit to the property and any existing residence if he does a C of S on his property and does not include the existing house in a RDP. 20-813(d)(2) should also be considered as it states an existing residence would still be eligible for a Building permit if it was built prior to these regulations and is located on a parcel which meets sanitary code area requirements.  

*Staff*

| 804(f)(1)&(2) | 804(f) states that future divisions can not occur until after annexation and that they must then be made in accordance with 810 (the standards?) Was this supposed to be 809-major subdivision?  

*Staff*

| 802 | Add language which clarifies that to be an acceptable application submittal for a property division (minor sub., plat, or certificate of survey) the lots or parcels created by the division must be contiguous and the legal description of the survey, minor subdivision or plat must have the same point of beginning.  

*Staff*

| 804(b), 805(b) | Why are cluster developments limited to properties that are between 20 and 40 acres? There are cases where a 40 acre property contains mostly floodplain and a cluster would be the best way to develop (to allow the clustering of rdps). What is accomplished by permitting cluster development only on small properties? (They only have to survey the property and register deeds for properties between 20 and 40 acres, then they can develop as several clusters). May need to discuss with others to find the reasoning behind the acreage limitations.  

*Staff*

| 807(e)(vii) | Consider removing the requirement to have a vertical benchmark on the C of S. Speak with County Surveyor.  

*Requested by local design professionals*

| 808 | Add language clarifying that minor subdivisions should be tied to a block corner from the previous plat (Major Subdivision) or street centerline by providing dimensions or bearings from that point.  

*Requested by City GIS Coordinator*

| 810(a)(2)(iv) | Should this be revised to say that corner lots shall be 20% wider than the required minimum lot width of the zoning district instead of what it currently says?  

*Staff*

| 810(a)(2)(vi) | Clarify the requirements for the design of residential lots in the City.  

*Staff*

| 813, 814, 815 | Amend to prohibit construction over easements.  

*Staff* |
<table>
<thead>
<tr>
<th>Page</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>815</td>
<td>RDP is defined as a land division created from a Parent Parcel, but the cluster and large parcel divisions (804 and 805) create RDPs without parent parcels. The definition should be revised to state what a RDP is, not how it is created.</td>
</tr>
<tr>
<td>815(b)</td>
<td>Amend SR if necessary to ensure the definition of &quot;Lot&quot; and/or &quot;Setback Line&quot; is correct and is consistent with the definition of &quot;Lot&quot; and &quot;Setback line&quot; in the Development Code.</td>
</tr>
<tr>
<td><strong>Article 9</strong></td>
<td>Comprehensive revisions to parking and access standards.</td>
</tr>
<tr>
<td><strong>1001(d)(7)</strong></td>
<td>Eliminate requirement that landscape plans be prepared by landscape architect (eliminating the requirement only from 'small' projects?)</td>
</tr>
<tr>
<td><strong>1303 1306</strong></td>
<td>Consider charging the applicant a publication fee for the zoning and SUP ordinances. May require a text amendment.</td>
</tr>
<tr>
<td>1602?</td>
<td>After discussing the possibility of building over lot lines, or developing one project over several lots; staff suggested drafting a TA to prohibit building over lot lines. Maybe we could add language that requires re-platting when a single development contains several lots and subst. redevelopment is proposed. (maybe a simpler 'land combination' process similar to the county's would be better than requiring re-platting)</td>
</tr>
<tr>
<td>1701</td>
<td>Review definition of &quot;Boarding House&quot; and its impacts to neighborhoods to determine if it contradicts goals related to limiting occupancy in RM districts.</td>
</tr>
<tr>
<td>1722</td>
<td>Ensure definition for Dwelling, Attached is consistent with that found in Section 20-1734(1) and 20-1734(2) and consider eliminating 20-1722 (we don't need a definition for Attached Dwelling located in two different places).</td>
</tr>
<tr>
<td>1723</td>
<td>Ensure definition for Dwelling, Detached is consistent with that found in Section 20-1734(2) (tip – it isn’t) and consider eliminating 20-1722 (we don't need a definition for Detached Dwelling located in two different places).</td>
</tr>
<tr>
<td>1734(5)</td>
<td>Consider amending definition for Multi-Dwelling Structure to clarify what is meant by “...three (3) or more dwelling units that share common walls or floors/ceilings with one (1) or more units.” And to include triplexes and four-plexes as common for example uses, if appropriate. It appears that attached units that are not on separate lots (i.e. those that are not defined as Attached Dwellings) such as townhouses, triplexes and four-plexes should fit within the definition of Multi-Dwelling Structure, but the for example uses listed give the reader the impression that Multi-Dwelling Structure simply means an apartment building. It's really a broader term than that.</td>
</tr>
</tbody>
</table>
1734  Ensure definitions for Dwelling, Attached and Dwelling, Detached are consistent with that found in Section 20-1722 and 20-1723 and/or consider eliminating 20-1722/1723 (we don’t need definitions in both places).

Staff

1734  Move all defined Household Dwelling terms (as shown in the Use Tables) so that they are all defined under this section for clarity. Some Household Dwelling terms are defined in two different places.

Staff

---

**Text Amendments in Process**

<table>
<thead>
<tr>
<th>Various Articles</th>
<th>Revise code to permit limited shelters as accessory uses in religious institutions.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Various Articles</td>
<td>Revise current standards for Environmentally Sensitive Lands to provide clarity on protected lands and provide flexibility on how lands shall be set aside via the development process.</td>
</tr>
<tr>
<td>Article 5</td>
<td>Revise code to allow the keeping of chickens and ducks.</td>
</tr>
<tr>
<td>Article 9</td>
<td>Revise how parking is calculated to reduce conflict between the current code and former code.</td>
</tr>
<tr>
<td>Article 9</td>
<td>Reduce interior parking lot landscaping requirements to be more practical.</td>
</tr>
<tr>
<td>Article 13</td>
<td>Revise time frames to gain consistency amongst SUPs, Site Plans, development plans, plats, etc and established longer timeframes for approvals.</td>
</tr>
<tr>
<td>Article 13</td>
<td>Revise the methods required to request or receive extensions of approval for the various types of development applications to delete the standard of permitting only one administrative extension.</td>
</tr>
<tr>
<td>Article 13</td>
<td>(1) Revise the Notice Letter for site plans to read more accurately as it relates to the appeal process. (2) Consider expanding the notice buffer for site plans to capture a greater number of affected property owners.</td>
</tr>
<tr>
<td>County Zoning Code</td>
<td>Drafting comprehensive revisions to the County Zoning Code.</td>
</tr>
</tbody>
</table>
ITEM NO. 10 DISCUSS TEXT AMENDMENTS FOR INITIATION (SDM)

Discuss and prioritize a list of text amendments compiled by staff for eventual initiation by the Planning Commission.

STAFF PRESENTATION
Mr. Scott McCullough presented the item.

COMMISSION DISCUSSION
Commissioner Carter said he would not mind more time to look over the prioritization. He suggested maybe they review them at a Planning Commission Mid-Month meeting.

Mr. McCullough said he is not necessarily looking for a 1-10 prioritization but rather if the packet of amendments highlighted is appropriate. If those are initiated they can be worked on as resources allow. He said for example the energy related standards is one that might want to be processed first to address public requests for windmills and solar power.

Commissioner Rasmussen asked what ‘C of S’ stood for that was in the document.

Mr. McCullough said Certificate of Survey.

Commissioner Hird said focusing on the energy text amendment was good. He said that staff does a good job of discovering in the Code what needs to be corrected. He said that Planning Commission, as a pointed body, should be sensitive to text amendment requests from the public and that he would tend to look at those first if he were to prioritize importance.

Mr. McCullough said he did not disagree but that the energy text amendment is one that staff hears about quite a bit. Staff also hears about RM12D text amendment quite a bit.

Commissioner Singleton agreed with Commissioner Hird. She said the three text amendments she was interested in was payday loans, explosive storage uses, and boarding houses. She felt those issues were prevalent even if Planning staff was not receiving calls.

Mr. McCullough said regarding the boarding house matter, City Commission accepted a letter last night from the Oread Neighborhood and directed staff to give them a report on the moratorium issue. He went on to say that next week staff will release a draft of the Oread Neighborhood Plan update which has elements on how to treat boarding houses. There is some movement on boarding houses that may be worth while to see before initiating a text amendment.

Commissioner Harris also recommended text amendments for boarding houses. She said another text amendment of interest would be to define ‘immediately adjacent.’

Commissioner Rasmussen inquired about potential text amendment 808 to ‘Add language clarifying that minor subdivisions should be tied to a block corner from the previous plat (Major Subdivision) or street centerline by providing dimensions or bearings from that point.’ He asked if that text amendment would take very long.

Commissioner Carter inquired about timeframes.
Mr. McCullough said probably toward the end of the year. He said that some of the text amendments are not necessarily difficult to do but staff would prefer to have the time to do good quality work. He stated that some of the text amendments in process today are the result of stakeholders.

Commissioner Finkeldei suggested that maybe at the end of each agenda or at mid-month they could be updated on the status of the text amendments.

Commissioner Hird asked about the text amendments initiation process.

Mr. McCullough said the Code has a section that says a text amendment can be initiated. He stated that if a private party wants to initiate a text amendment they typically go through City Commission by writing a letter and the request then goes on the City Commission agenda.

Commissioner Hird asked if a text amendment request could come from County Commission.

Mr. McCullough replied yes, for County Zoning Regulations and Subdivision Regulations.

Commissioner Finkeldei asked if the Code says that text amendments have to be initiated.

Mr. McCullough replied yes.

Ms. Stogsdill said they are often initiated by governing bodies more as a way to expedite since Planning Commission only meets once a month and City Commission meets every week.

Commissioner Harris agreed with Mr. McCullough in general about having a first priority group and second priority group but she would like the boarding house text amendment to be at the top of the list. She felt it was an urgent issue.

Mr. McCullough said there is movement on the boarding house issue and direction might be given from City Commission soon.

**ACTION TAKEN**

Motioned by Commissioner Harris, seconded by Commissioner Singleton, to initiate highlighted text amendments in the staff report plus the text amendment having to do with boarding houses.

    Unanimously approved 8-0, with Student Commissioner Shelton voting in the affirmative.
April 20, 2009

Eric and Caitlin Oligschlaeger  
1657 Louisiana Street  
Lawrence, KS 66044

RE: Duplex Under Construction at 1004 Alabama Street  
Lot 15, Block 26, Sinclair’s Addition in the City of Lawrence

Dear Mr. and Mrs. Oligschlaeger,

It has come to the attention of staff that a building permit was issued by the City for construction of a duplex residential structure on the above referenced legally described property also addressed as 1004 Alabama Street. I understand work is currently proceeding on the project. This location is zoned RM12D (Multi-Dwelling Residential) District. In that zoning district, single-dwelling and duplex dwelling housing are permitted subject to development standards found in the City of Lawrence, Kansas Land Development Code, 2009 edition.

Section 20-601(a) in the Development Code (a copy is attached with this letter) is a table defining the minimum standards for lot area and maximum density of dwelling units allowed in all residential districts. The minimum lot area requirement for RM12D zoning is 6,000 square feet; and, the maximum number of dwelling units per acre is 12 units. Dividing the maximum 12 dwelling units per acre into 43,560 square feet (the area in one acre of land), the minimum lot area per dwelling unit calculates to be 3,630 square feet. Therefore, the minimum lot area needed to support a duplex dwelling structure is 7,260 square feet.

Your property at 1004 Alabama Street is platted as a 50’ x 117’ lot having a total lot area of 5,850 square feet. Based upon the size of your property, there is not enough land area to support the development of a duplex dwelling structure. The City’s approval of a variance from the City Code provision concerning the maximum number of dwelling units per acre is required to bring the development into conformance with the code. The building permit should not have been issued until such time as a variance application from this code provision was approved by the Lawrence Board of Zoning Appeals.

I am enclosing a schedule of the Board of Zoning Appeals meeting dates and application deadlines for the remainder of 2009. The next application deadline is May 8th at 3:00 p.m. to make the agenda for the June 4th meeting. Also enclosed is the variance application packet you will need to complete and return to the Planning Office at City Hall, 6 East 6th Street. The application fee will be waived.
I am sure you will have questions for me after reading this letter. I am happy to discuss those with you at your convenience. You can call me directly at my office number (785) 832-3158.

Sincerely,

[Signature]

David R. Guntert, GIS Planner dguntert@ci.lawrence.ks.us
City of Lawrence
Planning and Development Services
6 East 6th Street
Lawrence, KS 66044-0708
office (785) 832-3158 | fax (785) 832-3160
http://lawrenceks.org/pds/

cc: Scott McCullough, Director
Sheila Stogsdill, Assistant Planning Director
Barry Walthall, Codes Enforcement Manager
Adrian Jones, Senior Plan Reviewer
John Miller, Staff Attorney
Owen Murphy Construction
B-6-7-09: Maximum Dwelling Units Per Acre Variance for 1004 Alabama Street

Lawrence Planning & Development Services Dept
June 12, 2009

Area Requested
Scale: 1 Inch = 200 Feet
APPLICATION
FOR
VARIANCE FROM UNNECESSARY HARDSHIP

OWNER INFORMATION
Name(s) Eric Olighaege
Contact
Address 5450 Fairway Rd
City Fairway State KS ZIP 66205
Phone (785) 979-6475 Fax ()
E-mail csummer913@gmail
Mobile/Pager (785) 979-6475

APPLICANT/AGENT INFORMATION
Contact Eric Olighaege
Company Odyssey Rentals
Address 5450 Fairway Rd
City Fairway State KS ZIP 66205
Phone (785) 979-6475 Fax ()
E-mail csummer913@gmail Mobile/Pager
Pre-Application Meeting Date
Planner David Lauter

PROPERTY INFORMATION
Present Zoning District Present Land Use
Proposed Land Use
Legal Description (may be attached)
Address of Property 1004 Alabama Celo 044
Total Site Area
Number and Description of Existing Improvements or Structures
UNNECESSARY HARDSHIP CRITERIA

The Board of Zoning Appeals may approve a zoning variance if it finds that all of the following criteria have been met. The Development Code places the burden on the applicant to show that an application complies with such criteria. Please respond to each criterion to the best of your knowledge. (Attach additional sheets if needed.)

1. That the variance request arises from such conditions which are unique to the property in question and not ordinarily found in the same zoning or district and are not created by action(s) of the property owner or applicant:

The variance request for 1004 Alabama is to build a duplex on land that was once occupied by a quadplex. The lot size of 50 x 125 typical to the neighborhood does not allow enough square footage to build a duplex due to changes in code that went into effect as building plans were being submitted.

2. That granting the variance would not adversely affect the rights of adjacent property owners or residents:

The duplex would not adversely affect the rights of adjacent property owners or residence for their will be the same number of occupants. (6) & however the duplex will provide off street parking for eight residents compared to the quadplex which only offered five.
3. That strict application of the provisions of this chapter for which the variance is requested would constitute unnecessary hardship upon the property owner represented in the application:

Currently the project is 65% completed with a total of $370,000 already being invested in the property, denial of variance would result in loss of investment.

4. That the variance desired would not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare:

Variance is for a residence and shall have no affect on the public health, safety, morals, order, convenience, prosperity or general welfare.

5. That granting the variance desired would not be opposed to the general spirit and intent of the Development Code:

Granting the variance desired would not be opposed to the general spirit and intent of the Development code, because some of the architecture was styled off of houses in the neighborhood including pitch of roof & lap siding. The quaker homes prior to this occupied the land and had no features consistent to the original architecture of the neighborhood.
Description of variance requested:

Allow the construction of a duplex on Lot 3 Alabama. There are applicable lot size regulations. The Yeed site. The need variance applied for lot size.
I/We, the undersigned am/are the owner(s), (duly authorized agent), (Circle One) of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for variances as indicated above.

Signature(s): Eric Schleppen  Date 6/4/09

Date

Date

STAFF USE ONLY

Application No. ________________________________

Date Received ________________________________

BZA Date ________________________________

Fee $______________________________

Date Fee Paid ________________________________
OWNER AUTHORIZATION

I/We, 

Erik Oligschlaeger
Caitlin Summerlin

hereby referred to as the “Undersigned”, being of lawful age, do hereby on this 5th day of June, 2009, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

See “Exhibit A, Legal Description” attached hereto and incorporated herein by reference.

2. I/We, the undersigned, have previously authorized and hereby authorize 

Erik Oligschlaeger (Herein referred to as “Applicant”), to act on my/our behalf for the purpose of making application with the Planning Office of Lawrence/Douglas County, Kansas, regarding 1004 Alabama (common address), the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.

3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation of partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Erik Oligschlaeger
Owner

Caitlin Summerlin
Owner

STATE OF KANSAS
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this 5th day of 

June, 2009,

by 

Erik Oligschlaeger 
Caitlin Summerlin

My Commission Expires:

2/16/2013

Notary 
Public

JEANINE D. GIERSC
NOTARY PUBLIC
STATE OF KANSAS
LICENSE # 45,950
7/17/2000

3 of 12 Hardship Variance Packet
PROPERTY OWNERSHIP LIST CERTIFICATION

As required by Article 13, Section 20-1301(q) of the Development Code, the applicant is responsible for providing certified Ownership information (including names and mailing addresses) of all real property owners within a defined radius from the subject property. The Planning Department is required by the Development Code to use the submitted Ownership list to mail notice of the public hearing to surrounding property owners regarding this Application.

Ownership Information
The applicant is responsible for providing certified Ownership information. Current Ownership information shall be obtained from the Douglas County Clerk. Ownership information will be considered current if it is no more than 10 days old at the time an application is submitted to the Planning Department.

Radius of Notification
The Ownership list shall include the record Owner of the subject property and all Owners of property located within 200 feet of the subject property. If the subject property is adjacent to the City limits the area of notification shall be extended to at least 1,000 feet into the unincorporated area.

A map of the "Radius of Notification" can be obtained at the Applicant's request at the Planning Office. The map indicates ownership of each property and can be used to check the accuracy and completeness of the Ownership List. The map will be supplied at the Applicant's expense. Allow 10 business days to receive the map.

THE FOLLOWING IS TO BE COMPLETED AND SUBMITTED BY THE APPLICANT.

I certify that I have read and understood the above information and that the submitted Ownership list:

1. was a) obtained from and b) certified by the Douglas County Clerk,
2. is current (no more than 10 days old), and
3. includes all property owners within the required notification radius of the subject property.

Signature

Date

Printed Name
Electronic Plans

City of Lawrence
PLANNING & DEVELOPMENT SERVICES

RECEIVED
JUL 15 2008

ONE & TWO FAMILY DWELLING BUILDING PERMIT APPLICATION

2006 International Residential Code
2006 Energy Conservation Code

1. Date: 7/29/2008
Name (print): Raven Murphy
Applicant Signature: 

Site Address: 1004 Alabama Street
Or
Legal Description: 26
Block 15
Lot Sinclair's Addition
Subdivision

2. PROJECT OWNER INFORMATION
Name: Eric & Caitlin Oligschlager
Address: 1657 Louisiana Street, Lawrence, KS.
Phone No. (785) 979-6475 Cell Phone No. (785) 979-6475
Email Address: ericmeyer918@gmail.com

3. PROJECT INFORMATION
Building Type: ☒ Duplex - Floor or Wall Separation Detail Attached ☐ Townhome
☐ Addition ☐ Remodel ☐ Basement Finish ☐ Seasonal Room
☐ Deck ☐ Accessory Building ☐ Detached Garage/Carpport
☐ Other: 

The Radon Control System Method Will Be: ☒ Roughed-In ☐ Operational

Brief Description of Project: Removal of existing H. Dbles & Construction of new duplex

4. PROJECT VALUATION: $440,000.00 24/5/05

5. CONTRACTOR INFORMATION:
Contractor License Type: ☐ A ☒ B ☐ C License No. 08-00070517
Company Name: Raven Murphy Construction
Contact Name: Raven Murphy
Address: 232 North 4th Street, Lawrence, KS.
Phone No. (785) 979-2722 Cell Phone No. (785) 979-2722
Email Address: ravenmurphyconstruction@gmail.com
6. SUB-CONTRACTOR INFORMATION

<table>
<thead>
<tr>
<th>Class D Framing:</th>
<th>License No.</th>
<th>Company Name</th>
<th>Phone No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class D Concrete:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Class E Electrical:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Class E Plumbing:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Class E Mechanical:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Class E Mechanical Fireplace:</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

7. DWELLING UNIT INFORMATION

(complete this column for a single family dwelling or unit one of a duplex)

Finished Area Square Feet-First Floor: _________ Second Floor: _________
Third Floor: _________ Total Sq. Ft. _________
Basement, Unfinished Sq. Ft. _________ Basement Finished Sq. Ft. _________
Garage Sq. Ft.: _________ Number of Cars: _________ Building Footprint Sq. Ft. _________
No. of Bedrooms: Select One No. of Bathrooms: Full- Select One ¾- Select One ½- Select One
Basement type: □ Full □ Walk-out □ Daylight

8. DUPLEX DWELLING UNIT NO. 2 INFORMATION

First Floor: 1288 sq. ft. Second Floor: 1288 sq. ft. Third Floor: N/A Total Sq. Ft. 2884 sq. ft.
Basement, Unfinished Sq. Ft. _________ Basement Finished Sq. Ft. 1288 sq. ft.
Garage Sq. Ft.: 744 sq. ft. Number of Cars: 3 Building Footprint Sq. Ft. 2032 sq. ft.
No. of Bedrooms: Select One No. of Bathrooms: Full- Select One ¾- Select One ½- Select One
Basement type: ☒ Full □ Walk-out □ Daylight

9. TOWNHOME DWELLING UNIT INFORMATION

First Floor: _________ Second Floor: _________ Third Floor: _________ Total Sq. Ft. _________
Basement, Unfinished Sq. Ft. _________ Basement Finished Sq. Ft. _________
Garage Sq. Ft.: _________ Number of Cars: _________ Building Footprint Sq. Ft. _________
No. of Bedrooms: Select One No. of Bathrooms: Full- Select One ¾- Select One ½- Select One
Basement type: □ Full □ Walk-out □ Daylight

5
10. STORMWATER SQUARE FOOTAGE, Building Footprint in Sq. Ft. 2032 sq. ft.

11. CONSTRUCTION DETAILS

Roofing Material: ☒ Composition Shingle  ☐ Wood Shingle  ☐ Tile  ☐ Metal Standing Seam  ☐ Other: ____________

Footing Type: ☒ Spread  ☐ Trench  ☐ Pier

Framing Type: ☒ Wood  ☐ Steal

Exterior Wall Cover: ☒ Lap  ☐ 4x8 Sheet  ☒ Stucco  ☐ Brick  ☐ Stone  ☐ Other: ____________

OFFICE USE ONLY

Permit Fee: $_________  No. of Trees (X $245.00 each): ________  Street Tree Fee: $______

Historic Building  Historic Environmental  River Levee Environmental  500 feet  1,000 feet
Floodplain: FDP Required  Not Required  Floodplain Development Permit Received  Not Received
Permit Moratorium Area  KU 150 ft. Environmental  Drainage Easement
Public Works Release  Received  Not received

ZONING

Actual Setbacks:
Front: ____________  Rear: ____________
Side Right: ____________  Side Left: ____________

Actual Lot Size (square feet): ____________

Soils Report Attached: Yes  No  Alley Way: Yes  No  TRE Form Required: Yes  No

The accessory building square footage is equal to or less than 30% of the required rear yard area? Yes  No

FBI  FE  FP  FM  FTG  FW  FRM  TP  RIE  RIM  PS  RIP  SWR  SO  GL  GM

Approved By: ____________  Date: ____________
1004 Alabama St.
7/28/2008

Windows
Aluminum Clad
Insulated glass
Provide insect screen

(Verify exact window size and rough opening with mfg.)

<table>
<thead>
<tr>
<th>Mark</th>
<th>approx. frame size</th>
<th>type</th>
<th>designation</th>
<th>qty.</th>
</tr>
</thead>
<tbody>
<tr>
<td>W1</td>
<td>3'-2&quot; x 5'-1&quot;</td>
<td>dh</td>
<td>sized for egress</td>
<td>18</td>
</tr>
<tr>
<td>W2</td>
<td>2'-0&quot; x 2'-0&quot;</td>
<td>fixed</td>
<td></td>
<td>6</td>
</tr>
<tr>
<td>W3</td>
<td>2'-0&quot; x 2'-0&quot;</td>
<td>awning</td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>W4</td>
<td>5'-0&quot; (double) x 5'-0&quot;</td>
<td>dh</td>
<td></td>
<td>4</td>
</tr>
<tr>
<td>W5</td>
<td>5'-0&quot; (double) x 3'-0&quot;</td>
<td>dh</td>
<td></td>
<td>2</td>
</tr>
</tbody>
</table>
Concrete Notes:

*Concrete to be 3000 psi minimum w/no calcium chloride or other additives unless approved.
*Do not place any concrete on saturated or frozen ground.

Footings:
*All footings to be minimum 30" below finish grade.

*Main Footings
20" w. x 10" dp. x cont. with 4-#4 rebar continuous

*Areaway Footings
16" w. x 10" dp. x cont. with 3-#4 rebar continuous

*Thickened Slab Footings
20" w. x 10" dp. x cont. with 3-#4 rebar continuous

*Piers and pier footings
As noted on concrete plan

Basement Walls:
*9' height, 8" thick
*#4 rebar at 16" o.c. vertical and 16" o.c. horizontal
*#4 rebar 48" long (24" each leg) 16" o.c. at all corners
*lap all rebar where spliced not less than 24"
*1/2" dia. anchor bolts at min. 48" o.c.

Areaway Walls:
*Verify height, 8" thick
*#4 rebar at 24" o.c. each way

Slab:
*minimum 4" thick (min. 3000 psi), over minimum 4" clean gravel and 6 mil vapor barrier with #4 rebar at 24" o.c. each way.
*expansion strip at slab/wall joint.
*score slab as required.

Perimeter drain:
*provide interior/exterior drainage system to sump.
*provide floor drains at areaways to sump.

Moisture Protection:
*provide elastomeric spray/roll on basement waterproofing