

LAWRENCE BOARD OF ZONING APPEALS

AGENDA

MARCH 2, 2017 – 6:30 P.M., CITY COMMISSION MEETING ROOM, FIRST FLOOR OF CITY HALL AT SIXTH AND MASSACHUSETTS STREET, LAWRENCE, KANSAS

CALL THE MEETING TO ORDER

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

ITEM NO. 1 COMMUNICATIONS

- a) Acknowledge communications to come before the Board.
- b) Board member disclosure of any ex parte contacts and/or abstentions from the discussion and vote on any agenda item under consideration.
- c) Announce any agenda items that will be deferred.

ITEM NO. 2 MINUTES

Consider approval of the minutes from the February 2, 2017 meeting of the Board.

ITEM NO. 3 ADOPT FINDINGS OF FACT FOR BOARD OF ZONING APPEALS DECISION UPHOLDING STAFF'S ADMINISTRATIVE DECISION DENYING THE SUFFICIENCY OF APPELLANT'S EVIDENCE TO SUPPORT REGISTRATION OF A 5-UNIT NON-CONFORMING RESIDENTIAL USE AT 433 OHIO STREET

Consider adopting findings of fact as reasons for the Board's decision in the matter of the following appeal:

B-16-00522: Consider an appeal filed by Paul R. Horvath, Morning Star Management, LLC, representing Jason E. Horvath, property owner of record of the real property at 433 Ohio Street. The appeal challenges an administrative determination, issued by letter dated November 21, 2016, from Ms. Sandra Day, AICP, Planner II, in the City of Lawrence Planning and Development Services Department, which determined the documentation provided to staff was not sufficient to certify registration of the property, located at 433 Ohio Street, as a five-unit non-conforming residential use. The appeal was filed under the guidelines of Section 20-1311 in the Land Development Code of the City of Lawrence, Kansas, 2015 edition. Reasons for filing this appeal are cited by the appellant in their appeal packet dated December 7, 2016, and received in the Planning Office on December 7, 2016.

BEGIN PUBLIC HEARING:

ITEM NO. 4 VARIANCE FROM THE ACCESSORY DWELLING UNIT BUILDING SIZE STANDARD AND RESIDENTIAL DRIVEWAY PAVEMENT STANDARD; 737 ELM STREET

B-17-00001: 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 a variance from the code permitted maximum size accessory dwelling unit defined in Section 20-534(2)(i) of the City Code. The code provision limits the size of an accessory dwelling unit to no more than 33 percent of the living area in the primary dwelling or 960 square feet,

**Deferred by
Applicant**

whichever is less. According to the Douglas County Appraiser's Office, the living area in the principal dwelling is 532 square feet which limits the size of an accessory dwelling unit to 177 square feet. The proposed size of the accessory dwelling unit is 675 square feet. The second variance is from the residential driveway pavement standards contained in Section 20-913(e) of the City Code. The applicant seeks a variance to allow the use of gravel to surface the driveway in order to reduce the impact of storm water runoff. The property is located at 737 Elm. Submitted by Susan Raines, the property owner of record. This item was deferred by the applicant from the February 2nd meeting.

ITEM NO. 5 MISCELLANEOUS

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