



LAWRENCE BOARD OF ZONING APPEALS
MEETING MINUTES FOR **SEPTEMBER 7, 2017**

Members present: Clark, Gascon, Holley, Mahoney, Wisner
Staff present: Crick, Dolar

ITEM NO. 1 COMMUNICATIONS

- a) There were no communications to come before the Board.
- b) There were no ex parte contacts and/or abstentions to disclose.
- c) No agenda items were deferred.

ITEM NO. 2 MINUTES

Consider approval of the minutes from the August 3, 2017 meeting of the Board.

ACTION TAKEN

Motioned by Holley, seconded by Clark, to approve the minutes from the August 3, 2017 meeting of the Board.

Motion carried 3-0-2, Mahoney & Gascon abstained.

BEGIN PUBLIC HEARING:

**ITEM NO. 3 VARIANCE FROM THE REAR BUILDING SETBACKS FOR A
RESIDENTIAL DWELLING; 5120 CODY CT [JSC]**

B-17-00375: 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 foot rear setback standard required by Section 20-601(a) of the City Code for the RS7 (Single-Dwelling Residential) District. The applicant is seeking a variance from this code standard reducing the rear setback to a minimum of 17.5 feet to allow for the construction of a covered attached deck. The property is located at 5120 Cody Court. Submitted by Jim and Allison Nye, property owners of record.

STAFF PRESENTATION

Mr. Jeff Crick presented the item.

Clark asked if the 1966 code allowed for a 20 ft setback.

Crick explained that it would have automatically had a 30 ft setback, but if the building was situated in a lot in a certain condition- effectively, 30% of the open space occurred behind the rear building line- the setback could be alleviated to 20 ft under the old RS2 zoning district.

The applicant was present but did not speak.

There was no public comment.

ACTION TAKEN

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

Unanimously approved 5-0.

BOARD DISCUSSION

Mahoney thinks this is a slam dunk and it easily meets all five conditions.

Clark asked what happened with the request at the July meeting.

Crick said staff received a similar variance request, but based on the information provided at the time, staff could not make a recommendation to approve the variance. He said additional details were provided with this request and the 1966 zoning code exception was also identified.

ACTION TAKEN

Motioned by Wisner, seconded by Gascon, to approve the variance as provided in the staff report.

Unanimously approved 5-0.

ITEM NO. 4 MISCELLANEOUS

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

Crick said there will be no October meeting, so Chair elections will be pushed to November.

Mahoney thanked Holley for his many years of service on the Board.

ADJOURN 6:45 PM