



## Agenda

### Board of Zoning Adjustment

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**Tuesday, October 11, 2022**

**9:00 AM**

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#### BOARD OF ZONING ADJUSTMENT DOCKET

October 11, 2022

9:00 A.M.

The Board of Zoning Adjustment hearing will be hybrid (both in-person and via zoom). Details regarding how to view the hearing and participate can be found at <https://kcmo.gov/bza>

#### OTHER MATTERS

1. The Board of Zoning Adjustment may hold a closed session to discuss legal matters and legal advice pursuant to Section 610.021 (1), RSMO.
2. There may be general discussion(s) regarding current Board of Zoning Adjustment issues.
3. Details regarding how to view the hearing and participate can be found at <https://kcmo.gov/bza>

#### BZA CASES

Docket Item Planner Case Information Council District

1 MB CD-SUP-2022-00040 – 4001 E 149th Street – SkyMark Refuelers – A request to approve a Special Use Permit in District M1-5 (Manufacturing) on about 15 acres generally located at the southwest corner of East 149th Street and Botts Road.

Owner: Erik Samartino Applicant: Kellee Madinger

Affidavit or Meeting Attendance: Attendance

CPC Recommendation: Approval with Conditions 6

2 OACD-SUP-2022-00007 – 9500 E 47th St – A request to approve a Special Use Permit for a temporary land preparation site in an R-7.5 (Residential) zoning district on about 106.7 acres generally located at 9500 E 47th St.

Owner: J A Lillig Construction Applicant: Amy Grant, Polsinelli

Affidavit or Meeting Attendance: Meeting Attendance CPC Recommendation: Approval with Conditions Continue to 11/8/22 3

3 ACCD-SUP-2022-00033 – 3026 Van Brunt Blvd – A request to approve a drive- through facility on about 0.55 acres generally located at E. Linwood boulevard and Van Brunt Boulevard.

Owner: Linwood Properties LLC Applicant: Matthew Gibbs, BHC Rhodes Affidavit or Meeting Attendance: TBD CPC Recommendation: TBD  
Continue to 11/8/22 3

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4 NM CD-SUP-2021-00093 – 6800 NW 79th Ter – Quoc Lam STRs – A request to approve a special use permit for a short-term rental in an R-7.5 district on about 0.203 acres generally located at 6800 NW 79th Ter.

Owner: Quoc T Lam Applicant: Alan Tilman

Affidavit or Meeting Attendance: Unknown

CPC Recommendation: APPROVAL WITH CONDITIONS 2

5 NM CD-SUP-2022-00041 – 716 W 44th Ter – James Engle STRs- A request to approve a Type 2 Year- round Short- Term Rental through the Special Use Permit process on about 0.084 acres generally located at 716 W 44th Ter

Owner: Lauren K & James R Engle Applicant: See above

Affidavit or Meeting Attendance: Attendance

CPC Recommendation: Denial 4

6 JC CD-SUP-2022-00038 – 4412 Terrace St – The Real Estate Law Firm STRs – A request to approve a Special Use Permit to allow for a Short-Term Rental in zoning district R-2.5 on about 0.13 acres generally located at 4412 Terrace Street.

Owner: Fik3 Investments LLC, 3225 McLeod Dr. Las Vegas, NV Applicant: Theodore Anderson

Affidavit or Meeting Attendance: Affidavit

CPC Recommendation: Denial 4

7 JC CD-SUP-2022-00039 – 4742 Jarboe St – The Real Estate Law Firm STRs – A request to approve a Special Use Permit to allow for a Short-Term Rental in zoning district R-2.5 on about 0.12 acres generally located at 4742 Jarboe Street.

Owner: J&M 04 LLC, 3225 McLeod Dr. Las Vegas, NV Applicant: Theodore Anderson

Affidavit or Meeting Attendance: Affidavit

CPC Recommendation: Continue to 11/1/22 CPC hearing Continue to 11/8/22 4

8 LC CD-BZA-2022-00121 – 719 Gladstone Ave – A request to approve an oversized garage and all other necessary variances on about 0.09 acres generally located at 719 Gladstone Avenue.

Owner: Joel Avitia Applicant: Joel Avitia

Affidavit or Meeting Attendance: Attendance

Continued from 9/22/22 3

9 LC CD-BZA-2022-00133 – 9819 Bellevue Ave – A request to approve a rear yard setback variance, plus any other variances in zoning district R-7.5 on about 0.38 acres generally located at 9819 Bellevue Avenue.

Owner: Gary M Hines & Jose Ayala Applicant: Mark Murdick

Affidavit or Meeting Attendance: Attendance 6

10 LC CD-BZA-2022-00138 – 1002 W 77th Ter – A request to approve an accessory structure height variance, plus any other necessary variances in zoning district R-6 on about 0.13 acres of land generally located at 1002 W 77th Terrace.

Owner: Deanna L Andrew Applicant: Joseph Rathermel

Affidavit or Meeting Attendance: Attendance

DISMISS 6

11 JC CD-BZA-2022-00120 – 612 W 47th St – A request to approve variances to projecting sign square footage requirements in zoning district B4-5 on about 0.52 acres generally located at 612 W 47th Street.

Owner: Port Authority of Kansas City Missouri Applicant: Daniel Motush, Infinity Signs Affidavit or Meeting Attendance: Affidavit Continued from 9/22/22

Quorum: Ebbits, Gorenc, Mixdorf, Stiller 4

12 JC CD-BZA-2022-00100 – 4200 Bell St – A request to approve variances to the lot and building standards and all other necessary variances on about 0.13 acres generally located at 4200 Bell Street.

Owner: South KC Properties LLC Applicant: Travis Willson, Veritas A&D Affidavit or Meeting Attendance: Affidavit Continued from 9/22/22 4

13 NM CD-BZA-2022-00092 – 7000 Cleveland Ave – A request to approve a variance to the lot and building standards and all other necessary variances on about .616 acres generally located at 7000 Cleveland Ave

Owner: STKC Properties LLC Applicant: Tom Stiller

Affidavit or Meeting Attendance: Unknown

Continued from 9/22/22 5

14 NM CD-BZA-2022-00141 – 4241 Charlotte St – A request to approve variances to the lot and building standards and all other necessary variances on about .055 acres generally located at 4241 Charlotte St.

Owner: Todd Crippen

Applicant: Turnkey Property Group LLC Affidavit or Meeting Attendance: Unknown 4

15 JC CD-BZA-2022-00136 – 6826 Main St – A request to approve an accessory structure siting variance and a special exception, plus any other necessary variances in zoning district R-6 on about 0.17 acres of land generally located at 6826 Main Street.

Owner: Michelle Giblin Applicant: Michelle Giblin

Affidavit or Meeting Attendance: Attendance 6

16 JS CD-BZA-2022-00144 – 516 Olive St – A request to approve a variance to the rear yard setback standards to allow for the remodel of an existing deck on about 0.14 acres generally located at 516 Olive Street.

Owner: Masound Shahbazi Applicant: Masound Shahbazi

Affidavit or Meeting Attendance: Attendance

Continue to 11/8/22 3

17 JS CD-BZA-2022-00132 – 700 W 44th Ter – A request to approve a special exception to fence height requirements in zoning district R-6 on about 0.086 acres generally located at 700 W 44th Terrace.

Owner: Jennifer Lewis Applicant: Jennifer Lewis

Affidavit or Meeting Attendance: Attendance 4

18 NM CD-BZA-2022-00135 – 6821 Rockhill Rd – A request to approve variances to the lot and building standards and all other necessary variances on about 0.168 acres generally located at 6821 Rockhill Rd

Owner: Matthew Gaulgin Applicant: Michelle Decker

Affidavit or Meeting Attendance: Unknown

Continue to 11/8/222 6

19 NM CD-BZA-2022-00137 – 1864 E 76th Ter – A request to approve variances to the accessory structures and uses standards, and all other necessary variances on about .371 acres generally located at 1864 E 76th Ter.

Owner: Renee & Bryan Miller Applicant: Bryan Miller

Affidavit or Meeting Attendance: Attendance 5

20 NM CD-BZA-2022-00143 – 6101 Ward Pkwy – A request to approve variances to parking and loading standards and all other necessary variances on about 1.5 acres generally located at 6101 Ward Pkwy.

Owner: Country Club Christ Church Applicant: James Mitchell

Affidavit or Meeting Attendance: Affidavit 6

21 JC CD-BZA-2022-00027- 561 Harrison St – A request to approve a variance to density standards to allow for a five-unit residential structure where a three- unit residential structure exists in zoning district R-1.5 on about 7000 square feet generally located at 561 Harrison Street

Owner: Hastings Holdings LLC

Applicant: Corey Henry, Chinnery Evans & Nail, P.C. Affidavit or Meeting Attendance: Affidavit

Continued from 4/12/22, 5/10/22, 6/28/22, 7/12/22, 8/9/22, 9/22/22 Quorum from 5/10/22: Ebbitts, Gorenc, Mixdorf, Stiller 4

22 JC CD-BZA-2022-00019 – 8820 Indiana Ave – A request for rehearing regarding a previously dismissed appeal to the denial of a Certificate of Legal Non- Conforming Use in zoning district R-7.5 on about five acres generally located at 8820 Indiana Ave

Owner: Daniel Johnson Applicant: Michaela Hunter

Affidavit or Meeting Attendance: Affidavit

Continued from 4/12/22, 5/24/22, 6/28/22, 7/12/22, 8/9/22, 9/22/22 Quorum established on 8/9/22: Ebbitts, Gorenc, Mixdorf, Stiller 5

23 JR CD-BZA-2022-00139 – 612 W 47th St – A request to appeal staff's decision to approve a site plan (CRBF-2022-50296) in zoning district B4-5 on about 0.52 acres of land generally located at 612 W 47th Street.

Owner: Port Authority of KCMO Applicant: Brian Madden

Affidavit or Meeting Attendance: Not required

Continue to 11/8/22 4

24 ANCD-BZA-2022-00114 – 3901 N Wayne Ave – A request to rehear an of appeal city staff's determination related to multiple zoning violations related to pole signs on the subject site on about 0.9 acres generally located at 3901 N Wayne St.

Owner: Randall Robb

Applicant: Thistle Hill Development Inc. Affidavit: Attendance

Continued from 9/22/22 4

25 ANCD-BZA-2022-00024 – 4507 Blue Ridge Cutoff – A request to appeal staff's determination surrounding property violations related to the storage of commercial vehicles on about 9 acres generally located at 4507 Blue Ridge Cutoff.

Owner: Kristi Lillig

Applicant: Amy Grant (Polsinelli)

Affidavit or Meeting Attendance: Affidavit Continued from 4/12/22, 6/28/22, 8/9/22, 9/22/22  
Continue to 11/8/22 3

26 JC CD-BZA-2022-00128 – 8116 N Oak Trfy – A request to appeal CPC's decision to approve case number CD-CPC-2022-00103 for a 40 unit apartment complex in zoning district B3-2 on about 0.71 acres generally located at 8116 N Oak Trafficway.

Owner: Kansas City Car Stereo & Alarm Inc. Applicant: David Best

Affidavit or Meeting Attendance: Not required 2

27 ANCD-BZA-2022-00017 – 4500 N Brighton Ave – A request to appeal staff's determination to deny a Certificate of Legal Nonconforming Use on about 1.5 acres generally located at 4500 N Brighton Ave.

Owner: Brent Cline Applicant: Lillian Mehler

Affidavit or Meeting Attendance: Affidavit

Continued from 4/12/22, 6/14/22, 6/28/22, 7/12/22, 9/22/22 1