



## Board of Zoning Adjustment Minutes

Hearing Date: November 8, 2022

414 E 12th Street, 26th Floor, Council Chamber  
Kansas City, Missouri 64106  
[kcmo.org/planning](http://kcmo.org/planning)

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**Docket Item:** 1

**CD-SUP-2022-00007** Site Preparations - A request to approve a Special Use Permit to allow for a Temporary Use Permit for Demolition and Debris landfill (grading, rock crushing, and filling) in district R-7.5 (Residential) on about 110 acres generally located at 4507, 4521 and 4523 Blue Ridge Cut Off, and 9500 E 47th Street.

**Applicant:** Amy Grant of Polsinelli PC

**Commissioners Present:** Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Ahnna Nanoski introduced the case. Olofu Agbaji presented the case. Curtis Petersen with Polisinelli law firm appeared on behalf of the owner and spoke about their requests. No one else appeared for testimony. Board members discussed the merits of the case and approved it with conditions.

**Motion:** Approved with Conditions

**Motioned by:** Mixdorf

**Seconded by:** Gorenc

**Voting Aye:** Ebbitts; Gorenc; Mixdorf; Stiller

**Voting Nay:** None

**Abstaining:** None

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**Docket Item:** 2

**CD-SUP-2022-00038** 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.

**Applicant:** Theodore Anderson of The Real Estate Law Firm

**Commissioners Present:** Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Ahnna Nanoski introduced the case and stated it was to be dismissed. No one appeared for testimony. Board members dismissed the case.

**Motion:** Dismissed

**Motioned by:**

**Seconded by:** Mixdorf

**Voting Aye:** Ebbitts; Gorenc; Mixdorf; Stiller

**Voting Nay:** None

**Abstaining:** None

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**Docket Item:** 3

**CD-BZA-2022-00144** 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.

**Applicant:** Masoud Shahbazi

**Commissioners Present:** Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Testimony: No

Ahnna Nanoski introduced the case and stated it was to be continued to December 13, 2022. No one appeared for testimony. Board members continued the case to December 13, 2022.

**Motion:** Continued Fee: NO

**Motioned by:**

**Seconded by:** Mixdorf

**Voting Aye:** Ebbitts; Gorenc; Mixdorf; Stiller

**Voting Nay:** None

**Abstaining:** None

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**Docket Item:** 4

**CD-BZA-2022-00135** A request to approve variances to the lot and building standards and all other necessary variances on about .168 acres generally located at 6821 Rockhill Rd

**Applicant:** Michelle Decker of RETOUCH REAL ESTATE ENHANCEMENT GROUP, LLC

**Commissioners Present:** Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Ahnna Nanoski introduced the case. Najma Muhammad presented the case. Lance McCarthy appeared on behalf of the owner and spoke about their requests. Board members asked for an affidavit to confirm the representation. It must be submitted within 48 hours. No one else appeared for testimony. Board members discussed the merits of the case and approved it.

**Motion:** Approved

**Motioned by:** Stiller

**Seconded by:** Mixdorf

**Voting Aye:** Ebbitts; Gorenc; Mixdorf; Stiller

**Voting Nay:** None

**Abstaining:** None

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**Docket Item:** 5

**CD-BZA-2022-00127** A request to approve a variance to the lot size and width, and all other necessary variances on about .399 acres zoned R-80 generally located at 5435 NW Parkdale Rd

**Applicant:** Curtis Bundy of N/A Self

**Commissioners Present:** Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Ahnna Nanoski introduced the case. Najma Muhammad presented the case. The applicant appeared and spoke about his requests. He gave a presentation that was admitted as Exhibit 10. It included a Powerpoint, the Line Creek Area Plan, and an annexation map. The following appeared in opposition due to precedent being set, decreased property values, home being too close to neighboring properties, thought the property would cause septic problems in the cul-de-sac, undermines character of the neighborhood:

Andy Williams of 5410 NW Parkdale

Richard Cloughley of 5431NW Parkdale

Allex Mullock of 5430 NW Parkdale

Board members discussed the merits of the case and approved it.

**Motion:** Approved

**Motioned by:** Stiller

**Seconded by:** Gorenc

**Voting Aye:** Ebbitts; Gorenc; Mixdorf; Stiller

**Voting Nay:** None

**Abstaining:** None

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**Docket Item:** 6

**CD-BZA-2022-00145** A request to approve variances to sign standards and all other necessary variances in a DC-15 district on about 1.089 acres generally located at 320 E 12th St.

**Applicant:** MATT WARNER of METRO 24 FITNESS LLC

**Commissioners Present:** Moran; Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Testimony: Yes

Ahnna Nanoski introduced the case. Najma Muhammad presented the case. The applicant and spoke about their requests. He submitted pictures that were admitted as Exhibit 10. No one else appeared for testimony. Board members discussed the merits of the case and recommended a continuance to allow the applicant time to consider other options. The applicant agreed. Board members continued the case to January 10, 2023.

**Motion:** Continued Fee: NO

**Motioned by:** Stiller

**Seconded by:** Mixdorf

**Voting Aye:** Moran; Ebbitts; Gorenc; Mixdorf; Stiller

**Voting Nay:** None

**Abstaining:** None

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**Docket Item:** 7

**CD-BZA-2022-00156** A request to approve a variance to the lot and building standards and all other necessary variances on about 0.194 acres generally located at 3717 Brooklyn Ave

**Applicant:** Kelvin Powell of Powell Family Investments LLC

**Commissioners Present:** Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Ahnna Nanoski introduced the case. Larisa Chambi presented the case. Both the applicant and Structural Engineer Brandon Schwabauer with Norton & Schmidt Consulting Engineers appeared and spoke about their requests. No one else appeared for testimony. Board members discussed the merits of the case and approved it.

**Motion:** Approved

**Motioned by:** Mixdorf

**Seconded by:** Ebbitts

**Voting Aye:** Ebbitts; Gorenc; Mixdorf; Stiller

**Voting Nay:** None

**Abstaining:** None

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**Docket Item:** 8

**CD-BZA-2022-00157** A request to approve variances to the encroachment standards and all other necessary variances on about .09 acres generally located at 719 Prospect Ave

**Applicant:** Ruben Martinez of Romans Remodeling LLC

**Commissioners Present:** Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Ahnna Nanoski introduced the case. Najma Muhammad presented the case. The applicant appeared and spoke about their requests. Chloe Willett of the neighborhood had questions about the applicant's proposal. No one else appeared for testimony. Board members discussed the merits of the case and approved it.

**Motion:** Approved

**Motioned by:** Mixdorf

**Seconded by:** Gorenc

**Voting Aye:** Ebbitts; Gorenc; Mixdorf; Stiller

**Voting Nay:** None

**Abstaining:** None

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**Docket Item:** 9

**CD-BZA-2022-00161** A request to approve a side yard setback variance in zoning district R-6 plus any other necessary variances on about 0.565 acres generally located at 5400 Sunset Drive

**Applicant:** Adam Reilly

**Commissioners Present:** Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Ahnna Nanoski introduced the case. Jared Clements presented the case. The applicant appeared and spoke about their requests. No one else appeared for testimony. Board members discussed the merits of the case and approved it.

**Motion:** Approved

**Motioned by:** Stiller

**Seconded by:** Gorenc

**Voting Aye:** Ebbitts; Gorenc; Mixdorf; Stiller

**Voting Nay:** None

**Abstaining:** None

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**Docket Item:** 10

**CD-BZA-2022-00165** A request to approve a variance to sign standards in a non-residential district (MPD) on about 1.5 acres generally located at 4604 Wornall Rd, plus any other necessary variances.

**Applicant:** of INFINITY SIGNS, INC.

**Commissioners Present:** Moran; Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Ahnna Nanoski presented the case. The applicant team of Joe Morrison with Country Club Lodging & Scott Hueschen with Infinity Sign Systems spoke about their requests. The following appeared for testimony:

Tom Davis of 4545 Broadway (Parkway Towers) and representing the area sounding board presented a letter with their conditions that was admitted as Exhibit 11. The applicants agreed with their conditions.

Carol Thrane of the 4646 Broadway and part of the sounding board requested the same conditions in Exhibit 11.

Christina Boveri of 45th & Pennsylvania asked that they abide by the code.

Robert Martin, president of the Plaza Westport Neighborhood Association appeared in opposition and gave a presentation that was admitted as Exhibit 12.

Matt Fuoco of the 46 Jefferson Condo Association appeared in opposition and gave a presentation that was admitted as Exhibit 13.

Board members discussed the merits of the case then adjourned for a closed session to discuss legal matters with City Attorney Sarah Baxter. When they returned, the board voted to approve the case.

**Motion:** Approved

**Motioned by:** Stiller

**Seconded by:** Moran

**Voting Aye:** Moran; Ebbitts; Gorenc; Stiller

**Voting Nay:** Mixdorf

**Abstaining:** None

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**Docket Item:** 11

**CD-BZA-2022-00166** A request to approve a variance to the front setback requirements of zoning district R-2.5 plus any other necessary variances on about 0.127 acres generally located at 4511 Fairmount

**Applicant:** Karen Maxwell

**Commissioners Present:** Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Ahnna Nanoski introduced the case and stated the case was to be continued to December 13, 2022. No one appeared for testimony. Board members continued the case to December 13, 2022.

**Motion:** Continued

**Motioned by:**

**Seconded by:** Mixdorf

**Voting Aye:** Ebbitts; Gorenc; Mixdorf; Stiller

**Voting Nay:** None

**Abstaining:** None

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**Docket Item:** 12

**CD-BZA-2022-00164** A request to approve variances to density requirements, height requirements, and setback requirements, plus any other necessary variances in zoning district R-1.5 on about 0.71 acres generally located at 4931 Walnut Street.

**Applicant:** Fernando Chavez Reyes of b+a architecture

**Commissioners Present:** Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Ahnna Nanoski introduced the case. Jared Clements presented the case. The applicant team of Joe Dulle with 43 Madison LLC and Fernando Chavez Reyes appeared and spoke about their requests. Kate Marshall, the president of the South Plaza Neighborhood Association appeared in favor of the project. Board members discussed the merits of the case and approved it.

**Motion:** Approved

**Motioned by:** Stiller

**Seconded by:** Gorenc

**Voting Aye:** Ebbitts; Gorenc; Mixdorf; Stiller

**Voting Nay:** None

**Abstaining:** None

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**Docket Item:** 13

**CD-BZA-2022-00027** 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

**Applicant:** Corey Henry of Chinnery Evans & Nail, P.C.

**Commissioners Present:** Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Ahnna Nanoski introduced the case. Jared Clements presented the case. The applicant appeared and spoke about their requests. Margaret Valente with the Columbus Park Council appeared in opposition of the additional unit (total 7) due to parking issues. Board members discussed the merits of the case and approved it, 4 units in the front and 2 units in the back.

**Motion:** Approved

**Motioned by:** Stiller

**Seconded by:**

**Voting Aye:** Ebbitts; Mixdorf; Stiller

**Voting Nay:** Gorenc

**Abstaining:** None

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**Docket Item:** 14

**CD-BZA-2022-00139** 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

**Applicant:** Brian Madden of Wagstaff & Cartmell LLP

**Commissioners Present:** Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Ahnna Nanoski introduced the case and stated it was to be dismissed. The applicant appeared and agreed. No one else appeared for testimony. Board members dismissed the case.

**Motion:** Dismissed

**Motioned by:** Ebbitts; Gorenc; Mixdorf; Stiller

**Seconded by:**

**Voting Aye:** Ebbitts; Gorenc; Mixdorf; Stiller

**Voting Nay:** None

**Abstaining:** None

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**Docket Item:** 15  
**CD-BZA-2022-00024** 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.

**Applicant:** George EDDIE JAMES of JAMES SOBBA, LLC

**Commissioners Present:** Ebbitts; Gorenc; Mixdorf; Stiller

**Commissioners Absent:**

**Commissioners Recusing:** None

Ahnna Nanoski introduced the case and stated it was to be dismissed. No one appeared for testimony. Board members dismissed the case.

**Motion:** Dismissed  
**Motioned by:** Mixdorf  
**Seconded by:** Gorenc  
**Voting Aye:** Ebbitts; Gorenc; Mixdorf; Stiller  
**Voting Nay:** None  
**Abstaining:** None

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