



## Board of Zoning Adjustment Minutes

Hearing Date: October 12, 2021

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:**

**CD-BZA-2021-00014** A request to approve an appeal of determination on about 3.7 acres zoned R-7.5 (Residential) generally located at 8300 N. Green Hills Road.

**Applicant:** Rachelle Biondo of Rouse Frets White Goss Gentile Rhodes, a Professional Corporation

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:** Keleher; Mixdorf

**Comissioners Recusing:** None

Testimony: No

Boardchair Otto introduced the case. The planner appeared and requested a continuance to January 11, 2022. No one appeared for testimony. Board members continued the case.

**Motion:** Continued Fee: NO

**Motioned by:** Stiller

**Seconded by:** Bonuchi

**Voting Aye:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Docket Item:**

**CD-BZA-2021-00097** A request to approve a variance to fencing requirements within the Troost Overlay District on about .4 acres generally located at 3030 Troost Ave, plus any other necessary variances.

**Applicant:** Chris Jimenez of Clockwork

**Comissioners Present:** Bonuchi; Gorenc; Otto; Stiller

**Comissioners Absent:** Ebbitts; Keleher

**Comissioners Recusing:** None

Testimony: Yes

**Motion:** Continued Fee: NO

**Motioned by:** Stiller

**Seconded by:** Bonuchi

**Voting Aye:** Bonuchi; Gorenc; Otto; Stiller

**Voting Nay:** None

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**Docket Item:**

**CD-SUP-2021-00066** Gotcha Covered - A request to approve a Special Use Permit to allow the use of warehousing, wholesaling, and storage in District M1-1 (Manufacturing 1 dash 1) on about 10 acres generally located at the southeast corner of Highway 150 and Prospect Avenue.

**Applicant:** Judd Claussen of Phelps Engineering

**Commissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller  
**Commissioners Absent:** Keleher; Mixdorf  
**Commissioners Recusing:** None

Testimony: No

Boardchair Otto introduced the case. The planner appeared and requested a continuance to November 9, 2021. No one appeared for testimony. Board members continued the case.

**Motion:** Continued Fee: NO  
**Motioned by:** Ebbitts  
**Seconded by:** Bonuchi

**Docket Item:** 9

**CD-BZA-2021-00097** A request to approve a variance to fencing requirements within the Troost Overlay District on about .4 acres generally located at 3030 Troost Ave, plus any other necessary variances.

**Applicant:** Chris Jimenez of Clockwork

**Commissioners Present:** Bonuchi; Gorenc; Otto; Stiller  
**Commissioners Absent:** Ebbitts; Keleher  
**Commissioners Recusing:** None

Testimony: Yes

**Motion:** Approved Fee: NO  
**Motioned by:** Stiller  
**Seconded by:** Bonuchi  
**Voting Aye:** Bonuchi; Gorenc; Otto; Stiller  
**Voting Nay:** None

**Docket Item:** 1

**CD-SUP-2021-00063** A request to approve a special use permit on about 10.7 acres in District B3-2 (Community Business dash 2) located at 5199 NE 80th Terrace to allow for fuel sales, plus any other necessary variances.

**Applicant:** Jeffrey Laubach of SBB Engineering, LLC

**Commissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller  
**Commissioners Absent:** Keleher; Mixdorf  
**Commissioners Recusing:** None

Testimony:

Zach Nelson presented the case including an owner affidavit. Boardchair Otto admitted it as Exhibit 11. The applicant team of Jeffrey Laubach with SBB Engineering LLC and Jonathan Woche from Casey's appeared and asked to remove condition #21. Zach Nelson agreed.

Boardmembers discussed the merits of the case and approved it with conditions, removing condition #21.

**Motion:** Approved with Modifications  
**Motioned by:** Stiller

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**Docket Item:** 2

**CD-BZA-2021-00063** A request to approve an appeal of determination of an Short Term Rental (STR). on about .6 acres generally located at 9818 Summit St.

**Applicant:** Ron Wheeler of

**Comissioners Present:** Bonuchi; Gorenc; Otto; Stiller

**Comissioners Absent:** Ebbitts; Keleher; Mixdorf

**Comissioners Recusing:** None

Testimony: No

Boardchair Otto introduced the case. The planner appeared and requested a continuance to November 9, 2021. The applicant appeared and requested a continuance to December 14, 2021. No one appeared for testimony. Board members continued the case to December 14, 2021.

**Motion:** Continued Fee: NO

**Motioned by:** Bonuchi

**Seconded by:** Stiller

**Docket Item:** 2

**CD-SUP-2021-00065** A request to approve a special use permit on about 42 acres in District M1-5 (Manufacturing 1 dash 5) located at 5300 E. 155th Street, to allow for general manufacturing.

**Applicant:** James Wilkins of Ideker, Inc.; Steve Bauer of Taliaferro & Browne, Inc.

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:** Keleher; Mixdorf

**Comissioners Recusing:** None

Testimony: No

Boardchair Otto introduced the case. The applicant appeared and requested a continuance to November 9, 2021. No one appeared for testimony. Board members continued the case.

**Motion:** Continued Fee: NO

**Motioned by:** Stiller

**Seconded by:** Bonuchi

**Voting Aye:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Docket Item:** 4

**CD-SUP-2021-00068** A request to approve a Special Use Permit to allow for a Hotel on about 0.23 acres of land generally located at 906 Grand Blvd

**Applicant:** Joseph Oaks of Polsinelli

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:** Keleher; Mixdorf

**Comissioners Recusing:** None

Jared Clements presented the case. The applicant team of Joe Oaks and RoxsenKoch with the Polsinelli law firm appeared and gave a presentation. Boardchair Otto admitted the presentation as Exhibit 10. Boardmembers discussed the merits of the case and approved it with conditions.

**Motion:** Approved with Conditions

**Motioned by:** Ebbitts

**Seconded by:** Stiller

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**Docket Item:** 5

**CD-SUP-2021-00070** A request to approve a Special Use Permit to allow for a Short Term Rental on about 0.08 acres of land generally located at 1008 E 44th Street

**Applicant:** William Bates of At 1016 LLC

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:** Keleher; Mixdorf

**Comissioners Recusing:** None

Jared Clements presented the case. The applicant appeared and spoke about his requests. Boardmembers discussed the merits of the case and approved it with conditions.

**Motion:** Approved with Conditions

**Motioned by:** Bonuchi

**Seconded by:** Gorenc

**Voting Aye:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Docket Item:** 6

**CD-BZA-2021-00096** A request to approve a variance to the side yard setback on about .25 acres generally located at 826 W 54th Ter, and any other necessary variances

**Applicant:** ROB DAGLEY of ALH HOME RENOVATIONS, LLC

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:**

**Comissioners Recusing:** None

Ahnna Nanoski presented the case. The applicant (Megan Heese with ALH Home Renovations) and the home owners Aaron & Amy Gaul appeared and spoke about their requests. Attorney Ryan White representing opposing neighbors Aaron & Patricia Lewis provided testimony. Ryan Munce appeared in support of the applicant. Exhibit 11, the revised staff report, Exhibit 12, the revised site plan and Exhibit 13, the applicant's Powerpoint were admitted. Boardmembers discussed the merits of the case and approved it.

**Motion:** Approved

**Docket Item:** 7.1

**CD-BZA-2021-00055** 901-903 E 39th St - An appeal of staff's decision to deny a Certificate of Legal Nonconforming Use.

**Applicant:** Steven Lucas of Rouse Frets White Goss; John Moran of

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:** Keleher; Mixdorf

**Comissioners Recusing:** None

Ahnna Nanoski presented the case. The applicant team of Steven Lucas with the Rouse Frets law firm, Jason Hansen, architect and the property owner, Alex Moran appeared. Steven Lucas requested a continuance to come into compliance, not to move forward with the variance request.

The following appeared in opposition:

Christine Taylor Lewis

Angie Splittgerber

Allan Hallquist

Dona Boley

Christopher Koch

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**Docket Item:** 7.2

**CD-BZA-2021-00056** 907-909 E 39th St - An appeal of staff's decision to deny a Certificate of Legal Nonconforming Use.

**Applicant:** John Moran of ; Steven Lucas of Rouse Frets White Goss

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:** Keleher; Mixdorf

**Comissioners Recusing:** None

Ahnna Nanoski presented the case. The applicant team of Steven Lucas with the Rouse Frets law firm, Jason Hansen, architect and the property owner, Alex Moran appeared. Steven Lucas requested a continuance to come into compliance, not to move forward with the variance request.

The following appeared in opposition:

Christine Taylor Lewis

Angie Splittgerber

Allan Hallquist

Dona Boley

Christopher Koch

**Docket Item:** 8

**CD-BZA-2021-00088** A request to approve a variance to the side-setback of a monument sign in a zoning district B3-3 on about 4.37 acres generally located at 7901 NW Tiffany Springs Pkwy, plus any other necessary variances

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

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:** Keleher; Mixdorf

**Comissioners Recusing:** None

Jared Clements presented the case. The applicant team of Scott Hueschen, Infinity Sign Systems, Tom Harris, with Operations for Sinesta Hotels and Stacy Dierenfeldt, General Manager for Sinesta Hotels 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:** Bonuchi

**Docket Item:**

**CD-BZA-2021-00097** A request to approve a variance to fencing requirements within the Troost Overlay District on about .4 acres generally located at 3030 Troost Ave, plus any other necessary variances.

**Applicant:** Chris Jimenez of Clockwork

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:** Keleher; Mixdorf

**Comissioners Recusing:** None

Ahnna Nanoski presented the case. The applicant team of Chris Jimenez and Mary Esselman, CEO of Operation Breakthrough appeared and spoke about their requests. No one else appeared for testimony.

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

**Motion:** Continued

**Motioned by:** Bonuchi

**Seconded by:** Ebbitts

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**Docket Item:** 9

**CD-BZA-2021-00097** A request to approve a variance to fencing requirements within the Troost Overlay District on about .4 acres generally located at 3030 Troost Ave, plus any other necessary variances.

**Applicant:** Chris Jimenez of Clockwork

**Commissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Commissioners Absent:** Keleher; Mixdorf

**Commissioners Recusing:** None

Ahnna Nanoski presented the case. The applicant team of Chris Jimenez and Mary Esselman, CEO of Operation Breakthrough 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:** Bonuchi

**Seconded by:** Ebbitts

**Docket Item:** 10

**CD-BZA-2021-00098** A request to approve a variance to the side yard setback in the R-6 district on about .1 acres generally located at 617 W Dartmouth Rd, plus any other necessary variances.

**Applicant:** Dustin Burton of Renaissance Infrastructure Consulting

**Commissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Commissioners Absent:** Keleher; Mixdorf

**Commissioners Recusing:** None

Najma Muhammad presented the case. The applicant appeared and spoke about his requests. James Cianciaruso appeared and voiced his support. No one else appeared for testimony. Board members discussed the merits of the case and approved it.

**Motion:** Approved

**Motioned by:** Ebbitts

**Seconded by:** Gorenc

**Docket Item:** 11

**CD-BZA-2021-00099** A request to approve a variance to the rear yard setback in the R-6 district on about .2 acres generally located at 5723 Mayview Ave, plus any other necessary variances.

**Applicant:** John Graber of GRABER OUTDOORS

**Commissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Commissioners Absent:** Keleher; Mixdorf

**Commissioners Recusing:** None

Ahnna Nanoski presented the case. The applicant team of Chris Nelson, home owner and John Graber with Graber Outdoors 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:** Bonuchi

**Seconded by:** Ebbitts

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**Docket Item:** 12

**CD-BZA-2021-00101** A request to approve a variance to the maximum allowable size of a ground-mounted solar system and to its location in the front yard in zoning district R-7.5 on about 5.42 acres generally located at 7000 Lee's Summit Road, plus any other necessary variances

**Applicant:** Jesse Wiederin of The Solar Guys, LLC

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:** Keleher; Mixdorf

**Comissioners Recusing:** None

Jared Clements presented the case. The applicant team of Jim Ash, home owner and Jesse Wiederin with The Solar Guys 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

**Docket Item:** 14

**CD-BZA-2021-00067** A request to approve a variance to parking requirements on about .11 acres generally located at 3262 Gillham Rd, and any other necessary variances

**Applicant:** Kadim Al-Asady of

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:** Keleher; Mixdorf

**Comissioners Recusing:** None

Boardchair Otto introduced the case. The planner appeared and advised the case was to be dismissed. No one appeared for testimony. Board members dismissed the case.

**Motion:** Dismissed

**Motioned by:** Stiller

**Seconded by:** Bonuchi

**Voting Aye:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Docket Item:** 14.1

**CD-BZA-2021-00106** A request to approve a variance to the minimum lot width in the R-1.5 district on about .1 acres generally located at 4332 Forest Ave, plus any other necessary variances.

**Applicant:** Benjamin Shrauner of Crown Town Properties, LLC

**Comissioners Present:** Bonuchi; Gorenc; Otto; Stiller

**Comissioners Absent:** Ebbitts; Keleher; Mixdorf

**Comissioners Recusing:** None

Ahnna Nanoski presented the case. The applicant spoke about his request. 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:** Bonuchi; Gorenc; Otto; Stiller

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**Docket Item:** 14.2

**CD-BZA-2021-00123** A request to approve a variance to the minimum lot width in the R-1.5 district on about .1 acres generally located at 4334 Forest Ave, plus any other necessary variances.

**Applicant:** Benjamin Shrauner of Crown Town Properties, LLC

**Comissioners Present:** Bonuchi; Gorenc; Otto; Stiller

**Comissioners Absent:** Ebbitts; Keleher; Mixdorf

**Comissioners Recusing:** None

Ahnna Nanoski presented the case. The applicant spoke about his request. 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:** Bonuchi; Gorenc; Otto; Stiller

**Docket Item:** 15

**CD-BZA-2021-00107** A request to approve a variance to the street side yard setback in the R-7.5 district on about .3 acres generally located at 1514 NE 80th Ct, plus any other necessary variances.

**Applicant:** Ryan Waggener of

**Comissioners Present:** Bonuchi; Gorenc; Otto; Stiller

**Comissioners Absent:** Ebbitts; Keleher; Mixdorf

**Comissioners Recusing:** None

Jared Clements presented the case. The applicant appeared and spoke about his requests. No one else appeared for testimony.

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

**Motion:** Approved

**Motioned by:** Bonuchi

**Seconded by:** Gorenc

**Docket Item:** 16

**CD-BZA-2021-00108** A request to approve a variance to the maximum accessory structure square footage in zoning district R-2.5 on about 0.25 acres generally located at 3334 Campbell St, plus any other necessary variances

**Applicant:** Megan Hail of RISINGSUN EPC

**Comissioners Present:** Bonuchi; Gorenc; Otto; Stiller

**Comissioners Absent:** Ebbitts; Keleher; Mixdorf

**Comissioners Recusing:** None

Jared Clements presented the case. The applicant spoke about her 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:** Bonuchi; Gorenc; Otto; Stiller



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**Docket Item:** 19

**CD-BZA-2020-00097** A request to approve a variance to the maximum footprint area of an accessory building and any other necessary variances on about .29 acres of land generally located at 5132 N Cypress Ave

**Applicant:** William Fambrough of Fambrough and Associates, Inc.

**Comissioners Present:** Bonuchi; Gorenc; Otto; Stiller

**Comissioners Absent:** Ebbitts; Keleher; Mixdorf

**Comissioners Recusing:** None

Testimony: Yes

Jared Clements presented the case. The applicants, William and Heather Fambrough appeared and spoke about their requests. They advised they were renters at the property.

Neighbor Steve Diamond appeared and voiced his opposition.

Joe Rexwinkle said shipping containers were not allowed.

Board members said the applicants needed the property owner's approval and they needed proper drawings from an architect. Board members suggested a continuance and the applicants agreed. The case was continued to October 26, 2021.

**Docket Item:** 25

**CD-BZA-2021-00120** A request to approve a variance to the rear yard setback in the R-6 district on about .06 acres generally located at 811 W 18th St, plus any other necessary variances.

**Applicant:** Nathan Benjamin of K.M. Forward, LLC

**Comissioners Present:** Bonuchi; Gorenc; Otto; Stiller

**Comissioners Absent:** Ebbitts; Keleher; Mixdorf

**Comissioners Recusing:** None

Ahnna Nanoski presented the case. The applicant appeared and spoke about his requests. He submitted a revised Powerpoint presentation that was admitted as Exhibit 11.

Richard Hernandez, President of the Westside Neighborhood Association appeared and voiced his opposition.

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

**Motion:** Approved

**Motioned by:** Stiller

**Docket Item:** 28

**CD-BZA-2021-00109** A request to approve a special exception for fence height in the front yard in the R-6 district on about .2 acres generally located at 3759 Washington St

**Applicant:** Adam Sachs of Kansas City Royals Baseball Club

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:** Keleher; Mixdorf

**Comissioners Recusing:** None

Testimony: No

Boardchair Otto introduced the case. The planner appeared and requested a continuance to October 26, 2021. No one appeared for testimony. Board members continued the case.

**Motion:** Continued Fee: NO

**Motioned by:** Bonuchi

**Seconded by:** Stiller

**Voting Aye:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

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**Docket Item:** 29

**CD-BZA-2021-00122** A request to approve a special exception to allow for a six foot fence generally located at 7801 N Strathbury Ave

**Applicant:** Miguel Aurich of

**Comissioners Present:** Bonuchi; Gorenc; Otto; Stiller

**Comissioners Absent:** Ebbitts; Keleher; Mixdorf

**Comissioners Recusing:** None

Jared Clements presented the case. Chapter 27 of the Code of Ordinances was admitted as Exhibit 10. The applicant appeared and spoke about his requests. No one else appeared for testimony. Board members discussed the merits of the case and approved it.

**Motion:** Approved

**Motioned by:** Bonuchi

**Seconded by:** Gorenc

**Docket Item:** 31

**CD-BZA-2021-00112** A request to approve a variance to the maximum allowable size of a ground-mounted solar system in zoning district R-2.5 on about 0.61 acres generally located at 2924 Harrison St, plus any other necessary variances

**Applicant:** Jesse Wiederin of The Solar Guys, LLC

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:** Keleher

**Comissioners Recusing:** None

Testimony: No

Jared Clements stated the applicant requested a continuance to October 26, 2021. No one appeared for testimony. Board members continued the case.

**Motion:** Docketed Fee: NO

**Motioned by:** Stiller

**Seconded by:** Bonuchi

**Voting Aye:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Docket Item:** 35

**CD-BZA-2021-00114** A request to appeal staff's determination surrounding property violations related to the Troost Overlay District on about .3 acres generally located at 3801 Troost Ave.

**Applicant:** Rachelle Biondo of Rouse Frets White Goss Gentile Rhodes, a Professional Corporation

**Comissioners Present:** Bonuchi; Gorenc; Otto; Stiller

**Comissioners Absent:** Ebbitts; Keleher; Mixdorf

**Comissioners Recusing:** None

Testimony: No

The applicant requested a continuance to October 26, 2021. No one appeared for testimony. Board members continued the case to October 26, 2021.

**Motion:** Continued Fee: NO

**Motioned by:** Stiller

**Seconded by:** Bonuchi

**Voting Aye:** Bonuchi; Gorenc; Otto; Stiller

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**Docket Item:** 35

**CD-BZA-2021-00118** A request to approve a variance to the rear yard setback in the R-6 district on about .3 acres generally located at 650 W 67th St, plus any other necessary variances.

**Applicant:** Adam Sachs of Kansas City Royals Baseball Club

**Comissioners Present:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller

**Comissioners Absent:** Keleher; Mixdorf

**Comissioners Recusing:** None

Testimony: No

Boardchair Otto introduced the case. The planner appeared and requested a continuance to October 26, 2021. No one appeared for testimony. Board members continued the case.

**Motion:** Continued Fee: NO

**Motioned by:** Bonuchi

**Seconded by:** Ebbitts

**Voting Aye:** Bonuchi; Ebbitts; Gorenc; Otto; Stiller