



Board of Zoning Adjustment Minutes

Hearing Date: November 9, 2021

414 E 12th Street, 26th Floor, Council Chamber
Kansas City, Missouri 64106
kcmo.org/planning

Docket Item: 1

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.

Commissioners Present: Bonuchi; Ebbitts; Gorenc; Keleher; Stiller

Commissioners Absent: Otto

Commissioners Recusing: None

Zach Nelson presented the case and advised corrections were made, omitting conditions 1-3, 11, 35, 36, and 37, per the applicant's request. The applicant team of Steven Lucas, attorney with Rouse Frets, David Wilkins with Ideker Asphalt, James Mulick, property owner with the Port Authority and Kurt Mitscher with Taliaferro & Browne spoke about their requests. No one else appeared for testimony. Board members discussed the merits of the case and approved it with conditions, omitting the mentioned conditions.

Motion: Approved with Conditions

Docket Item: 2

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; Keleher; Stiller

Commissioners Absent: Otto

Commissioners Recusing: None

Xue Wood presented the case and requested approval for 3 years. The applicant spoke about Gotcha Covered LLC's requests. No one else appeared for testimony. Board members discussed the merits of the case and approved it with conditions for 3 years.

Motion: Approved with Conditions

Motioned by: Bonuchi

Docket Item: 3

CD-BZA-2018-11457 A property zoned M3-5 (Manufacturing 3) and R-6 (Residential 6) and approximately 6.7 acres in size, generally located on the west side of Union Pacific Railroad between E. 75th Terrace to the north and Bruce R. Watkins Drive to the south, to consider an appeal to the determination that the property is being used as a demolition debris landfill and that portion of the property zoned R-6 is being used for outdoor storage.

Applicant: Phillip Klawuhn of Phillip A. Klawuhn & Associates, P.C.

Commissioners Present: Bonuchi; Ebbitts; Stiller

Commissioners Absent: Otto

Commissioners Recusing: None

Testimony: No

Vice-Chair Keleher advised the case was to be continued per staff. No one appeared for testimony. Board Members continued the case to December 14, 2021.

Motion: Continued Fee: NO

Motioned by: Bonuchi

Docket Item: 4.1

CD-SUP-2021-00043 A request to approve a special use permit for a Short-Term Rental on about 0.13 generally located at 3929 Walnut Street

Applicant: Thomas Sharkey of

Commissioners Present: Bonuchi; Ebbitts; Gorenc; Keleher; Stiller

Commissioners Absent: Otto

Commissioners 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 with conditions.

Motion: Approved with Conditions

Motioned by: Ebbitts

Seconded by: Bonuchi

Voting Aye: Bonuchi; Ebbitts; Gorenc; Keleher; Stiller

Docket Item: 4.2

CD-SUP-2021-00044 A request to approve a special use permit for a Short-Term Rental on about 0.13 acres generally located at 3929 Walnut Street

Applicant: Thomas Sharkey of

Commissioners Present: Bonuchi; Ebbitts; Gorenc; Keleher; Stiller

Commissioners Absent: Otto

Commissioners 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 with conditions.

Motion: Approved with Conditions

Motioned by: Ebbitts

Seconded by: Bonuchi

Voting Aye: Bonuchi; Ebbitts; Gorenc; Keleher; Stiller

Docket Item: 5

CD-SUP-2021-00010 A request to approve a Special Use Permit to continue operating a Short-Term Rental in an R-7.5 zone on about 0.265 acres generally located at 20 E 115th Ter

Applicant: Tracy Stein of

Comissioners Present: Ebbitts; Gorenc; Keleher; Otto; Stiller

Comissioners Absent: Bonuchi

Comissioners Recusing: None

Najma Muhammad presented the case. The applicant's attorney, Timothy Stein spoke about the requests.

The following appeared in opposition:

Sharon Hill, President of the Red Bridge Homes Association-did not support short term rentals. Said their association has a deed restriction that does not allow short term rentals.

Lynn Youngberg of 109 E 115th St--"

Carol Winterowd, President of the Center Planning and Development Council-did not support short term rentals

The applicant addressed their concerns.

Board members discussed the merits of the case and held a closed session with City Attorney Sarah Baxter. When they

Docket Item: 6

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: Gorenc; Keleher; Mixdorf; Stiller

Comissioners Absent: Otto

Comissioners Recusing: None

Testimony: No

Vice-Chair Keleher advised the case was to be continued per staff. No one appeared for testimony. Board Members continued the case to December 14, 2021.

Motion: Docketed Fee: NO

Motioned by: Stiller

Seconded by: Gorenc

Voting Aye: Gorenc; Keleher; Mixdorf; Stiller

Docket Item: 7

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; Keleher; Stiller

Comissioners Absent: Otto

Comissioners Recusing: None

Testimony: No

Vice-Chair Keleher advised the case was to be continued per staff. No one appeared for testimony. Board Members continued the case to December 14, 2021.

Motion: Continued Fee: NO

Motioned by: Bonuchi

Seconded by: Ebbitts

Voting Aye: Bonuchi; Ebbitts; Gorenc; Keleher; Stiller

Docket Item: 8

CD-BZA-2021-00121 A request to approve a sign variance for a monument sign in the B1-1 district on about .3 acres generally located at 4646 Roanoke Pkwy, plus any other necessary variances.

Applicant: Robin Hurshman of KC Sign Express, Inc

Comissioners Present: Gorenc; Keleher; Otto; Stiller

Comissioners Absent: Bonuchi

Comissioners Recusing: None

Ahnna Nanoski presented the case. The applicant, Patrick Murray of KC Sign Express, Inc. & Louis Accurso property owner appeared and spoke about their requests. No one else appeared for testimony. Boardmembers discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Keleher

Seconded by: Gorenc

Docket Item: 9

CD-BZA-2021-00064 A request to approve a special exception to allow for a 6 foot fence on a corner lot in the front and street-side yard on about .205 acres generally located at 6801 N Pontiac Ave

Applicant: Tibeb Woldekidan of

Comissioners Present: Ebbitts; Gorenc; Keleher; Otto; Stiller

Comissioners Absent: Bonuchi

Comissioners Recusing: None

Najma Muhammad presented the case. The applicant appeared and spoke about his requests. Boardmembers discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Stiller

Seconded by: Ebbitts

Voting Aye: Ebbitts; Otto; Stiller

Docket Item: 9

CD-BZA-2021-00132 A request to approve a variance to the rear yard setback in the R-6 district on about .2 acres generally located at 6744 Edgevale Rd, plus any other necessary variances.

Applicant: Michael Patterson of -

Comissioners Present: Ebbitts; Gorenc; Keleher; Otto; Stiller

Comissioners Absent: Bonuchi

Comissioners Recusing: None

Genevieve Kohn presented the case. The applicant appeared and spoke about his requests. Boardmembers discussed the merits of the case and approved it.

Motion: Docketed

Motioned by: Keleher

Seconded by: Ebbitts

Voting Aye: Ebbitts; Gorenc; Keleher; Otto; Stiller

Docket Item: 10

CD-BZA-2021-00113 A request to approve a special exception to allow for an eight foot fence on about 0.14 acres generally located at 705 E 39th Street, plus any other necessary variances.

Applicant: Brenda Horton of

Comissioners Present: Ebbitts; Gorenc; Keleher; Otto; Stiller

Comissioners Absent: Bonuchi

Comissioners Recusing: None

Andrew Clarke presented the case. The applicant appeared and spoke about her requests. Angie Splittgerber appeared in opposition on behalf of the Hyde Park Neighborhood Association.

Boardmembers discussed the merits of the case and denied it.

Motion: Denied

Motioned by: Keleher

Docket Item: 11

CD-BZA-2021-00127 A request to approve a variance to the side yard setback, minimum driveway depth, and maximum percentage of pavement in the front yard in zoning district R-6 on about 0.12 acres generally located at 4937 Lydia Avenue.

Applicant: DARRYL HAWKINS of Innovative Design & Renovation

Comissioners Present: Ebbitts; Gorenc; Keleher; Otto; Stiller

Comissioners Absent: Bonuchi

Comissioners Recusing: None

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

Boardmembers discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Ebbitts

Docket Item: 11

CD-BZA-2021-00134 A request to approve a variance to the residential vehicular use area dimensions in the front yard on about .287 acres generally located at 10427 N Virginia Ave

Applicant: Chris Teel of Home Owner

Comissioners Present: Ebbitts; Gorenc; Keleher; Otto; Stiller

Comissioners Absent: Bonuchi

Comissioners Recusing: None

Najma Muhammad presented the case. The applicant appeared and spoke about his requests.

Boardmembers discussed the merits of the case and approved it.

Motion: Approved

Motioned by: Ebbitts

Seconded by: Gorenc

Voting Aye: Ebbitts; Gorenc; Keleher; Otto; Stiller

Docket Item: 13

CD-BZA-2021-00060 A request to appeal staff's determinations surrounding violations related to a Certificate of Legal Nonconforming Use on about .14 acres generally located at 416 Prospect Blvd.

Applicant: Thomas Mix of Mix Investments LLC

Commissioners Present: Ebbitts; Gorenc; Keleher; Otto; Stiller

Commissioners Absent: Bonuchi

Commissioners Recusing: None

Ahnna Nanoski presented the case and advised the applicant didn't pay the application invoice. The applicant failed to appear.

Boardmembers discussed the merits of the case and dismissed it.

Motion: Dismissed

Motioned by: Stiller

Seconded by: Keleher

Docket Item: 13

CD-BZA-2021-00133 A request to approve variances to the front and rear setback requirements, as well as the residential vehicular use area dimensions on about .089 acres generally located at 1101 Pacific St

Applicant: Mary Fasone of

Commissioners Present: Gorenc; Keleher; Mixdorf; Otto; Stiller

Commissioners Absent: Bonuchi; Ebbitts

Commissioners Recusing: None

Najma Muhammad presented the case. The applicants appeared and spoke about their requests.

Boardmembers discussed the merits of the case and approved it.

Motion: Docketed

Motioned by: Keleher

Seconded by: Stiller

Voting Aye: Gorenc; Keleher; Mixdorf; Otto; Stiller

Docket Item: 15

CD-BZA-2021-00129 A request for rehearing of a previously denied appeal case regarding the denial of a CLNU for a triplex on about 0.12 acres in zoning district R-6 generally located at 3625 Central Street.

Applicant: Sarah Westerhouse of Morrow Willnauer Church, LLC

Commissioners Present: Bonuchi; Ebbitts; Gorenc; Keleher; Stiller

Commissioners Absent: Otto

Commissioners Recusing: None

Testimony: No

Vice-Chair Keleher advised the case was to be continued per staff. No one appeared for testimony. Board Members continued the case to December 14, 2021.

Motion: Continued Fee: NO

Motioned by: Stiller

Seconded by: Bonuchi

Voting Aye: Bonuchi; Ebbitts; Gorenc; Keleher; Stiller

Docket Item: 16

CD-BZA-2021-00105 A request to appeal staff's decision to deny a Certificate of Legal Nonconforming Use on about 5 acres generally located at 8812 Indiana Ave

Applicant: Daniel Johnson of

Comissioners Present: Bonuchi; Ebbitts; Gorenc; Keleher; Stiller

Comissioners Absent: Otto

Comissioners Recusing: None

Testimony: No

Vice-Chair Keleher advised the case was to be continued per staff. No one appeared for testimony. Board Members continued the case to December 14, 2021.

Motion: Continued Fee: YES

Motioned by: Ebbitts

Seconded by: Stiller

Voting Aye: Bonuchi; Ebbitts; Gorenc; Keleher; Stiller

Docket Item: 18

CD-BZA-2021-00130 A request to appeal staff's determination surrounding a non-conforming pole sign on about .105 generally located at 8019 Wornall Rd

Applicant: of Tom Tom's 2021 LLC; Samantha Geier of Collins & Jones, P.C.; of Tom Tom's 2021 LLC

Comissioners Present: Ebbitts; Gorenc; Keleher; Otto; Stiller

Comissioners Absent: Bonuchi

Comissioners Recusing: None

Najma Muhammad presented the case. Joshua Harden, attorney for the applicant, appeared and spoke about his requests. Boardmembers discussed the merits of the case and denied the request, upholding staff's decision.

Motion: Denied

Motioned by: Stiller

Seconded by: Keleher

Voting Aye: Ebbitts; Gorenc; Keleher; Otto; Stiller