



Unified Government of Wyandotte County and Kansas City, Kansas

Board of Zoning Appeals

Commission Chambers
701 N. 7th Street Trafficway, Kansas City, KS 66101

Chairman Jeff Carson

*Vice Chairman Karen Jones, Brandie Armstrong, Duane Beth, Beverly Easterwood
Jim Ernst, Jake Miller, J. Mark Mohler, Mary Beth Schwartz, Joseph Straws III, and Aaron Ward.*

AGENDA

Monday, November 10, 2025

6:00 PM

1 CALL TO ORDER/ROLL CALL

2 BOARD OF ZONING APPEALS STATEMENT

3 AGENDA

3.1 Zoning Appeal Application(s)

3.1.1 BOZA2025-025 - TAMARA MCCONNELL

Synopsis: Variance for separation distance between a school, church, and liquor store at 1130 Quindaro Boulevard (In conjunction with SP2025-062).

Tracking #: 211049

3.1.2 BOZA2025-026 - JOSH ENYART

Synopsis: Variance for a front porch expansion that extends into the side yard corner setback at 1405 Delaware Ridge Place.

Tracking #: 211172

4 Adjourn

The Unified Government of Wyandotte County and Kansas City, Kansas will provide necessary, reasonable auxiliary aids and services, such as ASL translators, machine-readable copies of meeting materials, or on-site language interpretation. Individuals requiring any auxiliary aids or services should contact the Unified Government Office of the Clerk by emailing or calling UGclerkrequest@wycokck.org or 913-573-5260 at least 48 hours in advance of the meeting.

Persons may address the Commission during the time set aside for Public Comment on each item scheduled or at any time by suspension of the rules. All persons must address the commission and state their name and address for the record. Comments shall be limited to three (3) minutes for each participant. Per the Commission Rules of Procedure, comments should not include any rude or derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

Some commissioners, staff, and the public may attend remotely via Zoom or by phone. All participants joining by

phone should mute their phones when not speaking to avoid background noise. During the meeting, all speakers are asked to please announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General.

Connect to Zoom from your computer, tablet or smartphone at: <https://wycokck.zoom.us/j/86190643051>

Meeting ID:861 9064 3051

Phone one-tap: +17193594580, 85343973031# US, +12532050468, 85343973031# US

Join via audio:

+1 719 359 4580 US +1 253 205 0468 US +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 669 444 9171 US +1 669 900 9128 US (San Jose) +1 309 205 3325 US +1 312 626 6799 US (Chicago) +1 360 209 5623 US +1 386 347 5053 US +1 507 473 4847 US +1 564 217 2000 US +1 646 558 8656 US (New York) +1 646 931 3860 US +1 689 278 1000 US +1 301 715 8592 US (Washington DC) +1 305 224 1968 US 888 475 4499 US Toll Free 877 853 5257 US Toll Free

International numbers available: <https://wycokck.zoom.us/u/kdIKjxwSim>

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Raise and lower your hand to be acknowledged by dialing *9.

To raise your digital hand from your PC or Mac, click the button labeled “Raise Hand” at the bottom of the window on the right side of the screen.



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Board of Zoning Appeals

From: Planning and Urban Design Staff

Date: November 10, 2025

Re: Board of Zoning Appeals Petition BOZA2025-025

GENERAL INFORMATION

Applicant Information:

Tamara McConnell
2000 North 67th Street
Kansas City, Kansas 66104

Subject Property:

1130 Quindaro Boulevard
Kansas City, Kansas 66104

Requested Action and Purpose:

Approval of a Variance for separation distance between a school, church, and a liquor store.

Commission Districts:

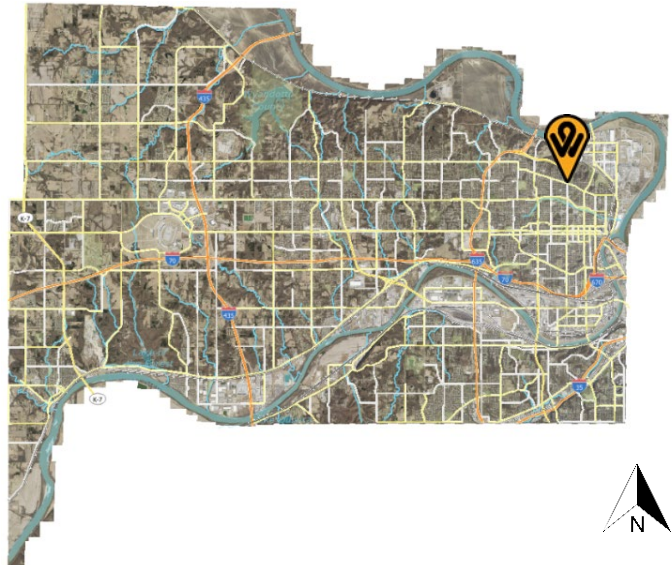
Commissioner At-Large District #1:
Melissa Bynum
District #1 Commissioner:
Gayle E. Townsend

Existing Zoning District(s):

C-3 Commercial District

Plan Area:

Northeast Area Master Plan



	Adjacent Zoning	Adjacent Uses
North	C-3 Commercial District	Vacant lot
South	C-3 Commercial District	Commercial building
East	C-3 Commercial District	Vacant lot
West	C-3 Commercial District	Vacant lot

Total Tract Size: 0.11 Acre

Neighborhood Characteristics: The subject property is located within the Northeast Statistical neighborhood, Census Block Group 0402002. The neighborhood consists of undeveloped and parcels to the north, east, and west. To the south, a vacant lot is located. Quindaro Boulevard is located to the south of the property.

Comprehensive Plan Designation: The Northeast Area Plan designates this property as Lower-Medium Density Residential, which allows single-family houses, townhomes and duplexes.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates Quindaro Boulevard as a Major Collector.

Parking Requirement: Section 27-467(e) states that not less than four (4) spaces per 1,000 square feet of floor area in the building. The applicant needs to provide a minimum of four (4) parking spaces.

The Unified Government passed an ordinance on July 17, 2025, which does not require off-street parking for commercial/industrial businesses and mixed-use buildings with up to six (6) residential units east of Interstate 635.

Landscaping Requirement: Section 27-467(g) states that trees are required to be provided at not less than one (1) per 7,000 square feet of site area. Six (6) foot high architectural screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property. The applicant needs to provide a minimum of one (1) tree.

Advertisement:	<u>The Wyandotte Echo</u> – September 18, 2025 <u>Letters to Property Owners</u> – September 19, 2025
Public Hearing(s):	October 13, 2025 – Holdover November 10, 2025
Public Support:	None to date.
Public Opposition:	Staff received an opposition letter on October 13, 2025.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. Staff does not have access to this information.

Building, Zoning, or Code Enforcement Complaints:

1. CAC24-2547 – Code Admin Citation – October 9, 2024. Failure to Register Vacant Structure – Complete – Previous Property Owner.
2. 18220-00622 – Graffiti – September 18, 2025. Graffiti on the Rear of Building – Complete – Previous Owner.

Outstanding or Related Permit and Cases:

1. SP2025-062 – Special Use Permit – October 13, 2025. Special Use Permit to operate a liquor store.

Previous Planning Actions:

1. There are no previous planning entitlements on the subject property.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Tamara McConnell, is requesting to operate a liquor store at 1130 Quindaro Boulevard and requests the following variances: This appeal has been filed to operate a liquor store. Section 27-593(b)(18) requires a minimum separation distance of 1,300 feet between any new liquor store location and any existing or proposed liquor store location, church, school, or public park. The subject property is approximately 1,145 feet from Bertram Caruthers Elementary School, a violation of 155 feet, and approximately 707 feet from Antioch Baptist Church, a violation of 593 feet.

KANSAS STATUTORY REQUIREMENTS

1. ***The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and which is not created by an action or actions of the property owner or the applicant.***

This appeal has been filed to grant a variance from the minimum allowed distance between a new liquor store and any existing or proposed liquor store location, place of worship, school, or public park. The subject property is within 1,300 feet of a place of worship and a school. While the property was previously a liquor store, which based on previous business licenses occurred between 1999 – 2000, the Applicant still fails to present a reason for why this condition is unique to the subject property. The condition under which the need for the variances arises is the distance between the subject property and Bertram Caruthers Elementary School and Antioch Baptist Church; Applicant has not sufficiently addressed why this condition is unique. The Applicant, however, is requesting a variance before converting the vacant building into the liquor store building, thereby not taking an action under which a unique condition of the subject property may arise.

2. ***The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.***

The subject property is within 1,300 feet of—but is not adjacent to either Bertram Caruthers Elementary School or Antioch Baptist Church. The adjacent property to the north, west, and east are vacant, undeveloped parcels, therefore granting the variance would not adversely affect this adjacent parcel. The parcels to the south are vacant and undeveloped parcels as well. Therefore, granting the variance requested would not adversely affect the rights of adjacent residents.

3. ***The strict application of the provisions of the zoning ordinance of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.***

Strict application of the provisions of Section 27-593(b)(18) would prevent the property owner from renovating and operating a liquor store at the subject property. While it may be convenient for the property owner to operate a liquor store at a parcel that previously was one albeit 24 years ago, not having this convenience in order to comply with a condition requisite for all Special Use Permits to operate a liquor store does not constitute unnecessary hardship upon the property owner.

4. *The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.*

There is public policy behind the limitation on the location of liquor stores proximate to certain sensitive or susceptible uses. These sensitive or susceptible uses in Section 27-593(b)(18) are identified as schools, parks, places of worship, and other liquor stores. Liquor stores tend to have negative externalities on the surrounding neighborhood, and a high concentration of liquor stores can have an outsized effect on the quality of public life and property values of surrounding properties. The Northeast Area neighborhood has a history of street and building arrangements that allow for the potential to have vibrant, walkable streets and frequented establishments that serve the local neighborhood. Such economic growth and neighborhood cohesion has the potential to flourish even more, but site arrangement is a key factor. If a new liquor store were to be constructed less than 700 feet from the most centrally located park within mid-Northeast Area, such neighborhood potential could be threatened. Proposing a liquor store that is closer to the public sidewalk and which contains more CPTED (crime prevention through environmental design) elements could help address this concern, but Applicant as presented no such site design. Therefore, granting the requested variance will adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare

5. *The granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance.*

The intent of the ordinance is to ensure that there is at least 1,300 feet distance between a liquor store and a public park, school, other liquor stores and/or place of worship. In this instance, the property is not within that distance, but the subject property has been a liquor store in the past and the request in in good spirit and intent.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 2624 North 13th Street on September 29, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Separate Distance

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. Provide a site plan of the property.

Applicant's Response: Acknowledged.

2. Provide a scale and dimensioned floor plan.

Applicant's Response: Acknowledged.

3. What are the proposed hours of operation?

Applicant's Response: Monday – Saturday from 9:00 AM – 11:00 PM, and Sunday from 11:00 AM – 8:00 PM.

Planning Engineering Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval:
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Zoning Appeals **APPROVE** Appeal **BOZA2025-025** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. **Section 27-464(d) states that trees are required at not less than one per 7,000 square feet of site area. Six (6) foot high architectural or landscape screening is to be provided along all sides and rear property lines common to or across an alley from residentially zoned property;**
2. **Approval of this case by the Board of Zoning Appeals, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the exercise of variance(s) approved, or any portion thereof, do(es) not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,**
3. **Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee.**

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Five (5) Criteria Set by State Statute
Neighborhood Meeting Affidavit

Site Plan
Floor Plan
Images of Property Submitted by Applicant
Opposition Letter

PUBLIC HEARING SCHEDULE

Action(s)	Board of Zoning Appeals
Variance	October 13, 2025 – Holdover November 10, 2025

STAFF CONTACT: **Osiris Nuñez Espinoza, Planner**
Oespinoza@wycokck.org

MOTIONS

I move the Board of Zoning Appeals **APPROVE** Case **BOZA2025-025** as meeting all the requirements of the City code and being in the interest of the public health, safety and general welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

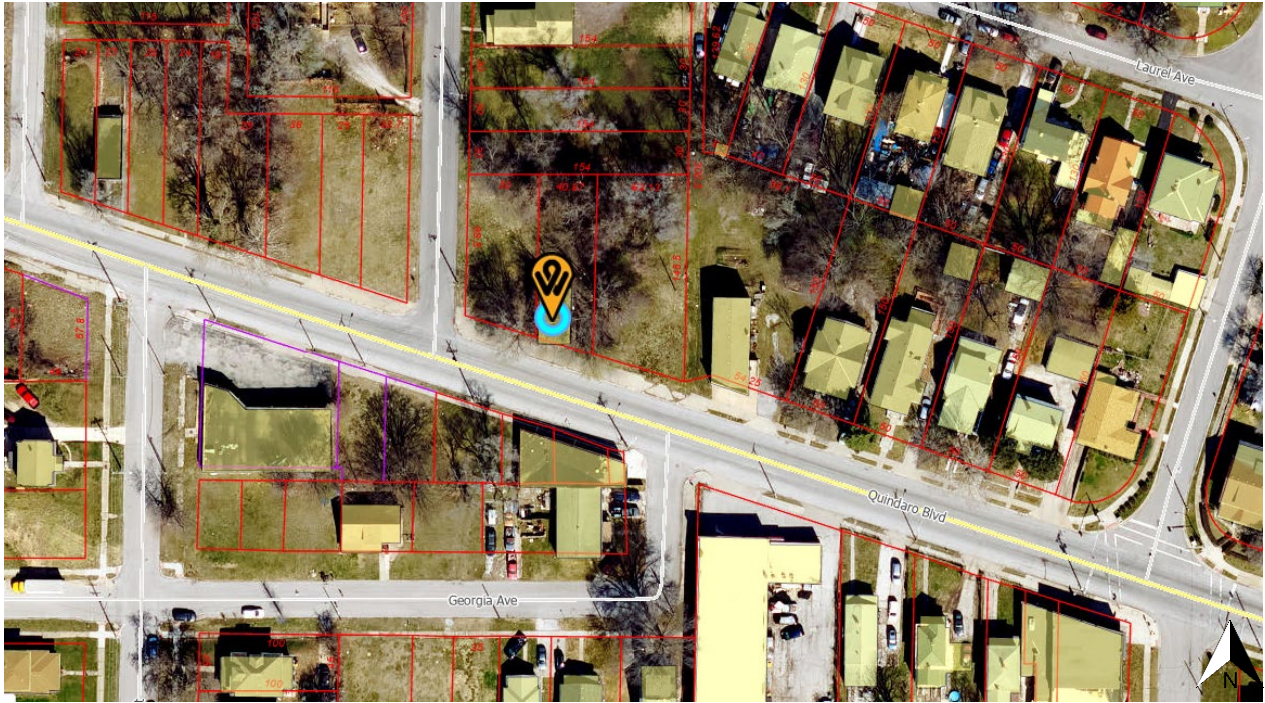
1. _____;
2. _____; And
3. _____.

OR

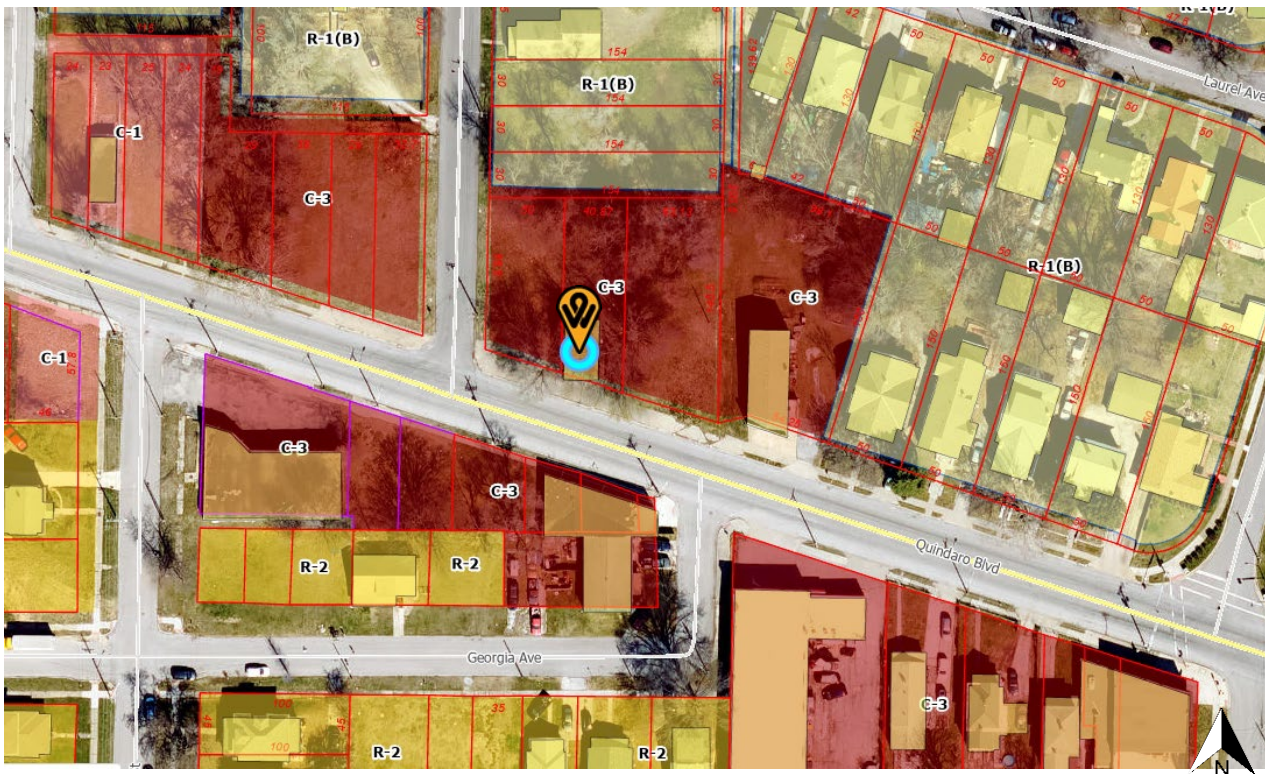
I move the Board of Zoning Appeals **DENY** Case **BOZA2025-025**, as it is not in compliance with the City Ordinances as it will not promote the health, safety and general welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

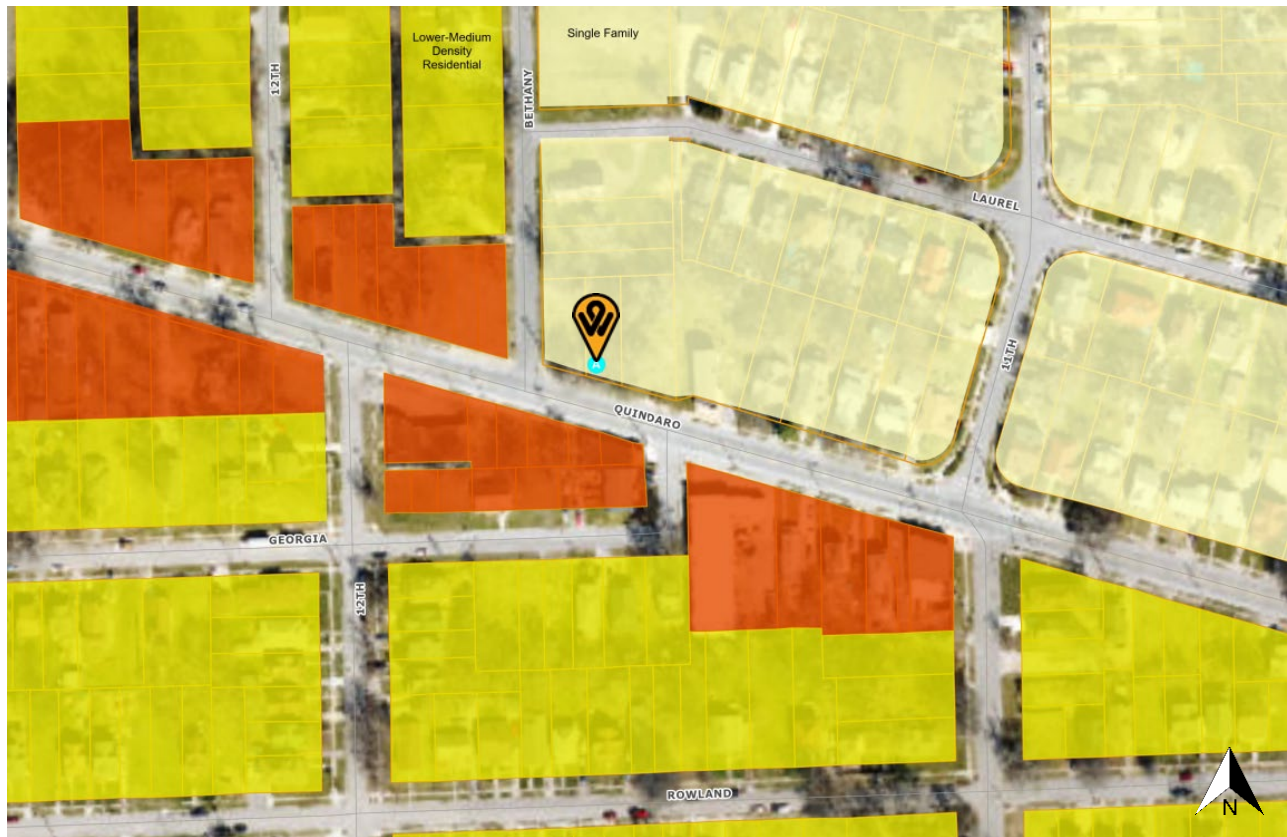
AERIAL IMAGERY



ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS

Kansas State Statutes	
This section outlines the five (5) statutes in which variances are reviewed upon. The applicant must review these statutes and explain how their application applies and conforms to these five (5) statutes in as much detail as possible.	
1	The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and which is not created by an action or actions of the property owner or the applicant. School located in the premises of location to conduct business as a Liquor Store.
2	The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents. No construction to the structure shall change or affect residents.

3	The strict application of the provisions of the zoning ordinance of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application. N/A
4	The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare. No affect to public health shall take place
5	The granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance. NO

End of Application

Please review again to ensure all applicable fields are completed.

Any incomplete or insufficient fields may result in your application not being processed, per Section 27-198.

See other required materials and information in the remaining pages of this packet.

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Wyandotte) SS:

Comes now Tamara McCrell of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP2025-062.
2. That I conducted a neighborhood meeting on 9/29/25.
3. The notice to nearby property owners was sent on 9/14/25.
4. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

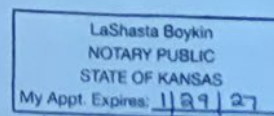
Further affiant saith not.

Tamara McCrell
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 1st day of October, 2025.

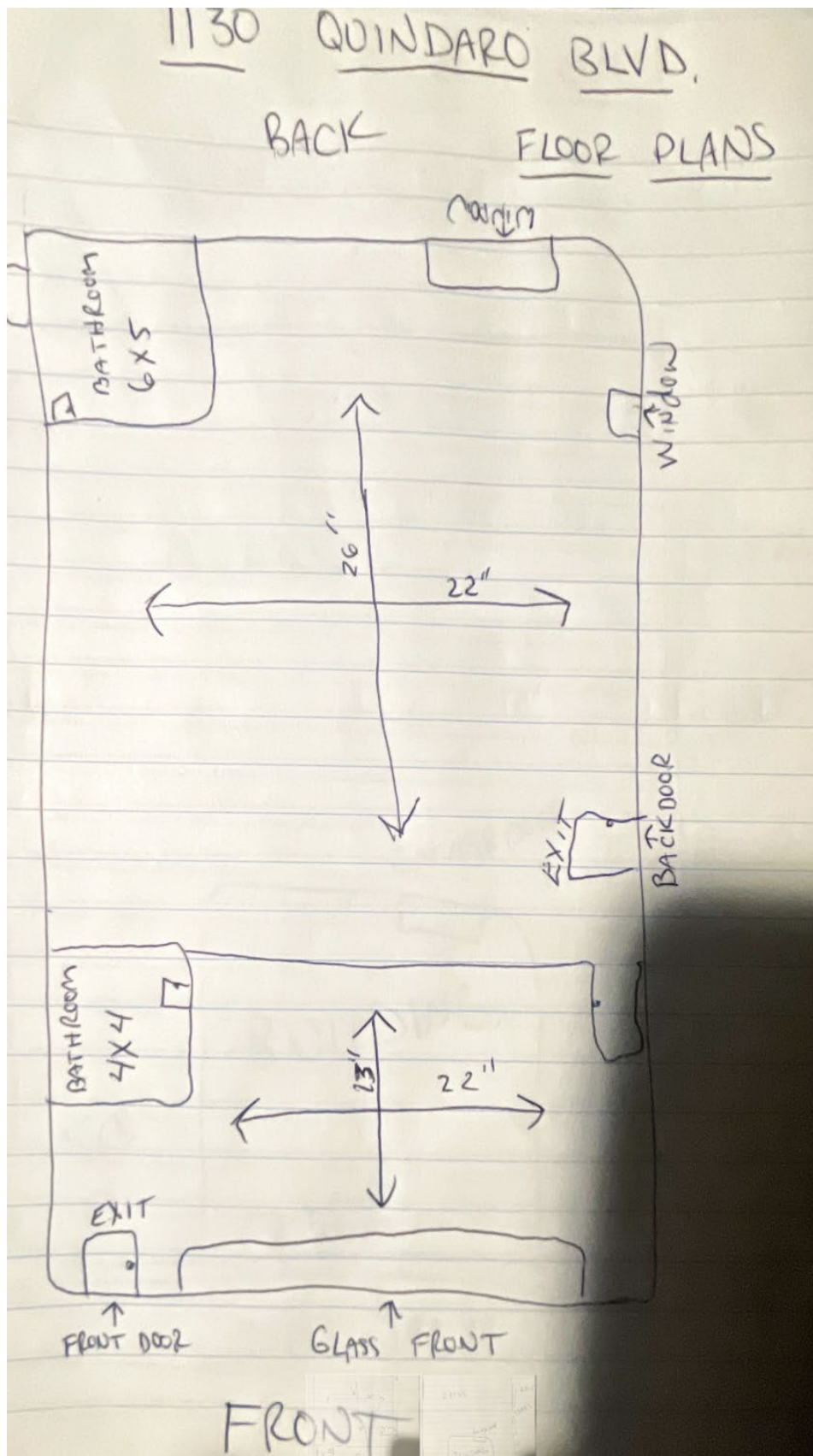
My commission expires 31st of January, 2027.

L. Boykin
Notary Public



SITE PLAN









Opposition to Variance Request — Proposed Liquor Store

Date: October 11, 2025

Gunnar Hand, Director of Planning and Urban Design
Unified Government of Wyandotte County / Kansas City, Kansas
701 N. 7th Street, Room 423
Kansas City, KS 66101

Subject: Opposition to Variance Request — Proposed Liquor Store

Dear Mr. Hand,

This letter is submitted to oppose the variance request for a proposed liquor store located at 1130 Quindara Boulevard in Wyandotte County, Kansas. The requested variance would reduce or eliminate the required separation distance between the proposed retail liquor store and nearby protected community institutions.

In addition to schools, Ordinance No. O-66-10 includes churches and places of worship within the required separation distance for retail liquor establishments. Within approximately 1,300 feet of the proposed location, there are two churches:

- Bridge of Hope Community Church, 1925 N. 11th Street
- Antioch Baptist Church, 1335 Quindara Blvd.

These churches are active community anchors and serve families, youth, and the surrounding neighborhood in ways similar to schools — which are explicitly recognized in the ordinance.

In addition, there are already four liquor stores currently serving this immediate area:

- McCord's Liquor – 440 Quindara Blvd.
- 7th Street Liquor – 1927 N. 7th Street
- Liquor Land – 1416 N. 10th Street
- 13th Street Liquor Store – 1305 Washington Blvd.

A fifth liquor store was recently approved through a variance on 18th Street, increasing the already significant concentration of liquor outlets in this neighborhood. Allowing yet another variance would only increase density, which can negatively impact neighborhood stability, safety, and quality of life.

It is also important to note that the owners of the proposed establishment have other options that do not require a zoning variance. Specifically, they could apply for a Cereal Malt

Beverage (CMB) license, which would allow the sale of beverages with up to 6% alcohol by volume. This approach would comply with existing zoning, avoid the need for a variance, and allow the Unified Government to collect sales tax from alcohol sales, benefiting the community without bypassing the protections of Ordinance No. O-66-10.

For these reasons, I urge you to deny this variance request and uphold the existing separation requirements designed to protect community institutions and maintain neighborhood stability.

Thank you for your careful consideration of this matter.

Sincerely,
A Concerned Community Member

Enclosure:

- Copy of Ordinance No. O-66-10



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Board of Zoning Appeals

From: Planning and Urban Design Staff

Date: November 10, 2025

Re: Board of Zoning Appeals Petition BOZA2025-026

GENERAL INFORMATION

Applicant Information:

Josh Enyart
1405 Delaware Ridge Place
Kansas City, Kansas 66103

Subject Property:

1405 Delaware Ridge Place
Kansas City, Kansas 66103

Requested Action and Purpose:

Approval of a Variance for a front porch expansion that extends into the side yard corner setback.

Commission Districts:

At-Large Commissioner District #2:
Tom Burroughs
District #7 Commissioner:
Chuck Stites

Existing Zoning District(s):

R-1 Single Family District

Plan Area:

Prairie Delaware Piper Master Plan



	Adjacent Zoning	Adjacent Uses
North	R-1 Single Family District	Single-family residence
South	RP-2 Planned Two Family District	Delaware Ridge Home Association Park and two-family residence
East	R-1 Single Family District	Single-family residence
West	R-1 Single Family District	Single-family residence

Total Tract Size: 0.33 Acre

Neighborhood Characteristics: The subject property is located within the Prairie Piper Statistical Neighborhood, Delaware Ridge Neighborhood group and 0448032 block group. The neighborhood consists of R-1 single-family residences to the east, north, and west. To the south RP-2 two-family residences are located, in addition to the Delaware Ridge Home Association park. State Avenue is also located to the south of the subject property.

Comprehensive Plan Designation: The Prairie Delaware Piper Master Plan designates the subject property Suburban Residential, which allows for single-family detached residential units on what are typically referred to as quarter-acre lots.

Major Street Plan: The goDotte Countywide Strategic Mobility designates Delaware Ridge Place as a Local Street.

Parking Requirement: Section 27-454(e) states that two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling, at least one (1) of which shall be in a garage or carport.

Landscaping Requirement: Section 27-700(a) states that one (1) shade tree per dwelling unit is required in the front or corner side yard.

Advertisement: The Wyandotte Echo – None Required
Letters to Property Owners – October 17, 2025

Public Hearing(s): November 10, 2025

Public Support:

None to date.

Public Opposition:

None to date.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. Staff does not have access to this information.

Building, Zoning, or Code Enforcement Complaints:

1. BSR24-0200 – Stop Work Order – December 19, 2024 – Pending – Covered Porch.
2. ENV23-2555 – Code-Environment – August 21, 2023 – Closed – Tree limbs covering speed limit sign.
3. ENV23-1718 – Code-Environment – June 07, 2023 – Closed – Tree limbs covering speed limit sign.
4. 17225-04780 – Abatement – September 20, 2017 – Completed – Tall grass – Previous owners.
5. 16212-01246 – Code-Environment – August 12, 2016 – Completed – Overgrown weeds – Previous owners.
6. 1525-00492 – Abatement – May 15, 2015 – Completed – Tall grass – Previous owners.
7. 13225-00947 Abatement – August 16, 2013 – Completed – Tall grass – Previous owners.
8. 12212-00581 – Code-Environment – June 07, 2012 – Completed – Tall grass – Previous owners.
9. 11212-01751 – Code-Environment – September 29, 2011 – Completed – Tall grass – Previous owners.
10. 10212-01733 – Code-Environment – September 01, 2010 – Completed – Tall grass – Previous owners.

Outstanding or Related Permit and Cases:

1. RES25-0019 – Residential – January 15, 2025 – Revise and resubmit – Front porch alterations.

Previous Planning Actions:

1. There are no previous planning entitlements on the subject property.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Josh Enyart, is requesting the following variances at 1405 Delaware Ridge Place Kansas City, Kansas 66103:

This appeal has been filed to expand a front porch. Section 27-454(d)(2)(a) requires a minimum corner side setback from property line not less than 25 feet. The porch is built

between 18.74 feet and 21.24 feet set back from the property line, a violation of 6.26 feet and 3.76 feet, respectively.

City Ordinance Requirements: Article XXI Sections 27-502 – 27-709, Article VII Sections 27-245-339, Article XI Section 27-215, and all other applicable standards within Chapter 27.

KANSAS STATUTORY REQUIREMENTS

1. ***The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and which is not created by an action or actions of the property owner or the applicant.***

This appeal has been filed to expand a front porch. Section 27-454(d)(2)(a) requires a minimum corner side set back from property line not less than 25 feet. The porch is built between 18.74 feet and 21.24 feet set back from the property line, a violation of 6.26 feet and 3.76 feet, respectively. The Applicant still fails to present a reason for why this condition is unique to the subject property.

2. ***The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.***

Granting the variance will not adversely affect the rights of adjacent property owners or residents, however, it does not fit the design of the adjacent properties nor neighborhood.

3. ***The strict application of the provisions of the zoning ordinance of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.***

The zoning ordinance of which the variance is being requested does not constitute unnecessary hardship upon the property owner. The front porch extension was done without any permits. The property owner created their own hardship by expanding the front porch.

4. ***The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.***

Granting the variance will not adversely affect the health, safety, morals, order, convenience, prosperity, or general welfare.

5. ***The granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance.***

Setbacks are intended to protect the health and safety of the citizens by providing enough space between buildings so that things such as fire can be easily contained. These areas also provide a place for visitor parking and help

keep a consistent aesthetic look to the neighborhood. In this case, the proposed deck does protrude four (4) feet further than permitted by code. This addition is not for egress, but rather leisure and an outdoor space for the property owner(s). Staff does not see this as being opposed to the intent of the ordinance.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 1405 Delaware Ridge Place on October 20, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Setbacks

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. Was a building permit obtained prior to construction of the porch addition?

Applicant's Response: I am the homeowner and builder and was unaware of the process to build on my own property.

2. Why was a variance not applied for prior to construction of the porch addition?

Applicant's Response: I was not aware of the setback rule or the need for the variance.

3. The Five Criteria Set by State Statute are not filled out completely, specifically Criteria #3 and #5.

Planning Engineering Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval:
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Zoning Appeals **DENY** Appeal **BOZA2025-026** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. The applicant does not meet State Statutory Requirement #1. The applicant is seeking a variance after the deck has been constructed on the property without a building permit, as opposed to seeking a variance and building permit prior to its construction; and,
2. The applicant does not meet Statutory Requirement #3. Requiring a violation that was not granted a variance to be demolished may exhibit a financial cost for Property Owner-Applicant, but it does not constitute unnecessary hardship because it maintains compliance and the proper order of zoning entitlement procedure. If the deck addition had been constructed with the consultation of the Planning Department, a variance for the deck and stairs would not be necessary.

If the Board of Zoning Appeals approves **BOZA2025-026**, staff recommends the following conditions:

1. Subject to approval, the applicant shall close out the open building permit for the deck.
 - a. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at 913-573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
2. Applicant shall comply with Planning Engineering comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
3. Approval of this case by the Board of Zoning Appeals, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the exercise of variance(s) approved, or any portion thereof, do(es) not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,
4. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee.

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Application Response Letter
Neighborhood Meeting Affidavit
Neighborhood Meeting Minutes
Neighborhood Meeting Sign-In Sheet
Plot Plan
Plans for the Front Porch
Images of Property Submitted by Applicant

PUBLIC HEARING SCHEDULE

Action(s)	Board of Zoning Appeals
Variance	November 10, 2025

STAFF CONTACT:

Osiris Nuñez Espinoza, Planner
Oespinoza@wycokck.org

MOTIONS

I move the Board of Zoning Appeals **APPROVE** Appeal **BOZA2025-026** as meeting all the requirements of the City code and being in the interest of the public health, safety and general welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Board of Zoning Appeals **DENY** Appeal **BOZA2025-026**, as it is not in compliance with the City Ordinances as it will not promote the health, safety and general welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

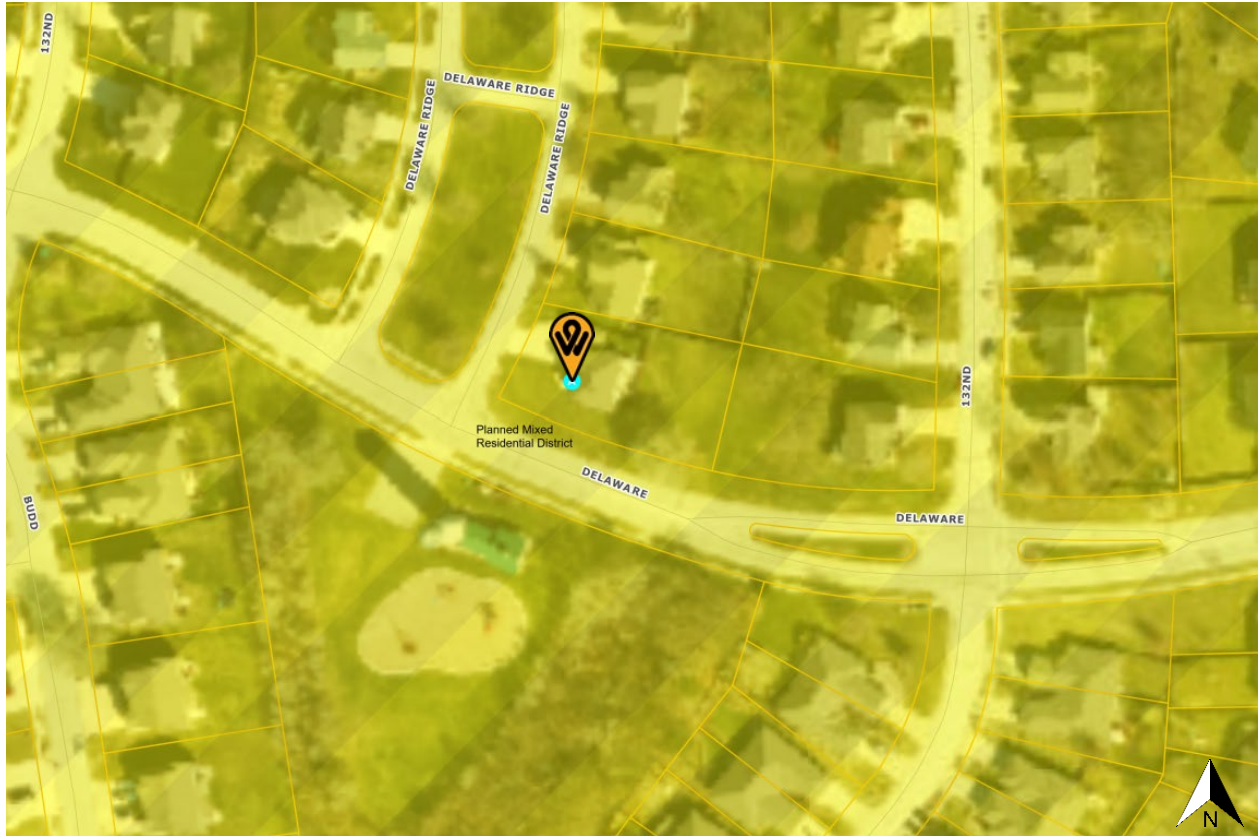
AERIAL IMAGERY



ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS

Kansas State Statutes

This section outlines the five (5) statutes in which variances are reviewed upon. The applicant must review these statutes and explain how their application applies and conforms to these five (5) statutes in as much detail as possible.

1

The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and which is not created by an action or actions of the property owner or the applicant.

Front porch extension over the 25' Setback

2

The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.

It will not

3

The strict application of the provisions of the zoning ordinance of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.

Yes

4

The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

It will not

5

The granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance.

No It will not

End of Application

Please review again to ensure all applicable fields are completed.

Any incomplete or insufficient fields may result in your application not being processed, per Section 27-198.

See other required materials and information in the remaining pages of this packet.

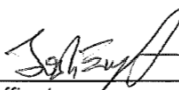
AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Wyandotte) SS:

Comes now Joshua Enyalt, of lawful age, sound mind and upon his/her oath states as follows:

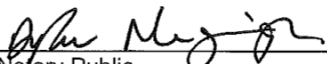
1. That I am the petitioner for Petition # BOZA2025-026.
2. That I conducted a neighborhood meeting on 10/20/2025.
3. The notice to nearby property owners was sent on 10/06/2025.
4. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

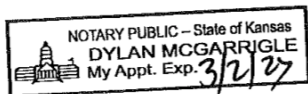
Further affiant saith not.


Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 21st day of October, 2025.

My commission expires 2nd of March, 2027.


Notary Public



BOZA 2025-026 Neighborhood
10/20/2025 Meeting

1405 Delaware Ridge Pl KCKS 66109

Meeting Called to order at 600 PM

Josh Enyard
Heather Adams
DJ Adams

Presentation by Josh Enyard

explaining the 25' Setback Rule
and how it affects the current location
of The Front Porch extension

Heather Adams said "We love your porch
it has improved your house and the neighborhood!"

Meeting adjourned at 6:39 PM

Minutes taken by Josh Enyard

BOZA 2025-026 Neighborhood
10/20/2025 Sign in Sheet
6 PM

Heather & Adam

DATE 12/24/2024

Part A - Identification

COMPLETE IN INK - PLEASE PRINT

Project Address 1405 Delaware Ridge Pl KC KS 66109 Floor/Suite _____
 Owner Josh Enyard 1405 Delaware Ridge Pl KC KS 66109 913 200 0207
 Street Address/City/State/Zip Phone Home/Work
 Contractor None Street Address/City/State/Zip Phone _____
 Contact Person Josh Enyard Street Address/City/State/Zip Phone _____
 Contact Person e-mail Hobbycloset81@gmail.com 913 200 0207 Contact Person Cell # _____
 Contact Person Fax # _____

Part B - Main Use of Primary Building on Property: (Such as Office, One Family, Parking Garage, Restaurant, etc.)

Present Use: Home No. of Dwelling Units _____
 Proposed Project: Front Porch No. of Dwelling Units _____

Is this building used for residential rental property? ☐ Yes ☐ No

Part C - Building Information

Building Size
 Dimensions of Existing Structure width _____ x length _____ x # stories 2 = 2962 sq. ft.
 total area
 Dimensions of New Structure / Addition width _____ x length _____ x # stories _____ = _____ sq. ft.
 total area

Type of Construction (2012 IBC)
 I-A B II-A B III-A B IV-H T V-A B
☐ ☐ ☐ ☐ ☐ ☐
Occupancy Group (2012 IBC)
 A B E F H I M R S U Div. _____
☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

Part D - Type of Work

☐ New Residential ☒ Residential Addition ☐ Residential Remodel ☐ Residential Accessory Building
☐ Commercial Remodel

☐ Excavation/Fill Quantity of Fill _____ Cubic Yards Borrow Site: _____
 Quantity of Excavation _____ Cubic Yards Disposal Site: _____

☐ Demolition/Wrecking Dimensions of Building width _____ x length _____ x # stories _____ Total Area of Building (all floors)= _____ sq. ft.
 Depth of Basement _____ Type of Wrecking: ☐ Hand ☐ Machine ☐ Other _____

Part E - Cost of Project

Total Cost of Labor & Materials including all trades (total of costs noted below): \$ 5000. + 8000

Electrical Cost 0 Plumbing Cost 0 Mechanical (HVAC) Cost 0

Building Cost: _____

Applicants Signature: Josh Enyard Title: Homeowner

FOR OFFICE USE: Commercial Project Review Fee: _____ Paid: Yes No Building Permit Fee: _____

