

Unified Government of Wyandotte County and Kansas City, Kansas



**Board of Zoning Appeals**

Commission Chambers

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

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*Chairman Jeff Carson*

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

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**AGENDA**

**Monday, March 9, 2026**

**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 BOZA2025-027 - ALBERT HERMANS WITH SDC ENGINEERING**

Synopsis: Variance for minimum separation distance between a liquor store and park at 825 Kansas Avenue (in conjunction with SP2025-063).

Tracking #: 21181

**3.1.2 BOZA2026-001 - JACKSON SELBY**

Synopsis: Variance to exceed the minimum lot width-to-depth ratio at 5727 Locust Avenue (in conjunction with PLAT2026-003).

Tracking #: 21182

**4 Adjourn**

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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](mailto: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. Disruptive comments and behavior are not permitted and may result in removal from the meeting. 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. El Gobierno Unificado del Condado de Wyandotte y Kansas City, Kansas, proporcionará ayudas y

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servicios auxiliares necesarios y razonables, como traductores de ASL, copias legibles por máquina de los materiales de la reunión o interpretación de idiomas en el lugar. Las personas que requieran ayuda o servicios auxiliares deben comunicarse con la Oficina del Secretario del Gobierno Unificado enviando un correo electrónico o llamando al [UGclerkrequest@wycokck.org](mailto:UGclerkrequest@wycokck.org) o al 913-573-5260 al menos 48 horas antes de la reunión.

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Join via audio:

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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.

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# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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

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

**To:** Board of Zoning Appeals

**From:** Planning and Urban Design Staff

**Date:** March 9, 2026

**Re:** Board of Zoning Appeals Petition BOZA2025-027

## GENERAL INFORMATION

### Applicant Information:

Albert Hermans  
Representative  
SDC Engineering  
5907 Raytown Trafficway  
Raytown, Missouri 64133

### Subject Property:

825 Kansas Avenue  
Kansas City, Kansas 66105

### Requested Action and Purpose:

This appeal has been filed to build an addition onto an existing legal, non-conforming liquor store. Section 27-593(b)(18) states that liquor stores are allowed with a special use permit with 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 Appellant is requesting to expand the liquor store on a property that is 437 feet from Armourdale Baptist Church, a violation 863 feet; 817 feet from Central United Methodist Church, a violation 483 feet; 1,160 feet from Shawnee Park, a violation of 140 feet; and 1,277 feet from a Bill Clem Park, a violation of 23 feet.



**Commission Districts:** At-Large Commissioner, District #2: Andrew Kump  
Commissioner District #2: William (Bill) Burns

**Existing Zoning District(s):** C-3 Commercial District

**Comprehensive Plan Area:** Armourdale Area Plan

	<b>Adjacent Zoning</b>	<b>Adjacent Uses</b>
<b>North</b>	C-3 Commercial District	Restaurant and grocery store
<b>South</b>	R-2(B) Two Family District	Single-family home
<b>East</b>	M-2 General Industrial District	Auto repair shop
<b>West</b>	R-2(B) Two Family District	Vacant lot and single-family home

**Total Tract Size:** 0.20 Acre

**Neighborhood Characteristics:** The subject property is located within the Armourdale Statistical Neighborhood, Census Block Group 0426002. The neighborhood features a mix of single-family residential, as well as commercial businesses. The property is located in a commercial node along Kansas Avenue, which is a major mixed-use corridor — residential dwellings, and commercial and industrial businesses that run west to North 18<sup>th</sup> Street and east to the Kansas River.

**Comprehensive Plan Designation:** The Armourdale Area Plan designates this property as Community Commercial, which allows medium-sized box stores with small-scale accessory commercial uses and small-scale commercial centers.

**Major Street Plan:** The goDotte Countywide Strategic Mobility Plan designates Kansas Avenue as a Minor Arterial and Argentine Boulevard as a Minor Collector.

**Parking Requirement:** Section 27-467(e) states uses in this district require paved off-street parking at a ratio of not less than four spaces per 1,000 square feet of floor area in the building. The structure is 2,165 square feet, including the 284 square foot addition, which requires 9 parking spaces. The applicant is providing 11

off-street parking spaces for the liquor store.

The Unified Government passed a resolution on July 17, 2025, which does not require off-street parking for commercial or industrial businesses and mixed-use buildings with up to six (6) residential units.

**Landscaping Requirement:**

Section 27-467(g) Trees are required to be provided at not less than one (1) per 7,000 square feet of site area. Six-foot (6') high architectural screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property.

**Advertisement:**

The Wyandotte Echo – November 13, 2025  
Letters to Property Owners – November 14, 2025, December 1, 2025, January 5, 2026, and February 2, 2026

**Public Hearing:**

March 9, 2026

**Public Support:**

None to date.

**Public Opposition:**

None to date.

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**RELATED ENFORCEMENT AND ACTION ITEMS**

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**Noise or Disturbance Complaints:**

1. There are no noise or disturbance complaints on the subject property.

**Building, Zoning, or Code Enforcement Complaints:**

1. There are no building, zoning, or code enforcement complaints on the subject property.

**Outstanding or Related Permit and Cases:**

1. SP2025-063 – Special Use Permit for a legal, non-conforming liquor store expansion (scheduled to be heard by the City Planning Commission on March 9, 2026).
2. 2024 – DRC24-0002 – Building Permit for a 284 square foot addition to add on existing liquor store.
3. 2018 – 18325-00037 – Building Occupancy.

4. 2005 – 5385-00148 – Mechanical Permit to replace a unit on the roof.

### **Previous Planning Actions:**

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

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## **PROPOSAL**

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*Detailed Outline of Requested Action:* The applicant, Albert Hermans, with SDC Engineering, is requesting a variance to build an addition onto an existing legal, non-conforming liquor store, Armourdale Liquor at 825 Kansas Avenue that is within 1,300 feet of two (2) churches (Armourdale Baptist Church and Central United Methodist Church) and two (2) parks (Bill Clem Park and Shawnee Park).

*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.*

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## **KANSAS STATUTORY REQUIREMENTS**

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- 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 (or expanded use of a) liquor store and any existing or proposed liquor store location, place of worship, school, or public park. The subject property is a legally non-conforming liquor store, Armourdale Liquor, a stand-alone building at 825 Kansas Avenue. The liquor store use is considered legal non-conforming because it has been in operation before the Special Use Permit requirement was applied to liquor store used. The proposed expansion of the liquor store's floor space by enclosing the canopy overhang the east side of the building — creates a condition that 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.***

There is currently a liquor store operating on the subject property. As there is no new use being added to the property, the adjacent neighbors are already aware of and have co-existed with any and all uses that the variance would allow. Therefore, the granting of the variance will not adversely affect the rights of adjacent property owners or 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 the zoning ordinance would require the liquor store to continue to operate in the existing building with no ability to expand the footprint. Armourdale Liquor and subsequent business names have been in operation since 1993. The inability for the business to physically expand, therefore, would unnecessarily stifle growth and development of a long-time Wyandotte County business. Furthermore, two (1) of the four (4) uses that triggered this variance—Shawnee Park and Bill Clem Park—are on parcels within 1,300 feet as measured directly but is realistically further away from the subject property when the layout of the streets and sidewalks are taken into account. Therefore, strict application of the provisions of the zoning ordinance will 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.***

The subject property has been operating as a liquor store and may continue to do so within the current footprint of the existing building. Although legal non-conforming status will be lost when the current liquor store expands its floor space, in actuality there is effectively no change to the use of the property as a current liquor store compared to a new liquor store that has expanded within the same building. Granting this variance will not have any different effect on the public health, safety, morals, order, convenience, prosperity, or general welfare than the effect the existing liquor store currently has. If there is no different effect, then such an effect cannot be adverse; therefore, the variance requested will not 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 spirit of 27-593(b)(18) is to maintain a buffer between liquor stores and presumably incompatible uses (i.e., schools, parks, and places of worship), as well as prevent the grouping of liquor stores themselves. This ordinance is designed to prevent the introduction of new liquor stores into such buffers, not necessarily to push existing liquor stores out of such buffers. The actual distance of the buffer is not as important as the effective separation of use. While the subject property is with a 1,300-foot radius of two (2) parks and two (2) places of worship, the parks are not simply “down the street”. Furthermore, the grocery store/restaurant at the northwest corner of the Mill Street-Kansas Avenue intersection generates much more vehicle and pedestrian traffic, noise, lights, and congestion than does the liquor store in the adjacent parcel. Therefore, the granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance.

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## NEIGHBORHOOD MEETING INFORMATION

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The applicant held a neighborhood meeting in-person at 825 Kansas Avenue, Kansas City, KS 66105 on February 5, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## KEY ISSUES

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Separation from Shawnee and Bill Clem Parks, Armourdale Baptist Church and Central United Methodist Church  
Hours of Operation

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## STAFF COMMENTS AND SUGGESTIONS

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### Planning and Urban Design Comments:

1. The purpose of this variance request is due to the proposed 284 square foot expansion (enclosing the canopy of the building) of the legal, non-conforming liquor store and its proximity to two (2) parks – Shawnee Park and Bill Clem Park and two (2) churches – Armourdale Baptist Church and Central United Methodist Church.
2. Alcoholic liquor, CMB, non-alcoholic malt beverage, and any other goods or services may be sold in a retail liquor store. Lottery tickets and cigarette and tobacco products with proper licensure may be sold in a retail liquor store. Sales of other goods and services must not exceed 20% of total gross sales. The 20% excludes lottery, CMB and cigarette and tobacco product sales. If sales of other goods and services from a licensed retailer premise exceeds 20% of total gross sales, all sales of other goods and services exceeding 20% will have to be made from a separate, unlicensed premises. If each premise does not have a separate outside entrance, a vestibule is required.
3. All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street.
4. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process.
5. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only.
6. The applicant has filed and maintained a current business occupation tax application.
7. 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](mailto: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.

8. All existing and future driveways must feature curb cuts that are constructed to UG standards.
9. This Board of Zoning Appeals case is being heard in conjunction with SP2025-063. Any approval by the Board of Zoning Appeals of this case, and the conditions of approval contained herein, are contingent, and shall only go into effect, upon the approval of Petition SP2025-063 by the Unified Government Board of Commissioners and upon any ordinance publications required by law.

### **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

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## **STAFF RECOMMENDATION AND CONDITIONS**

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Staff recommends that the Board of Zoning Appeals Appeal **APPROVE BOZA2025-027** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

- 1. This Board of Zoning Appeals case is being heard in conjunction with SP2025-063. Any approval by the Board of Zoning Appeals of this case, and the conditions of approval contained herein, are contingent, and shall only go into effect, upon the approval of Petition SP2025-063 by the Unified Government Board of Commissioners and upon any ordinance publications required by law;**
- 2. Alcoholic liquor, CMB, non-alcoholic malt beverage, and any other goods or services may be sold in a retail liquor store. Lottery tickets and cigarette and tobacco products with proper licensure may be sold in a retail liquor store. Sales of other goods and services must not exceed 20% of total gross sales. The 20% excludes lottery, CMB and cigarette and tobacco product sales. If sales of other goods and services from a licensed retailer premise exceeds 20% of total gross sales, all sales of other goods and services exceeding 20% will have to be made from a separate, unlicensed premises. If each premise does not have a separate outside entrance, a vestibule is required;**
- 3. All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;**

4. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
5. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
6. The applicant has filed and maintained a current business occupation tax application;
7. 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](mailto: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;
8. All existing and future driveways must feature curb cuts that are constructed to UG standards; and,
9. 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.

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## ATTACHMENTS

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Aerial Imagery  
 Zoning Map  
 Land Use Map  
 Neighborhood Meeting Documents  
 Site Plan  
 Floor Plan  
 Site Photographs

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## PUBLIC HEARING SCHEDULE

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Action(s)	Board of Zoning Appeals
Variance	March 9, 2026

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### STAFF CONTACT:

**Byron Toy, AICP**  
[btoy@wycokck.org](mailto:btoy@wycokck.org)

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## MOTIONS

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I move the Board of Zoning Appeals **APPROVE** Appeal **BOZA2025-027** 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 **BOZA2025-027**, 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.

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# ATTACHMENTS

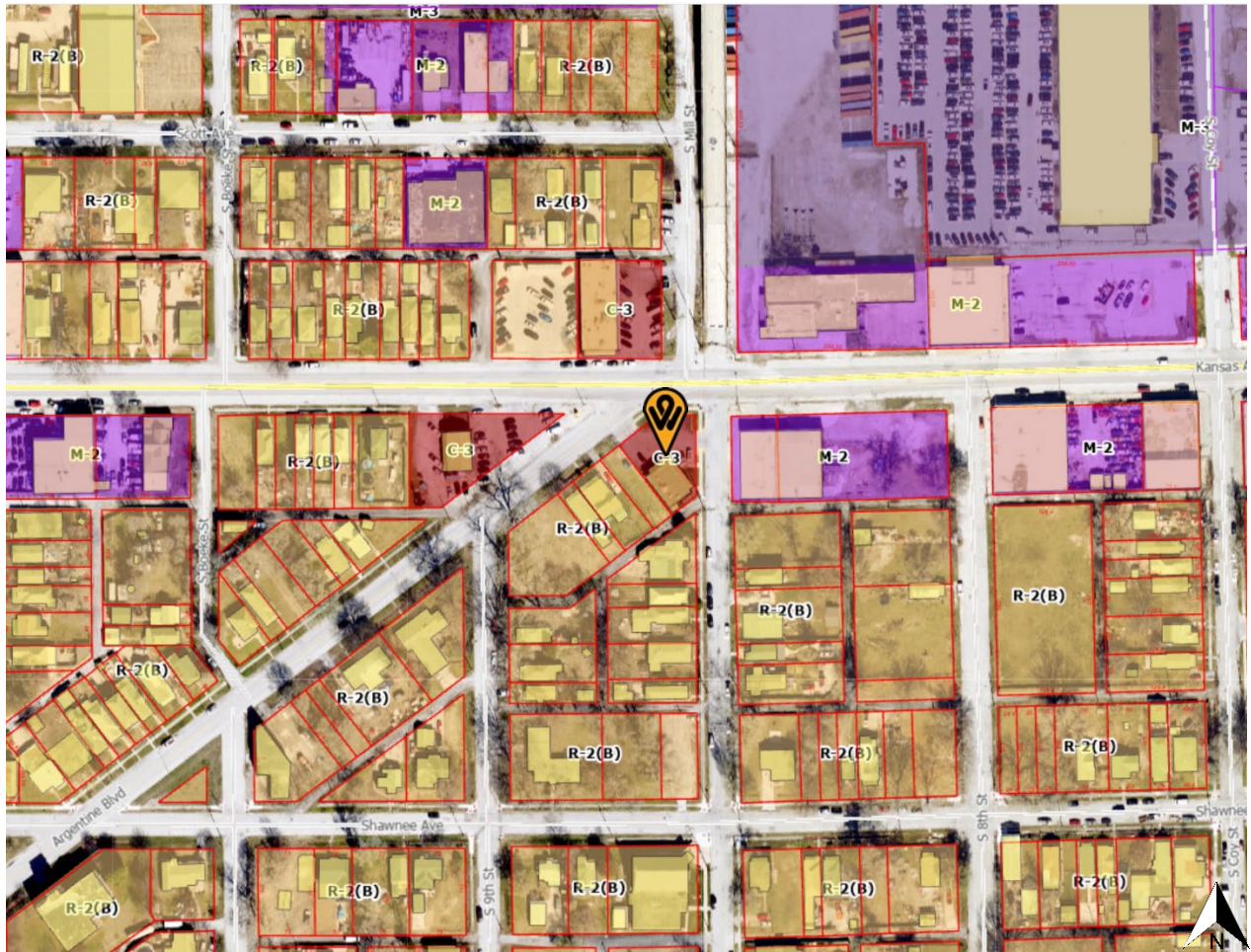
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## AERIAL MAP

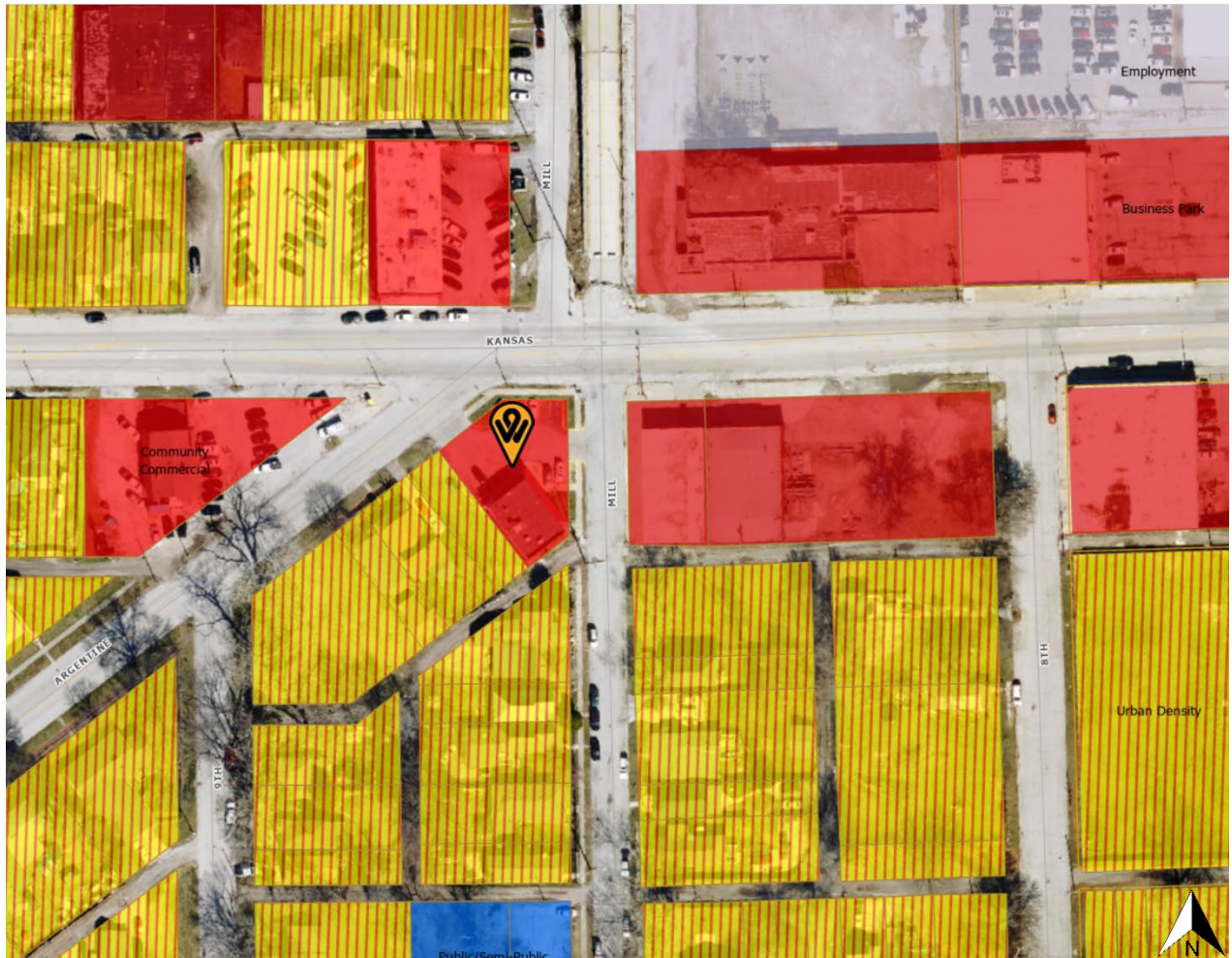
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# ZONING MAP



# LAND USE MAP







# MINUTES:

Application Number: BOZA 2025-027

Date and Location: 02/05/26

- 825 Kansas Ave

Kansas City, KS 66105

Meeting called to order at: 6:00 PM

Names of people in attendance:

- Jaime Marquez (applicant)

No neighbors arrived to meeting.

Introductions:

Presentation by applicant and/or team (explain what information was given to those in attendance and a summary of what the speaker said).

Questions and answers (include the following):

- > Who asked question or gave comment
- > What was the question or comment
- > Who answered the question/comment
- > What was the answer given

Meeting adjourned at: 6:45

Minutes taken by: Jaime Marquez

**AFFIDAVIT – NEIGHBORHOOD MEETING**


STATE OF Kansas )  
 ) SS:  
COUNTY OF Wyandotte )

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

1. That I am the petitioner for Petition # 2025-063 - BOZA dep- Cd 7
2. That I conducted a neighborhood meeting on 2/05/26.
3. The notice to nearby property owners was sent on 01/20/26.
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.


Jaime Marquez

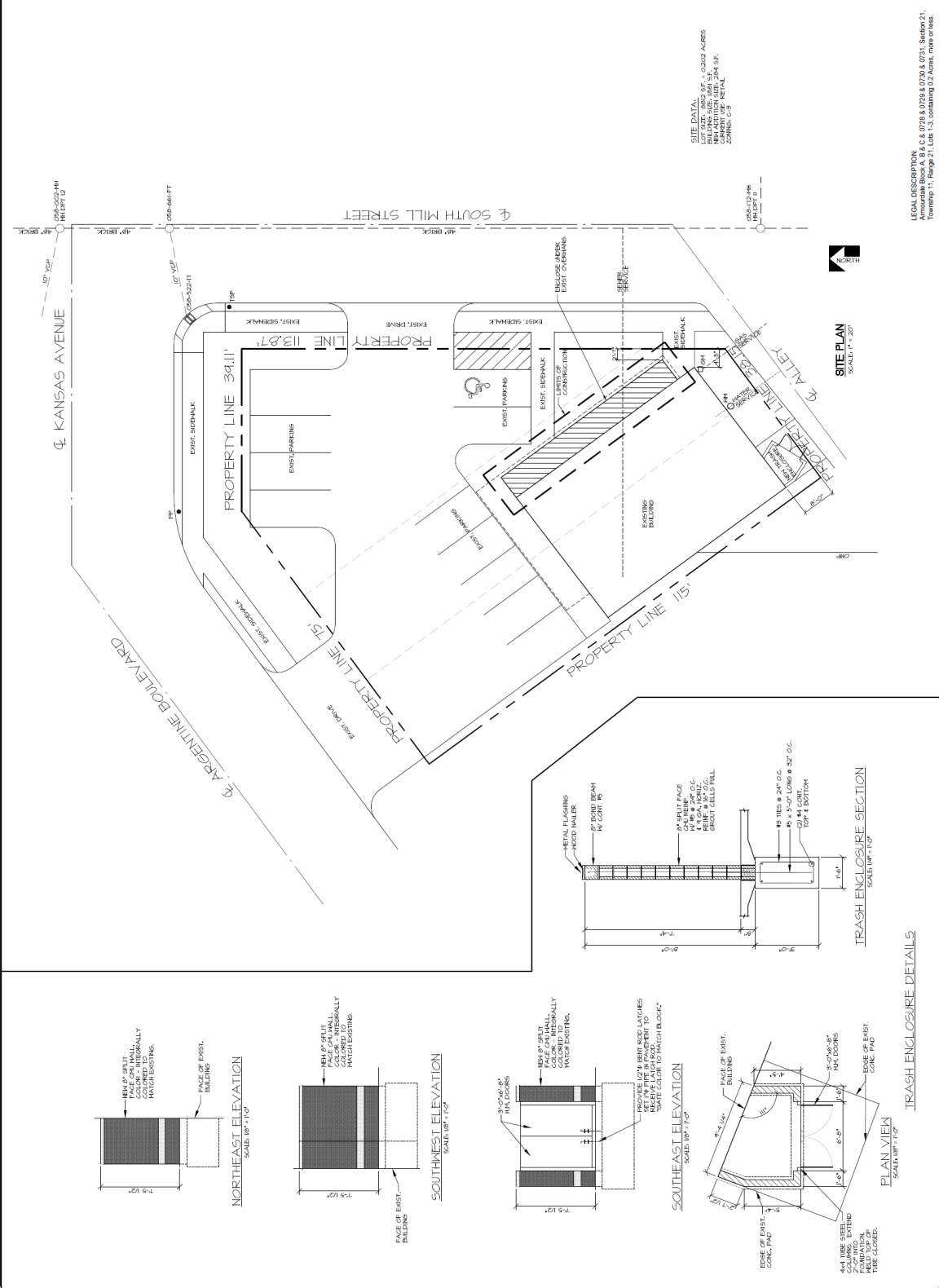
  
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Affiant

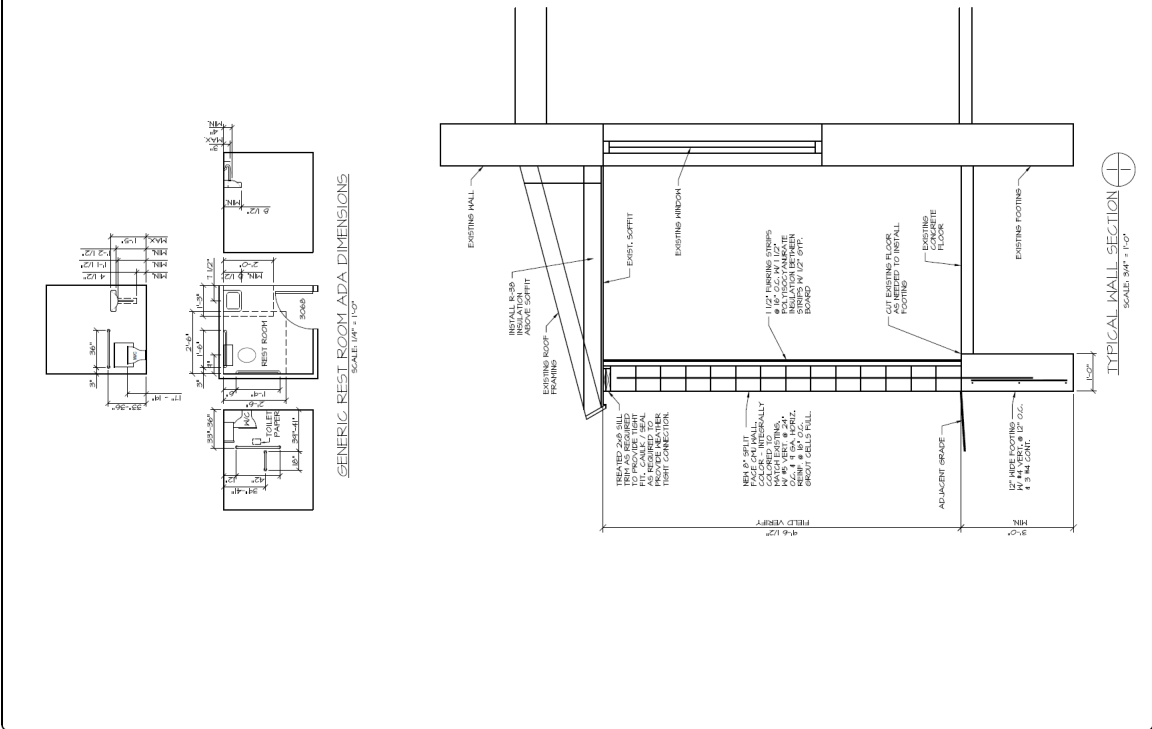
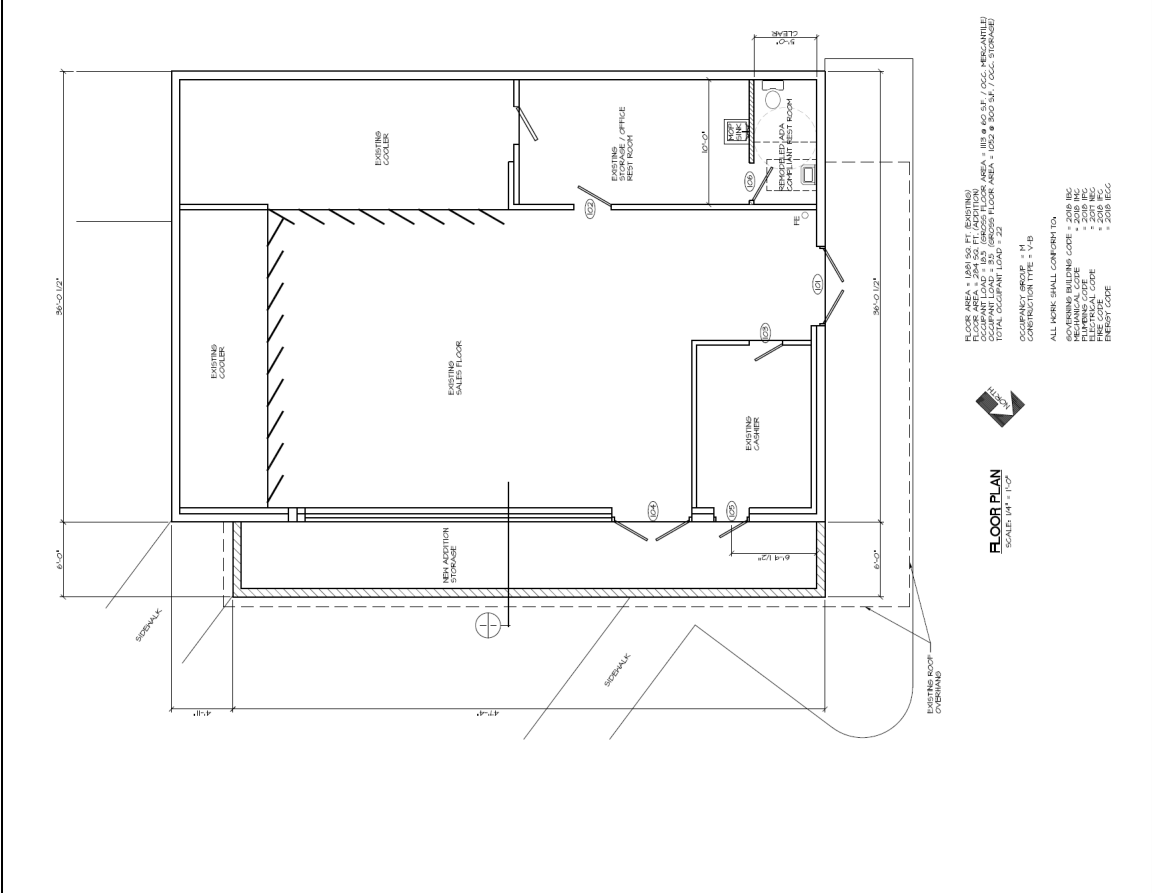
SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 10<sup>th</sup> day of February, 2026.

My commission expires 16<sup>th</sup> of December, 2029.

**GAVIN LANGE**  
Notary Public-State of Kansas  
My Appt. Expires 12/16/29

  
\_\_\_\_\_  
Notary Public





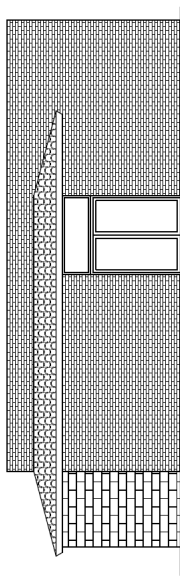
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ARMOURDALE LIQUOR ADDITION  
 825 KANSAS AVE.  
 KANSAS CITY, KS

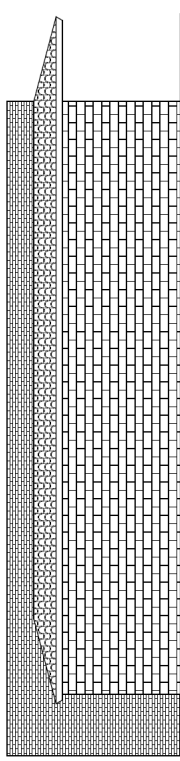
**ENGINEERING, INC.**  
 Consulting, Structural and Civil Engineers  
 5907 Astoria, Missouri 64133  
 816-356-1115

DATE:	07/18/25
REVISION:	
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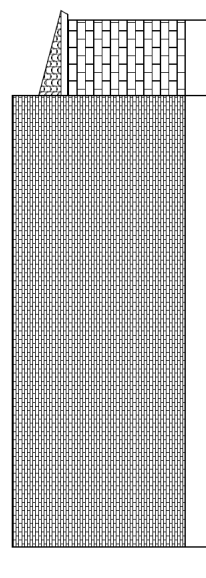
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NORTHWEST ELEVATION  
 SCALE: 1/4" = 1'-0"



NORTHEAST ELEVATION  
 SCALE: 1/4" = 1'-0"



SOUTHEAST ELEVATION  
 SCALE: 1/4" = 1'-0"



# Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

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Phone: (913) 573-5750  
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Email: [planninginfo@wycokck.org](mailto:planninginfo@wycokck.org)

**To:** Board of Zoning Appeals

**From:** Planning and Urban Design Staff

**Date:** March 9, 2026

**Re:** Board of Zoning Appeals Petition BOZA2026-001

## GENERAL INFORMATION

### Applicant Information:

Jackson Selby  
11441 South Northwood Circle  
Olathe, Kansas 66061

### Subject Property:

5727 Locust Avenue  
Kansas City, Kansas 66106

### Requested Action and Purpose:

Approval of a Variance to exceed the minimum lot width-to-depth ratio.

### Commission Districts:

At-Large Commissioner, District #2:  
Andrew Kump  
District #6 Commissioner:  
Philip J. Lopez

### Existing Zoning District(s):

R-1 Single Family District

### Plan Area:

PlanKCK Comprehensive Plan



	<b>Adjacent Zoning</b>	<b>Adjacent Uses</b>
<b>North</b>	R-1 Single Family District	Undeveloped, wooded lot
<b>South</b>	R-1 Single Family District	Single family homes
<b>East</b>	R-1 Single Family District	Single family homes
<b>West</b>	R-1 Single Family District	Single family homes

**Total Tract Size:** 10.0 Acres

**Neighborhood Characteristics:** The subject property is located within the Turner Statistical Neighborhood, South Turner Neighborhood Group, Census Block Group 0436001. The neighborhood consists of single-family homes to the north, east, south, and west of the subject property.

**Comprehensive Plan Designation:** The PlanKCK Comprehensive Plan designates the subject property as Rural Residential, which allows for land to provide for large lot, single-family residential, but without agricultural uses. Areas that are limited by transportation and other infrastructure improvements, as well as the conditions of the existing topography and vegetation afford areas for large lot development.

**Major Street Plan:** The goDotte Countywide Strategic Mobility Plan designates Locust Avenue 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 of which shall be in a garage or carport. Applicant meets the requirements.

**Landscaping Requirement:** Section 27-700(a) states that one (1) shade tree per dwelling unit is required in the front or corner side yard. The subject property does not fulfill this requirement. The applicant meets the requirements.

**Advertisement:** The Wyandotte Echo – February 12, 2026  
Letters to Property Owners – February 13, 2026

**Public Hearing(s):** March 9, 2026

**Public Support:** None to date.

**Public Opposition:** None to date.

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## **RELATED ENFORCEMENT AND ACTION ITEMS**

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### **Noise or Disturbance Complaints:**

1. There are no noise or disturbance complaints on the subject property.

### **Building, Zoning, or Code Enforcement Complaints:**

1. 09212-01999 – Code-Environment – September 21, 2009 – Completed – Tall weeds – Previous property owner.
2. 05212-00000-01228 – Code-Environment – September 23, 2005 – Completed – Tall weeds – Previous property owner.

### **Outstanding or Related Permit and Cases:**

1. PLAT2026-003 – Final Plat – January 23, 2026 – Final Plat for two (2) lots.

### **Previous Planning Actions:**

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

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## **PROPOSAL**

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*Detailed Outline of Requested Action:* The applicant, Jackson Selby, is requesting the following Variances at 5727 Locust Avenue Kansas City, Kansas 66106:

This appeal has been filed to subdivide a parcel into two (2) residential lots. Section 27-280(b) states that the depth of a lot shall not exceed three (3) times the width. Lot 1 has a width of 96.02 feet and a depth of 401.66 feet. The appellant is requesting a depth-to-width ratio of 1:4.18, a violation of 39.43 percent. Lot 2 has a width of 96.02 feet and a depth of 585.36 feet. The appellant is requesting a depth-to-width ratio of 1:6.10, a violation of 103.3 percent.

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.

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## KANSAS STATUTORY REQUIREMENTS

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- 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 property is unique in nature in that it sits at the end of a minimally maintained roadway, and appears to be remaining parcel of land from a previously developed subdivision. The property has very minimal frontage for a property of this size and the majority of the property is situated behind existing, platted lots making it difficult develop the property in a manner that meets the minimum ratio requirements.

- 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 in no way hinder the rights of adjacent landowners. The property is currently vacant and granting the Variance will allow for two (2) lots to be created resulting in the addition of two (2) single-family residences in an area of the city that is zoned and developed for single-family homes. Furthermore, the two (2) lots will be significantly larger than the other lots in the area which will therefore further reduce any perceived burden.

- 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.***

Not allowing the variance will result in the property continuing to remain vacant as the two (2) brothers will be unable to divide the property and build their homes and simply allow one (1) single-family home to be constructed.

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

There will be no adverse impacts since this will only really affect the property owners. The property owners will have to develop the road as well as maintain it if private. Additionally, lots greater than one (1) acre are permitted to be on septic service, subject to approval by the Wyandotte County Health Department.

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

The granting of the Variance will allow for two (2) single family homes to be built on the property in an area of the city that allows for single family residences. This will not be opposed to the general spirit or intent of the zoning regulations.

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## NEIGHBORHOOD MEETING INFORMATION

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The applicant held a neighborhood meeting via Microsoft Teams on Thursday, February 19, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

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## KEY ISSUES

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Lot Depth to Width Ratio

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## STAFF COMMENTS AND SUGGESTIONS

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### **Planning and Urban Design Comments:**

1. Parking, loading and maneuvering areas for new single-family residences or for replacement or expansion of existing asphalt or concrete areas shall be improved with a permanent asphalt or concrete pavement to the standards set out in subsection (a) of this section. The only exception shall be where the new single-family residence is set back more than 100 feet from a public street or approved private street. In that case, only that portion of the parking, loading and maneuvering areas in the right-of-way and within 25 feet of the right-of-way must be paved. A four-inch depth of gravel or its equivalent is acceptable beyond this area.

*Applicant's Response: Acknowledge.*

2. Lots greater than one (1) acre may be on septic.

*Applicant's Response: Acknowledge.*

### **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) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
  - 1) None

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## STAFF RECOMMENDATION AND CONDITIONS

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Staff recommends that the Board of Zoning Appeals **APPROVAL** Case **BOZA2026-001** subject to all comments and suggestions outlined in this staff report and summarized by the following conditions:

1. This Board of Zoning Appeals case is being heard in conjunction with **PLAT2026-003**. Any approval by the Board of Zoning Appeals of this case, and the conditions of approval contained herein, are contingent, and shall only go into effect, upon the approval of Petition **PLAT2026-003** by the Unified Government City Planning Commission and upon any ordinance publications required by law;
2. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or [signpermits@wycokck.org](mailto:signpermits@wycokck.org) to begin this process;
3. 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](mailto: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;
4. All existing and future driveways must feature curb cuts that are constructed to UG standards;
5. 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;
6. 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,
7. 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.

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## ATTACHMENTS

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Aerial Imagery  
Zoning Map  
Land Use Map  
Neighborhood Meeting Affidavit

Neighborhood Meeting Minutes  
Five (5) Criteria Set by State Statute  
Final Plat  
Image of the Subject Property Submitted by the Applicant

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## **PUBLIC HEARING SCHEDULE**

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<b>Action(s)</b>	<b>Board of Zoning Appeals</b>
Variance	March 9, 2026

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**STAFF CONTACT:** **Osiris Nuñez Espinoza, Planner**  
[Oespinoza@wycokck.org](mailto:Oespinoza@wycokck.org)

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## **MOTIONS**

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I move the Board of Zoning Appeals **APPROVE** Case **BOZA2026-001** 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 **BOZA2026-001**, 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.

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# ATTACHMENTS

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## AERIAL IMAGERY

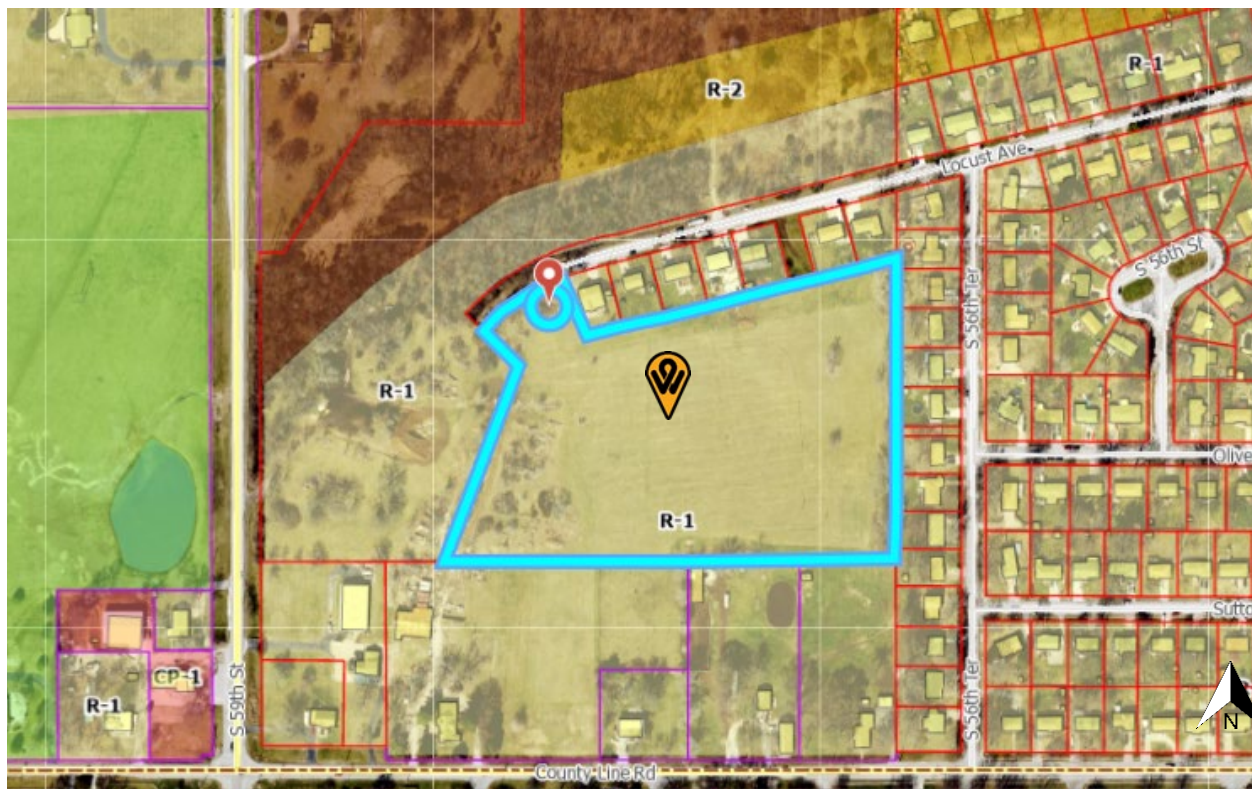
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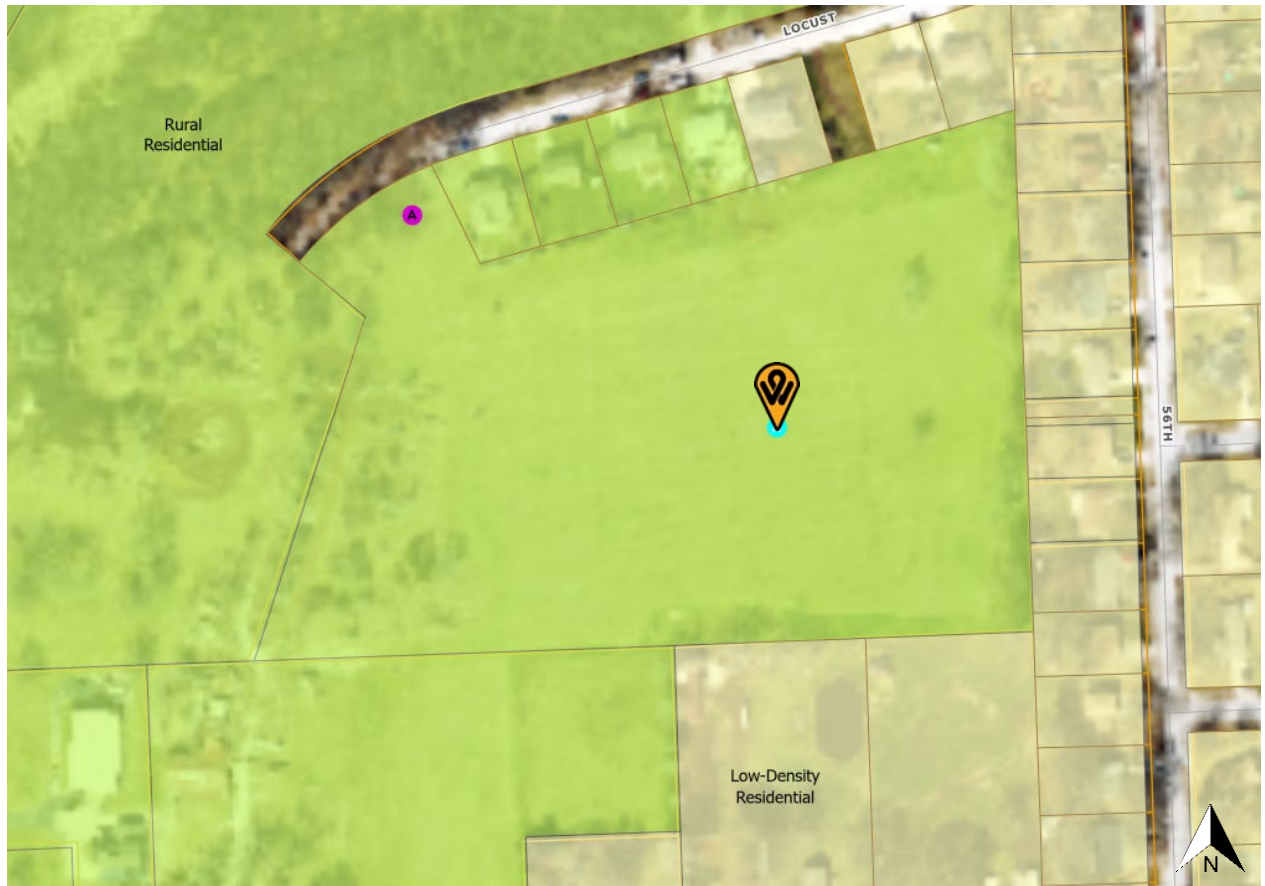
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## ZONING MAP

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# LAND USE MAP



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## ADDITIONAL ATTACHMENTS

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**February 19, 2026  
Atlas Land Consulting  
14500 Parallel Road Unit R  
Basehor, KS 66007**

MEETING MINUTES BOZA2026-001  
5757 Locust Ave – Jackson Selby

Attendees:  
Krystal Voth, Atlas Land Consulting  
Jennifer Ruiz 5651 Locust Ave  
Brian (Refused to provide name or address)  
Kris (Also refused to provide name or address)

**Minutes:**

Krystal Voth started the meeting at 5:28PM  
Kris and Jennifer attended the meeting via TEAMS. Brian was also in attendance with Jennifer. Krystal stated the reason for the variance request and showed an image of the proposed subdivision. Jennifer asked if the ground would be maintained and how many houses would be built. Brian stated that he is concerned with runoff and believe the addition of two houses will cause additional run-off.

**Neighborhood Meeting for BOZA2026-001**  
THURSDAY, February 19, 2026 – 5:30-6:00PM  
TEAMS Link: <https://teams.live.com/joinmeeting/9353582351679?p=CkwVc2VojBgfXfbYtk>

I look forward to hearing from you, if you have any questions.

**Please Contact:**

**Krystal Voth, MURP**  
[krystal@alconsult-llc.com](mailto:krystal@alconsult-llc.com)  
**417-622-2907**  
**14500 Parallel Rd Unit R, Basehor, KS 66007**

Sincerely,





# 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.

This property is unique in nature in that it sits at the end of a minimumally maintained roadway, and appears to be "left over" from a previously developed subdivision. The property has very minimal frontage for a property of this size and the majority of the property is situated behind existing, platted lots making it difficult develop the property in a manner that meets the minimum ratio requirements.

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 in no way hinder the rights of adjacent landowners.** The property is currently vacant and granting the varaince will allow for two lots to be created resulting in the addition of two more single family residences in an area of the city that is zoned and developed as SFR. Further, the resulting lots will be significantly larger than the other lots in the area which will therefore further reduce any perceived burden.

<p><b>3</b></p>	<p>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.</p> <p><b>Not allowing the variance will result in the proeprty</b></p> <p><b>continuing to remain vacant as the two brother will be</b></p> <p><b>unable to divide the property and build their homes.</b></p> <hr/> <hr/> <hr/>
<p><b>4</b></p>	<p>The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.</p> <p><b>There will be no adverse impacts.</b></p> <hr/> <hr/> <hr/> <hr/>
<p><b>5</b></p>	<p>The granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance.</p> <p><b>The granting of the varaince will allow for two single family</b></p> <p><b>homes to be built on the property in an area of the city that</b></p> <p><b>allows for single family residences. This will not be opposed to the</b></p> <p><b>general spirit or intent of the zoning regulations.</b></p> <hr/> <hr/>

**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.



