

**BOARD OF ZONING APPEALS
OCTOBER 13, 2025
DECISIONS**

The Board of Zoning Appeals met in regular session on Monday, October 13, 2025, at 6:04 PM, (Via Zoom Webinar and Commission Chamber of the Municipal Office Building) with the following members present: Jeff Carson, Chairman Presiding (Commission Chamber), Karen Jones, Vice-Chairman (Zoom), Brandie Armstrong (Zoom), Duane Beth (Commission Chamber), Jim Ernst (Zoom), Mark Mohler (Zoom), Joseph Straws (Zoom), and Aaron Ward (Zoom). (Absent: Schwartz, Easterwood, and Miller).

Rodney Lucas, Interim Planning Director/Executive Assistant to the County Administrator (Commission Chamber), Rose Morris, Recording Secretary/Professional Assistant (Commission Chamber), Byron Toy, Lead Planner (Commission Chamber), Osiris Nunez Espinoza, Planner (Commission Chamber) Alyssa Marcy, Long Range Planner (Commission Chamber), and Michael Farley, Assistant Counsel (Commission Chamber), were also present.

Secretary Morris read the Board of Zoning Appeals Statement: “We would like to welcome those participating to the meeting of the Board of Zoning Appeals. Members of the Board are participating remotely by Zoom or are present in the Commission Chamber. Mr. Jeff Carson is serving as Chairman this evening.

Please note the following instructions for the meeting:

1. If you are joining by Zoom, please make sure you have an appropriate background;
2. For those members of the public attending the meeting virtually this evening, please use the “raise your hand” feature if you want to speak on an application. If you are present in the Commission Chamber, please come to the microphone at the front of the room when the application is called. After the Chairman recognizes you, please state your name and address and make your comments.
3. If you are having issues getting into the Zoom meeting, please see the Planning and Urban Design website on Wycokck.Org.
4. Proper meeting decorum is expected of all participating in the meeting and anyone who fails to act properly may be removed from the meeting. The City reserves the right to discontinue a meeting if any improper behavior occurs which prevents the uninterrupted conduct of business.

The format for this evening’s meeting is as follows:

1. First, the applicant will be given fifteen (15) minutes to make an opening statement explaining the proposal, which includes the applicant, consultants, and other members of the applicant’s team.
2. Members of the Board may then address questions to the applicant.

3. Any persons wishing to speak in favor will be recognized and allowed to do so at that time.
4. Then, those in opposition will be recognized to make their statements and ask questions. Each member of the public will be given five (5) minutes to express their opinions and time may not be shared between speakers.
5. A speaker's time may be extended in five-minute intervals by a 2/3rd majority vote of the Board.
6. The Chairman will ask for a show of hands of people who are in support or opposition who do not wish to speak.
7. Then, the applicant will then answer questions and make a closing statement.
8. The public hearing portion of the meeting will be closed, and the public will only be allowed to address the Board if a question is directed to them.
9. Then, the Board will discuss the application and make their decision with a brief statement of the reason for the motion preceding the making of the motion.
10. Motions to approve shall include the staff conditions unless otherwise stated in the motion."

Starts at 3:11:

BOZA2024-034 - JANETH PEREZ

Synopsis: Variance for side-yard and rear-yard setbacks for a backyard deck at 1500 North 28th Street. *Detailed Outline of Requested Action:* The applicant, Janeth Perez has applied for a variance from the Board of Zoning Appeals to keep a deck and stairs on the rear and corner side yards of the single-family home, which projects five (5) feet into the required side yard, a violation of one and one-half (1½) feet at 1500 North 28th Street.

Secretary Morris asked if the Board had any contact to disclose on this application. No one responded in the affirmative.

Appeared in Support:

- Janeth Perez, Applicant, 1500 North 28th Street, Kansas City, Kansas 66102

Present in Opposition:

- No one appeared

Staff Recommendation starts at 4:33: Lead Planner Byron Toy stated that the deck was built without a variance and building permit. They received a stop work order in May 2024 and applied for a building permit in June of 2024. Staff recommends denial, as they completed the deck without a variance, but there are conditions of approval if the Board chooses to approve the application.

The Board directed their questions to Toy.

Motion/Vote starts at 6:00:

On motion by Commissioner Ward, seconded by Commissioner Armstrong, the Board of Zoning Appeals voted as follows to **APPROVE BOZA2024-034:**

Carson	Chairman
Straws	Aye
Ward	Aye
Armstrong	Aye
Beth	Aye
Ernst	Aye
Jones	Aye
Mohler	Aye
Easterwood	Not Present
Schwartz	Not Present
Miller	Not Present

Motion to APPROVE passed: 7 to 0

Subject to:

- 1. Subject to approval, the applicant shall obtain a retroactive building permit for the deck and stairway.
 - 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. Section 27-317(a) Electrical power, telephone service, and cable television shall be provided by underground wiring for all new wiring;**
- 3. All existing and future driveways must feature curb cuts that are constructed to UG standards;**
- 4. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at 913-573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly; and,**
- 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.**

Starts at 6:56:

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). *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. Secretary Morris asked if the Board had any contact to disclose on this application. No one responded in the affirmative.

Appeared in Support:

- No one appeared

Present in Opposition:

- No one appeared

Motion/Vote starts at 7:58:

On motion by Commissioner Straws, seconded by Commissioner Armstrong, the Board of Zoning Appeals voted as follows to **HOLD OVER BOZA2025-025 until the November 10, 2025 Board of Zoning Appeals meeting:**

Carson	Chairman
Straws	Aye
Ward	Aye
Armstrong	Aye
Beth	Aye
Ernst	Aye
Jones	Aye
Mohler	Aye
Easterwood	Not Present
Schwartz	Not Present
Miller	Not Present

Motion to HOLD OVER passed: 7 to 0

The meeting was adjourned 6:16 PM

THE BOARD OF ZONING APPEALS

BY: Rose Morris
Rose Morris, Recording Secretary