



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, Trent Foglesong, Joseph Straws III, and Aaron Ward.*

AGENDA

Monday, July 13, 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 BOZA2026-009 - MATTIAS MACKEPBRANG

Synopsis: Variance for lot width-to-depth ratio and minimum lot width at 2406 North 131st Street (in conjunction with COZ2025-031 and PLAT2025-041).

Tracking #: 21669

3.1.2 BOZA2026-010 - JOHNNY RICHARDSON

Synopsis: Variance for quantity and size limit of accessory structures at 1922 Matney Avenue (in conjunction with COZ2025-009 and PLAT2026-020).

Tracking #: 21670

3.1.3 BOZA2026-011 - RANDOLPH DODSON

Synopsis: Variance for a carport projecting into the front and side yard setback at 2535 Grandview Boulevard.

Tracking #: 21671

3.1.4 BOZA2026-012 - NATHAN NOWAK

Synopsis: Variance for a detached accessory structure exceeding 1000 square feet in the rear yard at 3420 North 60th Street.

Tracking #: 21672

- 3.1.5 **BOZA2026-014 - KHALID BANDAY WITH KAM DESIGN GROUP LLC**
Synopsis: Variance for front, side yard, and corner setbacks for a retail building at 708 Simpson Avenue.
Tracking #: 21674
- 3.1.6 **INTERIM DIRECTOR'S DETERMINATION - 408 SANDUSKY AVENUE**
Synopsis: Appeal from a final decision of the Interim Director of Planning under Sec. 27-217 of the Unified Government Code of Ordinances concerning: 1) whether the application should be considered a new application v. a renewal application for an SUP for a short-term rental and 2) whether the requirement of a home inspection can be waived.
Tracking #: 21737

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. 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 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 o al 913-573-5260 al menos 48 horas antes de la reunión.

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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: July 13, 2026

Re: Board of Zoning Appeals Petition BOZA2026-009

GENERAL INFORMATION

Applicant Information:

Jason Mackeprang
2420 North 131st Street
Kansas City, Kansas 66109

Subject Property:

2406 North 131st Street
Kansas City, Kansas 66109

Requested Action and Purpose:

Approval of a Variance for lot width-to-depth ratio and minimum lot width.

Commission Districts:

Commissioner At-Large, District #1:
Melissa Bynum
District #5 Commissioner:
Dr. Carlos Pacheco III

Existing Zoning District(s):

A-G (WYCO) Agriculture District

Plan Area:

Prairie Delaware Piper Area Plan



	Adjacent Zoning	Adjacent Uses
North	A-G (WYCO) Agriculture District	Single family homes
South	A-G (WYCO) Agriculture and A-G Agriculture Districts	Single family homes
East	A-G (WYCO) Agriculture District	Single family homes
West	A-G (WYCO) Agriculture and R-1A (WYCO) Districts	Large lot single-family home and undeveloped, wooded land

Total Tract Size: 35.43 Acres

Neighborhood Characteristics: The subject property is located within the Prairie-Piper Statistical Neighborhood and Block Group 0448032. The neighborhood consists of large lot single-family homes with some smaller single-family lots along North 131st Street. North 131st Street is accessed by Parallel Parkway located to the south of the property and Leavenworth Road to the north of the subject property.

Comprehensive Plan Designation: The Prairie Delaware Piper Area Plan designates the subject property as Planned Mixed Residential District, which allows, a variety of residential densities and unit types. These areas could be developed with patio (zero lot line) homes, townhouses, condominiums, garden apartments, housing for seniors, and other multifamily uses.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates North 131st Street as a Major Collector).

Parking Requirement: Section 27-545(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.

Section 27-453(e) states that two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling.

Landscaping Requirement:	Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner side yard, and one (1) tree per 7,000 square feet of site area for uses other than residences. This will vary for each parcel and tract of land.
Advertisement:	<u>The Wyandotte Echo</u> – May 14, 2026 and June 18, 2026 <u>Letters to Property Owners</u> – May 15, 2026
Public Hearing(s):	July 13, 2026
Public Support:	None to date.
Public Opposition:	Staff received three (3) emails on February 6, 2026, February 9, 2026, and April 13, 2026 for the Change of Zone (COZ2025-031).

RELATED ENFORCEMENT AND ACTION ITEMS

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 notices of violation on the subject property.

Outstanding or Related Permit and Cases:

1. COZ2025-031 – Change of Zone from A-G Agriculture District (WYCO) to R Rural Residential and R-1 Single Family Districts (scheduled for June 8, 2026).
2. PLAT2025-041 – Preliminary Plat – Five (5) lots for single family homes (scheduled for June 8, 2026).

Previous Planning Actions:

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

PROPOSAL

Detailed Outline of Requested Action: The applicant, Matthias Mackeprang, is requesting the following Variances at 2406 North 131st Street:

This appeal has been filed to subdivide a parcel into five (5) residential lots. Section 27-280(b) states the depth of a lot, measured as the average horizontal distance from the

front street line to the rear lot line, shall not exceed three (3) times the width. The lot width for this purpose is the maximum horizontal distance between side lot lines within 60 feet of the front street line.

Lot 3 has a width of 94.71 feet and a depth of 1,553.71 feet. The appellant is requesting a depth-to-width ratio of 1:16.40, a ratio violation of 13.40.

Lot 4 has a width of 53.10 feet and a depth of 1,493.47 feet. The appellant is requesting a depth-to-width ratio of 1:28.12, a ratio violation of 25.12.

This appeal has been filed to subdivide a parcel into five (5) residential lots. Section 27-453(d)(3)(a) states that the lot width shall not be less than 120 feet.

Lot 3 has a width of 94.71 feet, a violation of 25.29 feet.

Lot 4 has a width of 53.10 feet. a violation of 66.90 feet.

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.***

The condition is unique to the subject property because the applicants must accommodate Fire Department and Public Works requirements by incorporating a cul-de-sac, which in turn restricts the available frontage for Lot 3 and Lot 4 on the Preliminary Plat.

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

It will not, as the only party affected by granting this variance is the property owner. The roadway easement being accessed between three (3) properties; the subject property, the property to the north, and the property to the south is part of the subject property. Although the neighbors currently use that portion of land, it is owned and designated for the entrance of the subject property.

- 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 hardship would require additional roadway to be constructed, which would either create additional lots, which is an increase in density, or allow the lot

orientation to change, which would not require a variance. These required improvements have resulted in the current nonconformity.

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

Granting the variance will not negatively impact public health, safety, morals, order, convenience, prosperity, or general welfare. The property owner is the only party affected by this request.

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

It will not, as the applicants are simply adhering to the requirements provided to them for the design of the road and the size of the lots being created.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 13849 Hollingsworth Road on Friday, May 22, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

3:1 Lot Depth to Width Ratio

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. Amend Preliminary Plat to ensure all the submittal requirements adhere to the Preliminary Plat submittal items Section 27-215.

Applicants Response: Joe Herring, our surveyor, is reviewing Section 27-215 and will submit an amended preliminary plat if needed.

2. Why were Lots 3 and 4 designed in that particular configuration?

Applicants Response: The configuration of Lots 3 and 4 was influenced primarily by the existing site conditions on the western portion of the property. Approximately 10 acres in this area are heavily wooded and contain a creek, making the land less accessible and less suitable for development.

To account for these natural features, the property west of the cul-de-sac was divided into two roughly equal parcels, while the land to the east was divided into three parcels. This layout allowed us to achieve the objective of creating five parcels, each meeting or exceeding the minimum desired size of three acres.

In addition, the intent was for each parcel to contain approximately 3–5 acres of practical developable area. After excluding the approximately 10 acres of wooded creek area on the western portions of Lots 3 and 4, each of those lots contains roughly 5 acres of developable land. This is comparable to Lot 5 and slightly larger than Lots 1 and 2.

3. For reference:

- a. *Roadway Easement* – A Roadway Easement was filed in 1972 by then property owners, Rolyn F. and Catherine F. Frisch that provides access to Farmer, Inc. for ingress and egress over a 50-foot strip of land to and from the tract of land conveyed to Farmer, Inc. until such time that a public road is dedicated and/accepted by the property governing authority or Wyandotte County, Kansas.

This parcel in which this proposed subdivision is anticipated has the roadway easement wholly on 2406 North 131st Street (Parcel 959303). The construction of the private road will not eliminate the roadway easement because the easement is not being dedicated as a public road, where the Unified Government has to accept and maintain.

Access through the easement is not being severed. Property owners on the north and south sides of the easement will continue to have access to and from North 131st Street.

- b. *Cul-de-sac length* – Section 27-281(b) Provisions shall be made for adequate traffic circulation. Cul-de-sacs shall normally not be longer than 500 feet, including a turnaround that shall have an outside curb radius of not less than 40 feet and a right-of-way radius of not less than 50 feet. Local streets shall be laid out so that through traffic will be discouraged.

This section does not prohibit cul-de-sacs from being longer than 500 feet. Generally, subdivisions are reviewed in conjunction with Planning Engineering and Public Works for streets, sanitary and storm sewer access, and lot conformity. In this instance, the cul-de-sac radius is 60 feet, and the private road is 516 feet long and the roadway easement is 439 feet long, which extends access to North 131st Street.

Whether the parcel was being subdivided into two (2) or five (5) lots, as proposed, the private road length would be longer than 500 feet due to the 439-foot roadway easement.

- c. *Right-of-way/Road width* – The proposed subdivision will have three (3) lots that are zoned R Rural Residential and two (2) lots that are zoned R-1 Single Family District. Per Section 27-288. – Table A, local rural residential streets only in the R District must have 60 feet of right-of-way and 24 feet of pavement width. Local residential streets must have 50 feet of right-of-way and 28 feet of pavement width.

Seeing as this is a multiple zoned subdivision, Staff decided to use the local rural residential street standard because the majority of the lots in the subdivision, three (3), are proposed to be zoned R Rural Residential District.

- d. *Sanitary Sewer Access* – The five (5) proposed lots are greater than one (1) acre and are not within 200 feet of a sanitary sewer, so they are permitted to be on septic service. Subject to approval, a percolation test and septic tank permit are required for each lot from Wyandotte County Health Department.
- e. *Zoning* – Lots 1 and 2 are proposed to be rezoned to R-1 Single Family, while Lots 3, 4, and 5 are proposed to be rezoned to R Rural.
- f. The property owners within Roby's Run are responsible for the construction of the private road, which must be approved by the Public Works Department and continued maintenance of the private road. The Unified Government is not responsible for servicing the private road, similar to other subdivisions that have privatized roads.

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

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Zoning Appeals **APPROVE** Case **BOZA2026-009** 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 COZ2025-031 and PLAT2025-041. 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(s) COZ2025-031 and PLAT2025-041. by the Unified Government City Planning Commission and upon any ordinance publications required by law;**
2. **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; 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. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Five (5) Criteria Set by State Statute
Neighborhood Meeting Documents
Roadway Easement
Preliminary Plat
Images of the Property Submitted by the Applicant
Opposition Letters

PUBLIC HEARING SCHEDULE

Action(s)	Board of Zoning Appeals
Variance	July 13, 2026

STAFF CONTACT:

Osiris Nuñez Espinoza, Planner
Oespinoza@wycokck.org

MOTIONS

I move the Board of Zoning Appeals **APPROVE** Case **BOZA2026-009** 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

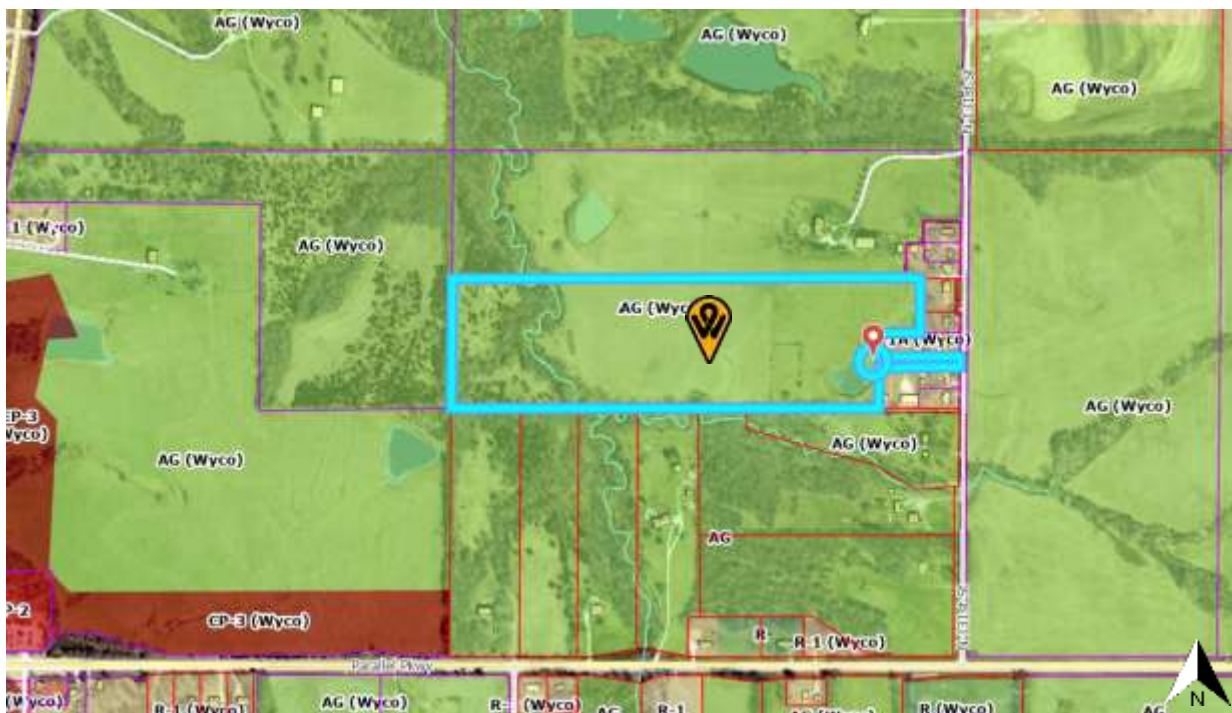
I move the Board of Zoning Appeals **DENY** Case **#BOZA2026-009**, as it is not in compliance with the City Ordinances as it will not promote the health, safety and general welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



LAND USE MAP



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. Per the UG Public Works and Fire Department we must have a cul-de-sac which limits the frontage of lots 3 and 4. The western 10+/- acres is heavily wooded with a creek which is not easily accessible or developed.
2	The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents. The requested variance will have not adversely affect the rights of adjacent owners or residents because it limits the number of homes that could be built. Essentially, if we developed to to meet the 3:1 ratio, we would more than likely have more homes not less. Therefore, our plan keeps more of a rural feel that neighboring property owners prefer.

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. In order to meet the 3:1 ratio the private paved road would need to be extended hundreds of feet to the West. The only purpose this would serve is to increase the frontage, increase expenses and possibly develop more lots. It is our desire to keep larger lots and there is no adverse affects to our neighbors.
4	The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare. The variance will not adversely affect any aspect regarding public concerns. Actually, we would have less impervious area, which benefits moisture absorption and reduces runoff.
5	The granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance. Adjacent properties already have been developed and do not meet the 3:1 ratio. As previously stated, by granting our variance request, we would be adhering to a more rural development in line with other properties in the area.
End of Application Please review again to ensure all applicable fields are completed. <u>Any incomplete or insufficient fields may result in your application not being processed, per Section 27-198.</u> 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 Matt Mackeprang, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # BOZA 2026-009.
2. That I conducted a neighborhood meeting on May 22, 2026.
3. The notice to nearby property owners was sent on May 5, 2026.
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.

Matt Mackeprang
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 26th day of May, 20 26.

My commission expires 16th of December, 20 29.

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

[Signature]
Notary Public

BOZA2026-009 – 2406 N 131st Street Neighborhood Meeting

Friday, May 22nd, 2026 (4:30 pm – 5:01 pm)

St. Martin's Lutheran Church
13849 Hollingsworth Road
Kansas City, KS 661009

- Meeting conducted by Matt Mackeprang, Michelle Mackeprang, and Bradley Bice. Copies of the preliminary plat (Lots 3 & 4) were made available to the attendees.
- Minutes taken by Bradley Bice
- Attendees: Madison Mackeprang, Kelsey Mackeprang, Joe Duffy, Joan Gustin, Kyle Rodenhouse, Neal Palmer, Luann Palmer, Sandy Hennessey

Presentation

Good evening and thank you all for attending. We'd like to begin with brief introductions.

The purpose of this meeting is to provide information about our application for a variance related to the 3:1 lot ratio affecting Lots 3 and 4.

During our initial discussions, the UG indicated that the 3:1 ratio would likely not present an issue if the homes were oriented north-south. However, to ensure clarity and avoid any potential concerns, they have recommended that we pursue a formal variance.

The configuration of Lots 3 and 4 was influenced primarily by the existing site conditions on the western portion of the property. Approximately 10 acres in this area are heavily wooded and contain a creek, making the land less accessible and less suitable for development.

To account for these natural features, the property west of the cul-de-sac was divided into two roughly equal parcels, while the land to the east was divided into three parcels. This layout allowed us to achieve the objective of creating five parcels, each meeting or exceeding the minimum desired size of three acres.

In addition, the intent was for each parcel to contain approximately 3–5 acres of practical developable area. After excluding the approximately 10 acres of wooded creek area on the western portions of Lots 3 and 4, each of those lots contains roughly 5 acres of developable land. This is comparable to Lot 5 and slightly larger than Lots 1 and 2.

We also understand that there are properties developed after the Piper Annexation, that may not conform to the 3:1 ratio.

Questions

- Neal Palmer – I'm trying to see what the properties are that don't conform to the 3:1 ratio. Did they give you a list? The city is saying/giving you that information about "after Annexation?"
 - Matt:
 - Yes, they made that statement. They didn't provide us a list.

- Since annexation, they have developed on lots that don't conform to the 3:1 ratio
- Sandy – Can you explain what the 3:1 lot ratio is?
 - Matt:
 - Explains what the 3:1 lot ratio is
- Luann – What is a variance and why do you need it?
 - Matt:
 - It is something that doesn't conform to what is in their set standards
 - We have to get approval for the 3:1 lot ratio
- Neal – What is your interpretation of how to orient the houses? I can read that two ways.. What's the front of the house going to be facing. It's confusing terminology.
 - Matt:
 - Getting the variance give the latitude to be able to orient your house in different ways
- Joan – Explain to me the two that will back up my fence and what they will look like
 - Michelle
 - It will be Lot #1
 - Bradley
 - They haven't been decided. We haven't been through zoning. Nothing has been decided, because we must get through zoning first
- Neal – Did they ever give you a reason for the last meeting being called off at the last second? Did they say the full change of zoning would ride on variance? Does the variance not passing mean the zoning moves forward?
 - Matt:
 - I believe it was the opposition and the 3:1 lot ratio. I think they believe the North South was okay with us and that it would be okay with them.
 - I assume not. I assume if the variance doesn't move forward, then it depends.
- Sandy – I thought there was only a 20' easement for a road between the properties? If you're building this development, why don't you have to build an actual road?
 - Matt:
 - There's a 50' easement that is part of the property that was purchased
 - We have to meet the UG requirements and what we've been told by the fire marshal that we have to have minimum of 20' wide and asphalt. They will not take fire truck down gravel road. It will be 24' wide and all asphalt.
- Kyle – Has public works looked into this? What have they had to say?
 - Matt:
 - They haven't had a lot to say, since it is a private road
- Neal – Do you have any questions for us?
 - Matt:
 - I can't think of any. Michelle or Bradley have I said anything that would be a question? (No questions)
- Joan – What about utilities? How would you do the utilities?
 - Bradley:
 - We've reached out to the utility companies
 - It would be main line extensions that would be paid for by us
 - All would be underground and we would follow all their codes
 - We have to pay for the infrastructure

- Luann – So it would be a two-lane road?
 - Matt:
 - It would be 24' wide. Not sure what 131st st is the whole way, but most of it would be wider than it currently is.
 - Bradley:
 - And this is being dictated by fire
- Kyle – Who'd you work with from fire?
 - Matt:
 - Herviey Fields. That should be in meeting minutes from last meeting.
 - Kyle:
 - That's right, you said that at previous meetings
- Luann – Will the new road take up some of your current driveway/space?
 - Matt:
 - It will be roughly the same as it is now, all the way back.
- Luann – I just can't believe this just now comes up before the meeting
- Joan – How will the trash truck get your trash? Will they make it?
 - Bradley:
 - The cul-de-sac also has to conform to the needs of a fire truck, so it should be able to conform to what a trash truck would need in order to turn around/make it
 - Matt:
 - If it makes sense for trash to be up at 131st st, so truck doesn't have to come down there with a fenced in area
- Luann – What about mailboxes?
 - Matt:
 - I believe that is up to the postmaster. They will tell us where the mailboxes or centralized mailbox should/would need to go
- Kyle – You clearly know that Jenna and I aren't happy about this. We're raising kids right now and for you guys to want to do this. To think of yourselves over others in the area is pretty irresponsible. I just want this on the record.
 - Bradley:
 - I understand what you're saying
 - Kyle:
 - I don't need a rebuttal
 - Joan:
 - I don't like what you're doing to the back of my house
 - Kyle:
 - There's not a lot of happy neighbors. I'll be the one that says it.
 - Bradley:
 - I appreciate the candidness
 - Joan:
 - You build a house 50 years ago and now here you guys come
 - Matt:
 - I would say that I was always neighborly to anybody wherever I've lived
 - Kyle:
 - You have never once come to us and talked to us about this. Don't you think that would be neighborly?
 - Matt:

- I think we've talked about it
 - Kyle:
 - We've had one conversation about it where you brought us to 131st st and said you were going to build a road and take part of your driveway. There has been nothing about how can we help you guys out through this process or anything like that.
 - Matt:
 - I think we've visited with our designer to ensure there is access at all times. That's what you've got to do when doing things like this.
 - Kyle:
 - That's not going to help
 - Matt:
 - Anything we were going to do to try to develop wasn't going to satisfy everybody. Once we (if we) get built in there, I hope we can all realize what it can be.
- Joan – Do you realize what a blind spot it is between your driveway and his driveway is? I can't back out of my driveway now. What's going to happen when we have all the other traffic?
- Luann – I feel bad for Kyle and his two little boys. You're talking if one person leaves your house everyday (without UPS, amazon, visitors, etc....) that's two cars coming in and out from their property. That's not right.
- Kyle – That's all your friends, family, parties, that's a lot... There are also other parcels out there more suitable for this kind of development that I'm surprised you haven't seen...
 - Bradley:
 - I think we have said this at the previous meetings. This is exactly what we've said, the property is what we like and want. We enjoy it for what it is.
- Matt – If there are no other questions about the variance, we can adjourn the meeting.
 - Meeting adjourned at 5:01 p.m.

Email/Phone Calls from Neighbors

- No email or phone call correspondence

Event Title: BOZA2026-009 Neighborhood Meeting

Date: Friday, May 22, 2026 Location: St. Martin Lutheran Church 13849 Hollingsworth Rd, Kansas City, KS 66109

Printed Name	Address	Signature
1 Matt Mackeprang	2420 N. 131 st St KC, KS 66109	Matt Mackeprang
2 Michelle Mackeprang	2420 N. 131 st St KC, KS 66109	Michelle Mackeprang
3 Beaucy Ike	8723 N. 101 st Ter KC, KS 66107	Ike Beaucy
4 Madison Mackeprang	2123 N. 101 st Ter KC, KS 66109	Madison Mackeprang
5 Kyle Redelhouse	2400 N. 131 st St, KC, KS 66109	Kyle Redelhouse
6 Mandy Hernandez	3620 N. 131 st St KC, KS 66109	Mandy Hernandez
7 Sofia Gustaf	2430 N. 131 st St KC, KS 66109	Sofia Gustaf
8 Megan Palmer	2600 N. 131 st St KC, KS 66109	Megan Palmer
9 NEAL PALMER	" " " "	Neal Palmer
10 ELSA MACKEPANG	7016 W 92nd St. OKC 73122	Elsa Mackeprang
11 Joseph Duffey	" "	Joseph Duffey
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WHEREAS, Rolyn F. Frisch and Catherine F. Frisch, his wife, are the owners of the following described tract of land (and other property), situated in Wyandotte County, Kansas, lying West of 131st Street;

Beginning at a point 208 feet North of the Southeast corner of the Northeast quarter of the Southeast quarter of Section 31, Township 10, Range 23; thence North 50 feet; thence West 438.84 feet; thence South 50 feet; thence East 438.84 feet to the point of beginning;

AND, WHEREAS, Rolyn F. Frisch and Catherine F. Frisch intend to establish and dedicate a public road over and upon said strip of land at a date sometime in the future;

AND, WHEREAS, the said Rolyn F. Frisch and Catherine F. Frisch, his wife, will sell to Farmer, Inc., a Kansas corporation, the following described property:

A tract of land in the Southeast quarter of Section 31, Township 10, Range 23, Wyandotte County, Kansas, described as follows: Beginning at a point 229.42 feet West of the Southeast corner of the Northeast quarter of the Southeast quarter of said Section 31; thence West a distance of 209.42 feet; thence North a distance of 208 feet; thence East a distance of 209.42 feet; thence South a distance of 208 feet to the point of beginning.

NOW, THEREFORE, Rolyn F. Frisch and Catherine F. Frisch, his wife, hereby grants unto Farmer, Inc. an easement for ingress and egress over the aforementioned 50 foot strip of land to and from the tract of land conveyed to Farmer, Inc., until such time that a public road is dedicated and/or accepted by the proper governing authority of Wyandotte County, Kansas, or any municipal corporation of Wyandotte County, Kansas, at which time said easement will terminate.

IN WITNESS WHEREOF, we have hereunto set our hands this 17th day of August, 1972.

Rolyn F. Frisch
Rolyn F. Frisch

Catherine F. Frisch
Catherine F. Frisch

STATE OF KANSAS, COUNTY OF WYANDOTTE, SS:

Be it remembered that on this 17th day of August, 1972, before me, the undersigned, Notary Public, in and for the County and State aforesaid, came Rolyn F. Frisch and Catherine F. Frisch, his wife, who are personally known to me to be the same persons who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

James
NOTARY PUBLIC
My commission expires:
25, 1972
WYANDOTTE CO., KANSAS

James H. Hamilton
Notary Public
1972 AUG 25 AM 10 32.3

300
BY Betty
DEP.

7/7
5231-10-23-1
782118







February 17, 2026

Hand Delivered

Mr. Byron Toy
Lead Planner
UG Department of Planning and Urban Design
City Hall
701 N. 7th St., Suite 423
Kansas City, KS 66101

RE: COZ2025-031 and PLAT2025-034 — 2406 N. 131st St.

Dear Mr. Toy:

The above-referenced applications were scheduled for public hearing on February 9, 2026. As you are aware, on February 6th and again on February 9th, we submitted letters to the Commissioners via the department to brief them in more detail on specific concerns we had intended to present at the hearing.

At 4:15 p.m. on February 9, we received notice from Ms. Rose Morris that the case would be held over 'to further research possible issues that were brought up.' Upon further inquiry, we were informed that the applicant had been contacted and that the hearing would be rescheduled to March 9th. She did not indicate whether this postponement was initiated by staff or requested by the applicant.

Several neighbors have also raised significant concerns about the proposed subdivision. As the property owners closest to the subject parcel, we are being asked by them what the next steps will be. On everyone's behalf, we respectfully request a meeting at your convenience to discuss our shared concerns and to clarify the following:

1. In preparing for the forthcoming hearing, we would appreciate clarification on whether the materials we submitted were shared in whole or in part with the applicant, and whether any additional letters of support or opposition have been received and are available for review.
2. Whether staff is in agreement with our analysis of the applicable code provisions and the parcel's existing non-conforming physical conditions. Based on those conditions and the prescriptive standards, we do not see how the proposed subdivision can be configured in a manner that satisfies the code, and we would appreciate clarification on how compliance was evaluated in forming the recommendation for approval.
3. The deadline for applicant revisions. Based on the 2025–2026 Submittal Deadline Calendar, it appears to be Noon on **February 23rd**.

We also request that any revisions submitted by the applicant be e-mailed to us upon receipt by the department. This will help ensure equitable time for review and may avoid the need for an additional holdover.

Should the applicant submit significant changes, a second neighborhood meeting may be necessary to ensure proper public engagement.

Because no public hearing occurred on February 9, the notice provisions of UG Code **Sec. 27-203** would appear to remain in effect, including:

- Written notice by the UG to all property owners of record within 200 feet; and
- Posting of the required notice sign by the applicant no later than **February 17th**.

We appreciate your consideration of this inquiry and your diligence in ensuring consistent application of the codes governing the existing constraints of this parcel. We look forward to meeting with you to review these issues and to better understand the UG's position regarding this proposed subdivision.

Please advise what dates and times work best for your schedule in the next few days. If any additional information is needed, please let us know.

Sincerely,



Neal Palmer

2600 N. 131st St.

haskellfarms@outlook.com

913-300-0701



Kyle Rodenhouse

2400 N. 131st St.

kyle.rodenhouse@yahoo.com

620-794-7059

cc: Jeff Carson, Chairman — City Planning Commission
Dan Trent, Esq.

Fw: Written Opposition to Rezoning Application COZ 2025-031

From Morris, Rose <rmorris@wycokck.org>
Date Mon 2/9/2026 9:51 AM
To Board of Zoning Appeals/City Planning Commission
<boardofzoningappealscityplanningcommission@wycokck.onmicrosoft.com>
Cc Toy, Byron <btoy@wycokck.org>; Espinoza, Osiris N <oespinoza@wycokck.org>; Lucas, Rodney D
<rdlucas@wycokck.org>; Mongil, Mari <mmongil@wycokck.org>

 9 attachments (2 MB)

COZ 2025-031 - Rodenhouse Opposition.pdf; 1 - Only Access Point.pdf; 3 - Concerning Impacts Aerial Map.pdf; 2 - Concerning Impacts Aerial Map.pdf; 4 - Concerning Impacts Aerial Map.pdf; IMG_2419.jpg; IMG_0957.jpg; IMG_8071.jpg; IMG_0034.jpg;

Forwarding a letter in opposition for COZ2025-031.

Rose Morris

Professional Assistant

913.573.5764

rmorris@wycokck.org



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

From: Jenna Rodenhouse <jnrodenhouse@gmail.com>
Sent: Friday, February 6, 2026 8:57 AM
To: Morris, Rose <rmorris@wycokck.org>
Cc: Kyle Rodenhouse <kyle.rodenhouse@yahoo.com>
Subject: Written Opposition to Rezoning Application COZ 2025-031

You don't often get email from jnrodenhouse@gmail.com. [Learn why this is important](#)

Good morning Rose,

Below you will see a letter along with 9 attachments that I would like forwarded to the CPC Commissioners for their review, please. This is regarding COZ 2025-031, which is on the agenda for Monday's meeting (2/9). I would greatly appreciate if you could make sure this gets sent out early today, as I would really like for them to be able to review prior to Monday's meeting. Please confirm when this message (along with the attachments) has been sent. I might have a brief PowerPoint presentation to send to you on Monday as well, that I plan to show at the meeting.

I really appreciate all of your help with this! Please let me know if you have any questions or need anything else from me in the meantime.

Jenna Rodenhouse

February 6, 2026

Subject: Written Opposition to Rezoning Application COZ 2025-031

Dear Planning & Urban Design Members,

We are writing to formally oppose Rezoning Application COZ 2025-031.

My husband and I live at 2400 N 131st Street with our two young children, ages one and three. We chose our home and this neighborhood intentionally, relying on the long-standing agricultural zoning behind our property to provide a buffer of space, limited traffic, and a safe environment for raising a family.

Originally, when our current property was listed by the former owner, the home, outbuildings, and approximately 36 acres of agricultural land were offered together as a single listing for over \$1 million. The property remained on the market for a significant period of time. Eventually, the listing was divided into three parcels: the home and detached garage on approximately 0.5 acres, the outbuildings on approximately 1.5 acres, and the remaining 36 acres of agricultural land.

We purchased two of those three parcels, the home and the additional outbuildings and acreage, and fell in love with the property and the setting. The remaining agricultural land remained on the market for an extended period, and it was consistently conveyed to us that, due to the configuration of the land and the shared easement, the agricultural parcel was not suitable for development. This understanding materially informed our decision to purchase and invest in this property.

Eventually, the agricultural land was sold, and the same family later purchased the neighboring house that shares the easement with us. Since that time, we have been respectful and cooperative neighbors, and the shared easement has functioned without issue. Although we were loosely told that the intent was to build houses for family members, we were never approached with plan details or invited into a conversation about how this proposal would impact our family, our property, or the shared easement. There was no effort to discuss possible alternatives or ways to lessen the burden this rezoning would place on existing neighbors prior to the neighborhood meeting.

This proposal is not simply about building houses. It represents a fundamental change to agricultural land by introducing multiple residential zoning districts and placing subdivision-level development directly behind existing family homes — all accessed through a single shared easement (**See Attachment 1**).

Our opposition is not based on the number of houses proposed. Whether this application were for one house or for many, the fundamental issues of access, safety, and compatibility created by placing development behind existing homes through a single shared easement would remain.

That easement runs the entire length of our backyard (**See Attachment 2**). It was never designed, engineered, or reviewed to function as subdivision access for multiple houses, daily traffic, service vehicles, and construction equipment. Today, it is used by our family and sits immediately adjacent to where our children play (**See Photos**).

Rezoning would permanently intensify its use and introduce years of heavy construction activity followed by permanent daily traffic. This creates a level of risk that did not exist under agricultural zoning and cannot be mitigated by conditions or signage.

From a professional standpoint, my husband works in pavement management and roadway construction and understands firsthand how developments of this nature function. Creating a roadway and cul-de-sac involves excavation, grading, heavy truck traffic, staging areas, concrete pours, and repeated mobilization of large equipment. This activity would occur directly behind and next to our home, along infrastructure that was designed for agricultural or very low-density residential use — not permanent subdivision-level intensity (**See Attachments 1 and 2**).

Rezoning is inappropriate when infrastructure must be retrofitted through private agreements instead of meeting public design standards. The Piper Annex planning framework establishes expectations for low-density development supported by infrastructure scaled to rural use. Rezoning agricultural land to support subdivision-level traffic conflicts with those assumptions and places permanent strain on infrastructure that was never designed for that level of intensity. Once zoning is changed, those access limitations do not go away — they become permanent conditions residents are forced to live with.

Land-use decisions must consider the safety of children, including access routes to schools and residential play areas. This proposal raises serious concerns not only for our backyard, but for the broader neighborhood. At the corner of our street, at 131st Street and Leavenworth Road, is Piper High School (**See Attachment 3**). Students drive, walk, and bike along narrow 131st Street every day. In front of our home, and the proposed rezoning area, is additional agricultural land already under consideration for major data center development. When these projects are viewed together, the cumulative impact threatens to transform a quiet residential street into a high-traffic corridor, increasing congestion and jeopardizing the safety of students and residents alike.

We are also concerned about the long-term consequences of this decision. Rezoning outlives the applicant. Once this land is rezoned and access is established, future ownership and use are no longer predictable. This is not just about five houses today — it opens the door to intensified traffic, increased congestion, and the gradual conversion of a residential street into a through-route, without any demonstrated public benefit (**See Attachment 4**).

Our family chose to live in Piper because of its rural character, limited traffic, and sense of safety for children. Many houses along our street have been occupied by the same families for forty to fifty years. We are only the second owners of our home, which was built in the 1960s. Approving this rezoning would undermine those long-standing expectations and set a precedent for further erosion of agricultural land and rural character in our community.

For these reasons, we respectfully request that the Planning Commission **deny Rezoning Application COZ 2025-031** and prioritize safety, compatibility, sound infrastructure planning, and the long-term integrity of our neighborhood. We strongly encourage the Commission to visit the area prior to the public hearing, including the shared easement, to see firsthand why this proposed change of zoning is inappropriate here. Our family is often home and would be willing to answer questions if helpful.

Thank you for your time and consideration.

Sincerely,

Jenna Rodenhouse, 913-645-9128

Kyle Rodenhouse, 620-794-7059

2400 N 131st Street

Kansas City (Piper), Kansas

February 6, 2026

Subject: Written Opposition to Rezoning Application COZ 2025-031

Dear Planning & Urban Design Members,

We are writing to formally oppose Rezoning Application COZ 2025-031.

My husband and I live at 2400 N 131st Street with our two young children, ages one and three. We chose our home and this neighborhood intentionally, relying on the long-standing agricultural zoning behind our property to provide a buffer of space, limited traffic, and a safe environment for raising a family.

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Thank you for your time and consideration.

Sincerely,

Jenna Rodenhouse, 913-645-9128

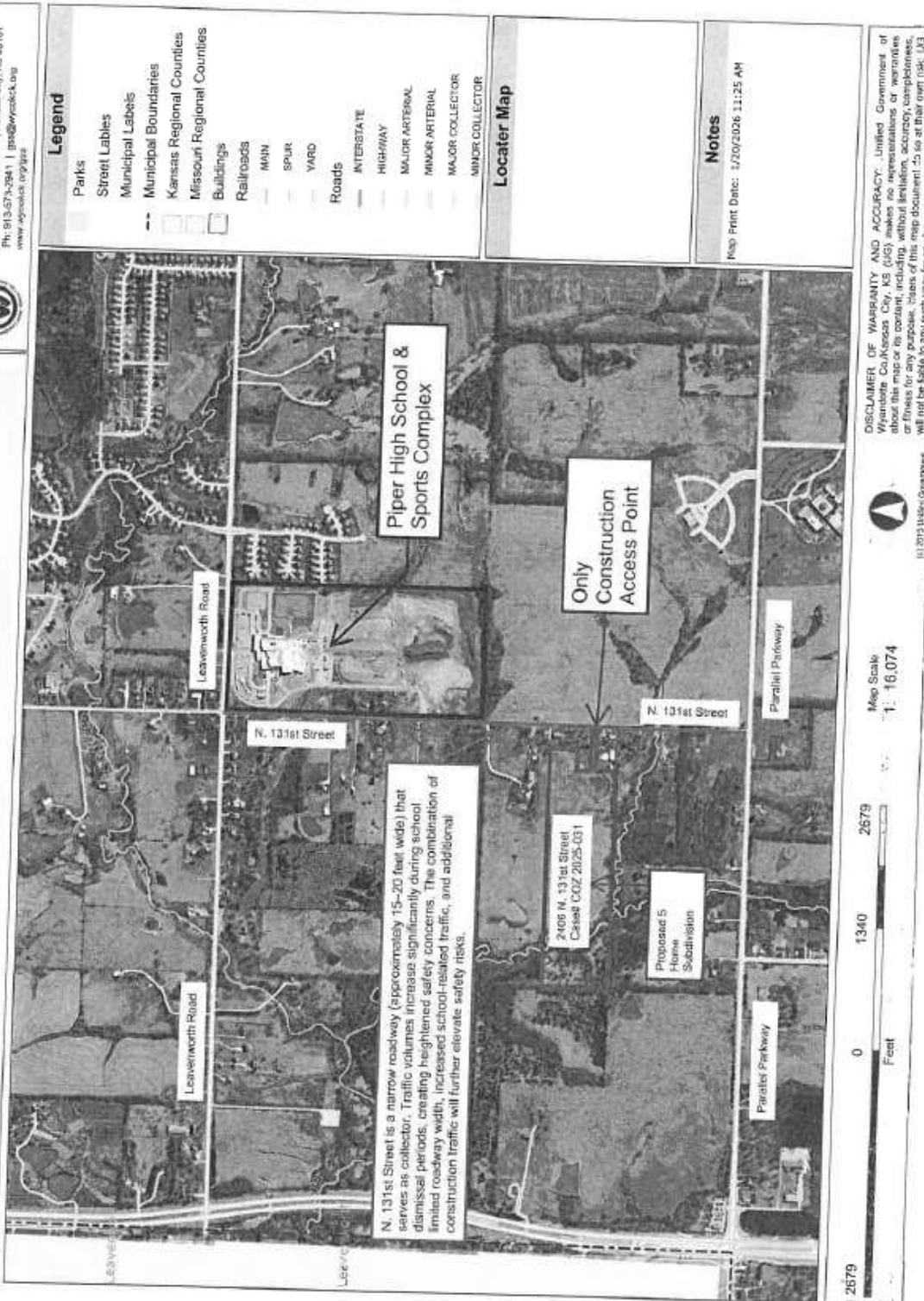
Kyle Rodenhouse, 620-794-7059

2400 N 131st Street

Kansas City (Piper), Kansas

Case# COZ 2025-031 - Concerning Impacts

GeoSpatial Services
710 N 7th St, Suite 200 | Topeka, KS 66601
PH: 913-573-2941 | gsp@wysick.org
www.gspwysick.org



Case# COZ 2025-031 - Concerning Impacts

GeoSpatial Services
 710 N 7th St, Suite 200 | Kansas City, MO 66101
 Ph: 813-373-2941 | gs@geospatial.org
www.geospatial.org



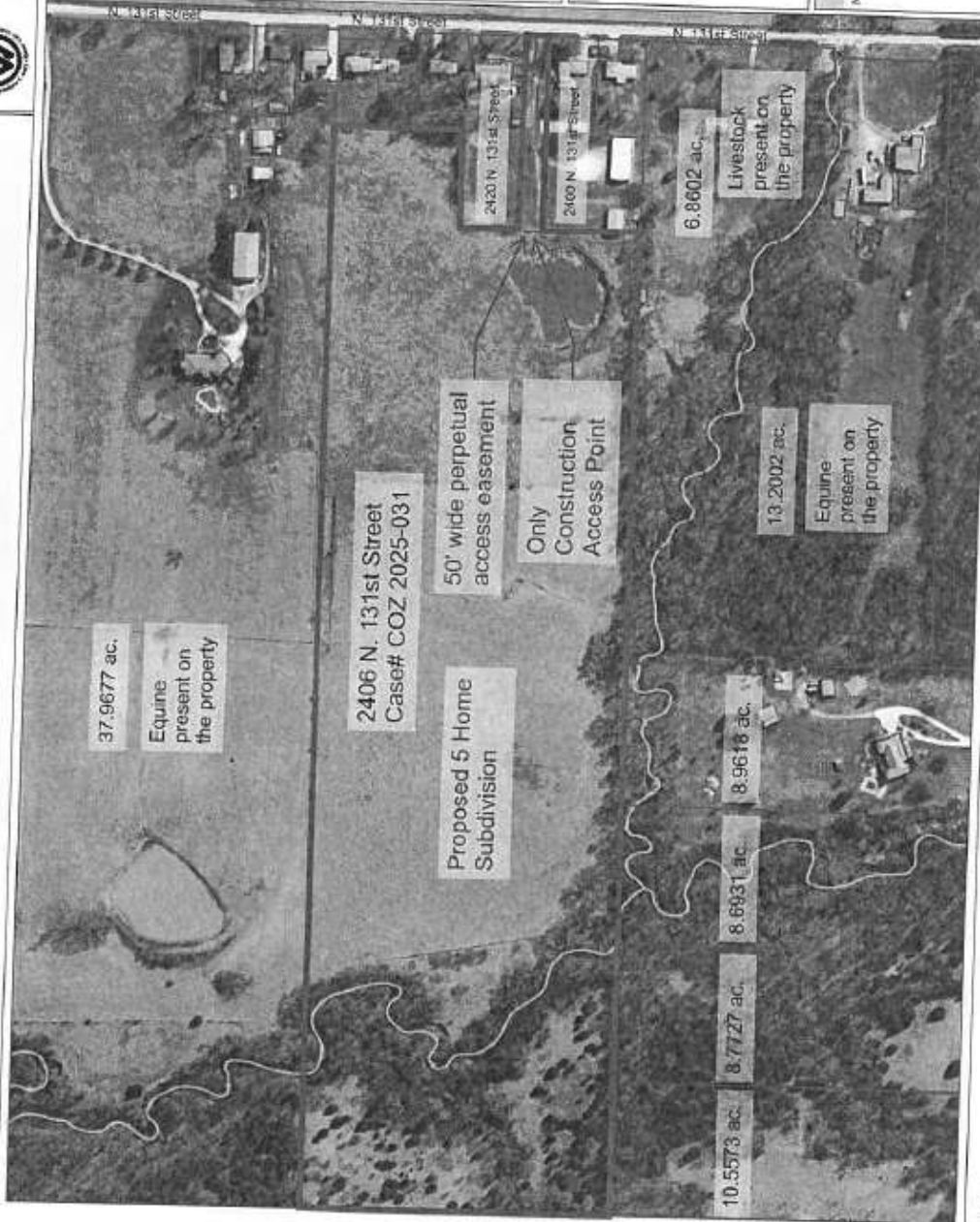
Legend

- Parks
- Street Labels
- Municipal Labels
- Municipal Boundaries
- Kansas Regional Counties
- Missouri Regional Counties
- Buildings
- Railroads
- MAIN
- SPUR
- YARD
- Roads
- INTERSTATE
- HIGHWAY
- MAJOR ARTERIAL
- MINOR ARTERIAL
- MAJOR COLLECTOR
- MINOR COLLECTOR

Locator Map

Notes

Map Print Date: 1/20/2026 7:53 AM

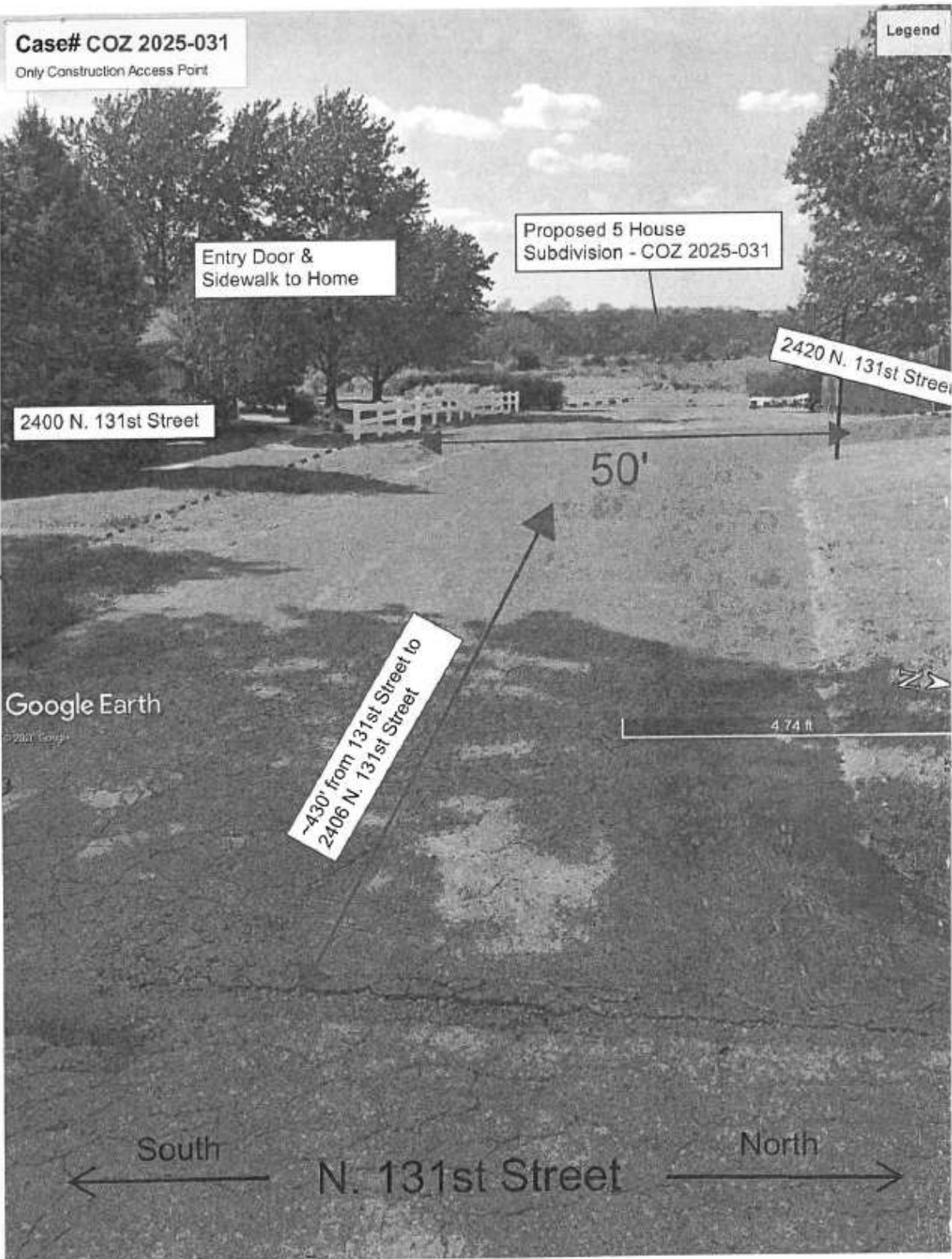


Map Scale
 1: 4,019



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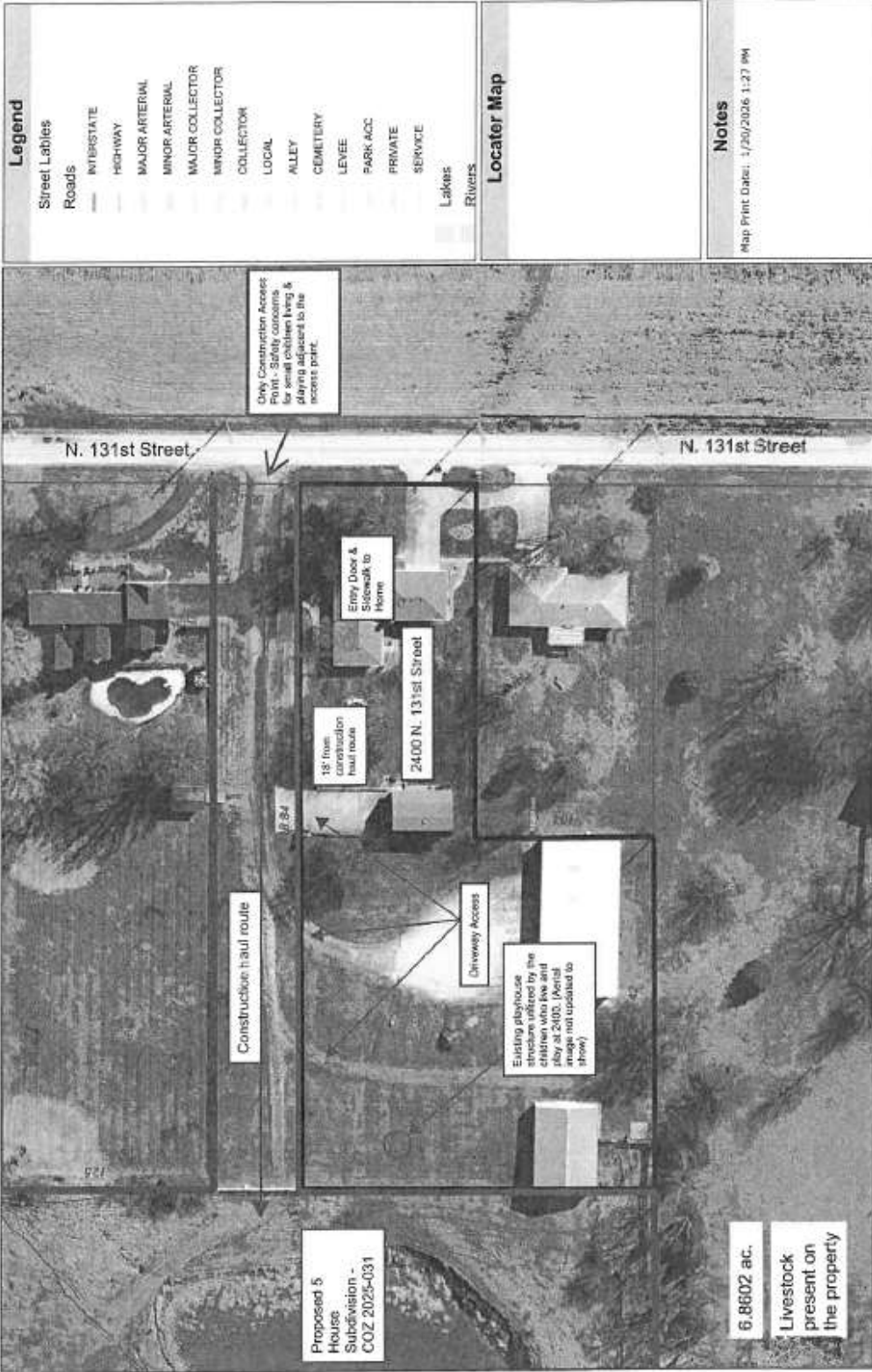
AS 2013 Public Government



Case# COZ 2025-031 - Concerning Impacts

GeoSpatial Services

710 N 7th St, Suite 201 | Kansas City, KS 66101
 Ph: 913-573-2541 | info@weyck.com
 www.weyck.com



167 0 84 167 Feet

Map Scale
 1" = 1,005'

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April 13, 2026

Re: Change of Zone Petition COZ2025-031 and Preliminary Plat (PLAT2025-041) – Our responses to the staff is as follows:

Dear Planning & Urban Design Members,

As the property owner at 2400 N 131st Street, immediately neighboring the proposed change of zone and subdivision, I have diligently reviewed and commented on the items listed in the staff report that was released the evening of 4/10/26. It is critical that you review this application in its entirety, as with anything, there is more nuance and impact to this proposal than the preliminary plans reveal. Rezoning decisions ultimately hinge on whether there is a clear public benefit that outweighs the impacts imposed on surrounding properties. In this case, that balance does not exist. This proposal does not improve infrastructure, connectivity, or safety for the surrounding community, nor does it provide a meaningful community benefit. Instead, it introduces prolonged construction activity, concentrated traffic, and permanent changes to our home. When the public benefit is minimal, as even staff acknowledges, it becomes difficult to justify imposing real and lasting impacts on neighboring families. Approval in this instance would shift the burden onto existing residents without delivering a corresponding benefit to the broader community.

As noted in staff report:

1. *The Character of the Neighborhood.*

COZ2025-031 and Preliminary Plat (PLAT2025-041)

April 13, 2026

3

The subject property is located within the Prairie-Piper Statistical Neighborhood and Block Group #0448032. The neighborhood consists of large lot single-family homes with some smaller single-family lots along North 131st Street. North 131st Street is accessed by Parallel Parkway located to the south of the property and Leavenworth Road to the north of the subject property.

Concerning impact: Yes, and those homes have frontage and separation, not rear-loaded access behind existing residences.

As noted in staff report:

Noise or Disturbance Complaints:

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

Concerning impact: The lack of complaints reflects the current low-intensity use of the shared easement. Under this proposal, that same recorded and deeded easement (2400 N 131st Street Roadway Easement – 782418, Book 2346, Page 295) would function as a roadway, introducing increased traffic and creating new safety concerns for our children.

As noted in staff report:

2. ***The zoning and uses of properties nearby and the proposed use's expected compatibility with them.***

The zoning and uses of properties nearby are set out above. The proposed use, single-family homes, is compatible with the adjacent uses as there are large lot single-family homes along North 131st Street.

Concerning impact: Regarding potential impacts, compatibility should be evaluated not only by the type of development proposed, but also by how it functions. Unlike surrounding properties, no other homes are accessed behind existing residences, nor do they rely on a shared private easement serving as a subdivision road. This represents a fundamentally different development pattern.

As noted in staff report:

3. ***The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions detrimentally affect nearby property?***

The property is suitable for uses to which it has been restricted as A-G (WYCO) Agriculture District allows large agricultural, farming activities and single-family homes. Removal of these restrictions for R-1 Single Family District and R Rural Residential District will not detrimentally affect nearby property as R-1 uses by-right are more restrictive than A-G (WYCO) Agriculture District.

Concerning impact: This conclusion does not adequately consider the actual physical layout and proximity of this proposed development. The placement of the roadway within feet of our backdoor effectively converts backyard areas into traffic corridors, introducing safety concerns particularly for our young children that do not exist prior to an approval, and materially altering the functional use and character of our property.

As noted in staff report:

5. ***The extent to which the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property.***

The proposed development will provide housing that is reasonably necessary for the convenience and welfare of the public. Developing this land will not substantially injure the visual quality or marketability of nearby property as it will be built to UG standards and design guidelines, but it would convert an open, vacant agricultural field into a small, single-family subdivision.

Concerning impact: the conclusion appears to be largely assumptive and is not supported by substantive data or analysis. It does not account for key functional impacts, including the conversion of a shared private easement into a roadway whether private or public, the introduction of traffic behind existing homes, and the resulting loss of privacy. Additionally, properties that effectively function as corner lots due to rear traffic exposure may experience diminished desirability and marketability. Collectively, these factors have the potential to adversely affect the use, enjoyment, and value of our property and other nearby properties.

As noted in staff report:

6. ***The extent to which the proposed use would increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems.***

The proposed development of five (5) single-family homes will not increase traffic along North 131 Street to a degree that will adversely affect the road capacity, safety, or create parking problems.

Concerning impact: Does not include analysis of construction traffic or its impacts on our property, including long-term construction activity that would occur over several years, not days. It also fails to address the effects of a single access point, which would concentrate traffic directly behind our home and within feet of our back door. Additionally, the report does not adequately consider the immediate adjacency to our backyard or the resulting impacts to nearby homes. Safety concerns related to our young children are not addressed, despite traffic being introduced in such close proximity to our residence. Further, there is no evaluation of existing Piper High School traffic or how it may compound congestion and safety risks. Collectively, these omissions fail to account for the real and prolonged impacts of concentrated access, extended construction activity, and increased traffic directly adjacent to our property.

As noted in staff report:

7. *The degree of conformance of the proposed use to the Master Plan.*

The proposed use does conform to the Prairie Delaware Piper Area Plan from the standpoint of its land use designation, Planned Mixed Residential District, which allows, a variety of residential densities and unit types. These areas could be developed with patio (zero lot line) homes, townhouses, condominiums, garden apartments, housing for seniors, and other multifamily uses.

Concerning impact: The land use designation allows for a range of residential types, but that alone does not justify this specific layout. Conformance with a broad category does not ensure compatibility in site design or access configuration.

As noted in staff report:

12. *The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners is minimal. If this application is denied, the owners will still have property that is able to be developed, however, not in the intensity they originally sought to redevelop it as or keep as either agricultural or open space.

Concerning impact: Staff acknowledges that the public benefit is minimal. When that is the case, it is difficult to justify imposing permanent impacts on neighboring families, particularly when those impacts affect safety, property use, and daily living conditions.

As noted in staff report:

18. *Whether the subdivision does not encourage premature extension of public services, piece-meal or premature development based upon the location of surrounding development and the availability of public facilities and services.*

The proposed subdivision does encourage premature extension of public services, premature development based upon the location of surrounding development and the availability of public services and facilities. This block along North 131st Street, are rural in nature with large lot single-family homes on septic service being sanitary waste disposal and open ditches for stormwater runoff.

Concerning impact: Staff explicitly states that this proposal encourages premature development. This directly conflicts with a recommendation for approval and confirms that the proposal is inconsistent with surrounding conditions.

As noted in staff report:

Planning and Urban Design Comments:

1. For reference:

- a. *Roadway Easement* – A Roadway Easement was filed in 1972 by then property owners, Rolyn F. and Catherine F. Frisch that provides access to Farmer, Inc. for ingress and egress over a 50-foot strip of land to and from the tract of land conveyed to Farmer, Inc. until such time that a public road is dedicated and/accepted by the property governing authority or Wyandotte County, Kansas.

This parcel in which this proposed subdivision is anticipated has the roadway easement wholly on 2406 North 131st Street (Parcel 959303). The construction of the private road will not eliminate the roadway easement because the easement is not being dedicated as a public road, where the Unified Government has to accept and maintain.

Access through the easement is not being severed. Property owners on the north and south sides of the easement will continue to have access to and from North 131st Street.

Concerning impact: While staff states that access through the easement is not being severed, that does not mean it is not being significantly impacted. The shared easement is recorded on and benefits our property (2400 N 131st Street Roadway Easement – 782418, Book 2346, Page 295) and was established for limited ingress and egress—not as a roadway. Converting it into a traffic corridor fundamentally changes its function, introducing increased traffic and safety concerns directly adjacent to our home. Continued access does not mitigate this significant and detrimental change.

Upon full review, and in conjunction with my wife Jenna Rodenhouse's letter, I respectfully ask that you deny CO22025-031 and PLAT2025-041. I appreciate your thoughtful consideration.

Thank you,

Kyle Rodenhouse (620) 794-7059
Jenna Rodenhouse (913) 645-9128
2400 N 131st Street
Kansas City (Piper), Kansas



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: July 13, 2026

Re: Board of Zoning Appeals Petition BOZA2026-010

GENERAL INFORMATION

Applicant Information:

Jonny Richardson
1922 Matney Avenue
Kansas City, Kansas 66106

Subject Property:

1922 Matney Avenue
Kansas City, Kansas 66106

Requested Action and Purpose:

Approval of a Variance for quantity and exceeding size limit of accessory structures.

Commission Districts:

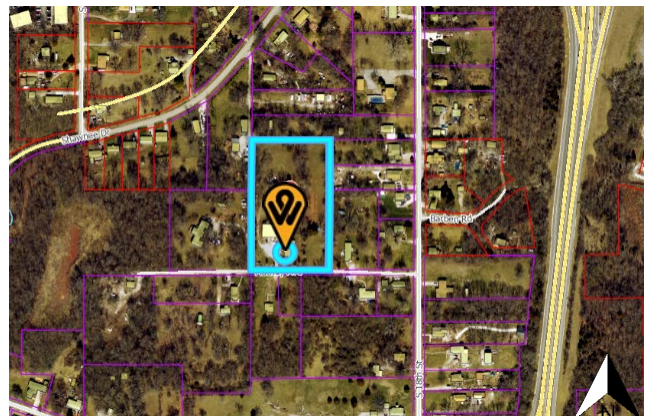
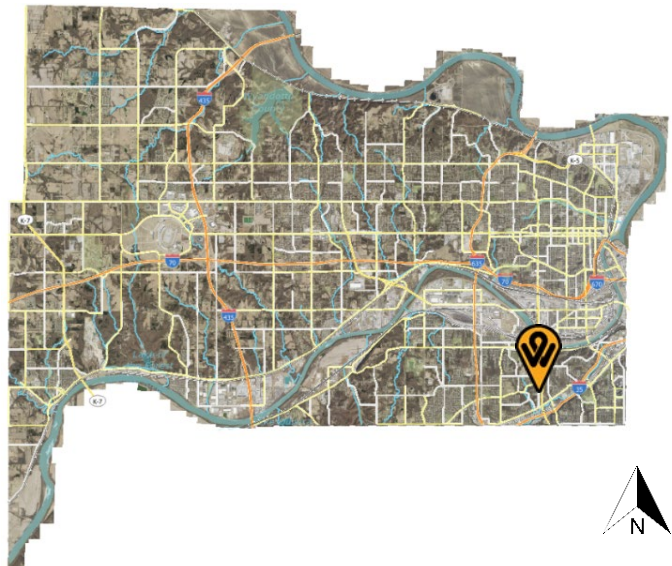
At-Large Commissioner, District #2:
Andrew Kump
District #3 Commissioner:
Christian Ramirez

Existing Zoning District(s):

A-G Agriculture District
(Proposed: R-1 Single Family District)

Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	A-G Agriculture District	Single-family residence
South	R-1 Single Family District	Single-family residence
East	R-1 Single Family District	Single-family residence
West	R-1 Single Family District	Single-family residence

Total Tract Size: 3.63 Acres
2.35 Acres (Proposed)

Neighborhood Characteristics: The subject property is located within the Argentine Statistical Neighborhood and Census Block Group 0434001. The neighborhood consists of single-family residences to the north, east, south, and west of the subject property.

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Low-Density Residential, which allows for single-family, detached residential development on standard lot sizes intended to both support infill within and protect established single-family neighborhoods.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates Matney 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. The Applicant meets the requirement.

Landscaping Requirement: Section 27-700(a) states that one (1) shade tree per dwelling unit is required in the front or corner side yard, and one (1) tree per 7,000 square feet of site area for uses other than residences.

Advertisement: The Wyandotte Echo – May 14, 2026
Letters to Property Owners – May 15, 2026

Public Hearing(s): July 13, 2026

Public Support: None to date.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

1. 18208-00791 – Code-Environment – March 5, 2018 – Completed – Vehicles parked in unpaved surface.
2. From 2007 to 2016 there were three (3) Code-Environments in regards of tall weeds and vehicles parked in unpaved surface.

Outstanding or Related Permit and Cases:

1. COZ2026-009 — Change of Zone from A-G Agriculture to R-1 Single Family District (scheduled to be heard on June 8, 2026).

Previous Planning Actions:

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

PROPOSAL

Detailed Outline of Requested Action: The applicant, Jonny Richardson is requesting the following Variance(s) at 1922 Matney Ave:

This appeal has been filed to grant two (2) variances from Chapter 27 ordinances for the number of accessory structures and size of accessory structure.

Section 27-607(2) states that for any dwelling unit there may be permitted a detached accessory building. The appellant is requesting two (2) detached accessory structures. This is a violation of one (1) additional detached accessory structure.

Section 27-607(2) states that the total area of such detached accessory building shall not exceed 1,000 square feet or cover more than 30 percent of the required rear yard. The appellant is requesting to have a detached accessory structure that is 3,700 square feet. A violation of 2,700 square feet.

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.*

The property is currently zoned A-G Agriculture, but at 3.63 acres, it is a legal non-conforming lot because it does not meet the five-acre minimum required for A-G zoning. With the proposed replat, the lot will be reduced in size, which places it under R-1 Single Family standards. Under R-1 regulations, a property is limited to one (1) accessory structure, yet the site presently contains two (2), and one (1) of the accessory structures exceeds the maximum allowed size of 1,000 square feet.

Although the applicant states that the replat is motivated by a health-related need, the reduction in lot size and the resulting zoning conflicts constitutes a self-created hardship.

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 the adjacent property owners. It will benefit the property owner.

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 zoning ordinance does not create a substantial or unnecessary burden on the property owner. The property is legal non-conforming; by modifying a legal non-conforming property the owner is now subject to the up-to-date city codes. The hardship being claimed results solely from replating, not from the ordinance itself.

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

Granting this variance would adversely affect public morals, order, convenience, prosperity, and general welfare. The hardship was imposed by the applicant.

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

Granting this variance would be inconsistent with Section 27-607(2) and approving this request would not align with the established residential codes.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Teams on May 21, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Number of accessory structures

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. What are the accessory structures used for?

Applicants Response: The accessory structures are used for personal storage.

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

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Zoning Appeals **APPROVE** Case **BOZA2026-010** 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 **PLAT2026-020** and **COZ2026-009**. 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(s) **PLAT2026-020** and **COZ2026-009** by the Unified Government Board of Commissioners and upon any ordinance publications required by law;
2. 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; 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. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by

the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Five (5) Criteria Set by State Statute
Neighborhood Meeting Affidavit
Neighborhood Meeting Minutes
Preliminary Plat
Images of the Subject Property Submitted by the Applicant

PUBLIC HEARING SCHEDULE

Action(s)	Board of Zoning Appeals
Variance	July 13, 2026

STAFF CONTACT:

Osiris Nuñez Espinoza, Planner
Oespinoza@wycokck.org

MOTIONS

I move the Board of Zoning Appeals **APPROVE** Case **BOZA2026-010** 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:

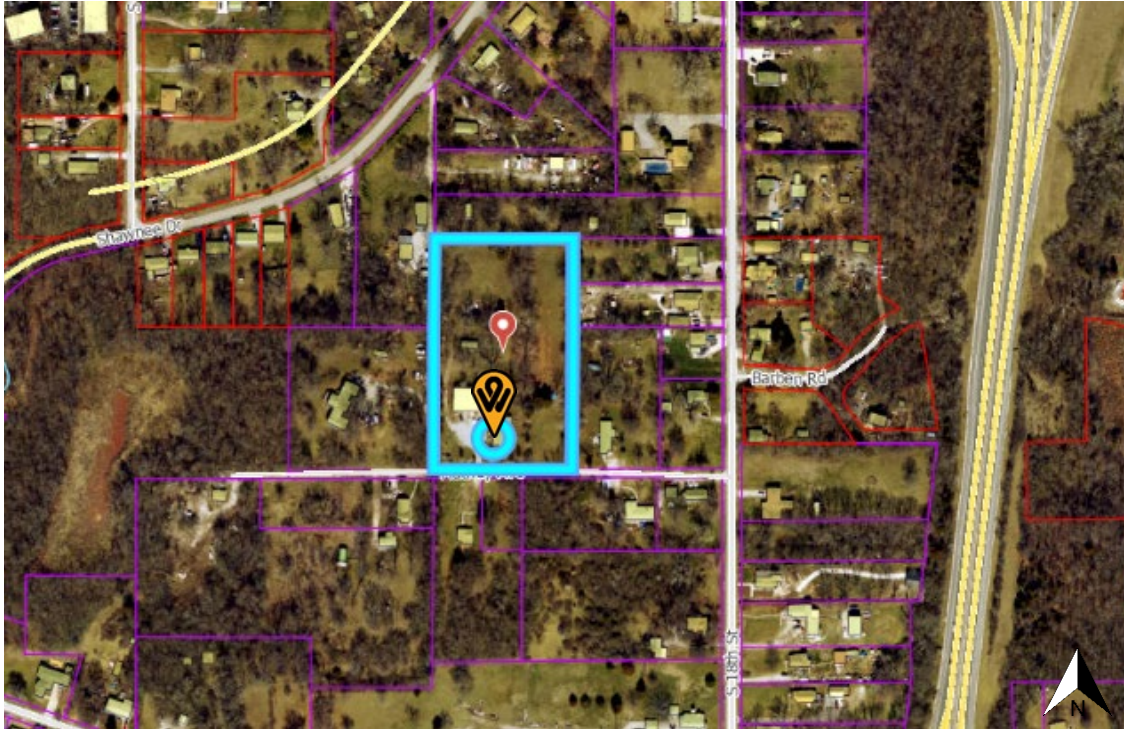
1. _____;
2. _____; And
3. _____.

OR

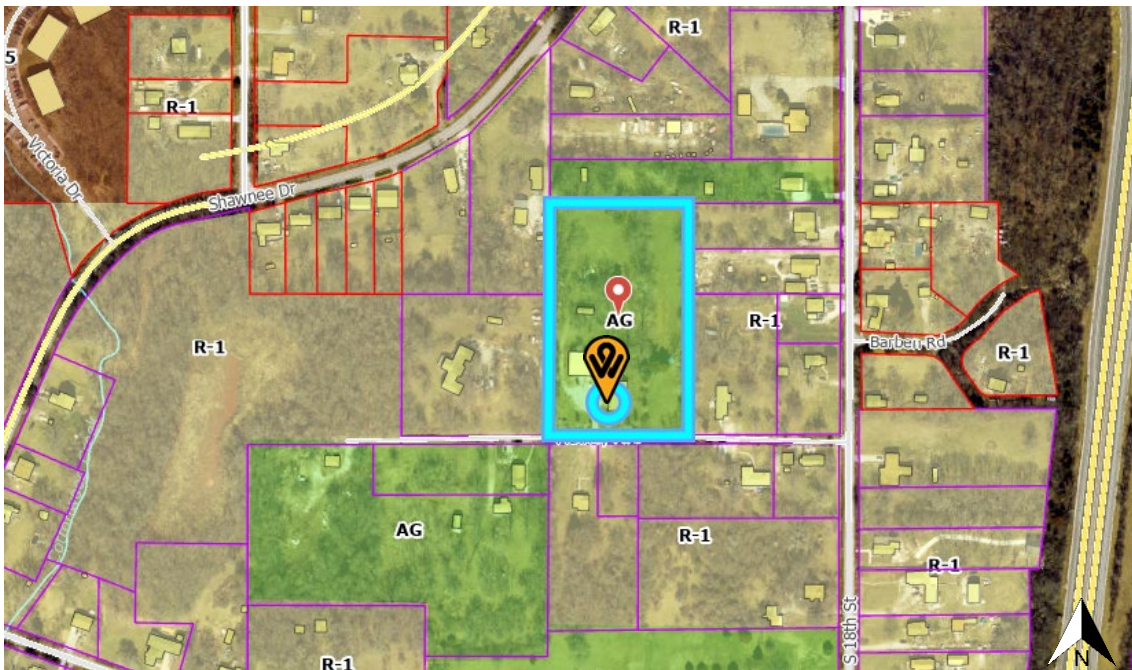
I move the Board of Zoning Appeals **DENY** Case **BOZA2026-010**, as it is not in compliance with the City Ordinances as it will not promote the health, safety and general welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

ATTACHMENTS

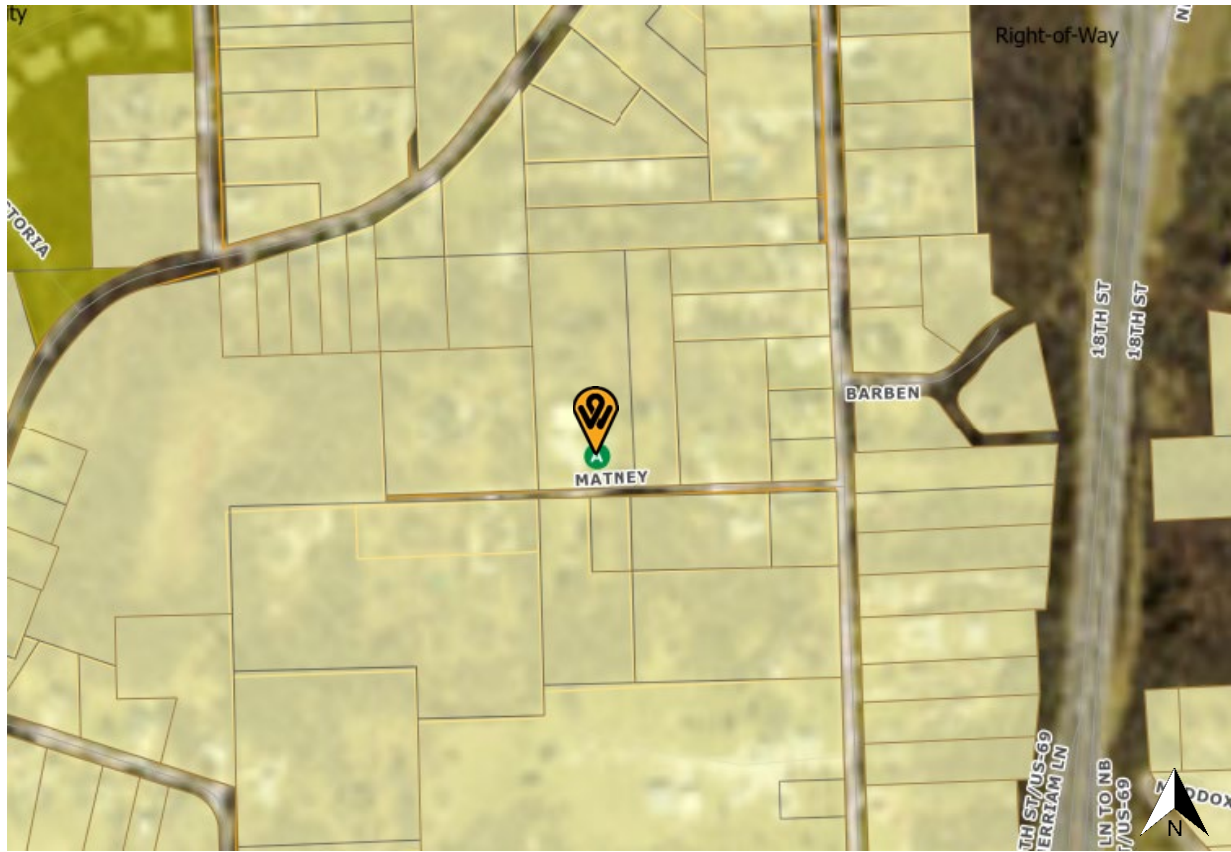
AERIAL IMAGERY



ZONING MAP



LAND USE MAP



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.

The property is currently zoned as AG, even though it is less than five-acres.

The property owner needs to rezone the tract to the R-1 zoning district in order to sell a portion of the land to the neighbor. This will further reduce the lot size. However, the buildings (one is approximately 2,400sf and the other is 450sf) have been on the property since at least the year 2000. The property is comparable in size to many rural properties and has been used as such for at least the last two decades - including the outbuildings.

2

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

Allow the buildings to remain as they are will in no way harm neighboring property owners. The structures are in the middle of the lot and do not encroach upon any building setback lines. Further, they have been in existence for nearly three decades and are typical of a large lot.

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 granting the variance will result in the property owner not being able to divide the land, and/or will result in the buildings being demolished which is not in the best interest of the County or the Property owner.
4	The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare. The public health and safety will in no way be adversely impacted
5	The granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance. Granting the variance will allow for two outbuildings to remain in their current configuration on a parcel of land that is greater than two acres in size. This will not violate the spirit of the zoning code.
End of Application Please review again to ensure all applicable fields are completed. <u>Any incomplete or insufficient fields may result in your application not being processed, per Section 27-198.</u> See other required materials and information in the remaining pages of this packet.	

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Leavenworth)

Comes now Krystal A. Voth, of lawful age, sound mind and upon his/her oath states as follows:

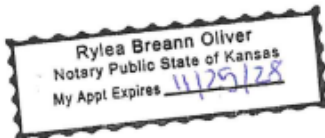
1. That I am the petitioner for Petition # COZ2026-009 & BOZA2026-010.
2. That I conducted a neighborhood meeting on 5/21/2026.
3. The notice to nearby property owners was sent on 5/7/2026.
4. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

MAVOK
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 28th day of may, 20 26.

My commission expires 25th of november, 20 26.



Rylea Breann Oliver
Notary Public

NHM Minutes for BOZA2026-010 & COS2026-009 1922 Matney

May 21, 2026

6:00Pm-6:30PM

TEAMS Meeting

<https://teams.live.com/meet/9399045978663?p=GFJVhyEnNIdfVzmzZE>

In attendance: Krystal Voth – Atlas Land Consulting

Applicant: Jonny Reynolds and Terry Bond

Members of the public; None







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: July 13, 2026

Re: Board of Zoning Appeals Petition BOZA2026-011

GENERAL INFORMATION

Applicant Information:

Randolph Dodson
2535 Grandview Boulevard
Kansas City, Kansas 66102

Subject Property:

2535 Grandview Boulevard
Kansas City, Kansas 66102

Requested Action and Purpose:

Approval of a Variance for an existing carport that projects into the front and side yard setback.

Commission Districts:

At-Large Commissioner, District #2:
Andrew Kump
District #2 Commissioner:
William Burns

Existing Zoning District(s):

R-1(B) Single Family District

Plan Area:

Central Area Master Plan



	Adjacent Zoning	Adjacent Uses
North	R-1(B) Single Family District	Single family residence
South	R-1(B) Single Family District	Single family residence
East	R-1(B) Single Family District	Single family residence
West	R-1(B) Single Family District	Single family residence

Total Tract Size: 0.79 Acre

Neighborhood Characteristics: The subject property is located within the Kensington Statistical Neighborhood, Wyandotte Countians Against Crime (WCAC) Neighborhood Group, and Census Block Group 0422001. The neighborhood consists of single-family residences to the north, east, south, and west of the subject property.

Comprehensive Plan Designation: The Central Area Plan designates the subject property Urban Density, which allows keeping the residential character of the area instead of the commercial/industrial development opposed by residents. The intersection of 7th and Central is identified as “Community Commercial”, ensuring the development of that site will build off the success of the adjacent corridor.

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

Parking Requirement: Section 27-455(d) states that two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling. The Applicant meets the requirement.

Landscaping Requirement: Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner side yard, and one (1) tree per 7,000 square feet of site area for uses other than residences. This will vary for each parcel and tract of land.

Advertisement: The Wyandotte Echo – May 14, 2026
Letters to Property Owners – May 15, 2026
and May 29, 2026

Public Hearing(s): July 13, 2026

Public Support: None to date.

Public Opposition: None to date.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

1. STR25-0242 – Structural – March 21, 2025 – Extension Granted – Carport in front of the dwelling.
2. BSR25-0056 – Stop Work Order – March 21, 2025 – Pending – Carport in front of the property
3. 19205-00163 – Code-Environment – May 14, 2019 – Completed – Trash in front of the property.

Outstanding or Related Permit and Cases:

1. RES25-0169 – Residential – April 11, 2025 – Revise and Re-Submit
2. BSR25-0056 – Stop Work Order – March 21, 2025 – Pending – Carport in front of the property

Previous Planning Actions:

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

PROPOSAL

Detailed Outline of Requested Action: The applicant, Randolph Dodson, is requesting the following Variance at 2535 Grandview Boulevard Kanas City, Kansas 66102:

This appeal has been filed for an existing carport that projects into the front yard setback. Section 27-454(d)(2)(a) requires a minimum front yard setback from property line not less than 25 feet. The proposed deck is 7.7 feet from the front yard property line, a violation of 17.3 feet.

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.

The applicant explains that the driveway serves as the primary entrance to the home. Due to the applicant's disability, harsh weather conditions, such as snow and ice make it difficult for the applicant to enter and exit the property. The carport was added to help reduce these challenges.

While the applicant's circumstances are understood, the structure was installed before obtaining the required permits. As a result, the hardship was created by the applicant's own actions.

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

Granting the permit will not adversely affect the rights of adjacent property owners or residents, however, this is a hardship that the property owner imposed on themselves.

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 zoning ordinance does not create a substantial or unnecessary burden on the property owner. The applicant constructed the carport without obtaining the required permits. The hardship being claimed results solely from the unpermitted deck construction, not from the ordinance itself.

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

Granting this variance would adversely affect public morals, order, convenience, prosperity, and general welfare. The hardship was imposed by the applicant.

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

Granting this variance would be inconsistent with Section 27-454(d)(2)(a) and approving this request would not align with the established residential codes.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on June 22, 2026. 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. Why was the carport added?

Applicant Response: The carport was added to aid Mr. Dodson in safely entering and exiting his residence. The driveway is sloped and serves as his primary access point to his home. Mr. Dodson has been disabled since age 55 with chronic degenerative disc disease of the lumbar spine. Snow and ice accumulate on the slope and pose a risk of slipping on the driveway, and the carport was built to shield the driveway from these conditions.

2. Why did the applicant not obtain a building permit for the carport?

Applicant Response: Mr. Dodson hired a contractor, Hogan Matson of Curb appeal Heroes LLC, to build the structure. Mr. Matson advised that because the structure qualified as an awning, there would be no permit required. Mr. Dodson relied on Mr. Matson's representations in proceeding without a permit.

3. When did construction begin and conclude for the carport?

Applicant Response: Construction began on or around March 15, 2025, was completed the same day it began.

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

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Zoning Appeals **DENY** case **BOZA2026-011** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. This variance does not meet Statutory Requirement #1. The variance for setbacks is not a condition unique to the property and the Applicant's actions created the need for the variance by constructing a carport onto the residence without first obtaining a Variance, then obtaining a building permit from the Building Inspection Division; and,
2. This variance 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 consultation with Planning Staff had occurred prior to construction, a variance would have been required, but procedurally, the variance would be heard by the Board of Zoning Appeals and depending on the outcome, plans would have been submitted to Building Inspection Division for review of a building permit.

If the Board of Zoning Appeals chooses to **APPROVE**, it shall be done so under the following conditions:

1. Subject to approval, the applicant shall obtain a retroactive building permit for the ramp;
2. 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; 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. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Five (5) Criteria Set by State Statute
Affidavit
Neighborhood Meeting Minutes
Plot Plan
Site Photograph

PUBLIC HEARING SCHEDULE

Action(s)	Board of Zoning Appeals
Variance	July 13, 2026

STAFF CONTACT:

Osiris Nuñez Espinoza, Planner
Oespinoza@wycokck.org

MOTIONS

I move the Board of Zoning Appeals **DENY** Case **BOZA2026-011**, 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.

OR

I move the Board of Zoning Appeals **APPROVE** Case **BOZA2026-011** 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:

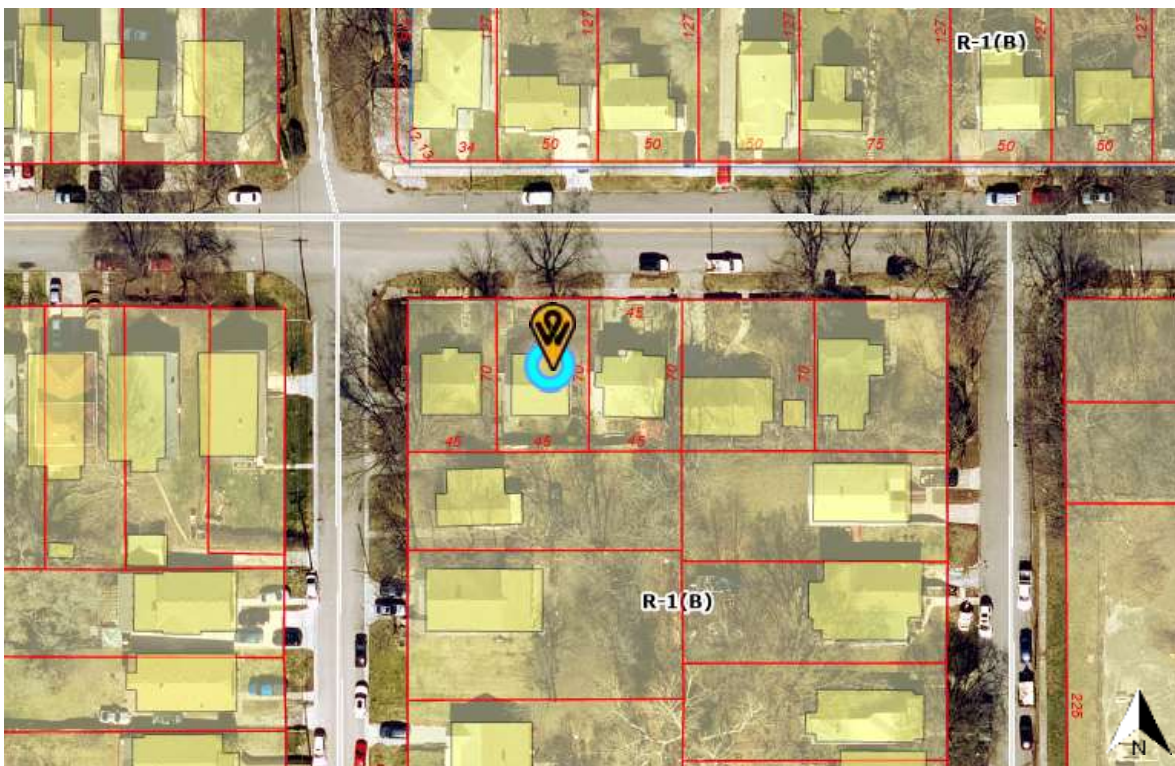
1. _____;
2. _____; And
3. _____.

ATTACHMENTS

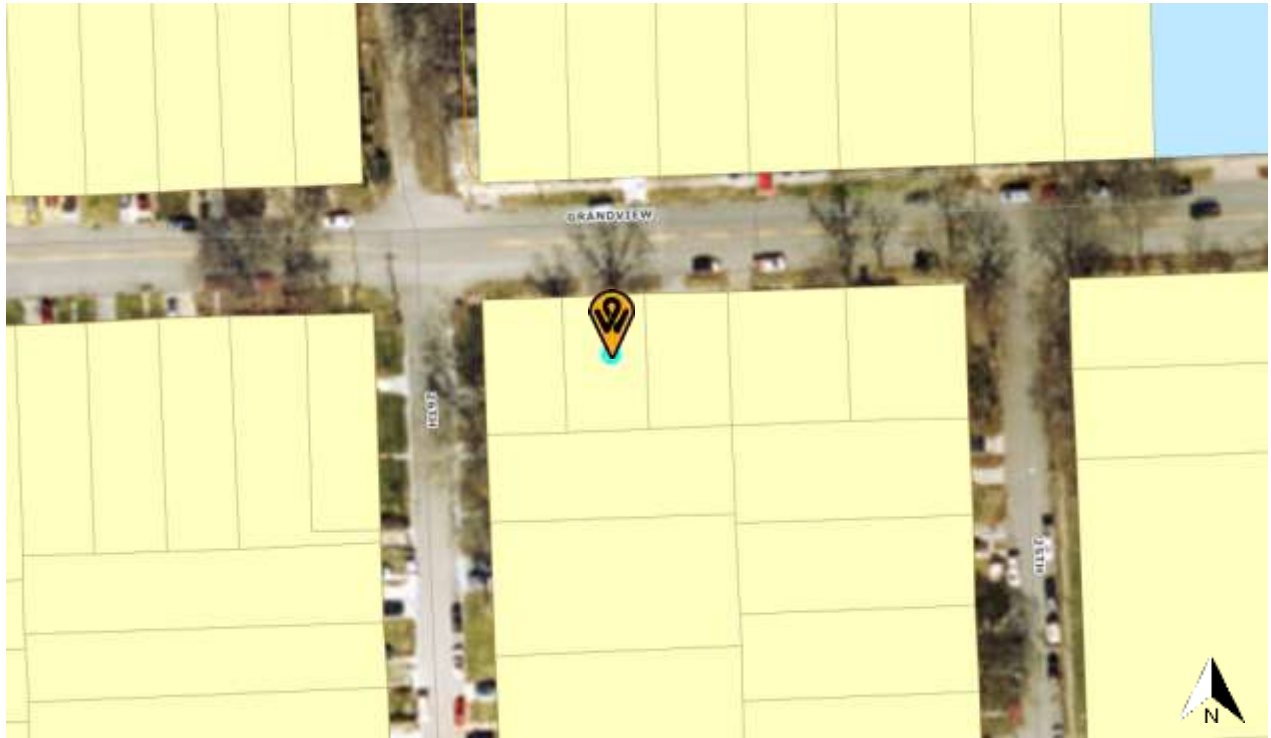
AERIAL IMAGERY



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. The driveway at my house is how I get in and out of my residence. It is sloped and I built the carpet-awning to shield the driveway from ice and snow to make it easier to get in and out of my residence. I have been disabled since I was 55 with chronic degenerative disc disease of the lumbar spine- multiple levels. It would be a financial burden on me to have it tore down.
2	The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents. No Adverse Affects to Adjacent Residents or property owners

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. <i>Will make it harder for me to keep my driveway free from ice and snow</i>
4	The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare. <i>Does not adversely affect any of these</i>
5	The granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance. <i>It will not be opposed to the general spirit and intent of the zoning ordinance</i>
End of Application Please review again to ensure all applicable fields are completed. <u>Any incomplete or insufficient fields may result in your application not being processed, per Section 27-198.</u> See other required materials and information in the remaining pages of this packet.	

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Johnson) SS:

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

1. That I am the petitioner for Petition # BOZA2026-011.
2. That I conducted a neighborhood meeting on June 22, 2026.
3. The notice to nearby property owners was sent on June 5, 2026.
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.

Randolph P. Dodson
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 30th day of June, 20 26.

My commission expires 21st day of March, 20 29.

Karin Kun
Notary Public



NEIGHBORHOOD MEETING MINUTES:

Application Number BOZA2026-011

Date and Location: 06/22/2026 Held virtually

Meeting called to order at: 6:10PM

Names of people in attendance:

1. Randolph Dodson, Petitioner
2. Austin Stewart, Attorney for Mr. Dodson
3. Paul Soptick

Introductions:

1. Mr. Stewart introduced Mr. Dodson and himself
2. Mr. Soptick introduced himself
3. Mr. Stewart called the Neighborhood Meeting to order

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

1. Mr. Stewart presented a short powerpoint on Mr. Dodson's behalf outlining the carport, the setback request, and the reason why Mr. Dodson needs his variance
2. Mr. Stewart explained the variance request process
3. Mr. Stewart opened the floor for questions or comments

Questions and answers (include the following):

1. Mr. Soptick had no questions about the carport, he noted that he had driven by it and seen it while out walking his dog. He commented that he though the carport looked well made and he saw no reason why Mr. Dodson's request shouldn't be granted.

Meeting adjourned at: 6:45PM

Minutes taken by: Austin Stewart

RESIDENTIAL SITE PLAN

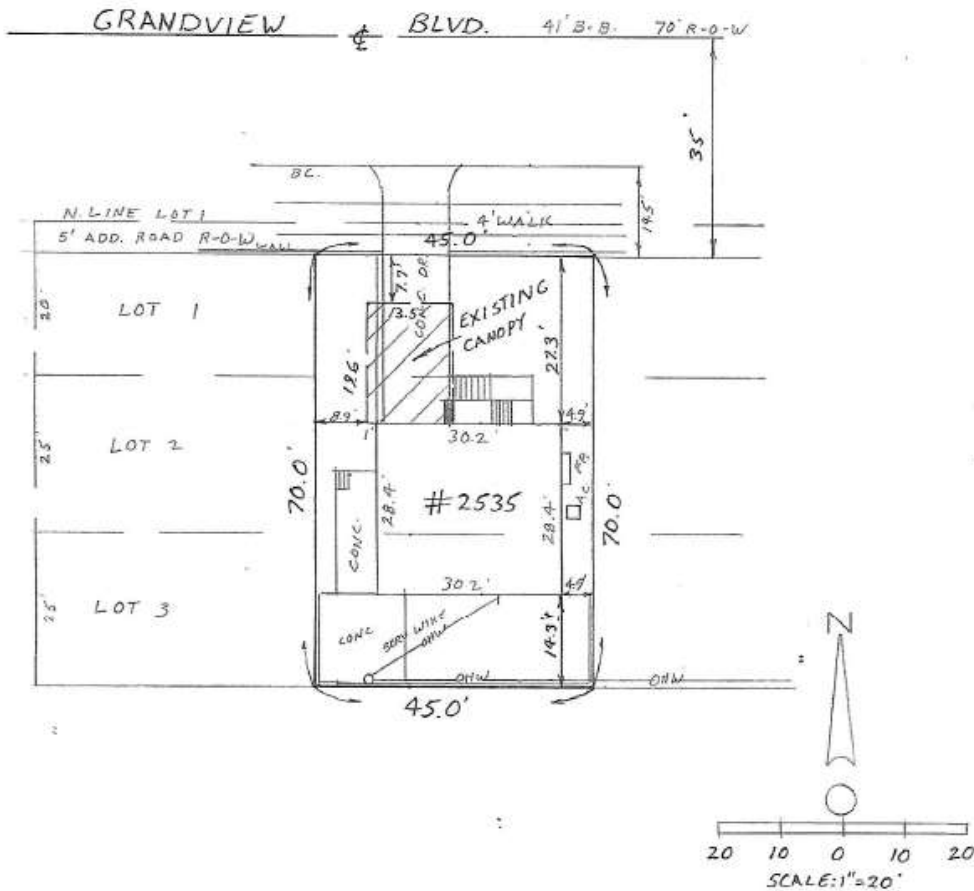
ORDERED BY: Randolph Dodson

Job No. 25-76

FOR: 2535 Grandview Blvd.; Kansas City, KS 66102

DESCRIPTION: The East 45 feet of the West 90 feet of Lot 1, less the North 5 feet thereof, ALSO the East 45 feet of the West 90 feet of Lots 2 and 3, Block 2, Clifton Hills, a subdivision of land in Kansas City, Wyandotte County, Kansas. Subject to any easements, restrictions, or reservations of record or fact.

NOTES: No title report was provided regarding this property. Legal description provided by client.
The intent of this Site Plan is to show the location of existing improvements. All building locations ± 0.5 feet.
Call 1-800-DIG-SAFE for utility locations prior to any excavation.



Richard D. Moore Land Survey, Inc. (913) 334-3888
23673 212th Street Leavenworth, KS 66048

September 2, 2025
Date



Richard D. Moore L.S. 1394





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: July 13, 2026

Re: Board of Zoning Appeals Petition BOZA2026-012

GENERAL INFORMATION

Applicant Information:

Nathan Nowak
3420 North 60th Street
Kansas City, Kansas 66104

Subject Property:

3420 North 60th Street
Kansas City, Kansas 66104

Requested Action and Purpose:

Approval of a Variance for a proposed detached accessory structure exceeds 1,000 square feet.

Commission Districts:

At-Large Commissioner, District #1:
Melissa Bynum
District #8 Commissioner:
Andrew Davis

Existing Zoning District(s):

R-1 Single Family District

Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	R-1 Single Family District	Single family residence
South	R-1 Single Family District	Single family residence
East	R-1 Single Family District	Single family residence
West	R-1 Single Family District	Place of worship

Total Tract Size: 0.65 Acre

Neighborhood Characteristics: The subject property is located within the Bethel-Welborn Statistical Neighborhood and Census Block Group 0443012. The surrounding area is composed of single-family residences in all directions, to the north, east, south, and west of the subject property. In addition, a place of worship is located immediately to the west, directly adjacent to the property.

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Low-Density Residential, which allows for single-family, detached residential development on standard lot sizes intended to both support infill within and protect established single-family neighborhoods.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates North 60th Street 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. Applicant does not meet the requirements.

Landscaping Requirement: Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner side yard, and one (1) tree per 7,000 square feet of site area for uses other than residences. This will vary for each parcel and tract of land.

Advertisement: The Wyandotte Echo – May 14, 2026
Letters to Property Owners – May 15, 2026
and June 1, 2026

Public Hearing(s):	July 13, 2026
Public Support:	None to date.
Public Opposition:	Staff received a letter via email on May 7, 2026.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

1. CMP26-0508 – Enforcement Complaint – March 30, 2026 – Closed – Heavy machinery on site.
2. CMP25-1709 – Enforcement Complaint – July 03, 2025 – Closed
3. ENV25-2680 – Code-Environment – July 30, 2025 – Closed – Property had a commercial vehicle, trailer and commercial equipment.
4. 12200-01140 – Code-Environment – March 28, 2012 – Completed – Fence was over 4 feet at the front of the property.
5. 12200-00974 – Code-Environment – March 16, 2012 – Driveway with gravel.

Outstanding or Related Permit and Cases:

1. PMZ26-0021 – Zoning PMC – April 2, 2026 – Open – Waiting on Variance approval.
2. RES26-004 – Residential – February 25, 2026 – Revise and Re-Submit.

Previous Planning Actions:

1. 12410-00016 – Variance – April 9, 2012 – Approved – To keep a fence that is taller than what is required by code.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Nathan Nowak, is requesting the following Variance at 3420 North 60th Street:

This appeal has been filed for an accessory structure that violates the maximum allowed square footage. Section 27-609(2) states that an accessory structure shall be no larger than 1,000 square feet. The subject accessory structure is 3,500 square feet, a violation of 2,500 square feet.

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.***

The applicant states that this is a unique condition because of this pre-existing legacy placement of the existing home, any attempt to expand or add onto the principal structure would be extraordinarily impractical and would fundamentally alter the character of the home in ways that a new detached outbuilding would not. Specifically, adding onto the existing structure would require extensive structural modifications, including difficult matching of roof lines and architectural details, substantial architectural and engineering costs, significantly longer construction timelines, and major interior demolition and reconfiguration. These modifications would render the home largely unlivable for the duration of construction, imposing severe hardship on the occupants. In contrast, construction of a new detached outbuilding allows for a clean, cohesive design without compromising the integrity or habitability of the original dwelling.

The hardship being claimed arises solely from the decision not to add a breezeway connecting the accessory structure to the dwelling, rather than from any requirement within the ordinance itself. If the applicant were to construct a breezeway, the accessory structure and the home would function as one unified structure, and square footage would not present an issue.

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

Granting the permit will not adversely affect the rights of adjacent property owners or residents, however, this is a hardship that the property owner imposed on themselves.

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 zoning ordinance does not create a substantial or unnecessary burden on the property owner. The hardship being claimed results solely from not adding a breezeway between the accessory structure and the dwelling, not from the ordinance itself.

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

Granting this variance would adversely affect public morals, order, convenience, prosperity, and general welfare. The hardship was imposed by the applicant. If

the applicant were to add a breezeway to attach the accessory structure to the primary dwelling, this action would eliminate the need for a Variance.

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

Granting this variance would be inconsistent with Section 27-609(2) and approving this request would not align with the established residential codes.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on May 21, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Square footage of accessory structure

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

1. Why does the proposed accessory structure exceed the maximum permitted size of 1,000 square feet for an accessory building?

Applicant Response: The garage will be used solely for personal residential storage of the owner's three vehicles, trailer, tractor, boat, future camper or motorhome, lawn mower and other lawn care equipment, tools, seasonal items, sporting equipment, and other typical household belongings. Rather than constructing multiple smaller carports or leaving items exposed under tarps — which would create a cluttered appearance — I am seeking one properly sized, secure, and well-designed structure that fully protects these personal belongings. This single detached garage will provide a cleaner, more attractive, and more orderly appearance for both my property and the surrounding neighborhood.

2. What items or materials are intended to be stored within the accessory structure?

Applicant Response: The garage will be used solely for personal residential storage of the owner's three vehicles, trailer, tractor, boat, future camper or motorhome, lawn mower and other lawn care equipment, tools, seasonal items, sporting equipment, and other typical household belongings.

3. Because metal accessory structures are not permitted in residential zoning districts, is the applicant willing to enclose the metal exterior with siding so that the structure is consistent in appearance with the primary dwelling?

Applicant Response: The building will be finished with a factory-applied painted metal exterior that closely matches the color of the primary dwelling, as expressly allowed by Section 27-609 of the Unified Government Code and as confirmed in the attached signed Building Code Review (RES26-0094). I am happy to work with staff on specific color selections to ensure compatibility with the neighborhood.

4. If adding a breezeway to attach the accessory structure to the primary dwelling would eliminate the need for a Variance, why is the applicant not pursuing this option?

This would eliminate the need for this variance and there not a precedent for a structure that is 250% larger than a structure that complies with the zoning district regulations.

Applicant Response: Adding a breezeway is not a practical or reasonable alternative. Because the home has no rear door, any breezeway would have to attach to the west side of the historic 1940s structure. This would require significant structural modifications, foundation work, utility rerouting, matching of roof lines and architectural details, and substantial interior work — all while I continue to live in the home. The result would be a much longer construction period, substantially higher cost, greater disruption to daily living and the neighborhood, and a less attractive final appearance compared to a clean, detached garage in the rear yard. Furthermore, attaching the garage would create one very large, unified structure that would still exceed the spirit of the accessory-building regulations in practice, while permanently altering the historic character of the original residence. The detached solution better preserves the architectural integrity of the 1940s home, minimizes construction impacts on the neighborhood, and is the minimum relief necessary to meet my functional storage needs in a manner consistent with the Low-Density Residential designation in the PlanKCK Comprehensive Plan.

(Note: A previous variance was granted for this same property in 2012 [Case #12410-00016] for similar reasons related to the unique configuration and lack of a rear entrance.)

Staff Comment: A Variance was approved in 2012 to maintain a fence that was taller than the required height; four (4) feet tall. The fence being five (5) feet tall. The Variance was approved.

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

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Zoning Appeals **DENY** Case **BOZA2026-012** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. The variance request does not fulfill Statutory Requirement #1. The variance arises from the Appellant's need to store personal vehicles in a garage, a condition which is not unique to the subject property in question, and is furthermore, a condition which could ordinarily be found in the same zone or district that would require an accessory structure 250% larger than the maximum footprint allowed;
2. The variance request does not fulfill Statutory Requirement #2. Granting the variance will adversely affect the rights of adjacent property owners or residents who have complied with the siting of their detached accessory structures;
3. The applicant does not meet State Statutory Requirement #3. The overall size of the carport, 3,500 square feet, exceeds the 1,000 square foot maximum allowed in the R-1 District. If the applicant builds a breezeway to connect the accessory structure to the dwelling, a variance is not necessary. If the applicant were to be denied, the applicant can attach the proposed structure to the residence, reduce the overall size to 1,000 square feet and site the accessory structure in the rear yard;
4. This variance does not meet Statutory Requirement #5. The intent of the ordinance, specifically the R-1 Single Family District, is to provide adequate space between the dwelling and adjacent property lines, affording open space, light and air for the abutting residence.
5. The approximate location and size of the proposed structure is incompatible with the size, zoning, and use of the subject property, and is incompatible with the size, zoning, and use of the surrounding parcels and the neighborhood.

If the Board of Zoning Appeals approves **BOZA2025-012**, staff recommends the following conditions:

1. 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. Repave parking lot area with concrete and/or asphalt. Gravel is prohibited; 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
Site Plan
Five (5) Criteria Set by State Statute
Neighborhood Meeting Affidavit
Neighborhood Meeting Minutes
Plot Plan
Plans for the Accessory Structure
Images of the Property Submitted by the Applicant
Letter of Opposition

PUBLIC HEARING SCHEDULE

Action(s)	Board of Zoning Appeals
Variance	July 13, 2026

STAFF CONTACT:

Osiris Nuñez Espinoza, Planner
Oespinoza@wycokck.org

MOTIONS

I move the Board of Zoning Appeals **DENY** Case **BOZA2026-012**, 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.

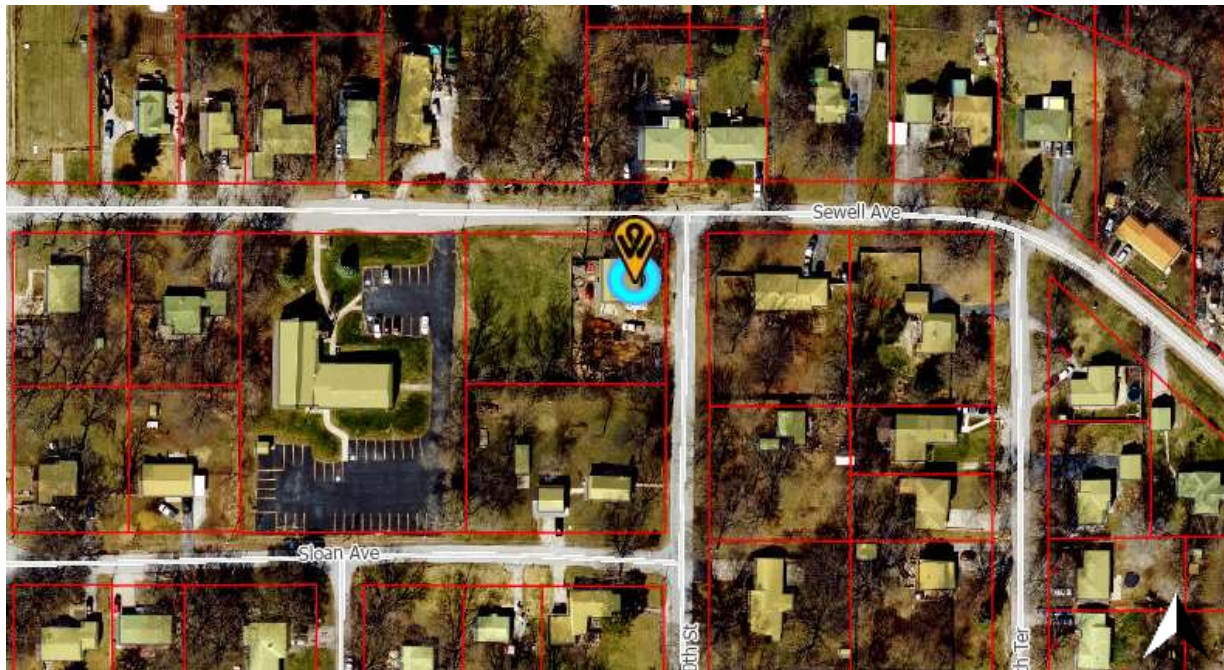
OR

I move the Board of Zoning Appeals **APPROVE** Case **BOZA2026-012** 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. _____.

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS

Kansas State Statutes questions 1-5 are answered below.

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.

Because of this pre-existing legacy placement of the existing home, any attempt to expand or add onto the principal structure would be extraordinarily impractical and would fundamentally alter the character of the home in ways that a new detached outbuilding would not.

Specifically, adding onto the existing structure would require extensive structural modifications, including difficult matching of roof lines and architectural details, substantial architectural and engineering costs, significantly longer construction timelines, and major interior demolition and reconfiguration. These modifications would render the home largely unlivable for the duration of construction, imposing severe hardship on the occupants. In contrast, construction of a new detached outbuilding allows for a clean, cohesive design without compromising the integrity or habitability of the original dwelling.

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

Because the structure is detached and new, it avoids any disruption to the principal dwelling and eliminates the need for extensive construction activity directly adjacent to the home that would be required for an addition. There will be no significant impact on light, air, privacy, views, drainage, or solar access for neighboring properties.

The design of the structure has been carefully considered to blend with the surrounding homes and to maintain the established aesthetic of the neighborhood.

Granting this limited variance will allow reasonable use of the property without impairing the rights or enjoyment of any adjacent owners or residents, and it is fully consistent with the character of the surrounding structures.

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 principal dwelling was constructed in the late 1940s under prior building and zoning standards. Its age, footprint, and placement on the lot make any addition or expansion of the existing structure impractical and burdensome.

Specifically, adding onto the principal structure would require:

- Complex and costly matching of roof lines and architectural details.
- Extensive structural modifications, including potential foundation work and utility rerouting.
- Significant interior demolition and reconstruction, which would render the home largely unlivable for the duration of construction (potentially many months).
- Substantially higher architectural, engineering, and construction costs; and
- A resulting “chopped up” appearance that would negatively impact the aesthetic and market value of the original home.

In contrast, the construction of a new detached structure in the proposed location provides a clean, efficient, and reasonable solution that meets the owner’s functional needs without destroying or compromising the character and habitability of the existing dwelling. The requested variance is the minimum necessary to relieve this hardship and allow reasonable use and enjoyment of the property.

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

The proposed structure is a modest, accessory use customary to single-family residential properties. It will be constructed in accordance with all applicable building codes and will not create any hazard to public health or safety.

By allowing a new detached outbuilding rather than requiring an addition to the existing home, the variance reduces potential disruption. An addition to the principal structure would involve prolonged construction activity and temporary impacts to the occupied dwelling all of which would be far more noticeable to the neighborhood. The proposed detached structure avoids these

issues entirely and maintains a clean, compatible appearance consistent with the residential character of the area.

This limited variance promotes the general welfare by enabling the reasonable and practical use of private residential property without imposing costs or burdens on the public or neighboring properties. It is fully consistent with the orderly development of the community and will not impair the health, safety, or prosperity of the area.

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

The general spirit and intent of the zoning ordinance is to promote orderly development, protect the character of residential neighborhoods, ensure compatible land uses, and allow reasonable use and enjoyment of private property while maintaining public welfare. Granting this limited variance fully aligns with those objectives.

The proposed detached structure is a customary accessory for single-family residential properties. It will be located and constructed with materials and design that are compatible with the existing neighborhood. By allowing a new, well-designed detached structure rather than forcing an addition onto the existing home, the variance better preserves the architectural integrity and character of the principal dwelling.

Strict application of the ordinance in this case would not advance the purposes of the zoning code; instead, it would create an unnecessary and impractical burden on the property owner while producing a less desirable aesthetic outcome. The requested variance is the minimum necessary to achieve a reasonable and harmonious improvement that maintains the residential character, scale, and appearance of the neighborhood.

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)

) SS:

COUNTY OF WYANDOTTE)

Comes now **Nathan Nowak**, of lawful age, sound mind and upon his oath states as follows:

1. That I am the petitioner for Petition # **BOZA2026-012**.
2. That I conducted a neighborhood meeting on **Thursday, May 21, 2026**.
3. The notice to nearby property owners was sent on **Tuesday, May 5, 2026**
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.

Nathan Nowak, Affiant SUBSCRIBED IN MY PRESENCE AND SWORN to before me this
24 day of May, 2026. My commission expires March 10th of 28, 20.

Nathan Nowak



Notary Public



NEIGHBORHOOD MEETING MINUTES

Board of Zoning Appeals Petition # BOZA2026-012 Date of Meeting: Thursday, May 21, 2026

Time: 5:00 p.m. Central Time

Location: Virtual Meeting via Zoom

Meeting Link:

<https://us05web.zoom.us/j/86598862937?pwd=8JcC1Sl5Qcd9ema6TYPbfjVrg6pS9.1>

Application: Variance to construct a 50 ft x 70 ft detached residential accessory garage at 3420 N. 60th Street, Kansas City, KS 66104

Meeting called to order at: 5 p.m.

Names of people in attendance:

1. Nathan Nowak
2. Vince Callahan

Introductions:

Nathan Nowak introduced himself as the property owner and applicant. He explained the purpose of the meeting and the proposal.

Presentation by applicant:

Nathan Nowak presented the proposal for a variance to construct a new 50 ft x 70 ft detached garage in the rear yard. He reviewed the site plan, building elevations, and explained the reasoning behind the request, including the challenges of expanding the existing 1940s home due to its age, placement on the lot, and lack of a rear entrance. He emphasized that the detached garage is the cleanest and least disruptive solution that preserves the historic character of the original residence.

Questions and answers:

- Question / Comment from: Vince Callahan
Question / Comment: How long should the construction take.
Answered by: Nathan Nowak
Response: After permits are issued it should be approx. 2 days to pour the concrete & 1 week to build the structure.
- Question / Comment from: Vince Callahan
Question / Comment: Supports the construction

Answered by: Nathan Nowak

Response:

I appreciate the support, thank you for attending this meeting.

- Meeting adjourned at: 5:25 p.m.
- Minutes taken by: Nathan Nowak

PLOT PLAN - PROPOSED GARAGE
3420 North 60th Street Kansas City, Kansas 66104

ALTA OWNER'S POLICY OF TITLE INSURANCE

Name Provided
 Not Provided

Owner
 Mr. Nathan E. Nowak

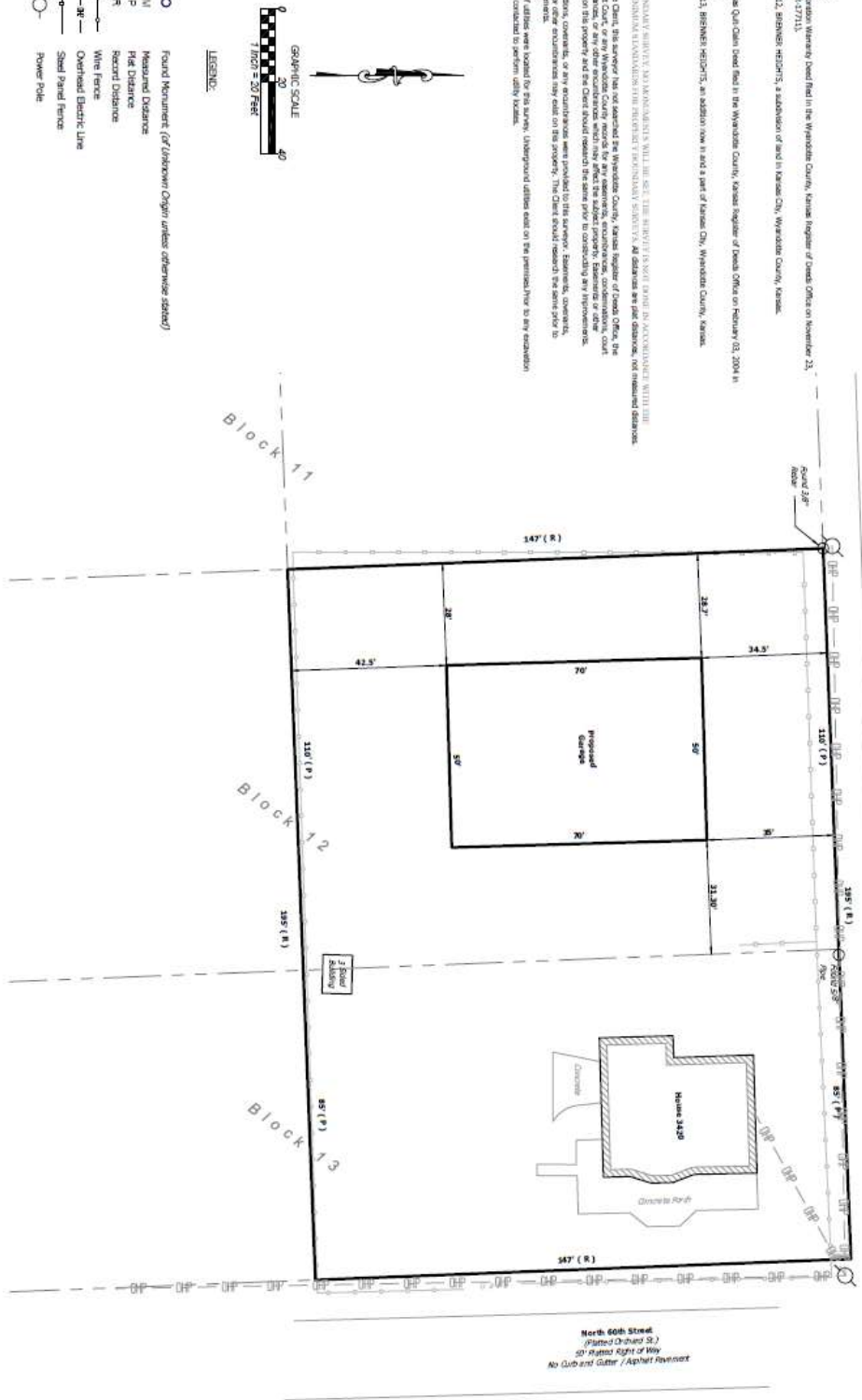
LEGAL DESCRIPTION

As described in the Corporation Warranty Deed filed in the Wyandotte County, Kansas Register of Deeds Office on November 23, 2021 as Document 2020-277113.
 The North 1/2 of BLOCK 12, SEBENSKI HEIGHTS, a subdivision of land in Kansas City, Wyandotte County, Kansas.
 Parcel ID # 033521

As described in the Deed Quit Claim Deed filed in the Wyandotte County, Kansas Register of Deeds Office on February 03, 2004 in Book 4743 at Page 255.
 The North 1/2 of BLOCK 13, SEBENSKI HEIGHTS, as addition now is and is part of Kansas City, Wyandotte County, Kansas.

GENERAL NOTES

1. THIS IS NOT A PROFESSIONAL SURVEY. NO MEASUREMENTS WILL BE SET. THE SURVEY IS NOT TO BE USED IN ACCORDANCE WITH THE CHURCH OF LUTHERAN NATIONAL EMBLEMATION FOR THE PURPOSE OF PROFESSIONAL SURVEYS. All distances are pole distances, not measured distances.
2. The agreement with the Client, the surveyor has not surveyed the Wyandotte County, Kansas Register of Deeds Office, the Wyandotte County Register of Deeds Office, or any Wyandotte County records for any easements, restrictive covenants, condemnation, court orders, or other encumbrances that may affect the property. The surveyor is not responsible for any encumbrances that may exist on the property and the Client should research the same prior to conducting any improvements.
3. No easements, restrictions, covenants, or any encumbrances were provided to this survey. Easements, covenants, agreements, restrictions or other encumbrances may exist on the property. The Client should research the same prior to conducting any improvements.
4. Only visible evidence of utilities were located for this survey. Underground utilities exist on the premises prior to any excavation. Kansas One Call must be contacted to perform utility location.



DATE	5/1/2026	TIME	10:00 AM
PROJECT	3420 North 60th Street, Kansas City, Kansas 66104		
CLIENT	Mr. Nathan Nowak		
ADDRESS	3420 N. 60th Street Kansas City, Kansas 66104		
OWNER	Mr. Nathan Nowak		
PREPARED BY	JNW		
CHECKED BY	JNW		
DATE	5/1/2026		
SCALE	1" = 20'		

MAURIN & SONS

LAND SURVEYING & CONSULTING SERVICES, LLC

6531 Floyd Street, Overland Park, Kansas 66202

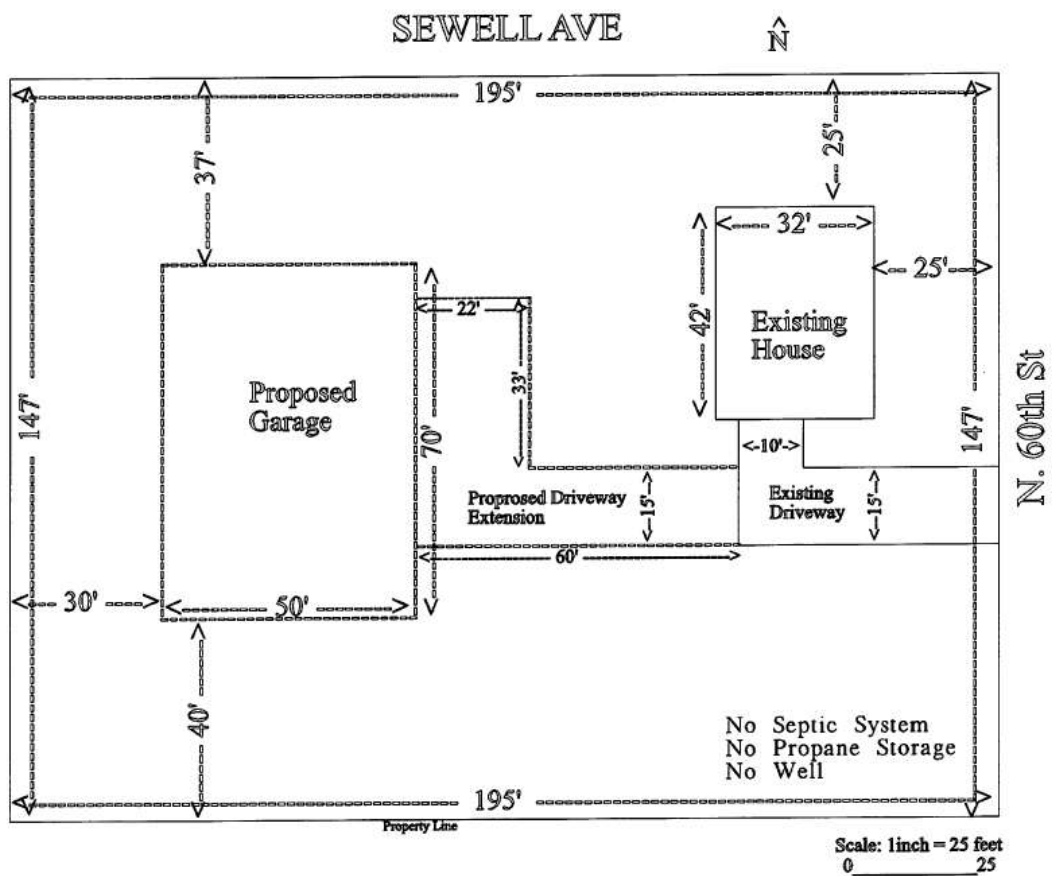
TEL: 913-491-2900 FAX: 913-491-2901

WWW.MAURINANDSONS.COM | MAIL: INFO@MAURINANDSONS.COM

Plot Plan for Garage

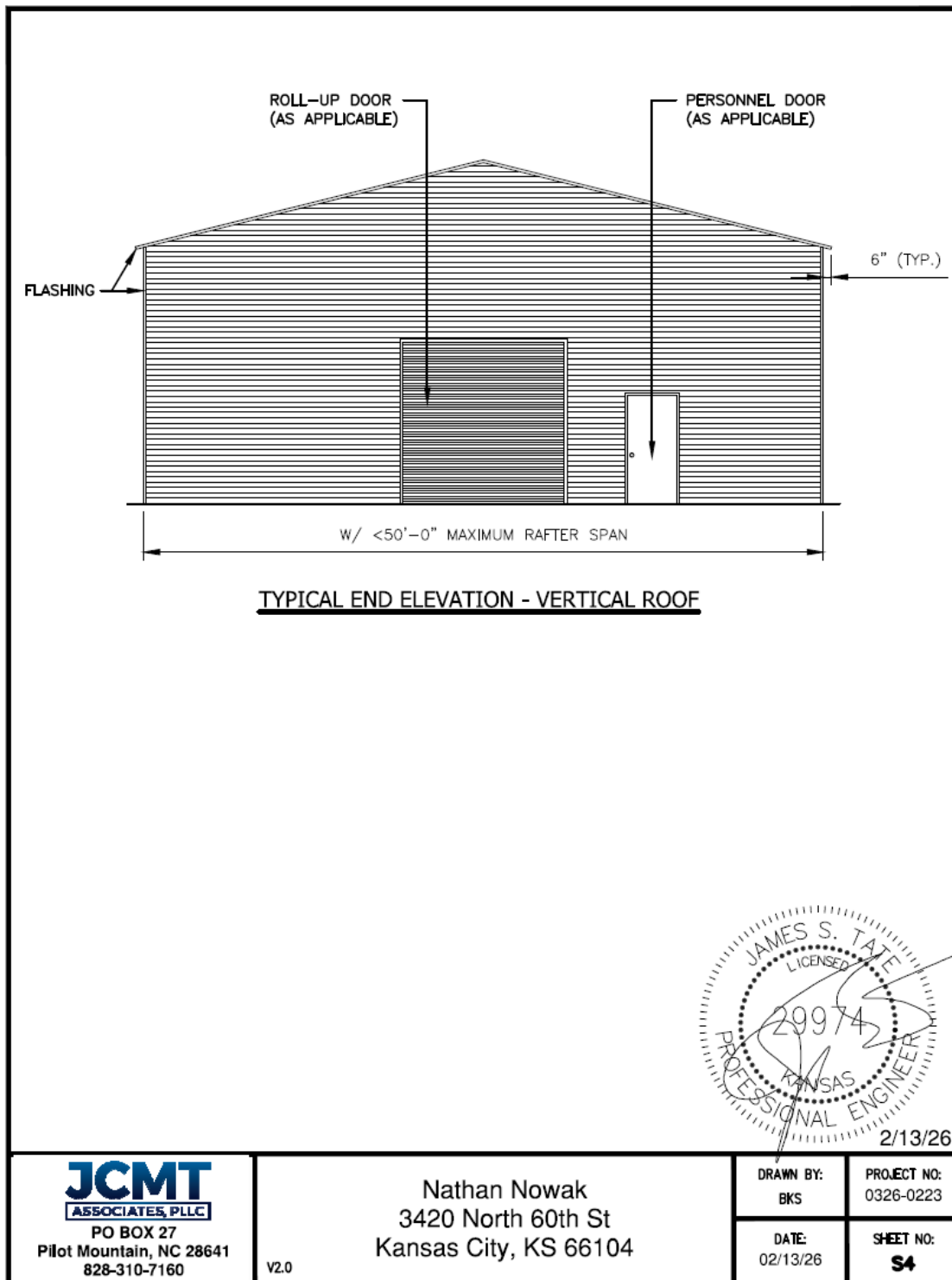
3420 N. 60th Street

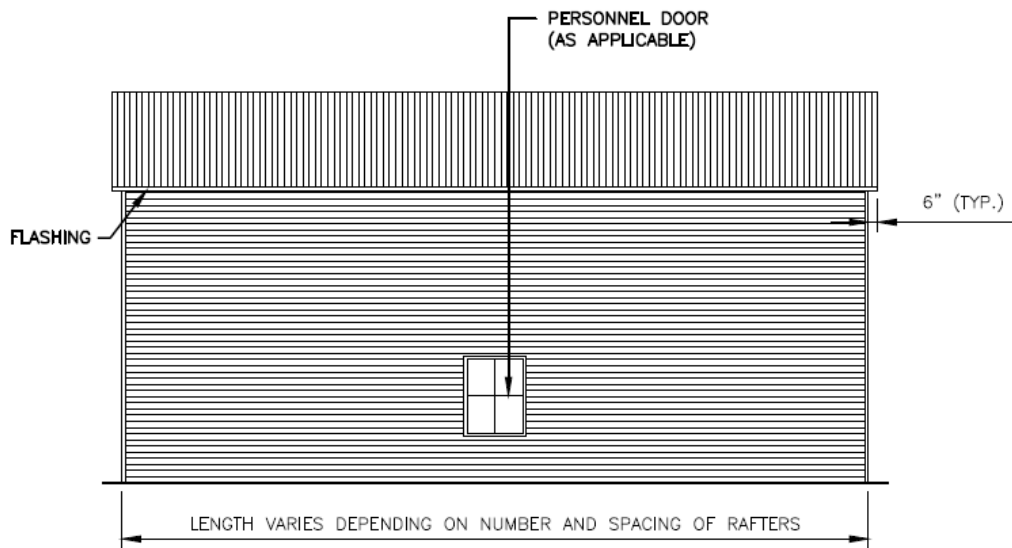
Kansas City, Kansas 66104



Nathan Nowak Residence
 3420 N 60th St 66104
 816-244-5505

Property ID: 105-028-27-0-40-05-001-0
 Parcel ID: 32604
 Quick Ref ID: R12845





TYPICAL SIDE ELEVATION - VERTICAL ROOF



JCMT
ASSOCIATES, PLLC
PO BOX 27
Pilot Mountain, NC 28641
828-310-7160

V2.0

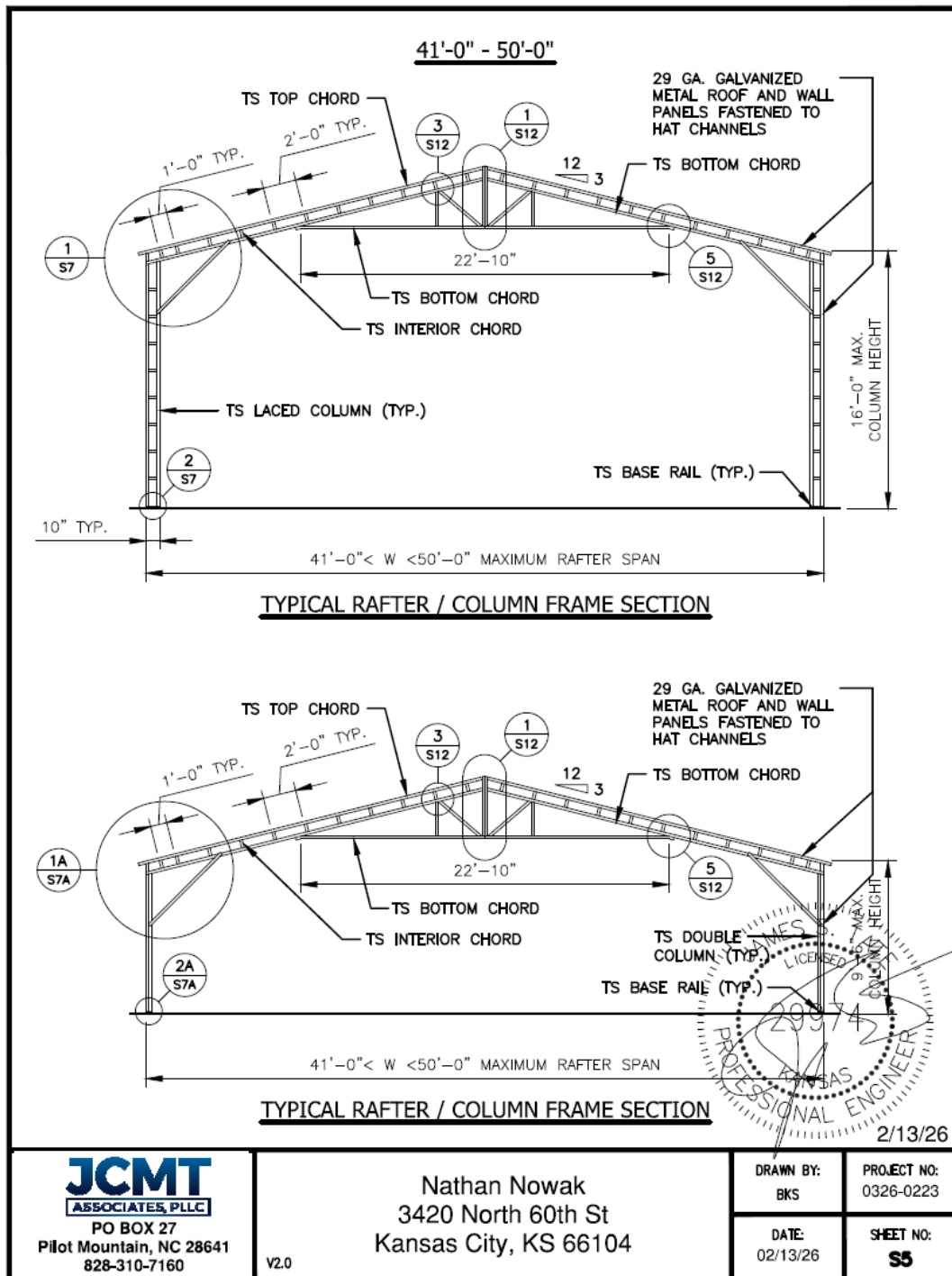
Nathan Nowak
3420 North 60th St
Kansas City, KS 66104

DRAWN BY:
BKS

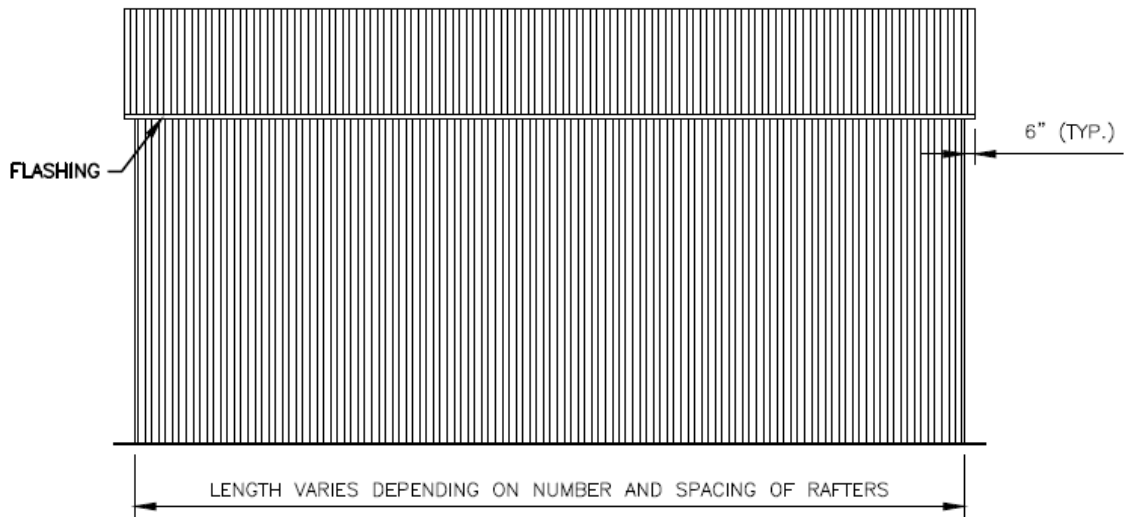
PROJECT NO:
0326-0223

DATE:
02/13/26

SHEET NO:
S4A



VERTICAL ROOF / SIDING OPTION



TYPICAL END ELEVATION - VERTICAL ROOF / SIDING



JCMT
ASSOCIATES, PLLC

PO BOX 27
Pilot Mountain, NC 28641
828-310-7160

V2.0

Nathan Nowak
3420 North 60th St
Kansas City, KS 66104

DRAWN BY:
BKS

DATE:
02/13/26

PROJECT NO:
0326-0223

SHEET NO:
S15A





Leana and Danielle Locke
6015 Sloan Ave
Kansas City, KS 66104

May 07, 2026

Planning + Urban Design Department
Board of Zoning Appeals
Unified Government of Wyandotte County/Kansas City, KS

RE: Opposition to Board of Zoning Appeals Petition #2026-012
Property: 3420 N. 60th Street, Kansas City, KS 66104

To Whom It May Concern,

I am writing in opposition to Petition #2026-012 requesting a variance to construct a new detached accessory garage measuring approximately 50 feet by 70 feet in the rear yard of the property located at 3420 N. 60th Street.

While I understand property owners may seek improvements to their property, I believe the size and scope of the proposed structure is excessive for the surrounding residential neighborhood and inconsistent with the character of nearby homes and lots. A detached metal structure of this scale appears more commercial or industrial in nature than residential.

I am also concerned about the visual impact this structure would have on neighboring properties, including my own residence. Due to the proposed location and scale of the building, the structure would be directly visible from the front-facing windows and entrance of nearby homes. A large metal accessory building of this size would substantially alter the residential view-shed and character currently experienced by surrounding property owners.

I am additionally concerned that the scale and design of the proposed structure appears inconsistent with typical residential accessory use and raises concerns regarding potential commercial or industrial-style activity within a residential neighborhood. The proposed 50-foot by 70-foot metal building is substantially larger than what is commonly associated with standard residential storage or parking needs.

This property is located within an established residential area and directly adjacent to a church and surrounding homes. Any use involving heavy equipment, woodworking, lumber processing, increased vehicle traffic, noise, dust, or business-related operations would significantly impact the quiet residential character of the neighborhood and nearby community institutions.

Additionally, I do not believe sufficient evidence has been presented demonstrating a hardship unique to the property that would justify granting such a substantial variance. The explanation provided appears to reflect preference and convenience rather than a true zoning hardship. It is also unclear why a significantly smaller structure or alternative design would not reasonably satisfy the property owner's needs while remaining more compatible with the neighborhood.

I am also concerned about the potential impacts this project may have on:

- Neighborhood character and appearance
- Property values
- Stormwater drainage and runoff
- Increased noise and activity
- Lighting and visual impact
- Future precedent for oversized accessory structures in the area

For these reasons, I respectfully request that the Board deny the variance request as submitted.

Thank you for your consideration and for allowing neighborhood input regarding this matter.

Sincerely,

Leana and Danielle Locke



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: July 13, 2026

Re: Board of Zoning Appeals Petition BOZA2026-014

GENERAL INFORMATION

Applicant Information:

Khalid Banday
Applicant
KAM Design Group LLC
9000 East Bannister Road
Kansas City, Missouri 64134

Subject Property:

708 Simpson Avenue
Kansas City, Kansas 66101

Requested Action and Purpose:

Approval of a variance for front yard and side yard, corner building setbacks for a 3,720 square foot retail building.

Commission Districts:

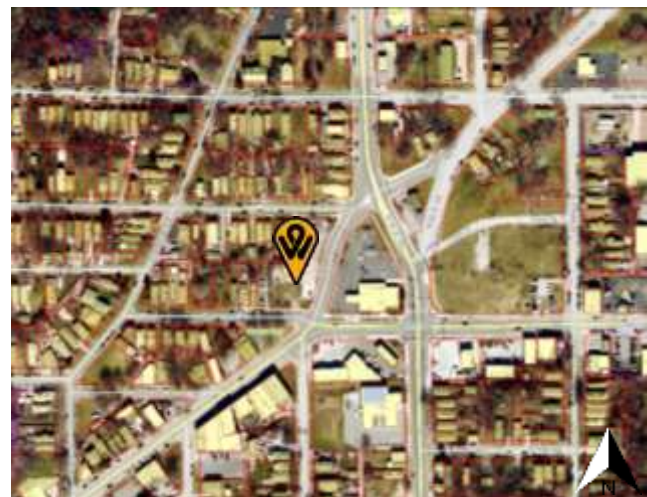
At-Large Commissioner, District #2:
Andrew Kump
District #2 Commissioner:
William (Bill) Burns, Jr.

Existing Zoning District(s):

C-3 Commercial District

Comprehensive Plan Area:

Central Area Plan



	Adjacent Zoning	Adjacent Uses
North	CP-2 Planned General Business District	Plaza at the Speedway (Commercial shopping center)
South	CP-2 Planned General Business District	Hotel (Residence Inn by Marriott)
East	CP-2 Planned General Business District	Legends Parking Garage
West	CP-2 Planned General Business District	Target

Total Tract Size: 2.45 Acres

Neighborhood Characteristics: The subject property is within the Riverview Statistical Neighborhood, Central Avenue Betterment Association (CABA) Neighborhood Business Group, and Census Block 0420022. The neighborhood characteristics is commercial businesses along Simpson Avenue and Central Avenue, as this is a high traffic, commercial area. This property is off Simpson Avenue, just one block west from the 7th and Central Avenue intersection.

Comprehensive Plan Designation: The Central Area Plan designates the subject property Community Commercial, which allows grocery stores, medium sized box stores (25,000 – 70,000 sq ft), sit-down and drive-through restaurants, banks, drug stores, gas stations and convenience stores.

Major Street Plan: The goDotte Countywide Strategic Mobility designates Simpson Avenue as a Local Street.

Parking Requirement: Section 27-467(e) uses in this district require paved off-street parking at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building. 15 spaces are required.

The Unified Government passed a resolution on July 17, 2025, which does not require off-street parking for commercial and industrial businesses, and mixed-use buildings with up

to six (6) residential units east of Interstate 635.

Landscaping Requirement:

Section 27-467(g) Trees are required at not less than one (1) per 7,000 square feet of site area. Six (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.

Section 27-577(a)(5) Landscaping shall exceed the typical code requirements by at least 75 percent. 8 site trees are required. This does not include trees within parking lot islands or street trees.

Advertisement:

The Wyandotte Echo – June 18, 2026
Letters to Property Owners – June 19, 2026

Public Hearing:

July 13, 2026

Public Support:

None to date.

Public Opposition:

None to date.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

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

Building, Zoning, or Code Enforcement Complaints:

1. There have been code enforcement citations between 2001 – 2019 ranging from graffiti, tall grass, weeds, junk and trash, and excess window signage.

Outstanding or Related Permit and Cases:

1. There have been numerous building, plumbing, mechanical, gas and electrical permits between 2013 – 2014.

Previous Planning Actions:

1. 2015: Approval of a variance (Appeal 2167) for building and parking setbacks, and parking space reduction by the Board of Zoning Appeals on October 12,

2015. (Since a building permit was not obtained within six (6) months after approval, the variance is void).

2. 1975: Approval of a variance (Appeal 923) for rear yard setback by the Board of Zoning Appeals on October 6, 1975.

PROPOSAL

Detailed Outline of Requested Action: The Appellant, Khalid Banday with KAM Design, is requesting a variance for front yard and side yard, corner setbacks for a 3,720 square foot retail building. Section 27-467(d)(2)a. states the front yard setback shall not be less than 25 feet from the property line. Appellant is requesting two (2) feet, a violation of 23 feet.

Section 27-467(d)(2)c. states the side yard, corner setback shall not be less than 25 feet from the property line. Appellant is requesting zero (0), a violation of 25 feet.

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 property is located in the older part of the city and features a development pattern with shorter setbacks. The applicant is trying to place parking spaces closer to the property line.

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

Currently, this property has three (3) retail shops. The proposed building will be on the southeast corner of the property, along the south property line and Simpson Avenue. Reducing the setbacks should not adversely affect the rights of adjacent property owners.

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.***

If the request is denied, the applicant would not be able to build as proposed. Staff does not consider this to be an unnecessary hardship, but it is not the preference of the applicant.

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

By moving the parking stalls closer to the property line, more maneuvering area is available in parking lot. Placing the building on the property line, adjacent to the sidewalk and connecting storefronts promotes walkability along Simpson Avenue.

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

Setbacks are created for aesthetic and fire protection reasons. These areas within the setback provide a space for landscaping that helps soften the impact of development. In this case, the applicant is asking for a two (2) foot setback of the building to the east and a zero (0) foot setback along Simpson Avenue, to the south. The building and landscaping along Simpson Avenue does not comply with the Commercial Design Guidelines.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on June 24, 2026. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Compliance with the Commercial Design Guidelines

STAFF COMMENTS AND SUGGESTIONS

Planning and Urban Design Comments:

General Planning:

1. Complete the Five (5) Criteria Set by State Statute – Criteria 3 – 5. Not applicable does not answer the statement.

Applicant Response: Please see revised application and these sections have been completed.

2. The driveway/curb cut along east/west Simpson Avenue shall be closed and restored with grass.

Applicant Response: Please see sheet C3, a note has been added that this driveway shall be closed and sidewalk and curb cut restored.

Building Architecture:

1. Provide building elevations for the south and west facades.

Applicant Response: Please see revised plan set, sheet A3 has been added that provides these two elevations.

2. Section 27-576(c)(1) Commercial development should take into account the architectural design of all building elevations, 360 degrees. Quality design should be expressed on all elevations of the building.
 - a. The same level of detail shown on the north elevation shall be incorporated into the rest of the building. The south elevation does not comply with the Commercial Design Guidelines and the intent of the ordinance.

Applicant Response: Please see revised sheet A3 showing the similar architectural details as in the north elevation, furthermore we are open to suggestions if more changes are suggested.

3. Section 27-576(c)(2) In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the facade. This can be achieved through combinations of at least three of the following techniques:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines.

Faux windows, masonry recesses, on the east, south and west facades can break up the elevation.

Applicant Response: Please see revised elevations sheets and open the City will be satisfied with the changes.

4. Downspouts shall be internalized.

Applicant Response: Please see building elevations there are no downspouts and for sure they will be internalized.

5. Show realistic wall mounted lights on the building.

Applicant Response: Please be advised that the exterior light fixture model MLLG-AL-LED-WPSD-9-CC-BOK-2P is an ideal fixture that dissipates light only downwards as required by code and has been used in many of our gas station projects in metropolitan area.

Landscaping and Screening:

1. Section 27-575(e)(4) Parking must be screened from adjacent streets by walls, shrubs, trees, or design elements.

Applicant Response: Please see landscaping plan the parking lot has been screened with the trees/shrubs and the privacy fence along the west side.

2. Per Section 27-577(a)(5) Landscaping shall exceed the typical code requirements by at least 75 percent. The site for the proposed development is 0.75 acres, 14 trees are required based on Commercial Design Guidelines and exclusive of the screening requirements for the lots zoned CP-2 Planned General Business District adjacent to residentially zoned properties, street trees and trees planted within parking lot islands.

Applicant Response: Please see landscaping sheet we are proposing 18 trees in addition to existing 8 trees.

3. Section 27-577(b)(1) New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. This requirement may be reduced to 12 feet where there is no paving, other than a sidewalk, between a building and the right-of-way. The distance is to be measured from the public right-of-way or curb line of a private easement.

Applicant Response: Please be advised that most of the lot is paved parking lot and we are in a process of applying for the variance. But you can see the landscaping plan and we have used all the available space for green areas.

4. Section 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.

Applicant Response: Agreed and please see landscaping plan for the screening of parking lot and the note that the shrubs shall be a maximum 30 inches high.

5. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
 - a. One tree with a minimum caliper of two (2) inches (ornamental), evergreen trees must be at least six (6) feet when planted provided for every 30 feet of street easement or frontage.
 - b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

Applicant Response: Agreed and accordingly laid out in the landscaping plan.

6. Section 27-577(d)(1) At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers.

Applicant Response: Please see revised landscaping plans showing the required plantings.

7. All privacy fencing along the side and rear shall have masonry columns every 32 feet running.

Applicant Response: Agreed and construction document shall provide its details.

Signage:

1. 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 to begin this process.
 - a. Pole and pylon signs are prohibited.

Applicant Response: Agreed and will follow the instructions.

Standard Conditions:

1. 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.
2. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org.
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 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. 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.

6. 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.

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 **BOZA2026-014** subject to all comments and suggestions outlined in this staff report, and summarized by the following conditions:

1. **Section 27-576(c)(1) Commercial development should take into account the architectural design of all building elevations, 360 degrees. Quality design should be expressed on all elevations of the building.**
 - a. **The same level of detail shown on the north elevation shall be incorporated into the rest of the building. The south elevation does not comply with the Commercial Design Guidelines and the intent of the ordinance;**
2. **Section 27-576(c)(2) In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the facade. This can be achieved through combinations of at least three of the following techniques:**
 - a. **Divisions or breaks in materials;**
 - b. **Building offsets (projections, recesses, niches);**
 - c. **Window bays;**
 - d. **Separate entrances and entry treatment; or**
 - e. **Variation in rooflines.**

Faux windows, masonry recesses, on the east, south and west facades can break up the elevation;

3. **Downspouts shall be internalized;**
4. **Section 27-575(e)(4) Parking must be screened from adjacent streets by walls, shrubs, trees, or design elements;**
5. **Per Section 27-577(a)(5) Landscaping shall exceed the typical code requirements by at least 75 percent. The site for the proposed development is 0.75 acres, 14 trees are required based on Commercial Design Guidelines and exclusive of the screening requirements for the lots zoned CP-2**

- Planned General Business District adjacent to residentially zoned properties, street trees and trees planted within parking lot islands;
6. Section 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity;
 7. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
 - a. One tree with a minimum caliper of two (2) inches (ornamental), evergreen trees must be at least six (6) feet when planted provided for every 30 feet of street easement or frontage.
 - b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees;
 8. Section 27-577(d)(1) At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers;
 9. All privacy fencing along the side and rear shall have masonry columns every 32 feet running;
 10. 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 to begin this process.
 - a. Pole and pylon signs are prohibited;
 11. 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;
 12. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 13. 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;
 14. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 15. 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,

16. 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.

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Five (5) Criteria Set by State Statute
Applicant Response Letter
Neighborhood Meeting Documents
Site Plan
Grading Plan
Utility Plan
Landscape Plan
Floor Plan
Building Elevations
Site Photographs

PUBLIC HEARING SCHEDULE

Action(s)	Board of Zoning Appeals
Variance	July 13, 2026

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Board of Zoning Appeals **APPROVE** Appeal **BOZA2026-014** 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 **BOZA2026-014**, 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.

AERIAL IMAGERY



ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS



DESIGN GROUP LLC

PLANNERS, ENGINEERS, DESIGNERS & CONSTRUCTION MANAGERS

June 27, 2026

Trey Maevers
Development Support Specialist
Unified Government of Wyandotte County
Kansas City, Kansas, 66102

Reference: Proposed new building at 720 Central Ave - BOZA2026-014

Dear Sir

Please find attached a CD that address the following concerns of all Departments.

Planning and Urban Design Comments:

Complete the Five (5) Criteria Set by State Statute – Criteria 3 – 5. Not applicable does not answer the statement. *Applicant Response:*

Response: Please see revised application and these sections have been completed.

The driveway/curb cut along east/west Simpson Avenue shall be closed and restored with grass. *Applicant Response:*

Response: Please see sheet C3 a note has been added that this driveway shall be closed and sidewalk and curb cut restored.

Building Architecture:

Provide building elevations for the south and west facades. *Applicant Response:*

Response: Please see revised plan set, sheet A3 has been added that provides these two elevations.

Section 27-576(c)(1) Commercial development should take into account the architectural design of all building elevations, 360 degrees. Quality design should be expressed on all elevations of the building. The same level of detail shown on the north elevation shall be incorporated into the rest of the building. The south elevation does not comply with the Commercial Design Guidelines and the intent of the ordinance. Divisions or breaks in materials;
Building offsets (projections, recesses, niches);

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Window bays;
Separate entrances and entry treatment; or
Variation in rooflines.

Response: *Please see revised sheet A3 showing the similar architectural details as in the north elevation, furthermore we are open to suggestions if more changes are suggested.*

Section 27-576(c)(2) In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the facade. This can be achieved through combinations of at least three of the following techniques: Downspouts shall be internalized. *Applicant Response:*

Show realistic wall mounted lights on the building.

Response: *Please see revised elevation sheets and hope the city will be satisfied with the changes.*

Show realistic wall mounted lights on the building. *Applicant Response:*

Response: *Please be advised that the exterior light fixture model MLLG-AL-LED-WPSD-9-CC-BK-2P is an ideal fixture that dissipates light only downwards as required by code and has been used in many of our gas station projects in metropolitan area.*

Faux windows, masonry recesses, on the east, south and west facades can break up the elevation. *Applicant Response:*

Response: *Please be advised that the owner intends to use 1' x 2' tiles with different colors as exterior veneer and he is sure that it will be a new change in the neighborhood.*

Downspouts shall be internalized. *Applicant Response:*

Response: *Please see building elevations there are no downspouts and for sure they will be internalized.*

Landscaping and Screening:

Section 27-575(e)(4) Parking must be screened from adjacent streets by walls, shrubs, trees, or design elements. *Applicant Response:*

Response: *Please see landscaping plan the parking lot has been screened with the trees/ shrubs and the privacy fence along the west side.*

Per Section 27-577(a)(5) Landscaping shall exceed the typical code requirements by at least 75 percent. The site for the proposed development is 0.75 acres, 14 trees are required based on Commercial Design Guidelines and exclusive of the screening requirements for the lots zoned CP-2 Planned General Business District adjacent to residentially zoned properties, street trees and trees planted within parking lot islands. *Applicant Response:*

Response: *Please see landscaping sheet we are proposing 18 trees in addition to existing 8 trees.*

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Section 27-577(b)(1) New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. This requirement may be reduced to 12 feet where there is no paving, other than a sidewalk, between a building and the right-of-way. The distance is to be measured from the public right-of-way or curb line of a private easement. *Applicant Response:*

Response: *Please be advised that most of the lot is paved parking lot and we are in a process of applying for the variance. But you can see the landscaping plan and we have used all the available space for green areas.*

Section 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.

Applicant Response:

Response: *Agreed and please see landscaping plan for the screening of parking lot and the note that the shrubs shall be max. 30" high.*

Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:

One tree with a minimum caliper of two (2) inches (ornamental), evergreen trees must be at least six (6) feet when planted provided for every 30 feet of street easement or frontage.

Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

Response: *Agreed and accordingly laid out in the landscaping plan.*

Section 27-577(d)(1) At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers. *Applicant Response:*

Response: *Please see revised landscaping plans showing the required plantations*

All privacy fencing along the side and rear shall have masonry columns every 32 feet running. *Applicant Response:*

Response: *Agreed and construction document shall provide its details.*

Signage:

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

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at (913) 573-5750 or signpermits@wycokck.org to begin this process. Pole and pylon signs are prohibited. 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.

Response: *Agreed and will follow the instructions.*

Standard Conditions:

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.

Response: *Agreed.*

If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org.

Response: *Agreed.*

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.

Response: *Agreed.*

All existing and future driveways must feature curb cuts that are constructed to UG standards.

Response: *Agreed.*

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.

Response: *Agreed.*

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.

Response: *Agreed.*

Planning Engineering Comments:

Items that require plan revision or additional documentation before engineering can recommend approval: 1) None

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Items that are conditions of approval: 1) None

Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: 1) None

Response: *Agreed.*

Respectfully Submitted

Darryl Hawkins
Project Manager

9000 E BANNISTER RD., SUITE 100, KANSAS CITY, MO 64134 PHONE: (816) 797-2065

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.

THE STREET TO THE SOUTH OF THE PROPERTY IS A SLOPING AND HAS A STEEP GRADE AND BY MOVING THE BUILDING BACK TO MEET THE SETBACK REQUIREMENTS MORE THAN HALF OF THE BUILDING WILL NOT BE VISIBLE FROM BOTH CENTRAL AVE AS WELL AS SIMPSON AVE AND THEREFORE ARE REQUESTING TO HAVE THE BUILDING AS PROPOSED.

2

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

THE AREA IS ALMOST ALL COMMERCIAL AND ONLY RESIDENTIAL ARE BEHIND THE PROPERTY AND THEREFORE WILL NOT AFFECT THESE RESIDENTIAL PROPERTIES AND OTHER COMMERCIAL PROPERTIES.

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 PURPOSE OF THIS BUSINESS IS TO PROVIDE FRESH PRODUCE AND ALSO A PLACE TO RELAX WITH HAVING ORGANIC JUICES AND HAVING A BUILDING BACK IN THE LOT ITS VISIBILITY IS A GREAT CONCERN FOR THE OWNER AND THEREFORE REQUESTS THIS VARIANCE.
4	The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare. YES, SURE THIS VARIANCE WILL NOT AFFECT ANY OF THE CONCERNS SHOWN ABOVE IN FACT IT WILL BE BENEFICIAL AS ITS VISIBILITY AND INSIDE SEATING AREA WILL BE AN ADVANTAGE
5	The granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance. YES WE AGREE, BY GRATING THIS VARIANCE THIS STRUCTURE SHALL MATCH THE LAYOUT OF OTHER BUSINESSES IN THE AREA AS MOST OF THEIR BUILDINGS ARE ALONG THE STREET
End of Application Please review again to ensure all applicable fields are completed. <u>Any incomplete or insufficient fields may result in your application not being processed, per Section 27-198.</u> See other required materials and information in the remaining pages of this packet.	

MINUTES OF MEETING: 720 Central, Kansas City, Kansas

Application Number: # BOZA 2026-014 - 720 Central

Date and Location: **JUNE 24TH 2026 AT 6.30 PM ON
ZOOM**
Meeting ID 822 6852 8860
Passcode 783750

Meeting called to order at: 6:30 P.M.

Names of people in attendance: NONE

The meeting was arranged on Zoom but none of the invited neighbors came online to attend this meeting. I waited till 7 pm and then concluded the meeting.

Meeting adjourned at: 7.00 P.M.
Minutes taken by: Khawar Raina

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF Missouri)
COUNTY OF Jackson) SS:

Comes now KHALID RIAZ BANDAY, of lawful age, sound mind and upon his/her oath states as follows:

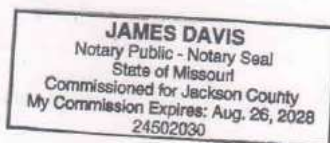
1. That I am the petitioner for Petition # BOZA 2026-014.
2. That I conducted a neighborhood meeting on JUNE 24, 2026 AT 6:30 PM ON ZOOM.
3. The notice to nearby property owners was sent on JUNE 08, 2026.
4. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

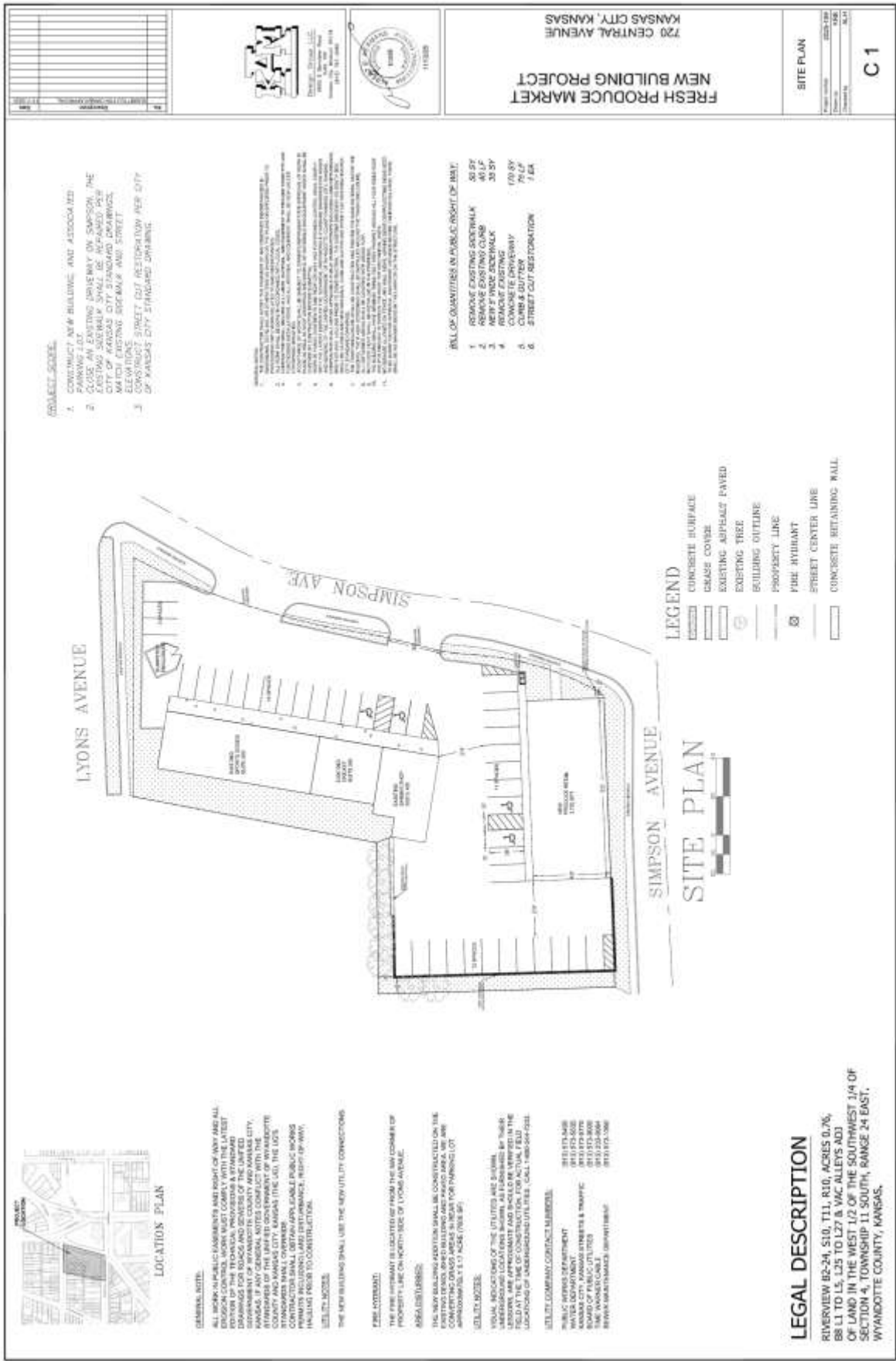
[Signature]
Affiant

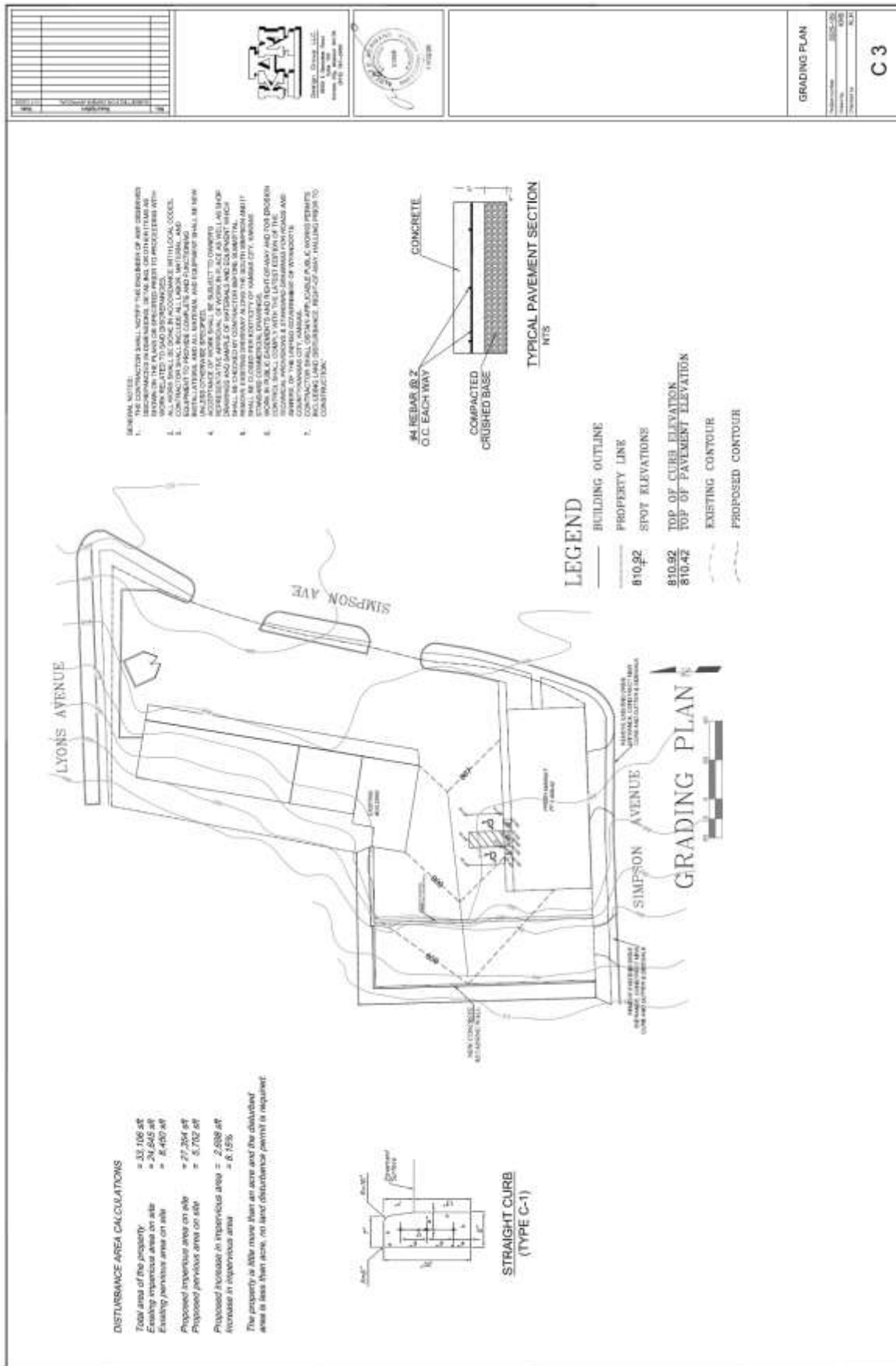
SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 29 day of June, 2026.

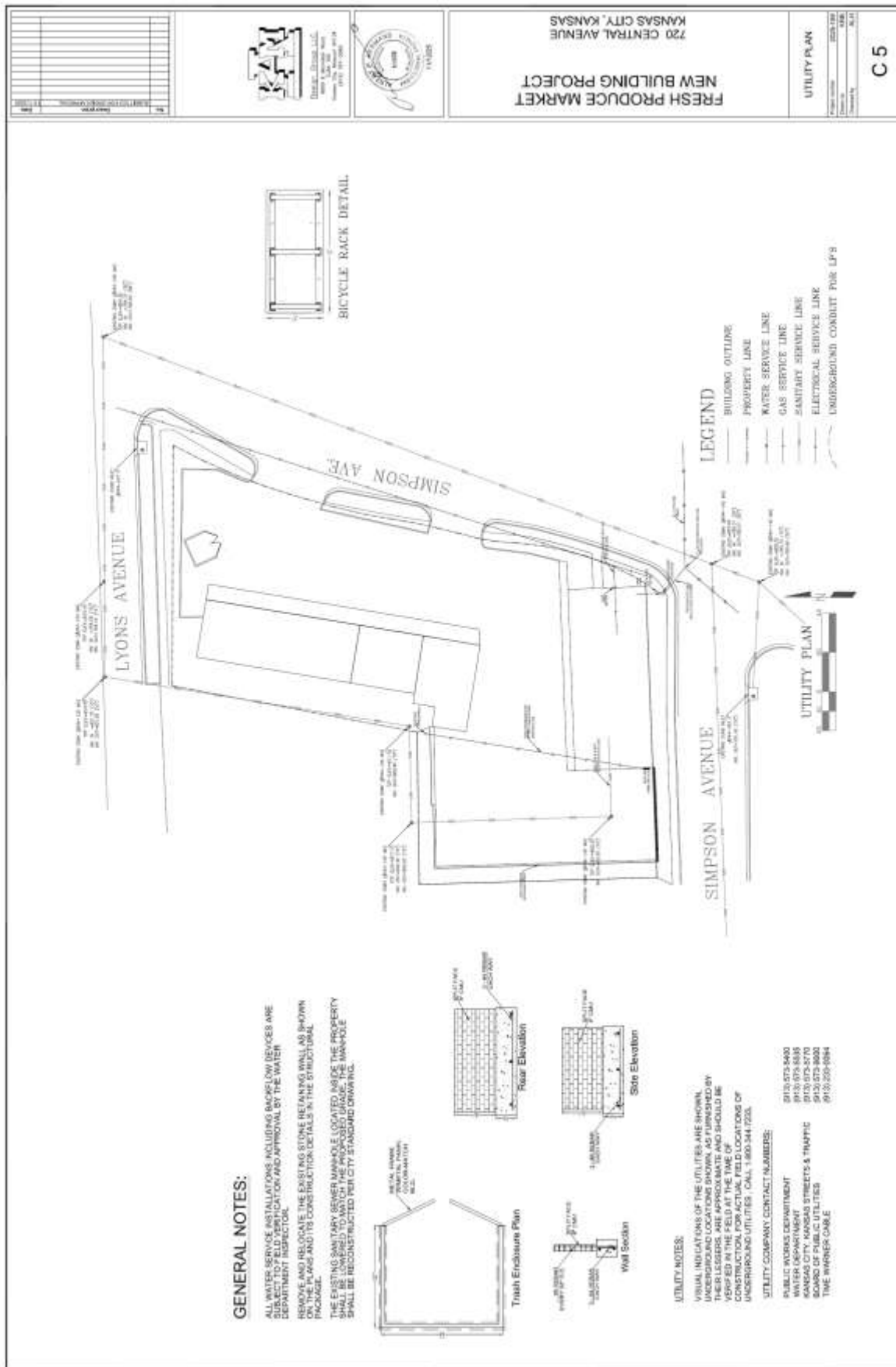
My commission expires 08 of 26, 2026.

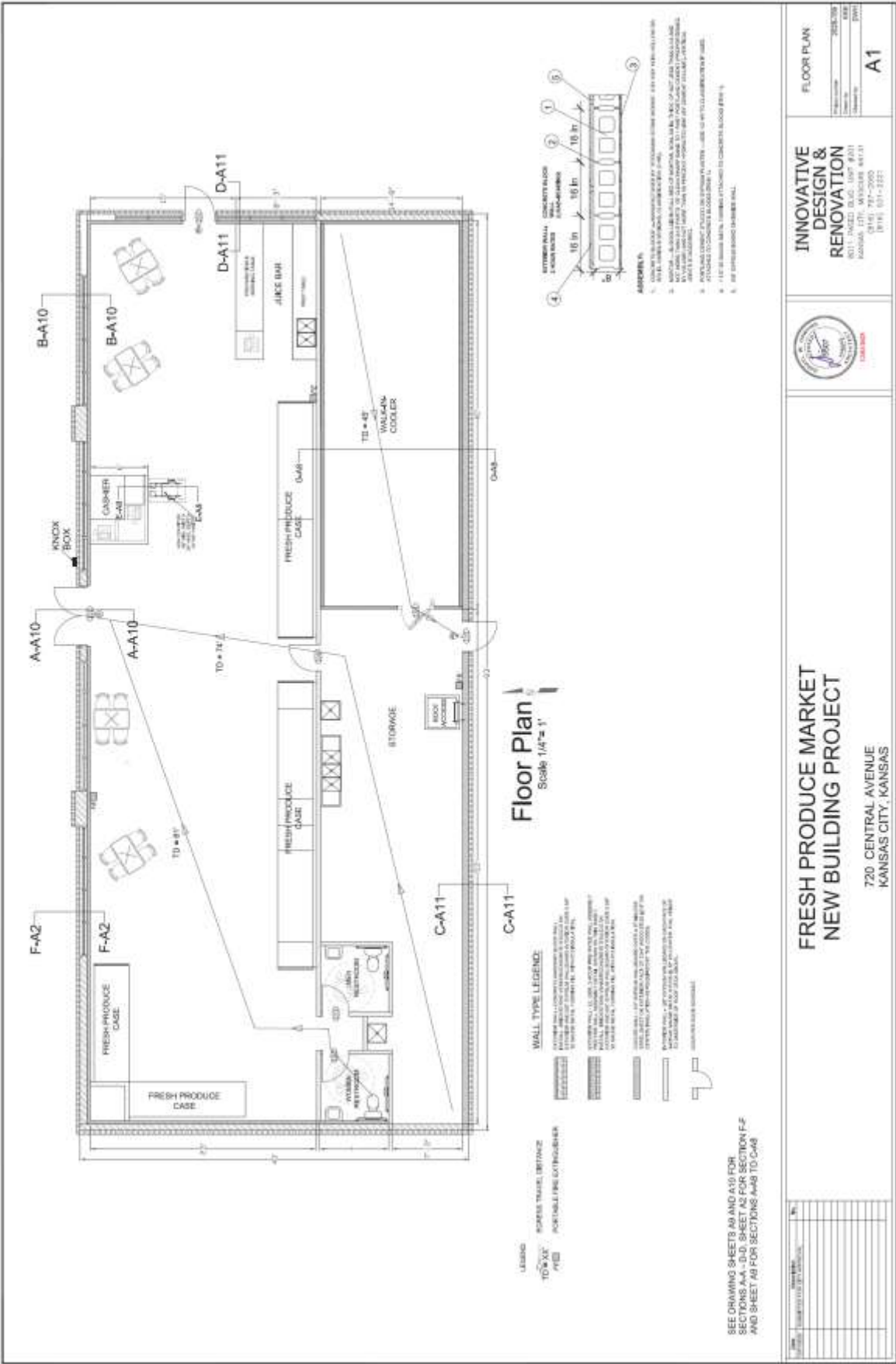


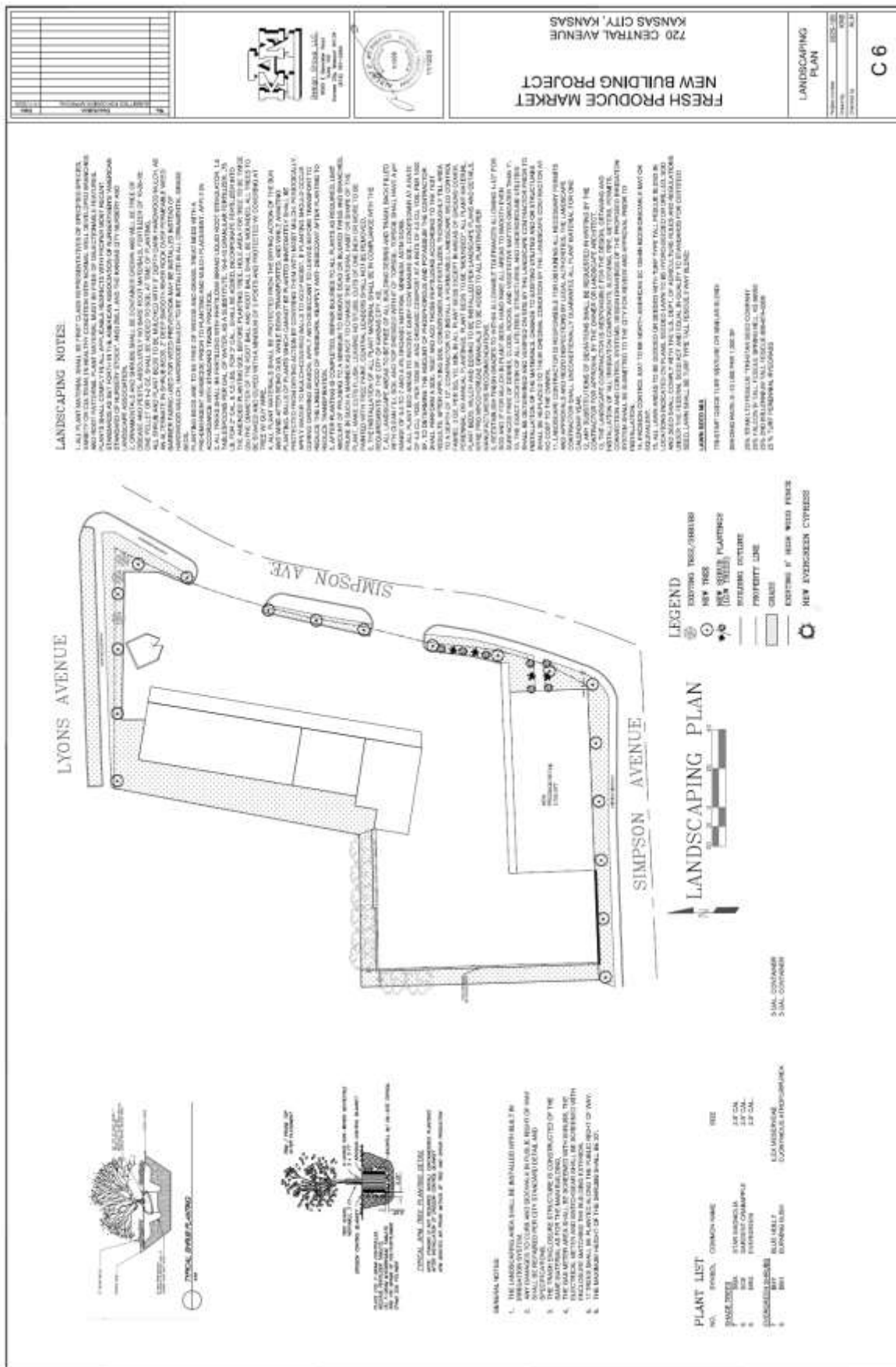
[Signature]
Notary Public















INTERIM DIRECTOR'S DETERMINATION

TO: File – SUP for 408 Sandusky

FROM: Rodney Lucas

DATE: July 1, 2026

SUBJECT: Whether application for SUP is to be considered a new application or renewal and whether the requirement for a home inspection can be waived.

DETERMINATION

Upon discussion with the Legal Department for the Unified Government, I have been advised of the following and adopt the same as my determination for the application of an SUP for a short-term rental at this property.

LEGAL AUTHORITY

The property located at 408 Sandusky will require an extensive remodel due to the actions of a previous renter. Per the plans provided by the applicant, only two walls of the existing structure will remain while the rest of the structure will be completely replaced. Thus, the structure, though retaining the address of the current SUP, for all intents and purposes will be a new structure. Thus, a new application for an SUP for a short-term rental is more appropriate in this situation than a renewal of the existing SUP.

Unified Government Code Sec. 27-263(c)(2)a.3.iii lists two specific situations in which an application for an SUP must be considered a new application rather than a renewal (i.e. a change in ownership of the parcel or lot or the transfer of the SUP to a separate parcel or lot). However, the fact that this section is silent does not preclude the director from viewing this proposed extensive remodel as a new application; rather, it sets out two situations where no discretion is allowed.

Unified Government Code Sec. 27-623(c)(2)a.3.ii sets out the submission materials for a short-term rental SUP, and subsection J within that section states as follows:

- J. Report from a full safety home inspection.
 - 1. For a new short-term special use permit application only, the report from a full safety home inspection conducted within the past six months by a home inspector registered with the unified government and in compliance with all business licensing requirements.

2. Additional inspections may be required at the discretion of the director of planning and/or their designee(s).
3. While a full safety home inspection shall not be required upon every renewal application of an existing special use permit, under no circumstances shall the time from the last full home inspection was conducted be greater than five years.

Because this application should be viewed as a new application, a home inspection is mandatory under Sec. 27-623(c)(2)a.3.ii.J.1 and not discretionary. Specifically, due to the extensive remodel that will occur at the property, the requirement of a home inspection should not be waived. Further, should this be considered a renewal application, a home inspection may still be required under Sec. 27-623(c)(2)a.3.ii.J.2, and should be required due to the extensive remodel that will occur at the property. As such, whether the application is a new application or a renewal, the director by way of staff can require a home inspection as part of the submission materials for the application.