

PLANNING COMMISSION AGENDA  
CITY OF PRAIRIE VILLAGE  
TUESDAY, AUGUST 2, 2016  
7700 MISSION ROAD  
7:00 P.M.

I. ROLL CALL

II. APPROVAL OF PC MINUTES - JULY 12, 2016

III. PUBLIC HEARINGS

IV. NON-PUBLIC HEARINGS

PC2016-121 Request for Building Line Modification

5012 West 70<sup>th</sup> Street  
Current Zoning: R-1a  
Applicant: Chris Castrop

PC2016-122 Request for Building Line Modification

7400 Roe Circle  
Current Zoning: R-1a  
Applicant: Jerad Foster

V. OTHER BUSINESS

VI. ADJOURNMENT

Plans available at City Hall if applicable  
If you cannot be present, comments can be made by e-mail to  
[Cityclerk@Pvkansas.com](mailto:Cityclerk@Pvkansas.com)

**\*Any Commission members having a conflict of interest, shall acknowledge that conflict prior to the hearing of an application, shall not participate in the hearing or discussion, shall not vote on the issue and shall vacate their position at the table until the conclusion of the hearing**

**PLANNING COMMISSION MINUTES**  
**July 12, 2016**

**ROLL CALL**

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, July 12, 2016 in the Municipal Building Multi-Purpose Room at 7700 Mission Road. Chairman Nancy Wallerstein called the meeting to order at 7:00 with the following members present: Gregory Wolf, Melissa Brown, James Breneman, Jonathan Birkel, and Jeffrey Valentino.

The following persons were present in their advisory capacity to the Planning Commission: Chris Brewster, City Planning Consultant; Mitch Dringman, Building Official and Joyce Hagen Mundy, Commission Secretary.

**APPROVAL OF MINUTES**

Jeffrey Valentino moved for the approval of the minutes of the Planning Commission for June 7, 2016 as submitted. The motion was seconded by Gregory Wolf and passed by a vote of 5 to 1 with James Breneman abstaining.

**PUBLIC HEARINGS**

There were no Public Hearings scheduled before the Planning Commission.

Chairman Nancy Wallerstein asked to reverse the order of applications due to a conflict of interest by a Commissioner on PC2016-119.

**NON PUBLIC HEARINGS**

**PC2016-120 Request for Preliminary & Final Plat Approval -  
For Replat of Prairie Ridge Lots 3, 4, & 5, Block 23  
5201 West 77<sup>th</sup> Street**

Harold Phelps, with Phelps Engineering and Matt Good, property owner, review their application for the replating of three 3 lots on the southwest corner of Rosewood and 77<sup>th</sup> Street. This property was originally platted in 1953. Each lot includes a single family dwelling and some additional accessory structures. They date from around the original date of the plat with the exception of some minor additions and modifications. This proposal is to replat the 3 lots into 5 lots for redevelopment as single-family structures.

James Breneman noted lot 4 shows a sanitary sewer easement extending from the north to south lot line. Matt Good replied this interrupts the buildable area for this lot and they are working with Johnson County Wastewater. A new easement will be dedicated to Johnson County Wastewater providing a connection to the lot immediately to the south of Lots 4 and 5 by a separate instrument.

Nancy Wallerstein asked if this application falls under the existing regulations or the new regulations. Mr. Brewster responded that the approval of the plat falls under the existing regulations; however, the homes when constructed will fall under the new regulations.

Chris Brewster noted the property is zoned R-1B which has a required minimum lot size of 60' x 100'. In addition the Prairie Village subdivision regulations provide that the Planning Commission consider the average size of all lots within 300' of a proposed subdivision as part of the lot size standards, along with other similar criteria regarding the size, pattern and configuration of lots.

The proposed lots all exceed the minimum standards for the R-1B zoning district. Three lots are approximately 70' x 209, and two are approximately 70' x 109'. The corner location and configuration of adjacent lots on the block result in two of the lots (proposed Lot 5 and Lot 3, respectively) being slightly larger than that due to the shape.

The area has many different configurations of lots due to the street network and pattern of blocks. However, the proposed lots are consistent with the sizes and patterns of lots within 300' of the proposed subdivisions:

- The typical lot pattern to the south and east is 65' - 72' x 125'. Deviations from this pattern are primary due to irregular block shapes or internal corners.
- The typical pattern to the north and west is 75' - 85' x 140'. A few lots are smaller than this, and several are significantly larger (6 lots in the 12,000 to 25,000 square foot range). The larger lots are primarily due to the large block and unusually deep lots immediately to the north across 77<sup>th</sup> street.

The proposed lots show all applicable setbacks for the R-1B district indicating the buildable area. In addition - and due to some pending considerations for setbacks in the R-1B zoning district at the time of pre-application meetings and discussions, 7' building lines are shown on the side setbacks. However, the City Council ultimately approved amendments that amount to the following for these lots:

- 6' side setbacks;
- Minimum of 20% of frontage between each sides (so 14' minimum total - i.e. it could be 6' on one side and correspondingly 8' on the other); and
- Minimum 12' between adjacent structures
- And 15' on street sides of corner lots, or ½ the depth of any front yard on any adjacent lot which faces the same street.

This affects the proposed lot in two ways:

1. The displayed building lines could be reduced to 6' on any one side, provided the other side is increased to 8';
2. The street side setback is shown as 15' along Rosewood. This meets the corner side setback in either case since the adjacent building facing Rosewood is setback approximately 25' from the street.

Public Works has reviewed this plat and has no issues with respect to utilities, infrastructure or drainage.

Harold Phelps stated that they will remove the 7' side yard designations currently on the plat prior to recording the plat with the county.

Jeffrey Valentino suggested that condition 4 be added to the staff recommendation that “the applicant remove the designated setbacks shown on the plat prior to recording and let the zoning standards control established setbacks”.

Mr. Brewster advised that the proposed replat of Prairie Ridge lots 3, 4 and 5 into 5 lots meets all of the standards of the City’s zoning ordinance for R-1B district and the requirements for a Final Plat in the subdivision regulations.

Gregory Wolf moved the Planning Commission approve PC2016-120, the Prairie Ridge Replat of Lots 2, 3, & 4 and part of 5 (Block 2, Block 22 & Block 23), and recommended the Governing Body for acceptance of easements, subject to the following conditions:

1. The Final Plat be submitted to the Governing Body for acceptance of easements.
2. That the applicant submit the Final Plat to the County (surveying and engineering) after approval by the City.
3. Prior to recording the Final Plat, it will be necessary for the property owner to vacate the existing sanitary sewer easement on proposed lot 4 and grant a new easement to Johnson County Wastewater meeting their requirements to serve any existing or future needs associated with that easement.
4. That the applicant remove the designated 7 foot side setbacks shown on the plat prior to recording and let the applicable zoning standards control.

The motion was seconded by James Breneman and passed unanimously.

**PC2016-119 Request for Preliminary & Final Plat Approval -  
Mission Chateau - 2<sup>nd</sup> Plat  
8500 Mission Road**

Melissa Brown recused herself from the meeting due to a professional conflict of interest on this application and left.

Wil Anderson, with BHC Rhodes, presented the proposed Mission Chateau - 2<sup>nd</sup> Plat which replats Lot 2 on the original plat into 13 individual lots for the villas.

Nancy Wallerstein asked if the plat reflected the change made by the Planning Commission on the driveway for Lot 3. Mr. Breneman noted it was Lot 5. Mr. Brewster responded that change was addressed in the final development plan which the Commission approved. He noted that each of the individual lots will return to the Commission for site plan approval.

Mr. Brewster reviewed the history of this application noting that the Planning Commission approved a preliminary and final plat for Mission Chateau on March 1, 2016. At that time it was understood that Lot 2 would be replatted at a future date to facilitate the construction and sale of the villas, according to the final development plan. The final development plan was also approved by the Planning Commission on March 1, 2016 subject to conditions. Previously, the Planning Commission heard the

application for a special use permit, site plan approval and a preliminary plat at a special meeting on July 29, 2015. The Commission recommended approval of the special use permit and site plan, subject to conditions, and the Council approved both recommendations on August 17, 2015.

Nancy Wallerstein questioned the width of the proposed sidewalk at 5' asking if it would be widened to accommodate connection to the city's trail system. Mr. Anderson replied that they are currently working with Public Works on the details of the sidewalk. Mr. Breneman noted that there is a 40' sidewalk easement designated on the plat. Mrs. Wallerstein expressed hesitation approving a five foot sidewalk and asked if this could be addressed through the landscape plan. Mr. Brewster noted their landscape engineer has been working with the applicant primarily on the trees and plantings. Mrs. Wallerstein stated she would be more comfortable with the wording be changed to read "a minimum of a 5-foot sidewalk". This would allow for potential future expansion to meet trail guidelines.

Rick Jones, with NSP&J, stated that if the city requires an 8-foot wide sidewalk/trail constructed. It will be constructed. Mike Allen with NSP&J noted the width of the sidewalk will impact the proposed bridge on the site.

Jeffrey Valentino supported Mrs. Wallerstein's proposed change to provide flexibility to address possible expansion in width. Mr. Allen noted that they are currently working with Public Works on curb cuts and will do as directed by them.

Chris Brewster stated that since approval of the final plat and final development plan the applicant has advanced on planning and engineering based on those approvals, and is preparing Lot 2 for the construction of the villas. They have submitted a replat of Lot 2, and the following comments relate to the recommended conditions for approval of the preliminary plat from Staff's July 7, 2015 review, and approved final plat from March 1, 2016:

1. **That the applicant provide a 5-foot sidewalk on the west side of Mission Road.**  
On the replat, the applicant has indicated that a 40' deep easement along the west side of Mission Road for the location of the minimum 5-foot sidewalk.
2. **That the applicant work with Public Works on the final design of the storm drainage system.**  
Public Works has reviewed the previously approved final plat and the proposed drainage system, and the replat is consistent with the approved final plat.
3. **That the 25-foot platted rear setback line be dimensional on the northwest property line of Lot 1.**  
[Not affected by the replat.]
4. **That the applicant prepare covenants to guarantee the maintenance of the common areas and utilities and submit it with the Final Plat.**

Draft covenants have been submitted with preliminary review and approvals to address this condition. These covenants may change or be updated prior to final submittals for development plans and construction. Prior to recording the Final Plat or replat, the final proposed covenants shall be submitted demonstrating that this condition is met.

5. **That the applicant dedicate a pedestrian easement on the west side of Lot 2 to provide access to Somerset Drive and construct the sidewalk.**

On the replat, a 10' easement is shown at this location (proposed Lot 13 on the replat); the sidewalk will need to be constructed as proposed through in the final plans and site development permits.

6. **That the applicant protect and preserve as much existing vegetation as possible along the property lines.**

A final landscape plan was approved by staff in May preserving trees along Mission Road and the property boundaries. All construction will need to occur according to the approved landscape plan.

7. **That access control to two locations on Mission Road be indicated on the plat.**

Public Works reviewed the previously approved final plat and the driveways and access controls are in accordance with the final plat.

8. **That the driveways be constructed to City standards.**

Public Works reviewed the previously approved final plat and the driveways and access controls are in accordance with the final plat; construction and specifications for the driveway will occur through subsequent permits to ensure City standards are met.

9. **That access control to two locations on Mission Road be indicated on the plat.**

Public Works reviewed the previously approved final plat and the driveways and access controls are in accordance with the final plat.

10. **That the driveways be constructed to City standards.**

Public Works reviewed the previously approved final plat and the driveways and access controls are in accordance with the final plat; construction and specifications for the driveway will occur through subsequent permits to ensure City standards are met.

Chris Brewster noted that the Subdivision Regulations also require the following additional information to be submitted with the Final Plat:

- A. Covenants - draft covenants submitted; final proposed covenants need to be submitted prior to recording to demonstrate that all conditions of the Special Use Permit, Site Plan and Plat approvals have been met.
- B. Proof of Ownership - submitted
- C. Review by County Surveyor - (The County Engineer will not review the Final Plat until it is approved by the City.)
- D. A Certificate showing all taxes and assessments have been paid - submitted.

- E. Construction Documents for streets, sidewalks and storm drainage - Construction documents will be submitted prior to final permits for site development and construction of improvements.

Staff advised that the proposed Final Plat for Mission Chateau 2<sup>nd</sup> Plat - Replat of Lot 2 is coordinated with the approved Special Use Permit and Final Development Plan and may be approved with the following exceptions which will need to be conditions of approval of the Final Plat:

1. The approval is conditioned previously approved final development plan and conditions. Specifically as it relates to this plat:
  - a. Future buildings on proposed Lots 3 through 13 require approval of new plans by the Planning Commission demonstrating conformance with the approved Final Development Plan and Special Use Permit. [this is the continuation of condition 5.d. of the Final Development Plan approval, reflected in the March 1, 2016 staff report.]
  - b. All future construction shall be in conformance with the approved landscape plan (L1.00 Bid Set Vol.3 dated 4/29/2016).
  - c. A sidewalk along the west side of mission road correspond to the easement and be constructed in accordance with the approved final development plan.
  - d. A sidewalk connection on the west side of proposed Lot 13 in the replat correspond to the easement and be constructed in accordance with the plan.
  - e. Covenants demonstrating adequate maintenance of all common areas be approved in accordance with the final plans, and the plat shall not be recorded until those covenants are reviewed and endorsed by the City as addressing all conditions of the special use permit and final development plan.
2. That any changes to approved final development plans that do not correspond to the platted lot and easements shown on the proposed final plat shall require the submittal of a new final plat corresponding to those changes and meeting all of the conditions for project approval.
3. That the applicant submit the final plat to the County (surveying and engineering) after approval by the City.
4. The final plat be submitted to the Governing Body for acceptance of easements.
5. Prior to the recording of the final plat, it will be necessary for the property owner to either construct all the proposed improvements or provide a financial guarantee to the City that the proposed improvements will be constructed in accordance with the approved final development plans that were conditions of the special use permit and site plan approval.

James Breneman moved the Planning Commission approve PC2016-119, the preliminary and final plat for Mission Chateau - 2<sup>nd</sup> Plat subject to the following conditions recommended by staff:

1. The approval is conditioned previously approved final development plan and conditions. Specifically as it relates to this plat:

- a. Future buildings on proposed Lots 3 through 13 require approval of new plans by the Planning Commission demonstrating conformance with the approved Final Development Plan and Special Use Permit. [this is the continuation of condition 5.d. of the Final Development Plan approval, reflected in the March 1, 2016 staff report.]
  - b. All future construction shall be in conformance with the approved landscape plan (L1.00 Bid Set Vol.3 dated 4/29/2016).
  - c. A minimum 5-foot sidewalk along the west side of Mission Road correspond to the easement and be constructed in accordance with the approved final development plan and comply with the Prairie Village Trail Plan or CIP plan for Mission Road.
  - d. A sidewalk connection on the west side of proposed Lot 13 in the replat correspond to the easement and be constructed in accordance with the plan.
  - e. Covenants demonstrating adequate maintenance of all common areas be approved in accordance with the final plans, and the plat shall not be recorded until those covenants are reviewed and endorsed by the City as addressing all conditions of the special use permit and final development plan.
2. That any changes to approved final development plans that do not correspond to the platted lot and easements shown on the proposed final plat shall require the submittal of a new final plat corresponding to those changes and meeting all of the conditions for project approval.
  3. That the applicant submit the final plat to the County (surveying and engineering) after approval by the City.
  4. The final plat be submitted to the Governing Body for acceptance of easements.
  5. Prior to the recording of the final plat, it will be necessary for the property owner to either construct all the proposed improvements or provide a financial guarantee to the City that the proposed improvements will be constructed in accordance with the approved final development plans that were conditions of the special use permit and site plan approval.

The motion was seconded by Gregory Wolf and passed by a vote of 5 to 0.

## **OTHER BUSINESS**

The Planning Commission members were reminded of the joint Planning Commission/City Council presentation on new wireless technology on Monday, August 18<sup>th</sup> at 6 p.m. in the Council Chambers.

The August Planning Commission meeting, Tuesday, August 2<sup>nd</sup>, will include two applications for residential building line modifications.

Planning Commission members requested printed copies of the revised code and recommended that the city's website and Village Voice feature information reviewing the new changes adopted.



**ADJOURNMENT**

With no further business to come before the Commission, Chairman Nancy Wallerstein adjourned the meeting at 7:45 p.m.

Nancy Wallerstein  
Chairman

# STAFF REPORT

**TO:** Prairie Village Planning Commission  
**FROM:** Chris Brewster, AICP, Gould Evans, Planning Consultant  
**DATE:** August 2, 2016, Planning Commission Meeting

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**Application:** PC 2016-121

**Request:** Building Line Modification

**Property Address:** 5012 W. 70<sup>th</sup> Street

**Applicant:** Chris Castrop

**Current Zoning and Land Use:** R-1B Single-Family Residential - Single-Family Dwellings

**Surrounding Zoning and Land Use:** **North:** R-1B Single-Family Residential - Single-Family Dwellings  
**East:** R-1B Single-Family Residential - Single-Family Dwellings  
**South:** R-1B Single-Family Residential - Single-Family Dwellings  
**West:** R-1A Single-Family Residential - Single-Family Dwellings

**Legal Description:** PRAIRIE VILLAGE LOT 17 & W 5 FT LOT 18 BLK 55

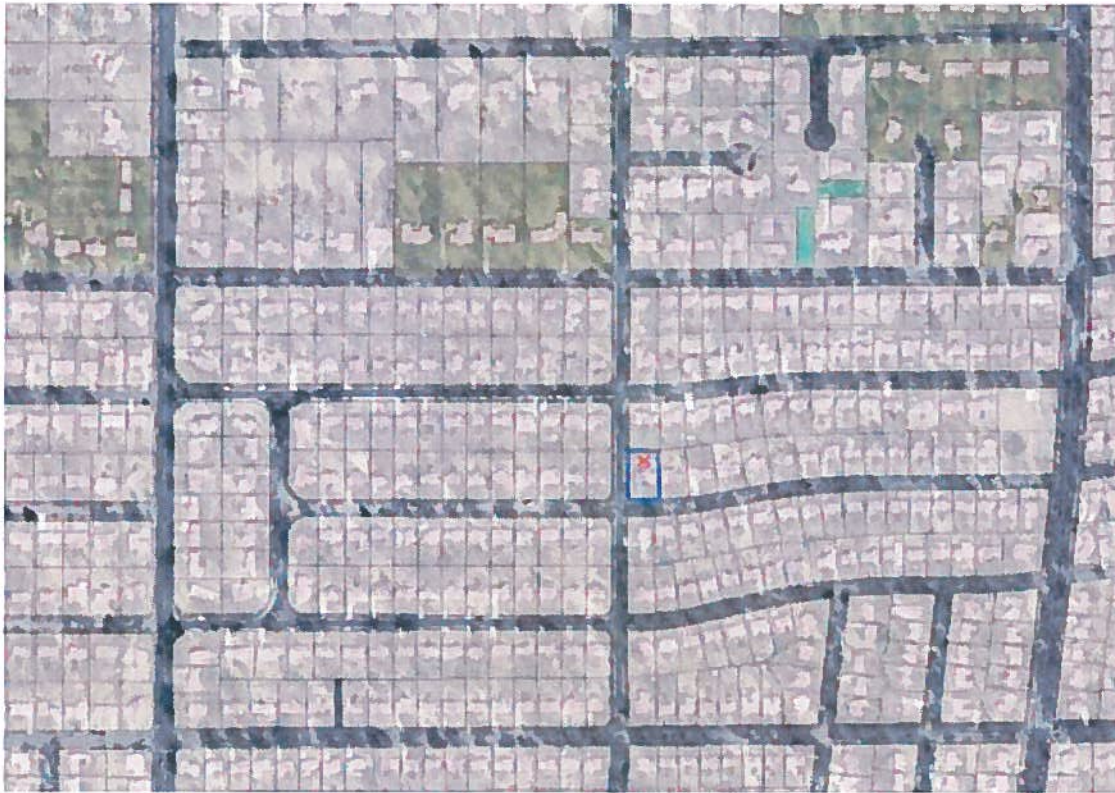
**Property Area:** 0.28 acres (12,259.21 s.f.)

**Related Case Files:** n/a

**Attachments:** Application, Drawings & Photos

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**General Location Map**



**Aerial Map**



**COMMENTS:**

The applicant is requesting a building line modification as provided in Chapter 18.18 of the subdivision regulations, to extend the dwelling and add a two car garage to the rear of the existing home. The garage would be accessed off the side-lot fronting on Fonticello.

The lot is located on the northeast corner of West 70<sup>th</sup> Street and Fonticello, and has a platted building line of 20 feet adjacent to Fonticello Street and 45 feet adjacent to West 70<sup>th</sup> Street. These setbacks are in addition to and greater than required by the R-1B zoning (30 feet front setback and 15 feet street side setback). The house orients directly to West 70<sup>th</sup> Street, and has a 2-car front-loaded garage off of West 70<sup>th</sup> Street. The house meets all zoning setbacks for the R-1B zoning district, as well as the required platted setbacks, but the west elevation (Fonticello side) is built right along the 20-foot platted setback.

The proposed location of the new garage is more than 15 feet from the side lot line. However it projects about 2' to 3' beyond the current side building line of the existing dwelling and into the platted 20-foot building line on the west side of the lot. All homes on this block and in the vicinity have a similar orientation as this dwelling; however the dwelling on the opposite corner to the south is oriented to Fonticello Street with a 2-car garage accessed off Fonticello. The house on the corner to the west has a side building line that is approximately 12 feet from the side lot line, and approximately 20 feet from the curb on Fonticello. The location of the proposed garage façade is approximately 17' from the side lot line and approximately 29 feet from the curb on Fonticello.

Section 18.18.D provides the criteria for the Planning Commission to consider for building line modifications:

**1. That there are special circumstances or conditions affecting the property;**

The lot is a corner lot with the building oriented to the front street (West 70<sup>th</sup> Street). The platted setbacks are similar to adjacent lots, however they are greater than setbacks for buildings and lots on the west side of Fonticello.

**2. The building line modification is necessary for reasonable and acceptable development of the property in question;**

The buildable area of the lot is reduced as a result of the platted setbacks. While the lot is large and there is a reasonable amount of buildable area under the platted setbacks, it is still more constraining than other lots in the area, and since the home does not have a "corner orientation", but instead is oriented to West 70<sup>th</sup> Street, the side setback on Fonticello is more constraining than required by zoning.

**3. That the granting of the building line modification will not be detrimental to the public welfare or injurious to or adversely affect adjacent property or other property in the vicinity in which the particular property is situated;**

The addition of the garage is effectively the side lot of the current home, and still has a substantial setback from the street edge of Fonticello, and most of the proposed addition is beyond the platted setbacks to the rear of the property. The request otherwise exceeds all zoning requirements.

**EFFECT OF APPROVAL:**

If the Planning Commission finds favorably on the three considerations, it shall adopt a resolution that must be recorded with the register of deeds prior to obtaining a building permit.

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*Street view from Corner of West 70<sup>th</sup> and Fonticello.*



*Street view of west elevation from Fonticello.*



*Street view looking north on Fonticello.*

CITY OF PRAIRIE VILLAGE, KANSAS

App- 0012592  
Customer # 18408

APPLICATION

Please complete this form and return with information requested:

City Administrator  
City of Prairie Village  
7700 Mission Road  
Prairie Village, KS 66208

For Office Use Only	
Case No.:	2016-121
Filing Fee:	_____
Deposit:	_____
Date Advertised:	_____
Date notices Sent:	_____
Public Hearing Date:	8/2/16

Applicant: GREG CASTRO Phone: 913-515-7014

Address: 4313 W. 54<sup>th</sup> St P.V. KS. Zip: 66208

Owner: GEORGE & JULIE CONCHAST. Phone: \_\_\_\_\_

Address: 5012 W 70<sup>th</sup> St. P.V. KS. Zip: 66208

Location of Property: " "

Legal Description: LOT 17 and the West 5 ft of lot 18, measured on the front and rear lines of said lot 18, BLK 55, Prairie Village.

Applicant requests consideration of the following:  
(Describe proposal/request in detail)  
We are proposing a main level master suite and great room addition. In addition to this we will be proposing a 2 car garage addition, a joined to the existing house to the west along front porch.

AGREEMENT TO PAY EXPENSES

APPLICANT intends to file an application with the PRAIRIE VILLAGE PLANNING COMMISSION or the PRAIRIE VILLAGE BOARD OF ZONING APPEALS of the CITY OF PRAIRIE VILLAGE, KANSAS (City) for \_\_\_\_\_. As a result of the filing of said application, CITY may incur certain expenses, such as publication costs, consulting fees, attorney fees, and court reporter fees.

APPLICANT hereby agrees to be responsible for and to reimburse CITY for all costs incurred by CITY as a result of said application. Said costs shall be paid within ten (10) days of the receipt of any bill submitted by CITY to APPLICANT. It is understood that no requests granted by CITY or any of its commissions will be effective until all costs have been paid. Costs will be owing whether or not APPLICANT obtains the relief requested in the application.

[Signature]  
Applicant's Signature

\_\_\_\_\_  
Owner's Signature

July 7, 2016.  
Date

\_\_\_\_\_  
Date

# CERTIFICATE OF SURVEY

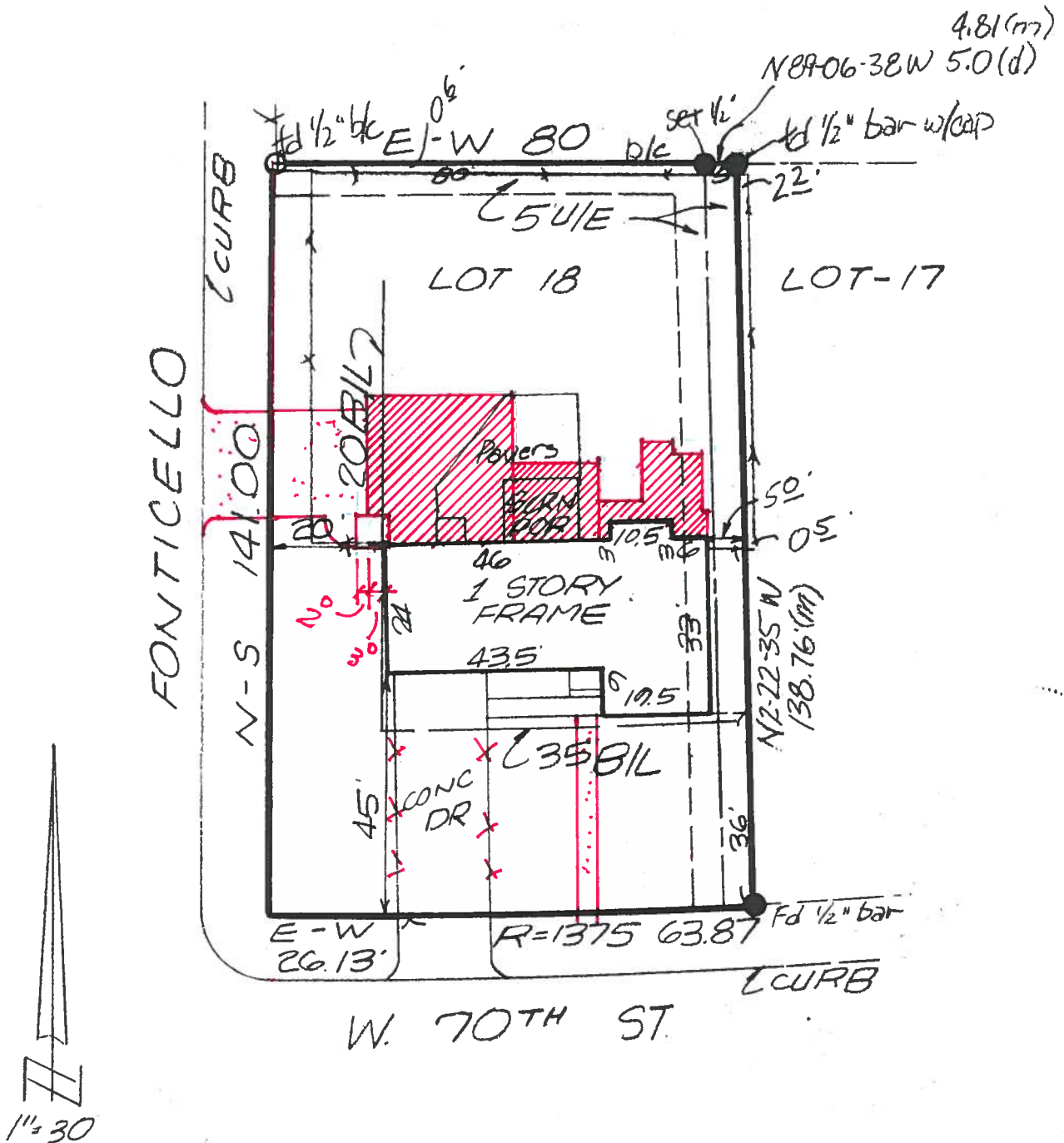
DATE 5/18/16

ORDERED BY: Chris Castrop  
 FOR: George Gilchrist  
 5012 W. 70th Street  
 Prairie Village, Kansas

RESIDENTIAL SURVEYS, INC.  
 7133 West 80th Street, Suite 210  
 Overland Park, KS 66204  
 Phone: (913) 381-4488  
 Fax: (913) 381-3048

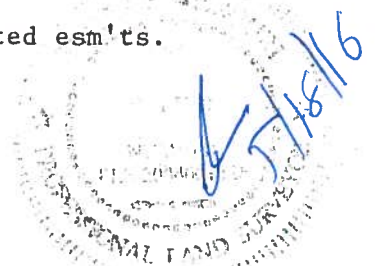
JOB NO. 2926.75

DESCRIPTION: Lot 17, and the West 5 feet of Lot 18, measured on the front and rear lines of said Lot 18, Block 55, PRAIRIE VILLAGE, a subdivision in the City of Prairie Village, Johnson County, Kansas, according to the recorded plat thereof.



I hereby certify that a survey of the above described property has been made under my supervision and the results are as shown hereon.

Note: No title report furnished. Not responsible for unplatted esm'ts.



# STAFF REPORT

**TO:** Prairie Village Planning Commission  
**FROM:** Chris Brewster, AICP, Gould Evans, Planning Consultant  
**DATE:** August 2, 2016, Planning Commission Meeting

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**Application:** PC 2016-122

**Request:** Building Line Modification

**Property Address:** 7400 Roe Circle

**Applicant:** Jared Foster

**Current Zoning and Land Use:** R-1B Single-Family Residential - Single-Family Dwellings

**Surrounding Zoning and Land Use:** **North:** R-1B Single-Family Residential - Single-Family Dwellings  
**East:** R-1B Single-Family Residential – Park / Wastewater Disposal Building  
**South:** R-1A Single-Family Residential - Church  
**West:** R-1B Single-Family Residential - Single-Family Dwellings

**Legal Description:** PRAIRIE VILLAGE LOT 1 BLK 38

**Property Area:** 0.36 acres (15,500.06 s.f.)

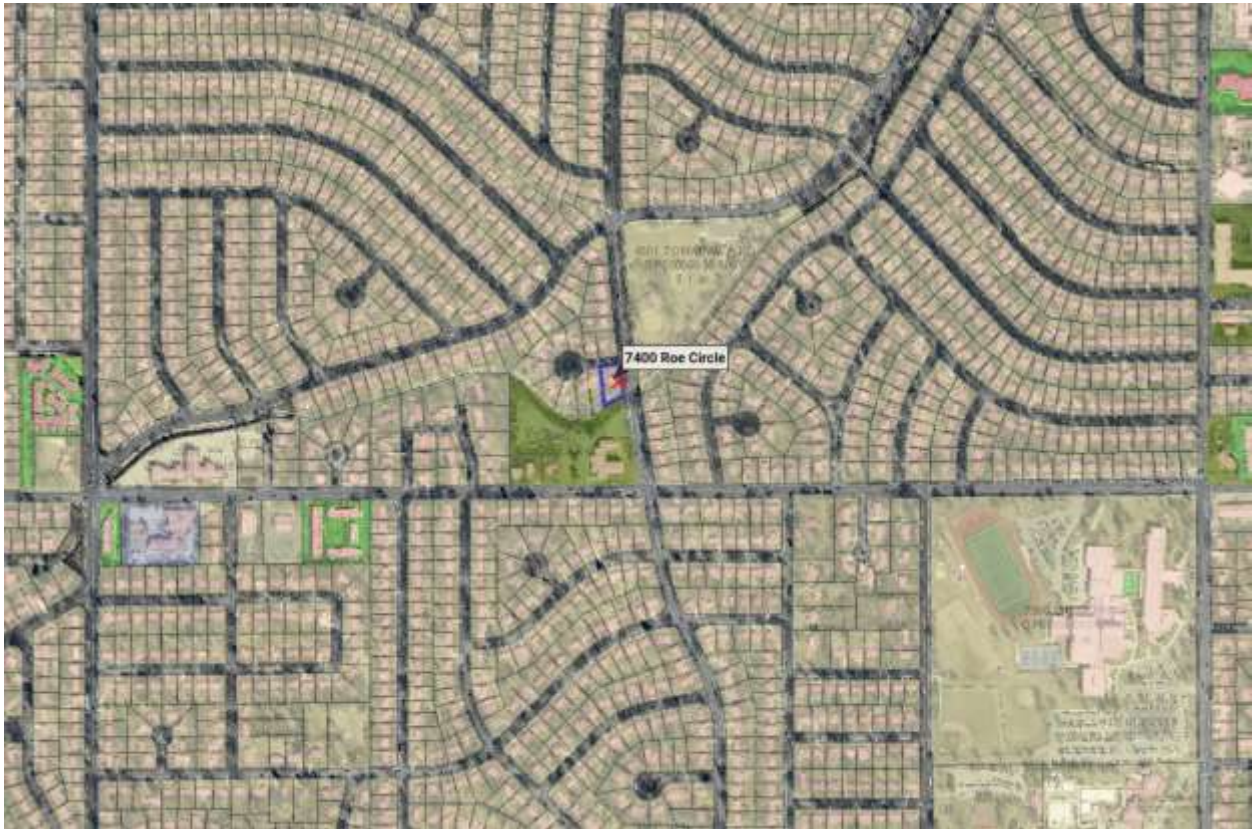
**Related Case Files:** n/a

**Attachments:** Application, Drawings & Photos

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**General Location Map**



**Aerial Map**



**COMMENTS:**

The applicant is requesting a building line modification as provided in Chapter 18.18 of the subdivision regulations, to extend the dwelling and move a garage to the east side of the lot along Roe and expand it to a 2-car garage. The garage would be accessed off Roe Circle as it currently is.

The lot is located on the southeast corner of Roe Circle and Roe Avenue, and has a platted building line of 40 feet at the front on Roe Circle, and 30 feet at the side along Roe Avenue. These setbacks are in addition to and greater than required by the R-1B zoning (30 feet front setback and 15 feet street side setback). The house orients directly to Roe Circle, and has a 2-car front-loaded garage on the west side of the lot accessed off Roe Circle by a circle drive. The house meets all zoning setbacks for the R-1B zoning district, as well as the required platted setbacks, but the east elevation (Roe Avenue side) is built right along the 30-foot platted setback.

The existing home is Drummond home with a single-car garage attached to the dwelling by a breezeway on the west side of the lot. The proposal is to move this to the east side of the lot with a similar projection and orientation of the garage, expand it to a 2-car garage, and with an associated expansion of the main dwelling in this area. The main dwelling would also be expanded to the west behind where the current garage sits. All proposed additions meet the required zoning setbacks (30' front, 6' west side, 15' east/street side, and 25' rear). The proposed location of the new garage and home addition along Roe Avenue is 20' to 22' from the side lot line – as opposed to the 30-foot platted building line, and approximately 40' from the curb on Roe Avenue. The main body of the existing dwelling and proposed additions are well beyond the 40-foot platted building line, however the proposed new garage extends approximately 2 feet beyond this line.

Homes on this block have a varied orientation as they stagger around the circle drive, and the home immediately to the west is built substantially closer to Roe Circle than the existing home (approximately even with the extent of the proposed projecting garage). The rear of the block is a drainage way, and the property to the west is used as a park and Johnson County water disposal building.

Section 18.18.D provides the criteria for the Planning Commission to consider for building line modifications:

**1. That there are special circumstances or conditions affecting the property;**

The lot is a corner lot with the building oriented to the front street (Roe Circle). The lot is irregularly shaped due to the circle configuration of the block and the drainage way on the rear of the block. The property to the west is a park and public water disposal building.

**2. The building line modification is necessary for reasonable and acceptable development of the property in question;**

The buildable area of the lot is reduced as a result of the platted setbacks. While the lot is large and there is a reasonable amount of buildable area under the platted setbacks, the platted building lines are substantially more constraining than zoning setbacks. The main portion of the current home (as well as proposed additions) remain well beyond the zoning and platted setback on the front lot line, with the greatest encroachment proposed on the west lot line along Roe Avenue.

**3. That the granting of the building line modification will not be detrimental to the public welfare or injurious to or adversely affect adjacent property or other property in the vicinity in which the particular property is situated;**

The addition of the garage is effectively flipping from the current location to allow more buildable space, creating more livable space closer to adjacent residential dwellings. The orientation to the front will be similar to the existing building and comparable to other homes fronting on Roe Circle, while the garage as some smaller additions are moving close to the side that borders Roe Avenue and the adjacent park. The lot to the rear (across the drainage way) is zoned for residential but used as a church. The request otherwise exceeds all zoning requirements.

**EFFECT OF APPROVAL:**

If the Planning Commission finds favorably on the three considerations, it shall adopt a resolution that must be recorded with the register of deeds prior to obtaining a building permit.



*Street view from Corner of Roe Circle and Roe Avenue.*



*Street view of south elevation from Roe Circle.*

I am applying for a building line modification for the property located at 7400 Roe Circle, Prairie Village Kansas. Attached you will find a proposed site plan showing that we are applying to modify the front building line and the side yard building line.

I would like to reference the modifications to the building line separately for the front and side yard.

Front building Line:

I would like to modify the front building line by 2'. This is consistent with the existing garage built on the property and aligns with the front of the neighboring home (7352 Roe Circle survey attached for reference ). This modification will allow a 20' deep garage to sit in front of the house similar to the existing garage that we will be tearing down because of its condition. We are proposing to move the garage to the East side of the property to help buffer the front yard from Roe. We do not feel that the building line modification is detrimental to public welfare or adversely affects adjacent property owners.

Side Yard Building Line:

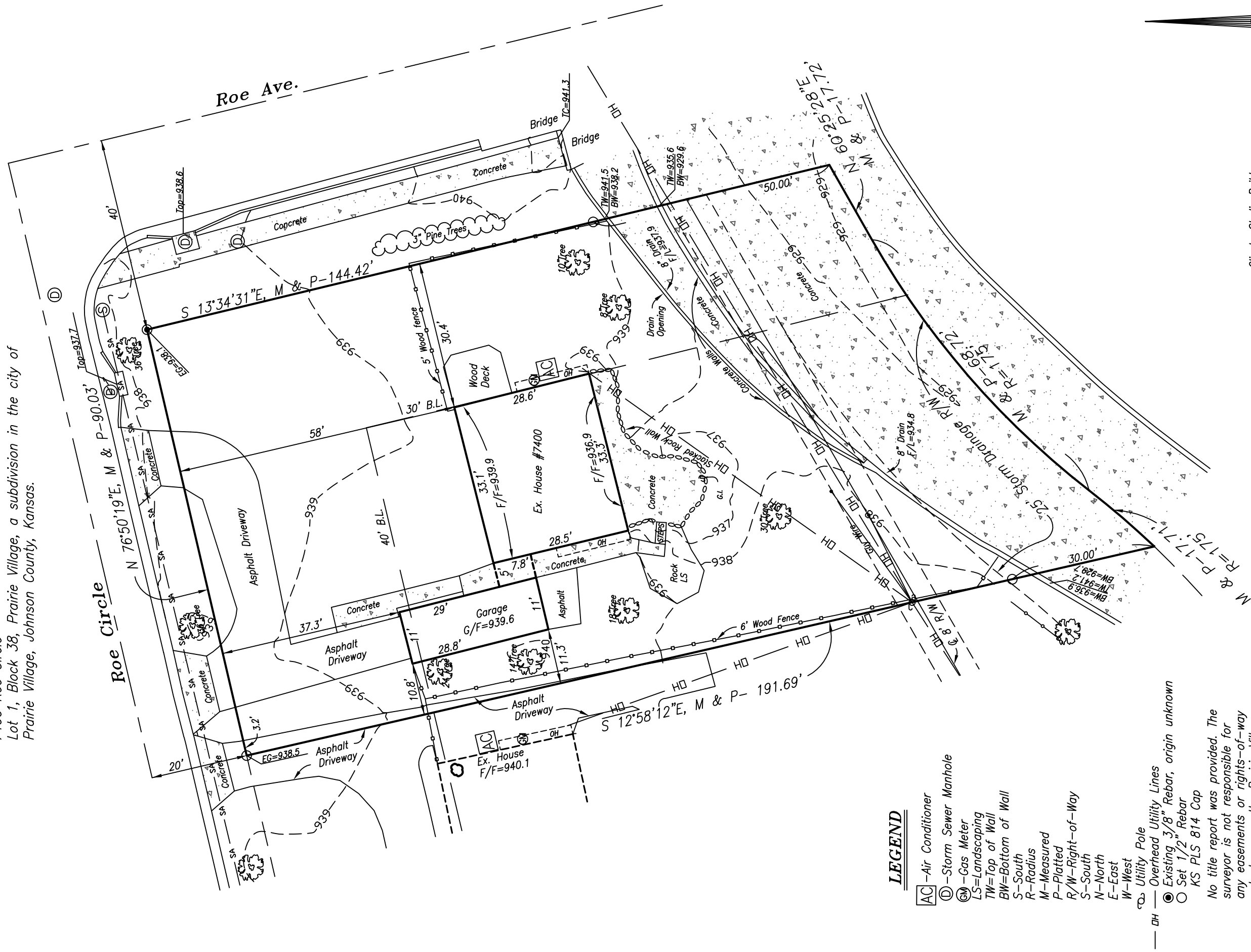
I would like to modify the existing 30' side yard building line. We are proposing a change to 20'. This is in accordance with Prairie Village Ordinance 2350 that went into effect July 12, 2016. This modified building line will allow a 10' addition that greatly impacts our ability to increase the square footage of this existing Drummond.

We have sent our proposed site plan on to our Surveyor for his review and seal. We will submit for a Drainage Permit as soon as we have his drawings back.

Jerad Foster  
7400 Roe Circle, Prairie Village KS 66208

# BOUNDARY & TOPGRAPHIC SURVEY

7400 Roe Circle  
 Lot 1, Block 38, Prairie Village, a subdivision in the city of  
 Prairie Village, Johnson County, Kansas.



## LEGEND

- AC - Air Conditioner
- ⊙ - Storm Sewer Manhole
- ⊕ - Gas Meter
- LS - Landscaping
- TW - Top of Wall
- BW - Bottom of Wall
- S - South
- R - Radius
- M - Measured
- P - Platted
- R/W - Right-of-Way
- S - South
- N - North
- E - East
- W - West
- ⊕ - Utility Pole
- - Overhead Utility Lines
- ⊙ - Existing 3/8" Rebar, origin unknown
- - Set 1/2" Rebar
- KS PLS 814 Cap

No title report was provided. The surveyor is not responsible for any easements or rights-of-way not shown on the Prairie Village subdivision plat filed August 30, 1949 in the Plats book, Pages 40 & 41. The filing information on the plat is very difficult to read and may not be correct.

Bearings are assumed and based on a survey of Lot 5, Block 38, performed by John W. Renner, LS 872.

I hereby certify that to the best of my knowledge and belief, this plot correctly portrays the results of a survey performed under my direct supervision of the above described property in April, 2016.  
 Jerald W. Pruitt, PS 814  
 April 6, 2016

Client: Studio Build  
 2119 Washington St.  
 Kansas City, MO 64108  
 Job No. 16-0304

Scale 1" = 20'



SCALE IN FEET

**PRUITT AND DOOLEY SURVEYING, LLC**

7912 Elm, Raytown, MO 64138

816-699-4239

10777 Barkley, Suite 220-I, Overland Park, KS 66211

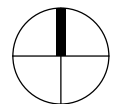
Tele.-913-652-9002, Fax-913-652-9034

Prairie Village Lot 1 Blk 38.dwg



**LEGEND**

LOT AREA:	14949 SQ.FT.
FOOTPRINT OF EXISTING STRUCTURE:	1361 SQ.FT.
EXISTING NON PERVIOUS SURFACE:	1502 SQ.FT.
<u>TOTAL EXISTING LOT COVERAGE:</u>	<u>2863 SQ.FT.</u>
<u>TOTAL EXISTING PERCENTAGE LOT COVERAGE:</u>	<u>19%</u>
FOOTPRINT OF PROPOSED STRUCTURE:	2148 SQ.FT.
PROPOSED AREA OF NON PERVIOUS SURFACE:	1766 SQ.FT.
<u>TOTAL PROPOSED LOT COVERAGE:</u>	<u>3914 SQ.FT.</u>
<u>TOTAL PROPOSED PERCENTAGE LOT COVERAGE:</u>	<u>26%</u>



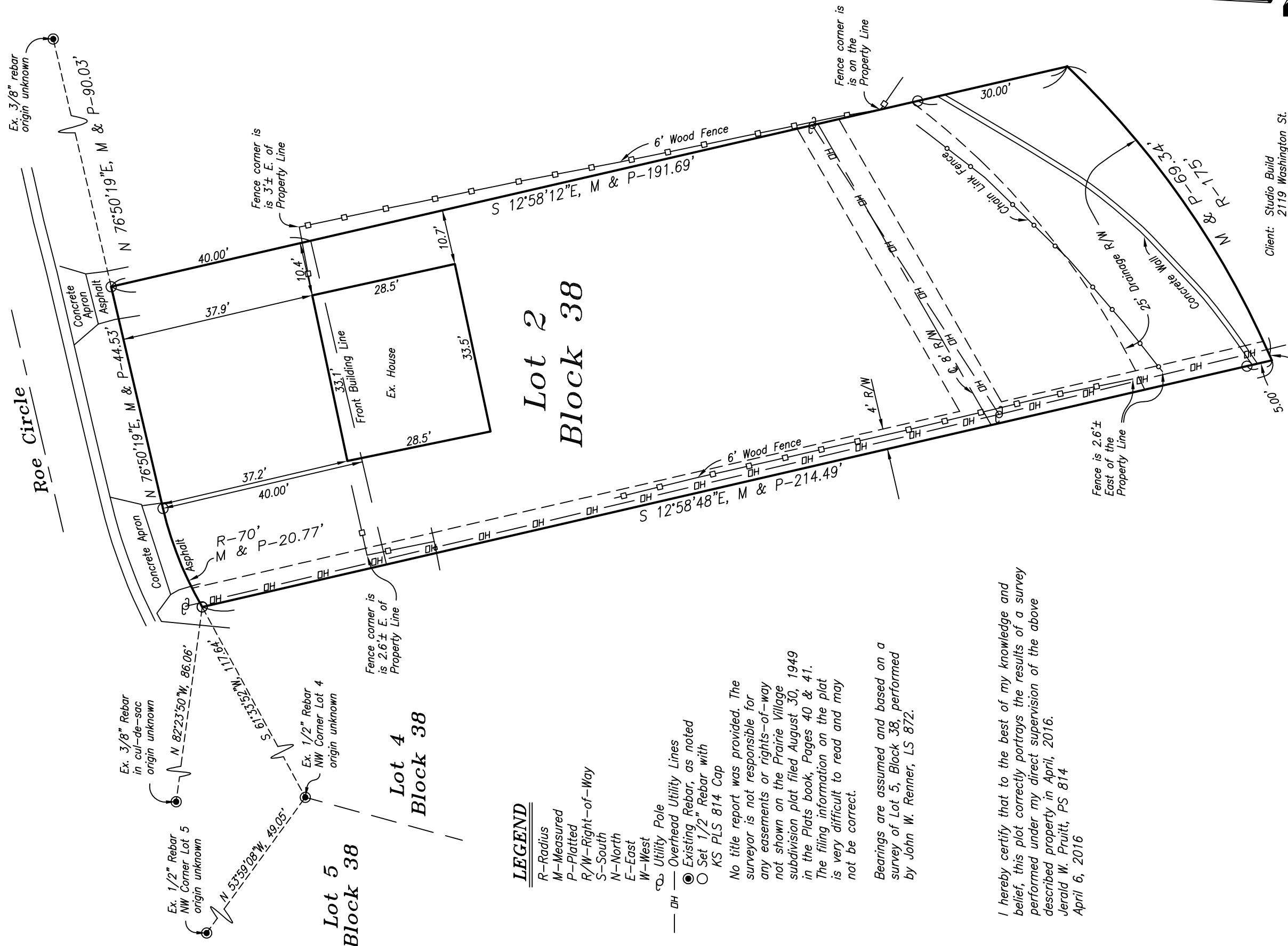
**PROPOSED SITE PLAN**



1/16" = 1'-0"

# BOUNDARY SURVEY

7352 Roe Circle  
 Lot 2, Block 38, Prairie Village, a subdivision in the city of  
 Prairie Village, Johnson County, Kansas.



Client: Studio Build  
 2119 Washington St.  
 Kansas City, MO 64108  
 Job No. 16-0304

Scale 1" = 20'  
 SCALE IN FEET

## LEGEND

- R—Radius
- M—Measured
- P—Platted
- R/W—Right-of-Way
- S—South
- N—North
- E—East
- W—West
- Utility Pole
- Overhead Utility Lines
- Existing Rebar, as noted
- Set 1/2" Rebar with  
 KS PLS 814 Cap

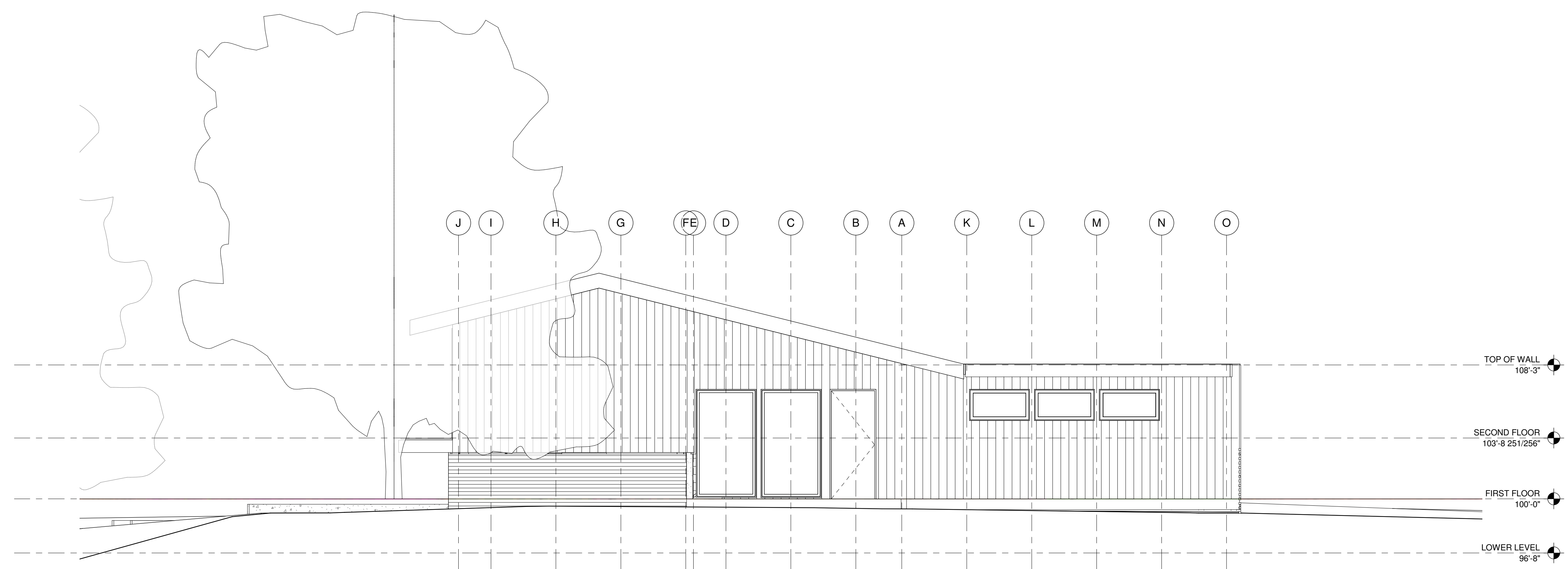
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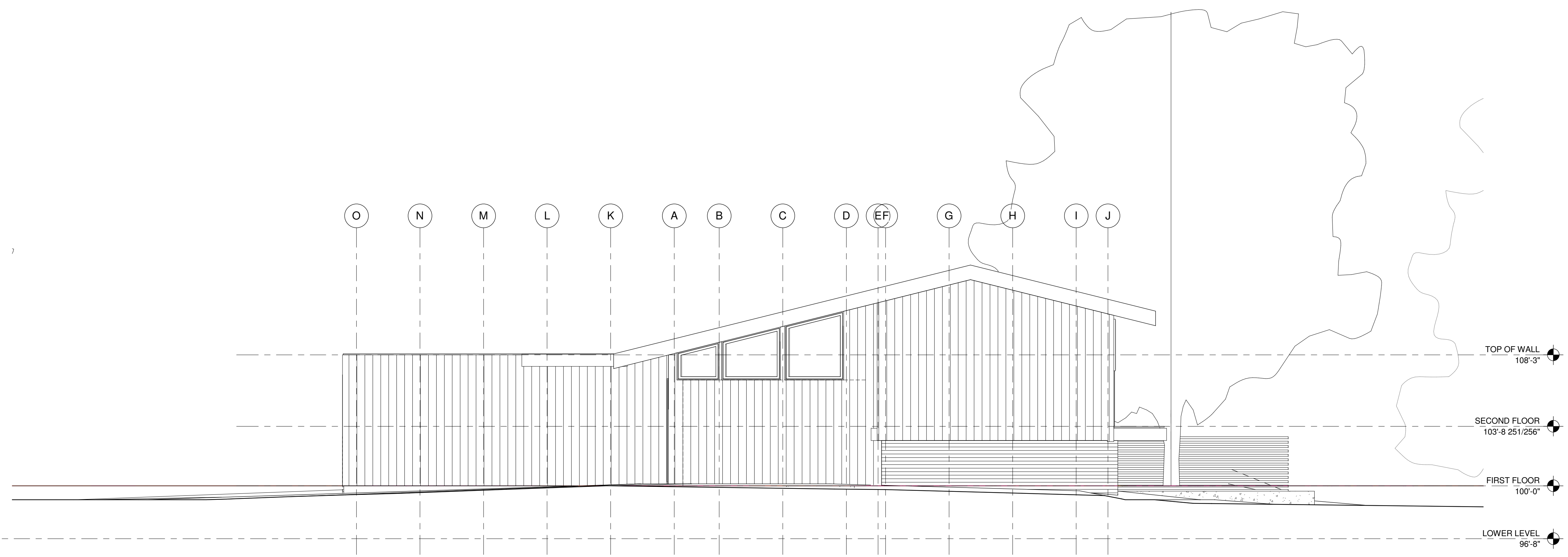
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 April 6, 2016

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 Tele.-913-652-9002, Fax-913-652-9034  
 Prairie Village Lot 2 Blk 38 with house.dwg

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 Residence\Ext\7400  
 RESIDENCE\EXT



**WEST** 2  
 1/4" = 1'-0"



**EAST** 1  
 1/4" = 1'-0"

# STUDIO BUILD

**STUDIO BUILD**  
 2119 WASHINGTON ST.  
 KANSAS CITY, MO  
 64108  
 P: (816) 726 - 1927  
 P: (913) 957 - 0263  
 P: (816) 786 - 8567  
 WWW.STUDIOBUILD.COM

**7400 RESIDENCE**  
 6551 COTTONWOOD SHORES  
 WELLINGTON, CO 80549

issued:  
 DATE: 07/22/2019

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revision:

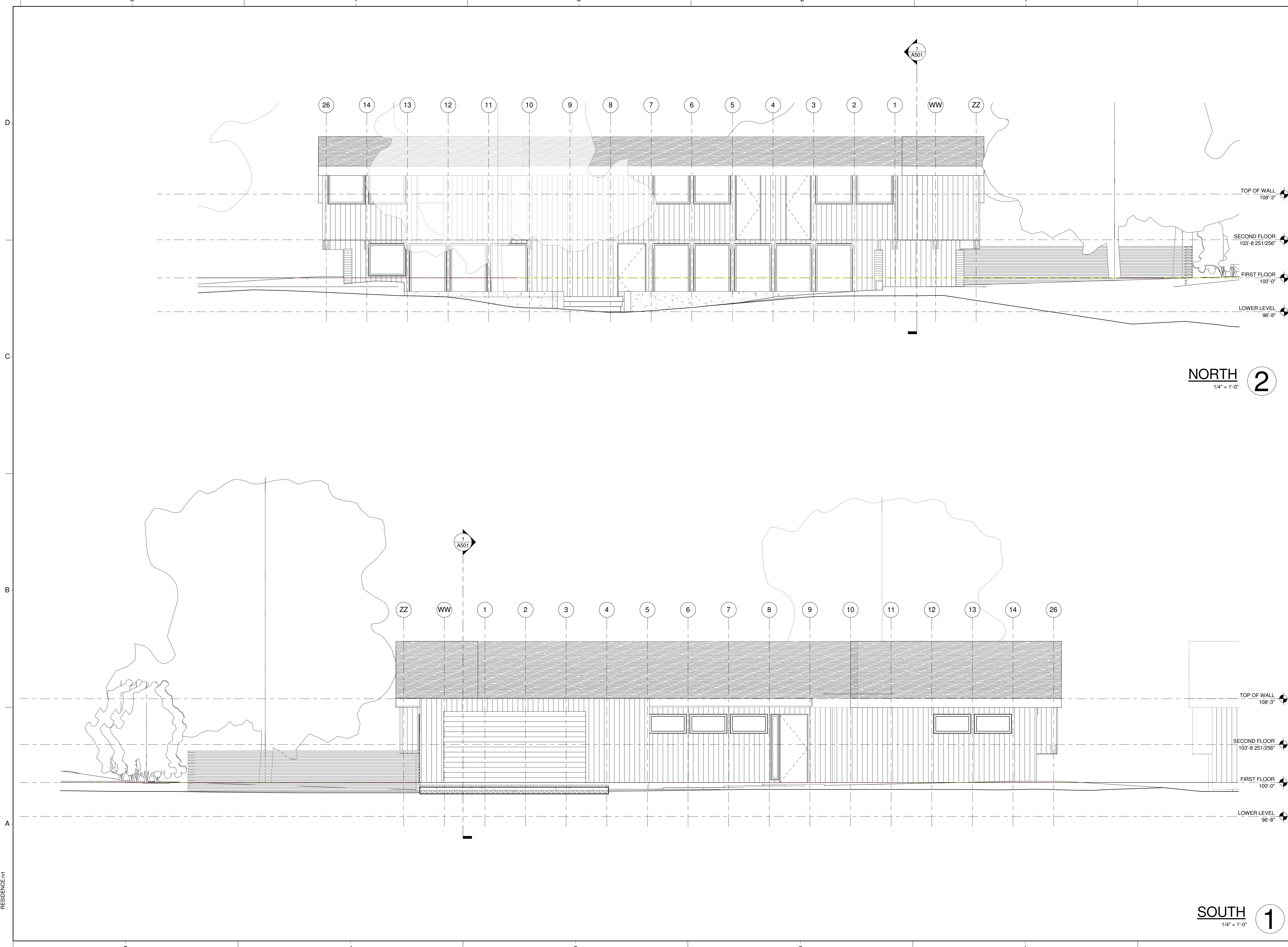
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 EXTERIOR ELEVATIONS

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**A400**



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 Residence\Revit\7400  
 RESIDENCE.rvt



**NORTH**  
 1/4" = 1'-0" **2**

**SOUTH**  
 1/4" = 1'-0" **1**

# STUDIO BUILD

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 2119 WASHINGTON ST.  
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revision:

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sheet name:  
 EXTERIOR ELEVATIONS

sheet #:  
**A401**