

**BOARD OF ZONING APPEALS  
CITY OF PRAIRIE VILLAGE, KANSAS  
MINUTES  
TUESDAY, JUNE 5, 2018**

**ROLL CALL**

The meeting of the Board of Zoning Appeals of the City of Prairie Village, Kansas was held on Tuesday, June 5, 2018 in the Council Chambers of the Municipal Building at 7700 Mission Road. Chairman Gregory Wolf called the meeting to order at 6:30 p.m. with the following members present: Jonathan Birkel, Melissa Brown, and Nancy Wallerstein. Also present in their advisory capacity to the Board of Zoning Appeals were: Chris Brewster, Planning Consultant; Jamie Robichaud, Assistant City Administrator and Joyce Hagen Mundy, Board Secretary. Ron Nelson, City Council Liaison, was also present.

**APPROVAL OF MINUTES**

Jonathan Birkel clarified the motion on page 3 was to deny. Gregory Wolf noted the vote should be 5 to 1 as he was not in attendance. Nancy Wallerstein moved for the approval of the minutes of the March 6, 2018 meeting as corrected. The motion was seconded by Jonathan Birkel and passed 4 to 0.

Chairman Gregory Wolf announced that BZA2018-03 had been withdrawn by the applicant.

**BZA2018-02    Variance from Section 19.08.030(a) "Side Yard" of the Zoning Ordinances to reduce the west side yard setback from 7 feet to 5 feet  
4815 West 63<sup>rd</sup> Terrace**

Jamie Robichaud announced the applicant had been called out of town and requested if the application could not be acted upon in her absence that it be continued to July 10<sup>th</sup>.

Chris Brewster stated the applicant is requesting a variance from Section 19.08.030 to allow a side addition to the existing building to extend up to 2 feet into the required 7 foot side yard setback. This lot is 85 feet wide and is approximately 138 feet deep. It has a slightly irregular shape as it is wider at the rear (90.5 feet), creating a slight skew in the lot lines. Other lots on this block have a similar condition to varying degrees due to the curve of West 63<sup>rd</sup> Terrace.

The applicant is proposing to add a 2-car garage in place of the existing 1-car garage on the west side of the home. The front, west corner of the expanded garage would be 5 feet from the side lot line. This would allow the proposed garage to be approximately 15.9 feet from the existing home to the west at the closest point (the forward corner west corner due to the skew of both lots.)

The proposed garage addition is a single-story addition with a hipped roof, indicating that the side elevation with the variance will be single-story to an eave line along the west side and located approximately 20 feet from the existing home to the west. The majority of the front elevation on the street would remain unchanged with the exception of an additional garage door (the new garage proposes two bays separated by a pillar and including decorative columns), a new gable porch roof and brackets, and a 2-car driveway tapered to the existing curb cut. Mr. Brewster noted this property is subject to private covenants which require 1.5 story structures.

Mr. Brewster stated all of the proposed addition complies with the R-1A zoning standards except for the proposed location 5 feet from the west property line. The applicant has submitted dimensions showing that a stairway and chimney on the west wall of the living space is located within the garage area, resulting in the existing garage having 13.5 feet of width. Expansion of the home to the required 7-foot setback line would add 3.5 feet of width, and a usable space of 17-feet. The requested variance would allow a usable space of approximately 19' wide, more typical of a smaller 2-car garage.

Gregory Wolf confirmed the appropriate notices to the neighbors were sent and that staff has not heard any objections to the requested variance. It was noted that the applicant had received approval from the homes association for the proposed expansion of the garage.

Nancy Wallerstein noted the similarity to a previous application related to the appropriate interior space for a garage which was denied and asked Board members if they felt the garage could be constructed without the requested variance.

Jonathan Birkel expressed concern with the information provided does not reflect a clear scale on the size of the chimney intrusion and stairs. He noted in some remodel situations stairways have been relocated. Based on the information provided, he cannot determine if there is sufficient interior space without the variance. Mr. Birkel noted it would be helpful to have photos of the interior of the garage to provide a better perspective.

Melissa Brown stated she shared Mr. Birkel's concerns and felt additional information was needed. Gregory Wolf asked what additional information the Board would like presented. Mr. Birkel responded the following information would be helpful: 1) photographs of the inside of the garage (particularly the chimney and stair area); 2) actual dimensions of the chimney and stairway and 3) inside dimensions to and from the stairway.

Patrick Lenahan arrived to the meeting.

Chairman Gregory Wolf opened the public hearing.

Jonathan Birkel moved to continue application BZA2018-02 and the public hearing to the July meeting of the Board of Zoning Appeals with the request for additional

information stipulated to be presented. The motion was seconded by Nancy Wallerstein and passed by a vote of 4 to 0 with Mr. Lenahan abstaining.

#### **OLD BUSINESS**

There was no Old Business to come before the Board.

#### **NEXT MEETING**

Board Secretary Joyce Hagen Mundy noted the July meeting would be held on Tuesday, July 10<sup>th</sup> in the Multi-Purpose Room at City Hall instead of July 3<sup>rd</sup> due to the July 4<sup>th</sup> holiday.

#### **ADJOURNMENT**

Chairman Gregory Wolf adjourned the meeting of the Board of Zoning Appeals at 6:47 p.m.

Gregory Wolf  
Chairman