

# AGENDA

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## TOPEKA BOARD OF ZONING APPEALS

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MONDAY, JULY 10, 2006  
5:30 P.M.

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Holliday Building  
620 SE Madison, 2<sup>nd</sup> Floor Sunflower Conference Room

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### MEMBERS OF THE BOARD

Debbie Beam  
Tim Carkhuff - Chairman  
Jared Holroyd  
Henry McClure  
Mike Morse - Vice-Chairman  
Ivan Weichert  
John Williams

- The Topeka Board of Zoning Appeals holds a public hearing on the second Monday of each month to consider certain appeals, variances, and exceptions as may be granted by the Comprehensive Zoning Regulations of the City of Topeka, Kansas.
- The following agenda identifies and describes each proposal to be considered by the Board.
- Each item to be considered by the Board will be introduced by the Planning Department Staff. The Board will then hear and consider arguments both for and against each proposal.
- Individuals wishing to address the Board are requested to state their name and address for the official hearing record.
- Motions on all matters, which require a decision by the Board, are made in the affirmative. On a roll call vote, Board members then vote yes, no, or abstain based on the affirmative motion.
- Any person, official or government agency dissatisfied with any order or determination of the Board may bring an action in the district court of the county to determine the reasonableness of any such order or determination. Such appeal shall be filed within 30 days of the final decision of the Board.

**I. Call to Order**

**II. Approval of Minutes of the June 12, 2006 Public Hearing**

**III. Public Hearing to Consider the Following Cases:**

- a. **BZA06V/8 by Beryl Lowery-Born**, requesting a variance to Section 48-29.02(a)(2)(c) regarding a garage setback from an alley. The request is to allow a residential garage that was placed improperly on the site to remain. A garage that is entered directly from an alley is required to be setback 10' from the alley right-of-way line. The subject garage is setback 2 ½' on property located at 1172 SW College Avenue within the City of Topeka, Kansas.
- b. **BZA06V/6 by Ximena Garcia and Craig Gernon**, requesting a variance to a platted building setback on property located at 516 SW Danbury Lane, pursuant to Section 48-34.09 of the Comprehensive Zoning Regulations. Granting the variance would permit the applicant to construct an in ground swimming pool in their rear-yard. While the proposed pool would not encroach upon the required zoning rear-yard it would be located entirely within an area of the rear-yard designated as the "outbuilding limit line" as shown on the plat of subdivision for Lot 1 Block A, Prospect Hills Subdivision No. 7, within the City of Topeka, Kansas.
- c. **BZA06V/7 by Galaxie Investments**, requesting a variance to the Article IV, Division 5, Sec. 118-233 of the Topeka City Code, as provide for under Article II, Division I, Section 118-36 of the Topeka City Code, regarding the general location of a roof mounted sign with respect to the clear space between the roof level and the lowest part of the sign structure. Code requires that this distance be no less than 6'. The applicant is proposing that this distance be reduced to a six-inch clearance. The subject property is located at 301 A NW Reo Street within the City of Topeka, Kansas.
- d. **BZA06V/9 by St. John Lutheran Church**, requesting a variance to Section 48-30.02(b)(2) of the Comprehensive Zoning Regulations, regarding the required number of off-street parking spaces for religious assembly. The applicant is proposing an expansion of their facility located at 901 SW Fillmore Street. Regulations require the applicant provide an additional 114 off-street parking spaces to accommodate this expansion. The applicant is asking that a variance be granted to the number of parking spaces required and allow them to satisfy their parking requirements through utilization of cutback parking along SW 9<sup>th</sup> Street and SW Fillmore Street and through a shared parking arrangement with the Lutheran Church-Missouri Synod District office located adjacent to their facility at 1000 SW 10<sup>th</sup> Avenue with all properties being within the City of Topeka, Kansas.

**IV. Additional Business**

**V. Adjourn**