

Eudora Board of Zoning Appeals Meeting Minutes

April 22, 2021

Russ Bishop, Chairman absent
John Scott
Charlie Watts arrived at 7:06 pm
Allan Buck
Ron Long

Additional Attendees:

Curt Baumann, Codes Administrator
Gordon Snyder, Codes Enforcer
Jeffery Rhodes, Management Analyst attended remotely

Quorum for Board of Zoning Appeals noted.

Meeting called to order at 7:00 p.m. by Acting Chairman Ron Long.

The pledge of allegiance was recited.

Oath of Office was administered to BZA members Allan Buck, Rong Long, John Scott and Charlie Watts.

General Business:

A. Consider minutes of November 29, 2017 meeting

BZA member Buck moved to approve the minutes of November 29, 2017 Board of Zoning Appeals meeting, motion seconded by BZA member Scott, all ayes, motion carried, 3-0.

Public Hearing:

A. Request for variance to the City of Eudora fence requirements

Acting Chairman Long opened the public hearing.

Public comments were invited but none were heard.

Codes Administrator Curt Baumann stated that the applicant was requesting a variance to replace an existing fence and extend the fence in the front yard setback at 1225 Sandusky Dr and 1200 Sandusky Dr.

Acting Chairman Long brought the meeting back to the Board for discussion.

Business Item

A. Consider application by Keely Tilton (case ID: 001-21) for variance to Section 16-414 of the Eudora City Code: Fences and its location and height requirements

Codes enforcement officer Gordon Snyder explained if a fence is replaced more than 33%, it must become conforming. Currently, the fence is nonconforming because it extends into the front building line. The codes department cannot approve the permit because it's not conforming. This is why the applicant is applying for the variance.

Watts asked if the fence would be in the line of site? Snyder answered no, it does not. There are no code issues with it being nonconforming.

Long asked if the fence was going to replace the existing 6 ft privacy fence and add a 6 ft chain link fence in the back to connect the fences. Applicant answered that's correct.

Long led the board in a discussion of the five variance standards relating to the applicants' request.

Uniqueness: The variance requested does not arise from conditions that are unique to the property and is not created by action or actions of the applicant. All four Board of Zoning Appeals members agreed the conditions are unique to the property.

Adjacent property: Granting the variance will not affect the adjacent homeowners. All four Board of Zoning Appeals members agreed the variance will not affect the adjacent homeowners.

Hardship: The Zoning Regulations of which the variance is requested would constitute unnecessary hardship. All four Board of Zoning Appeals members agreed the Zoning Regulations of which the variance is requested would constitute unnecessary hardship.

Public interest: The variance will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare. All four Board of Zoning Appeals members agreed the variance would not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

Spirit and intent: Granting the variance is not opposed to the general spirit and intent of the Zoning Regulations. All four Board of Zoning Appeals members agreed the variance is not opposed to the general spirit and intent of the Zoning Regulations.

BZA member Watts made a motion to approve the variance request for variance to Section 16-414 of the Eudora City Code: Fences and its location and height, motion seconded by BZA member Scott, all ayes, motion carried, 4-0.

Old Business

A. None

BZA member Buck moved to adjourn, motion seconded by BZA member Watts, all ayes, motion carried, 4-0.

Meeting adjourned at 7:19 pm.

Allan Buck
~~Ron Long, Acting Chairman~~ Allan Buck

Kelly Delay
~~Pam Schmeck, Secretary~~ Kelly Delay