



BZA MEETING

Tuesday, April 13, 2021 at 7:00 pm

MEETING LOCATION: 520 N. Commercial Ave

(Council Chambers)

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1. CALL TO ORDER / ROLL CALL

Chair opened the BZA Meeting at ____ (time).

Board Members present ____

Board Member absent ____

Others present *Amanda Mabry, Board Secretary*; ____

2. ADDITIONS / DELETIONS TO AGENDA

Motion to approve the agenda as presented.

Motion by ____

Second by ____

3. APPROVAL OF MINUTES

Minutes of December 8, 2020, BZA Meeting

Motion to approve the minutes as presented.

Motion by _____

Second by _____

Attachments:

- **Board of Zoning Minutes 12-8-21** (bza_minutes_12-8.pdf)

4. HEARINGS/PRESENTATIONS/PUBLIC FORUM

5. NEW BUSINESS

a. Garage Variance for Bell

Open Public Hearing for 212 N Commercial garage variance, @ ____ (time)

1. Comments from applicant Jimmy Sharbutt

2. Ask for any Public comments
3. Close public portion of the hearing @ ____ (time)
4. BZA reviews and answers action questions

Sample Motion:

Motion to approve/deny Variance application for 212 N Commercial Ave garage variance, allowing it to be 11 feet from the rear property line with the understanding no structure can be built in the easement and to include the following stipulations:

1.

Motion by _____

Second by _____

Attachments:

- **Application for Variance** (212_N_Commercial-bza_app.pdf)
- **Building permit application** (212_N_Commercial-building_permit.pdf)

6. UNFINISHED BUSINESS

None

7. ADJOURN

Motion to adjourn the Board of Zoning Appeals meeting at _____, PM

Motion by _____

Second by _____

PRESIDING: Beth Sharbutt, Chair

MEMBERS PRESENT: Clint Brown, Tyler Mosiman, Steve McGinn, Chad Mueller

MEMBERS ABSENT: Justin Stucky

ALSO PRESENT: Amanda Mabry, Secretary; Bryan Chapman, Mayor

Chair called the meeting to order at 7:50 p.m.

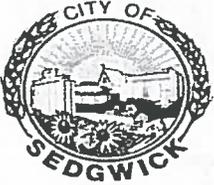
**MOTION BY BETH SHARBUTT TO APPROVE THE AGENDA AS PRESENTED.
SECONDED BY TYLER MOSIMAN.
MOTION CARRIED.**

**MOTION BY BETH SHARBUTT TO APPROVE THE MINUTES FROM NOVEMBER 17, 2020
SECONDED BY TYLER MOSIMAN
MOTION CARRIED.**

No New Business

**MOTION BY TYLER MOSIMAN TO ADJOURN THE BOARD OF ZONING APPEALS AT
7:51 PM.
SECONDED BY CLINT BROWN
MOTION CARRIED.**

Amanda Mabry,
BZA Sec./ Deputy City Clerk



Board of Zoning Appeals & Planning Commission

Table with 4 columns: Publication Date, Application Date, Hearing Date, Date Filed, Vicinity Map, Filing Fee, Ownership List, Receipt No. Handwritten entries include dates like 3-10-21 and 3-9-21, and receipt number 040173.

APPLICATION FOR VARIANCE OR APPEAL

- 1. Applicant's Name: Jamey Gumbert
2. Applicant's Address: 509 E. 1st
3. Telephone (daytime): 806-2943 E-mail:
4. Owner's Name: Rick and Glorie Bell -
5. Owner's Address: 212 N. Commercial
6. Legal Description of affected property (attach additional sheet if necessary)
7. Approximate Street Address:
8. Present Zoning: R1 Use: Residential
9. Proposed Use: Garage - Attached
10. Are there any covenants of record which prohibit the proposed development? YES (attach copy) NO
11. Nature of variance request (for variance only): 11 foot setback on Rear
12. Nature of appeal requested (for appeal only):
13. Justification for requested variance or appeal: Larger Garage space
14. List exhibits or plans submitted, including site plan:
15. Present information in support of each of the (5) five conditions listed in Item No. 15, Page 2 of this application. (See guide for completing Variance Applications for helpful definitions of terms)

I hereby certify that if this variance application is approved, I will complete construction in accordance with plans submitted to the Board of Zoning Appeals and I agree to abide by all restrictions, conditions, and requirements lawfully binding upon me in this regard.

Applicant(s) Signature: [Handwritten Signature]

Owner(s) Signature: Rick Bell

Date: 3/9/21

Date: 3/9/21

If the applicant is not to be represented by legal counsel or an authorized agent, please complete the following in order that correspondence and communications pertaining to this application may be forwarded to the authorized individual.

Name of representative:
Complete Mailing Address, including zip code:
Telephone (Business): E-Mail address:

15. (Cont.)

A request for a variance with the Board of Zoning Appeals may be granted only when the following 5 (five) conditions have been met. Present information on this form in support of each of the following criteria (Attach separate sheets if necessary):

- a. 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 and is not created by action(s) of the property owner or applicant because:

Created by homeowners wanting more than a single car garage

- b. Granting the variance will not adversely affect the rights of adjacent property owners or residents because:

No. It won't increase other properties

- c. Strict application of provisions of the zoning ordinance, of which the variance is requested, will constitute unnecessary hardship upon the property owner because:

No

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

No it will not.

- e. Granting the variance will not be opposed to the general spirit and intent of the zoning ordinance because:

It will set back far enough so not cause line of sight issues

16. Action by the Board of Appeals: Approve _____ Disapprove _____

Restrictions Imposed:

Date

Chairman

Secretary

Certified to the Zoning Administrator this _____ day of _____, 20_____

City of Sedgwick, Kansas Application for Building Permit

Permit # _____

Date 3/9/21

Application is hereby made for a permit to Addition / Garage Attached
(Erect Remodel Add To, Move, Demolish)

Located at (street address): 212 N Commercial

Legal Description: _____

In accordance with the following description, in conformance with all provisions and law in effect pertaining thereto.

Existing use: Driveway Proposed use: Garage Estimated cost: 30,000

LOT Information:

Street Frontage _____
Width _____
Depth _____
Area _____

Sanitation Information:

Sewer..... Private Public _____
Water Private _____ Public _____

Building Information:

Width 24 _____
Depth 28 _____
Height 19' _____
Floors (number) _____

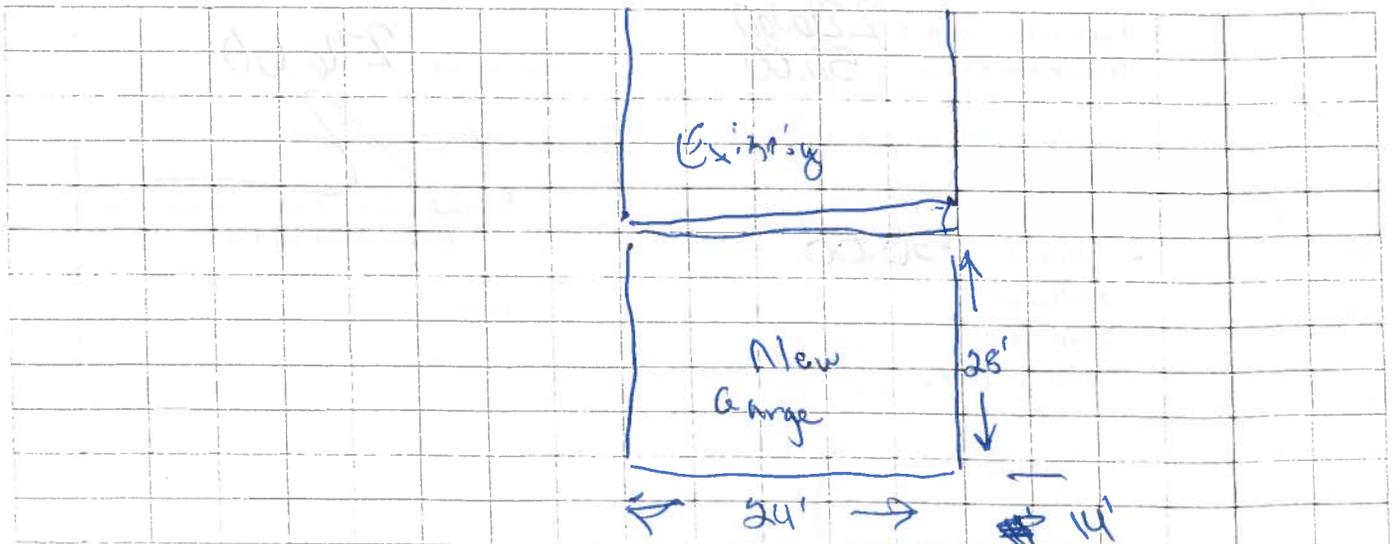
Floor Area Sq. Ft. 672 _____
Total % Lot Coverage: _____
If residential, # of dwelling units _____
Basement: Yes _____ No _____ Floor Elev. _____

Setback Information:

| | Actual | Required | Number of Off Street Parking | |
|------------|--------------|------------|------------------------------|----------|
| | | | Required | Provided |
| Front Yard | _____ | _____ | _____ | _____ |
| Side Yard | <u>6'-7"</u> | _____ | _____ | _____ |
| Rear Yard | <u>14'</u> | <u>25'</u> | _____ | _____ |

The Structures and accessory buildings are located in the described area according to the following diagram.

Length of Lot _____ Scale: 1" = _____



Comments _____

I hereby affirm that the above statements are true and correct and agree to comply with all ordinances and law pertaining to and governing the construction, alterations, extension or removal of buildings described in this application. I do hereby grant the City's representative access to the premises to determine compliance with local codes and ordinances.

The applicant shall be responsible for providing all necessary surveys and information sufficient to insure conformance with Zoning Regulations, Local Codes and Ordinances. The applicant shall also be responsible for compliance with the City's current adopted Building, Plumbing, Electrical, and Mechanical regulations. Permits when issued, do not nullify any deed restriction validly filed of record. For nonconformance, the designated City Official, may in writing stop or restrict work. The jurisdiction shall have alleged deficiencies inspected within 48 hours by a licensed contractor in the field at the applicant's expense. If construction of any type on the project continues before sited deficiencies are corrected, the designated City Official may revoke any or all permits at the time. This permit shall be effective for one (1) year following issuance date.

Building Permit shall be displayed in a prominent place during construction.

| OWNER'S SIGNATURE or REPRESENTATIVE | ADDRESS | PHONE |
|---|----------|----------|
|  James Schubert Print Name | 506.6190 | 806.2443 |

ISSUANCE OF BUILDING PERMIT

This building permit is hereby issued to _____
For the purpose of _____

Building Permit Denied By:  Date: 3/9/2021

Reason for Denial:

VIOLATES SETBACK REQUIREMENTS ON CORNER/ALONG LINES

Permit Fee Paid: \$ 226.60
Inspection Fee: \$ 50.00

Total Paid: \$ 276.60

Minimum Pad Elevation Req'd _____ (MSL)

Plumbing: \$ _____

- Electric: \$ 50.00

Mechanical \$ _____

Sewer Tap \$ _____

Meter 3/4", 1" or 2" _____

By: 
Zoning Administrator

Date: _____