

The public may attend the meeting in person or view it online at
<http://pvkansas.com/livestreaming>.

**BOARD OF ZONING APPEALS
CITY OF PRAIRIE VILLAGE
TUESDAY, MAY 7, 2024
7700 MISSION ROAD
COUNCIL CHAMBERS
6:30 P.M.**

I. ROLL CALL

II. APPROVAL OF BZA MINUTES - March 5, 2024

III. PUBLIC HEARINGS

| | |
|------------|---|
| BZA2024-03 | Variance of required side setback Tomahawk Animal Hospital 6301 W. 75 th Street Zoning: C-2 Applicant: Brian Michener, Lo Design |
|------------|---|

IV. OTHER BUSINESS

V. ADJOURNMENT

Plans available at City Hall if applicable
If you cannot be present, comments can be made by e-mail to
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.**

**BOARD OF ZONING APPEALS
CITY OF PRAIRIE VILLAGE, KANSAS
MINUTES
TUESDAY, MARCH 5, 2024**

ROLL CALL

The meeting of the Board of Zoning Appeals of the City of Prairie Village, Kansas was held on Tuesday, March 5, 2024, at 6:30 p.m. in the Council Chambers of the Municipal Building at 7700 Mission Road. Vice-Chair Jonathan Birkel called the meeting to order at 6:30 p.m. with the following members present: James Breneman, James Kersten, Gregory Wolf, Melissa Brown, Melissa Temple, and Jeffrey Valentino.

The following individuals were present in their advisory capacity to the Board of Zoning Appeals: Chris Brewster, Multistudio; Nickie Lee, Deputy City Administrator; Terry O'Toole, Council Liaison; Adam Geffert, City Clerk/Board Secretary.

APPROVAL OF MINUTES

Mr. Wolf moved for the approval of the minutes of the July 11, 2023, Board of Zoning Appeals meeting as presented. Mr. Breneman seconded the motion, which passed 5-0, with new members James Kersten and Melissa Temple abstaining.

PUBLIC HEARINGS

BZA2024-01 Variance of required side setback
 4519 W. 74th Place
 Zoning: R-1B
 Applicant: Dan Wessel / John and Nancy Falk

Mr. Brewster said that the applicant was requesting a variance to allow a garage addition to be built 3' from the east side lot line, rather than the required 6', and to allow a great room to be expanded and built 5.44' from the east side lot line rather than the required 6'.

The property is zoned R-1B which requires the following for side setbacks:

- 6' minimum on each side
- 20% of lot width minimum between both sides
- At least 12' between adjacent buildings

Mr. Brewster noted that the garage addition would extend approximately 20' along the side setback line with a 1.5 story gabled elevation. The proposal would add approximately 4.5' from the exterior of the current building, but would extend 3' over the required 6' side

setback. The interior garage space width would increase from approximately 9.5' to approximately 14.5'.

The great room addition would extend approximately 18' along the side setback line with a 1.5 story gabled elevation. This portion would be located to the rear of the home on a separate wall plane than the garage addition. The proposal would add approximately 7' to the current structure, but would extend 0.56' over the required 6' side setback.

In each case the addition would be more than the required 12' from the adjacent structure (17.1' and 19.5' respectively). Mr. Brewster said that the house on the adjacent lot was approximately 14.1' from the side lot line. The subject house would also meet the required 20% cumulative setbacks as it is 14.3' from the side setback on the opposite side lot line (17.3' total side setbacks equals 24.71% of the 70' lot width).

Mr. Brewster stated that Section 19.54.030 of the zoning regulations required the Board to find that all five of the following "golden factors" be met to grant a variance:

1. Uniqueness - That 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 or district and is not created by an action or actions of the property owner or the applicant.
2. Adjacent Property - That the granting of the permit for the variance would not adversely affect the rights of adjacent property owners or residents.
3. Hardship - That the strict application of the provisions of these regulations from which a variance is requested will constitute an unnecessary hardship upon the property owner represented in the application.
4. Public Interest - That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.
5. Spirit and Intent of the Regulation - That the granting of the variance desired would not be opposed to the general spirit and intent of these regulations.

He added that if the Board did approve the variance, it should be subject to the following conditions:

1. That the variance be granted only to the extent shown with the submitted application and based on submitted plans and elevations.
2. The variance, if approved, be recorded with the County Register of Deeds within one year of approval.

Applicant Dan Wessel, 7244 Ward Parkway, Kansas City, MO, was present to discuss the application.

Mr. Birkel opened the public hearing at 6:38 p.m. With no one present to speak, Mr. Birkel closed the hearing at 6:39 p.m.

Board members reviewed the golden factors and determined that the proposal met all requirements.

Mr. Wolf made a motion to approve the variance with the conditions recommended by staff. Mr. Breneman seconded the motion, which passed unanimously.

BZA2024-02 Variance of required side setback
7328 Cherokee Drive
Zoning: R-1B
Applicant: Garry Calvin / Mary Burger

Mr. Brewster stated that the applicant was requesting a variance to allow a garage addition to be built 5.17' from the south side lot line, rather than the required 6'. The expansion is associated with a 4' expansion of the rear living space, which complies with the side setback on the rear lot line. However, the front portion where the garage is located would extend 0.83' into the side setback due to the positioning of the house on the lot.

The property is zoned R-1B which requires the following for side setbacks:

- 6' minimum on each side
- 20% of lot width minimum between both sides
- At least 12' between adjacent buildings

The garage addition would extend approximately 20' along the side setback line with a 1.5 story gabled elevation. The proposal would add approximately 4' from the exterior of the current building, and is associated with an expansion of the rear living space. Mr. Brewster said that this would comply with the required side setback at the rear of the building, due to the positioning of the house on the lot. However, extending 4' at the garage would result in a 0.83' encroachment into the side setback at the front lot line. The proposal would increase the interior garage space width from approximately 10' to approximately 14.5'.

The addition would also be more than the required 12' from the adjacent structure (17.25'). The home on the adjacent lot is approximately 12.17' from the side lot line. The subject house would also meet the required 20% cumulative setbacks as it is 9.83' from the side setback on the opposite side lot line (15' total side setbacks equals 23.08% of the 65' lot width).

Mr. Brewster noted that Section 19.54.030 of the zoning regulations required the Board to find that all five of the following "golden factors" be met to grant a variance:

1. Uniqueness - That 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 or district and is not created by an action or actions of the property owner or the applicant.
2. Adjacent Property - That the granting of the permit for the variance would not adversely affect the rights of adjacent property owners or residents.

3. Hardship - That the strict application of the provisions of these regulations from which a variance is requested will constitute an unnecessary hardship upon the property owner represented in the application.
4. Public Interest - That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.
5. Spirit and Intent of the Regulation - That the granting of the variance desired would not be opposed to the general spirit and intent of these regulations.

He added that if the Board did approve the variance, it should be subject to the following conditions:

1. That the variance be granted only to the extent shown with the submitted application and based on submitted plans and elevations.
2. The variance, if approved, be recorded with the County Register of Deeds within one year of approval.

Applicant Garry Calvin, 5910 Reinhardt Road, Fairway, KS, was present to discuss the application.

Mr. Birkel opened the public hearing at 6:45 p.m. With no one present to speak, Mr. Birkel closed the hearing at 6:46 p.m.

Board members reviewed the golden factors and determined that the proposal met all requirements.

Mr. Wolf made a motion to approve the variance with the conditions recommended by staff. Mr. Breneman seconded the motion, which passed unanimously.

OTHER BUSINESS

Election of Chair, Vice-Chair and Secretary

Mr. Wolf made a motion to elect the following slate of officers:

- **Mr. Birkel, Chair**
- **Ms. Brown, Vice-Chair**
- **Mr. Geffert, Secretary**

Mr. Breneman seconded the motion, which passed 5-0, with Mr. Birkel and Ms. Brown in abstention.

ADJOURNMENT

Chair Jonathan Birkel adjourned the meeting of the Board of Zoning Appeals at 6:48 p.m.

Adam Geffert
City Clerk/Board Secretary

STAFF REPORT

TO: Prairie Village Board of Zoning Appeals
FROM: Chris Brewster, Multistudio, Planning Consultant
DATE: May 7, 2024 Board of Zoning Adjustment Meeting

Application: BZA 2024-03

Request: Variance to the side yard setback from 10 feet to approximately 1.5 feet, to allow the partial replacement and expansion of an existing building.

Action: *A variance request requires the Board of Zoning Appeals to evaluate facts and weigh evidence, and a majority of the Board must find that all 5 criteria for a variance have been met in order to approve the request.*

Property Address: 6301 W. 75th Street

Applicant: Brian Michner, LO Design; Short Stay, LLC

Current Zoning & Use: C-2 General Business – Animal Care

Surrounding Zoning & Use: **North:** R-1 Single-Family Residential – Single-Family Dwellings (Overland Park, KS)
East: R-1B Single-Family Residential - Single-Family Dwellings
South:R-1B Single-Family Residential - Single-Family Dwellings
West: R-3 Garden Apartment – Apartment Buildings

Legal Description: 20-12-25 N 267' E 113.4' SW 1/4 EX E 30' & EX N 30' .455 ACS M/L (*abbreviated*)

Property Area: 0.45 acres (19,768.09 s.f.)

Related Case Files: None

Attachments: Application, variance request form, lot and building plans, elevations.

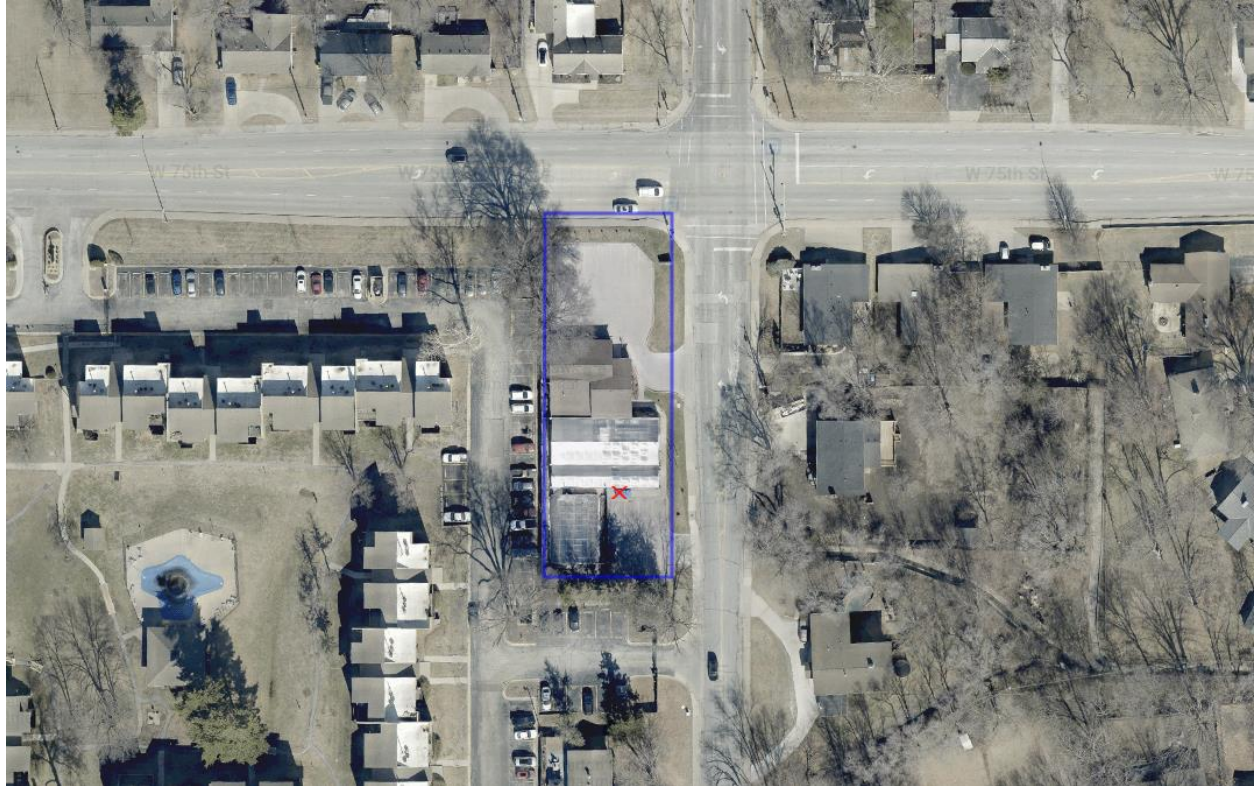
General Location – Map



Aerial Map



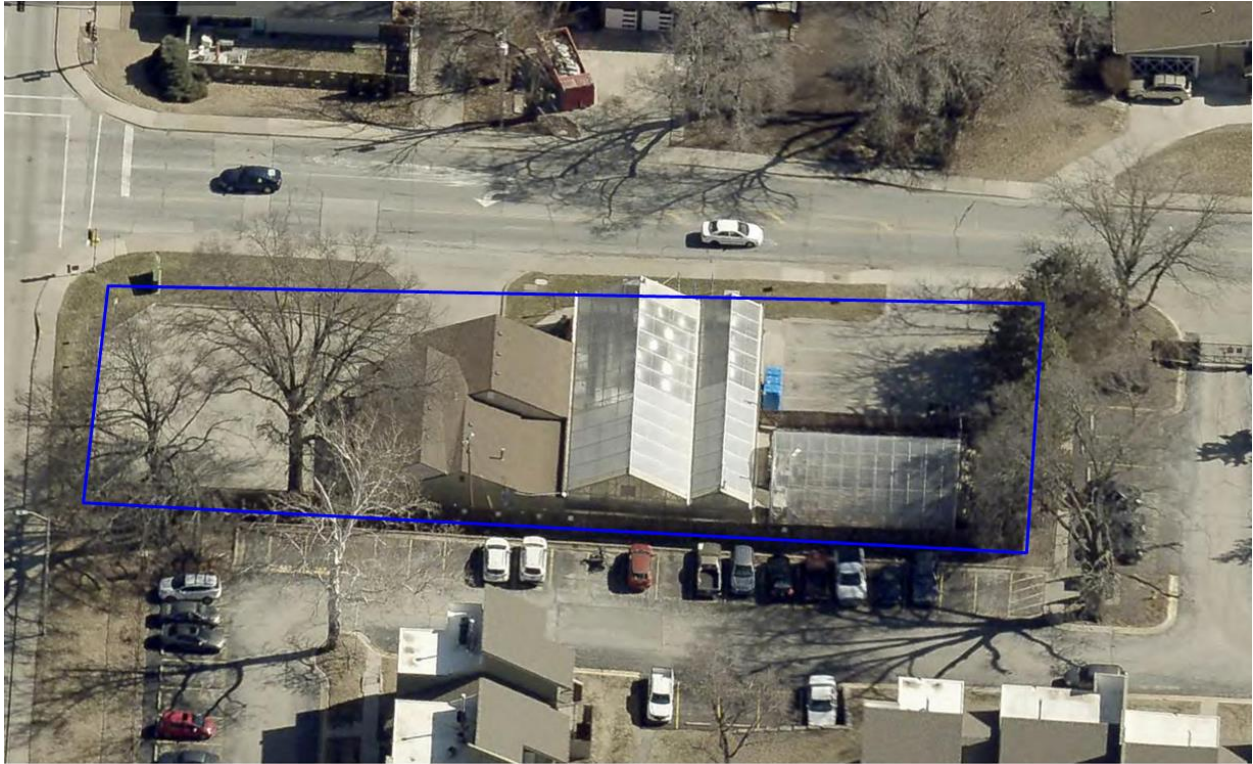
Aerial Site



Birdseye View



Birdseye View



Street View



Looking south on 75th Street – Subject property line on left

SUMMARY:

This application requests a variance for the side setback from 10 feet to approximately 1.5 feet on the west side yard lot line to allow the partial replacement and expansion of an existing building. The existing principal building is approximately 48 feet along the west property line. It has a single-story elevation at approximately 1.5 feet from the side lot line. There are also two out buildings (green houses, one of which is attached to the principal building) approximately the same distance from the property line for another 93 feet along the side lot line. The proposal would replace the two outbuildings, and expand the existing principal building to the rear, and continue the current 1.5 feet side setback. It would result in approximately 64.75 feet along the west property line and be a single-story elevation. This requires approval of the Board of Zoning Appeals according to the variance criteria for the placement of the building addition, since it is expanding the degree of nonconformance of the principal building. If the variance is granted the application must also receive site plan approval from the Planning Commission for other aspects of the proposed plan.

DETAILS:

The property is currently used for an animal care business and a portion of the building and premises has historically been used as a nursery. Each of these are a permitted use in the C-2 zone district, as is the proposed expansion of the existing animal care business. The animal care business is expanding to take over the entire building and site.

The applicant is requesting a variance from [Section 19.20.030](#) to allow the expansion of an existing building to be built 1.5 feet from the side setback line rather than the required 10 feet.

The property is zoned C-2 which requires the following for side setbacks:

- No minimum required,
- Side setbacks abutting R-1 through C-O zoning should back the adjacent property requirement; *[The side setback in R-3 that applies in this situation is 10 feet. [Section 19.12.025](#) requires a 10-foot side setback for two story buildings and 15-foot for two and one-half story buildings.]*

The existing building is a legal non-conforming building, built at 1.5 feet from the west side lot line. It extends for approximately 48 feet on the west boundary. It has a single-story elevation with a side gable facing the adjacent property. There are also two outbuildings behind the principal building (greenhouses, one of which is attached to the principal building), at approximately the same distance from the side lot line. The outbuildings are proposed to be removed, and the principal building expanded for an additional 17.75 feet. The elevation would maintain the current single-story profile and include a side gable in the rear portion of the building and a roof extension for an enclosed patio.

The remainder of the rear lot and street-side side lot would be used for a reconfiguration of the parking lot and an outdoor space.

The applicant had a neighborhood meeting on April 24, 2024 as required by the Prairie Village Resident Participation Policy and has supplemented the application with background on that meeting.

VARIANCE ANALYSIS (BOARD OF ZONING APPEALS):

[Section 19.54.030](#) of the Zoning Ordinance requires the Board to find that **all five** of the following conditions are met in order to grant a variance. If the Board finds that even one of these conditions is not met, a variance should not be granted:

A. Uniqueness

That 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 or district; and is not created by an action or actions of the property owner or the applicant.

In order for the property to meet the condition of uniqueness, it must have some peculiar physical surroundings, shape, or topographical condition that would result in a practical difficulty as distinguished from a mere inconvenience to utilize the property without granting the variance.

The property is an unplatted corner lot and the Johnson County AIMS resources say the building was built in 1980. It is a residential structure, indicating the property may have originally been residential and then rezoned for commercial use as a transition area along a busy corridor. There are a variety of zone districts in the area, including R-1B to the south and east, and R-3 to the west. Across 75th street are residential uses in Overland Park, KS, and further west along the corridor are multi-family, office, and retail uses. The Prairie Village zoning ordinance does not require a side setback for commercial uses and buildings, except where they abut lessor zoning districts as this property does on both the west and south side. Street side setbacks apply to the other lot lines along 75th Street and Lamar.

B. Adjacent Property

That the granting of the permit for the variance would not adversely affect the rights of adjacent property owners or residents.

The property has three existing buildings located approximately 1.5 feet from the side lot line – the principal building, and attached green house, and an attached green house. The proposal would remove both of the greenhouses, but expand the principal building for an additional 17.75 feet along the same 1.5 feet setback. The west side lot line abuts the adjacent property parking lot and there is a 6-foot privacy fence along the entire boundary where the proposed building would be located. The adjacent apartment buildings are two and one-half stories and are located approximately 60 feet from this property line.

C. Hardship

That the strict application of the provisions of these regulations from which a variance is requested will constitute an unnecessary hardship upon the property owner represented in the application.

The setback required in this case are 15 feet on the east (Lamar Street), 15 feet on the south (75th Street), 10 feet on the west (subject property line with R-3 side setback applied to this property for a 1-story building), and 10 feet on the south (none required unless abutting a lessor district.). This would result in 12, 296 square feet buildable area (58' x 212'). However, the existing buildings are already placed where the addition is proposed to be located, and the site is arranged around this building footprint.

D. Public Interest

That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

The proposed addition is maintaining the scale and character of the existing building, and removing two outbuildings with a green house design. The proposal will still maintain the minimum separation of buildings (17.1 feet where 12 feet is required); however, it could constrain potential expansions of the adjacent house if the required separation is maintained (i.e. only allow expansion to 9 feet from side lot line rather than the required 6 feet.)

E. Spirit and Intent of the Regulation

That the granting of the variance desired would not be opposed to the general spirit and intent of these regulations.

Side setbacks are intended to manage the relationship of adjacent buildings. In this case the buildings will maintain a relationship similar to the current condition, and with the removal of the outbuildings lessen the amount of building elevation on the side setback line (even though it is expanding the amount of the non-conformance of the principal building). This boundary does not abut a sensitive edge for the adjacent property as it is used for parking, is fenced with a privacy fence, and the residential buildings are approximately 60 feet from the proposed structure expansion. Further, this proposal maintains a single-story elevation – below what the minimum height in the C-2 zone district would allow.

EFFECT OF DECISION:

After reviewing the information submitted and considering the testimony during the public hearing, if the Board finds that **all five conditions** can be met as required by state statutes and [Section 19.54.030](#) of the Prairie Village Zoning Ordinance, then it may grant the variance. If the Board does approve the variance, it should be subject to the following conditions:

1. That the variance be granted only to the extent shown with the submitted application and based on submitted plans and elevations.
2. The variance, if approved, requires other elements of the proposed expansion to be approved by the Planning Commission according to the site plan criteria. If the site plan is not approved, this variance shall not be valid and shall require review based on any subsequent site plan.

3. The variance, if approved, shall be recorded with the County Register of Deeds within 1 year of approval.

**CITY OF PRAIRIE VILLAGE, KANSAS
BOARD OF ZONING APPEALS
APPLICATION FOR APPEAL / VARIANCE / EXCEPTION
PROCEDURE FOR FILING APPLICATION**

1. Applications shall be made on forms prescribed by the Board of Zoning Appeals and filed with the Secretary of the Board.
2. A deposit of seventy-five dollars (\$75.00) shall accompany each application. If this sum is inadequate to cover incurred expenses; additional money will be required.
3. The applicant shall furnish, at the time of filing the application, a certified list of all the owners of property (not just occupants) located within two hundred (200) feet, excepting public streets and ways, of the area for which the Appeal / Variance has been requested, obtained from the County Clerk's Offices at the Johnson County Courthouses in Olathe or from a title company. The applicant shall also furnish a sketch, plan or information showing details of the variance requested. The applicant shall submit a written statement in response to the five criteria necessary for granting a variance. For an appeal, the applicant shall submit a written statement providing information justifying the appeal requested.
4. All applications shall be set for a public hearing before the Board of Zoning Appeals.
5. Notice of such hearing shall be published in one issue of the official newspaper of the City of Prairie Village; such notice to be published not less than twenty (20) days or more than forty (40) days, exclusive of the days of publications and hearing, prior to the date of said hearing of the Board.
6. The applicant shall mail, by certified mail, return receipt requested, a copy of the notice of hearing to all owners of property as set out in #3 at least twenty (20) days prior to the hearing, thus providing an opportunity to all interested persons to be heard.

OFFICE OF THE CITY CLERK
CITY OF PRAIRIE VILLAGE
7700 MISSION ROAD
PRAIRIE VILLAGE, KS 66208
913-381-6464

The Board may grant a variance only upon finding that the requirements of PVMC 19.44.070 have been met. The following is intended as a simplified discussion of the criteria considered in the request for a variance and is provided for your convenience and assistance in making your request. While this discussion is intended to be helpful, the Board is governed by its interpretation of PVMC 19.44.070 as applied to the facts and circumstances of your case and the following simplified discussion is not intended to be an exhaustive analysis of all applicable principles.

Criteria #1 – That 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 or district, and is not created by an action or actions of the property owner or applicant.

The variance must arise from a condition of the property. That condition must be unique to the property. That does not mean that the condition is “unique” but rather that it is “unique to the property;” that is, the condition relates solely to the property and not to external factors, structures, etc. The condition must not be ordinarily found in the zone or district; i.e., the condition must not exist with respect to a number of properties. Its occurrence must be infrequent. The owner/applicant cannot have done anything to the property which caused the condition. This does not refer to what the owner proposes with the variance, but some act done with the property; for example, subdividing a lot that causes the condition from which relief is sought.

Criteria #2 – That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.

The variance may not adversely affect the rights of adjacent property owners. The crucial terms here are “adversely” and “rights”. While objections of adjacent property holders will be heard and considered, the variance proceeding is not a plebiscite. The Board will consider whether or not any impact on adjacent property holders constitutes an adverse affect on their rights.

Criteria #3 – That the strict application of the provisions of this title of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.

A variance may be granted where strict application will result in unnecessary hardship. Unnecessary hardship shall be considered to mean that the property owner cannot do with his property that which others can ordinarily do and/or that which is a reasonable expectation for a similar property owner and /or where special circumstances of the particular property exist.

Criteria #4 – That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

The variance may not adversely affect the public interest. The Board shall consider the impact of the requested variance upon the concerns of the public; such as fire protection, environmental impact, police protection, vision, safety and morals.

Criteria #5 – That granting the variance desired will not be opposed to the general spirit and intent of this title.

The variance must not conflict with the intent and spirit of the zoning regulation. The Board shall consider that the zoning regulation was adopted for a purpose; such as, green space, traffic safety, light and air, neighborhood conformity, etc. Therefore, the Board will evaluate whether or not the variance requested will conflict with that purpose.

VARIANCE APPLICATION
BOARD OF ZONING APPEALS

CITY OF PRAIRIE VILLAGE, KANSAS

For Office Use Only

Case No: BZA2024-03

Filing Fee: \$75

Deposit: _____

Date Advertised: _____

Public Hearing Date: _____

APPLICANT: BRIAN MICHENER, OWNER, LO DESIGN PHONE: 816.888.0024
ADDRESS: 7327 SUMMIT STREET, KANSAS CITY, MO ZIP: 64114
OWNER: SHORT STAY 6301 LLC PHONE: 913-909-3520
ADDRESS: 6937 RUSSELL ST, OVERLAND PARK, KS ZIP: 66204
LOCATION OF PROPERTY: 6301 W 75TH ST, PRAIRIE VILLAGE, KANSAS, 66204
LEGAL DESCRIPTION:
20-12-25 N 267' E 113.4' SW 1/4 EX E 30' & EX N 30' .455 ACS M/L PVC-0537A0006

Variance Requested: Reduction of west side setback from code minimum 10' – 0" to 1' – 6" to allow new building addition to align with existing building's west exterior wall.

ADJACENT ZONING AND LAND USE:

| | <u>Land Use</u> | <u>Zoning</u> |
|-------|---|---------------|
| North | 1101 - Single family residence | R-1 |
| South | 1101 - Single family residence | R-1B |
| East | 1101 - Single family residence | R-1B |
| West | 1170 - Garden apartment complex (1-3 stories) | R-3 |

Present use of Property: Commercial – Animal Hospital

Proposed Use of Property: Commercial – Animal Hospital

Utility lines or easements that would restrict proposed development:
Side setback

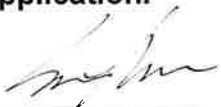
Please complete both pages of the form and return to:

City Clerk
City of Prairie Village
7700 Mission Road
Prairie Village, Kansas 66208

AGREEMENT TO PAY EXPENSES

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 CITY for all cost incurred by CITY as a result of said application. Said costs shall be paid within ten (10) days of 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.



Applicant's Signature/Date



Owner's Signature/Date

Please indicate below the extent to which the following standards are met, in the applicant's opinion. *Provide an explanation on a separate sheet for each standard which is found to be met.*

1. *UNIQUENESS* X Yes ___ No

The variance requested arises from conditions which are unique to the property in question, which are not ordinarily found in the same zoning district, and which are not caused by actions of the property owners or applicant. Such conditions include the peculiar physical surroundings, shape, or topographical condition of the specific property involved which would result in a practical difficulty or unnecessary hardship for the applicant, as distinguished from a mere inconvenience, if the requested variance was not granted.

2. *ADJACENT PROPERTY* X Yes ___ No

The granting of the variance will not be materially detrimental of adversely affect the rights of adjacent property owners or residents.

3. *HARDSHIP* X Yes ___ No

The strict application of the provision of the zoning regulations from which a variance is requested will constitute an unnecessary hardship upon the applicant. Although the desire to increase the profitability of the property may be an indication of hardship, it shall not be sufficient reason by itself to justify the variance.

4. *PUBLIC INTEREST* X Yes ___ No

The variance desired will not adversely affect the public health, safety, morals, order, convenience, or general welfare of the community. The proposed variance shall not impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.

5. *SPIRIT AND INTENT* X Yes ___ No

Granting the requested variance will not be opposed to the general spirit and intent of the zoning regulations.

6. *MINIMUM VARIANCE* X Yes ___ No

The variance requested is the minimum variance that will make possible the reasonable use of the land or structure.

SIGNATURE:  DATE 04/04/2024

BY: Brian Michener, R.A.

TITLE: Owner, Lo Design

Minimum Required Information (to be shown on the site plan)

The site plan shall be legibly and accurately drawn on paper suitable for reproduction. The plan shall be drawn to a scale of 1 inch to 50 feet or less. Architect's drawings will also be acceptable. The plan shall contain the following information:

1. The name and address of the person filing the application
2. The date, scale, and north arrow
3. Property lines, building lines and easements
4. Streets, sidewalks and alleys
5. Existing and/or proposed structures or improvements
(i.e. trees, patios, driveways, etc.)
6. Existing structures within 20 feet of the property
7. Accurate dimensions of the property and all structures involved

Elevations

Elevations shall be submitted for all sign applications, new additions and alterations to existing structures, new accessory structures, and fences. They shall contain the following information:

1. Dimensions including height, width, length and area
2. In the case of sign, the elevation should also indicate the exact appearance of the sign, whether or not it is illuminated, and the type of illumination.

Other

Any other information deemed necessary by the code official or building official should be stipulated below:

This project seeks to clarify, organize, and dramatically improve both the site, its amenities, and the primary building in service of providing an easily accessible, publicly welcoming, and long-standing community benefit in the Tomahawk Animal Hospital.

Checked by: _____

Date: _____

1. *UNIQUENESS* X Yes ___ No

Constructed in 1980, the existing building and animal hospital is built to an 18" offset from the west property line as were previously constructed structures including a greenhouse and plant nursery/store. For a commercial property, the parcel is narrow in the east-west direction, and our project is in keeping with the original siting of the building.

2. *ADJACENT PROPERTY* X Yes ___ No

Directly adjacent to the property to the west is an apartment complex that is fully constructed and operational. A 60'+ parking lot and drive aisle buffers the space between the animal hospital and any occupied building to the west. Previous structures on the site occupied a similar portion of our project and were of no consequence to the adjacent property.

3. *HARDSHIP* X Yes ___ No

Adhering to the 10' setback will cause an inefficient building footprint with complicated structural roof truss design. The setback will also cause an irregular footprint shape that is inefficient and compromises the full and coherent use of the site as an animal hospital.

4. *PUBLIC INTEREST* X Yes ___ No

The variance requested will not impact access to light and air to any adjacent properties as the primary use of more than 60' to the west is parking and parking access. Also, the new addition is planned to occupy a portion of the site that was previously built upon for commercial use and will improve site design for the enjoyment of customers and their pets.

5. *SPIRIT AND INTENT* X Yes ___ No

Granting the requested variance will not be opposed to the general spirit and intent of the zoning regulations as it is not causing any issues relating to danger from fire, access to light and air, and/or endangerment of public safety or diminished property values in the neighborhood.

6. *MINIMUM VARIANCE* X Yes ___ No

The variance requested is the minimum variance that will make possible the reasonable use of the land or structure as the newly proposed addition aligns directly with existing walls to remain.

CODE SUMMARY

- APPLICABLE CODES**
 Prairie Village, KS enforces the 2018 International Building Code (IBC) and associated Codes.
- 2018 International Plumbing Code (IPC)
 - 2018 International Mechanical Code (IMC)
 - 2018 International Energy Conservation Code (IECC)
 - NFPA 70: 2017 National Electrical Code (NFPA 70)
 - 2018 International Existing Building Code (IEBC)

LEGAL DESCRIPTION:
 20-12-25 N 267 E 113.4' SW 1/4 EX E 30' & EX N 30' 455 ACS M.L. PVC-0537A0006

ZONING
 C-2

DESCRIPTION OF WORK

OCCUPANCY CLASSIFICATION

CONSTRUCTION TYPE
 The construction type is V-B

BUILDING HEIGHT
 35 feet Maximum
 There is no change in building height.

GENERAL NOTES:

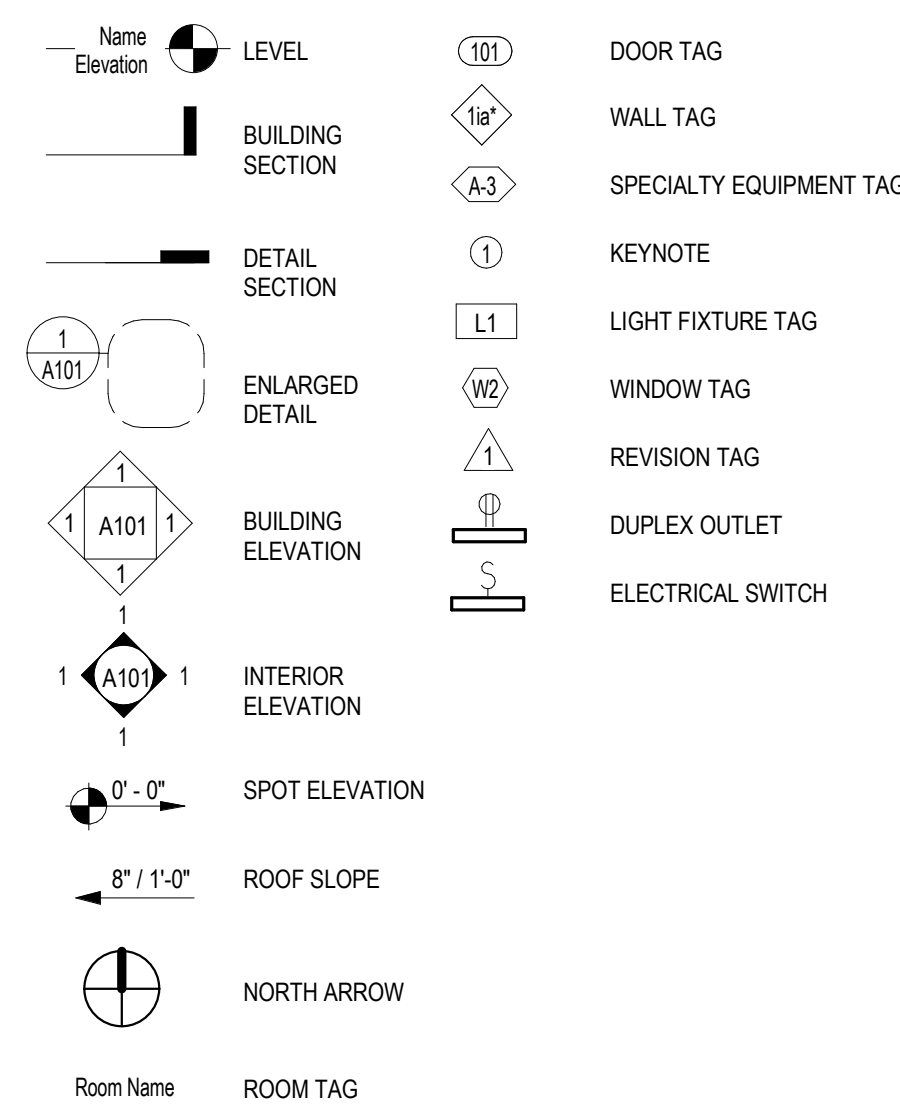
ABBREVIATIONS

| | | | | | | | |
|--------|-----------------------|-------|-------------------------------------|-------|----------------------------|--------------|------------------------|
| # | Number or Pound | EL | Elevation | MI | Mirror | SHT | Sheet |
| & | And | ELEC | Electrical | MM | Minimum | SM | Similar |
| / | Per | ELEV | Elevation | MISC | Miscellaneous | SP | Spacing |
| @ | At | EQ | Equal | MO | Masonry Opening | SPEC | Specification |
| | Channel | EQUIP | Equipment | MTD | Mounted | SQ | Square |
| AV | Audio/Visual | EXD | Exiting | MTHT | Mounting Height | SQ FT | Square Foot (Feet) |
| ACOUST | Acoustical | EXH | Exhaust | MY | Mounting | SQ YD | Square Yard |
| AD | Area Drain | EXP | Expansion | N | North | SS | Stainless Steel |
| ADJ | Adjustable | EXT | Exterior | N&N | Not Notifiable | STD | Standard |
| AFF | Above Finished Floor | FD | Floor Drain | NIC | Not In Contact | STL | Steel |
| AHU | Air Handling Unit | FF | Finished Floor | NO | Number | STRUCT | Structure |
| ALT | Alternative | FPE | Furnishing, Fixtures, and Equipment | NOM | Nominal | SY | Square Yards |
| ALUM | Aluminum | FL | Flux | NTS | Not to Scale | SYM | Symmetrical |
| APP | Approximate | FND | Foundation | OH | Overhead | T&B | Tongue and Groove |
| APPROX | Approximate | FT | Foot or Feet | OC | On Center | T&G | Tongue and Groove |
| ARCH | Architectural | FV | Field Verify | OC | On Center | TEMP | Temporary |
| ASPH | Asphalt | GA | Gauge | OTA | Open to Above | TOD | Top of Deck |
| BD | Board | GALV | Galvanized | OTB | Open to Below | TOD | Top of Deck |
| BEY | Beyond | GC | General Contractor | OTS | Open to Structure | TOM | Top of Masonry |
| BK | Block | GEN | General | PART | Partition | TOP | Top of Parapet |
| BLOG | Building | GFR | Glass Fiber Reinforced Concrete | PC | Precast Concrete | TOS | Top of Slab |
| BLDK | Building | GL | Glass | PEQP | Perpendicular | TOP OF STEEL | Top of Steel |
| BM | Beam | GL | Glass | PL | Property Line | TOW | Top of Wall |
| BO | Bottom of | GPM | Gypsum Gypsum Board | PLAM | Plastic Laminate | TV | Television |
| BOT | Bottom of | GWB | Gypsum Wall Board | PLAS | Plaster | TYP | Typical |
| BSMT | Basement | GYP | Gypsum Board | PLBG | Plumbing | UNO | Unless Noted Otherwise |
| BTWN | Between | HB | Hollow Core | PLYWD | Plywood | VB | Vapor Barrier |
| CC | Center to Center | HD | Head | PNL | Panel | VENT | Ventilation |
| CG | Corner Guard | HDW | Hardware | PSF | Per Square Foot | VEST | Vestibule |
| CH | Chase-in-Place | HW | Hardwood | PSI | Pounds / Square Inch | VF | Verify in Field |
| CJ | Control Joint | HT | Hollow Metal | PT | Point | VIF | Verify in Field |
| CLG | Ceiling | HS | Hospital | QTY | Quantity | VTR | Vent Through Roof |
| CMU | Concrete Masonry Unit | HT | Height | R | Radius | W | Width |
| CO | Cleanout | IN | Inch | RA | Return Air | WI | With |
| COL | Column | INFO | Information | RCP | Refrigerator Ceiling Panel | WI | Within |
| CONC | Concrete | INSUL | Insulation | RD | Roof Drain | WO | Without |
| CONSTR | Construction | INT | Interior | RE | Reference | WC | Water Closet |
| CONT | Continuous | JST | Joist | RECP | Refrigerator | WD | Wood |
| CTR | Center | HT | Height | REF | Refrigerator | WGT | Weight |
| DBL | Double | KO | Knockout | REQD | Required | WH | Wall Hydrant |
| DIA | Diameter | L | Long / Length | REV | Revision | WF | Wind Flange |
| DIM | Dimension | LAM | Laminate | RF | Roofing | WP | Waterproof |
| DN | Down | LAV | Lavatory | RM | Room | WP | Waterproof |
| DR | Door | LGTH | Length | RTU | Room | WT | Structural T Section |
| DS | Downspout | LT | Light Lighting | S | Soak | X | by (eq. 244) |
| DTL | Detail | MATL | Material | SAN | Sanitary | YD | Yard |
| DWG(S) | (Drawing)s | MAX | Maximum | SC | Soil Core | + | Plus or Minus |
| E | Each | MCHA | Mechanical | SCHED | Schedule | x | Times |
| EA | Each | MFG | Manufacturing | SECT | Section | Ø | Diameter |
| EJ | Expansion Joint | MFR | Manufacturer | SF | Square Foot (Feet) | ⊘ | Round |

GENERAL NOTES

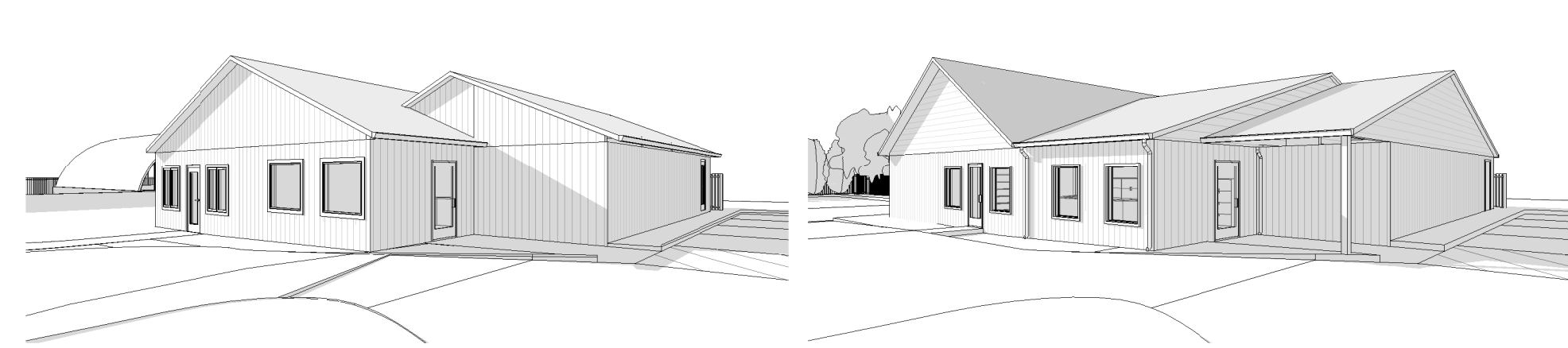
- Dimension given from:
 - Finished face of GWB at Interior Walls
 - Outer face of framing at Exterior Wall
 - Finished opening
 - Centerline of electrical and lighting fixtures
- Contractor to verify all dimensions and location of existing structure.
- Contractor and sub-contractors to notify architect of any discrepancies, omissions, and/or conflicts before proceeding with work.
- Contractor must comply with rules and regulations of agencies having jurisdiction and shall conform to all city, county, state and federal construction, safety and sanitary laws, codes, statutes, and ordinances. All fees, taxes, permits, applications and certificates of inspection, and the filing of all work with governmental agencies shall be the responsibility of the contractor.
- Contractor shall comply with the rules and regulations of the building as to hours of availability of loading docks and elevators for the purposes of delivery, and manner of handling materials, equipment and debris to avoid conflict and interference with normal building operations.
- All work shall be performed by skilled and qualified workmen in accordance with the best practices of the trades involved, and in compliance with building regulations and/or governmental laws, statutes or ordinances concerning the use of union labor.
- Each trade will proceed in a fashion that will not delay the trades following them.
- Contractors shall be responsible for the distribution of drawings to all trades under their jurisdiction.
- All work shall be erected and installed plumb, level, square, true and in proper alignment.
- All materials shall be new, unused and of the highest quality in every respect, unless otherwise noted. Manufactured materials and equipment shall be installed per manufacturer's recommendations and instructions.
- There shall be no substitution of materials where a manufacturer is specified. Where the terms "equal to" or "approved equal" are used, the architect shall determine equality based on information submitted by the contractor. All work and materials shall be guaranteed against defects for a period of at least one (1) year from approval for final payment.
- Contractor shall be responsible for cutting and patching required for his work.
- Contractor shall at all times keep the premises free of accumulation of waste materials or rubbish. Premises to be swept clean daily of related construction debris. At the completion of the work, leave the job site free of all materials and broom clean.
- Do not scale drawings. Dimensions govern. Larger scale drawings shall govern smaller scale.
- Patch all areas where floor is not level or true prior to the installation of flooring or carpeting.
- GC to confirm heat/smoke/co detectors to be installed in all areas of work per governing code requirements.

SYMBOL LEGEND



EXISTING

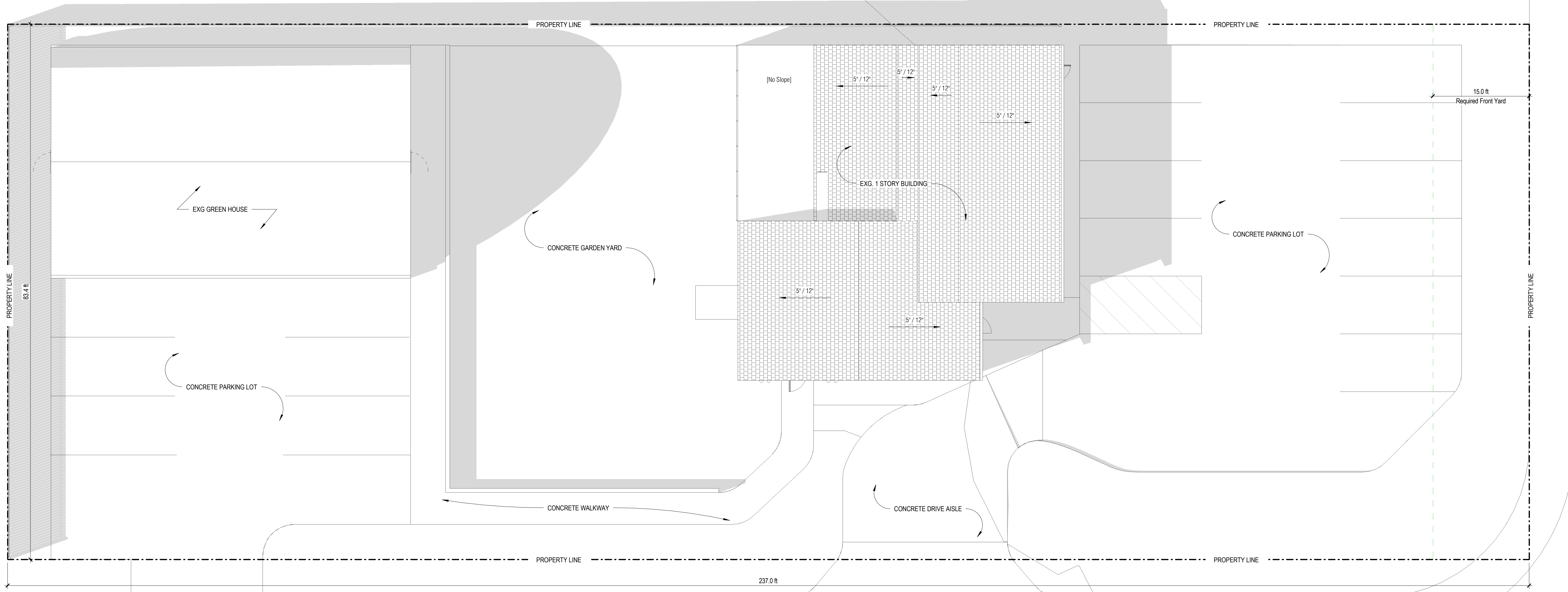
NEW



TOMAHAWK ANIMAL HOSPITAL
 6301 W 75th St
 Prairie Village, KS 66204

Schematic Design
 March 8th, 2024

| Sheet # | Sheet Name | Current Revision | Rev Date |
|---------|-------------------------|------------------|----------|
| G000 | Cover Sheet | | |
| A001 | Site Plan | | |
| AD101 | 1st Floor Plan Existing | | |
| A101 | 1st Floor Plan | | |
| A102 | Code Plan & Summary | | |
| AD201 | Elevations Existing | | |
| A201 | Elevations | | |
| A901 | Perspectives | | |
| A902 | Roof Phasing | | |



| | |
|----------------------------------|------------------|
| TOTAL SITE AREA: | 19,765 SF |
| EXISTING IMPERVIOUS AREA: | 16,967 SF |
| PERCENTAGE IMPERVIOUS: | 86% |

lo design architecture

PROJECT INFORMATION
Tomahawk Animal Hospital
 6301 W 75th St
 Prairie Village, KS 66204

ARCHITECT: Lo Design
 7327 Summit Street
 Kansas City, MO 64114
 (816) 888-0024

CONTRACTOR: Kyser Carpentry
 6800 NW North Street Drive
 Kansas City, MO 64151
 (816) 322-0144

STRUCTURAL ENGINEER: AGilmore
 K. Andrew Gilmore, P.E.
 KS 041471
 913-663-3778

ISSUE
Schematic Design
 03/08/2024

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Architect: Laura Beurs
License Number: 7076
Project Number: 148

Cover Sheet

G000

1 Existing Site Plan
 1/8" = 1'-0"

2/28/2024 9:00 AM

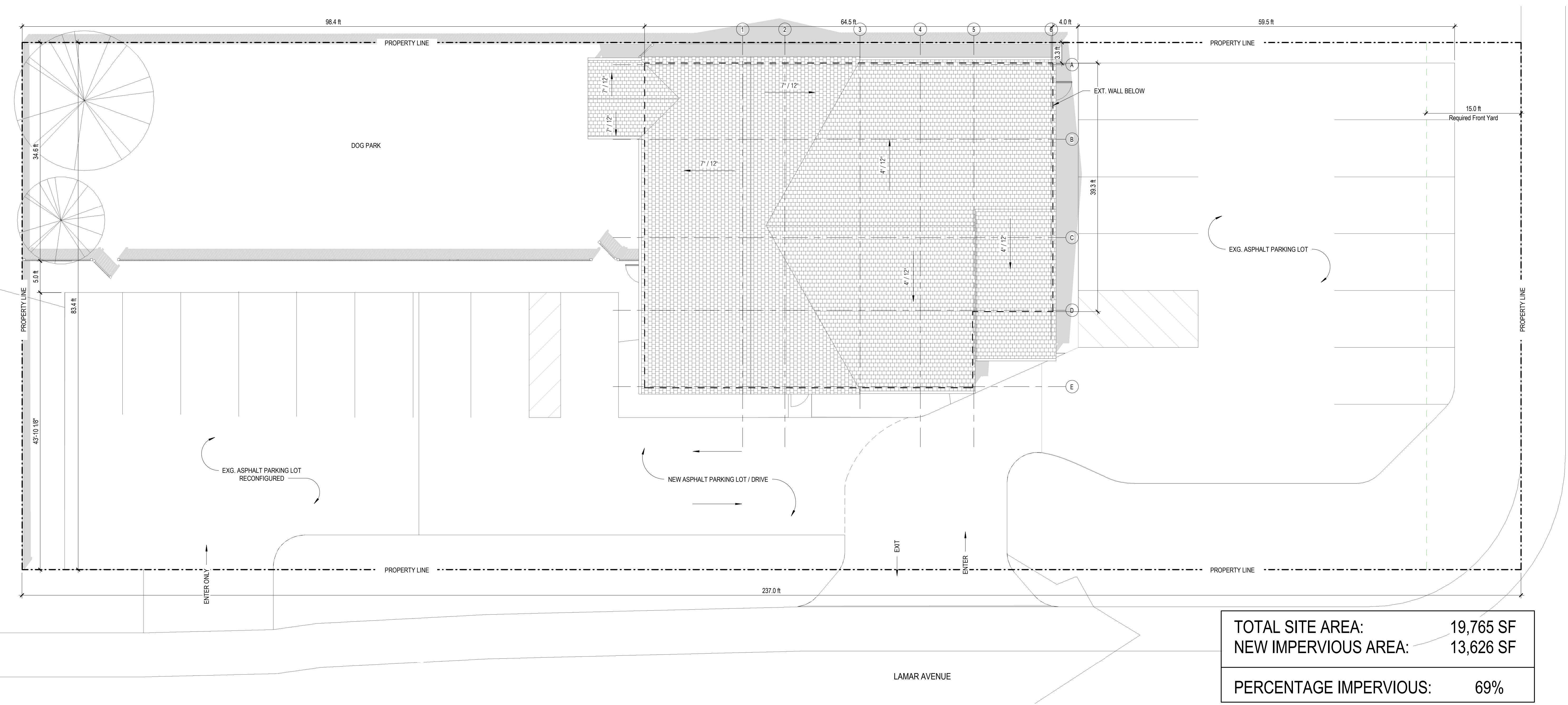
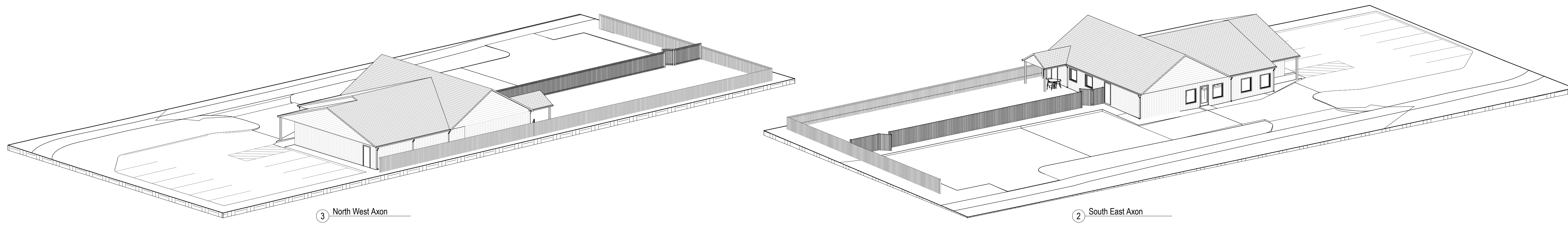
PROJECT INFORMATION:
Tomahawk Animal Hospital
 6301 W 75th St
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STRUCTURAL ENGINEER: AGilmore
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 K. Andrew Gilmore, PE
 KS 019411
 913-863-3778

MEP:



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 03/08/2024

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Architect: Laura Bours
 License Number: 7076
 Project Number: 148

Site Plan

A001

PROJECT INFORMATION
Tomahawk Animal Hospital
 6301 W 75th St
 Prairie Village, KS 66204

ARCHITECT: Lo Design
 7271 Summit Street
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 (816) 888-0224

CONTRACTOR: Kyser Carpentry
 606 NW North Shaw Drive
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 913-663-3778

MEP:

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 03/08/2024

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FLOOR PLAN LEGEND

- Existing Wall
- Existing Construction
- New Wall
- New Construction

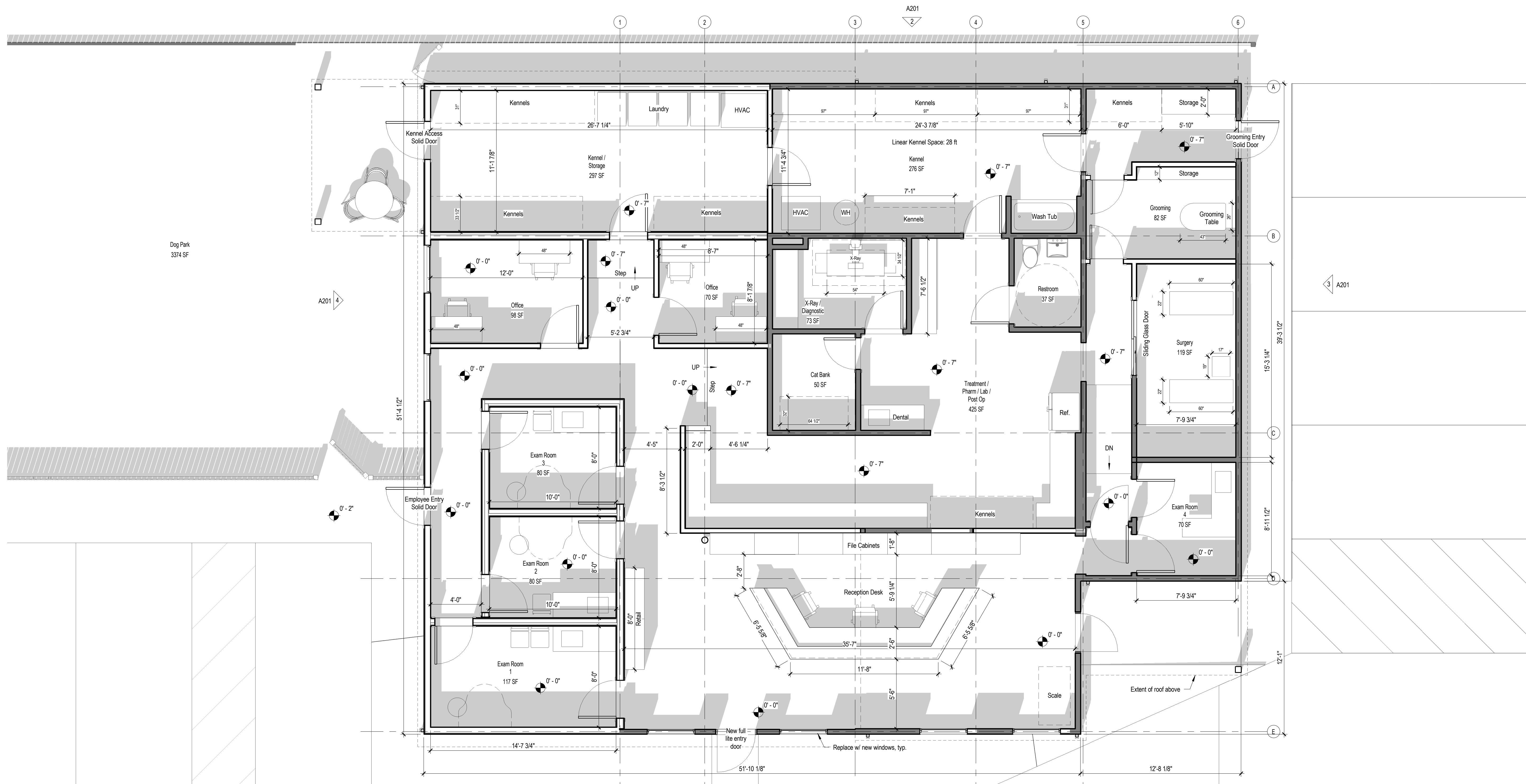
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Architect: Laura Bours
License Number: 7076
Project Number: 148

EXG. HOSPITAL AREA: 1,600 SF
RENOVATED SPACE: 2,050 SF
ADDITION: 1,085 SF
TOTAL HOSPITAL AREA: 3,135 SF

1st Floor Plan

A101



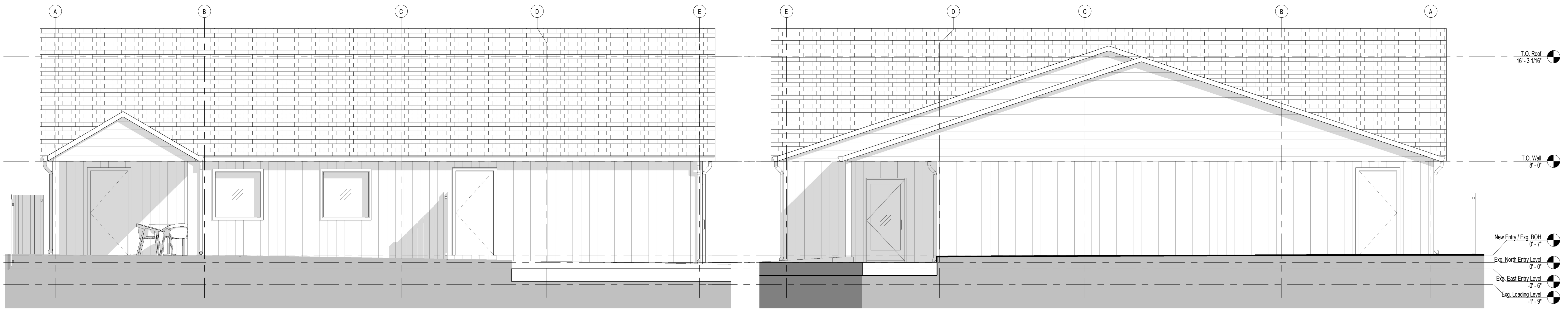
PROJECT INFORMATION:
Tomahawk Animal Hospital
 6301 W 75th St
 Prairie Village, KS 66204

ARCHITECT: Lo Design
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 Kansas City, MO 64114
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CONTRACTOR: Kyser Carpentry
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 Kansas City, MO 64151
 (816) 322-0144

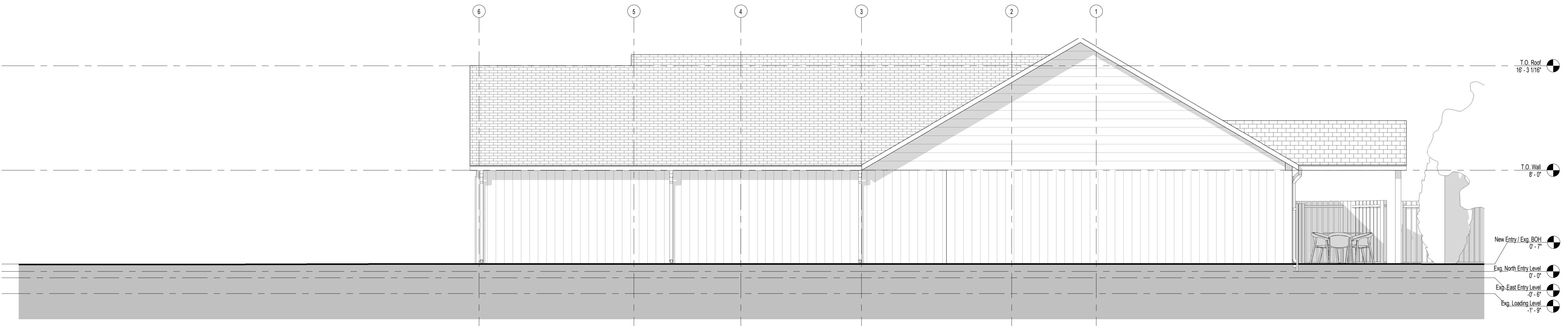
STRUCTURAL ENGINEER: AGilmore
 Service, LLC
 K. Andrew Gilmore, PE
 KS 51141
 913-863-3778

MEP:

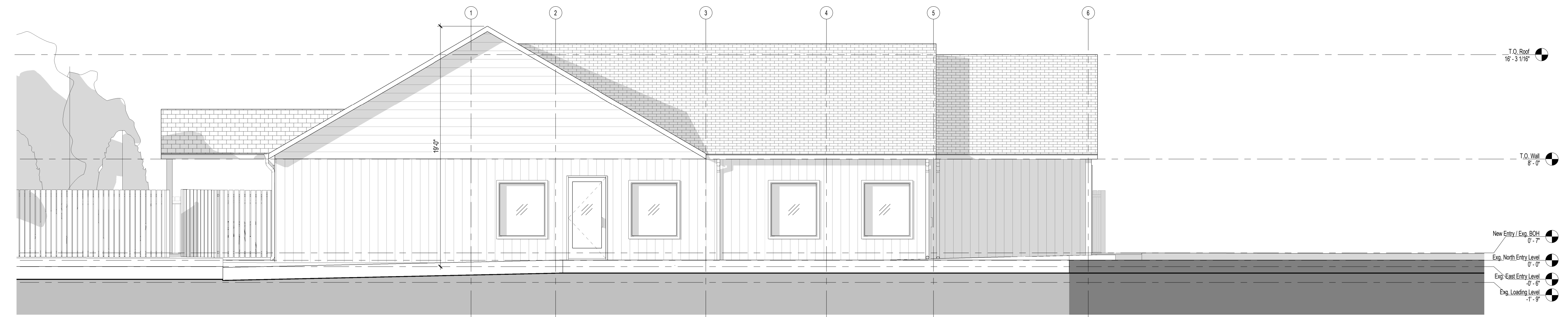


④ South Elevation
1/4" = 1'-0"

③ North Elevation
1/4" = 1'-0"



② West Elevation
1/4" = 1'-0"



① East Elevation
1/4" = 1'-0"

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 03/08/2024

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Architect: Laura Bevers
 License Number: 7076
 Project Number: 148

Elevations

A201

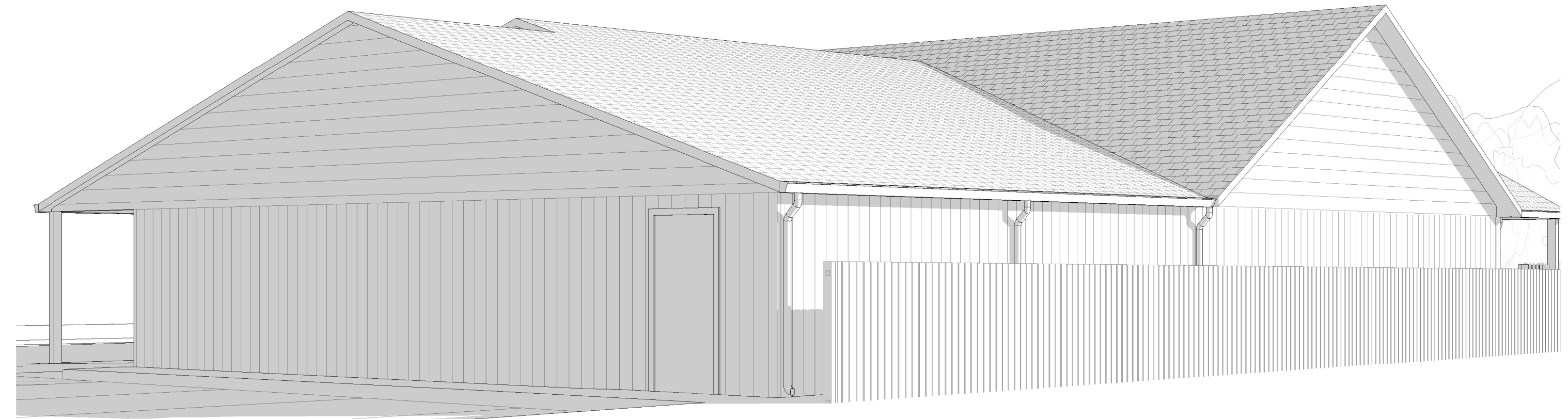
PROJECT INFORMATION:
Tomahawk Animal Hospital
 6301 W 75th St
 Prairie Village, KS 66204

ARCHITECT:
 Lo Design
 737 Summit Street
 Kansas City, MO 64114
 (816) 888-0224

CONTRACTOR:
 Kyser Carpentry
 638 NW 90th Street
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STRUCTURAL ENGINEER:
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 K. Avelar, Engineer, P.E.
 KS 041421
 913-865-3778

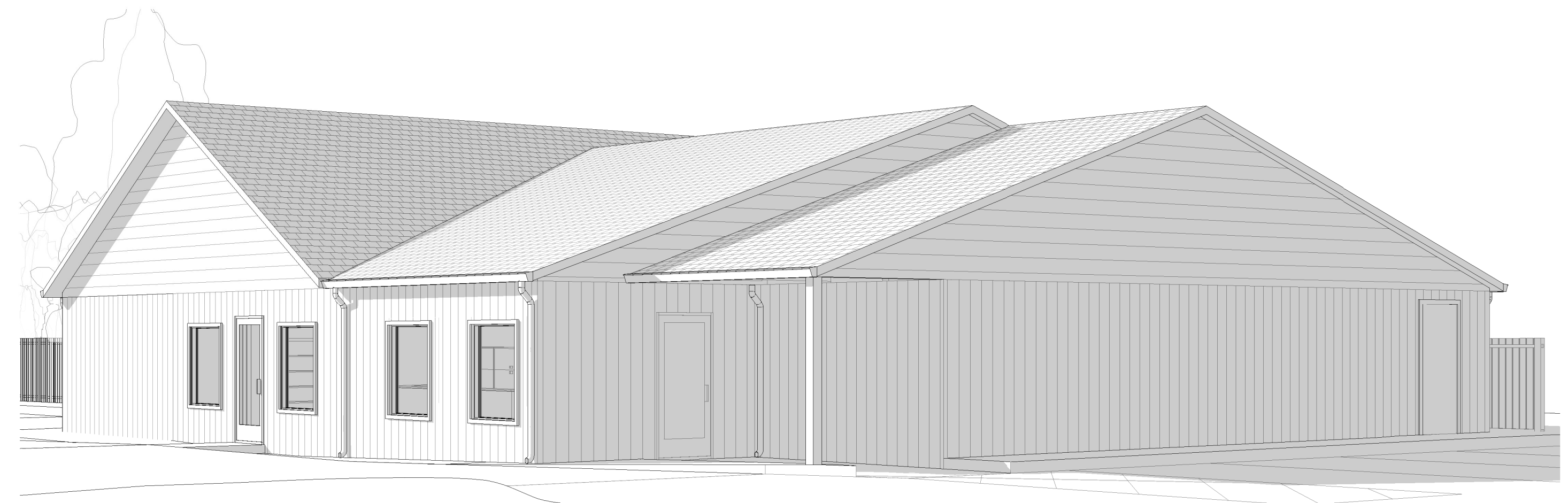
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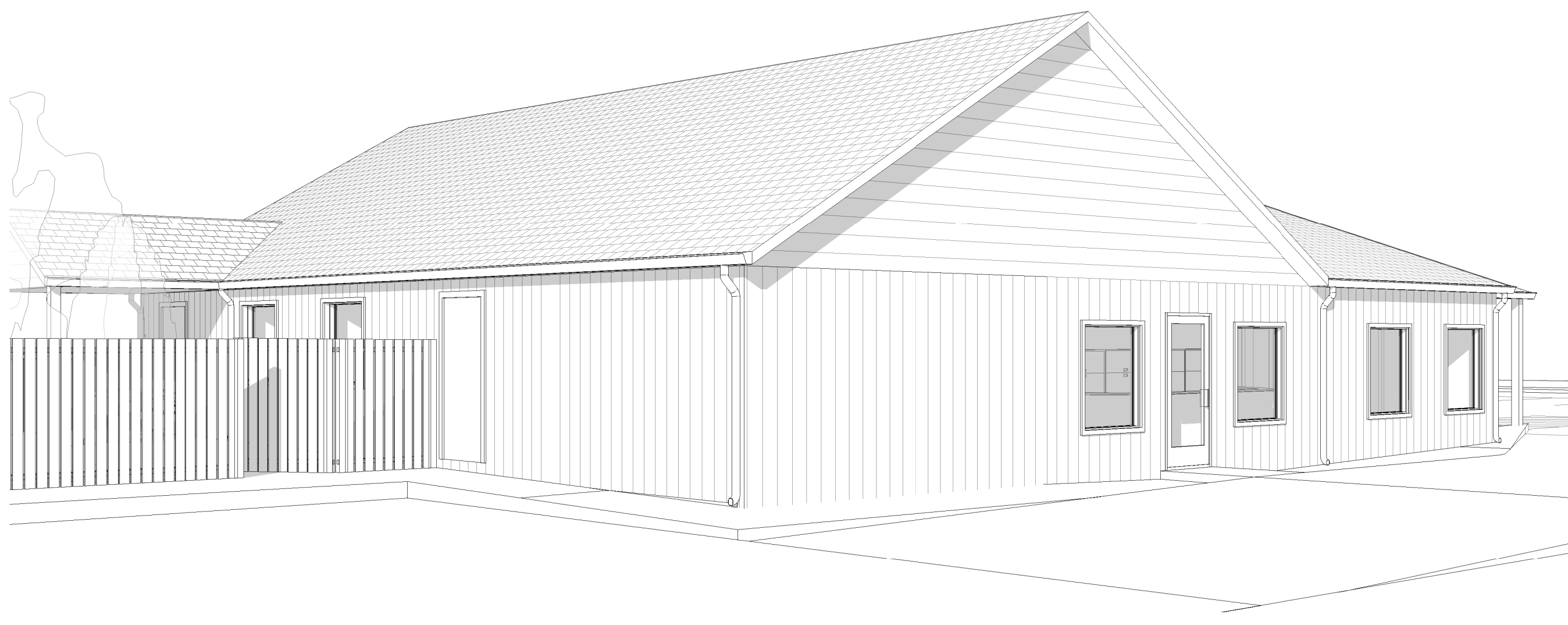
4 North West View



5 South View



2 North East View



1 South East View



3 East View

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03/08/2024

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Architect: Laura Bevers
License Number: 7076
Project Number: 148

Perspectives

A901

PROJECT INFORMATION:
Tomahawk Animal Hospital
 6301 W 75th St
 Prairie Village, KS 66204

ARCHITECT: Lo Design
 737 Summit Street
 Kansas City, MO 64114
 (816) 888-0224

CONTRACTOR: Kyser Carpentry
 888 NW 35th Street
 Kansas City, MO 64115
 (816) 322-0144

STRUCTURAL ENGINEER: AGilmore
 Services, LLC
 K. Arden, Engineer, P.E.
 KS 51421
 913-863-3778

MEP:

FLOOR PLAN LEGEND:

- Existing Wall
- Existing Construction
- New Wall
- New Construction

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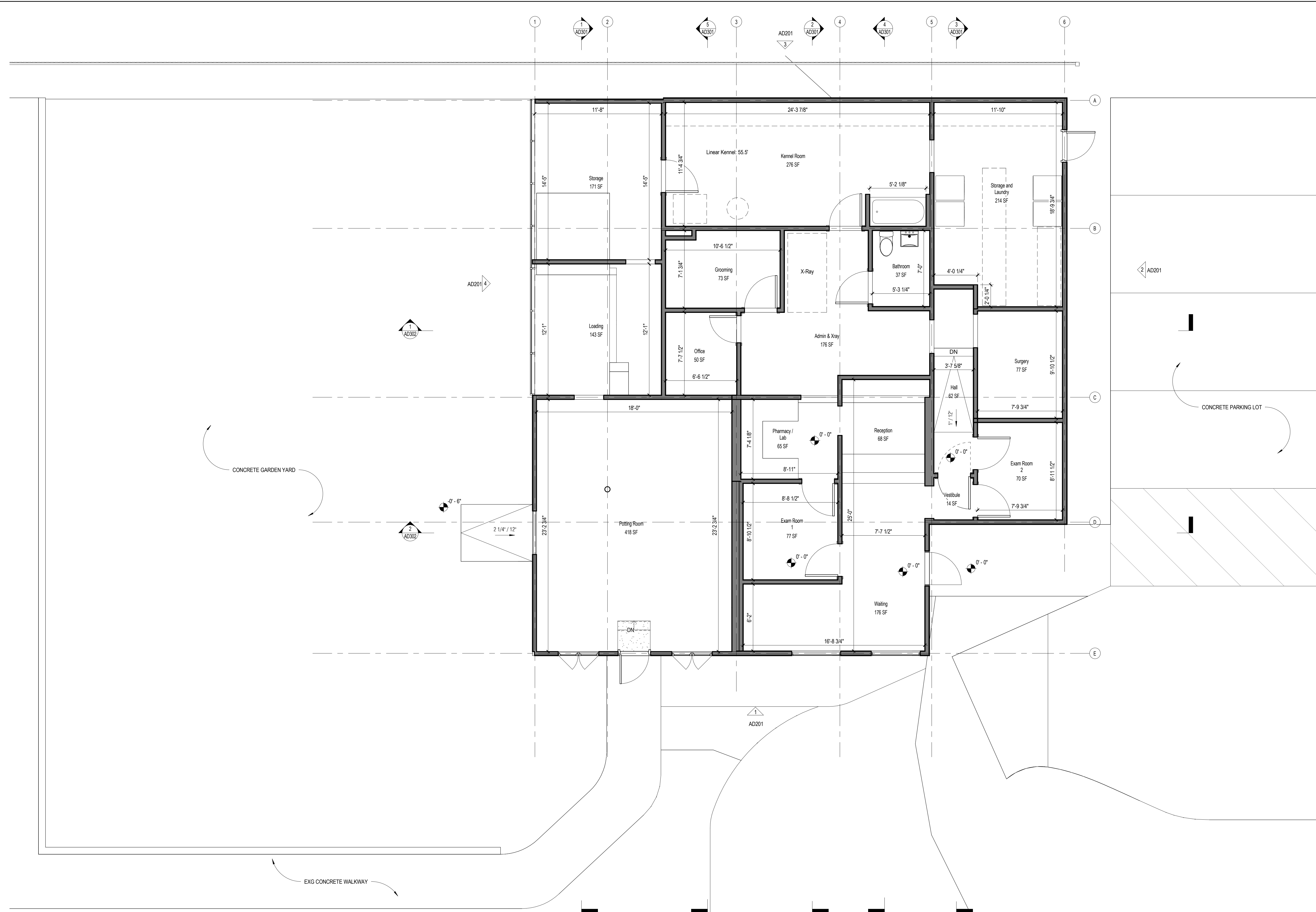
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Architect: Laura Bours
License Number: 7076
Project Number: 148

1st Floor Plan
Existing

AD101

1 1st Floor Existing
 1/4" = 1'-0"



PROJECT INFORMATION
Tomahawk Animal Hospital
 6301 W 75th St
 Prairie Village, KS 66204

ARCHITECT: Lo Design
 727 Summit Street
 Kansas City, MO 64114
 (816) 888-0024

CONTRACTOR: Kyser Carpentry
 688 NW North Street Drive
 Kansas City, MO 64151
 (816) 322-0144

STRUCTURAL ENGINEER: AGilmore
 Services, LLC
 K. Andrew Gilmore, PE
 KS 041421
 913-663-3778

New Entry / Exg. BOH
 0' - 7"

Exg. North Entry Level
 0' - 0"

Exg. East Entry Level
 -0' - 6"

Exg. Loading Level
 -1' - 9"

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Schematic Design
 03/08/2024

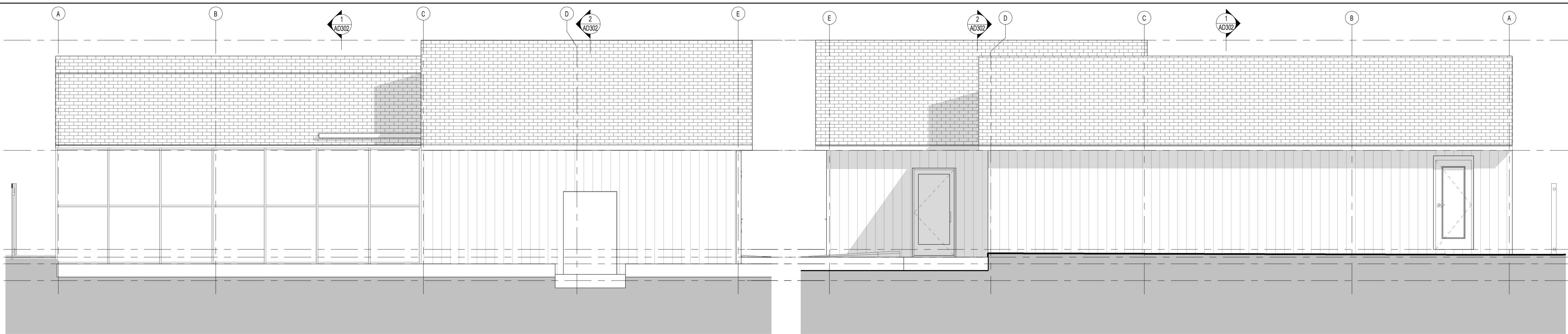
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Architect: Laura Beurs
 License Number: 7076
 Project Number: 148

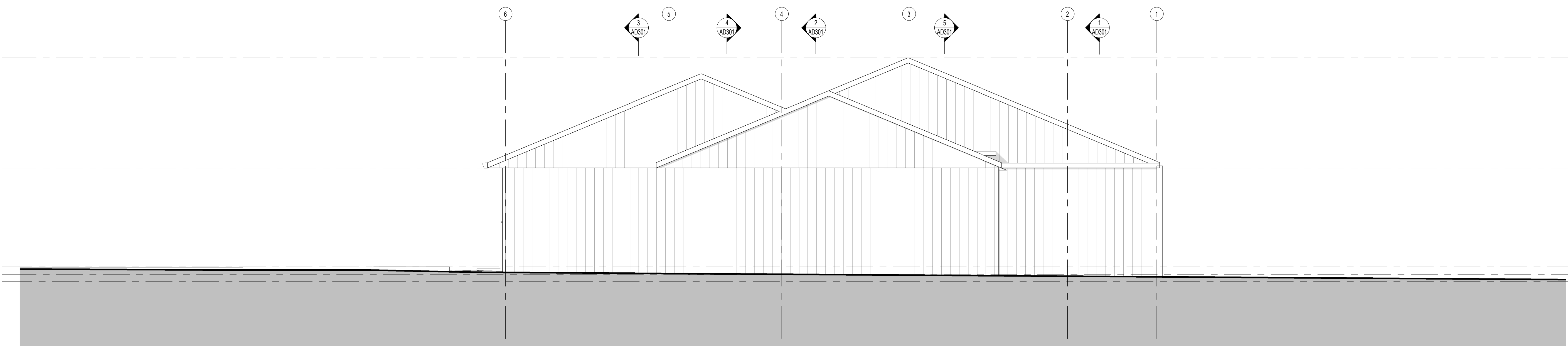
Elevations Existing

AD201



4 Existing South Elevation
 1/4" = 1'-0"

2 Existing North Elevation
 1/4" = 1'-0"



3 Existing West Elevation
 1/4" = 1'-0"



1 Existing East Elevation
 1/4" = 1'-0"

PROJECT INFORMATION:
Tomahawk Animal Hospital
6301 W 75th St
Prairie Village, KS 66204

ARCHITECT:
Lo Design
727 Summit Street
Kansas City, MO 64114
(816) 888-0224

CONTRACTOR:
Kyser Carpentry
808 NW North Shaw Drive
Kansas City, MO 64151
(816) 322-0144

STRUCTURAL ENGINEER:
AGilmore
Services, LLC
K. Andrew Gilmore, PE
KS 04141
913-863-3778

MEP:

New Entry / Exg. BOH
0' - 7"

Exg. North Entry Level
0' - 0"

Exg. East Entry Level
-0' - 6"

Exg. Loading Level
-1' - 9"

New Entry / Exg. BOH
0' - 7"

Exg. North Entry Level
0' - 0"

Exg. East Entry Level
-0' - 6"

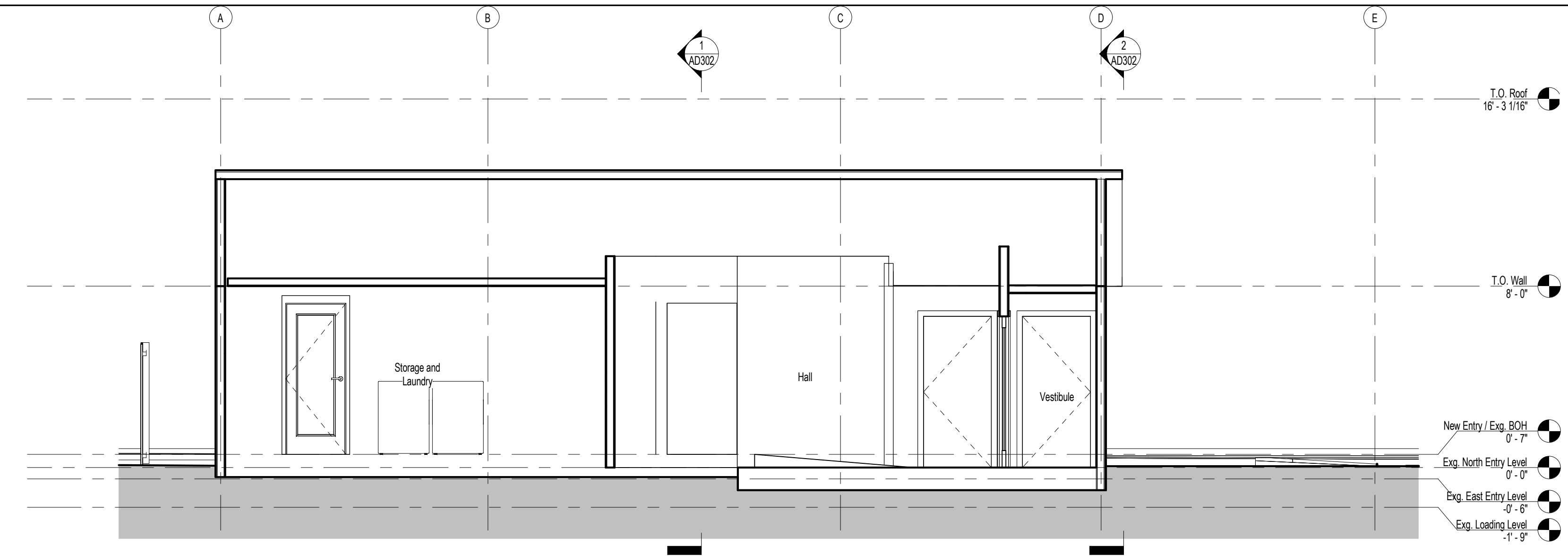
Exg. Loading Level
-1' - 9"

ISSUE:
Schematic Design
03/08/2024

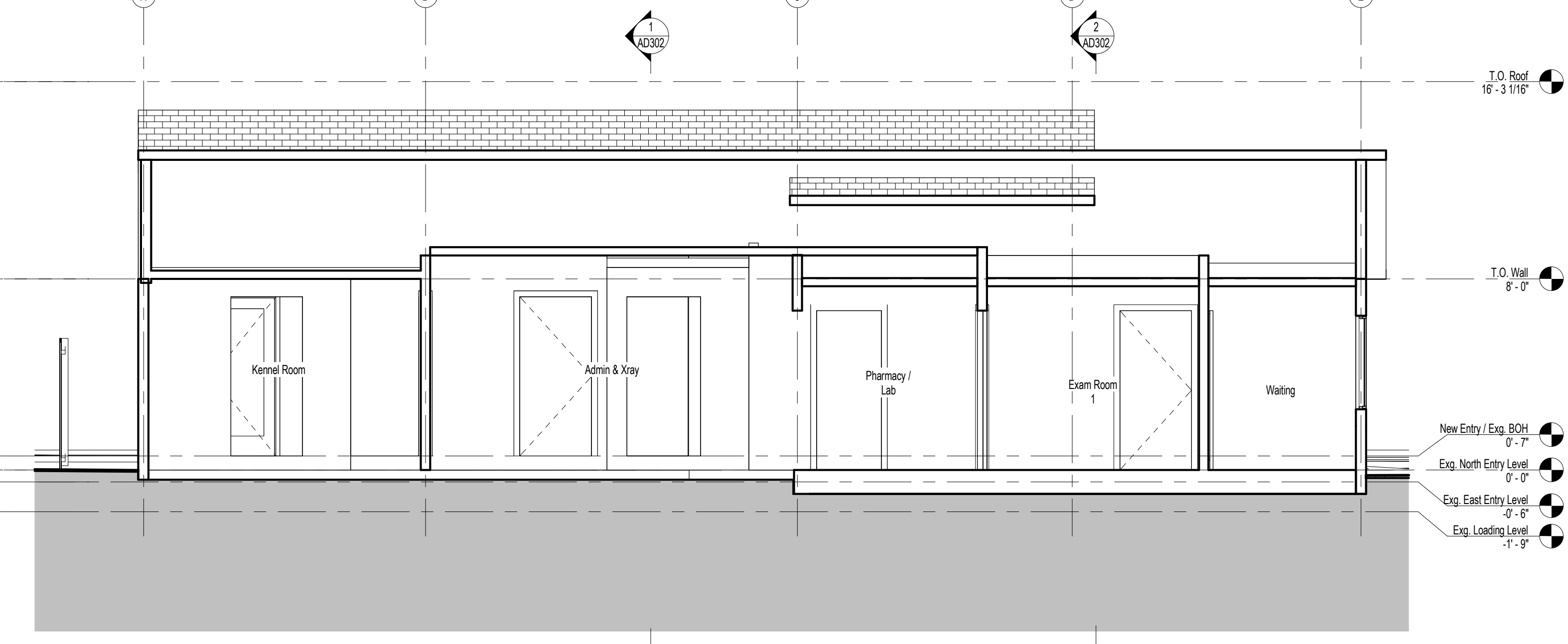
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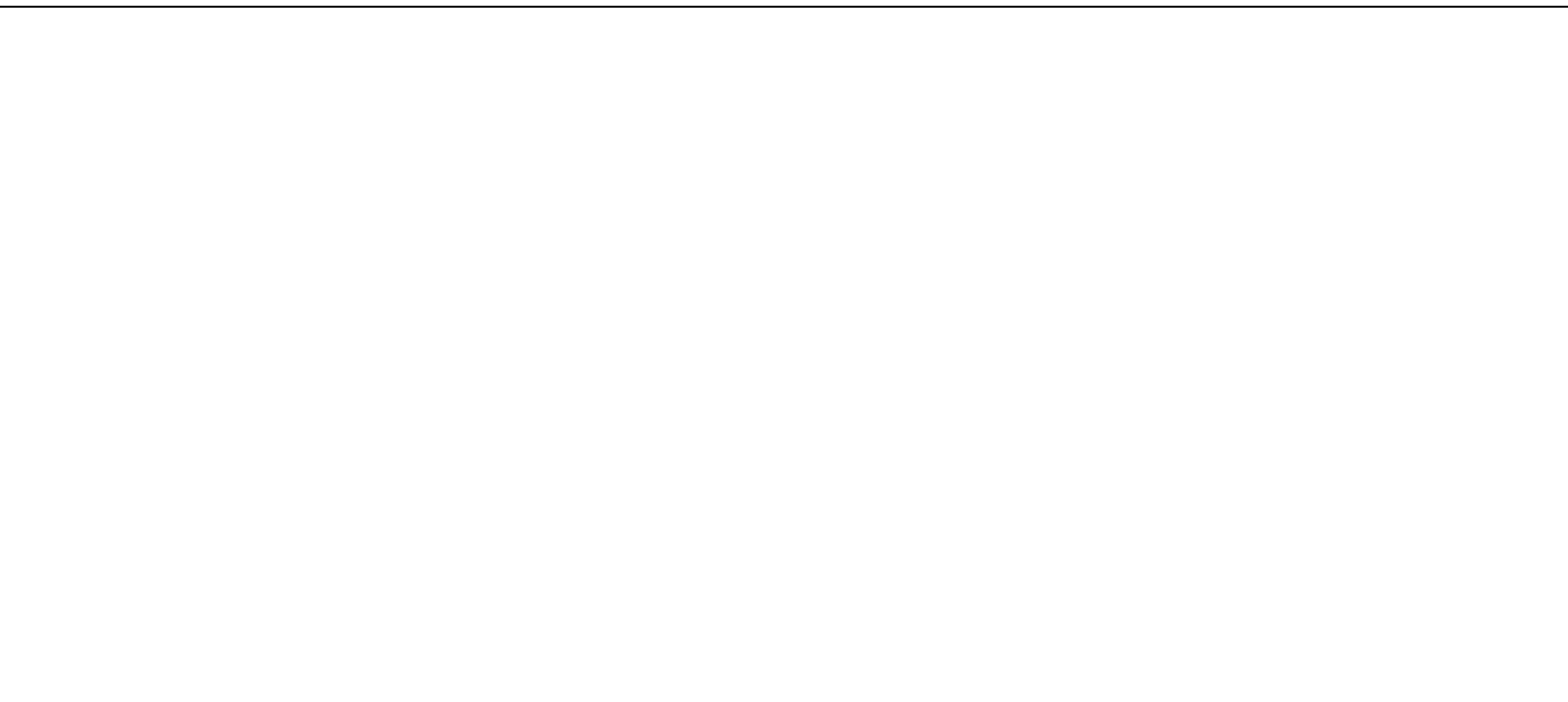
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License Number: 7076
Project Number: 148



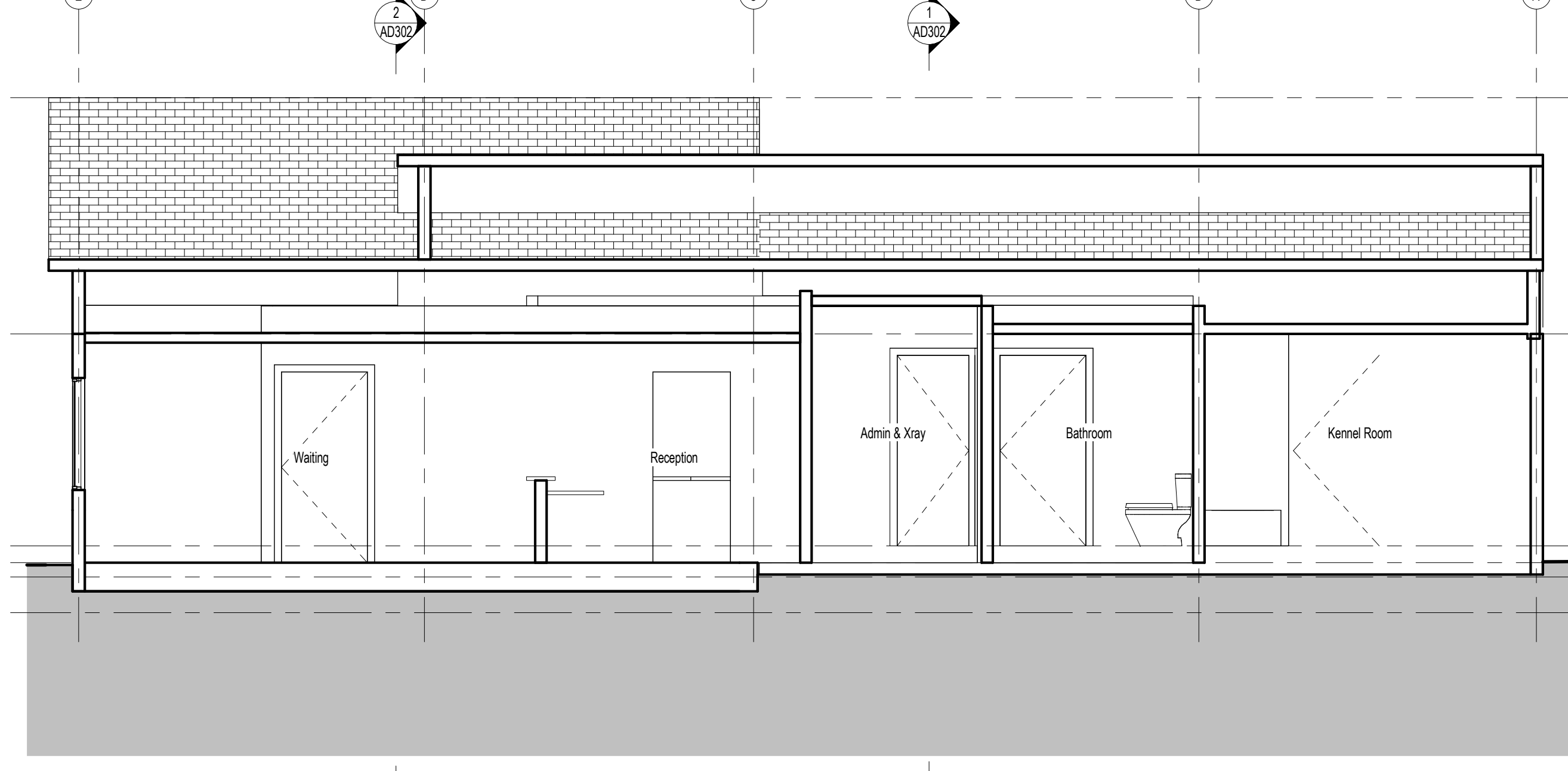
3 EW Section 3
1/4" = 1'-0"



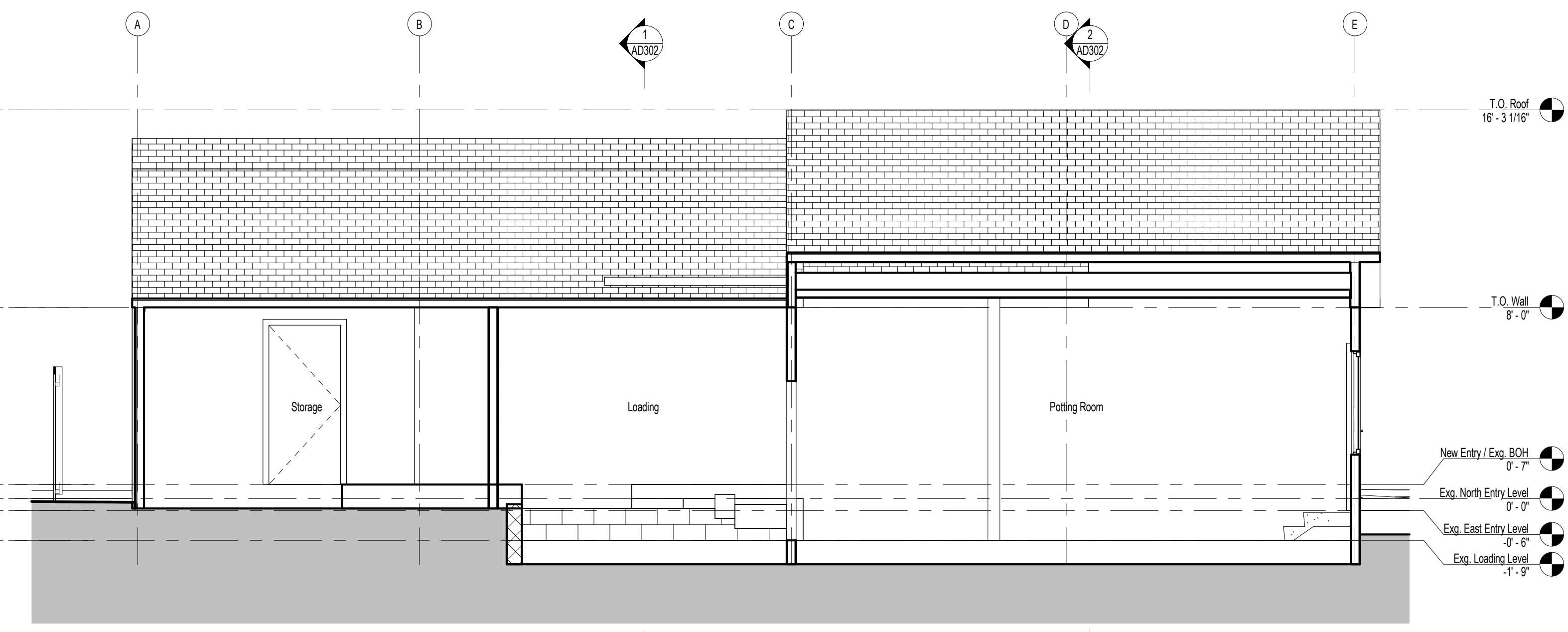
2 EW Section 2
1/4" = 1'-0"



4 EW Section 4
1/4" = 1'-0"



5 EW Section 5
1/4" = 1'-0"



1 EW Section 1
1/4" = 1'-0"

Sections Existing

AD301

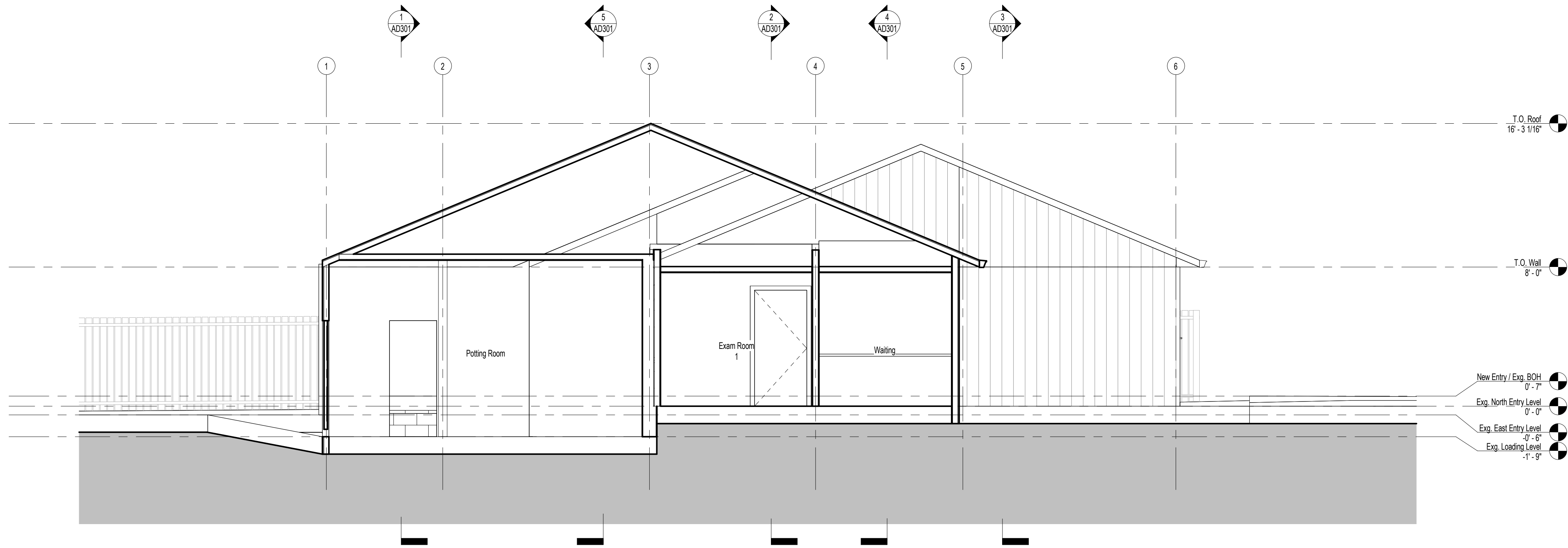
PROJECT INFORMATION:
Tomahawk Animal Hospital
6301 W 75th St
Prairie Village, KS 66204

ARCHITECT: Lo Design
727 Summit Street
Kansas City, MO 64114
(816) 888-0024

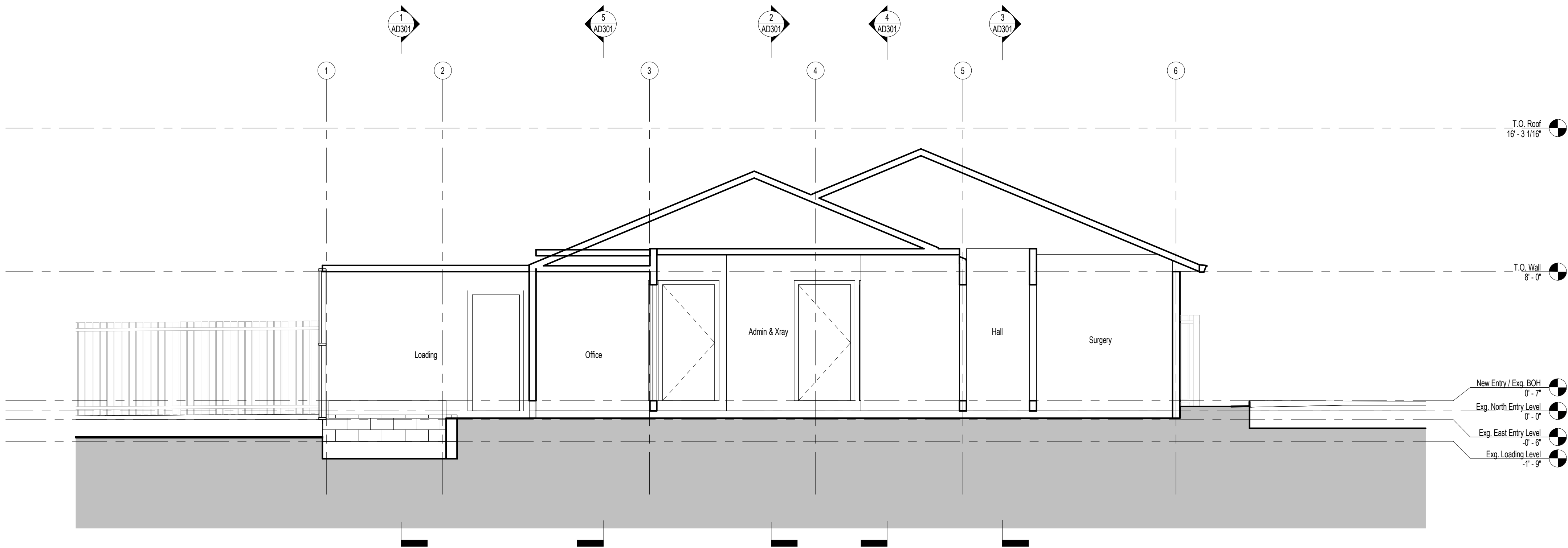
CONTRACTOR: Kyser Carpentry
688 W 90th Street
Kansas City, MO 64115
(816) 322-0144

STRUCTURAL ENGINEER: AGilmore
Services, LLC
K. Andrew Gilmore, PE
KS 41741
913-863-3778

MEP:



② NS Section 2
1/4" = 1'-0"



① NS Section 1
1/4" = 1'-0"

ISSUE:
Schematic Design
03/08/2024

REVISION SCHEDULE:

| NO. | DATE | ISSUE |
|-----|------|-------|
| | | |

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Architect: Laura Bours
License Number: 7076
Project Number: 148

Sections Existing

AD302

lo design

Tomahawk Animal Hospital
6301 W. 75th Street
Prairie Village, KS, 64204

April 18, 2024

Brian Michener
Architect and Owner
Lo Design, LLC
7327 Summit Street
Kansas City, MO, 64114

Dear Neighbor,

We are writing to make you aware of our plans to expand the Tomahawk Animal Hospital building at 6301 W 75th Street. The project aims to expand the existing building's footprint to the south and create a more welcoming and unified animal hospital for our community. We are requesting a variance from the City of Prairie Village Board of Zoning Appeals to locate the expansion closer to the side property line than what is proscribed by the current zoning regulations.

Standard city regulations stipulate that structures be no closer to the property line than 10 feet; however, we are requesting permission to construct our addition that aligns with the existing building footprint on the west side of the property in order to create a contiguous building footprint that is modest in massing and maximizes efficacy of the animal hospital's use. The existing building's side setback is 3.3 feet and the expansion, as designed, aligns with the existing footprint on that side of the property.

As required by the Board of Zoning Appeals we are providing our neighbors with an opportunity to raise any questions or concerns regarding our request for this variance. Accordingly, we are holding a meeting at the Tomahawk Animal Hospital for you to express those concerns and to answer your questions regarding our request.

You are invited but not required to attend. We will submit a record of this meeting to the PVBZA identifying attendees and describing any concerns expressed.

The meeting will be held on **Wednesday, April 24th at 6:00pm.**

Sincerely,
Dr. Kent Kraus, Veterinarian/Practice Owner



Tomahawk Animal Hospital – Expansion Project

April 24th, 2024

Neighborhood Meeting Agenda

Design Team Participants:

- Dr. Kent Kraus, Tomahawk Animal Hospital
- Brian O'Neal, Tomahawk Animal Hospital
- Brian Michener, Lo Design

Materials:

- Architectural Plan Drawings
- Certified Survey

Overview and Purpose:

The Tomahawk Animal Hospital located at 6301 W. 75th Street, Prairie Village, KS, 66204 is planning a renovation and expansion to its existing building. The project will add just over 1,000 square feet to the south side of the existing building and will construct a new, cohesive roof over the entire building footprint.

Additionally, the area to the south of the building (previously occupied by a green house) will be converted to a pervious, natural grass outdoor pet run, enclosed by a 6' privacy fence on the east and south sides. The existing fence on the west side of the property will remain.

The parking lot on the south end of the property will be reconfigured and rebuilt to provide better, safer, more efficient parking. It will also provide sufficient ADA parking stalls and will be connected to the north end parking lot by a new drive aisle for continuity to Animal Hospital patrons.

We kindly ask the neighborhood to consider this project proposal and offer its opinions, feedback, and considerations on the site design, building design, and overall planned improvements to this long-standing neighborhood business.

Agenda:

1. Introduction
 - Ownership and Design Team Introductions
 - Project Introduction and Overview
2. Questions and Answers
3. Neighborhood Feedback
4. Next Steps



Tomahawk Animal Hospital – Neighborhood Meeting Minutes

April 24th, 2024

6:00pm – 7:00pm

Neighborhood Meeting

Design Team Attendees:

- Dr. Kent Kraus, Tomahawk Animal Hospital, Owner
- Brian O'Neal, Tomahawk Animal Hospital
- Brian Michener, Lo Design, Architect

Overview:

A invited and open meeting was held on site at the Tomahawk Animal Hospital from 6:00pm on Wednesday, April 24th until 7:00pm.

Full scale plans were provided as well as a meeting purpose summary, project overview description, and agenda. The Owner and several Animal Hospital staff members were in attendance, as was the Architect representing the full Design Team.

Community Participants:

None.

None of the invited neighbors nor any other community members attended the meeting. As such, there were no comments made on the development plans or the proposed project expansion plans.

Attendees (outside of the Design Team listed above) were recorded on the attached sign-in sheet.

Comments / Feedback:

None.