

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
MONDAY, NOVEMBER 10, 2025
7700 MISSION ROAD
COUNCIL CHAMBERS
6:00 P.M.**

I. ROLL CALL

II. APPROVAL OF BZA MINUTES - October 7, 2025

III. PUBLIC HEARINGS

BZA2025-03 Variance increase to the permitted building coverage
from 30% to 32.19%
6748 Fontana Street
Zoning: R-1B
Applicant: Doug LeVota

BZA2025-04 Variance to allow an accessory building to exceed the
576 s.f. limit; and appeal of a staff determination
that building is a detached "accessory living quarter"
5112 W. 67th Street
Zoning: R-1A
Applicant: Jesse Crupper

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, OCTOBER 7, 2025**

ROLL CALL

The meeting of the Board of Zoning Appeals of the City of Prairie Village, Kansas was held on Tuesday, October 7, 2025, at 6:00 p.m. in the Council Chambers of the Municipal Building at 7700 Mission Road. Chair Jonathan Birkel called the meeting to order at 6:00 p.m. with the following members present: David Herron, 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; Mitch Dringman, Building Official; Terry O'Toole, Council Liaison; Adam Geffert, City Clerk/Board Secretary.

APPROVAL OF MINUTES

Mr. Valentino moved for the approval of the minutes of the January 7, 2025, Board of Zoning Appeals meeting as presented. Ms. Temple seconded the motion, which passed 4-0, with Mr. Birkel, Mr. Herron and Mr. Wolf in abstention.

Mr. Birkel switched the order in which the two applications on the agenda since a planning commission application related to BZA2025-02 would be considered immediately after the board of zoning appeals meeting concluded.

PUBLIC HEARINGS

BZA2025-03	Variance increase to the permitted building coverage from 30% to 32.19% 6748 Fontana Street Zoning: R-1B Applicant: Doug LeVota
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Mr. Brewster stated that the applicant was requesting a variance for building coverage standards from 30% to 32.19%. The application is for the tear down of an existing home and a rebuild of a new home. The combination of the proposed principal building along with retaining an existing deck with pergola and accessory shed would exceed the allowed 30% building coverage.

The property is zoned R-1B; the lot is 7,723.8 square feet and is approximately 65' wide by 120' deep. The lot is situated mid-block on the west side of Fontana Street between 67th Street and 69th Street. All properties in the vicinity are zoned R-1B and used for single-family homes.

Mr. Brewster stated that R-1B zones required a maximum of 30% building coverage and 40% impervious coverage. The building coverage limit addresses building scale and massing in relation to the lot and includes all structures over 30" in height (principal and accessory). The impervious coverage limit addresses drainage in relation to the lot, and includes all impervious surfaces.

This application proposes the following structures:

- House: 2,301 s.f.
- Existing shed: 121.92 s.f.
- Existing deck with pergola: 63.89 s.f.
- Total building coverage 2,486.81 s.f.

This results in a 32.19% building coverage, exceeding the 30% limit by 2.19% or 169.67 s.f. The proposed impervious coverage is 3,363.5 s.f., which is below the permitted impervious coverage limit for this lot, which is 3,389.52 s.f. (40% of lot, plus 300 s.f. exemption for lots under 10,000 s.f.).

Section 19.54.030 of the city's zoning regulations requires the board to find that all five of the following conditions are met to grant a variance. If the board finds that any 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.

Mr. Brewster noted that the property met the minimum requirements for R-1B lots and is 65' by 120' (60' x 100' is the minimum). It is situated mid-block among similar lots on both sides of the street, ranging from approximately 62' wide to 75' wide. The primary differences in width or depths occur at corner lots, or are due to a slight curve of the block. There is an irregular pattern of larger lots to the north that results from a cross-block drainage easement that passes in an east-west fashion across all blocks in this area.

Based on standard setbacks, this lot has approximately 3,380 s.f. of buildable area, of which up to 2,317.14 s.f. can be utilized due to the 30% building coverage limit. Additionally, any accessory structures over 30" high counts toward the building coverage limit. In this case, that includes an existing shed and deck with a pergola which are proposed to be retained.

B. Adjacent Property

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

Building setbacks are the primary standard that manages impacts on adjacent property, and the application meets all setback requirements (8.8' on the south where 6' is required; 6' on the north where 6' is required; and 14.8' combined where 13' is required). The existing shed, which is proposed to be retained, also meets setbacks applicable to accessory structures (4.5' from rear and 6.8' from side, where 3' is required). However, the combination of the proposed principal building (2,301 s.f.), deck with pergola (63.89 s.f.), and shed (121.92 s.f.) exceeds the 30% maximum cumulatively by 169.67 s.f., or 2.19%.

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 lot has approximately 2,317.14 s.f. of buildable area based on a total lot size of 7,723.8 s.f. To meet the 30% building coverage standard, the applicant would need to remove 169.67 s.f. This would require either removal of the shed and deck, or reduction in the footprint of the principal building. The proposed principal building has a 2,301 s.f. footprint, while the existing principal structure to be removed is approximately 1,600 s.f. Other new homes in the area have a similar or larger footprint than is proposed for this house; however, those that are larger tend to not have a shed or raised deck with a pergola, or are on slightly larger lots.

D. Public Interest

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

The application is a tear down and rebuild of an existing structure. Prairie Village zoning regulations regulate a balance between necessary reinvestment in neighborhoods with impacts on the character of the neighborhood and general community. The proposed new building meets all standards except the building coverage standard. Granting the variance would allow the applicant to retain an existing shed and a proposed deck with a pergola and not be required to reduce the footprint of the proposed house. This would allow 2.19%

more building coverage than permitted by the zoning regulations, or 169.7 s.f. All proposed improvements are under the impervious coverage limit for this lot.

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.

The building coverage standard is intended to regulate the scale and mass of residential buildings in relation to lots. It applies in addition to the height, setback, and massing standards for the principal building, as well as any structure over 30" high. This standard works independently of setbacks and impervious coverage standards to limit the extent of vertical structures and preserve open areas on the lot. In this application, the structures meet all height, setback, and impervious coverage standards, and generally have an appropriate relationship to adjacent property, but exceed the building coverage standard by 2.19%.

Mr. Brewster noted that after reviewing the information submitted and considering the testimony during the public hearing, if the board finds that all five conditions are met as required by state statutes and Section 19.54.030 of the city's zoning regulations, then it may grant the variance. If approved, the variance 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
2. The applicant shall revise all drainage permit application materials to show all approved and proposed impervious surfaces
3. The variance, if approved, shall be recorded with the County Register of Deeds within one year of approval

Applicant and property owner Doug LeVota was present to discuss the application.

Mr. Wolf asked when the shed had been built. Mr. LeVota said it was constructed in 2015, and added that he didn't realize the shed caused the project to exceed the building coverage limit until construction was already underway. Mr. Dringman noted that the plan presented by the project architects to staff did not include the pergola and shed, and as such, were not counted toward building coverage.

Mr. LeVota said that he chose to use a smaller veneer brick finish on the exterior of the new home than originally planned, which could potentially reduce the building's total coverage.

Mr. Wolf stated that he did not believe the request met the "uniqueness" factor, and suggested that the building coverage be remeasured to see if a variance was even necessary. Additionally, he advised Mr. LeVota to consider ways to demonstrate that the uniqueness factor was being met. Mr. Valentino added that he was interested in seeing photos of the structures on the property.

Mr. Wolf made a motion to continue the application to the next board of zoning appeals meeting. Mr. Valentino seconded the motion, which passed unanimously.

BZA2025-02 Variance to the cumulative side setback to allow an attached outbuilding to be located 10' from side, resulting in 19.7' cumulative side setback rather than the required 24'
6528 Granada Drive
Zoning: R-1A
Applicant: Sarah Clutter

Mr. Brewster said that the applicant was requesting a variance from the cumulative side setback requirement for 20% of the total lot frontage between both sides. The requested variance is to allow an attached outbuilding to be located 10' from the side lot line. The principal structure has a setback of 9.7' on the opposite side, resulting in a 19.7' cumulative side setback. The lot is 120' wide, so the required cumulative side setback is 24'.

This application is related to PC-25-05, an exception for lot impervious coverage approved by the planning commission in April 2025. That proposal included a detached garage on the southwest portion of the lot, approximately 16' by 24' and located 5' from the west property line. The size of the structure and the setback complied with the city's zoning regulations applicable to accessory structures, but exceeded impervious coverage limits, requiring the planning commission exception.

Since that approval, the applicant changed plans due to their homeowners' association requirements. The new proposal is to reduce the garage to 14' by 24', locate it 10' from the west property line, and attach it to the principal structure by a covered breezeway. Because the structure is now attached, it must meet the principal building side setback rather than the accessory structure side setback (7', rather than 3').

Mr. Brewster said that although the placement of the garage would meet the general side setback for principal buildings, the principal building is also subject to a cumulative side setback of 20% of the lot width. This lot is 120' wide; therefore, while either side may have a principal building placed as close as 7' from the lot line, the other side would be required to have a corresponding setback of 17' to achieve the cumulative 20%, or 24'. The east side of the principal building is 9.7' from the east lot line. To meet regulations, the attached outbuilding would need to be located 14.3' from the west property line, rather than the proposed 10'.

The property is located mid-block on the south side of Granada Street between Mission Road and Roe Avenue, and is zoned R-1A. The block features larger R-1A lots, generally 110' to 130' wide and approximately 16,000 to 20,000 s.f. The lots have principal buildings similarly situated to this lot and all have a 40' platted front building line and shallower rear yards. This building is situated further to the east on the lot resulting in a wider gap between the home to the west where the attached outbuilding is proposed.

All properties in the vicinity are zoned R-1A and used for residential uses. R-1A requires the following side setbacks:

- 7' minimum each side
- 20% of the lot width minimum between both sides
- At least 14' between adjacent buildings

Mr. Brewster said that Section 19.54.030 of the zoning regulations required the board to find that all five of the following conditions are met in order to grant a variance. If the board finds that any 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 lot is similar to many other lots in the area. However, the existing side setback on the west portion of the lot is much larger than the others (29.2'). A detached accessory structure can be placed in this larger side setback and meet zoning regulations, as was originally proposed. However, the revised proposal to attach the outbuilding by a covered walkway subjects the building to the principal building setback, and the cumulative setback requirement.

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 proposed attached outbuilding is further from the side lot line than would be permitted if the building were detached. A detached accessory structure may be placed as close as 3' from the side lot line because these buildings are smaller, lower-profile, and are typically on more remote portions of the lot. The prior approved plan had a detached building in a similar location 5' from the property line. This proposal is for a similarly scaled building, but 10' from the side lot line. The extent of this 10' side setback is for the 24 linear feet of the detached outbuilding, and is located towards the rear of the lot and not immediately adjacent to the principal building on the west. The remainder of the lot / principal building (closer to the adjacent building and front of the lot) remains 29.2' from the side lot 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 applicant is reducing the size of the proposed outbuilding and moving it further from the side lot line, but attaching it in response to homeowners' association input. Although this is a similar or possibly less impacting plan than originally approved, the fact that the building is attached subjects it to the stricter setback standards of the principal building. Additionally, although it meets the basic side setback for the principal building, it is also subject to a large cumulative side setback due to the relatively large width of the lot.

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 retains many of the design and scale elements of the existing house, provides varied massing elements, reduces the scale of the overall building plan, and is located on a remote portion of the lot, with little impact on the character of the neighborhood. The application meets all other development and neighborhood design standards other than a prior exception to the impervious coverage which was granted on application PC-25-05, and an associated proposal for a rear elevation design exception which will be considered on application PC-25-15.

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.

The side setback standards are intended to manage relationships to adjacent lots and buildings. The cumulative side setback manages this in scale with the lot size and also presents a consistent and proportional front facade along the streetscape. In this case the relationship to the adjacent building is limited due the limited extent of the variance (only 24' of the outbuilding, while the bulk of the principal building is 29.2' from the side lot line). The proposed 10' setback is also further away from adjacent property than is permitted if the outbuilding were detached, and where a principal building could be placed absent the cumulative setback. Additionally, the primary mass of the principal building most visible to the street meets the cumulative side setback, as it is 29.2' from the west line (the impacted side of the variance) and 9.7' from the east lot line, for a cumulative side setback of 38.9' where 24' is required.

Mr. Brewster noted that after reviewing the information submitted and considering the testimony during the public hearing, if the board finds that all five conditions are met as required by state statutes and Section 19.54.030 of the city's zoning regulations, 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
2. The variance, if approved, shall be recorded with the County Register of Deeds within one year of approval

Mr. Herron asked whether the accessory structure requirements would be met if the garage was not attached to the house. Mr. Brewster said that they would.

Mr. Wolf asked whether the proposal would even need approval from the board of zoning appeals if the connection between the garage and house did not exist. Mr. Brewster said it would not.

Applicant and property owner Brad Clutter was present to discuss the application. He noted that the homeowner's association required the garage to be attached via a breezeway.

Mr. Birkel suggested that a condition of approval should be added stating that the breezeway could not be enclosed.

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

Mr. Wolf made a motion to approve the application with the conditions recommended by staff, along with the additional condition that the breezeway could not be enclosed. Ms. Temple seconded the motion, which passed unanimously.

OTHER BUSINESS

ADJOURNMENT

Chair Jonathan Birkel adjourned the meeting of the Board of Zoning Appeals at 6:39 p.m.

Adam Geffert
City Clerk/Board Secretary

STAFF REPORT

TO: Prairie Village Board of Zoning Appeals
FROM: Chris Brewster, Multistudio, Planning Consultant
DATE: November 10, 2025 Board of Zoning Appeals Meeting

Application: BZA 2025-03 -UPDATED

Request: Variance increase the permitted building coverage from 30% to 32.19%.

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: 6748 Fontana

Applicant: Doug Levota, Owner

Current Zoning & Use: R1-B Single-Family Residential – Single-family house

Surrounding Zoning & Use: **North:** R-1B Single-Family Residential – Single-family house
East: R-1B Single-Family Residential –Single-family house)
South:R-1B Single-Family Residential – Single-family house
West: R-1B Single-Family Residential – Single-family house

Legal Description: PRAIRIE VILLAGE LOT 10 BLK 8 PVC-0352

Property Area: 0.18 acres (7,723.8 s.f.)

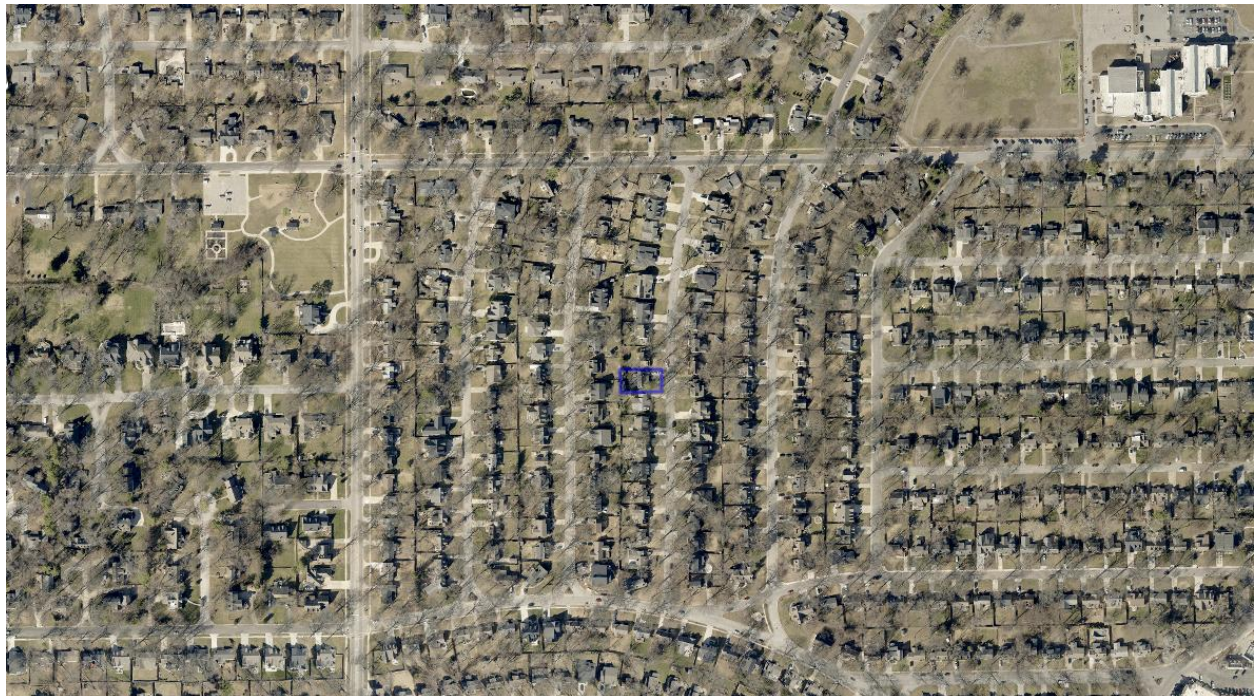
Related Case Files: None;

Attachments: Application, variance request form, site & building plans

General Location – Map



Aerial Map



Aerial Lot



Birdseye View



Street View



Looking west on Fontana at 6748 Fontana.

UPDATE:

The Board of Zoning Appeals heard this application at the October 3, 2025 meeting. After discussion on several items the Board voted to continue the public hearing to the November 10 meeting based on requests for 3 additional pieces of information:

1. Photos of the new principle building and of the back yard and accessory structures.
2. Confirmation on the extent of the variance, and whether the dimensions were correct; alternatively, if there are things other than a variance to comply.
3. Further information on the “uniqueness” factor.

The applicant has provided photos of the principal building, accessory structures, and rear yard, and has supplied additional information about the property to support the uniqueness factor. (These are included in the BZA packet). No additional information on the building footprint has been supplied so the extent of the variance requested is still based on staff’s calculations with the original submittal. Compliance with the ordinance would require removal of both the accessory shed and pergola/deck structure; or significant alterations to the recently constructed principal building.

The remainder of this staff report is from the original October 3, 2025 report.

SUMMARY:

This application requests a variance for building coverage standards from 30% to 32.19%. The application is for the tear down of an existing home and a rebuild of a new home. A combination of the proposed principal building, and retaining an existing deck with pergola and accessory shed would exceed the allowed 30% building coverage.

The applicant had a neighborhood meeting on September 26, 2025, as required by the Prairie Village Resident Participation Policy and has supplemented the application with background on that meeting.

DETAILS:

The property is zoned R-1B and proposes to tear down of an existing single-family house and rebuild a new single-family house. The lot is 7,723.8 square feet and is approximately 65 feet wide by 120 feet deep. The lot is situated mid-block on the west side of Fontana Street between 67th Street and 69th Street. All property in the vicinity is zoned R1-B and used for single-family homes.

R-1B requires the following coverages:

- 30% Building coverage [19.08.015 \(a\)](#)
- 40% Impervious coverage [19.08.015 \(a\)](#)

The building coverage limit addresses building scale and massing in relation to the lot and includes all structures over 30 inches (principal and accessory); the impervious coverage limit addresses drainage in relation to the lot, and includes all impervious surfaces.

This application proposes the following structures:

- House 2,301 s.f.
- Shed (existing) 121.92 s.f.
- Deck w/ pergola (existing) 63.89 s.f.
- Total building coverage 2,486.81 s.f.

This results in a 32.19% building coverage, exceeding the 30% limit by 2.19 % or 169.67 s.f.

[Note: the proposed impervious coverage is 3,363.5 s.f. and under the permitted impervious coverage limit for this lot, which is 3,389.52 s.f. (40% of lot, plus 300 s.f. exemption for lots under 10,000 square feet.)]

ANALYSIS:

[Section 19.54.030](#) of the Zoning Ordinance requires the Board to find that **all five** of the following conditions are met to grant a variance. If the Board finds that any 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 meets the minimum requirements for R-1B lots and is 65 feet by 120 feet (60' x 100' is the minimum). It is situated mid-block among similar lots on both sides of the street, ranging from is approximately 62 feet wide to 75 feet wide. The primary differences in width or depths occur at corner lots or are due to slight curve of the block. There is an irregular pattern of larger lots to the north that results from a cross-block drainage easement that passes in an east-west fashion across all blocks in this area. Based on standard setbacks, this lot results in an approximate 3,380 s.f. buildable area, of which up to 2,317.14 s.f. can be utilized due to the 30% building coverage limit. Additionally, any accessory structures over 30 inches high also count to the building coverage limit. In this case that includes an existing shed and deck with a pergola which are proposed to be retained.

B. Adjacent Property

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

Building setbacks are the primary standard that manages impacts on adjacent property, and this application meets all setbacks (8.8 feet on the south where 6 is required; 6 feet on the north where 6 is required; and 14.8 feet combined where 13 is required). The existing shed which is proposed to be retained also meets setbacks applicable to accessory structures (4.5 feet from rear and 6.8 feet from side, where 3 feet is required). However, the combination of the proposed principal building (2,301 s.f.), deck and pergola (63.89 s.f.), and shed (121.92 s.f.) exceeds the 30% cumulatively by 169.67 s.f., or 2.19%.

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 lot has approximately 2,317.14 square feet of buildable area based on a total lot size of 7,723.8 square feet. Based on the proposed plan, to meet the 30% building coverage standard the applicant would need to remove 169.67 square feet. This would require either removal of the shed and deck, or reduction in the footprint of the principal building. The proposed principal building has a 2,301 square feet footprint, while the existing principal structure to be removed is approximately 1,600 square feet. Other new homes in the area have a similar or larger footprint than is proposed for this house; however, those that are larger tend to not have a shed or raised deck with a pergola, or are on slightly larger lots.

D. Public Interest

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

The proposed application is a tear down and rebuild of an existing structure. Prairie Village ordinance regulates a balance between necessary reinvestment in neighborhoods with impacts on the character of the neighborhood and general community. The proposed new building meets all standards except the building coverage standard. Granting the variance would allow the applicant to retain an existing shed and a proposed deck with a pergola and not be required to reduce the footprint of the proposed house. This would allow 2.19% more building coverage than permitted by the ordinance, or 169.7 square feet. All proposed improvements are under the impervious cover limits for this lot.

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.

The building coverage standard is intended to regulate the scale and mass of residential buildings in relation to lots. It applies in addition to the height, setback, and massing standards for the principal building, and it applies to any structure over 30 inches high. This standard works independently of setbacks and impervious cover standards to limit the extent of vertical structures on a lot and preserve open areas on the lot. In this application the structures meet all height, setback, and impervious coverage standards, and generally have an appropriate relationship to adjacent property, but exceed the building coverage standard by 2.19%.

EFFECT OF DECISION:

After reviewing the information submitted and considering the testimony during the public hearing, if the Board finds that **all five conditions** are 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.
2. The applicant shall revise all drainage permit application materials to show all approved and proposed impervious surfaces.
3. The variance, if approved, shall be recorded with the County Register of Deeds within 1 year of approval.

Project Description

Requested Action*

Residential Site Plan Review/Exception Request

Legal Description*

Allow a preexisting shed to remain.

Applicant Information

What are you applying for?

Planning Commission

Applicant Name*

Doug LeVota

Address*

2201 W 78th Street

Owner Name*

Doug LeVota

Location of Property*

6748 Fontana Street

Applicant requests consideration of the following: (Describe proposal/request in detail)*

I would like existing 10' x 12' shed to be allowed to stay.. The shed is less than 100sf over allowedable total footprint code requirements for tear down and rebuild single family residence. I have lived at this location for 23 years and I built this shed over 10 years ago.

Acknowledgement

Applicant intends to file an application with the Prairie Village Planning Commission or the Prairie Village Board of Zoning Appeals of the City of Prairie Village, Kansas (City). As a result of the filing of said application, the 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 the City for all costs incurred by the 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 owed whether or not Applicant obtains the relief requested in the application.

Applicant Signature*

Douglas Joseph LeVota

Aug 19, 2025

Date*

08/19/2025

Doug LeVota

6748 Fontana St. • Prairie Village, KS 66208

RE: Planning Commission Plan Review – BZA Application PC-25-18

To Whom It May Concern,

I am submitting this letter at your request, as the note I entered in the Prairie Village website comment section was not legible.

I applied for and was granted a building permit for the tear-down and rebuild of a single-family residence at 6748 Fontana St., where I have lived since November 21, 2002. At the time of the permit review with Mitch Dringman, Building Official, it was determined that we were approximately 96 square feet over the allowable code requirements due to an existing 10' x 12' shed that was constructed several years ago.

To help offset this variance request, we have already reduced the home's foundation footprint by approximately 10 square feet at the front brick ledge. As a result, the project is now less than 90 square feet over the allowable code requirements.

The sole purpose of my request to appear before the Planning Commission is to seek a variance that would allow me to retain this existing shed. I believe granting this variance will allow me to preserve the functionality and character of my property, while having no adverse impact on neighboring homes or the surrounding community.

Thank you very much for your time and thoughtful consideration of this matter.

Respectfully,

Doug LeVota

New plot plan with shed and pergola

PLOT PLAN



6748 Fontana Street
 Lot 10, Block 8 of PRAIRIE VILLAGE,
 a subdivision in the city of Prairie
 Village, Johnson County, Kansas.

SURVEYOR'S NOTES:
 Subject property is outside the 100
 Year Flood plain, according to the
 FEMA FIRM Map No. 20091C0024G.
 Revised Date: August 3, 2009

The sanitary sewer elevations are
 based on GPS observations and
 field measurements.

Bearings are assumed, as shown.

The easements, and right-of-ways
 are based on the PRAIRIE VILLAGE
 PLAT.

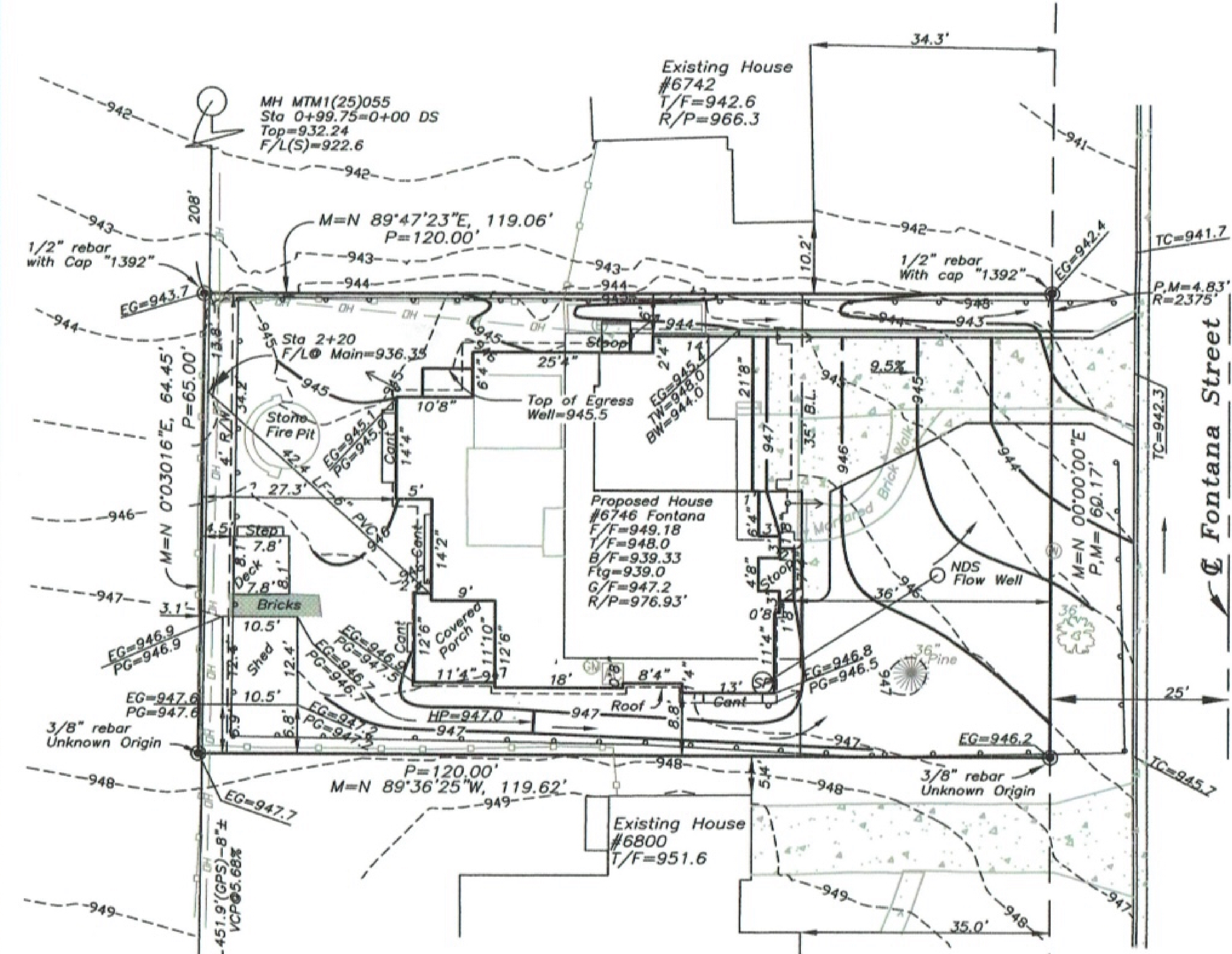
House dimensions are to outer edge
 of siding.

No Title Commitment or Title Report
 was furnished for this survey. The
 surveyor is not responsible for any
 easements or right of ways not
 shown on the referenced subdivision
 plat of record.

ZONED-R-1B 12' between houses
 Rear Yard Setback = 25' Total Side
 Yard Setback = 20% of width with
 6' Min.

Backwater Valve protection shall be
 provided for all basement level
 plumbing fixtures per IRC 2018
 P3008.

Note: Minimum side yard set back
 is 6 feet and must be a minimum
 of 12 feet from any adjacent
 dwelling structure where measured
 from foundation to foundation (does
 not include egress wells).



LEGEND

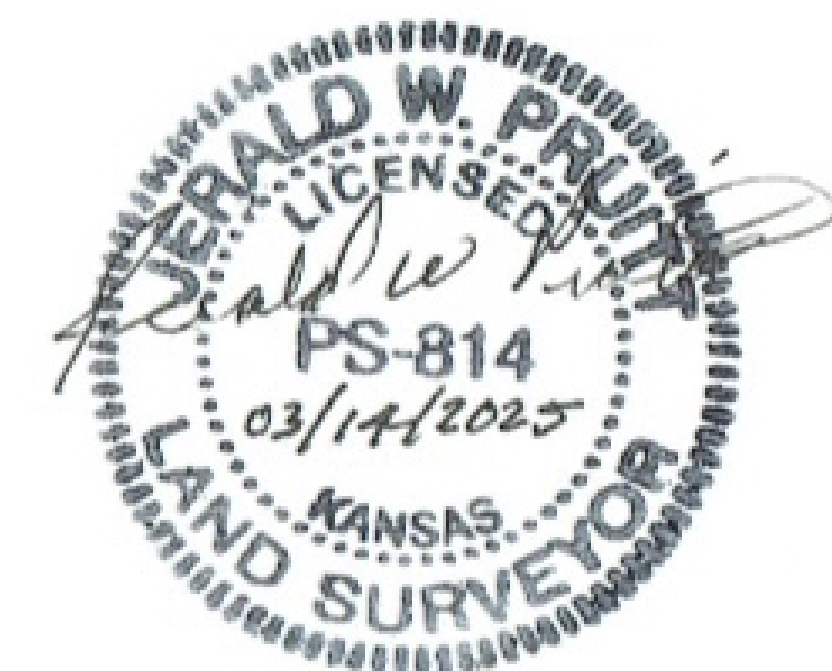
- TW - Top of Wall
- BW - Bottom of Wall
- MH - Manhole
- Ex. - Existing
- HP - High Point
- RP - Roof Peak
- EG - Existing Grade
- TC - Top of Curb
- OH - Overhead Utilities
- Ftg - Footing
- Cant - Cantilever
- EOS - End of Service
- R/W - Right of Way
- U/E - Utility Easement
- T/F - Top of Foundation
- F/F - Finished Floor
- G/F - Garage Floor
- B.L. - Building Line
- M - Measured
- P - Platted
- D - Described
- AC - Air conditioner
- SSM - Sanitary Sewer Manhole
- WM - Water Meter
- GM - Gas Meter
- EM - Electric Meter
- SP - Sump Pump
- UP - Utility Pole
- DS - Down Spout
- T - Tree, X" Denotes trunk dia.
- EEC - Existing elevation contour.
- PEC - Proposed elevation contour.
- ECF - Erosion Control Fencing
- CP - Concrete Pavement
- BP - Brick Pavement
- FM - Found monument as noted.

Proposed House #6746 Fontana
 F/F=949.18
 T/F=948.0
 B/F=939.33
 Ftg=939.0
 G/F=947.2
 R/P=976.93'

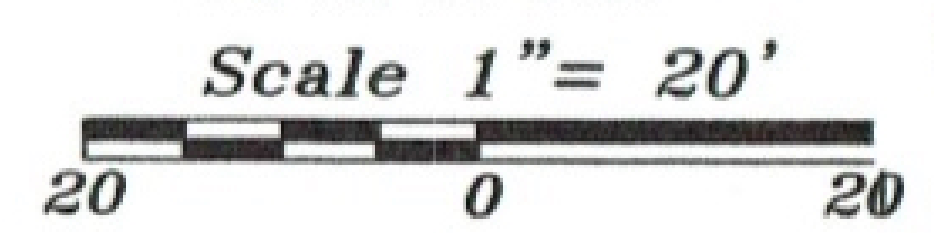
Exist House #6746 Fontana
 T/F=947.2
 F/F=948.3
 G/F=945.8
 R/P=964.1

Sta 3+41.95
 F/L Main=936.35
 42.4 LF-6" PVC
 @1.5%+1.00'
 EOS=937.99'±

I hereby certify that to the best of my
 knowledge and belief, this plot portrays the
 proposed size and location of a foundation
 on the above described property.
 Jerald W. Pruitt, PS 814,
 REVISED March 14, 2025



CLIENT:
 Doug Levota
 6748 Fontana Street
 Prairie Village, KS 66208
 Job No. 24-0404



PRUITT AND DOOLEY SURVEYING, LLC
 7912 Elm Ave. Raytown, MO 64138
 816-699-4239, 913-652-9002
 Prairie Village Lot 10 B-8 PP-3.dwg

PROPOSED LOT INFORMATION

Lot Size (per survey)	7,723.8 Sq. Ft.	
Impervious Area	3,363.55 Sq. Ft.	43.5%
House, Garage & Shed	2,464.1 Sq. Ft.	31.9%
Hard Surface	899.4 Sq. Ft.	11.6%
Front Yard Area	2,624.0 Sq. Ft.	
Driveway Area & Walk	770.0 Sq. Ft.=29.3% of Front Yard Area	
Front Yard Green Space	1,854.0 Sq. Ft.	70.7%
Roof Areas	2,618.5 Sq. Ft.	

City Staff Lot development calculations:
 Building Coverage;
 * House 2301 sf
 * shed 121.92 sf
 * deck with Pergola 63.89 sf
 Total proposed Building Coverage = 2486.81 sf
 Maximum allowed building coverage = 2317.14 sf
 Overage of Building Coverage = 169.67 sf or 2.19% of the lot.
 Supplemental notes dimensions as field measured by City
 staff shed 10.16' x 12', Pergola structure 6.5' x 9.83'

Impervious surfaces proposed as shown = 3363.5 sf
 Maximum allowed impervious surfaces = 3389.52 sf
 Left over impervious surfaces = 26.02 sf
 Mitch Dringman BOPV 9-11-2025

Mitch Dringman

October 15, 2025 at 10:56 am

Doug Levota,

When the new house was proposed, the building coverage was 2301 sf. The maximum allowed building coverage by City zoning code Table 19.08A development standards is 30% of the lot.

The lot size at 6748 Fontana ST per the Survey 7723.8sf
30% of the lot size is 2317.14 sf = max allowed for the lot
Max allowed -----2317.14 SQFT
Minus New house -----2301 SQFT

Left over Building Coverage ----- 16.14 SQFT

If you removed the pergola and left the deck this would be less 63.89 SQFT (deck is less than 30” to grade therefor the deck does not get counted as building coverage). You would still need to remove 105.78 SQFT of the existing shed structure. The shed is 121.92 SQFT less 105.78 SQFT leaves 16.14 SQFT.

You mentioned that the brick ledge changed from 4” to 2 “ but in order for it to affect the building coverage calculation, the modification would need to alter the supporting foundation wall, if that is the case you will need to have the designer redraw the plans for the foundation plan and resubmit it for review.

Thank you
Mitch Dringman
BOPV
913-385-4687

Chris Brewster

October 15, 2025 at 1:07 pm

As a follow up to the BZA meeting, the BZA continued the application / public hearing awaiting additional information. Specifically, they asked the applicant to provide:

1. Pictures of the lot and back yard, shed, and pergola to better understand the physical conditions.
2. Elevations or photos of the recently constructed home.
3. More accurate dimensions or confirmation on the need for the variance and/or extent of variance if it is different than what was submitted.
4. More evidence on the “uniqueness” of the lot and this situation (as well as the applicant confirming all others of the 5 statutorily required variance

criteria). Some discussion of these criteria by the Board occurred in the meeting but they came to no final conclusions on any of the 5 factors.

Doug Levota

October 30, 2025 at 9:38 pm

Dear Board Members, Following the recent BZA meeting, I wanted to provide clarification and confirm the additional information that has been submitted for the Board's review:

1. Lot and Site Photos: Photos and a short video of the backyard and shed have been provided to help illustrate the existing site conditions.
2. Home Elevations: A model photo rendition of the proposed new build—an identical duplicate of the planned home—has been included for reference.
3. Variance Dimensions: We would like to proceed with the dimensions originally submitted to the City. Our architect indicated that revising the plans to reflect a 2-inch brick ledge reduction (resulting in only a 12 sq. ft. gain) would incur a design change fee of over \$3,000, so we elected not to pursue that adjustment.
4. Uniqueness of Lot: An email from Johnson County has been attached that outlines and supports the unique size and characteristics of our lot, which we believe demonstrates the "uniqueness" factor referenced in the variance criteria. Please let me know if any additional information would be helpful.

I sincerely appreciate the Board's time, consideration, and thoughtful review of our application.

Warm regards, Doug LeVota

Doug Levota

October 30, 2025 at 9:44 pm

EMAIL TO THE LEVOTAS FROM JOCO MR WAGNER

Re: Parcel Summary Report Lot Size Comparative

Summary Report Property Type: Single-Family Residential

Lot Size: 0.18 acres

Location: ZIP Code 66208

Summary of Findings: An evaluation was conducted comparing the subject property's lot size (0.18 acres) to all single-family residential parcels located within ZIP code 66208.

- A total of 9,065 comparable parcels were analyzed.
- 8,088 parcels (approximately 89.2%) have larger lot sizes.
- 397 parcels (approximately 4.4%) have smaller lot sizes.
- The average lot size for single-family residential parcels in this ZIP code is 0.30 acres.

Comparative Percentile: The subject property's lot size ranks within the lowest 4.38% of all single-family residential parcels in ZIP code 66208. Conversely, approximately 95.62% of comparable parcels are larger in lot size.

Conclusion: The subject property's lot size is significantly smaller than the typical single-family residential parcel within ZIP code 66208, placing it among the smallest 5% of lots in the area.

Lot Size Comparative Summary Report
Property Type: Single-Family Residential
Lot Size: 0.18 acres
City: Prairie Village

Summary of Findings: An analysis was conducted comparing the subject property's lot size (0.18 acres) to other single-family residential parcels within the City of Prairie Village. There are a total of 8,891 comparable parcels citywide. 7,873 parcels have larger lot sizes. 436 parcels have smaller lot sizes. The average lot size for single-family residential parcels in Prairie Village is 0.29 acres.

Comparative Percentile: Based on the distribution of lot sizes: The subject property's lot size falls within the lowest 4.90% of all single-family residential lots in the city. Conversely, 95.10% of comparable parcels are larger in lot size.

Conclusion: The subject property's lot is notably smaller than the typical single-family residential parcel in Prairie Village, indicating that it ranks among the smallest 5% of lots within the city.

Travis Wagner AIMS GIS Supervisor Department of Technology and Innovation, AIMS 111 S Cherry St, Suite 3100 Olathe, Kansas 66061 Direct (913) 715-2109 | Office (913) 715-1600 jocogov.org | [@jocogov](https://twitter.com/jocogov) | [F/jocogov](https://www.facebook.com/jocogov)





Hi Adam,

Our variance request meeting regarding the shed was scheduled for Friday, September 26, 2025, at 10:00 AM. I was at the property from 10:00 to 11:00, and no one attended. As required, we invited all neighbors within 200 feet of the property so they could share any questions or concerns.

Thank you again for your time and assistance.

Best regards,

Doug

9/17/25

Doug and Sarah LeVota

6748 Fontana Street

Prairie Village, KS 66208

Dear Neighbors,

We hope this message finds you well. As part of our home construction project at 6748 Fontana Street, we are seeking a variance from the City of Prairie Village Board of Zoning Appeals to retain our existing shed, which has been on our property for over 10 years. The shed slightly exceeds the current footprint requirement by 2%.

Per city regulations, we are notifying all property owners within 200 feet of our home project and inviting you to a meeting to discuss this variance request. This is an opportunity to learn more, ask questions, or share any feedback.

Meeting Details:

Date: Friday, September 26th, 2025

Time: 10:00 AM

Location: Home Construction Project, 6748 Fontana Street

Attendance is voluntary, and the meeting will include a brief overview of the project and a chance to address any questions. If you cannot attend but wish to discuss the variance, please contact us at 816-810-9200 or douglevota@gmail.com

Thank you. We value our neighborhood.

Best regards,

Doug and Sarah LeVota

STAFF REPORT

TO: Prairie Village Board of Zoning Appeals
FROM: Chris Brewster, Multistudio, Planning Consultant
DATE: November 10, 2025 Board of Zoning Appeals Meeting

Application: BZA 2025-04

Request: Variance to allow an accessory building to exceed the 576 s.f. limit; and appeal of a staff determination that building is a detached “accessory living quarter”.

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.*
An appeal of an administrative decision requires the Board of Zoning appeals to evaluate the facts and weight the evidence, and a majority of the board can determine that staff’s decisions was in error or consider evidence that the proposal otherwise complies with the ordinance

Property Address: 5112 W. 67th Street

Applicant: Jesse Crupper, Applicant; Megan & Jeremy Thomas, Owner

Current Zoning & Use: R1-A Single-Family Residential – Single-family house

Surrounding Zoning & Use: **North:** R-1A Single-Family Residential – Single-family house
East: R-1A Single-Family Residential –Single-family house)
South: R-1A Single-Family Residential – Single-family house
West: R-1A Single-Family Residential – Single-family house

Legal Description: 16-12-25 E 92' W 192' S 252' E 1/2 E 1/2 SW 1/4 NW 1/4 .534 A PVC-043 (abbreviated)

Property Area: 0.48 acres (20,889.62 s.f.)

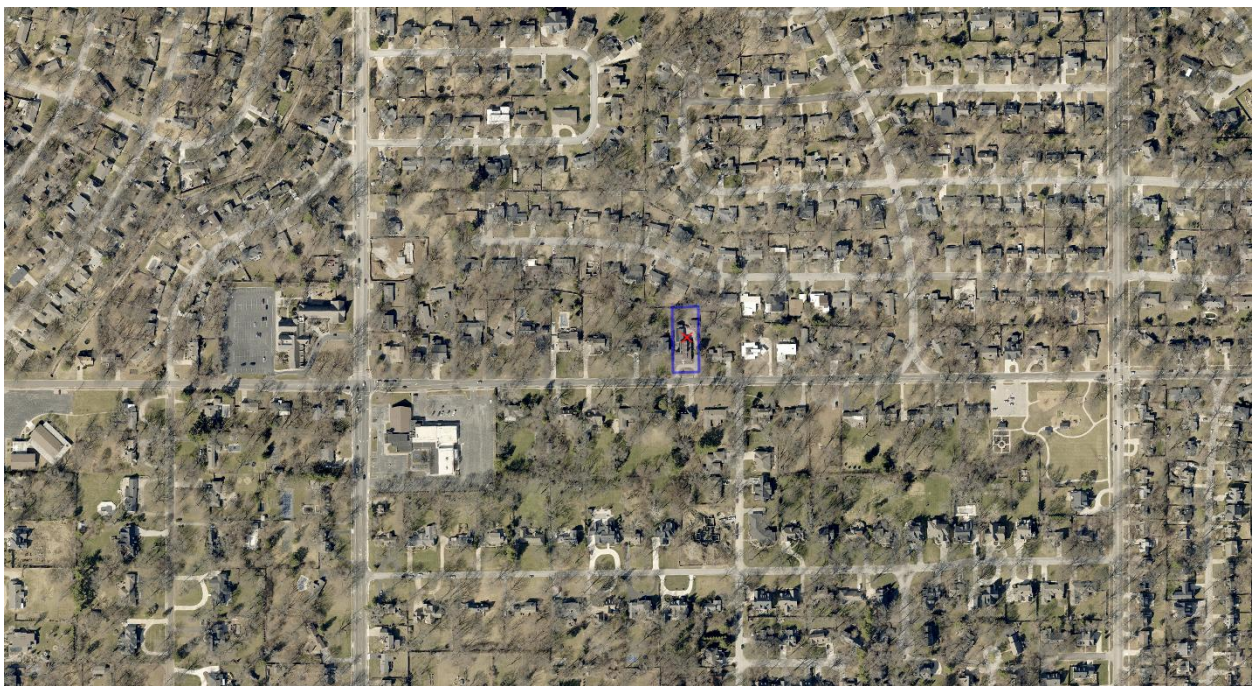
Related Case Files: None;

Attachments: Application, variance request form, site & building plans, draft use limitation affidavit

General Location – Map



Aerial Map



Aerial Lot



Birdseye View



Street View



Looking west on W. 67th - 5112 W. 67th in background.



Looking north at 5112 W. 67th Street - accessory building location in background to the right.

SUMMARY:

This application requests a variance to the size limitations for a detached accessory structure - specifically to exceed the 576 square foot limit for major accessory buildings. Additionally, staff has determined that the proposed building would meet the definition of a dwelling unit. Although the Prairie Village zoning ordinance allows "accessory living quarters," they are required to be attached to or included in the principal building, and this building is detached. The zoning ordinance does not permit the Board of Zoning Appeals to grant variances to uses that are not otherwise allowed. Therefore, the applicant is also appealing the determination of staff that this is a dwelling unit; the applicant has stated they do not intend to use the property as a dwelling unit, and are willing to submit an affidavit or other legal restriction on the property that it cannot be used as a dwelling unit.

The Board will need to make two separate determinations with this application:

- First, the appeal - that with the submission of an affidavit or other legal restriction the Board would not be enabling an unpermitted use with the variance; or alternatively that staff was in error in considering the building a dwelling unit.
- Second, that the proposal meets the 5 criteria for a variance to the major accessory building square foot limitation.

DETAILS:

The property is zoned R-1A and proposes adding to an existing detached accessory building. The existing detached building is approximately 585 square feet and the proposed building is approximately 777 square feet, with an additional 229 square feet covered patio. The building is 20 feet tall at the highest peak and has a 1.5 story profile with a loft included in the pitched roof. It is approximately 6.33 feet from the east (side) property line and 26.33 feet from the north (rear) property line. The lot is 20,889 square feet and is approximately 92 feet wide by 227 feet deep. The lot is situated mid-block on the north side of West 67th Street between Nall Avenue and Hodges Drive. All property in the vicinity is zoned R1-A and used for single-family homes, except Nall Avenue Baptist Church on the opposite southwest corner at Nall Avenue.

R-1A requires the following:

- 30% Building coverage [19.06.015\(a\)](#)
- 40% Impervious coverage [19.06.015\(a\)](#)
- Accessory buildings within building coverage, except major accessory buildings are limited to no more than 576 square feet, and subject to additional design standards. [19.06.020\(a\)\(2\)](#)
- Accessory building height / setbacks: 20' / 3' [19.06.020\(a\)\(2\)\(a\) and \(d\)](#)

The proposed accessory building meets all development and design standards except the 576 square foot limitation.

ANALYSIS - APPEAL

The Prairie Village Zoning Ordinance defines a dwelling unit as: “a building or portion thereof, designed exclusively for residential occupancy, including one family, two family and multiple dwellings, mixed-use dwellings, and boarding and lodging houses, but not motels, hotels, mobile homes or manufactured homes.” [\[19.02.200\]](#) The ordinance also defines accessory living quarters as: “a subordinate dwelling unit within a single-family dwelling that provides basic requirements for cooking, living, sleeping, eating and sanitation.” ALQs may not be subdivided or otherwise segregated in ownership from the primary dwelling unit. [\[19.02.015\]](#) Additionally, the ordinance has design and operation standards that require a accessory living quarter to be attached or incorporated into the principle dwelling and prevents them from being located in a detached accessory structure. [\[19.34.045\(c\)\]](#)

Staff determined that since the proposed building includes cooking facilities, a bathroom, and other rooms that could be used as gathering spaces or sleeping quarters, it meets the definition of a dwelling unit (according the zoning ordinance and building code) and therefore would be a detached accessory living quarters under the zoning ordinance.

The applicant has stated that they do not intend to use the building as a dwelling unit and will submit an affidavit or other legally binding document that prevents the building from being used as a dwelling unit.

The zoning ordinance prohibits the Board from granting “use variances.” (“Such variance shall not permit any use not permitted by this title in such district.” [\[19.54.030\]](#)) However, the Board may approve this application if either (a) it finds that staff was in error in determining that the building is a dwelling unit; or (b) they are satisfied with the applicant’s additional stipulations and limitations that they are not permitting a use otherwise not allowed in the district. In each case, the merits of the requested dimension variance may then be considered.

ANALYSIS - VARIANCE

[Section 19.54.030](#) of the Zoning Ordinance requires the Board to find that **all five** of the following conditions are met to grant a variance. If the Board finds that any 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 zoned R-1A which requires a minimum 10,000 square feet and minimum 80 feet wide. The lot is 92 feet by 227 feet, and approximately 20,889 square feet. It is situated on a block with a wide variety of lot patterns - ranging from 10,600 square feet to 37,400 square feet. It is one of the larger houses on the block. The property is an unplotted original parcel that predates the City's subdivision regulations and zoning ordinance; however, the existing principal building was constructed on the lot in 2005 to replace an older home. There is an existing accessory building that is approximately 585 square feet, and is situated approximately 175 feet from the street.

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 proposed building (and existing building) is approximately 90 feet from the nearest building to the east, and approximately 50 feet from the nearest building to the north (rear to rear orientation). Additionally the proposed building would meet all of the other required setback, height, and building coverage standards (other than the size limit for major accessory buildings) that are designed to manage relationships with adjacent property.

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 lot is a very large older lot that permits a building capacity beyond what is on the lot currently (according to setbacks and building coverage standards). The property includes a large principal building (approximately 4,600 s.f.), attached garages, and an existing major accessory building (approximately 585 square feet). Although the applicant could build additional accessory buildings or expand the existing principal building within the allowed standards, the limitation on major accessory buildings to 576 square feet prohibits them from expanding the existing major accessory building as proposed.

D. Public Interest

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

The proposed application is to add to an existing accessory building with a design in keeping with the principal house and existing structure. Other than the square foot limitation, the application meets all of the physical and design requirements for accessory structures and major accessory buildings.

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.

The 576 square foot limit on major accessory buildings is intended to limit the size of outbuildings in proportion to the lots and principle buildings; allowing reasonable

accessory uses in detached buildings. [Note: the 576 square foot limit is the approximate size of a 2-car garage, and is likely the basis of this standard.] Additionally, accessory buildings over 200 square feet are more substantial, and therefore have heightened standards to ensure more substantial construction and design, and compatibility with the principal building. These buildings are also subject to all height, setback, and building coverage standards to help manage the building volume and relationship to adjacent property and buildings. This application meets all of the physical and design requirements for structures and major accessory buildings other than the 576 square foot limit.

EFFECT OF DECISION:

After reviewing the information submitted and considering the testimony during the public hearing, if the Board finds that **all five conditions** are 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. The Board first finds that this variance will not permit an unauthorized use (see Appeal analysis), and that an affidavit or other legal restriction satisfactory to the City Attorney be filed to ensure the building is not used as an accessory living quarter.
2. That the variance be granted only to the extent shown with the submitted application and based on submitted plans.
3. The variance, if approved, shall be recorded with the County Register of Deeds within 1 year of approval, including the additional limitation on the use of the buildings.

Project Description

Requested Action*

Residential Site Plan Review/Exception Request

Legal Description*

Applicant requests consideration of an increased footprint for an Accessory Structure. The current structure is a historic out building, used as a dairy barn early in the 1900s. The applicant would like to extend this structure in a way that doesn't compromise the shell of the historic structure, resulting in a footprint of 775 sf.

Applicant Information

What are you applying for?

BZA

Applicant Name*

William Trakas

Owner Name*

Dr Megan Thomas

Location of Property*

5112 w 67th st

Applicant requests consideration of the following: (Describe proposal/request in detail)*

Applicant requests consideration of an increased footprint for an Accessory Structure. The current structure is a historic out building, used as a dairy barn early in the 1900s. The applicant would like to extend this structure in a way that doesn't compromise the shell of the historic structure, resulting in a footprint of 775 sf.

Acknowledgement

Applicant intends to file an application with the Prairie Village Planning Commission or the Prairie Village Board of Zoning Appeals of the City of Prairie Village, Kansas (City). As a result of the filing of said application, the 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 the City for all costs incurred by the 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 owed whether or not Applicant obtains the relief requested in the application.

Applicant Signature*

William Trakas

Oct 9, 2025

Date*

10/09/2025

BZA Variance Questionnaire

Project Address: **5112 W. 67th Street, Prairie Village, Kansas**

Applicant/Owner: **Megan Thomas**

Proposed Use: **Accessory Structure – Hobby Room (Non-habitable ADU)**

Zoning District: **R-1A Single-Family Residential**

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.

- **Please explain how your request meets the “uniqueness” factor?**

The variance request arises from a condition unique to the property and not generally found within the R-1A district. The existing lot is developed with a primary residence situated such that there are limited opportunities for a rear addition. The existing house occupies a significant portion of the buildable envelope due to its original placement and setbacks. Additionally, the property’s topography and existing mature trees along the west and south edges further restrict feasible development areas. The requested variance accommodates a small, detached hobby room that maintains the residential scale and architectural character of the property. These constraints are inherent to the site and were not created by any action of the property owner.

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.

- **Please explain how your request meets the “adjacent property” factor?**

The proposed hobby room will not adversely affect the rights of adjacent property owners or residents. The accessory structure is modest in scale—with the addition extending to the rear of the property not impacting the visual character of the historic structure from the street —and visually consistent with the primary residence. Exterior materials, roof slopes, and finishes will match existing construction. All building lines maintain adequate separation from neighboring homes, and the proposed height is within the character of surrounding residential accessory structures. The use as a personal hobby and storage space ensures no commercial activity, traffic, or noise beyond typical residential norms.

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.

- **Please explain how your request meets the “hardship” factor?**

Strict application of the zoning ordinance would create an unnecessary hardship, as it would preclude reasonable accessory use consistent with other residential properties in the neighborhood. Due to the main dwelling’s placement, a fully compliant structure could not achieve adequate functional area without significant demolition of existing improvements or tree removal. The variance allows a compact, architecturally integrated solution that respects both the property’s constraints and community context. Without this relief, the homeowner would be unable to utilize an otherwise functional and appropriately scaled portion of the property.

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.

- **Please explain how your request meets the “public interest” factor?**

Granting the requested variance will not adversely affect the public health, safety, order, or general welfare. The proposed structure will comply with all applicable building codes, fire separation standards, and stormwater management requirements. The use poses no environmental or traffic impact and maintains clear sight lines and emergency access. The project compliments the existing homes architecture while preserving the historic character of the original building. The addition will be visually compatible structure, contributing positively to neighborhood character.

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.

- **Please explain how your request meets the “spirit and intent of the regulation” factor?**

The requested variance aligns with the general spirit and intent of the Prairie Village zoning regulations, which promote compatible neighborhood development, preservation of character, and orderly improvement of residential lots. The project does not introduce an additional dwelling unit, commercial use, or intensity beyond that permitted in the R-1A district. The design complements the principal residence, respects setbacks to the extent practicable, and enhances architectural cohesion. The structure preserves open space and scale consistent with the intent of the district’s accessory structure standards.

ADJACENT ZONING AND LAND USE:

Land Use Zoning: R-1A

North: R-1A

South: R-1A

East: R-1A

West: R-1A

Present use of Property: Single-family residence

Proposed Use of Property: Single-family residence with detached hobby room (non-habitable accessory structure)

Utility lines or easements that would restrict proposed development: No known active utility easements within proposed structure footprint; existing rear yard utility lines are maintained clear.

City of Prairie Village, Kansas
Planning Department / Board of Zoning Appeals
7700 Mission Road
Prairie Village, KS 66208

RE: Affidavit – Accessory Structure Use Declaration
Project Address: 5112 W 67th St. Prairie Village, KS 66208
Owner: Megan Thomas

Dear Members of the Board of Zoning Appeals,

I, Megan Thomas, being the lawful property owner of the above-referenced property in the City of Prairie Village, Kansas, hereby submit this affidavit in connection with the application for a variance approval for an accessory structure located on the premises.

The proposed accessory structure will be used exclusively as a personal hobby room for private, non-commercial purposes. The space will serve as an area for personal creative activities related to sewing, storage of hobby materials, and related uses consistent with a private accessory building as defined by City zoning regulations.

I affirm that the structure will not be used as a rental unit, or short-term lodging. No separate mailing address or separate utility meter intended for permanent occupancy will be installed or permitted.

I understand that any future change in use or occupancy of the structure that would constitute an accessory living quarters or dwelling unit shall require advance review and approval by the City of Prairie Village, and appropriate permitting under applicable zoning and building codes.

By signing below, I acknowledge and affirm that the information contained herein is true and correct to the best of my knowledge and belief.

Sincerely,

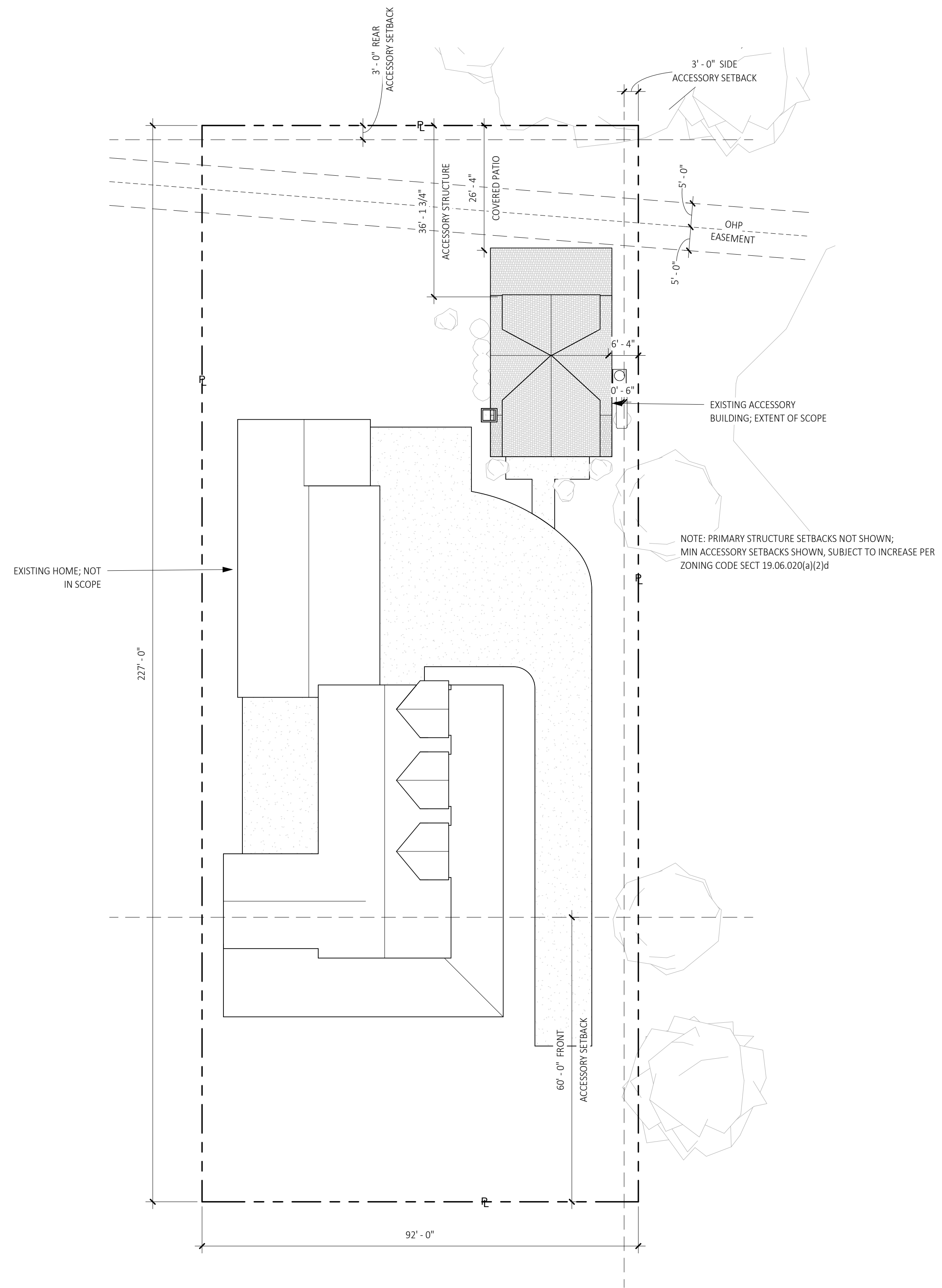
Owner's Signature: Megan Thomas

Printed Name: Megan Thomas

Date: 10/27/2025

Address: 5112 W. 67th St, Prairie Village, KS

Phone / Email: 304-360-1384, meganthomas320@gmail.com



NOTE: PRIMARY STRUCTURE SETBACKS NOT SHOWN;
 MIN ACCESSORY SETBACKS SHOWN, SUBJECT TO INCREASE PER
 ZONING CODE SECT 19.06.020(a)(2)d

SEAL

5112 W 67th St

5112 W 67th St
 Prairie Village, KS 66208

Schematic Design

REVISION #	DESCRIPTION	DATE
		2025.09.26

**NOT FOR
 CONSTRUCTION**

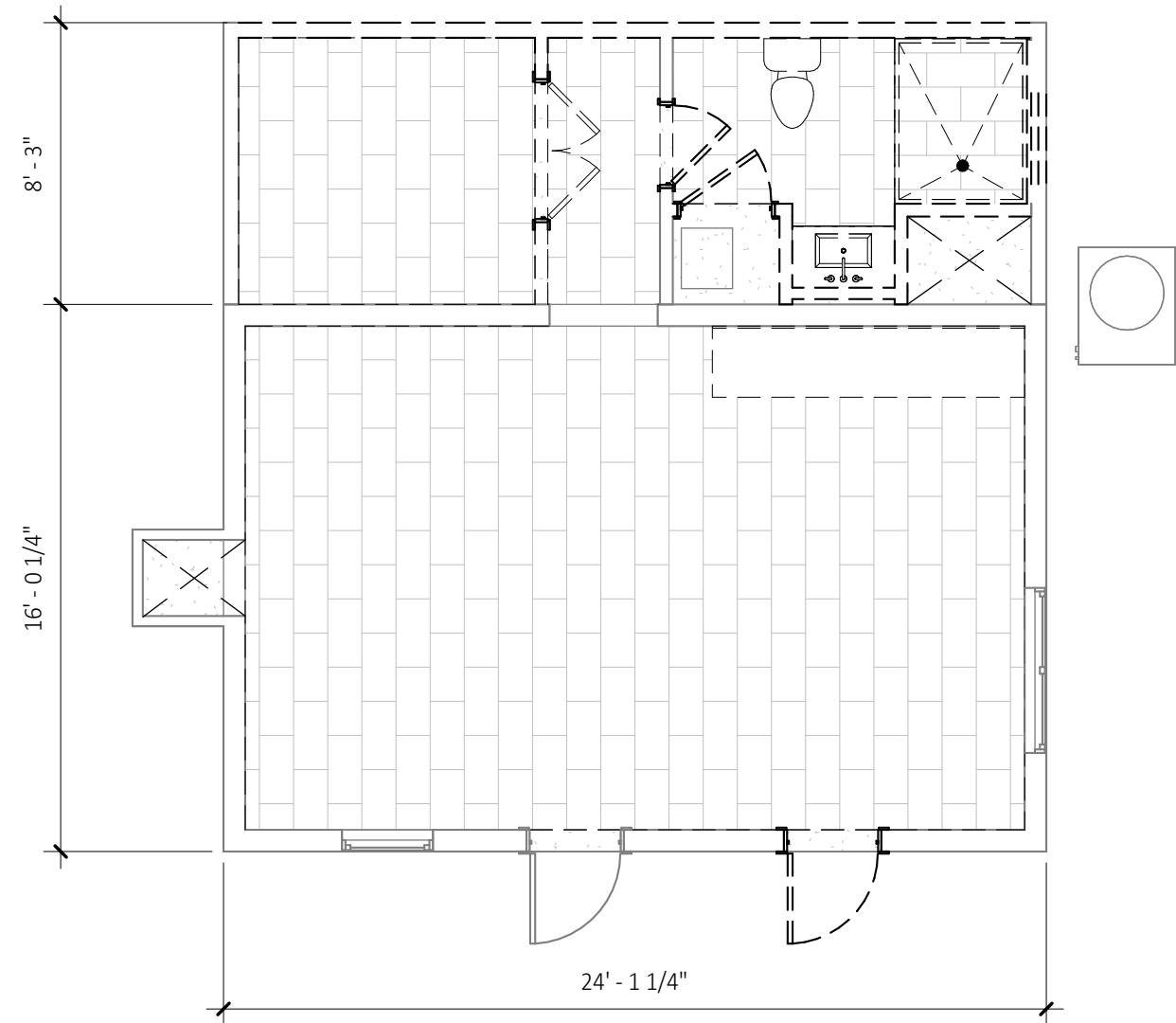
PROJECT NUMBER 2501

Site Plan

A001

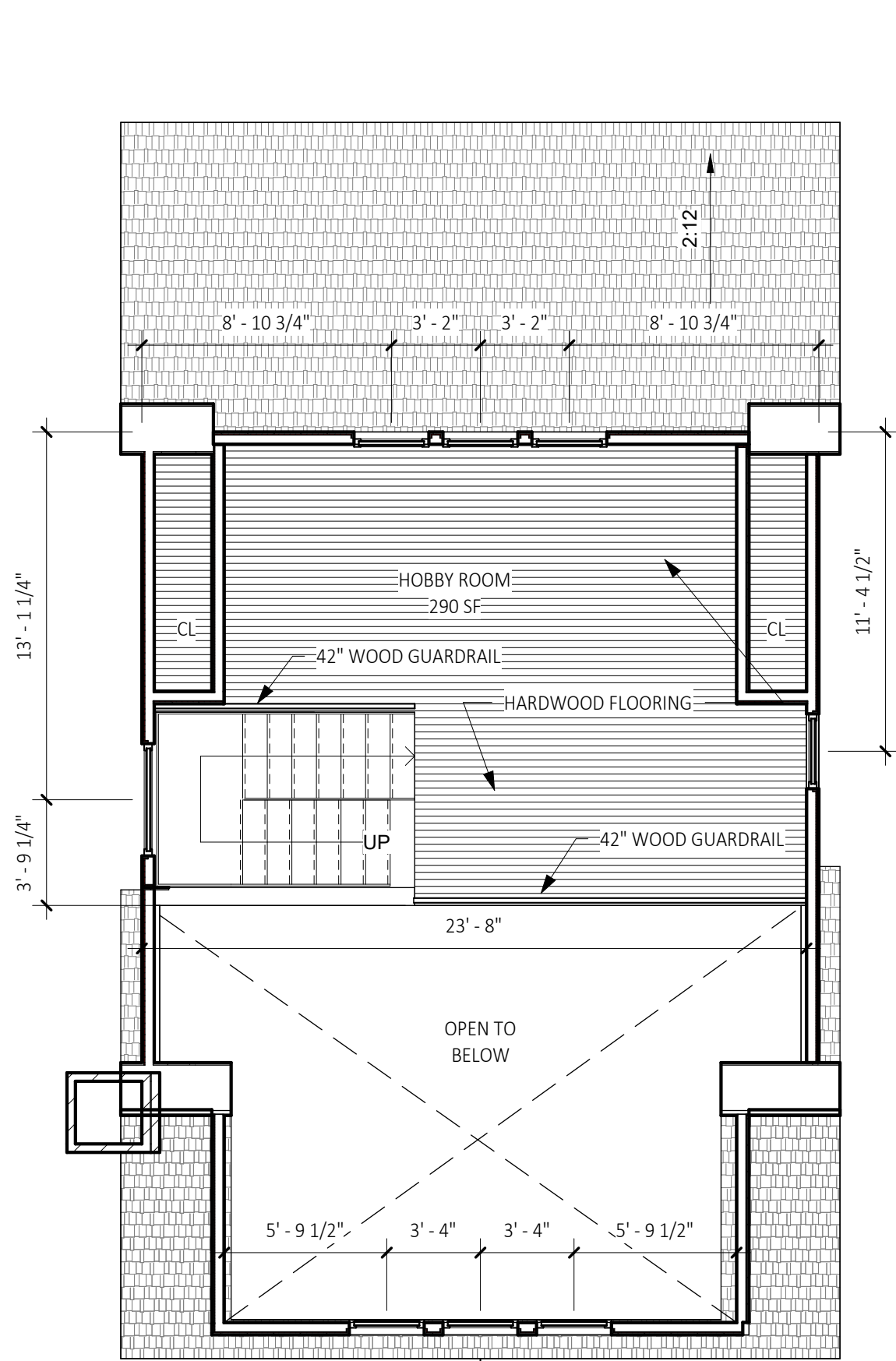
J
I
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1 2 3 4 5 6 7 8 9 10 11 12 13 14

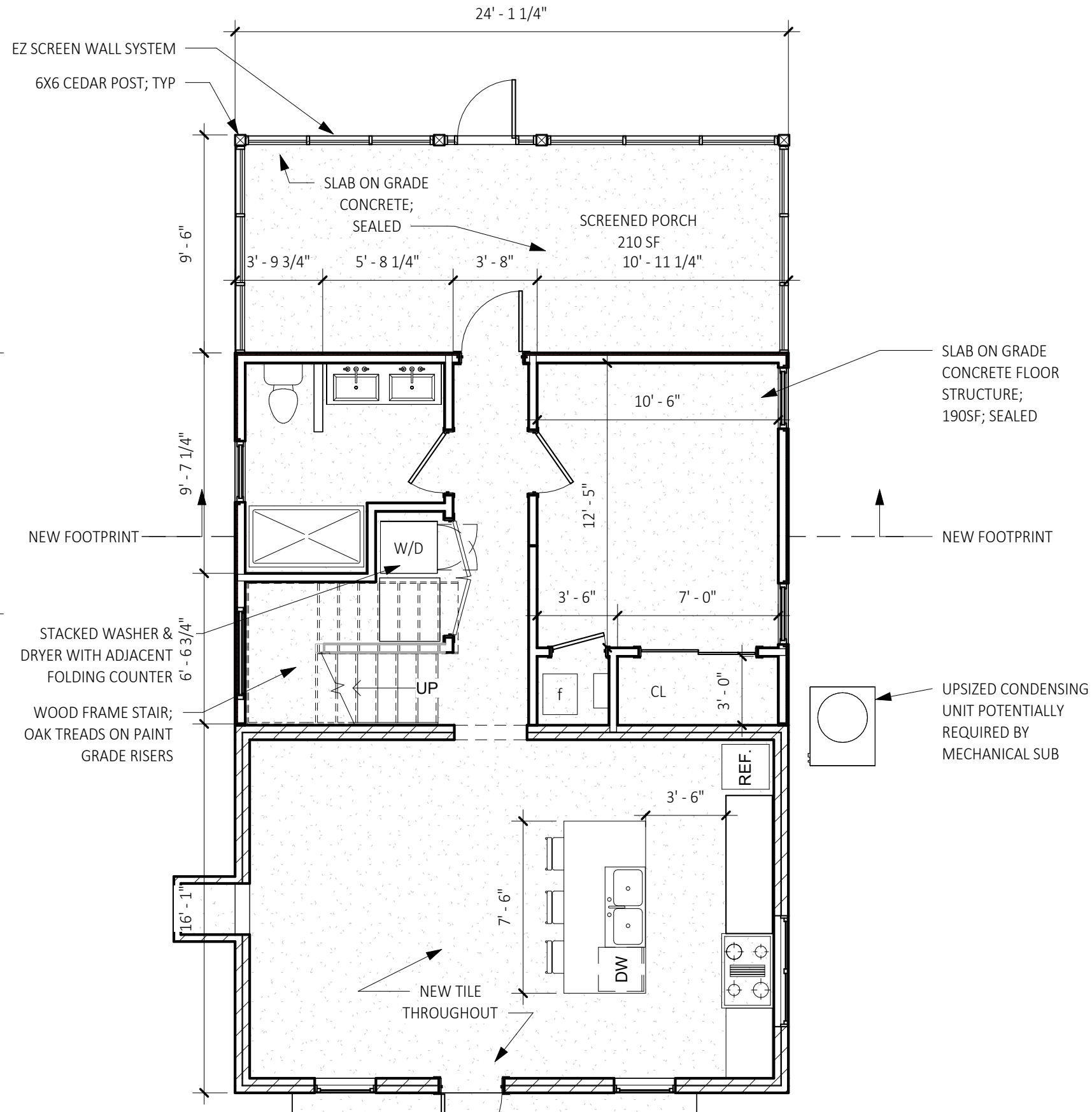


Schematic Design

2025.09.26



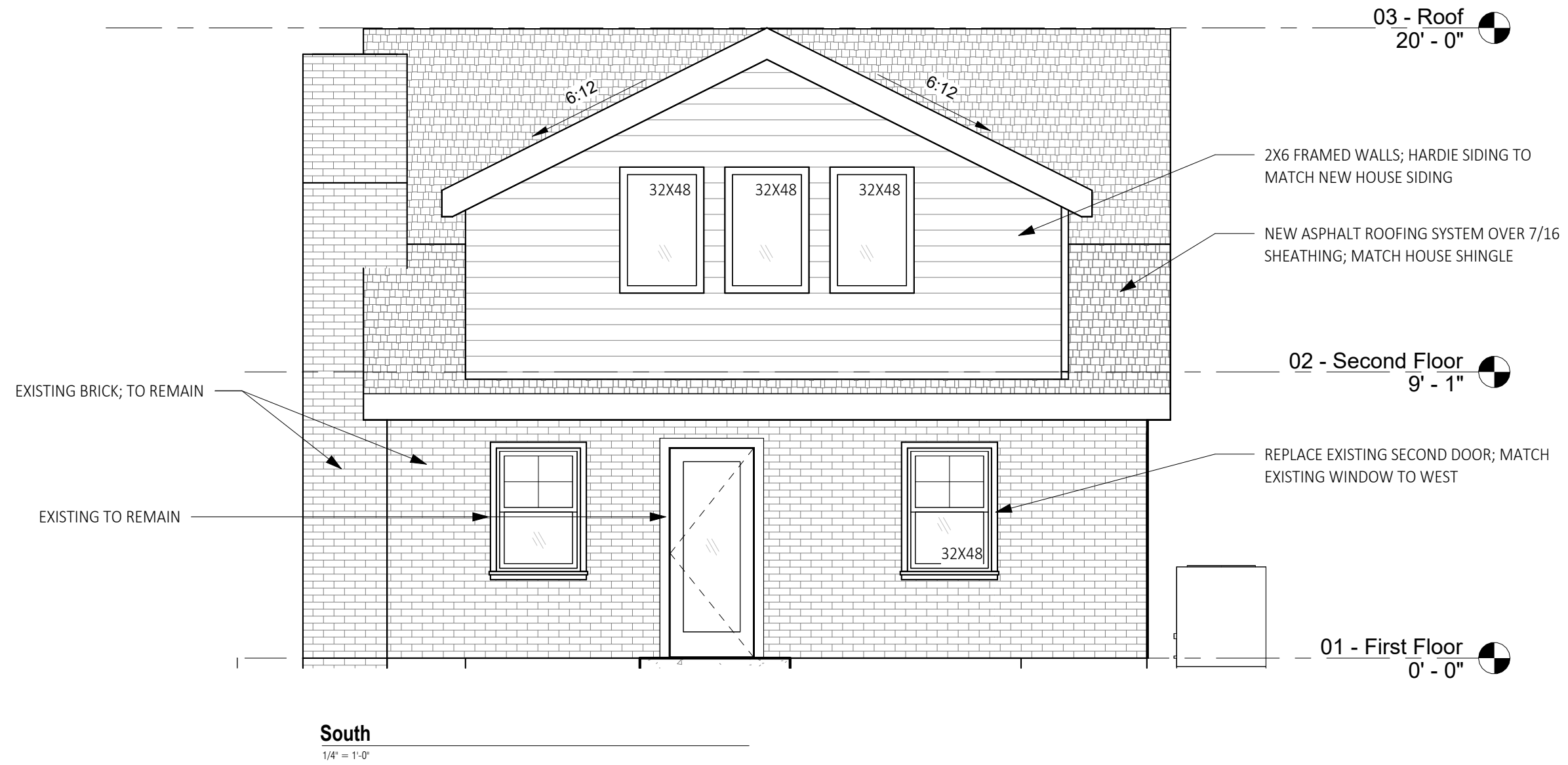
02 - Second Floor
3/16" = 1'-0"



01 - First Floor
3/16" = 1'-0"

Schematic Design
2025.09.26

5112 W 67th St



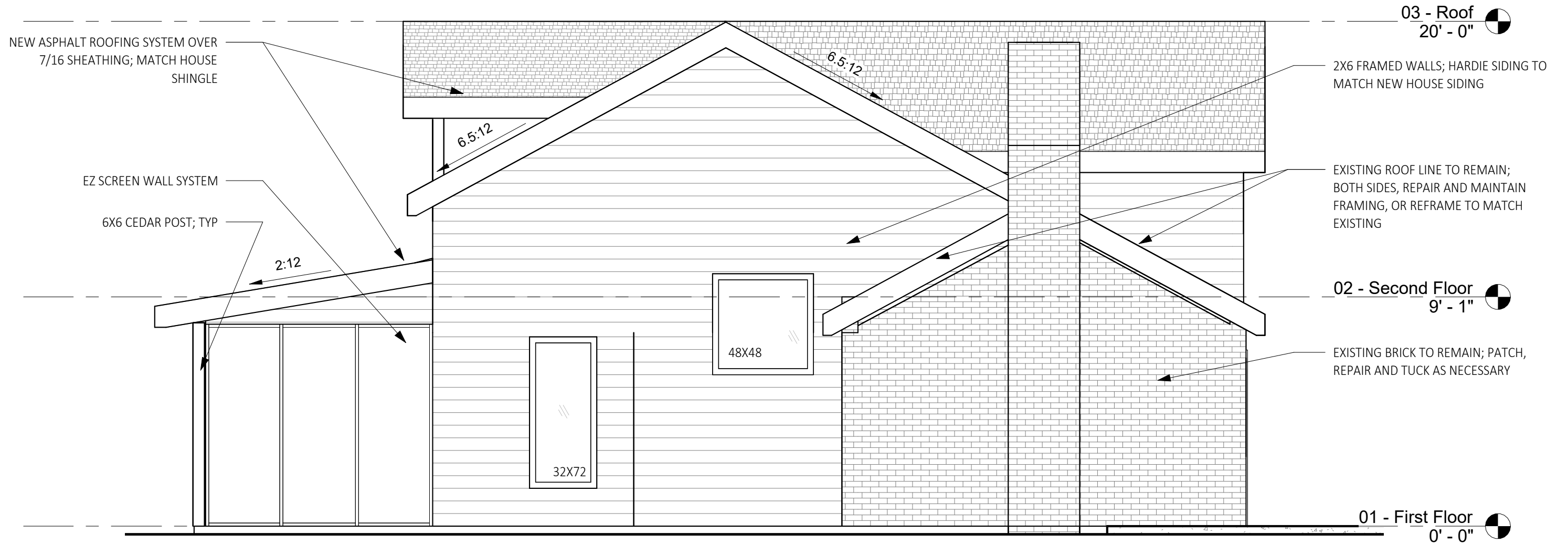
Schematic Design

2025.09.26

trakastrakas.com
1800 genessee, #837
kansas city mo 64102

5112 W 67th St

Trakas+Trakas



West

1/4" = 1'-0"

Schematic Design

2025.09.26

trakastrakas.com
1800 genessee, #837
kansas city mo 64102

5112 W 67th St

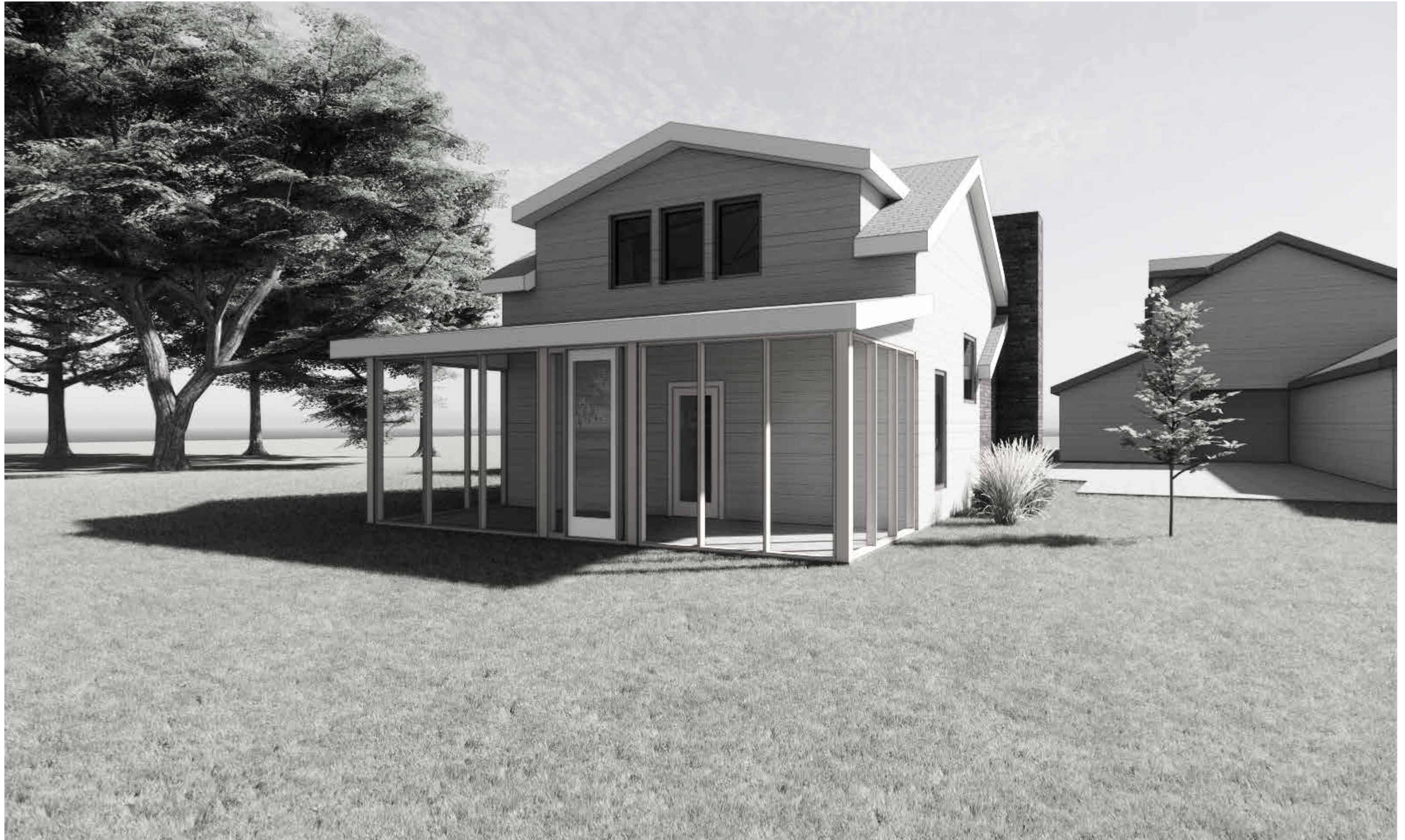
Trakas+Trakas



Schematic Design

Option 2: Loft

2025.09.26



Schematic Design

2025.09.26

Option 2: Loft

Hi Adam,

See the attached letter that was sent to all neighbors on the provided list. The meeting was held on the 27th but unfortunately there were no attendees. We have received written letters in support of the project which I've attached here.

I've also attached the owner affidavit and BZA-related question sheet.

Let us know if you need anything else from us before the meeting on the 10th.

Thanks!

--



William Trakas, AIA

816.807.0318

1600 Genesee, ste 837

Kansas City, MO 64102

October 22, 2025

Re: Addition to existing backyard building at home of Megan and Jeremy Thomas
5112 W 67th Street
Prairie Village, Ks.

We are the next door neighbors to the east of Megan and Jeremy Thomas. They have given us the architectural plans for the addition to the existing structure towards the back of their home. We think that the changes they are going to make will fit in well with the existing property and support what they would like to do. We do not object to any of these plans and appreciate how thorough they have been in showing how the final changes will look. It fits in very well.

Sincerely,

Mary and John Oman

Mary Oman *John Oman*
5100 W 67th Street

Prairie Village, Ks

To Whom It May Concern:

I am writing to express my full support for my neighbors, Megan and Jeremy Thomas, who reside at **5112 West 67th Street** in Prairie Village. They are seeking approval to expand the small building behind their home so that it can better accommodate visiting family members and provide a dedicated hobby space.

The Thomases have always been considerate and responsible neighbors who take great pride in maintaining and improving their property in ways that enhance the overall character of our neighborhood. Their proposed expansion will allow their in-laws to have a comfortable space to pursue sewing and crafting projects, which I believe will be a positive and low-impact use of the property.

From what they have shared, the project will remain consistent with the look and feel of the existing home and the surrounding area. I am confident that this addition will not negatively affect the neighborhood and will, in fact, contribute to the continued care and investment of our area.

Please accept this letter as my support for their project.

Warm Regards,
Holly and Tanner Cook
5113 West 67th Street
Prairie Village, KS



William Trakas <>

Fwd: 5112 W 67th St Creamery

Megan Thomas <>

Fri, Oct 17, 2025 at 5:13 PM

To: William Trakas <>, Parker Hofbauer <>

Here is a letter from our neighbor

Megan Thomas

Begin forwarded message:

From: Steve Rich <s>**Date:** October 17, 2025 at 4:52:45 PM CDT**To:** [meganthomas](#)**Subject:** 5112 W 67th St Creamery

To Megan, Jeremy, and the PV board,

Kim and I have lived at 5101 W 67th St for ~31 years. My home-office directly faces your house and the old creamery that sits at the end of your driveway is in plain view. Your house and the creamery are attractive, well constructed, and well maintained. I am in favor of your plan to modify the old creamery in your backyard and look forward to the improvements.

Steve Rich

[5101 W 67th St, Prairie Village, KS 66208](#)

c 816-674-9025



William Trakas <>

Fwd: draft

Megan Thomas <>

Thu, Oct 23, 2025 at 11:30 AM

To: William Trakas <w>, Alex Divine <a>, Parker Hofbauer <

Updated letter from Cybele.
Megan Thomas

Begin forwarded message:

From: "Kanin, Cybele" <c>
Date: October 23, 2025 at 11:28:07 AM CDT
To: [meganthomas](#)
Cc: Cybele Kanin <>
Subject: **FW: draft**

Whom It May Concern,

I am writing in enthusiastic support of my neighbors' proposal to renovate their existing outbuilding into a cottage. As a direct neighbor whose property aligns with the proposed project, I am delighted to express our full support.

This thoughtful renovation represents a meaningful investment in the character and vitality of our neighborhood. The addition of a well-designed cottage will enhance the visual appeal of the area and reflect the spirit of a connected, welcoming community.

My neighbors also plan to incorporate a studio space within the outbuilding to support creative endeavors. This element adds a unique and enriching dimension to the project, encouraging artistic expression and contributing to the cultural fabric of our neighborhood.

We believe this project will enrich the experience of living in close proximity to one another and foster the kind of neighborly values that make our area so special. It's a pleasure to support an initiative that aligns with both personal and community well-being.

Sincerely,
Cybele Kanin
5107 West 66th Terrace



William Trakas <>

Re: Project meeting

Megan Thomas

Mon, Oct 27, 2025 at 8:47 AM

To: William Trakas <>

Here is another email from our neighbor.
Megan Thomas

> On Oct 27, 2025, at 8:26 AM, Molly Porter <> wrote: >

> Hi Megan,

> This is Molly Porter at 5015 W 67.

>

> We cannot come to your meeting tonight but wanted to let you know we are fine with what you want to do with the creamery. We had planned to go to our niece's son's football game at Bishop Meige at 6 and it is the last home game for him.

>

> We have lived here since 1977 so we have watched your property go from farm house and creamery to your house today. At the time one of the 6 grade teachers at Prairie lived in the creamery. Lots of progress since then but I'm glad the little creamery is still there.

>

> Good luck with your meeting.

> Molly

> Sent from my iPhone

10/22/25

Megan and Jeremy Thomas

5112 W. 67th Street

Prairie Village, KS 66208

Dear Neighbors,

We hope this message finds you well. As part of our home construction project at 5112 W. 67th Street, we are seeking a variance from the City of Prairie Village Board of Zoning Appeals to make improvements to our creamery which has been in our backyard since Prairie Village was still a farm. We are hoping to make it more usable for my mother's sewing hobby when she visits.

Per city regulations, we are notifying all property owners within 200 feet of our home project and inviting you to a meeting to discuss this variance request. This is an opportunity to learn more, ask questions, or share any feedback.

Meeting Details:

Date: Monday, October 27th, 2025

Time: 6:00pm

Location: Home Construction Project, 5112 W. 67th Street

Attendance is voluntary, and the meeting will include a brief overview of the project and a chance to address any questions. If you cannot attend but wish to discuss the variance, please contact us at 304-360-1384 or at.

Thank you. We value our neighborhood.

Best regards,

Megan and Jeremy Thomas