



City of Bonner Springs

KANSAS

Tuesday, June 17, 2025
200 East Third Street, Bonner Springs, KS 66012

The meeting is open to the public.

BOARD OF ZONING APPEALS MEETING -6:00 P.M.

CALL TO ORDER - ROLL CALL

CONSENT AGENDA

1. Approval of the January 21, 2025, meeting minutes.

Action Make a motion to Approve, Amend or Deny the minutes as written.

Recommendation Staff recommends that the Board of Zoning Appeals approve the minutes as written.

Documents:

1. 1.21.25 BZA Minutes

OLD BUSINESS

NEW BUSINESS

1. PUBLIC HEARING - Special Exception - BZA-01-25; 1755 S. 136th Street – Relief from the required dimensional standards.

Action Make a motion to Approve, Amend or Deny the requested variance with staff's stipulations.

Recommendation Staff recommends the requested variance be approved with the stated staff stipulations.

1. The plat associated with this Special Exception request shall be approved and filed as presented and included within this packet.
2. Building permits shall be required for all new residential construction.
3. Any construction drawings requiring the extension of public services shall be reviewed and approved by the City Engineer and Staff.
4. In addition to the stipulations in this report, the applicant/property owner agrees to abide by all regulations contained in the Bonner Springs Unified Development Ordinance.

Documents:

1. Complete Staff Report - BZA-01-25 - 1755 S. 136th St - Special Exception

ADJOURNMENT



City of Bonner Springs

KANSAS

Board of Zoning Appeals Minutes - Regular Meeting - January 21, 2025

BOARD OF ZONING APPEALS MEETING -6:00 P.M. -

CALL TO ORDER - ROLL CALL - Sherry Neff was present via Teams video chat.

CONSENT AGENDA -

Approval of the November 19, 2024 meeting minutes. - Paul Zeps moved and Larry Clark seconded to approve the minutes of the November 19, 2024, Board of Zoning Appeals meeting as presented.

The motion passed unanimously 5-0.

UNFINISHED BUSINESS - At the request of the applicant and property owner of 1140 S. 130th Street, and agreed to by Staff, the request for a setback variance has been removed from the Board of Zoning Appeals agenda moving forward.

NEW BUSINESS -

Consider adoption of the Board of Zoning Appeals By-Laws. - Paul Zeps motioned and Larry Clark seconded to approve the Board of Zoning Appeals By-Laws as presented by Staff.

The motion passed unanimously 5-0.

PUBLIC HEARING - Variance Request – BZA-08-24; 705 W. Morse Avenue - Setback encroachment - The applicant is requesting a variance from the requirements as written in the Unified Development Ordinance; an encroachment into the required yard setbacks to allow for the construction of a new single-family dwelling. Paul Zeps motioned Larry Clark seconded to open the Public Hearing for BZA-08-24 set-back variance at 6:08 p.m.

Mr. Crosby had a question for Staff, Mark Lee explained that the house was only getting a setback variance with in the lot and would not be encroaching on the neighbors property.

Larry Clark motioned and Paul Zeps seconded to close the Public Hearing at 6:13 p.m.

Paul Zeps asked if Staff had spoke with the owner of the next door neighbor. Mark Lee stated that he had.

Larry Clark motioned and Nick Perica seconded to approve the set-back variance.

The motion passed unanimously 5-0.

ADJOURNMENT - 6:15 p.m.

Memorandum

Date: June 17, 2025
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING - Special Exception - BZA-01-25; 1755 S. 136th Street – Relief from the required dimensional standards.

Recommendation: Staff recommends the requested variance be approved with the stated staff stipulations.

1. The plat associated with this Special Exception request shall be approved and filed as presented and included within this packet.
2. Building permits shall be required for all new residential construction.
3. Any construction drawings requiring the extension of public services shall be reviewed and approved by the City Engineer and Staff.
4. In addition to the stipulations in this report, the applicant/property owner agrees to abide by all regulations contained in the Bonner Springs Unified Development Ordinance.

Action: Make a motion to Approve, Amend or Deny the requested variance with staff's stipulations.

Background: The applicant is requesting a Special Exception for relief from the dimensional standards as listed within the Unified Development Ordinance.

(a) A special exception may be requested for relief from the dimensional standards listed under each zoning district established in Section 2.04 below.

(b) Unlike variance requests established in Section 2.03.F.2.b above, the BZA does not have to determine the presence of a physical condition of the site (e.g., topography, Floodplain, pre-existing Lot Area) that proves a hardship to developing the site under the applicable requirements of these regulations.

(c) A special exception shall not provide relief from the following:
(i) The permitted uses identified per zoning district outlined in Section 2.05 below;
(ii) The conditional Development Standards outlined in Section 2.06 below;
(iii) The requirements and processes of Chapter 3 Subdivision Regulations; or
(iv) The requirements and processes of Chapter 4 Development Standards.

The applicant's request for a Special Exception would allow for a deviation in the lot width to

depth ratio. The current requirements do not allow for lot depths to exceed 3 times the lot width.

Lots two and three, as indicated on the submitted replat, do meet the required minimum width of sixty (60') feet, this would only allow for the lots to be one-hundred and eighty (180') feet deep; The requested depth is three hundred and eighteen (318') feet. These lot dimensions will mirror those to the south.

Discussion: Staff's report is included.

Financial Impact: NA

City of
Bonner Springs
Board of Zoning Appeals
Agenda Item Cover Sheet

Agenda Item No. 4

BZA-01-25
SPECIAL EXCEPTION

Topic: Consider a request for a Special Exception from the allowed dimensional requirements of the General Residential District. The applicant is requesting a Special Exception to allow for lot dimensions that exceed the require 3 to 1 ratio. The proposed lots would mirror those directly south of the proposed lots.

Narrative: The applicant is requesting a Special Exception for relief from the dimensional standards as listed within the Unified Development Ordinance.

- (a) A special exception may be requested for relief from the dimensional standards listed under each zoning district established in Section 2.04 below.
- (b) Unlike variance requests established in Section 2.03.F.2.b above, the BZA does not have to determine the presence of a physical condition of the site (e.g., topography, Floodplain, pre-existing Lot Area) that proves a hardship to developing the site under the applicable requirements of these regulations.
- (c) A special exception shall not provide relief from the following:
 - (i) The permitted uses identified per zoning district outlined in Section 2.05 below;
 - (ii) The conditional Development Standards outlined in Section 2.06 below;
 - (iii) The requirements and processes of Chapter 3 Subdivision Regulations; or
 - (iv) The requirements and processes of Chapter 4 Development Standards.

The applicant's request for a Special Exception would allow for a deviation in the maximum lot width to depth ratio. The current requirements do not allow for lot depths to exceed 3 times the lot width.

Lots two and three, as indicated on the submitted replat, do meet the required minimum width of sixty (60') feet, this would only allow for the lots to be one-hundred and eighty (180') feet deep, the requested depth is three hundred and eighteen (318') feet. These lot dimensions will mirror those to the south.

Presented by: Mark Lee – Community Development Director

Staff Recommendation: Staff recommends the Special Exception be approved with the stated stipulations.

Attachments:

Staff Report (4pgs)
Applicants Request Letter (2pgs)
Aerial image (included in report)
East Grandview New Addition Replat (2pgs)

STAFF REPORT

Meeting Date: June 17, 2025
Report Date: May 28, 2025

Subject: The applicant is requesting a Special Exception for relief from the dimensional standards as listed within the Unified Development Ordinance.

- (a) A special exception may be requested for relief from the dimensional standards listed under each zoning district established in Section 2.04 below.
- (b) Unlike variance requests established in Section 2.03.F.2.b above, the BZA does not have to determine the presence of a physical condition of the site (e.g., topography, Floodplain, pre-existing Lot Area) that proves a hardship to developing the site under the applicable requirements of these regulations.
- (c) A special exception shall not provide relief from the following:
 - (i) The permitted uses identified per zoning district outlined in Section 2.05 below;
 - (ii) The conditional Development Standards outlined in Section 2.06 below;
 - (iii) The requirements and processes of Chapter 3 Subdivision Regulations; or
 - (iv) The requirements and processes of Chapter 4 Development Standards.

The applicant’s request for a Special Exception would allow for a deviation in the maximum lot width to depth ratio. The current requirements do not allow for lot depths to exceed 3 times the lot width.

Lots two and three, as indicated on the submitted replat, do meet the required minimum width of sixty (60’) feet, this would only allow for the lots to be one-hundred and eighty (180’) feet deep, the requested depth is three hundred and eighteen (318’) feet. These lot dimensions will mirror those to the south.

File Number: BZA-01-25

GENERAL INFORMATION

Applicant: Atlas Land Consulting on behalf of the owner; Ronald Domerse
Address: 14500 Parallel Rd.
Basehor KS 66007

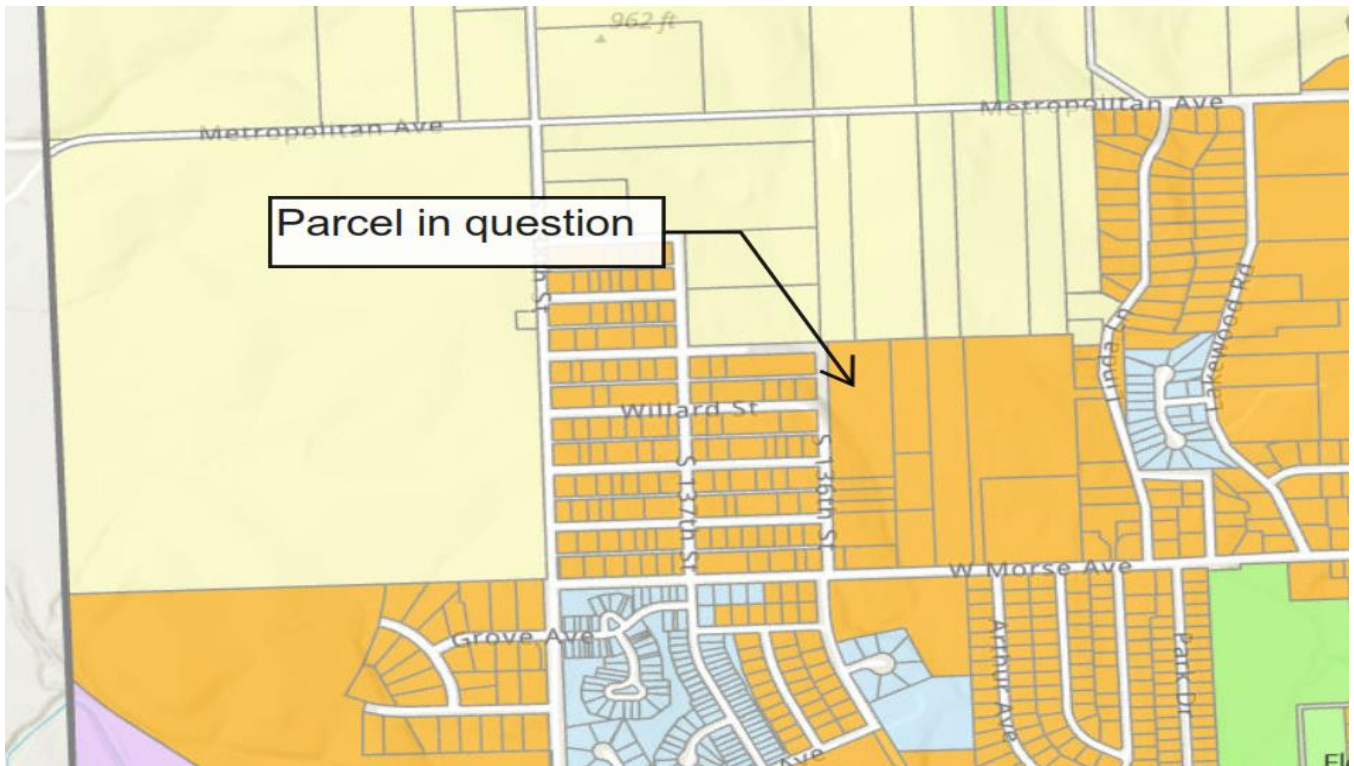
STAFF ANALYSIS

Site Characteristics

Location:	1755 S. 136 th Street
Area of Property:	251,003+/-sqft; 5.7 +/- acres
Zoning:	GR; General Residential District
Future Land Use Map:	Low-Density Residential

Adjacent Property Zoning Designations:

North -	RR; Rural Residential
South -	GR; General Residential
East -	GR; General Residential
West -	GR; General Residential



Narrative/Background

The age of the development and the uniqueness of the lot sizes within the Grandview neighborhood along with a significant drainage area; makes division of the parcel to meet the width to depth ratio nearly impossible. Lots located south of this parcel mirror what is being requested.

Conformance with the Zoning Ordinance

Section 2.03.F.1.a states: *The purpose of this Section 2.03.D is to provide a process for reviewing and approving zoning relief applications from the requirements of this Chapter 2 Zoning Regulations.*

(2) *The purpose of a zoning relief application is to:*

- (a) *Provide a process for property owners to seek relief from the minimum Lot Area, setbacks, and other dimensional and Building requirements of this chapter;*
- (b) *Offer the City a method of considering alternative compliance metrics for unique or encumbered lots where strict compliance with this Chapter 2 Zoning Regulations would result in undue hardship to a property owner; and*
- (c) *Ensure the granting of relief from the zoning standards will not adversely affect surrounding property owners, and will not jeopardize further compliance with the subdivision and Development Standards outlined in these regulations.*

The questions listed below are required by the Unified Development Ordinance; the UDO goes on to state Unlike variance requests established in Section 2.03.F.2.b above, the BZA does not have to determine the presence of a physical condition of the site (e.g., topography, Floodplain, pre-existing Lot Area) that proves a hardship to developing the site under the applicable requirements of these regulations.

The questions below, in bold type, are required by the Unified Development Ordinance when hearing requests for a Special Exception; the applicant's responses are below them in italics, with any Staff comments following.

1. The exception requested arises from such conditions that are unique to the property in question, and that are not ordinarily found in the same zone or district, and is not created by an action or actions of the property owner or Applicant;

This property has been previously platted and as such the depth of the property has been established. The property owner desires to create two lots which are 60' wide and 318' deep which is the existing depth of the property. The proposed lots will be uniform in width and length and are in conformance with the existing zoning and the future land use for the area. Further, the current configuration of South 136th Street limits the ability to develop the northern lot additionally. The street curves to the west and extending the roadway is not feasible.

The current property dimensions and large drainage area that traverses it would not lend itself to further division; dividing the properties as requested does make the best use of the existing topography. The two proposed lots that do not meet the width the depth ratio do mirror lots just to the south. The lot widths do meet the current minimum requirement of sixty (60') feet.

2. The granting of the permit for the exception will not adversely affect the rights of adjacent property owners or residents;

The granting of this request will not adversely impact the rights of the adjacent property owners. The granting of this request will simply allow two lots to be uniformly developed.

The granting of this requested exception will not adversely affect the surrounding property owners or residents. They will develop in a similar fashion as those to the south.

3. The strict application of the provisions of the zoning regulations of which the exception is requested will constitute unnecessary hardship upon the property owner represented in the application;

The strict application of the provisions of the zoning regulations would result in the two proposed lots being widened resulting in significantly larger lots than are already proposed. The lots as proposed are nearly ½ acre each which is well within the range of normal development in the low-density zoning district as is contemplated by the future land use map. Additionally, these proposed lots are similar in size and configuration to the existing lots within the area. The development as proposed maintains the character of the existing neighborhood.

The strict application of the zoning regulations would limit the accessibility to the northern lot; there is a significant drainage area that flows from north to south through the proposed Lot 1. Maintaining the allowed lot width of Lots 2 and 3 (60') will enable better and more feasible access to the northern lot (Lot 1).

4. The exception desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and

Granting this variance will not adversely impact the health, safety or welfare in any way.

The requested variance will have no adverse effect on the public health, safety, morals, order, etc.

5. The granting of the exception desired will not be opposed to the general spirit and intent of the zoning regulations.

The intent of the ordinance is to ensure that lots are developed in a uniform and orderly manner. This proposed development is orderly in nature and is in accordance with the spirit of the ordinance. Additionally, the proposed development maintains the existing character of the neighborhood.

The requested variance is not opposed to the general spirit and intent of the Unified Development Ordinance. The regulations in place, are there to ensure development is harmonious with its surroundings and throughout the subdivision. In this case they would lend themselves to the construction of several new single-family dwellings within an established neighborhood.

Conformance with the Future Land Use Plan:

The Future Land Use Plan identifies this area as “low density residential”. The Future Land Use Plan does not address individual parcel dimensions but instead addresses the use of the property and those surrounding it. The majority of immediate area is indicated as developing in a residential manner.

Traffic Impact:

The proposed variance request, whether approved or denied, will have no impact on the current street network. The area is and has been intended for residential development since its inception.

Drainage Impact:

The proposed variance request, whether approved or denied, will have little to no impact on drainage.

STAFF RECOMMENDATION

Staff recommends the requested variance be approved with the stated staff stipulations.

1. The plat associated with this Special Exception request shall be approved and filed as presented and included within this packet.
2. Building permits shall be required for all new residential construction.
3. Any construction drawings requiring the extension of public services shall be reviewed and approved by the City Engineer and Staff.
4. In addition to the stipulations in this report, the applicant/property owner agrees to abide by all regulations contained in the Bonner Springs Unified Development Ordinance.

BOARD OPTIONS

1. **Approve the variance request, with or without conditions/changes.**
2. **Deny the variance request**
3. **Continue the Public Hearing to another date, date, time, and/or place**

Krystal A. Voth
Ronald G. Domerse
1755 S. 1369th Street
Bonner Springs, KS 66012
April 21, 2025

Mr. Mark Lee, CPM, CFM
200 E. 3rd Street
Bonner Springs, KS 66012
Mlee@bonnersprings.org

Dear Mr. Lee,

Thank you for allowing Atlas Land Consulting to submit an application for a variance for the two proposed lots (2 &3) for the proposed replat of Grandview's Addition. We recognize and respect that the City of Bonner Springs has adopted land use regulations which have been established to facilitate the safe and orderly development of the City of Bonner Springs. Our client, Mr. Ron Domerse, is seeking to replat the existing lots 5-10 of East Grandview Addition. Due to the desired layout of the existing land, the replat results in two proposed lots which exceed the City of Bonner Springs lot-width-to-depth ratio. The ratio is not to exceed 3:1. Proposed Lot 2 and 3 each exceed this requirement, however, it does not inconvenience the development of the land and in fact is the most rational development of the land resulting in uniform lots. Please consider our request based upon the criteria below:

1. Condition Unique to the Property: This property has been previously platted and as such the depth of the property has been established. The property owner desires to create two lots which are 60' wide and 318' deep which is the existing depth of the property. The proposed lots will be uniform in width and length and are in conformance with the existing zoning and the future land use for the area. Further, the current configuration of South 136th Street limits the ability to develop the northern lot additionally. The street curves to the west and extending the roadway is not feasible.
2. No adverse effects to the rights of adjacent property owners: The granting of this request will not adversely impact the rights of the adjacent property owners. The granting of this request will simply allow two lots to be uniformly developed.

3. Unnecessary Hardship: The strict application of the provisions of the zoning regulations would result in the two proposed lots being widened resulting in significantly larger lots than are already proposed. The lots as proposed are nearly ½ acre each which is well within the range of normal development in the low density zoning district as is contemplated by the future land use map. Additionally, these proposed lots are similar in size and configuration to the existing lots within the area. The development as proposed maintains the character of the existing neighborhood.
4. Public Health, Safety and Welfare: Granting this variance will not adversely impact the health, safety or welfare in any way.
5. Ordinance Intent: The intent of the ordinance is to ensure that lots are developed in a uniform and orderly manner. This proposed development is orderly in nature and is in accordance with the spirit of the ordinance. Additionally, the proposed development maintains the existing character of the neighborhood.

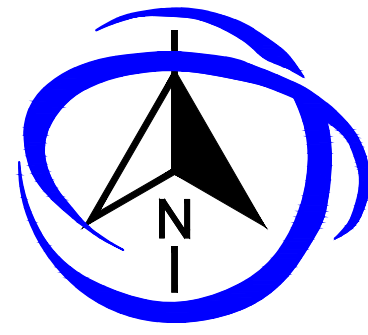
Thank you for your consideration of this request. The granting of this request will allow the property owner to reconfigure the existing lots into a manner that allows him to use his property in a manner that meets the zoning requirements while also allowing him to offer lots for sale that may be more attractive to purchases due to their reconfigured sizes.

Best,

Krystal Voth, MURP
Land Use Planner
(M) 417-622-2907

ATLAS LAND CONSULTING

ENGINEERING • SURVEYING • DRONE • INSPECTION



EAST GRANDVIEW'S NEW ADDITION

A REPLAT LOTS 5 THROUGH 10, EAST GRANDVIEW SUBDIVISION, A SUBDIVISION IN THE CITY OF BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS



FINAL PLAT PAGE 1 OF 2

LEGEND

- ▲ SECTION CORNER
- BENCHMARK AS NOTED
- FOUND PROPERTY CORNER AS NOTED
- SET 1/2" X 24" REBAR CAP ALC KS CLS 363
- BUILDING SETBACK LINE
- (C) CALCULATED
- (D) DEEDED
- (M) MEASURED
- (P) PLATTED

GENERAL NOTES

- THE BASIS FOR THE BEARING SYSTEM FOR THIS SURVEY IS KANSAS NORTH ZONE U.S. STATE PLANE 1983
- ALL DISTANCES SHOWN HEREON ARE IN FEET
- KS ONE-CALL WAS CALLED ON THIS SURVEY TICKET #25017322
- REFERENCED SURVEY
 - SARATOGA PARK FINAL PLAT
 - EAST GRANDVIEW SUBDIVISION FINAL PLAT
 - CERTIFICATE OF SURVEY COMPLETED BY BHC RHODES DATED AUGUST 23, 2004.
- FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 20209C0109E ON SEPTEMBER 2ND, 2015, AREA ZONE "X" AREA OF MINIMAL FLOOD HAZARD"
- CLOSURE PRECISION: 1 PART IN 4432766.000
- CURRENT ZONING- RESIDENTIAL-GR "(GENERAL RESIDENTIAL DISTRICT)
- NO TITLE WORK WAS PROVIDED FOR THIS SURVEY.
- UNRECORDED PLAT COMPLETED BY LARRY HAHN INTENDED THIS DIMENSION TO BE 250.00 FEET.

This is to certify on this 31ST day of DECEMBER, 2025 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the Kansas Minimum Standards for boundary surveys.



ANDREEA N WEISHAUB, PLS 1730

JOB NO:25-045S

SCALE

PREPARED FOR

200 100 0 200
SCALE IN FEET

SEC-TWN-RNG

RONALD G DOMERESE

30-11S-23E

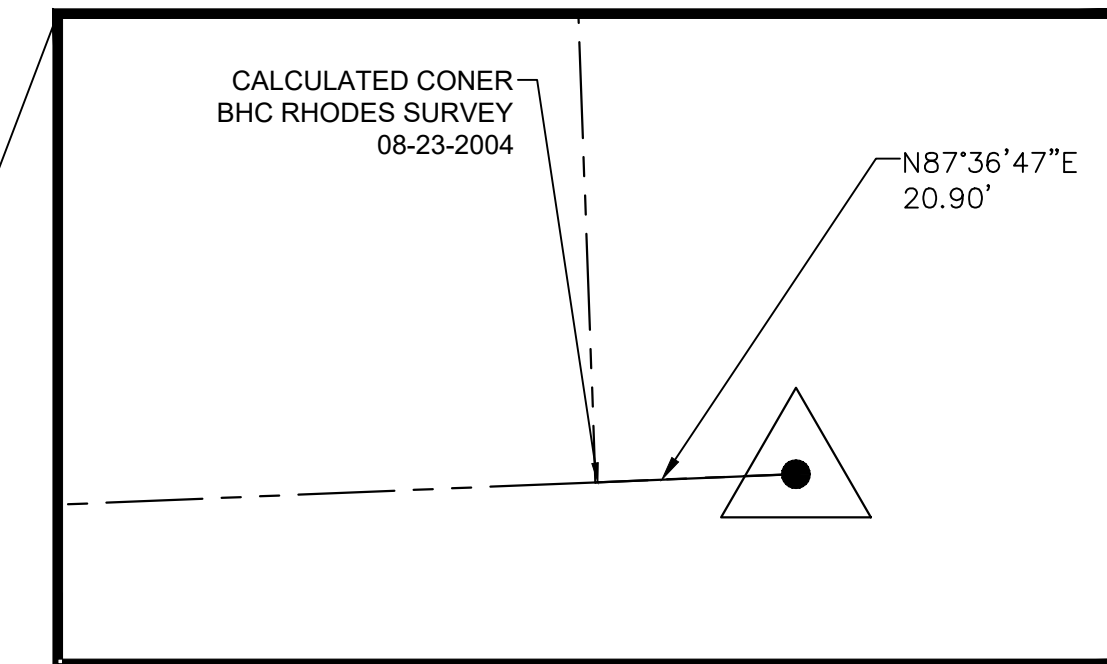
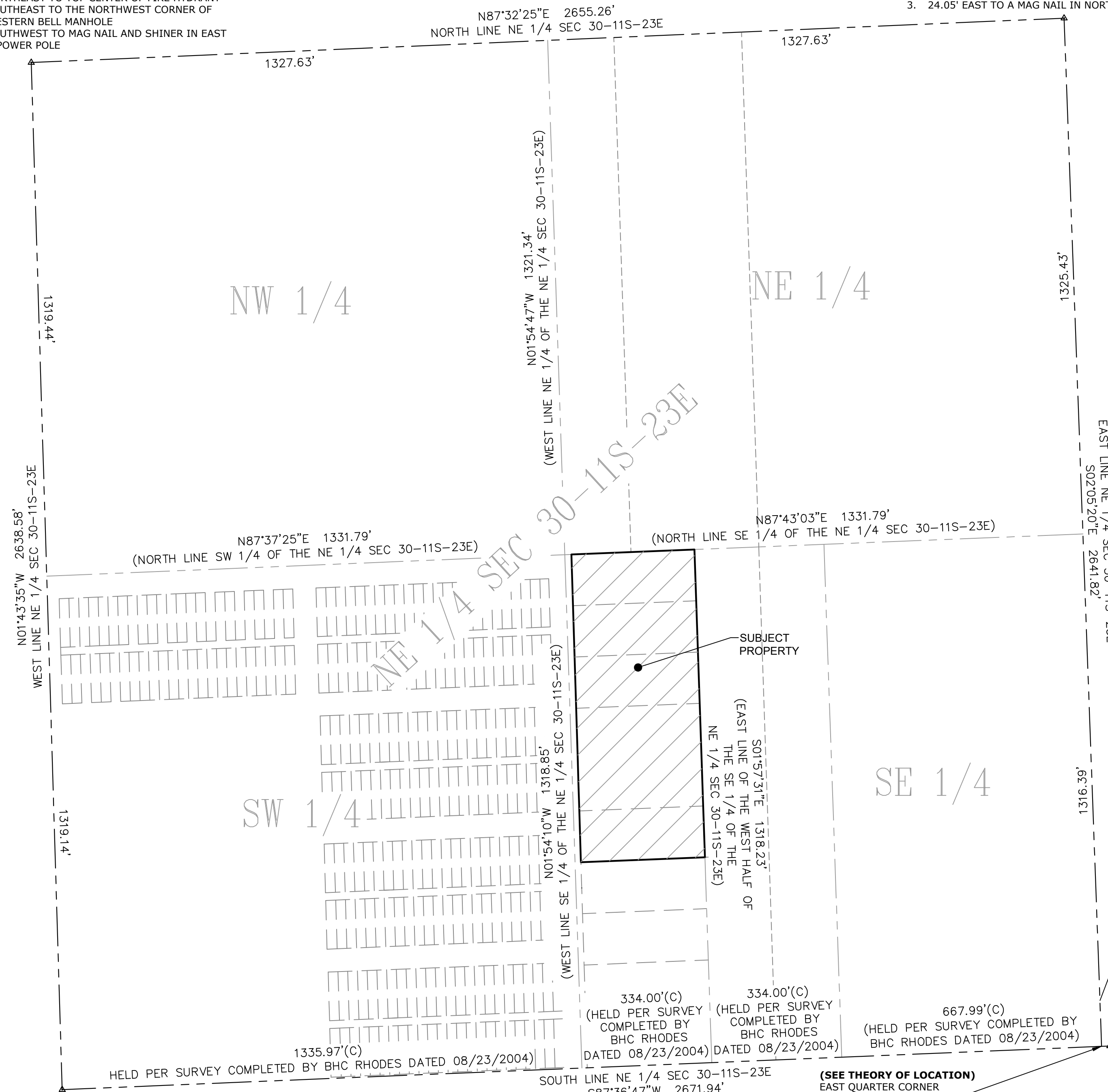
ADDRESS: 1755 S 136TH ST
BONNER SPRINGS, KS 66012

DATE

APRIL 17, 2025

- NORTH QUARTER CORNER
SEC 30-11S-23E
FOUND 1/2" REBAR NO CAP ORIGIN UNCERTAIN
- 60.06' NORTHEAST TO TOP CENTER OF FIRE HYDRANT
 - 51.40' SOUTHEAST TO THE NORTHWEST CORNER OF SOUTHWESTERN BELL MANHOLE
 - 57.06' SOUTHWEST TO MAG NAIL AND SHINER IN EAST FACE OF POWER POLE

- NORTHEAST CORNER
SEC 30-11S-23E
FOUND 1/2" REBAR IN ORANGE PVC PIPE
NO CAP ORIGIN UNCERTAIN
- 9.76' WEST TO A "+" CUT
 - 17.07' SOUTHEAST TO A MAG NAIL IN NORTHEAST FACE OF POWER POLE
 - 24.05' EAST TO A MAG NAIL IN NORTHEAST FACE OF POWER POLE

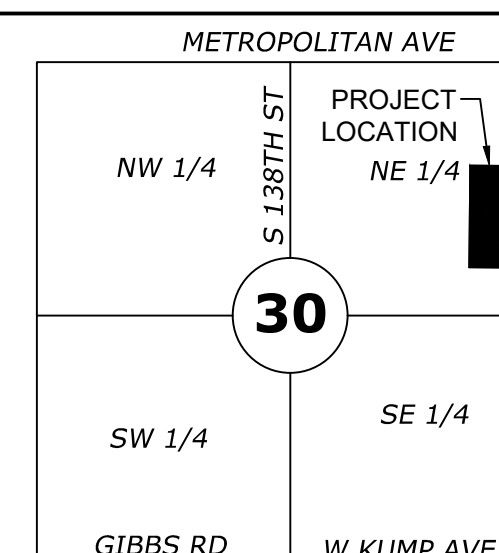


- CENTER CORNER
SEC 30-11S-23E
FOUND 1/2" REBAR NO CAP ORIGIN UNCERTAIN
- 59.00' SOUTH SOUTHWEST TO PK NAIL AND SHINER IN NORTHEAST FACE OF POWER POLE
 - 77.35' SOUTHEAST TO TOP CENTER OF FIRE HYDRANT
 - 31.70' EAST TO MAG NAIL IN WHISKER IN SOUTH FACE OF A GUY POLE
 - 20.50' WEST TO THE TOP CENTER OF A WATER VALVE LID

- (SEE THEORY OF LOCATION)
EAST QUARTER CORNER
SEC 30-11S-23E
CALCULATED CORNER FROM BHC RHODES
REFERENCE SURVEY
- 92.75' WEST TO A MAG NAIL IN SOUTH SIDE OF POWER POLE
 - 127.63' SOUTHWEST TO A MAG NAIL IN THE NORTHWEST SIDE OF POWER POLE
 - 54.30' SOUTH TO MAG NAIL IN CRACK OF SIDEWALK
 - 75.76' SOUTHEAST TO MAG NAIL IN SOUTH SIDE OF POWER POLE

- (SEE THEORY OF LOCATION)
EAST QUARTER CORNER
SEC 30-11S-23E
FOUND 5/8" REBAR IN CONCRETE
- 113.38' WEST TO A MAG NAIL IN SOUTH SIDE OF POWER POLE
 - 146.11' SOUTHWEST TO A MAG NAIL IN THE NORTHWEST SIDE OF POWER POLE
 - 55.14' SOUTH TO MAG NAIL IN CRACK OF SIDEWALK
 - 65.22' SOUTHEAST TO MAG NAIL IN SOUTH SIDE OF POWER POLE

VICINITY MAP



VICINITY MAP:
SEC 30-11S-23E
1"=2000'

