

**Abilene Board of Zoning Appeals Minutes
Abilene Public Library
209 NW 4th St., Abilene, KS
November 7, 2023, at 3:30 p.m.**



1. Call to Order by Chair Sawyer at 3:30 p.m.

2. Roll Call

Board of Zoning Appeals members present: Chair Travis Sawyer, Vice Chair Bill Marshall, William Rose, Penni Zelinkoff, Rod Boyd

Absent: Matt Mead, Eric Anderson

Staff present: Kari Zook, Community Development Director; Kellie Olson, Administrative Assistant

Public present: Rob Eichman, Jessica Shaver, Rick & Rhonda Bartley

3. Approval of Agenda

Motion by Zelinkoff to approve the agenda as written, seconded by Marshall. Motion carried unanimously 5-0.

4. Approval of Minutes

Motion by Rose to approve the October 3, 2023, minutes as written, seconded by Marshall. Motion carried unanimously 5-0.

5. Public Hearing for BZA 23-11, a request from Golden Belt West Multifamily, LLC d/b/a Golden Ridge Apartments, to allow variances from Article 22, Sections 22-204, 22-302, and 22-308 and Article 20, Section 20-201(b)(2)(a) of the zoning regulations of the City of Abilene, KS. The site addresses are located on NW 17th St and Rose Dr., Abilene, KS, and legally described as Golden Belt Heights West, S7, T13, R2, Block 3, Lots 1-10

The staff report and recommendations were discussed. Chair Sawyer opened the public hearing at 3:44 p.m. The applicant discussed the project site plan and the hardships were discussed regarding the variance requests. Rick Bartley was present to ask questions regarding the development. Their concern as homeowners at Golden Belt Heights East is additional traffic and sufficient parking being met for the apartment complex. They also questioned if this apartment complex will be government-subsidized housing. This will be market-rate housing per the developers. The public hearing was closed at 3:59 p.m.

Motion by Marshall to approve all four of the variance requests, seconded by Zelinkoff. Motion carried unanimously 5-0. There is a 30-day protest period which shall expire on December 7, 2023.

6. Adjournment

Motion by Marshall to adjourn at 4:03 p.m., seconded by Boyd. Motion carried unanimously 5-0.

ATTEST:

Community Development

Board of Zoning Appeals

ARTICLE 22. OFF-STREET PARKING, LOADING AND UNLOADING REGULATIONS

SECTION 22-2 GENERAL PROVISIONS

22-204. Residential districts. Parking facilities which make provisions for more than three (3) vehicles shall not be located within the required front yard for the district.

SECTION 22-3 LAYOUT AND DESIGN REQUIREMENTS

22-302. Access. Except in R-1 and R-2 districts, each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. Streets and alleys shall be used only for access to and from parking facilities and shall not be used for maneuvering of vehicles. Any alley used for access to other than a single-family residence shall be paved according to City-adopted specifications.

22-308. Parking facilities in residential districts. Any parking facilities for eight (8) or more vehicles (1) when in residential zoning districts and (2) which are adjacent to a residential or manufactured home-zoned district, shall have a screened fence or wall to prevent the passage of vehicular lights and to prevent the blowing of debris. Such fence or wall shall be at least six (6) feet in height and have a visual density of not less than seventy percent (70%).

ARTICLE 20. SUPPLEMENTAL DISTRICT REGULATIONS

SECTION

SECTION 20-2 HEIGHT AND YARD REGULATIONS

20-201.

b. Yard.

2. Accessory buildings and structures.

(a) Detached accessory structures shall not be located in any required front yard setback area in any residential district, and no accessory structure may be closer than five feet to any property line, provided that detached garages with vehicle access facing an alley shall maintain a 15-foot rear yard setback. Not more than two detached accessory structures shall be permitted for each principal residence. The aggregate size of all permitted detached accessory structures shall not exceed 360 sq. ft. of floor area for every 3,000 sq. ft. of lot size, to a maximum size not exceeding that of the ground floor area of the principal residence. Principal residence shall include only that portion of the main floor of the residence used for actual dwelling area, and does not include an attached garage, shop or other work area not used principally as the actual dwelling area. Sidewall heights of accessory structures shall not exceed ten feet.