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Surveying

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December 21, 2011

Sandra Day
Current Planner
Lawrence Douglas County Metropolitan Planning Office
6 E. Sixth Street
Lawrence, Kansas 66044

Re: 1900 West 31st Street - Request for Variance from Subdivision Regulations

Dear Sandy,

Per the Subdivision Regulations for the City of Lawrence and Unincorporated Area of Douglas County Section 20-813(g)(1), and on behalf of the property owner, this letter constitutes a request for a variance from the standards of Sec. 20-810(d)(4)(i). At our meeting on December 20, 2011, I discussed this item with you and, as advised, I offer the following for your consideration.

20-810(d)(4)(i), provides standard street cross-sections for platted subdivisions lying within the City of Lawrence. The cross-section from which the owner requests a variance is that for principal arterials. Subdivisions are to provide a right-of-way of 150 feet, minimum, for principal arterials.

The subject property, as shown in the Preliminary Plat and Special Use Permit Site Plan, lies adjacent to the north side of West 31st Street. The aforementioned regulation requires that the subdivision provide 75 feet of right-of-way (north of centerline) for this principal arterial. The proposed subdivision instead provides 50 feet of right-of-way and an additional 20 feet of pedestrian and utility easement. The 50-foot R.O.W and 20-foot P/E and U/E are, in fact, existing conditions.

Strict application of this regulation will create an unnecessary hardship upon the subdivider. As shown in an exhibit provided to you on 12/20/11, all proposed street, sidewalk, utility and street tree improvements can be made within the combined 50-foot R.O.W and 20-foot P/E & U/E. Moreover, future improvements associated with a realigned Louisiana Street intersection do not propose additional pavement on the north side of 31st Street. An additional 25 feet of R.O.W. will unnecessary remove over 26,000 SF of land from the subdivision.

The proposed variance is in harmony with the intended purpose of these regulations. As stated above, proposed street improvements which include two (2) new turn lanes can be made without expanding the R.O.W. An extension to the 10-foot-wide shared use path adjacent to 31st Street can be made, per the Subdivision Regulations, without expanding the R.O.W. Extensions to a public water main and sanitary sewer main can be made, per City Code, without expanding the R.O.W. The provision of street trees can be made, per the Subdivision Regulations, without expanding the R.O.W.

If this variance is granted, the public health, safety and welfare will be protected. As stated above, multiple improvements to public infrastructure can be made without expanding the R.O.W. The

residences proposed with this subdivision are setback 30-feet from the existing 50-foot R.O.W. which places them 40 feet from the north curb line of 31st Street.

I very much appreciate your consideration of this request. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Sturm". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Brian Sturm

cc: Aspen Heights
file