



LAWRENCE BOARD OF ZONING APPEALS

AGENDA FOR **MARCH 7, 2019**

1ST FLOOR OF CITY HALL, 6 E. 6TH STREET, CITY COMMISSION MEETING ROOM
6:30 PM

TAKE A ROLL CALL TO DETERMINE IF THERE IS A QUORUM OF MEMBERS PRESENT

ITEM NO. 1 COMMUNICATIONS

- A. Acknowledge communications to come before the Board.
- B. Disclosure of ex-parte communications and/or abstentions for specific agenda items.
- C. Announce any agenda items that will be deferred.

ITEM NO. 2 MINUTES

Consider approval of the minutes from the February 7, 2019 meeting of the Board.

BEGIN PUBLIC HEARING:

ITEM NO. 3 VARIANCE FROM THE PARKING STANDARDS REQUIRING A MINIMUM NUMBER OF OFF STREET PARKING SPACES FOR A NON-OWNER OCCUPIED SHORT-TERM RENTAL; 545 OHIO STREET

B-19-00068: A request for a variance as provided in Section 20-1309 of the Land Development Code of the City of Lawrence, Kansas, 2018 edition. The request is for a variance from the parking standard required by Section 20-902 of the City Code requiring a minimum number of off-street parking spaces to be provided from a required 3 spaces to 0 spaces for a non-owner occupied short-term rental. The property is located at 545 Ohio Street. Submitted by Al Un and Lyndsie Un on behalf of Hui Un and Yung Un, property owners of record.

ITEM NO. 4 MISCELLANEOUS

- A. Consider any other business to come before the Board.

ITEM NO. 3 **VARIANCE FROM THE PARKING STANDARDS REQUIRING A MINIMUM
NUMBER OF OFF STREET PARKING SPACES FOR A NON-OWNER OCCUPIED
SHORT-TERM RENTAL; 545 OHIO STREET [KEW]**

B-19-00068: A request for a variance as provided in Section 20-1309 of the Land Development Code of the City of Lawrence, Kansas, 2018 edition. The request is for a variance from the parking standard required by Section 20-902 of the City Code requiring a minimum number of off-street parking spaces to be provided from a required 3 spaces to 0 spaces for a non-owner occupied short-term rental. The property is located at 545 Ohio Street. Submitted by Al Un and Lyndsie Un on behalf of Hui Un and Yung Un, property owners of record.

B. REASON FOR REQUEST

Applicant's Request - "We are requesting a variance to require no on-property parking for our house so it may be used as a Short Term Rental located at 545 Ohio Street in Lawrence. We are requesting this variance for many reasons: 1. Our property in its current state and as we purchased it, never had on-property parking nor a cut in to a driveway from either street (it sits on the corner of Ohio and 6th streets). We did not remove or cover over any existing parking as owners. 2. Being that the location is on the corner of Ohio and 6th Street there is also no alley behind or to the side of the property. 3. It is a small lot with little room to add a driveway, let alone three of them (as would be required as it is a 3 bedroom house.) 4. Before the city created the licensing process for short term rentals, we were already using this property for the purpose in which the Special Use Permit is required. We did not short term rent each "guest room" separately but rather rented the entire house as a whole. Therefore, unlike some other short term rental properties with the same number of "guest rooms", our property rarely attracts more than 2 cars, since all three rooms are rented by the one group or guest reserving the entire house. Each guest room does not have a separate entrance or even separately keyed or locked doors. Everyone shares two bathrooms and the same kitchen. 5. We have never had complaints about guest not having room to parking in the street near the house and have never had neighbors complain to us about extra cars on the street due to our guest. We may even argue that creating three parking spaces as required by the Short Term Rental License process on our tiny lot may adversely affect our neighbors more greatly than a granted variance would. Should the variance be denied and we remain with a requirement to create three parking spaces on-property we feel it would negatively affect the neighbors by convenience issues with accessing the intersection, new traffic patterns and aesthetic value, since it would basically pave the majority of the front yard and green space of the home. Since our lot does not permit compliance with these new licensing regulations we constitute an unnecessary hardship of decreased property value as compared to other homeowners since we would in effect be unable to attain the Short Term Rental License that other homeowners would be able to obtain, making their property advantaged and more attractive and valuable in resale, especially considering its close walkable distance to many popular Mass Street businesses and proximity to the University."

C. ZONING AND LAND USE

Current Zoning & Land Use: RS5 (Single-Dwelling Residential) District; *detached-dwelling* use.

Surrounding Zoning and Land Use: RS5 (Single-Dwelling) District to the north, east, south and west; *detached-dwelling* use.

D. ZONING ORDINANCE REQUIREMENTS

20-902 OFF-STREET PARKING SCHEDULE A

Unless otherwise expressly stated in this article, off-street parking spaces shall be provided in accordance with the minimum ratios of the following, Schedule A.

Transient Accommodation

Use Category	Minimum Number of Vehicle Parking Spaces Required	Minimum Number of Bicycle Parking Spaces
Short-Term Rental (non-owner occupied)	1 per guest room	None

E. SPECIFIC ANALYSIS

Section 20-1309(g)(1) in the Land Development Code lists the five requisite conditions that have to be met for a variance to be approved.

1. The variance request arises from such conditions which are unique to the property in question and not ordinarily found in the same zone or district; and are not created by an action or actions of the property owner or applicant.

Applicant response: *"Our property sits directly on the corner of Ohio and 6th Streets. It has no alley behind or to the side of it. It is locked in on all sides by neighboring property or the street. There is currently no driveway cut in from either street to our land, meaning there is no on-property parking spot. It is a much smaller lot than most on its street. Usually in the same zoning, there is alley access with plenty of land behind or in front of the property. Usually in the same zoning there is one cut in from the street to the property indicating an on-property parking spot. This is not the case for this property. We have made no changes to this house since its purchase. We did not cover up an already existing parking spot.*

In staff's opinion, the existing conditions of the subject property are not unique to the property and can be found in other locations located in the same zone and district. The request arises from the owner's desire to rent three guest rooms as part of the short-term rental use, which requires more parking than would be required for a detached dwelling use. While the lot is a portion of a platted lot, it has existed in this configuration since prior to 1919. Currently, no off-street parking exists on site, and the requirement of off-street parking for a detached dwelling use as permitted by right in the zoning district is at a rate of two off-street parking spaces per unit. A variance request from additional parking that is a result of an intensification of the use requiring a special use permit that has additional parking requirements, is a condition that is created by the applicant's action.

The subject property, 545 Ohio Street was legally established as a parcel of record in its current configuration prior to at least 1919, as confirmed by the Register of Deeds office. There were no zoning regulations at the time so there were no parking requirements for the detached dwelling. The structure on the subject property was built in 1900 as a 2 bedroom detached dwelling and the County Appraiser's office still lists the structure as a 2 bedroom dwelling. Staff was unable to located permit history on file for modification of interior space. The only permit history found consisted of service changes and a porch remodel.

This property is also located in the Pinckney I Historic District and in the environs of the Dillard House, located at 520 Louisiana Street. The intensification of use to a short-term rental is administratively reviewed to comply with the design standards that apply to the district and the Historic Resource Commission has the opportunity to comment on Board of Zoning Appeals applications in the district. The Historic Commission had no comment on the variance request. The Historic Resource Commission also had no comment on the special use permit application that is in process. The special use permit application did not propose off-street parking spaces.

The City of Lawrence recently amended Chapter 20 of The Land Development Code via Ordinance No. 9481 establishing the short-term rental use. Prior to this ordinance, which took effect on November 1, 2018, a short-term rental use was not identified as a permitted land use.

The Land Development Code requires off-street parking for a short-term rental (non-owner occupied) use at a minimum rate of 1 space per guest room per Section 20-902. The applicant is proposing to rent the structure as a three guest room short-term rental. This would require three off-street parking spaces to be provided. The property is zoned RS5 (Single-Dwelling Residential) District. Detached dwelling use is permitted in the RS5 zoning district, and short-term rental use is permitted only by a special use permit when the unit is not occupied by the owner. Because the structure was built prior to 1927, parking on the property was not required. The parking required to serve the existing detached dwelling would not be impacted if the structure was to be continued to be used as a detached dwelling.

These conditions are not solely unique to this property due to a zoning or platting requirement; they are applicable to other properties located in similar zoning districts that were constructed before the adoption of the 1927 City Code and do not have off-street parking serving a detached dwelling. These parcels may qualify as legal non-conforming lots and could allow for reduced parking for uses granted by right in the district, such as a detached dwelling as permitted in Section 20-907 of the Land Development Code.

Based on the requirements for the short-term rental use, as enumerated in the staff report, staff cannot support the intensity proposed for the subject property.

See following page for map of subject property.



Map 1: 545 Ohio Street is located at the corner of Ohio Street and 6th Street.

2. That the granting of the variance will not adversely affect the rights of adjacent property owners or residents.

Applicant response: *"Before the city created the licensing process for short term rentals, we were already using the property for the purpose in which the Special Use Permit is required. We did not short term rent each "guest room" separately but rather rented the entire home as a whole. Therefore, unlike some other short term rental properties with the same number of guestrooms, our property rarely attracts more than two cars, since all three rooms are rented by the one group (or guest) reserving the entire house. Each "guest room" does not have a separate entrance or even separately keyed or locked doors. Everyone shares two bathrooms and the same kitchen. Often the cars at our property were fewer and less frequent than most long term rental housing, since our rentals would mostly occur over a weekend. We have never had complaints about guests not having room to park along the street near the house and I have never had neighbors complain us about extra cars on the street due to our visitors. We may even argue that creating three parking spots on our tiny lot may adversely affect our neighbors more greatly than a granted variance would."*

In staff's opinion, allowing the variance from the off-street parking requirements for the short-term rental use identified in Section 20-902 of the Land Development Code does not adversely affect the rights of adjacent property owners or residents. The intensity of use is increased which requires additional parking to accommodate the proposed intensity of this use. Staff's opinion regarding the existing parking serving the property being located on the street is that it does not adversely affect the rights of adjacent property owners or residents. The structure has been used as a detached dwelling since it was constructed and the parking to serve that use appears to have always been located on the street.

At the time this report was written, staff has not heard from any nearby property owners or neighbors regarding this variance request.

3. That the strict application of the provisions of this chapter for which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.

Applicant response: "Unlike most other property owners applying for Short Term Use Licenses through a Special Use Permit, we do not have land available on our property to allocate for 3 new on-property parking spots. As previously mentioned, our property in its current state, and as we purchased it, never had on-property parking nor a cut in to a driveway from either street (it sits on the corner of Ohio and 6th streets). Being that the location is on the corner, there is also no alley behind or to the side of the property. It is a small lot with little room to add a driveway, let alone three of them, which would be the requirement without a variance granted since it is currently a 3 bedroom house. Before the city created the licensing process for short term rentals, we were already using this property for the purpose in which the Special Use Permit is required. We did not short term rent each "guest room" separately (as some other homeowners may be doing), but rather rented the entire house as a whole. Therefore, unlike some other short term rental properties with the same number of guest rooms, our property rarely attracts more than 2 cars, since all three rooms are rented by one guest or related group of guests, reserving the entire house. Each "guest room" does not have a separate entrance or even separately keyed or locked doors. Everyone shares 2 bathrooms and the kitchen. Since our land does not permit compliance with these new licensing regulations, we constitute and unnecessary hardship of decreased property value, since we would in effect be unable to attain the Short Term Rental License that other homeowners would be able to obtain making their property more attractive in value and resale, especially considering the walkable distance to many popular Mass Street businesses and proximity to the University. Also, should we be required to create e parking spaces on our tiny lot, there would in essence, no longer be a front yard, decreasing the aesthetic value the property currently holds.

In staff's opinion, strict application of the code standard requiring off-street parking for a short-term rental use would not be an unnecessary hardship. All uses permitted in the district by right would still be permitted. This particular use is classified under transient accommodation as a short-term rental (non-owner occupied) use. The short-term rental use is a higher intensity use in terms of code required parking. The short-term rental use requires parking at a rate of 1 off-street parking space per guest room while the detached dwelling use requires 2 off-street parking spaces per dwelling unit regardless of the number of bedrooms. While the lot is smaller in size than other lots in the district, which may constitute a hardship for ingress and egress onto the site, changing the intensity of the use which is only permitted by special use permit at the discretion of the applicant/owner does not constitute an unnecessary hardship.

An unnecessary hardship must be due to an exceptional condition or application of the Land Development Code that is specific to the property, not due to the general zoning district requirements, or the broader

context of the area/neighborhood. Merely demonstrating some hardship is insufficient to satisfy the Land Development Code's unnecessary hardship definition. The owner's request to intensify the use may be impacted by the request to provide parking, and may be a hardship for that particular site, but it does not rise to a level of being an unnecessary hardship. The requirement for providing parking is consistently applied throughout all zoning districts, and the Land Development Code does provide options for potentially seeking shared and off-site parking, subject to meeting the conditions and requirements of that section.

The structure was initially established as a detached dwelling use and has been utilized as such since it was constructed. The existing detached dwelling use would not be required to provide additional off-street parking by code since it is permitted in the district and it came into existence prior to the establishment of codes requiring off-street parking for a detached dwelling. The intensity of a transient accommodation use is triggering a higher parking requirement. Meeting the parking requirements to add a short-term rental use to the property will not interfere with the basic private property ownership rights or make it impossible to utilize the property for a conforming use. It would also not prohibit the owner from using the property as a short-term rental under a special use permit process if the owner chose to rent it as a 2 guest room short-term rental.

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

Applicant response: *"Before the city created the licensing process for short term rentals, we were already using the property for the purpose in which the Special Use Permit is required. We did not short term rent each "guest room" separately, but rather rented the entire house as a whole. Therefore, unlike other short term rental properties with the same number of "guest rooms", our property rarely attracts more than 2 cars, since all three rooms are rented by one group (or guest) reserving the entire house. Each "guest room" does not have a separate entrance or even separately keyed or locked doors. Everyone shares 2 bathrooms and the same kitchen. Often the cars out our property were fewer and less frequent than long term rental housing, since our rentals would mostly occur over a weekend. We have never had complaints about guests not having room to park along the street near the house and have never had neighbors complain to use about extra cars on the street due to our visitors. We may even argue that creating three parking spots on our tiny lot may adversely affect our neighbors more greatly than a granted variance would. Should we not be granted the variance, but rather be required to create three parking spots on-property we feel it would negatively affect the neighbors by convenience issues with accessing the intersection, traffic patterns, and aesthetic value, since it would basically pave the front yard of the home and eliminate the majority of the green space."*

In staff's opinion, granting this variance to the off-street parking requirements for the short-term rental use may marginally affect the convenience of the public due to the intensity of parking requirement and potential for additional vehicles. On street parking already exists given there are no off-street parking spaces to serve the detached dwelling. Intensifying would create additional demand for on street parking in the neighborhood. Staff does not feel the variance would rise to the level of affecting public health, safety, morals order, prosperity or general welfare.

5. That granting the variance desired will not be opposed to the general spirit and intent of this chapter.

Applicant response: *"There is no change in the intent of the development code of RS5 with parking, living or rental situation. Most of the guests are related family members who are traveling to Lawrence to visit other family members or have a community connection with the City of Lawrence or university. Our*

renters are looking for a comfortable and quiet place to stay for the weekend as intended for the surrounding neighborhood. House rules are accepted by guests not to have large parties, underage drinking, or illegal drugs as part of their stay. This would be the same for any family or owner of a rental as in the spirit or intent of the neighborhood.

In staff's opinion, granting the variance for the off-street parking requirements for a short-term rental use through the special use permit is opposed to the spirit and intent of the Code. As previously mentioned, the code requires parking at the rate of 1 space per guest room for short-term rental (non-owner-occupied) use. The intent of the code is to ensure that through the special use permit process, each property is evaluated independently based on its own context and if the additional parking or other code standards required are able to be met.

Staff is aware that this particular lot is a portion of the platted lot and does not currently provide any off-street parking. Because the detached dwelling use came into existence prior to off-street parking requirements for detached dwellings, the lot would not be required to add parking for the detached dwelling use, which is permitted by right in the district. The applicant would also not be required to add additional parking if proposing to rent 2 guest rooms as part of the short-term rental use since that would not be an intensification of parking requirements to the permitted detached dwelling parking requirements.

Conclusions: Staff's analysis finds the applicant's request, for the removal of off-street parking for the short-term rental use, does not satisfy the five conditions set forth in Section 20-1309(g)(1) of the Land Development Code the Board must find existing to approve a variance.

Recommendation:

Staff recommends denial of the variance request to vary the off-street parking standards identified in Section 20-902 of the Land Development Code.



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APPLICATION FOR
VARIANCE FROM UNNECESSARY HARDSHIP **RECEIVED**

FEB 04 2019

OWNER INFORMATION

Name(s) Hui Un and Yung Un
Contact Owners
Address 545 Ohio St
City Lawrence State KS ZIP 66044
Phone (785) 234-9732 Fax ()
E-mail unnyhoney@yahoo.com Mobile/Pager ()

Planning & Development Services
City of Lawrence/Douglas County, KS

APPLICANT/AGENT INFORMATION

Contact Al Un and Lyndsie Un
Company
Address 3620 SW Kings Forest Rd
City Topeka State KS ZIP 66610
Phone (785) 230-9909 Fax ()
E-mail unnyproperties@gmail.com Mobile/Pager ()
Pre-Application Meeting Date Planner

PROPERTY INFORMATION

Present Zoning District RS5 Present Land Use RS5
Proposed Land Use Residential
Legal Description (*may be attached*) PINCKNEY STREET S 1/2 LT 11
Address of Property 545 Ohio Street
Total Site Area 3350 sq ft
Number and Description of Existing Improvements or Structures none

B-19-00068



Description of variance requested:

In applying for a Special Use Permit for Short Term Rental Licensing, a requirement of one on-property parking space per "guest room" is required. We are requesting a variance to require no on-property parking for our house so it may be used as a Short Term Rental located at 545 Ohio Street in Lawrence. We are requesting this variance for many reasons:

1. Our property in its current state, and as we purchased it, never had on-property parking, nor a cut in to a driveway from either street (it sits on the corner of Ohio and 6th streets). We did not remove or cover over any existing parking as owners.
2. Being that the location is on the corner of Ohio and 6th street there is also no alley behind or to the side of the property.
3. It is a small lot with little room to add a driveway, let alone 3 of them (as would be required, since it is currently a 3 bedroom house).
4. Before the city created the licensing process for short term rentals, we were already using this property for the purpose in which the Special Use Permit is required. We did not short term rent each "guest room" separately, but rather rented the entire home as a whole. Therefore, unlike some other short term rental properties with the same number of "guest rooms," our property rarely attracts more than 2 cars, since all three rooms are rented by the one group (or guest) reserving the entire house. Each guest room does not have a separate entrance or even separately keyed or locked doors. Everyone shares 2 bathrooms and the same kitchen.
5. We have never had complaints about guests not having room to park along the street near the house, and have never had neighbors complain to us about extra cars on the street due to our guests. We may even argue that creating three parking spots as required by the Short Term Rental License process on our tiny lot may adversely affect our neighbors more greatly than a granted variance would. Should the variance be denied and we remain with a requirement to create three parking spots on-property, we feel it would negatively affect the neighbors by convenience issues with accessing the intersection, new traffic patterns, and aesthetic value, since it would basically pave the majority of the front yard and green space of the home. Since our land does not permit compliance with these new licensing regulations we constitute an unnecessary hardship of decreased property value as compared to other homeowners since we would in effect be unable to attain the Short Term Rental License that other homeowners would be able to obtain, making their property advantaged and more attractive and valuable in resale, especially considering its close walkable distance to many popular Mass Street businesses and proximity to the University.



UNNECESSARY HARDSHIP CRITERIA

The Board of Zoning Appeals may approve a zoning variance if it finds that all of the following criteria have been met. The Development Code places the burden on the applicant to show that an application complies with such criteria. Please respond to each criterion to the best of your knowledge. (Attach additional sheets if needed.)

1. That the variance request arises from such conditions which are unique to the property in question and not ordinarily found in the same zoning or district and are not created by action(s) of the property owner or applicant:

Our property sits directly on the corner of Ohio and 6th streets. It has no alley behind or to the side of it. It is locked in on all sides by neighboring properties or the street. There is currently no driveway cut in from either street to our land, meaning there is no on-property parking spot. It is a much smaller lot than most on its street. Usually, in the same zoning, there is alley access with plenty of land behind or in front of the property. Usually in the same zoning there exists at least one cut in from the street to the property indicating an on-property parking spot. This is not the case for this property. We have made no changes to this house since its purchase. We did not cover over an already existing parking spot.

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

Before the city created the licensing process for short term rentals, we were already using this property for the purpose in which the Special Use Permit is required. We did not short term rent each "quest room" separately, but rather rented the entire home as a whole. Therefore, unlike some other short term rental properties with the same number of quest rooms, our property rarely attracts more than 2 cars, since all three rooms are rented by the one group (or quest) reserving the entire house. Each "quest room" does not have a separate entrance or even separately keyed or locked doors. Everyone shares 2 bathrooms and the same kitchen. Often the cars at our property were fewer and less frequent than most long term rental housing, since our rentals would mostly occur over a weekend. We have never had complaints about guests not having room to park along the street near the house, and have never had neighbors complain to (see attach



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3. That strict application of the provisions of this chapter for which the variance is requested would constitute unnecessary hardship upon the property owner represented in the application:

Unlike most other property owners applying for Short Term Use Licenses through a Special Use Permit, we do not have land available on our property to allocate for 3 new on-property parking spots. As previously mentioned, our property in its current state, and as we purchased it, never had on-property parking, nor a cut in to a driveway from either street (it sits on the corner of Ohio and 6th streets). Being that the location is on the corner, there is also no alley behind or to the side of the property. It is a small lot with little room to add a driveway, let alone 3 of them (which would be the requirement without a variance granted since it is currently a 3 bedroom house). Before the city created the licensing process for short term rentals, we were already using this property for the purpose in which the Special Use Permit is required. We did not short term rent each "guest room" separately (as some other home owners may be doing), but rather rented the entire home as a whole. Therefore, unlike some other short term rental properties with the same (see attached)

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

Before the city created the licensing process for short term rentals, we were already using this property for the purpose in which the Special Use Permit is required. We did not short term rent each "guest room" separately, but rather rented the entire home as a whole. Therefore unlike some other short term rental properties with the same number of "guest rooms," our property rarely attracts more than 2 cars, since all three rooms are rented by the one group (or guest) reserving the entire house. Each "guest room" does not have a separate entrance or even separately keyed or locked doors. Everyone shares 2 bathrooms and the same kitchen. Often the cars out our property were fewer and less frequent than most long term rental housing, since our rentals would mostly occur over a weekend. We have never had complaints about guests not having room to park along the street near the house, and have never had neighbors complain to us about extra cars on the street due to our visitors. We may even argue that creating three parking spots (see attached)



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5. That granting the variance desired would not be opposed to the general spirit and intent of the Development Code:

There is no change in the intent of the development code of RS5 with parking, living, or rental situation. Most of the guests are related family members who are traveling to Lawrence to visit other family members or have a community connection with the City of Lawrence or university. Our renters are looking for a comfortable and quiet place to stay for the weekend as intended for the surrounding neighborhood. House rules are accepted by guests not to have large parties, underage drinking, or illegal drugs as part of their stay. This would be the same for any family or owner of a rental as in the spirit or intent of the neighborhood.

SIGNATURE

I/We, the undersigned am/are the **(owner(s))**, **(duly authorized agent)**, **(Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for variances as indicated above.

Signature(s):

Date

2/4/2019

Date

2/4/2019

Date

STAFF USE ONLY

Application No. _____

Date Received _____

BZA Date _____

Fee \$ _____

Date Fee Paid _____

Hardship Variance Affidavit
Name: Un
Property: 545 Ohio St.

Each question continued as indicated:

2. (continued) us about extra cars on the street due to our visitors. We may even argue that creating three parking spots on our tiny lot may adversely affect our neighbors more greatly than a granted variance would.

3. (continued) number of guest rooms, our property rarely attracts more than 2 cars, since all three rooms are rented by the one guest or related group of guests, reserving the entire house. Each "guest room" does not have a separate entrance or even separately keyed or locked doors. Everyone shares 2 bathrooms and the same kitchen. Since our land does not permit compliance with these new licensing regulations we constitute an unnecessary hardship of decreased property value, since we would in effect be unable to attain the Short Term Rental license that other homeowners would be able to obtain, making their property more attractive and valuable in resale, especially considering its close walkable distance to many popular Mass Street businesses and proximity to the University. Also should we be required to create 3 parking spaces on our tiny lot, there would in essence no longer be a front yard, decreasing the aesthetic value the property currently holds.

4. (continued) on our tiny lot may adversely affect our neighbors more greatly than a granted variance would. Should we not be granted the variance but rather, be required to create three parking spots on-property we feel it would negatively affect the neighbors by convince issues with accessing the intersection, traffic patterns, and aesthetic value, since it would basically pave the front yard of the home and eliminate the majority of the green space.



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OWNER AUTHORIZATION

I/WE Hui Un and Yung Un, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 1st day of Feb., 20 19, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

See "Exhibit A, Legal Description" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize Al Un and Lyndsie Un (Herein referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Lawrence/Douglas County, Kansas, regarding 545 Ohio Street (common address), the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.

3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Hui Un
Owner

Yung Un
Owner

STATE OF KANSAS
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this 2nd day of February, 2019,

by Hui Un and Yung Un

My Commission Expires: 9/15/21

Veronica Meyers
Notary Public

 **Veronica Meyers**
Notary Public
State of Kansas
My Appt. Expires 9/15/21



PROPERTY OWNERSHIP LIST CERTIFICATION

As required by Article 13, Section 20-1301(q) of the Development Code, the applicant is responsible for providing certified Ownership information (including names and mailing addresses) of all real property owners within a defined radius from the subject property. The Planning Department is required by the Development Code to use the submitted Ownership list to mail notice of the public hearing to surrounding property owners regarding this Application.

Ownership Information

The applicant is responsible for providing certified Ownership information. Current Ownership information shall be obtained from the Douglas County Clerk. Ownership information will be considered current if it is **no more than 30 days old** at the time an application is submitted to the Planning Department.

Radius of Notification

The Ownership list shall include the record Owner of the subject property and all Owners of property located within 400 feet of the subject property. If the subject property is adjacent to the City limits the area of notification shall be extended to at least 1,000 feet into the unincorporated area.

A map of the "Radius of Notification" can be obtained **at the Applicant's request** at the Planning Office. The map indicates ownership of each property and can be used to check the accuracy and completeness of the Ownership List. The map will be supplied **at the Applicant's expense. Allow 10 business days** to receive the map.

THE FOLLOWING IS TO BE COMPLETED AND SUBMITTED BY THE APPLICANT.

I certify that I have read and understood the above information and that the submitted Ownership list:

1. was a) obtained from and b) certified by the Douglas County Clerk,
2. is current (**no more than 30 days old**), and
3. includes all property owners within the required notification radius of the subject property.

Signature

Date

2/4/2019

Printed Name

Al Un



City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

**Lawrence Douglas County
Metropolitan Planning Office**
6 East 6th Street, P.O. Box 708, Lawrence, KS 66044
(785) 832-3150 Fax (785) 832-3160
<http://www.lawrenceks.org/pds/>

Note to Applicant:

Replace this page with “Exhibit A, Legal Description”.

PINCKNEY STREET S 1/2 LT 11



VARIANCE
Unnecessary Hardship or Flood Protection Regulations

DETERMINATION OF COMPLETENESS, ACCURACY, AND SUFFICIENCY
(Completed by Staff)

The following items apply to variance applications. Submission of less information than necessary to adequately review and process your application may delay the review process. The following submittal requirements will be deemed: (P)provided or (NP)not provided. (Circled items have not been reviewed due to time constraints.)

Pre-Application Meeting

P NP

- ☐ ☐ 1. Pre-Application Meeting. The applicant shall meet with Planning Staff at least seven (7) business days prior to submittal of the application.

General Submittal Requirements

- ☐ ☐ 2. A complete application form.
- ☐ ☐ 3. Payment of review fee.
- ☐ ☐ 4. Owner Authorization form if applicant is not the legal owner of the property.

Requirements for Public Notification of the Public Hearing

- ☐ ☐ 5. Legal description of the property in print and electronic (Microsoft Word) formats.
- ☐ ☐ 6. A list certified by the County Clerk of all property owners within the notification area of the subject property.
- ☐ ☐ 7. Ownership List Certification form.

Other Requirements

- ☐ ☐ 8. Plot plan illustrating the requested variances and proposed development.
 - a. Submit 2 copies (in print form) and an electronic copy of the entire application.
 - b. If larger than 8.5 " x 11", fold all plans with the image side out.
 - c. Additional plans and an 11" x 17" reduction (if larger than 8.5 " x 11") may be requested prior to completion.



Determination of Completeness, Accuracy, and Sufficiency

I have reviewed the variance application submitted by:

Name: _____ Date: _____

Application No. _____

Based upon the submitted information, I find the application to be:

- ☐ Complete (based upon the items reviewed)
- ☐ Incomplete, inaccurate, or insufficient (circle) for the following reasons:
 - ☐ The application or plan contains one or more significant inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with Development Code standards.
 - ☐ The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with Development Code standards.
 - ☐ Other

Planner _____

Date _____

- (1)** Resubmit by _____ to be placed on the agenda for the Board of Zoning Appeals meeting on _____. (All resubmitted materials must be deemed to be complete, accurate, and sufficient.)



RESOURCES AVAILABLE TO THE APPLICANT

1. Planning Staff
2. Calendars:
 - Board of Zoning Appeals Submittal Deadlines and Meeting Dates
 - Planning Commission Submittal Deadlines and Meeting Dates
 - Historic Resources Commission Submittal Deadlines and Meeting Dates
3. Fee Schedule
4. City of Lawrence Development Code

The following articles of the Development Code are applicable to variance applications:

- Article 6: Density and Dimensional Standards
- Article 13, Section 20-1308: Zoning Variances

PLANNING DEPARTMENT PROCEDURES

Public Hearing: Planning Staff will schedule a hearing before the Board of Zoning Appeals, which is responsible for hearing the request.

Newspaper Publication: Planning Staff will publish the notice of the public hearing twenty (20) days prior to the date of the public hearing.

Mailed Notice: Planning Staff will mail notices of the public hearing to all property owners within the required notification area at least twenty (20) days prior to the public hearing. Planning Staff will also mail notice to any Registered Neighborhood Associations whose boundaries include or are contiguous to the subject property.



APPROVAL AND EXTENSION TIME PERIOD
LAND DEVELOPMENT CODE
ARTICLE 13

No action by the City shall be necessary to cause the approval to expire. Its expiration shall be considered a condition of the original approval.

SITE PLANS:

[Section 20-1305(o)(1)]

Approval time period -- Building permit must be obtained within **24 months** of final approval of the site plan or the approval shall expire.

Extension -- Extension of **up to 24 months** may be approved by City Commission for good cause shown if written request is made by letter to the Planning Director before the expiration date. Additional extensions may be requested, if necessary.

SPECIAL USE PERMITS:

[Section 20-1306(k)]

Approval time period -- Building permit must be obtained within **24 months** of the effective date of the decision on the Special Use or the approval shall expire.

Extension -- Extension of **up to 24 months** may be approved by City Commission for good cause shown if written request is made by letter to the Planning Director before the expiration date. Additional extensions may be requested, if necessary.

PRELIMINARY DEVELOPMENT PLAN:

[Section 20-1304(d)(12)]

Approval time period -- Application for a Final Development Plan must be submitted within **24 months** after final approval of the preliminary development plan or within 6 months after the date shown on an approved development schedule or the approval shall expire.

Extension -- Extension of **up to 24 months**, or the proposed phasing schedule may be modified to extend all dates by a period **up to one-half the original period allowed for development of that phase**, may be approved by City Commission for good cause shown if written request is made by letter to the Planning Director before the expiration date. Additional extensions may be requested, if necessary.

FINAL DEVELOPMENT PLAN

[Section 20-1304(e)(2)(vii)]

Approval time period -- A building permit must be obtained within **24 months** after the final approval of the Final Development Plan or the approval shall expire.

Extension -- Extension of **up to 24 months**, or the proposed phasing schedule may be modified to extend all dates by a period up to **one-half the original period allowed for development of that phase** may be approved by City Commission for good cause shown if written request is made by letter to the Planning Director before the expiration date. Additional extensions may be requested, if necessary.



INSTITUTIONAL DEVELOPMENT PLAN

[Section 20-1307(g)]

Approval time period -- A building permit must be obtained within **24 months** after the final approval of the Institutional Development Plan or the approval shall expire.

Extension -- Extension of **up to 24 months** may be approved by the City Commission for good cause shown if written request is made by letter to the Planning Director before the expiration date. Additional extensions may be requested, if necessary.

ZONING VARIANCES

[Section 20-1309(k)]

Approval time period -- A building permit must be obtained within **24 months** after the variance has been granted or the variance will expire. The variance will also expire upon expiration of a building permit.

Extension -- Extension of up to **24 months** may be approved by the Board of Zoning Appeals for good cause shown if written request is made by letter to the Planning Director before the expiration date. Additional extensions may be requested, if necessary.

APPROVAL AND EXTENSION TIME PERIOD SUBDIVISION REGULATIONS

PRELIMINARY PLAT*

[Section 20-809(j)]

Approval time period -- A final plat must be submitted within **24 months** of the date approval of the preliminary plat was granted by the Planning Commission or the approval of the preliminary plat shall expire.

- * Per Section 20-1304(d)(10) of the Development Code, approval of a Preliminary Development Plan constitutes approval of a preliminary plat. In the case of properties that were platted with a Preliminary Development Plan, the approval and extension dates of the Preliminary Development Plan shall apply. (See previous page)

Extension -- An extension of **up to 24 months** may be granted by the Planning Commission for a Preliminary Plat if the cause of failure to submit a final plat is beyond the subdivider's control. A written request must be provided to the Planning Director prior to the expiration date. Additional extensions may be requested, if necessary.

FINAL PLAT

[Section 20-809(n)(5)]

Approval time period -- Approval of a Final Plat shall be effective for no more than **24 months** from the date of approval unless all conditions of approval have been completed.



City of Lawrence
Douglas County

PLANNING & DEVELOPMENT SERVICES

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Extension – An extension may be granted by the Planning Director for good cause. A written request for extension must be provided to the Planning Director prior to the expiration of the original 24 month approval period.

MINOR SUBDIVISION/REPLAT

(Section 11-108(k))

Approval of a Minor Subdivision/Replat by the Planning director and acceptance of dedications by the Governing Body shall be effective for no more than **24 months** from the date of acceptance unless all conditions of approval have been completed or an extension has been granted by the Planning Director for good cause.

Extension – The extension request must be submitted to the Planning Director prior to the expiration of the original 24 month approval period.



VARIANCE FROM UNNECESSARY HARDSHIP BY THE BOARD OF ZONING APPEALS

Application Requirements

Please note, the application and application materials must be submitted in print and electronic format, on disc. If you are unable to provide the application materials in electronic format, please contact the Planning Office at 785-832-3150.

This checklist has been provided to assist you as you prepare your application. Submission of less information than necessary to adequately review and process your application may delay the review process. Planning Staff will determine the completeness, accuracy, and sufficiency of the application within five (5) business days of submission. Incomplete applications will be returned to the applicant.

Pre-Application Meeting

- ☐ 1. Pre-Application Meeting. The applicant shall meet with Planning Staff at least seven (7) business days prior to submittal of the application.

General Submittal Requirements

- ☐ 1. A complete application form.
- ☐ 2. Payment of review fee. (\$150 residential; \$350 other, +\$50 Legal Ad Fee for All BZA Applications) (Make check payable to the City of Lawrence.)
- ☐ 3. Owner Authorization form if Applicant is not the legal owner of the property.

Requirements for Public Notification of the Public Hearing

- ☐ 1. Legal description of the property in print and electronic (Microsoft Word) formats.
- ☐ 2. A list certified by the County Clerk of all property owners within the notification area (400 feet) of the subject property.
- ☐ 3. Ownership List Certification form.

Other Requirements

- ☐ 1. Plot plan illustrating the requested variances and proposed development.
 - a. Submit 2 paper copies and 1 copy in electronic format (TIF or PDF).
 - b. If larger than 8.5 " x 11", fold all plans with the image side out.
 - c. Additional plans and an 11" x 17" reduction (if larger than 8.5 " x 11") may be requested prior to completion.



JAMIE SHEW
DOUGLAS COUNTY CLERK
1100 Massachusetts
Lawrence, KS 66044

Marni Penrod-Chief Deputy Clerk
Heather Dill-Deputy Clerk Elections

January 15, 2019

A **CERTIFIED** PROPERTY OWNERSHIP LIST WITHIN 400 FT OF 545 OHIO ST
(U02331). 01/15//2019. REQUESTED BY AL UN.

JOHN R. NICHOLS
DOUGLAS COUNTY CLERK'S OFFICE
1100 MASSACHUSETTS ST
LAWRENCE, KS 66044

785-832-5147

jnichols@douglascountyks.org

Douglas County Real Estate Division
County Clerk's Office. I do hereby certify
the Property Ownership listed hereto, to be
true and accurate.

A handwritten signature in dark ink, appearing to be "John R. Nichols", is written over a horizontal line.

CERTIFIED POL WITHIN 400 FT OF
545 OHIO ST (U02331)



JOINPIN	SYSALACRES	owner1	owner2	owner3	address	city	state	zip	plate	PID	
067-25-0-40-16-018.00-0	0.16787283	SNEEGAS SHEROLYN K			511 LOUISIANA ST	LAWRENCE	KS	66044	U02083A	023-067-25-0-40-16-018.00-0	
067-25-0-40-16-017.00-0	0.26859636	MACFARLAND JEFF	JAY AMANDA S		523 LOUISIANA ST	LAWRENCE	KS	66044	U02087	023-067-25-0-40-16-017.00-0	
067-25-0-40-16-016.00-0	0.09753635	BOLTON HANNAH M			531 LOUISIANA ST	LAWRENCE	KS	66044	U02091	023-067-25-0-40-16-016.00-0	
067-25-0-40-16-015.00-0	0.16644328	CAST TIMOTHY L	CAST AMY J		533 LOUISIANA ST	LAWRENCE	KS	66044	U02093	023-067-25-0-40-16-015.00-0	
067-25-0-40-16-009.00-0	0.12971592	COHN BRYAN	COHN ELIZABETH R		536 INDIANA ST	LAWRENCE	KS	66044	U02232	023-067-25-0-40-16-009.00-0	
067-25-0-40-16-014.00-0	0.29338691	DEITERING JEFFREY D	COTRUSTEEDEITERING SANDRA K	COTRUSTEE	545 LOUISIANA ST	LAWRENCE	KS	66044	U02343A	023-067-25-0-40-16-014.00-0	
067-25-0-40-16-013.00-0	0.19558704	LAUREN JAMES			1365 PARKWOOD PL NW	WASHINGTON	DC	20010	U02346A	023-067-25-0-40-16-013.00-0	
067-25-0-40-28-001.00-0	0.19299095	MARTIN JEAN A			601 LOUISIANA ST	LAWRENCE	KS	66044	U02344A	023-067-25-0-40-28-001.00-0	
067-25-0-40-28-002.00-0	0.17294589	DIEDERICH JAMES			1622 DUDLEY CT	LAWRENCE	KS	66044	U02355A	023-067-25-0-40-28-002.00-0	
067-25-0-40-28-015.00-0	0.25152989	ALBRIGHT ANDREA	ADAMS LANCE J		607 LOUISIANA ST	LAWRENCE	KS	66044	U02345A	023-067-25-0-40-28-015.00-0	
067-25-0-40-28-014.00-0	0.28777915	HURST IAN	HURST HANNAH		615 LOUISIANA ST	LAWRENCE	KS	66044	U02095A	023-067-25-0-40-28-014.00-0	
079-30-0-30-12-001.00-0	2.5320365	CITY OF LAWRENCE			PO BOX 708	LAWRENCE	KS	66044	U02392A01	023-079-30-0-30-12-001.00-0	
079-30-0-30-10-020.00-0	0.26869222	HANSEN AMY T	TERRY SCOTT G		505 OHIO ST	LAWRENCE	KS	66044	U01876	023-079-30-0-30-10-020.00-0	
079-30-0-30-11-004.00-0	0.13477669	SANFILIPPO EVANGELINE	SANDAL ABHIMANYU		510 OHIO ST	LAWRENCE	KS	66044	U01877	023-079-30-0-30-11-004.00-0	
079-30-0-30-10-004.00-0	0.13431977	WELBORN ANDREA D	IRVING ROBERT B JR		508 LOUISIANA ST	LAWRENCE	KS	66044	U02081	023-079-30-0-30-10-004.00-0	
079-30-0-30-11-022.00-0	0.21161307	FELDMAN HUME A			511 TENNESSEE ST	LAWRENCE	KS	66044	U01665A	023-079-30-0-30-11-022.00-0	
079-30-0-30-11-005.00-0	0.13473813	VAN DE RIET KEITH J	CO-TRUSTEE	VAN DE RIET AMY E	CO-TRUSTEE	512 OHIO ST	LAWRENCE	KS	66044	U01879	023-079-30-0-30-11-005.00-0
079-30-0-30-10-019.00-0	0.13434598	GLODICH ANN M	THOMPSON GEORGE		511 OHIO ST	LAWRENCE	KS	66044	U01878	023-079-30-0-30-10-019.00-0	
079-30-0-30-10-005.00-0	0.13431941	SCIOLI EMMA J	STINSON PHILIP T		512 LOUISIANA ST	LAWRENCE	KS	66044	U02084	023-079-30-0-30-10-005.00-0	
079-30-0-30-11-006.00-0	0.1347013	SKRTIC THOMAS M			500 OHIO ST	LAWRENCE	KS	66044	U01881	023-079-30-0-30-11-006.00-0	
079-30-0-30-10-018.00-0	0.20151813	IRICK LARRY D	TRUSTEE		515 OHIO ST	LAWRENCE	KS	66044	U01880A	023-079-30-0-30-10-018.00-0	
079-30-0-30-10-006.00-0	0.13431854	ARNOLDY NANCY S	WELLER DOUGLAS L		516 LOUISIANA ST	LAWRENCE	KS	66044	U02086	023-079-30-0-30-10-006.00-0	
079-30-0-30-11-019.00-0	0.20100112	BURGER LARA A	BURGER CHRISTOPHER F		521 TENNESSEE ST	LAWRENCE	KS	66044	U01669	023-079-30-0-30-11-019.00-0	
079-30-0-30-11-007.00-0	0.18846861	UN ALLAN Y	UN LYNDIE S		520 OHIO ST	LAWRENCE	KS	66044	U01884A	023-079-30-0-30-11-007.00-0	
079-30-0-30-10-007.01-0	0.13431884	AXCELL ERICK W	AXCELL CRYSTAL L		520 LOUISIANA ST	LAWRENCE	KS	66044	U02088	023-079-30-0-30-10-007.01-0	
079-30-0-30-11-018.00-0	0.1342648	WHEALY KEITH L	WILLIAMS ANITA L		525 TENNESSEE ST	LAWRENCE	KS	66044	U01670	023-079-30-0-30-11-018.00-0	
079-30-0-30-10-007.02-0	0.13431904	POGANY STEFANO A	TRUSTEE		4517 CHERRY HILLS DR	LAWRENCE	KS	66047	U02090	023-079-30-0-30-10-007.02-0	
079-30-0-30-11-008.00-0	0.08082034	DAY KAMI	EODICE MICHELE A		320 N PETERS AVE	NORMAN	OK	73069	U01887	023-079-30-0-30-11-008.00-0	
079-30-0-30-11-017.00-0	0.13420456	MARQUIS DONALD B			529 TENNESSEE ST	LAWRENCE	KS	66044	U01671	023-079-30-0-30-11-017.00-0	
079-30-0-30-11-009.00-0	0.1345873	ELLIOTT HENRY S			530 OHIO ST	LAWRENCE	KS	66044	U01889	023-079-30-0-30-11-009.00-0	
079-30-0-30-10-016.00-0	0.14777423	SPRECKER CHRIS	SPRECKER ARIKA		529 OHIO ST	LAWRENCE	KS	66044	U01888	023-079-30-0-30-10-016.00-0	
079-30-0-30-10-008.00-0	0.1343187	NEWLIN JENNIFER S			530 LOUISIANA ST	LAWRENCE	KS	66044	U02092	023-079-30-0-30-10-008.00-0	
079-30-0-30-11-016.00-0	0.13431399	FOAT COURTNEY			533 TENNESSEE ST	LAWRENCE	KS	66044	U01672	023-079-30-0-30-11-016.00-0	
079-30-0-30-11-010.00-0	0.1345525	FOOS KELLY H	FOOS TODD M		619 ILLINOIS ST	LAWRENCE	KS	66044	U01891	023-079-30-0-30-11-010.00-0	
079-30-0-30-10-015.00-0	0.13435724	WILSON WALTER T	WILSON VIRGINIA M		403 LAWRENCE ST	BALDWIN CITY	KS	66006	U01890	023-079-30-0-30-10-015.00-0	
079-30-0-30-10-009.00-0	0.13432104	OSBORNE GEORGE C			534 LOUISIANA ST	APT 2	LAWRENCE	KS	66044	U02094	023-079-30-0-30-10-009.00-0
079-30-0-30-11-015.00-0	0.09661311	BROWNE JULIA			539 TENNESSEE ST	LAWRENCE	KS	66044	U02315A	023-079-30-0-30-11-015.00-0	
079-30-0-30-11-013.00-0	0.11486453	FRYDMAN RICHARD A	TRUSTEE	LEE AMY J	TRUSTEE	1415 NEW YORK ST	LAWRENCE	KS	66044	U02318	023-079-30-0-30-11-013.00-0
079-30-0-30-11-012.00-0	0.15389182	CARON ELISABETH	TOUMI RICHARD J		408 W 6TH ST	LAWRENCE	KS	66044	U02320	023-079-30-0-30-11-012.00-0	
079-30-0-30-11-011.03-0	0.12519515	LG VENTURES LLC			1612 NEW HAMPSHIRE ST	LAWRENCE	KS	66044	U02324	023-079-30-0-30-11-011.03-0	
079-30-0-30-11-011.01-0	0.08613677	LG VENTURES LLC			1612 NEW HAMPSHIRE ST	LAWRENCE	KS	66044	U02323A	023-079-30-0-30-11-011.01-0	
079-30-0-30-10-014.00-0	0.07689654	ANDRADE INVESTMETS LLC			615 FLORIDA ST	LAWRENCE	KS	66044	U02330	023-079-30-0-30-10-014.00-0	
079-30-0-30-10-012.00-0	0.15379452	HARRIS LAUREN N	TRUSTEE	HUNTOON JANIS L	TRUSTEE	3301 YELLOWSTONE DR	LAWRENCE	KS	66047	U02333	023-079-30-0-30-10-012.00-0
079-30-0-30-10-011.00-0	0.15379451	FREEMAN RICHARD			880 N 1072 RD	LAWRENCE	KS	66047	U02335	023-079-30-0-30-10-011.00-0	
079-30-0-30-10-010.00-0	0.30759047	ANDREWS BENJAMIN P	ANDREWS MICHELLE D		516 W 6TH ST	LAWRENCE	KS	66044	U02337A	023-079-30-0-30-10-010.00-0	
079-30-0-30-11-014.00-0	0.09647418	FOSTER MATTHEW	FOSTER JOYANNE L		1736 LOUISIANA ST	LAWRENCE	KS	66044	U02314	023-079-30-0-30-11-014.00-0	
079-30-0-30-11-011.02-0	0.0964493	LG VENTURES LLC			1612 NEW HAMPSHIRE ST	LAWRENCE	KS	66044	U02327	023-079-30-0-30-11-011.02-0	
079-30-0-30-10-013.00-0	0.07689795	UN HUI C	UN YUNG Y		2330 SE BLAIR DR	TOPEKA	KS	66605	U02331	023-079-30-0-30-10-013.00-0	
079-30-0-30-16-001.00-0	3.44354004	CITY OF LAWRENCE			PO BOX 708	LAWRENCE	KS	66044	U02395A	023-079-30-0-30-16-001.00-0	
079-30-0-30-15-001.00-0	0.3858513	HOLT EVAN N	HOLT MARY M		603 TENNESSEE ST	LAWRENCE	KS	66044	U02316A	023-079-30-0-30-15-001.00-0	
079-30-0-30-15-002.00-0	0.23104025	OLSON CLARENCE E	TRUSTEE	OLSON ARIELLE N	TRUSTEE	236 N ELM AVE	WEBSTER GROVES MO	63119	U02322	023-079-30-0-30-15-002.00-0	
079-30-0-30-15-003.00-0	0.09255397	FRYDMAN RICHARD A	TRUSTEE	LEE AMY J	TRUSTEE	1415 NEW YORK ST	LAWRENCE	KS	66044	U02328	023-079-30-0-30-15-003.00-0
079-30-0-30-14-001.00-0	0.4618499	GODWIN PHILLIP A	TRUSTEE	GODWIN PHOEBE V	TRUSTEE	603 OHIO ST	LAWRENCE	KS	66044	U02332A	023-079-30-0-30-14-001.00-0
079-30-0-30-14-002.00-0	0.15394198	SEAVER WILLIAM M	SEAVER NANCY H		600 LOUISIANA ST	LAWRENCE	KS	66044	U02338A	023-079-30-0-30-14-002.00-0	
079-30-0-30-14-003.00-0	0.15394304	NITCHER JOHN W	NITCHER KATY S		608 LOUISIANA ST	LAWRENCE	KS	66044	U02339A	023-079-30-0-30-14-003.00-0	
079-30-0-30-15-004.00-0	0.0614229	MARTIN ALAN L			610 OHIO	LAWRENCE	KS	66044	U02329	023-079-30-0-30-15-004.00-0	
079-30-0-30-15-017.00-0	0.24382316	JWH AND WJH LP			350 SECRETARIAT DR	AUSTIN	TX	78737	U01673A	023-079-30-0-30-15-017.00-0	
079-30-0-30-15-005.00-0	0.13444037	POFF LAURENCE E	POFF SANDRA C		618 OHIO ST	LAWRENCE	KS	66044	U01893	023-079-30-0-30-15-005.00-0	
079-30-0-30-14-017.00-0	0.20160522	YODER BONITA J			PO BOX 1243	LAWRENCE	KS	66044	U01892A	023-079-30-0-30-14-017.00-0	
079-30-0-30-14-004.00-0	0.20160204	SNEAD DONA M	TRUSTEE		612 LOUISIANA ST	LAWRENCE	KS	66044	U02096A	023-079-30-0-30-14-004.00-0	
079-30-0-30-15-006.00-0	0.13444059	KIDD JASON	KIDD ERIN		620 OHIO ST	LAWRENCE	KS	66044	U01896	023-079-30-0-30-15-006.00-0	
079-30-0-30-15-016.00-0	0.26889948	STULL DOUGLASS E	TRUSTEE	NORWOOD LORI L	TRUSTEE	621 TENNESSEE ST	LAWRENCE	KS	66044	U01676A	023-079-30-0-30-15-016.00-0
079-30-0-30-14-016.00-0	0.20160357	JAMES GEORGE W	MCCARTHY SUSAN E		625 OHIO ST	LAWRENCE	KS	66044	U01895A	023-079-30-0-30-14-016.00-0	
079-30-0-30-14-005.00-0	0.20160346	WEICKERT M KATHARINE	GRABER DEBRA R		620 LOUISIANA ST	LAWRENCE	KS	66044	U02099A	023-079-30-0-30-14-005.00-0	
079-30-0-30-15-007.00-0	0.13443608	GREGG SARA	GREGG SARA M		622 OHIO ST	LAWRENCE	KS	66044	U01898	023-079-30-0-30-15-007.00-0	
079-30-0-30-15-008.00-0	0.13443665	KRESSIN KAREN S			PO BOX 1244	LAWRENCE	KS	66044	U01900	023-079-30-0-30-15-008.00-0	
079-30-0-30-14-015.00-0	0.16136706	SLUSSER DALE	FOWLER SHERRY		627 OHIO ST	LAWRENCE	KS	66044	U01899	023-079-30-0-30-14-015.00-0	
079-30-0-30-14-006.00-0	0.20160067	ROHRSCHEIDER ROBERT J	ROVIT REBECCA L		624 LOUISIANA ST	LAWRENCE	KS	66044	U02103A	023-079-30-0-30-14-006.00-0	
079-30-0-30-10-017.00-0	0.18809	PELTIER KAREN E	PELTIER EDWARD F		519 OHIO ST	LAWRENCE	KS	66044	U01883A	023-079-30-0-30-10-017.00-0	

Dr. Amanda Jay and Mr. Jeffrey MacFarland
523 Louisiana Street
Lawrence, KS 66044
March 5, 2019

City of Lawrence Douglas County
Planning & Development Services – Board of Zoning Appeals
6 East 6th Street
P.O. Box 708
Lawrence, KS 66044

Dear Recipient Name:

We are unable to attend the Lawrence Board of Zoning Appeals meeting on March 7, 2019. However, we would like to share our views regarding item B-19-00068 and the property at 545 Ohio Street.

We strongly oppose the request for a variance from the parking standard of off-street parking spaces for the property at 545 Ohio Street, a non-owner occupied short-term rental. We don't see any reason why individuals with a short-term rental should be granted a variance from the parking standard required by Section 20-902 of the City Code.

As a given, most of the houses in this part of the Pinckney neighborhood have small lots and a one-car garage, if any garage at all. The owners of 545 Ohio Street must have known that when they purchased the property.

Parking is already at a premium in this neighborhood and people more or less have their "assigned spots" where they unload their kids, bring in groceries, etc. Ohio Street is already full of cars parked on both sides of the streets between 5th and 6th. This makes it hard to find parking spots when you need one for your own car or a visitor/friend.

In addition, there are a number of families with young children on bikes/scooters and pedestrians who cross Ohio Street by the alley near the 545 Ohio Street property as they walk to the park or Downtown. This is part of the charm and the reason we moved to the Tenn-Oh-La (i.e., Tennessee Street, Ohio Street, Louisiana Street) part of the Pinckney neighborhood. The last thing we need are more parked cars on the street which create visual barriers as kids are trying to cross the street.

To us, it boils down to the question – Why would we provide a variance to the parking standard for individuals who do not live and contribute to the character and community of our neighborhood?

Sincerely,



Amanda Jay and Jeffrey MacFarland
Homeowners – 523 Louisiana Street