

NOTICE TO THE PUBLIC
PLEASE PUBLISH ONCE ON FRIDAY, JANUARY 13, 2006
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P. O. BOX 708, LAWRENCE, KANSAS, 66044

NOTICE TO THE PUBLIC

The Lawrence Board of Zoning Appeals will hold a public hearing on Thursday, February 2, 2006, at 6:30 p.m., in the Commission Meeting Room, first floor of City Hall at Sixth and Massachusetts Street, Lawrence. The following items will be considered at that time:

B-11-40-05: Consider a request filed by Ted J. Lickteig, attorney for his client, Naughty But Nice and Richard Osborn, for an appeal of a determination issued by Barry Walthall, Code Enforcement Manager of the Division of Codes Enforcement/Inspection, Neighborhood Resources Department, City of Lawrence, dated November 2, 2005. The appeal alleges the City has incorrectly determined that Naughty But Nice, located at 1741 Massachusetts Street, is operating as a sex shop as defined by Section 20-2002.17 of the City Code in violation of the City's business license and zoning ordinances.

B-01-01-06: A request for variances as provided in Section 20-1709.1 of the Zoning Ordinance of the Code of the City of Lawrence, Kansas, 2003. The first request is to allow the use of a 70 degree parking layout configuration for a new parking area on the property. Section 20-1205 of the City Code is the governing provision for the design standards pertaining to parking areas. A 70 degree angle for parking is not identified in the City Code. The second variance request pertains to the use of concrete curbs and gutters around the perimeter of the existing parking area as required by Section 20-1215 of the City Code. The applicant is requesting the existing conditions for that parking area be ratified with the variance. These requests are made for the following legally described property: Lots 3, 4, 5, 8, 9, and 10; Block 5; and, the South 225' of that part of vacated Ohio Street lying West of Lots 3, 4 & 5 in Block 5 situated between Blocks 1 and Block 5; Babcock's Addition to the City of Lawrence, Douglas County, Kansas. Said described property is generally known as the Sigma Chi Fraternity located at 1439 Tennessee Street. Submitted by C. L. Maurer with Landplan Engineering for Alpha Xi Sigma Chi Fraternity, the property owner of record.

In addition to the above items, the following item was deferred by the applicant from the January 5, 2006 meeting and will be considered during the February meeting:

B-12-43-05: A request for variances as provided in Section 20-1709.1 of the Zoning Ordinance of the Code of the City of Lawrence, Kansas, 2003. The first request is to reduce the minimum lot area requirement set out in Section 20-608 of said City Code for an RD zoning property, from 6,000 square feet to a minimum of 5,265 square feet. The second variance is from the minimum lot width requirement for an RD zoned property identified in Section 20-608 as a 50' minimum lot width, to a minimum of 45'. The third variance is from the 25' front yard setback requirement outlined in Section 20-608 of the City Code, to a minimum of 8'. The fourth variance is from the minimum side yard building setback requirement of 5' per Section 20-608 of the City Code, to a minimum of 2' along the north property line. The final variance is from the provisions of Sections 20-610.5 and 20-1212 of said City Code, which are used to determine the minimum number of off-street parking spaces required for the development. There are 5 existing apartments in the structure (2 two-bedroom units

and 3 one-bedroom units), which calculates to be a minimum of 9 parking spaces. The applicant is asking for a variance to reduce the number of parking spaces to the existing number of 4 spaces. These requests are submitted so the applicant may proceed with a remodeling project on the following legally described property: The North 45' of Lot 166 on Ohio Street in the Original Townsite of the City of Lawrence. The property is located at 1106 Ohio Street. Submitted by Cathy Clark with Paul Werner Architects for William R. Rector, the property owner of record.

Legal descriptions for the properties listed above are on file in the Planning Office for review during regular office hours, 8-5 Monday – Friday.

If you have any questions regarding these items, please contact the Planning Department at 832-3159.

Sheila Stogsdill
Acting Director of Planning