

BOARD OF ZONING APPEALS
Meeting Minutes of March 4, 2010 –6:30 p.m.

Members present: Carpenter, Kimball, Blaufuss, Lane, Mahoney, von Tersch
Members excused: Lowe
Staff present: Brown, Guntert, Miller, Parker

ITEM NO. 1 COMMUNICATIONS

von Tersch introduced Board member Josh Mahoney.

No agenda items deferred.

ITEM NO. 2 MINUTES

Motioned by Kimball, seconded by Lane, to approve the February 4, 2010 Board of Zoning Appeals minutes.

Motion carried, 4-0-2 Carpenter and Mahoney abstained

**ITEM NO. 3 NORTH SHORE OF KANSAS RIVER AT NORTH END
OF BOWERSOCK DAM [AMB]**

B-2-2-10: A request for a variance as provided in Section 20-1309 of the Land Development Code in the Code of the City of Lawrence, Kansas, 2009 edition. The request is from the provisions in Article 12, Section 20-1204(e)(3)(i) of the City Code as it pertains to standards for non-residential development within the floodplain overlay district. The variance request is related to the construction and operation of a new hydroelectric powerhouse proposed to be located on the north shore of the Kansas River at the north end of the existing Bowersock Dam. The property is generally described as being east of the Massachusetts Street bridge and south of Elm Street in North Lawrence. Submitted by Jeff Thorn with Olsson Associates for The Bowersock Mills & Power Company, plant owner and operator.

STAFF PRESENTATION

Ms. Amy Brown presented the item.

APPLICANT PRESENTATION

Sara Hill-Nelson stated she was available for questions.

PUBLIC COMMENT

No one from the public spoke to this item.

PUBLIC HEARING CLOSED

BOARD DISCUSSION

von Tersch stated the submittal made total sense. She said she had toured the Bowersock plant.

Ms. Brown said the applicant would be required to submit for a Special Use Permit and a Flood Plain Permit.

ACTION TAKEN

Motioned by Kimball, seconded by Carpenter, to approve the variance request for the North Shore of the Kansas River at the North end of the Bowersock Dam, based on the findings of fact in the staff report and subject to the following conditions as listed in the staff report:

1. Approval of a local Floodplain Development Permit, and
2. Approval of a Special Use Permit.

Motion carried unanimously, 6-0

ITEM NO. 4 MISCELLANEOUS

- a) No other business came before the Board.

ACTION TAKEN

Motioned by von Tersch, seconded by Kimball to adjourn the Board of Zoning Appeals meeting.

Motion carried unanimously, 6-0

ADJOURN – 6:45p.m.

Official minutes are on file in the Planning Department office.