



It is our policy to provide individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of our services, programs, and activities. This meeting is being held in the City Commission Room at City Hall, 1101 Poyntz Avenue. In accordance with provisions of the ADA, every attempt will be made to accommodate the needs of the disabled. Please contact the Human Resources Department (587-2440) for assistance.

AGENDA  
MANHATTAN BOARD OF ZONING APPEALS  
City Commission Room, City Hall  
1101 Poyntz Avenue  
Wednesday, October 13, 2004  
7:00 PM

BOARD MEMBERS PLEASE NOTIFY THE PLANNING OFFICE IF YOU CANNOT ATTEND THIS MEETING.

1. Consider the **MINUTES** of the September 8, 2004, Board of Zoning Appeals meeting.
2. A **PUBLIC HEARING** to consider a request for **EXCEPTIONS** to allow a reduction of the minimum twenty-five (25) foot front yard setback to twenty-three (23) feet for the existing building and roof overhang in order that the property owner obtain clear title. The property is located at 724 Brierwood Drive. (*Applicant: Stephens Brothers Construction, Inc. and Owner: John and Debbie Smith*)
3. A **PUBLIC HEARING** to consider a request for an **EXCEPTION** to allow reduction of the required twenty-five (25) foot front yard setback to two (2) feet for ten (10) proposed parking spaces adjacent to Tuttle Creek Boulevard Frontage Road for Midwest Hardware. The property is located at 800 Tuttle Creek Boulevard. (*Applicant and Owner: Ron Deweese*)
4. A **PUBLIC HEARING** to consider a request for a **CONDITIONAL USE** to allow for modifications of a legally nonconforming use, which is a two-family dwelling unit in the R, Single-Family Residential District. The modifications are to convert the attached garage into a livable space to include: a bedroom, bathroom, laundry/computer room and a hallway to allow access to the kitchen. The **CONDITIONAL USE** is for property located at 1403 Vista Lane. (*Applicant and Owner: Ron and Elaine Osterhaus*)
5. A **PUBLIC HEARING** to consider a request for a **VARIANCE** to allow two principal structures, an existing fraternity and a proposed cellular telecommunications tower, to be located on one residential zoning lot, in the R-M, Four-Family Residential District, and UO, University Overlay District. The **VARIANCE** is for property located at 1015 Sunset Avenue. (*Applicant: Voicestream Kansas City, Inc., T-Mobile and Owner: Corporation of Kansas Beta Chapter of Sigma Phi Epsilon Fraternity*)
6. A **PUBLIC HEARING** to consider a request for a **CONDITIONAL USE** to allow an

above ground public utility in the form of a stealth cellular telecommunications tower with associated equipment to be located in a R-M, Four-Family Residential District, and UO, University Overlay District. The **CONDITIONAL USE** is for property located at 1015 Sunset Avenue. (*Applicant: Voicestream Kansas City, Inc., T-Mobile and Owner: Corporation of Kansas Beta Chapter of Sigma Phi Epsilon Fraternity*)

7. **ADJOURN.**  
101304