



# CODE SERVICES

a division of the

## MANHATTAN FIRE DEPARTMENT

Scott French, Director of Fire Services • Brad Claussen, Building Official

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### Housing Appeals Board Minutes

HEARING DATE: September 12, 2018

LOCATION: 1713 Kings Road, 1631 Fairchild Ave., 900 Leavenworth

MEMBERS PRESENT: Bill Muir, Allyn Weddle, Eric Neilson, Jeff Connell

STAFF PRESENT: Rick Berry - Sr. Code/Zoning Officer – all sites,  
Assistant Chief Brad Claussen – 1713 Kings Road

Chairman Muir called the meeting to order at 10:00 AM at 1713 Kings Road. Jeff Connell was welcomed to the board. His term will expire June 30, 2020. Members reviewed the minutes from the August 8, 2018 meeting. Allyn Weddle moved and Eric Neilson seconded the minutes be approved as read. **Approved 4-0.**

**1506 Pierre Street** – The board revisited items 2-5 that were tabled at the August 8, 2018 meeting.

**Item #2** The owner requests a variance from the obligation to comply with the minimum standard as set forth in the code. During the June 4, 2018 inspection, it was noted that the second floor, south bedroom ceiling was 72 1/2" (6' 1/2")

**Item #3** The owner requests a variance from the obligation to comply with the minimum standard as set forth in the code. During the June 4, 2018 inspection, it was noted that the second floor, commons area ceiling was 72 1/2" (6' 1/2")

**Item #4** The owner requests a variance from the obligation to comply with the minimum standard as set forth in the code. During the June 4, 2018 inspection, it was noted that the second floor, access area hallway ceiling sloped from 5' to 6' and was 28" wide.

After reviewing correspondence from the property owner and general discussion, Eric Neilson moved and Allyn Weddle seconded that the variance requests for items 2-5 be denied. **Approved by a 3-0-1 vote with Jeff Connell abstaining.**

**1713 Kings Road** – Present were property owners Chad and Segen Chase and Prairie Stone Landscaping representative Cory Lemay. The owner requests a variance from the obligation to comply with the minimum standard as set forth in the code. During the June 21, 2018 inspection, it was noted that the retaining wall along the east property line was not code compliant. The owner presented documents from the previous owner as well as the landscaping company for board consideration and asked that they be allowed to bring the retaining wall into compliance no later than August 31, 2020, as they believe there has been no movement for the last 30 years. In addition, they noted that the wall is tied to the driveway slab with anchors to prevent further movement. Allyn Weddle moved and Eric Neilson seconded that the owner be given **“conditional approval”** to replace the wall no later than August 31, 2020. **Approved by a 4-0 vote.**

**1631 Fairchild Avenue** – Present were Chris Darrah, Alex May and Phil Vikander. The owner requests a variance from the obligation to comply with the minimum standard as set forth in the code. During the May 7, 2018 inspection, it was noted that the retaining wall along the east property line was not code compliant. After discussion, Eric Neilson moved and Allyn Weddle seconded that the item be **tabled for up to 60 days** so that Mr. Darrah could present plans, documents and proposed timelines to the code office. **Approved by a 4-0 vote.**

**900 Leavenworth Street, Apt. A** – Present were Tyler and Nate Holloman – Frontier Property Management.

The owner requested variances on two (2) items in the center, west, main floor bedroom.

**#1** - The owner requests a variance from the obligation to comply with the minimum standard as set forth in the code. During the August 3, 2018 inspection, it was noted that the bedroom did not meet the minimum requirement of 70 sq. ft. of habitable space. (measured at 68.8 sq. ft.)

Eric Neilson moved and Allyn Weddle seconded that the variance be approved. **Approved by a 4-0 vote.**

**#2** -The owner requests a variance from the obligation to comply with the minimum standard as set forth in the code. During the August 3, 2018 inspection, it was measured at 6’8” x 10’4” and noted that the bedroom did not meet the minimum room width of 7’ in any one dimension.

Eric Neilson moved and Allyn Weddle seconded that the variance be approved. **Approved by a 4-0 vote.**

The meeting was adjourned at 11.25 AM.

Respectfully Submitted,  
Rick Berry - Board Secretary

