

OFFICIAL MINUTES  
OF THE MEETING OF THE  
PLANNING COMMISSION/BOARD OF ZONING APPEALS  
CITY OF PITTSBURG, KANSAS  
November 25, 2019

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A Regular Session of the Planning Commission/Board of Zoning Appeals was held at 5:30 p.m. on Monday, October 28, 2019, in the Pittsburg Law Enforcement Center, 201 N Pine, Chairperson Mike Wilber presided over the meeting with the following members present: Mike Creel, Francis DeMott, Bob Gilmore, Laura Klusener, Leah Posterick, Kyle Michael.

APPROVAL OF MINUTES – October 28, 2019 - On motion of Creel, seconded by Gilmore, the Planning Commission/Board of Zoning Appeals approved the October 28, 2019, Planning Commission/Board of Zoning Appeals Meeting Minutes with the following corrections: the 10<sup>th</sup> paragraph of the first page should show Gilmore making the motion with Posterick seconding the motion. Motion carried.

CASE NUMBER 19-09 - PUBLIC HEARING – A REQUEST FOR A VARIANCE IN R-1B, SINGLE FAMILY RESIDENTIAL, TO ALLOW AN 800 SQUARE FOOT HOME TO BE CONSTRUCTED ON A 9625 SQUARE FOOT LOT TO BE LOCATED AT 1703 NORTH FREE KINGS HIGHWAY – JENNIFER AND JUSTIN PURSLEY WAS PRESENT TO SPEAK IN FAVOR OF THE REQUEST.

There being no one to speak against the request, Chairperson, Wilber closed the Public Hearing.

The Planning Commission/Board of Zoning Appeals reviewed the following Findings of Fact:

- a. Are there conditions which exist in respect to the property or structure being considered different from other properties or building in the neighborhood? Yes, the minimum square footage of the proposed structure will not meet the zoning standards.
- b. Has such conditions or circumstances being created by the action or actions of the owner or applicant? Yes, the owner has demolished the original dilapidated structure with the plan of rebuilding a smaller single-family residence. The original structure was approximately 754 Square feet on a non-conforming parcel with frontage of 55' which is short 10' of the required 65' frontage.
- c. Are there special conditions or circumstances such that the strict literal interpretation of the provisions of the Zoning Ordinance will constitute unnecessary hardship upon the property owner? No
- d. Will the granting of a permit for the variance requested adversely affect the rights of adjacent property owners or residents? Yes- the size of the structure could possibly have a negative effect on appraisal values.
- e. Will the granting of the variance requested confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, structures, or buildings in the same district? Yes – Minimum standards for the zone.
- f. Will the granting of the variance requested adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare? Yes – Possible negatively effect property appraisal values.
- g. Will the granting of the variance requested be opposed to the general spirit and intent of the Zoning Ordinance? Yes.
- h. Is the variance being requested the minimum variance that would accomplish this purpose. No.

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The Planning Commission/Board of Zoning Appeals members held discussions voicing concerns about the existing zoning of the area.

On motion of Wilber, seconded by Gilmore, the Planning Commission/Board of Zoning Appeals voted to deny the variance. Motion passed unanimously.

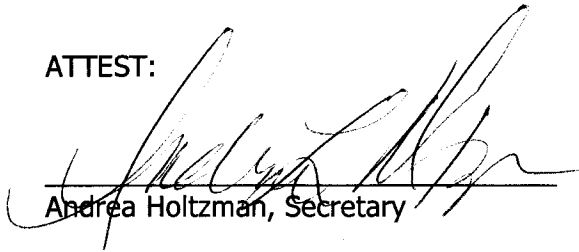
It was requested to have packets go out 10 days prior to all scheduled meeting.

ADJOURNMENT: On motion of Gilmore, seconded by Creel, the Planning Commission/Board of Zoning Appeals adjourned the meeting at 6:00 p.m. Motion carried.



Mike Wilber, Chairperson

ATTEST:

  
Andrea Holtzman, Secretary