



## BOARD OF ZONING ADJUSTMENTS PROCESS

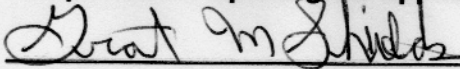
case to the Board, **FULLY** describing the situation and the variance criteria (see Statement of Variance Criteria).

- Any evidence presented to the Board will become public record and must be provided in duplicate to the City or tagged as an exhibit at the hearing.

### Board's Authority

- The Board of Zoning Adjustment may grant a variance, only if application of the UDO when applied to a particular property, would significantly interfere with the use of the property.
- The Board's authority is limited by the statutes of the State of Missouri and the UDO. The Board may only grant a variance if, in its discretion, each of the variance criteria is met (See Statement of Variance Criteria). **It is the applicant's responsibility to demonstrate to the Board that each of these criteria have been met.** The Board may evaluate the evidence in the record before it, and exercise its discretion on whether each of these criteria has been met on a case by case basis.

The person completing the application must sign below.

  
\_\_\_\_\_

SIGNATURE

Grant Shields  
\_\_\_\_\_

PRINT NAME HERE



NON-USE VARIANCE APPLICATION FORM

Application No. \_\_\_\_\_

APPLICATION IS HEREBY MADE TO THE BOARD OF ADJUSTMENTS OF THE CITY OF LEE'S SUMMIT, MISSOURI, REQUESTING A VARIANCE TO THE UNIFIED DEVELOPMENT ORDINANCE, AS SET FORTH BELOW,

VARIANCE REQUEST (Give description of variance(s) requested) I am seeking a variance of 2'8" in our backyard in order to build a new screened in porch where the existing deck used to be. The measurement from porch to fence would be 27'4"

PROPERTY ADDRESS 102 se carolina ct, Lees Summit, mo 64063

LEGAL DESCRIPTION single family residential home

APPLICANT Grant Shields PHONE 314-974-8123
CONTACT PERSON Grant Shields FAX
ADDRESS 102 se carolina ct CITY/STATE/ZIP Lees Summit, mo 64063
E-MAIL grantshields@hotmail.com

PROPERTY OWNER same as above PHONE
CONTACT PERSON FAX
ADDRESS CITY/STATE/ZIP
E-MAIL

THIS APPLICATION MUST BE ACCOMPANIED BY:

- Acknowledgement of the Board of Adjustment Process.
One set of drawings to clearly indicate the requested variance in relation to the property and/or structures. These could include plot plan, plat, site plan, survey and/or building elevation(s).
(Note: These drawings must be able to be clearly read as well as being reproduced. If the drawings are larger than 11" by 17", a smaller copy of the drawings shall also be provided.)
Statement of Non-use Variance Criteria.
Application filing fee and legal notice publishing charge, payable to the City of Lee's Summit - see Schedule of Fees and Charges found on www.cityofls.net. One legal notice is required for a variance. A single payment covering the application fee and legal notice charge may be accepted. An application may be withdrawn at any time upon written request; however, no refund will be made after the initial publication.



## NON-USE VARIANCE APPLICATION FORM

The application must be signed by the legal property owner AND the applicant, if other than the owner. The property owner may grant permission for the filing of the application by means of a signed and notarized affidavit to that effect.

Grant M Shields  
PROPERTY OWNER

\_\_\_\_\_  
APPLICANT

Print name here: Grant shields

Receipt #: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Processed by: \_\_\_\_\_ Application # \_\_\_\_\_



## STATEMENT OF VARIANCE CRITERIA (NON-USE)

In accordance with Section 2.530.B.3 of the Lee's Summit Unified Development Ordinance, the applicant must meet each of the following requirements to support the granting of the requested variance. **Failure to complete each may result in an incomplete application.** Explain **IN DETAIL** how this application meets each of the following requirements.

1. The granting of the variance will not adversely affect the rights of adjacent property owners or residents.

we only have 2 neighbors, one house on either side, we back up to  
Langsford rd, so there is no one behind us. The screened in porch  
dimensions is actually smaller than the current deck. The neighbor to  
the west won't even be able to see the porch unless they walk to  
the back of their property.

2. The granting of the variance will not be opposed to the general spirit and intent of the ordinance from which the variance is sought.

our house is tucked away in a cul de sac. There is no one behind  
our house. Just Langsford rd. There is no person or family  
we are encroaching on. The porch is a little smaller than our  
existing deck. No one will even care that we built the porch

3. The variance requested will not adversely affect the public health, safety, morals, or general welfare of the community.

A screened in porch will only add to the value and appeal  
of our house and the neighborhood. It will be aesthetically  
pleasing. Nothing about this project impacts my  
neighbors, the city, or the public

4. The variance requested arises from a condition which is unique and peculiar to the property in question and which is not ordinarily not found in the same zone or district, and further, is not created by an action or actions of the property owner or applicant.

I am confined within my property boundaries, and these

**STATEMENT OF VARIANCE CRITERIA (NON-USE)**

boundaries put me just under the 30' zoning rule, without the  
variance our porch could only be around 8' wide which  
is not a very useable space

5. Substantial justice will be done by the granting of this variance.

my wife has wanted a screened in porch since the day we  
moved into the house almost 4 yrs ago, we can finally make her  
dream a reality. The only thing standing in the way is 2'8".

Further, in accordance with Section 2.530.B.2 of the Lee's Summit Unified Development Ordinance, the applicant must meet each of the following requirements to support the granting of the requested non-use variance. Explain **IN DETAIL** how this application meets each of the following requirements.

1. Practical difficulties exist that would make it impossible to carry out the strict letter of the Unified Development Ordinance when considered in light of the following factors:

a. How substantial the requested variation is, in relation to the requirement of the Ordinance.

I am only 2'8" short from meeting the ordinance of  
30'. without the variance our screened in porch hopes  
are probably gone. An 8' wide screened in porch is not wide enough

b. The effect of increased population density, if any, on available public facilities and services, if the variance is allowed.

There won't be any effect on the items  
specified in the question if the variance is allowed

c. Whether a substantial change will be produced in the character of the neighborhood, or whether a substantial detriment to adjoining properties will be created if the variance is allowed.

we plan on building a beautiful screened in porch that only brings  
additional value and character to our home and the surrounding  
area. A screened in porch is very attractive and marketable  
to potential buyers.

**STATEMENT OF VARIANCE CRITERIA (NON-USE)**

d. Whether it is feasible for the applicant to pursue a method, other than a variance, to obviate the practical difficulty.

I have no option but to request a variance,  
I cannot move my fence back 2'8" giving me the  
30'.

e. Whether the interests of justice will be served by allowing the variance, in view of the manner in which the practical difficulty arose in consideration of all of the above factors.

we plan to live in this house for 20+ years. This space is  
going to be a quiet sanctuary for my wife on rainy days, a  
place to share family meals, and socialize with friends.

f. Conditions of the land in question, and not conditions personal to the landowner. (The Board will not consider evidence of the applicant's or landowner's personal financial hardship unrelated to any economic impact on the land.)

There is nothing wrong with the land where our screened  
in porch will be built

**This sheet must be signed by the person completing this sheet.**

Grant m Shields  
SIGNATURE

Grant Shields  
PRINT NAME HERE

# Current Deck



# Proposed Deck/ Screened Porch

