



LEE'S SUMMIT MISSOURI

NON-USE VARIANCE APPLICATION FORM

Application No. PL2025149

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 want to replace my existing deck and pergola to the exact size and location as the original one that was on the house at time of purchase

PROPERTY ADDRESS 4086 sw Lido dr L.S. Mo

LEGAL DESCRIPTION ~~The lot is located at the end of a culdesac on a lakefront lot, on the NW corner of raintree lake. The deck faces the lake.~~ 2200 N Y 64082

APPLICANT Nancy & Paul Nunes PHONE 816-560-5807

CONTACT PERSON Nancy Nunes FAX _____

ADDRESS 4086 sw Lido Dr CITY/STATE/ZIP Lees Summit, Mo 64082

E-MAIL nancynunes15@yahoo.com

PROPERTY OWNER Nancy Nunes PHONE 816-560-5807

CONTACT PERSON Nancy Nunes FAX _____

ADDRESS 4086 sw Lido Dr CITY/STATE/ZIP L.S. Mo 64082

E-MAIL nancynunes15@yahoo.com

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 An application may be withdrawn at any time upon written request; however, no refund will be made after the initial publication.



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.

Nancy Nunes

SIGNATURE

Nancy Nunes

PRINT NAME HERE



LEE'S SUMMIT MISSOURI

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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.

Nancy & Paul Nunes
PROPERTY OWNER

Nancy Nunes
APPLICANT

Print name here: Nancy Nunes

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.

No. We want to rebuild the ~~same~~^{new} deck and pergola to the exact size and location as the original one, which was on when we purchased the house in 1993.

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.

No. Rebuilding it will provide a safer more sound structure. We want the exact same size and location

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

No. rebuilding will provide a more sound and safe structure

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.

The only thing unique about the shape of the →



STATEMENT OF VARIANCE CRITERIA (NON-USE)

right property is that it is located on a culdesac on the end. The shape only affected on the back side of the house. See photo.

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

yes, rebuilding to deck & pergola will be a more safe and sound structure.

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.

None as size and location will remain same as its always been.

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

No effect because no change

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.

No change to neighborhood since the house was originally built



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.

No, (the existing deck and pergala is old and needs rebuilt)

- 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.

Yes, the interest of justice will be served by providing an more ~~the~~ safe structure - meeting all new codes

- 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.)

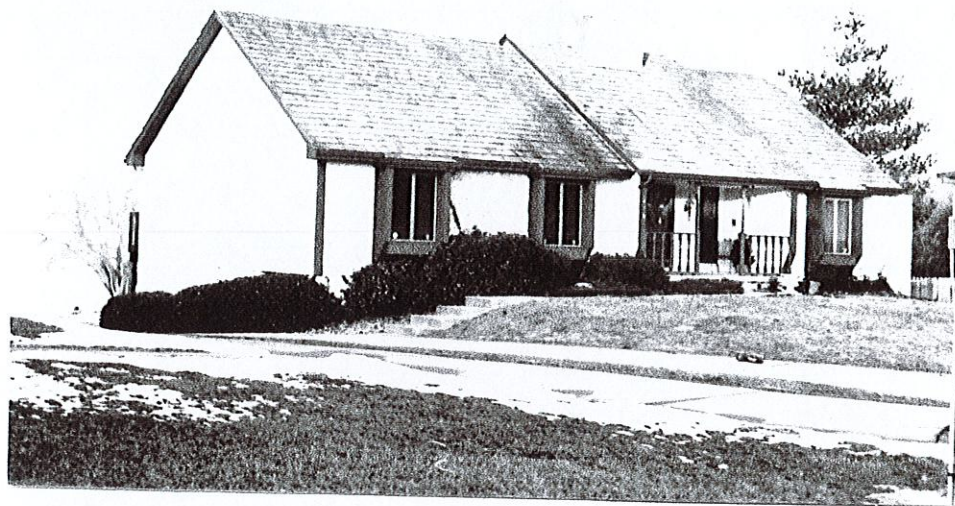
Condition of the land is good
House is built on end of a culdesac.

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

Nancy Nunes
SIGNATURE

Nancy Nunes
PRINT NAME HERE

Purchased 6-93



Flyer from
when purchased
home
in 1993

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4086 Lido Drive, Raintree Lake, Lee's Summit

Traditional-style 2900-Square Foot Home, Waterfront Lot, Best View on Raintree Lake. Lee's Summit schools; Full Lake Privileges-Boating, Skiing, Swimming Pool, Tennis Courts, Clubhouse; Boat Slip Available; Perfect for Entertaining! Easy Commute, Resort Living Everyday

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Serious Inquiries Only

