



PLANNING & ZONING  
1609 E. CENTRAL AVE.  
ANDOVER, KS 67002  
316.733.1303

**PLANNING COMMISSION & BOARD OF  
ZONING APPEALS MINUTES**  
**JUNE 17, 2025 | 7:00 P.M.**  
ANDOVER CITY HALL | 1609 E. CENTRAL AVE.

## **1 CALL TO ORDER**

Acting Chairperson Marla Canfield called the meeting to order at 7:01pm.

## **2 ROLL CALL**

Committee Members present: Acting Chairperson Marla Canfield; Secretary Gary Israel; Peter Fox; Dan Colson; Clint Tienert.

Staff Members present: Les Mangus, Director of Community Development; Julie Boyd, Interim Planning & Zoning Administrator.

## **3 APPROVAL OF THE MINUTES OF THE MAY 20, 2025 MEETING**

Gary Israel made a motion to approve the minutes as presented. Seconded by Peter Fox. Motion carried 5-0.

## **4 COMMUNICATIONS**

### **A. COMMITTEE & STAFF REPORT**

None.

### **B. POTENTIAL RESIDENTIAL DEVELOPMENT REPORT**

## **5 AGENDA**

### **5.1 LS25-0002 — PUBLIC HEARING ON AN APPLICATION FOR A LOT SPLIT, ON CERTAIN LANDS GENERALLY LOCATED AT 800 S. RUTH AVE., ANDOVER, KANSAS**

Acting Chairperson Marla Canfield called the next agenda item pertaining to the application for a lot split at 800 S. Ruth Ave.

The public hearing as opened at 7:05pm.

Julie Boyd explained that this case was heard last month and continued to this meeting to give the applicant the chance to figure out their next course of action. The applicant wanted to split the lot in half laterally to create 2 lots. One to the North with an existing house on it, and one to the South with an existing addressed accessory structure. The zoning code does not permit the accessory structure to sit by itself and would create a nonconforming lot and City Staff have an issue with that. The applicant has told staff they are working to transform the accessory structure into a dwelling or modify in some other way to meet the zoning code. Applicant has told us that he has nothing new to add at this time and is still working with a professional to assess his options.

Staff recommends continuing this case for an additional month. The public hearing was closed at 7:08pm.



Gary Israel made a motion to continue this case to the July 15, 2025 Planning Commission meeting. Seconded by Peter Fox. Motion carried 5-0.

*RECESS THE PLANNING COMMISSION AND CONVENE THE BOARD OF ZONING APPEALS*

Gary Israel made a motion to recess the Planning Commission and convene the Board of Zoning Appeals. Seconded by Dan Colson. Motion carried 5-0.

**5.2 BZA-V25-0007 — PUBLIC HEARING ON AN APPLICATION FOR A VARIANCE OF 857 SQUARE FEET FROM THE 300 SQUARE FOOT MAXIMUM SIZE OF AN ACCESSORY STRUCTURE; AND OF 557 SQUARE FEET FROM THE 600 SQUARE FOOT MAXIMUM AGGREGATE FLOOR AREA OF ALL ACCESSORY BUILDINGS; IN ORDER TO CONSTRUCT A POOL HOUSE ON A PROPERTY ZONED R-2 SINGLE FAMILY RESIDENTIAL DISTRICT AND GENERALLY LOCATED AT 1501 E. BLUESAGE CT., ANDOVER, KS**

Acting Chairperson Canfield called the next agenda item pertaining to the application for a variance at the property generally located at 1501 E. Bluesage Ct.

The public hearing was opened at 7:10pm

Julie Boyd stated this application is for a variance to construct a pool house that would exceed the default maximum size allowed for an accessory structure. The maximum size allowed outright for an accessory structure is 300 sq ft, the applicant wishes to install a 1,157 sq ft pool house adjacent to the existing pool. While this variance is quite large, the lot is over twice the minimum size for its zoning district and if the structure were placed on the property, it would cover approx. 17% of the lot. Which is approx. half of the 35% allowable. Given that the same variances were approved for some surrounding properties, staff feel the variance is well within reasonable limits and recommends approval.

The applicant, Mark McCollum spoke at the podium. He stated the owner spends a lot of time outside by the pool and would like to put a golf simulator in the pool house.

Peter Fox asked if there was an HOA. Mark McCollum responded that there is, and they have received a letter granting approval.

No further public comments. The public hearing was closed at 7:14pm.

1. The physical surroundings, shape or topography of the property would result in a practical difficulty, as distinguished from a mere inconvenience, for the owner, lessee or occupant.

STAFF

The subject parcel measures almost 22,500 square feet, placing it well over the minimum lot size for the R-2 district. A smaller structure that would keep with the 300 square foot maximum floor area would be out of place on the large lot.



BZA	Concur
2.	Granting the variance will result in material detriment or injury to other property or improvements in the neighborhood.  STAFF No material detriment is expected.
BZA	Concur
3.	Granting the variance will result in an inadequate supply of light or air to adjacent property, substantially increase traffic congestion, increased fire risk, or substantially diminished property values in the neighborhood.  STAFF No adverse effects are anticipated.
BZA	Concur
4.	The request for a variance is not based exclusively on a desire of the owner, lessee, occupant or applicant to make more money out of the property.  STAFF The applicant does not have a motivation to make more money out of the property through the request of this variance. This application is to construct a pool house for personal use.  BZA Concur
1.	The requested variance arises from a condition unique to the property in question, which is not ordinarily found in the same zoning district, and which was not created by any action of the property owner or the applicant.  STAFF The subject parcel measures almost 22,500 square feet, placing it well over the minimum lot size for the R-2 district.  BZA Concur
2.	Strict application of the provisions of these Zoning Regulations would result in unnecessary hardship for the owner, lessee or occupant of the land or structures.  STAFF Strict application of the provisions in this case would result in some unnecessary hardship for the owner given the size of the parcel.  BZA Concur



3.	Granting the variance will not adversely affect the rights of adjacent property owners or residents.
STAFF	No adverse effects are anticipated.
BZA	Concur
4.	The requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.
STAFF	No adverse effects are anticipated.
BZA	Concur
5.	The requested variance will not be opposed to the general spirit and intent of these Zoning Regulations.
STAFF	The general spirit and intent of the Zoning Regulations is "To promote the public health, safety, morals, comfort and general welfare." Much as for the other similar pool houses in the neighborhood, this Variance would not be opposed to the general spirit and intent as defined.
BZA	Concur

Dan Colson made a motion to approve the variance and grant the Chairperson the authority to sign the resolution granting the variance. Clint Tienert seconded. Motion carried 5-0.

### 5.3

**BZA-V25-0008 — PUBLIC HEARING ON AN APPLICATION FOR A VARIANCE OF 9 FEET FROM THE 25 FOOT MINIMUM REAR YARD SETBACK; IN ORDER TO CONSTRUCT A COVERED DECK ON A PROPERTY ZONED SF-2 SINGLE FAMILY RESIDENTIAL / MEDIUM DENSITY DISTRICT AND GENERALLY LOCATED AT 1607 W. HIGHLANDER CT., ANDOVER, KANSAS**

Acting Chairperson Canfield called the next agenda item pertaining to the application for a variance located at 1607 W. Highlander Ct.

The public hearing was opened at 7:20pm.

Julie Boyd stated that this is an application for a variance to reduce the rear yard setbacks. The existing deck encroaches on the rear yard setbacks and the applicant wished to extend the roof to cover the deck area. Putting the roof over the deck is what triggers the variance. The lot has a small backyard which also has a 10-foot utility easement running through it. The deck and variance will not encroach on the utility easement. The applicant also received permission from their HOA to extend the roof over the deck. Staff have no issues with the variance.



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The applicant Long Toung was present and spoke at the podium. He stated the reason he wants to extend the roof over the deck is because he does not have any trees in the backyard and he would like the shade.

Gary Israel asked if he had gotten permission from the HOA. Mr. Toung responded that he had received written permission.

No other public comments were made. The public hearing was closed at 7:25pm.

5.	<p><b>The physical surroundings, shape or topography of the property would result in a practical difficulty, as distinguished from a mere inconvenience, for the owner, lessee or occupant.</b></p>
STAFF	<p>The subject parcel is 130 feet long, but is placed on a corner lot at the end of a cul-de-sac; thus, placing the home at the front yard setback does not leave much room in the rear yard.</p>
BZA	<p>Concur</p>
6.	<p><b>Granting the variance will result in material detriment or injury to other property or improvements in the neighborhood.</b></p>
STAFF	<p>No material detriment is expected.</p>
BZA	<p>Concur</p>
7.	<p><b>Granting the variance will result in an inadequate supply of light or air to adjacent property, substantially increase traffic congestion, increased fire risk, or substantially diminished property values in the neighborhood.</b></p>
STAFF	<p>No adverse effects are anticipated.</p>
BZA	<p>Concur</p>
8.	<p><b>The request for a variance is not based exclusively on a desire of the owner, lessee, occupant or applicant to make more money out of the property.</b></p>
STAFF	<p>The applicant does not have a motivation to make more money out of the property through the request of this variance. This application is to install a roof above an existing deck.</p>
BZA	<p>Concur</p>



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ZONING APPEALS MINUTES  
JUNE 17, 2025 | 7:00 P.M.  
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6.	<p>The requested variance arises from a condition unique to the property in question, which is not ordinarily found in the same zoning district, and which was not created by any action of the property owner or the applicant.</p> <p>STAFF   The odd shape and small usable area behind the dwelling make the property uniquely difficult to fit rear-yard accessory structures or additions.</p> <p>BZA   Concur</p>
7.	<p>Strict application of the provisions of these Zoning Regulations would result in unnecessary hardship for the owner, lessee or occupant of the land or structures.</p> <p>STAFF   Strict application of the provisions in this case would result in some unnecessary hardship for the owner given the size, shape, and arrangement of the parcel.</p> <p>BZA   Concur</p>
8.	<p>Granting the variance will not adversely affect the rights of adjacent property owners or residents.</p> <p>STAFF   No adverse effects are anticipated.</p> <p>BZA   Concur</p>
9.	<p>The requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.</p> <p>STAFF   No adverse effects are anticipated.</p> <p>BZA   Concur</p>
10.	<p>The requested variance will not be opposed to the general spirit and intent of these Zoning Regulations.</p> <p>STAFF   The general spirit and intent of the Zoning Regulations is "To promote the public health, safety, morals, comfort and general welfare." Installing a roof over an existing deck would not oppose these regulations.</p> <p>BZA   Concur</p>

Gary Israel made a motion to approve the variance and grant the Chairperson the authority to sign the resolution granting the variance. Peter Fox seconded. Motion carried 5-0.



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**ADJOURN THE BOARD OF ZONING APPEALS AND RECONVENE THE PLANNING  
COMMISSION**

Gary Israel made a motion to adjourn the Board of Zoning Appeals and reconvene the Planning Commission. Peter Fox seconded. Motion carried 5-0.

**6 MEMBER ITEMS**

No member items to report.

**7 ADJOURN**

Acting Chairperson Marla Canfield made a motion to adjourn the meeting. Second by Gary Israel. Motion passed 5-0.

Meeting adjourned at 7:30pm.