



February 28, 2024

City of Olathe
Attn: Andrea Fair, AICP
100 E. Santa Fe
Olathe, KS 66061

**RE: WAIVER REQUEST
FINAL PLAT FOR ENCLAVE AT BOULDER CREEK
FP24-0003 FINAL PLAT**

Dear Andrea:

As you are aware have submitted a Final Plat application for Enclave at Boulder Creek. This plat is a re-plat of several lots within the Boulder Creek Villas project, which consisted of 42 two-family homes of which approximately half have been constructed. The plat is currently zoned RP-3 and R2.

In response to market conditions, the developer of the project wishes to re-plat the remaining lots into single family homes. These will be modeled after their nearby Enclave at Boulder Hills community which has been well received by home buyers.

To facilitate this change, the developer request the following waivers from the UDO requirements:

Condition	Requirement	Proposed
Front Setback	30 feet (RP-3)	20 feet
Sideyard Setback	7 feet (RP-3)	5 feet
Rear Setback	75 feet* (RP-3)	20 feet
Min. Lot Area	7200 square feet (RP-3)	6376.31 square feet
Min. Lot Width	60 feet (RP-3 and R2)	50 feet

These waivers are respectfully requested pursuant to U.D.O. Section 18.40.240.D.2.a. This section allows the approving authority the ability to grant waivers if the applicant is able to demonstrate that the proposed modifications would result in a higher quality development design with no negative impacts to either the residential or non-residential properties.

It is the opinion of our development team that revising these lots from two-family homes to single family homes significantly improves the quality of the development. The single family homes would bring additional architectural interest and more desirable homes for purchase. Additionally, a 25-foot landscape is currently shown on the preliminary development plan for the C-2 district. This further reduce the rear yard setback requirement.

Thank you for your time and consideration of these waivers. Please do not hesitate to contact me should you have any questions.

Sincerely,

SCHLAGEL & ASSOCIATES, P.A.

Mark A. Breuer, P.E.

Principal

Direct 913-322-7154

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Attachments