



Payne & Brockway, P.A.

CIVIL ENGINEERS & LAND SURVEYORS

MARK HUGGINS, P.E.
GERALD CONN, L.S.

CARMAN G. PAYNE, P.E. (1892-1963)
S.H. BROCKWAY, P.E. (1907-1989)
LEE MEIREIS, R.L.S. (1933-2010)
ED YOUNG, P.E., R.L.S. (1936-2011)
MIKE HOWELL, R.L.S. (RETIRED)
JOHNNY RAY, R.L.S. (RETIRED)

JGO1961 Waiver Requests

The applicant, Olson Quality Contractors, LLC is requesting a waiver from the City of Olathe's Unified Development Ordinance (UDO), **18.20.280 "Original Town" Overlay District.**

The underlying zoning for the property is R-2. R-2 zoning requires a minimum lot area of 4,750 sf, minimum lot width of 60 feet, minimum 7 foot side yard setback, minimum 25 foot rear yard setback and minimum 20 foot corner side yard setback.

We are requesting waivers per 18.20.280. B. Waivers or Reductions from the R-2 minimum lot area, minimum lot width, minimum side yard setback, minimum rear yard setback and minimum corner side yard setback. The request is for 15 percent area and setback reductions which will result in the following changes minimum lot area of 3,995 sf, minimum 5.95 foot side yard setback and a minimum 21.25 foot rear yard setback. Further, we are requesting a minimum 15 foot corner side yard setback and a minimum lot width of 42 feet, based on the existing house, 335 S Water Street, is 15.4 feet from Water Street right-of-way and utilizing a 5.95 foot side yard setback from its north side, proposed Lot 2 is less than the minimum lot width of 60 feet.

The UDO allows for various waivers where the results meet the intent of the regulations and that can assist the applicant to create something that's beneficial to a future home buyer. The reductions will allow for flexibility for the builder to provide additional options for a home buyer as well as enhancing the neighborhood as a whole. These waivers are in line with the reduction allowed in the "Original Town" for lots, setbacks and will not injure, endanger or create any inconvenience to the adjacent property owners.


C. Todd Allenbrand
Payne & Brockway