



CITY OF  
**TOPEKA**

# **AGENDA**

## **BOARD OF ZONING APPEALS**

**Monday, February 8, 2021**  
**5:30 P.M.**

**VIA VIDEO CONFERENCE**

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### **MEMBERS OF THE BOARD**

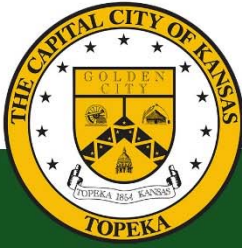
Tim Carkhuff (Chair)  
Walter Schoemaker (Vice Chair)  
Toni Beck  
Helen Crow  
Carole Jordan  
Travis Thomas

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- The Topeka Board of Zoning Appeals holds a public hearing on the second Monday of each month to consider certain appeals, variances, and exceptions as may be granted by the Comprehensive Zoning Regulations of the City of Topeka, Kansas.
- The following agenda identifies and describes each proposal to be considered by the Board.
- Each item to be considered by the Board will be introduced by the Planning Department Staff. The Board will then hear and consider arguments both for and against each proposal.
- Individuals wishing to address the Board are requested to state their name and address for the official hearing record.
- Motions on all matters, which require a decision by the Board, are made in the affirmative. On a roll call vote, Board members then vote yes, no, or abstain based on the affirmative motion.
- Any person, official or government agency dissatisfied with any order or determination of the Board may bring an action in the district court of the county to determine the reasonableness of any such order or determination. Such appeal shall be filed within 30 days of the final decision of the Board.



ADA Notice: For special accommodations for this event, please contact the Planning Department at 785-368-3728 at least three working days in advance.



CITY OF  
**TOPEKA**

# BOARD OF ZONING APPEALS

*Agenda for Monday, February 8, 2021*

**A. Call to Order**

**B. Approval of Minutes from November 1, 2020**

**C. Declaration of Ex Parte Communications**

**D. Public Hearings**

1. **BZA21V/01 by Matthew J. Kolbek**, requesting a variance to the maximum 4' fence height allowed beyond the front face of a principal structure as restricted by section 18.210.040(a) of the Topeka zoning regulations. Approval of the requested variance will allow the owner to retain an existing 6' high fence at a residence at 3334 SW 7th Street.
2. **BZA21V/02 by SENT Holdings**, requesting a variance to the minimum building setbacks required by section 18.60.020 of the Topeka zoning regulations for construction of a single family dwelling at 3383 SE Irvingham Street.

**E. Election of 2021 Chair and Vice Chair**

**F. Adjournment**



ADA Notice: For special accommodations for this event, please contact the Planning Department at 785-368-3728 at least three working days in advance.



# CITY OF TOPEKA BOARD OF ZONING APPEALS

## MINUTES

Monday, November 9, 2020

### ZOOM VIDEOCONFERENCE

**Members present:** Toni Beck, Barbara Boudreaux, Tim Carkhuff (Chair), Helen Crow, Carole Jordan, Walter Schoemaker, Travis Thomas (7)

**Members Absent:** (0)

**Staff Present:** Mike Hall, Current Planning Manager; Mary Feighny, Deputy City Attorney; Kris Wagers, Administrative Officer

#### Call to Order

The meeting was called to order by Tim Carkhuff, Chair. Roll was taken with 7 members present for a quorum.

#### Approval of Minutes from May 11, 2020

**Motion** by Ms. Beck to approve, **second** by Ms. Boudreaux. **APPROVAL 7-0-0**

#### Declaration of Ex Parte Communications

None

Mr. Carkhuff called the case, **BZA20V/05 by David Kaiser**, requesting a variance to exceed the maximum 90 percent building coverage ratio of accessory buildings to principal building as restricted pursuant to section 18.60.020 of the Topeka zoning regulations for the construction of a greenhouse building at 2446 SE 29th Street.

Mike Hall, Staff Planner, presented the Variance Evaluation (staff report) and findings, closing with staff's recommendation of approval subject to the conditions listed in the Evaluation.

Mr. Carkhuff asked Mr. Hall to review the conditions listed in the Evaluation and he did so. Regarding condition #4 dealing with ensuring the greenhouse building does not conflict with easements, Mr. Hall explained that the property has never been platted, so prior to obtaining a building permit the owner must ensure the building will not conflict with utilities.

Ms. Crow asked if staff had received any comments from neighbors regarding the proposed variance. Mr. Hall explained that as required when a variance is sought, a notice was sent to adjacent property owners. No comments were received and Mr. Hall is not aware of any opposition.

Ms. Beck asked about the possibility of the property being sold at some point in the future and the building being used for commercial purposes. Mr. Hall explained that would require a change in the zoning of the property, an open, transparent process which allows for public input and ultimately requires approval by the Governing Body. He went on to explain that a Home Occupation Permit could not be obtained since

standards associated with those do not allow for business activity taking place outside of the primary building.

Ms. Boudreux noted that from the site plan included in the agenda packet, it appears there is already a greenhouse on the property. She asked if that will be removed or if the intent is for it to remain. Mr. Hall stated he is uncertain and Mr. Carkhuff asked the applicant (Mr. Kaiser), present via phone-in, what the intent is. Mr. Kaiser stated that the current greenhouse is not a 4-season greenhouse; he uses it to start plants in. The proposed greenhouse is a 4-season structure.

With no further questions of Mr. Hall, Mr. Carkhuff asked Mr. Kaiser if he agrees to the conditions listed in the Evaluation and he stated that he does.

Mr. Carkhuff asked board members if they had any more questions for Mr. Kaiser or staff. Hearing none, Mr. Carkhuff called for a motion. [editorial note: there were no members of the public logged in to speak]

**Motion** by Mr. Thomas to approve the variance subject to conditions listed in the Variance Evaluation; **second** by Ms. Jordan. **APPROVED** (7-0-0)

With no further business on the agenda, Ms. Wagers stated that no appeal applications had been received for a December hearing.

The meeting adjourned at 5:52PM



**VARIANCE EVALUATION  
CITY OF TOPEKA PLANNING DEPARTMENT  
FOR  
TOPEKA BOARD OF ZONING APPEALS**

Date of BZA Meeting: February 8, 2021

Case No.: BZA21V/01

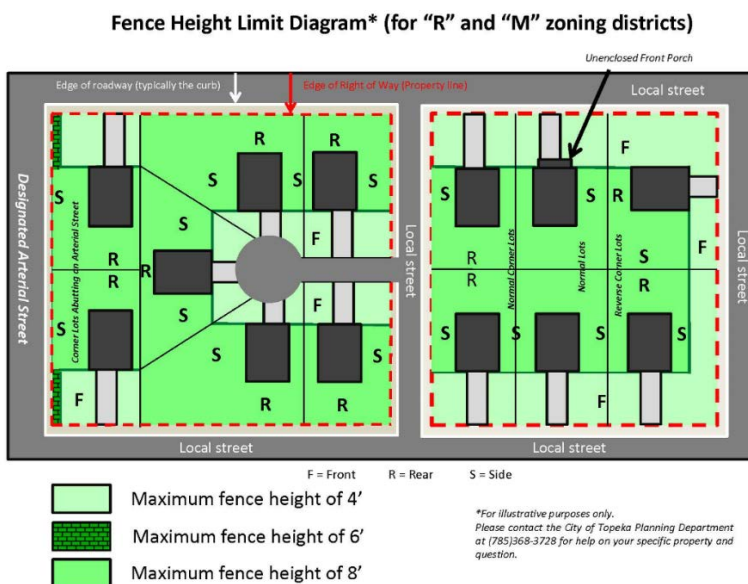
Applicant Name: Matthew J Kolbek  
Address of Property: 3334 SW 7<sup>th</sup> St  
Parcel ID No.: 0973502003008000  
Zoning of Property: "M-2" Multiple Family Dwelling District

**Regulations from which a Variance is Requested:** The applicant is requesting variance to the maximum 4' fence height allowed beyond the front face of a principal structure as restricted by section 18.210.040(a) of the Topeka zoning regulations. Approval of the requested variance will allow the owner to retain an existing 6' high fence at a residence at 3334 SW 7<sup>th</sup> Street.

The following text and diagram describe fence height limits.

**18.210.040 Fences.**

(3) In R and M districts, fences beyond the front face of the principal structure shall not exceed four feet in height. On corner lots, but not including reversed corner lots, fences beyond the front face of the principal structure where the fence is located along an arterial street that runs perpendicular to the corner lot's established rear yard shall not exceed six feet in height. On reversed corner lots, fence heights shall be limited to four feet within all required front yards. On double frontage lots, fence heights shall be limited to four feet where such lots abut the established minimum front yard of any adjoining lot. The following diagram illustrates the setback requirements established in this section:



## Project and Property Data:

|   |  |
|---|--|
| Proposed Fence:                                 | The existing 6' high wooden privacy fence is in violation of the height limit 4' for that part of the fence beyond the front face of the house.  |
| Property Dimensions:                            | 125 feet wide x 70 feet deep   |
| Property Size:                                  | 8,750 sf   |
| Property Description:                           | South 70' of Lots 19, 20, 21, 22, and 23, Block 3, in the Supplement to Arlington Heights Subdivision, In the City of Topeka, Shawnee County, Kansas   |
| Existing Land Use and Property Characteristics: | Single family dwelling on a reverse corner lot; its rear yard is along the north side of the lot and adjoins the side yard of the adjacent residence to the north. .   |
| Surrounding Zoning and Land Uses:               | South and East- "M-2" Multiple Family Dwelling District, Single Family Dwellings<br>Northwest- "O & I-2" Office & Institutional District, Assisted-living facility.<br>Southwest- "R-1" Single Family Dwelling District, Single Family Dwelling.<br>North- "M-2" Two Family Dwelling District, Single Family Dwelling. |
| Zoning of Property:                             | "M-2" Multiple Family Dwelling District  |
| Neighborhood Health:                            | Located in the "Out Patient" area (favorable conditions) of the Neighborhood Health Map.   |

## Applicant's Stated Grounds for Variances

Per the application received January 4, 2021 addressed the findings as follows.

Conditions Unique to the Property, etc. (finding a): *There is 7 feet, 7 inches from the back of the house to the property line. This is a very unique characteristic no commonly found in R and M districts on a corner lot. I have provided pictures that will provide visual context to corroborate the uniqueness of the property. The utilization of the side yard provides the usage as that of a back yard.*

Effect of the Variance on Adjacent Property Owners (finding b): *Stanley Sonnenmoser, who resides at 3322 SW 7<sup>th</sup> St, and is adjacent to our residence was extremely appreciative that we had raised that portion of our privacy fence. Stan is very active outdoors, and we have large dogs that can put their paws over a 4 foot fence. His residence is located very close to our property line, and the elevation of the fence has been mutually beneficial. He is the only property that has been affected, and will attend the hearing on February 8<sup>th</sup> to state that he would definitively prefer the fence to remain 6 feet tall.*

Application of Zoning Requirements Constitute an Unnecessary Hardship (finding c): *A tremendous hardship would occur as we have a significant financial investment in materials, and as I had major neck surgery in December of 2019, having to reconstruct that section of our privacy fence would certainly exacerbate my medical issues.*

Potential for Adverse Effect on the Public Health, Safety, Morals, Order, Convenience, Property, and General Welfare (finding d): *If the variance desired is approved, the vertical extension of the portion of the fence by 2 feet will not affect any of the above mentioned items, and dimensionally hasn't been altered from the original approved building permit.*

Variances is not in Conflict with the General Spirit and Intent of the Regulations (finding e): *If granted, the variance desired will not be opposed to the general spirit as that would be generally applicable to a normal corner lot located in R and M districts. Due to the unquestionable unique characteristics of our lot and that we only have 7 feet 7 inches of actual back yard, the intent of this chapter wouldn't be applied to our situation.*

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## Analysis and Findings:

Pursuant to K.S.A. 12-759, and as set forth in TMC 2.45.110, the Board of Zoning Appeals shall find that **all** of the following conditions are met before a variance may be granted.

- a. That the variance request does not arise from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district and is not created by action of the property owner or applicant;**

The owner cites the shallow rear yard, that area between the back of the house and the rear property line, as a unique condition to justify a variance. The dimension from the rear exterior wall of the house and the property line is less than 8 feet, and thus is very unusual. The applicant's other claim that the side yard on the east side of the house functions as the rear yard is also apparent.

Staff has also considered the unique dimensions of the property. It's depth from the front (at 7<sup>th</sup> Street) and rear property line is 70'. The lots along the north side of this segment of 7<sup>th</sup> were platted at a depth of 16 feet. The subject property is the south 70 feet of five of the original lots. Lots in the immediate neighborhood are typically 150 feet deep or greater. There are some lots having a depth of less than 100 feet, but they are anomalies.

The shallow depth of the property is unusual, but the large side yard on the east side of the house, measuring approximately 32 feet from the exterior of house to the property line, is also unusual. The property has unusual and perhaps unique dimensions, but the size and shape of the lot do not deprive the owner of a moderately sized, private yard area allowing the owner to use the property as is reasonably expected.

The finding as stated does not support the requested variance.

**b. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residences;**

The applicant claims the adjacent neighbor to the east was "extremely appreciative" that he raised the fence to a height of 6 feet. The owner has large dogs that capable of reaching over a 4 foot high fence and the neighbor's house is close to the property line, making a barrier from boisterous dogs beneficial. This is a credible argument. Staff have received no communication from the owner, either in support or opposition.

The owner and resident of 3334 SW 7<sup>th</sup> on the other side of 7<sup>th</sup> has submitted an email message in support of the requested variance, and the email message is attached. No other communication of any type from neighboring property owners or residents has been received.

The front setback of the house at 3322 SW 7<sup>th</sup> Street, the adjoining property to the east, is a significant factor in the potential negative effect of the fence. The face of the house at 3322 SW 7<sup>th</sup> Street has an unusually small front setback. The covered front porch extends even closer to the front property line. The fence appears to be less than 10 feet south beyond the front porch of the adjacent residence.

It appears granting of the variance will have no substantial adverse effect on adjacent property owners and residents.

The finding as stated lends support for the requested variance.

**c. That the strict application of the provisions of this chapter of which the variance is requested will not constitute an unnecessary hardship upon the property owner represented in the application;**

As the applicant has described, he obtained a permit for the fence in 2016, and at that time built it in compliance with the permit and fence height standards. The applicant had heard the City changed its height restrictions after the original fence was built and so increased the height of that portion of the fence from 4 feet to 6 feet. The

applicant is claiming the difficult work (difficult in part to a neck injury) and expense he would incur if required to remove the fence. Such a hardship is self-imposed for the reason the applicant did not obtain a permit for increasing the fence height and did not ask the City about code changes.

Staff considered whether depriving the owner the right to enclose that part of the yard extending beyond the front of the house is a hardship, considering the unusually small area between the back of the house and the rear property line. Under the current condition of the fence, the area on the east side of the house and enclosed by the 6 foot high fence is approximately 2,200 square feet. Enclosing an area with a 6 foot fence in compliance with the fence standards would leave the owner with an area of about 1,000 square feet. By this reasoning, denial of the variance does not constitute an unnecessary hardship.

The finding as stated does not support the requested variance.

- d. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare;**

Granting the variance will have little adverse effect on the general welfare of the neighborhood and community. On the other hand, approval of the variance is an undesirable outcome such that it may lead to other property owners feeling justified to erect 6 foot high fences in front yards. The request for fences exceeding four feet in front yards is common; City staff have denied many people permits for such fences.

The finding as stated lends support for the requested variance.

- e. That granting the variance desired is opposed to the general spirit and intent of this chapter.**

The fence regulations (TMC 18.210.040) are clearly intended to restrict fences higher than 4 feet to an area behind the front face of residential buildings. City Planning staff regularly receive requests for fences that don't meet the height standard and regularly deny such permits. Additionally, persons requesting relief to the fence standards are advised that an application for a variance is an option, but staff also informs people that obtaining a variance for fence height is difficult, with little probability of being approved.

The finding as stated does not support the requested variance.

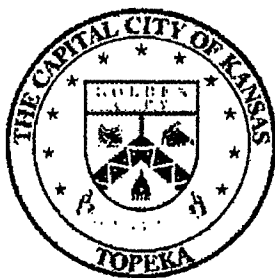
### **Planning Staff Recommendation**

Based on the above findings staff recommend the Board of Zoning Appeals **DISAPPROVE** the variance requested.

Staff Report by: Mike Hall, AICP, Current Planning Manager

**Exhibits:**

1. Variance Application
2. Letter from Applicant
3. Photos by Applicant
4. Zoning Map
5. Aerial Map
6. Exhibit – Fence Location
7. Exhibit -



# APPLICATION TO THE BOARD OF ZONING APPEALS VARIANCE / EXCEPTION

CITY OF TOPEKA PLANNING DIVISION  
620 SE MADISON, 3<sup>RD</sup> FLOOR (UNIT #11) | TOPEKA, KS 66607-1118  
PHONE 785.368.3728 | EMAIL: PLANNING@TOPEKA.ORG

## Applicant Information

Name: Matthew J Kolbek

Address: 3334 SW 7th St., Topeka, KS 66606

Phone: 785-845-5972

Email: mkolbek@msn.com

For Planning &  
Development  
Use Only

Case #  
BZA 21V/01

## Property Information

Location of property: 3334 SW 7th St., Topeka, KS 66606

Legal description of property: (attach additional sheets if necessary)

The South 70 Feet of Lots 19, 20, 21, 22 and 23, Blok 3, in the Supplement to Arlington Heights Subdivision, in the City of Topeka, Shawnee County, Kansas.

Hearing Date:  
2/8/21

Legal Ad Date:  
1/13/21 submit  
1/18/21 print

## Action Sought:

☒ A variance from a provision of the Zoning Ordinance  
(Section to be appealed: 18.210.040 Fences (3) Fence Height)

☐ An exception from a provision of the Zoning Ordinance  
(Section to be appealed: \_\_\_\_\_)

Description of Action Sought:

To grant a variance to TMC 18.210.040 Fences, (a) (3) "In R and M districts, fences beyond the front face of the principal structure shall not exceed four feet in height". Seeking variance approval for the fence located at 3334 SW 7th St., Topeka KS to remain at 6 feet high.

Zoning District:

M-2

Building Height:

Number of Stories:

Parcel Size:

Lot Dimensions:

**Applicant offers the following as grounds for this action:**

In accordance with Section 2.45.110 of the Topeka Municipal Code, the Board of Zoning Appeals must determine that ALL of the following conditions governing unnecessary hardship have been met before a variance may be granted.

**All items must be addressed or the application will be deemed incomplete.**

1. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district and is not created by an action of the property owner or applicant (*The problem must relate to the land. Community needs or personal hardships do not qualify as legitimate grounds for issuing a variance.*);

There is 7 feet, 7 inches from the back of the house to the property line. This is a very unique characteristic not commonly found in R and M districts on a corner lot. I have provided pictures that will provide visual context to corroborate the uniqueness of our property. The utilization of the side yard provides the usage as that of a back yard.

2. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;

STANLEY SONNENMOSER, who resides at 3322 SW 7th St., and is adjacent to our residence was extremely appreciative that we had raised that portion of our privacy fence. Stan is very active outdoors, and we have large dogs that can put their paws over a 4 foot fence. His residence is located very close to our property line, and the elevation of the fence has been mutually beneficial. He is the only property that has been affected, and will attend the hearing on February 8th to state that he would definitively prefer the fence to remain at 6 feet tall.

3. That the strict application of the provisions of this chapter of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;

A tremendous hardship would occur as we have a significant financial investment in materials, and as I had major neck surgery in December of 2019, having to reconstruct that section of our privacy fence would certainly exacerbate my medical issues.

4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, property, or general welfare;

If the variance desired is approved, the vertical extension of the portion of the fence by 2 feet will not affect any of the above mentioned items, and dimensionally hasn't been altered from the original approved building permit.

5. That granting the variance desired will not be opposed to the general spirit and intent of this chapter.

If granted, the variance desired will not be opposed to the general spirit as that would be generally applicable to a normal corner lot located in R and M districts. Due to the unquestionable unique characteristics of our lot and that we only have 7 feet 7 inches of actual back yard, the intent of this chapter wouldn't be applied to our situation.



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## Authorization

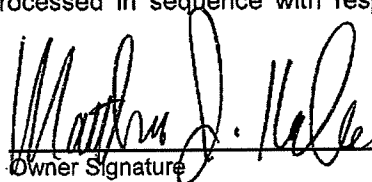
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### Property Owner(s):

I/We the undersigned owner(s) of record hereby authorize the filing of this application and declare that all required materials are submitted along with this application and that the information and material is complete and accurate. I/We hereby acknowledge that all appropriate procedures, policies, and regulations have been reviewed and also understood that this application will be processed in sequence with respect to other submittals.

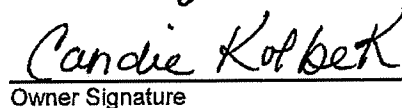
Matthew J Kolbek

Owner Name (print)

  
Owner Signature

Candie M. Kolbek

Owner Name (print)

  
Owner Signature

Owner Name (print)

Owner Signature

### Authorized Agent:

If the owner(s) of record are to be represented by legal counsel or an authorized agent, please complete the following information so that communications and correspondence pertaining to this application may be forwarded to such individual.

Authorized Agent Name (print)

Signature -- Authorized Agent

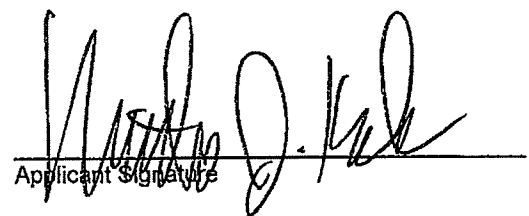
Mailing Address: \_\_\_\_\_  
STREET ADDRESS CITY STATE ZIP

Phone: 785-845-5972 Email: \_\_\_\_\_

### Applicant:

Matthew J kolbek

Applicant Name (print)

  
Applicant Signature

I had received erroneous information about the relaxation of the height requirements for the privacy fences in the spring of 2019. We raised the portion of our privacy fence that was 4 feet to 6 feet in around June of 2019. We had our property professionally surveyed in 2016 prior to our original construction of the fence. I remember when I initially applied for the permit, the computer at the Planning Department indicated that we had approximately 10 feet of space from the back of our house to the property line. That is incorrect, the privacy fence was constructed is exactly on the property lines after the survey. I have included a picture that shows exactly how much space we have from the back of our house to the fence, along with a picture showing what would be considered actual useable space in the back portion of the property. We feel that would be useful information to consider while determining your decision. For whatever reasons, the data the city has in regards to the actual property line information is incorrect. As I noted in our application, our neighbor, Stan Sonnenmoser was very appreciative that we raised the privacy fence and will attend the hearing on February 8<sup>th</sup>.

Sincerely,

Matt Kolbek



EXHIBIT 3  
p1 of 5





EXHIBIT 3  
p2 of 5









EXHIBIT 3  
p4 of 5





EXHIBIT 3  
p5 of 5





# PC Zoning



City of Topeka  
Planning and Development  
Department

Legend

 Subject Property



BZA21V/01 M. Kolbek

EXHIBIT 5



City of Topeka  
Planning and Development  
Department



Subject Property

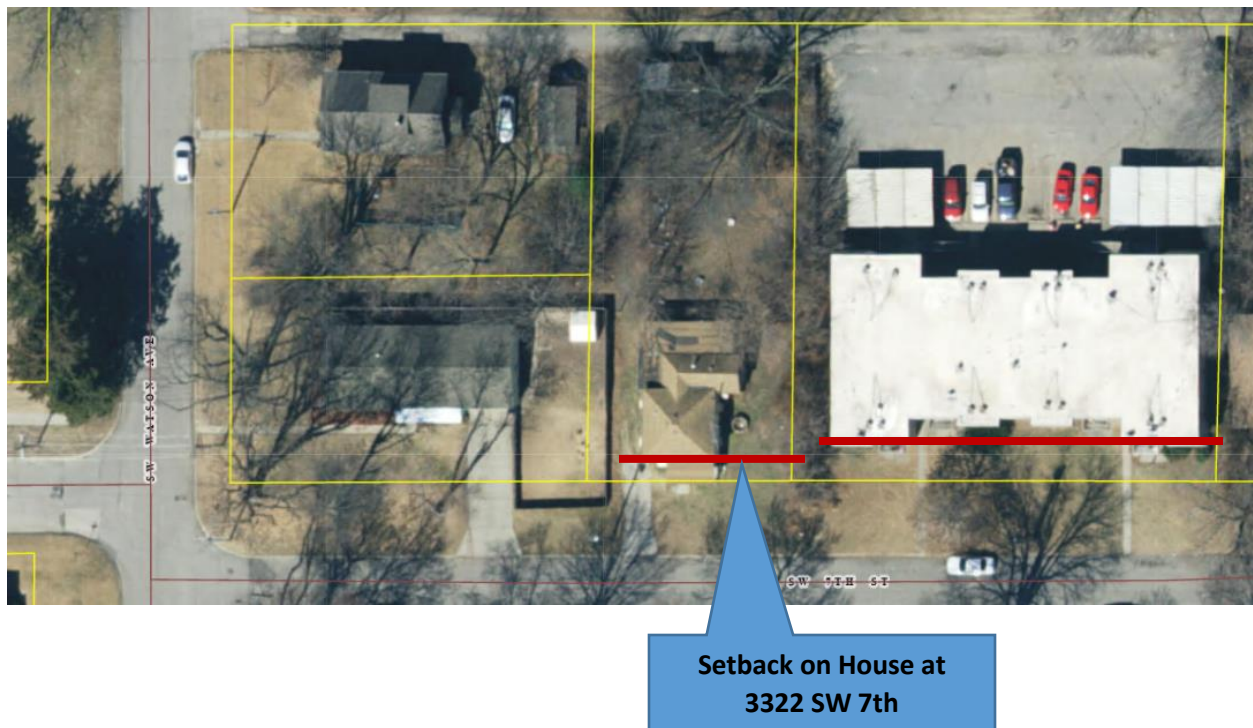
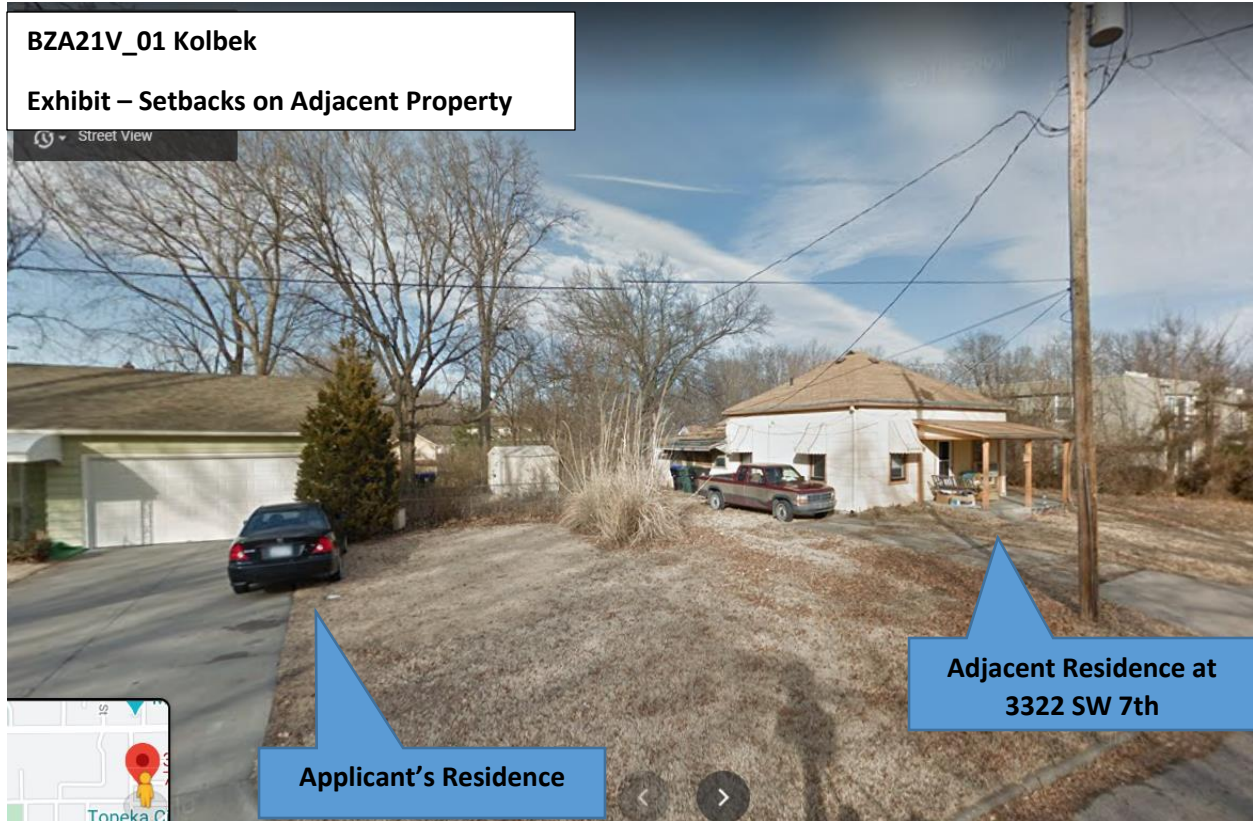
**EXHIBIT 6**



6' High Wooden Privacy Fence



# EXHIBIT



**Kris Wagers**

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**From:** Donna Crosslin <crosslid@yahoo.com>  
**Sent:** Tuesday, January 19, 2021 10:38 PM  
**To:** Planning Distribution  
**Subject:** Board of Zoning Appeals Public Hearing

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

BZA21V/01 by Matthew J. Kolbek

Mat lives at 3334 SW 7th Street. I am across the street at 3333 SW 7th Street.

My opinion is that the variance should be approved. The fence in question is well back from the street, attractive, and well maintained. Mat doesn't have a useable back yard. His back yard is only 6' deep! The fence encloses an area on the side of his home and serves as his de-facto back yard. I see no rational reason for him to be required to lower the height of his fence. Additionally, the house is on a corner. There are two ways it could have been positioned. It could either face South or West. Right now it faces South. If it faced West, it would have the SAME "back yard" it has now and it wouldn't have a 4' fence height limit! Sincerely, Donna Crosslin

**VARIANCE EVALUATION**  
**CITY OF TOPEKA PLANNING DEPARTMENT**  
**FOR**  
**TOPEKA BOARD OF ZONING APPEALS**

Date of BZA Meeting: February 8, 2021

Case No.: BZA21V/02

Applicant Name: Timothy Vincent, SENT Holdings  
Address of Property: 3383 SE Irvingham Street  
Parcel ID No.: 1341804017004000  
Zoning of Property: "R-1" Single-Family Dwelling District

**Regulations from which a Variance is Requested:** The applicant is requesting variances to the minimum building setbacks required by section 18.60.020 of the Topeka zoning regulations for the construction of a Single-Family Dwelling. The requested variance applies to the required 30' minimum building setback from the rear property line, allowing for a setback of 22 feet.

The following table describes proposed and required setbacks.

|   | Setback Required per<br>Section 18.60.020 | Setback Proposed                   |
|---|---|------------------------------------|
| Front Property Line<br>(From SE Irvingham Street right-of-way)        | 30 feet                                   | 30 feet                            |
| Side Property Line<br>(From SE 33 <sup>rd</sup> Terrace right-of-way) | 30 feet                                   | 30 feet                            |
| Side Property Line (interior/southeast)                               | 7 feet                                    | 15 feet (14' 10 7/8" on site plan) |
| Rear Property Line (southwest)  | 30 feet                                   | 22 feet (22' 1 9/16" on site plan) |

Note: Building setbacks are typically measured from exterior walls to the property line, with the eaves allowed to extend into the required building setback.

**Other Applicable Standards:**

|  | Required   | Proposed |
|--|--|----------|
| % Building Coverage (sf all buildings footprint divided by sf of zoning lot) | 50% maximum  | 18%      |
| Off-street Parking   | 2 spaces (for dwellings exceeding 950 sf) on a hard rock, asphalt, or concrete surface | Unclear  |

## Project and Property Data:

|   |   |
|---|---|
| Proposed House:                                       | Stick built house on foundation. Single story with three bedrooms and two bathrooms. See attached for specifications. |
| Size of Principal Dwelling:                           | 1,338 sf ground floor building footprint (includes exterior deck); 1,224 sf living area                               |
| Property Dimensions:                                  | 75 feet wide x 100 feet deep  |
| Size:   | 7,500 sf  |
| Property Description:                                 | Block 14 Lot 17,<br>Highland Crest Subdivision #2   |
| Existing Land Use<br>and Property<br>Characteristics: | Corner vacant lot. Demolition of a single family home issued 9/24/2019. DEMO-RES 201908063947. House was 1,000sf.     |
| Surrounding Land Uses:                                | Most or all land use consists of detached single-family dwellings within a two block radius of the property.          |
| Zoning of Property:                                   | R-1 Single Family Dwelling District   |
| Zoning of Surrounding<br>Property:                    | R-1 Single Family Dwelling District   |
| Neighborhood:   | Highland Crest  |
| Neighborhood Health:                                  | Located in the “Intensive Care” area of the Neighborhood Health Map.  |

## Applicant's Stated Grounds for Variances

Per the application received December 4, 2018 addressed the findings as follows. See application for entire response from applicant.

Conditions Unique to the Property, etc. (finding a): Highland Crest subdivision originally platted in small lots for small military housing which do not follow current building practices.

Effect of the Variances on Adjacent Property Owners (finding b): This will be the second new home built in Hi-Crest in over 50 years. It will increase the value of adjacent properties and provide homeownership option currently lacking in Hi-Crest.

Application of Zoning Requirements Constitute an Unnecessary Hardship (finding c): Lot is unusually small, making it difficult to build an updated, modest sized home. .

Potential for Adverse Effect on the Public Health, Safety, Morals, Order, Convenience, Property, and General Welfare (finding d): Disinvestment in Hi-Crest is high. SENT Topeka (applicant) is helping to change that by providing homes for purchase and rent.

Variances is not in Conflict with the General Spirit and Intent of the Regulations (finding e): No response.

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## Analysis and Findings:

Pursuant to K.S.A. 12-759, and as set forth in TMC 2.45.110, the Board of Zoning Appeals shall find that **all** of the following conditions are met before a variance may be granted.

- a. That the variance request arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district and is not created by action of the property owner or applicant;**

The small size and shallow depth of the property provide some justification for a variance to setbacks. The size of the property, with a width of 75 feet and depth of 100 feet, is not unique for this subdivision (Highland Crest No. 2) but is unusual relative to most residential lots in Topeka. Lot depths of 130 feet or more are typical in Topeka, and can more easily accommodate contemporary, small to moderate sized homes meeting minimum building setbacks required by the zoning code. The Topeka subdivision regulations now require lots to have a minimum depth of 110 feet. The minimum front and rear setbacks for lots zoned R-2 (Single Family Dwelling District) are 25 feet, so the proposed home meets the setbacks for R-2 zoning.

- b. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residences;**

This area of the Highland Crest neighborhood has a health rating of "Intensive Care" (seriously distressed) on the City's Neighborhood Health Map.<sup>1</sup> The proposed single family home will most likely have a positive effect on adjacent property owners and the neighborhood.

New investment and owner occupancy tend to have positive effects on neighborhood health. The home's three bedroom, two bathroom floor plan will be attractive to an owner-occupant. The building has attractive exterior features, including many windows, modulated exterior walls, and contemporary and distinctive design. The site plan includes parking at the rear of the lot which can accommodate a future of less than detached garage. The required setbacks for detached accessory buildings, including garages, are 5 feet at the rear and 3 feet from the interior side.

The subject property is a reversed corner lot, meaning its rear property line abuts the side yard of the adjoining lot to its rear. The request is to reduce the required setback by 8 feet from the required 30 feet, a moderate reduction that will have minimal if any noticeable impact on adjacent properties.

**c. That the strict application of the provisions of this chapter of which the variance is requested will constitute an unnecessary hardship upon the property owner represented in the application;**

The applicant's request is reasonable considering the restrictive dimensions of the lot and the proposed 1,224 square foot, three bedroom, two bath residence. Requiring a substantial change to the design of the home is unnecessary and would be a hardship for the owner, who purchased the property with the intent of building home that is more desirable to owners and tenants than the typical home in the Hi-Crest Neighborhood.

Highland Crest Subdivision No. 2 was created in 1952. Most of the homes in the subdivision were built to house personnel working at Forbes Field Air Force Base and intended as temporary housing using mass production methods common after World War III.<sup>2</sup> Restricting the owner to a design the same or similar to the other homes in the Highland Crest No. 2 subdivision would make the home less livable. Typical homes, such as those on the adjacent lots, are of the same design: 2-3 bedrooms, 1 bathroom, with small living, kitchen, and dining areas; exterior dimensions of 24' front to back, 36' side to side, and 864 square feet. A 36 foot wide home on this lot will meet setbacks but is far from what the owner intends to build and is not a good outcome for the neighborhood. The Hi-Crest Neighborhood Plan encourages new residential design that is distinctly different from the predominant home design in the neighborhood.<sup>3</sup>

Revising the floor plan in other ways to comply with setbacks is not an easy solution. Although the dimensions of the lot are not unusual for this subdivision, it is difficult to design a contemporary though modest sized home and meet all required setbacks for corner lots in the Highland Crest No. 2 subdivision. Compliance with the rear setback would require either an entirely different floor plan or result in a substantial reduction in the size of the kitchen, dining area, and bedrooms.

**d. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare;**

Granting relief from the required rear setback is warranted as it will allow the owner to build a small to moderately sized contemporary home. The benefit that accrues to



the property owner is also a positive outcome for the neighborhood and community providing standards directly related to public safety, such as those standards in the the City's building code, are met. The owner's investment in this property is itself a benefit to the neighborhood which has a rating of "Intensive Care" and thus considered distressed.

- e. **That granting the variance desired would not be opposed to the general spirit and intent of this chapter.**

Granting a variance to the required setback from the alley is not opposed to the general spirit and intent of the City's variance provisions in Chapter 2.45 nor does such a variance conflict with the spirit and intent of the zoning regulations in Title 18 of the city code. With the variance, the proposed home will have distinct front, side, and rear yards. The unique conditions of the property are documented herein and, therefore, approval of the variances requested does not set a precedent for future administration and enforcement of setback standards.

### **Planning Staff Recommendation**

Based on the above findings staff recommends APPROVAL subject to the following conditions.

### **Conditions of Variance Approval**

1. Development shall be generally consistent with the site plan received and dated January 3, 2021, and having a minimum rear setback from the southwest property line of 22 feet. Development shall generally conform to the floor plan and exterior building elevations dated 12/14/2020.
2. Off-street parking shall comply with the requirements of Topeka Zoning Regulations and other applicable requirements.
3. A building permit is required.

Staff Report by: Mike Hall, AICP, Current Planning Manager

### **Exhibits:**

1. Variance Application
2. Site Plan (Labeled "Plot Plan")
3. Floor Plan, Exterior Building Elevations, and other Design Specifications
4. Zoning Map
5. Aerial Map

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<sup>1</sup> Using data for five vital signs - poverty, crime, residential property values, home ownership, and unsafe structures - the Neighborhood Health Map rates Topeka neighborhoods using four ratings: Healthy (optimal conditions), Outpatient (favorable conditions), At Risk (emerging negative conditions), and Intensive Care (seriously distressed conditions).

<sup>2</sup> Highland Crest Neighborhood Plan, City of Topeka, December 2015.

<sup>3</sup> Ibid.



**APPLICATION  
TO THE BOARD OF ZONING APPEALS  
VARIANCE / EXCEPTION**

CITY OF TOPEKA PLANNING DIVISION  
620 SE MADISON, 3<sup>RD</sup> FLOOR (UNIT #11) | TOPEKA, KS 66607-1118  
PHONE 785.368.3728 | EMAIL: PLANNING@TOPEKA.ORG

**Applicant Information**

1-04-2021

Name: Timothy Vincent, SENT Holdings  
Address: 455 SE Golf Park Blvd, Topeka, KS 66605  
Phone: 785-783-2535 Email: tim@senttopeka.com

**For Planning &  
Development  
Use Only**

Case #  
B2A21V102

**Property Information**

Location of property: 3383 SE Irvingham St. Topeka, KS 66605

Legal description of property: (attach additional sheets if necessary)

Highland Crest Subdivision No. 2, Lot No. 17,  
Block No. 14

Hearing Date:  
FEB 8, 2021

Legal Ad Date:  
1/18/21

Zoning District:  
R1

Building Height:  
\_\_\_\_\_

Number of Stories:  
\_\_\_\_\_

Parcel Size:  
\_\_\_\_\_

Lot Dimensions:  
\_\_\_\_\_

**Action Sought:**

☒ A variance from a provision of the Zoning Ordinance  
(Section to be appealed: 18.60.020)

☐ An exception from a provision of the Zoning Ordinance  
(Section to be appealed: \_\_\_\_\_)

Description of Action Sought:

Requesting a Variance to the 30' rear  
Setback required by the zoning code in the R-1  
Single Family Dwelling district, for the  
construction of a single family dwelling

APPLICATION TO THE BOARD OF ZONING APPEALS FOR A VARIANCE / EXCEPTION

**Applicant offers the following as grounds for this action:**

In accordance with Section 2.45.110 of the Topeka Municipal Code, the Board of Zoning Appeals must determine that ALL of the following conditions governing unnecessary hardship have been met before a variance may be granted.

**All items must be addressed or the application will be deemed incomplete.**

- 1. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district and is not created by an action of the property owner or applicant (*The problem must relate to the land. Community needs or personal hardships do not qualify as legitimate grounds for issuing a variance.*);

The home being proposed to be built is of modest size.  
But when Highland Crest (HiCrest) was originally plotted, it was plotted with small lots for military housing, which ~~is~~ doesn't meet current building practices.

- 2. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;

This will be the second new build in HiCrest in over 50 years. This will increase the value of all adjacent properties, as well as provide a home ownership option for HiCrest, which is currently lacking.

- 3. That the strict application of the provisions of this chapter of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;

As stated above, the lots are unusually small, which makes it difficult to build an update, modest size home. The home proposed is only 1,228 sq. ft.

- 4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, property, or general welfare;

There has been high disinvestment into HiCrest and SENT Topeka is helping change that narrative by providing affordable, safe homes for purchase & rent.

- 5. That granting the variance desired will not be opposed to the general spirit and intent of this chapter.

Not sure how to answer.

... in letter for more information or  
... on ...



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## Authorization

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### Property Owner(s):

I/We the undersigned owner(s) of record hereby authorize the filing of this application and declare that all required materials are submitted along with this application and that the information and material is complete and accurate. I/We hereby acknowledge that all appropriate procedures, policies, and regulations have been reviewed and also understood that this application will be processed in sequence with respect to other submittals.

SENT Holdings, LLC  
Owner Name (print)

\_\_\_\_\_  
Owner Signature

Jacquetta Ramirez-Jennings  
Owner Name (print) Executive Director

Jacquetta Ramirez-Jennings  
Owner Signature

\_\_\_\_\_  
Owner Name (print)

\_\_\_\_\_  
Owner Signature

### Authorized Agent:

If the owner(s) of record are to be represented by legal counsel or an authorized agent, please complete the following information so that communications and correspondence pertaining to this application may be forwarded to such individual.

\_\_\_\_\_  
Authorized Agent Name (print)

\_\_\_\_\_  
Signature – Authorized Agent

Mailing Address: \_\_\_\_\_  
STREET ADDRESS CITY STATE ZIP

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Applicant:

Timothy Vincent (Construction Manager)  
Applicant Name (print)

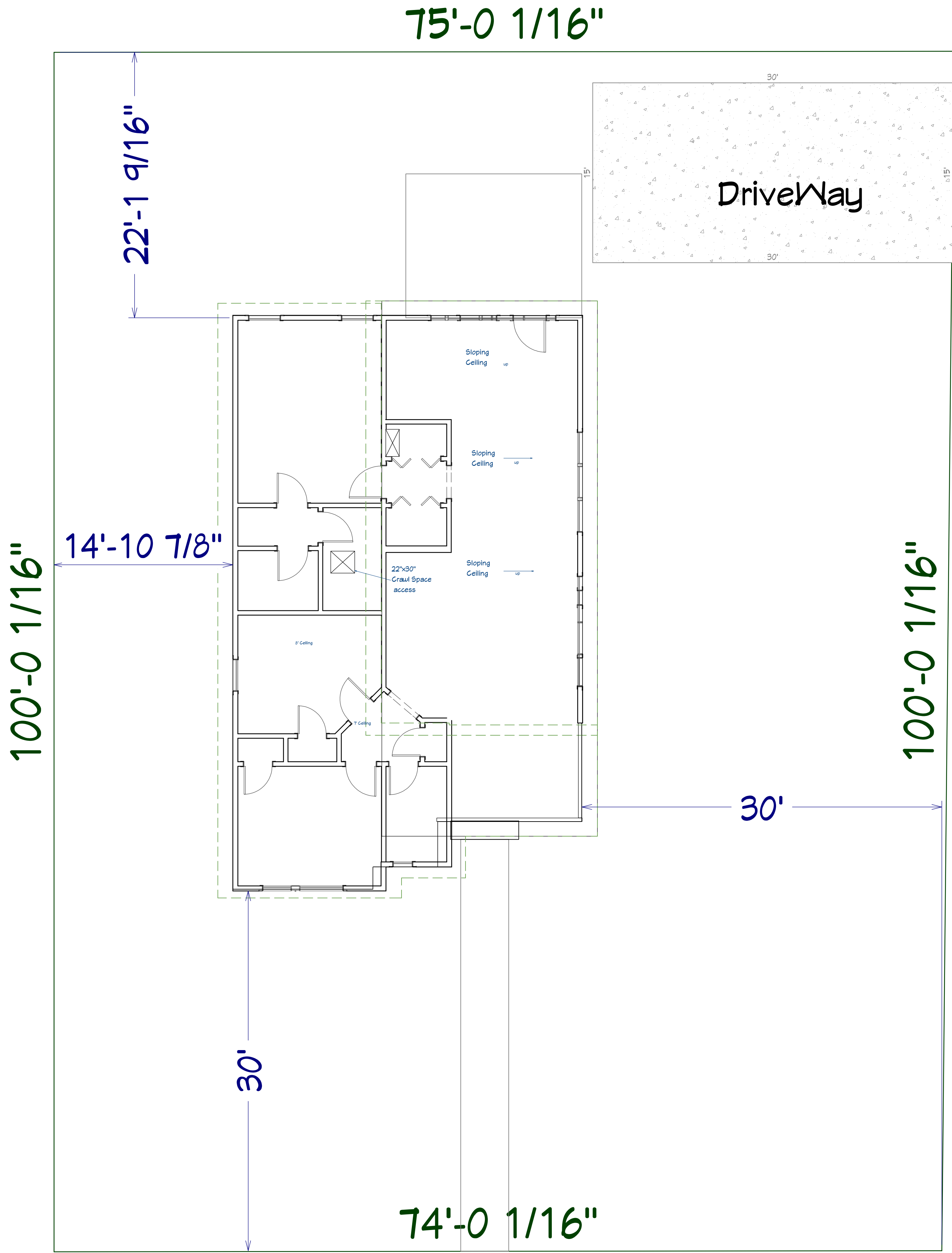
Timothy Vincent  
Applicant Signature





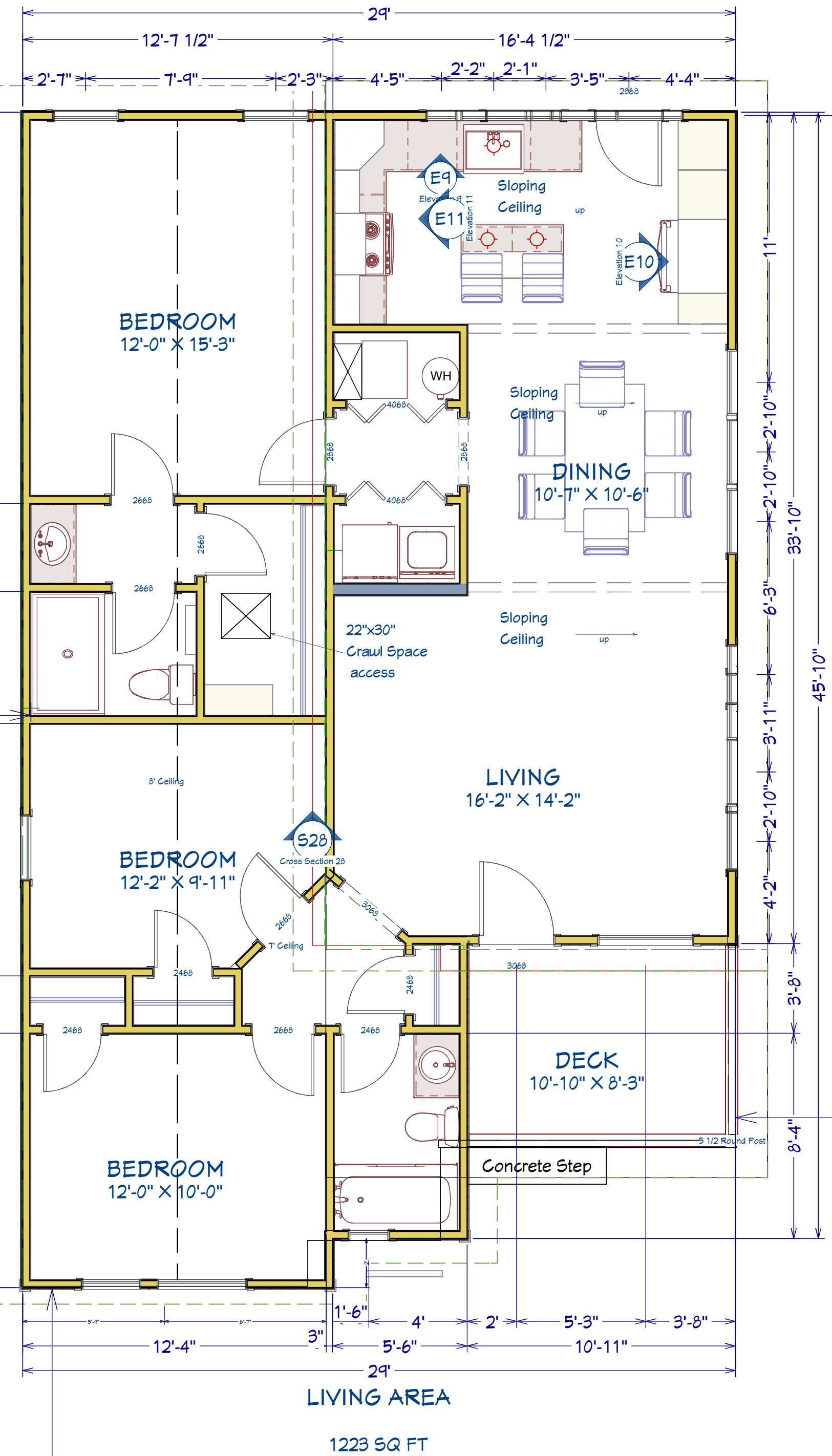
Property Map

SE 33rd. Ter



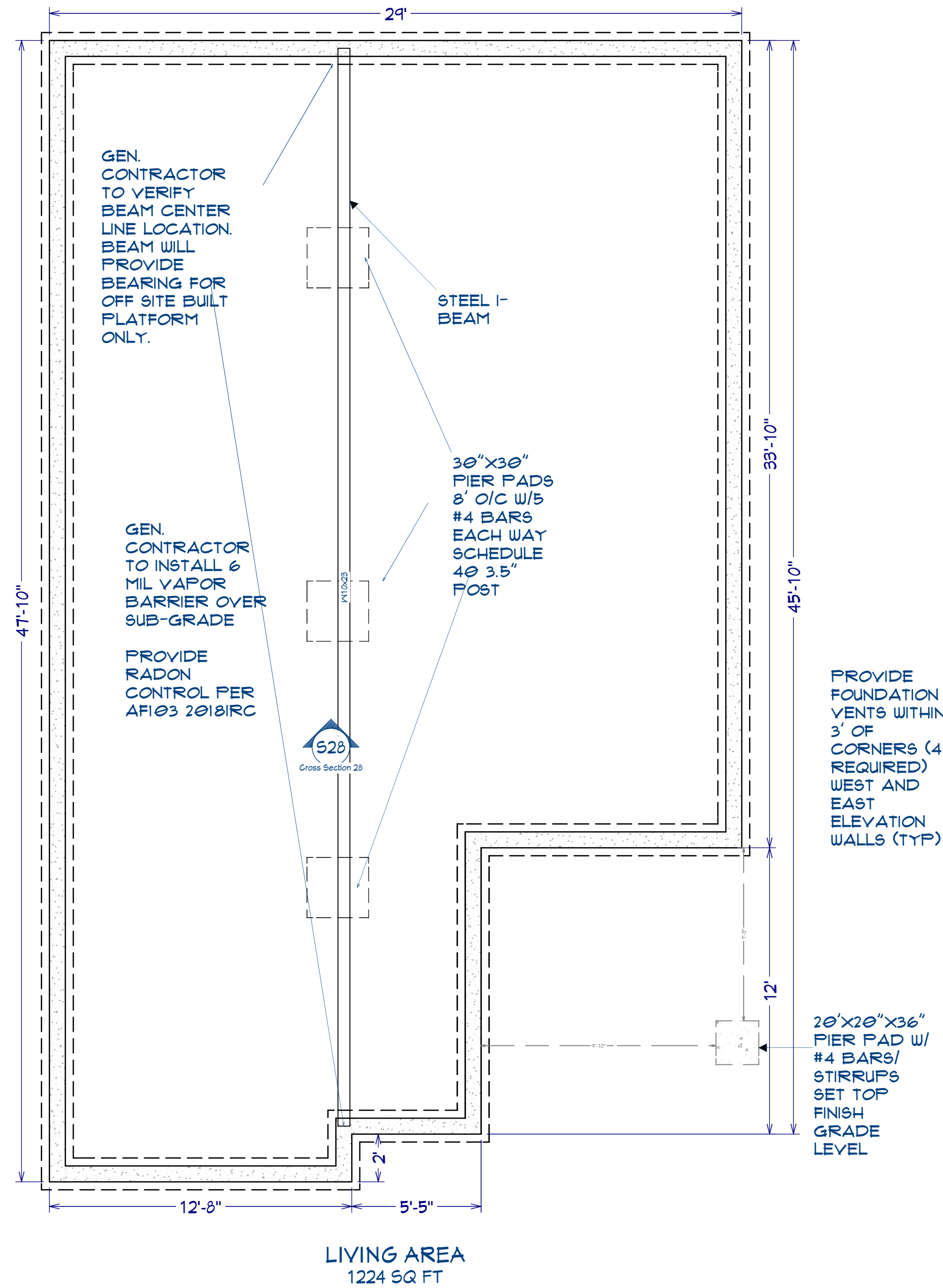
3383 SE Irvingham



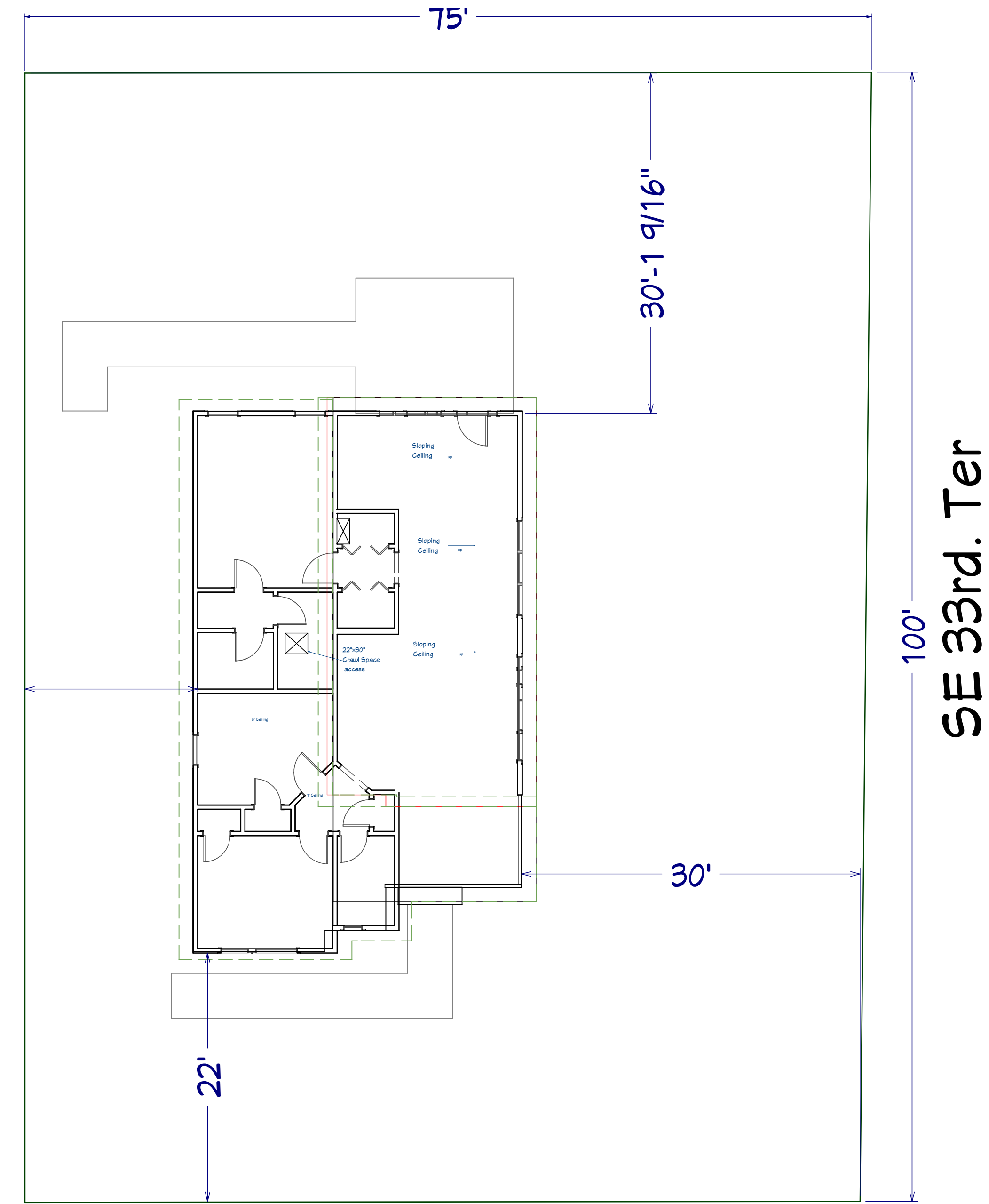


2

1st Floor

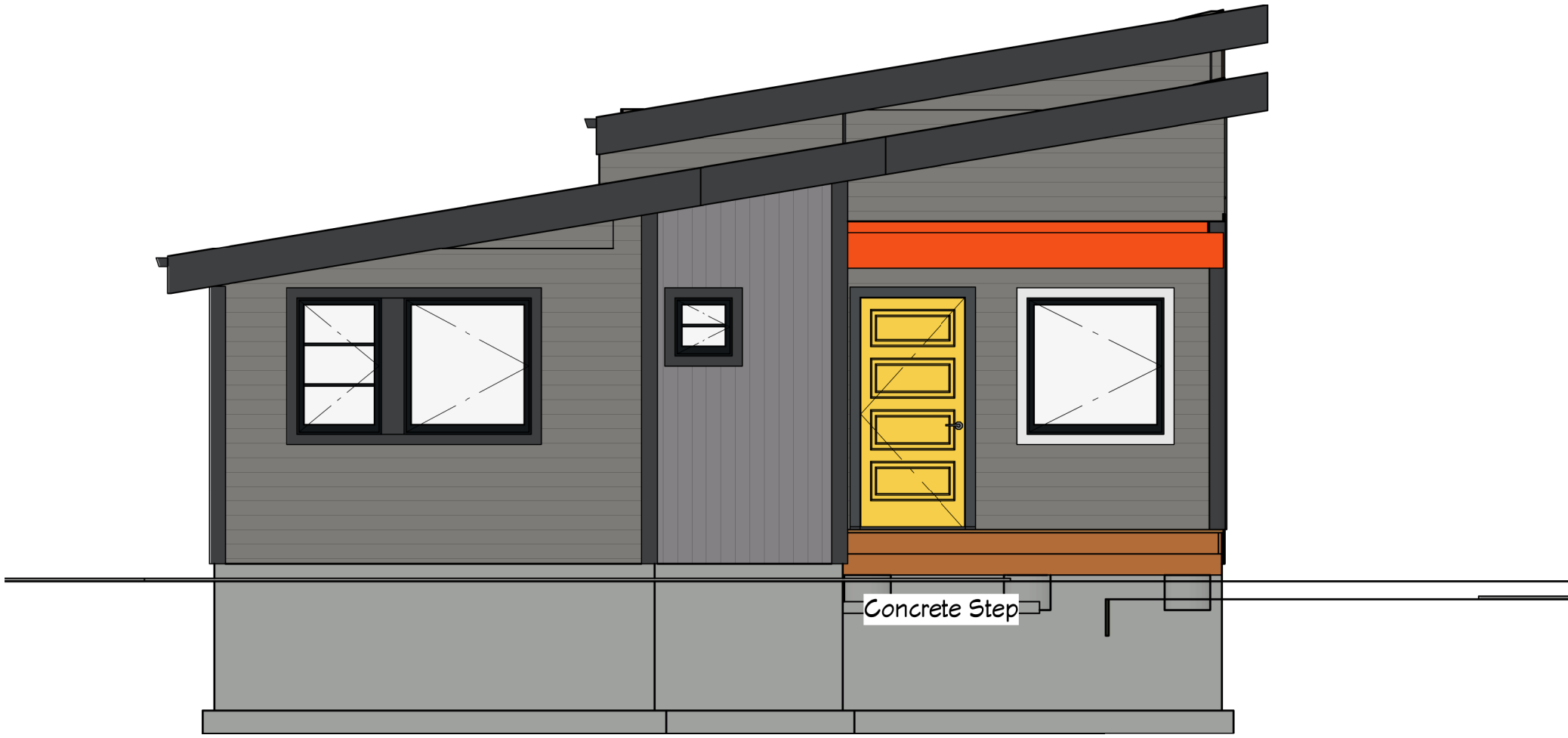


Foundation

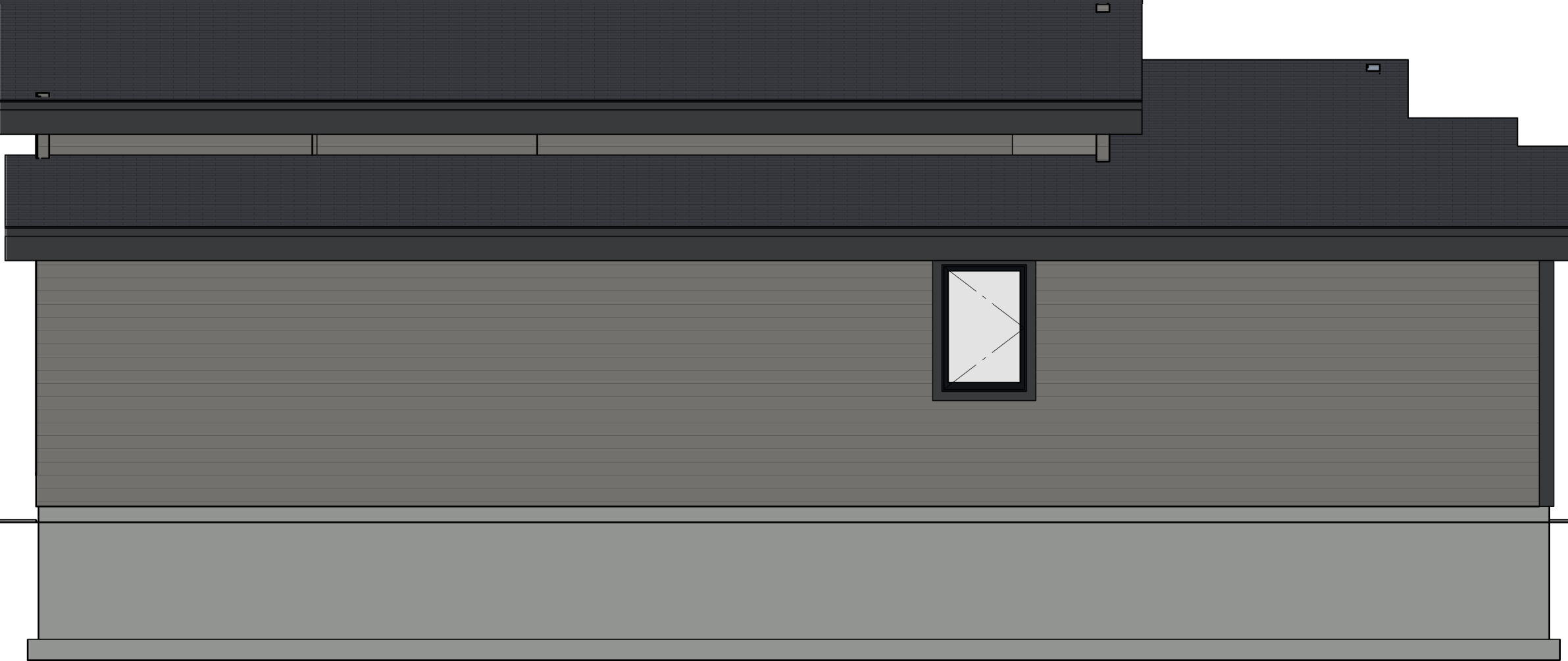


SE Irvingham

1st Floor



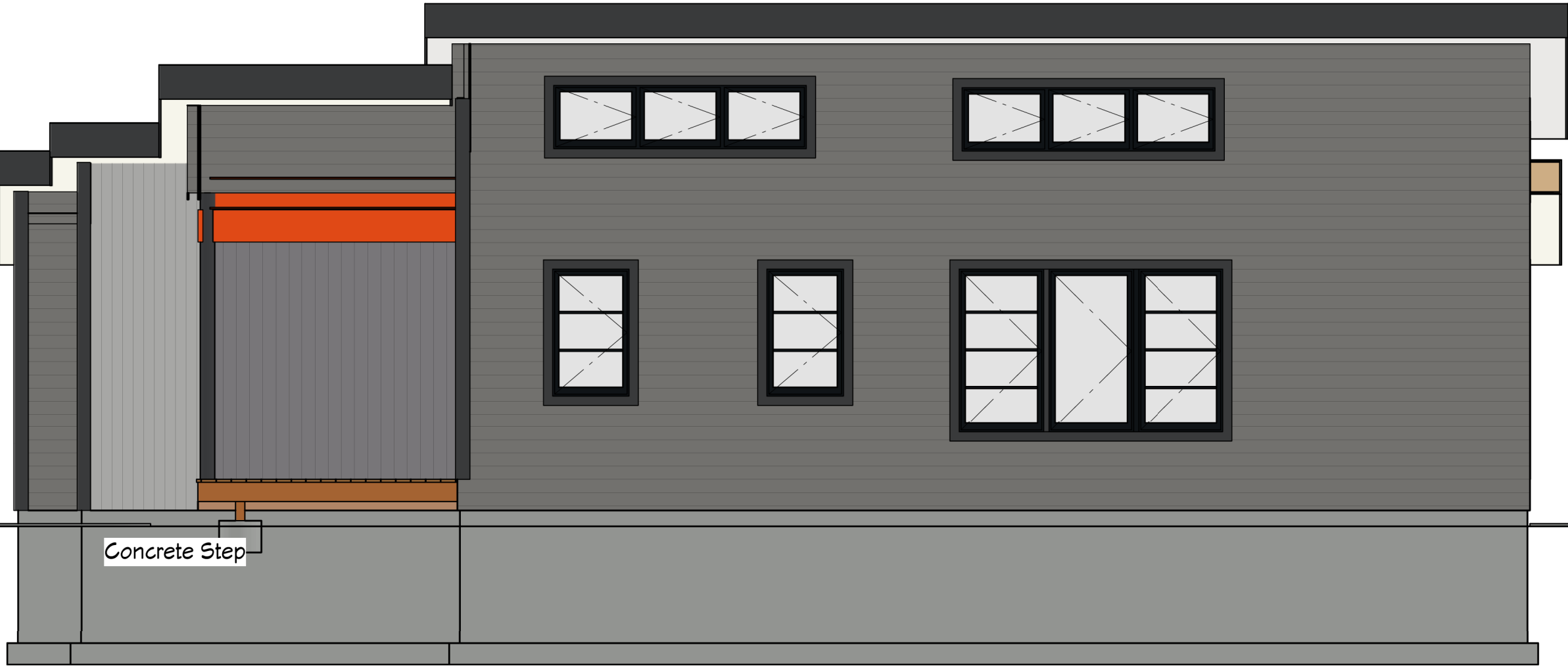
Exterior Elevation Front



Exterior Elevation Left



Elevation 33



Exterior Elevation Right



CARPENTRY:

SAWN LUMBER DESIGN IS BASED ON THE NATIONAL DESIGN SPECIFICATION, LATEST EDITION. SAWN LUMBER SHALL CONFORM TO WEST COAST LUMBER INSPECTION BUREAU OR WESTERN WOOD PRODUCTS ASSOCIATION GRADING RULES. ALL LUMBER NOT SPECIFICALLY NOTED TO BE D.F.#2 OR BETTER. ALL WOOD IN PERMANENT CONTACT WITH CONCRETE OR CMU SHALL BE PRESSURE TREATED UNLESS AN APPROVED BARRIER IS PROVIDED. FRAMING ACCESSORIES AND STRUCTURAL FASTENERS SHALL BE MANUFACTURED BY SIMPSON STRONG-TIE COMPANY (OR ENGINEER APPROVED EQUAL) AND OF THE SIZE AND TYPE SHOWN ON THE DRAWINGS. HANGERS NOT SHOWN SHALL BE SIMPSON HU OF SIZE RECOMMENDED FOR MEMBER. ALL HANGERS AND NAILS IN CONTACT WITH PRESSURE TREATED LUMBER SHALL BE SIMPSON Z-MAX HANGERS OR STAINLESS STEEL. ALL SHEAR WALL SHEATHING NAILS SHALL BE COMMON NAILS. ALL FRAMING NAILS SHALL BE COMMON NAILS. OR HOT DIPPED GALVANIZED BOX NAILS. FRAMING NAILS SHALL BE PER IBC TABLE 2304.9.1 OR IRC TABLE R602.3(1).

PLYWOOD PANELS SHALL CONFORM TO THE REQUIREMENTS OF "U.S. PRODUCT STANDARD PS 1 FOR CONSTRUCTION AND INDUSTRIAL PLYWOOD" OR APA PRP-108 PERFORMANCE STANDARDS. UNLESS NOTED, PANELS SHALL BE APA RATED SHEATHING, EXPOSURE 1, OF THE THICKNESS AND SPAN RATING SHOWN ON THE DRAWINGS. PLYWOOD INSTALLATION SHALL BE IN CONFORMANCE WITH APA RECOMMENDATIONS. ALLOW 1/8" SPACING AT PANELS ENDS AND EDGES, UNLESS OTHERWISE RECOMMENDED BY THE PANEL MANUFACTURER.

ALL ROOF SHEATHING AND SUB-FLOORING SHALL BE INSTALLED WITH FACE GRAIN PERPENDICULAR TO SUPPORTS, EXCEPT AS INDICATED ON THE DRAWINGS. ROOF SHEATHING SHALL EITHER BE BLOCKED, TONGUE-AND-GROOVE, OR HAVE EDGES SUPPORTED BY PLYCLIPS. SHEAR WALL SHEATHING SHALL BE BLOCKED WITH 2X FRAMING AT ALL PANEL EDGES. NAILING NOT SPECIFICALLY IDENTIFIED ON THE DRAWINGS TO CONFORM WITH IRC TABLE R602.3(1).

GLUED LAMINATED MEMBERS SHALL BE FABRICATED IN CONFORMANCE WITH U.S. PRODUCT STANDARD PS 56, "STRUCTURAL GLUED LAMINATED TIMBER" AND AMERICAN INSTITUTE OF TIMBER CONSTRUCTION, AITC 117. EACH MEMBER SHALL BEAR AN AITC OR APA-EWS IDENTIFICATION MARK AND BE ACCOMPANIED BY A CERTIFICATE OF CONFORMANCE. ONE COAT OF END SEALER SHALL BE APPLIED IMMEDIATELY AFTER TRIMMING IN EITHER SHOP OR FIELD. GLULAM HANGERS NOT SHOWN SHALL BE SIMPSON EG. BEAMS SHALL BE VISUALLY GRADED WESTERN SPECIES INDUSTRIAL GRADE, AND OF THE STRENGTH INDICATED BELOW:

| DEPTH | COMBINATION | SPECIES | USE                   |
|-------|-------------|---------|-----------------------|
| ALL   | 24F - V4    | DF/DF   | (SIMPLE SPAN)         |
| ALL   | 24F - V8    | DF/DF   | (CONT. OR CANTILEVER) |

PREMANUFACTURED WOOD JOISTS: PREMANUFACTURED WOOD JOISTS SHALL BE OF THE SIZE AND TYPE SHOWN ON THE DRAWINGS, MANUFACTURED BY THE TRUS JOIST COMPANY, OR AN ENGINEER APPROVED EQUAL. PROVIDE BRIDGING IN CONFORMANCE WITH THE MANUFACTURERS RECOMMENDATIONS. JOISTS AND BRIDGING SHALL BE CAPABLE OF RESISTING THE WIND UPLIFT NOTED ON THE DRAWINGS. THE JOIST MANUFACTURER SHALL VISIT JOB SITE AS REQUIRED AND VERIFY THE PROPER INSTALLATION OF JOISTS IN WRITING TO THE ARCHITECT/ENGINEER. PREMANUFACTURED WOOD JOIST ALTERNATES WILL BE CONSIDERED, PROVIDED THE ALTERNATE IS COMPATIBLE WITH THE LOAD CAPACITY, STIFFNESS, DIMENSIONAL, AND FIRE RATING REQUIREMENTS OF THE PROJECT, AND IS ICBO APPROVED.

- LUMBER SPECIES:
- A. POSTS, BEAMS, HEADERS, JOISTS, AND RAFTERS TO BE DF-#2
- B. EXPOSED ARCH BEAMS TO BE DF-#1 OR BETTER
- C. SILLS, PLATES BLOCKING, AND BRIDGING TO BE DF-#2.
- D. ALL STUDS TO BE DF#2 OR BETTER.
- E. PLYWOOD SHEATHING SHALL BE AS FOLLOWS:  
ROOF SHEATHING SHALL BE 1/2" CDX INT-APA RATED 32/16.  
WALL SHEATHING SHALL BE 1/2" INT-APA RATED 32/16 OR 7/16" OSB.  
FLOOR SHEATHING SHALL BE 3/4" T & G INT-APA RATED OSB.
- F. 'I' JOISTS SHALL BE MANUFACTURED BY TRUS JOIST OR ENGINEER APPROVED EQUAL.
- G. ALL WOOD IN CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED.

GENERAL NOTES:

THE BUILDER SHALL VERIFY THAT SITE CONDITIONS ARE CONSISTENT WITH THESE PLANS BEFORE STARTING WORK. WORK NOT SPECIFICALLY DETAILED SHALL BE CONSTRUCTED TO THE SAME QUALITY AS SIMILAR WORK THAT IS DETAILED. ALL WORK SHALL BE DONE IN ACCORDANCE WITH INTERNATIONAL BUILDING CODES AND LOCAL CODES.

WRITTEN DIMENSIONS AND SPECIFIC NOTES SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND GENERAL NOTES. THE ENGINEER/DESIGNER SHALL BE CONSULTED FOR CLARIFICATION IF SITE CONDITIONS ARE ENCOUNTERED THAT ARE DIFFERENT THAN SHOWN, IF DISCREPANCIES ARE FOUND IN THE PLANS OR NOTES, OR IF A QUESTION ARISES OVER THE INTENT OF THE PLANS OR NOTES. CONTRACTOR SHALL VERIFY AND IS RESPONSIBLE FOR ALL DIMENSIONS (INCLUDING ROUGH OPENINGS).

PLEASE SEE ADDITIONAL NOTES CALLED OUT ON OTHER SHEETS.

BUILDING PERFORMANCE:

HEAT LOSS CALCULATIONS SHALL COMPLY WITH THE REQUIREMENTS OF REGIONAL AND LOCAL CODES. SEE CALCULATIONS. PORCHES, DECKS, FOUNDATION, FIREPLACE ENCLOSURES, AND GARAGE AREAS NOT INCLUDED IN LIVING AREA. ALL EXHAUST FANS TO BE VENTED DIRECTLY TO THE EXTERIOR. ALL PENETRATIONS OF THE BUILDING ENVELOPE SHALL BE SEALED WITH CAULK OR FOAM.

|                      |                             |
|----------------------|-----------------------------|
| STRUCTURAL ENGINEER: | Engineer's Information Here |
| DESIGNER:            | -                           |
| BUILDER:             | Builder's Information Here  |

FOUNDATION NOTES:

SLOPE CRAWL SPACE TO DRAIN. MAXIMUM SLOPE IS 2 HORIZ., 1 VERT. BETWEEN FOOTINGS AT DIFFERENT ELEVATIONS.

ALL FOOTINGS TO REST ON CLEAN, FIRM UNDISTURBED SOIL. STEP FOOTINGS A REQUIRED TO MAINTAIN REQUIRED DEPTH BELOW FINISH GRADES.

CONCRETE STRENGTH,  
3,000 PSI AT 28 DAYS FOR ALL SLABS. (FOUNDATION DESIGN BASED ON 2,500 PSI).  
3,000 PSI AT 28 DAYS FOR ALL OTHER CONDITION.  
MAXIMUM SLUMP, 4"

USE ASTM A-615 GRADE 60 DEFORMED REINFORCING BARS UNLESS NOTED OTHERWISE

CONCRETE EXPASION ANCHORS SHALL BE 'SIMPSON WEDGE-ALL STUD ANCHORS' OR ENGINEER APPROVED EQUAL. EPOXY TO BE SIMPSON "SET" ADHESIVE OR APPROVED EQUAL.

INFILTRATION, ALL OPENINGS IN THE EXT. BLDG. ENVELOPE SHALL BE SEALED AGAINST AIR INFILTRATION. THE FOLLOWING AREAS MUST BE SEALED.

- \* JOINTS AROUND WINDOW AND DOOR FRAMES
- \* JOINTS BETWEEN WALL CAVITY AND WINDOW/DR. FME.
- \* JOINTS BETWEEN WALL AND FOUNDATION
- \* JOINTS BETWEEN WALL AND ROOF
- \* JOINTS BETWEEN WALL PANELS
- \* UTILITY PENETRATIONS THROUGH EXTERIOR WALLS

DOOR AND WINDOW NOTES:

EVERY BEDROOM SHALL BE PROVIDED WITH AN EGRESS WINDOW WITH FINISH SILL HEIGHT NOT GREATER THAN 44" ABOVE THE FINISH FLOOR HEIGHT AND SHALL HAVE A MINIMUM OPENABLE AREA OF 5.7 SQ. FT. EGRESS WINDOWS SHALL NOT HAVE AN OPENABLE AREA LESS THAN 20" WIDE OR 24" HIGH.

INTERIOR DOORS SHALL BE PAINTED. ENTRY DOOR TO BE DEFINED BY HOME OWNER PRIOR ORDERING

EXTERIOR EXIT DOORS WILL BE 36" MIN. NET CLEAR DOORWAY SHALL BE 32" MIN. DOOR SHALL BE OPENABLE FROM INSIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT. GLAZING IN DOORS SHALL BE DUAL PANE SAFETY GLASS WITH MIN. U-VALUE OF 0.60

GARAGE DOORS TO BE SECTIONAL, OVERHEAD DOORS

NAILING NOTES: (PER IRC TABLE R602.3(1))

JOIST TO SILL OR GIRDER  
BRIDGING TO JOIST  
SOLE PLATE TO JOIST OR BLK'G  
STUD TO SOLE PLATE  
TOP PLATE TO STUD

DOUBLE STUDS  
DOUBLE TOP PLATES  
CONTINUOUS HEADER, TWO PIECES  
BUILT-UP HEADER, TWO PIECES  
W/ 1/2" SPACER  
TOP PLATES, LAPS AND INTERSECTIONS

CEILING JOISTS TO PLATE  
CONTINUOUS HEADER TO STUD  
CEILING JOISTS, LAPS OVER PARTITIONS  
CEILING JOISTS TO PARALLEL RAFTERS  
RAFTER TO PLATE  
1" BRACE TO EACH STUD AND PLATE  
BUILT-UP CORNER STUDS  
2" PLANKS

7/16" PLYWOOD ROOF AND WALL  
SHEATHING

3/4" PLYWOOD SUBFLOOR

2x MULTIPLE JOISTS - STAGGER @ 15" OC  
W/(2) @ EA. END OR SPLICE  
(3) OR FEWER  
(4) OR MORE

TOE NAIL (3)-8d  
TOE NAIL EA. END (2)-8d  
FACE NAIL 16d @ 16" OC  
TOE NAIL (4)-8d, END NAIL (2) 16d  
END NAIL (2)-16d

FACE NAIL 16d @ 24" OC  
FACE NAIL 16d @ 16" OC  
16d @ 16" OC ALONG EA. EDGE  
FACE NAIL (2)-16d

TOE NAIL (3)-8d  
TOE NAIL (4)-8d  
FACE NAIL (3)-10d  
FACE NAIL (3)-10d  
TOE NAIL (2)-16d  
FACE NAIL (2)-8d  
10d @ 24" OC  
(2)-16d @ EA.BRG.

EDGES 8d @ 6" OC  
INTERMEDIATE 8d @ 12" OC

EDGES 8d @ 6" OC  
INTERMEDIATE 8d @ 12" OC

16d NAILS  
1/2" DIA M.B. W/ STANDARD NUT AND WASHERS

WALL PANEL NOTES:

B.P. BRACED WALL PANEL

3'-4" MIN. LENGTH w/ 7/16" OSB OR 1/2" PLYWOOD AND 8d COMMONS 6" o/c AT ALL PANEL EDGES, 12" o/c FIELD.

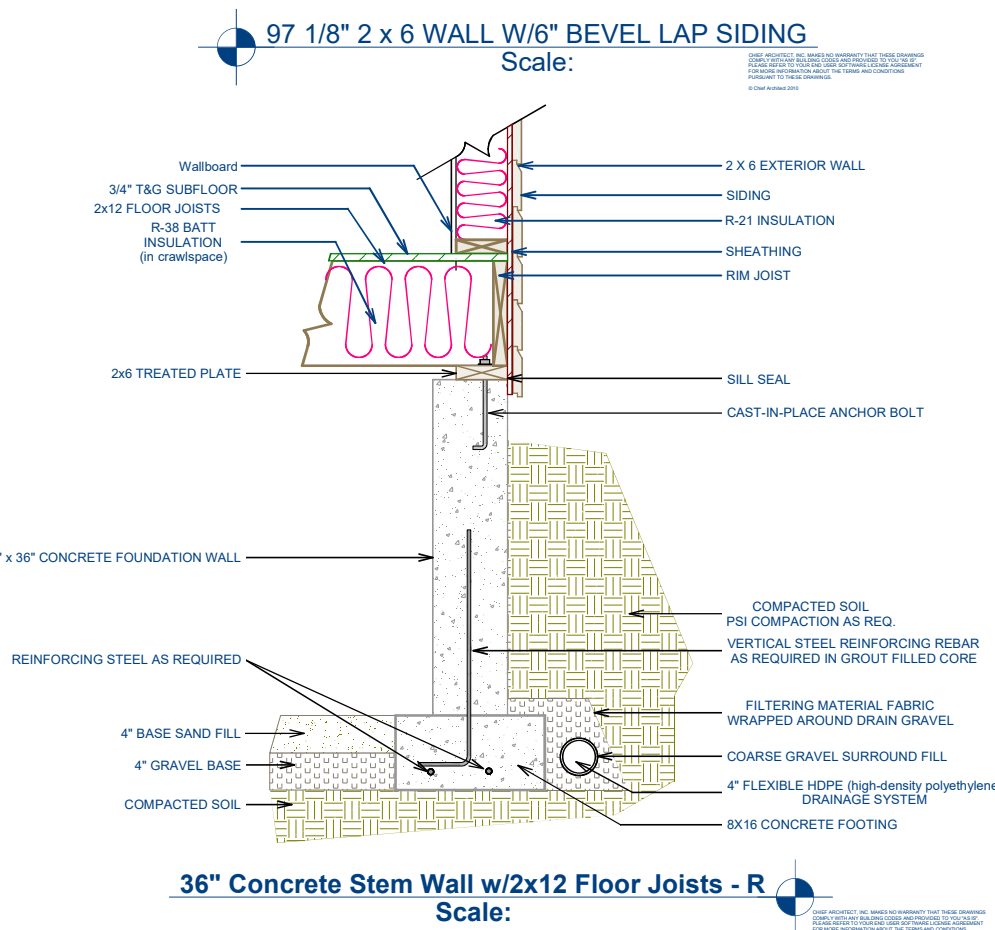
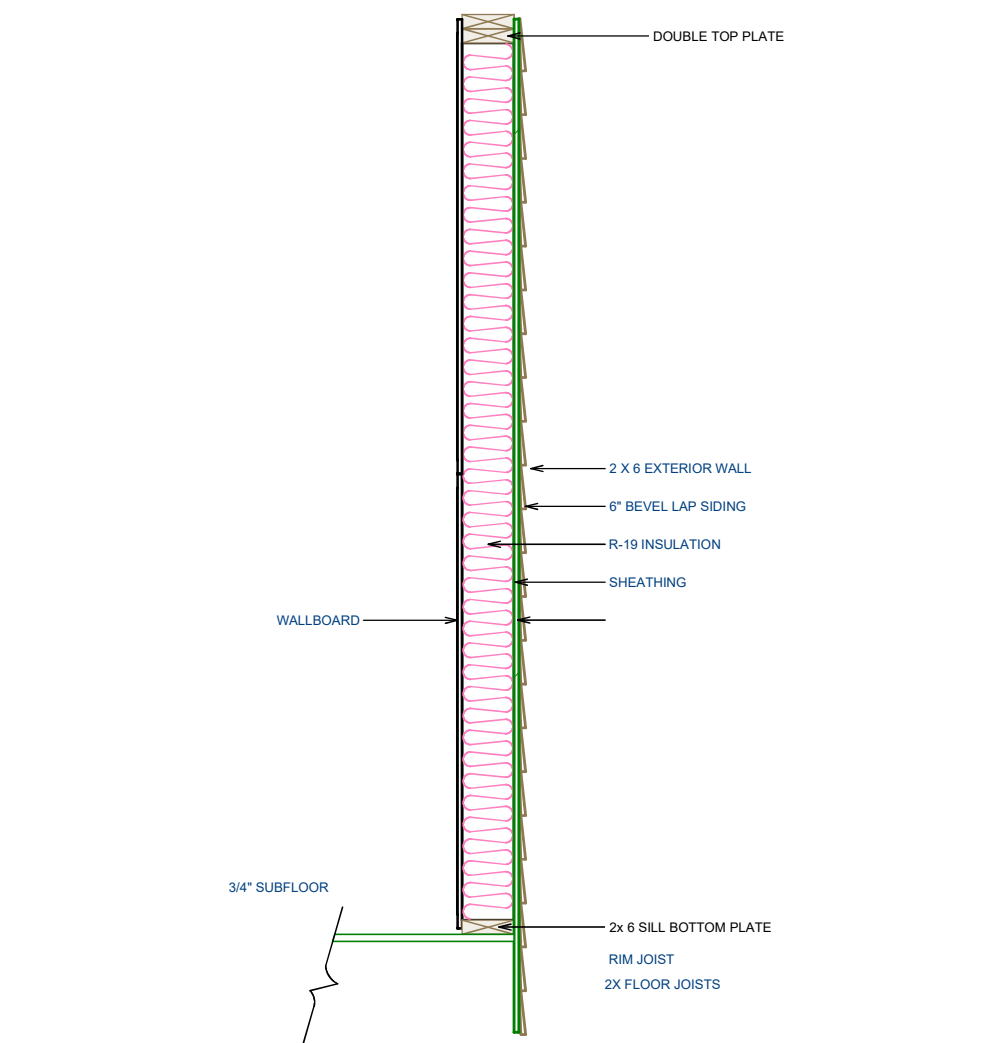
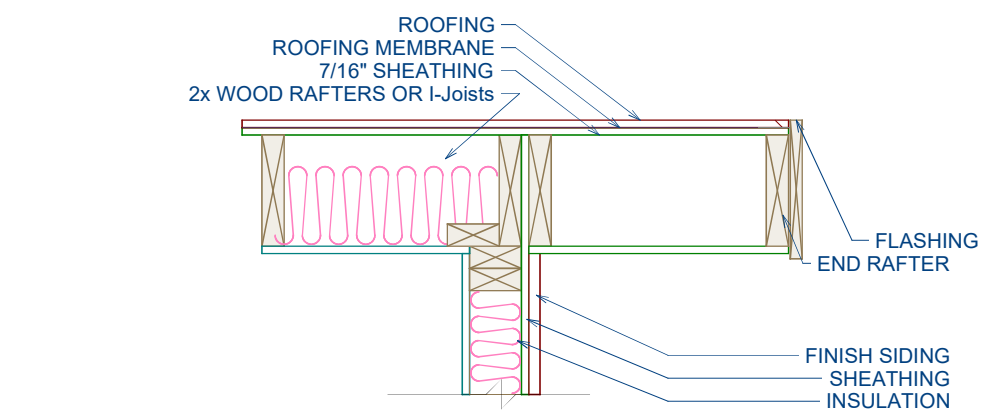
I.B.P. INTERIOR BRACED WALL PANEL

1/2" GYP. BD PER R 602.10.3(5); 1/2 GWB EACH SIDE w/ #6 X 1 1/4 TYPE S OR W SCREWS PERS ASTM C1002 @ 7" o/c @ ALL SUPPORTS

A.B.P. ALTERNATE BRACED WALL PANEL

2'-8" MIN. WIDTH w/ 7/16" OSB OR 1/2" PLYWOOD AND 8d COMMONS 6" o/c AT ALL PANEL EDGES, 12" o/c FIELD & (2) A.B. PER PANEL LOCATED AT 1/4 POINTS & 1800# MIN. HOLDDOWN EACH END \*HPAHD22 OR STD10)

EXHIBIT 3  
p 3 of 3



DATE:

12/14/2020

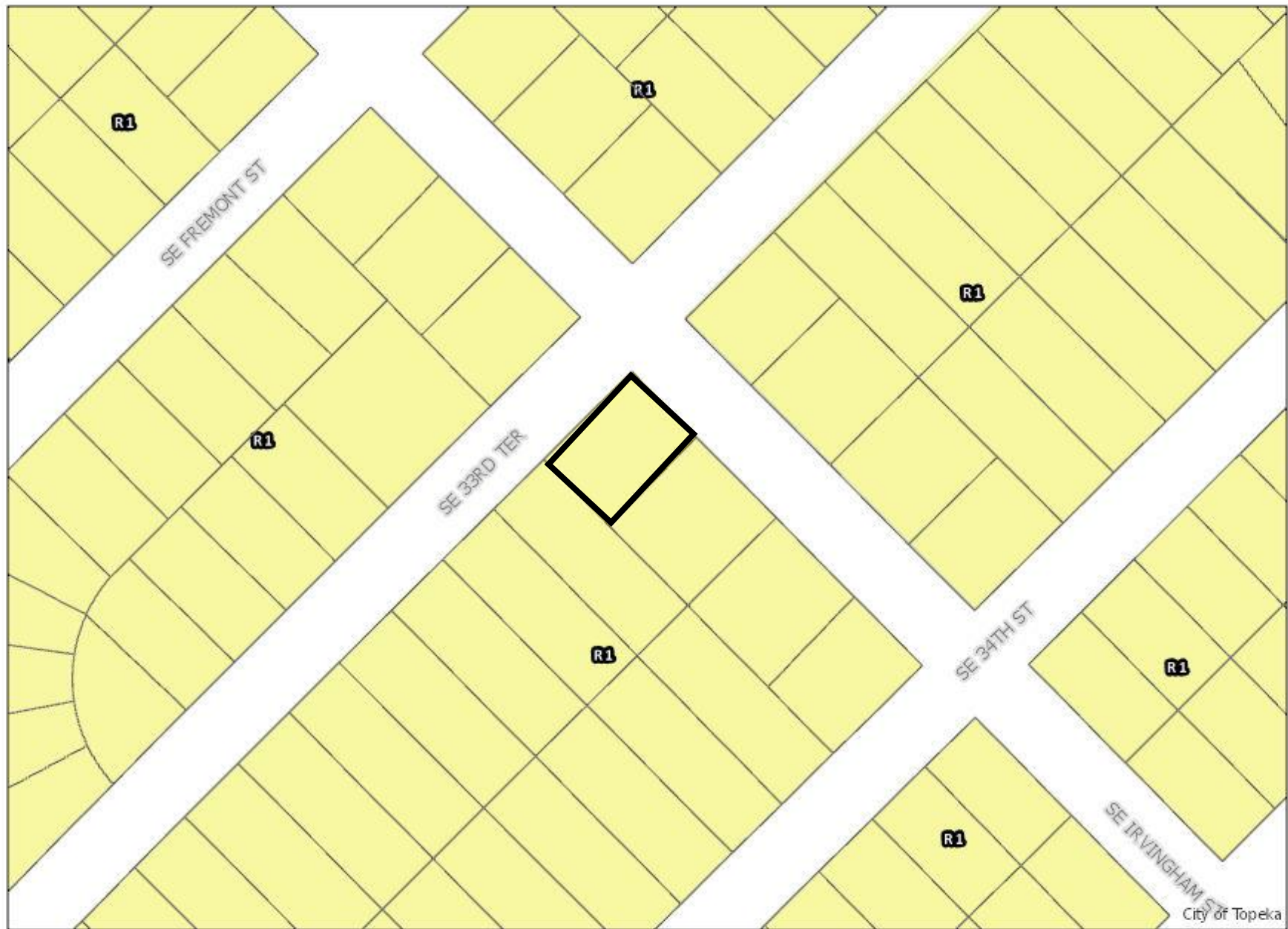
SCALE:

SHEET:



# PC Zoning

## EXHIBIT 4



City of Topeka  
Planning and Development  
Department

Legend



Subject Property



**BZA21V/02 SENT Holdings LLC.**



City of Topeka  
Planning and Development  
Department



Subject Property