

**APPEAL NO. 1702 - DAVID E. MARQUESS****1521 South 14<sup>th</sup> Street**

On the 2nd day of July, 2001, before Mr. Jack DeLap, Chairman Presiding, Mr. Thomas Barnes, Mr. Gilbert A. Pintar, and Mr. Ronald Wortman, sitting as the Board of Zoning Appeals, comes now for hearing the appeal of David Marquess, for a variance in the planning and zoning ordinances with regard to Ordinance Section 8-177(a) and (b), located at 1521 South 14<sup>th</sup> Street, Kansas City, Kansas.

Mr. Michael Redmon, attorney representing the appellant, 831 Armstrong Avenue, and Mr. David Marquess, appellant, appeared in support of this appeal. Mr. Redmon stated the appellant has a 6' fence and the allowable height is 4'. The reason for the request is for security reasons. The appellant has lived in this neighborhood his entire life except for three years while he was in the army. In the last ten (10) years he has been the victim of four burglaries. Each of them resulting in a considerable loss. The last time he was held at gun point and threatened. He is in the process of constructing this fence. He has a guard dog that he would like to be able to run free, but a four-foot fence will not contain the dog. Board Member Pintar asked what type of fence it will be? Mr. Redmon stated it is a wooden fence and submitted pictures of the partial construction. Mr. Larry K. Hancks, Principal Planner, asked if this appeal is the result of code enforcement? Mr. Marquess stated yes. Mr. Pintar asked when the fence was erected? Mr. Marquess stated that he started last Fall and it is not finished as he is 60 years old. Mr. Pintar asked how the top of the post will be finished off? Mr. Marquess stated that he wants to put some lattice up. Mr. Pintar asked if it will be gated? Mr. Marquess stated yes.

No one appeared in opposition to this appeal.

After considering the reasons for the appeal, which was filed for a variance in the planning and zoning ordinances in violation of Ordinance Section 8-177(a) and (b), and after considering the evidence and testimony presented at the hearing, on motion by Mr. Thomas Barnes, seconded by Mr. Pintar, the Board voted 3 to 0 to approve this appeal.

#1702

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**THE BOARD OF ZONING APPEALS**

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