

**SEDGWICK COUNTY
BOARD OF ZONING APPEALS
AGENDA
September 15, 2015**

The regular meeting of the Sedgwick County Board of Zoning Appeals will be held on **Tuesday, September 15, 2015, at 3:00 p.m.**, in the **Planning Department Conference Room, Wichita City Hall- 10th Floor, 455 N. Main St., Wichita, KS.**

- 1. Case Number:** BZA2015-00039

Request: County variance to permit a billboard.

Applicant: James L. McMaster

Agent: Kevin M. McMaster

General Location: North of east Kellogg and east of Zelta Street (12594 E. Kellogg).

- 2. Case Number:** BZA2015-00043

Request: County variance to reduce interior side yard from 20 to 3 feet.

Applicant: Ed Clithero

Agent: None

General Location: West of south 143rd Street East and south of east 75th Street South (14220 E. Cherokee Trail).

- 3. Other business**

Derrick Slocum, Secretary

SECRETARY'S REPORT

CASE NUMBER: BZA2015-00039

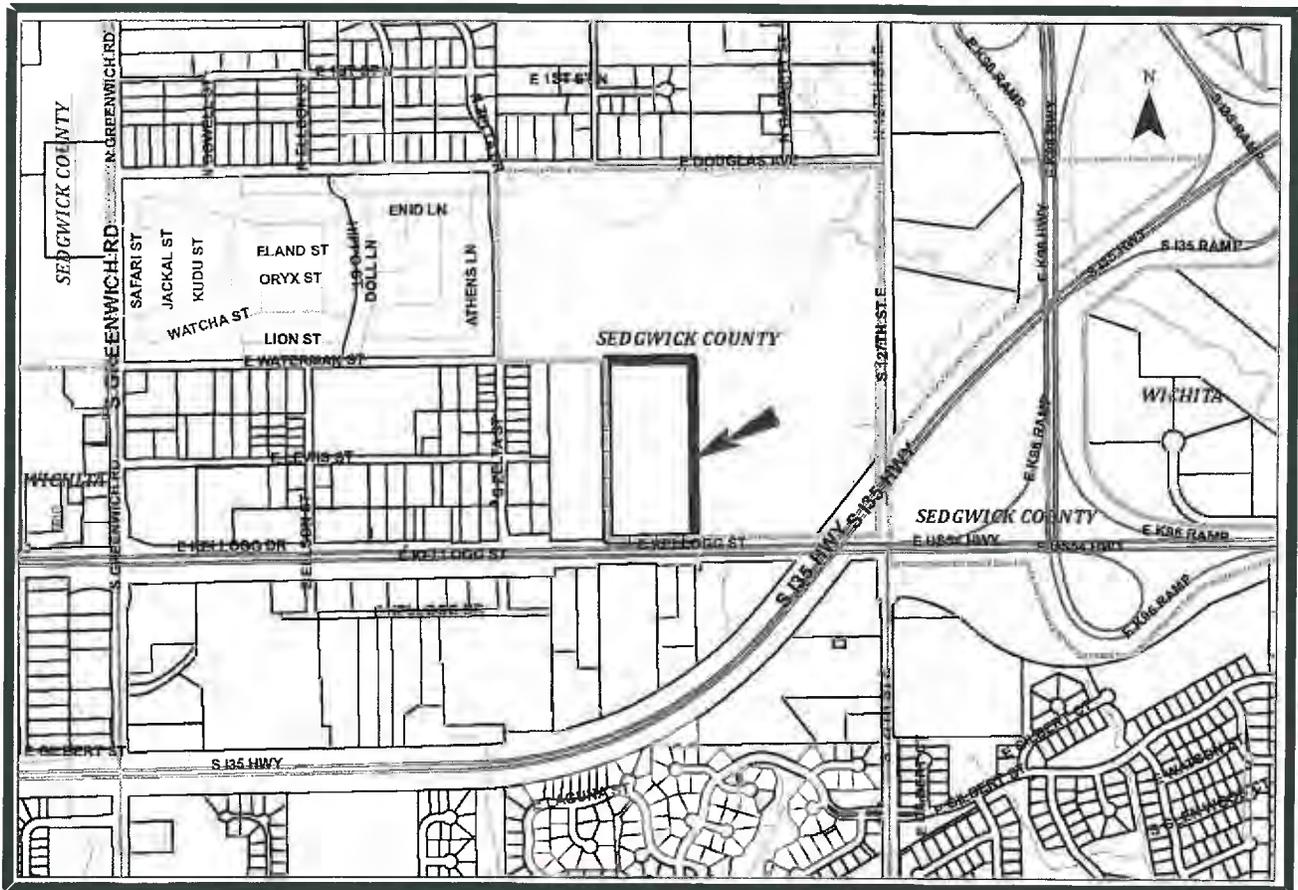
APPLICANT/AGENT: James McMaster and Kevin McMaster (owner(s)/applicant(s))

REQUEST: County Variance to allow the placement of an off-site sign on property zoned SF-5 Single-family Residential ("SF-5").

CURRENT ZONING: SF-5 Single-family Residential ("SF-5")

SITE SIZE: 0.014 acres

LOCATION: Generally east of South Zelta Street, on the north side of East Kellogg Street (US-54)



JURISDICTION: The Board may grant the request when all five conditions, as required by State Statutes, are found to exist.

BACKGROUND: The applicant requests a variance to permit the placement of a billboard in the County on property zoned SF-5 Single-family Residential. This billboard has been in this location for over 20 years, however was damaged by a storm at one time, and consisted of just its frame. During the time it took for the applicant to redevelop the billboard sign, another sign was constructed nearby, across Kellogg. This sign added a fifth sign within a particular mile of Kellogg, which is the maximum number allowed in a mile. Also, since the subject sign had been in its location since before County zoning, the new zone district in which the sign is currently placed does not allow for billboard type signs. So the applicant is requesting variances to the sign code to allow the placement of the billboard sign with variances to the five sign per mile regulation and the placement of a billboard sign in the SF-5 zone district.

The applicant requests this variance because they state that the sign has been in use, even when it was damaged and thus should be grandfathered. The sign was in the current location before the current zoning and no changes have been made, except for any repairs needed when it was damaged. Also, the applicant argues the five signs in a mile decision due to the ambiguity in how the mile needs to be measured. It does not state in the County Sign Code how the mile should be measured, unlike the City Sign Code which states the mile be measured between section line roads. Thus, the mile area the applicants used to measure the number of sign would be sufficient and show only five billboards within the mile, the subject billboard included in that five. The sign is already at its current location and the applicant was denied the sign permit due to the five signs in a mile stipulation in the Sign Code. The applicant argues that the permit should be allowed due to the lack of guidance in the Sign Code for how that measurement should be measured.

Property north of the subject site is zoned SF-20 Single-family Residential and is currently agricultural land. Property south of the site is zoned GC General Commercial and is developed with warehouse, office and retail uses. Property east of the site is zoned SF-20 and LC Limited Commercial and is developed with agricultural land. Property to the east of the site is zoned SF-5 and is currently vacant residentially zoned property.

ADJACENT ZONING AND LAND USE:

NORTH	SF-20	Agricultural
SOUTH	GC	Warehouse/Office/Retail
EAST	SF-20 and LC	Agricultural
WEST	SF-5	Vacant Residential

The five criteria necessary for approval as they apply to variances requested.

UNIQUENESS: It is staff's opinion that this property is unique, inasmuch, that the sign has been in its location for over twenty years, before its current zoning, and by measuring a mile this billboard is the fifth billboard. Also, the site is right near the City limits, along the expressway where uses like the subject sign is common.

ADJACENT PROPERTY: It is staff's opinion that granting the requested variance for the placement of the billboard would not adversely affect the rights of adjacent property owners, inasmuch, that the surrounding properties are either commercially zoned and developed as such or vacant farm ground. Also, the location is along the Kellogg Expressway and prime

location for a billboard and the high traffic volume at this location has more of an effect on the surrounding properties than the billboard sign.

HARDSHIP: It is staff's opinion that the strict application of the code would constitute a hardship upon the applicant, inasmuch, that the sign has been in this location for over twenty and in constant use except for the short time it was damaged. The billboard was at the location before the property was zoned and the Sign Code does not state how the five signs in a mile should be measured. These are factors that have cause a hardship on keeping the sign at its current location.

PUBLIC INTEREST: It is staff's opinion that the requested variance for the placement of a billboard will not adversely affect the public interest, inasmuch, that the sign has been in the same location for over 20 years, and no public right-of-way or easements are affected by the proposed setback reduction.

SPIRIT AND INTENT: It is staff's opinion that granting the requested variance the placement of a billboard sign does not oppose the general spirit and intent of the Zoning Code, inasmuch, that the sign has been in its current location for over twenty years and proper spacing between billboard sign are met, as well at proper setbacks.

RECOMMENDATION: It is staff's opinion that the requested variance meets the five criteria necessary to grant a variance. Therefore, staff recommends that the variance be APPROVED. Should the Board determine that the necessary conditions exist to grant a variance, the Secretary recommends that the variance to allow the placement of an off-site sign be GRANTED, subject to the following conditions:

1. The site shall be developed in conformance with the approved site plan.
2. The off-site sign shall obtain all necessary permits, and shall conform to all other codes including but not limited to zoning and building.
3. The above conditions are subject to enforcement by any legal means available to Sedgwick County.

CONDITIONS FOR VARIANCE

In this case the applicant is the owner of a billboard that is licensed by the State of Kansas (License #002217). The billboard is located on the North side of E. Kellogg near what would be described as the 12,594 E. Kellogg. The billboard and licensed have been in use since before the implementation of the Sedgwick County Code, Article VI, Sign Code. The billboard's continued use has been pursuant to the nonconforming use doctrine. The nonconforming use doctrine is codified at K.S.A. 12-758, which states in relevant part:

“(a) Except as otherwise provided by this section and K.S.A. 12-770 and 12-771, and amendments thereto, *regulations adopted under authority of this act shall not apply to the existing use of any building or land*, but shall apply to any alteration of a building to provide for a change in use or a change in the use of any building or land after the effective date of any regulations adopted under this act.”

(Emphasis added.)

Prior to September 6, 2014 the city issued a permit to TWI Construction to construct a billboard at 12,225 E. Kellogg. After the permit was issued TWI was informed that the billboard was to be constructed by another entity. Therefore, TWI Construction withdrew its request for a permit. The City then received a request on September 9, 2014 from “Nazierstones@yahoo.com,” in the name of NBA Billboards, LLC an Application For Permanent Sign Permit. (Exhibit 3.) The application was accepted and approved on the day it was submitted. It is believed that the approval occurred without payment of fee, proof of insurance/bond or the normal review and acceptance process and without the appropriate contractor/sign hanger license.¹

A. The variance requested arises from a 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 the applicant.

In this case the variance request arises because of the condition that exists is temporary and not ordinarily found with respect to billboards. Applicant's billboard is not ordinarily found in SF-5 zoned areas. Applicant's billboard exists in that area because of the enactment of the zoning and sign code after the construction and use of the billboard. As such this condition was not created by Applicant.

It is believed that the important issue for the County is its position that there now exist more than 5 billboards facing the same direction in a mile. The only reason that the County can say there are more than 5 billboards facing the same direction in a mile is because of the actions

¹ The entity “NBA Billboards, LLC” listed as “Contractor” on the application does not exist. The “License#” listed on the application does not correspond to a contractor or sign hanger. Instead it is an advertising license that was not issued by the City until after the billboard was constructed (9/15/14). The phone number and fax number listed on the application are assigned to Absolute Natural Stone. The sales person and phone number listed on the application are associated with Jiminy Advertising.

of the City in issuing the permit September 9, 2014 and the construction of a billboard at 12225 E. Kellogg. Those actions were not created by any action of the Applicant.

Additionally, the temporary nature of the condition should be considered when evaluating the requested variance. The variance is only needed for a temporary period of time because the sign constructed pursuant to the permit issued by the City September 9, 2014 is part of an Eminent Domain proceeding the will result in its removal. See *KTA v. Jesri, et al.*; Case No.: 15 CV 1330. As such the billboard constructed pursuant to the permit issued by the City September 9, 2014 will be taken down within the next 6 to 12 months.

B. The granting of the permit for the variance will not adversely affect the rights of the adjacent property owners or residents.

As show by the Site Plan and confirmed by the property owner list, the adjacent property owners are the City and various commercial property owners. Also as confirmed by the Site Plan, there are no adjacent property residents that would be affected by the granting of this variance.

The granting of this variance would result in no change to the current use of Applicant's property or the adjacent property. Instead it would maintain the status quo. The Applicant is aware of no rights of the adjacent property owners or residents that would be affected by the granting of this variance and maintaining the status quo for the temporary period of time.

As previously set out, the variance is only needed for a temporary period of time because the sign constructed pursuant to the permit issued by the City September 9, 2014 is part of an Eminent Domain proceeding the will result in its removal. See *KTA v. Jesri, et al.*; Case No.: 15 CV 1330. As such the billboard constructed pursuant to the permit issued by the City September 9, 2014 will be removed within the next 6 to 12 months.

C. The strict application of the provision of the applicable Code from which a variance is requested will constitute an unnecessary hardship upon the property owner represented in the application.

As previously set out, the important issue to the County is its position that there now exist more than 5 billboards facing the same direction in a mile. The Applicants position in its appeal is that because of the nonconforming use statute the Code is not applicable.

If the County Code is applicable, the strict application with respect to Applicant's sign will constitute an unnecessary hardship on the Applicant because it would prevent it from being used to produce revenue. The Code is being strictly applied because the County is determining were the measurement of the mile begins. Sec 6-346 (j)(9) sets out that "The number of billboard signs facing a direction of travel along a public right of-way shall be limited to five (5)

per mile.” The section does not set out a specific plan, policy, or procedure to determine where the measurement of the mile begins. It is only a strict application by the County that results in the determination that 5 billboards exist within one mile that creates the hardship for the Applicant.

Applicant submits that 5 billboards do not exist within one mile. Attached as Exhibit 4 is a site plan that shows the measurement of one mile East beginning at the first stop sign West of the intersection of Zelta and Kellogg Drive. It is clear that there does not exist more than 5 billboards facing the same direction in this mile.

D. The variance desired will not adversely affect the public health, safety morals, order, convenience, prosperity, general welfare, or the harmonious development of the community.

Applicant would submit that the purpose for the limitation of 5 billboards in one mile is based upon highway beautification. The limitation is not based upon a concern for affect public health, safety morals, order, convenience, prosperity, general welfare, or the harmonious development of the community. Therefore, allowing this variance will not adversely affect public health, safety morals, order, convenience, prosperity, general welfare, or the harmonious development of the community in any manner whatsoever.

Because concern is highway beautification, granting this variance will result in no adverse impact. The Applicant’s billboard faces East so it is viewed by motorist traveling Westbound on East Kellogg from the Highway 96 overpass. (See Exhibit 4.) Because of the terrain, trees and surroundings along this route at no time when traveling Westbound from the Highway 96 overpass on Kellogg past the intersection of Zelta can a motorist see more than 4 billboards. There the beautification standard is not compromised by granting this variance.

Since no more than 4 billboards can be seen at any one time, granting the variance will not adversely affect the purposed of the County Code.

E. Granting the variance desired will not be opposed to the general spirit and intent of the applicable Code.

Applicant would submit that the general spirit and intent of the limitation of billboards to 5 in a mile is based upon highway beautification. Allowing this variance will not adversely affect that general spirit and intent of the applicable code in any manner whatsoever.

As previously stated, the Applicant’s billboard faces East so it is viewed by motorist traveling Westbound on East Kellogg from the Highway 96 overpass. Because of the terrain, trees and surroundings along this route at no time when traveling Westbound from the Highway 96 overpass on Kellogg past the intersection of Zelta can a motorist see more than 4 billboards. There the spirit and intent (beautification standard) is not compromised by granting this variance.

CONCLUSION

The variance requested is to allow Applicant's billboard to remain in its nonconforming status. Allowing the variance meets the five conditions necessary for its approval and would foster cooperation between governmental bodies and members of the community as opposed to creating controversy. Additionally, because of the temporary nature of the need for the variance it is the most reasonable manner to prevent any potential dispute.

BZA RESOLUTION NO. BZA2015-00039

WHEREAS, James McMaster and Kevin McMaster (owner(s)/applicant(s)) pursuant to Kansas Statutes Annotated 12-759, request a variance to the Sign Code to allow the placement of an off-site sign on property zoned SF-5 Single-family Residential (“SF-5”); generally east of South Zelta Street, on the north side of East Kellogg Street (US-54)

Legal Description: Southwest ¼, Southeast ¼, Except the West 726 feet and Except Highway on South, Section 22-27-2 East, Sedgwick County, Kansas.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of September 15, 2015, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Kansas Statutes Annotated 12-759; and

WHEREAS, the Board of Zoning Appeals has found that this property is unique, inasmuch that the sign has been in its location for over twenty years, before its current zoning, and by measuring a mile this billboard is the fifth billboard. Also, the site is right near the City limits, along the expressway where uses like the subject sign is common.

WHEREAS, the Board of Zoning Appeals has found that the requested variance for the placement of the billboard would not adversely affect the rights of adjacent property owners, inasmuch that the surrounding properties are both commercially zoned and developed as such or vacant farm ground. Also, the location is along the Kellogg Expressway and prime location for a billboard and the high traffic volume at this location has more of an effect on the surrounding properties than the billboard sign.

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of the Code will constitute an unnecessary hardship upon the applicant, inasmuch that the sign has been in this location for over twenty and in constant use except for the short time it was damaged. The billboard was at the location before the property was zoned and the Sign Code does not state how the five signs in a mile should be measured. These are factors that have cause a hardship on keeping the sign at its current location.

WHEREAS, the Board of Zoning Appeals has found that the requested variance would not adversely affect the public interest, inasmuch that the sign has been in the same location for over 20 years, and no public right-of-way or easements are affected by the proposed setback reduction.

WHEREAS, the Board of Zoning Appeals has found that granting the requested variance would not oppose the general spirit and intent of the zoning regulations, inasmuch that the sign has been in its current location for over twenty years and proper spacing between billboard sign are met, as well as proper setbacks.

WHEREAS, each of the five conditions required by Kansas Statutes Annotated 12-759, are found to be present for a variance to be granted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Kansas Statutes Annotated 12-759, request a variance to the Sign Code to allow the placement of an off-site sign on property zoned SF-5 Single-family Residential (“SF-5”); generally east of South Zelta Street, on the north side of East Kellogg Street (US-54)

Legal Description: Southwest ¼, Southeast ¼, Except the West 726 feet and Except Highway on South, Section 22-27-2 East, Sedgwick County, Kansas.

The variance is hereby GRANTED, subject to the following conditions:

1. The site shall be developed in conformance with the approved site plan.
2. The off-site sign shall obtain all necessary permits, and shall conform to all other codes including but not limited to zoning and building.
3. The above conditions are subject to enforcement by any legal means available to Sedgwick County.

ADOPTED AT WICHITA, KANSAS, this 15th Day of September, 2015.

BZA Board Chair, **John McKay**

ATTEST:

Derrick Slocum
Asst. BZA Secretary

SECRETARY'S REPORT

CASE NUMBER: BZA2015-00043

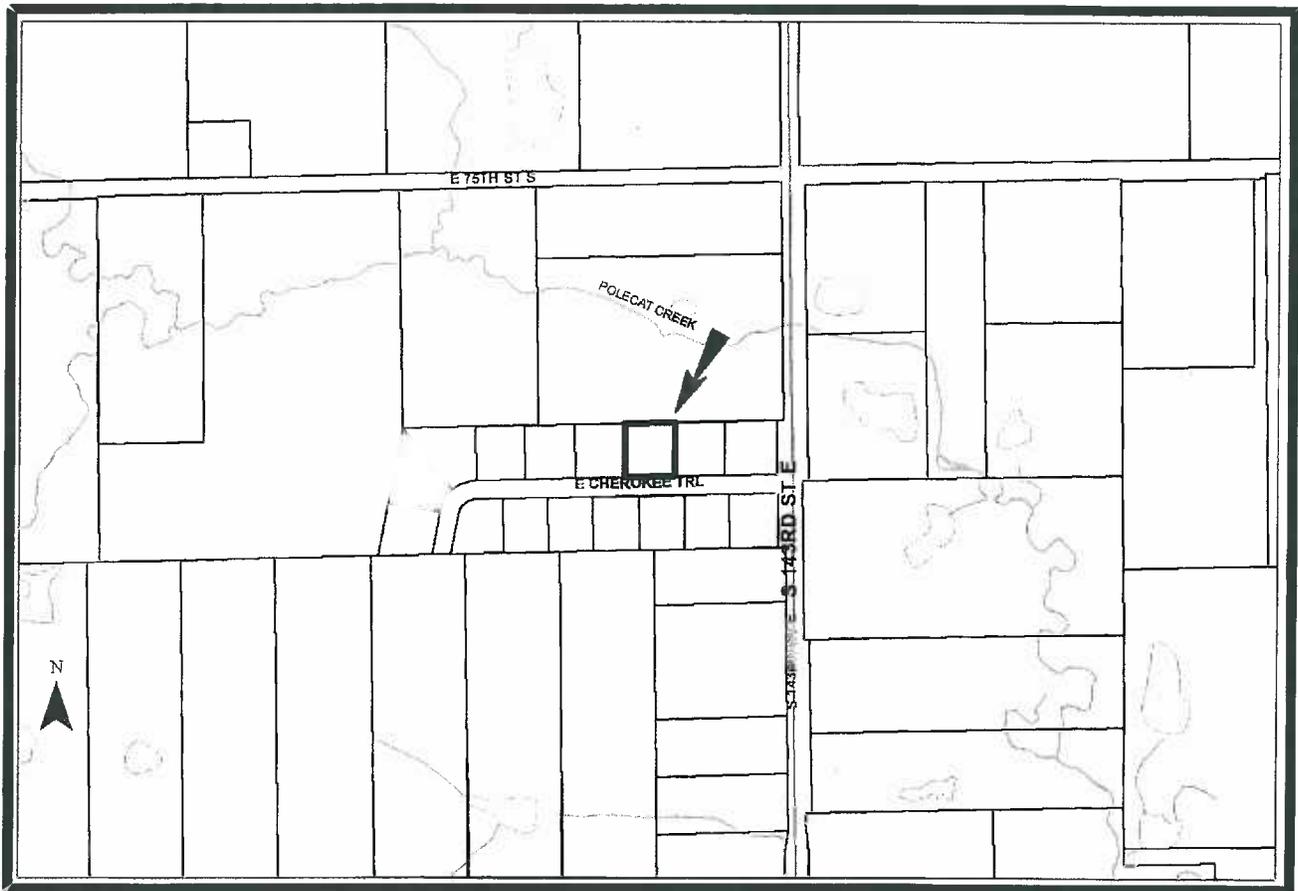
APPLICANT/AGENT: Ed Clithero (owner/applicant)

REQUEST: County Variance to reduce the interior side yard setback from 20 feet to 3 feet on property zoned RR Rural Residential ("RR") for an accessory building.

CURRENT ZONING: RR Rural Residential ("RR")

SITE SIZE: 0.68 acres

LOCATION: Generally north of E. Cherokee Trail and west of South 143rd St. East (14220 E. Cherokee Trail)



JURISDICTION: The Board may grant the request when all five conditions, as required by State Statutes, are found to exist.

BACKGROUND: The applicant requests a variance to reduce the Zoning Code required interior side setback from 20 to 3 feet from the east property line in RR Rural Residential ("RR") zoning. This subdivision, platted and developed in the 1960's, is within the unincorporated County, but is divided on smaller lots than those typical of the RR zoning district. The applicant's entire parcel is less than one acre in size, while the Zoning Code would now require a minimum of two acres in the RR district for a single-family residence. The site is currently developed with a home and accessory structures. The applicant desires to remove the existing structure and place a larger structure in the same location. The property has site restrictions that reduces the amount of buildable area which make this location on the property the most desirable. A large drainage easement runs diagonally from the northeast portion of the property to the southwest and there is a large septic lateral field located in the northeast part of the property as well. As shown on the site plan, the location of the proposed structure is really the only viable location on the property. The structure will meet the front setback of 30 feet and will be separated between 3 to 5 feet from the principal structure, with a 1 hour firewall for the wall adjacent to the principal structure. There will be more than 50 feet of separation between the proposed structure and the residence to the east.

All surrounding property is also zoned RR. Property south, east and west of the site is primarily developed with larger lot single-family residences. North of the site is agricultural property.

ADJACENT ZONING AND LAND USE:

NORTH	RR	Agricultural
SOUTH	RR	Single-family residence
EAST	RR	Single-family residence
WEST	RR	Single-family residence

The five criteria necessary for approval as they apply to variances requested.

UNIQUENESS: It is staff's opinion that this property is unique, inasmuch, that it was platted in the 1960's on smaller lots than those typical in RR zoning, and therefore does not have adequate space for the required building setbacks in RR zoning. The property is also unique in that it contains easements and a lateral field that takes up a large are of the property where no future buildings can be built.

ADJACENT PROPERTY: It is staff's opinion that granting the requested variance for a side yard interior setback reduction from 20 feet to 3 feet would not adversely affect the rights of adjacent property owners, inasmuch, that the request would still have separation of over 50 feet and would not be impacting any easements or sight lines. Even though the setback is 20 feet at this location, the existing structure is only 10 feet from the east property line because it was built before the property was zoned to RR.

HARDSHIP: It is staff's opinion that the strict application of the code would constitute a hardship upon the applicant, inasmuch, that the property is small with existing features which creates a hardship to build an accessory structure within the required setbacks of the RR zoning district.

PUBLIC INTEREST: It is staff's opinion that the requested variance for a side yard setback reduction from 20 feet to 3 feet will not adversely affect the public interest, inasmuch, that fire and building codes are followed, and no public right-of-way is affected by the proposed setback reduction.

SPIRIT AND INTENT: It is staff's opinion that granting the requested variance for a side yard setback reduction from 20 to 3 feet does not oppose the general spirit and intent of the Zoning Code, inasmuch, at the desired separation between buildings is still maintained due to the existing placement of principal structures to the west and east of the subject site.

RECOMMENDATION: It is staff's opinion that the requested variance meets the five criteria necessary to grant a variance. Therefore, staff recommends that the variance be APPROVED. Should the Board determine that the necessary conditions exist to grant a variance, the Secretary recommends that the variance to reduce the side yard setback from 20 feet to 3 feet for an accessory structure be GRANTED, subject to the following conditions:

1. The site shall be developed in conformance with the approved site plan.
2. The side yard setback reduction from 20 feet to 3 feet is for the identified accessory structure. All future building projects must conform to the Zoning Code unless additional variances or adjustments are granted.
3. The accessory structure shall obtain all necessary permits, and shall conform to all other codes including but not limited to zoning and building.
4. The above conditions are subject to enforcement by any legal means available to Sedgwick County.

8/3/2015

Ed Clithero
14220 Cherokee Trail
Rosehill, Kansas 67033
Sedgwick.co.ks
316.461.3568

Metropolitan Area Planning Department
455 N. Main, 10th Floor
Wichita, KS 67202
316.268.4425

RE: Please consider the following North property setback variance.

Planning Department:

My attempt to improve said property at 14220 Cherokee Trail, Sedgwick County Ks was considered by county code enforcement reasonable cause for variance and referred Board of zoning appeals. With platted drainage easement diagonally through South West area of back lot and new lateral septic field at West back of lot. The only area available left is north of residence parallel with property line. The existing garage to demo is now 10' south of north property line. With this structure gone I propose a post frame building of 30' wide X 77' long with a setback of 3' from property line. Utilizing this space, I need the 30' width for practical storage and overall building considerations. The new revised setback requirements would not allow enough building width to make construction feasible or useful. My neighbor on north is agreeable and comfortable with proposed property setback dimensions. The electric power supplier has supported the relocation plans of meter pole setting to west back of property. Leaving the easement empty of any utility usage.

Thank you for your consideration. Please see drawings for detailed dimensions and considerations.

Sincerely,

Ed Clithero

BZA RESOLUTION NO. BZA2015-00043

WHEREAS, Ed Clithero, (owner/applicant) pursuant to Kansas Statutes Annotated 12-759 *et. seq.*, requests a variance to reduce the interior side building setback from 20 feet to 3 feet on property zoned RR Rural Residential (“RR”) for an accessory building (“RR”); generally north of East Cherokee Trail and west of South 143rd Street East (14220 E. Cherokee Trail)

Legal Description: Lot 3, Block 1, Arrowhead Hills, Sedgwick County, Kansas.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of September 15, 2015, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Kansas Statutes Annotated 12-759 *et. seq.*; and

WHEREAS, the Board of Zoning Appeals has found that this property is unique inasmuch, that it was platted in the 1960’s on smaller lots than those typical in RR zoning, and therefore does not have adequate space for the required building setbacks in RR zoning. The property is also unique in that it contains easements and a lateral field that takes up a large are of the property where no future buildings can be built.

WHEREAS, the Board of Zoning Appeals has found that the requested variance for a side yard interior setback reduction from 20 feet to 3 feet would not adversely affect the rights of adjacent property owners, inasmuch, that the request would still have separation of over 50 feet and would not be impacting any easements or sight lines. Even though the setback is 20 feet at this location, the existing structure is only 10 feet from the east property line because it was built before the property was zoned to RR.

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of the Code would constitute a hardship upon the applicant, inasmuch, that the property is small with existing features which creates a hardship to build an accessory structure within the required setbacks of the RR zoning district.

WHEREAS, the Board of Zoning Appeals has found that the requested variance for a side yard setback reduction from 20 feet to 3 feet will not adversely affect the public interest, inasmuch, that fire and building codes are followed, and no public right-of-way is affected by the proposed setback reduction.

WHEREAS, the Board of Zoning Appeals has found that granting the requested variance for a side yard setback reduction from 20 to 3 feet does not oppose the general spirit and intent of the Zoning Code, inasmuch, at the desired separation between buildings is still maintained due to the existing placement of principal structures to the west and east of the subject site.

WHEREAS, each of the five conditions required by Kansas Statutes Annotated 12-759 *et. seq.*, are found to be present for a variance to be granted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Kansas Statutes Annotated 12-759 *et. seq.*, a variance to reduce the interior side building setback from 20 feet to 3 feet on property zoned RR Rural Residential (“RR”) for an accessory building (“RR”); generally north of East Cherokee Trail and west of South 143rd Street East (14220 E. Cherokee Trail)

Legal Description: Lot 3, Block 1, Arrowhead Hills, Sedgwick County, Kansas..

The variance is hereby GRANTED, subject to the following conditions:

1. The site shall be developed in conformance with the approved site plan.
2. The side yard setback reduction from 20 feet to 3 feet is for the identified accessory structure. All future building projects must conform to the Zoning Code unless additional variances or adjustments are granted.
3. The accessory structure shall obtain all necessary permits, and shall conform to all other codes including but not limited to zoning and building.
4. The above conditions are subject to enforcement by any legal means available to Sedgwick County.

ADOPTED AT WICHITA, SEDGWICK COUNTY, KANSAS, this 15th Day of September, 2015.

BZA Board Chair, **John McKay**

ATTEST:

Derrick Slocum
BZA Secretary