

WESTWOOD BOARD OF ZONING APPEALS

Staff Report

Meeting Date: August 31, 2026

Staff Contact: Katherine Carttar, City Administrator

BZA-2026-03: Consider application of David and Shannon Kelman for a variance from Westwood Zoning Ordinance Article 4.3.10 (B) to allow the driveway of a house with a single car garage to exceed the prescribed maximum depth of 18 feet on property located at 3001 West 50th Terrace, Westwood, Kansas 66205.

Background/Description of Item

On July 15th, 2026, City staff received a request for a Driveway variance. Homeowner David and Shannon Kelman is proposing to add 9' 10" exceeding the allowed 18' per ordinance 4.3.10 B.

This application requires a variance for:

Westwood Zoning Ordinance 4.3.10 B requires: Any house with a single-car garage may have a driveway that widens to a maximum of 18 feet. This widening is allowed only for the final 18 feet of the driveway closest to the garage. Any such driveway may widen gradually for an additional nine feet of transitional length in which the driveway widens from one lane to the prescribed maximum width.

Proposed Driveway

The applicant desires to leave the extra 9'10" poured to the driveway making it 27'10" in length. The driveway is 17'10" wide and 27'10" deep and drops down to 10' wide. A strict application of the zoning regulations would require that driveways do not exceed 18' in length for single car garages.

Applicant Request

"The requested variance is needed to provide adequate off-street parking for the household. The home's original garage is too small to accommodate a vehicle while still allowing occupants to exit the car, making the garage impractical for regular parking. City regulations prohibit overnight street parking, and the household includes three full-time drivers, as well as a fourth family member who visits frequently and also requires off-street parking.

While three vehicles can be accommodated in the existing driveway, doing so often results in vehicles extending into the sidewalk area, and there is no practical way to accommodate a fourth vehicle. The proposed driveway pullout will provide the additional parking spaces

needed. Because the existing driveway is narrow (9'10"), the additional length is also necessary to allow vehicles to enter and exit the pullout safely without leaving the paved surface or requiring all vehicles in the main driveway to be moved."

STANDARDS FOR VARIANCE

Pursuant to the requirements of KSA 12-759 as amended, the Board of Zoning Appeals (BZA) may grant a variance from the Zoning Ordinance, provided that the Board finds that all the following conditions have been met. (Note: If more space is needed, use additional sheets and reference item numbers.)

1. Does the variance requested 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 an action(s) of the property owner or the applicant? YES ☒ NO ☐

Explain: Existing garage is too small to use for a car and existing driveway is very narrow, leading to a more restricted area for moving vehicles. The additional length is necessary to make the pullout functional and safe for its intended use. House is also too close to the eastern property line to allow for construction of a 2 car garage, which would allow for a full double drive.

2. Will the granting of the permit for the variance NOT adversely affect the rights or adjacent property owners or residents? YES ☒ NO ☐

Explain: The proposed driveway pullout is entirely located on our property and does not impact neighbor's property. The additional length allows vehicles to enter the space more gradually and safely, reducing the potential for drivers to overcorrect and encroach on our neighbors landscaping.

3. Will the strict application of the provisions of the Zoning Ordinance of which variance is requested constitute unnecessary hardship upon the property owner represented in the application? YES ☒ NO ☐

Explain: If the ordinance was strictly applied, it will be difficult to enter and exit the space without the vehicle leaving the driveway and would create a scenario where the pullout cannot be used unless all cars in the original driveway were removed.

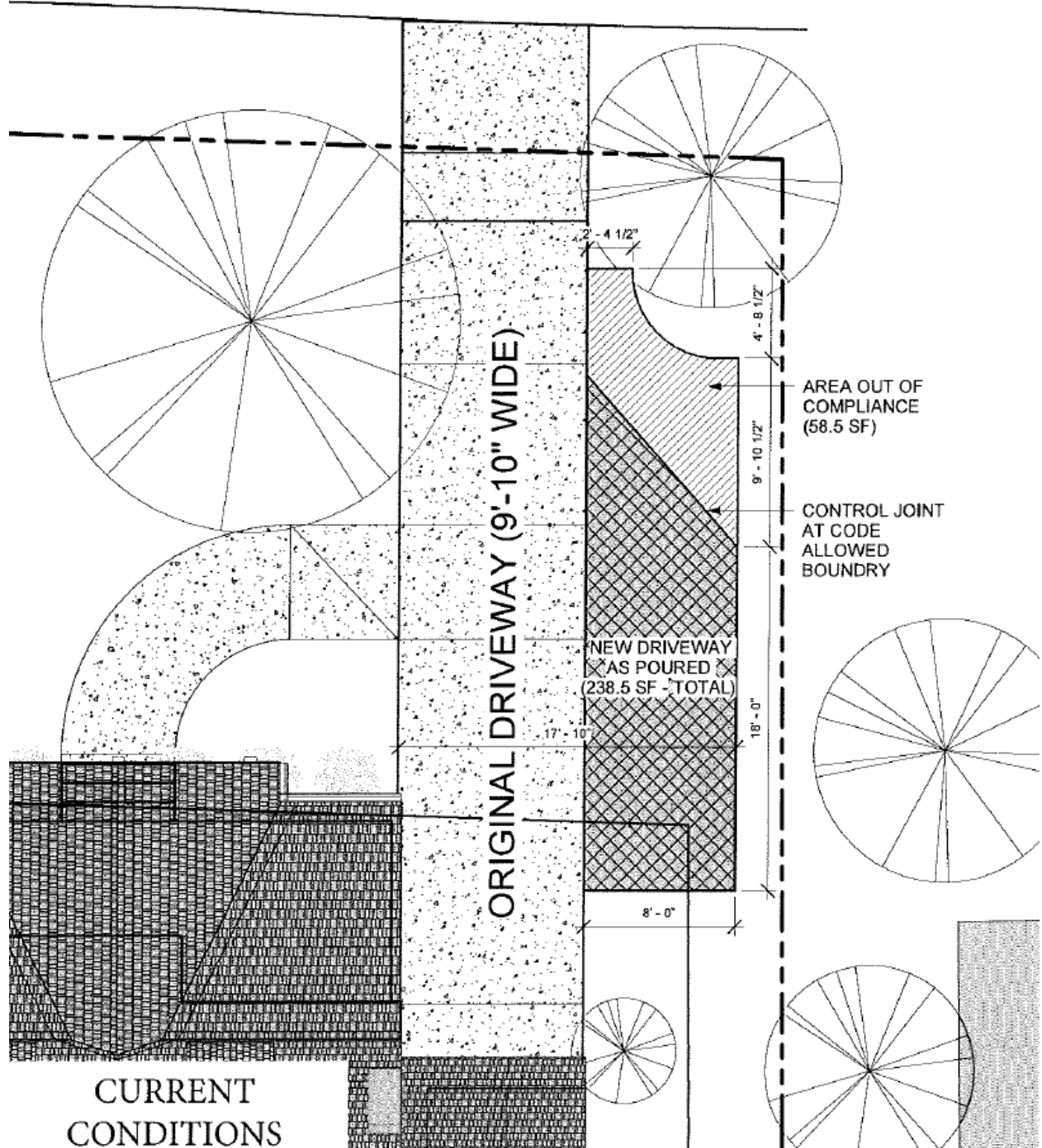
4. Will the variance desired adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare? YES ☐ NO ☒

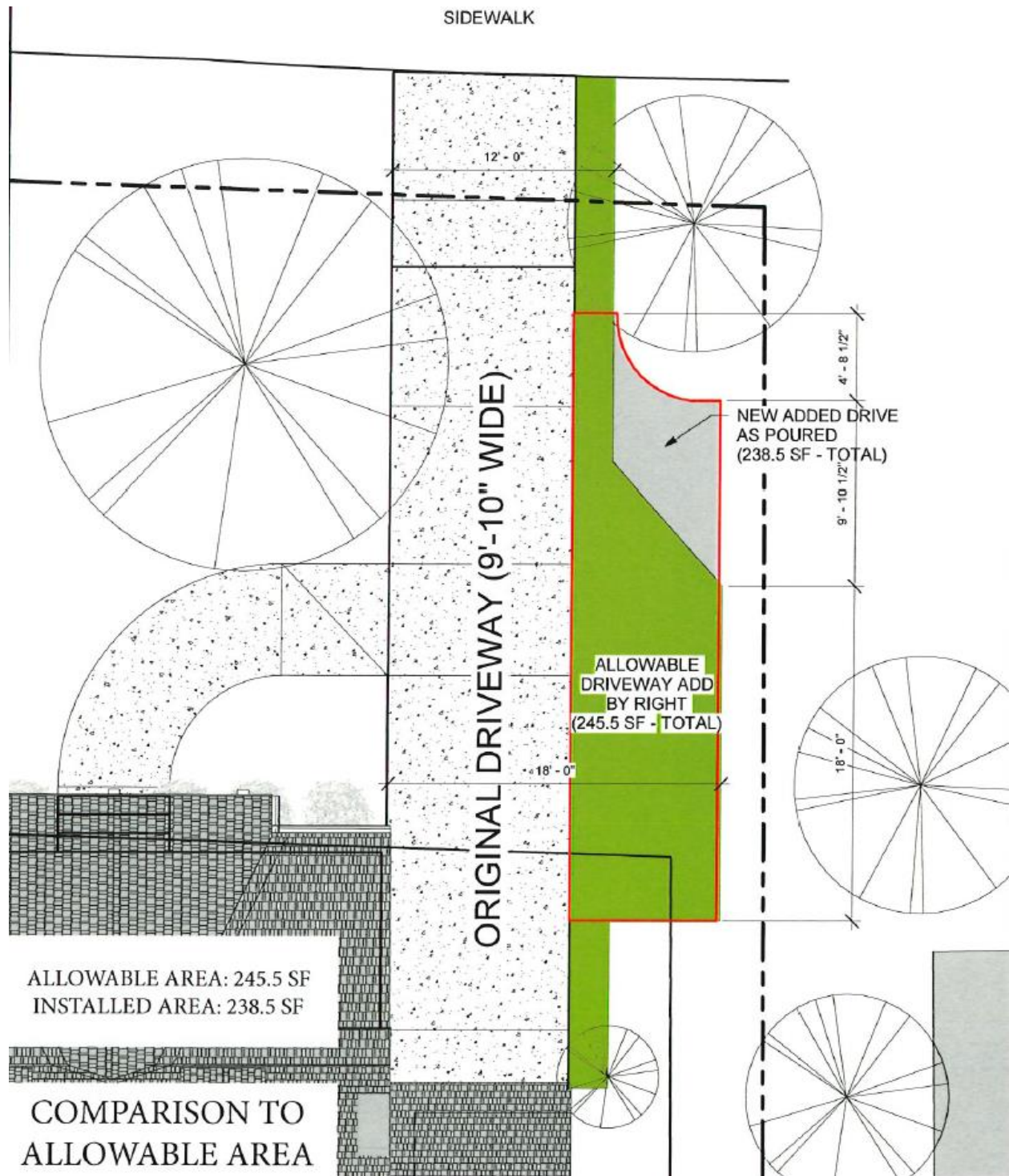
Explain: The proposed driveway extension is located entirely on our property and is relatively minor in nature. The total paved area will remain below the maximum surface area otherwise permitted on the lot, limiting any impact on stormwater runoff. The additional length also allows vehicles to be parked fully within the driveway, reducing the likelihood of vehicles encroaching on the public sidewalk and improving safety and convenience.

5. Will the granting of the variance desired be opposed to the general spirit and intent of the Zoning Ordinance? YES ☐ NO ☒

Explain: The ordinance was created to limit imperviable surface area and water runoff. Because of the narrowness of the original driveway, even with the proposed addition we are still 7 square feet under the total amount of driveway area we could have if we maximized our allowable area.

SIDEWALK







**Staff Comments/Recommendation**

Pursuant to previous City Council direction, City staff evaluated the following factors:

- a. Neighbor acknowledgement/consent –No.
- b. ROW impediment – No.
- c. Established tree impact/removal –No.
- d. Resulting sight lines issues - No.

Motions

I move to approve the requested driveway variance at 3001 West 50th Terrace.

I move to deny the requested driveway variance at 3001 West 50th Terrace.