

Dear Chairman Tarwater, Vice Chair Turk, Ranking member Sawyer-Clayton and honorable members of the Kansas House of Representatives Commerce Committee,

We are writing to share our experience as small business owners and to request your assistance in addressing the challenges we have faced while trying to operate a home-based business in Lenexa, Kansas. We own and operate *Mow-It-All Repair*, a small engine repair service that we run part-time out of our home. As full-time employees with two elementary-aged children, we manage our business around our work schedules and family obligations, operating by appointment only a few days a week and on weekends.

In July 2024, we were contacted by the City of Lenexa and informed that we needed to apply for a home occupation license to continue operating our business from our residence. We completed this process in August 2024; however, our application was denied by the City's Licensing & Permitting Department. Seeking clarification, we reached out by phone and visited City offices in person to discuss the denial with staff. Unfortunately, we were informed that no one was available to meet with us. Following up via email, we learned that our next step was to file an appeal with the Community Development Department.

Subsequently, we communicated with the City's Community Development Department both via email and in person to understand the appeal process. We paid the required \$100 fee, submitted all requested documentation, and followed the City staff's advice to gather letters and signatures of support from our neighbors. A total of 27 emails were sent to the City expressing support for our business, and we collected 13 signatures from neighbors over four days. Despite these efforts, the City's Staff Report recommended that the Board of Zoning Appeals deny our appeal.

During the Board meeting, both we and City staff presented our case. After approximately an hour and a half of discussion, a Board member inquired whether we could reapply if the appeal was denied. The City confirmed that we could reapply, and ultimately, the Board decided to deny our application while allowing the opportunity to reapply for a home occupation license.

Following this decision, we met with City staff to ascertain what additional information would be needed for our new application. At the City's request, we submitted a written Business Plan and again paid the \$36 application fee. On January 27, 2025, the City granted us a temporary home occupation license valid through March 31, 2025, with the stipulation that we install screening around the trailer parked on the gravel pad beside our home. We were instructed to obtain a permit for this screening to ensure compliance with City code. The City plans to conduct site visits around March 31 to verify that adequate screening has been installed or that the trailer has been removed. If these conditions are met, our home occupation license will be extended through January 2026, at which point we will need to reapply.

For context, our home sits on an acre lot. We are perplexed about how the general City code concerning “devices” impacts our home occupation license, especially since we are aware of other home occupations in the area with “devices” stored outside in plain view. Numerous homes in our neighborhood and surrounding community have “devices” (e.g., trailers, boats) parked outside without proper screening, which also violates City code. Despite this, we feel compelled to install the screening, adding another financial and time burden on our family.

Our concerns center on the financial and logistical burdens this process places on our family. The required screening, along with the possibility of additional future expectations, creates significant stress. The City has suggested that we consider leasing a commercially zoned space for our business, but this is simply not financially feasible given the part-time nature of our operations. We believe this expectation is an unfair and unsustainable option for small business owners like us.

We respectfully ask for your support in addressing the barriers faced by small home-based businesses. Specifically, we hope for clarity on how home occupation licenses are administered, ensuring fairness and consistency across the community, as well as consideration of policies that allow small businesses to thrive without imposing excessive financial burdens or unreasonable expectations.

Thank you for your time and attention to this matter. We appreciate your consideration and would welcome the opportunity to discuss this further.

Sincerely,  
Jennifer & Larry Freestone  
Lenexa