

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, March 11, 2013
7:30 pm

Courthouse Plaza East
Commission Meeting Room
115 North 4th Street

Members Present: Lorn Clement, Chairman
Dr. Tom Taul, Vice-Chair
Diane Hoobler
Julie Henton
John Wienck

Members Absent: None

Staff Present: Monty Wedel – Director, Bob Isaac – Planner

Others Present: John and Rosa Jones

OPEN PUBLIC COMMENTS

John Jones exclaimed “Go Cats!”.

CONSENT AGENDA

The minutes of the January 14, 2012 meeting were presented and approved. The Report of Fees for the month of January 2013 (\$2,742) and February 2013 (\$2,807.25) were presented and approved. Chairman Clement asked if the sudden increase of the number of entries was related to an uptick in the economy. Mr. Wedel explained that the majority of those entries were related to Environmental Health and that last year, those items were listed on a different budget.

Diane Hoobler moved to adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and, due to the lack of agenda items for the Board of Zoning Appeals, moved to reconvene as the Riley County Planning Board.

John Wienck seconded. Carried 5-0

RILEY COUNTY PLANNING BOARD

Jones – Plat

Lorn Clement opened the public hearing at the request of John H. Jones, petitioner and John H. & Rosa L. Jones and Antony S. & Susan D. English, owners, to **replat** Lots 2, 3 and 7 of Replat of Lots 2, 3, 4, 5, 6, 7 & 8, Oak Shores Addition, into two (2) lots, in Grant Township, Section 14, Township 9 South, Range 7 East.

Bob Isaac presented the request. Mr. Isaac described the history, location and physical characteristics of the subject property. He stated that the subject site was found to be in

compliance with the Riley County Sanitary Code. Staff recommended approval of the concurrent plat of Oak Shores Addition, Unit Two, based on a determination that the minimum requirements of the Riley County Zoning and Subdivision Regulations have been met.

Tom Taul moved to close the public hearing. Julie Henton seconded. Carried 5-0.

John Wienck moved to approve the Final Plat of Petition #13-06, Oak Shores Addition, Unit Two, based on reasons listed in the staff report.

Julie Henton seconded. Motion carried 5-0.

Mr. Isaac announced that the Board of County Commissioners would here the request on March 18, 2013, at 9:15 am, in the County Commission Chambers.

Amend Section 3 – General Requirements and Section 6 Procedure for Plat Approval of the Riley County Subdivision Regulations

Lorn Clement opened the public hearing to Amend Section 3 – General Requirements and Section 6 Procedure for Plat Approval of the Riley County Subdivision Regulations.

Bob Isaac presented the request, describing the reasons for the amendments. Mr. Isaac explained that in September 2012, the Board of County Commissioners approved a resolution designating the Riley County Planning & Development Department as administer of the Riley County Sanitary Code. He said that although the Riley County Subdivision Regulations do not specifically list the County Health Officer as one of the required signatures on final plats, it has been a long standing practice that such signature be placed on plats in order to confirm compliance with the Sanitary Code. He explained that the primary objective of the proposed amendment is to require the signature of the County Sanitarian on plats, rather than the County Health Officer, since the County Sanitarian directly oversees compliance with the sanitary code in regards to the requirements of the platting process. Mr. Isaac noted that due to the request being an amendment to the Riley County Subdivision Regulations, the Manhattan Urban Area Planning Board would not here the request. Staff recommended that the Planning Board forward a recommendation of approval to the Board of County Commissioners.

Diane Hoobler pointed out a “typo” in the background section of the staff report.

Monty Wedel stated that as part of revising the County Sanitarian’s job description, perhaps a title change, and suggested that the Board can either recommend approval of the amendment as written and revise the language to reflect the correct position title at a later date or include alternate language in the proposed amendment.

Chairman Clement asked if the Board could motion that in their recommendation, that the proper position name is inserted into the amendment at the time the name is changed, rather than bringing the amendment back to the Board again. Mr. Clement asked if it was the County Sanitarian’s position title subject to change.

Mr. Wedel affirmed and stated that he is proposing to have the position renamed to Environmental Health Specialist.

Chairman Clement asked if there was a way the amendment could include contingency language anticipating a name change.

Diane Hoobler added that the language could state, “or equivalent position, or title”.

Mr. Wedel suggested that the Board allow time for staff to visit with the County Counselor regarding available options. He also suggested that the Board, in their motion, set it up in a way that the regulation doesn't have to be amended again.

Chairman Clement asked if the Board could forward a recommendation of approval to the County Commissioners with the caveat that the correct position title will be inserted when it's available.

Diane Hoobler moved to forward a recommendation of approval of the proposed amendments to Section 3 – General Requirements and Section 6 Procedure for Plat Approval of the Riley County Subdivision Regulations to the Board of County Commissioners, with the caveat that the correct position title be inserted if/when it's available.

Julie Henton seconded. Motion carried 5-0.

Mr. Isaac announced that the Board of County Commissioners would here the request on March 18, 2013, at 10:30 am, in the County Commission Chambers.

Amend Section 18 – Nonconformities of the Riley County Zoning Regulations

Bob Isaac presented the request, describing the reasons for the amendments. Mr. Isaac explained that recently, the Planning & Development Department has encountered several inquiries whether the current regulations would allow the replacement of non-agriculturally related residences on large acreage tracts (over 20 acres - established prior to 1980) within the “AG” (Agricultural District). Currently, non-agriculturally related residences are not a permitted use within the “AG” zoning district, unless the property is determined to be a “lot of record” (“grandfathered”). He stated that the proposed amendment would allow existing non-agriculturally related residences to be replaced, rebuilt or refurbished under certain circumstances, subject to certain criteria. Mr. Isaac stated that the Manhattan Urban Area Planning Board heard the request on March 4, 2013 and unanimously forwarded a recommendation of approval to the Board of County Commissioners. Staff recommended that the Riley County Planning Board also forward a recommendation of approval to the Board of County Commissioners.

Diane Hoobler commented that she liked that there was certain criteria that accompanied the amendment.

Mr. Isaac added that he appreciated the condition that the house to be replaced had to be lived in within the previous year of the request to replace.

Diane Hoobler moved to forward a recommendation of approval of the proposed amendments to Section 18 – Nonconformities of the Riley County Zoning Regulations to the Board of County Commissioners, as published.

John Wienck seconded. Motion carried 5-0.

Mr. Isaac announced that the Board of County Commissioners would hear the request on March 18, 2013, at 9:00 am, in the County Commission Chambers.

Discussion of amending the Riley County Zoning and Subdivision Regulations, replacing all language pertaining to Major/Minor Trafficways with the Functional Classification of Roads, as per the Kansas Department of Transportation (KDOT)

Mr. Isaac explained the amendment proposal and the Functional Classification of Roads system. He stated that the major/minor trafficway terminology was outdated and that the County (Public Works), as well as the State, is using this system. Staff recommended that the Chairman, on behalf of the Board, sign the application to move forward with the proposed amendment.

Annual Comprehensive Plan review

Mr. Isaac explained that the purpose of February's meeting was to collect any feedback from the Board of any changes or modifications that may be needed to the Plan; however, February's meeting was canceled. Mr. Isaac asked the Board if they had a chance to review the Plan and if there was any suggestions for modification.

Chairman Clement stated that speaking on behalf of all the Board members, there were no changes recommended at this time.

Julie Henton motioned that the Board of County Commissioners be notified that the Planning Board has completed their annual review of the Vision 2025 A Comprehensive Plan for Riley County and recommended no changes at this time.

Diane Hoobler seconded. Motion carried 5-0.

Diane Hoobler was concerned about Jerry Morehead's business and if it was consistent with his approved conditional use. She also mentioned that it appeared he had a POD container on his property and if that was permitted.

Mr. Isaac said that he would notify zoning enforcement and have it checked out.

Chairman Clement said that he could come into the office anytime and sign the memo to the BOCC regarding the annual review of the comprehensive plan.

John Wienck moved to adjourn. Tom Taul seconded. Carried 5-0.

The meeting was adjourned at 8:08 P.M.