

## MINUTES

### RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, October 9, 2017  
7:30 pm

Courthouse Plaza East  
Commission Meeting Room  
115 North 4<sup>th</sup> Street

Members Present: Lorn Clement, Jr., Chair  
Diane Hoobler  
John Wienck

Members Absent: Tom Taul, Vice-Chair  
John Osarczuk

Staff Present: Monty Wedel – Director, Bob Isaac – Planner and Lisa Daily -  
Administrative Assistant

Others Present: Jeff Smith and Eryn Smith

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#### **OPEN PUBLIC COMMENTS**

None

#### **CONSENT AGENDA**

The minutes of the September 11, 2017 meeting were presented and approved. The Report of Fees for the month of September (\$2,221.00) were presented and approved.

The Final Development Plan for the Smith PUD was approved and signed.

John Wienck 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. Diane Hoobler seconded. Carried 3-0.

#### **RILEY COUNTY PLANNING BOARD**

##### **Item added to agenda at meeting – Sign Application to proceed to public hearing to amend Section 18 – Nonconformities of the Riley County Zoning Regulations**

Monty Wedel said a zoning violation had occurred in the “AG” (Agricultural District) zone with a building used for religious assembly. A permit to build was not obtained prior to the start of adding a storage addition to the structure. He explained, in reviewing current zoning regulations, buildings used for religious assembly and educational facilities, such as schools, are no longer permitted uses in the “AG” (Agricultural District) zone which therefore creates the need to go through a conditional use to even put up an accessory structure or a minor storage addition.

He said staff reviewed the situation with legal counsel and determined it was advisable that we devise a method to fix this problem. The suggested method from the consultant was to do an amendment to Section 18 – Nonconformities, to allow an exception for educational facilities,

such as schools, and buildings used for religious assembly to be extended or enlarged, provided the accessory structure or additions do not necessitate additional parking spaces.

Diane Hoobler moved to have Chairman Lorn Clement sign the application to allow the proposed amendment to the zoning regulations to proceed to public hearing for the reasons Mr. Wedel stated.

John Wienck seconded. Carried 4-0.

### **Update on Zoning and Subdivision Regulations re-write**

Monty Wedel informed the Board members that Steve DeHart is no longer the Environmental Health Specialist for Riley County. Mr. Wedel explained he has gone through the hiring process for the position and Perry Piper, Environmental Health Specialist, started today, October 9, 2017.

Mr. Wedel stated staff has been cleaning up each article one at a time. He said Article 1 has been reviewed in its entirety with Clancy Holeman, County Counselor and Commissioner Marvin Rodriguez. Mr. Wedel said when the revised draft of Article 1 is received from the consultant, staff will present it to the Steering Committee, Riley County Planning Board and Board of County Commissioners.

### **Update on Fort Riley Joint Land Use Study**

Monty Wedel said the final draft has been received, which lists what Riley County is willing to do to implement the study, such as the noise disclosure requirement. He stated also that the draft included a note the potential extension of City of Manhattan sewer services to Keats via a force main. Mr. Wedel said the noise disclosure will be filed with the Register of Deeds office and would apply to a broad area just slightly beyond the noise zones to allow for future adjustment. He said the Register of Deeds, Title Companies, etc. will be provided a legal description that includes a list of subdivisions within the noise disclosure area, so theoretically when anything is sold in that area, the buyer should be made aware of the noise disclosure in their title work and should therefore consider noise attenuation techniques.

Mr. Wedel said the consultant was suggesting an overlay district be added to the Riley County Zoning Regulations. He said staff determined that having the overlay district within the regulations would be very cumbersome to try to apply and, if Fort Riley were to change something, then staff would have to amend the regulations and possibly rezone.

Mr. Wedel said a section will most likely be inserted adopting the existing Memorandum of Understanding with Fort Riley by reference into the zoning regulations so that if staff is presented with a development proposal within a designated area, Fort Riley will be notified and their response will be evaluated and considered. He said the Memorandum of Understanding, which includes a map of the area of notification to Fort Riley, will be included in the appendix of the regulations so that anyone can see if their property is affected or not.

Mr. Wedel said a clause will be included that Fort Riley will have veto power over commercial wind farms, solar farms and telecommunications tower over 175 feet within this area; thus, if Fort Riley determines any of those uses are a hazard to their air traffic or security, Riley County will not approve it.

John Wienck moved to adjourn. Diane Hoobler seconded. Carried 3-0.

The meeting was adjourned at 7:55 P.M.