

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, February 12, 2018
7:30 pm

Courthouse Plaza East
Commission Meeting Room
115 North 4th Street

Members Present: Dr. Tom Taul, Vice-Chair
Diane Hoobler
John Wienck

Members Absent: John Osarczuk
Nathan Larson

Staff Present: Bob Isaac – Planner and Lisa Daily - Administrative Assistant

Others Present: Jeffrey Hancock

OPEN PUBLIC COMMENTS

None

CONSENT AGENDA

The minutes of the December 11, 2017 meeting were presented and approved with a correction to Page 1, Others Present: add Nathan Larson.

John Wienck moved to approve the minutes as presented with the correction. Diane Hoobler seconded. Carried 3-0

The Report of Fees for the month of December (\$5,138.00) and January (\$2,186.00) were presented and approved.

John Wienck wanted to verify if the Permission Type of “rezoning” for Drew Venum on the Monthly List – Application for Permit to Build, meant he would be coming back before the Board for another rezoning.

Bob Isaac replied no, the “Permission Type” label refers to a recent rezoning action taken to allow a permit to be issued.

Diane Hoobler stated she was concerned the structure being built by Gary Niehaus is too close to the house located on a neighboring lot.

Bob Isaac explained that the new structure met the 10-foot side yard requirement of the zoning district and that the property owner was in compliance with the zoning regulations.

Mrs. Hoobler suggested that the Board discuss potential changes in the future regarding side yard building setback requirements.

John Wienck nominated Tom Taul as Chair and Diane Hoobler Vice-Chair. Diane Hoobler seconded. Nomination passed 3-0.

Diane Hoobler nominated to re-elect Bob Isaac as Secretary of the Riley County Planning Board/Board of Zoning Appeals. Diane Hoobler seconded. Nomination passed 3-0.

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

Baumgartner – Rezone

Chairman Taul opened the public hearing at the request of Darell S. Baumgartner, petitioner and owner, to rezone Lot 1, Baumgartner Deer Camp from "R-PUD" (Residential Planned Unit Development) to "R -PUD" (Residential Planned Unit Development) in Jackson Township, Section 9, Township 7 South, Range 6 East, in Riley County, Kansas.

Bob Isaac presented the request stating the applicant is proposing to amend the existing PUD by removing the Conex storage containers from the list of permitted structures and adding a single 30 x 40 metal accessory structure. Mr. Isaac explained the difference in floor area of the proposed metal accessory structure to that of the Conex storage containers was substantially more than 10% of floor area proposed for non-residential use, as per Section 10 Planned Unit Development of the Riley County Zoning Regulations, causing the Final Development Plan to not be in substantial compliance with the Preliminary Development Plan. Therefore, the proposed development changes require the Preliminary and Final Development Plans to be amended through the rezoning process.

Mr. Isaac reviewed the changes to the Planned Unit Development.

List of Permitted Structures:

1. One (1) Single Family Residence
2. Accessory structures ancillary to residence
3. ~~Two (2) shipping/storage containers~~ *One 30 x 40 metal storage building ancillary to the RV/Camper Park*

Notes:

- ~~Shipping/Storage containers~~ *Metal storage building, ancillary to the RV/Camper Park, shall be situated on the property in such a way that will utilize trees and other natural features to screen it from view along Highway K-77.*
- RVs, campers and/or ~~shipping/storage containers~~ *accessory structures* shall not be used as or converted into permanent residences.

Schedule of Improvements:

1. Installation of wastewater lagoon – Fall ~~2017~~ *2018*
2. Installation of full service RV/camper slips – Fall ~~2017-2018~~
3. *Construction of 30x40 metal storage building – Fall 2018*

4. Construction of single family residence – ~~Spring/Summer~~ Fall 2022

Staff recommended that the Riley County Planning Board forward a recommendation of approval of the request to rezone the proposed property amending the existing PUD based on the following:

1. The predominant use of the tract will remain undeveloped and left in its natural state.
2. Development of the site as shown on the site plan will be minimal, creating little or no impact on storm water runoff.
3. The proposed development is in general conformance with the Comprehensive Plan.

Diane Hoobler asked for clarification as to where on the site the metal storage building will be located, as she originally thought the proposed house would be on the hill.

John Wienck asked if the existing entrance would be redone and if KDOT would have to approve the changes.

Jeff Hancock stated SMH has visited with KDOT and with the current use, no changes are required.

John Wienck stated the original Schedule of Improvements listed the wastewater lagoon being completed in the Fall of 2017. He asked would the property owner be fined since the lagoon was not built during that time.

Bob Isaac stated there are no fines involved and time frame is not a deadline but a timeline of improvements suggested by the developer.

Chairman Taul asked if the representative had any comments.

Jeff Hancock (representative) stated he didn't have anything to add.

John Wienck moved to close the public hearing. Diane Hoobler seconded. Carried 3-0.

Diane Hoobler moved to recommend approval of the request to rezone the subject property from "R-PUD" (Residential Planned Unit Development) to "R -PUD" (Residential Planned Unit Development) to the Board of County Commissioners for the reasons listed in the staff report.

John Wienck seconded. Motion carried 3-0.

Mr. Isaac announced that the Board of County Commissioners would hear the request on March 1, 2018, at 10:30 am, in the County Commission Chambers.

Annual Comprehensive Plan Review Reminder

Bob Isaac said one of the responsibilities of the Planning Board is to do an annual review of the Comprehensive Plan. Mr. Isaac said he will begin the process next month and the agenda packet will include materials for the review.

Update on Zoning and Subdivision Regulations Re-write

Bob Isaac stated it is getting exciting as staff is approaching a new territory and reviewing parts of the re-write dealing with subdivision regulations. He said there are different concepts that are

being proposed, such as major and minor subdivision plats. He said staff is reviewing this type of regulation to see if this something to proceed with or is it too complicated.

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

The meeting was adjourned at 8:11 P.M.