

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, March 11, 2019
7:30 pm

Courthouse Plaza East
Commission Meeting Room
115 North 4th Street

Members Present: Dr. Tom Taul, Chair
Diane Hoobler, Vice-Chair
John Wienck
Nathan Larson
Joe Gelroth

Members Absent: None

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

Others Present: Joy Johnson, David Johnson and Karen Pedersen

OPEN PUBLIC COMMENTS

None

CONSENT AGENDA

The minutes of the January 14, 2019 meeting were presented and approved. The Report of Fees for the month of January (\$3,175.25) and February (1,429.00) were presented and approved.

Diane Hoobler moved to approve the consent agenda as presented. John Wienck seconded. Carried 5-0.

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. Joe Gelroth seconded. Carried 5-0.

RILEY COUNTY PLANNING BOARD

Johnson – Residential Use Designator – Extraneous Farmstead & Plat

Chairman Taul opened the public hearing at the request of Joy Johnson, petitioner and Johnson Family Trust, owners, to receive a Residential Use Designator – Extraneous Farmstead and plat a 10.32-acre tract of land in Grant Township, Section 9, Township 9 South, Range 7 East, in Riley County, Kansas.

Bob Isaac presented the request stating the subject site is a 10.32-acre portion of a larger 88-acre parent tract. He said the entire property has been used primarily for pasturing cattle and haying. He said that the property was developed with a single family dwelling originally constructed in the spring of 1999.

He explained that although the property is located within a designated growth area, as per the Vision 2025 Comprehensive Plan for Riley County, Kansas, it was recommended by staff, due to the size of the proposed subdivision and existing land use, that a residential use designator be used, rather than rezoning the property to a residential designation.

Chairman Taul opened the public hearing and is there were any proponents or opponents.

Joy Johnson stated she and her husband lived at the subject site for 20 years. She said she has moved into town and her grandson is buying the house.

Karen Pedersen said her question revolves around the residential use designator – extraneous farmstead. She asked what the difference was between a residential use designator-extraneous farmstead and residential zoning.

Bob Isaac said the designator doesn't change the underlying zoning and it allows most of the existing agricultural activities occurring at the site to continue. He said the single family residential zoning designation restricts how many stock animals are allowed.

Mr. Isaac explained the process is also different. He said the Planning Board approves or denies the residential use designator, while the make a recommendation to the Board of County Commissioners and the Board of County Commissioners approves or denies a the rezoning. He said the residential use designator will allow them to continue with existing permitted agricultural uses and also allow the subdivision of property, without having to rezone.

Ms. Pedersen stated her property is residentially zoned. She asked would the farmstead designator allow a cattle feeding operation that could possibly lessen the value of her home.

Bob Isaac stated that confined feeding operations (CAFOs) are not permitted in a Residential Use Designator.

Ms. Pederson asked how many animals would be allowed on the 10.32 acre lot.

Bob Isaac replied the number of livestock animals would be unrestricted due to the agricultural zoning which is what it is currently zoned. However, he did say that the residential use designator, if approved, does not allow confined feeding operations or agricultural research facilities, which are allowed in agricultural zoning.

Joe Gelroth moved to close the public hearing. John Wienck seconded. Carried 5-0.

Nathan Larson moved to approve the request to receive a Residential Use Designator– Extraneous Farmstead, as it had been determined that it meets the minimum requirements of the Riley County Zoning Regulations. John Wienck seconded. Carried 5-0.

Nathan Larson moved to approve the concurrent plat of Joy Johnson Subdivision, as it had been determined that it met the requirements of the Riley County Subdivision Regulations and Sanitary Code. Diane Hoobler seconded. Carried 5-0

Mr. Isaac announced that the Board of County Commissioners would hear the request on March 21, 2019, at 9:50 am, in the County Commission Chambers.

Annual Report

Monty Wedel reviewed the 2018 Annual Report with the Board, highlighting that the number of non-agricultural residential building permits issued within the Designated Growth Areas was slightly higher than outside of the Growth Area. He stated that staff reviews this statistic every year to see if we are accomplishing our goal of the majority of our new non-agricultural residences inside the Growth Areas. Mr. Wedel also reviewed the Agricultural Exemption requests which were about the same as the prior year. He also reviewed the Agricultural Protection Easements that have been filed since 2012.

Annual Comprehensive Plan Review Reminder

Mr. Isaac stated this year would be a simple review of the Comprehensive Plan. He asked the Board to review the executive summary of the Plan, or if they needed more information to review the entire Plan. He said that if there were any suggested changes or comments to submit them at the April Planning Board meeting.

Mr. Isaac said the next step in the review process will be to draft a memo to the Board of County Commissioners and submit it for signature by the Chairman of the Planning Board. Mr. Isaac said that at that time, he would schedule a time and deliver the update to the Board of County Commissioners.

Update on Zoning and Subdivision Regulations Re-write

Monty Wedel stated staff has been discussing whether driveway standards should be required when platting. He said they are not referring to the entrance but the driveway all the way to the dwelling. He said these standards would include slope, width, surface type, etc. He stated Public Works is open to the concept of reviewing driveway plans as part of the plat review and approval process.

Mr. Wedel said a permit would be required prior to actual construction of the driveway. He said the Certificate of Completion inspection will verify the driveway was built to the standards before being issued.

He said staff continues to work on definitions and the consultant is wrapping up Article 4.

John Wienck moved to adjourn. Diane Hoobler seconded. Carried 5-0.

The meeting was adjourned at 8:28 P.M.