

MINUTES

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

**Monday, August 8, 2022
7:30 pm**

**Courthouse Plaza East
Commission Meeting Room
115 North 4th Street**

Members Present: John Wienck, Vice-Chair
Joe Gelroth
Nathan Larson
Rita Cassida (Zoom)

Members Absent: Diane Hoobler, Chair

Staff Present: Amanda Webb – Director, Bob Isaac – Planner and Lisa Daily -
Administrative Assistant

Others Present: Rob Woodrik, Carolyn & Dennis Hoard, Steven Butler, Gene Lindgren,
and Tana Gerber

OPEN PUBLIC COMMENTS

None

CONSENT AGENDA

The minutes of the July 11, 2022 meeting were presented.

Nathan Larson moved to approve the minutes. Joe Gelroth seconded. Carried 5-0.

The Report of Fees for the month of July (\$3,425.00) were presented.

Joe Gelroth moved to approve the consent agenda. Nathan Larson seconded. Carried 4-0.

GENERAL AGENDA – RILEY COUNTY PLANNING BOARD/BOARD OF ZONING APPEALS

Amanda Webb provided the Board with draft of Rules for Public Comment Sessions and a copy of the current Rules of Conduct for Participants. She asked that Board members review the information. She said that since not all Board members were present, this will be reviewed at the October meeting.

Joe Gelroth moved to adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and reconvene as the Board of Zoning Appeals. Nathan Larson seconded. Carried 4-0.

BOARD OF ZONING APPEALS

Gerber – Variance

Vice-Chair Wienck opened the public hearing at the request of Jaron Scott & Tana Ann Gerber, petitioners, and owners, for a variance authorization to reduce the required front

yard setback from 25 feet to zero (0) in Section 4, Township 9 South, Range 7 East; Grant Township.

Bob Isaac presented the staff report and stated the subject site was platted as Lot 27 of Lake Land Addition in January 1963. He said it was later zoned to single family residential in 1974 as part of the countywide zoning conversion process. He explained that in 1973, a building permit was issued for the existing home, the constructed of which was completed in 1975.

Mr. Isaac explained the applicants inquired about a building permit to replace the aging deck on the front of the house. He said staff was concerned about the proximity of the deck to the front property line and suggested that a Certificate of Survey be prepared and submitted to determine the exact location of the home and deck in relation to the property line, the purpose of which was to eventually determine whether a variance was needed. He explained the results of the Certificate of Survey revealed that not only was the deck located within the right-of-way of Lake Land Drive, but a portion of the house and on-site lateral field were as well.

Mr. Isaac said the Riley County Engineer reviewed the situation and stated since the house has existed at that location for nearly 50 years, Public Works has granted the applicant permission, in writing, to allow that portion of the house and deck (including replacement of the deck) to remain in the right-of-way, under the condition that the existing structures cannot be enlarged or extended any further into the right-of-way.

Staff recommended that the Board of Zoning Appeals approve the request for a variance to reduce the required front yard setback from 25 feet to zero (0) feet for Lot 27 Lake Land Addition.

Vice-Chair Wienck opened the public hearing and asked if the applicant wanted to speak.

Tana Gerber stated they are basically just interested in replacing and repairing the decks. She said they want to make sure they are done correctly, soundly, and safely.

There were no proponents or opponents.

Joe Gelroth moved to close the public hearing. Nathan Larson seconded. Carried 4-0.

Joe Gelroth moved to approve the request for a variance to reduce the required front yard setback from 25 feet to zero (0).

Rita Cassida seconded. Carried 4-0.

Joe Gelroth moved to adjourn the Board of Zoning Appeals meeting and reconvene as the Riley County Planning Board.

Nathan Larson seconded. Carried 4-0.

RILEY COUNTY PLANNING BOARD

Hoard Plat & Rezone

Vice-Chair Wienck opened the public hearing at the request of Dennis C. & Carolyn M. Hoard Trust, petitioners, and owners, to rezone an unplatted tract of land and a portion of a contiguous unplatted tract of land from “AG” (Agricultural District) to “SF-1” (Single Family Residential)

and plat the tracts into a single lot in Jackson Township, Section 28, Township 7 South, Range 6 East in Riley County, Kansas.

Bob Isaac presented the request and stated the subject site consists of a .94-acre, unplatted tract developed with a single-family residence, together with a portion of a contiguous, undeveloped, unplatted tract of land. He explained when the applicants (farmers) bought the surrounding ground for agricultural purposes, the existing home (built circa 1966) was part of the transaction, though the applicants did not want or need to residence. He said rather than demolishing the extraneous home, the applicants wished to add a few acres to the homesite to bring it into compliance with the Sanitary Code, then sell it to a family in need of a home. Mr. Isaac explained the home was never associated with an agricultural operation, so a residential use designator was not an option; however, the subject property was located within a designated growth area.

Vice-Chair Wienck opened the public hearing and asked if the applicants wanted to speak; they did not.

There were no proponents or opponents.

Joe Gelroth moved to close the public hearing. Nathan Larson seconded. Carried 4-0.

Joe Gelroth moved to forward a recommendation of approval of the request to the Board of County Commissioners to rezone the subject property from "AG" (Agricultural District) to "SF-1" (Single Family Residential). Nathan Larson seconded. Carried 4-0.

Joe Gelroth moved to approve the final plat of Hoard Addition, as it had been determined to meet the requirements of the Riley County Land Development Regulations and Sanitary Code. Nathan Larson seconded. Motion carried 4-0.

Mr. Isaac announced that the Board of County Commissioners would hear the request on August 25, 2022, at 9:20 am, in the County Commission Chambers.

Rita Cassida moved to adjourn. Nathan Larson seconded. Carried 4-0.

The meeting was adjourned at 8:05 P.M.