

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, September 13, 2010
7:30 pm

Courthouse Plaza East
Commission Meeting Room
115 North 4th Street

Members Present: Jon Larson, Chair
Lorn Clement, Vice-Chair
Dr. Tom Taul
Julie Henton

Members Absent: Diane Hoobler

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

Others Present: Mark Laurie

OPEN PUBLIC COMMENTS

None.

CONSENT AGENDA

The minutes of the August 9, 2010 meeting were presented and approved. The Report of Fees for the month of August (\$980.00) were presented and approved.

Lorn Clement moved to adjourn as the Riley County Planning Board and convene as the Riley County Board of Zoning Appeals. Tom Taul seconded. Carried 4-0.

RILEY COUNTY BOARD OF ZONING APPEALS

Board of County Commissioners, Riley County – Variance

Jon Larson opened the public hearing at the request of the Board of County Commissioners of Riley County, petitioner and owner, for a variance authorization to increase the maximum total height of a non-commercial wind energy conversion system tower (Northwind 100) from 150 feet to 160 feet (6.67%).

Bob Isaac presented the request. Mr. Isaac stated that last year the Planning Board recommended approval to the Board of County Commissioners for a Special Use Authorization (Petition #09-17) for this site, which included seven (7) non-commercial wind energy conversion systems of various types and sizes. Mr. Isaac explained that one of the proposed turbines included in the project exceeded the 150 foot maximum height requirement for a non-commercial wind energy conversion system tower, thus requiring a variance.

Mr. Isaac explained that planning staff and Riley County Assistant Public Works Director Rod Meredith met with the officials from Ft. Riley to discuss the ramifications of the increased height of the subject tower. Mr. Isaac stated that according to Ft. Riley officials, an increase in height of this particular tower will only slightly increase the negative impacts to the regional radar system located on Ft. Riley. Mr. Isaac reviewed staff's assessment of the variance criteria in relation to the request. Staff recommended approval.

Tom Taul stated when the presentation was given for the Special Use Authorization, the proposed location of one of the towers was further south and caused concerns with neighbors. Mr. Taul asked if the towers are being moved further north.

Mr. Isaac stated the tower furthest to the south was no longer going to be installed. Mr. Isaac stated that Rod Meredith explained that the site plan was revised to bring all the towers in as close as possible to the shops.

Tom Taul questioned the letter from Ft. Riley where it indicated that Ft. Riley would be interested in assisting in exploring the availability of additional feasible options to further mitigate the projects adverse affects of turbines at this location. Mr. Taul asked what type of things that would be.

Monty Wedel stated the radar is located on Ft. Riley but serves the regional area including Manhattan. Mr. Wedel explained the tower is recognized on radar and, due to the spinning motion of the tower, it creates a "black hole" in the shape of a wedge beyond the tower, creating an area that is blind to the radar. Mr. Wedel stated he has read articles on what is trying to be done nationally because prohibiting wind towers every where is impossible. Mr. Wedel said in terms of regionally, what we want to do is try to minimize these blockages. Mr. Wedel said Ft. Riley does not want to see a proliferation of towers and they are not concerned with this particular request. Mr. Wedel said Ft. Riley did visit with them about positioning the towers towards lining up more and not spreading them out.

Mr. Isaac explained each occurrence of a wind energy conversion system will need to be reviewed on a case-by-case basis. Mr. Isaac further explained that if the ground elevation between the radar and a tower is high enough, the radar can not see the tower, eliminating any negative impact on the radar.

Tom Taul moved to close the public hearing. Lorn Clement seconded. Carried 4-0.

Julie Henton moved to approve the request of the Board of County Commissioners, Riley County, petitioner and owner, for a variance authorization to increase the maximum total height of a non-commercial wind energy conversion system tower (Northwind 100) from 150 feet to 160 feet (6.67%) for reasons as stated in the staff report.

Lorn Clement asked that it be noted that the Board has taken into account Ft. Riley's concerns and are concerned for their operations.

Tom Taul seconded. Roll call voting was completed with all Board members affirming. Carried 4-0.

Mark Laurie – Variance

Jon Larson opened the public hearing at the request of Mark Laurie, petitioner, and David R. Laurie Jr. Trust & Claudette M. Laurie Trust, owners, for a **variance** authorization to reduce the front yard (east property line) requirement from a minimum of 25 feet to 20 feet.

Bob Isaac presented the request. Mr. Isaac stated the property was platted as Lot 9 of the Foxridge Addition in October 1977. The lot is almost entirely surrounded by streets, with Tuttle Cove Road to the west, Germann Road to the north and Foxridge Circle to the east and south. Foxridge Circle ends in a cul-de-sac treatment, which abuts the southern portion of the lot. Mr. Isaac explained that this action creating an island or what is called a double frontage lot. Mr. Isaac stated the lot is almost 100% surrounded by a road system.

Mr. Isaac stated the lot has three separate front yard setbacks for Tuttle Cove Road, Germann Circle and Foxridge Circle. Mr. Isaac explained the Petitioner would like to request the variance in order to expand the existing home. Mr. Isaac explained that some of the elevation differences along the east property line and the west right-of-way line of Fox Ridge Circle are as much as 15 feet in places. Mr. Isaac stated the variance request would not interfere with traffic or the ability for Foxridge Circle to be improved. Mr. Isaac reviewed staff's assessment of the variance criteria in relation to the request. Staff recommended approval.

Lorn Clement moved to close the public hearing. Julie Henton seconded. Carried 4-0.

Lorn Clement moved to approve the request of Mark Laurie, petitioner, and David R. Laurie Jr. Trust & Claudette M. Laurie Trust, owners, for a variance authorization to reduce the front yard (east property line) requirement from a minimum of 25 feet to 20 feet for reasons as stated in the staff report.

Tom Taul seconded. Roll call voting was completed with all Board members affirming. Carried 4-0.

Lorn Clement moved to adjourn as the Riley County Board of Zoning Appeals and convene as the Riley County Planning Board. Tom Taul seconded. Carried 4-0.

RILEY COUNTY PLANNING BOARD

Update on Vision 2025 Implementation

Mr. Wedel said a preliminary use table was reviewed by staff. He explained that via a conference call with the consultant some revisions were made. Mr. Wedel stated that staff is still waiting on the final report from Clarion Associates.

Report on Gateway Plan Update

Monty Wedel stated that public meetings are scheduled for September 16th and September 30th from 4:00 to 8:00 pm at the Manhattan Christian Fellowship Church. He explained that the purpose of the meetings will allow the public ask questions and provide feedback on the draft plan.

The meeting was adjourned at 8:01 P.M.