

## MINUTES

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

Monday, October 10, 2011  
7:30 pm

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

Members Present: Jon Larson, Chairman  
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: Myron and Susan Carpenter and Edna Dragsdorf

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#### **OPEN PUBLIC COMMENTS**

Edna Dragsdorf asked what the procedures are for dividing land. The Board recommended that she contact the Planning and Development staff.

#### **CONSENT AGENDA**

The minutes of the September 12, 2011 meeting were presented and approved. The Report of Fees for the month of September 2011 (\$800.00) were presented and approved.

Julie Henton moved to adjourn as the joint meeting of the Riley County Planning Board/Board of Zoning Appeals as there were no agenda items for the Board of Zoning Appeals and convene as the Riley County Planning Board. Lorn Clement seconded. Carried 4-0.

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

##### **Carpenter – (Replat)**

Jon Larson opened the public hearing at the request of Myron B. Carpenter, petitioner and George C. and Kathryn R. Halazon, Alice A. Carpenter Trust, Frank R. Carpenter Trust, Myron B. and Susan E. Carpenter, owners to replat Lots 31, 32, and 33 of Lakeview Addition into two (2) residential lots in Grant Township, Section 23, Township 9 South, Range 7 East, in Riley County Kansas.

Bob Isaac presented the request. Mr. Isaac described the general location and platting/zoning history of the subject property. Mr. Isaac explained that the property owners wished to divide Lot 32 in half and apportion each half to Lots 31 and 33, respectively. Mr. Isaac said the subject property has been developed for several years with single family dwellings in a residential area. He said that due to the character of the existing and surrounding development, it was not anticipated that replatting the subject property would cause conflicts. Mr. Isaac stated replatting

the subject lots is consistent with the goals, objectives and policies of the Plan. Staff recommended approval of the request.

Chairman Larson asked the Applicant if he would like to speak or make any comments.

Myron Carpenter stated he had nothing to add and the information had been covered very well.

Chairman Larson asked if there were any opponents. There were none.

Julie Henton moved to close the public hearing. Tom Taul seconded. Carried 4-0.

Tom Taul moved to approve the Final Plat of Lakeview Addition, Unit Four.

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

Mr. Isaac announced that the Board of County Commissioners will hear the request on Monday, October 17, 2011 at 9:15 AM.

### **Quarterly Analysis of the LESA System**

Monty Wedel said staff does not have any recommendations at this time.

### **Review Draft Regulation Amendments to Implement Vision 2025**

Monty Wedel said he submitted the draft Notice of Public Hearing to Clarion and Associates. He said Clarion indicated they would dedicate a week to reviewing the draft; however, Chris Duerksen has not been able to review it.

Mr. Wedel said he has scheduled a work session with the Board of County Commissioners for October 24, 2011.

Mr. Wedel said staff met with Gus Van der Hoeven concerning agricultural buffers. He said Mr. Van der Hoeven was not in support of trying to describe buffers because of too many variables. Mr. Van der Hoeven was more in favor of larger setback requirements. Mr. Wedel said staff is agreeable to increasing the setback of 100 feet or larger and allow for modifications. Mr. Wedel said if someone proposed a constructed buffer with the assistance of a professional, then a reduction of the required setback could be considered.

Lorn Clement stated that 100 feet in the country is really nothing.

Chairman Larson agreed.

Monty Wedel said 200 feet would be acceptable with the ability to reduce down to 50 feet. He said the applicant would have to provide a site plan and request the reduction.

Tom Taul stated that if a reduction is a possibility then he would agree with 200 feet.

The Board agreed with a 200-foot setback requirement.

Monty Wedel said staff would up with a draft for the Board to review.

Monty Wedel said a large meeting was held on the riparian buffer. He said the attendees started off with where the buffers needed to be applied and how to identify the streams. He said the attendees decided on a 1<sup>st</sup> order through 4<sup>th</sup> order system. He said Wildcat Creek could be either a 3<sup>rd</sup> or 4<sup>th</sup> order stream, but that has not been determined yet. Mr. Wedel said more information is still being gathered at this time.

Lorn Clement asked who all attended the meeting.

Monty Wedel said Bob Atchison and Billy Beck with Forestry, Phil from a watershed council, Tim Keane and John Strickler.

Tom Taul asked if this applies if someone wants to build a house.

Monty Wedel said this will apply to anything that is not agricultural related. He said it will apply in non-agricultural residential except Extraneous Farmsteads and Reconversion Lots.

Bob Isaac questioned if the riparian buffer requirements would apply to lots of record.

Monty Wedel explained that still needs to be determined and also if the riparian buffer requirements should apply to properties rezoned to residential.

Bob Isaac mentioned the Agricultural and Riparian Buffer guidelines could easily be applied to Conditional Uses.

Monty Wedel said staff does have concerns with “grandfathered” tracts because those proposals will not go to the Planning Board. He said if an applicant of a “grandfathered” tract desired to reduce the 200-foot setback requirement, staff would have the applicant go before the Planning Board with a site plan.

Chairman Larson asked if there will be any flexibility to the Riparian Buffer guidelines.

Monty Wedel said the attendees felt the riparian strip needs to be kept even if the bank is high; as the vegetation creates a benefit by holding the bank in place, not to mention wildlife and water quality.

Chairman Larson said he would like some flexibility for unusual situations.

Monty Wedel said a variance or modification could always be requested.

Tom Taul moved to adjourn. Lorn Clement seconded.

The meeting was adjourned at 8:13 P.M.