



[Please note that the meeting agenda is subject to change during the meeting.]

City of Clearwater Planning Commission Meeting Agenda
Tuesday January 4, 2022 at 6:30pm
129 E Ross Clearwater, KS 67026

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/494511669>

You can also dial in using your phone.

United States: [+1 \(872\) 240-3212](tel:+18722403212)

Access Code: 494-511-669

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/494511669>

1. Call meeting to order

2. Roll Call

George Rudy

Ron Witt

Michael McBee

Lyle Berntsen

John Graham

Tex Titterington

John Hurley

3. Approve Minutes from the December 7, 2021

4. Zoning Variance Request

a. Lot 6 Block 1 Park Glen Estates

5. Other Business

6. Adjournment

City of Clearwater, Kansas
Sedgwick County
Planning Commission - **MINUTES**
December 7, 2021
Clearwater City Hall
129 E. Ross Avenue Clearwater, KS 67026

1. Call to Order

Commissioner Ron Witt called the meeting to order at 6:30 p.m.

2. Roll Call

Deputy City Clerk called the roll to confirm the presence of a quorum. The following members were present:

Ron Witt, Tex Titterington, John Hurley, Michael McBee and John Graham. George Rudy and Lyle Berntsen were absent.

The following staff members were present:

Courtney Zollinger, City Administrator, Carol Reitberger, Deputy City Clerk

Others Present:

Logan Mills, Certified Engineering Design, Dwayne Dugan, Ed Mikesell and Bryan Lagally

3. Approve Minutes from the November 2, 2021

Motion: *Graham* moved, *Titterington* seconded to approve the lot split as presented. Voted and passed unanimously 5-0

4. Lot Split – Duckhorn Properties

The owners of Lot 11, Block 1 Indian Lakes 2nd Addition and Reserve A Indian Lakes 2nd Addition have requested to split each lot into two lots.

a. Lot 11 Block 1 Indian Lakes 2nd Addition

The lot split will allow for entrance into northern section and allow Duckhorn Properties to retain Commercial lot.

b. Reserve A Indian Lakes 2nd Addition

The lot split will allow for new developer to re-plat and develop what is left of Indian Lakes 2nd Addition. It will also allow the former owner to keep his irrigation well in place.

Motion: *Titterington* moved, *McBee* seconded to approve the lot split as presented. Voted and passed unanimously. 5-0

5. Other Business

Zollinger stated the city received 49 Comprehensive Plan surveys and the results would be emailed out to the Commission.

Zollinger let the Commission know at the January 4th meeting there will be a variance on the agenda. The variance is for a pool in Park Glen.

6. Adjournment

With there being no other business, **Hurley** moved, **Titterington** seconded to adjourn the meeting. Voted and passed unanimously 5-0

The meeting adjourned at 6:45 p.m.

CERTIFICATE

State of Kansas }
County of Sedgwick }
City of Clearwater }

I, Carol Reitberger, Deputy City Clerk of the City of Clearwater, Sedgwick County, Kansas, hereby certify that the foregoing is a true and correct copy of the approved minutes of the December 7, 2021, Planning Commission meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 4th day of January 2022.

Carol Reitberger, Deputy City Clerk

**City of Clearwater
Planning and Zoning Commission
December 29, 2021**

Zoning Variance 1200 Park Glen

Context: Shaun Weaver, 1200 Park Glen Estates, is requesting a setback variance in order to put in an underground pool in his back yard.

The required setbacks for an accessory structure is 12.5' from the main structure and 6' from the property line.

Weaver is requesting a reduction in the setback from the main structure to be reduced to 8' vs 12.5' and the setback from the rear property line to be reduced to 4' from 6' in order to accommodate his 16' x 38' pool.

Accessory structures may not cover more than 30% of the required rear yard in any residential lot. This structure will cover 608' of the 1427' allowed accessory structure coverage therefore will comply.

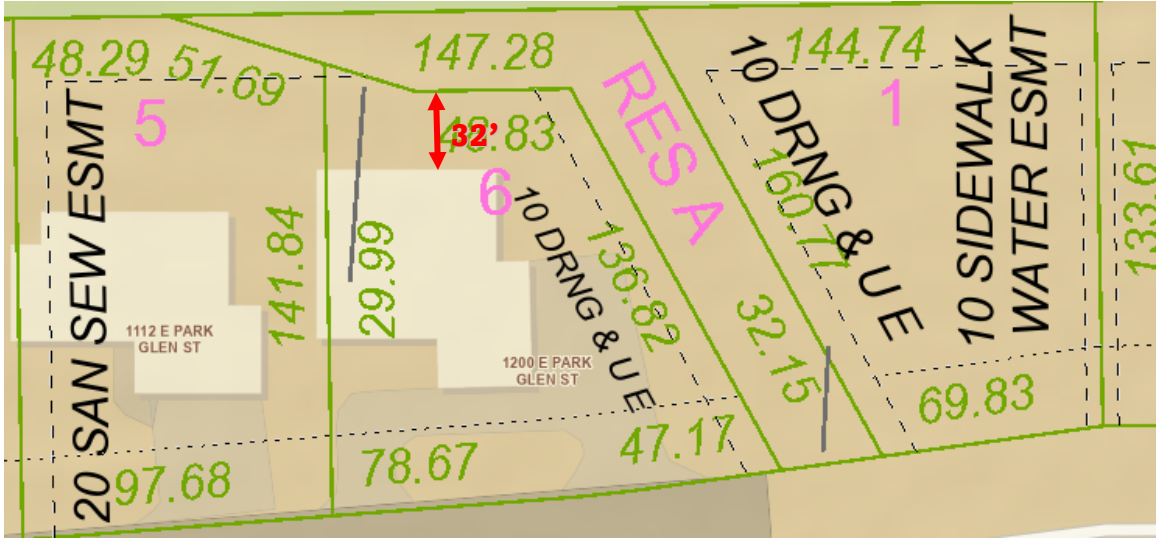
There is no utility easement that this will interfere with.

No accessory buildings or structure shall be closer to the front lot line than the dwelling. Any accessory building constructed in the side or rear yard shall not encroach on any required utility easements and shall not be located any closer to a property line than six feet, except that where vehicular access to a garage is perpendicular to the alley line, a setback of at least ten feet from the alley line shall be required. No accessory building shall cover more than 30 percent of the required rear yard.

a. A detached accessory structure having construction techniques and style consistent with the dwelling, may be located toward the front of the lot when conforming with the front and side yard setback requirements of the dwelling. In addition, said accessory structure must be at least three feet from the dwelling. All accessory structures shall be six feet from any other structure.

b. Accessory structures which are not consistent with the dwelling in construction technique and style must be located at least 12½ feet from the dwelling. Accessory structures shall not be closer than six feet to any other structure.

Consideration Consider granting the variance for Shaun Weaver to allow him to install an underground pool in his back yard.





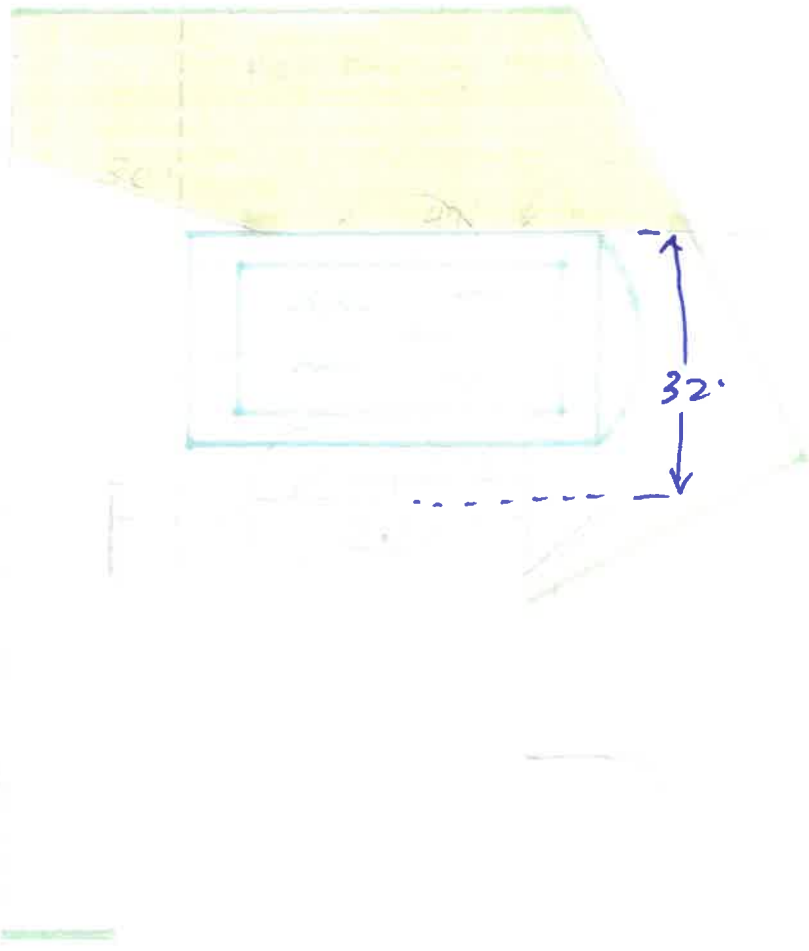
Office Use Only

Adjacent Zoning & Land Use		
Direction	Land Use	Zoning
NORTH	soccer field	R-1
SOUTH	Residential	R-1
EAST	Agriculture	R-1
WEST	Residential	R-1

Article and Description of the Zoning Regulation of Variance Requested
Article VIII Additional Height, Area, and Use Regulation

Received by:	Carol Reitberger
Date Received:	11-17-2021
Fee Paid:	yes
Date Published:	12-9-2021
Public Notice Mailed:	12-10-2021
Hearing Date:	1-4-2022

GRAPHIC SCALE



Pool 38' x 16'

4' concrete on 3 sides

6' concrete on DB side

Added fence 5' Metal Bl.

Now
32.0
-12.5
- 6.0

13.5

NEW
32.0
-8.0
-4.0

20.0



**Clearwater Planning Commission
Board of Zoning Appeals**

Zoning Variance – Action

Property Address:	
--------------------------	--

Questions	Supported	Unsupported
Uniqueness that the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant		
Adjacent Property that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents		
Hardship that the strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application		
Public Interest that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare		
General Spirit/Intent that granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations		

Commission Recommendation

Petition Filed	
Board Action	
Vote	
Date	

_____ Clerk

(SEAL)