

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

PLANNING COMMISSION MINUTES

October 3, 2006

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, Planning Commission was held on Tuesday, October 3, 2006 at 7:00 p.m., in the Clearwater City Council Chamber, City Hall at 129 E. Ross Avenue, Clearwater, Kansas.

The following members were present: Don Berntsen, Lonnie Stieben, Mike Machart, and Les Langston. George Rudy and LaDonna Lawrenz were absent. The following City staff members were present: Kent Brown, City Administrator; Cheryl Wright, City Clerk; and Janet Amerine, City Attorney. Also present Hayley Beiker, resident at 615 Elaine.

1. Approval of Minutes of the Meeting of September 5, 2006

MOTION: The motion to approve the minutes was made by Don Berntsen, seconded by Les Langston and passed unanimously.

2. Special Use Permit Home Occupation 615 Elaine

City Administrator Brown provided the Commission with a copy of the Home Occupation portion of the Zoning Code. Brown stated that 615 Elaine is zoned R-1(Single Family Residential) and a Home Occupation is permitted. Brown reviewed the residential requirements for a Home Occupation business. Hayley Beiker stated that her husband Jim is a certified professional photographer and wants to set up a photography studio in a garage at the side of their home. Beiker stated that she talked to all of her neighbors within 200 ft. and there were no objections to the studio. Berntsen stated that a Home Occupation is only for the requested residence and if the house should sell, the permit would no longer be valid.

MOTION: Don Berntsen made a motion to approve the application for a Home Occupation at 615 Elaine for a photography studio. Les Langston seconded the motion and it passed unanimously.

3. Special Use Permit Home Occupation 1221 Red River Dr.

City Clerk Wright stated that the application for a Home Occupation at 1221 Red River Dr. was received from Amenda Marie Huse for a daycare facility some time ago. Wright stated that she was not aware that the requirement was that any Home Occupation permit had to be approved by the Planning Commission. City Administrator Brown stated

that the property at 1221 Red River Dr. is zoned "PUD" (Planned Unit Development) and a daycare facility is allowed in that zone. Ms. Huse contacted the neighbors within 200 ft. and received no objections.

MOTION: Mike Machart made a motion to approve the application for a Home Occupation at 1221 Red River Dr. for a daycare facility. Les Langston seconded the motion and it passed unanimously.

4. Other Matters and Concerns

City Clerk Wright reported that at the last Council meeting Mayor Walker accepted the resignation of Aaron Tjaden from the Planning Commission.

City Attorney Amerine reported that at the last Council Meeting a Temporary Use Permit was granted for construction of a temporary cell phone tower. Amerine stated that in the ordinance there is a provision for the Planning Commission to grant a Temporary Use Permit or there is a provision for "or as the Governing Body sees fit".

Don Berntsen questioned if tent garages or tent storage areas are allowed in the City. City Administrator Brown read that a structure is: "Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground, but not including fences, driveway, hard surfaced walk and terraces, or public items, such as utility poles, street light fixtures, and street signs." The Commission continued to briefly discuss the tent garages or tent storage areas with no consensus.

5. Adjournment

With there being no further business to come before the Commission, Mike Machart made a motion to adjourn the meeting. The motion was seconded by Don Berntsen and passed unanimously.

CERTIFICATE

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

I, Cheryl Wright, 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 October 3, 2006 Planning Commission meeting.

Given under my hand and official seal of the City of Clearwater, this 7th day of November 2006.

Cheryl S. Wright, City Clerk