

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

PLANNING COMMISSION MINUTES

August 7, 2007

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, Planning Commission was held on Tuesday, August 7, 2007 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: Lonnie Stieben, George Rudy, Don Berntsen, Mike Machart, and Les Langston. Ryan Shackelford was absent. The following City staff members were present: Kent Brown, City Administrator; Cheryl Wright, City Clerk; and Janet Amerine, City Attorney.

1. Approval of Minutes of the Meeting of July 9, 2007

MOTION: The motion to approve the minutes was made by George Rudy, seconded by Mike Machart and passed unanimously.

2. Zoning Appeal Park Glen Property

City Administrator Brown stated that after the last meeting, based on the opposition voiced by neighbors to the appeal; he visited with applicant Dal Eck, and Mid Kansas Engineering concerning the easement. Brown continued to state that Mid Kansas Engineering, after 15 years did not have much of an explanation of how the easement was drawn other than it might have been because another manhole would have been required. Brown stated that he had the utilities located to find out if there would be a problem and if the additional footage required for the house could come out of the easement. Brown stated that the property pin in the northeast corner of the property was found. Measuring 20 ft. from the property pin the sewer line is to the east of the easement. Mike Machart questioned the location of the property pin and how close it was to the street. Brown reviewed the size of the bridge and Reserve A in relation to the property. The Commission discussed at length the property, utilities, and the easement. Brown stated that the new proposal is to move the house to the east, thereby not encroaching on the existing house. Don Berntsen stated that he does not have a problem with vacating the easement, but he would like for the property owner to get a survey of the property. City Attorney Amerine stated that if the Commission were going to request that the Council vacate the easement she would have to have the legal to draw up the paperwork

MOTION: Don Berntsen made a motion to recommend to the Council to vacate 3 ft. of the easement along the entire east side of the property after a no start survey. George Rudy seconded the motion and it passed unanimously.

3. Other Matters or Concerns

Lonnie Stieben stated that he is going to request that the Commission discuss the exact definition of a 12½ ft. side yard setback. Stieben stated that in talking with John Staton with Sedgwick County Code Inspection, Stieben found out that all cities have exceptions to the Property Development Standards. Some examples of features allowed in the setback include; bay windows, open outside stairways, chimneys, window wells, open, unenclosed porches and carports. Stieben continued to state that in the Clearwater Zoning it reads “The setback line for yard requirements shall be determined by measuring the horizontal distance from the property line to the nearest architectural projection of the building.” Staton informed Stieben that Clearwater needs to get the setback issue clarified and Staton would be glad to come visit with the Planning Commission. After a lengthy discussion, the Commission requested that the issue of setbacks be put on the agenda for the next meeting and to invite John Staton to the meeting.

4. Adjournment

With there being no further business to come before the Commission, George Rudy 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 August 7th Planning Commission meeting.

Given under my hand and official seal of the City of Clearwater, this 4th day of September 2007.

Cheryl S. Wright, City Clerk