

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS
PLANNING COMMISSION MEETING
MINUTES
Tuesday, June 3, 2014

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

The following members were present: Mike Cass, Mike Machart, Ryan Shackelford, Dick Croft, Scott Howell, George Rudy. Shawna Perry was absent. The following City staff members were present: Kent Brown, City Administrator; Carol Reitberger, Deputy City Clerk. Others present were Mike York.

On Tuesday, June 3, 2014 at 7:00 p.m. Chairman Shackelford called the meeting to order.

Approval of the Minutes of the Regular Meeting of April 1, 2014 and Continued Unto April 7, 2014.

A motion was made by Commissioner Rudy and seconded by Commissioner Machart to approve the April 1, 2014 continued to April 7, 2014 minutes. The motion passed unanimously.

Public Hearing

Public Hearing for a Zoning Variance Request by Mike York to Exceed the Total Area of All Detached Accessory Structures of 900 Square Feet. The Request is to have the Accessory Structures Equal 1016 Square Feet.

Chairman Ryan Shackelford opened the hearing at 7:02 p.m.

City Resident Mike York stated to the Planning Commission that he would like to apply for a variance. York stated that he lives on a corner lot and would like to build a garage for an RV behind his house to the west. It would have a driveway on the west of his house onto the side street of Janet. York stated his house faces First Street but not enough room to build a garage attached to his home. York stated he already has a shed in the back and with the new garage York would need the variance to allow for the extra square footage. The new garage for the RV will be in line with the north side of his home.

The hearing was closed at 7:12 p.m.

The Commission went over the 5 statutory conditions of the property.

- A. **Uniqueness** “That the variance requested arises from such condition which his 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 of the applicant”

The Commission discussed that there are utility lines that prevent the garage to attach to the house. It is a large lot since it is on a corner. (Croft, Howell, Machart, Shackelford, Cass and Rudy all voted in favor)

- B. **Adjacent Property** “That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents”

The Commission discussed that the property is on a corner lot. There was slight interest with a close property owner. This Resident contacted City Hall and talked to City Administrator Kent Brown; but, didn't make any comment for the Planning Commission regarding the request. No one else contacted the City or showed up at the hearing. (Croft, Howell, Shackelford, Cass, Rudy and Machart all voted in favor)

- C. **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.”

The Commission discussed that if the variance was not granted the property owner would have to house his RV off site or not purchase the RV. (Croft, Howell, Machart, Shackelford, Cass, Rudy all voted in favor)

- D. **Public Interest** “That the variance desired will not adversely affect the public health, safety morals, order, convenience, prosperity, or general welfare”

The Commission discussed that the garage will not exceed height and width of the house or other storage building. The new garage will not block vision for those coming around the corner or stopping at the stop sign at the intersection of First and Janet. (Croft, Howell, Machart, Shackelford, Cass and Rudy all voted in favor)

- E. **General Spirit/Intent** “That granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations.”

The Commission discussed that the public and the neighbors that were within 200 feet did not come to the variance hearing. The new garage will need the extra feet to accommodate the new RV. The maximum according to the zoning ordinance is 900 square feet. The variance is asking for 1016 square feet. The Commission did not feel this would be a big burden for the other residents. (Croft, Howell, Machart, Shackelford, Cass and Rudy all voted in favor)

Address Zoning Variance Request

MOTION: Commissioner Mike Cass made a motion to recommend approval of the Variance at 331 N. First Avenue. The motion was seconded by Commissioner Scott Howell. The motion carried.

Review Recommendations on Preparation of Annual Report From Planning Commission to City Council that will be completed June 1.

Chairman Shackelford reviewed the recommendations by reading over the changes to the Comprehensive Plan. Commissioner Howell asked the question “Where do people want this town to go?” Howell also asked City Administrator Brown if there were any incentives to moving here. City Administrator Brown stated there are some that want Clearwater to stay the way it is, some that want to see a steady growth and a small portion want to see lots of growth. The Commission also discussed there are several resources here in Clearwater so you don't always have to go to Wichita

for these services. Commissioner Howell also asked about this town as far as Residential, Industrial and Commercial. The Commission discussed these as separate topics. Chairman Shackelford stated that he has heard comments about our time being off the beaten path, nice town, small town and close to Wichita.

Commissioner Mike Machart made a motion to approve the recommendation as presented to go to City Council and Commissioner George Rudy seconded the motion and passed unanimously.

Other Matters or Concerns

After some discussion, the July meeting has three people being gone due to vacations. City Administrator will send out the agendas and make sure there will be a quorum at the July 1st meeting.

Adjournment

With no further business to come before the Commission, Commissioner Machart made a motion to adjourn the meeting. The motion was seconded by Commissioner Cass and passed unanimously.

The meeting adjourned at 8:30 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 April 1, 2014 and continued unto April 7, 2014 Planning Commission meeting.

Given under my hand and official seal of the City of Clearwater, this 3rd day of June, 2014

Carol Reitberger, Deputy City Clerk