

Jefferson County Planning & Zoning Oskaloosa, Kansas

OFFICIAL

OFFICIAL MINUTES OF THE JEFFERSON COUNTY PLANNING COMMISSION

Minutes of Planning Commission Meeting of June 24th, 2019

Item 1. Call to Order.

Item 2. Roll Call

Matt Scherer	Paul Johnson	Stephen Phillips	Gale Rudolph	Tim Benyshek	Vacant	Brandon Newman
Present	Present	Present	Present	Absent	---	Present

Item 3. Approval of the Agenda

Chairman Johnson asked for approval of the agenda – Secretary Scherer moved to approve, and Commissioner Rudolph seconded

Votes were taken by Ayes and Nays as follows:

Matt Scherer	Paul Johnson	Stephen Phillips	Gale Rudolph	Tim Benyshek	Vacant	Brandon Newman
Aye	DNV	Aye	Aye	Absent	---	Aye

Item 4. Approval of the April 22nd , 2019 minutes

Chairman Johnson asked if there were any correction for the minutes. Secretary Scherer offered a correction. Chairman Johnson asked for a motion to approve the minutes. Vice-Chair Newman moved to approve the minutes as corrected and Secretary Scherer seconded.

Votes were taken by Ayes and Nays as follows:

Matt Scherer	Paul Johnson	Stephen Phillips	Gale Rudolph	Tim Benyshek	Vacant	Brandon Newman
Aye	DNV	Aye	Aye	Absent	---	Aye

Item 5. Public Hearing

Chairman Johnson opened the public hearing for Z2019-03: A request to rezone property from Rural Residential to Agricultural. This request is being brought by Steven Robb and Mat Luck due to a boundary line adjustment that caused the property acreage to exceed the Rural Residential limitations. The property is generally located on the Southeast corner of Union Road and 13th Street. **Chairman Johnson asked for the staff report – Staff Gave their report.**

Chairman Johnson asked the board if there were any questions for staff regarding their report. – There were none

Chairman Johnson asked the applicant if they would like to provide a statement regarding the application.

Mr. Luck (Applicant’s Representative and current property owner) – Stated he agreed with staff and just wanted to make sure he was doing it right.

Chairman Johnson: Asked the applicant if the property was already on the market. Staff clarified with the board that the applicant (Steven Robb) was the seller, and that Mr. Luck was the buyer. The property changed hands prior to the hearing, but the applicant had filled out the representative’s affidavit so that Mr. Luck could handle the case.

Chairman Johnson asked if there were any more questions from the board. Seeing none and stating that there were no members of the public present to speak for or against, Chairman Johnson asked staff if an inspection of the updated sewer system had been completed. Staff stated that they were unaware, but that the work had been done prior to the sale. Chairman Johnson then asked for a motion.

Secretary Scherer moved to approve Z2019-03 based on staff’s finding and Vice-Chair Newman seconded

Matt Scherer	Paul Johnson	Stephen Phillips	Gale Rudolph	Tim Benyshek	Vacant	Brandon Newman
Aye	DNV	Aye	Aye	Absent	---	Aye

Motion Passed – 4-0

Chairman Johnson opened the public hearing for PR2019-04: A request to consider the Final Plat of the 17th Street Subdivision No. 2. A 3-lot subdivision where each lot is at least 3 acres. This request is being brought by Patricia Dick of Perry Kansas and is generally located on the South side of 17th Street between Lecompton Road and US Hwy 24. **Chairman Johnson asked staff for their report – Staff gave their report.**

Chairman Johnson asked if there were any questions for staff:

Vice Chair Newman – asked if we were land locking a piece on the south side of this subdivision. Staff clarified that the piece reflected on the taxation map shown has been corrected and won’t create a landlocked piece.

Secretary Scherer – Asked if Staff were aware of the location of the laterals. Staff stated they were unsure and asked the applicant. Patricia Dick (applicant) stated that the laterals were behind the house about 100 feet and that the wells are on the north west corner of each lot.

Chairman Johnson – Asked if the building permit for the existing house was approved with an assumption of 9 acres. Staff confirmed this to be the case, and but that the lots presented are the smallest allowed, and that any further division would be extremely difficult.

Chairman Johnson – asked staff to clarify the water well record sheet. Staff stated that each report reflects the existence of 3 wells on the existing piece, and if approved, each lot would have its own approved well.

Secretary Scherer – asked why there were only two well reports instead of three. Staff stated that there was no reason to have the third since it was already being used, and the requirement is that there is enough on each lot to provide at least 10 gallons per minute. Since one of the well reports showed almost 100 gallons a minute, it wouldn't have made a difference.

Chairman Johnson asked the applicant if they wanted to give a presentation as to the reason for the division.

Patricia Dick – Stated that her reason for selling everything off was so that she doesn't have to take care of it since her husband passed away.

Chairman Johnson closed the public hearing portion since there were no members of the public who wished to speak. Chairman Johnson then asked staff to provide a description of the difference between a city limit and the notification area. Staff explained that the City Limit is a jurisdictional legal boundary and that the notification area is an agreed upon distance between the County and City where the County zoning office notifies the city of any public cases.

Chairman Johnson asked for a motion.

Secretary Scherer moved to approve PR2019-04 and Commissioner Rudolph seconded.

Matt Scherer	Paul Johnson	Stephen Phillips	Gale Rudolph	Tim Benyshek	Vacant	Brandon Newman
Aye	DNV	Aye	Aye	Absent	---	Aye

Motion Passed 4-0

Chairman Johnson moved on TA2019-01 - A request to amend “Article 23 Section 109: Accessory Uses Allowed - Number 2” by removing an accessory structure square footage requirement in certain zoning districts. **Chairman Johnson asked staff for their report. – Staff gave their report.**

There was general discussion about the text amendment and why staff felt that having this zoning requirement was a duplication of efforts between Zoning staff and the subdivisions this regulation applies to, and the numerous complaints about this specific regulation that they receive. The board discussed the potential ramifications but agreed with staff that there was ample cause to remove the verbiage.

Chairman Johnson asked for a motion:

Secretary Scherer moved to recommend approval of TA2019-01 by removing the last paragraph in Article 23 Section 109 2 (a). Commissioner Rudolph seconded.

Matt Scherer	Paul Johnson	Stephen Phillips	Gale Rudolph	Tim Benyshek	Vacant	Brandon Newman
Aye	DNV	Aye	Aye	Absent	---	Aye

Motion Passed 4 - 0

The below text is from Article 23 Section 109 2 (a) and the following text is what was voted on to be removed.

No accessory building or use shall occupy a required front yard (except basketball goals, flag poles and fences as permitted.) Except in the "RR" Rural Residential and "SR" Suburban Residential Districts, the total floor area of all accessory buildings shall not exceed 900 square feet.

Item 7. Public Comment – None

Item 8. Old business – Staff and the board discussed previous cases and where we are for the RFQ of getting the comprehensive plan potentially redone.

Item 9. New Business - Staff stated that there would be a meeting in July with at least 3 cases, one being a clean up of a previous Text Amendment at the request of the Health Department.

Item 10. Adjournment – 8:09

Minutes taken by:



 Dustin Parks

Approved:

7/22/19

 Date

Chairman:



 Paul Johnson

Secretary:



 Matt Scherer III