

Jefferson County Planning & Zoning Oskaloosa, Kansas

OFFICIAL

OFFICIAL MINUTES OF THE JEFFERSON COUNTY PLANNING COMMISSION

Minutes of Planning Commission Meeting of July 22nd, 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	Present	---	Absent

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	Aye	---	Absent

Item 4. Approval of the June 24th, 2019 minutes

Chairman Johnson asked if there were any corrections for the minutes. Secretary Scherer offered a correction. Chairman Johnson asked for a motion to approve the minutes. Commissioner Rudolph 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	Aye	---	Absent

Item 5. Public Hearing

Chairman Johnson opened the public hearing for Z2019-04: A request to rezone property from Suburban Residential to Rural Residential. This request is being brought by Geoff and Janice McCue due to a boundary line adjustment that caused the property acreage to exceed the Suburban Residential limitations. The property is generally located on the North side of 25th St, between Wildhorse Rd and Wise Road.

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.

Commissioner Phillips – Asked the reason behind the rezoning needing to take place, Staff stated that an appraiser called and that is when staff noticed the violation, and that because the boundary line adjustment caused the property to exceed the acreage limitations of suburban residential zoning.

Chairman Johnson – Asked about the sanitary sewer system being in violation. Staff stated that it had been fixed prior to the meeting. Chairman Johnson further asked if Road and Bridge could demand shared driveways, and staff stated that Road and Bridge can recommend shared entrances, but final yes and no is up to the County Commission.

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

Chairman Johnson asked if there were any more questions from the board. Chairman Johnson asked if there were any members of the public who wished to speak in favor of the application. Chairman Johnson asked if there were any members of the audience who wished to speak against the application. There were none.

Chairman Johnson Asked for a Motion

Secretary Scherer moved to approve Z2019-04 based on staff’s findings and Commissioner Benyshek seconded

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

Motion Passed – 4-0

Chairman Johnson opened the public hearing for PR2019-05: A request to consider the Final Plat of the Buck Creek Acres, a 2-lot subdivision where each lot is at least 10 acres. This is generally located on the East side of Buck Creek between 27th and 35th street. This request is being brought by Stuart Shafer and Patricia Dickinson.

Chairman Johnson asked staff for their report – Staff gave their report.

Chairman Johnson asked if there were any questions for staff:

Secretary Scherer – Asked staff why the plat referenced that the existing well may be used for the new lot. Staff stated that if the cost of rural water is too expensive, they can use a well and didn’t have to provide a well report since Rural Water stated that they could provide service to the location.

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

Chairman Johnson – asked the applicant if the well was a possibility as opposed to rural water. The applicant (Stuart Shafter) stated that there are good areas for wells on the property. Chairman Johnson asked staff if there were procedures to accommodate that, staff confirmed there were. Chairman Johnson further inquired about the State Land around the property, staff stated that there was state ground to the east, south and west of the property.

Chairman Johnson asked if there were any more questions from the board. Chairman Johnson asked if there were any members of the public who wished to speak in favor of the application.

Mike Lee (Potential Recipient of the proposed lot) – Stated that he would like to speak in favor of having a house and a farm at this location.

Chairman Johnson asked if there were any members of the audience who wished to speak against the application. There were none.

Chairman Johnson asked for a motion or further comments.

Secretary Scherer moved to approve PR2019-05 based on staff’s findings and Commissioner Benyshek seconded

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

Motion Passed – 4-0

Chairman Johnson moved on TA2019-02 - A request to amend “Article 23 Section 105: by removing the text “Group Day Care Home” and considering it a home business. This request is being made to better align County Zoning and Health Department regulations.

Chairman Johnson asked staff for their report. – Staff gave their report.

There was general discussion about the text amendment, and much of it focused on no longer providing public notifications for day cares if this were to pass. Staff described the situation presented by the health department and how our current regulation conflicts with their regulations after the passage of our previous text amendment about daycares. Staff concluded that in order to bring our regulations more in line with the health department, and to further reduce the duplication of efforts in the zoning office, that the request was made on that basis.

Commissioner Phillips moved to approve TA2019-02 based on staff’s recommendations and Commissioner Rudolph seconded

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

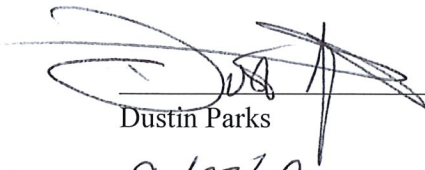
Motion Passed – 4-0

The below text is from Article 23 Section 105 (28) and the following struck through text is what was voted on to be removed.

28. Group Boarding Home, ~~Licensed Group Day Care Home~~, Child Care Center, Preschool, Detention Center, Family Day Care Home, or Residential Center, except as permitted by K.S.A. 12-736 as amended, provided:

- Item 7. Public Comment – None**
- Item 8. Old business – Staff and the board discussed previous cases.**
- Item 9. New Business - Staff stated that there would be no August meeting.**
- Item 10. Adjournment – 8:10**

Minutes taken by:



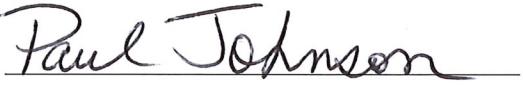
Dustin Parks

Approved:

9/23/19

Date

Chairman:



Paul Johnson

Secretary:



Matt Scherer III