

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

**Monday, April 14, 2014
7:30 pm**

**Courthouse Plaza East
Commission Meeting Room
115 North 4th Street**

Members Present: Lorn Clement, Chairman
Dr. Tom Taul, Vice-Chair
Diane Hoobler
Julie Henton
John Wienck

Members Absent: None

Staff Present: Monty Wedel – Director, Bob Isaac – Planner, Lisa Daily –
Administrative Assistant

Others Present: Hope James, Stan Cook, Billie D. Deam, Vern Bulk, Duane Sherwood,
James Gardner, Tonya Bradley and Robert Boyd.

OPEN PUBLIC COMMENTS

None.

CONSENT AGENDA

The minutes of the March 10, 2014 meeting were presented and approved with a correction to the first page. The Report of Fees for the month of March (\$2,821.25) were presented and approved.

John Wienck moved to adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and convene as Board of Zoning Appeals.

Diane Hoobler seconded. Carried 5-0

BOARD OF ZONING APPEALS

Manhattan Township – Variance

Lorn Clement opened the public hearing at the request of Manhattan Township, petitioner and owner, for a variance authorization allowing the top of the bottom floor of the Manhattan Township Maintenance & Storage Shop (and proposed 20x40 addition) .89 feet (10.7 inches) below the required elevation of one (1) foot above base flood elevation.

Bob Isaac presented the request. Mr. Isaac described the history, location and physical characteristics of the subject property. Mr. Isaac stated that the proposed structure will be subject to the minimum requirements of the Riley County Floodplain Regulations. Staff recommended approval of the request.

Lorn Clement asked what flood-proofing entails.

Steve Higgins, Zoning Enforcement officer and Floodplain Administrator\Manager for Riley County, stated that flood-proofing for a structure, such as this shop, would consist of moisture resistant materials. He stated that due to the small difference in elevation, he doesn't believe the structure will require flood vents. Mr. Higgins explained that flood vents are installed in the walls to allow flood water to enter and leave, reducing hydrostatic pressure on the structure, which could collapse walls.

Diane Hoobler said she thought flood vents were required on any structure that is below the one (1) foot above base flood elevation.

Steve Higgins said flood vents can't be any higher than one (1) foot above the base flood elevation and in this case, with such a small difference, the flood vents would not function properly.

Dwayne Sherwood, Manhattan Township Treasurer, stated that a storage trailer and mower will be stored in the new addition.

Diane Hoobler moved to close the public hearing. Julie Henton seconded. Carried 5-0.

Diane Hoobler moved to approve the request for a variance authorizing the top of the bottom floor of the Manhattan Township Maintenance & Storage Shop (and proposed 20x40 addition) .89 feet (10.7 inches) below the required elevation of one (1) foot above base flood elevation.

John Wienck seconded. Carried 5-0.

American Cancer Society – Conditional Use

Lorn Clement opened the public hearing at the request of the American Cancer Society, petitioner, and Jay & Vonda Copeland, owner, for a conditional use authorization in Wildcat Township, Section 24, Township 9 South, Range 6 East in Riley County, Kansas, to permit a Type - III Special Event in the "AG" (Agricultural District) zoning district.

Bob Isaac presented the staff report. Mr. Isaac stated the event is the 5th Annual Cattle Baron's Ball, which is a fundraising event for the American Cancer Society. He described the background, location and physical characteristics of the subject site. Mr. Isaac reviewed the site plan for the proposed event and several of the conditions listed within the staff report. He said the permit shall apply exclusively to the proposed event, scheduled for August 23, 2014, and will be rescheduled for September 13, 2014, in the event of inclement weather. Mr. Isaac stated the permit will only be valid for the duration of the event on the dates mentioned from 6:00 p.m. to 12:00 a.m., terminating at the conclusion of the event.

Mr. Isaac stated the applicant requested that one condition from last year's event be changed which will allow for one week prior to the event for set-up and one week following the event for disassembly and clean up. Staff recommended the requested Conditional Use for a Type III Special Event be approved with the conditions listed in the staff report.

Tom Taul moved to close the public hearing. Julie Henton seconded. Carried 5-0.

John Wienck moved to approve Conditional Use Petition #14-06 with the conditions and reasons stated in the staff report.

Julie Henton seconded. Carried 5-0.

Cook – Variance

Lorn Clement opened the public hearing at the request of Stan Cook, petitioner and Deam & Cook L C, owner, for a variance authorization to permit the construction of a detached agricultural accessory structure 3.1 feet below the required elevation of one (1) foot above base flood elevation (1021.6 ft.).

Bob Isaac presented the request. Mr. Isaac described the history, location and physical characteristics of the subject property. He said the original elevation of the building pad was 1014.1 feet. He explained that the applicant proposes to use fill material to elevate the lowest floor of the proposed structure to 1018.5 feet, which is still 3.1 feet below the required elevation of one (1) foot above base flood elevation (1021.6 ft). Staff recommended approval of the request.

Lorn Clement asked if he heard correctly that the applicant is proposing to use fill to elevate from 1014 to 1018.

Bob Isaac replied that is correct. He said in discussions with the applicant, to elevate that structure above the one (1) foot above base flood elevation would not be practical.

Lorn Clement stated that in the event of severe flood, the raised area would diminish flood control and decrease flow downstream.

Monty Wedel said filling in the floodway fringe is perfectly acceptable.

Lorn Clement asked if the Applicant wished to speak.

Stan Cook stated the fill was moved from another location on the property. He said the purpose of the barn is to get the equipment out of the elements and protected from rodents. He stated that if he has to raise the ground eight (8) feet he would need a four-wheel drive vehicle to get into the barn. Mr. Cook said the barn would be two (2) feet above the existing roadway (Rosencutter Road).

Lorn Clement asked if there were any opponents. There were none.

Tom Taul moved to close the public hearing. Diane Hoobler seconded. Carried 5-0.

John Wienck moved to approve the request for a variance authorization to permit the construction of a detached agricultural accessory structure 3.1 feet below the required elevation of one (1) foot above base flood elevation (1021.6 ft.).

Tom Taul seconded. Carried 5-0.

Julie Henton moved to adjourn the Board of Zoning Appeals meeting and convene as the Riley County Planning Board.

John Wienck seconded. Carried 5-0

RILEY COUNTY PLANNING BOARD

Big Blue Floodplain Management Plan Update

Monty Wedel stated there will be an open house on April 16th from 6:00 pm to 9:00 pm, at the Fire Station on Denison Avenue.

Manhattan Urban Area Plan Update

Monty Wedel stated a public work shop will be held on Wednesday, May 14th from 6:00 pm to 8:00 pm, in the City Commission room. He said there are no agenda items for the May 12, 2014 Riley County Planning Board/Board of Zoning Appeals meeting. He asked if the Board wanted to cancel the May meeting and encouraged them to attend the public work shop instead. It was agreed to cancel the May meeting. He said an email would be sent out to the Board members with the date, time and place of the public work shop.

Work Session – Agricultural Exemptions

Monty Wedel said Planning & Development has seen an increase in Agricultural Exemption applications. He said he wanted the Board to review the applications received so far in 2014 to verify if the exemptions are being granted according to the Comprehensive Plan. Discussions were held and no changes were made at this time.

Tom Taul moved to adjourned.

Diane Hoobler seconded. Carried 5-0.

The meeting was adjourned at 8:42 P.M.