

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

**Monday, June 9, 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: Anthony Allison, Wylee Austin, David Allison, Janet Allison, Stan
Koehn, Bret Volkel and Rusty Allison

OPEN PUBLIC COMMENTS

None.

CONSENT AGENDA

The minutes of the April 14, 2014 meeting were presented and approved. The Report of Fees for the month of April (\$6,817.00) and May (\$3,456.25) 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 the Board of Zoning Appeals. Julie Henton seconded. Carried 5-0.

BOARD OF ZONING APPEALS

Koehn – Variance

Lorn Clement opened the public hearing at the request of Stanley J. Koehn, petitioner and Bret & Ellen Volkel, owners, for a variance authorization to reduce the front yard requirement from 25 feet to 20 feet for Lots 8 & 9 of Amended plat of Lots 4, 5, 6, 7, 8 & 9 High Meadows Addition.

Bob Isaac presented the request. Mr. Isaac described the history, location and physical characteristics of the subject property. Staff recommended approval of the request.

Chairman Clement asked if there were any proponents within 1000 feet.

Stanley Koehn stated that half of the existing garage is going to become a new kitchen and the addition will be a two bay garage to allow for vehicle storage. He said that due to the site conditions there is no other place to put the addition. He explained that if the addition is not built, the home owner will have to be park their vehicles on the cul-de-sac, which is at a higher elevation than the home making it inconvenient and possibly a safety issue.

Chairman Clement asked if there any opponents within 1000 feet. There were none.

Tom Taul moved to close the public hearing. John Wienck seconded. Carried 5-0.

Tom Taul moved to approve the request for a variance authorization to reduce the front yard requirement from 25 feet to 20 feet for Lots 8 & 9 of Amended plat of Lots 4, 5, 6, 7, 8 & 9 High Meadows Addition. John Wienck seconded. Carried 5-0.

Julie Henton moved to adjourn the Board of Zoning Appeals meeting and convene as the Riley County Planning Board. Diane Hoobler seconded. Carried 5-0.

RILEY COUNTY PLANNING BOARD

Allison – Residential Use Designator – Extraneous Farmstead, Plat and Residential Use Designator – Country Estate

Lorn Clement opened the public hearing at the request of Rusty Allison, Trustee for Mary Lou Allison Estate, petitioner, and Mary Lou Allison Trust, owner, to receive a Residential Use Designator - Extraneous Farmstead and plat a tract of land into one (1) lot, and receive a Residential Use Designator – Country Estate for a tract of land all in Wildcat Township, Section 17, Township 9 South, Range 6 East, in Riley County, Kansas.

Bob Isaac presented the request. Mr. Isaac described the background, location and physical characteristics of each proposed tract. He explained that the portion of the subject site for which the extraneous farmstead residential designator is requested is located on the south side of 104th Avenue and is required to be platted. He also explained that the portion of the site for which the country estate is requested is located on the north side of 104th Avenue. He explained that the existing home and the proposed home will share an existing on-site water well, which is located on the north tract. Mr. Isaac presented and explained the site plan for the Country Estate, illustrating the proposed layout of the property as well as the location of the agricultural buffer setbacks.

Lorn Clement asked if there is an existing entrance to the proposed country estate tract.

Bob Isaac showed a photo of an existing agricultural entrance.

Diane Hoobler asked if there is an existing house on the proposed country estate tract.

Bob Isaac replied no.

Tom Taul asked if the extraneous farmstead is just on the south side of the road.

Bob Isaac affirmed.

Tom Taul asked if the extraneous farmstead is approved, the existing house may be occupied or tore down and a new home built.

Bob Isaac affirmed.

Tom Taul asked if the country estate, the approximately 50 acres, will be one tract.

Bob Isaac replied yes.

Tom Taul asked if there will be only one house.

Bob Isaac replied that is correct.

Tom Taul said the tract has been split up several times and asked what date is being used to establish the original parent tract.

Bob Isaac said that whatever the parcel map of Riley County looked like at the adoption of the Vision 2025 regulations (May 2012) is what is used to determine the size and shape of any given tract in the county.

Tom Taul asked if the 20 acres in the southeast corner was split prior to May 2012.

Bob Isaac replied yes.

Chairman Clement asked if there were any proponents within 1000 feet.

Rusty Allison said he is one of the administrators of the estate. He explained that he was raised on the proposed extraneous farmstead and his family owned quite a bit of farm ground. He said that his son, Anthony Allison, now owns this ground and continues to farm it. He said that Anthony is interested in the extraneous farmstead, as it ties into the surrounding farm ground.

Mr. Allison stated that Wylee Austin is interested in the pasture on the proposed country estate tract. Mr. Allison said the location of the proposed house is buffered from the highway. He said it would be nice to see the pasture taken care of such as cutting the grass, keeping the weeds down and cutting out trees.

Chairman Clement asked if there any opponents within 1000 feet. There were none.

Staff recommended approval of the concurrent plat of Allison Addition Unit Three based on a determination that all requirements of the Riley County Subdivision Regulations, Zoning Regulations and Sanitary Code have been met. Staff also recommended approval the request to receive a Residential Use Designator – Extraneous Farmstead and the request to receive a Residential Use Designator – Country Estate as it has been determined that each request meets the minimum requirements of the Riley County Zoning Regulations.

John Wienck moved to close the public hearing. Julie Henton seconded. Carried 5-0.

Tom Taul moved to approve petitions #14-09, #14-10 and #14-11, for reasons listed in the staff report. John Wienck seconded. Motion carried 5-0.

Mr. Isaac announced that the Board of County Commissioners would hear the request to plat the property on June 19, 2014, at 9:00 am, in the County Commission Chambers.

Manhattan Urban Area Plan Update

Monty Wedel said the next public workshop will be Wednesday, July 16th and encouraged Board members to attend. He said the meeting will focus on growth alternatives and review the website results on goals, objectives and policies. He explained the primary focus will be on growth alternatives with emphasis on three areas:

- Pottawatomie County - growth area
- City of Manhattan – area around the university and alternatives for high density housing
- Riley County – development in the area around the county shops

In the Vision 2025 Plan, the County shop area was identified as a potential, long term growth area. He explained that a company has expressed interest in developing a property near the county shops. He stated there is a sewer force main that extends to the shops and the County has received approval from the City of Manhattan to allow a connection to the force main. Mr. Wedel said it now needs to be determined if the City of Manhattan will allow more hook ups to this force main and if the City and County want to pursue more urban density types of development in this area.

Big Blue Floodplain Management Plan Update

Monty Wedel said recent comments were made about Tuttle Creek Reservoir and that the flood of 1993 was man-made. He said there needs to be more education and has asked Brian McNulty with the Corp of Engineers to give a presentation on the flood of 1993. The presentation will explain how reservoirs operate and how decisions are made.

Mr. Wedel explained that another issue complicating matters is the Biggert-Waters bill, which would change flood insurance rates from subsidized to actuarial due to the numerous, huge losses. Mr. Wedel said the Big Blue Plan is not focusing on this issue; however, the public is becoming more aware of this change. He explained that insurance rates for some homeowners will be increased significantly, perhaps to a point that they may not be able to afford to stay in their homes.

Diane Hoobler said that comes back to Boards and their responsibility to those homeowners, to not let them build in hazardous flooding areas.

Mr. Wedel referred to the article on Wildcat Creek which stated that something needs to be done on Fort Riley to alleviate local flooding. He said this is a very complicated issue.

John Wienck said that is another man-made issue.

Monty Wedel said one way to look at it is all flooding is man-made. He explained that if it weren't for man-made structures being in the way, there wouldn't be anything to get flooded.

John Wienck asked if the Wildcat Creek plan is going to recommend landowners build or increase the size of ponds.

Tom Taul said there was discussion of establishing a watershed district.

Monty Wedel said a watershed district is an entirely separate entity from the County Commissioners or anybody else. He said that a watershed district is its own governing and taxing entity of which the County Commissioners would have no control over decisions that are made.

Tom Taul said the district could levy tax money.

Monty Wedel replied the district would also have eminent domain authority. He explained that a lot of time needs to be spent talking to a lot of people that would be affected and make sure they are comfortable before moving forward with trying to establish a watershed district.

Formation of an Agritourism Task Force

Monty Wedel stated there has been an increased interest in agritourism activities which include building structures to be used as event centers. He explained that the State of Kansas' perspective is anything that supports any existing agricultural operation is agritourism.

Monty Wedel said when staff examined all the properties in Riley County offering agritourism or similar activities and determined that not all were being treated the same. He said several property owners were told they needed to do a Planned Unit Development, which would involve reviewing traffic, fire code, water and sewer. He said the current regulations provide staff little direction on agritourism. He said there is confusion between special events and agritourism. He also stated that the County's definition is the same definition used by the state, which is extremely broad.

Mr. Wedel explained that little time was spent on agritourism in the Vision 2025 regulation changes. He said staff would like to devote more time in reviewing and determining what is meant by agritourism by assembling a task force of citizens. He said that he has contacted all the registered agritourism property owners in the county, plus Diana Nichol with Scenic Valley Inn and Kail Katzenmeier with Prairiewood. He explained that someone from the state will be involved on this task force, as well as Commissioner Dave Lewis. Mr. Wedel then asked for a representative from the Riley County Planning Board/Board of Zoning Appeals. The Board agreed that Diane Hoobler would be the representative by a vote of 4-0.

Julie Henton moved to adjourned. Diane Hoobler seconded. Carried 5-0.

The meeting was adjourned at 8:49 P.M.