

## MINUTES

### RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, July 14, 2014  
7:30 pm

Courthouse Plaza East  
Commission Meeting Room  
115 North 4<sup>th</sup> 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: Mackenzie DelRosso, Olivia Law-DelRosso, Shonna Zimmer, David  
Zimmer, Brandon Yonning, Devin Zimmer, Dylan Zimmer, Bryce  
Trumpf, Patrick Brazzle, Cassandra Brazzle, Dustin Olson, Lee Penner,  
Jason Burgess and Kaden Burgess

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#### **OPEN PUBLIC COMMENTS**

None.

#### **CONSENT AGENDA**

The minutes of the June 9, 2014 meeting were presented and approved. The Report of Fees for the month of June (\$5,251.00) were presented and approved.

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

#### **BOARD OF ZONING APPEALS**

##### **Delrosso – Conditional Use**

Lorn Clement opened the public hearing at the request of Mackenzie Delrosso, petitioner and Ron & Barbara Price Trust, owners, for a conditional use authorization to allow for a commercial outdoor recreational facility (motocross track) in the "AG" (Agricultural District) zoning designation.

Bob Isaac presented the request. Mr. Isaac described the history, location and physical characteristics of the subject property. He said the applicant designed and constructed a private motocross race track for personal use just north of his residence. He stated the applicant wishes to expand the use of the track and allow others to use the track for training and practice purposes through a paid membership.

Mr. Isaac said it was determined that the applicant was establishing an outdoor recreation facility as per the Table of Allowed Uses in Section 8 of the Riley County Zoning Regulations. He stated a conditional use authorization would be needed to proceed.

Staff recommended approval of the request with the conditions as listed in the staff report.

The applicant handed out a flyer to the Board members that provided a list rules and regulations of the membership which were also required by his insurance company. Mackenzie Delrosso stated that he and his wife purchased the property three and half years ago to live and keep their horses. He stated that he got involved in racing several years ago and created the track for practicing. He stated he would also like to allow others to use the track for practicing.

Mr. Delrosso said he contacted several other race track owners to obtain information on how to set up such a track. He said that in April of 2014, he formed a limited liability company in order to obtain insurance. He said soon after, he received a violation notice from Riley County that he was not in compliance with the Riley County Zoning Regulations. He stated that he intends to put in a wind break to screen the track, reduce noise and wind erosion. He stated that no fill material was brought in to make the track so the land could be converted back to agricultural use.

Diane Hoobler asked if there any residences nearby.

Mr. Delrosso said the nearest neighbors were in attendance tonight, the Zimmer's and both of their sons ride on the track and are members.

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

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

John Wienck moved to close the public hearing. Diane Hoobler seconded. Carried 5-0.

Lorn Clement asked if emergency vehicles and helicopters will be able to access the property if needed.

Mr. Delrosso said emergency access is a requirement for insurance and he has a separate gate for this, however, the vehicles will have to drive through the pasture. He said he also has an ATV with a bed on the back if needed.

Tom Taul referred to the rules on the flyer that states non-members may be a guest of a member for riding purposes only. He questioned condition #2 which indicates the maximum number of members permitted at one time is limited to twelve (12) persons.

Mr. Delrosso replied there would only be twelve (12) people total at one time.

Mr. Taul replied the condition says twelve (12) members.

Diane Hoobler asked how this enforcement would be done.

Mr. Delrosso said for insurance purposes he has to be on site at all times when others are using the track. He said that one of the rules is to "call before you haul", so that he can let others know if the track is full.

Bob Isaac stated he will amend condition #2 to include guests in the maximum number allowed at one time.

Tom Taul moved to approve the request for a conditional use authorization to allow for a commercial outdoor recreational facility (motocross track) in the "AG" (Agricultural District) zoning designation with the text amendment to condition #2.

John Wienck seconded. Carried 5-0.

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

## **RILEY COUNTY PLANNING BOARD**

### **Penner – Plat & Rezone**

Lorn Clement opened the public hearing at the request of Lee & Cindy Penner, petitioners, and Orlando L. & Lucinda C. Penner, owners, to rezone a portion of a tract of land from “SF-4” (Single Family Residential) to “AG” (Agricultural District); rezone a portion of the same tract of land from “AG” (Agricultural District) to “SF-4” (Single Family Residential) and plat a portion the same tract of land into one (1) lot all in Wildcat Township, Section 30, Township 9 South, Range 7 East, in Riley County, Kansas.

Bob Isaac presented the request. Mr. Isaac described the background, location and physical characteristics of each proposed

The Applicant, Lee Penner, said they purchased the property to preserve the prairie and put the land back into the original quarter section. He said that his daughter and son-in-law have since purchased the home.

There were no other proponents or opponents in attendance of the meeting.

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

Staff recommended that the Planning Board forward a recommendation to the Board of County Commissioners to approve the request to rezone a portion of a tract of land from “SF-4” (Single Family Residential) to “AG” (Agricultural District); rezone a portion of the same tract of land from “AG” (Agricultural District) to “SF-4” (Single Family Residential) for reasons listed in the staff memo. Staff also recommended that the Board approve the of the concurrent plat of Huckleberry Hollow, as it has been determined to meet the minimum requirements of the Riley County Subdivision Regulations, Zoning Regulations and the Sanitary Code.

Tom Taul moved to approve petitions #14-12, #14-13 rezonings and #14-14 the concurrent plat of Huckleberry Hollow, for reasons listed in the staff report. Diane Hoobler seconded. Motion carried 5-0.

Mr. Isaac announced that the Board of County Commissioners would hear the request on July 31, 2014, at 9:30 am, in the Commission Chambers.

### **Trumpp – Residential Use Designator – Extraneous Farmstead & Plat**

Lorn Clement opened the public hearing at the request of Bryce Trumpp, petitioner, and Bryce & Lindsey Trumpp, owners, to receive a Residential Use Designator - Extraneous Farmstead and plat a tract of land into one (1) lot, in Bala Township, Section 8, Township 8 South, Range 5 East, in Riley County, Kansas.

Bob Isaac presented the request. Mr. Isaac described the background, location and physical characteristics of the proposed tract.

Staff recommended approval of the request to receive a Residential Use Designator – Extraneous Farmstead as it has been determined that each request meets the minimum requirements of the Riley County Zoning Regulations. Staff also recommended that the Board approve the

concurrent plat of Trumpp Subdivision, as it has been determined to meet all requirements of the Riley County Subdivision Regulations, Zoning Regulations and the Sanitary Code.

Chairman Clement asked if the Applicant wanted to speak. He had no comments.

There were no other proponents or opponents in attendance of the meeting.

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

Tom Taul moved to approve petitions #14-15 Residential Use Designator – Extraneous Farmstead and #14-16 the concurrent plat of Trumpp Subdivision, 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 July 28, 2014, at 9:00 am, in the County Commission Chambers.

### **Agricultural Exemptions**

Monty Wedel said that John Wienck had called with questions concerning agricultural exemptions. Monty said he decided it would be useful to have a member of the planning board review the agricultural exemption applications with staff and John agreed to do that. Mr. Wedel requested feedback on this procedure. The other Board members approved of the idea.

### **Manhattan Urban Area Comprehensive Plan update**

Monty Wedel wanted to remind the Board members of the next round of meetings which will start Wednesday, July 16<sup>th</sup> at 7:30 am at the County Shop. He said that this meeting will address development to the north and around the County Shop site. He said owners within the area were notified by mail of this meeting.

The evening of July 16<sup>th</sup> there are concurrent meetings in Pottawatomie County and City of Manhattan to include the whole Manhattan area, Aggieville (high density housing) and Riley County.

Mr. Wedel said there will be a City-County-County meeting on July 17<sup>th</sup> to discuss the meetings from the 16<sup>th</sup> and also a project advisory committee meeting at 6:00 pm.

### **Big Blue Floodplain Management Plan Update**

Monty Wedel stated there will be a City-County-County meeting on August 21, 2014 in the City Commission room in which Brian McNulty, the manager at Tuttle Creek, will be giving a presentation on the 1993 flood and how it was managed. He said the meeting will also provide information on upcoming flood insurance changes.

### **Flint Hills Area Transportation Plan update**

Monty Wedel said as part of the Metropolitan Planning Organization effort, a regional transportation plan needs to be prepared. He said that a consultant has been hired and the plan will be using our land use and the urban area land use which will dictate where transportation needs will be.

### **Agritourism Task Force update**

Monty Wedel stated a meeting is scheduled for August 14, 2014.

Tom Taul said that Prairiewood has expanded their operation to the stone house off Anderson Avenue.

Monty Wedel replied that the site is a limited PUD and staff is currently investigating it.

John Wienck moved to adjourned. Tom Taul seconded. Carried 5-0.

The meeting was adjourned at 8:46 P.M.