

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, November 14, 2016
7:30 pm

Courthouse Plaza East
Commission Meeting Room
115 North 4th Street

Members Present: Lorn Clement, Jr., Chair
Dr. Tom Taul, Vice-Chair
Diane Hoobler
John Osarczuk

Members Absent: John Wienck

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

Others Present: Randall K. Phebus, Cole and Whitney Phebus, Randy Glenn and Marvin
Rodriguez

OPEN PUBLIC COMMENTS

None

CONSENT AGENDA

The minutes of the October 10, 2016 meeting were presented and approved. The Report of Fees the month of October (\$2,450.00) were presented and approved.

Diane Hoobler moved to adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and, due to the lack of agenda items for the Board of Zoning Appeals, moved to reconvene as the Riley County Planning Board. Tom Taul seconded. Carried 4-0.

RILEY COUNTY PLANNING BOARD

Chairman Clement asked the Board Members to declare any ex parte contact they may have had regarding this item and to declare any conflict of interest or communications they've had that could influence their ability to be impartial.

All Board members confirmed no ex parte contact.

Phebus – Plat

Lorn Clement opened the public hearing at the request Cole and Whitney Phebus, petitioners, and Randall K. and Cynthia M. Phebus, owners, to plat a tract of land in Wildcat Township, Section 6, Township 10 South, Range 7 East, in Riley County, Kansas.

Mr. Isaac presented the request stating the Applicant wishes to plat a 9.7-acre tract of land into two (2) lots with the intent to allow construction of an additional house. Mr. Isaac described the background, location and physical characteristics of the proposed tract.

Mr. Isaac stated the subject property is located within the Fort Riley Noise Zone or LUPZ. He explained that since there is not a request to rezone or a requirement for an R-PUD zoning designation, there isn't a mechanism to require a Fort Riley, Kansas Military Impact Real Estate Disclosure form be filed with the Register of Deeds as part of the petition process.

Staff recommended approval of the request to plat the subject site into two (2) lots, as it was determined that all requirements of the Riley County Subdivision Regulations, Zoning Regulations and Sanitary Code have been met.

The Applicant had no comments.

There were no other proponents or opponents.

Diane Hoobler moved to close the public hearing. Tom Taul seconded. Carried 4-0.

Tom Taul moved to approve Petition #16-14 to plat said tract of land into two (2) lots for the reasons listed in the staff report.

John Osarczuk seconded. Motion carried 4-0.

Mr. Isaac announced that the Board of County Commissioners will hear the request on November 28, 2016, at 9:00 am, in the County Commission Chambers.

Update on Zoning and Subdivision Regulations re-write

Monty Wedel stated staff is working with the consultant on the Use Table and hope to have a draft available early December.

Update on Big Blue Floodplain Management Plan

Nothing to update from the last meeting.

Update on Fort Riley Joint Land Use Study

Monty Wedel said there will be a meeting early December to meet with the consultant.

Update on Corridor Overlay Districts

Nothing to update from the last meeting.

State of Kansas Agritourism Task Force

Monty Wedel stated a letter has been issued from Secretary of the Kansas Department of Wildlife, Parks and Tourism that State of Kansas Registered Agritourism Operator activities should be exempt from zoning regulations. He said this letter will be given to all registered operators and that Johnson County has already received one.

Mr. Wedel said Clancy Holeman, Riley County Counselor, has responded with a letter to their attorneys stating administrative regulations must be followed and the Secretary of the Kansas Department of Wildlife, Parks and Tourism has no authority to comment on zoning matters.

Mr. Wedel stated the Kansas Association of Counties Annual Conference is being held this week and explained the General Counsel and Director of Legislative Services for the Association, Melissa Wangemann, is aware of the situation. He reported that Ben Wilson, Chair of the Board of County Commissioners is going to present what has happened to the Legislative Committee to discuss whether or not KAC will have a position if legislation is proposed next year.

Diane Hoobler moved to adjourn. Tom Taul seconded. Carried 4-0.

The meeting was adjourned at 7:47 P.M.