

PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS MEETING MINUTES
CITY OF VALLEY CENTER, KANSAS

TUESDAY, SEPTEMBER 28, 2021, 7:00 P.M.

CALL TO ORDER: Chairperson Gary Janzen called the meeting to order at 7:00 P.M. with the following members present: Vice Chairperson Paul Spranger, Mike Boyd, Brian Shelton, Rick Shellenbarger, Steve Conway, and Toby Meadows.

Members Absent: None

City Staff Present: Brent Clark and Ryan Shrack

Audience: Jake Vasa, Daniel Burns, Kathy and Mike George, Marvin Ulbrich, Garrett Witthar, Aaron Wolff, Larry and Heather Hall, John McDonald, Art Marquez, Jeff Ray, and Tim Austin

AGENDA: A motion was made by Chairperson Janzen and seconded by Board Member Toby Meadows to set the agenda. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES: Chairperson Janzen made a motion to approve the July 27, 2021 meeting minutes. The motion was seconded by Vice Chairperson Spranger. Motion passed unanimously.

COMMUNICATIONS: None

PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING BOARD/BZA:

1. Review of LS-2021-03, application of Larry Hall, pursuant to City Code 16.09., who is petitioning for a lot split involving the splitting of property the applicant owns currently addressed as 1310 S. Meridian Ave., Valley Center, KS 67147.

Shrack shared a summary of his staff report with the board. Mr. Hall is seeking approval for the lot split in order to sell a section of his property to another person. The interested buyer intends to build a new single-family residence on this new lot.

Chairperson Janzen opened hearing for comments from the public: 7:04 PM

The board has a couple of questions regarding utility franchise easements and public notice responses, which were answered by City staff.

Chairperson Janzen closed the public hearing: 7:07 PM

Based on the City Staff recommendations and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve LS-2021-03. Motion was seconded by Board Member Shellenbarger. The vote was unanimous.

2. Review of SD-2021-03, application of Iron Horse Development, LLC, pursuant to City Code 16.04., who is petitioning for approval of a preliminary plat for the lot located southwest of the intersection of 5th Street and Seneca Street (currently not addressed), Valley Center, KS 67147.

Shrack shared his staff report with the board regarding this preliminary plat. The platted area will include a residential neighborhood that will consist of single-family homes, a commercial area, and a few reserve areas for

future development, park area, etc. Before construction can begin, a large section of this land must be removed from the floodplain, so the developer is working with the state, FEMA, and the Corps of Engineers on getting approval to bring in fill dirt to raise this area out of the floodplain. The applicant is currently waiting on the results of a flood study, so the final plat and a rezoning application will be submitted for the Nov. board meeting.

Chairperson Janzen opened hearing for comments from the public: 7:14 PM

Jake Vasa, representing the applicant, spoke about the future detention basin for stormwater and answer a few questions from the board members. Garrett Witthar and Kathy George asked a few questions regarding flooding in the area and turn lanes/increased traffic flow along 5th Street. Questions were addressed by Mr. Vasa and City staff.

Chairperson Janzen closed the public hearing: 7:29 PM

Based on the City Staff recommendations and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve SD-2021-03. Motion was seconded by Board Member Shellenbarger. The vote was unanimous.

3. Review of SD-2021-04, application of Art Marquez, pursuant to City Code 16.04., who is petitioning for approval of a preliminary plat for the land located north of Ford Street and west of Craig Street, currently addressed as 2740 E. Ford St., Valley Center, KS 67147.

Shrack shared his staff report with the board regarding this preliminary plat. The platted area will include a residential neighborhood that will consist of 62 single-family homes. A series of waivers were approved by City Council earlier this year to allow for open drainage ditches, alternative sewers, and no sidewalks in this subdivision. The final plat and a rezoning application are scheduled to be reviewed by the board at their Oct. meeting.

Chairperson Janzen opened hearing for comments from the public: 7:33 PM

Jeff Ray, representing the applicant, spoke about the preliminary plat and the future homes that will be built in the subdivision. The board asked a few questions, along with Aaron Wolff, who lives near the proposed subdivision. All questions were answered by Mr. Ray and City staff.

Chairperson Janzen closed the public hearing: 7:39 PM

Based on the City Staff recommendations and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve SD-2021-04. Motion was seconded by Board Member Conway. The vote was unanimous.

4. Review of V-2021-03, application of Marvin Ulbrich, pursuant to City Code 17.10.08., who is petitioning for a front yard building setback variance of eight (8) feet to allow for the construction of a covered front porch to the existing house at 454 N. Sheridan Ave., Valley Center, KS 67147.

Shrack explained this request is for a property currently zoned R-1B with a normal front yard setback of 25 ft. The homeowner is requesting an 8 ft. variance to add a covered front porch to his house. The applicant also provided a letter and documentation from Savoy land surveyor. Public notices were submitted to the paper and to surrounding property owners. There was no public opposition.

Chairperson Janzen opened hearing for comments from the public: 7:42 PM

Marvin Ulbrich addressed the board and explained why he was requesting the variance.

Chairperson Janzen closed the public hearing: 7:45 PM

Based on the City Staff recommendations and discussion by the Board of Zoning Appeals, Chairperson Janzen made a motion to approve V-2021-03 for the setback variance of (8) feet to allow the covered front porch to the existing house. Motion was seconded by Board Member Shelton. The vote was unanimous.

NEW BUSINESS: Ryan informed the board that the next meeting will take place on Tuesday, Oct. 26, 2021, and there will be four applications to review at that time.

OLD BUSINESS: None

STAFF REPORTS: None

ITEMS BY PLANNING AND ZONING BOARD MEMBERS:

Gary Janzen-none
Paul Spranger-none
Brian Shelton-none
Rick Shellenbarger-none
Mike Boyd-none
Steve Conway-none
Toby Meadows-none

ADJOURNMENT OF THE PLANNING AND ZONING BOARD/BZA MEETING: At 7:46 P.M., a motion was made by Chairperson Janzen to adjourn and seconded by Vice Chairperson Spranger. Vote was unanimous and the meeting was adjourned.

Respectfully submitted,

Ryan Shrack, Community Development Director

Gary Janzen, Chairperson