

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

TUESDAY, OCTOBER 26, 2021, 7:00 P.M.

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

Members Absent: Chairperson Janzen, Toby Meadows

City Staff Present: Brent Clark, Ryan Shrack, and Angie Basden

Audience: Jeff Ray, Taylor Bliss

AGENDA: A motion was made by Board Member Shellenbarger and seconded by Board Member Boyd to set the agenda. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES: Board Member Shelton made a motion to approve the September 28, 2021 meeting minutes. The motion was seconded by Board Member Conway. Motion passed unanimously.

COMMUNICATIONS: None

PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING BOARD/BZA:

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

Shrack shared his staff report with the board regarding this final plat. The platted area will include a residential neighborhood that will consist of 62 single-family homes, on public city water, and septic. There is a waiver for open ditches that will be maintained by the HOA (Homeowners Association). Jeff Ray representing the applicant reiterated what Shrack said and added that all roads will be paved. At this time, the builder will be Art Marquez and it is still undecided on house plans and pricing, but it is estimated that housing would start at the \$300K range.

Vice Chairperson Spranger opened the hearing for comments from the public: 7:03 PM

No comments from the public.

Vice Chairperson Spranger closed the public hearing: 7:11 PM

Based on the City Staff recommendations and discussion by the Planning and Zoning Board, Board Member Shellenbarger made a motion to approve SD-2021-04 for final plat for the land located north of Ford Street and west of Craig Street, currently addressed as 2740 E. Ford Street, Valley Center, KS 67147. Motion was seconded by Board Member Boyd. The vote was unanimous.

2. Review of RZ-2021-04, application of Art Marquez, pursuant to Section 17.11, who is petitioning for a rezoning of land that is currently zoned A-1, which is the City's designation for an agricultural district, to RR-1, which is the City's designation for a suburban residential district. The land is currently addressed as 2470 E. Ford St., Valley Center, KS 67147.

Shrack shared with the Board regarding this rezoning of land that this will go along with the final plat. Shrack explained that RR-1 supports larger lot sizes and City staff feels this is the best use of the land.

Vice Chairperson Spranger opened hearing for comments from the public: 7:13 PM

No comments from the public.

Vice Chairperson Spranger closed the public hearing: 7:15 PM

Based on the City Staff recommendations and discussion by the Planning and Zoning Board, Board Member Shellenbarger made a motion to approve RZ-2021-04 for rezoning the land from A-1 to RR-1 to support the larger residential lots. Motion was seconded by Board Member Shelton. The vote was unanimous.

3. Review of RZ-2021-05, application of Robert Davis, pursuant to Section 17.11, who is petitioning for a rezoning of land that is currently zoned RR-1, which is the City's designation for a suburban residential district, to C-2, which is the City's designation for a general business district. The lot is currently unaddressed but located on the northeast corner of the intersection of 5th Street and Seneca Street, Valley Center, KS 67147.

Shrack advised the Board that the applicant Mr. Davis had a prior engagement and was unable to attend tonight but appreciated the Board's review of his rezoning application. The applicant/owner has been approached by someone wanting to buy the property to put commercial offices on the property. The applicant agreed to go through the rezoning process before the sale of the land. This request is for a property currently zoned RR-1 to C-2. Shrack explained that the only item the Board will be approving tonight is just the rezoning of this property. He noted that this area is already a mixed development of commercial and residential properties. Public notices were submitted to the paper and to surrounding property owners. There was no public opposition.

Vice Chairperson Spranger opened hearing for comments from the public: 7:18 PM

No comments from the public.

Vice Chairperson Spranger closed the public hearing: 7:20 PM

Based on the City Staff recommendations and discussion by the Board of Zoning Appeals, Board Member Shellenbarger made a motion to approve RZ-2021-05 for the rezoning from RR-1 to C-2. Motion was seconded by Board Member Conway. The vote was unanimous.

4. Review of V-2021-04, application of Kristin Bliss, pursuant to City Code 17.10.08., who is petitioning for a side yard building setback variance of one (1) foot to allow for the construction of a building addition to the existing house at 634 N. Abilene Ave., Valley Center, KS 67147.

Shrack explained this property is zoned R-1B and the side yard setback, per zoning code, is 6 ft. The applicant's family is growing and they would like to add an addition to the house and solar panels. The Board is only approving the variance, not the actual building permit. Public notices were submitted to the paper and to surrounding property owners. There was no public opposition, however, a neighborhood homeowner contacted Shrack inquiring the reasoning for the letter he received. The variance is to go from 6 ft. to 5 ft. for a 1 ft. variance.

Vice Chairperson Spranger opened hearing for comments from the public: 7:22 PM

No comments from the public.

Vice Chairperson Spranger closed the public hearing: 7:25 PM

Based on the City Staff recommendations and discussion by the Board of Zoning Appeals, Board Member Conway made a motion to approve V-2021-04 for a side yard building setback variance of one (1) foot. Motion was seconded by Board Member Conway. The vote was unanimous.

NEW BUSINESS:

Shrack provided an update on a previous item the Board had approved, LS-2021-01. At the time of this request, the property owner was pursuing a commercial opportunity and applied for a lot split of the property. This went before the Planning and Zoning Board and was approved, however the owner never submitted the paperwork to the Sedgwick Co. Register of Deeds Office, and the property was sold. The new owners were not told of the lot split and rezoning of the property. After consultation with the City Attorney, since the documents were never filed with the Register of Deeds Office, the lot split can now be considered null and void. The new lot from the lot split was also rezoned to C-2. The new homeowner will be coming before the board at the November Board meeting to have it rezoned from C-2 back to A-1.

OLD BUSINESS: None

STAFF REPORTS: Shrack informed the Board that the next meeting will take place on Tuesday, Nov. 23, 2021, and there will be four applications to review at that time.

ITEMS BY PLANNING AND ZONING BOARD MEMBERS:

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

ADJOURNMENT OF THE PLANNING AND ZONING BOARD/BZA MEETING: At 7:31 P.M., a motion was made by Vice Chairperson Spranger to adjourn and seconded by Board Member Shellenbarger. Vote was unanimous and the meeting was adjourned.

Respectfully submitted,

Ryan Shrack, Community Development Director

Paul Spranger, Vice Chairperson