

LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
October 8, 2025

The complete recorded meeting can be found on the County's YouTube channel.

The Planning Commission meeting was called to order at 5:30 p.m.

Pledge of Allegiance

Members present: Joshua Zenger, Jaden Bailey, William Gottschalk, Chairman Jeff Spink, Doug Tystad, Steve Skeet, Andrew Gribble and Marcus Majure.

Members absent: Dan Clemons

Staff present: John Jacobson-Director, Amy Allison-Deputy Director, Jon Khalil-Deputy County Counselor

Approval of Minutes

Commissioner Tystad motioned to approve the minutes. Commissioner Bailey seconded.

ROLL CALL VOTE - Motion to approve the minutes passed 7/0 (1 abstained, 1 absent).

Declarations None.

Secretary's Report. Amy Allison stated there is no Consent Agenda. Ms. Allison added there are three items on the Regular Agenda. One preliminary and final plat with exceptions and two re-zones.

Approval of Agenda

Commissioner Majure motioned to approve the agenda and Commissioner Owens seconded.

ROLL CALL VOTE - Motion to approve the motion passed 8/0.

Regular Agenda

A. Case DEV-25-083/084 – Ernieboy Lane CAE Preliminary and Final Plat

Consideration of a preliminary and final plat request on the following described property: a tract of land in the Southwest Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas. **Also known as 16730 McIntyre Road**

Amy Allison stated the parcel is currently zoned RR-5. The applicant is proposing to sub-divide the property into a two-lot cross access easement. There is an existing house and accessory structures along with a significant pond in the rear yard. The applicant is proposing to utilize the existing driveway to create the cross-access easement. However, the owners are not compliant with the lot width to lot depth ratios nor the lot design requirements in the subdivision regulations.

Commissioner Zenger asked if the structure on the lot is the primary structure. Ms. Allison responded that current zoning regulations require no lot can have an accessory structure in a residential zoning district without without a principal structure.

Commissioner Tystad asked if the applicant would build a residence on that parcel so that eventually they would be able to be compliant. Ms. Allison indicated the surveyor Joe Herring could provide further clarification. Commissioner Majure asked for clarification as to if the accessory structure is in fact the barn. Ms. Allison confirmed yes, it is.

Based upon commentary from Commissioner Owens, Ms. Allison stated the applicant provided a narrative on their intent. Ms. Allison reminded Commissioners that in cases like this, all three criteria must be met in order to approve each exception.

Commissioner Tystad asked if the two access roads off McIntyre are in conformance. Ms. Allison stated it is an existing driveway and is currently in conformance, but is classified as a driveway; not a roadway. Also, the Public Works department has reviewed the case and had no comments.

Surveyor Joe Herring stated Staff did well reviewing the case and worked to achieve a layout that would potentially be approved. Mr. Herring stated that with anything over 2.5 acres, a second structure could be added as long as in compliance with setback regulations.

Discussions ensued regarding potential future construction.

Director John Jacobson stated that if the parcel is re-platted in the future, and sometimes people sell off property that they will not use. Mr. Jacobson confirmed drainage easements could be required, which would need to be designed and reviewed at that time.

Commissioner Majure motioned to approve the exception for the lot design and Commissioner Tystad seconded.

ROLL CALL VOTE - Motion to approve the exception passed 8/0.

Commissioner Zenger motioned to approve the exception for the non-confirming structure and Commissioner Majure seconded.

ROLL CALL VOTE - Motion to approve the exception passed 8/0.

Commissioner Majure motioned to approve the exception for lot-width to lot-depth ratio. Commissioner Zenger seconded.

ROLL CALL VOTE - Motion to approve the exception passed 8/0.

Commissioner Bailey motioned to approve the plat and Commissioner Skeet seconded.

ROLL CALL VOTE - Motion to approve the exception passed 8/0.

B. Case DEV-25-095 – Oelschlaeger Trust Rezone

Consideration of a rezoning request from RR-5 zoning district to RR-2.5 zoning on the following described property: Tracts of land in the Southwest Quarter of Section 30, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas

Also known as 18735 & 00000 Metro Ave.

Amy Allison stated that the applicant's are requesting a rezone involving three parcels and explained further.

Chairman Spink opened the Public Hearing.

Surveyor Joe Herring stated Staff covered specifics of the request very well. The reason for the request is because the middle tract has two existing homes and the owner wishes to separate the homes from the farming area.

No one spoke in favor of the request. Ms. Kelly Owsley of 18900 Hemphill Road spoke in opposition of the request. Commissioner Majure confirmed his issue to be his concern about allowing farm land to be split up.

Property owner Rebecca Sines at 19039 Metro Avenue spoke regarding concerns and requested clarification on potential change in density. John Jacobson stated that the minimum zoning possibly would be RR-2.5. Mr. Jacobson also spoke of the lack of proper utilities, specifically water resources.

Chairman Spink closed the Public Hearing.

Commissioner Bailey asked for clarification on lot size requirements for well water. Mr. Jacobson confirmed it to be 5 acres.

Commissioner Tystad motioned to approve the exception and Commissioner Gottschalk seconded.

ROLL CALL VOTE - Motion to approve passed 8/0.

C. Case DEV-25-104 All-in Enterprises Rezone

Consideration of a rezoning request from RR-5 zoning district to RR-2.5 zoning on the following described property: Tract of land in the Northwest Quarter of Section 28, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas

Also known as 16164 174th St.

Chairman Spink opened the Public Hearing.

Amy Allison stated that this is a re-zone request from an RR-5 to an RR-2.5, which is also designated Residential 2.5 minimum in the future land use map. Ms. Allison stated that there is RR-2.5 zoning in the subdivision directly to the south of the property. Ms. Allison stated that Staff has recommended approval of the request.

Commission Tystad requested to view the concept plan.

Surveyor Joe Herring stated Staff covered the case accurately. It's a 40-acre parcel and the property to the south was recently re-zoned. Mr. Herring explained the parcel has multiple ponds and two structures and it is yet to be determined if will include a private or public road. Mr. Herring added that the proposed configuration will follow the Comprehensive Plan.

Discussion ensued between Mr. Herring and Commissioners.

No one spoke in favor nor in opposition of the request.

Chairman Spink closed the Public Hearing.

Commissioner Gribble motioned to approve the rezone request. Commissioner Owens seconded.

ROLL CALL VOTE - Motion to approve passed 8/0.

Commissioner Majure motioned to adjourn and Commissioner Owens seconded.

Adjournment of Planning Commission at 6:08pm.

Upcoming meeting dates:

Wednesday, November 12, 2025, 5:30 PM
Regular Planning Commission Meeting

For More Information:

If you have any questions or need to make special arrangements for a meeting,
please call or stop by the Planning and Zoning Department.
Contact Dawn Chamberlain – 913-364-5750