

LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
December 10, 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, Steve Skeet, Chairman Jeff Spink, Doug Tystad, Robert Owens, and Marcus Majure.

Members absent: William Gottschalk, Dan Clemons, Jaden Bailey, and Andrew Gribble

Staff present: John Jacobson-Director, Amy Allison-Deputy Director, Josh Schweitzer-Development Planner, Jon Khalil-Deputy County Counselor

Approval of Minutes

Commissioner Majure motioned to approve the minutes Commissioner Owens seconded.

ROLL CALL VOTE - Motion to approve the minutes passed 5/0 (1 abstained/ 4 absent).

Secretary's Report. Amy Allison stated the BZA agenda would be heard first, which consists of one variance request. Ms. Allison stated that there would be two items on the Consent Agenda. Ms. Allison added there are four items on the Regular Agenda, as well as one public hearing for a language amendment.

Declarations None.

Regular Agenda

A. Case DEV-25-119 Variance McDonald/Sheets

Consideration of a Variance request from Article 5, Section 4 of the Leavenworth County Zoning & Subdivision Regulations on the following described property: A tract of land in the Northeast Quarter of Section 8, Township 12 South, Range 22 East of the 6th P.M., Leavenworth, Kansas.

Also known as 0000 Cantrell Road

Josh Schweitzer outlined the consideration of applicant's variance request. Mr. Schweitzer explained that this property would require 200 feet of road frontage per the RR-2.5 zoning district. Further, based upon the research staff has performed it was determined that the property was created by deed in April, 1996. At that time, the minimum requirements for all lots in the County was one acre and 100 feet of road frontage. An adjacent parcel was split from this parcel in compliance with those requirements but the parcel in question was left with less than 100 feet of road frontage, making it non-compliant with standards at that time. The property owners have inherited the property from their father after his passing and are requesting a variance from the minimum road frontage requirement in order to sell the property as a "buildable" tract of land.

Chairman Spink opened the Public Hearing

Surveyor Joe Herring appeared explaining that the tract was created through a process done years ago. The previous owner has passed away and the current owner did not cause the non-compliance. Mr. Herring further explained that a neighbor is interested in purchasing some of the land to build on it.

Commissioner Owens asked for clarification for the surrounding properties and Mr. Herring confirmed some of the surrounding property owners are "land locked". Further discussions ensued.

Garrett Draper, 14537 170th St., Bonner Springs, KS spoke in favor of the request as he would like to purchase the property to move closer to family.

Mike Kubanowski, 17709 Cantrell spoke in opposition of the request and explained the history of the land. He further mentioned the land was originally 80 acres, but in 1996 Mr. Kubanowski purchased 62 acres from the prior owner, but soon after purchased the remaining land from the original owner. Mr. Kubanowski shared more history of the parcel.

Commissioner Owens questioned Mr. Kubanowski's intent as it pertains to the lot splitting action. Director John Jacobson clarified that based upon the zoning regulations in 1996 when the property was split, it required 100 feet of road frontage.

Barbara Jasper, 17835 Cantrell Road spoke in opposition of the request. Ms. Jasper indicated that when they built their home in 2007 meeting a road frontage of 200 feet was a requirement to acquire a building permit. Ms. Jasper is concerned that if the variance is granted, a developer could be granted permission to build subdivisions around their property. This potential outcome compromises their "country lifestyle".

Sandra Konovalske, 17709 Cantrell Road spoke in opposition stating they own the land to the east and behind the pond. Ms. Konovalske believes the owners created a problem when they allowed the property to go back to the bank. She added that she and her husband offered McDonald/Sheets the opportunity to buy land from them to meet appropriate road frontage requirements, which was denied. Ms. Konovalske mentioned the adjacent property was listed for sale with no offers. Additionally, they have concern about the home on an adjacent piece of land being abandoned, causing break-ins.

Chairman Spink closed the Public Hearing

Commissioner Zenger asked staff if the property is sold as a "non-buildable lot", can a future owner request a variance to build on the lot. Development Planning Josh Schweitzer stated that if the variance is approved and the lot stays in its current configuration it will be considered buildable. However, if the variance is denied, the lot would then be considered non-buildable. Director John Jacobson confirmed a future property owner always has the right to apply for a variance.

Commissioner Owens addressed the potential new owner stating the change in potential property taxes depending on his development plans. Commissioner Owens asked his potential timeframe on building a home on the property. It was disclosed the potential new property owner intends to build a home in the next 12-18 months.

Commissioner Skeet asked if the Buyer's agent disclosed that the property is non-buildable. It was disclosed that the purchase contract states that the transitions will not close if the land is deemed non-buildable.

Discussions ensued regarding purchasing the land with the vacant home.

Commissioner Skeet asked Surveyor Herring to confirm location of lateral fields, but Mr. Herring has no knowledge of where the field is located. Director Jacobson added that often times a new property owner in these types of cases would simply add a new septic system.

Commissioner Majure asked for clarification and Director Jacobson confirmed this potential "single person" buyer would not be the same scenario as a builder purchasing this same property; it is not a "subdivision property".

Commissioner Zenger motioned to approve and Commissioner Owens seconded and explained that approving the request would result in property tax contributions to the County rather than the property to continue to sit vacant.

ROLL CALL VOTE: Motion to approve the variance passed 5/1. Commissioner Skeets voted no based upon the parcel is not currently deemed buildable and septic laterals have not been confirmed.

BZA hearing adjourned at 6:07pm.

Chairman Spink opened the Planning Commission

Approval of Agenda

Commissioner Skeet motioned to approve the agenda and Commissioner Tystad seconded.

ROLL CALL VOTE: Motion to approve the agenda approved 5/0.

Regular Agenda

A. Case DEV-25-108/109 Preliminary & Final Plat Marxen North

Consideration of a Preliminary and Final Plat for a tract of land in the Southeast Quarter of Fractional Section 3, Township 10 South, Range 23 East of the 6th P.M., Leavenworth County, Kansas.

Also known as 00000 Marxen Road

Amy Allison outlined the request which involves a 6-lot subdivision along Marxen Road and K-5 (aka Wolcott Road) and is zoned RR-2.5. Ms. Allison indicated that all parcels are in compliance with the zoning district; however, a majority of the lots are over 5 acres primarily because a waterline does not exist along Marxen Road. Ms. Allison continued that these lots are eligible for a water well due to their size. Further, it was disclosed that Lot 1 has the required road frontage, but exceeds the lot width to lot depth requirement.

Surveyor Joe Herring offered to answer any questions and indicated that the lot does present a challenge (topographically and alignment). Mr. Herring discovered the waterline situation.

Further discussions ensued. Deputy Director Amy Allison stated that Leavenworth County Planning and Zoning has communicated to KDOT but has not received a response.

Commissioner Skeet asked staff if title work was completed on the potential property purchase. Amy Allison confirmed it was.

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

ROLL CALL VOTE: Motion to approve the exception passed 5/0.

Commissioner Zenger motioned to approve the plat and Commissioner Tystad seconded.

ROLL CALL VOTE: Motion to approve the plat passed 5/0.

B. Case DEV-25-110/111 Preliminary & Final Plat Marxen South

Consideration of a Preliminary and Final Plat for a tract of land in the Southeast Quarter of Fractional Section 3, Township 10 South, Range 23 East of the 6th P.M., Leavenworth County, Kansas.

Also known as 00000 Wolcott Road

Amy Allison outlined the proposal to plat the property into the Marxen South subdivision, which is the same zoning.

Commissioner Owens stated (for the benefit of the public) that allowing platting is beneficial to generate additional revenue from new property taxes.

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

ROLL CALL VOTE: Motion to approve the exception passed 5/0.

Commissioner Tystad motioned to approve the plat and Commissioner Majure seconded.

ROLL CALL VOTE: Motion to approve the plat passed 5/0.

C. Case DEV-25-123 Tract Split Exception Miller

Consideration of a Tract Split Exception for a tract of land in the Northeast Quarter of Section 35, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

Also known as 20078 199th Street

Amy Allison outlined the proposal to split one parcel into 2-lots tract. Ms. Allison stated that this would usually require an administrative process; however, the larger tract (lot #1) exceeds to lot depth to lot width requirement within our zoning regulations and is not compliant. The property currently has two homes and two lagoon systems. The road frontage meets the requirements.

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

ROLL CALL VOTE: Motion to approve the exception passed 5/0.

D. Case DEV-25-128 Lot Split Exception Lot 1 Alexander Farm

Consideration of a Lot Split Exception for a Lot 1, Alexander Farm Subdivision., Leavenworth County, Kansas.

Also known as 23836 Millwood Road

Josh Schweitzer outlined that the applicants are requesting an exception from the planning and zoning regulations, the lot depth to lot width ratio. Mr. Schweitzer explained that the larger lot exceeds the 1:1 ratio and the current configuration of the lot is part of a platted subdivision named Alexander Farm and received an exception in the initial approval process. Since the configuration is changing, a new exception is required.

Commissioner Owens asked for clarification. Surveyor Joe Herring stated the current configuration was part of a platting process years ago and the owner hopes to create a second buildable lot.

Per Director John Jacobson, this type of request happens often when there is a large parcel (15 acres) and a road improvement comes through the area.

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

ROLL CALL VOTE: Motion to approve the exception passed 5/0.

E. Case DEV-25-132 2025 Language Amendment

Consideration of a Language Amendment to the 2006 Leavenworth County Zoning & Subdivision Regulations.

Amy Allison explained that once per year the Planning & Zoning Department presents a series of language amendments in order to update the 2006 Zoning and Subdivision Regulations. Ms. Allison reviewed the proposed changes provided in the packet.

Director John Jacobson further clarified R-1 zoning district, and the goal to achieve higher density development in the County to the surrounding cities. Mr. Jacobson went into explanation with respect to future annexation and limitations to one-acre zonings and future land-use designations.

Discussions ensued regarding property setbacks and how new improvements required modifications.

Further discussions ensued.

Chairman Spink opened Public Hearing.

Joe Herring addressed his concerns regarding ponds, the change to front yard setbacks and the frontage requirements for curved streets and cul-de-sac road lots.

Further discussions ensued.

Chairman Spink closed Public Hearing.

Commissioner Zenger motioned to approve the language amendments with modifications to Article 22, Section 5 and Section 11.F and Article 50, Section 40.3.a and Commissioner Tystad seconded.

ROLL CALL VOTE - Motion to approve the language amendment passed 5/0.

Meeting concluded at 7:35pm.

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