

LEAVENWORTH COUNTY PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
April 8, 2026

*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, Dan Clemons, William Gottschalk, Chairman Jeff Spink, Doug Tystad, Steve Skeet, Robert Owens, Andrew Gribble and Marcus Majure

**Members absent:** None

**Staff present:** John Jacobson-Director, Amy Allison-Deputy Director, Josh Schweitzer-Planner II, Misty Brown-County Counselor, Anne Marie Yatsula-Deputy County Counselor

**Approval of Minutes**

**ROLL CALL VOTE - Motion to approve the minutes passed 8/0. (Abstained, Jaden Bailey)**

**Secretary's Report**

Deputy Director Amy Allison stated that there were four items on the Consent Agenda. Ms. Allison added there would be three items on the Regular Agenda; one plat action and two items requiring public hearings. Ms. Allison suggested three commissioners would be free to go allowing six members for the BZA.

**Declarations** None.

**Approval of Agenda**

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

**ROLL CALL VOTE - Motion to approve the agenda passed 9/0.**

**9. Regular Agenda**

**A. Case DEV-26-021/022 Preliminary & Final Plat – Elysian Fields**

Consideration of a Preliminary and Final Plat for a tract of land in the Southeast Quarter of Section 21, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

**Also known as 21431 163<sup>rd</sup> Street**

Deputy Director Amy Allison stated the case is a preliminary and final plat request for a 2-lot cross access easement, essentially a front/back split. The request also involves relocating a driveway. There are two exceptions, both related to Lot 1. The first exception is for a noncompliance structure; the second for lot-depth to lot-width. The applicant elaborated briefly.

Krystal Voith of Atlas Surveying outlined further details regarding the applicant's request. Applicant Judson Stanion also spoke regarding his request.

Commissioner Zenger motioned to approve the exception for the non-conforming structure and Commissioner Gottschalk seconded.

**ROLL CALL VOTE - Motion to approve the exception passed 9/0.**

Commissioner Clemons motioned to approve the exception for lot-width to lot-depth ratio and Commissioner Gottschalk seconded.

**ROLL CALL VOTE - Motion to approve the Plat passed 9/0.**

Commissioner Bailey motioned to approve final plat and Commissioner Tystad seconded.

**ROLL CALL VOTE - Motion to approve the Plat passed 9/0.**

**B. Case DEV-26-023/024 Preliminary & Final Plat – Daffner Estates**

Consideration of a Preliminary and Final Plat for a tract of land in the Northwest Fractional Quarter of Section 30, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

**Also known as 18735 Metro Avenue**

Deputy Director Amy Allison stated that the applicant's property includes an existing house and an Accessory Dwelling Unit. The property owners are proposing to create a 3-lot subdivision with each home on each lot to include a large lot in the center. Ms. Allison indicated that there is a barn on the property and their request does meet regulations aside from the approval for the exception pertaining to the center lot (Lot 2) because it contains a barn, which would be considered a lot with an accessory structure with no principle dwelling that is less than 40 acres. This would require an exception for the non-compliant structure.

Ms. Allison further explained that the owners did apply for a floodplain permit; however, once the lots are split they may need to pay specific additional building permit fees.

Commissioner Tystad asked for clarification regarding access to Lot 2. Ms. Allison responded that there is no existing access point; however, there are two road frontages that could have access points added at a later time.

Commissioner Tystad motioned to approve the exception for a non-conforming structure. Commissioner Clemons seconded the motion.

**ROLL CALL VOTE - Motion to approve the exception passed 9/0.**

Commissioner Zenger motioned to approve the plat and Commissioner Bailey seconded the motion.

**ROLL CALL VOTE - Motion to approve the Plat passed 9/0.**

**C. Case DEV-26-033 Tract Split Exception - Wiehe**

Consideration of an exception for a Tract Split for a tract of land in the Southeast Fractional Quarter of Section 6, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

**Also known as 22852 Dempsey Road**

Planner Josh Schweitzer outlined that the applicant is requesting an exception from the planning and zoning regulations for lot-width to lot depth ratio for Lot 1. The proposed layout allows for the entire fence, all structures and hydrants to remain on Lot 1 with the existing house. Lot 2 would still remain as a total of 40 acres.

Surveyor Joe Herring stated that this particular property was adjusted to follow the fence line on the west side and that the applicant's goal is to continue as much farming as possible in the small fenced in area. Mr. Herring mentioned the hydrant that's positioned on a hill to the west of the last barn that has been useful to water cattle.

Commissioner Tystad requested clarification on the access the applicant would utilize for access.

Commissioner Tystad motioned to approve the exception for the conformance to lot-depth to lot-width ratio. Commissioner Owens seconded the motion.

**ROLL CALL VOTE - Motion to approve the variance passed 9/0.**

**Planning Commission meeting adjourned at 5:53pm.**

**Chairman Spink opened Board of Zoning Appeals at 5:54pm**

**Members present:** Marcus Majure, Andrew Gribble, Robert Owens, Doug Tystad, Chairman Jeff Spink, Jaden Bailey and Joshua Zenger

**A. Case DEV-26-026 Variance – Shoemaker**

Consideration of Variance request from Article 18, Section 2.1 of the Leavenworth County Zoning & Subdivision Regulations on the following described property: A tract of land in the Southwest Quarter of Section 20, Township 11 South, Range 21 East of the 6<sup>th</sup> P.M., Leavenworth County, Kansas.

**Also known as 16545 Chieftain Road**

Planner Josh Schweitzer stated that the applicants are requesting a variance relating to the zoning and subdivision regulations. Mr. Schweitzer explained that the applicants are proposing to split 5 acres off around their house; however, the current zoning district prohibits doing so.

Commissioner Zenger asked for clarification on the sanitary code's requirement. Mr. Schweitzer confirmed that code states property owner to have a minimum of 5-acres to have a well.

Further discussions ensued.

Commissioner Tystad asked why the applicant not requesting a re-zone to RR-5. Mr. Schweitzer responded that Staff offered a re-zone or a variance, however, this is the option the Applicant chose.

Director John Jacobson stated the reason is because the public utilities are not available for this particular property. Further discussions ensued.

**Chairman Spink opened the Public Comment.**

Joe Herring of Herring Surveying stated that the Shoemaker property is not currently in a rural water district. Mr. Herring mentioned that Suburban Water (to the east) is the most logical. However, if the City of Tonganoxie keeps expanding and annexing water would eventually come from the City of Tonganoxie.

Director Jacobson stated there will "a fight" over who will service the area's utilities. Mr. Jacobson added that while there are no protective measures for private utilities, that are state protection laws for public utilities.

Further discussions ensued.

Danny Shoemaker (22951 Honey Creek Rd.) spoke in favor of the request on behalf of his brother and wife. Mr. Shoemaker stated that his brother wishes to maintain his 5-acres so that they can retire and travel.

**Chairman Spink closed the Public Comment.**

Commissioner motioned to approve the variance and Commissioner Owens seconded.

**ROLL CALL VOTE - Motion to approve the variance passed 7/0.**

**B. Case DEV-26-035 Variance – Klepees**

Consideration of a Variance request from Article 5, Section 4 of the Leavenworth County Zoning & Subdivision Regulations on the following described property: Lot 20, Fink Farm 2<sup>nd</sup> Replat, a subdivision in Leavenworth County, Kansas.

**Also known as 32650 204<sup>th</sup> Street**

Deputy Director Amy Allison stated that the applicant's variance request for clarification with respect to Lot 20. During the platting process there was a setback line that was created as part of the plat; however, building setback line in the northwest corner, it identifies as a 40-foot building setback line. In actuality it is a 70-foot building setback, a clear discrepancy. The owners wish to build a structure approximately 55-feet from their western boundary line.

Commissioner Gribble asked if the request is simply a platting error. Ms. Allison confirmed that it is.

Further discussions ensued because the vote sets future precedence and that one nearby property owner could be affected in the future.

**Chairman Spink opened the Public Comment.**

Courtney Klepees (32650 204<sup>th</sup> Street), spoke in favor of the request explaining what occurred when they purchased the last two plots on the end of the property. This required them to have the lots re-platted together in order to build their current home. Ms. Klepees mentioned they also purchased an acre from the neighbor to the south.

**Chairman Spink closed the Public Comment.**

Commissioner Bailey motioned to approve variance for the 40ft setback line. Commissioner Owens seconded.

**ROLL CALL VOTE - Motion to approve the exception passed 7/0.**

**Zoning Board of Appeals Meeting adjourned at 6:27pm.**

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 – 913-684-0465