

**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
February 12, 2020**

Meeting called to order at 6:00 pm

Pledge of Allegiance

Members present: Steve Rosenthal-Chairman, Mark Denney, A.W. Himpel, John Matthews, Janette Labbee-Holdeman, Terry Bartkoski, Alex DeMoro and Jeff Spink

Members absent: Wolf Schmidt

Staff present: Krystal Voth-Interim Director, Stephanie Sloop-Planning Coordinator, Jared Clements-Planner, David Van Parys-Senior County Counselor

Approval of Minutes:

Commissioner Himpel made a motion to approve the minutes from the February 5, 2020 Planning Commission Work Session. Commissioner Holdeman seconded the motion.

Motion to approve passed, 8-0

Commissioner Matthews made a motion to approve the minutes from the January Planning Commission meeting. Commissioner Holdeman seconded the motion. Commissioner Denney made a correction asking that Commissioner Rosenthal's reasoning for his vote on Case DEV-19-137 be added to the minutes. Commissioners accepted that change.

Motion to approve passed, 8-0

Secretary's Report:

Krystal Voth informed the Planning Commission that there were two cases being continued to the March Meeting, DEV-19-141 and DEV-19-129. Staff was also pulling Case DEV-19-147 off the agenda. This case is for a use that is being proposed to be allowed by a text amendment that the Commission would be hearing during this meeting. With those changes, there are two items on the consent agenda, approval of the agenda will approve that case.

Chairman Rosenthal made a declaration stating that if Case DEV-19-141 was not approved on the consent agenda that he would have to recuse himself.

A motion was made by Commissioner Himpel to approve the agenda. Commissioner Matthews seconded the motion.

Motion to approve passed, 7/0. Chairman Rosenthal abstained.

Declarations:

Case No. DEV-19-138

Consideration of a text amendment to amend:

Article 3, Section 2 Definition: Home Occupation

Request submitted by Leavenworth County Planning and Zoning

Krystal Voth presented the staff report for DEV-19-138 an amendment to the Leavenworth County Zoning and Subdivision Regulations, Article 3, Section 2 Definition: Home Occupation.

Discussion and clarification were asked on some of the criteria.

Commissioner Himpel moved that the proposed amendment to the regulations outlined in Case DEV-19-138 be approved as set forth in the staff report. Commissioner Bartkoski seconded the motion.

ROLL CALL VOTE

Motion to approve passed, 8/0

The Board of County Commissioners will consider this item on **March 4, 2020 at 9:00 A.M** in the Leavenworth County Courthouse.

Planning Commission is adjourned at 6:16 PM and reconvenes as the Board of Zoning Appeals

Members present: Steve Rosenthal-Chairman, John Matthews, Janette Labbee-Holdeman, Mark Denney, Rocky Himpel, Alex DeMoro and Jeff Spink

Members absent: None

Staff present: Krystal Voth-Interim Director, Stephanie Sloop-Planning Coordinator, Jared Clements-Planner, David Van Parys-Senior County Counselor

Case No. DEV-19-148

Consideration of an application for a Variance from the Leavenworth County Zoning and Subdivision Regulations under Article 5 Section 4 which requires a minimum parcel size of five acres and a minimum frontage of 300' on a tract of land in the northwest quarter of Section 11, Township 10 South, Range 20 East of the 6th P.M., And also, a tract of land located in the northwest quarter of Section 11, Township 10 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

Also known as 00000 251st Street

Request submitted by Mr. and Mrs. Smoots

*****Public Hearing Required*****

Krystal Voth presented the staff report for Case DEV-19-148, an application for Variance from the Leavenworth County Zoning and Subdivision Regulations. Ms. Voth went through the Golden Factors as they pertain to this case.

Chairman Rosenthal opened the public comment portion of the hearing and asked if the applicant would come forward. Richard Smoots came forward explained the history of this property and that while it was all a family farm it was inherited already broken up.

Chairman Rosenthal asked for anyone wishing to speak in favor of this request to come forward. Chairman Rosenthal asked for anyone wishing to speak in opposition to this request.

With no additional information to be presented, the public comment portion of the hearing was closed.

Commissioner Himpel moved that the proposed Variance as outlined in Case DEV-19-148 be granted. That the findings on the Golden Factors, as set forth in the staff report and as substantiated by the facts, testimony and evidence presented, be adopted by this board. Commissioner Labbee-Holdeman seconded the motion.

ROLL CALL VOTE

Motion to approve passed, 7/0

Board of Zoning Appeals is adjourned at 6:32 PM.