

**LEAVENWORTH COUNTY PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
August 14, 2019**

**Oath of Office**

**Meeting called to order at 6:00 pm**

**Pledge of Allegiance**

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

**Members absent:** None

**Staff present:** Krystal Voth-Deputy Director, Christa McGaha-Planner, Stephanie Sloop-Planning Coordinator, David Van Parys-Senior County Counselor, Lauren Anderson-Public Works

**Approval of Minutes:**

*A motion was made by Commissioner Denney and seconded by Commissioner Matthews to approve the June Planning Commission Meeting minutes.*

***Motion passed, 7-0, Commissioner Labbee-Holdeman and Commissioner Spink Abstained***

**Secretary's Report:**

Krystal Voth let the Commission know there was nothing on the consent agenda.

***A motion was made by Commissioner Schmidt to approve the agenda. Commissioner Holdeman seconded the motion.***

***Motion passed, 9-0***

**Declarations: None given**

**Case No. DEV-19-064**

**Consideration of an application for a Special Use Permit for a Small Limited Business, Skyline Screen Printing, on a tract of land located in the southwest quarter of Section 11, Township 10 South, Range 22 East of the 6<sup>th</sup> P.M., in Leavenworth County, Kansas.**

**Also known as 22983 154<sup>th</sup> Street**

**Request submitted by Ronald and Lucinda Asher**

Christa McGaha presented the staff report for Case DEV-19-064 a request for a Special Use Permit for Skyline Screen Printing.

Chairman Rosenthal opened the public comment portion of the hearing. Applicant Ronald Asher came forward and stated that he agreed to the conditions attached to this Special Use Permit.

The public comment portion of the hearing was closed.

**Commissioner Bartkoski made a motion to approve DEV-19-064, Special Use Permit for Skyline Printing with staff recommendations. Commissioner Schmidt seconded the motion.**

**ROLL CALL VOTE**

**Motion passed 9/0**

The Board of County Commissioners will consider this item on **September 4th, 2019 at 9:00 A.M** in the Leavenworth County Courthouse.

**Case No. DEV-19-064**

**Consideration of an application for Text Amendments – Article’s 3, 22, 31, 50  
Request submitted by Leavenworth County Planning and Zoning**

Krystal Voth presented the staff report on Case DEV-19-067 on amendments to the Leavenworth County Zoning and Subdivision Regulations for Article’s 3, 22, 31, and 50.

Chairman Rosenthal asked if Public Works had any comments, Lauren Anderson stated this was a request from the Board of County Commissioners and as long as there was the understanding about Private Roads, Public Works did not have any additional comments.

Chairman Rosenthal asked County Counselor if there were any legal implications. Mr. Van Parys stated this was a matter of policies.

Chairman Rosenthal opened the public comment portion of the hearing, asking that anyone wishing to speak in favor of this request come forward. Joe Herring, Herring Survey came forward to ask for clarification on road frontage, zoning, and standards.

David Lutgen came forward to speak in favor of the removal of the cul-de-sac limitations.

Chairman Rosenthal asked for anyone wishing to speak in opposition of this request. David Lutgen came forward to speak in opposition of the private roads because of safety and public welfare and the ability of the public to keep up with the maintenance of private roads.

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

Commissioner Denney asked what reasoning was behind these amendments. Krystal Voth said that staff was given the direction to not hinder development. Commissioner DeMoro asked about the condition of current Private Roads in the County. Commissioner Bartkoski questioned if private roads would be more economical to develop in the long run. Chairman Rosenthal stated that lenders will sometime not lend on a private road because of maintenance concerns. Commissioner Himpel would like to see minimum standards placed on Private Roads. Commissioner Labbee-Holdeman asked if they could approve the amendments taking off the private roads.

Krystal Voth asked for clarification of standards they would like to see. The Commission listed: ensuring right of way is a minimum of 60’ and there be a minimum surfacing type similar to the dust abatement program.

**Commissioner Bartkoski made a motion to approve Case DEV-19-064 taking out Article 50. Krystal Voth clarified that the motion was to approve the definition at this time. Commissioner Labbee-Holdeman seconded the motion.**

**ROLL CALL VOTE**

**Motion is approved 9/0**

The Board of County Commissioners will consider this item on **September 4, 2019 at 9:00 A.M** in the Leavenworth County Courthouse.

**Planning Commission is adjourned at 6:50 PM and reconvened as the Board of Zoning Appeals.**

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

**Members absent:** None

**Staff present:** Krystal Voth-Deputy Director, Christa McGaha-Planner, Stephanie Sloop-Planning Coordinator, David Van Parys-Senior County Counselor, Lauren Anderson-Public Works

**Case No. DEV-19-075**

**Consideration of an application for a Variance to Road Frontage on a tract of land located in the southwest quarter of Section 31, Township 10 South, Range 21 east of the 6<sup>th</sup> P.M., Leavenworth County, Kansas.**

**Also known as 00000 George Road**

**Request submitted by Paul and Donna Bartholomew**

Krystal Voth presented the staff report for Case DEV-19-075 a request for a Variance to Road Frontage.

Chairman Rosenthal asked if Public Works had any comments, Lauren Anderson said they did not have any comments as long as there is an existing easement.

Chairman Rosenthal opened the public comment portion of the hearing, asking that anyone wishing to speak in favor of this request come forward. Paul Bartholomew the applicant came forward, he thanked the members of the Board for their time and the staff for their time. He stated that they have owned this property for over 20 years from his father-in-law and he has always dreamed of putting an earth contact or berm home.

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

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

**Commissioner Bartkosi made a motion to approve DEV-19-075, a Variance towards Road Frontage. With advice from County Counsel Commissioner Bartkoski added to his motion that he was adopting by reference the factors as outlined in the staff report. Commissioner DeMoro seconded the motion.**

**ROLL CALL VOTE**

**Motion passed 7/0**

**Board of Zoning of Appeals is adjourned at 7:15 pm.**