

City of Clearwater, Kansas
Sedgwick County
Planning Commission - **MINUTES**
January 2, 2024
Clearwater City Hall
129 E. Ross Avenue Clearwater, KS 67026

1. Call meeting to order.

Lyle Berntsen called the meeting to order at 6:32 p.m.

2. Roll Call

Deputy City Clerk called the roll to confirm the presence of a quorum. The following members were present: Lyle Berntsen, Kenny Watson, Michael McBee, J.J. Riggins. John Hurley and Ryan Karrick were absent.

The following staff member was present:

Courtney Zollinger, City Administrator; Carol Reitberger, Deputy City Clerk, City Attorney Scott Hufford.

Also present: Jay Shackelford, Ryan Shackelford and Bill Johnson

3. Approval of Minutes from December 5, 2023

Motion: *McBee* moved, *Riggins* seconded to approve the minutes of the December 5, 2023, as presented. The motion passed unanimously. 4-0

4. Other Business

Zollinger stated the Subdivision Regulation Amendment regarding street light placement was approved December 12, 2023, at the City Council meeting.

5. Adjournment

With there being no other business, *McBee* moved, *Riggins* seconded to adjourn the meeting. Voted and passed unanimously. 4-0

The meeting was adjourned at 6:33 p.m.

CERTIFICATE

State of Kansas }
County of Sedgwick }
City of Clearwater }

I hereby certify that the foregoing is a true and correct copy of the approved minutes of the January 2, 2024, Board of Zoning Appeals Board.

Given under my hand and official seal of the City of Clearwater, Kansas, this 6th day of February 2024.

Carol Reitberger, Deputy City Clerk, Secretary

Lyle Berntsen, Chairperson

City of Clearwater, Kansas
Sedgwick County
Board of Zoning Appeals - **MINUTES**
January 2, 2024
Clearwater City Hall
129 Ross Avenue Clearwater, KS 67026

1. Call meeting to order

Lyle Berntsen called the meeting to order at 6:33 p.m.

2. Roll Call

Deputy City Clerk called the roll to confirm the presence of a quorum. The following members were present: Lyle Berntsen, Kenny Watson, Michael McBee and J.J. Riggins.

The following staff member was present:

Courtney Zollinger, City Administrator; Carol Reitberger, Deputy City Clerk, City Attorney Scott Hufford.

3. Approval of Minutes from December 5, 2023

Motion: *McBee* moved, *Riggins* seconded to approve the minutes of the December 5, 2023, as presented. The motion passed unanimously. 4-0

4. Hearing – 116 S. Tracy – Reduction in rear setback

Berntsen opened the hearing at 6:34 p.m.

A variance was approved earlier in 2023 to reduce the front setbacks from 25' to 0' for this new addition. The setbacks were also amended at the time for another new build (126 S. Tracy) to reduce the front and rear setbacks to 0' and to amend all setbacks for existing Shackelford Machine buildings to front and rear setbacks 0'.

The rear setback did not need to be reduced for the new southern buildings purpose. However, during the design phase the size of the building needed to be adjusted due to rooflines and proper runoff for the alley, the back of the new building will now be the same distance from the alley as the existing building to the north (10' from property line).

The front and rear setback for existing Shackelford buildings was set to 0'.

The request for this building would be to reduce the rear setback from 25' to 0' to match the other Shackelford Machine buildings.

Ryan Shackelford stated that making these changes will allow for one roof line. The parking lot at the back of the building will go from 9 spots down to 4 spots which will help the drainage in the alleyway.

The Board had no further questions or comments.

Berntsen closed the hearing at 6:40 p.m.

The Board deliberated and discussed the uniqueness, adjacent property, hardship, public interest and

general spirit of the requested variances and was supported.

The Reduction in rear setback for the Shackelford Machine was approved 4-0.

5. Discussion – 226 W. Ross - Zoning

Zollinger confirmed with Shaun Weaver that there is no construction, manufacturing or warehousing taking place on this site. It is very much an office environment that does have personal use storage in the main building, but no warehousing services. Weaver also leases office space to a third party that does life and health insurance at this location.

McBee stated he is not in favor of re-zoning the property. It is still C-1 for whoever owns the property, but a special use permit will allow Weaver to continue his business. The special use permit goes away when and if Weaver sells the property.

Berntsen stated he is not in favor of re-zoning the property either. The special use permit is for Weaver company only.

This will be the first special use permit in the City of Clearwater. It will only need to be addressed if something changes, complaints or concerns from others or if Weaver sells or the property changes owners. Ideally, it should be checked on regularly.

The proceedings for this special use permit will begin and should be before the Board of Zoning Appeals at the March 5, 2024, meeting.

6. Other Business

Zollinger stated that the next meeting is scheduled for February 6, 2024, but nothing so far for agenda. Deadline to submit is January 16, 2024.

7. Adjournment

With there being no other business, **Riggins** moved, **McBee** seconded to adjourn the meeting. Voted and passed unanimously. 4-0

The meeting was adjourned at 6:56 p.m.

CERTIFICATE

State of Kansas }
County of Sedgwick }
City of Clearwater }

I hereby certify that the foregoing is a true and correct copy of the approved minutes of the January 4, 2024, Board of Zoning Appeals Board.

Given under my hand and official seal of the City of Clearwater, Kansas, this 6th day of February 2024.

Carol Reitberger, Deputy City Clerk, Secretary

Lyle Berntsen, Chairperson