



City of Clearwater Planning Commission Meeting Agenda
Tuesday May 7, 2024, at 6:30pm
129 E Ross Clearwater, KS 67026

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1. Call meeting to order

2. Roll Call

Lyle Berntsen
Michael McBee

J.J. Riggins
Kenny Watson

Ryan Karrick
John Hurley

Jared Ledington

3. Approve April 2, 2024 Minutes

4. Adjournment

City of Clearwater, Kansas
Sedgwick County
Planning Commission - **MINUTES**
April 4, 2024
Clearwater City Hall
129 E. Ross Avenue Clearwater, KS 67026

1. Call meeting to order.

Lyle Berntsen called the meeting to order at 6:30 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, Jared Ledington were present. Ryan Karrick was absent.

The following staff member was present:

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

Also present: Logan Mills, CED, Glenda Light and Bob Fleming

3. Discussion/Recommendation -Park Glen Estates Median
Median Time Frame

1. During the process for platting Park Glen Estates in 2015, there were several complaints about the 2nd entrance into Park Glen (Yvonne drive) and the high school kids using it as a racetrack to avoid the 4-way stop. Those complaints brought up ideas about traffic calming options to implement (speed bumps, medians, curb bulbs, etc.).
2. When the plat got recorded there wasn't a median on the plat. Typically, medians are placed in reserves on the plat when homeowner's associations want to have signs, landscaping, etc. that gives them control.
3. When the construction plans were completed for the street, we did add a median (per Shaun's request). It was to help calm traffic and be a place for him to put up a sign, at the cost of the Park Glen Estates HOA.
4. Justin Givens would have been the City Administrator at that time. It is very likely street plans were shared with him before it got constructed. But there is no record in Planning Commission nor City Council minutes where the plan came before them. There is also a walk through at the end of the project to make sure city staff accepts the project, there are no notes of comments or concerns regarding the median or its placement.
5. Construction started on November 9, 2015, and the contractor had 40 days to complete the project. The median was put in place during the 1st phase of Park Glen Estates when Park Glen St was not a through street.
6. Park Glen Estates became a through street when the 2nd Phase of Park Glen Estates was completed. Yvonne Drive was officially opened in the Summer of 2021.
7. Since the median isn't in a reserve it has been placed in the city's dedicated street right-of-way. By default, the street right-of-way maintenance is the city's responsibility.
8. Since Park Glen St has been open to through traffic there have been 2 accidents where the median/ sign was ran into and destroyed. One by a contractor working in the area in February

2022 and another by a resident of Clearwater in March 2024. Both times the sign was replaced and paid for by the Park Glen Estates HOA.

Median Consideration

1. There is a no parking zone between the westernmost intersection of Stoney Creek Street and continuing westerly for 100 feet. (Sec 34-43 City Code). This area is marked on the curb and has signs marking the area to keep that section of road clear for cars to pass through.
2. I have spoken to Glenda Light, former president of Park Glen HOA, about traffic calming solutions the HOA had for Park Glen St. Park Glen HOA had no comment or suggestions for the median or sign placement. When Park Glen Street was becoming a through street the Park Glen HOA had concerns about people speeding through Park Glen and suggested the following to Ron Marsh, former City Administrator.
 - a. Put a 3-Way stop signs at the intersection of Clear Creek and Park Glen St.
 - b. Put a breakaway gate between Park Glen and Park Glen Estates. This would allow for emergency responders to get through but would be closed for public use.
 - c. Install speed bumps to help calm traffic.

These suggestions were not implemented.

3. Per the developer's agreement Park Glen Street was required to have a minimum of 35' from back of curb to back of curb which was met. The portion of the road where the median is located the west bound traffic lane is 15ft and the east bound traffic lane is 15ft.
4. According to the Uniform Fire code #18.2.3.1.1 the access road shall have an unobstructed width of not less than 20ft. for two-way traffic. The median meets the dimensions.
5. It has been suggested by residents of Clearwater that the median is a hazard because of the location. However, the width of the road meets the minimum standards for road construction.
6. Since the median is within the city's right-of-way, the Planning Commission must review the location and make recommendations on how to move forward with it since the right-of-way has been dedicated to the city.
 - a. Remove the island at the complete expense of the city.
 - b. Keep it and vacate the location to place it in a reserve that the Park Glen HOA will have control of.
 - i. Require warning signs to be placed at either end indicating a median.



- ii. Add speed bumps/ humps at either side.

Other Information

7. Speed Limits – There have been reports of people speeding through Park Glen. The Police Department did a study in Park Glen and found that the majority of people driving in the area drove around 20MPH (posted speed limit is 30MPH). If a person drives 30MPH then it would appear they are speeding when the majority of people drive much slower.

The discussion with the Commission began with a question from a Board Member. Were either of the accidents speed related? Zollinger stated that the first accident was someone following a truck and the other one was by a resident of Clearwater. Both vehicles were driving east in the morning with the sun shining but no evidence of speeding.

Park Glen Estates would like the city to vacate the median and give it to them so they could keep it. To remove the median would cost about \$5,000 to the city. Park Glen Estates believes that the median is a traffic calmer and slows down traffic if the road rules are used.

Right now, the City is responsible for the median but the Park Glen Estates HOA does the upkeep and had a sign in it until the last accident. The city can keep it the way it is or vacate it and turn it over to the Park Glen Estates HOA. There is electricity so a lighted sign could be placed there.

Park Glen, Chisholm Trail and Indian Ridge all were platted with a reserve for the purpose. It gives the entrance of a place to put signs for the additions. Park Glen Estates did not originally have the median as it was put in later when Yvonne Drive was open in 2021.

Bob Fleming at 1008 Park Glen is on the north side of Park Glen and he watches people going the wrong way at the median even if the sun is not shining. The south side has a curve, and the north side is straighter. He stated that even if the median was gone there is still a curve in the road and that Park Glen should have been constructed straight through with no curves.

Glenda Light at 921 Park Glen is on the south side of Park Glen Street and reports in the morning there is a train of cars going east towards the school. If there is police presence, then cars will slow down. Light is concerned about the speed of the cars going down Park Glen Street. The median sign is sideways and is hard to see before you get to the median.

John Hurley would like to vacate the median and have the proper signs with lights coming west and warning lights on both sides if possible.

J.J. Riggins would second Hurley statement.

Michael McBee would also agree and a median ahead sign and another sign in the median.

Kenny Watson was the same as previous statements.

Jared Ledington also would like to vacate the median with more signs.

Motion: *Watson* moved, *McBee* seconded to recommend to City Council to vacate the median at Park Glen Estates entrance and give it to the Park Glen Estates HOA with proper signs added to make it more noticeable for drivers in the area.

4. Other Business

Zollinger stated the Board of Zoning Appeals will have a meeting May 7, 2024. There will be 2 special use permits to discuss.

5. Adjournment

With there being no other business, **Hurley** moved, **Riggins** seconded to adjourn the meeting. Voted and passed unanimously. 6-0

The meeting was adjourned at 7:20 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 April 2, 2024, Board of Zoning Appeals Board.

Given under my hand and official seal of the City of Clearwater, Kansas, this 7th day of May 2024.

Carol Reitberger, Deputy City Clerk, Secretary

Lyle Berntsen, Chairperson



City of Clearwater Board of Zoning Appeal Meeting Agenda
Tuesday May 7, 2024, at 6:30pm
129 E Ross Clearwater, KS 67026

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1. Call meeting to order

2. Roll Call

Lyle Berntsen
Michael McBee

J.J. Riggins
Kenny Watson

Jared Ledington

3. Approve January 2, 2024 Minutes

4. Public Hearing – Special Use Permit – 226 E Ross

5. Public Hearing – Special Use Permit – 113 N Lee St

6. Other Business

7. Adjournment

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

**City of Clearwater
Planning Commission
May 7, 2024**

Special Use Permit – 226 E Ross

Context: At the January 2024 meeting the Board of Zoning Appeals discussed the property use of 226 E Ross. There was a consensus that rezoning the property was not a good option and the Board would rather consider a Special Use Permit for the occupant.

A Special Use Permit is only good for the current owner/occupant and does not transfer.

The building permit that was issued for remodeling the building to its current use was in 2020. The zoning for this lot is C-1 ([Central Business District](#))

Businesses operating on the property are as follows:

Weaver Construction Services, LLC

- Office, equipment and trailer parking, misc and tools storage
- General Contractor
- builds spec and custom homes
- remodel/maintenance
- Survive-A-Storm Dealer and Installer
- Coast-to-Coast Dealer
- Roof-Savers roofing services

Reliable Rental Resource, Inc

- property management office
- owns real estate
- small business book keeping services

Weaver Ventures, LLC

- Licensed Realtor
- Owns entire building
- Storage units 7 off back of building
- Open lot storage with 1 shipping container

Park Glen Estates, LLC

- Housing Development office

Weaver Holdings, LLC

- owns real estate

Wheat Capital Investments, LLC

- owns real estate



Special Use Permit Application

A site plan with the following information must be included with the permit application.

- 1) Legal dimension of the tract to be used.
- 2) Location of all proposed improvements including curb-cut access, off-street parking, and other such facilities as the applicant proposes to install.
- 3) Grade elevations.
- 4) Building setback from all property lines.
- 5) Front, side, and rear elevations of all improvements to be erected.
- 6) Perspective drawings of the proposed improvements, in such detail as will clearly show the finished appearance of the improvements proposed.
- 7) Location and type of planting, screening, or walls.
- 8) Such other items as the board shall deem necessary to process the application properly.

Property Owner:	Weaver Ventures, LLC		
Address:	226 E Ross, Ste 104		
Applicant (if different from property owner):	Shaun Weaver		
Home Phone:	620-359-1702	Cell Phone:	316-200-0248
Email:	weaverventures@gmail.com		

Present Zoning	C-1 Central Business District
Present Use of Property	
Prior to February 2020 the property was used as a meeting hall with offices. In February 2020 building permit BLD CW 2020-05 was issued to convert the property to a warehouse. At that time the zoning official was not reviewing zoning compliance and did not flag this permit as an issue of non-compliance and issued the building permit. Since the remodeling has been completed the property has been used as a storage and warehouse instead of a meeting hall.	

Special Use Requested
This request is to get this property up to compliance with zoning regulations that have been in place since 2005. Permission to use the property for storage and warehousing for Weaver Construction Services and weaver Ventures, LLC where no highly explosive, combustible or volatile materials are stored on the premises. The only items that will be stored are construction equipment indoors. SMW <i>The Board of Zoning Appeals has reviewed the situation, and a consensus was for the owner to apply for a Special Use Permit and not change the zoning of the property.</i>

Application is made in Accordance	Section 38-273
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w/ Zoning Regulations Sections

The owner hereby declares that all information above is true to the best of his/her knowledge, that all conditions and standards set out in the Zoning Regulations pertaining to this use have been met or have been proposed to be met, and that, along with this application, site plan and the appropriate review and filing fees have been submitted. The owner also understands that if such use is abandoned or is proposed to be changed, the subsequent use shall be in conformity with the zoning restrictions in effect as to the land prior to authorization of the exception, unless a new application for an excepted use is made and granted.

ACM

Applicant Signature

3/21/2024

Date

Authorized Agent

Date

Office Use Only

Adjacent Zoning & Land Use		
Direction	Land Use	Zoning
NORTH	Residential	R-1
SOUTH	Residential	R-1
EAST	Church	R-1
WEST	Restaurant	C-1
Current Zoning		C-1

Received by:			
Date Received:			
Fee Paid:	No Charge		
Appealed to Zoning Board:	05/07/2024	Date	
Decision of Zoning Board:		Date	



PUBLISH ONCE IN THE TIMES-SENTINEL 4-4-2024

PUBLIC NOTICE

SPECIAL USE PERMIT HEARING

The City of Clearwater, Kansas Board of Zoning Appeals will consider a request made by Weaver Construction Services for 226 E Ross Ave, also described as:

BEG 247 FT N & 160 FT E SW COR LOT 144 ROSS AVE E 63 FT S 80 FT E
77 FT S 167 FT W 140 FT N 247 FT TO BEG SE1/4 SEC 23-29-2W

Article II Section 38-273 (110) c.; The following uses may be allowed by special use permit when submitted, reviewed, and approved by the board of zoning appeals, and under such conditions as the board may impose:

Storage and warehousing except for products of a highly explosive, combustible, or volatile nature.

THE BOARD OF ZONING APPEALS WILL HOLD A HEARING ON THIS SUBJECT AT THE CLEARWATER CITY HALL AT 129 E. ROSS, CLEARWATER, KANSAS ON **May 7, 2024**.

Those wishing to speak at the hearing should contact the Clearwater Deputy City Clerk by 5:00 p.m. May 7, 2024. Comments will be limited to ten minutes each. Further information may be obtained at Clearwater City Hall, 129 E. Ross, or by calling 584-2311.



Parcel ID: 087-266-23-0-43-05-009.00-

SGORIONPROD Expanded Appraisal Card

Quick Ref: R216307



Tax Year: 2024

Run Date: 3/12/2024 1:25:48 PM

OWNER NAME AND MAILING ADDRESS

WEAVER VENTURES LLC

226E E ROSS ST STE 104

CLEARWATER, KS 67026-7853

PROPERTY SITUS ADDRESS

226 E ROSS AVE

CLEARWATER, KS 67026

LAND BASED CLASSIFICATION SYSTEM

Function: 3640 Warehouse-offi **Sfx:** 5
Activity: 3120 Primarily goods storage or ha
Ownership: 1100 Private-fee simple
Site: 6000 Developed site - with building

GENERAL PROPERTY INFORMATION

Prop Class: C Commercial & Industrial - C
Property Type: C-Commercial & Industrial
Living Units:
Zoning:
Multi-Zoning: N **Non-Conforming:** N
Neighborhood: 850.4 850.4
Economic Adj. Factor:
Map / Routing: C+ / 266230430500900
School District: 0607 USD 264
Legacy ID: 00284823
Investment Class:
Tax Unit Group: 5401-5401 130 CLEARWATER
U-264-CCD NICL

TRACT DESCRIPTION

BEG 247 FT N & 160 FT E SW COR LOT 144
ROSS AVE E 63 FT S 80 FT E 77 FT S 167 FT W
140 FT N 247 FT TO BEG SE1/4 SEC 23-29-2W



266230430500900 01/22/2024

Image Date: 02/27/2024

PROPERTY FACTORS

Topography: Level - 1
Utilities: All Public - 1
Access: Paved Road - 1, Alley - 7
Fronting: Major Strip or CBD - 1
Location: Central Business District - 1
Parking Type: Off Street - 1
Parking Quantity: Adequate - 2
Parking Proximity: On Site - 3
Parking Covered:
Parking Uncovered:

INSPECTION HISTORY

Date	Time	Code	Reason	Appraiser	Contact	Code
10/05/2021	10:00 AM	14	IO	477		
08/10/2020	12:15 PM	6	BP	483		
12/01/2015	9:30 AM	3	SV	483	WORKER	6

BUILDING PERMITS

Number	Amount	Type	Issue Date	Status	% Comp
20-CL0005	4,000	Garage Addition	02/03/2020	C	100
15-CL0005	30,000	Interior Remodel	02/23/2015	C	100
CL085	41,000	Commercial Building	09/22/2000	C	100

2024 APPRAISED VALUE

Cls	Land	Building	Total
C	10.100	311.350	321.450

2023 APPRAISED VALUE

Cls	Land	Building	Total
C	10,100	232,640	242,740

Total	10.100	311.350	321.450	Total	10,100	232,640	242,740
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MISCELLANEOUS IMPROVEMENT VALUES

Class	Value	Reason Code
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NEW CONSTRUCTION

Class	Value	Reason Code
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MARKET LAND INFORMATION

Size	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	OVRD	Rsn	Cls	Model	Base Size	Base Val	Inc Val	Dec Val	\$/Unit	Value Est
Sqft	1-Primary Site - 1	28,707				4	25						C0105	16,000.00	1.63	1.14	1.14	0.35	10,100

Total Market Land Value 10,100

GENERAL BUILDING INFORMATION				APARTMENT DATA								CALCULATED VALUES			
Situs: 226 E ROSS AVE CLEARWATER, KS 67026												Cost Land:		10,100	
LBCS Structure Code: 2735-Office/warehouse				Units:								Cost Building:		311,350	
Bldg No. & Name:		1	1-WEAVER CONSTRUCTION SERVICES LLC		BR Type:								Cost Total:		321,450
Identical Units:		1	No. of Units:		Baths:								Ag Use Land:		0
Total Bldg Area:		9,180	Unit Type:										Ag Buildings:		0
MS Mult:			MS Zip:										Misc. Buildings:		0
												Manufactured Homes:		0	
IMPROVEMENT COST SUMMARY				FINAL VALUES								Income Value:		0	
Building RCN:			654,040		Value Method:				COST				Market Value:		
Mkt Adj:		100	Eco Adj:		Land Value:				10,100				MRA Value:		
Building Value:			289,860		Building Value:				311,350				New Construction:		0
Other Improvement RCN:			89,550		Final Value:				321,450				Indexed Value:		0
Other Improvement Value:			21,490		Prior Value:										

BUILDING COMMENTS

SKETCH VECTORS

COMMERCIAL BUILDING SECTIONS & BASEMENTS																						
Sec	Occupancy	MSCIs	Rank	Yr Blt	Eff Yr	Levels	Stories	Area	Perim	Hgt	Phys	Func	Econ	OVR %	Rsn	Inc Use	Net Area	Cls	% Comp	RCN	% Gd	Value
1	406-Storage Warehouse	C	2.67	1971		01 / 01		2,730	148	17	3	2				045			0	313,190	42	131,540
2	386-Mini-Warehouse	D	0.70	2000		01 / 01		2,880	196	10	3	2				041			0	65,950	65	42,870
3	406-Storage Warehouse	C	2.67	1971		01 / 01		3,570	172	17	3	2				082			0	274,890	42	115,450

OTHER BUILDING IMPROVEMENTS																						
No.	Occupancy	MSCIs	Rank	Qty	Yr Blt	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	Cls	% Comp	RCN	%Gd	Value
1	163-Site Improvements	C	2.00	1	1971			10		8			1.00	3	2				0	7,180	24	1,720
2	163-Site Improvements	C	2.00	1	1971			10		8			1.00	3	2				0	72,700	24	17,450
3	163-Site Improvements	C	2.00	1	2000			10		8			1.00	3	2				0	9,670	24	2,320

COMMERCIAL BUILDING SECTION COMPONENTS								OTHER BUILDING IMPROVEMENT COMPONENTS							
Sec	Code	Units	Pct	Size	Other	Rank	Year	No.	Code	Units	Pct	Size	Other	Rank	Year
1	812-Concrete Block		100					1	6605066-Outdoor Floodlight, Fluoresce	2					
1	611-Package Unit		100					1	6605071-Outdoor Lighting Pole, Steel	24			2		
1	8065-Canopy, Retail Wood Frame	620						2	8350-Paving, Asphalt with Base	15,500					
1	683-Wet Sprinklers	6,300						3	8355-Paving, Concrete with Base	1,400					
2	918-Single -Metal on Wood Frame		100												
2	649-No HVAC														
3	812-Concrete Block		100												
3	649-No HVAC														



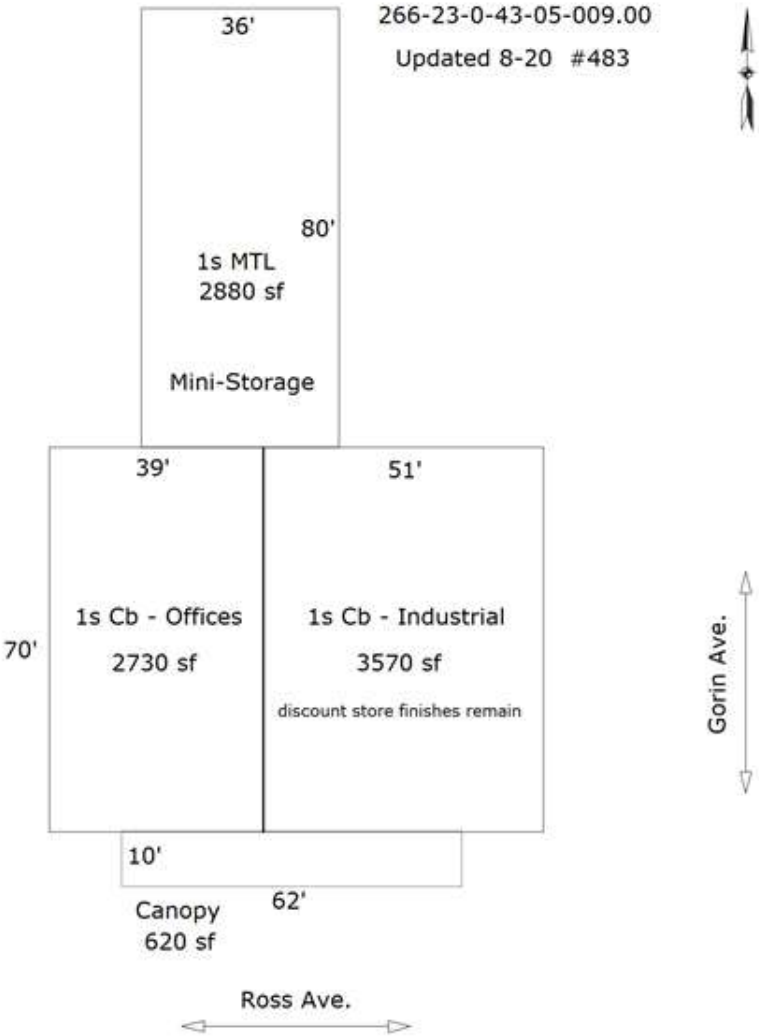
Parcel ID: 087-266-23-0-43-05-009.00-

Quick Ref: R216307



Tax Year: 2024 Run Date: 3/12/2024 1:25:48 PM

Plot Plan Sketch



Sketch by: [illegible]



Wichita-Sedgwick County
Metropolitan Area Building and Construction Department

Call 316-660-1840 for inspections

FEE: \$ 83.00

Residential Building Permit Application

Date: Feb 3-2020

Permit #: BLDaw2020-05

Address: 226 E Ross Ave

Geo Code: NEC100K1

Parcel #: _____

Addition: _____ Lot(s): _____ BLK: _____ Zip Code: 67026 Zoning: C-1

General Contractor: Weaver Construction Services LLC License #: BLS2018-10023 Phone: 316-200-0248 Email: _____

Owner: Shaun Weaver Phone: 620-359-1702 Email: weaverventures@gmail.com

Sub-Contractor Information (if applicable)

Electrical: _____ Plumbing: _____ HVAC: _____ Fireplace: _____

Type of Improvement (check one)

☐ New Building ☐ Addition ☒ Interior Remodel ☐ Manufactured Home ☐ Swimming Pool ☐ Carport ☐ Other (specify) _____

Proposed Use (check one)

☐ 1-family ☐ 2-family ☐ Storage Shed ☐ Detached Garage ☐ Agriculture Building

Please Enter the Applicable Square Footages Below:		General Building Information		Trades Included in BLD Permit NOTE: Residential ONLY. Commercial trade permits must be purchased separately by a licensed Trade Contractor Plumbing ☐ Electrical ☐ Mechanical ☐
1st Floor:	Attached Garage:	Height:	Stories:	
2nd Floor:	Porch:	Bedrooms(#):	Bathrooms(#):	
Basement - Finished:	Deck:	Fireplace(s)		
Basement - Unfinished:	Covered Patio:	Zero-Clearance(#):	Masonry(#):	

Utility Meter (circle one)			Sewer (circle one)				Water (circle one)		
None	Yes-Utility set by utility company	Yes-Private set by a licensed electrical contractor	City Sewer	Septic	Lagoon	Advanced Wastewater System	City Water	Private Well	Rural Water

Valuation of Project (New or Remodel): \$ 4,000.00

Description of Work Addition Garage Door

Building Setbacks

Front Yard:	Side Yard:	Rear Yard:
Easements/Reserves:		

All provisions of laws, resolutions and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other Federal, State or Local Law, regulation, construction or the performance of construction.

Applicant Signature: AC MUX

Printed Name: Shaun M Weaver

**METROPOLITAN AREA BUILDING CONSTRUCTION DEPARTMENT
CONTRACTOR LICENSE**

License No.: BUS2018-10023

Qualified Person: Shaun Weaver

Issue Date:

Renewal Date:

Expire Date:

License Category: CLASSB

12/10/2018

9/1/2020

12/31/2020

State Registration No:

IVRS#: 6173

Business Name: WEAVER CONSTRUCTION SERVICES, LLC
1018 W 8TH ST
WELLINGTON, KANSAS 67152

Phone: (316)200-0248

E-Mail: WEAVERVENTURES@GMAIL.COM



*Sedgwick County...
working for you*



Sedgwick County...
working for you



Metropolitan Area Building
and Construction Department

271 W 3rd St N Ste 101, Wichita, Ks 67202 - www.sedgwickcounty.org - TEL: 316-660-1840 - FAX: 316-660-1810

Monday, February 3, 2020

To: City of Clearwater
From: MABCD
Project Valuation: \$4,000.00
Location: 226 E ROSS AVE
Permit Fee: \$83.00
Project Name: ADD GARAGE DOOR
MABCD Permit Number: BLD2020-00278

Note: It is the responsibility of the issuing party to verify that the General Contractor has a valid MABCD Contractors License prior to permit issuance: Failure to comply may nullify permit.

A Building permit can be issued by your office based on the following requirements

1. This is a commercial project, and may require the additional trade permits;

Electrical: No If any trade permit is marked "Yes", Obtain these permits
from: City of Clearwater
Plumbing: No
Mechanical: No

2. It is the responsibility of the project contractor to verify that all subcontractors have a valid & current MABCD License and any other required licensing prior to issuance of permits.

Site Plan, Parking and Screening to be approved by: City of Clearwater

Gary E Cox | Plans Examiner | Metropolitan Area Building and Construction Department

p: (316) 660-1750 | f: (316) 316-660-1810 | gary.cox@sedgwick.gov
271 W 3rd St. N | Wichita, KS 67202 | www.sedgwickcounty.org



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Wichita-Sedgwick County
Metropolitan Area Building
and Construction Department

REVIEWED FOR CODE COMPLIANCE

CORRECTIONS OR COMMENTS MADE ON THESE DRAWINGS AND THIS DOCUMENT DURING THIS REVIEW DO NOT RELIEVE CONTRACTOR FROM COMPLIANCE WITH ALL REQUIREMENTS OF THE CODE OF THE MABCD, THE CITY OF WICHITA OR SEDGWICK COUNTY. THIS REVIEW IS ONLY FOR GENERAL CONFORMANCE OF THE CODE. THE CONTRACTOR IS RESPONSIBLE FOR CONFORMING AND CORRELATING ALL TECHNIQUES OF CONSTRUCTION. THIS APPROVAL IS SUBJECT TO PROVISIONS OF SECTION 106.4 OF THE 2006 INTERNATIONAL BUILDING CODE.

DATE: 1/29/2020 BY: Gary Cox

January 29, 2020

Shaun Weaver
WEAVERVENTURES@GMAIL.COM

Date Plans Submitted:	01/29/2020
Project:	Add Overhead door
Project Number:	PLR2020-00046
Project Location:	226 E Ross / Clearwater

Shaun:

The building plans for the new Overhead door have been reviewed.
See **Standard Requirements** below for additional requirements and helpful information.

Permit Applicant Acknowledgement and Agreement

I assume full responsibility for compliance regarding all pertinent codes, ordinances and regulations within the jurisdiction of the MABCD. By the issuance of this building permit, I acknowledge the requirements of and agree to comply with the appropriate codes, whether specified herein or not.

TO BE COMPLETED AT THE TIME OF PERMIT ISSUANCE BY PERMIT APPLICANT

Signature: _____

Please sign and print your name

Date: _____ Title: _____

TO BE COMPLETED AT THE TIME OF APPROVAL BY PLANS EXAMINER

ZONING DISTRICT: Clearwater OCCUPANCY CLASSIFICATION: B CONSTRUCTION TYPE: 5B

____ REVIEWED & APPROVED

☒ REVIEWED & APPROVED AS NOTED

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DATE: 1/29/2020

BY: Gary Cox



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working for you*



General Requirements:

1. The City of Clearwater will issue all permits.
2. This project shall comply with current applicable codes including: 2018 IBC, 2015 UPC, 2018 IMC, 2017 NEC, 2018 IFC, 2010 ADA.

Site Requirements:

Building Requirements:

Fire Department Requirements:

Accessibility Requirements:

Courtesy Comments/Suggestions:

- As of January 1, 2019, MABCD no longer accepts paper plans for commercial construction projects.

For more information related to our Electronic Plan Review system, please visit the website at <https://www.sedgwickcounty.org/mabcd/electronic-plan-review-eplans/> .

To access Project Dox, use this link <https://eplans.sedgwickcounty.org/ProjectDox/> .

- The 2018 IBC, (2018 IFC Sedgwick County), 2018 IMC and 2018 IFGC have now been adopted by MABCD
- An Approved Stamped set of drawings shall be available at the Job Site before any inspections will be done. It is the responsibility of the General Contractor to have the drawings on site.



Sedgwick County...
working for you



Metropolitan Area Building and Construction Department

271 W. 3rd St. N., Wichita, KS 67202 - www.sedgwickcounty.org - TEL: 316-660-1840 - FAX: 316-660-1810

Standard Requirements - Some standard requirements may not be applicable for every project.

A set of building plans and specifications approved by the Metropolitan Area Building & Construction Department and marked "Field Copy" shall be kept on the project during construction until final inspection approval has been made.

Changes made, during construction of a project, which affect exiting, wall configuration and structural elements that are not just "cosmetic", require revised plans to be submitted to Metropolitan Area Building & Construction Department for review and approval. The revised plans must be sealed by the licensed Architect or Engineer that the original approved plans were sealed by.

Please feel free to contact me at (316) 660-1750 or e-mail me at gary.cox@sedgwick.gov if you have any questions or if I can be of assistance to you. All revisions will need to be approved before a permit can be issued.

Gary Cox
Building Plans Examiner - MABCD
Metropolitan Area Building and Construction Department
271 W 3rd St. Wichita Ks. 67202

Note: If there is an omission of any requirement on the submitted plans or any omission occurs during the review of the plans, such omission shall in no way authorize any violation of the codes, ordinances or regulations of The MABCD, the City of Wichita or Sedgwick County.

Gene Schuette, P.E.
Structural Engineer

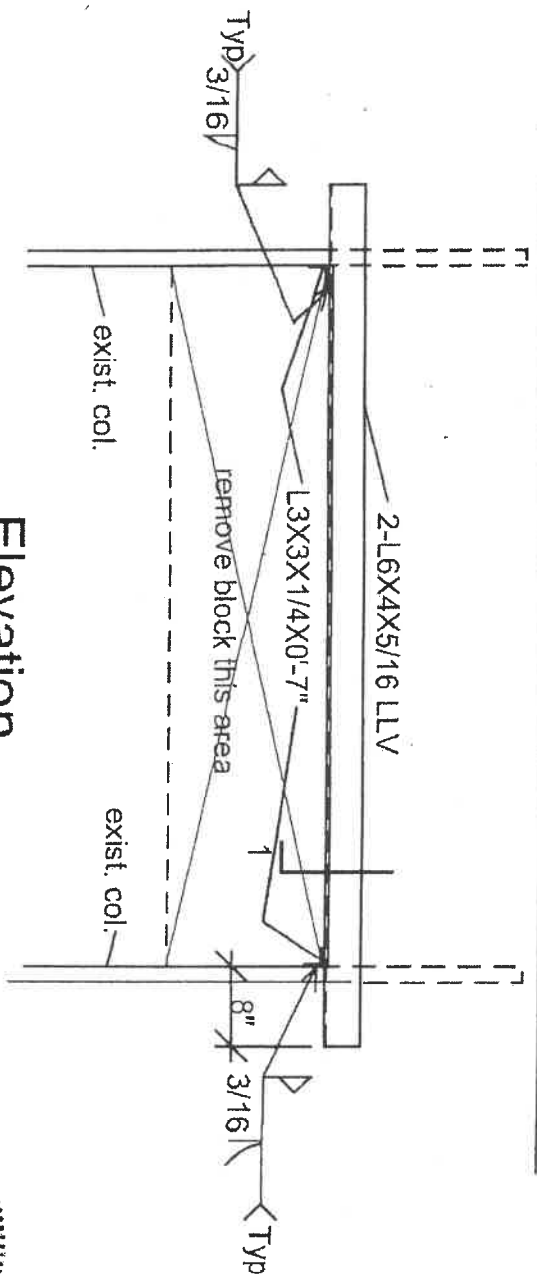
1976 S. Longford Cr.
Wichita, KS 67207

gene000367@aol.com

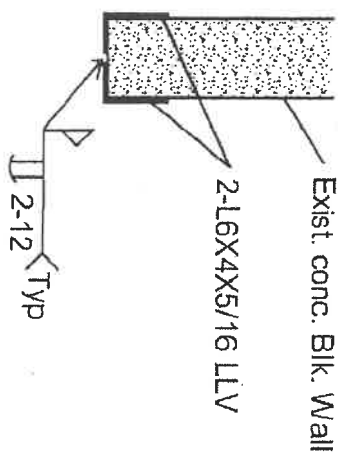
(316) 686-9876

Residential Structural Inspection LLC

Est. 1995



Elevation



Section 1

226 Ross Ave.
Clearwater, KS 67026

Wichita-Sedgwick County
Metropolitan Area Building
and Construction Department

REVIEWED FOR CODE COMPLIANCE

CORRECTIONS OR COMMENTS MADE ON THESE PLANS ARE THE RESPONSIBILITY OF THE REVIEWER. THE REVIEWER DOES NOT REPRESENT THE CONTRACTOR FROM COMPLIANCE WITH ALL REQUIREMENTS OF THE CODE OF THE STATE OF KANSAS, THE CITY OF WICHITA, OR THE COUNTY OF SEDGWICK. THIS REVIEW IS ONLY FOR GENERAL INFORMATION AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED. THE REVIEWER IS NOT RESPONSIBLE FOR CONSTRUCTION AND CORRECTIONS. ALL REVISIONS TO THESE PLANS ARE THE RESPONSIBILITY OF THE CONTRACTOR. THIS APPROVAL IS SUBJECT TO PROVISIONS OF SECTION 167.4 OF THE 2012 INTERNATIONAL BUILDING CODE.

DATE: 1/29/2020 BY: Gary Cox



**Wichita-Sedgwick County
Metropolitan Area Building
and Construction Department**

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DATE: 1/29/2020 BY: Gary Cox

Shaun Weaver (property owner and GC)

Weaver Construction Services, LLC

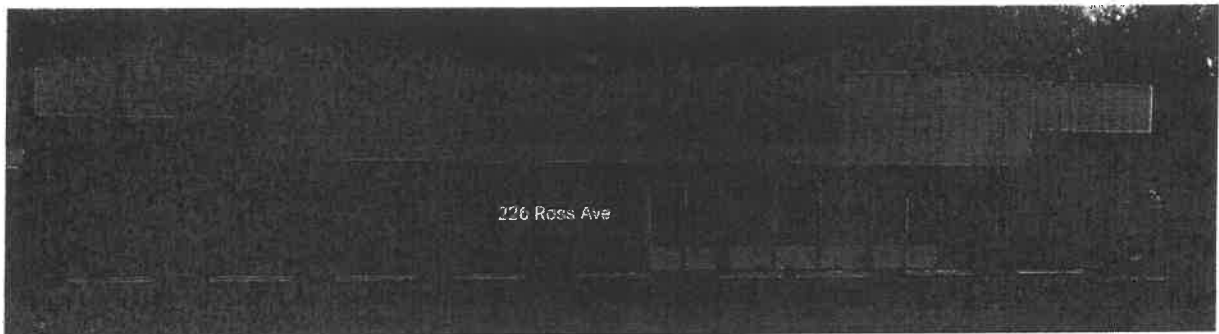
BUS2018-10023

316-200-0248

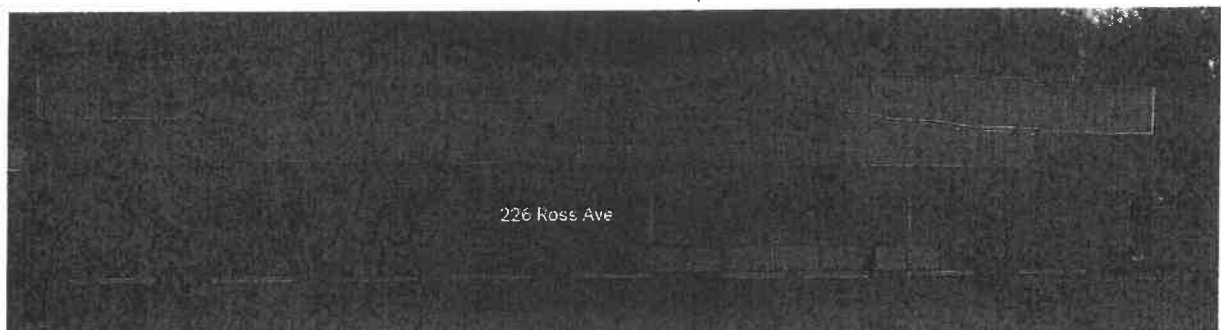
WeaverVentures@gmail.com

226 E Ross Ave, Clearwater, KS 67026

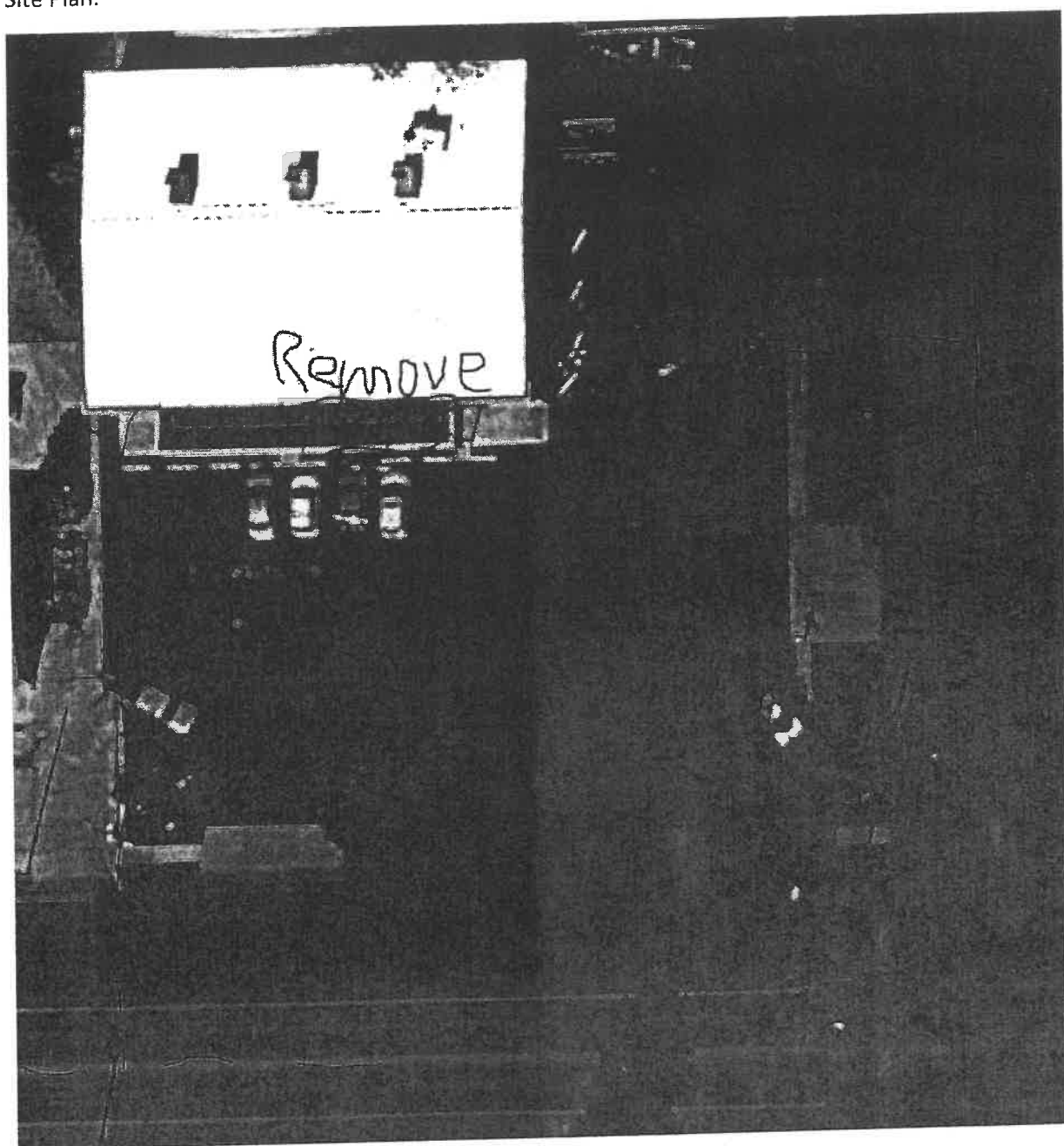
Google Earth front view: ←West East →



Will be removing existing vestibule and a portion of awning from the third from left post to the right. Inside west glass and west door removed. New steel lintel to be installed at 10' to existing steel support beams as shown in engineered drawing. West glass and west door to be replaced by garage door approximately 12'10" wide and 10' tall. Awning to be replaced, but modified to accommodate garage door (will look much like the far west and east ends).



Site Plan:



Affidavit of Publication

Kayla Hope Rausch
Of lawful age being duly sworn upon oath states
That she is the lawful billing clerk/asst at

Times-Sentinel Newspapers, LLC State of Kansas

A weekly newspaper printed in the state of Kansas,
And published in and of general circulation in **Sedgwick
County**, with a general paid circulation on a yearly
Basis in Sedgwick County of Kansas, and that said
Newspaper is not a trade, religious, or fraternal
Publication. That said newspaper has been published
At least weekly 50 times a year, has been so published
Continuously and uninterruptedly in said county and state
For a period of more than five years prior to the first
Publication of said notice and has been admitted to the
Post Office of Cheney, Kansas, in Sedgwick County as
Second class matter. That the attached is a true copy
Thereof and was published on the following dates in the
Regular and entire Issue of said newspaper.

First Publication was made
On the 4 Day of April, 2024
Second Publication was made
On the _____ Day of _____, 2024
Third Publication was made
On the _____ Day of _____, 2024

Total Publication Fee \$ 110 . 25

Kayla H Rausch

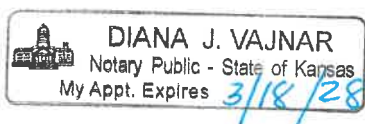
Subscribed and sworn to before me this

9 Day of April, 2024

Diana Vajnar

Notary Public

My Commission expires on 3/18/28



PUBLIC NOTICE

First Published in TSnews April 4, 2024 (1t)

PUBLIC NOTICE

SPECIAL USE PERMIT HEARING

The City of Clearwater, Kansas Board of Zoning Appeals will consider a request made by Weaver Construction Services for 226 E Ross Ave, also described as:

BEG 247 FT N & 160 FT E SW COR LOT 144 ROSS AVE
E 63 FT S 80 FT E 77 FT S 167 FT W 140 FT N 247 FT TO
BEG SE 1/4 SEC 23-29-2W

Article II Section 38-273 (110) c.; The following uses may be allowed by special use permit when submitted, reviewed, and approved by the board of zoning appeals, and under such conditions as the board may impose:

Storage and warehousing except for products of a highly explosive, combustible, or volatile nature.

THE BOARD OF ZONING APPEALS WILL HOLD A HEARING ON THIS SUBJECT AT THE CLEARWATER CITY HALL AT 129 E. ROSS, CLEARWATER, KANSAS ON May 7, 2024.

Those wishing to speak at the hearing should contact the Clearwater Deputy City Clerk by 5:00 p.m. May 7, 2024. Comments will be limited to ten minutes each. Further information may be obtained at Clearwater City Hall, 129 E. Ross, or by calling 584-2311.

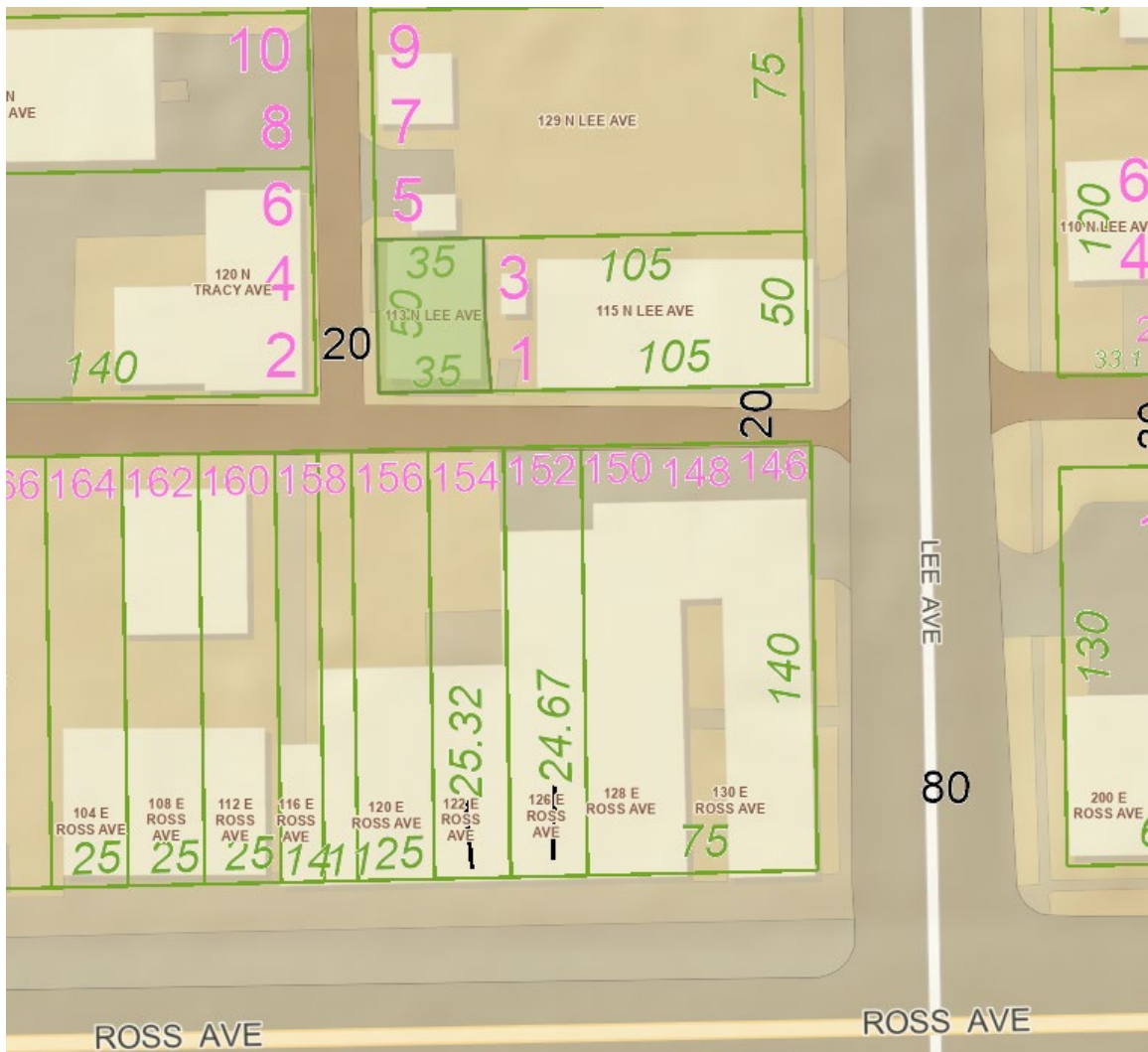
City of Clearwater
Planning Commission
May 7, 2024

Special Use Permit – 113 N Lee

Context: Gary and Donna Whitney have purchased 113 N Lee. The building was used for an automotive repair shop, and they would like to use it for storage.

Current zoning is C-1 ([Central Business District](#))

Warehouse is allowed by Special Use Permit





Special Use Permit Application

A site plan with the following information must be included with the permit application.

- 1) Legal dimension of the tract to be used. ✓
- 2) Location of all proposed improvements including curb-cut access, off-street parking, and other such facilities as the applicant proposes to install.
- 3) Grade elevations.
- 4) Building setback from all property lines. ✓
- 5) Front, side, and rear elevations of all improvements to be erected.
- 6) ✓ Perspective drawings of the proposed improvements, in such detail as will clearly show the finished appearance of the improvements proposed.
- 7) ✗ Location and type of planting, screening, or walls.
- 8) Such other items as the board shall deem necessary to process the application properly.

Property Owner:	GARY D WHITNEY & DONNA J WHITNEY		
Address:	113 N LEE ST. CLEARWATER, KS 67026		
Applicant (If different from property owner):			
Home Phone:		Cell Phone:	316-648-2973
Email:	dwhitney@homebank-trust.com, djwhitney@sktc.net		

Present Zoning	C-1
Present Use of Property	
AUTOMOTIVE REPAIR SHOP	

Special Use Requested
PERSONAL USAGE & STORAGE

Application is made in Accordance w/ Zoning Regulations Sections	Article 11 Sec 38-273 (110) c.
---	--------------------------------



The owner hereby declares that all information above is true to the best of his/her knowledge, that all conditions and standards set out in the Zoning Regulations pertaining to this use have been met or have been proposed to be met, and that, along with this application, site plan and the appropriate review and filing fees have been submitted. The owner also understands that if such use is abandoned or is proposed to be changed, the subsequent use shall be in conformity with the zoning restrictions in effect as to the land prior to authorization of the exception, unless a new application for an excepted use is made and granted.

DONNA J WHITNEY Donna J Whitney
Ramy Whitney
Applicant Signature

Authorized Agent

03/22/2024

Date

Date

Office Use Only

Adjacent Zoning & Land Use		
Direction	Land Use	Zoning
NORTH	Empty lot	R-1
SOUTH	General Office Bldg.	C-1
EAST	Lawn Business	C-1
WEST	Storage	C-1
Current Zoning		C-1

City of Clearwater
129 E Ross
Clearwater, KS 67026

Received by:	Carol Reiberger
Date Received:	3-26-24
Fee Paid:	\$125
Appealed to Zoning Board:	
Decision of Zoning Board:	

Payee: GARY WHITNEY
Date: 3/26/2024 Time: 11:30 AM
Receipt Number: RECEI / 14156
Clerk: JAMIE

ITEM	REFERENCE	REFERENCE ID	AMOUNT
ZONE		SPECIAL USE	
			125.00
Total:			125.00
Cash	cash		125.00
Change:			



PUBLISH ONCE IN THE TIMES-SENTINEL 4-4-2024

PUBLIC NOTICE

SPECIAL USE PERMIT HEARING

The City of Clearwater, Kansas Board of Zoning Appeals will consider a request made by Weaver Construction Services for 113 N Lee St, also described as:

W 35 FT LOTS 1-3 LEE AVE. CITY OF CLEARWATER

Article II Section 38-273 (110) c.; The following uses may be allowed by special use permit when submitted, reviewed, and approved by the board of zoning appeals, and under such conditions as the board may impose:

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Rear Yard Should be 15'.....

single family zoned



APPLICATION FOR BUILDING PERMIT

October 22 1981

BUILDING INSPECTOR:-

John Staton

The undersigned respectfully makes application for a permit to construct commercial

Building on Lot west 35' 1 & 3 Block 100 block North Lee
Addition Original Town Street No. 113 1/2 N. Lee City of Clearwater

and hereby agrees to construct said building in accordance with the ordinances of said city.

Size of Building to be 30 x 42 Feet

Number of Stories one

Height of each Story 10'

Basement no

Chimney no

Footings Size Depth

Intended use body & paint shop

Estimated Cost of Building when Completed, \$ 25,000.00

Architect

Contractor or Builder George Adler

Fire Limits

Description:

Remarks:

George Adler
Applicant

Building Permit No. 18

Fee, \$ 25⁵⁰

Issued 10-23 1981

John E. Staton
Building Inspector

Affidavit of Publication

Kayla Hope Rausch
Of lawful age being duly sworn upon oath states
That she is the lawful billing clerk/asst at

Times-Sentinel Newspapers, LLC State of Kansas

A weekly newspaper printed in the state of Kansas,
And published in and of general circulation in **Sedgwick
County**, with a general paid circulation on a yearly
Basis in Sedgwick County of Kansas, and that said
Newspaper is not a trade, religious, or fraternal
Publication. That said newspaper has been published
At least weekly 50 times a year, has been so published
Continuously and uninterruptedly in said county and state
For a period of more than five years prior to the first
Publication of said notice and has been admitted to the
Post Office of Cheney, Kansas, in Sedgwick County as
Second class matter. That the attached is a true copy
Thereof and was published on the following dates in the
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On the 4 Day of April, 2024
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Third Publication was made
On the _____ Day of _____, 2024

Total Publication Fee \$ 105.00

Kayla H Rausch

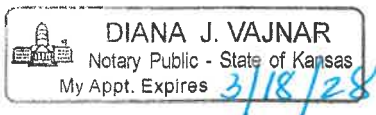
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9 Day of April, 2024

Diana Vajnar

Notary Public

My Commission expires on 3/18/28



PUBLIC NOTICE

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Clearwater Planning Commission Board of Zoning Appeals

Special Use Permit – Action

Property Address:	
--------------------------	--

In considering any application for an exception hereunder, the board of zoning appeals shall give consideration to the comprehensive plan, and the health, safety, morals, comfort, and general welfare of the public, including, but not limited to, the following factors:

1. The stability and integrity of the zoning district
2. Conservation of property values
3. Protection against fire and casualties
4. Observation of general police regulations
5. Prevention of traffic congestion
6. Promotion of traffic safety and the orderly parking of motor vehicles
7. Promotion of safety of individuals and property
8. Provision for adequate light and air
9. Prevention of overcrowding and excessive intensity of land uses
10. Provision for public utility and schools
11. Invasions by inappropriate uses
12. Value, type, and character of existing or authorized improvements and land uses
13. Encouragement of improvements and land uses in keeping with over planning
14. Provision for orderly and proper urban renewal, development, and growth.

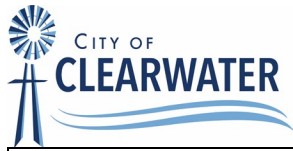
Board Findings

--

In making any decision varying or modifying any provisions of this chapter or in granting an exception to the district regulations, the board of zoning appeals shall impose such restrictions, terms, time limitations, landscaping, improvement of off-street parking lots, and other appropriate safeguards as required to protect adjoining property.

Board Restrictions, terms, time limit, landscaping, improvement of parking lots, etc.

--



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Petition Filed	
Board Action	
Vote	
Date	

Clerk

(SEAL)