



City of Clearwater Planning Commission Meeting Agenda
Tuesday June 3, 2025, at 6:30pm
129 E Ross Clearwater, KS 67026

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1. Call meeting to order

2. Roll Call

Lyle Berntsen
Duane Schneider

Ron Witt
Kenny Watson

Ryan Karrick
John Hurley

Jarod Ledington

3. [Approval of the Minutes from May 6, 2025](#)

4. [Lot Split – 235 and 237 W Wood](#)

5. [Lot Size and Accessory Structures](#)

6. Other Business

7. Adjournment

City of Clearwater, Kansas
Sedgwick County
Planning Commission - **MINUTES**
May 6, 2025
Clearwater City Hall
129 E. Ross Avenue Clearwater, KS 67026

1. Call meeting to order.

Kenny Watson 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: Kenny Watson, J.J. Riggins and Jarod Ledington. Michael McBee was present by phone. Lyle Berntsen, Ryan Karrick and John Hurley were absent.

The following staff member was present:

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

Also present: Chad Schmidt.

3. Approve October 1, 2024, Minutes

Motion: *Riggins* moved, *Ledington* seconded to approve the minutes of the October 1, 2024, as presented. The motion passed unanimously. 4-0

4. Other Business

The next meeting is scheduled for June 3, 2025. There is nothing at this time, but Zollinger will keep the board posted.

5. Adjournment

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

The meeting 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 May 6, 2025, Planning Commission Board.

Given under my hand and official seal of the City of Clearwater, Kansas, this 2nd June 2025.

Carol Reitberger, Deputy City Clerk, Secretary

Lyle Berntsen, Chairperson

**City of Clearwater
Planning Commission
June 3, 2025**

Lot Split Request – 235 & 237 W Wood

Context: The Owners of 235 AND 237 W WOOD, would like to split one lot into two lots. Per Article 9, Section 9.2 Clearwater Subdivision Regulations, property owners within 200 feet of the property proposed to be split have 10 days from the date of notification to notify Carol Reitberger, Deputy City Clerk, of any protests they may have concerning the lot split. We will notify the Commission of any protests on the meeting day.

The request meets all but one requirement of Article 9, Section 9.2 of the Clearwater Subdivision Regulations. The regulations state that a lot size for a single-family home shall be 6,000 square feet. One parcel will be 4,610 square feet and one parcel will be 5,902 square feet.

When researching other lot splits in Sedgwick County and others have where there is R-2 districts some have set the minimum lots size at 3,500 square feet to account for a single duplex lot that could be divided in half. Clearwater's is 6,000. The other point for setbacks would be *"Single-family attached and two-family dwellings: 5 feet on each side, **except for the common lot line of an attached dwelling.**"*

With the cost of building and owning this option is becoming more popular. It is recommended to approve the lot split and amend the ordinance to accommodate the twin homes.



Lot Split Request

Four (4) copies of a scale drawing of the previously platted lots involved if there are no structures thereon, or, if structures are located on any part of the lot being split, four (4) copies of a survey of the lot(s) and the location of the structures thereon together with the precise nature, location and dimensions of the proposed lot split shall accompany the application. The application shall be accompanied by a list of the names and addresses of all persons who own property within 200 feet of the property proposed to be split if such property is within the city boundary. For properties adjoining or outside the city boundary, names and addresses shall be provided for all owners within 1,000 feet in the unincorporated area. Written notices shall be given by the applicant to all such owners. Such owners shall have ten days from the date of notification to notify the zoning administrator of any protests they may have concerning the lot split. The ten-day waiting period may be waived upon submission in writing of statements from those to be notified that they have no objection to the proposed lot split.

The applicant agrees to furnish any additional information required for review and processing of the application for lot split.

Property Owner:	Two By Four Development LLC		
Address:	PO Box 82, Clearwater, KS 67026		
Applicant (if different from property owner):	Donald and/or LaDonna Lawrenz		
Home Phone:	316-641-0595	Cell Phone:	316-641-0595
Email:	llawrenz@sktc.net		

Legal Description of Property (metes and bounds or subdivision/ block/ lot description)
Lots 76-78-80 Grant Avenue, City of Clearwater

Present Use of Lot
Duplex - rentals

**Proposed use of Lot After Splitting**

Separating the duplex into 2 separate ownerships will provide more flexibility for us to sell the building, while also providing affordable home ownership for two future buyers.


Applicant Signature *Member*

05-01-2025
Date

Office Use Only

Adjacent Zoning & Land Use		
Direction	Land Use	Zoning
NORTH	<i>Farm</i>	<i>R-1</i>
SOUTH	<i>Residential</i>	<i>R-1</i>
EAST	<i>Residential</i>	<i>R-1</i>
WEST	<i>Residential</i>	<i>R-1</i>
Current Zoning		<i>R-2</i>

Legal Description after Lot Split

Parcel A: The West 78.7 feet of Lots 76, 78, 80 on Grant Ave City of Clearwater, KS
Parcel B: Lots 76, 78, 80 on Grant Ave Except the West 78.7 feet;
City of Clearwater, KS

Questions	Yes	No
Will there be a need for new streets, alleys or other public improvements?		☒
Will there need to be vacation of streets, alleys, setback lines, access control or easements?		☒
Will there be a significant increase in requirements for public services?		☒
Will there be a substandard street right of way?		☒
Will this result in a tract without direct access to a public street?		☒
Will this result in a substandard lot size for the zoning district?	☒	
Will there be inadequate yard areas and setbacks for existing structures?		☒
Have all easement requirements been satisfied?	☒	



Has the lot been previously split?	☐	☒
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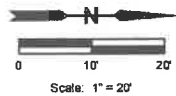
Received by:	Jamie Burley
Date Received:	5-1-25
Fee Paid:	125.00
Date Published:	N/A
Public Notice Mailed:	5-7-25
Hearing Date:	6-3-25

Meeting

City of Clearwater
129 E Ross
Clearwater KS 67026

Payee:
Date: 5/1/2025 Time: 1:24 PM
Receipt Number: RECEI / 15098
Clerk: JAMIE

ITEM	REFERENCE	REFERENCE ID	AMOUNT
ZONE		LOT SPLIT RE	
			125.00
Total:			125.00
	Check	3107	125.00
Change:			



LOT SPLIT

Date of Survey:
March 27, 2025

State of Kansas)
) S.S.
County of Sedgwick)

I, James L. Armour, PLS 921, do hereby certify that I prepared this Lot Split and that I am a duly licensed Professional Land Surveyor in the State of Kansas.

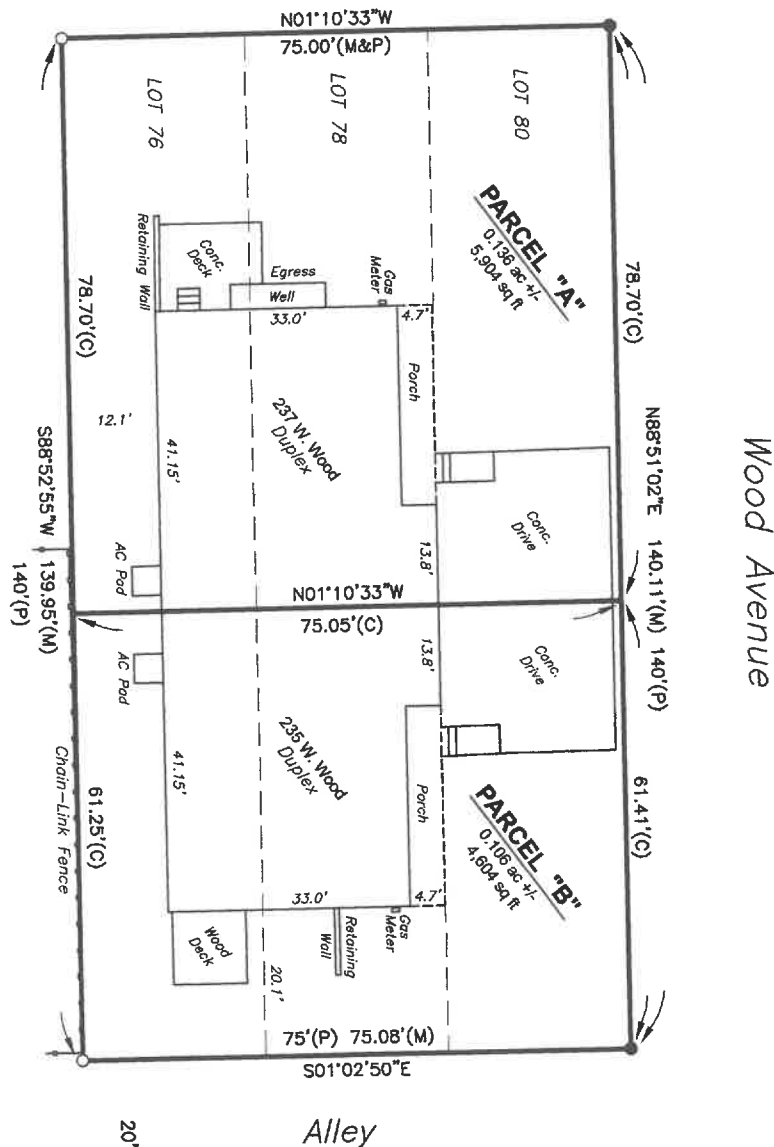
LEGEND

- = Property Line
- +— = Fence
- = Found "JLA 921" Iron
- = Found #3 Bar
- M = Measured
- C = Calculated
- P = Clear-Water Plat, 1884

PARCEL "A"
The West 78.70 feet
of Lots 76, 78, and 80, on Grant Ave,
City of Clearwater, Sedgwick County, KS

PARCEL "B"
Lots 76, 78, and 80, on Grant Ave,
Except the west 78.70 feet,
City of Clearwater, Sedgwick County, KS

Grant Avenue





Date: May 7, 2025

To: Owners of Property Within 200' From Requested Lot Split

From: Clearwater City Hall

Subject: Lot Split of Lots 76-78-80 GRANT AVENUE CLEARWATER ADDITION

The Owners of the above property have requested to split the lots above, commonly known as 235 AND 237 W WOOD, into two lots. Per Article 9, Section 9.2 Clearwater Subdivision Regulations, property owners within 200 feet of the property proposed to be split have 10 days from the date of notification to notify Carol Reitberger, Deputy City Clerk, at creitberger@clearwaterks.org of any protests they may have concerning the lot split.

Enclosed you will find a copy of a scale drawing of the proposed lot split. The request meets all but one requirement of Article 9, Section 9.2 of the Clearwater Subdivision Regulations. The regulations state that a lot size for a single-family home shall be 6,000 square feet. One parcel will be 4,610 square feet and one parcel will be 5,902 square feet.

The Clearwater Planning Commission will consider this request at its next regularly scheduled meeting on June 3, 2025, at 6:30 PM.



OWNERSHIP LIST

PROPERTY DESCRIPTION		PROPERTY OWNER
Lots 76, 78, & 80, Grant Avenue Subject Property	City of Clearwater Addition	Two By Four Development, LLC PO Box 82 Clearwater, KS 67026
Lots 54, 56, 58, & 60, Grant Ave	"	Larry J. & Deborah L. Stevens 228 N. Grant Ave. Clearwater, KS 67026
Lots 62, 64, & 66, Grant Ave	"	Steven L. & Noreen M. Stonehocker 234 N. Grant Ave. Clearwater, KS 67026
Lots 68, 70, 72, & 74, Grant Ave	"	Donald H. & Tammie R. Currie 242 N. Grant Ave. Clearwater, KS 67026
Lots 57 & 59; & The S 10' of Lot 61, Byers Avenue AND Lots 71, 73, & 75, Byers Ave	"	Wells Holdings, LLC 317 N. Buckner Rd. Derby, KS 67037
The N 15' of Lot 61; & All of Lot 63; & Lot 65, EXC the N 15' thereof, Byers Ave	"	Debra J. Peterson PO Box 17 Clearwater, KS 67026
The N 15' of Lot 65; & All of Lots 67 & 69, Byers Ave	"	Neil H. Butterfield Trust & Carla Butterfield Trust PO Box 334 Clearwater, KS 67026
Lots 77 & 79, Byers Ave	"	Mark & Lorraine R. Mills 1307 N. Ridge Rd. Peck, KS 67120
Lots 1, 3, & 5, Grant Avenue	Hammer's Addition to Clearwater	Gina E. Newlin 249 N. Grant Ave. Clearwater, KS 67026



Security 1st Title

Lots 7, 9, & 11, Grant Ave	"	Steven L. Smith & Brandon Lee Smith 245 N. Grant Ave. Clearwater, KS 67026
Lots 13, 15, & 17, Grant Ave	"	Jack Lam 239 N. Grant Ave. Clearwater, KS 67026
Lots 19, 21, & 23, Grant Ave	"	James L. Diebold 1711 E. Autumn Ct. Goddard, KS 67052
Begin at intersection of center line of Grant Ave & Wood Ave, in the NE/4 of the SW/4; th. W 190'; th. N 458.5'; th. E 190'; th. S 458.5' to begin, EXC the S 25' for street, 23-29-2W AND The E 770' of the S 361.8' of the NE/4 of SW/4, EXC the S 25' & 33' for roads, 23-29-2W		Roger N. Dawson & Charlotte Ann Dawson PO Box 272 Clearwater, KS 67026

We hereby certify the foregoing to be a true and correct list of the property owners of the herein before described tracts and lots within a 200 foot radius of:

Lots 76, 78, and 80, Grant Avenue, City of Clearwater Addition, Sedgwick County, Kansas.

as shown by the last deed of record filed in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 21st day of April, 2025, at 7:00 A.M.

SECURITY 1ST TITLE

By: 

LICENSED ABSTRACTER

Order: 3129451

KJK

Title Insurance | Closings | 1031 Exchange | Contract Servicing

727 N. Waco, Ste. 300, Wichita, KS 67203



 = Property Line
 = Fence
 = Found "JLA 921" Iron
 = Found #3 Bar
M = Measured
C = Calculated
P = Clear-Water Plat, 1884

PARCEL "B"
 Lots 76,78, and 80, on Grant Ave,
 Except the west 78.70 feet,
 City of Clearwater, Sedgwick County, KS

[illegible]

**City of Clearwater
Planning Commission
June 3, 2025**

Lot Size – Accessory Structures

Context: At the May Board of Zoning Appeals meeting the group discussed whether an amendment should be made to the Zoning Regulations to allow a larger square foot of detached accessory structures on larger lots.

Park City is addressing this issue, and their Zoning Administrator, Russ Ewy, thinks it's a good idea to allow larger accessory structures on larger lots. During his tenure with them, they have approved all the BZA applications for larger accessory structures, which raises the question of why not just increase the maximum size. The 900 square feet was typically the size of a larger two-car garage, but most property owners now want sheds in the 1,200 square foot range. Park City categorizes them by lot size but only allows larger buildings on five-acre parcels, and there aren't many of those in a small city.

Some of the considerations to handling this issue: (1) stay at 900 square feet for lots smaller than 20,000 square feet (roughly a half-acre), allow 1,200 square feet for tracts between 20,000 square feet and an acre, and allow something like 1,800 to 2,400 square feet for lots larger than an acre; or (2) use a lot coverage maximum of 30 to 35 percent to create a balance between the house and the accessory structure (e.g., smaller house with a larger accessory building, or a larger house with a smaller accessory building). You also have options for approving exceptions to this standard, either via staff approvals or BZA exceptions.

Our current Zoning Regulations within each zoning district has a section on Lot Coverage. For R-1 and R-L lot coverage cannot exceed 30% total area and R-2 and R-3 districts is 40%.

The Planning Commission should discuss if the zoning regulation should be amended for accessory structure.



City of Clearwater Board of Zoning Appeal Meeting Agenda
Tuesday June 3, 2025, at 6:30pm
129 E Ross Clearwater, KS 67026

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1. Call meeting to order

2. Roll Call

Lyle Berntsen

Ron Witt

Jarod Ledington

Duane Schneider

Kenny Watson

3. [Approval of Minutes from May 6, 2025](#)

4. Other Business

5. Adjournment

City of Clearwater, Kansas
Sedgwick County
Board of Zoning Appeals - **MINUTES**
May 6, 2025
Clearwater City Hall
129 Ross Avenue Clearwater, KS 67026

1. Call meeting to order

Kenny Watson 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: Kenny Watson, J.J. Riggins and Jarod Ledington. Michael McBee was present by phone. Lyle Berntsen was absent.

The following staff member was present:

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

3. Approval of Minutes from October 1, 2024

Motion: *Riggins* moved, ***McBee*** seconded to approve the minutes of the October 1, 2024, as presented. The motion passed unanimously. 4-0

4. Hearing – 348 E. Hellar – 6’ Privacy Fence in Front yard

Watson opened the hearing at 6:35 p.m.

Zollinger stated that 348 E. Hellar is located at the corner of Hellar and Prospect. It has two 25’ front yard setbacks since it sits on the corner. Mr. Schmidt was granted a variance in 2021 to put up an accessory structure on the east side of his property which was granted. Now Mr. Schmidt would like to erect a 6’ privacy fence between the house and the accessory structure which will be placed in the required front yard setback.

Staff reviewed code regarding the site, and it only applies to intersections and not alley access points. The request would not interfere with the line of site at the corner of Hellar and Prospect.

It was stated that proper notice was given, and it was published in the Times Sentinel Newspaper. No one contacted City Hall with questions or comments.

Watson closed the hearing at 6:41 p.m.

Motion: *Ledington* moved, ***Riggins*** seconded to close the hearing at 6:41 p.m. The motion passed unanimously. 4-0

The Board deliberated and discussed the uniqueness, adjacent property, hardship, public interest, and general spirit of the requested variance and was supported. 4-0

Motion: Ledington moved, **Riggins** seconded to approve the variance as presented. The motion passed unanimously. 4-0

5. Hearing – 240 N. Fourth

Watson opened the hearing at 6:44 p.m.

a. Exceed total area of accessory structures of 900 square feet

The back story on this request was that there was already an existing structure in this same place and the current owner removed it. Mr. Johnson put in an application to erect a new structure in its place, but the city was unable to issue the permit because of Sec 38-501 (3)a; and Sec 38-501(3)f of the city code.

Sec 38-501 (3)f Total area of all detached accessory structure in all residential districts except R-1 shall not exceed 900 square feet.

240 N. 4th currently has a chicken house, existing garage, small shed, and a barn as detached accessory structures that total 1,052 square feet. Mr. Johnson would like to put up another structure in addition to this. The new structure will be 864 square feet (27' X 32") for a total of 1,916 square feet for all detached accessory structures in the back yard which is considered an accessory structure.

b. Reduce setback to 0' between accessory structures

Sec 38-501 (3)a A detached accessory structure having construction techniques and style consistent with the dwelling, may be located toward the front of the lot when conforming with the front and side yard setback requirements of the dwelling. In addition, said accessory structure must be at least three feet from the dwelling. All accessory structures shall be six feet from any other structure.

The 6' distance is put in place for fire code reasons. However, the Board of Zoning Appeals can review the case and determine to create a variance if they deem it appropriate.

It was stated that proper notice was given, and it was published in the Times Sentinel Newspaper. No one contacted City Hall with questions or comments.

Watson closed the hearing at 6:53 p.m.

Motion: Riggins moved, **Ledington** seconded to close the hearing at 6:53 p.m. The motion passed unanimously. 4-0

The Board discussed the lot size, and this address is an unplatted area of town and one of the larger lots in town.

The Board discussed for both variances the uniqueness, adjacent property, hardship, public interest, and general spirit of the requested variance and was supported. 4-0

Motion: Ledington moved, **Riggins** seconded to approve the total accessory structure of 1,916 at 240 N. Fourth as presented. The motion passed unanimously. 4-0

Motion: **Ledington** moved, **Watson** seconded to approve the detached accessory structure to have a 0' setback while making sure all fire codes outside of the approved 6' distance are met. The motion passed

unanimously. 4-0

6. Other Business

Zollinger stated that this was the last meeting for J.J. Riggins and Michael McBee and thanked them for their service to the Planning Commission and Board of Zoning Appeals.

The next meeting will be on June 3, 2025, with a lot split.

7. Adjournment

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

The meeting adjourned at 7:02 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 May 6, 2025, Board of Zoning Appeals Board.

Given under my hand and official seal of the City of Clearwater, Kansas, this 2nd day of June 2025.

Carol Reitberger, Deputy City Clerk, Secretary

Lyle Berntsen, Chairperson