

City of Clearwater, Kansas
Sedgwick County
Planning Commission - **MINUTES**
July 1, 2025
Clearwater City Hall
129 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, Jarod Ledington, Ron Witt, Duane Schneider. Ryan Karrick and John Hurley were absent.

The following staff members were present:

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

3. Approve June 3, 2025, Minutes

Motion: *Witt* moved, *Schneider* seconded to approve the minutes of the June 3, 2025, as presented. The motion passed unanimously. 5-0

4. Hearing: Zoning Ordinance amendment

- a. Article 8 – R-2 Intensity Use Regulations
- b. Article 23 – Additional Height, Area, and Use Regulations Qualification and supplementations to district regulations.

The hearing was opened at 6:31 pm *Ledington* moved, and *Witt* seconded the motion to open the hearing.

Zollinger spoke about the potential changes to the Ordinance amending the zoning regulations for the City of Clearwater as discussed in the prior meeting. The Planning Commission realized that there are areas of town where decreasing the minimum required square feet for zoning district R-2 would benefit the growing need for affordable housing. The Board of Zoning Appeals also saw a potential needed change for accessory structures on larger lots. The groups asked City staff to prepare zoning changes for the Planning Commission to review and make their recommendations to City Council. The changes discussed were as follows:

Single family dwellings. A lot on which there is erected a single-family dwelling shall contain an area of not less than 6,000 square changed to 4,500 square feet with a minimum lot width of 50 feet.

Two and three-family dwellings. A lot on which there is erected a two- or three-family dwelling shall contain an area of not less than 5,000 changed to 4,000 square feet per dwelling unit. This regulation shall be applicable to such structures being converted to individually owned units. Also see Article 23, Additional Height, Area, and Use regulations.

In the yard regulations under side yard: A single family attached and two-family dwellings where the common wall is also the common lot line shall have a setback of 0 feet on the common lot line. All other setbacks shall follow the regulations contained herein.

In Section 23-1 Qualifications and supplementations to district regulations.

f. The total area of all detached accessory structures in all residential districts with lots that are less than .75 shall not exceed 900 square feet.

g. Total area of all detached structures and principal building with lot sizes .75 or more except for R-L shall not exceed 30% coverage of total lot area.

h. The size of accessory structures may not be greater than the principal building size.

Ledington stated that he thought that wording in (h.) was too vague of a description and should be changed. There was discussion of the Board and consensus was that the wording should be changed to the size of accessory structures may not exceed the lot coverage of principal building size.

The hearing closed at 6:38 p.m.

Motion: *Ledington* moved, *Schneider* seconded to close the hearing. The motion passed unanimously. 5-0

Motion: *Ledington* moved, *Schneider* seconded to approve the Article 8 Section 4 Zoning Ordinance as written. The motion passed unanimously. 5-0

Motion: *Ledington* moved, *Witt* seconded to approve the Article 23 Section 1 Zoning Ordinance with changes to the wording. The size of accessory structure may not exceed lot coverage of principal building size. The motion passed unanimously. 5-0

5. Other Business None at this time.

6. Adjournment

With there being no other business, *Ledington* moved, *Schneider* seconded to adjourn the meeting. Voted and passed unanimously. 5-0

The meeting adjourned at 6:47 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 July 1, 2025,
Planning Commission Board.

Given under my hand and official seal of the City of Clearwater, Kansas, this 5th of August 2025.



Carol Reitberger, Deputy City Clerk, Secretary



Lyle Berntsen, Chairperson

City of Clearwater, Kansas
Sedgwick County
Board of Zoning Appeals - **MINUTES**
July 1, 2025
Clearwater City Hall
129 Ross Avenue Clearwater, KS 67026

1. Call meeting to order

Lyle Berntsen called the meeting to order at 6:47 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, Jarod Ledington, Ron Witt and Duane Schneider.

The following staff members were present:

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

3. Approval of Minutes from June 3, 2025

Motion: Witt moved, **Watson** seconded to approve the minutes of the June 3, 2025, as presented. The motion passed unanimously. 5-0

Motion: Witt moved, **Watson** seconded to removed Number 5 from the agenda. McElroy will not be speaking this evening. 5-0

4. Hearing 416 N. First Ave Court

Hearing opened at 6:48 p.m.

Motion: Witt moved, **Schneider** seconded to open the hearing. The motion passed unanimously. 5-0

Zollinger stated that resident Donnie Lies would like to extend a privacy fence on the southern border of the lot to the street. Currently the south property faces Janet and has constructed a fence in their designated back yard, and he would like to extend a privacy fence from their northwest corner of their fence westward towards the street to separate the yards. He understands that anything over 6' is not allowed in the required front yard setback and would be willing to extend a 6' privacy fence for 14' - 16' to the west and then angle it down to 4' fence as it gets closer to the street. He understands there is a right of way where utilities are buried and would understand stopping short of the right of way so not to interfere with existing utilities. The fence would be constructed of wood with 3 crossbars and bolted together for support. Lies would like to keep the weeds from blowing and spreading into his property from neighboring yards.

The discussion from the board was that no one wanted to set a precedent to have 6-foot fences going to the property line and also recognized a potential hazard for anyone backing out a driveway to see on coming traffic.

The Board went over the 5 questions for uniqueness, Adjacent Property, Hardship, Public Interest and General Spirit/Intent. Uniqueness Unsupported 5-0, Adjacent Property Supported 5-0, Hardship Unsupported 5-0, Public Interest Supported 3-2, General Spirit/Intent Unsupported 3-2

Based on the Zoning Variance Action this Variance did not pass. The Board agreed that a 4' fence is allowed in the front yard and will still be able to accomplish what the owner is wanting.

5. Public Question Caleb McElroy – Removed from the agenda

6. Other Business None at this time

7. Adjournment

With there being no other business, **Ledington** moved, **Schneider** seconded to adjourn the meeting. Voted and passed unanimously. 5-0

The meeting adjourned at 7:04 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 July 1, 2025, Board of Zoning Appeals Board.

Given under my hand and official seal of the City of Clearwater, Kansas, this 5th day of August 2025.



Carol Reitberger, Deputy City Clerk, Secretary



Lyle Berntsen, Chairperson