

City of Clearwater Board of Zoning Appeal Meeting Agenda
Tuesday April 7, 2026, 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 of March 3, 2026

4. Hearing:

a. 420 S 1st Ave – Setback Variance

b. 317 Kimberly Ct – Accessory Structure Variance

5. Other Business

6. Adjournment

City of Clearwater, Kansas
Sedgwick County
Board of Zoning Appeals - **MINUTES**
March 3, 2026
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, and Ron Witt. Duane Schneider was absent.

The following staff members were present:

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

3. Approval of Minutes of November 4, 2025

Motion: *Ledington* moved, *Watson* seconded to approve the minutes of the November 4, 2025, as presented. The motion passed unanimously. 4-0

4. Hearing:

a. 159 Longhorn Court – Accessory Structure Variance

The hearing was opened at 6:31 p.m. *Witt* moved, and *Ledington* seconded the motion to open the hearing. 4-0

Zollinger stated that proper notice was given for the hearing. It was published in the newspaper and no one contacted city hall. Anthony and Tera Cumpston would like to fence in the entire property for their dogs. Fencing would be completed by a fencing company.

Article 23 (4) states that there is no accessory structure prior to dwelling. They want to fence lot 17/18 but Lot 17 is its own Lot with no dwelling. Instead of combining the lots they wanted to apply for a variance to put up the fence on an empty lot.

Ledington stated he would like them to put the fence up as if it were 1 lot and the rest of the board agreed so the fence on empty lot would not go in front of the home.

The hearing was closed at 6:37 p.m. *Watson* moved, and *Witt* seconded the motion to close the hearing 4-0

The Board went over the 5 questions for uniqueness, Adjacent Property, Hardship, Public Interest and General Spirit/Intent. Uniqueness Supported 4-0, Adjacent Property Supported 4-0, Hardship Supported 4-0, Public Interest Supported 4-0, General Spirit/Intent Supported 4-0

Based on the Zoning Variance Action will carry as approved 4-0 with the recommendation that the fence is treated as a single lot (17 and 18) fencing requirements.

5. Other Business: April meeting will have a variance for an egress window.

6. Adjournment

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

The meeting adjourned at 6:39 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 March 3, 2026, Board of Zoning Appeals Board.

Given under my hand and official seal of the City of Clearwater, Kansas, this 7th day of April 2026.

Carol Reitberger, Deputy City Clerk, Secretary

Lyle Berntsen, Chairperson



Zoning Variance Request

Property Owner:	Keith Youngers		
Address:	420 51 st St.		
Applicant (if different from property owner):			
Home Phone:		Cell Phone:	
Email:			

Current Zoning	
Legal Description of Property (metes and bounds or subdivision/ block/ lot description)	
Lot 2 Block 2 EDENS Fourth Add.	

Present Use of Property
Current Residence

Explanation of the Request for a Variance (attach additional sheet if necessary)
See attached sheet.

Provide a drawing to support the request and include the property lines of the application area, existing and proposed structures, appropriate dimensions, and any other information that would be helpful to the Board in evaluating the request.

The applicant/agent hereby declares that all information submitted is true to the best of his/her knowledge and that all information required for this request has been included.


Applicant Signature

2-14-26
Date



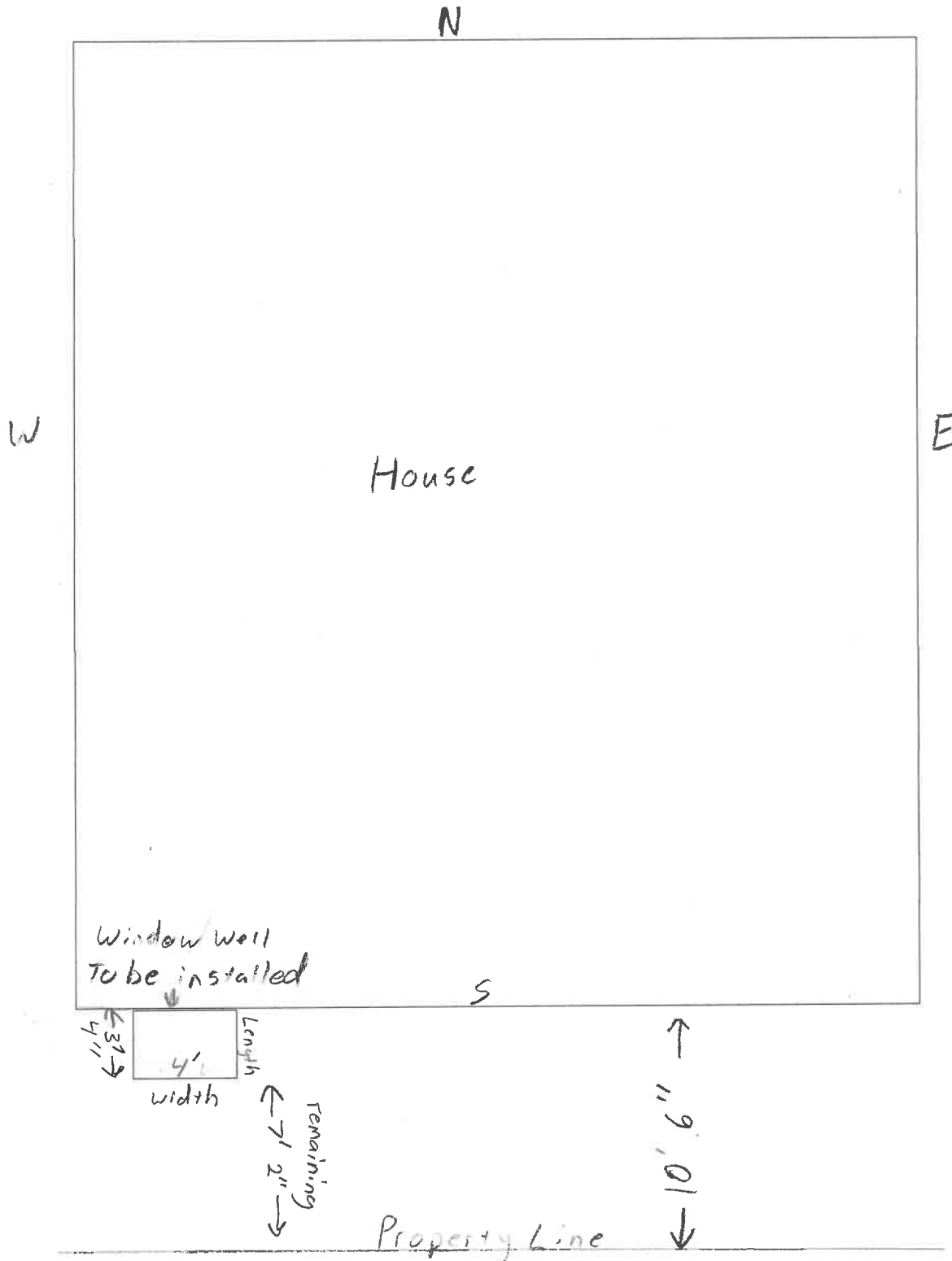
Office Use Only

Adjacent Zoning & Land Use		
Direction	Land Use	Zoning
NORTH	Residential	R-1
SOUTH	↓	↓
EAST		
WEST		

Article and Description of the Zoning Regulation of Variance Requested
Appendix C Article 6 Section 7 yard regulations. Paragraph (b) side yard shall have a width not less than 12 1/2 ft. Egress window will be 7.5 ft from side yard.

Received by:	CZollinger
Date Received:	2-18-26
Fee Paid:	125.00
Date Published:	3-5-2026
Public Notice Mailed:	N/A
Hearing Date:	4-7-26

I am requesting a variance to install an egress window. The current distance is 10'6" from the house to the neighbor's property line. The window well will extend out 3'4" from the house. This would leave 7'2" remaining between the window well and the property line. Please consider this for the safety of the occupant in this room. Thank you



PUBLISH ONCE IN THE CLEARWATER TIMES—March 5, 2026

PUBLIC NOTICE

ZONING APPEAL HEARING FOR A VARIANCE

The City of Clearwater, Kansas, Planning and Zoning Commission will consider a request made by Keith Youngers for LOT 2 BLOCK 2 EDENS FOURTH ADD. to Clearwater, Kansas more commonly known as 420 S 1st Ave for a variance from Ordinance No. 835 which states that there shall be a side yard having a width of not less than 12 ½ ft. The property owner is requesting to install an egress window on the south side of the property which will decrease the side yard setback to 7 ½ ft.

The Planning and Zoning Commission will hold a hearing on this subject in the Clearwater City Hall at 129 E. Ross Ave, Clearwater, Kansas on 7th day of April 2026 at 6:30pm.

Those wishing to speak at the hearing should contact the Clearwater Deputy City Clerk by 3:00pm, April 6, 2026. Comments will be limited to five minutes each. Further information may be obtained at the Clearwater City Hall, 129 E. Ross, or by calling 584-2311.



**Clearwater Planning Commission
Board of Zoning Appeals**

Zoning Variance – Action

Property Address:	420 S 1st
Article and Description of Variance	Appendix C Article 7 Section 7 paragraph (b) yard regulation. Side yard shall have a width of not less than 12.5'. The egress window will decrease the setback to 7.5'

Questions	Supported	Unsupported
Uniqueness The request for a variance must arise from a condition which is unique to the property in question, is not ordinarily found in the same zone or district and is not created by an action or actions of the property owner or applicant.		
Adjacent Property The granting of a variance shall not adversely affect the rights of adjacent property owners or residents.		
Hardship The strict application of this chapter will cause unnecessary hardship upon the property owner represented in the application.		
Public Interest The granting of a variance shall not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.		
General Spirit/Intent The granting of a variance will not violate the spirit and intent of this chapter.		

Commission Recommendation

Petition Filed	
Board Action	
Vote	
Date	

Clerk

(SEAL)



Zoning Variance Request

Property Owner:	Wade Hoffman		
Address:	317 Kimberly Ct		
Applicant (If different from property owner):			
Home Phone:		Cell Phone:	
Email:			

Current Zoning	
Legal Description of Property (metes and bounds or subdivision/ block/ lot description)	
Lot 5 Block C Hammers Rolling Hills 2nd. Add.	

Present Use of Property
Residential Housing

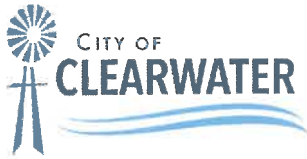
Explanation of the Request for a Variance (attach additional sheet if necessary)
I am requesting to build an 8 ft fence on my east side and south side property. As my doors and windows sit on the house, a majority of the inside house is visible to the public even with a proposed 6 ft privacy fence. Capital Investments built two triplexes in a field east of the house on the property. In order to do so dirt was brought in and raised the adjacent ground over a foot and half to what was there previously. Because of the raised ground a 6 ft fence would provide no privacy at all as the ground of the parking lot would still be visible from the house main floor.

Provide a drawing to support the request and include the property lines of the application area, existing and proposed structures, appropriate dimensions, and any other information that would be helpful to the Board in evaluating the request.

The applicant/agent hereby declares that all information submitted is true to the best of his/her knowledge and that all information required for this request has been included.

Wade Hoffman
Applicant Signature

3/3/2026
Date

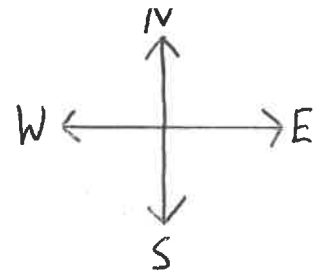
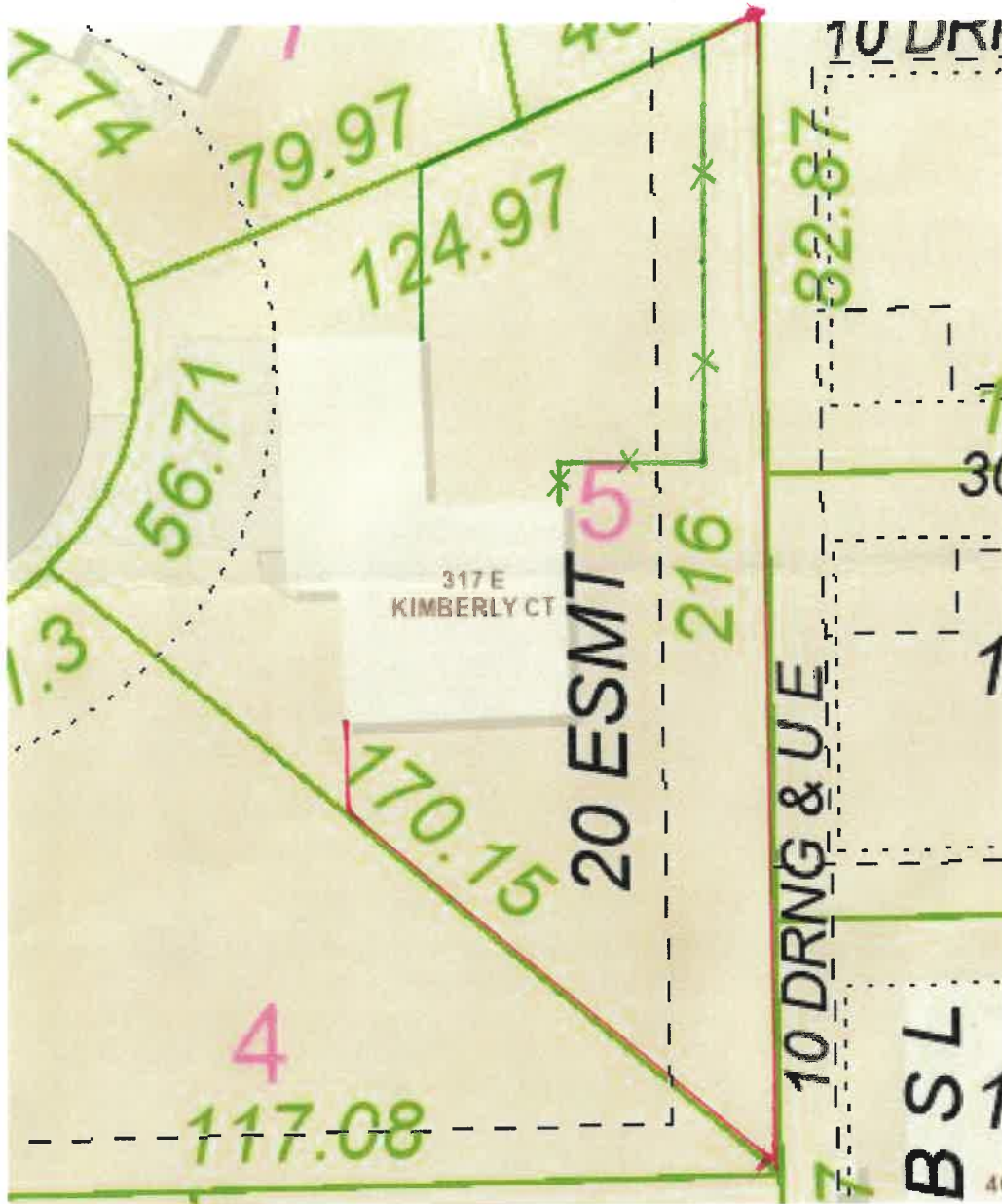


Office Use Only

Adjacent Zoning & Land Use		
Direction	Land Use	Zoning
NORTH	Single Family	R-1
SOUTH	Single / Multiple Fam	R-1 / R-3
EAST	Multiple Family	R-3
WEST	Single Family	R-1

Article and Description of the Zoning Regulation of Variance Requested
23-2 (7) No fence shall be greater than 6'

Received by:	C Zollinger
Date Received:	3-10-26
Fee Paid:	3-13-26
Date Published:	3-19-26
Public Notice Mailed:	N/A
Hearing Date:	4-7-26



Legend

- Existing Fence
- Fence to be removed
- Proposed New Fence





**Clearwater Planning Commission
Board of Zoning Appeals**

Zoning Variance – Action

Property Address:	317 Kimberly Ct
Article and Description of Variance	Appendix C Article 23 Section 2 paragraph (7) no fence shall be greater than 6'. Resident would like to install an 8' fence on the east side of their lot.

Questions	Supported	Unsupported
Uniqueness The request for a variance must arise from a condition which is unique to the property in question, is not ordinarily found in the same zone or district and is not created by an action or actions of the property owner or applicant.		
Adjacent Property The granting of a variance shall not adversely affect the rights of adjacent property owners or residents.		
Hardship The strict application of this chapter will cause unnecessary hardship upon the property owner represented in the application.		
Public Interest The granting of a variance shall not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.		
General Spirit/Intent The granting of a variance will not violate the spirit and intent of this chapter.		

Commission Recommendation

Petition Filed	
Board Action	
Vote	
Date	

Clerk

(SEAL)

PUBLISH ONCE IN THE TIMES-SENTINEL -March 19, 2026

PUBLIC NOTICE

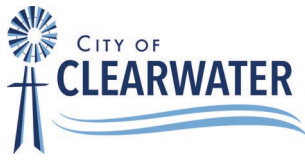
ZONING VARIANCE HEARING

The City of Clearwater, Kansas Board of Zoning Appeals will consider a request made by Wade Hoffman for 317 Kimberly Ct.

The lot is zoned R-1 (Single Family Dwelling), and the request is for a variance to Section 23-2 (5). No fence shall be constructed greater than 6' tall. The request is to construct an 8' fence on the east side of their backyard.

THE BOARD OF ZONING APPEALS WILL HOLD A HEARING ON THIS SUBJECT IN THE CLEARWATER CITY HALL AT 129 E. ROSS, CLEARWATER, KANSAS ON April 7, 2026

Those wishing to speak at the hearing should contact the Clearwater Deputy City Clerk by April 6, 2026, 3:00 p.m. Comments will be limited to five (5) minutes each. Further information may be obtained at the Clearwater City Hall, 129 E. Ross, or by calling 584-2311.



[Please note that the meeting agenda is subject to change during the meeting.]

City of Clearwater Planning Commission Meeting Agenda
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129 E Ross Clearwater, KS 67026

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1. Call meeting to order

2. Roll Call

Lyle Berntsen

Ron Witt

Ryan Karrick

Jarod Ledington

Duane Schneider

Kenny Watson

John Hurley

3. [Approval of the Minutes of March 3, 2026](#)

4. Hearing: None

5. Other Business

6. Adjournment

City of Clearwater, Kansas
Sedgwick County
Planning Commission - **MINUTES**
March 3, 2026
Clearwater City Hall
129 Ross Avenue Clearwater, KS 67026

1. Call meeting to order.

Lyle Berntsen called the meeting to order at 6:40 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 and Ron Witt. Ryan Karrick, Duane Schneider 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 November 4, 2025, Minutes

Motion: *Ledington* moved, *Watson* seconded to approve the minutes of the November 4, 2025, as presented. The motion passed unanimously. 4-0

4. Hearing: None

5. Other Business Nothing currently for April meeting. Zollinger will keep board informed.

6. Adjournment

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

The meeting adjourned at 6:41 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 March 3, 2026, Planning Commission Board.

Given under my hand and official seal of the City of Clearwater, Kansas, this 7th day of April 2026.

Carol Reitberger, Deputy City Clerk, Secretary

Lyle Berntsen, Chairperson