



**MINUTES OF THE PLANNING COMMISSION MEETING
PLANNING COMMISSION/
BOARD OF ZONING APPEALS
MARCH 19, 2019**

Commissioners Present: Cowman, Hardwick, McLean, Scott
Commissioners Absent: Pfefferkorn, Pritchard

Others Present: Randi Shannon, Jessica Shay-Howell, Pete Bell

Item 1: Pledge of Allegiance

Item 2: Consideration of minutes from the February 19, 2019 meeting

Commissioner Cowman called the meeting to order. The first order of business was the consideration of the minutes from the February 19, 2019 meeting.

Commissioners McLean and Scott made a motion to approve the minutes with all Commissioners voting in favor. Commissioner Scott abstained from voting.

Item 3: Review Standard of Variances for possible deviation of Section 03.210 Accessory Uses, Residential, Pete Bell applicant.

City Planner, Randi, presented handouts of Section 03.210 Accessory Uses, Residential, Section 21.250 Variances, Section 21.251 Standards for Variances, and Section 21.252 Conditions and Restriction on Variations to the commissioners. The information was provided to the commissioners for their review. City Planner, Randi, stated that Pete Bell would like to approach the commission to gain approval for a variance to build an additional accessory structure outside of the approved location on his lot located at 209 N Castle. City Planner, Randi, asked the commissioners if this would constitute variance process when specifically looking at Section 21.251 Standards for Variances.

Commissioner Scott asked if the biggest issue is placement since the new accessory structure would project twenty (20) feet in front of the home in the front yard. City Planner, Randi, stated yes because the ordinance does not allow for accessory structures in the front or side yards.

Commissioner Scott asked if Mr. Bell's lot size allows enough space for the accessory structure to be built in the rear yard.

Commissioner Cowman asked Mr. Bell if his lot goes all the way to East Street.

Mr. Bell stated that his lot goes all the way to East Street however building the accessory structure behind his existing garage would take away from the park like setting of the rear yard and be unaffordable due to the slope of the yard.

City Planner, Randi, asked the commissioners if they would entertain a variance for this project.

Commissioner Hardwick asked City Planner, Randi, if this would open the door for several other similar requests. City Planner, Randi, answered yes.

Commissioner Scott asked if N Castle Street deadened to a house. City Planner, Randi, answered yes.

Commissioner Cowman stated his concerns with the variance request, foremost that the property size allows for the structure to be built in the rear yard as stated in Section 03.210 Accessory Uses, Residential. The decision to build a second accessory structure is that of the landowners. Commissioner Cowman stated that he did not think that the issues presented by Mr. Bell are special circumstances or hardships.

Commissioner McLean stated he would be open to the variance since the lot is located in a unique location in the old part of town with little traffic.

City Planner, Randi, reminded the commissioners that even with little traffic the lot is still within city limits and should abide by current regulations.

Commissioner Cowman stated that the ordinance calls for structures in the rear yard and the commission should try not to deviate from that.

Commissioner Hardwick said that information provided by Mr. Bell to the commissioners showing the alignment of a neighbor's garage should not be taken into consideration since it is on a separate lot.

City Planner, Randi, reminded the commissioners that a motion is not needed; this is just for review and refresher on accessory structures and variances.

Commissioner Cowman asked Mr. Bell if his existing garage is attached to the main structure. Mr. Bell answered that his plan is to attach the existing garage to the main structure when building the second accessory structure.

Commissioner Hardwick asked City Planner, Randi, if an option for Mr. Bell could be to add on to his existing garage. City Planner, Randi, said that would be an allowed option.

Commissioner Scott stated that the regulations are standards for the community to follow however with little traffic he would be open the entertaining a variance.

City Planner, Randi, stated that the consensus was Mr. Bell would apply for a variance for an additional accessory structure to be located in the front yard on his lot at 209 N Castle.

Item 4: Community/Economic Development Director Report

Permit totals to date are:

- March = 26
- 2019 = 84

Council approved to repeal 8 discontinued CUPs.

Council approved Klaasmeyer's site plan for Paola Industrial Park, Tract 1.

Wal-Mart beer coolers upgrade will begin.

Brownsfield grant for the Old Water Treatment Plant for a Phase I Environment site assessment

Item 7: Adjournment

Commissioners Hardwick and McLean made a motion to adjourn with all Commissioners voting in favor.