

BOARD OF ZONING APPEALS MINUTES
Tuesday, August 21, 2018 @ 6:00 p.m.

Members Present: Jason Krone, Sherri Neff, Lloyd Mesmer, Merle Parks, and Craig Stephan

Staff Present: Don E. Slone, AICP, CFM, City Planner

Vice-Chairman Stephan called the meeting to order at 6:06 p.m. and called roll. Roll call listed above. Lloyd Mesmer came to the meeting late at 6:11 p.m.

Vice-Chairman Stephan introduced **Item No. 1: Variance: BZA-114: "134th St. Communication Towers"**, a request by Raymond Everett for The Everett Family Trust, property owners of record for the following variance:

Article VI, "A-1", Agricultural District, Section 3, Intensity of Use Regulations, Paragraph 1, Minimum Lot Area.

This request is for a variance to the required (3) three-acre minimum lot area in order to convey the two (2) existing communication towers as additional public services are not required. The property is located at 80 S. 134th Street.

Vice-Chairman Stephan opened the public hearing at 6:07 p.m. and asked for Staff presentation. The City Planner presented the Staff Report with a recommendation to approve the Variance subject to the listed condition including the background on the case.

Vice-Chairman Stephan asked if the applicant would like to make a statement. Raymond Everett stated they are just trying to clear up some of the issues with the Family Trust with this variance as the communication tower companies want to purchase the property.

Vice-Chairman Stephan closed the public hearing at 6:10 p.m. and asked for a motion. Jason Krone made a motion to approve the variance with the listed condition with a second from Merle Parks.

Merle Parks asked if they create this tract what access will they have to 134th Street. The City Planner stated the rectangular piece of property has been acquired by KDOT and that will give access to 134th Street. This is all right-of-way.

Craig Stephan asked how far north will this 10 ft. easement go and the City Planner stated the 10 ft. goes around outside the existing fence for maintenance purposes.

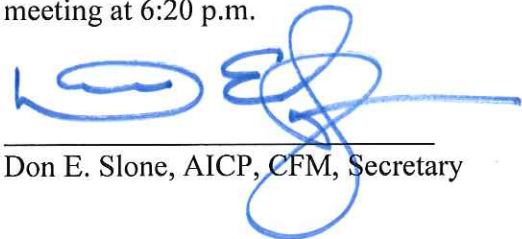
Merle Parks stated access to the north is the existing driveway. It splits at the house and goes straight west and then the road turns left.

Craig Stephan asked if the house was staying and the City Planner stated the house stays and that KDOT has all the property they need. The access point on 134th Street will come from the driveway. The driveway is public access.

Merle Parks stated by splitting this variance will not clear up the "First Right of Refusal". This action has nothing to do with the legal action.

Vice-Chairman Stephan asked for the vote. Motion was approved 5-0.

Vice-Chairman Stephan asked if the Board had any additional business, seeing none, he adjourned the meeting at 6:20 p.m.



Don E. Slone, AICP, CFM, Secretary