

## **City of Garnett Planning Commission Meeting**

### **Minutes**

January 21, 2020

#### **Introduction**

The meeting of the Garnett Planning Commission was called to order Chairperson Beth Mersman at 6:00 p.m. January 21, 2020. The following members were present: Beth Mersman (Chairperson), Commissioners Burt Peterson, Mike Norman, Paula Scott, Les Thomas, Gary Giczewski (Zoning Administrator), City Manager Chris Weiner, City Administrator Susan Wettstein, and Citizen to be Heard-Mayor Greg Gwin. Absent were Matt Jones and Skip Landis.

#### **Approval of Minutes:**

A motion was made to approve Minutes as written from the meeting on December 3, 2019 by Mike Norman and seconded by Les Thomas. Motion passed unanimously. (5-0)

#### **Citizen to be Heard:**

Mayor Greg Gwin (Regarding Variance Permit for Dr. Henderson)

#### **Old Business:**

Dr. David Henderson is applying for a Variance (for installing a storage container shed in the west side yard owing to special circumstances or conditions affecting the property) located at 241 W. 3<sup>rd</sup> Ave, Garnett, KS, 66032. Clarification of December 3, 2019 city Planning Commission motion and approval. Mayor Gwin asked that they carefully consider this very carefully before setting a precedence for the community. Discussion of the conditions attached to the Variance Permit, and the reasoning behind this evening's meeting and the conditions required in granting this Variance Permit. Gary Giczewski explained that the Special Use Permit that was previously approved needed a clarification that a Variance Permit needed to be voted on and that each needed to be voted on separately. There was discussion reviewing the original request and reasoning why the structure (container) was still at that location and why it cannot be placed elsewhere on the property.

Motion made by Les Thomas to allow the Variance number one due to extraordinary and exceptional circumstances to the property permitting him to follow the Variance. Motion seconded by Mike Norman. Motion passed unanimously (5-0).

Motion made by Les Thomas? to allow Variance number two a. doesn't allow for the yard regulation Motion seconded by Paula Scott. Motion passed unanimously (5-0).

Motion made by Burt Peterson to strike two b as inapplicable. Motion seconded by Mike Norman? Motion passed unanimously (5-0).

Motion made by Mike Norman to approve three a. due to the status of his side yard meeting the requirement of the Variance. seconded by Burt Peterson. Motion passed unanimously (5-0).

Motion made by Burt Peterson to approve three b. that there will be no change to the property value and will not impede sight of other properties. Seconded by Paula Scott. Motion passed unanimously (5-0).

Motion made by Les Thomas to approve the variance since c. would cause hardship? Seconded by Paula Scott. Motion passed unanimously (5-0).

Motion made by Burt Peterson to approve d. based on? Seconded by Mike Norman. Motion passed unanimously (5-0).

Motion made by Les Thomas to approve e. because it will not affect the general spirit of zoning? Seconded by Mike Norman. Motion passed unanimously (5-0).

Motion was made by Burt Peterson to Grant the Variance Permit with the amendments set by the Planning Commission as follows:

1. Structure must be made to look like a traditional constructed building in code with the zoning district in which it is to remain, with a min. 4/12 pitch roof and a traditional siding type. Structure (container) is to be placed within the approved Special Use Permit 8-foot fence.
2. Final Variance Permit approval will be tied to the approval of the Special Use Permit Application to be heard by the City Commission on 1/28/20.
3. All construction of building and fence shall be completed within four (4) months of final approval of the Special Use Permit by City Commission.
4. Structure (container) must include a typical residential exterior door for ingress/egress as so no one can be trapped inside of the structure (container).
5. If City Commission should deny the Special Use Permit, then the Variance Permit would no longer be valid.
6. City Attorney is asked to review these recommendations by the Planning Commission for clarity and relevance.

Motion seconded by Mike Norman. Motion passed unanimously (5-0)

### **Regulations for Airbnb's located within Garnett City Limits**

Motion was made by Mike Norman to table this until the next meeting. Motion seconded by Burt Peterson. Motion passed unanimously (5-0).

### **New Business:**

#### **A. Review of Comprehensive Plan/City of Garnett 2020. Issues of importance for same.**

Motion made by Burt Peterson? to table until the next meeting. Seconded by Paula Scott. Motion passed unanimously (5-0).

#### **B. Review of Ordinances approving of Permit Fee(s) Increase(s)**

Motion made by les Thomas to increase the Variance Application Fee to \$150 per application. Motion seconded by Mike Norman. Motion passed unanimously (5-0).

**C. Review of Planning commissioner Matt Jones dedication to his position (Replacing)**

Motion made by Burt Peterson begin proceedings to ask for Matt Jones' resignation unless Matt so chooses to make a phone call to Zoning Administrator Gary Giczewski. Motion seconded by Mike Norman. Motion passed unanimously (5-0).

**Citizen to be heard:**

None

**Meeting Adjourned:**

Motion made by Mike Norman for meeting to be adjourned. Motion Seconded by Burt Peterson. The motion passed unanimously (5-0). Meeting adjourned at 8:15 p.m.