

Garnett Planning Commission Meeting
Minutes
February 21, 2017
Garnett City Hall

The meeting of the Garnett Planning Commission was called to order on February 21, 2017, by Chairperson Beth Mersman at 6:02 p.m. with the following members present: Beth Mersman, Chairperson; Adam Caylor, Skip Landis, Mike Norman and Les Thomas. Absent: Burt Peterson and Matt Jones. Others in attendance were Andy Frye, current Zoning Administrator; Gary Giczewski, new Zoning Administrator; Terry J. Solander, City Attorney; Susan Wettstein, Administrative Assistant; and Bob Palmer on behalf of Applicant Mike E. Blaufuss, dba MABB Enterprises LLC, and Diane Doran and Richard G. Doran, adjacent property owners.

APPROVAL OF MINUTES

A motion was made by Mike Norman to approve the November 15, 2016 minutes as written. Skip Landis seconded the motion. Those in favor: 5. Opposed: 0. Motion passed unanimously.

INTRODUCTION

Chairman Beth Mersman recognized Gary Giczewski as the new Building Official, Zoning Administrator and ADA Coordinator and welcomed him. Members of the Planning Commission were introduced to Mr. Giczewski.

PUBLIC HEARINGS

Chairman Beth Mersman opened the Public Hearing at 6:04 p.m. The purpose of this hearing is for the Planning Commission to consider an application for a Special Use Permit by MABB Enterprises LLC to build a fence greater than 6 feet tall on property located on the southeast corner of Lot C-3 of Hayden's Lakeview Estates Addition, commonly known as #2 Lakeridge Road, Garnett, Kansas, 66032. The zoning district designation for this property is B-1 (general business) .

Mr. Bob Palmer, employee representing MABB Enterprises LLC was present at the hearing. The applicant, Mike Blaufuss, is out of town and unable to attend. Zoning Administrator Andy Frye presented the application and supporting documents, including the Notice of Public Hearing, a copy of the Special Use Permit Application, a map showing the location of proposed fence, legal description of property and statement from owner Mike Blaufuss outlining the intentions of this request.

Mr. Frye went on to say that Mr. Palmer is present and can speak on behalf of the applicant. Mr. Frye stated that he had not received any complaints regarding the notices sent out regarding this hearing and recognized that Rick and Diane Doran are in attendance and may have some questions. Mr. Doran stated that he had reviewed the application and noticed that the provided legal description and drawings do not match. The fence exceeds the length of the property and goes into the City's right-of-way. Mr. Skip Landis stated in his review of the application he thinks there are electric meters that, according to the

drawing, would be inside the fence and the meters cannot be located inside a fenced area. Mr. Doran noted the property line is 78 feet and the fence as shown on drawing extends 84 feet. That brings the fence 6 feet out, into the street. City Attorney Terry Solander stated he checked the deeds of the properties along this location and all of the properties line up with the west end of the Doran property and are 78 feet, north and south. Mr. Mike Norman then clarified that the 84 feet as proposed will not fit. Mr. Solander responded that the issue for this Commission is whether to allow a fence to be built higher than 6 feet tall. The location of the fence is an administrative matter to be addressed in the Building Permit. Mr. Doran asked if there is a setback requirement to which Mr. Solander responded the fence can be placed on the boundary line. Mr. Doran acknowledged his agreement. Mr. Doran understood the purpose of the fence was for storing of lawn mowers and wanted to know if the type of fencing to be used would provide screening. Mr. Palmer responded that it will be a standard chain link fence with no screening. Mr. Doran said that while he has no objection, this road is the entrance into the Lakeview Addition and some of the property owners may want to respond otherwise.

Chairman Beth Mersman asked Mr. Palmer if there were any other comments he would like to make. He said he was present to hopefully answer any questions and that the purpose of the fence is to put customer's lawn mowers in for safe keeping before repairs are made until after the customer picks it up. The business will also put trailers and possibly new merchandise in there. The fence is theft protection, more or less, that provides a safe place to put items.

Mr. Norman asked whose responsibility it is for mowing and weeding the fence if on the property line, to which Mr. Palmer stated with the Doran's permission the applicant will trim both sides of the fence. It is their desire to keep the property looking nice.

Mr. Les Thomas questioned the height of the fence. Mr. Palmer responded that he is not definitely sure but he believes it will be ten (10) feet tall. Mr. Landis asked if the fence was new. Mr. Palmer responded- yes.

With no further discussion, Skip Landis made a motion to recommend the City Commission approve the Special Use Permit to build a fence exceeding 6 feet tall for MABB Enterprises, with the change of the footage. Mike Norman seconded said motion. Those in favor: 5. Opposed: 0. Motion unanimously carried.

OLD BUSINESS - NONE.

NEW BUSINESS - NONE.

A motion was made by Mike Norman to adjourn the meeting. Les Thomas seconded said motion. Motion passed unanimously. The meeting adjourned at 6:14 p.m.

Minutes recorded by Susan Wettstein.