

**JUNCTION CITY/GEARY COUNTY  
METROPOLITAN PLANNING COMMISSION  
BOARD OF ZONING APPEALS**

**December 9, 2010  
7:00 P.M.**

**Members Present**

Maureen Gustafson  
Ken Mortensen  
Mike Ryan  
Mike Steinfort  
John Moyer

**Members Absent**

Brandon Dibben  
Rick Ziegler

**Staff**

David Yearout  
Shari Lenhart  
Dennis Cox

**1. CALL TO ORDER AND ROLL CALL**

Chairman Steinfort called the meeting to order at 7:00 p.m. and noted a quorum present.

**2. APPROVAL OF MINUTES**

Commissioner Gustafson moved to approve the minutes of the November 18<sup>th</sup> meeting as written. Commissioner Ryan seconded the motion and it passed unanimously.

**3. OLD BUSINESS**

None.

**4. NEW BUSINESS**

None.

**RECESS AS METROPOLITAN PLANNING COMMISSION**

Commissioner Ryan moved to recess as the Metropolitan Planning Commission and convene as the Board of Zoning Appeals. Commissioner Mortensen seconded the motion and it carried unanimously.

**CONVENE AS BOARD OF ZONING APPEALS**

**1. OLD BUSINESS**

**Item No. 1 – Case No. BZACU-06-02-10 – Acknowledgment of withdrawal of request for a Conditional Use Permit to allow a Day Care Home at 109 Arapahoe Court, Junction City, KS.**

Chairman Steinfort opened the postponed public hearing. Mr. Yearout stated appropriate text amendments were proposed and adopted to amend the City and County Zoning Regulations to change the definitions of day care operations to allow daycares that voluntarily limit themselves to six (6) or fewer children through the local certification process to exist in residential zones without a Conditional Use Permit. Therefore, this case is now moot and staff recommends the MPC accept the administrative withdrawal of this case.

Commissioner Gustafson moved to accept the administrative withdrawal of **Case No. BZACU-06-02-10**, application of Renee Taggart, owner, requesting a Conditional Use Permit to conduct a Day Care Home, for not more than 10 children, in her home at 109 Arapahoe Court, because of the completion of the text amendment to the Zoning Regulations resolving this issue. Commissioner Ryan seconded the motion and it carried unanimously.

**2. NEW BUSINESS**

None.

**ADJOURN AS BOARD OF ZONING APPEALS**

Commissioner Moyer moved to adjourn as the Board of Zoning Appeals and reconvene as the Metropolitan Planning Commission. Commissioner Ryan seconded the motion and it carried unanimously.

**RECONVENE AS METROPOLITAN PLANNING COMMISSION**

**5. GENERAL DISCUSSION**

**Item No. 1** – Continued review of proposed Geary County Zoning and Subdivision Regulations update and Geary County Sanitation Code update.

Mr. Yearout reviewed the staff memo concerning the update discussions to the County Zoning and Subdivision Regulations and the Sanitation Code. Additionally, the intent is to provide written standards for rural development through the County Public Works Department, which is why Mr. Cox is present.

Mr. Yearout noted his recommendation is to establish a minimum of 40 acres for Agricultural zoning in the county, and then require all subsequent residential proposals be limited to the Suburban Residential standards previously discussed, which would require residential lots between one and three acres in size, with a minimum of 16 lots being established that are served by internal paved roads and the enhanced on-site wastewater treatment systems and a public water supply. Individual lots could still be established through the agricultural lot split process, but those would be limited in number because of the restrictions on future development. Additionally, all non-residential development would be handled on a case-by-case basis through a Conditional Use Permit process,

which will require a public hearing by the Metropolitan Planning Commission and final consideration by the Board of County Commissioners.

Several MPC members asked questions regarding the manner in which individual lots could be established through the agricultural lot split process and how subsequent development might occur. In particular were concerns with how this change might be viewed by rural landowners interested in continuing to establish the occasional lot. Mr. Yearout noted the agricultural lot split process would still accommodate some of that activity; but the overall intent is to have rural lands either be developed for rural subdivisions, or remain agricultural in use.

Mr. Cox acknowledged he desired to have the standards for Geary County established in writing and that he had reviewed the document doing that for Dickinson County. This would be a good start in providing that information and staff would be working on developing that information during this process.

Mr. Yearout noted that Lisa Davies of the Health Department was unable to attend, but she had indicated support with the idea behind mandating the use of the enhanced on-site wastewater treatment systems in the Suburban residential densities. This would also be intended to be the standards for replacement over time in the areas of the county that similar development exists and failing septic systems are just being replaced. This would especially be true in areas such as the Rockwood area near Milford Lake.

The general consensus of the MPC is this will be the manner in which the proposed updates to the Zoning and Subdivision Regulations and the Sanitation Code will be drafted. Mr. Yearout noted the intent would be to provide written versions of these documents for review by the MPC and follow that with another "stakeholders" meeting before the final "public hearing" version is prepared. The draft documents will be made available at the January meeting and the schedule can be established for further reviews at that time. Staff is aware this has taken longer than anticipated in the beginning, but this is an important process and should not be rushed.

## **6. ADJOURNMENT**

There being no further business, Commissioner Gustafson moved to adjourn at 7:51 p.m. Commissioner Ryan seconded the motion and it carried unanimously.

**PASSED AND APPROVED this \_\_\_\_\_ day of January, 2011.**

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**Mike Steinfort, Chairman**

**ATTEST:**

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**David L. Yearout, AICP, Secretary**

