

CRAWFORD COUNTY, KANSAS
PLANNING AND ZONING BOARD
June 20, 2013

MINUTES TO MEETING:

- I Chairman Terry Fox called the meeting to order with flag salute.
- II Roll call done by Zoning Administrator:
 - a. Absent from meeting: Greg Murray
- III Chairman then asked for a motion to approve the May 16, 2013 minutes.
A motion was made by Bob Gilmore and a second by Kathy Flora to accept the minutes as presented from the May 16, 2013 meeting. Motion stood approved.
Murray Balk announced that he would abstain from voting due to the fact that he was not present at the May meeting.
- IV. Chairman then called for nominations for a new Vice Chairman for 2013.
Kathy Flora nominated Murray Balk to fill the position for the remainder of the year.
Bob Gilmore moved that nominations cease.
Vote stood approving Murray Balk as the new Vice Chairman for 2013.
- V. The Chairman then announced he would recuse himself from the meeting due to the fact he was hired by a person in opposition to case for technical advise on the matter.
- VI. The Zoning Administrator announced that Bonnie Houk, past chairman would conduct public meeting.
- VII. Mrs. Houk then read proceeding for the meeting, noting that this hearing was being held over from the May 16, 2013 meeting to allow the applicant(s) to return with certain items as outlined in the motion from that meeting.
- VIII. First person to address the board:

Judith Freeman, Zoning Administrator.
Noted she received documents and new development plan from Dale Burnick. Copies were sent to board members.
Received email with concerns about drainage, ditches, etc. Response was returned this day addressing run off, size of culverts, recommendations from the county's road and bridge department. This too was given to board. And the applicant and their attorney.
- IX. Dale Burnick addressed the board next;
 - a. Unexpected costs. Plans changed and relocated the driveway and asphalt costs.
Addressed all items from motion:
 - a. The ramp on South side of building will be access storage ramp to basement. No public access.
 - b. Drainage is located in SE corner and NE corner of basement. Will use sump pumps to drain the basement as needed for any water build up. There will be a buried pipe leading outside from the sump pump to drain out to the South.
 - c. ADA handicap regulations pertaining to ramp in motion. The ramp will be a service ramp for employees only.
 - d. Dirt work was done long before Ron Albertini did surveying for the water district. Therefore, they had to show existing contours on new plans and had to estimate said contours.
 - e. Screening will be on West side between both driveways.

- Mr. Burnick noted that the only place in regulations for screening that he could find is to block lighting of headlights.
- f. District has minimum two year contract with utility company for a 150 wattage. That is necessary for parking and walking into the building and being able to see the side walk. Once the door(s) are unlocked there will be light switches to turn on/off lights inside building.
 - g. Handicap parking area, areas shown.
 - h. Noted that all board members had Article 9 response from Mr. Burnick and would not go through the entire Article at that time. Stated that each line item was addressed in his response.

There are 2 driveways into the property which the North driveway was pre-existing. County put in 12 inch culvert to the South. Stated that the Water District paid for the culvert but the installation and size was the county's call. Mr. Burnick stated that he would not recommend a 12 inch culvert for that area. Also stated that there are problems all over the county with culverts that are too small.

Jim Zibert asked if the county did install said culverts, the response was that the water district bought the culvert material only.

Murray Balk then asked about the base for the driveway and when they anticipated the installation of the asphalt. Mr. Burnick stated that it would need to set for a year before the asphalt could be put down.

Murray Balk asked the question if the water district would be willing to commit to the one year time frame. After some discussion, it was stated that it would be more like a year and six months (1 ½) for the set time frame and it could be done sooner. Issues of grading of the parking lot, allowing for soil to settle and season before the asphalt was put down.

Murray Balk then addressed the letter from Triad Engineer about the ditches, runoff and culvert sizing. Mr. Ginter said that if the county would be willing to clean ditches then the problem would be solved.

Mr. Burnick stated that planting grass around the area will improve the runoff as well.

Bob Gilmore talked about grade work before asphaltting.

Mr. Gilmore had concerns with water into basement. Have two sump pumps to handle removal of water located in the South and North parts of the building and draining onto adjacent property owner. He also had concerns that the ramp did not have some sort of railing around it for safety issues.

Jim Zibert stated he would like to see a locked gate at the top of ramp for additional safety.

Mr. Burnick stated that they had talked about putting a gated lock to the basement.

Jim Zibert asked about what the additional costs were. Response was new costs were from the Engineering, drafting, and attorney fees.

Jim Zibert noted that Ron Albertini did the boundary surveyor originally and had recently completed the new elevations for the new development plans. Also had questions why one survey read 1.87 acres and the other read 1.82 acres? Asked which was correct.

The Zoning Administrator stated that the original application and legal description showed 1.87 acres and that is what the Conditional Use would be granted for.

Bob Gilmore indicated he went to the site and inside the building. Had concerns about the floor drains and their locations. The response was that the sump pumps had not been put in yet and drainage to go to the South of the building.

Kathy Flora and Murray Balk had questions concerning the screening (location, type and height).

The Water District would plant Cedar trees and be 3 feet in height. Location would be along and between both entrances. Mr. Burnick stated that there would be no screening used on the North.

Existing water plant building North of new building will act as screening.

Kathy Flora noted pictures presented by Ms Henderson at the last meeting showed existing building and it did not block or screen the new structure from Ms Henderson's home.

Mr. Burnick felt the Henderson's home could not see the new building unless one walked out to the East in pasture.

Bonnie Houk questioned the email received from Ms Henderson about condemnation and that tax rolls still showed her owning said property.

The Zoning Administrator tried to explain that she had discussed this issue with the County Counselor prior to the May meeting and the through State Laws, the process had been done and was legal and the water district did own the property. It dealt with District Court filing proper paper work with the Appraiser's office and a new deed would not be filed with the Register of Deeds. The water districts attorney then addressed the board and tried to explain the issue with district court and the Court needs to get the necessary paper work filed with appraisers.

Mrs. Houk then called for a motion of recommendation

MOTION

A motion was made by Bob Gilmore to recommend approval of the new facility as submitted by Water District #1 to the County Commissioners. Along with the recommendation, Mr. Gilmore suggested the County Commissioners place the following stipulations on the approval and the Water District report back to them to ensure all stipulations are met.

- 1) Parking lot shall be asphalted within 18 months.
- 2) District should reroute the water by placing a swell in the park lot directing the water to the South.
- 3) Sump pumps should be directed away from adjacent property lines.
- 4) Guard rails shall be installed around the ramp for safety and that the ramp be equipped with a locking gate.
- 5) Screening shall be at least natural 6 foot cedar trees and screening shall be placed on the West and North sides of the property lines.

Kathy Flora seconded the motion.

Vote: 5 ayes, 1 absent, 1 abstaining and 1 not voting due to conflict

Motion stood approved.

The Zoning Administrator shall present the recommendation to the County Commissioners on, Tuesday, July 9, 2013.

X. Short discussion among board members with the group electing to hold a work session just to review current regulations and to see if any additions or deletions to the regulations are needed. Murray Balk stressed that right or wrong, the board must follow the guidelines as set forth now and not add items that are not enforceable.

No further discussion.

Murray Balk made a motion to adjourn. Motion was seconded by Dee Hough.
Meeting Stood Adjourned.

Attest:

Bonnie Houk, Past Chairman