

**SHAWNEE COUNTY BOARD OF ZONING APPEALS
AND
SHAWNEE COUNTY PLANNING COMMISSION
AGENDA**

**Monday, October 13, 2014
6:00 P.M.**

**Shawnee County Annex
1515 NW Saline Street
First Floor Conference Room
Topeka, Kansas 66618**

General Information:

Shawnee County Board of Zoning Appeals:

- The Shawnee County Board of Zoning Appeals is an independent body appointed by the Shawnee County Commission to hear and decide requests for appeals, variances and exceptions. The Shawnee County Planning Commission has been designated by the Shawnee County Commission as the Board of Zoning Appeals. The action of the Board of Zoning Appeals is final unless appealed to district court within 30 days of the final decision of the Board.

Shawnee County Planning Commission:

- The Shawnee County Planning Commission holds a public hearing on the second Monday of each month to consider certain zoning, conditional use permit, subdivision, and other related proposals as may be required by laws of the state or county.

The following agenda identifies and describes each proposal to be considered by the Board/Commission.

Please refer to the attached Hearing Procedure governing the rules of conduct and the manner in which individual items will be heard.

THE NEXT PUBLIC HEARING IS SCHEDULED FOR

Monday, November 10, 2014

**Members
Of The
Planning Commission**

Brian Jacques, Chairperson

Dave Macfee, Vice-Chairperson

Nancy Johnson

Lynn Marolf

Christi McKenzie

Pat Tryon

Matt Appelhanz

Planning Department Staff

Barry T. Beagle, AICP, Planning Director

Anna M. Ortega, Zoning Administrator

Joelee A. Charles, Administrative Assistant

SHAWNEE COUNTY BOARD OF ZONING APPEALS

AGENDA

MONDAY, OCTOBER 13, 2014

6:00 PM

- A. Call to Order and Announcement of Hearing Procedure**
- B. Roll Call and Declaration of a Quorum**
- C. Communications**
- D. Ex parte Communications by Members of the Commission**
- E. Declaration of Conflict of Interest by Members of the Commission or Staff**
- F. Public Hearing Items**
 - 1. VR14/01 by Mike & Vickie Manns** requesting a variance to decrease a side yard setback from 7-feet to 3.7-feet on property located at 4600 SW Shenandoah Road in Mission Township.
- G. Public Comment on Non-Agenda Items**
- H. Discussion of Planning Items**
- I. Adjournment**

Shawnee County Planning Commission

AGENDA

Monday, October 13, 2014

- A. Call to Order and Announcement of Hearing Procedure**
- B. Roll Call and Declaration of a Quorum**
- C. Approval of Minutes for September 8, 2014 Public Hearing**
- D. Communications**
- E. Ex parte Communications by Members of the Commission**
- F. Declaration of Conflict of Interest by Members of the Commission or Staff**
- G. Zoning and Subdivision Items**
 - 1. Bauer Subdivision (Preliminary and Final Plat Phase) [P14/01]** by Callahan Construction Inc. for property located on the east side of NW Topeka Boulevard, approximately one-half mile south of NW 82nd Street, in Soldier Township.
 - 2. Z14/02 by Kansas Home Development, LLC** requesting to amend the District Zoning Classification from “RA-1” Rural Agriculture District to “PUD” Planned Unit Development District (commercial usage) on property located at 3010 NW 62nd Street in Soldier Township.
 - 3. CU14/05 by Hays Investments LLC** seeking a Conditional Use Permit to authorize a Medical Care Facility Type II on property zoned “RR-1” Residential Reserve District and located at 8722 SW 29th Street in Mission Township. **(Continued)**
- H. Public Comment on Non-Agenda Planning and Zoning Items**
- I. Discussion of Planning Related Issues**
- J. Adjournment**

Hearing Procedure

Welcome! Your attendance and participation in tonight's hearing is important and ensures a comprehensive scope of review. It is because of the significance of this proceeding that everyone understands the hearing procedure.

Each item appearing on the agenda will be considered by the Shawnee County Planning Commission in the following manner:

1. The Planning Department staff will introduce each agenda item and present the staff report and recommendation. Commission members will then have an opportunity to ask questions of staff.
2. Chairperson will then call for presentation by applicant followed by questions from the Commission.
3. Chairperson will then call for public comments in the following order:
 - ❑ Comments of those speaking in favor
 - ❑ Comments of those speaking in opposition

Each speaker must come to the podium and state your name and address for the record. The Chairperson reserves the right to establish a time limit for all speakers to afford everyone the opportunity to speak and in consideration of other items appearing on the agenda. At the conclusion of each speaker's comments, the Commission will have the opportunity to ask questions. The applicant will be given the opportunity for rebuttal and make concluding comments. The Chairperson reserves the right to allow additional testimony from proponents and opponents after all initial comments are made.

4. Chairperson will close the public hearing at which time no further public comments will be received. Commission members may then discuss the proposal and ask further questions of staff.
5. Chairperson will then call for a motion on the item, which may be cast in the affirmative or negative. Upon a second to the motion, the Chairperson will call for a roll call vote in which Commission members will then vote yes, no or abstain.

Each item appearing on the agenda represents a potential change in the manner in which land may be used or developed. Significant to this process is public comment, which affords the Commission with information essential for making a determination. Your cooperation and attention to the above noted hearing procedure will ensure an orderly meeting and afford an opportunity for all to participate. Please Be Respectful! Each person's testimony is important regardless of his or her position. *All questions and comments shall be directed to the Chairperson from the podium and not to the applicant, staff or audience.*