Roll Call and Announcement of Hearing Procedure: Brian Aubert, Chair, called the meeting to order at 5:58 p.m. and asked for roll call to be taken.

Members Present: Brian Aubert, Matt McCurry, Chad Depperschmidt, Jake Fisher, Tyler Tenbrink and Elaine Schwartz. With six members present, a quorum was established.

Members Absent: Judy Moler.

Staff Present: Anna M. Ortega, Interim Planning Director; Joelee Charles, Administrative Assistant; and, Joni Thadani, Assistant County Counselor.

Approval of August 13, 2018, Public Hearing Minutes: Mr. Depperschmidt moved to approve the August 13, 2018, public hearing minutes, seconded by Mr. Fisher, and with a majority voice vote, the minutes were approved. Mr. Tenbrink requested to abstain from the vote.

Communications: None were indicated.

Ex Parte Communication by Members of the Board: None were indicated.

Declaration of Conflict of Interest by Members of the Board or Staff: None were indicated.

Zoning and Subdivision Items:

1. E19/01 by Tyler & Angela Grindal seeking an Exception to increase the maximum building height and size for an accessory building on property located at 2630 SW Hoch Road in Dover Township.

Ms. Ortega stated the applicants propose to construct a building in conjunction to the current construction of their 5,578 square feet one-story ranch home. It is because of the new home’s design and use of the structure that an Exception is requested.

The barn’s floor plans indicate the north and south sides of the building, rear and front elevations respectively, constitute a span width of 34.5 feet. Assuming a maximum size wall height of 16 feet and roof pitch of 4/12, the maximum building height would be 34 feet. The 60 x 120 foot building and a 15 x 30 foot viewing room are proposed to be built on a much lower elevation with a lower side grade to peak height of 24 feet and a high side grade to peak height of 34 feet resulting in an average of 26 feet. Accordingly, the applicant is requesting to increase the maximum accessory building height by 8 feet.

On March 7, the applicants secured a building permit to construct the one-story home on the 86.89 acre tract. The home is located approximately 2,013 feet south of K-4 Highway; 1,350 feet east of SW Hoch Road and 1,450 feet west of SW Hays Road. In conjunction with their new home, the applicants seek to construct a 7,200 square foot barn with a 450 square foot viewing room that is to be complimentary to the house. The detached garage would be constructed of matching materials and similar architectural design to maintain a uniform appearance. Given the size of the property, scale of the home and setback from adjoining property lines, the applicant believes the request for 8 to 10 feet of additional accessory building height will not have a negative impact on that of neighboring properties.

Based on the foregoing, the Planning Department recommends the proposed Exception to increase the average height of the accessory building by 8 feet based on slope be approved subject to: The accessory structure remain incidental and subordinate to the principal structure, the applicant’s home, and not be used or improved to support a business use or be improved or occupied as a separate dwelling unit.
Mr. Fisher asked for verification of the height of the accessory building. Ms. Ortega stated it was 8 feet. Mr. Aubert asked for more information on the lower side grade to peak height of 24 feet. The builder, Jonathan Baker, stated the building was going to be built kind of recessed down on the hillside versus being up on top of the hill to make it not as tall. It would have a 24 foot sidewall height but it would be covered up somewhat from the hill. The peak is going to be 34 feet. The entire square footage would be 7,650 square feet.

With no further questions for Ms. Ortega, Mr. Aubert asked the applicant if they would like to present their case.

Angela Grindal, 1735 SW Stutley Road, Topeka, KS 66615
- The proposed structure will be used for tennis, basketball—recreational uses.
- Will be located on the lowest part of their property so it will be less impeding for their neighbors who are at least a ¼ mile away in either direction.
- It will not be used for living quarters and they have something that states all those things that was recorded with the Register of Deeds.
- It will not be used for commercial purposes, for lease or renting.

Tyler Grindal, 1735 SW Stutley Road, Topeka, KS 66615
- Offered additional information from their site plan and indicated how everything would be laid out.
- Didn’t think the neighbors would be able to see the barn.
- They tried to pick a spot specifically with the idea of isolating it and not impeding other peoples’ view.

There were no questions for the applicant and no one to speak in favor or in opposition. With no comments from the Board, Mr. Aubert asked for a motion.

Mr. Depperschmidt moved for approval of the Exception including the one condition indicated in the Staff Report, seconded by Mr. Fisher. With a vote of 6-0-0, the item was Approved.

**Public Comment on Non-Agenda Planning and Zoning Items:** No one present to speak.

**Discussion of Planning Related Issues:**

**Proposed 2020 Planning Budget**

Ms. Ortega stated they were provided a copy of the Planning Department’s proposed 2020 budget request that was submitted to Audit Finance. It possibly could change once a new Planning Director is hired. With no questions, Mr. Aubert asked for a motion.

Mr. Depperschmidt moved to approve the Planning Department’s proposed 2020 budget, seconded by Ms. Schwartz. With a unanimous voice vote of 6-0-0, the Planning Department’s proposed 2020 budget was approved.

**Adjournment:**

With no further items to consider, Mr. Aubert asked for a motion. Ms. Schwartz moved to adjourn, seconded by Mr. Tenbrink, a unanimous voice vote declared the public hearing be adjourned at 6:13 p.m.