

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

**MINUTES**

**May 12, 2011  
7:00 P.M.**

**Members Present**

Brandon Dibben  
Maureen Gustafson  
Ken Mortensen  
John Moyer  
Mike Steinfort (arrived at 7:15 p.m.)

**Members Absent**

Mike Ryan  
Rick Ziegler

**Staff**

David Yearout

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

Vice-Chair Gustafson called the meeting to order at 7:00 p.m. and noted a quorum, present.

**2. APPROVAL OF MINUTES**

Commissioner Moyer moved to approve the minutes of the April 14<sup>th</sup> meeting as presented. Commissioner Dibben seconded the motion and it passed unanimously.

**3. OLD BUSINESS**

**Item No. 1 – Review of Update to Geary County Zoning Regulations, Geary County Subdivision Regulations and Geary County Sanitation Code.**

Vice-Chair Gustafson asked staff to address the issue of the update to the Geary County Regulations.

Mr. Yearout provided a brief overview of the status of the update to the Geary County Zoning and Subdivision Regulations, and the manner in which they are intended to interface with the new standards for the Geary County Sanitation Code. In particular, Mr. Yearout noted the changes of establishing a minimum of 40 acres for property zoned agricultural; the removal of commercial and industrial categories and changing everything in those categories to a Conditional Use Permit with a public hearing by the MPC and final consideration by the governing body; the limitations of newly created residential lots to the Suburban category with lots sizes between one and three acres; and the requirement of newly created residential developments to be on paved roads with public water and enhanced on-site wastewater systems.

Mr. Yearout noted the overall discussions have been to “raise the standards” for rural development to increase the quality of the new developments and to greatly reduce the

number of rural land splits for new home creation without fully developing the lots. The changes in the Zoning and Subdivision Regulations are intended to achieve those results; and the new standards for on-site wastewater systems in the Sanitation Code will allow smaller lots to be established with a higher degree of confidence the on-site systems will provide treatment as intended by the Sanitation Code and health laws.

Mr. Yearout said there are still some issues to be resolved, including a desire to further clarify the definitions and standards with respect to “agritourism” and how tracts of land that are greater than 3 acres but less than 40 acres might be addressed in the initial adoption of the Regulations, if that occurs. He provided some alternatives of how these situations could be handled. It was determined to wait for input from the stakeholders and others before a final decision would be made.

Lisa Davies, Geary County Health Department, reviewed the general intent of the new Sanitation Code changes, including clarification regarding the requirements for the smaller lots that would be required to have the “enhanced” on-site wastewater systems. In short, this will be a requirement for the “aerated” tank with a traditional lateral system. Because of the requirement for “soil profiling” for the design of the discharge bed, this will provide greater flexibility in making decisions on the smaller lots, which matches the objective of allowing lots of smaller acreage to offset the costs associated with developing the property.

Kate Watson, resident from Milford Township, spoke briefly concerning support of the direction of the changes. She wanted to stress the continued desire to include notification of changes of zoning and Conditional Use Permits to surrounding landowners. Staff assured that state law requires those notifications, plus the proposed Subdivision Regulations requires notification and hearings on proposed plats, which is above and beyond state law.

Discussion was held regarding when the “stakeholders” meeting would be held. Mr. Yearout noted there were no items on the agenda for the June meeting and it was decided to hold the “stakeholders” meeting on the June meeting date, with no other special meetings or work sessions being schedule. Given the busy season for the rural community is beginning, this was determined to work best.

- 4. **NEW BUSINESS – None**
- 5. **GENERAL DISCUSSION – None**
- 6. **ADJOURNMENT**

There being no further business, Chairman Steinfort adjourned the meeting at 8:50 p.m.

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

---

**Mike Steinfort, Chairman**

May 12, 2011  
MPC/BZA Minutes

**ATTEST:** \_\_\_\_\_  
**David L. Yearout, AICP, Secretary**