

**MINUTES OF
THE REGULAR MEETING OF THE ROSE HILL
PLANNING COMMISSION
TUESDAY, OCTOBER 11, 2016**

Call To Order

The Regular Meeting of the Rose Hill Planning Commission was called to order at 7:00 p.m. by Chairman McRae and held in City Hall Council Chambers. Members present: Commission Members Thomas, Runnalls, Schantz and Cowgill. Staff present: Cindy Stone – Zoning and Subdivision Administrator. Also present were applicants Brian Hodes and Brian Schneider.

Approval of Agenda

With copies of the 10/11/16 agenda previously distributed and before each member.

Motion by Commission Member Runnalls to move Agenda Item 6D (Site Plan) after Agenda Item 3 for discussion. Second by Commission Member Thomas with motion passing 5 -0.

Approval of Minutes

With copies of the 9/20/16 minutes previously distributed and before each member.

Motion by Commission Member Runnalls to approve the 9/20/16 minutes as presented. Second by Commission Member Thomas with motion passing 5 -0.

Site Plan

The Site Plan was completed by Spangenberg Phillips Tice Architecture dated October 7, 2016. Brian Hodes, applicant, was present to answer any questions. Commission members discussed the Site Plan and clarified the parking change and the construction of the 8 foot concrete fence along the back of the building.

Motion by Commission Member Runnalls to approve the Site Plan dated 10/07/16, with the two noted clarifications. Second by Commission Member Thomas with motion passing 5 -0.

Committee and Staff Reports – None

Communications – None

Planning Commission has closed and Board of Zoning Appeals is open

Public Hearing Case No. BZA-CU-16-04 – Brian & Robin Schneider

The chairman opened the Board of Zoning Appeals and welcomed everyone interested and laid out a few ground rules.

No one disqualified themselves due to any conflict of interest. The Chairman declared a quorum of 5 present for the hearing.

A notice for this hearing was published in the Rose Hill Reporter on August 25, 2016, and notices were mailed to the applicant and the property owners of record in the area of notification on that same date. It was declared that proper notification had been given.

Zoning Administrator, Cindy Stone gave a brief background report on the case. The applicant is requesting the establishment of an 8 foot privacy fence.

An email was distributed to the Commission Members from Mr. Brian Landers who resides at 1637 N. Main and is in the notification area. The email was also read out loud during the public hearing.

Hearing no further comments, the chairman closed the public hearing.

Having considered the evidence at the hearing and determined that the findings of fact in the Conditional Use Report support the conclusions as set out in Section 10-108C of the Zoning Regulations which are necessary for granting of a conditional use, I Commission Member Thomas move that the chairperson be authorized to sign a Resolution granting the conditional use for Case No. BZA-CU-16-04 as requested. Second by Commission Member Cowgill with motion passing 4-1, opposed by Commission Member Runnalls.

A Resolution will be prepared and made available to the Applicant. If anyone is aggrieved by this decision, a further appeal can be made to the District Court to determine its reasonableness within 30 days after the Resolution is signed and filed with the Zoning Administrator.

At 7:40 p.m., Commission Member McRae moved that the Planning Commission Members recess into executive session for 10 minutes pursuant to K.S.A. 75-4318(a)(1) to deliberate matters relating to a decision involving quasi-judicial functions. The meeting resumed at 7:50 p.m. with no binding action taken. Seconded by

Public Hearing Case No. BZA-CU-16-03 Brian Hodes & Jessica Harrison

The chairman opened the Public Hearing for Case BZA-CU-16-03.

No one disqualified themselves due to any conflict of interest. The Chairman declared a quorum of 5 present for the hearing.

A notice for this hearing was published in the Rose Hill Reporter on August 25, 2016, and notices were mailed to the applicant and the property owners of record in the area of notification on that same date. It was declared that proper notification had been given.

Zoning Administrator, Cindy Stone gave a brief background report on the case. The applicant is requesting the establishment of a mixed Animal Veterinary Clinic.

Hearing no further comments, the chairman closed the public hearing.

Having considered the evidence at the hearing and determined that the findings of fact in the Conditional Use Report support the conclusions as set out in Section 10-108C of the Zoning Regulations which are necessary for granting of a conditional use, I Commission Member Thomas move that the chairperson be authorized to sign a Resolution granting the conditional use for Case No. BZA-CU-16-03 as requested. Second by Commission Member Runnalls with motion passing 5-0.

A Resolution will be prepared and made available to the Applicant. If anyone is aggrieved by this decision, a further appeal can be made to the District Court to determine its reasonableness within 30 days after the Resolution is signed and filed with the Zoning Administrator.

Board of Zoning Appeals has closed and Planning Commission has now reconvened.

Plats – None

Site Plan – None

Unfinished Business – None

New Business - None

Adjournment

Motion by Commission Member Cowgill to adjourn the meeting at 8:25 p.m. Second by Commission Member Thomas with motion passing 5-0.

Respectfully Submitted

Cindy Stone, Zoning Administrator