



**MINUTES**  
**PLANNING COMMISSION**  
**7651 E. Central Park Ave, Bel Aire, KS**  
**November 10, 2022 6:30 PM**



**I. Call to Order**

**II. Roll Call**

James Schmidt, David Floyd, Phillip Jordan, Dee Roths, Paul Matzek were present. John Charleston, Heath Travnichek were absent.

Also present were, Planning Commission Secretary, Jay Cook, and Code Enforcement Officer, Garrett Wichman.

**III. Pledge of Allegiance to the Flag** – Chairman Schmidt led the Pledge of Allegiance.

**IV. Consent Agenda**

A. **Approval of Amended Minutes from August Meeting**

**Motion:** Commissioner Floyd made a motion to approve the minutes of August 23, 2022. Commissioner Roths seconded the motion. ***Motion carried 5-0***

B. **Approval of Minutes from Previous Meeting**

**Motion:** Chairman Schmidt made a motion to approve the Minutes from previous meeting. Commissioner Roths seconded the motion. ***Motion carried 5-0***

**V. Old Business/New Business**

A. **VAC-22-03: Vacating 25' front setback to 20' at 5243-45 and 5237-39 Toben Court**

Chairman Schmidt opened and closed the public hearing as there was no representative of the applicant or any citizen present.

After closing the hearing, the Planning Commission discussed the vacation request as presented. During consideration, the Planning Commission considered the criteria for review in Section 10.04 (B) of the Subdivision Regulations of the City Code. Each of the following were reviewed. (1) Due and legal notice has been given. Staff submitted an affidavit of publication on October 20, 2022 to the Ark Valley News stating an official notice of vacation hearing. Certified letters were sent to all owners of real property within 200 feet of the area proposed to be changed as stated in 10.04 (A) (2) of the subdivision code. It was stated that no protest petition was submitted in conflict with the vacation. Staff received 5 of the 6 certified letters that were sent. (2) No private rights will be injured or endangered. (3) The

public will suffer no loss or inconvenience; change in setback would not incur any loss to the public due to the location of easements and right-of-way on the properties.

**Motion:** Commissioner Roths made the motion to recommend the request to vacate the front building setback from 25' to 20' at 5243-45 and 5237-39 Toben Court without changes. Charmain Schmidt seconded the motion. ***Motion carried 5-0***

## **Director Report**

Planning Commission Secretary, Jay Cook, discussed the progress of the new Comprehensive Development Plan. At this time, bids have been requested from three different engineering and design firms. Staff is awaiting two of three bids to be returned. There was also discussion on the importance of keeping statements and questions direct and concise when conducting an open hearing and when discussing applications for review regarding any case brought before the Commission.

## **VI. Next Meeting: Thursday, December 8th at 6:30 PM**

After brief discussion the Planning Commission agreed upon December 8th, 2022, at 6:30 p.m.

**MOTION:** Chairman Schmidt made the motion to approve the next meeting date to December 8, 2022, at 6:30 p.m. Commissioner Roths seconded the motion. ***Motion carried 5-0.***

## **VII. ADJOURNMENT**

**MOTION:** Commissioner Floyd made a motion to adjourn the meeting. Commissioner Roths seconded the motion. ***Motion carried 5-0.***