

**BUTLER COUNTY PLANNING COMMISSION**

Scheduled Meeting, April 5, 2022  
Butler County Courthouse-4<sup>th</sup> Floor  
205 W. Central  
El Dorado, Kansas 67042

**MINUTES**

The scheduled meeting of the Butler County Planning Commission began at 7:00 p.m. on Tuesday, April 5, 2022 on the 4<sup>th</sup> Floor of the Butler County Courthouse located at 205 W. Central in El Dorado, Kansas.

**Chairman:** Jeff Varner

**Members Present:** David Greene Jr., Kristi Sullivan, Kermit Frey, Jim Ralston & Jeremy Sundgren

**Members Absent:** Andy Jones & Bryce Flaming

**Guests:** Roger Cutsinger, Josh Bantam, Kay Gregory, Raine Daly, Roger Payton, Ike Hong, Warren Porter, Eric Becker, Monica Porter, Scott Porter & Kyle Robbin

**The meeting was called to order and a quorum was declared**

**Approval of the April 5, 2022 Planning Commission Agenda**

**Motion:** Jim Ralston

**Second:** David Greene, Jr.

Approved

**Approval of the March 1, 2022 Planning Commission Meeting Minutes**

**Motion:** Jim Ralston

**Second:** Kristi Sullivan

**Old Business: None**

**New Business:**

**PL 22-05**– Request for a Homestead Lot Split with APO Provisions

**Applicant/Owner:** Alan Wyss Trust

**Agent:** Roger Cutsinger with Savoy Co.

**Location:** 11517 NW Kiowa Rd. Burns, KS

**Discussion:** Staff recommends approval

**Staff:** This is a request for a Homestead Lot Split. The applicant owns 303+/- acres, is zoned AG-80 and is proposing to split 6+/- acres with the placement of a 75+/- acre APO on some of the remaining property. The property meets the criteria for such a split.

**No further questions or comments were made**

**Motion:** Jeremy Sundgren

**Second:** Kristi Sullivan

**Action:** Approved 5-0

**To be heard before the BOCC on April 26, 2022 @ 9:00AM**

**RZ 22-07** – Request for a Change in Zoning from AG-40 to RR

**Applicant/Owner:** Josh Bantam

**Agent:** N/A

**Location:** 0 Waitt St. Rose Hill, KS

**Discussion:** Staff recommends approval

**Staff:** This is a request for a Change in Zoning from AG-40 to RR. The applicants own a tract of land that contains 40+/- acres, is zoned AG-40 and is proposing to change the zoning which will allow him to split off a tract of land upon which he will construct a single-family residence and potentially Plat the remaining property sometime in the future.

There are no changing conditions for the request it is just the wishes of the applicant to request the change so he can build a house.

Currently the surrounding area consists of AG-40 & RR zoned properties plus the property is adjacent to the city limits of the City of Rose Hill.

If the property were to be Platted in the future the applicant would be subject to meeting standards for urban development and easement dedication requirements for the City of Rose Hill or Butler County, whichever is more stringent.

**No further questions or comments were made**

**Motion:** Kermit Frey

**Second:** Jim Ralston

**Action:** Approved 5-0

**To be heard before the BOCC on April 26 2022 @ 9:00AM**

**RZ 22-08**—Request for a Change in Zoning from AG-40 to RR

**Applicant/Owner:** Kyle Robbins

**Agent:** N/A

**Location:** 4238 SW 110<sup>th</sup> St. Augusta, KS

**Discussion:** Staff recommends approval

**Staff:** This is a request for a Change in Zoning from AG-40 to RR. The applicant owns a tract of land that contains 43+/- acres and is zoned AG-40. He is proposing to change the zoning from AG-40 to RR which will allow him to split off 3+/- acres, that contains a single-family residence, and then construct a new single-family residence on the remaining 40+/- acres.

There are no changing conditions for the request it is just the wishes of the applicant to request the change so he will have the ability to build a new single-family residence.

Currently the surrounding area consists of both AG-40 & RR so the change in zoning would not be detrimental to the area.

**No further questions or comments were made**

**Motion:** Kristi Sullivan

**Second:** Jim Ralston

**Action:** Approved 5-0

**To be heard before the BOCC on April 26, 2022 @ 9:00 AM**

**VC 22-01**—Request for the Vacation of Road Right-of-Way

**Applicant/Owner**—CJ Morawitz, Kay Gregory & Joseph Mortinger

**Agent:** N/A

**Location:** SW 206<sup>th</sup> St. & SW Sunset Ridge Road Rose Hill, KS

**Discussion:** Staff recommends approval

**Staff:** Recently a request for the Vacation of a portion of Road Right-of-Way on SW 206<sup>th</sup> St. & SW Sunset Ridge Rd. was received by staff. The Parties own property adjacent to both SW 206<sup>th</sup> St. & SW Sunset Ridge Rd. in Sunset Ridge Estates. The Parties are requesting to vacate the portion of the road that is adjacent to their properties commonly known as 14120 SW 206<sup>th</sup> St., 20627 SW Sunset Ridge Rd. & 14020 SW 206<sup>th</sup> St. Rose Hill.

The neighbors own property abutting the north & south side of SW 206<sup>th</sup> St. and the west and east side of SW Sunset Ridge Rd. All landowners have access to their respective tracts of land off either SW Sunset Ridge Rd. or SW 206<sup>th</sup> St.

All the neighbors signed the application for the Vacation and are supporting the request.

Neither Street has been constructed or used therefore the Vacation would not impair traffic movement in the area.

Staff also contacted all Utility Providers in the area and all stated the Vacation of the R-O-W would not hinder their ability to deliver their respective commodity.

**No further questions or comments were made**

**Motion:** Jim Ralston

**Second:** Kermit Frey

**Action:** Approved 5-0

**To be heard before the BOCC on April 26, 2022 @ 9AM**

**CU 22-03**—Request for a Conditional Use Permit for a Dog Boarding Operation

**Applicant/Owner**—Scott & Monica Porter

**Agent**—N/A

**Location**—7148 SW 10<sup>th</sup> St. Towanda, KS

**Staff:** The applicants own a tract of land that contains 10+/- acres located at 7148 SW 10<sup>th</sup> St. Towanda and zoned AG-40. They are proposing to start a Dog Boarding Operation on their

property. A new 40'x60' building with concrete flooring, heated and insulated, will be built that will contain Office Space, Grooming Room, Restroom and 20-5'x7' Dog Kennels. Twelve of the 5'x7' kennels will have outside access to separate dog runs and an additional larger "group" area will be fenced to provide group play.

The applicants live on the site and will continue to live there as the business continues to operate.

**No further questions or comments were made.**

**Motion:** David Greene, Jr.

**Second:** Kristi Sullivan

**Action:** Approved 5-0

**To be heard before the BOCC on April 26, 2022 @ 9AM**

**With no further business to come before the Board the meeting was adjourned**