

Jackson County Planning Commission

Meeting Minutes

September 13, 2007

I. Call to order

Bob Marney called the September meeting of the Jackson County Planning Commission to order at 7:00 pm.

II. Roll call

Members present were Bob Marney, Don Schuyler, Joe Conley and Bernie Clark.

III. Approval of minutes from last meeting

Don Schuyler made mention of a correction on page 1, item 4, six lines up from the bottom, stating that Mr. Kern "may" be grandfathered in.

Bernie Clark made a motion to accept the minutes as corrected.

Joe Conley seconded the motion.

All present voted in favor of approving the August 9th minutes as corrected.

IV. Open issues

- a. **Application submitted by David Kern for a change of zoning from A-1 to B-3**
for the operation of a transmission repair shop on his property.

This application was tabled at the August meeting.

Darrin Reith stated that Mr. Kern had provided him with receipts showing that Mr. Kern had been operating his business since September, 2003, and that the Jackson County Comprehensive Plan was adopted in February, 2004.

Don Schuyler questioned what authority they had to grandfather this use.

It was stated that the grandfather clause in the comprehensive plan dealt specifically with minimum lot size.

Darrin Reith stated that the commission had the authority to approve such application since the "use" had been in place prior to the adoption of the comprehensive plan.

Don Schuyler made motion to approve the application, recommending that the "use" be grandfathered.

Joe Conley seconded the motion.

All present voted in favor.

Application passed.

- b. **Application submitted by Leland Bailey for a change of zoning from A-1 to R-R** for all property contained in the proposed Heritage Park Subdivision. This application was tabled at the September meeting.

Darrin Reith stated that he had several conversations with Scott Cushing from KDOT about access rights to the 121 Access road. Mr. Cushing indicated at this time KDOT did not see any problems in granting a total of four (4) access points to Mr. and Mrs. Roosevelt and a total of four (4) access points for Leland Bailey. Joe Conley made a motion to approve the application changing the zoning from A-1 to R-R.

Bernie Clark seconded the motion.

All present voted in favor.

Application was approved.

- c. **Final Platt review of the proposed Heritage Park Subdivision.**

Bob Marney asked if there were any questions/comment from any members of the public.

Bernie Clark asked what kind of road surface was going to be used.

Andy Tanking stated that what the county would require them to use, typically if a road comes off of a hard surface road then hard surface would be required.

Bernie Clark asked if that would be concrete, asphalt, or chip and seal.

Andy Tanking said it would be asphalt.

Bob Marney asked about the lot 2, block A that was only 2.31 acres.

Darrin Reith stated that it was allowable under a Rural Residential District providing that the lot would provide for adequate septic, of which percolation tests had already been completed on the entire subdivision and shown that all lots would support septic systems.

Joe Conley made a motion to approve the final plat of the Heritage Park Subdivision.

Bernie Clark seconded the motion.

All present voted in favor.

Final plat of the Heritage Park Subdivision was approved.

- d. **Application submitted by the Delaware Watershed for a change of zoning from A-1 to B-I** for the area below the watershed site D-17.

Bob Marney asked if there were questions/comments from the public, with none Bob closed public comment.

Joe Conley made a motion to approve the zoning change from A-1 to B-I.

Bernie Clark seconded the motion.

All present voted in favor.

- e. **Application submitted by the Delaware Watershed for a change of zoning from A-1 to B-I** for the area below the watershed site D-70.

Bob Marney asked if there were any questions/comments from the public, with none Bob Closed public comment.

Joe Conley made a motion to approve the zoning change from A-1 to B-I.

Bernie Clark seconded the motion.

All present voted in favor.

V. Adjournment

Bernie Clark made a motion to adjourn the meeting.

Don Schuyler seconded the motion.

All present voted in favor.

Meeting adjourned.

Minutes submitted by: Darrin Reith

Minutes approved by: 