

OFFICIAL MINUTES
OF THE MEETING OF THE
PLANNING COMMISSION/BOARD OF ZONING APPEALS
CITY OF PITTSBURG, KANSAS
September 28, 2020

A Regular Session of the Planning Commission/Board of Zoning Appeals was held at 5:30 p.m. on Monday, August 24, 2020, in the Pittsburg Law Enforcement Center, 201 North Pine, with the following members present: Chairperson - Laura Klusener, Francis DeMott, Leah Posterick, Kyle Michael and Mike Wilber. Derek Heikes and Mike Creel were absent. Laura Klusener led the flag salute.

APPROVAL OF MINUTES – August 24, 2020 – On motion of Wilber, seconded by Posterick, the Planning Commission/Board of Zoning Appeals approved the August 24, 2020, Planning Commission/Board of Zoning Appeals Meeting Minutes. Motion carried.

REVIEW OF CASE NO. 20-12 - A REQUEST MADE BY CHESTER LANE AND SANDRA BRANT, FOR A VARIANCE IN R-1A, SINGLE FAMILY RESIDENTIAL, LIMITING ACCESSORY STRUCTURE SIZE TO NOT EXCEED 900 SQUARE FEET TO ALLOW A 1200 SQUARE FOOT GARAGE TO BE CONSTRUCTED ON THE PROPERTY LOCATED AT 503 NORTH FREE KING HIGHWAY.

Mr. and Mrs. Brant were present to speak in favor of the request. There being no one to speak against the request, Chairperson Laura Klusener closed the Public Hearing.

The Planning Commission/Board of Zoning Appeals reviewed the following criteria.

1. Are there conditions which exist in respect to the property or structure being considered which are different from other properties or building in the neighborhood? **Yes, the owner is requesting to construct a secondary structure that is in excess of 900 square feet prior to constructing the primary structure.**
2. Has such conditions or circumstances being created by the action or actions of the owner or applicant? **Yes, By request only.**
3. Are there special conditions or circumstances such that the strict literal interpretation of the provisions of the Zoning Ordinance will constitute unnecessary hardship upon the property owner. **No.**
4. Will the granting of a permit for the variance requested adversely affect the rights of adjacent property owners or residents? **No.**
5. Will the granting of the variance requested confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, structures, or buildings in the same district? **Yes, however, each applicant has the right to file the same request.**
6. Will the granting of the variance requested adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare? **No.**
7. Will the granting of the variance requested be opposed to the general spirit and intent of the Zoning Ordinance? **No.**
8. Is the variance being requested the minimum variance that would accomplish this purpose. **Yes.**

On motion of DeMott, seconded by Michael, the Planning Commission/Board of Zoning Appeals voted unanimously to approve the variance as submitted.

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REVIEW OF CASE NO. 20-13 - A SITE PLAN SUBMITTED BY BRUCE AND KYLE MULLEN ON BEHALF OF 5TH STREET BAR & GRILL FOR THE CONSTRUCTION OF A NEW OUTDOOR PATIO AREA TO BE LOCATED AT 113 WEST 5TH STREET.

Kyle Mullen shared his plans for the first phase of the renovations.

On motion of DeMott, seconded by Michael, the Planning Commission/Board of Zoning Appeals voted unanimously to approve the site plan as submitted.

DISCUSSION OF UPDATES FOR ARTICLE 2 OF THE SUBDIVISION REGULATIONS AT THE REQUEST OF THE GOVERNING BODY.

Cameron asked if there was any feedback on the changes and updates that were discussed last month. There being no comments or questions, Wilber moved to have a Public Hearing on the proposed updates. This motion was seconded by Michael and the motion passed unanimously.

Dexter Neisler reminded the Board to be looking over the sign ordinances. Dexter will have a few of the local sign companies come in and talk about what they see on requests for signs. This will likely take place next meeting. After the Commission hears from the sign companies the Commission will discuss the necessary updates to the Ordinance. Dexter indicated he would like to have the updates ordinances before the Governing Body by the end of the year.

ADJOURNMENT: On motion of Wilber, seconded by DeMott, the Planning Commission/Board of Zoning Appeals adjourned the meeting at 5:50 p.m. Motion carried.



Laura Klusener, Chairperson

ATTEST:



Andrea Holtzman, Secretary