

**NEWTON-NORTH NEWTON PLANNING COMMISSION
REGULAR MEETING
January 6, 2020**

Members present: **Newton:** Denise Goodnite (6-0), Dan Harder (7-1), Jay Sommerfeld (7-1), Carl Harris (6-2), Jordan Miller (5-3)

North Newton: Tyson Weidenbener (6-2), Gary Roth (7-1), Joe Slechta (4-3)

[Note: attendance-recording period runs from 5-1-2019 to 4-30-2020]

Staff Present: **Newton:** Chris Towle, City Attorney
Sara Schmidt, Administrative Assistant

North Newton: Greg Nye, City Attorney

The Newton-North Newton Area Planning Commission met on January 6, 2020 in a regular meeting at the Newton City Hall commission chambers, 201 East 6th Street, Newton. At 6:00 p.m., a quorum was present, and Chair Harris called the meeting to order.

AGENDA ITEM NO. 1

Consider approval of the December 9, 2019 special meeting minutes.

Commissioner Miller moved and Commissioner Weidenbener seconded to approve the minutes as presented. Motion carried.

AGENDA ITEM NO. 2

Consider appointing a Recording Secretary.

Commissioner Weidenbener moved and Commissioner Goodnite seconded to appoint Sara Schmidt, Administrative Assistant, as the Newton-North Newton Area Planning Commission Recording Secretary. Motion carried.

AGENDA ITEM NO. 3

Consider and hold a public hearing on, a variance request from Robert Yutzy of 2422 N. Main St. From the regulations of Section 3.3 Table of the General Bulk Regulations of the Newton-North Newton Zoning Ordinance in which R-1 properties require a 15' setback for a corner lot. If a variance is granted, the property owner will be allowed to build a deck and stairs with a 13'10" setback. This property is legally described as Lots One (1), Two (2), Three (3) and Four (4), Block Two (2), Bethel College Addition to the City of North Newton, Harvey County, Kansas, together with the West 16 feet of Minnesota Avenue adjacent thereto and reverting by reason of vacation (commonly known as 2422 North Main Street, Newton, Kansas).

Greg Nye, North Newton City Attorney, presented the staff report included in the agenda packet. Mr. Nye reminded the Commission that in order to access the second story apartment, Mr. Yutzy would need to build stairs which would decrease the setback by 1'2". Not granting the variance

would cause hardship, in Mr. Nye's opinion, because the property owner would not have outside access to the 2nd story apartment.

Robert Yutzy, of 2422 N. Main St., spoke regarding the staircase. His original plan would place the stairs over a gas meter so, in his opinion, the safest way to create an entrance is to build the stairs as the variance application states. In the application, Mr. Yutzy hopes to build a 4' stairway, which is optimal, due to the need to move furniture into the apartment, but a 3.5' stairway could be built instead, if the variance is denied.

Discussion was held over clarifications on the setback line and visibility, due to the property being a corner lot.

Chair Harris opened the public hearing. There being no one to speak, the hearing was closed, and Chair Harris requested a motion from the bench.

Commissioner Weidenbener moved and Commissioner Slechta seconded to approve the variance application. Motion carried.

AGENDA ITEM NO. 4

Consider a resolution for the amendment and extension of the comprehensive plan.

Chris Towle, City Attorney, presented the resolution included in the agenda packet. No discussion was held, and Chair Harris requested a motion from the bench.

Commissioner Goodnite moved and Commissioner Weidenbener seconded to approve the resolution for the amendment and extension of the comprehensive plan. Motion carried.

AGENDA ITEM NO. 5

New Business

There was no new business.

AGENDA ITEM NO. 6

There being no other business to come before the Planning Commission, the meeting adjourned at 6:19 p.m.



Sara Schmidt
Recording Secretary