

**FINAL**

**REGULAR MEETING  
MCPHERSON COUNTY PLANNING BOARD MINUTES  
March, 11<sup>th</sup>, 2024**

Meeting was held at the 1<sup>st</sup> Floor, McPherson County Bank Building, 122 W. Marlin St, McPherson, KS.

At 7:00 pm **Chairperson Kathy Nicholson** called the meeting to order and welcomed those in attendance. She asked that the audience members sign in and reminded everyone to silence their phones during the meeting.

**Kathy Nicholson** called on Recording Secretary, Carissa McCuen to take roll call. **Members present:** Chris Goodson, Kathy Nicholson, Christina Reynolds, Shelby Shaw, Glenda Taylor, Jim VanGoethem, and Raymond Williams. **Members absent:** Lori Bower, Jeff Smith.

**Jon Kinsey**, Board Secretary and **Carissa McCuen**, Recording Secretary, were also in attendance.

**Guests in Attendance**

Arlen Wiens  
Carolyn Wiens  
Anson Dossett  
Peggy Dossett

**Kathy Nicholson** called for a motion to approve the agenda. **Shelby Shaw** made a motion to approve the agenda. **Raymond Williams** seconded the motion. **All voted aye. Motion carried.**

**Kathy Nicholson** called for a motion to approve the **February 12<sup>th</sup>, 2024**, minutes as presented. **Shelby Shaw** made a motion to approve the minutes as presented. **Glenda Taylor** seconded. **All voted aye. Motion carried.**

**Kathy Nicholson** called for New Business agenda item **SU2024-002** Special Use for Second Residential Unit located at 76 29<sup>th</sup> Avenue, Hesston, KS 67062.

Kathy Nicholson read the ground rules for public hearings.

**Kathy Nicholson** asked the board members if any of them intend to disqualify themselves. **No board members disqualified themselves. Kathy Nicholson declared a quorum of 7 (seven) present for the hearing.**

**Kathy Nicholson** called on Board Secretary, **Jon Kinsey** to affirm that proper notification for this hearing was given. **Jon Kinsey** stated a notice for the hearing was published in the official county newspaper the McPherson Sentinel, on February 14<sup>th</sup>, 2024. In addition, notices were sent to the applicant and to 4 (four) real property owners of record in the Notification area on February 8<sup>th</sup>, 2024. As required by State statute at least 20 days elapsed between the dates of publication and

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mailing, and the hearing date. Kathy Nicholson asked if anyone present has any evidence contrary to the Secretary's affirmation. There was none. **Kathy Nicholson** declared proper notification was given.

**Kathy Nicholson** asked the board members if there had been any ex parte communications on the case. **There was none.**

**Kathy Nicholson** called on **Administrator, Jon Kinsey**, to provide the background on the case. **Jon Kinsey** provided background on the case, including the details of applicant submission, structure layout and size, and information on land use of neighboring properties. **Kathy Nicholson** asked if any board members had questions the board secretary. There was none.

**Kathy Nicholson** called on the applicant to present their request. **Arlen Wiens** 2610 NW 12<sup>th</sup> Newton approached. He explained his plans to live onsite with his kids and grandkids, and to help each other as they get older. **Kathy Nicholson** asked if there were any questions for the applicant. **Glenda Taylor** asked how close the homes would be for emergency purposes. **Mr. Wiens** explained they would have a safe room built in their structure. Kathy Nicholson asked if there were any other questions for the applicant, there were none.

**Kathy Nicholson** opened the public portion of the hearing. There were none.

**Kathy Nicholson** asked the Board Secretary if there had been any written communications or petitions received from the public on this case. **Jon Kinsey** stated there were none.

**Kathy Nicholson** closed the public portion of the hearing.

**Kathy Nicholson** asked the board to refer to their copy of the Special Use Case Report, and if there was any discussion of the factors and findings. **Jon Kinsey** explained the conditions to the board and read them aloud.

1. This special use allows for the construction and operation of a secondary residential unit and must be operated as specified in the application. Any changes to the plan or the site must be approved by application for a new special use.
2. The property shall not be further subdivided or further reduced in size.
3. All Accessory Structures must remain accessory to and under the same ownership as the Principal Dwelling (single-family residential) and CANNOT be subdivided, sold, or leased as rental property or a condominium.
4. The appearance of any and all Accessory Structures shall be compatible with the character of the neighborhood.

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5. The property owner shall submit and pay for the following permits:
  - Zoning Permit for an Accessory Structure
6. The property owner shall have all systems connected to existing systems and pass inspection.
7. The off-street parking space and standards required per Article 5 of the McPherson County Zoning Regulations must be met.
8. Upon discontinuance of the special use for any 12-consecutive months the special use shall become null and void. Following this time period, it shall be necessary to re-apply in the original manner in order to be considered for a new special use to restart this use.
9. If approved by the Board of County Commissioners, a copy of the approving Resolution shall **be filed and paid for by the applicant and or property owner** with the McPherson County Register of Deeds Office.

**Kathy Nicholson** asked if the board had any questions about or additions to the conditions. There were none.

**Kathy Nicholson** called for a motion on the case. **Glenda Taylor** made a motion for recommending approval. Christina Reynolds seconded the motion. There was no discussion. **All voted aye. Motion passed 7-0.**

**Kathy Nicholson** stated that the case will be forwarded to the Board of County Commissioners with the Planning Board's recommendation and a written summary of the hearing, for consideration at their regular meeting on **Monday April 1, 2024**, which begins at **9:00 AM** in the **1<sup>st</sup> Floor Meeting Room** in the McPherson County Building 122 W Marlin St. (*A recording of this hearing will be retained for at least 60 days after the final determination is completed on this case.*)

**Protest Petitions** against the *special use*, but not directed at the Board's recommendation as such, may be received by the County Clerk's Office for **14 days** after tonight, that is until close of business on Tuesday March 26, 2024.

If there are properly signed Protest Petitions, with accurate legal descriptions, from the owners of record of 20% or more of the total real property within the official Notification Area, not counting public street rights-of-way or specific statutorily excluded property, then approval of the change would require a **3/4 majority vote of all the members of the Board of County Commissioners.** (*See McPherson County Zoning Regulations, Section 11-103.*)


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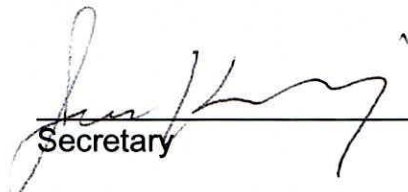
**Kathy Nicholson** stated the **Board of Zoning Appeals** had no new business or old business to be heard.

**Kathy Nicholson** asked if the public had any input on items not on the agenda at this time. There was none.

**Jon Kinsey** provided an Administrators report including permit statistics, gov built update, and announcement of a new hire. **Kathy Nicholson** asked about progress on updating the website for video, minutes, and agendas. **Jon Kinsey** explained how to locate the agenda and videos, and that we are still working on getting minutes updated. **Jon Kinsey** announced the next board meeting scheduled for May 13<sup>th</sup>, 2024.

**Kathy Nicholson** called for a motion to adjourn the regular meeting. **Shelby Shaw** made a motion to adjourn the meeting. **Chris Goodson** seconded. **Meeting adjourned.**

  
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Chairman  
May 13, 2024  
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Date

  
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Secretary  
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