

**PLANNING COMMISSION MEETING MINUTES
CITY OF COFFEYVILLE, KANSAS
TUESDAY, SEPTEMBER 3, 2019**

The Coffeyville Planning Commission met in Regular Session with Chairman Max Williams presiding.

I. Call to Order.

Chairman Williams called the meeting to order at 5:30 p.m.

2. Roll Call.

Those in attendance in addition to Chairman Williams were:

<u>Present</u>	<u>Absent</u>
X	Randall Hills
X	Eric Jensen
X	Carla LeLaCheur
X	Jeffrey McCloud
X	Max Williams

City Staff Present:

Thomas Osborn, Superintendent of Engineering

Tyler Strickland, City Planner/Architect

Angela Cook, Administrative Secretary

3. Minutes.

Minutes of the last Planning Commission meeting of June 4, 2019.

Commissioner Hills motioned and Commissioner McCloud seconded to approve the minutes of the Regular Planning Commission meeting of June 4, 2019.

Commissioner Hills	Aye	Commissioner LeLaCheur	Aye
Commissioner Jensen	Aye	Commissioner Williams	Aye
Commissioner McCloud	Aye		

Motion approved.

4. New Business.

4.1. Cases

A. BZA 2019-02, Taylor.

Sam Barton, contractor from Tulsa, Oklahoma, came before the commission on behalf of Jim Taylor, Jr. to request a Variance to allow him to construct an 8' privacy fence surrounding the back part of Mr. Taylor's property and a 4' privacy fence in the front of the property. The fence would be constructed of wood or PVC. Mr. Barton stated that the reasoning for the fence to be so high was that the porch and the floor of Mr. Taylor's house were 3' above the ground making the standard 6' privacy fence too short. Discussion was made between the commissioners and Tyler Strickland as to the current ordinance regarding fences. Mr. Strickland stated that the current ordinance states that privacy fences are to have a maximum height of 6' from the back boundaries of the house to the front edge of the house and 4' maximum from the front edge of the house to the sidewalk. The 4' fence in the front of the house must be transparent, for example - chain link. Thomas Osborn stated that he believed the main reasoning behind the transparency portion is due to safety. He believes that the visibility of the sidewalk pedestrians is the main concern. Commissioners also discussed as to whether this Variance was for the 8' fence portion of the fence, the 4' section of fence that would not be transparent or both. Mr. Strickland stated that it was actually for both situations. Commissioner Jensen asked Mr. Barton to explain the reasoning for the 8' fence as opposed to the 6' allowed by ordinance. Mr. Barton restated that the porch and floor level are 3' above the ground making the 6' privacy fence too short for actual privacy. With a 6' fence Mr. Taylor would still be able to see his neighbors from his porch or when looking out his windows. Commissioner LeLaCheur questioned if Mr. Barton felt that this Variance was all or nothing, and if Mr. Taylor would be ok with part of the Variance being approved and not the other part. Mr. Barton believed that if only part was approved then they would redesign their plans to work around the approved and denied parts of the plan.

Chairman Williams asked if there were any further questions for Mr. Barton. There were not.

Chairman Williams asked if there was anyone else to speak in favor of this case. There was not.

Chairman Williams asked if there was anyone to speak against this case. Two neighbors were in attendance to speak against this case.

Chris Shaw, 610 S Willow, Coffeyville, Kansas, is the neighbor to the south of Mr. Taylor. Mr. Shaw stated that he has previously spoken to Mr. Taylor about putting some rock along the property line between the two properties. Mr. Shaw was under the understanding that because the two properties were not at the minimum 4' apart then in order to do any sort of projects on the properties that both of the property owners would have to agree to the projects. When discussing adding rocks to the property, Mr. Shaw stated that Mr. Taylor was ok with the rocks as long as Mr. Taylor would be able to construct a privacy fence along his property. Mr. Shaw stated that he is ok with an 8' privacy fence in the back of the property. Mr. Shaw did however state that he did not approve of the non-transparent part of the fence in the front of the property. He voiced his concern that it would be an eye sore and that no one else in the neighborhood had a fence in the front yard.

Ron Coffey, 609 Spruce, Coffeyville, Kansas, came to the podium to state his opposition of the 4' fence in the front yard. Mr. Coffey stated that he is fine with the 8' privacy fence in the back of the property however he did not agree with allowing Mr. Taylor to construct a 4' privacy fence in the front of his property.

The staff report was requested at this time. Tyler Strickland stated that staff had no further information on this case.

Commissioners then went into discussion regarding this case. Commissioner Williams expressed his dislike that Mr. Taylor was not present for this meeting. Mr. Strickland stated that he was out of town on prior engagements. Commissioner Jensen stated that he felt that everyone that has come before the board since he was appointed has always had reasons for the Variance requested. He feels that there was not a good reason for this Variance. Commissioner Hills stated that he is afraid that if this 8' privacy fence was approved then everyone will be wanting to construct 8' privacy fences. He feels like this will be starting an influx of new fence variances. Commissioner LeLaCheur asked why the current ordinance stated a 6' maximum. Mr. Strickland stated that the reason was not listed and that he would assume that it is just a standard for privacy fences. Discussion was also made amongst the Commissioners that it might be better to table the discussion until Mr. Taylor could be available to attend. It was also discussed

as to whether the opposing neighbors would need to attend further meetings as well and it was determined that they would also need to be present at the future meeting.

Commissioner McCloud motioned for case BZA 2019-02 to be tabled for further consideration. There was no second.

Discussion was then turned to whether to vote on part of all of the Variance as it stood. Most Commissioners stated that they did not plan to vote in favor of any part of the Variance without more information from Mr. Taylor.

Commissioner Jensen motioned for BZA 2019-02 to be denied. Commissioner Hills seconded the motion.

Commissioner Hills	Aye	Commissioner LeLaCheur	Aye
Commissioner Jensen	Aye	Commissioner Williams	Aye
Commissioner McCloud	Aye		

Motion approved.

4.2. Reports from Staff.

- A. Tyler Strickland announced his resignation from the City of Coffeyville. His last day will be September 10, 2019. He will be returning to his previous profession in construction work. Commissioners wished him well in his future endeavors.

5. Communications.

None.

6. Old Business.

None.

7. Additional Business.

A. General Discussion by the Planning Commission Members.

None.

B. Comments from the Public Addressing any Planning or Zoning Issue.

None.

C. Date for the next Planning Commission meeting: TBD

8. Adjournment.

Commissioner Williams adjourned the meeting at 5:50 p.m.

11-5-19
Date of Approval

Max Williams
Max Williams, Chairman