

VILLAGE OF HAMPSHIRE ZONING BOARD OF APPEALS

MINUTES December 18, 2018

A special meeting of the Hampshire Zoning Board of Appeals was called to order at 7:00 p.m. at the call of the Chair. Members present: Chair C. Christensen, Secretary J. Schaul, W. Albert, H. Hoffmann and R. Frillman. Also present was Village Attorney M. Schuster.

Former member N. Collins has tendered his resignation from the Zoning Board of Appeals to the Village President.

Pledge of Allegiance was said by all in attendance.

On motion made by W. Albert, seconded by H. Hoffman, to approve the minutes of the meeting of the Zoning Board of Appeals held on November 13, 2018, the vote to approve was unanimous. Motion passed.

The first order of business was consideration of the Petition for Zoning Map Amendment filed by Autumn Sun, Inc. for a change of zoning from E-2 Estate Residential Zoning District to B-3 Service Business Zoning District for Lots 1 and 2 in Ketchum Road Estates Subdivision, together with a Petition to vary the maximum floor area allowed for a business establishment in the B-2 Community Business Zoning District to allow a total floor area of not less than 8,600 s.f.

The public hearing was opened at 7:05 p.m. The Village Attorney recited that notice of this public hearing had been published in the Daily Herald Newspaper on December 1, 2018, a date more than 15 days prior to the public hearing.

Mr. Jay Stockbridge. Stockbridge Architects, appeared for Petitioner. Mr. Stockbridge summarized the plans of Autumn Sun LLC to erect and operate a wedding banquet facility on the property. Mr. Stockbridge informed the Board that he mailed notice of the public hearing to owners of adjacent properties, and that he filed an affidavit of mailing with the Village Clerk. He then tendered to the Village Attorney the return receipts of the mailing.

(Village President Magnussen arrived at 7:20 p.m.).

Stockbridge explained that Autumn Sun intended to erect a “barn” facility on the property, consisting of a large building of approximately 6,000 s.f., a covered porch or porches of an additional 600 s.f., together with an outdoor patio of 600 s.f. and a nearby pavilion of 1, 150 s.f. This would be consistent with the Comprehensive Plan, which calls for “regional commercial” uses on this property. Access to the property would be from Ketchum Road, as far to the south as would be feasible. This entrance would not line up with the access drive to the school, which is located at the far south of the school property. Autumn Sun has also begun discussions with KDOT regarding an alternative access to and from Big Timber Road. KDOT has indicated that a full access is unlikely, but that it may allow a right in – right out access point.

The facility would be used mainly on the weekends, for weddings and banquets.

Mr. Schaul inquired about the many trees on the site. Stockbridge responded that the owners will, but have not yet done a tree survey, and will try to keep as many trees as possible. He displayed photos of similar ideas for the planned facility, showing trees as an amenity for the building site. He noted that there are no trees in the pipeline easement on the property and that the bulk of trees are located farther to the south in the Ketchum Road Estates Subdivision. The east side of the Subject Property is farmed. It is anticipated that the proposed building will fit in behind the existing (largest) trees on the premises. The Site Plan exhibited at the hearing showed some of the trees that would be preserved. The Owners goal is to keep as many trees as possible.

Stockbridge also stated that the owners' plan was to start construction as soon as practicable in the Spring. It was noted that there is no other banquet facility in the Village.

Mr. Albert asked if the facility would be available during the week, for funerals, business meetings, or other gatherings. Stockbridge responded that it could be so, but the main plan is for weekend events. Albert asked if tents would be used on site. Stockbridge responded that the owners do not intend to utilize temporary tents, as they involve too many problems with power; aesthetics; and such.

Stockbridge introduced the owners, Pablo and _____ . They are from Argentina, and intend to re-locate here to start this business in Hampshire. They have been doing wedding planning, party rentals, and floral arrangements in Argentina for over 15 years.

Finally, Stockbridge delivered to the Village Attorney an updated survey of the property.

Lonnie Holze commented on the Petitions. He asked about measures to control the storm water run-off from the site. Storm water from the site travels northward, across Big Timber Road on onto property owned by him there. He noted that the original plat of subdivision for Ketchum Road Estates called for an agreement for storm water, and he asked if that had been done. He has had trouble with storm water after improvements to the Ketchum – Big Timber intersection was completed by the School District. There is water flowing all the time, and not just after a rain event. He stated that the culvert under Big Timber Road does “not line up” with the previously existing waterway on the north side of the road.

Mr. Schaul asked Stockbridge if a study had been done for storm water. Stockbridge noted that no such study had yet been done, but that the Village Engineer had called for it as part of the site planning. Mr. Christensen stated that release of storm water from the site must be controlled with a detention pond, and might be more continuous, because it would be slower and longer. Holze asked about the effect of further development in the area, on the remaining lots in Ketchum Road Estates. No definitive answer was available.

The public hearing was closed by Chairman Christensen at 7:38 p.m.

On motion by H. Hoffman, seconded by W. Albert, to recommend approval of the Petition for Zoning Map Amendment, from E-2 Estate Residential Zoning District to B-3 Service Business Zoning District for Lots 1 and 2 in Ketchum Road Estates, Roll vote: W. Albert – Aye, R. Frillman – Aye, J. Schaul – Aye, C Christensen – Aye, H. Hoffmann – Aye, the vote was 5 aye – 0 nay. Motion passed.

On motion by H. Hoffman, seconded by W. Albert, to recommend approval of the Petition for Variance of the total floor area, to allow for floor area of 8,600 s.f. for the business on the property, Roll Vote: R. Frillman – Aye, J. Schaul – Aye, C Christensen – Aye, H. Hoffmann – Aye, :

W. Albert – Aye, the vote was 5 aye – 0 nay. Motion passed.

On motion by W. Albert, seconded by H. Hoffman, to authorize the Chairman to execute and deliver on behalf of the Zoning Board of Appeals a written Findings of Fact and Recommendation to the Board of Trustees, the voice vote to approve was unanimous. Motion passed.

On motion duly made and seconded, the meeting was adjourned at 7:42 p.m.

Respectfully submitted,

Joseph B. Schaul Jr.

Joseph Schaul

Secretary