

**City of Clearwater, Kansas**  
Sedgwick County  
Board of Zoning Appeals - **MINUTES**  
May 2, 2023  
Clearwater City Hall  
129 Ross Avenue Clearwater, KS 67026

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**1. Call meeting to order**

Lyle Berntsen called the meeting to order at 6:30 p.m.

**2. Roll Call**

Deputy City Clerk called the roll to confirm the presence of a quorum. The following members were present: Lyle Berntsen, Kenny Watson, Michael McBee, J.J. Riggins. Samantha Warkins was present on the telephone.

The following staff member was present:

Courtney Zollinger, City Administrator; Carol Reitberger, Deputy City Clerk, City Attorney Andrew Foulston.

Also present was Steve and Jay Shackelford and Brian and Meredith Schauf

**3. Approval of Minutes from March 7, 2023**

**Motion:** *McBee* moved, *Riggins* seconded to approve the minutes of the March 7, 2023, as presented. The motion passed unanimously. 5-0

**Amend Agenda**

**Motion:** *McBee* moved, *Watson* seconded to amend the agenda to take out 251 S. Fourth and add 145 S. Prospect. The motion passed unanimously. 5-0

**4. Public Hearing Shackelford Machine Reduction in Setbacks**

Berntsen opened the hearing at 6:34 p.m.

**a. Zoning Variance Request**

Jay Shackelford is asking for a reduction for both front and rear setbacks to 0 ft on Building #1, reduction for front setback to 0 ft on Building #2, allow on-street parking in City right of way and cleanup other setback variance issues with existing buildings.

McBee asked if there were sidewalks on Tracy. Shackelford stated they were cracked, and he would like to redo them with this project. McBee also asked about parking for funerals on Kansas Street and Shackelford stated parking would not be affected. Could use their parking lot if their business was closed at that time.

Riggins asked the reason for angle parking. Shackelford stated more room and Zollinger stated more width with the angle.

Shackelford stated he would like to begin construction on Building #2 soon. It would be easy to take out the old house and concrete and then not a lot of dirt work.

No more questions.

Berntsen closed the hearing at 6:58 p.m.

**b. Zoning Variance Action Form**

The Board deliberated and discussed the uniqueness, adjacent property, hardship, public interest, and general spirit of the requested variances and was supported.

**Motion:** *McBee* moved, *Riggins* seconded to approve the variance as presented. The motion was approved 3-1 1 abstain.

**5. Public Hearing 145 S. Prospect**

Berntsen opened the hearing at 7:02 p.m.

**a. Zoning Variance Request**

The request from Brian and Meredith Schauf is to build a second detached garage that is 864 square feet. The property already had a garage and the two together were more than 900 square feet. The new garage will complement the existing home.

The Board had no questions.

Berntsen closed the hearing at 7:04 p.m.

**b. Zoning Variance Action Form**

The Board deliberated and discussed the uniqueness, adjacent property, hardship, public interest and general spirit of the requested variances and was supported.

**Motion:** *McBee* moved, *Watson* seconded to approve the variance as presented. The motion passed unanimously. 5-0.

**6. Other Business**

None at this time.

**7. Adjournment**

With there being no other business, *McBee* moved, *Riggins* seconded to adjourn the meeting. Voted and passed unanimously. 5-0

The meeting was adjourned at 7:07 p.m.

**CERTIFICATE**

State of Kansas }  
County of Sedgwick }  
City of Clearwater }

I hereby certify that the foregoing is a true and correct copy of the approved minutes of the May 2, 2023, Board of Zoning Appeals Board.

Given under my hand and official seal of the City of Clearwater, Kansas, this 6th day of June 2023.



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Carol Reitberger, Deputy City Clerk, Secretary



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Lyle Berntsen, Chairperson