

Louisburg Board of Zoning Appeals Meeting
6:00 P.M. SEPTEMBER 24, 2025
City Council Meeting Room
215 S. Broadway
AGENDA

Livestream link:

<https://boxcast.tv/view/board-of-zoning-appeals-ondkvfiw2jjnqpcemxm>

Item 1: CALL TO ORDER

Item 2: PLEDGE OF ALLEGIANCE

Item 3: ADOPTION OF THE AGENDA

Item 4: APPROVAL OF THE MINUTES

-Minutes from May 28, 2025, and June 11, 2025, Board of Zoning Appeals meetings.

PUBLIC HEARING BUSINESS ITEMS:

Item 5: 25003-VAR (Variance) – Request to deviate from the maximum allowed depth to width ratio for single-family residential parcels to allow for platting of a new large-lot estate development, generally located south of South 9th Street and east of US-69 Highway. (Parcel ID: 1093103001007000)

NON-PUBLIC HEARING BUSINESS ITEMS:

Item 6: KOMA (Kansas Open Meetings Act) Discussion

Item 7: ADJOURNMENT

**LOUISBURG BOARD OF ZONING APPEALS
MEETING MINUTES
WEDNESDAY MAY 28, 2025**

The Board of Zoning Appeals of the City of Louisburg, Kansas met at 6:00 p.m. in the City Hall Council Chambers with Chairperson Thorvald McKiernan presiding and opened the meeting with the Pledge of Allegiance.

ATTENDANCE:

Commission Members:	Michael Sharp, Justin Burk and Kirk Shaffer attended by virtual means
City Council:	Donna Cook
City Administrator:	Nathan Law
Staff:	Jean Carder

ADOPTION OF THE AGENDA

Chairperson McKiernan asked that election of officers be added to the agenda. The motion was seconded by Jason Burk. Motion passed 4-0. Jason Burk moved, seconded by Michael Sharp and carried 4-0, to approve the agenda.

APPROVAL OF THE MINUTES

Sharp moved, seconded by Burk and carried 4-0, to approve the minutes of the Nov. 30, 2022, meeting.

PUBLIC HEARING

McKiernan opened the public hearing for a variance for the height of ball field lights at proposed new softball and baseball fields at the middle/high school complex.

Lori Scott, Louisburg resident who lives in the school vicinity, said she hopes this item is voted down. She is opposed to the lights and said the lights will light up the entire east side of town from 7 a.m. to 10 p.m. She asked who will pay for the fields. She asked who will monitor the fields when they are not in use by the district and LRC. She asked who pays the liability and workmen's comp on the property. She asked if this will be a burden to police to monitor the fields when they are not in use. She asked if the board could provide any answers. McKiernan said the regulations call for light foot candles to be near or at zero at the property line. With new LED lighting there is very little or zero light pollution past the property line. She asked who is responsible for the roads and said two buses can't turn the corners at the same time in that neighborhood. She said Wildcat Drive should be closed. McKiernan said the parking for the fields will be at the middle school parking lot and in the staff parking area between the middle and high school so the majority of traffic should be using Amity/K-68. She asked what will happen during tournaments with the traffic and if the land is zoned commercial. McKiernan said the land is zoned residential and

schools are allowed to build in residentially zoned areas. Scott asked who benefits if the fields are rented out for a tournament. McKiernan said she would need to ask the school as the City is not involved in the rental of the fields. She asked who made this decision to put the fields in this location. McKiernan said that is a school board question. Scott asked why the City didn't vote the fields down. McKiernan said the use is allowed and the only question is the height of the light poles. Scott said the lights will be detrimental to the enjoyment of backyards in that neighborhood. City Administrator Law said our zoning regulations do allow for a variance for height. McKiernan said this is part of that variance request.

Marcus Moreland, a 20-year resident of Louisburg, said he has coached many youth sporting teams and was involved with LARA. He was the baseball/softball commissioner for that volunteer group. He said lack of fields has presented problems for teams. He said kids who are involved in sports tend to be better students, from his observation. He said from having attending multiple tournaments parking lots are dark as the field lights stop at the fields with little light spillage. He said the practice baseball/softball fields and soccer field are not fenced and this will be more secure with a fence. He also said the high school baseball/softball season starts in March and finishes by Memorial Day. Lights just won't be on year-round, he said. He said generally games are over by 9:30 so lights should not be on at midnight. He is concerned with misinformation. He said the KC metro is building many multi-complex fields. The school's single baseball and softball field will not turn into a tournament mecca with some many multi-field complexes close by.

McKiernan closed the public hearing.

McKiernan said the BZA's focus is only on the height of the poles. He said taller poles will provide better control of light spread. He said shorter poles do present a safety issue for players.

McKiernan asked the BZA for comments. Sharp said he read the information provided and it appears they are using as efficient and less intrusive lighting as possible.

Burk said he would not comment as there could be a conflict of interest as he lives across the street from the fields and is recusing himself from the conversation.

Shaffer said he read the information and has no additional questions or comments.

McKiernan said staff received an email, which he read, on the variance request from residents who live in that area:

The below undersigned are long-time residents of South Countryside Drive in Louisburg. Regarding the proposal for the baseball field to the East of our properties, we highly hope you will consider the adverse effect this proposal would have on the surrounding residential neighborhoods. The increased traffic, noise, and lights shining onto our properties are all serious issues that these ball fields will have to our neighborhoods. As we all know, there are many locations that could be considered that would not have such an adverse effect on long time as well as new residents in the surrounding area. We already are exposed to lights and noise that has increased over the years from the football

and soccer stadiums. At times I can feel my home practically vibrating with the extreme noise from continuously louder speakers from the football and soccer stadiums. This is typically seasonal currently, but with the addition of the proposed ball fields and the additional issues that would be created at that location, there would be increased and continuous year round noise, traffic, and light pollution to our properties.

Unfortunately, we will be unable to attend tonight's meeting, but I hope you sincerely consider the issue from all aspects and what is truly in the best interest of surrounding residents.

Richard and Lauri Beckman

Daniel and Diane Mathia

McKiernan led BZA members through the eight Golden factors with Law reading the applicant's response to each factor. The BZA didn't find any issues with these factors. Shaffer moved, seconded by Sharp and carried 3-0-1 (Burk) to approve the variance request.

Law said this will now move to the City Council for final approval.

ELECTION OF OFFICERS

McKiernan said the board needs to elect a chair, vice chair and secretary. Sharp nominated McKiernan as the chair, seconded by Burk and carried 3-0-1 (McKiernan).

Burk nominated Shaffer as vice chair, seconded by McKiernan and carried 3-0-1 (Shaffer).

McKiernan nominated Burk as secretary, seconded by Sharp and carried 3-0-1 (Burk).

ADJOURNMENT

At 6:26 p.m., Sharp moved, seconded by Burk and carried 4-0, to adjourn the meeting.

LOUISBURG BOARD OF ZONING APPEALS
MEETING MINUTES
WEDNESDAY, JUNE 11, 2025

The Board of Zoning Appeals of the City of Louisburg, Kansas met at 6:00 p.m. in the City Hall Council Chambers with Chairperson Thorvald McKiernan presiding.

ATTENDANCE:

Commission Members:	Michael Sharp, Kirk Shaffer
Mayor:	Donna Cook
City Council:	Steve Town
City Administrator:	Nathan Law
Planning & Dev. Director:	Katherine Louderbaugh
Communications Coord.:	Jean Carder

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kirk Shaffer.

ADOPTION OF THE AGENDA

Shaffer moved, seconded by Michael Sharp and carried 3-0, to approve the agenda.

PUBLIC HEARING

McKiernan opened the public hearing for a variance for the minimum required street frontage in an “HC-O” Overlay District to allow for a drive-through restaurant (Taco Bell).

No members of the public were present to speak at the public hearing. McKiernan closed the public hearing.

Andy Seemiller, representing the applicant, attended the meeting. He noted that the applicant operates around 75 Taco Bell restaurants in the Kansas City metro. He said that the variance is to request a smaller lot width of around 141’, which deviates from the required 150’. Shaffer asked if the other restaurants are based on the 150’ width and there are no issues with the radius. Seemiller noted that the requirement is a bit wider than most of their other restaurants.

McKiernan led BZA members through the eight Golden factors and noted that the public has been notified. The BZA didn’t find any issues with these factors. Shaffer moved, seconded by Sharp and carried 3-0, to approve the variance request.

ADJOURNMENT

At 6:06 p.m., Shaffer moved, seconded by Sharp and carried 3-0, to adjourn the meeting.

City of Louisburg Board of Zoning Appeals Staff Report

MEETING DATE: September 24, 2025

REPORT WRITTEN: September 17, 2025

HIDDEN CREEK ESTATES – REQUEST FOR APPROVAL OF A VARIANCE TO THE MAXIMUM LOT WIDTH TO DEPTH RATIO – Located south of South 9th Street and east of US-69 Highway – Case 25003-VAR **PUBLIC HEARING**

APPLICANT:

- The applicant and property owner is Jason Meier with FMG Investments, LLC.
- The engineer is Phelps Engineering represented by Harold Phelps and Dave Gamber.

REQUEST:

- The applicant is requesting approval of a variance to allow for a deviation to the allowed maximum lot width to depth ratio.

LOCATION:



CURRENT ZONING / FUTURE ZONING:

- The property is currently zoned R-1 (Single-Family Dwelling District).

SURROUNDING ZONING:

- North – Vacant property located within Miami County

- South – Property located within Miami County
- East – R-1 – Single-Family Dwelling District (Hidden Creek) and R-1 Large Lot Estates (Parker Estates)
- West – Property located within Miami County

VARIANCE REQUESTED:

- Subdivision Regulations, Section 403(C): The maximum depth of residential lots shall not exceed two and one-half (2 ½) times the width thereof, except where the lots are intended for single-family attached dwellings in which case the depth shall not exceed six (6) times the width.
 - The subject property is currently located in an R-1, Single-Family Dwelling District.
 - The subject site is currently vacant. The applicant has provided additional applications for a Preliminary Plat and Final Plat to divide the subject parcel into nine (9) separate R-1, Single-Family Dwelling Large Lot Estates parcels.
 - Once the properties are divided and the plat is recorded, the lots will be sold to builders and plot plans will be required for the homes.
 - Of the lots proposed, 7 of the 9 exceed the maximum depth to width ratio of 2.5 : 1 (specific lots shown in table below).

Lot #	Does lot exceed maximum depth to width ratio of 2.5 : 1?
1	No
2	Yes
3	Yes
4	Yes
5	Yes
6	Yes
7	Yes
8	Yes
9	No

PUBLIC NOTIFICATION:

- The City provided written notice of this public hearing to all property owners within the required 200-foot radius of the subject property, **as well as Miami County properties within 1,000'**.
- A public notice was placed in the newspaper to advertise for this public hearing, and the ad appeared in the September 3, 2025, issue of the Miami County Republic.
- To date, Staff has not received any negative comments from neighbors concerning this proposal.

BZA FACTORS:

The character of the neighborhood:

The subject property is located south of South 9th Street and east of US-69 Highway. The area is characterized by primarily residential and agricultural uses.

BZA Consideration:

The Board of Zoning Appeals shall hear all facts and testimony from all parties wishing to be heard concerning the requested variance. In each case, the Board of Zoning Appeals shall not grant a variance unless it finds, based on the evidence presented, facts which conclusively support all of the following findings:

1. UNIQUENESS: The variance requested arises from conditions which are unique to the property in question, and which are not ordinarily found in the same zoning district, and which are not caused by actions of the property owners or applicant. Such conditions include the peculiar physical surroundings, shape, or topographical condition of the specific property involved which would result in a practical difficulty or unnecessary hardship for the applicant, as distinguished from a mere inconvenience, if the requested variance was not granted.
 - a. Applicant Response: *This variance request is unique because there are 4 existing stub streets that provides access to the proposed new lots. The depth of the lots can not be adjusted because the stub streets have already been constructed and driveways are planned off of them. The resulting estate lots are extra deep because of this condition and will result in a more appropriate use of the property.*

2. ADJACENT PROPERTY: The granting of the variance will not be materially detrimental or adversely affect the rights of adjacent property owners or residents.
 - a. Applicant Response: *This request will actually improves the value of adjacent properties. Previously, this land was preliminary platted for 90 lots. Now there will be 9 lots. The new homes will be larger and a much a higher value than the existing surrounding homes, and there will be a significant decrease in the vehicular traffic to these new lots.*

3. HARDSHIP: The strict application of the provisions of the zoning regulations from which a variance is requested will constitute an unnecessary hardship upon the applicant. Although the desire to increase the profitability may be an indication of hardship, it shall not be a sufficient reason by itself to justify the variance.
 - a. Applicant Response: *The hardship created is the fact that the property lines cannot be adjusted to a accommodate the Lot to Depth Ratio. There is a certain distance from the end of the stub streets to the Western property line, that cannot be adjusted.*

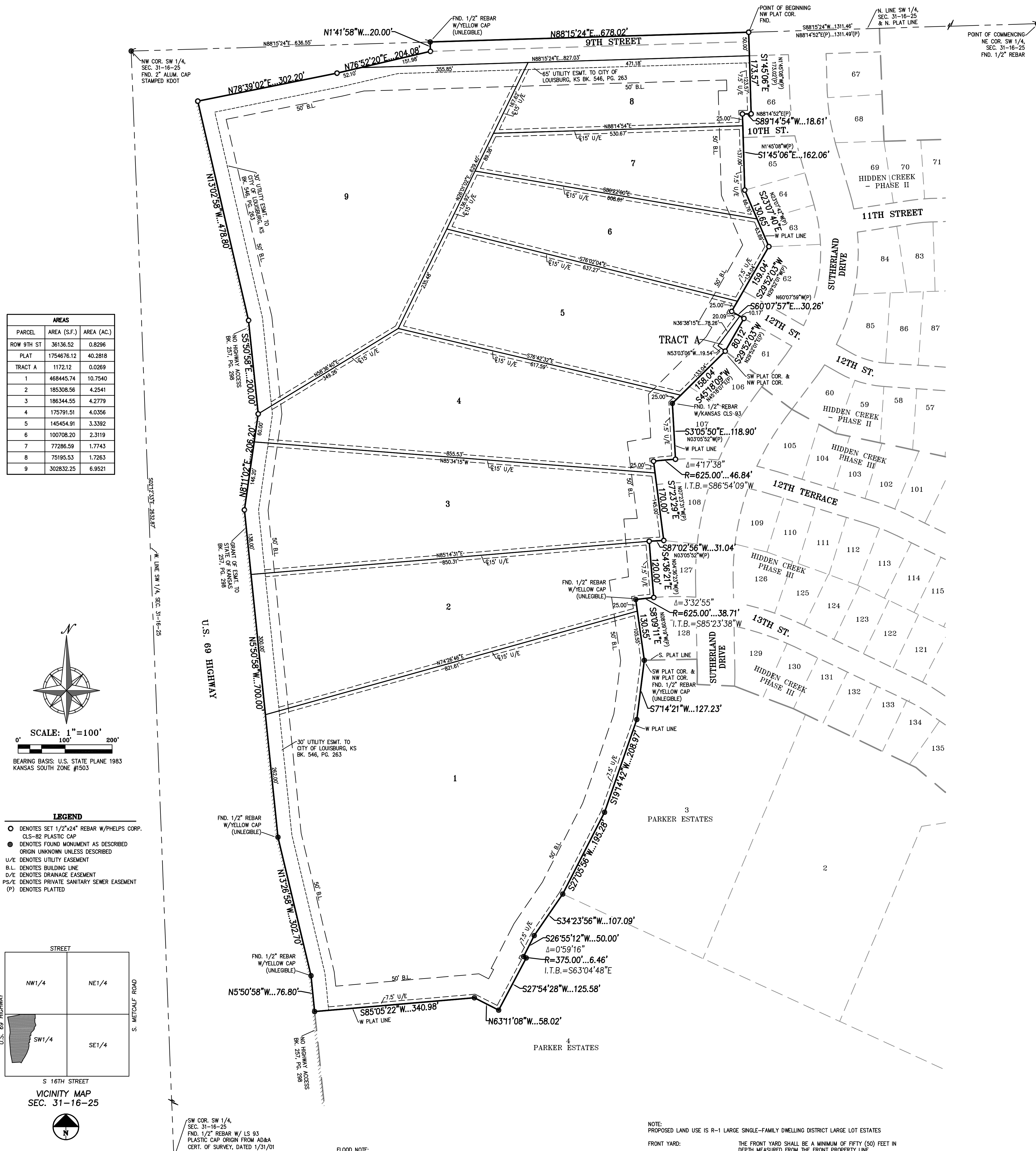
4. PUBLIC INTEREST: The variance desired will not adversely affect the public health, safety, morals, order, convenience, or general welfare of the community. The proposed variance shall not impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.

- a. Applicant Response: *As stated above, this request will actually improve the value of adjacent properties. Previously, this land was preliminary platted for 90 lots. Now there will be 9 lots. The new homes will be significantly higher value than the surrounding homes, and there will be significantly less vehicular traffic to these new lots. This will also be more environmentally sensitive than the previous plan, by preserving significant trees that also provides a sound buffer to the new and existing residence.*
5. SPIRIT AND INTENT: Granting the requested variance will not be opposed to the general spirit and intent of the zoning regulations.
 - a. Applicant Response: *This new plat will provided new estate lot housing to Louisburg, and does meet the general spirit and intent of the regulations.*
6. MINIMUM VARIANCE: The variance requested is the minimum variance that will make possible the reasonable use of the land or structure.
 - a. Applicant Response: *The property boundaries and existing stub streets create the **'limits' of this development, and thus create the minimum variance possible to make the lots developable.***

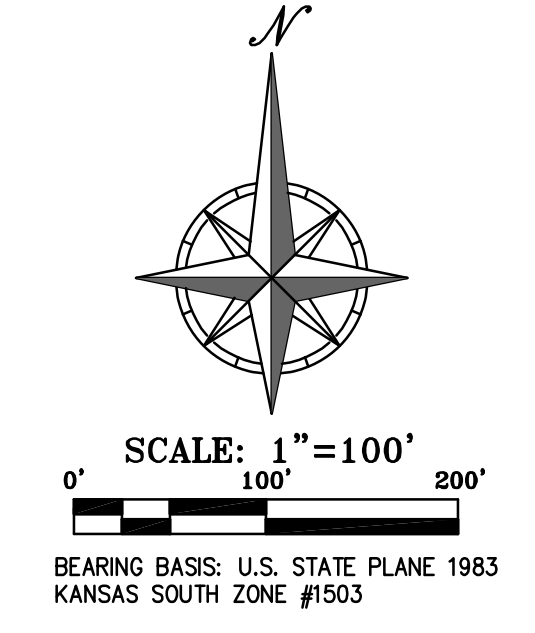
NOTE: Variance requests do not need additional consideration by the City Council for approval.

FINAL PLAT OF HIDDEN CREEK ESTATES

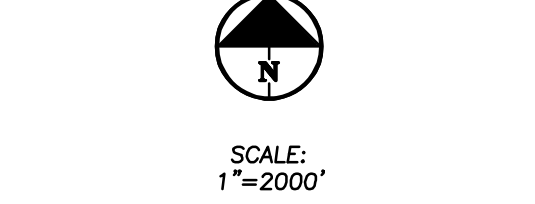
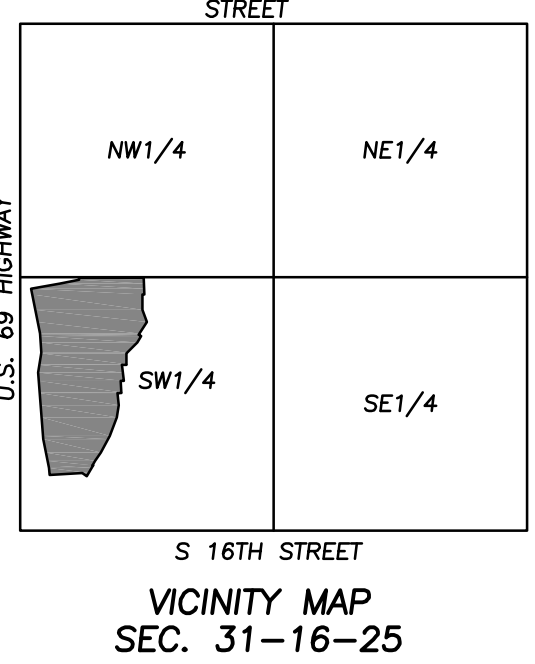
A SUBDIVISION OF LAND IN THE SOUTHWEST QUARTER OF
SECTION 31, TOWNSHIP 16, RANGE 25, IN THE CITY OF
LOUISBURG, MIAMI COUNTY, KANSAS



PARCEL	AREA (S.F.)	AREA (AC.)
ROW 9TH ST	36136.52	0.8296
PLAT	1754676.12	40.2818
TRACT A	1172.12	0.0269
1	468445.74	10.7540
2	185308.56	4.2541
3	186344.55	4.2779
4	175791.51	4.0356
5	145454.91	3.3392
6	100708.20	2.3119
7	77286.59	1.7743
8	75195.53	1.7263
9	302832.25	6.9521



- LEGEND**
- DENOTES SET 1/2"x24" REBAR W/PHELPS CORP. CLS-82 PLASTIC CAP
 - DENOTES FOUND MONUMENT AS DESCRIBED ORIGIN UNKNOWN UNLESS DESCRIBED
 - U/E DENOTES UTILITY EASEMENT
 - B.L. DENOTES BUILDING LINE
 - D/E DENOTES DRAINAGE EASEMENT
 - PS/E DENOTES PRIVATE SANITARY SEWER EASEMENT
 - (P) DENOTES PLATTED



SW COR. SW 1/4, SEC. 31-16-25
FND. 1/2" REBAR W/ LS 93 PLASTIC CAP ORIGIN FROM AD&A CERT. OF SURVEY, DATED 1/31/01

FLOOD NOTE:
THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF LOUISBURG, COMMUNITY NO. 200222, MIAMI COUNTY, KANSAS, PANEL NO. 20121002100, AND DATED JANUARY 16, 2014

NOTE:
PROPOSED LAND USE IS R-1 LARGE SINGLE-FAMILY DWELLING DISTRICT LARGE LOT ESTATES

FRONT YARD:
THE FRONT YARD SHALL BE A MINIMUM OF FIFTY (50) FEET IN DEPTH MEASURED FROM THE FRONT PROPERTY LINE

SIDE YARD:
THE TOTAL OF BOTH SIDE YARD SETBACKS SHALL NOT BE A MINIMUM OF THIRTY (30) FEET IN DEPTH.

REAR YARD:
FIFTY (50) FEET IN DEPTH

DESCRIPTION

This description was prepared by Phelps Engineering, Inc., KS CLS-82 and Scott G. Chrisman, LS-1306 on April 11, 2025, for Project No. 250418. All that part of the Southwest Quarter of Section 31, Township 16 South, Range 25 East, in the City of Louisburg, Miami County, Kansas, being more particularly described as follows:

Commencing at the Northeast corner of the Southwest Quarter of said Section 31; thence S 88°15'24" W, along the North line of the Southwest Quarter of said Section 31 and along the North line of HIDDEN CREEK - PHASE II, a platted subdivision of land in the City of Louisburg, Miami County, Kansas, a distance of 1311.46 feet to the Northwest plot corner of said HIDDEN CREEK - PHASE II, said point also being the Point of Beginning; thence along the Westerly plot line of said HIDDEN CREEK - PHASE II, for the following seven (7) courses; thence S 1°45'06" E, a distance of 173.57 feet; thence S 89°14'54" W, a distance of 18.61 feet; thence S 1°45'06" E, a distance of 162.06 feet; thence S 23°07'40" E, a distance of 130.65 feet; thence S 29°52'03" W, a distance of 159.04 feet; thence S 60°07'57" E, a distance of 30.26 feet; thence S 29°52'03" W, a distance of 80.12 feet to the Southwest plot corner of said HIDDEN CREEK - PHASE II; thence along the Westerly plot line of said HIDDEN CREEK - PHASE II, for the following eight (8) courses; thence S 45°18'09" W, a distance of 158.04 feet; thence S 3°05'50" E, a distance of 116.90 feet; thence Westerly on a curve to the left, said curve having an initial tangent bearing of S 88°54'09" W and a radius of 625.00 feet, on an arc distance of 46.84 feet; thence S 7°23'29" E, a distance of 170.00 feet; thence S 87°02'56" W, a distance of 31.04 feet; thence S 4°36'21" E, a distance of 120.00 feet; thence Westerly on a curve to the left, said curve having an initial tangent bearing of S 85°23'38" W and a radius of 625.00 feet, on an arc distance of 38.71 feet; thence S 8°09'11" E, a distance of 130.55 feet to the Southwest plot corner of said HIDDEN CREEK - PHASE II; thence along the Northwest plot corner of PARKER ESTATES, a platted subdivision of land in the City of Louisburg, Miami County, Kansas; thence along the Westerly plot line of said PARKER ESTATES, for the following nine (9) courses; thence S 7°14'21" W, a distance of 127.23 feet; thence S 19°14'42" W, a distance of 208.97 feet; thence S 27°05'56" W, a distance of 195.28 feet; thence S 34°23'56" W, a distance of 107.09 feet; thence S 26°50'12" W, a distance of 50.00 feet; thence Southeastery on a curve to the right, said curve having an initial tangent bearing of S 63°04'48" E and a radius of 375.00 feet, on an arc distance of 6.46 feet; thence S 27°54'28" W, a distance of 125.58 feet; thence N 63°11'08" W, a distance of 58.02 feet; thence S 85°05'22" W, a distance of 340.98 feet to an angle point on the Westerly plot line of said PARKER ESTATES, said point also being on the Easterly right-of-way line of U.S. 69 Highway, as now established; thence along the Easterly right-of-way line of said U.S. 69 Highway, for the following eight (8) courses; thence N 5°50'58" W, a distance of 76.80 feet; thence N 13°02'58" W, a distance of 302.70 feet; thence N 5°50'58" W, a distance of 700.00 feet; thence N 8°11'02" E, a distance of 206.20 feet; thence N 5°50'58" W, a distance of 200.00 feet; thence N 13°02'58" W, a distance of 478.80 feet; thence N 78°39'02" E, a distance of 302.20 feet; thence N 78°52'24" E, a distance of 204.08 feet; thence N 1°41'58" W, a distance of 20.00 feet to a point on the North line of the Southwest Quarter of said Section 31; thence N 88°15'24" E, along the North line of the Southwest Quarter of said Section 31, a distance of 678.02 feet to the Point of Beginning, containing 40.2818 acres, more or less, unplatted land.

DEDICATION

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "HIDDEN CREEK ESTATES".

The undersigned proprietor of said property shown on this plat does hereby dedicate over, under, and through all parcels and parts of land indicated on said plat as streets, terraces, roads, drives, alleys, parkways and avenues not heretofore dedicated, a perpetual easement for the purpose of constructing, using, replacing, and maintaining public roadways, public ways and thoroughfares, including storm water, street lighting, sidewalks, trails, and appurtenant work in any part of the easement, including the right to clean, repair, maintain and replace the roadway, and for any future expansion of such facilities within the area of the easement together with the right of access to the easement and over the easement for these purposes. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby assents and agrees to indemnify the City of Louisburg, Kansas, from any expense incident to the relocation of any such existing utility installations within said prior easement.

An easement or license is hereby granted to the City of Louisburg, Miami County, Kansas, and to all public utility companies duly incorporated and licensed to do business in Miami County, Kansas, to enter upon, locate, construct, and maintain poles, wires, anchors, pipes, conduits, sewers, surface drainage facilities, etc., upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", "Drainage Easement" or "D/E", "Sanitary Sewer Easement" or "S/E".

An easement or license to lay, construct, maintain, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress over and through those areas designated as "Private Sanitary Sewer Easement" or "PS/E" on this plat, together with the right of ingress and egress over and through adjoining land as may be reasonably necessary to access said easement and is hereby dedicated to the lot owners served by said PS/E. Owners of lots where PS/E lie shall not construct any permanent building structures over easement, but may enjoy the use of such easement areas for other uses such as driveways, grass, gardening, etc.

An easement or license to lay, construct, maintain, alter, repair, replace and operate one or more water lines and all appurtenances convenient for the distribution of water, together with the right of ingress and egress over and through those areas designated as "Private Water Line Easement" or "PW/E" on this plat, together with the right of ingress and egress over and through adjoining land as may be reasonably necessary to access said easement and is hereby dedicated to the lot owners served by said PW/E. Owners of lots where PW/E lie shall not construct any permanent building structures over easement, but may enjoy the use of such easement areas for other uses such as driveways, grass, gardening, etc.

Tract "A" is intended to be deed to adjacent property owner of Lot 61, Hidden Creek - Phase II.

CONSENT TO LEVY

The undersigned proprietors of the above described land hereby agree and consent that the Board of County Commissioners of Miami County, Kansas, and the City of Louisburg, Miami County, Kansas, shall have power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessment, and that the amount of unpaid special assessments on such land so dedicated, shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public ways or thoroughfares.

EXECUTION

IN TESTIMONY WHEREOF, undersigned proprietors has caused this instrument to be executed on this _____ day of _____, 20____.

FMG Investments LLC, a Kansas limited liability company

By: _____
Jason Meier, Managing Member

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS
COUNTY OF _____)

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, came Jason Meier, Managing Member of FMG Investments LLC, a Kansas limited liability company, who is personally known to me to be such person who executed, the within instrument and such person duly acknowledged the execution of the same to be the act and deed of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: _____ My Appointment Expires: _____

APPROVALS

Approved by the Planning Commission of the City of Louisburg, Miami County, Kansas, this _____ day of _____, 20____.

Chairperson: Michael Johnson, Jr.
Approved by the Governing Body of the City of Louisburg, Miami County, Kansas, this _____ day of _____, 20____.

Attest: _____
City Clerk: Jessica McGowan

CERTIFICATION OF COUNTY TREASURER

I hereby certify, as the County Treasurer of Miami County, Kansas, that there are no unpaid taxes, special assessments, or tax liens outstanding against this property as of this _____ day of _____, 20____.

Tricia Lee, Treasurer

CERTIFICATE OF FILING

STATE OF KANSAS)
) SS
COUNTY OF MIAMI)

Filed for record this _____ day of _____, 20____, at _____ o'clock _____ M., at Book _____ Page _____ at the Register of Deeds Office at Paola, Miami County, Kansas.

Slide Number _____
Jamie Hamrighausen, Registrar, Register of Deeds Miami County, Kansas

This Lot Split # _____ was approved by the Miami County Planning Department this _____ day of _____, 20____.

Approved by: _____ File No. _____

This survey has been reviewed and approved for filing, pursuant to K.S.A. 58-2003, 58-2005, 58-2011 and K.A.R. 66-12-1 for content only and is compliant with this act. No other warranties are extended or implied.

Reviewed by: _____ Date: _____
Richard A. Wels, Kansas LS #1216

I, Scott G. Chrisman, hereby certify that in September 2025, I or someone under my responsible charge have made a survey of the above described tract of land and the results of said survey are correctly represented on this plat.



CERTIFICATE OF AUTHORIZATION
KANSAS
LAND SURVEYING - LS-82
ENGINEERING - LS-82

CERTIFICATE OF AUTHORIZATION
MISSOURI
LAND SURVEYING - 200700128
ENGINEERING - 2007000608

PEI PHELPS ENGINEERING, INC.
1230 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax (913) 393-1166

**NOTICE OF PUBLIC HEARING
CITY OF LOUISBURG**

The Louisburg Board of Zoning Appeals will hold a public hearing at 6:00 P.M. on September 24, 2025, in the Council Chambers, 215 South Broadway, Louisburg, Kansas to consider a Variance application to allow for a deviation to the maximum lot width to depth ratio as provided for by the City of Louisburg Subdivision Regulations, pursuant to Article 4, Section 403, for property generally located at the southeast corner of South 9th Street and US-69 Highway (Parcel ID: 1093103001007000).

Case No. 25003-VAR
Deviation of the maximum lot width to depth ratio

Legal Description

All that part of the Southwest Quarter of Section 31, Township 16 South, Range 25 East, in the City of Louisburg, Miami County, Kansas, being more particularly described as follows:

Commencing at the Northeast corner of the Southwest Quarter of said Section 31; thence S 88°15'24" W, along the North line of the Southwest Quarter of said Section 31 and along the North plat line of HIDDEN CREEK – PHASE II, a platted subdivision of land in the City of Louisburg, Miami County, Kansas, a distance of 1311.46 feet to the Northwest plat corner of said HIDDEN CREEK – PHASE II, said point also being the Point of Beginning; thence along the Westerly plat line of said HIDDEN CREEK – PHASE II, for the following seven (7) courses; thence S 1°45'06" E, a distance of 173.57 feet; thence S 89°14'54" W, a distance of 18.61 feet; thence S 1°45'06" E, a distance of 162.06 feet; thence S 23°07'40" E, a distance of 130.65 feet; thence S 29°52'03" W, a distance of 159.04 feet; thence S 60°07'57" E, a distance of 30.26 feet; thence S 29°52'03" W, a distance of 80.12 feet to the Southwest plat corner of said HIDDEN CREEK – PHASE II, said point also being the Northwest plat corner of HIDDEN CREEK – PHASE III, a platted subdivision of land in the City of Louisburg, Miami County, Kansas; thence along the Westerly plat line of said HIDDEN CREEK – PHASE III, for the following eight (8) courses; thence S 45°18'09" W, a distance of 158.04 feet; thence S 3°05'50" E, a distance of 118.90 feet; thence Westerly on a curve to the left, said curve having an initial tangent bearing of S 86°54'09" W and a radius of 625.00 feet, an arc distance of 46.84 feet; thence S 7°23'29" E, a distance of 170.00 feet; thence S 87°02'56" W, a distance of 31.04 feet; thence S 4°36'21" E, a distance of 120.00 feet; thence Westerly on a curve to the left, said curve having an initial tangent bearing of S 85°23'38" W and a radius of 625.00 feet, an arc distance of 38.71 feet; thence S 8°09'11" E, a distance of 130.55 feet to the Southwest plat corner of said HIDDEN CREEK – PHASE III, said point also being the Northwest plat corner of PARKER ESTATES, a platted subdivision of land in the City of Louisburg, Miami County, Kansas; thence along the Westerly plat line of said PARKER ESTATES, for the following nine (9) courses; thence S 7°14'21" W, a distance of 127.23 feet; thence S 19°14'42" W, a distance of 208.97 feet; thence S 27°05'56" W, a distance of 195.28 feet; thence S 34°23'56" W, a distance of 107.09 feet; thence S 26°55'12" W, a distance of 50.00 feet; thence Southeasterly on a curve to the right, said curve having an initial tangent bearing of S 63°04'48" E and a radius of 375.00 feet, an arc distance of 6.46 feet; thence S 27°54'28" W, a distance of 125.58 feet; thence N 63°11'08" W, a distance of 58.02 feet; thence S 85°05'22" W, a distance of 340.98 feet to an angle point on the Westerly plat line of said PARKER ESTATES, said point also being on the Easterly right-of-way line of U.S. 69 Highway, as now established; thence along the Easterly right-of-way line of said U.S. 69 Highway, for the following eight (8) courses; thence N 5°50'58" W, a distance of 76.80 feet; thence N 13°26'58" W, a distance of 302.70

feet; thence N 5°50'58" W, a distance of 700.00 feet; thence N 8°11'02" E, a distance of 206.20 feet; thence N 5°50'58" W, a distance of 200.00 feet; thence N 13°02'58" W, a distance of 478.80 feet; thence N 78°39'02" E, a distance of 302.20 feet; thence N 76°52'20" E, a distance of 204.08 feet; thence N 1°41'58" W, a distance of 20.00 feet to a point on the North line of the Southwest Quarter of said Section 31; thence N 88°15'24" E, along the North line of the Southwest Quarter of said Section 31, a distance of 678.02 feet to the Point of Beginning, containing 40.2818 acres, more or less, unplatted land.

If you require accommodations (qualified interpreter, hearing assistance, etc.) in order to attend this meeting, please contact Katherine Louderbaugh at (913) 837-5811 at least 48 hours in advance.



To: Board of Zoning Appeals (BZA)
From: Katherine Louderbaugh
Date: Sept. 17, 2025
Re: KOMA (Kansas Open Meetings Act)

New Kansas state law has made changes to KOMA effective July 1, 2025, and is part of House Bill (HB) 2134, and adds three subsections to KSA 75-4318. Staff would like to make this board aware of these changes as follows:

(h) When a subcommittee or other subordinate group is created by a public body or agency, whenever a majority of such subcommittee or other subordinate group meets, such subcommittee or other subordinate group shall be subject to the requirements of this act.

(i) Unless otherwise stated in law, a private entity will only be considered a subordinate group of a legislative or administrative body of the state or a political and taxing subdivision if such private entity is under the control, whether directly or indirectly, of a legislative or administrative body of the state or a political and taxing subdivision.

(j) A public body or agency that voluntarily elects to live stream their meeting on television, the internet or any other medium shall ensure that all aspects of the open meeting are available through the selected medium for the public to observe. An unintentional technological failure or an action taken by the provider of the selected medium that disrupts or prevents such live stream shall not constitute a violation of this subsection

At a recent meeting it was cautioned to not create a subcommittee if the intention was to in any way to avoid the requirements of the Open Meetings Act. Subsection (h) above clarifies that topic. Staff sought out to Miami County Attorney, Kenton Harding, to provide the scenario of the meeting and check in the context of the requirements of HB 2134. After some clarifications, the response provided was that a majority constitutes a meeting, and if a qualifying board/commission creates for example a subcommittee of three, then any two members would constitute a quorum of the subcommittee. Staff is sharing this information with all boards/commissions.

Additionally, subsection (h) along with the entirety of HB 2134 is viewable online at - https://www.kslegislature.gov/li/b2025_26/measures/documents/hb2134_enrolled.pdf.

One final note – as of this writing, the Kansas Revisor of Statutes website does not have the updates from HB 2134 reflected in KSA 75-4318.

Financial: None

Recommendation: Receive and file.