

**City of Silver Lake, Kansas
Planning Commission**

Agenda

Tuesday, January 6, 2026

5:30 PM

1. Call to Order
2. Election of Meeting Chairman
3. Appointment of Meeting Secretary
4. Current Business
 - a. Approval of minutes for May 22, 2024 meeting
 - b. Presentation by Party Requesting Zoning Change
 - c. Consider rezoning request for LOT 9 BLOCK A SILVER LAKE EAST SUB #7 SECTION 16 TOWNSHIP 11 RANGE 14. The approximate location of this vacant tract is at S Chestnut between 101 E Gemini and 100 S Aquarius in Silver Lake. The present zoning is "R-2" Two Family Dwelling District and the requested zoning is "C – 1" Neighborhood Shopping District.
 - d. Public Comment
 - e. Action by Commission
5. Adjournment

CITY OF SILVER LAKE, KANSAS
PLANNING COMMISSION MEETING MINUTES
OF MAY 22, 2024

The Silver Lake Planning Commission met on Wednesday, May 22, 2024 at 5:30 p.m. The following members were present:

JEFF REAMER
JIM STADLER
GARY MUSSELMAN
MIKE KRUGER
TRENT HANNI

being all of the currently appointed members of the Commission.

Also present were the following persons:

TODD LUCKMAN, City Attorney
JONAH BISHOP, Mayor

The meeting was called to order at 5:30 p.m. It was announced that the first order of business was the election of a chairman. Gary Musselman was nominated by Jim Stadler. Mike Kruger seconded the nomination. There being no further nominations, motion was unanimously carried that Gary Musselman be elected as Chairman of the meeting.

Upon motion of Jim Stadler, seconded by Gary Musselman, Todd Luckman was nominated to serve as Secretary of the meeting. The motion passed unanimously.

The Chairman then noted that the only matter before the Planning Commission was a public hearing on the draft ordinance from the City Council, adding a new provision to the Zoning Code allowing for a special use permit for certain uses in the C-2 Commercial Zone. The Planning Commission took notice of the proposed ordinance and discussed matters pertaining to the implications of approval. The Board asked for input from the public, and heard from Jonah Bishop on the City's reasons for proposing the ordinance.

The Board noted a concern that none of the factors listed required that the trailers be operable or moveable. Considering that many locations in the City are in a flood zone, such a requirement would ensure that the public is not damaged in a flood situation as the trailers or equipment could be moved if all are moveable. Towards that end, the Board formulated the following additional provision:

(v) All semitrailers, travel trailers, trailers, special mobile equipment, farm equipment, construction equipment or similar items of property (as defined in the City's Standard Traffic Ordinance) shall be maintained in an operable and/or moveable condition.

Thereupon, Jim Stadler submitted a motion to approve and submit the Ordinance with an addition of the proposed subsection, seconded by Jeff Reamer. The motion was approved unanimously.

There being no further business to come before the meeting, the meeting was adjourned.

APPROVED:

GARY MUSSELMAN, Chairman

TODD A. LUCKMAN, City Attorney/Secretary

City of Silver Lake

PO Box 92
218 W. Railroad St.
Silver Lake, KS 66539
785-582-4280



City of Silver Lake Application for Zoning, Planning and Special Uses

APPLICANT/OWNER OF RECORD

Name: Roberson, Gary L & Margaret M
Address: 10623 NW Parr Rd
City/State, Zip: Silver Lake, KS 66539
Phone: 785-554-6400 & 785-220-1817
Email: robersonmeg01@gmail.com

OWNER OF RECORD, IF DIFFERENT FROM APPLICANT

Name: _____
Address: _____
City/State, Zip: _____
Phone: _____
Email: _____

PROPERTY INFORMATION

Proposed Use of Property: Commercial - Retail C1
Present Use of Property: Vacant
Location/Address: S. Chestnut St

Name of Subdivision: Silver Lake East Sub #7

Current Zoning District: 9910 - Residential

Acreage: 0.84

Legal Description:

Parcel ID: 0851601004003000

Quick Ref ID: R6364

Book/Page: 2023R17852

Tax Unit: 230

Description of Existing Improvements:

Empty lot with KDOT approved entrance already in place, and; water, sewer, electric & natural gas

Zoning Changes Requested: R2 → Commercial Retail

City Utility Services Requested: none

Applicant Signature: Gary Roberson Margaret Roberson

Owner's Signature: Gary Roberson Margaret Roberson

See next page for instructions.

- 101 E. Gemini St - Silver Lake, owner: Silver Lake Dev Co LP
- ✓ 413 S. Walnut St. - Travis & Amanda Farmer
- ✓ 415 S. Walnut St. - Joseph & Ronda Haverkamp
- 417 S. Walnut St. - Hal D Schwarz Trust
- 104 S. Aquarius St - Robert & Reger Schwarz, Debra Trust
- 102 S. Aquarius St. - Austin & Sarah Neff
- 100 S. Aquarius St. - Paul & Joyce Workman
- 417 S. Chestnut St. - Louann Austin
- 415 S. Chestnut St. - Charles & Julie Ross
- 413 S. Chestnut St. - Eldon & Doris Roberson Trust
- 411 S. Chestnut St. - Vincent & Nicole Mule
- 409 S. Chestnut St. - Michael & Kimberly Martin



(F) Such use shall not project any obnoxious sound, odor, smoke, light or in any way create any nuisance or adverse conditions upon the adjoining properties or neighborhood;

(G) A home occupation use shall not be permitted to detract from or cause the subject property to be changed in such a manner to adversely affect the residential character of the neighborhood;

(H) A home occupation permit shall be issued to the applicant and the same shall not be transferrable or assignable nor shall it be continued on the subject property after the use shall have been discontinued or abandoned for a period of 12 months;

(I) An application for a home occupation permit shall be accompanied by a certificate of ownership furnished by the applicant certifying the ownership of all property located within 300 feet of the subject property; and

(J) The enforcement and administration of this article shall rest with the chief building officer. Upon his or her finding that any of the foregoing provisions have not been complied with, the chief building officer shall direct the home occupation permit to be invalid and shall order the use therein to be discontinued and vacated.

(Ord. 1265, passed 8-20-1984)

§ 16-704 INTENSITY OF USE REGULATIONS.

Every lot of land shall have an area of not less than 10,000 square feet and an average width of not less than 70 feet, except that if a single lot of record as of the effective date of this article, as defined in the definitions section of this article, has less area or width than herein required and its boundary lines, along their entire length, touched lands under other ownership on the effective date of this article and have not since been changed, such lot may be used for a single-family dwelling if the structure conforms with other requirements in this district.

§ 16-705 HEIGHT REGULATIONS.

No building shall exceed 35 feet in height, except as otherwise provided in the additional height, area and use regulations in this article.

§ 16-706 YARD REGULATIONS.

(a) *Front yard.*

(1) There shall be a front yard having a depth of not less than 30 feet except as required for arterial and collector streets. (See additional height, area and use regulations.)

(2) Where lots have a double frontage, the required front yard shall be provided on both streets.

(3) Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot; provided, however, that the buildable width of a single lot of record as of the effective date of this article shall not be reduced to less than 35 feet, except where necessary to provide a yard along the side street with a depth of not less than five feet. No accessory building shall project beyond the front yard line on either street.

(b) *Side yard.*

(1) Except as hereinafter provided in division (b)(2) below and in the additional height, area and use regulations of this article, there shall be a side yard having a width of not less than six feet on each side of the principal building.

(2) Wherever a lot of record as of the effective date of this article has width of 50 feet or less, the side yard on each side of a building may be reduced to a width of not less than 10% of the width of the lot, but in no instance shall it be less than three feet.

(c) *Rear yard.* Except as hereinafter provided in the additional height, area and use regulations of this article, there shall be a rear yard having a depth of not less than 30 feet or 20% of the depth of the lot, whichever amount is smaller.

§ 16-707 PARKING REGULATIONS.

As required in Article 21, Parking and Loading Regulations.

§ 16-708 SIGN REGULATIONS.

As permitted in Article 20, Sign Regulations.

ARTICLE 8: “R-1” SINGLE-FAMILY DWELLING DISTRICT

Section

- 16-801 Intent and purpose of district
- 16-802 District regulations
- 16-803 Use regulations
- 16-804 Intensity of use regulations
- 16-805 Height regulations
- 16-806 Yard regulations
- 16-807 Parking regulations
- 16-808 Sign regulations

§ 16-801 INTENT AND PURPOSE OF DISTRICT.

(a) The “R-1” Single-Family Dwelling District is established for the purpose of low density single-family dwelling control and to allow certain public facilities. It is intended that no uses be permitted in this district that will tend to devalue property for residential purposes or interfere with the health, safety, order or general welfare of persons residing in the district.

(b) Regulations are intended to control density of population and to provide adequate open space around buildings and structures in the district to accomplish these purposes.

§ 16-802 DISTRICT REGULATIONS.

In District “R-1”, no building or land shall be used and no building or structure shall be erected, altered or enlarged, which is arranged, intended or designed for other than one of the uses listed in § 16-803 of this article.

§ 16-803 USE REGULATIONS.

All uses first allowed in District “R” and the following:

- (a) Athletic field including stadium;
- (b) The following uses may be allowed by special use permit when submitted, reviewed and approved by the Board of Zoning Appeals.

(1) Any public building erected or land used by any department of the city, county, state or federal government;

(2) Cemetery or crematory;

(3) Telephone exchange, electric substations and regulator stations, or other public utilities;
and

(4) Nursing homes and homes for the aged on a tract of land three acres or larger.

§ 16-804 INTENSITY OF USE REGULATIONS.

Every lot of land shall have an area of not less than 8,000 square feet and an average width of not less than 60 feet, except that if a single lot of record as of the effective date of this article, as defined in § 16-302 of this chapter, has less area or width than herein required and its boundary lines, along their entire length, touched lands under other ownership on the effective date of this article and have not since been changed, such lot may be used for a single-family dwelling if the structure conforms with other requirements in this district.

§ 16-805 HEIGHT REGULATIONS.

No building shall exceed 35 feet in height, except as otherwise provided in the additional height, area and use regulations in this article.

§ 16-806 YARD REGULATIONS.

(a) *Front yards.*

(1) There shall be a front yard having a depth of not less than 25 feet except as required for arterial and collector streets. (See additional height, area and use regulations.)

(2) Where lots have a double frontage, the required front yard shall be provided on both streets.

(3) Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot; provided, however, that the buildable width of a single lot of record as of the effective date of this article shall not be reduced to less than 35 feet, except where necessary to provide a yard along the side street with a depth of not less than five feet. No accessory building shall project beyond the front yard line on either street.

(b) *Side yard.* Except as hereinafter provided in division (b)(2) below and in the additional height, area and use regulations of this article, there shall be a side yard having a width of not less than six feet on each side of the principal building. Wherever a lot of record as of the effective date of this article has a width of 50 feet or less, the side yard on each side of a building may be reduced to a width of not less than 10% of the width of the lot, but in no instance shall it be less than three feet.

(c) *Rear yard.* Except as hereinafter provided in the additional height, area and use regulations of this article, there shall be a rear yard having a depth of not less than 25 feet or 20% of the depth of the lot, whichever amount is smaller.

§ 16-807 PARKING REGULATIONS.

As required in Article 21, Parking and Loading Regulations.

§ 16-808 SIGN REGULATIONS.

As permitted in Article 20, Sign Regulations.

ARTICLE 9: "R-2" TWO-FAMILY DWELLING DISTRICT

Section

- 16-901 Intent and purpose of district
- 16-902 District regulations
- 16-903 Use regulations
- 16-904 Intensity of use regulations
- 16-905 Height regulations
- 16-906 Yard regulations
- 16-907 Parking regulations
- 16-908 Sign regulations

§ 16-901 INTENT AND PURPOSE OF DISTRICT.

The "R-2" Two-Family Dwelling District is intended for the purpose of allowing a slightly higher density than in Districts "R" and "R-1", yet retaining the residential qualities. This district allows duplex uses, single-family homes, certain community facilities and certain special uses.

§ 16-902 DISTRICT REGULATIONS.

In District "R-2", no building or land shall be used, and no building or structure shall be erected, altered or enlarged, which is arranged, intended or designed for other than one of the uses listed in § 16-903 of this article.

§ 16-903 USE REGULATIONS.

All uses first allowed in Districts "R" and "R-1" and the following:

(a) Two-family dwellings;

(b) The following uses may be allowed by special use permit when submitted, reviewed and approved by the Board of Zoning Adjustments:

(1) Any public building erected or land used by any department of the city, county, state or federal government;

(2) Cemetery or crematory;

(3) Telephone exchange, electric substations and regulator stations, or other public utilities;
and

(4) Nursing homes and homes for the aged on a tract of land three acres or larger.

§ 16-904 INTENSITY OF USE REGULATIONS.

Except as hereinafter provided, all dwellings hereafter erected, enlarged, relocated or reconstructed, shall be located upon lots containing the following areas:

(a) A lot on which there is erected a single-family dwelling shall contain an area of not less than 8,000 square feet per family;

(b) A lot on which there is erected a two-family dwelling shall contain an area of not less than 4,000 square feet per family; and

(c) Where a single lot of record as of the effective date of this article, as defined in the definitions section of this article, has less area than herein required and its boundary lines, along their entire length, touched lands under other ownership on the effective date of this article and have not since been changed, such lot may be used for a single-family dwelling if the structure conforms with other requirements of this district.

§ 16-905 HEIGHT REGULATIONS.

No building or structure shall exceed 35 feet in height, except as otherwise provided in the additional height, area and use regulations in this article.

§ 16-906 YARD REGULATIONS.

(a) *Front yard.*

(1) There shall be a front yard having a depth of not less than 25 feet except as required for arterial and collector streets. (See additional height, area and use regulations.)

(2) Where lots have a double frontage, the required front yard shall be provided on both streets.

(3) Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot; provided, however, that the buildable width of a lot of record at the time of the passage of this article shall not be reduced to less than 28 feet, except where necessary to provide a yard along the side street with a depth of not less than five feet. No accessory building shall project beyond the front yard line on either street.

(b) *Side yard.*

(1) Except as hereinafter provided in division (b)(2) below and in the additional height, area and use regulations of this article, there shall be a side yard having a width of not less than five feet on each side of the principal building.

(2) Wherever a lot of record as of the effective date of this article has a width of 50 feet or less, the side yard on each side of a building may be reduced to a width of not less than 10% of the width of the lot, but in no instance shall it be less than three feet.

(c) *Rear yard.* Except as hereinafter provided in the additional height, area and use regulations of this article, there shall be a rear yard having a depth of not less than 25 feet or 20% of the depth of the lot, whichever amount is smaller.

§ 16-907 PARKING REGULATIONS.

As required in Article 21, Parking and Loading Regulations.

§ 16-908 SIGN REGULATIONS.

As permitted in Article 20, Sign Regulations.

ARTICLE 15: “C-1” NEIGHBORHOOD SHOPPING DISTRICT

Section

16-1501	Intent and purpose of district
16-1502	District regulations
16-1503	Use regulations
16-1504	Intensity of use regulations
16-1505	Height regulations
16-1506	Yard regulations
16-1507	Sign regulations
16-1508	Parking and loading regulation
16-1509	Additional height, area and use regulations

§ 16-1501 INTENT AND PURPOSE OF DISTRICT.

It is the intent of the “C-1” Neighborhood Shopping District to permit retail sale of convenience goods and services. This district is established for the purpose of providing services to existing and future neighborhoods.

§ 16-1502 DISTRICT REGULATIONS.

In District “C-1”, no building shall be used and no building or structure shall be erected, altered or enlarged, which is arranged, intended or designed for other than one of the uses listed in § 16-1503.

§ 16-1503 USE REGULATIONS.

The following uses are allowed:

- (a) Banks and other savings and lending institutions;
- (b) Barber shops;
- (c) Beauty shops;
- (d) Candy and ice cream stores (except drive-ins);
- (e) Cleaning and laundry pick-up stations;

- (f) Custom dressmaking, furrier, millinery, tailor shops (employing less than five persons);
- (g) Drug stores;
- (h) Electric and telephone substations;
- (i) Fix-it shops, (radio, television and small appliances);
- (j) Flower and gift shops;
- (k) Grocery stores (meat and delicatessen);
- (l) Hardware stores;
- (m) Laundry (self-service);
- (n) Key shops;
- (o) Medical, dental and health clinics (for people only);
- (p) Messenger and telegraph stations;
- (q) Newsstands;
- (r) Non-profit religious, educational and philanthropic institutions;
- (s) Offices - business, professional and public;
- (t) Parks, playgrounds and community buildings;
- (u) Parking lots (customer and private);
- (v) Photographers studio;
- (w) Restaurants and tea rooms (except for drive-ins);
- (x) Service stations;
- (y) Shoe repair and shoe shine shops;
- (z) Small animal hospital or clinic;
- (aa) Automobile sales and service;

(bb) Used car lots;

(cc) Garage and automobile repair shops, but not including automobile body and fender work and automobile painting; and

(dd) Taverns and private clubs, but no such use shall be made where any structure to be used as a tavern or private club is located within 200 feet of any structure used as a single family residence and zoned as “R”, “R-1” or “R-2”.

(Ord. 1227, passed 9-6-1983; Ord. 1786, passed 6-23-1999; Ord. 1851, passed 5-21-2001; Ord. 1934, passed 1-21-2004)

§ 16-1504 INTENSITY OF USE REGULATIONS.

Area occupied by buildings in this district shall not exceed 40% of the ground area on which the building is located.

§ 16-1505 HEIGHT REGULATIONS.

No building shall exceed 40 feet in height.

§ 16-1506 YARD REGULATIONS.

(a) *Front yard.*

(1) There shall be a front yard having a depth of not less than 25 feet except as required in the additional height, area and use regulations of this article for arterial and collector streets.

(2) Where a lot or lots have double frontage, the required front yard shall be provided on both streets.

(3) Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of the lot.

(4) No accessory building shall project beyond the front yard line on either street.

(b) *Side yard.* There shall be a side yard on each side of a building and the yard shall not be less than ten feet.

(c) *Rear yard.* Except as otherwise provided in the additional height, area and use regulations of this article, there shall be a rear yard for buildings in this district which rear yard shall have a depth of not less than 25 feet.

Call Log – Planning Commission

12/8/2025 – Paul Workman at 100 Aquarius – Feels the property should stay R2 due to concerns about increased traffic.