AGENDA
GARDEN CITY BOARD OF ZONING APPEALS
TUESDAY, NOVEMBER 11, 2025
9:00 AM
CITY COMMISSION CHAMBER - GARDEN CITY, KS

Note: If you require any additional accommodation (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify this office at (620) 276-1170 no later than 48 hours prior to the scheduled commencement of the meeting.

The agenda for the meeting is as follows:

I. Chairman calls regular meeting to order

II. Approval of Minutes

II.A. Garden City Board of Zoning Appeals Minutes-July 8, 2025
GCBZA Minutes-July 8, 2025

III. Submittal of Exhibits for the Record
A. City of Garden City Zoning Regulations as amended.
B. City of Garden City Subdivision Regulations as amended.
C. City of Garden City Comprehensive Plan all as amended
D. All Visual Aid Presentations with Aerial Maps, Site Plans, and Plats
E. All application files in their entirety including Staff Reports

IV. New Business

IV.A. GCBZA2025-12: Setback variance request to construct an accessory structure within the front yard setback on the property generally located at 1506 North Taylor Plaza.
Vicinity Map
Front and Rear Yard Setbacks
Applicant Provided Letter
Applicant Provided Photos
Applicant Provided Incident Reports

V. Adjourn

MINUTES
BOARD OF ZONING APPEALS
GARDEN CITY, KANSAS

July 8, 2025

The Garden City Board of Zoning Appeals scheduled a Public Hearing at 9:00 a.m. Tuesday, July 8, 2025, in the City Commission Chambers at the City of Garden City Administrative Center located at 301 North 8th Street, Garden City, Kansas.

I. CALL TO ORDER

Meeting called to order at 9:00 a.m. Present were Chairman Acosta, Member Karhoff, and Member Dick. Also in attendance were Staff Maxwell and Staff Presisto.

II. APPROVAL OF MINUTES

Member Karhoff made a motion to approve the minutes from May 13, 2025. Member Dick seconded the motion. Votes were taken by yeas and nays and recorded as follows:

Mesa	Dick	Acosta	Karhoff	Madrid
Not Present	Yea	Yea	Yea	Not Present

Motion passed.

III. SUBMITTAL OF EXHIBITS FOR THE RECORD

A. City of Garden City Zoning Regulations as amended
B. City of Garden City Subdivision Regulations of 1996 as amended
C. City of Garden City Comprehensive Plans all as amended
D. All Visual Aid Presentations with Aerial Maps, Site Plans, and Plats
E. All application files in their entirety including Staff Reports

IV. NEW BUSINESS

GCBZA2025-10: STL Horizon, LLC has applied for a conditional use permit to construct a parking lot for the property generally located at 4111 E. Hwy 50, Garden City, Kansas.

Staff Presisto- Presented staff report.

OPEN PUBLIC COMMENT

Member Karhoff- Judging by the drawing the buildings are going to be phase one and phase two and based off that picture they are going to be further east, correct?

Tim Dieker, STL Horizon, LLC, Applicant-I want them going down there by that detention pond, as we know the property is in the flood zone and that is where the next question will come to Trent whether we do it or not. First, we'll get approval and then see what has to be done to build it. If the big building goes well, then we'll build a small one. The smaller one will have a single parking. The big one is double-parking on both sides.

CLOSE PUBLIC COMMENT

MEMBER DICK MADE A MOTION TO APPROVE THE CONDITIONAL USE PERMIT PER STAFF ALTERNATIVE ONE. MEMBER KARHOFF SECONDED THE MOTION.

Votes were taken by yeas and nays and recorded as follows:

Mesa	Dick	Acosta	Karhoff	Madrid
Not Present	Yea	Yea	Yea	Not Present

Motion passed.

GCBZA2025-11: Steve E. Elpers and Jerry Valdez have applied for a conditional use permit to operate a fitness facility at the property generally located at 102 N 11th Street, Garden City, KS.

Staff Presisto- Presented staff report.

OPEN PUBLIC COMMENT

Member Karhoff- Any inquiries?

Staff Presisto- No.

CLOSE PUBLIC COMMENT

MEMBER KARHOFF MADE A MOTION TO APPROVE THE CONDITIONAL USE PERMIT PER STAFF ALTERNATIVE ONE. MEMBER DICK SECONDED THE MOTION.

Votes were taken by yeas and nays and recorded as follows:

Mesa	Dick	Acosta	Karhoff	Madrid
Not Present	Yea	Yea	Yea	Not Present

Motion passed.

V. ADJOURN

Member Karhoff made a motion to adjourn. Member Dick seconded the motion. Votes were taken by yeas and nays and recorded as follows:

Mesa	Dick	Acosta	Karhoff	Madrid
Not Present	Yea	Yea	Yea	Not Present

Motion passed.

The meeting was adjourned at 9:09 A.M.

Trent Maxwell Secretary
Aleecya Charles
John Presisto
Daunte Thompson

Isaac Acosta Chairman
Elva Madrid Vice-Chair

MEMORANDUM

TO: Garden City Board of Zoning Appeals
THRU: Trent Maxwell, Neighborhood and Development Services Director
FROM: Daunte Thompson, Planner
DATE: November 11, 2025
RE: GCBZA2025-12: Setback variance request to construct an accessory structure within the front yard setback on the property generally located at 1506 North Taylor Plaza.

ISSUE:

The Garden City Board of Zoning Appeals is asked to consider a variance request to construct an accessory structure within the front yard setback on the property generally located at 1506 North Taylor Plaza.

BACKGROUND:

Chad Turner, on behalf of Taylor Plaza, LLC, is requesting to construct an accessory structure within the front yard setback on the property generally located at 1506 North Taylor Plaza. This year, Chad Turner installed a 160-square-foot shed in the front yard without a permit. According to Mr. Turner, the shed is approximately three feet from the south property line and approximately 16 feet from the west property line, which abuts Taylor Plaza. At this location, the shed sits upon two parking stalls.

STAFF ANALYSIS:

The current placement of the unpermitted shed violates both the accessory structure setbacks and the zoning district's setbacks. The property is zoned "C-2" General Commercial District and has the following setbacks:

- Front Yard: 30 feet, unless otherwise provided in Article 25.
- Side Yard: No side yard.
- Rear Yard: 5 feet.

In addition to the zoning district's setback requirements, accessory structures must also comply with Sections 21.030 and 22.100, which prohibit construction within the front yard setback and allow them only in the side or rear yards. Section 22.100 also allows an accessory structure less than 180 square feet in size to be built adjacent to the rear or side property line, but the Building Code requires that a structure within five feet of a property line be fire-rated. If the variance is approved, the applicant would still be required to fire-rate any wall of the structure within five feet of a property line or to relocate the structure. Additionally, this section prohibits any accessory structure within 10 feet of the main structure. Due to the property's unique shape and property lines, there is only a rear yard along the alleyway to the east of the building. This rear yard spans approximately 230 feet across the entire building, with a width of 25 to 40 feet. The width of the rear yard provides the applicant with adequate room to place the accessory structure in compliance with the Zoning Regulations, without having to fire-rate any wall.
The property has approximately 66 parking stalls, all shared by the building's tenants. Based on the

building's square footage and the retail parking calculation of one space per 400 square feet of retail floor area, the minimum required parking stalls are approximately 48.

The Board may make their determination and state their findings according to the conditions in Section 29.010 of the Garden City Zoning Regulations. Below is the section and the list of these conditions:

29.010 VARIANCE - PROCEDURE. An application for a variance may only be granted upon a finding by the Board of Zoning Appeals that the applicant has shown by clear and convincing evidence that all of the following conditions have been met:

A. The strict application of the provisions of these regulations from which a variance is requested will constitute unnecessary hardship upon the applicant.
B. The granting of the variance will not adversely affect the rights of adjacent landowners or residents.
C. The granting of the variance will not be opposed to the general spirit and intent of these regulations.
D. The variance desired will not adversely affect the public health, safety or general welfare.
E. The variance requested arises from a condition that is unique to the property in question, is not ordinarily found in the same zoning district, and is not created by an action or actions of the landowner or the applicant.

ALTERNATIVES:

1. The Board may approve the variance request.
2. The Board may not approve the variance request.

RECOMMENDATION:

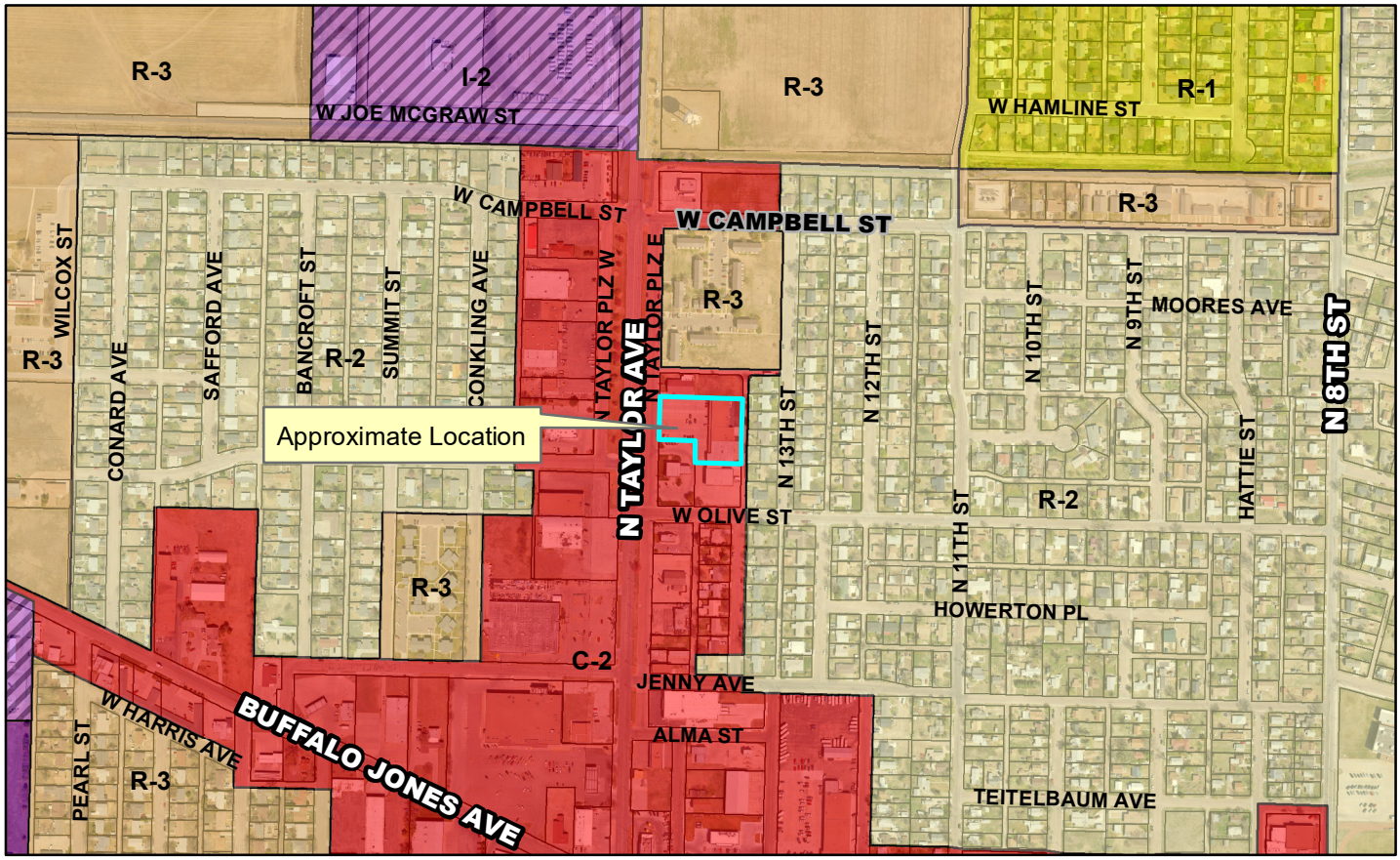
Staff is unable to recommend approval of the variance request.

FISCAL NOTE:

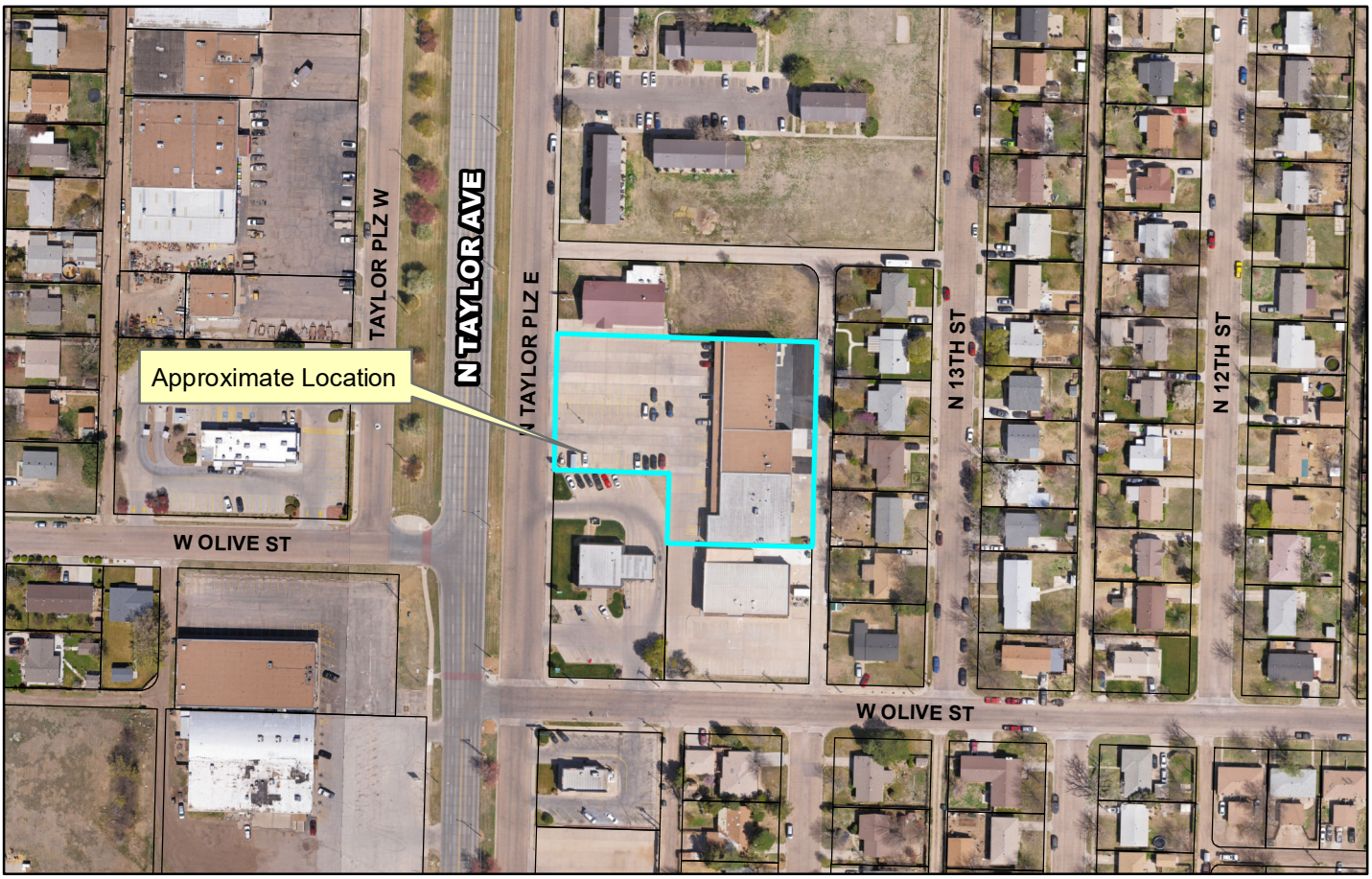
There is no fiscal note.

ATTACHMENTS:

Vicinity Map
Front and Rear Yard Setbacks
Applicant Provided Letter
Applicant Provided Photos
Applicant Provided Incident Reports



Case Number: GCBZA2025-12
Applicant: Taylor Plaza, LLC
Address: 1506 North Taylor Plaza East
Request: A variance to construct an accessory structure within the front yard setback.





Front Yard - Accessory Structures Not Permitted

Rear Yard - Accessory Structures Permitted

1:906

0 0.01 0.01 0.03 mi

0 0.01 0.02 0.04 km

Finney County, Garden City

N

3. What is the reason for the request, in detail?

The landlord was under the impression that a small storage shed would not need a permit and that it simply needs to be with in the property lines at the time of a physical visit to the neighborhood development was made. Therefore, a Premier Building, wood frame with metal roof storage shed with earth tone colors was purchased July 3rd 2025 and delivered at the end of August.

Upon the delivery of the shed, it was measured approximately 3 ft more or less from the south property line and 16 ft more or less from the west property. The shed was anchored into the concrete.

I chose the front yard setback as great location to place the storage shed for the following reasons.

The parking lot in our front yard is large enough to give up 1 parking slot and still leave plenty of room for other parking. The location of the shed does not hinder the sight of exiting vehicle from the neighboring lot nor ours.

Last year we had somebody set fire to our cardboard recycle container that was located in the back yard of the property and next to the building resulting in flames burning the freshly painted building.

We then had somebody graffiti the back of the building in blue spray paint.

I purchased new led lighting for the front of the building and thought it would hopefully be some added benefit from someone doing the above.

Placing the shed in in the front yard setback just seemed like a more common sense approach to try to protect my personal property.

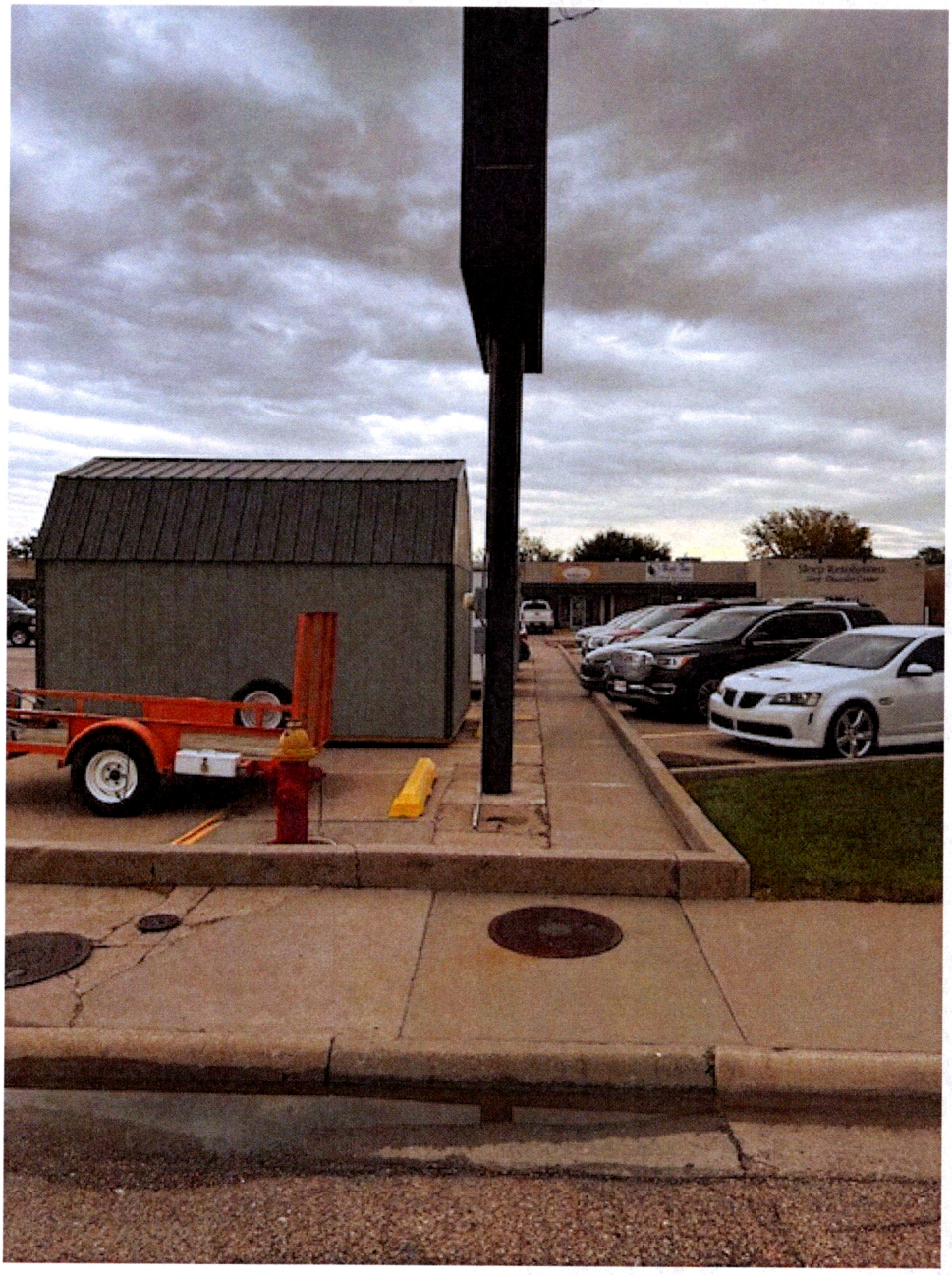
4. If Variance, please describe nature of hardship which necessitates variance.

- The cost of relocating the shed if it even could be.
- The shed is anchored and would be out of pocket expense along with getting it anchored again.
- The time that it takes to coordinate a relocating or sale of the shed if necessary(not preferred)
- The worry of the possibility of someone setting fire or graffiti the shed in the back yard. We have had multiple occasions of vandalism at back of property.

Chad Turner

From: Chad Turner
Sent: Tuesday, October 7, 2025 9:44 AM
To: Chad Turner







Sent from my iPhone

Incident Report

Incident Number
GCFK-24-0002382

Incident type
Dumpster or other outside trash receptacle fire

PSAP Call Date/Time
10/17/2024 18:41:29

Officer in Charge
Moore, Jeremy, Battalion Chief, Command 4

Incident Address
1506 Taylor Plaza E, Garden City, KS, 67846

County
--

Fire Zone
City of Garden City

Property Type
Mercantile, business, other.

Dispatch Information

Alarm Date/Time	10/17/2024 18:41:29	**Number of Alarms**	1

Incident Location Information

Population Density	Urban	**Pre-incident Property Value**	645,940
Pre-incident Contents Value	500	**Property Loss**	100
Contents Loss	250		

Apparatus

Department Unit 1 of 4

Apparatus Name	Fire Marshal 1	**Dispatch Date/Time**	10/17/2024 18:45:02
Type	Other apparatus/resource	**Acknowledge Date/Time**	--
# of Crewmembers	1	**En Route Date/Time**	10/17/2024 18:45:02
Use	Other	**Arrive Date/Time**	--
ALS Support Capable	No	**Clear Date/Time**	10/17/2024 18:49:26
Location at Dispatch	Assigned station	**Back in Service Date/Time**	--
Crewmembers	Robertson, Gene	**Canceled Date/Time**	10/17/2024 18:49:26
		Apparatus Arrived Patient Date/Time	--
		Apparatus Transfer of Care Date/Time	--

Apparatus

Department Unit 4 of 4

Apparatus Name	Engine 2	**Dispatch Date/Time**	10/17/2024 18:42:49
Type	Ground fire suppression, other	**Acknowledge Date/Time**	--
# of Crewmembers	4	**En Route Date/Time**	10/17/2024 18:45:00
Use	Suppression	**Arrive Date/Time**	10/17/2024 18:46:20
ALS Support Capable	No	**Clear Date/Time**	10/17/2024 18:59:56
Location at Dispatch	Assigned station	**Back in Service Date/Time**	--
Crewmembers	Biernacki, Colby T | Geist, Leland | Holthus, Jhet | Pucket, Caleb		
		Apparatus Arrived Patient Date/Time	--
		Apparatus Transfer of Care Date/Time	--

Apparatus

Department Unit 3 of 4

Apparatus Name	Command 4	**Dispatch Date/Time**	10/17/2024 18:42:49
Type	Other apparatus/resource	**Acknowledge Date/Time**	--
# of Crewmembers	1	**En Route Date/Time**	10/17/2024 18:44:54
Use	Other	**Arrive Date/Time**	10/17/2024 18:46:12
ALS Support Capable	No	**Clear Date/Time**	10/17/2024 18:59:56
Location at Dispatch	Assigned station	**Back in Service Date/Time**	--
Crewmembers	Moore, Jeremy		
		Apparatus Arrived Patient Date/Time	--
		Apparatus Transfer of Care Date/Time	--

Apparatus

Department Unit 4 of 4

Apparatus Name	Engine 1	**Dispatch Date/Time**	10/17/2024 18:42:49
Type	Ground fire suppression, other	**Acknowledge Date/Time**	--
# of Crewmembers	5	**En Route Date/Time**	10/17/2024 18:44:53
Use	Suppression	**Arrive Date/Time**	10/17/2024 18:46:31
ALS Support Capable	No	**Clear Date/Time**	10/17/2024 18:47:02
Location at Dispatch	Assigned station	**Back in Service Date/Time**	--
Crewmembers	Gonzales, Jacob | Hill, David | Miller, Aiden | Petersen, Brent | Turpin, Thomas	**Canceled Date/Time**	10/17/2024 18:47:02
		Apparatus Arrived Patient Date/Time	--
		Apparatus Transfer of Care Date/Time	--

Michael L. Pomeroy

Person 1 of 2 - Demographic Information

Incident Involvement	Involved Person	**Date of Birth**	
Age	62 Years	**Gender**	Male
Race	White	**Drivers License #**	
DL State	KS	**Home Address**	
Use as primary contact address?	No	**Primary contact home?**	No
Work Address	1506 Taylor Plaza E, Garden City, KS, 67846	**Use as primary contact address?**	No
Primary contact work?	No		

Daren C. Turner

Person 2 of 2 - Demographic Information

Incident Involvement	Property Owner	**Date of Birth**	
Age	53 Years	**Gender**	Male
Drivers License #		**DL State**	KS
Home Address		**Use as primary contact address?**	No
Primary contact home?	No	**Home Phone**	

Weather Information

Temperature	74.1 °F	**Wind Speed**	14 mph
Wind Direction	South	**Humidity**	33%
Weather Type	Clear, less than 1/10 cloud cover		

Fire Information

Extent of Fire Involvement on Arrival	Flame and smoke showing	**Area of Fire Origin**	Chute/container - trash, rubbish, waste
# of Rooms Damaged	1	**Amount of Flame Damage**	
Cause of Ignition	Cause undetermined after investigation	**Factors contributing to ignition**	Undetermined
Heat Source	Undetermined	**Item first Ignited**	Undetermined
Type of Material	Undetermined	**Equipment Involved in Ignition**	No
Vehicle involved in Incident?	No	**Acres burned**	Less than one

Hazardous Materials Information

HazMat Released	None

Actions Taken

Department

Extinguishment by fire service personnel	Investigate

Narratives

Department NFIRS Narrative

At approximately 18:42 hours on Thursday, October 17, 2024, The listed units responded to the listed address for a reported structure fire. While en route to the scene, dispatch advised that this was only a dumpster fire. Fire Marshal 1 cleared from the call at this time.

Upon arrival to the scene, Command 4 advised that Engine 2 could cancel from this call, but Engine 2 was second to arrive on scene. Engine 1 was advised that they could return to service. Fire department personnel (FDP) from Engine 2 pulled 100 feet of preconnected 1.75 inch hose line and began fire extinguishment. At this time the Dumpster was slightly pulled away from the exterior wall of the business. After the dumpster was extinguished, FDP also cooled off the exterior wall of the building. The driver of Engine 2 used a seek thermal imaging camera to inspect the exterior and interior wall for any excess heat signatures. The inside of the occupancy had no damage, but the exterior did have smoke and paint damage. The dumpster was made of metal and was still intact, except for paint. The plastic lids to the dumpsters did completely melt. The driver of Engine 2 gathered information for the business employee and the building owner. FDP gathered all tools and equipment and returned it to Engine 2.

No further actions were taken by or requested of FDP at this time and the scene was left under the control of the Owner. Engine 2 and Command 4 returned to service from this call.

Units from the Garden City Police Department were also on scene for this incident.

Firefighter II
Colby Biernacki
October 17, 2024

Last update on 10/17/2024 at 21:31:35 by Colby Biernacki

Report Completion

Officer In Charge

Moore, Jeremy

Rank	Battalion Chief
Assignment	Command 4

Member Completing Report

Biernacki, Colby T

Rank	Firefighter II
Assignment	Engine 2
Date	2024-10-17

Case Detail

Public Portion

Agency: Garden City Police Department
Agency #: KS0280100

Print Date/Time: 10/07/2025 10:08

General Information

Case Number:	2025-01220034	**Reporting Officer:**	597 - GOVEA, MANUEL	**Reported Date/Time:**	01/22/2025 11:50
Location Formatted:	1506 N TAYLOR PLZ	**Location Common Name:**		**County:**	Finney
Occurred Incident Type:	Theft of Vehicle	**Occurred From Date/Time:**	01/22/2025 03:30	**Occurred To Date/Time:**	01/22/2025 03:30

Offenses

#	Statute Group	Group Agency	Crime Code	Statute	Description	Offense Date
1	State		23 - Larceny All Other	21.5801.a.1.b3	Theft of property or services; Value $1,500 to $25,000 (F)	01/22/2025

Subjects

Number	Type	Name	Address	Contact Information	Race	Sex	DOB
1	VICTIM	TURNER, DEBRA		********	White	FEMALE	********

Properties

#	Date	Type	Property Loss Type	Description	Name	Subject Role
1	01/24/2025	TRAILERS	Stolen/Etc.			

Vehicles

Case Detail

Public Portion

Agency: Garden City Police Department
Agency #: KS0280100

Print Date/Time: 10/07/2025 10:09

General Information

Case Number:	2024-12030027	**Reporting Officer:**	656 - CAMARENA, STEPHANIE	**Reported Date/Time:**	12/03/2024 10:19
Location Formatted:	1508 N TAYLOR PLZ	**Location Common Name:**		**County:**	Finney
Occurred Incident Type:	Graffiti	**Occurred From Date/Time:**	12/03/2024 10:19	**Occurred To Date/Time:**	12/03/2024 10:19

Offenses

#	Statute Group	Group Agency	Crime Code	Statute	Description	Offense Date
1	State		290 - Destruction/Damage/Vandalism of Property	21.5813.a.1.C3	Criminal damage to property; Without consent value < $1000 (M)	12/03/2024
2	Local	KS0280100	999 - 999 - Local Non Reportable	38.121A	PROHIBITED ACTS (GRAFFITI) DEFACEMENT	12/03/2024

Subjects

Number	Type	Name	Address	Contact Information	Race	Sex	DOB
1	VICTIM	TURNER, DAREN TURNER		********	White	MALE	********
2	VICTIM	Society	Society	********			

Properties

#	Date	Type	Property Loss Type	Description	Name	Subject Role
1	12/03/2024	STRUCTURES OTHER	Destroy/Dam/Vandal	GRAFFITI IN BLUE SPRAY PAINT "XIII" "SUR" AND OTHER GANG SIGN		

Vehicles