**AGENDA**
**GARDEN CITY BOARD OF ZONING APPEALS**
**TUESDAY, APRIL 14, 2026**
**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- March 10, 2026
Garden City Board of Zoning Appeals Minutes-March 10, 2026

**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. GCBZA2026-05: Signs by G LCC, on behalf of DABBS Investments, LLC, is requesting a sign variance for the property generally located at 2522 N. Taylor Avenue.
Vicinity Map
VapeTime Sign Graphics

IV.B. GCBZA2026-6: Conditional use permit request to operate an auto repair shop within the "C-2" General Commercial District at the property generally located at 2505 N. Taylor Avenue.
GCBZA2026-6 Vicinity Map

IV.C. GCBZA2026-07: Oikos Development Corporation requests a conditional use permit to operate a child care center within the "R-3" Multiple Family Residential at the property generally located at 187 Leawood Avenue.

Vicinity Map
Applicant Provided Supporting Docs

IV.D. GCBZA2026-04: Laurencio Perez is requesting an exception to the "R-3" Multiple Family Residential District's regulations for the property generally located at 903 N. 13th Street.
GCBZA2026-04 Vicinity Map
GCBZA20263-04 Proposed Layout Site Plan
GCBZA2026-04 Existing Site Plan

**V. Adjourn**

**MINUTES**
**BOARD OF ZONING APPEALS**
**GARDEN CITY, KANSAS**

March 10, 2026

The Garden City Board of Zoning Appeals scheduled a Public Hearing at 9:00 a.m. Tuesday, March 10, 2026, 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 Dick, and Member Franco. Also in attendance were Staff Charles and Staff Rivera.

## II. APPROVAL OF MINUTES

Member Karhoff made a motion to approve the minutes from February 10, 2026. Vice-Chair Madrid seconded the motion. Votes were taken by yeas and nays and recorded as follows:

| Dick | Acosta | Franco | Karhoff | Madrid |
|---|---|---|---|---|
| Yea | Yea | Yea | Yea | Yea |

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

**GCBZA2026-01:** Mahesha Silva, on behalf of Roserock Holdings, LLC, has applied for a setback variance to construct within the front yard setback. The property is generally located at 3285 E US Highway 50, Garden City, Kansas.

*Staff Charles*- Presented staff report.

*Donald Speck, Larson Design Group, Via Teams Meeting*- I don't necessarily have anything to add but I can elaborate if you would like.

*OPEN PUBLIC COMMENT*

*Member Franco*- I just noted that it's not having anybody around, but the canopy is permanent and is enclosed?

*Keto Stroud, Love's Alternative Energy, Via Teams Meeting*-I'm the manager of Capital Projects for Love's Alternative Energy. Donald, can I request that you share your screen based on the pictures that we looked at this morning and what Donald is going to show you is an example of what the set canopy is going to look like for the specific site. So, what you're seeing on Donald's screen right now is an example of a built canopy at a different location, and I believe this location is in Texas and Sonoma. And so this is what the canopy would look like at this location in its completed state. So, I thought that question was going to come up, so I kind of want to open the floor to any questions you may have based on that explanation here.

*Member Franco*-Looks nice.

Keto Stroud- So, and the reason why we put this in is obviously because EV charging and Love's wants to make sure that when you're charging, it's very clear of snow, hail, wind, rain, whatever it may be. It's fully lighted as well. So, I think Donald also has a picture that we looked at this morning to show what it would look like at night. Donald, if you can pull that up, too.

*Donald Speck*-Here you go. And you can see a couple in there.

*Keto Stroud*-So that's what the future built canopy would look like when it's completed at night. So, as you can see, we put full-blown canopy lights, Panaslex for branding on the actual canopy, so it's fully well lit, just like our wet fuels are at the Love's locations. Do you have any questions about that?

*Member Karhoff*- I don't.

*Chairman Acosta*-I don't think so.

*Vice-Chair Madrid*- In what way will the variance affect? Will it put anybody in danger or cause any accidents?

*Staff Charles*-You know, the location that it's at, with there not being close to an entrance, I think it'll be okay. We didn't have any of the pictures to look at when we wrote our staff report. So how it looks, and I don't believe our engineers had any concerns. Well, they've not seen what it looks like, but they are going through the site plan review process for that.

*Keto Stroud*-Can you share your previous screen with the drawings that you had to show that encroachment? Go ahead and explain where that encroachment is.

*Donald Speck*- So basically, we're over here. So, this is a pretty tight site to begin with. This is the truck side over here, and then this is the customer side. So, this is the entrance right here. There's signage and stuff here.So, we're over here on the right-hand side, so it shouldn't interfere with any type of safety or anything like that. The signage is mainly to guide them to the correct location to separate from the wet fields. So, this is Route 50 out here.

*Will Weaver, Project Manager from Love's Travel Stops*. Correct. So, as you can see here, the dashed line that's right there along the edge, that gray dashed line, is the right-of-way. So, you can see that it embeds right up to the canopy overhang on the backside there. So that's where we're right within that threshold.

*Chairman Acosta*- How tall is the canopy?

*Will Weaver*- It will match the height of the auto canopy, so it should be about 15.5 feet to the bottom of it.

*Member Dick*- And you said that dashed line is going to be the extent of the canopy, or when it says area of work, is that just an area that needs to be cleared out? What's going to be the clearance of that canopy?

*Will Weaver*-Yes, so there is a filled-in rectangle kind of right inside that area of work around the parking spots. That's where the actual canopy will be located. It'll cover those parking spots down there in the corner. And then one thing of note that I don't think anybody has mentioned on this, as you probably noticed in that picture, these canopies are branded as EV. They have signage that hangs on them that says EV only, just to kind of make it clear directionally. When drivers are coming up to our lots, there's no confusion as far as gasoline versus EV. It also serves a purpose of that. It won't have the standard gloves on it. It states EV on the canopy.

*Chairman Acosta*-Can you think of any more questions? Thank you, guys, for the information.

OPEN PUBLIC COMMENT
CLOSE PUBLIC COMMENT

*Member Dick*-They're 0.4 feet from the setback, and they're supposed to be 40 feet, so a factor of 100.

*Chairman Acosta*-It's very big.

*Staff Charles*- I would guess probably where the canopy for the gasoline is probably approximately where the building setback line is.

*Member Dick*-Yes, they probably built their building probably as close to the road as they could. (12:07)

*Vice-Chair Madrid*- Is there a different area for them where they could do this?

*Staff Charles*-Did you guys have any other areas that you were looking at that you could possibly add the charging stations, was their question?

*Keto Stroud*-So, Will, why don't you go ahead and explain our due process to find what the impediments were at this location?

*Will Weaver*-Yes. I don't know if you want to zoom out a little bit on the site plan. Yes, so as you can see, the light-duty side on this site is incredibly small. So, everything on the right side of the property is all heavy-duty semi-traffic. And so, the parking spots that we had to work with for light-duty charging are all located on the left side over here. And so, everything on the front side, whether that's closer to the left side of that row of spots or the right side, all of those are going to have that same setback issue. And the spots up at the store are not viable for this as well because there's just not room to install the chargers. So, unfortunately, there is not another alternative option here for light-duty charging. And there also, as you can see, is not room for a canopy extension to do a pull-through just due to the small nature of this property.

*Keto Stroud*-And when we say pull-through, we do do pull-through sites, but a pull-through will be depicted on the wet fuels. I don't know if you want to zoom in. I don't know where that would be. Yes, go ahead and show where it could be, but it impedes traffic flow. So, therefore, we can't do a canopy extension there.

*Will Weaver*- So it would actually be double that size because that's only a single stack canopy. There's just not enough space there. So, this is the only option for charging at this location. This site was, and the reason Love's is pursuing this site so aggressively is this was awarded grant funding through Kentucky's DOT, NEBI award funding. This is a NEBI-funded project, so we're pursuing this as a partner with CAVA.

*Donald Speck*- And this is wet, this is the wet fuel tanks up here. So, covering this area is not an option either because it makes you maintain separation distance.

*Member Dick*-Aleecya, do you have the history of the property? Because there's that building structure on the one to the east that's getting pretty close to about the same distance away as where that canopy would be built.

*Staff Charles*-You're talking about this one?

*Member Dick*-I don't even, does that even exist? I don't know which one is the newer or the older GIS.

*Staff Charles*-This would be the newer.

*Vice-Chair Madrid*-Is that the car painting place?

*Member Karhoff*-Yes.

*Member Dick*- Well, yes, my point is if you look straight over, it's about the same distance away. I guess there's two buildings there, and I've never really noticed either one of them being as, says it's a 30-foot setback?

*Staff Charles*-Yes, it looks like it's probably about 30 feet.

*Member Dick*-How far is that from the road?

*Staff Charles*- The building itself?

*Member Dick* Yes. Because it just seems like there's more buffer on the left side between the road and the parking as there is from the road to that building. That's about 60?

*Staff Charles*-Yeah, about 60 feet would be from the road for this building.

*Vice-Chair Madrid*- Six feet and the other one's four feet?

*Staff Charles*- 60 feet, the building would be from the road.

*Chairman Acosta*- Does Jennie Barker have the same setback as the Highway 50? The 30-foot? Because there's a canopy right there on that. That's really close.

*Member Dick*-That looks like it's like five feet. So, philosophy-wise while we're waiting for this, what's the point of a setback when we're talking highway roads? Is it turn-ins or is it to preserve the ability to expand? Or what is the city side of having setbacks?

*Staff Charles*-So really it would be for vision clearance, obviously for anything that's going or coming. These do have a little bit more, I would say if you push back a little bit more because they're not your typical road, you're going to be a little bit closer than the highway. So that's kind of what they are for. Obviously with more traffic, that's why they have a greater setback. This one, I couldn't tell you how old it is, but this is a collector street versus an arterial, so it would have a lesser setback. But again, still not meeting that 30 foot. So, it's still pretty far back here, I would say, where the location they're going. You don't have any entrances right here. I think if you had, if there were an entrance there, it'd be more concerning. But with the entrance being coming off of Harvest and then this entrance over here, which I believe may be truck only that allows through this entrance. But you've got this exit entrance as well. So, it being that close and it being the same height as the other canopy, those are things to consider.

*Vice-Chair Madrid*- And the canopy is high enough, where would it be in the way of people being able to see oncoming traffic?

*Member Dick*-What do you mean, like on Harvest? The north-south street there?

*Staff Charles*-So this would be Harvest, and it's going to be over here.

*Will Weaver*-And I guess my comment on as far as would it impede traffic or people being able to view, I would call out to you that there's already an installed monument sign there at the corner near the entrance that already would be covering the same footprint. It's shown on the drawings here, kind of down there. So, if you, and I can share my screen here, we have current footage of the site. If you would like that as well, just so we can get a real, if you want to look exactly at what's on site. I'm happy to share that if you need that. So, what I'm referring to is this sign here is basically, if you were going to impede view on any incoming traffic, this would accomplish the same thing as a canopy that's going to go in this area. And the canopy will be 16 feet in the air, whereas this all the way down to the ground is a solid piece. So, I just want to call that out. And then to your question about this entrance, yes, this is a heavy-duty exit and entrance only. So, as you can see, trucks come in, go around, and fuel over here. This is the heavy-duty side. And then cars come in here and would be coming in, and we are proposing to put this canopy in this corner down here. With our electrical gear going in this area, this green space here.

*Member Dick*- Could you swing that back to the east again? Okay. Just because it has those other buildings in there. Thank you.

*Will Weaver*- And just to give you a few, would you just quick flip around and back to where we're putting the canopy, where we're proposing it? Because basically to give you an idea, just looking at this picture, the canopy will stick past the curb towards the highway about 4 foot 10 inches. That's all we're talking about.

*Member Dick*- Is that still on your property?

*Staff Charles*- Yes, that's still going to be.

*Will Weaver*- Yes, it's still within the property line. We were able to shift the canopy to get it fully within the property line.

*Vice-Chair Madrid*- I don't see a problem with the impeding visibility, and it's far away from the entrance, right? So, I motion to approve.

*VICE-CHAIR MADRID* MADE A MOTION TO APPROVE THE CONDITIONAL USE PERMIT PER STAFF RECOMMENDATION ALTERNATIVE ONE. *MEMBER FRANCO* SECONDED THE MOTION.

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

| **Dick** | **Acosta** | **Franco** | **Karhoff** | **Madrid** |
|---|---|---|---|---|
| Yea | Yea | Yea | Yea | Yea |

Motion passed.

**GCBZA2026-02:** Adan Yritson Sanches, on behalf of A&L Rentals has applied for an exception to the "R-2" Single Family Residential Zoning District's regulations. The property is generally located at 1309 N Main Street, Garden City, Kansas.

*Staff Charles*- Presented the staff report

OPEN PUBLIC COMMENT

*Reynaldo Mesa, Representative for Applicant*- Mr. Chairman, thank you for this opportunity. I'm here to represent Mr. Sanchez because he couldn't be here today. And this property that we're talking about, he had bought some time ago. There are some apartments on the front side as well on the same parcel there. So, this sits off to the west to the back of the apartments on Main Street. And the thing that, I guess, bothers Adan more than anything is that when he started working on this particular piece of property, when he pulled the permit for the roof, the city did come by, looked at the roof as they were tearing off the shingles, and then when they put the roof back on they came back by and approved it. Okay. Same thing with the siding. He continued to remodel the sides, the siding, and the windows. City came by to inspect. And then once it was finished, they approved what he had done. And so, it was only when the electrical contractor was getting ready to connect to the main line is when the work all came to a halt and then they told him… I'm going off of the information that was given to me, the work was halted once he was getting ready to connect to the City's main line. That particular building has been used as an apartment in the past. It has been connected to utilities and then at some point in time it ceased to be used as an apartment. There is parking on each side of that building, not much but there is. That is just a one bedroom one bath apartment that he plans to use that space for. So, he has spent approximately $25,000 to renovate this property and so he is asking for you to think about allowing him to go ahead and continue to use it as an apartment.

*Vice-Chair Madrid*-So is he getting a separate meter now to where before it was just one meter connected to another property or what is the issue?

*Reynaldo Mesa*- From what I understand its getting a single meter. It would have a single meter.

*Vice-Chair Madrid*- Where it didn't have it before?

*Reynaldo Mesa*- That I do not know. Again, I don't know the complete history of it. All I know is at one time it was being used as an apartment and then again, it was stopped at one point. It is connected to water and gas and so forth.

*Vice-Chair Madrid*- And the electrical is connected to a separate building or how did it get approved it guess is my question. And then now its not?

*Reynaldo Mesa*-From a staff perspective I can give you history of the permits that were pulled. They were pulled individually when he pulled the permits, the description on the permits were not what his intended use was. Like he said, he got a roof permit to replace the roof and then the siding and then did not talk to staff that he would be putting this a unit. So, from a staff perspective when we are reviewing permits, we didn't have all the information. We did talk to the owner and let him know if that was his intent as always best to come in and tell us what you intend to do for the property. But we do have issues where people just come in and pull parts of the permit without giving all the information and then they start doing more work, which is how the inspectors caught on to the additional work that was being done. We had no record from a utility perspective when it had a separate meter so typically how it works for non-conforming use is you can use it and continue to use the building or use as long as you don't stop it. If it's been more than a year, then you are no longer non-conforming. And we believe that something like this had happened. They did do a walk through and did see where it was some sort of living unit perhaps, but they were going through and basically remodeling the entire thing with everything new. Which is how we got the additional information.

*Member Dick*- And them seeing that if you're remodeling that building when you are pulling the permits and it's a garage, replacing the roof, replacing the windows is not an issue. At least I would think from the perspective of the City.

*Member Karhoff*- And it already had water and sewer to the garage?

*Staff Charles*- We don't know for sure. Trent did a walk-through and could see where a bathroom or toilet had been. I can't say if they had the separate meters, but you do find that this one is still non-conforming from the building front. You've got a four-plex in a single-family residential district. It happens a lot in the older parts of town where you've got things that don't conform or somebody used a garage as an accessory, converted it without permits, but then again without us having the whole history we can't say whether or not it was legal conforming or non-conforming.

*Reynaldo Mesa*- I'm not sure if it was used as a garage. There's no garage door. So maybe the intent was to use it as a residential and then it some point it stopped.

*Vice-Chair Madrid*- How long has he owned it, Re?

*Reynaldo Mesa*- Maybe eight or nine years.

*Vice-Chair Madrid*- And he's always used it as a residential.

*Reynaldo Mesa*- The front apartments he has on Main Street. There's four units, two up and two down. They are single one-bedroom apartments.

*Vice-Chair Madrid*- But the back has always been used as a garage or a living space?

*Reynaldo Mesa*- Again I'm only going off the information that I know. It appears at some point that was used as an apartment because of the utility hook-ups. And then it ceased at some point. Adan bought these and again it is one of these situations where he was under the assumption that you buy these and he is going to fix it up and turn it into an apartment because at one time it was an apartment and somewhere along the line communication broke down. Because I would think too that the city should of asked at the very beginning what's your intent to use this property for?

*Member Dick*- Is that typically a question would ask?

*Staff Charles*- No.

*Member Karhoff*- Do you have a timeline? Do you have when he came in and bought the roof permit?

*Staff Charles*- I don't have it with me? That is something we could get for you. But no, when somebody comes in and pulls a roof replacement on a building and if it just says garage or just roof replacement we are not going to go in and ask is this a living unit, do you intend to convert it to a living unit type of thing because a roof permit is typically a same day permit that gets issued.

*Vice-Chair Madrid*- And does he have enough parking spaces that you require?

*Staff Charles*- He doesn't have any.

*Member Dick*- Because that should be improved right?

*Staff Charles*- They have no actual improved parking. So yes, there is area that they could park but again not approved surface.

*Member Dick*- Do we have mother-in-law rules, clause suites?

*Staff Charles*- We do have the mother-in-law guest suites, which allow you to have a unit that is smaller in size. That is the extent of the regulations. It's not very clear. So just so you know too, the governing body did give us direction to start that process and going away with the mother-in-law guest house again it's kind of old school and go to the more modern accessory dwelling unit. So, this could fall into that type of category, with the exception of them also improving, adding improved parking requirements. They've got the four units. I'm not sure where those four units park, cause essentially you will have five units on this one lot. So, I think he's noted here where they could park at.

*Member Dick*- So they have to have ten improved spots then for five units? Or two, you get some street right?

*Staff Charles*- So the parking requirements for the single-family I think it goes by use and not by zoning district so parking for this would be a little bit different. If you want to look at them adding parking for the entire thing

or if you want to look at them just adding parking for just this unit, it would be two spaces essentially for a single-family home.

*Vice-Chair Madrid*- And that's an alley entryway?

*Staff Charles*-Correct.

*Member Dick*- So the mother-in-law suite, we have those in place, or we are working on those?

*Staff Charles*- The mother-in-law guest suite or guest house is what it says. It says that you are allowed to have them in the residential zoning districts. It must be smaller in height and size and that is the extent of what is in there.

Member Dick- And so with that direction from the city commission we will have in theory, many of these.

*Staff Charles*- In theory yes, we could, depending on how they want them to be written. We have several options for them to look at on what it would look like for the accessory dwelling units. It's very popular, I will say, in other jurisdictions. Again, we are in a housing shortage and so what that looks like obviously wouldn't just be something that where everybody could just converting a small shed to a living unit. But this is significantly bigger than what you typically see.

*Member Dick*-But it is still smaller, by the regulations which isn't much, it's still smaller than the main dwelling.

*Vice-Chair Madrid*- It would still fit the category.

*Member Dick*- Under that Lense would you say that this falls into that realm? It still seems that the improved parking is still going to have to be upgraded.

*Staff Charles*- Yes, and then we would give it an address because a lot of these units don't have the addressing in place so as you can see we only have it as unit one and two. We did not know there were four units there. But in theory this could fall into the category. As it sits in our current zoning regulations it doesn't fit because we don't allow those guest houses to have a separate electric meter, is why you're looking at it as an exception. Because it is not conforming currently. So that's how we've done it, because it is considered a guest house and an ADU is something you can rent out legally. The guest house mother-in-law suite is not something that our zoning regulations allow you to essentially split out. So, as it fits in our currently zoning regulations it doesn't conform. Which is why you are looking at it as an exception. Again, it also would fall in line with the direction that the governing body would like us to go to for the accessory dwelling unit.

*Chairman Acosta*- So before you can do anymore work, parking and all that stuff to continue rehabilitating it he needs this electrical meter?

*Staff Charles*- Yes, to have it as a separate unit. How it's always worked is you can go off of your existing electrical so you would basically drop a line from your existing electric there and not have it as a separate meter. They are asking for it to be considered so that they can have it as a separate meter.

*Member Franco*- So the front part right now is all just in one unit.

*Staff Charles*- Its four units.

*Member Dick*- Its four units in one building. I know you can't give direction to staff before commission, but this is going to come up. If we are going to build mother-in-law suites on properties they are going to sell and whoever buys it is going to think that they are going to be able to have separate, so we really need to figure it out.

*Staff Charles*- It's going to get a little tricky. We write zoning regulations and there will always be some sort of work around. I can tell you right now that we on where somebody split the house in half and sold it to two separate people. And so they just did that by deed. So that is something that we will have to work around in the future for the accessory dwelling units. Its really not unfortunately uncommon and the register of deeds will record what is brough to them so there are times where we see this husband sold off separately.

*Vice-Chair Madrid*- But if we say okay on this guy then everybody else that wants to do a mother-in-law house is going to want the same. So, what is the regulation for the mother-in-law. What are you going to tell everybody else that wants a mother-in-law suite?

*Member Franco*- I actually sold a house that had a mother-in-law suite and that was pretty much the given of "if I can't rent it then I don't want to buy it". But if they were going to be able to rent it right away, they were going to buy it. But at that time mother-in-law suites couldn't be separated like you said. So, it does make a difference.

*Reynaldo Mesa*-Well if he's not able to move forward then its just going to sit there vacant.

*Vice-Chair Madrid*- But it has electric right now, right? It's connected to one of the other units?

*Reynaldo Mesa*- That was the last step to connect. When he was getting ready to connect to the main line that's when everything was stopped.

*Vice-Chair Madrid*- So it didn't have electricity before?

*General discussion regarding permits obtained for apartment conversion.*

*Member Dick*-The City is directing people in the city to do these types of structures and people are building these structures not just literally for their mother-in-law's, they are building them to be able to rent out to other people. It doesn't relieve housing building another house for yourself. The reason the city is building this is because they want people to be doing this, I feel. I would have to interpret through my view of what they are doing and so I think we are going to come up with a lot of these. I would prefer it if we have some guidance on how we handle things like this especially if they want these things to be built.

*Vice-Chair Madrid*- Just for future reference so if we are saying okay on this guy so are we going to say okay on everybody, according to your guidelines.

*Staff Charles*- I think how they are written would be something that the governing body is going to have to be comfortable with because it is quite a wide range of possibilities. And if you're not comfortable because we've not reached them to be more narrow. That's completely up to you. But I will say I can see that if you do approve this one you may start seeing an influx before we can fully get our regulations written.

*Chairman Acosta*- Do we have one fairly similar at the end of the meeting?

*Staff Charles*- Yes, similar.

*Vice-Chair*- And the fact that they did allow him to get started. I understand what they are saying. They allowed them. This has happend before and the Inspectors were there.

*Member Dick*- A she shed is going to have the same thing. Again, in the land of the free we get to do things unless we are making it known I don't want the government to come in and ask every single little question about what is happening in a property.

*Staff Charles*- I will say the roofing and siding are same issued permits. They do not require review from an inspector or a planner. So that's why. And then again, the work that was done I can tell you because I spoke with the owner and our inspectors, and this has been some time that he's gone through this process is when then they started noticing other things. Like he said, they remodeled.

*Vice-Chair*- The inside, was there a permit pulled for the inside.

*Staff Charles*- I don't believe there was a permit for all the work that was done. So, the electrical permit that was issued was issued for them to do electric on the inside and then they came in asking for an electric meter afterwards.

*Member Dick*- If we were to approve this you still can't occupy until you have improved parking, right? There will still be standards. This is just allowing one step of connecting the electricity. And now that this is definitely known that this is residential, there still will be other things that will have to do to make sure that it is somewhat conforming residential right?

*Staff Charles*- Correct.

*Member Franco*- Will the zoning change at all adding that unit?

*Staff Charles*- The zoning does not change. That's why they are going with an exception versus rezoning because you've got this whole area, which most of the older parts of town are zoned single family, so it wouldn't quite make sense to rezone one lot to multi-family. Which is why they are asking for that exception.

General discussion regarding zoning regulations amendment for mother-in-law quarter.

*Christie Rojas- Neighboring property owner*- My main concern is parking and that is due to the safety of the area. There are three schools in the direct vicinity and so there are a lot of students walking in the morning. There are some houses in the area that have driveways but others don't so they're parking on the street and if you are trying to turn on to Main Street or crossing Main Street in the morning in those few blocks where there's a lot of school traffic I wouldn't want that to cause an accident of a kid walking to school. My other concern again with the parking is that Main Street is where the first responders use Main Street on a daily basis to get to the north side of town and so they are on a mission going fast. I just wouldn't want too many cars to be parked on the street to again cause an accident. Safety is my main concern and I'm all about more housing and we need it so if there is a way to improve parking and put some parking in the back so that not all the parking would be out on the street, that would be I think beneficial.

*Member Franco*- In the back is an alley?

*Member Karhoff*- From the picture it looks like they are already kind of using that back area already.

*Reynaldo Mesa*- You have the unit and there is space of both sides of that unit, on the north and south side of the unit.

*Member Franco*- So right now it doesn't fall into the mother-in-law regulations? Lets say that they do end up using it rental wise, what would happen?

*Staff Charles*- That is why they are asking for the exception. If they use it as the mother-in-law guest suite we would require them with the current zoning regulations to connect to their existing electric. So basically, running it from the house to the garage versus dropping a new line to the garage.

*Member Franco*- And that would permit them to use it as a rental, have a meter with the parking space added as well.

*Staff Charles*- Correct.

*Member Karhoff*- They'll have to have ten parking spots?

*Staff Charles*- No. How we looked at is, at least in improving for just his one. If you would like them to venture and look at adding more parking, but then you would probably run into exceeding the lot coverage.

*Member Karhoff*- We can approve it and then he's going to run into other obstacles beside approving this.

*Vice-Chair Madid*- That would just require the two extra parking spaces in the back is what they would require.

*Staff Charles*- For the single-family unit it would be the two not looking at apartments at all. They do not have on street approved parking. They park back here. I'm assuming the front units park out front.

*Member Franco*- And the parking, what does that fall into?

*Staff Charles*- It would be concrete or asphalt.

CLOSE PUBLIC COMMENT

*Member Dick*- I really view this as the city wants these sorts of things to be built and I don't think that in the end when those units gets sold that have these its going to be the same question over and over. I'd really like some direction from the governing body because it is going to come up. I think to accomplish what they are trying to accomplish you have to be able to have separate electric and things like that. And this is just the first one that came up. There are some other issues like parking is going to be an interesting thing but that is outside of what we are specifically looking at, the electric side of the this.

*MEMBER DICK* MADE A MOTION TO APPROVE THE EXCEPTION AS REQUESTED. *MEMBER KARHOFF* SECONDED THE MOTION.

| Dick | Acosta | Franco | Karhoff | Madrid |
|---|---|---|---|---|
| Yea | Yea | Yea | Yea | Nay |

Motion passed.

**GCBZA2026-03:** St. Mary's Catholic Church, applied for a variance to construct a building within the front yard setback. The property is generally located at 509 St. John Street, Garden City, Kansas.

*Staff Charles*- Presented staff report.

OPEN PUBLIC COMMENT

*Father James Sneider, Applicant*- Thank you for the opportunity. We've been in this process for three and half years. We started half of the campaign and we are getting ready to start the second one. We are in the process of updating as best we can with the old facilities and adding new ones and so the new facility the first step of the new building is the new parish hall. All the old buildings are already, at some point were granted a variance or whatever it was called whenever they were built. And so we are asking for the same thing to do for the new parish hall. We have about a thirty-year plan or so of how we are trying to move forward to use the city block there that we have of building and then phasing out the old buildings as well. So, what we are asking for is a variance to build the new building in the same way that the existing ones are built. If we don't, we'll go back to the drawing board to square one. As so much as looking for new property because if we string our building out too far we are not going to be able to use it. We are not going to be able to build the building that we need to use in that place. That's what we are asking the variance for. We have John Chappel with us and we have Nick Nemechek that are our architects and all the guys from our building committee as well.

CLOSE PUBLIC COMMENT

*Member Dick*- Is there a reason this alley just isn't vacated?

*Staff Charles*- There is trash and I believe there is also electric there.

*Member Dick*- It just seems like an odd place to have an alley.

*Staff Charles*- It is not an uncommon thing that happens. Electrical runs and then the trash.

*Chairman Acosta*- The building would run right up along like the other one?

*Staff Charles*- Essentially yes.

*MEMBER DICK* MADE A MOTION TO APPROVE THE VARIANCE PER STAFF ALTERNATIVE ONE. *MEMBER KARHOFF* SECONDED THE MOTION.

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

| Dick | Acosta | Franco | Karhoff | Madrid |
|---|---|---|---|---|
| Yea | Yea | Yea | Yea | Nay |

Motion passed.

**GCBZA2026-04:** Laurencio Perez has applied for an exception to the "R-3" Multi-Family Residential Zoning District's regulations. The property is generally located at 903 N 13th Street, Garden City, Kansas.

*Staff Charles*- Presented Staff Report.

OPEN PUBLIC COMMENT

CLOSE PUBLIC COMMENT

*Member Franco*- What are the applicable codes?

*Staff Charles*- That would be all the current building codes that are adopted.

*Member Dick*- There is no access to that building.

*Staff Charles*- Correct.

*Member Karhoff*- They are just hopping the curb? That is what it looks like.

*Member Dick*- And driving through somebody's property?

*Member Karhoff*- That west home is bigger than the east home.

*Vice-Chair Madrid*- Is that an alley they are going through?

*Member Dick*- No. They're going to be driving across somebody's property. That's not an alley. Do we know anything about the people?

*Staff Charles*- We do not.

*Chairman Acosta*- There is a fence up there too. I think there is a fence between the west and east home that blocks all that off.

*Member Dick*- If that becomes a separate parcel, because you have to have access to your own parcel right, there's no way that could become its own parcel unless they buy the south and do something with it or actually build in an easement, right? The south part would have to grant an easement if it ever became its own parcel.

General discussion regarding required easements for use of neighboring property.

*Chairman Acosta*-Would this one like the other have to get the parking?

*Staff Charles*- I would not put these as similar situations. This happens quite often in other cases where you've got something built and neighbors are totally okay with it and then those neighbors decease or sell.

*Member Karhoff*- And they are going to close that off.

*Member Dick*- And then you're going to go to court because we bought that. This is clearly not a separate residence. They can be using as but the relationship between the two buildings, there is no way for that back building to stand by itself. No legal way.

*MEMBER DICK* MADE A MOTION TO DENY THE EXCEPTION REQUEST. *MEMBER KARHOFF* SECONDED THE MOTION.

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

| **Dick** | **Acosta** | **Franco** | **Karhoff** | **Madrid** |
|---|---|---|---|---|
| Yea | Yea | Yea | Ye | Yea |

## 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:*

| **Dick** | **Acosta** | **Franco** | **Karhoff** | **Madrid** |
|---|---|---|---|---|
| Yea | Yea | Yea | Yea | Yea |

Motion passed.

The meeting was adjourned at 10:16 A.M.

Trent Maxwell Secretary
Aleecya Charles
Daunte Thompson
Angela Rivera

Isaac Acosta Chairman
Elva Madrid Vice-Chair

GARDEN CITY
— KANSAS —

**MEMORANDUM**

**TO:** Garden City Board of Zoning Appeals
**THRU:** Trent Maxwell, Neighborhood and Development Services Director
**FROM:** Daunte Thompson, Planner
**DATE:** April 14, 2026
**RE:** GCBZA2026-05: Signs by G LCC, on behalf of DABBS Investments, LLC, is requesting a sign variance for the property generally located at 2522 N. Taylor Avenue.

---

**ISSUE:**
The Garden City Board of Zoning Appeals is asked to consider a variance request to the maximum sign allowance for the property generally located at 2522 N. Taylor Avenue.

**BACKGROUND:**
Signs by G LCC, on behalf of DABBS Investments, LLC, is requesting a variance to the maximum sign square footage allowance for a wall sign at 2522 N. Taylor Avenue. In February, Signs by G, LLC installed a new wall sign that measures 160 square feet on the west-facing wall of the existing business. The sign is mounted to the roof using brackets and includes green LED lights around the lettering.

The wall sign was installed without a permit by an unlicensed contractor, Signs by G, LLC. While a company representative inquired about permitting requirements in late January and received a prompt response from Neighborhood & Development Services (NDS), no further action or application was taken at that time. In late February, NDS staff observed the new sign and issued a stop-work order to the business. Following no response to the initial notice, NDS Planners visited the business to establish contact with the owner or the sign company. The installer subsequently contacted NDS and was informed that the unpermitted installation and the use of green lights violated Garden City Zoning Regulations. Upon reviewing the permit application submitted by the company later, NDS also determined that the sign exceeded the maximum allowable square footage. The sign company was notified to stop using the green lights immediately and was given the option to either apply for a sign variance or remove the signs. Despite several reminders since then, the business continues to illuminate the green LED lights at night despite the notification to stop.

**STAFF ANALYSIS:**
This property is zoned "C-2" General Business District and permits wall signs up to 10% of the wall area to which the sign is attached. In this case, the west wall is approximately 1,319 square feet. As a result, a sign is permitted to be no larger than 131.9 square feet. However, the installed sign is 160 square feet, exceeding the maximum by 22%. For the sign to remain and comply with the Zoning Regulations, a variance must be approved, and the green lights must be discontinued.

In the last three years, four wall signs have been installed within less than a quarter mile of this business. The sizes range from 60 sq. ft. (installed on a 1,134 sq. ft. wall) to a 165 sq. ft. sign

(installed on a 5,952 sq. ft. wall). None of these four signs exceeds 5% of the area of the wall they are attached to, while the wall sign in question is approximately 12% of the wall. Staff is unaware of a recently presented wall sign variance presented to the Board of Zoning Appeals.

If the variance is denied, the business will be required to remove the sign. A new sign can be installed as long as a building permit is issued, a licensed sign installer completes the work, and all criteria from the Zoning Regulations are met. However, even if the variance is approved, the sign installer must obtain a city license and pull a permit, along with a licensed electrician. Since the work was done without a permit, a double permit fee will be assessed.

Staff has determined that the sign will be inconsistent with the existing wall signs on neighboring properties. Additionally, the applicant was notified of the permitted requirements before its installation, and any financial burden incurred if the sign must be removed is not the result of the Zoning Regulations or a unique condition of the property or building. As a result, there is no hardship present.

The Board may make its determination and state its 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:**

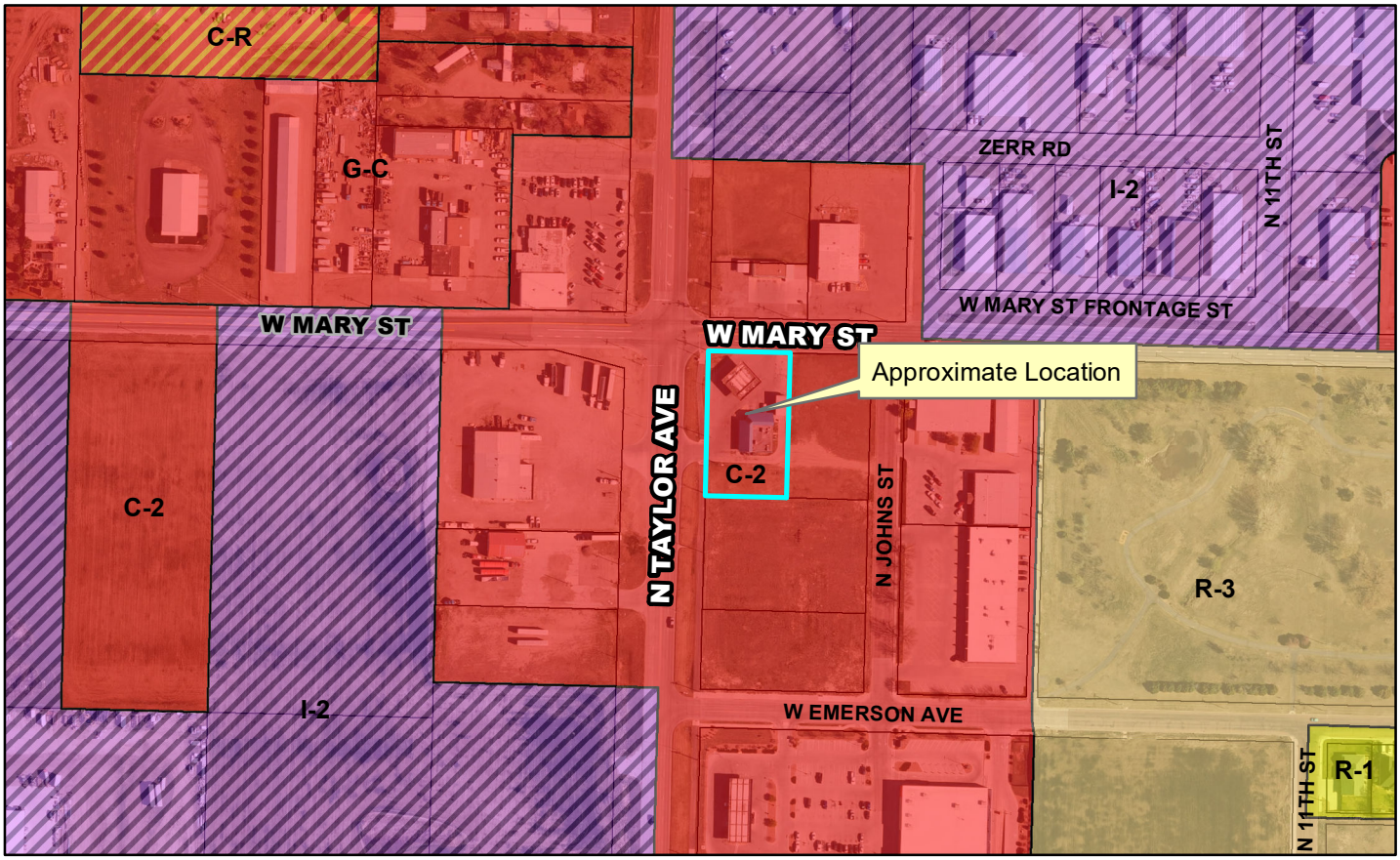
Staff is unable to recommend approval of the variance request.

**FISCAL NOTE:**

There is no fiscal note.

**ATTACHMENTS:**

Vicinity Map
VapeTime Sign Graphics




**Case Number:** GCBZA2026-5
**Applicant:** Signs By G, LLC
**Address:** 2522 N. Taylor Ave
**Request:** Sign area variance






2522 N Taylor Ave, Garden City, KS 67846

# A1 Dua lit channel letters on cloud back lit mounted on Frame

Dimensions

QTY 1

Total square footage: **160 ft²**

**Ilumination Color**

| | |
|---|---|
| FRONT LIT | WHITE |
| REVERSE LIT | GREEN |

**Checklist**

- [ ] Logo provide by client (vector)
- [x] Logo vector art
- [x] Pantone

**PAINT/MATERIALS/VINYL**

**M1:** 0.118" WHITE ALUMINUM
**M2:** 3/16" WHITE POLYCARBONATE
**M3:** 0.080 ALUMINUM
**M4:** IRON FRAME
**P1:** Black 6 C

**Specifications**

S1 3/16" WHITE POLYCARBONATE FACES
S2 0.080 ALUMINUM CLOUD BACKER

## Scope of work

### DUA LIT CHANNEL LETTERS/ DUAL COLOR ON CLOUD BACK LIT MOUNTED ON FRAME

QTY: **ONE (1) SET** REQUIRED.
MANUFACTURE AND INSTALL(1) INTERNAL LED ILLUMINATED DUAL LIT/DUAL COLOR CHANNEL LETTER ON CLOUD BACK LIT.
-5" DEEP, .040" THK.ALUM. RETURNS **PTM P1**
-**M1:** MIDDLE PLATE 0.118" WHITE ALUMINUM
-BACKS 0.118" POLYCARBONATED CLEAR
-**S1: M2:** 3/16" WHITE POLYCARBONATE FACES W/ORACAL 3651 GLOSS WITH OVERLAMINATED ORACAL 3270 GLOSS TRANSLUCENT GRAPHIC FILM APPLIED ON 1ST SURFACE.
-2" WIDE TRIMCAP **PTM P1**
-7100K PRINCIPAL LED **WHITE** FRONT & **GREEN** BACK ILLUMINATION.
-**S2: M3:** 0.080 ALUMINUM CLOUD BACKER
- 7100K PRINCIPAL LED **GREEN** BACK (CLOUD) ILLUMINATION.
-**M4:** MOUNTED ON IRON FRAME
-FASTENERS 3/8"X5" NON FERRROUS
-ELECTRICAL SERVICE TO SIGN BAND BY CUSTOMER'S ELECTRICAL CONTRACTOR 120V/60W
-FINAL SIGNAGE ELECTRICAL CONNECTION BY SIGNS BY G.

FRONT VIEW




*SIGN LAYOUT
Scale 1/8" = 1'-0"

**SG 6248 - BTCM - Vape Time Installation - Garden City, KS**

2522 N Taylor Ave, Garden City, KS 67846
01/19/26 Daniel Garnier Carola Salom

Client initials

**Design Updates**

| | |
|---|---|
| R1 | 00 / 00 / 0000 |
| R2 | 00 / 00 / 0000 |

**Approvals**

| | |
|---|---|
| Client | 00/00/0000 |
| Landlord | 00/00/0000 |
| Sales | 00/00/0000 |

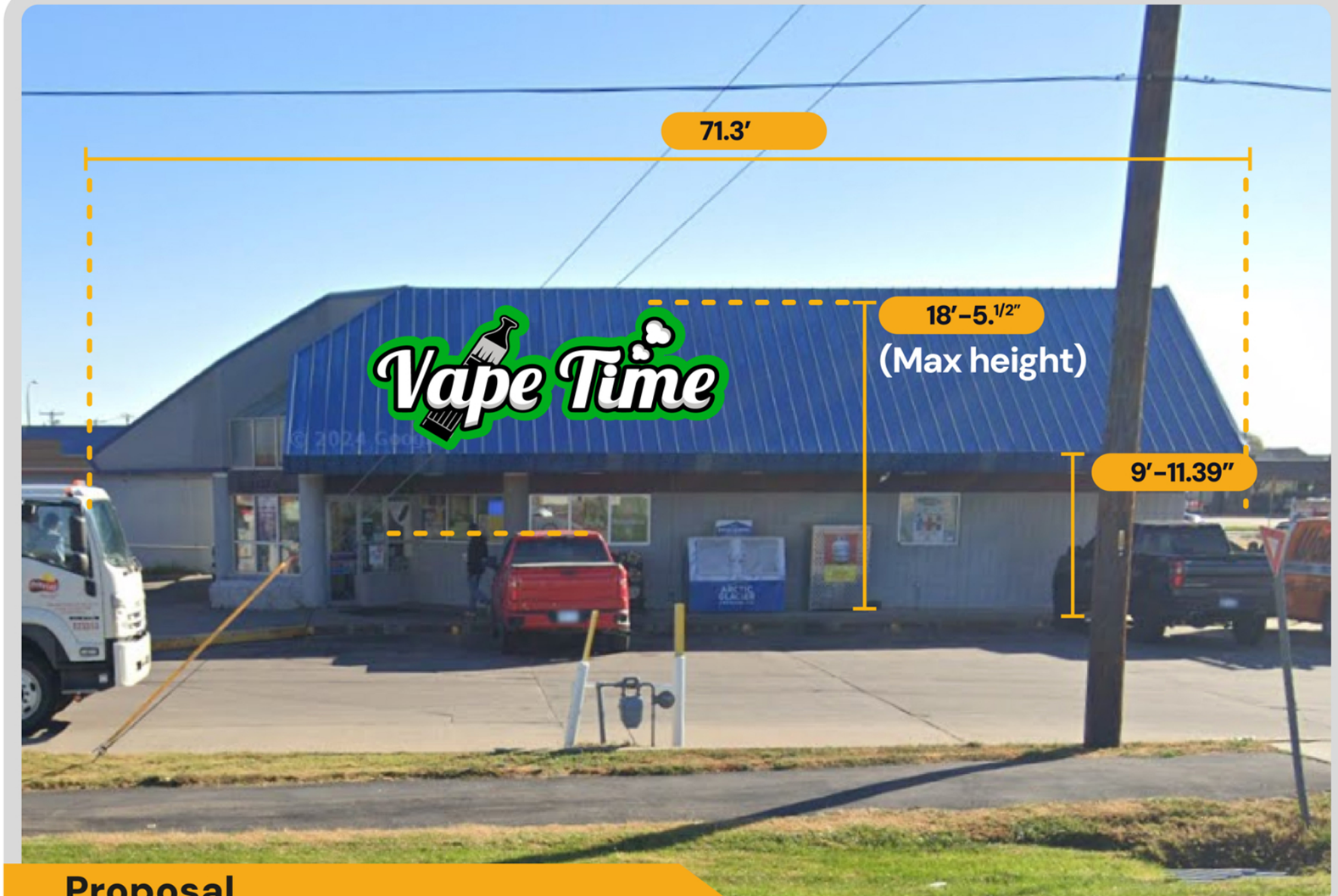
**Contact us**
www.signsbyghouston.com
832-356-0657
sales@signbyghouston.com

# A1 Facade

QTY 1

Dua lit channel letters on cloud back lit mounted on Frame

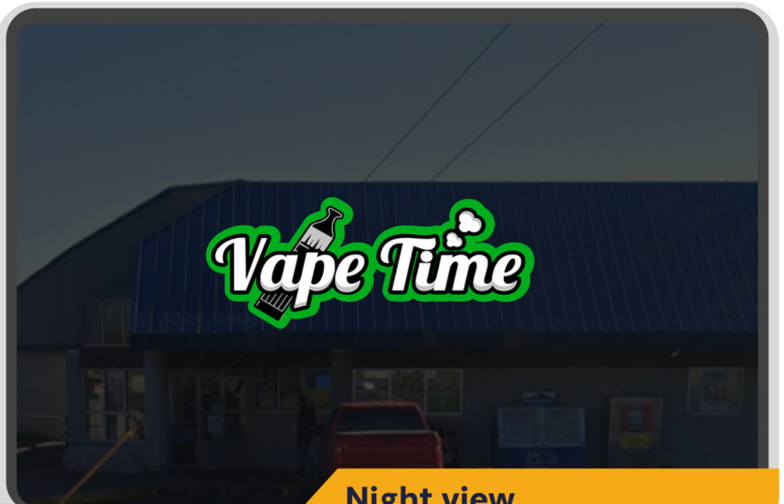
Dimensions




Proposal



Existing facade




Night view

SG 6248 – BTCM – Vape Time Installation – Garden City, KS

2522 N Taylor Ave, Garden City, KS 67846

01/19/26 Daniel Garnier Carola Salom

Client initials

**Design Updates**

| | |
|---|---|
| R1 | 00 / 00 / 0000 |
| R2 | 00 / 00 / 0000 |

**Approvals**

| | |
|---|---|
| Client | 00/00/0000 |
| Landlord | 00/00/0000 |
| Sales | 00/00/0000 |

**Contact us**

www.signsbyghouston.com

832-356-0657

sales@signbyghouston.com

7 YEARS WARRANTY

GARDEN CITY
— KANSAS —

**MEMORANDUM**

**TO:** Garden City Board of Zoning Appeals
**THRU:** Trent Maxwell, Neighborhood and Development Services Director
**FROM:** Angela Rivera, Planning Technician
**DATE:** April 14, 2026
**RE:** GCBZA2026-6: Conditional use permit request to operate an auto repair shop within the "C-2" General Commercial District at the property generally located at 2505 N. Taylor Avenue.

---

**ISSUE:**
The Board of Zoning Appeals is asked to consider a conditional use permit request to allow the operation of an auto repair shop within the "C-2" General Commercial District at the property generally located at 2505 N. Taylor Avenue.

**BACKGROUND:**
Inoel Martinez Rubio is requesting a conditional use permit to allow the operation of an auto repair shop within the “C-2” General Commercial District at the property generally located at 2505 N. Taylor Avenue. The property is approximately 44,000 square feet and includes an existing metal building of approximately 3,000 square feet. The site is currently occupied by an auto supply store, which is a permitted use within the “C-2” General Commercial District. If the conditional use permit is approved, the applicant intends to continue retail sales of auto parts in conjunction with the proposed auto repair use at this location.

**STAFF ANALYSIS:**
The property is surrounded by commercial and industrial zoning districts and does not directly abut any residential property. The proposed auto repair shop is considered a change of use and would require the project to go through the site plan review process. Site plans must be prepared by a design professional and submitted for review by the Building Official, Fire Marshal, Engineering, and other relevant city staff to ensure compliance with applicable Zoning Regulations, Fire Code, and Building Code requirements.

The requirements for approval of a conditional use permit are found in Section 29.050 of the Zoning Regulations, which are as follows:

**29.050 CONSIDERATION OF A CONDITIONAL USE .** In considering an application for a conditional use permit hereunder, the Board of Appeals shall give consideration to the Comprehensive Zoning Plan of the City, the health, safety, morals, comfort, and general welfare of the inhabitants of the City, including but not limited to the following factors:

A. The stability and integrity of the various zoning districts.
    1. Conservation of property values.
    2. Protection against fire and casualties.
    3. Observation of general police regulations.
    4. Prevention of traffic congestion.

5. Promotion of traffic safety and the orderly parking of motor vehicles.
6. Promotion of the safety of individuals and property.
7. Provision for adequate light and air.
8. Prevention of over-crowding and excessive intensity of land uses.
9. Provision for public utilities and schools.
10. Invasion by inappropriate uses.
11. Value, type, and character of existing or authorized improvements and land uses.
12. Encouragement of improvements and land uses in keeping with overall planning.
13. Provisions for orderly and proper urban renewal, development, and growth.

B. The Board of Appeals shall impose such restrictions, terms, time limitations, landscaping, and other appropriate safeguards to protect adjoining property.

**ALTERNATIVES:**

1. The Board may approve the conditional use permit
2. The Board may not approve the conditional use permit.

**RECOMMENDATION:**

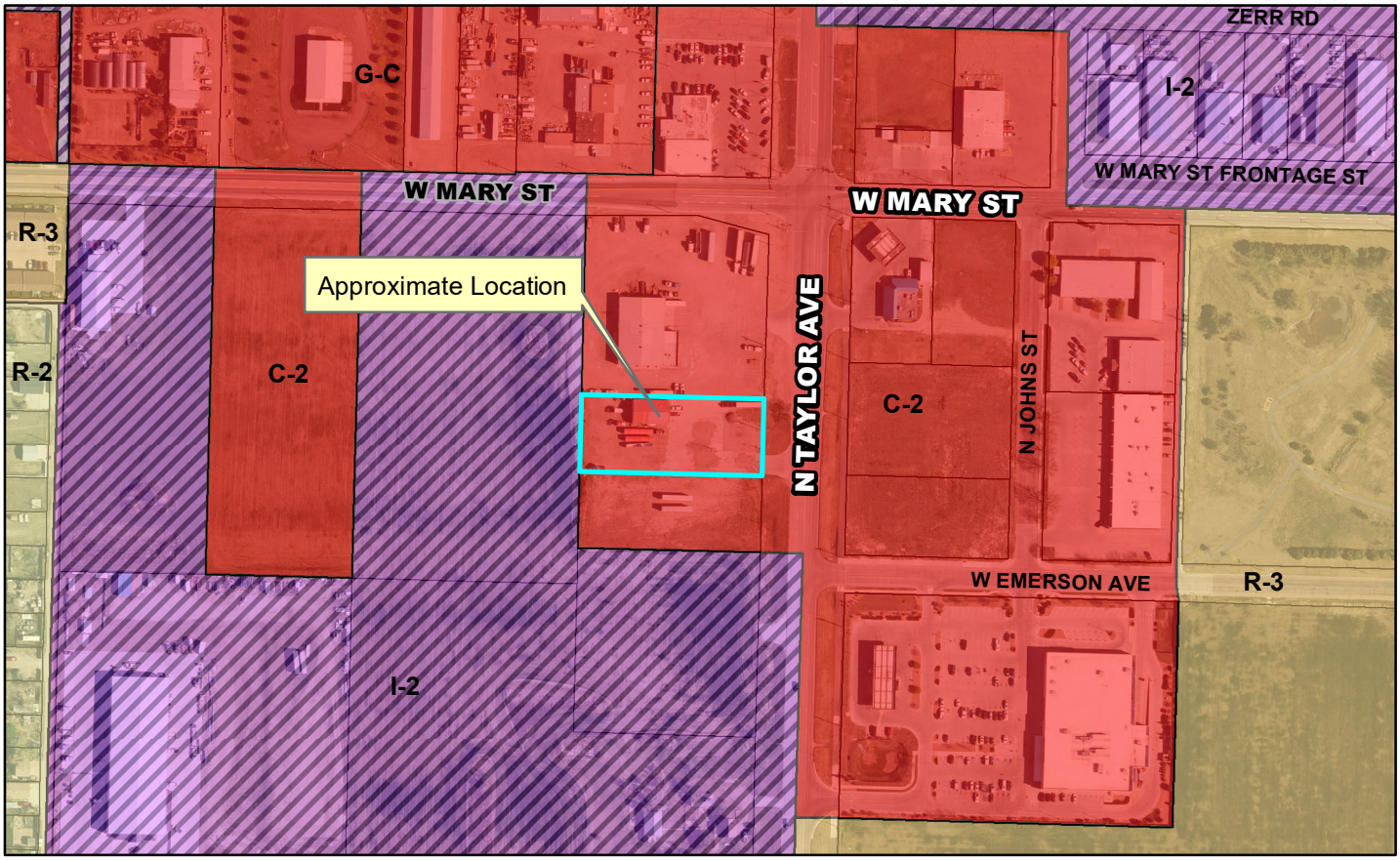
Staff recommends approval of the conditional use permit.

**FISCAL NOTE:**

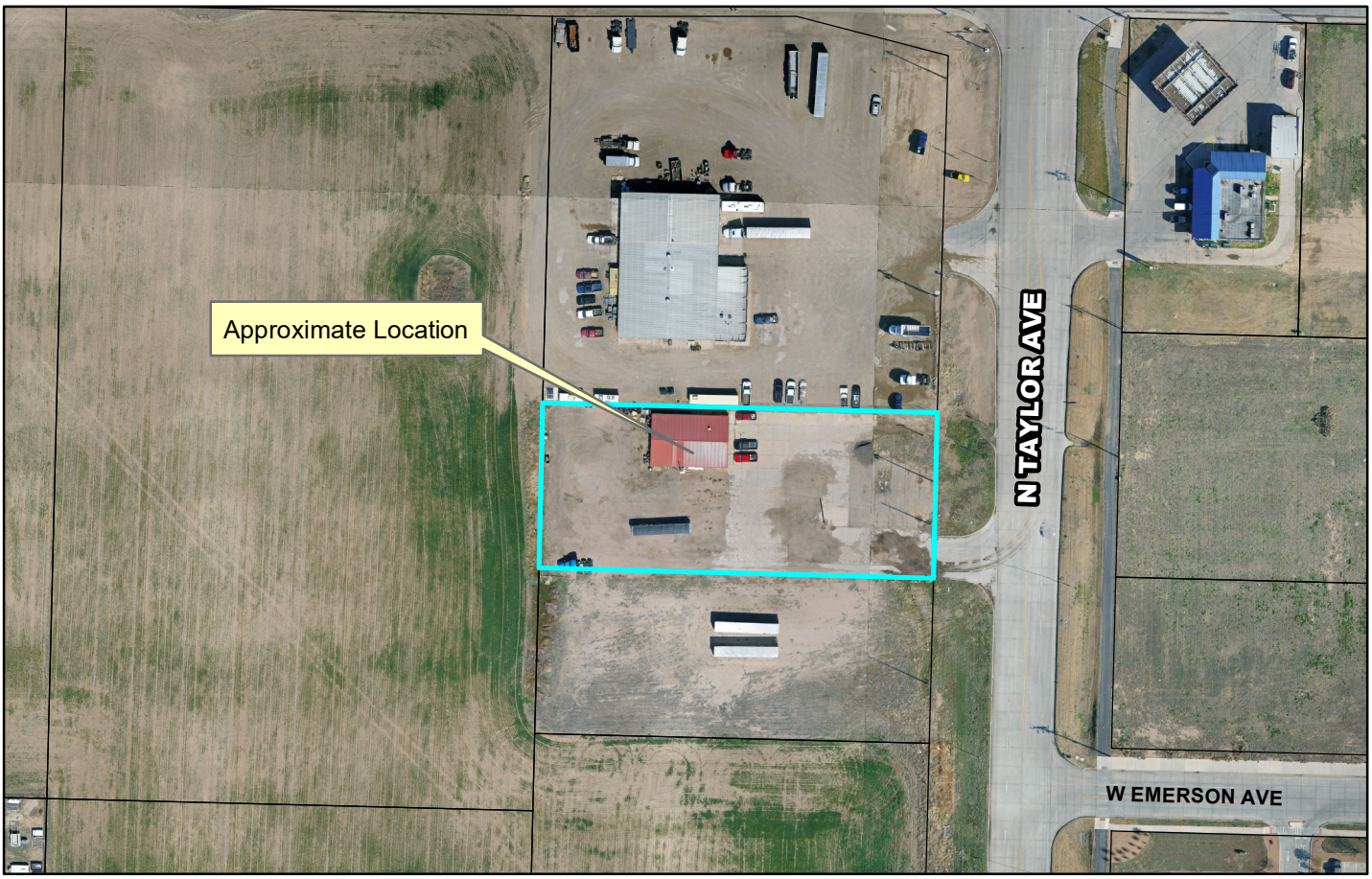
There is no fiscal note

**ATTACHMENTS:**

GCBZA2026-6 Vicinity Map




**Case Number:** GCBZA2026-6
**Applicant:** Inoel Martinez Rubio
**Address:** 2505 N. Taylor Ave
**Request:** Conditional Use Permit request to operate an auto repair shop



GARDEN CITY
KANSAS

**MEMORANDUM**

**TO:** Garden City Board of Zoning Appeals
**THRU:** Trent Maxwell, Neighborhood and Development Services Director
**FROM:** Daunte Thompson, Planner
**DATE:** April 14, 2026
**RE:** GCBZA2026-07: Oikos Development Corporation requests a conditional use permit to operate a child care center within the "R-3" Multiple Family Residential at the property generally located at 187 Leawood Avenue.

---

**ISSUE:**
The Garden City Board of Zoning Appeals is asked to consider a conditional use permit request to operate a child care center within the "R-3" Multiple Family Residential at the property generally located at 187 Leawood.

**BACKGROUND:**
Oikos Development Corporation is requesting a conditional use permit to allow a child care center within the "R-3" Multiple Family Residential District for the property generally located at 187 Leawood. This facility is part of a USDA program supporting local housing developments. It is intended to provide a Head Start and child care program specifically for the residents of this development, known as Hunters Glen. The project is currently undergoing the site plan approval process, which includes installing an on-site playground. Additionally, the applicant has communicated with staff that the center must obtain and maintain all necessary state approvals and licenses before operating.

**STAFF ANALYSIS:**
Section 2.030(29) of the Zoning Regulations states that a child care center may serve 13 or more children, aged 2 weeks to 16 years. As part of the site plan approval process, staff will review the parking lot, traffic flow, drainage, and utilities to ensure that the subdivision has a limited impact. Additionally, because the center is intended primarily to serve the residents of the development, staff anticipates a limited impact on surrounding properties or the general character of the neighborhood.

The Board may make its determination and state its findings in accordance with the conditions in Section 29.050 of the Garden City Zoning Regulations. Below is the section and the list of factors to be considered for a conditional use:

**29.050 CONSIDERATION OF A CONDITIONAL USE** . In considering an application for a conditional use permit hereunder, the Board of Appeals shall give consideration to the Comprehensive Zoning Plan of the City, the health, safety, morals, comfort, and general welfare of the inhabitants of the City, including but not limited to the following factors:

A. The stability and integrity of the various zoning districts.
    1. Conservation of property values.

2. Protection against fire and casualties.
3. Observation of general police regulations.
4. Prevention of traffic congestion.
5. Promotion of traffic safety and the orderly parking of motor vehicles.
6. Promotion of the safety of individuals and property.
7. Provision for adequate light and air.
8. Prevention of over-crowding and excessive intensity of land uses.
9. Provision for public utilities and schools.
10. Invasion by inappropriate uses.
11. Value, type, and character of existing or authorized improvements and land uses.
12. Encouragement of improvements and land uses in keeping with overall planning.
13. Provisions for orderly and proper urban renewal, development, and growth.

B. The Board of Appeals shall impose such restrictions, terms, time limitations, landscaping, and other appropriate safeguards to protect adjoining property.

**ALTERNATIVES:**

1. The Board may approve the conditional use permit.
2. The Board may not approve the conditional use permit.

**RECOMMENDATION:**

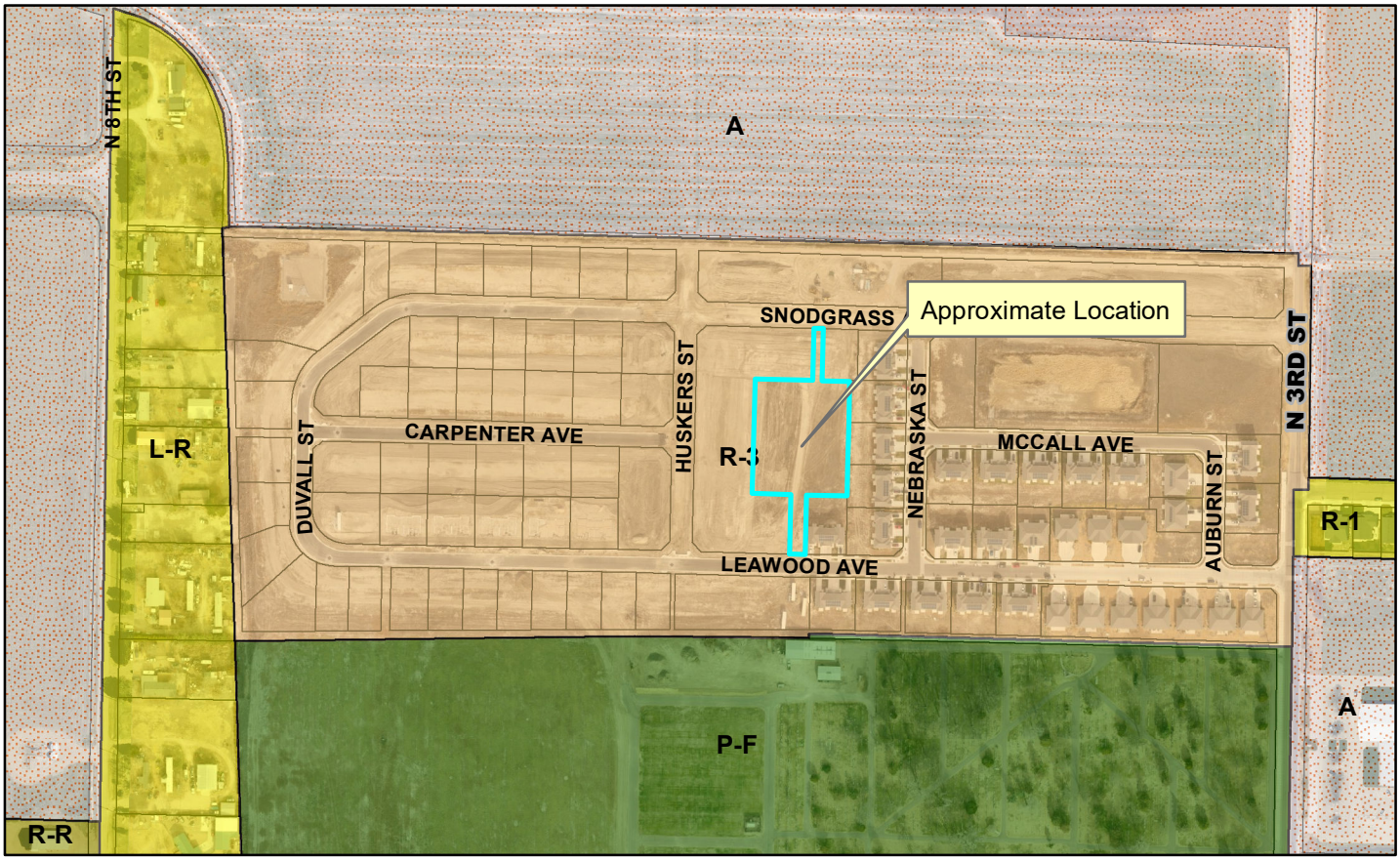
Staff recommends the Board approve the conditional use permit.

**FISCAL NOTE:**

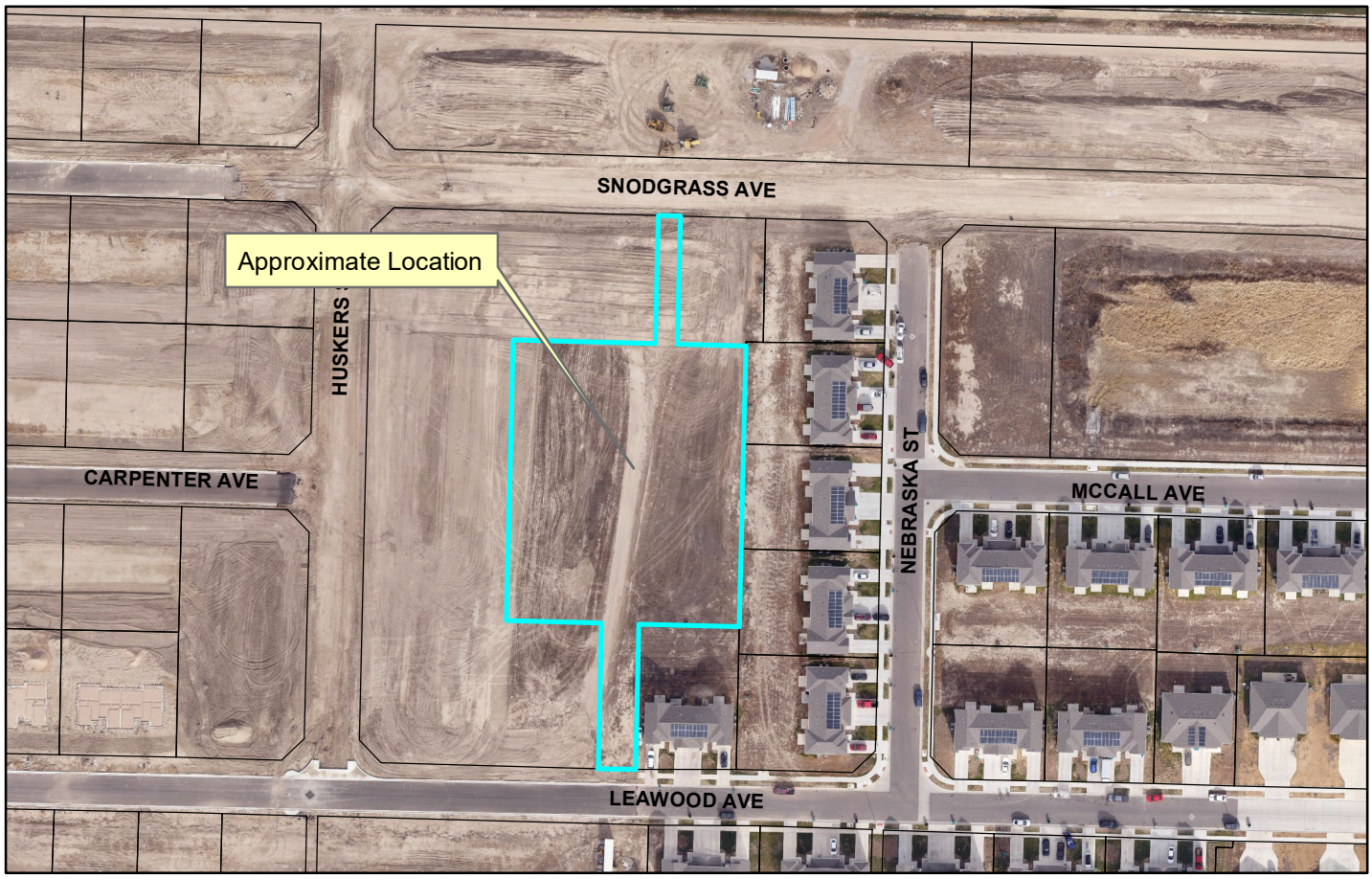
There is no fiscal impact.

**ATTACHMENTS:**

Vicinity Map
Applicant Provided Supporting Docs




**Case Number:** GCBZA2026-7
**Applicant:** Oikos Development Corporation
**Address:** Lot 1, Block 5 of Hunters Glen - Phase Three
**Request:** Conditional Use Permit to operate a Child Care Center.



Hunters Glen IIIA
Child Care Center
Legal Description

Lot 1, Block 5 of Hunters Glen – Phase Three A

Gmail

Michael Snodgrass <msnodgrass.odc@gmail.com>

## site map

1 message

**Ann Mcdowell** <anmcdowell@firstam.com>
To: Michael Snodgrass <msnodgrass.odc@gmail.com>

Tue, Mar 10, 2026 at 1:35 PM

Page 1 of 1

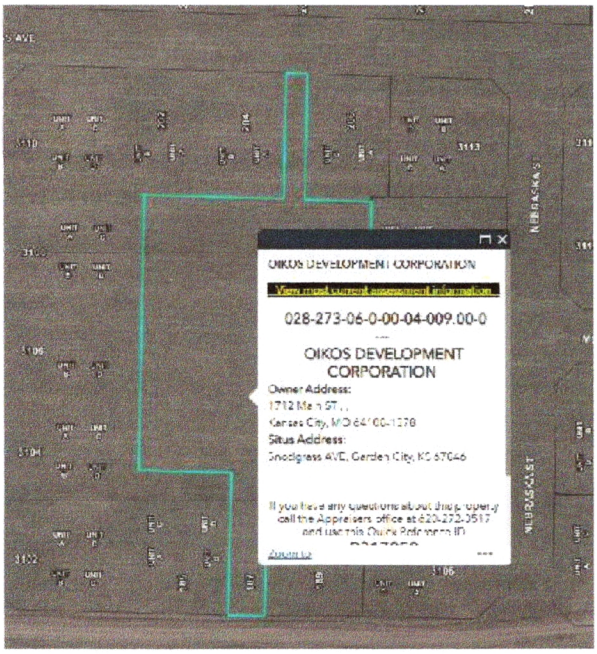
| Owner Information | |
|---|---|
| Owner's Name: | OIKOS DEVELOPMENT CORPORATION |
| Mailing Address: | 1712 Main St<br>Kansas City, MO 64108-1378 |

| Property Address | |
|---|---|
| Address: | Garden City, KS 67846 |

| General Property Information | |
|---|---|
| Property Class: | Vacant Lots - V |
| Living Units: | |
| Zoning: | |
| Neighborhood: | 121 |
| Taxing Unit: | 001 21 CITY |

| Deed Information | |
|---|---|
| Document # | Document Link |
| 363-651 | |

| Neighborhood / Tract Information | |
|---|---|
| Neighborhood: | 121 Block: 05 Lot: 01 |
| Tract: | Section: 06 Township: 24 Range: 32W |
| Tract Description: | Hunters Glen - Phase Three A, S06, T24, R32W, BLOCK 05, Lot 01, ACRES 1.39 |
| Acres: | 1.39 |
| Market Acres: | 1.39 |



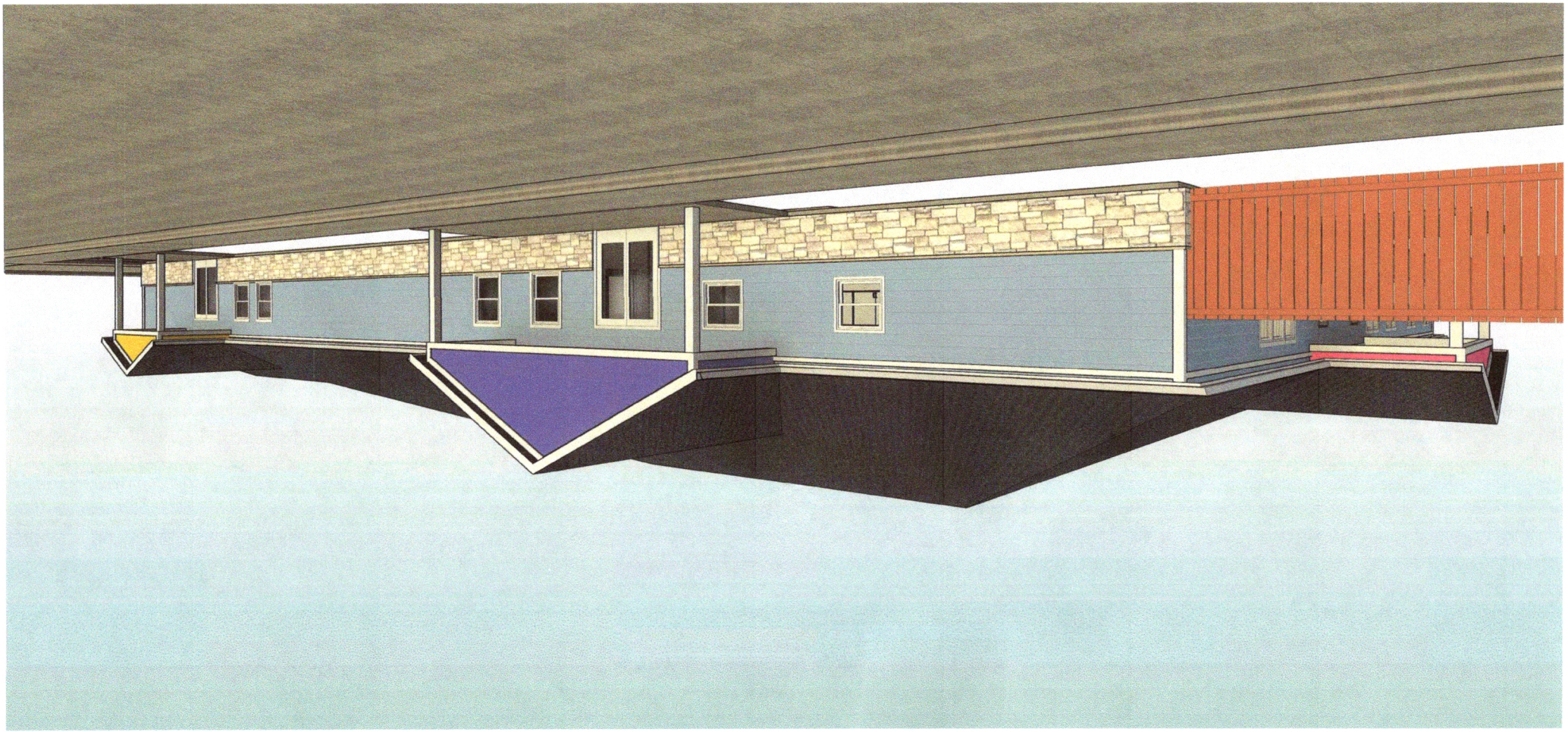

**Ann McDowell**
County Manager

First American

First American Title

124 W. Grant Ave, Garden City, KS 67846
Office: 620-275-7441

Direct: 620-805-3471
Mobile: 620-271-8827



CONTROL POINT #1
N. 1807042.38
E. 628457.63
½" BAR
NORTH WEST CORNER OF SUBDIVISION

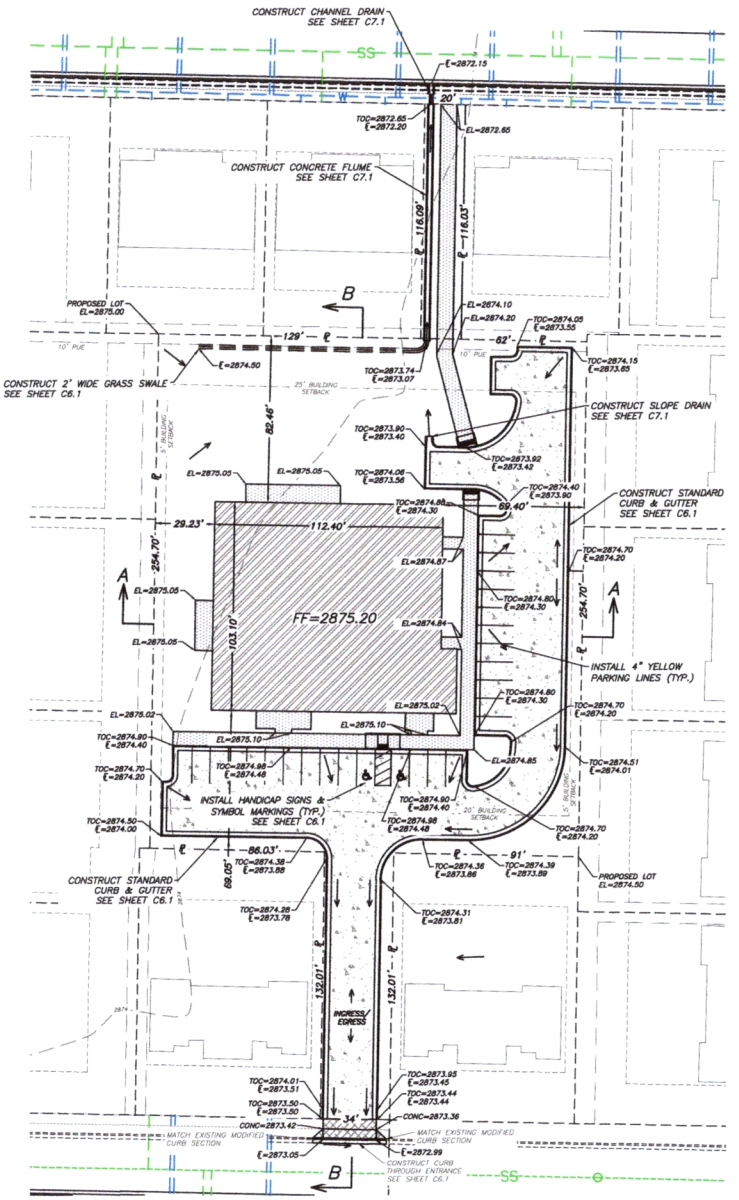
CONTROL POINT #2
N. 1806116.90
E. 630278.44
½" BAR
SOUTH EAST CORNER OF SUBDIVISION

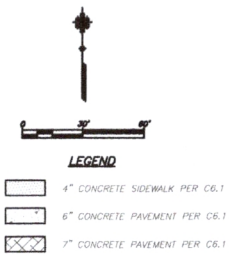
## LEGAL DESCRIPTION

LOT 1, BLOCK 5, HUNTERS GLEN – PHASE 3A
FINNEY COUNTY, KANSAS
1.39 ACRES MORE OR LESS

## SITE ADDRESS

187 LEAWOOD AVENUE




## INDEX OF CIVIL SHEETS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| C1.1 | SITE PLAN |
| C2.1 | SITE LAYOUT – NORTH |
| C3.1 | SITE LAYOUT – SOUTH |
| C4.1 | UTILITY PLAN |
| C5.1 | CROSS SECTIONS |
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| C7.1 | SITE DETAILS |
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NOTE: ALL WORK ON PUBLIC INFRASTRUCTURE AND WITHIN THE PUBLIC RIGHT-OF-WAY SHALL MEET CITY OF GARDEN CITY GENERAL IMPROVEMENTS HANDBOOK 2017.

TOTAL SQUARE FOOTAGE OF BUILDING: 10,488 SF
TOTAL NUMBER OF PARKING STALLS: 25
TOTAL NUMBER OF ADA PARKING STALLS: 2
TOTAL NUMBER OF VAN ACCESSIBLE STALLS: 1

EBH
EBHengineering.com

ANDREW J. BRUNNER
LICENSED
26346
4-30-2025
KANSAS
PROFESSIONAL ENGINEER

**HEAD START AT HUNTER'S GLEN**
SITE IMPROVEMENTS
GARDEN CITY, KANSAS

| Date | Description |
|---|---|
| | |

Project # R4435.1
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Evans-Hiery-Hutchison
& Associates, P.A., 2025.

Title:
SITE PLAN

Sheet:
C1.1

LEGENDS:

ABC
A
B
C

14 5OKVA
2 25KVA
7 100KVA
5 75KVA
11 MED VAULT

3 LRG SECTIONALIZER
3 SM SECTIONALIZER
12 STREET LIGHT 101W



GARDEN CITY
KANSAS

**MEMORANDUM**

**TO:** Garden City Board of Zoning Appeals
**THRU:** Trent Maxwell, Neighborhood and Development Services Director
**FROM:** Daunte Thompson, Planner
**DATE:** March 10, 2026
**RE:** GCBZA2026-04: Laurencio Perez is requesting an exception to the "R-3" Multiple Family Residential District's regulations for the property generally located at 903 N. 13th Street.

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**ISSUE:**

The Garden City Board of Zoning Appeals is asked to consider an exception to the "R-3" Multiple Family Residential District's regulations for the property generally located at 903 N. 13th Street.

**BACKGROUND:**

Laurencio Perez is requesting an exception to the regulations of the "R-3" Multiple Family Residential District for the property generally located at 903 N. 13th Street in order to install an electric meter. The property is zoned "R-3" Multiple Family Residential District and contains two single-family homes on the same lot. The east home's front door faces, and the driveway is accessed off 13th Street. The west home has a garage accessed from Mulberry Street to the south and is larger than the home to the east. It is unknown when this building was constructed or converted to a home, and it is not considered a legal non-conforming structure at this time. The property owner approached Neighborhood & Development Services to discuss adding an additional electric meter for the accessory dwelling unit located in the rear yard. The property owner plans to close the south garage door and install a fence to prevent future tenants from driving on the south neighbor's property. Additionally, the applicant plans to create a driveway into the garage, accessed from the front of the property. At the time the permit was initially requested, the staff determined that the property and current use do not conform to the Zoning Regulations, and a building permit could not be issued for the additional electric meter.

**STAFF ANALYSIS:**

Under the "R-3" Multiple Family Residential District, lots are permitted only one dwelling unit. As a result, the west home is considered non-conforming. According to Section 21.100, non-conforming uses and buildings are permitted limited remodeling, maintenance, and repair when established as a legal non-conforming use or building. A building or use is considered legal non-conforming when it was established before the current Zoning Regulations, but does not meet them now. Since the accessory structure was converted to a single-family residence, it is not considered a legal nonconforming use. As a result, an additional electric meter would exceed the permitted work limits, increase the non-conforming use, and therefore cannot be permitted.

The Zoning Regulations grant the Board of Zoning Appeals the power and jurisdiction to hear and authorize variances and exceptions to the District regulations. The "R-3" Multiple Family Residential Zoning District permits only one dwelling unit per lot. For the property owner to be permitted an electric meter for the rear residence, the Board of Zoning Appeals must hear the appeal and only

grant an exception if the property owner has demonstrated that a hardship will be imposed and that the variation will conform with the zoning district, as defined in Section 28.030(E), which is included below:

28.030 POWERS AND JURISDICTION. The Board of Zoning Appeals shall have the following powers and jurisdictions:
(D) To authorize variances to the District regulations upon appeal, whenever a property owner can show that a strict application of the terms of this ordinance relating to the use, construction, or alteration of buildings or structures or the use of land, will impose upon him practical difficulties or particular hardship, and that such variations of the strict applications of the terms of this ordinance as are in harmony with its general purpose and intent, (but only when the Board of Zoning Appeals is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty too great as to warrant variation from the Comprehensive Plan as established by the regulation) and at the same time the surrounding property will be properly protected.

If the request is approved, the property owner would be required to comply with all applicable Building Codes and other Zoning Regulations, including providing surfaced parking.

**ALTERNATIVES:**

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

**RECOMMENDATION:**

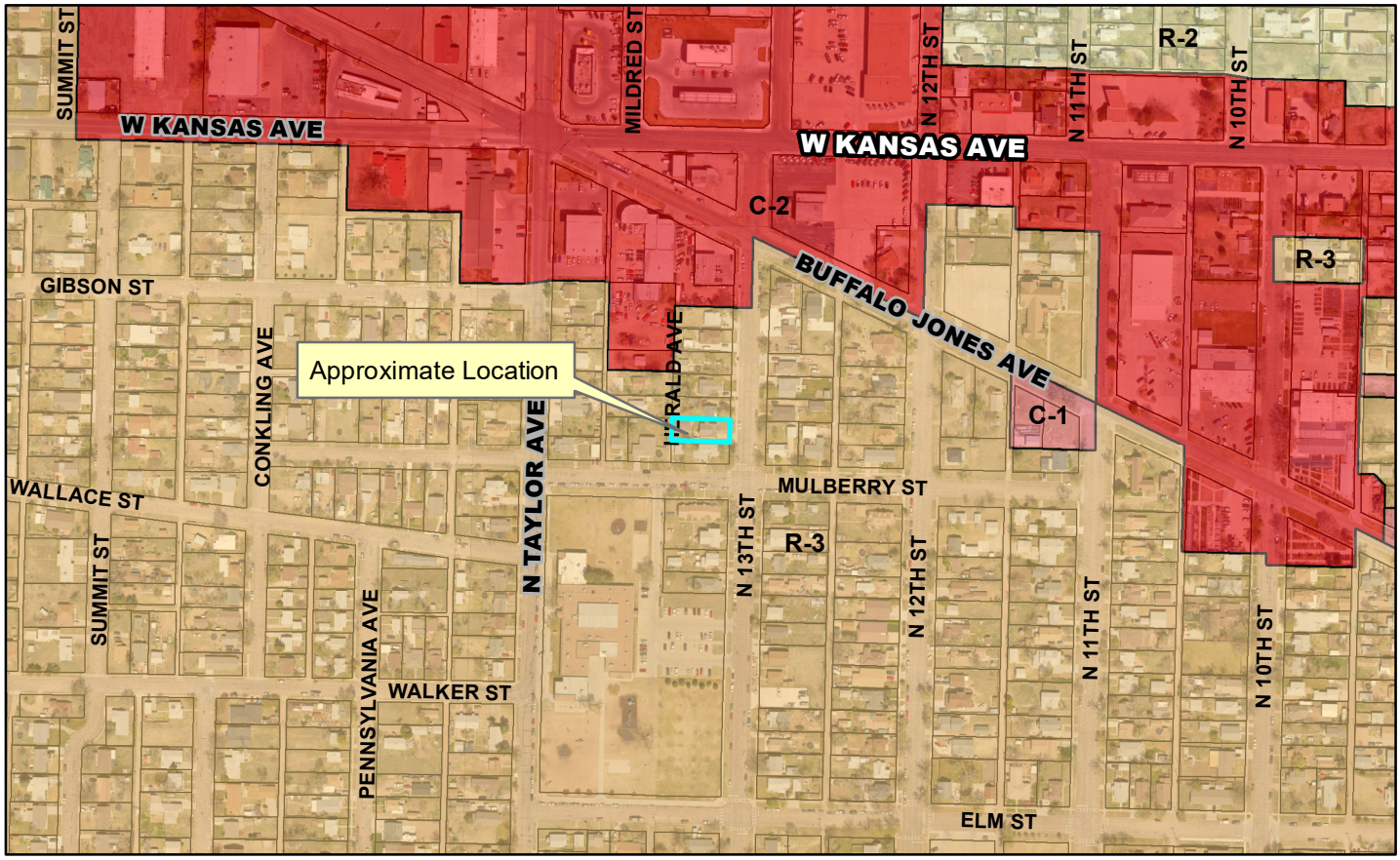
Staff recommends approval on the condition that the south overhead door be removed and a fence be installed along the south property line.

**FISCAL NOTE:**

There is no fiscal note.

**ATTACHMENTS:**

GCBZA2026-04 Vicinity Map
GCBZA20263-04 Proposed Layout Site Plan
GCBZA2026-04 Existing Site Plan

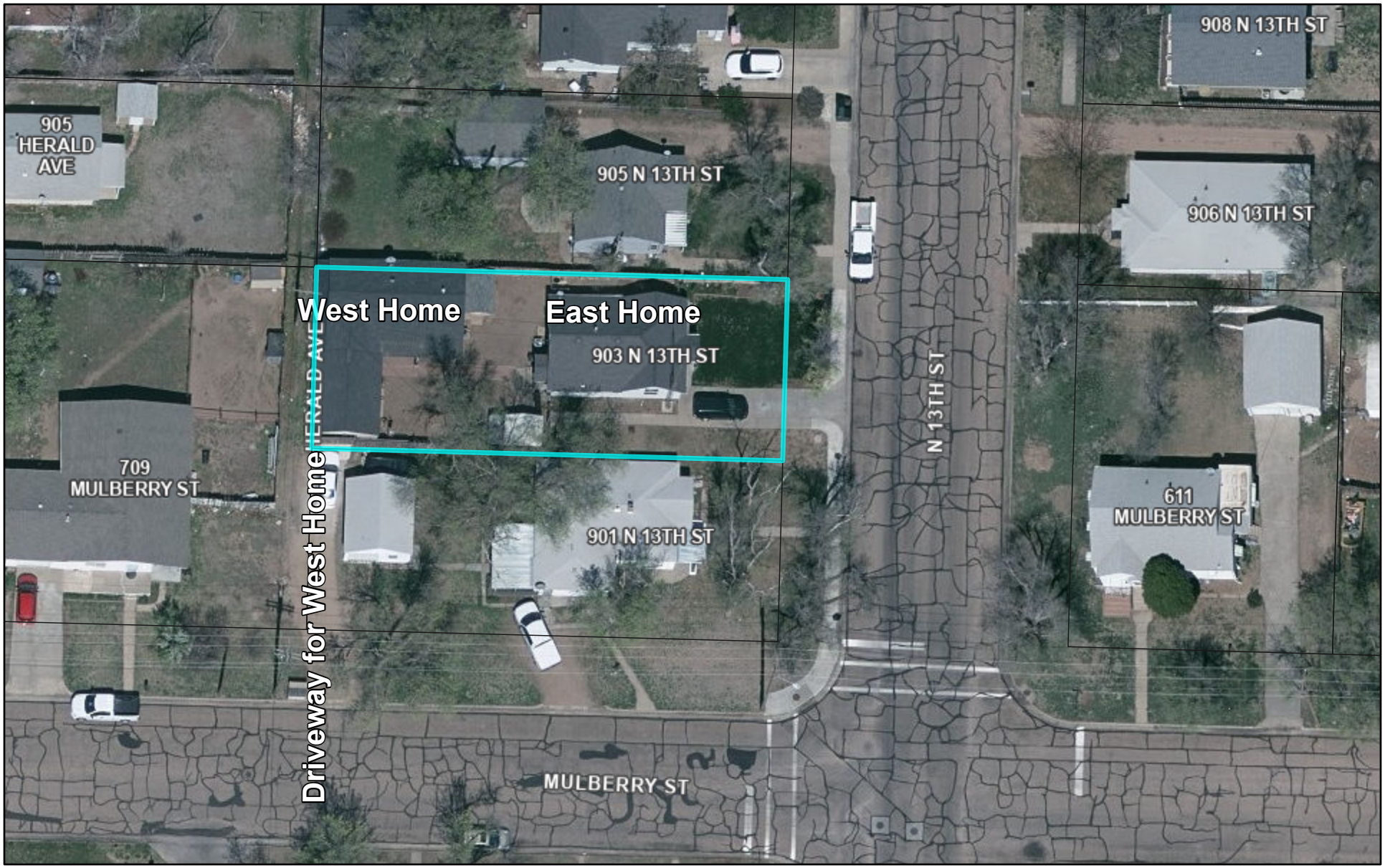



**Case Number:** GCBZA2026-04
**Applicant:** Laurencio Perez
**Address:** 903 N. 13th
**Request:** An exception to the "R-3" Multiple Family Residential District's regulations.




905 N 13TH ST
50'
903 N 13TH ST
50'
New Driveway
Remove
South garage door
100'
New Fence
HERALD AVE
901 N 13TH ST
50'
130'

# Zoning




3/5/2026

1:456

0 0 0.01 0.01 mi

0 0.01 0.01 0.02 km

Finney County, Garden City