AGENDA
GARDEN CITY BOARD OF ZONING APPEALS
FRIDAY, JUNE 19, 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-April 11, 2026
Garden City Board of Zoning Appeals Minutes-April 11, 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. GCBZA2026-10: Setback Variance Request to construct within the front and rear yard setbacks for the property generally located at 1907 W. Fulton Street.
Applicant Letter
Vicinity Map
Site Plan

V. Adjourn

MINUTES
BOARD OF ZONING APPEALS
GARDEN CITY, KANSAS

April 14, 2026

The Garden City Board of Zoning Appeals scheduled a Public Hearing at 9:00 a.m. Tuesday, April 14, 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, Vice-Chair Madrid, Member Dick, and Member Franco. Also in attendance were Staff Charles, Staff Rivera, and Staff Thompson.

II. APPROVAL OF MINUTES

Member Dick made a motion to approve the minutes from March 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	Not Present	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

GCBZA2026-05: Signs by G LLC, on behalf of DABBS Investments, LLC, is requesting a sign variance. The property is generally located at 2522 N Taylor Avenue, Kansas.

Staff Thompson- Presented staff report.

Member Dick-This is just for the wall sign on that one there. That's not like 3rd and Kansas either, right?

Staff Thompson- Correct. This is just the one at Taylor.

Chair Acosta-Is it compliant on Taylor, or on Kansas?

Staff Thompson- It's not compliant either.

Chair Acosta-Do we have any questions for staff? Did anybody write in?

Staff Thompson- No, we have not heard of any.

OPEN PUBLIC HEARING

CLOSE PUBLIC HEARING

Vice-Chair Madrid-What's the green light about?

Staff Thompson- So, the green light is around the sign, and the regulations prohibit any sign from having green lights? Part of that is if a green light is too close, green, red, or amber too close to a traffic light, it may cause

some confusion. We did work with the city engineer who did pass by this and doesn't believe that this specific sign and the green lights it used is within the vision triangle of traffic.

MEMBER DICK MADE A TO NOT APPROVE THE VARIANCE REQUEST PER STAFF ALTERNATIVE TWO. 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	Not Present	Yea

Motion passed.

GCBZA2026-07: Oikos Development Corporation requests a conditional use permit to operate a childcare center within the "R-3: Multiple Family Residential District. The property is generally located at Lot 1, Blk 5 of Hunters Glen, Garden City, Kansas.

Staff Charles- Presented the staff report.

Member Dick- I appreciate our excitement to get to childcare.

Staff Charles-Did I skip one?

Member Dick-Maybe we can just switch it?

Chair Acosta- I wasn't sure if we could just go back or I don't know how you guys want to do it.

Staff Charles- If you want to so kindly for the record just make a motion we'll switch it.

CHAIR ACOSTA MADE A MOTION TO MOVE CASE GCBZA2026-07 IN FRONT OF CASE GCBZA 2026-06. MEMBER DICK SECONDED THE MOTION.

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

Dick	Acosta	Franco	Karhoff	Madrid
Yea	Yea	Yea	Not Present	Yea

Motion passed.

OPEN PUBLIC HEARING

Lona DuVall, Finney County Economic Development Corporation- I also serve on the board of directors for Finney County Child Care and Early Learning as well as for Garden Academy Early Learning Centers. We currently operate a facility at 3rd and Thompson that you all are aware of. I just want to first of all thank the developer for his work on this project. This has been a long time coming and he could have chosen to do a number of things with this space in this housing development. We really appreciate him being willing to work with us and recognizing that we do have a significant shortage of licensed childcare facilities and it is a really important goal of ours at Economic Development to have childcare facilities located in the neighborhoods that they're serving. We believe strongly that neighborhood childcare facilities provide the best opportunity for community to really build within the community and for children to have access to high quality early childhood opportunities. So, we just want to speak in support of this and again thank the developer for being willing to work with us in building a facility in this neighborhood. Thank you.

Chair Acosta-Thank you very much. Is there any further discussion? I will say I like the rendering included. It looks very nice.

Member Franco-Is it going to be in part phases or all in one complete?

Michael Snodgrass, Applicant- What was the question again?

Member Franco-Is it going to be in phases of completion or?

Michael Snodgrass, CEO of Oikos Development Corporation-No actually we're waiting for this conditional use permit because we want to start building this pretty quickly. It's actually part of and we've already built the infrastructure surrounding it. All the way from Leawood to Carpenter. So 3A and 3B is the additional housing infrastructures and we have probably about a million and a half dollars worth of lumber sitting out there on site right now. So, we're just waiting on USDA approval of one item for the that aspect and as soon as we get the parking situated, we want to get started on this as quickly as we can.

Vice-Chair Madrid-And how many kids is this for?

Michael Snodgrass- What did we decide? Up to 60?

Lona DuVall-It's a bit of a moving target. Elva, thank you for asking that. The state has addressed some of the childcare regulations. I actually served on the governor's task force for early childhood specifically related to how we better regulate childcare facilities. So, we think it's going to be around 60 children but there have been some changes made. You're probably aware there's a lot of regulations around childcare. Most of those are very valuable. However, there are some that are just pretty arbitrary and the square footage required per child is one of those that we spend a lot of time scratching our heads about. So, it really depends on where the regulations are once this is constructed and we'll try to maximize obviously that space because as we all know childcare is also a very tricky business to run. There is no profit but if we can at least break even, we feel pretty good about that. So, we'll license it for the maximum that we can so long as we can still provide the high quality of childcare that we want to have in place. Thank you.

CLOSE PUBLIC HEARING

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

Dick	**Acosta**	**Franco**	**Karhoff**	**Madrid**
Yea	Yea	Yea	Not Present	Yea

Motion passed.

GCBZA2026-06: Inoel Martinez Rubio has applied for a conditional use permit to operate an auto repair shop within the "C-2" General Commercial District. The property is generally located at 2505 N Taylor Avenue, Garden City, Kansas.

Staff Charles- Presented Staff Report.

OPEN PUBLIC HEARING

Inoel Martinez, Applicant- I believe you applied also for a sign as well.

Member Madrid- Where is this at exactly?

Chair Acosta- This is Taylor and Mary.

Member Dick- Across from neighborhood market. It's across from the new dollar tree.

CLOSE PUBLIC HEARING

Vice-Chair Madrid-Did you guys send notices to the neighborhoods and did anybody complain about it?

Staff Thompson-No, we haven't heard any communication from any properties. And I will clarify on the sign that the sign is going through the permitting process right now. That's administrative and it won't come in front of you guys. We have just held the building permit for that because they need a certificate of zoning to require your approval as a conditional use.

Vice-Chair Madrid-So no complaints from any surrounding businesses about it and you don't see anything negative affecting other businesses?

Staff Thompson-No, we did not hear anything or any comments from the surrounding property owner or businesses.

MEMBER DICK MADE A MOTION TO APPROVE THE CONDITIONAL USE PERMIT PER STAFF RECOMMENDATION ALTERNATIVE ONE. 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	Not Present	Yea

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.

Laurencio Perez, Applicant- No, it's just like you say, I'll go remove the garage door on the south side, you know, and put a fence over it and open the driveway from 13th street and I'll go make the driveway from 13th street and make it all the way to the garage.

Member Madrid- So, what's the difference in this and what we had last month?

Staff Charles- So, this is the same request that we had last month, however, we brought it back to view one. Staff did not give him the correct date when we gave him the application. So, he thought it was a different date.

Vice-Chair Madrid-And we didn't have this last month, right?

Staff Charles-You did not have that. We did talk to him to get some more understanding or be able to provide you guys with a little bit more information than what we initially had. And I think he would also like to, I told him I'm not sure that he could widen the actual approach just because the distance requirement, the wing's got to be five feet from the property line, but he could look at kind of making it diagonal like this so that they can go in this way and not make the actual approach bigger.

Vice-Chair- This would make more sense than him being in the neighbor's property though, right?

Staff Charles-Yes.

Member Dick- Do we know who constructed this building? It's not the current owner.

Staff Charles- It's not the current owner. He stated that's how he got it. How long have you owned this property?

Laurencio Perez-How long? I think it's probably three years, two and a half to three years.

Vice-Chair Madrid- I looked into that building in there because I talked to your office like three years ago because I sold it to him. I was actually the owner of it for like nine months and I sold it to him. So, that building had been on there for like years and had been used as a rental.

Member Dick- It's just got budding property lines too, which is a whole other thing.

Chair Acosta-Do we know how close the driveway is going to get to the property line? Because, I mean, is it right up on it or is it going to be a couple feet?

Member Dick-It looks like it's a couple feet.

Staff Charles- Do you intend to stop the driveway all the way up to the property line?

Laurencio Perez-So, the driveway from 13th Street?

Staff Charles-Yes. So, basically, your driveway to the south property line.

Laurencio Perez-It's going to be all the way to the south fence, open the fence and make the driveway all the way to the house or to the garage. It'll be from 13th Street.

Vice-Chair Madrid-There's a fence though. If you do the driveway, the property line right where the fence is, that would still be okay with it? And that seems to be where the line is?

Staff Charles-Yes.

Laurencio Perez- I have enough. I mean, the driveway is about eight foot wide, and they still have a space to the property line for the neighborhood line.

Member Franco-Why does he want to include a second meter?

Staff Charles- So he can rent it out so that just have separate utilities.

Member Franco-That's something that he needs more power to.

OPEN PUBLIC HEARING
CLOSE PUBLIC HEARING

VICECHAIR MADRID-MADE A MOTION TO APPROVE THE EXECPTION AS REQUESTED PER STAFF ALTERNATIVE ONE.

Chair Acosta-So, what's the difference from this one from the one that we approved last meeting? I think same thing, just to pay for it.

Staff Charles-Yes. Outside of now knowing he's going to, I think before you didn't know that you would close at garage door, add the fence to prevent that. So otherwise, similar, outside with a couple of things.

Vice-Chair Madrid-Like we spoke last month, I mean, if we're going to approve one, we can't approve, I mean, how many more are we going to approve?

Member Dick-I'm just going to wait till we get to a second. But there's a lot of non-conforming issues with this compared to the other one. The other one accessory unit, I assume, was conforming in other ways. This one, there's a lot of differences. We're talking major amounts of surface upgrades. I mean, I feel that there is a difference. I don't feel like I'm compelled to approve this based on rulings from last time.

Vice-Chair Madrid-That he's willing to make.

Member Dick- Well, yes, he is willing to make this, but I don't feel like as a board we have to approve one if we approve one before. We can personally think that.

Vice-Chair Madrid-Until the community starts complaining about it. And then we, if there's some legal issues, if we're going to be approving one and not the other.

Staff Charles- And I think, just so you know, you're only approving the exception part. You're not approving him, you know, when he goes to do his driveway, we'll take a look at his surface covering and make sure he doesn't exceed that 70 percent. So, all other things will still apply. You're only looking at the exception today.

Member Dick-And if he would ever to parcel this off, there would have to be some sort of driveway that's included in that parcel, so he doesn't get blocked off, right?

Staff Charles-Legally he could not, through our department, split this because it would not meet any of the lot size requirements.

Member Dick-And that's not something he's requesting.

Member Dick-But it is good for him to know in the future that if this is a second housing unit, it's still attached to that first one.

Vice-Chair Madrid-Yes, just like last ones. It's the same thing.

Chair Acosta-I'm trying to look at the minutes to see. Did we deny it?

Staff Charles-You actually denied it.

Member Dick-Because last time it was, the driveway was coming off of something, like going through a different property. That other one had that alley access.

Chair Acosta-Exactly, that's what I was trying to remember. Yeah, so I mean, so this is different because we're coming off of a, like actually a real road keeping it on the property and coming off of an actual curb height.

Staff Charles-Yes, had he not stated he would be willing to do the garage, the fence, staff recommendation would have been to deny it based off of.

Vice-Chair Madrid-And my thing is, last month we approved it when the owner actually done things without permits and without letting the city know what was going on. At least this guy was being upfront about it and coming to us before doing stuff. The problem I had with last month's, there was a lot of things that he done without letting the office know that it was getting done. That's what we need to put a stop to is a lot of contractors or people are out there doing stuff without getting permits, like the sign deal.

Chair Acosta-Any further discussion or questions? I think we have a motion, correct?

MEMBER FRANCO SECONDED THE MOTION.

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

Dick	**Acosta**	**Franco**	**Karhoff**	**Madrid**
Yea	Yea	Yea	Not Present	Yea

Motion passed.

V. ADJOURN

Member Dick made a motion to adjourn. 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	Not Present	Yea

Motion passed.

The meeting was adjourned at 9:35 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: Angie Rivera, Planning Technician
DATE: June 19, 2026
RE: GCBZA2026-10: Setback Variance Request to construct within the front and rear yard setbacks for the property generally located at 1907 W. Fulton Street.

ISSUE:

The Garden City Board of Zoning Appeals is to consider a variance request to construct a 600-square-foot addition within the front and rear-yard setbacks on the property generally located at 1907 W. Fulton Street.

BACKGROUND:

Maria Ruiz is requesting a variance from the front and rear-yard setback requirements for her property located at 1907 W. Fulton Street. The property is +/- .56 Acre and contains a single-family home where the applicant and her family currently reside. Maria intends to construct a 600-square-foot addition to her 800-square-foot home. The proposed addition will be attached to the house and would maintain the existing setbacks the house currently has, which are ten feet to the rear and 20 feet to the front yard

STAFF ANALYSIS:

The Property is zoned "R-3" Multiple Family Residential District and has the following setbacks

- Front Yard: 20 Feet, unless otherwise provided in Article 25.
- Side Yard: Five Feet
- Rear Yard: 25 Feet

The property is a uniquely shaped triangular lot located adjacent to the railroad right-of-way and bounded by both Alfalfa Avenue and Fulton Street. Fulton Street is considered a collector road, which requires a 30-foot front-yard setback per Article 25 of the Garden City Zoning Regulations. The existing residence was constructed prior to the current setback requirements and is therefore considered a legal non-conforming structure. The home currently maintains approximately a 20 foot front-yard setback and a 10 foot rear-yard setback. The applicant has stated that this is where her family has lived for several years and that space in the 800-square-foot home has become limited. Due to the property's triangular shape and location, the buildable area is very limited, with few opportunities to expand the residence while meeting all current setback requirements. The proposed addition would be attached to the existing home and would maintain the same front and rear setbacks as the existing structure. Because the residence is nonconforming, any expansion of the structure must comply with current zoning regulations unless a variance is granted. Should the variance request be approve, the property would need to be platted prior to the issuance of a building permit.

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 recommends that the Board approve the variance request.

FISCAL NOTE:

There is no fiscal note.

ATTACHMENTS:

Applicant Letter
Vicinity Map
Site Plan

To Whom It May Concern,

We are writing in support of our request for a variance related to the proposed addition to our home.

The purpose of the addition is to create adequate living space for our household and improve the overall functionality of our home. Due to the existing size, layout, and placement of the house on the lot, there are limited options for expanding the living area while remaining within the current setback requirements. The requested variance is necessary to allow for a reasonable addition that will better meet our family's needs.

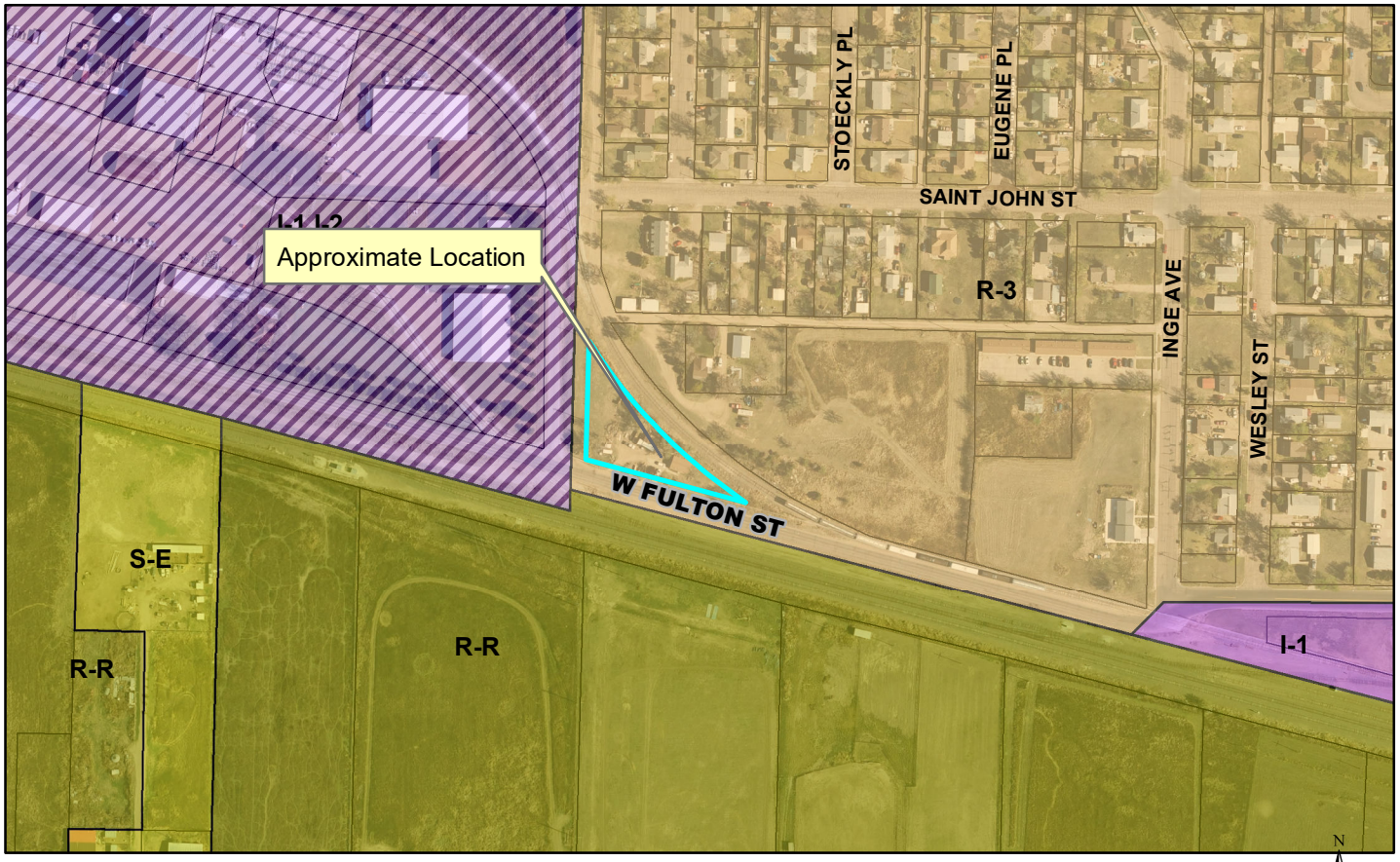
The proposed addition is consistent with the character of the surrounding neighborhood and will not adversely affect neighboring properties. We have made every effort to design the project in a manner that is compatible with the existing home and nearby residences while minimizing any impact on adjacent property owners.

We respectfully request approval of this variance so that we may proceed with these improvements and enhance the usability and value of our home.

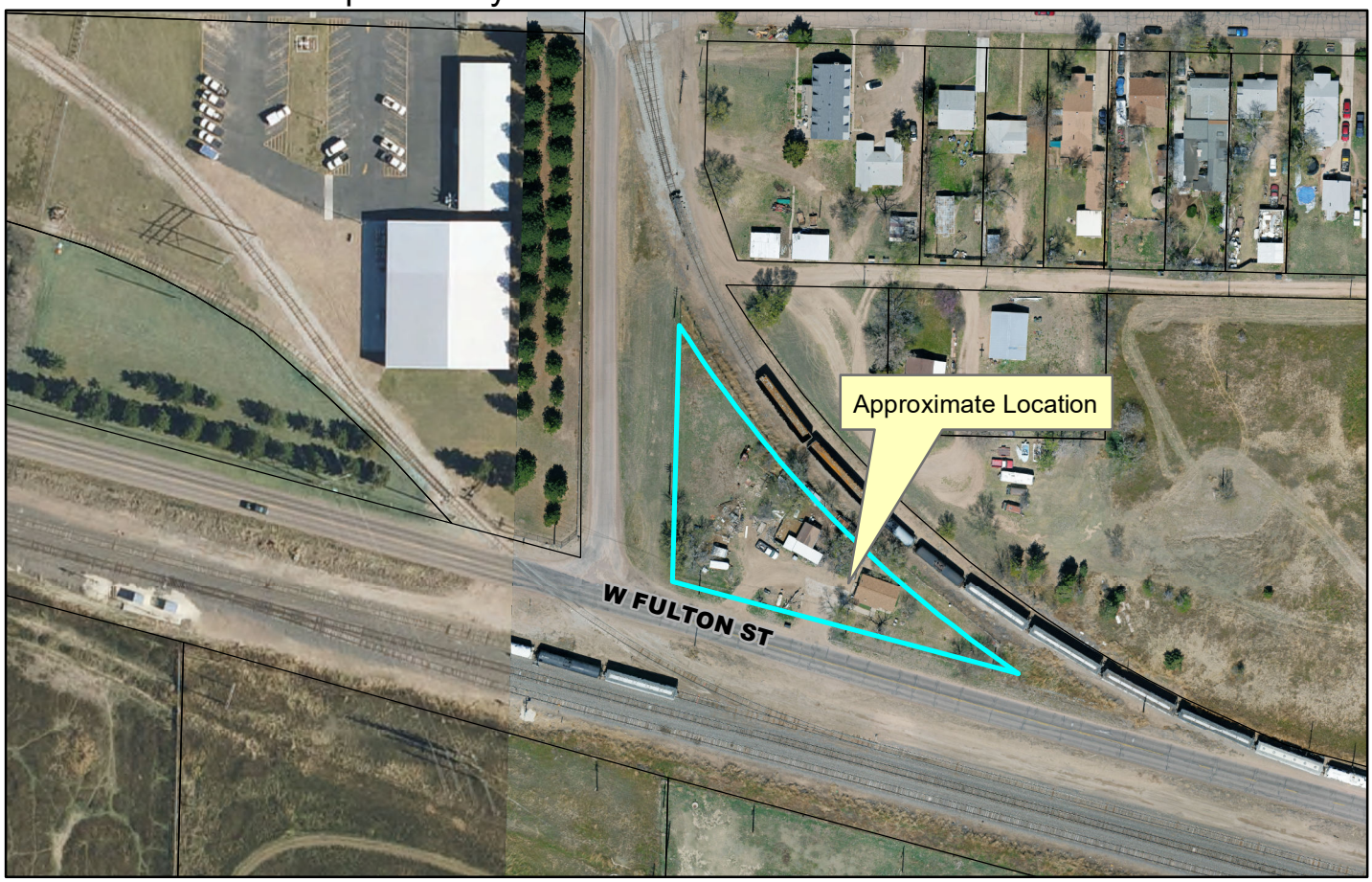
Thank you for your consideration.

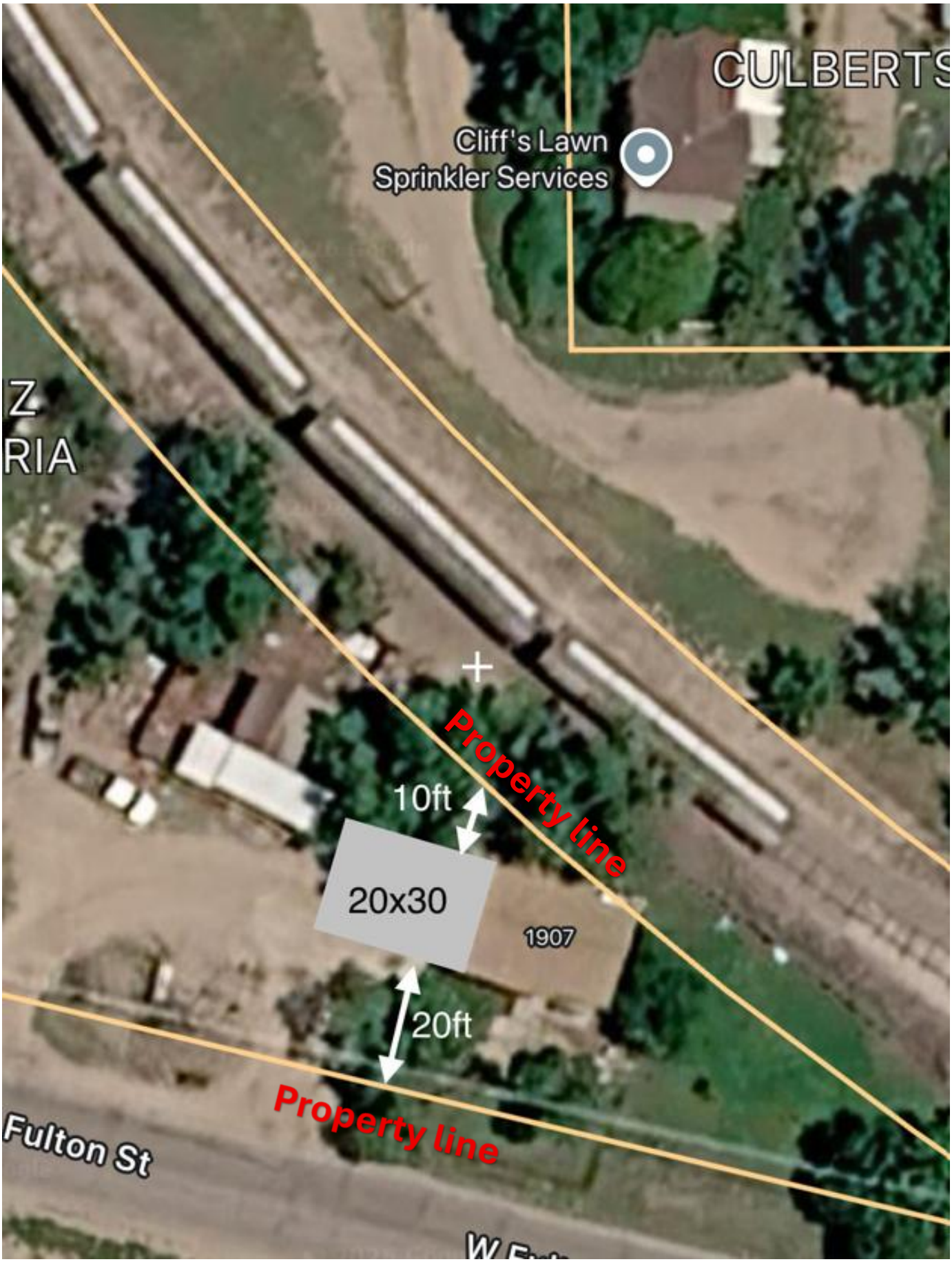
Sincerely,

Maria Ruiz
Manuel Ruiz



Case Number: GCBZA2026-10
Applicant: Maria Ruiz
Address: 1907 W. Fulton
Request: Variance request to reduce the required front-yard and rear-yard setbacks within the "R-3" Multiple Family Residential District.




CULBERTS
Cliff's Lawn
Sprinkler Services
Z
RIA
Property line
10ft
20x30
1907
20ft
Property line
Fulton St