AGENDA
GARDEN CITY BOARD OF ZONING APPEALS
TUESDAY, OCTOBER 8, 2024
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

a. Garden City Board of Zoning Appeals Minutes-September 10, 2024
GCBZA Minutes-September 10, 2024

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

a. GCBZA2024-22: Conditional Use Permit to allow for automobile sales at 1601 E. Fulton Street.
GCBZA2024-22 VICINITY MAP
GCBZA2024-22 SITE PLAN

V. Adjourn

MINUTES
BOARD OF ZONING APPEALS
GARDEN CITY, KANSAS

September 10, 2024

The Garden City Board of Zoning Appeals scheduled a Public Hearing at 9:00 a.m. Tuesday, September 10, 2024, 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 Karhoff, Member Acosta, and Member Mesa. Also in attendance were Staff Charles, Staff Presisto and Staff Thompson.

II. APPROVAL OF MINUTES

Member Acosta made a motion to approve the minutes from August 13, 2024. Member Mesa seconded the motion. Votes were taken by yeas and nays and recorded as follows:

Mesa	Rishel	Acosta	Karhoff	Collins
Yea	Not Present	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

GCBZA2024-18: Variance for a front building setback line at 304 N. 12th Street, Garden City, KS, Applicant Daniel Guebara & Sylvia Cordes.

Staff Thompson- Presented staff report.

Chaiman Karhoff- Is there a reason you want to build off the front and not on the back?

Sylvia Cordes, Applicant- We reconstructed it and so the back doesn't have a back door. It does on the side. On the front is faces the west and I would like to build that front porch so that it would help with the front door not getting weathered and it's covering the two windows. A little bit of curb appeal as well.

Member Mesa- You have a lot of space in the back.

Sylvia Cordes- The house was sitting so far up that we had to make the front door face to the south.

Member Mesa- It gives you an opportunity to sit out front if you'd like. I noticed you don't have a driveway.

Sylvia Cordes- We don't have a driveway. I hope to put a driveway on the north side.

Member Mesa- That front door faces west?

Sylvia Cordes- It doesn't anymore. It faces to the south.

Chairman Karhoff- Based on what is here do they still have that jet off (front of house)?

Sylvia Cordes- No we squared it off.

Chairman Karhoff- Do they meet the variance setback then?

Staff Charles- They still wouldn't. They squared it off on the sides and so the setback would be the same as the most outer portion. They just lined it up on the sides.

General discussion regarding the front of the existing structure and improvements made to the home.

OPEN PUBLIC COMMENT
CLOSE PUBLIC COMMENT

Chairman Karhoff- Was there anybody that wrote in, Neighbors?

Staff Charles- No.

MEMBER MESA MADE A MOTION TO APPROVE THE VARIANCE REQUEST PER STAFF ALTERNATIVE ONE. MEMBER ACOSTA SECONDED THE MOTION.

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

Mesa	Rishel	Acosta	Karhoff	Collins
Yea	Not Present	Yea	Yea	Not Present

Motion passed.

V. NEW BUSINESS

GCBZA2024-20: Conditional Use Permit to allow automobile sales at 310 W Kansas Avenue, Garden City, KS, Applicant Jairo Armenta.

Staff Thompson- Presented staff report.

Chairman Karhoff- On the bottom pictures is that how you plan to park the cars or is that for customer parking?

Jairo Armenta, Applicant- That is where the vehicles are going to be displayed. Just the ones on one, two, and three are probably going to be more straight instead of diagonal. I think they would fit better that way. There is actually another spot where four is to the north side, we already talked to the property owner, we are going to keep it as far back as we can that way it doesn't interfere with traffic and people pulling out vehicles to see. We are going to do exactly how it is there, and the employee parking would probably be on the west side of the building.

OPEN PUBLIC COMMENT
CLOSE PUBLIC COMMENT

MEMBER ACOSTA MADE A MOTION TO APPROVE THE CONDITIONAL USE PERMIT PER STAFF RECOMMENDATION ALTERNATIVE ONE. MEMBER MESA SECONDED THE MOTION.

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

Mesa	Rishel	Acosta	Karhoff	Collins
Yea	Not Present	Yea	Yea	Not Present

Motion passed.

Discussion ensued.

Staff Charles requested a volunteer from the board to serve as the GCBZA representative on the CIP Committee. *Member Mesa* volunteered to be the GCBZA representative on the CIP Committee.

Member Karhoff asked for an update on repairs of the fire damaged Dusty Trail Inn located on the northwest side of town.
Staff Charles gave a brief update and let the board know that there has been movement by the city legally.

VI. ADJOURN

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

Mesa	**Rishel**	**Acosta**	**Karhoff**	**Collins**
Yea	Not Present	Yea	Yea	Not Present

Motion passed.

The meeting was adjourned at 9:21 A.M.

Trent Maxwell	Secretary	Geoff Karhoff	Chairman
Aleecya Charles	Staff	Isaac Acosta	Vice-Chairman

GARDEN CITY
— KANSAS —

MEMORANDUM

TO: Garden City Board of Zoning Appeals
THRU: Trent Maxwell, Neighborhood and Development Services Director
FROM: Daunte Thompson, Planner
DATE: October 8, 2024
RE: GCBZA2024-22: Conditional Use Permit to allow for automobile sales at 1601 E. Fulton Street.

ISSUE:

The Garden City Board of Zoning Appeals is asked to consider the conditional use permit request to allow for automobile sales at 1601 E. Fulton Street.

BACKGROUND:

The applicant, Dougherty Inc., is requesting a conditional use permit to allow for automobile sales according to Article 15.030(C) of the Garden City Zoning Regulations for the property generally located at 1601 E. Fulton Street. The property was previously a car wash the applicant intends to use the property to park additional cars from the existing car dealership to the east of the proposed property.

STAFF ANALYSIS

The property is currently zoned "C-2" General Commercial District and contains +/- 0.69 acres. Automobile sales are a conditional use within the "C-2" General Commercial District according to Article 15.030(C). The applicant intends to display up to 25 cars along the west, south, and east property lines of the proposed property. There are several other car dealership locations along Fulton Avenue, and as a result, the proposed car dealership conforms with the surrounding neighborhood and will have no adverse affects on the surrounding properties. Currently, there are no plans for the unoccupied former car wash building.

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 to include:

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 with overall planning.
13. Provisions for orderly and proper urban renewal, development, and growth.

ALTERNATIVES:

1. The Board may approve the conditional use permit to allow for automobile sales.
2. The Board may not approve the conditional use permit to allow for automobile sales.

RECOMMENDATION:

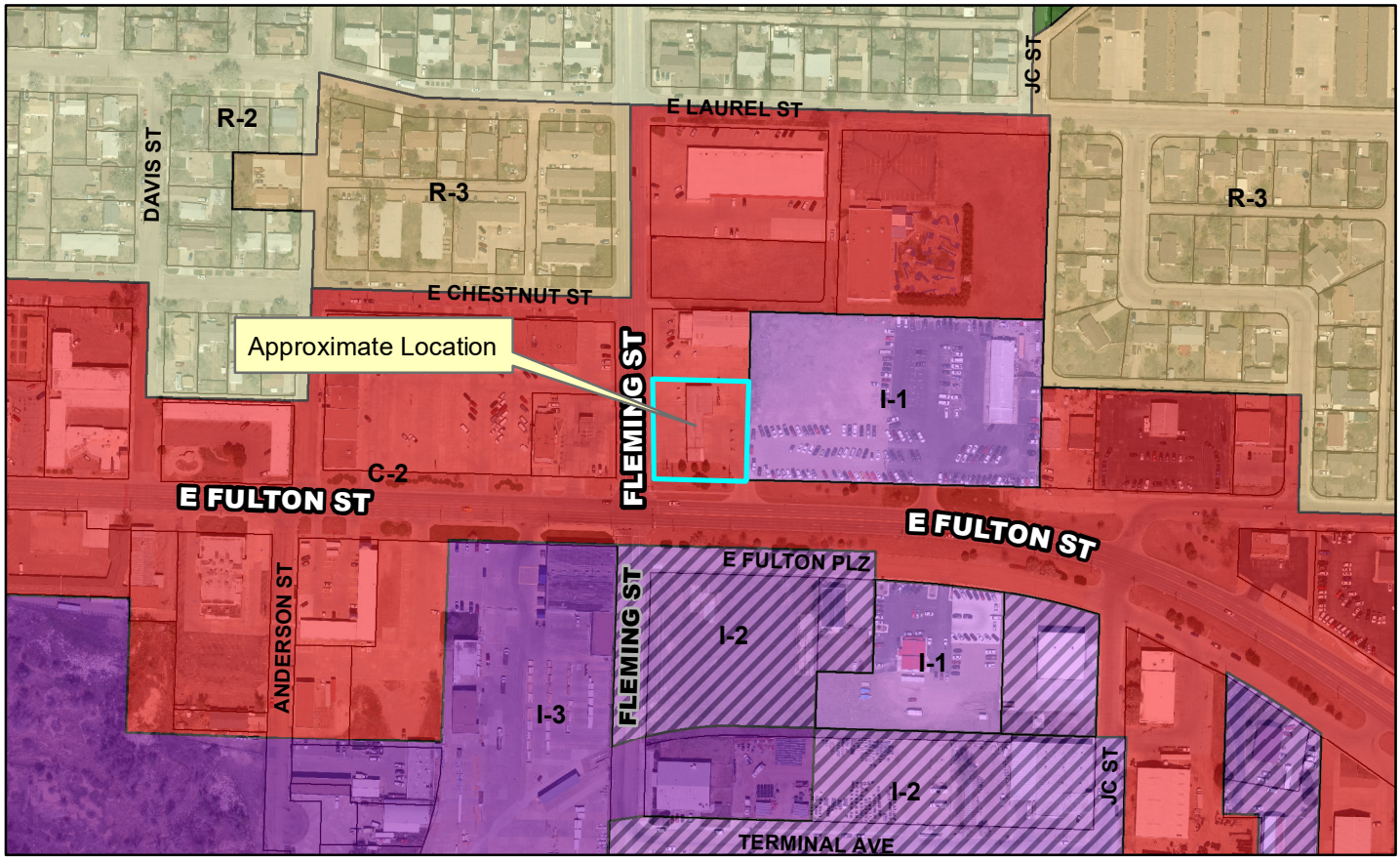
Staff recommends approval of the conditional use permit.

FISCAL NOTE:

None.

ATTACHMENTS:

GCBZA2024-22 VICINITY MAP
GCBZA2024-22 SITE PLAN



Case Number: GCBZA2024-22
Applicant: Dougherty, Inc.
Address: 1601 E. Fulton Street
Request: A conditional use permit to allow for automobile sales.



Zoning



October 2, 2024

NORTH

Proposed Car Parking Locations

1 250

0 0 0.01 0.01 mi

1 0 0 0.01 0.02 km

Finney County Garden City