AGENDA
GARDEN CITY BOARD OF ZONING APPEALS
TUESDAY, JANUARY 14, 2025
9:00 AM
CITY COMMISSION CHAMBER - GARDEN CITY, KS

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

The agenda for the meeting is as follows:

I. Chairman calls regular meeting to order

II. Swearing in of new member - Elva Madrid

III. Election of Officers

IV. Approval of Minutes

A. Garden City Board of Zoning Appeals Minutes-October 8, 2024
08 GCBZA Minutes-October 8, 2024

V. 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

VI. New Business

A. GCBZA2024-26: Variance to the front building setback line for 1501 W. Mary Street - WITHDRAWN

B. GCBZA2024-25: Conditional use permit to allow for a metal storage container on a permanent basis at 102 5th Street.
Site Plan - Proposed Location
Vicinity Map

VII. Adjourn

MINUTES
BOARD OF ZONING APPEALS
GARDEN CITY, KANSAS

October 8, 2024

The Garden City Board of Zoning Appeals scheduled a Public Hearing at 9:00 a.m. Tuesday, October 8, 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 Collins, and Member Mesa. Also in attendance were Staff Maxwell, Staff Presisto and Staff Thompson.

II. APPROVAL OF MINUTES

Member Mesa made a motion to approve the minutes from September 10, 2024. Member Collins seconded the motion. Votes were taken by yeas and nays and recorded as follows:

Mesa	Vacant	Acosta	Karhoff	Collins
Yea		Not Present	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

GCBZA2024-22: Conditional Use Permit for 1601 E Fulton Street, Garden City, KS, Applicant Dougherty, Inc.

Staff Thompson- Presented staff report.

OPEN PUBLIC COMMENT
CLOSE PUBLIC COMMENT

Member Mesa- How many additional cars can you actually put on that?

Jason Dougherty, Applicant- I think around twenty-five. We purchased it because it is adjacent to our current dealership. We are really out of space already with our parking so it's not so much that we are hoping to add more inventory, but it will just allow us to open up more. The car wash facility itself is in pretty bad shape. Nothing in it works. All of the equipment and the carwash internals are bad, and nothing was functioning and it's outdated stuff and not reparable. We've looked at several different future plans for the building itself, but we haven't determined what we want to do with it yet. We are just looking and hoping to extend our parking, so to speak.

Member Mesa- It will protect your cars if it ever hails.

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

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

Mesa	Vacant	Acosta	Karhoff	Collins
Yea		Not present	Yea	Yea

Motion passed.

V. ADJOURN

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

Mesa	Vacant	Acosta	Karhoff	Collins
Yea		Not Present	Yea	Yea

Motion passed.

The meeting was adjourned at 9:05 A.M.

Trent Maxwell Secretary
Aleecya Charles Staff

Geoff Karhoff Chairman
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: January 14, 2025
RE: GCBZA2024-25: Conditional use permit to allow for a metal storage container on a permanent basis at 102 5th Street.

ISSUE:

The Garden City Board of Appeals is asked to consider the conditional use permit request to allow for a metal storage container on a permanent basis at 102 5th Street.

BACKGROUND:

Global Animal Products is requesting a conditional use permit to allow for a 40 ft by 10 ft metal storage container to be placed on the property on a permanent basis. The property is currently zoned "I-1" Light Industrial District and contains +/- 0.32 acres. The lot is currently used as a machinery and equipment storage yard and includes the solid six-foot fence as required with this use by the zoning district. The applicant is requesting to place a storage container to provide additional covered storage for their abutting property. They intend to store overflow feed product, which falls under the permitted uses of warehouses, wholesale merchandise sales/storage, and equipment storage yards, provided the storage yard is completely enclosed with a six (6) foot fence or wall. The proposed storage container for additional storage would be considered an accessory use to these permitted uses.

STAFF ANALYSIS:

The Zoning Regulations allow metal storage containers permanently (over 120 days) in Commercial or Industrial Districts to be approved with the following conditions:

a. Shall be placed on a permanent foundation as required by the current adopted building codes,
b. Shall not exceed 12% of the total lot area,
c. Shall be removed if the business closes or changes locations,
d. Shall be painted to match the main structure, and the exterior shall be maintained in good condition which includes being free of rust,
e. Shall meet the location requirements for accessory structures,
f. Shall meet any additional requirements placed by the Board of Zoning Appeals,
g. And shall meet all requirements to protect the safety and the public as outlined by the Zoning Regulations and Building Codes of the City

The applicant has provided a site plan that confirms the structure conforms with the location requirements for accessory structures with at least 5 feet away from all other property lines. The proposed structure will be tan, matching the general characteristics of the neighborhood and typical storage containers. Additionally, the size of the container does not exceed 12% of the total lot area. This container will require a building permit, which will ensure that it meets all the requirements of

the Building Codes and any additional Zoning Regulations not previously mentioned.

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.
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 to allow for the metal storage container on a permanent basis.
2. The Board may not approve the conditional use permit to allow for the metal storage container on a permanent basis.

RECOMMENDATION:

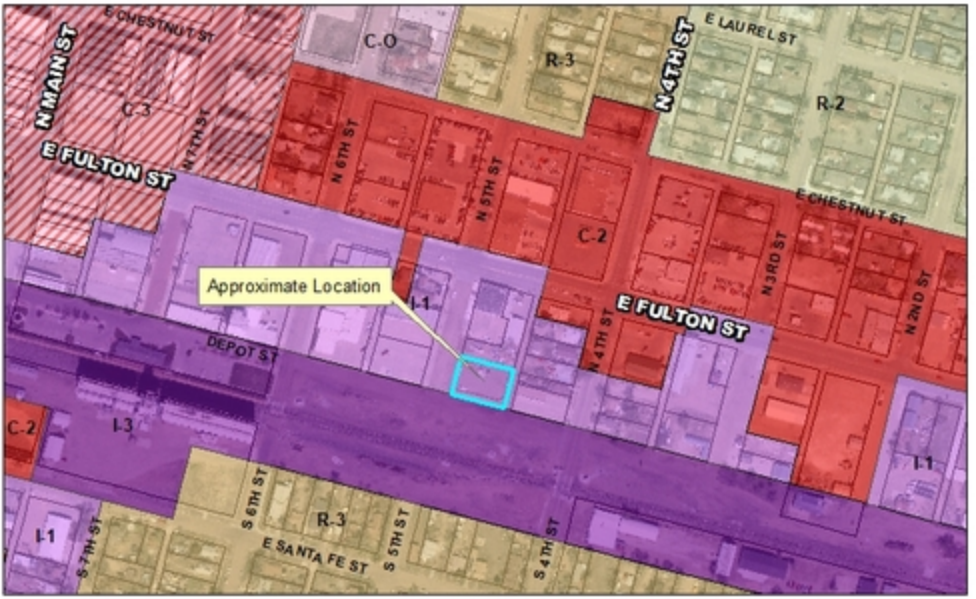
Staff recommends approval of the conditional use permit.

FISCAL NOTE:

ATTACHMENTS:

Site Plan - Proposed Location
Vicinity Map


5TH STREET
Proposed Location
~5 Ft
~15 Ft
NORTH



Case Number: GCBZA2024-25
Applicant: Global Animal Products
Address: 102 5th Street
Request: A conditional use permit to allow for one portable storage unit on a permanent basis.

