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

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

The agenda for the meeting is as follows:

I. Chairman calls regular meeting to order

II. Approval of Minutes

a. Approval of the February Meeting Minutes
GCBZA Minutes - February 11, 2025

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

IV. New Business

a. GCBZA2025-02: Variance to the front building setback line at 2519 and 2523 N. Main Street, Garden City, Kansas.
GCBZA2025-02 Vicinity Map
GCBZA2025-02 SITE PLAN/BUILDING ELEVATIONS

V. Adjourn

MINUTES
BOARD OF ZONING APPEALS
GARDEN CITY, KANSAS

February 11, 2025

The Garden City Board of Zoning Appeals scheduled a Public Hearing at 9:00 a.m. Tuesday, February 11, 2025, in the City Commission Chambers at the City of Garden City Administrative Center located at 301 North 8th Street, Garden City, Kansas.

I. CALL TO ORDER

Meeting called to order at 9:00 a.m. Present were Chairman Acosta, Vice-Chair Madrid, Member Dick, Member Karhoff, and Member Mesa. Also in attendance were Staff Presisto and Staff Thompson.

II. SWEARING IN OF NEW MEMER- Shannon L. Dick

III. APPROVAL OF MINUTES

Member Mesa made a motion to approve the minutes from January 14, 2024. Member Karhoff seconded the motion. Votes were taken by yeas and nays and recorded as follows:

Mesa	Dick	Acosta	Karhoff	Collins
Yea	Yea	Yea	Yea	Yea

Motion passed.

IV. 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**

V. NEW BUSINESS

GCBZA2024-26: Dunlap Construction has applied for a conditional use permit and variance to construct a metal construction accessory structure over 100 square feet in the front yard setback in the "R-1" Single Family Residential District at the property generally located at 1501 E. Mary Street, Garden City, Kansas.

Staff Thompson- Presented staff report.

Member Mesa- I'm assuming it is going to be owned by the Family Life Center, the BBC?

Staff Thompson- That is correct.

Member Mesa- It looks like there is some shrubbery on the north side of the building.

OPEN PUBLIC COMMENT

Robert Dunlap, Applicant- There are some trees on the north side that will have to be removed.

Member Mesa- Anything planned on the back side of that Staff, that you know of?

Staff Thompson- We had a site plan for the addition that happened and on that site plan they included some future additions but not anything that they officially submitted.

Robert Dunlap- I heard it was a parking lot, but not necessarily all of that north end.

Vice-Chair Madrid- So that entire side is going to be parking lot or is it going to be more residential?

Robert Dunlap- It is all owned by the Bible Christian Church, so it is not going to be residential. The parking lot was just to the east of it and in the one I saw the newer building comes out right here and I had seen a proposed parking lot in this area (pointed area out on aerial map).

Member Mesa- It's a pretty simple request. I don't take any issue with them moving forward.

Member Karhoff- Its not going to take down the value of any of the surrounding properties. It doesn't have an adverse effect. I don't have a problem with it.

Vice-Chair Madrid- We haven't heard from the neighbors?

Staff Thompson- Staff didn't have anything from the neighbors.

CLOSE PUBLIC COMMENT

VICE-CHAIR MADRID MADE A MOTION TO APPROVE THE CONDITIONAL USE PERMIT AND VARIANCE PER STAFF ALTERNATIVE ONE. MEMBER DICK SECONDED THE MOTION.

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

Mesa	**Dick**	**Acosta**	**Karhoff**	**Madrid**
Yea	Yea	Yea	Yea	Yea

Motion passed.

Discussion ensued.

VI. ADJOURN

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

Mesa	**Dick**	**Acosta**	**Karhoff**	**Mesa**
Yea	Yea	Yea	Yea	Yea

Motion passed.

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

Trent Maxwell Secretary
Aleecya Charles
John Presisto
Daunte Thompson

Isaac Acosta Chairman
Elva Madrid Vice-Chair

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 11, 2025
RE: GCBZA2025-02: Variance to the front building setback line at 2519 and 2523 N. Main Street, Garden City, Kansas.

ISSUE:

The Garden City Board of Zoning Appeals is asked to consider the variance request to the front building setback line at 2519 and 2523 N. Main Street, Garden City, Kansas.

BACKGROUND:

Michael Thummel is requesting a 10-foot variance to the front building setback along Main Street and a 20-foot variance to the front building setback along Mary Street to construct a multi-family residential building. This property is zoned "R-3" Multifamily Residential and contains +/- .60 acres across the two parcels. Currently, the north lot contains a home and an accessory structure that Mr. Thummel intends to demolish to construct the new building. Before a building permit can be issued, the project would require a replat to combine the parcels into one lot and completion of the site plan review process for the building.

The property is at the southwest corner of Main Street and Mary Street, creating two street frontages. As a result, any new construction must meet the 40-foot arterial road setback of Mary Street and the 30-foot collector road setback of Main Street. If the request is approved, the building would be set approximately 20 feet away from both property lines abutting Mary Street and Main Street.

STAFF ANALYSIS:

The property is zoned "R-3" Multiple Family Residential District and must conform with the following setbacks:

- Front Yard: 20 feet unless otherwise provided in Article 25. Garage: 25 feet unless otherwise provided in Article 25.
- Side Yard: 5 feet, unless otherwise provided in Article 22.
- Rear Yard: 25 feet or 20 percent of the depth of the lot whichever amount is smaller.

However, Article 25 sets increased front yard setbacks for properties that abut arterial and collector roads. In this case, Mary Street is an arterial road that has a setback of 40 feet, and Main Street is a collector road that has a setback of 30 feet. A survey of 14 buildings along Mary Street that are within a quarter mile of this property shows an average setback of approximately 22 feet from the property line. A survey of 33 buildings along Main Street that are within a quarter mile south of this property shows an average setback of approximately 22 feet from the property line as well. As a result, the proposed setback of 20 feet from both property lines will conform with the surrounding properties.

The west portion of the property contains various utility lines that will require a 25-foot utility

easement. Combined with the additional front yard setbacks, the building envelope, or the space in which a building can be constructed on the lot, is significantly decreased. As a result, the property has a unique condition that creates a hardship in the development of this lot.
The preliminary site plan was also reviewed by City Public Works and the Engineer, who expressed no concerns regarding the proposed setbacks.

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 a 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 questions, 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 20-foot and 10-foot variance to the front building setbacks along Mary Street and Main Street.
2. The Board may not approve the 20-foot and 10-foot variance to the front building setbacks along Mary Street and Main Street.

RECOMMENDATION:

Staff recommends the Board approve the 20-foot and 10-foot variance to the front building setbacks along Mary Street and Main Street.

FISCAL NOTE:

There is no fiscal impact.

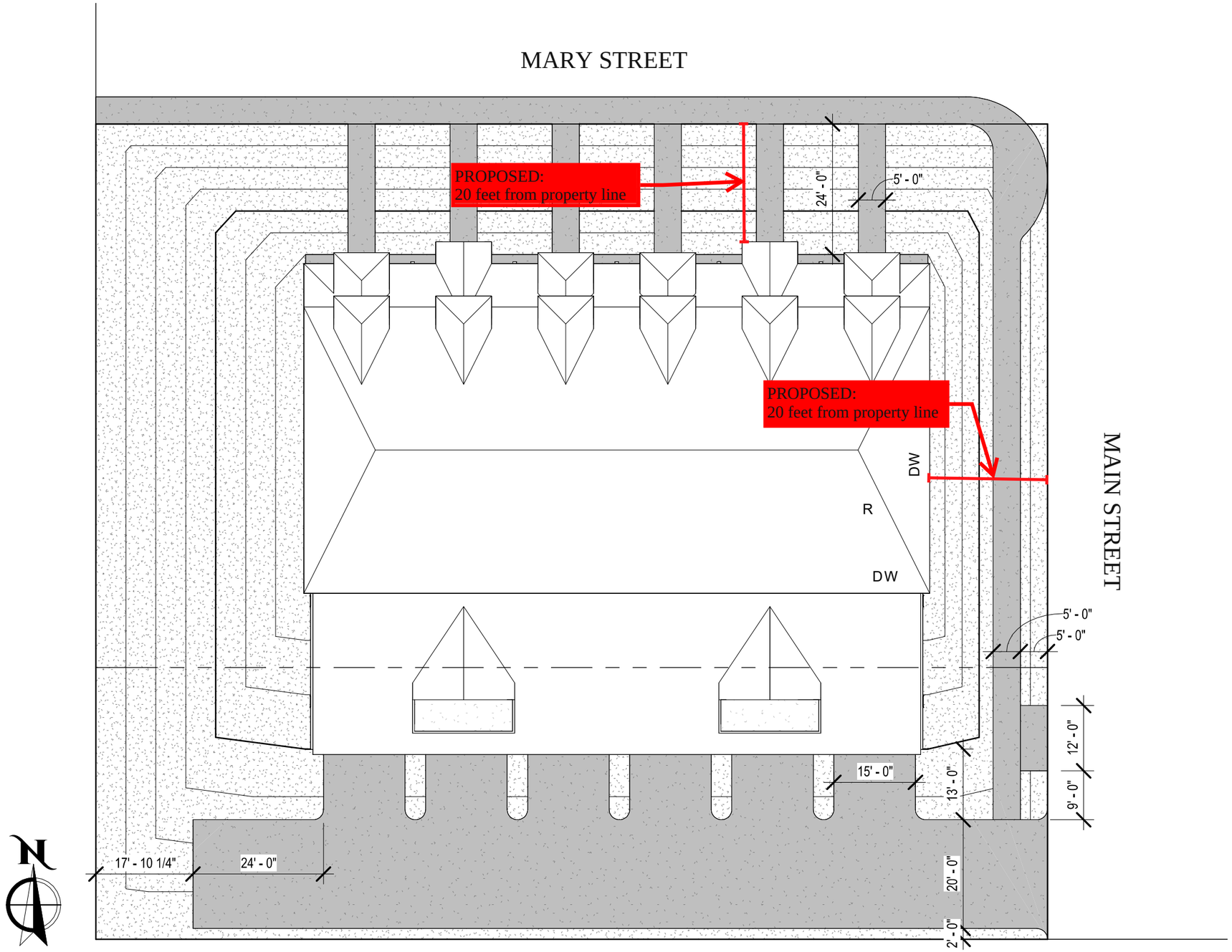
ATTACHMENTS:

GCBZA2025-02 Vicinity Map
GCBZA2025-02 SITE PLAN/BUILDING ELEVATIONS



Case Number: GCBZA2025-02
Applicant: Michael Thummel
Address: 2519 and 2523 N. Main Street
Request: Front yard setback variance.





1 Landscaping - Preliminary

Disclaimer: OTR Drafting & Design LLC / Chris Yust is not a registered architect. These designs may not be used to modify or create a load bearing structure, use classification, or occupancy classification of any building. Any designs that result in changes to or creation of a load bearing structure, use classification, or occupancy classification of the structure must be designed by an architect or engineer licensed / regsitered with the State of Kansas.

OTR DRAFTING & DESIGN L.L.C.
P.O. Box 601 - Montezuma, KS 67867
Mobile: 620-474-1146
Email: otr.drafting.design@gmail.com

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

Square Deal

Garden City, KS

2523 Main

Site

Status: Rev 03: Concept

A101

Project number	2024-029
Date	12/30/2024
Drawn by	Chris Yust



1 Front / North View



2 Back / South View

Disclaimer: OTR Drafting & Design LLC / Chris Yust is not a registered architect. These designs may not be used to modify or create a load bearing structure, use classification, or occupancy classification of any building. Any designs that result in changes to or creation of a load bearing structure, use classification, or occupancy classification of the structure must be designed by an architect or engineer licensed / regsitered with the State of Kansas.

OTR DRAFTING & DESIGN L.L.C.
P.O. Box 601 - Montezuma, KS 67867
Mobile: 620-474-1146
Email: otr.drafting.design@gmail.com

Square Deal

Garden City, KS

2523 Main

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

Exterior 3D Views

Status: Rev 03: Concept

Project number	2024-029	A552
Date	12/30/2024	
Drawn by	Chris Yust	Scale