AGENDA
GARDEN CITY BOARD OF ZONING APPEALS
TUESDAY, JULY 8, 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. Garden City Board of Zoning Appeals Minutes- May 13, 2025
GCBZA Minutes-May 13, 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. GCBZA2025-10: Conditional use permit request to allow for a parking lot for RV storage within the "C-2" General Commercial District for the property generally located at 4111 E. HWY 50.
GCBZA2025-10 Vicinity Map
GCBZA2025-10 Site Plan

b. GCBZA2025-11: Conditional use permit request to operate a physical fitness facility within the "I-1" Light Industrial District for the property generally located at 102 N. 11th Street.
GCBZA2025-11 Vicinity Map

V. Adjourn

MINUTES
BOARD OF ZONING APPEALS
GARDEN CITY, KANSAS

May 13, 2025

The Garden City Board of Zoning Appeals scheduled a Public Hearing at 9:00 a.m. Tuesday, May 13, 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, Member Karhoff, Vice-Chair Madrid, and Member Mesa. Also in attendance were Staff Presisto and Staff Thompson.

II. APPROVAL OF MINUTES

Member Mesa made a motion to approve the minutes from April 8, 2025. Member Karhoff seconded the motion. Votes were taken by yeas and nays and recorded as follows:

Mesa	Dick	Acosta	Karhoff	Madrid
Yea	Not Present	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

GCBZA2025-06: Rick Erwin has applied for a setback variance for an accessory structure and a conditional use permit to construct a metal accessory structure over 100 square feet for the property generally located at 607 E Hamline Street, Garden City, Kansas.

Staff Presisto- Presented staff report.

Vice-Chair Madrid- Everything else is built to code on the building?

Staff Presisto- Yes.

Rick Erwin, Applicant- The house was built in 1965 by Raymond Chappel and in March of 2022 my wife decides to go down and buy a new GMC Sierra. I've known that since we bought the house the garage was never up to code. For what reason I don't know. But its not a twenty by twenty four, which the structure that we had built is and the pickup fits in there. My questions date back to 1965, where was the inspector? Raymond Chappel built all those blocks in there on Hamline. To protect the vehicle basically is why we put it up. The other alternative was to pay thirty thousand dollars and have the eaves taken off the bearing wall on the garage and then build off there. I don't have thirty thousand dollars. That's where I'm at. Thank you.

OPEN PUBLIC COMMENT

Member Karhoff- Did we have any neighbors inquire?

Staff Presisto- No one has called about it, or no one came in to talk about this.

Vice-Chair Madrid- It doesn't affect anybody in any way?

Staff Presisto- It does not.

CLOSE PUBLIC COMMENT

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

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

Mesa	Dick	Acosta	Karhoff	Madrid
Yea	Not Present	Yea	Yea	Yea

Motion passed.

GCBZA2025-07: Jairo Armenta is requesting a conditional use permit to construct a parking lot for the property located at 927 N. 9th Street, Garden City, KS.

Staff Presisto- Presented staff report.

Vice-Chair Madrid- Is that where Nick's Wheels used to be?

Staff Presisto- His original business yes, but the property we are talking to is just east of and is a vacant lot.

OPEN PUBLIC COMMENT

Staff Presisto- Presented staff report.

Jairo Armenta, Applicant- Do you have any questions I can answer?

Member Mesa- No, it is zoned properly, and you just want to put it to good use. It's vacant and it is a no-brainer.

CLOSE PUBLIC COMMENT

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

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

Mesa	Dick	Acosta	Karhoff	Madrid
Yea	Not Present	Yea	Yea	Yea

Motion passed.

GCBZA2025-08: Matt Bennett, on behalf of Dream First Bank, has applied for a setback variance to construct an accessory structure within the front building setback on the property located at 1250 McCoy Drive, Garden City, KS.

Staff Thompson- Presented staff report.

OPEN PUBLIC COMMENT

Vice-Chair Madrid- The new location sounds perfect.

Member Karhoff- I think it looks a lot better.

Member Mesa- What is the time frame on being open?

Matt Bennett, Applicant- November.

Member Mesa- It is a great improvement. I'm glad to see you guys are doing that.

CLOSE PUBLIC COMMENT

VICE-CHAIR MADRID 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:

Mesa	Dick	Acosta	Karhoff	Madrid
Yea	Not Present	Yea	Yea	Yea

Motion passed.

V. ADJOURN

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

Mesa	Dick	Acosta	Karhoff	Madrid
Yea	Not Present	Yea	Yea	Yea

Motion passed.

The meeting was adjourned at 9:12 A.M.

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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: John Presisto, Planner
DATE: July 8, 2025
RE: GCBZA2025-10: Conditional use permit request to allow for a parking lot for RV storage within the "C-2" General Commercial District for the property generally located at 4111 E. HWY 50.

ISSUE:
The Garden City Board of Zoning Appeals is asked to consider and approve a conditional use permit request to allow for a parking lot for RV storage within the "C-2" General Commercial District for the property generally located at 4111 E. HWY 50.

BACKGROUND:
STL Horizon LLC. is requesting a conditional use permit to allow for a parking lot for RV storage on the property at 4111 E. HWY. 50. The property is currently zoned "C-2" General Commercial District and is currently used for storage rental units. The property was issued a conditional use permit for a storage unit facility in April 2021. The applicant is requesting to construct a parking lot for RV storage on the property. The applicant intends to build two covered areas to store the RVs on the property. If the conditional use permit is approved, the applicant will be required to go through the site plan review process to revise their site plan.

STAFF ANALYSIS:
According to 15.030(B & H) of the Garden City Zoning Regulations, automobile parking lots and storage garages (public and private) and Parking lots and garages (commercial, public and private) are a conditional use within the "C-2" General Commercial District. The proposed use for a parking lot for RV storage in addition to a storage unit facility is consistent with the properties to the west and south, as they are zoned for commercial and industrial uses. The property to the north and east is zoned "MHP" Manufactured Home Park District, which will require a buffer and screening requirement for the developing property according to Article 36 of the Garden City Zoning Regulations. If the conditional use permit is granted, this project will need to go through the site plan review process to ensure compliance with the Garden City Zoning Regulations.

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 to allow for a parking lot for RV storage.
2. The Board may not approve the conditional use permit.

RECOMMENDATION:

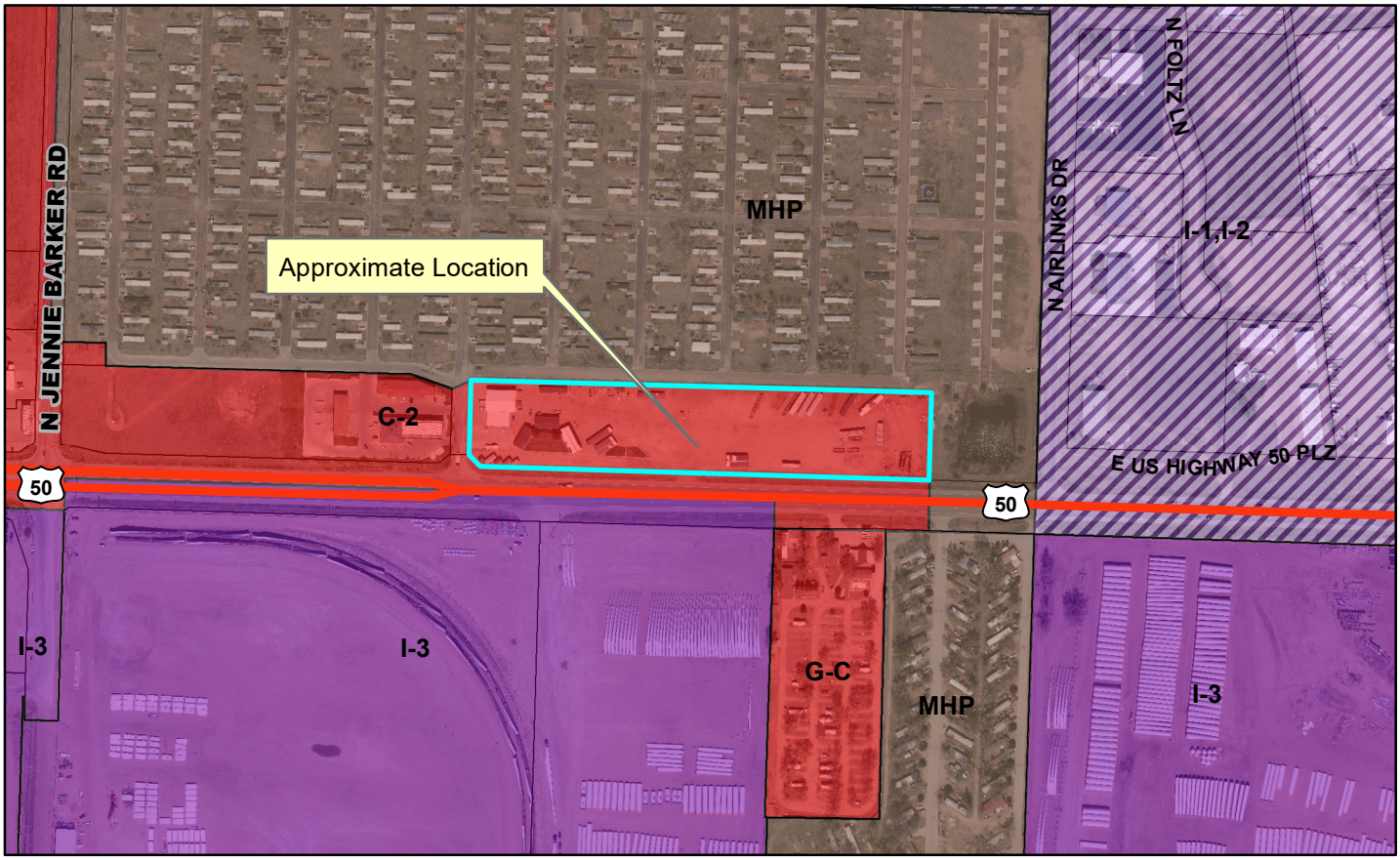
Staff recommends approval of the conditional use permit.

FISCAL NOTE:

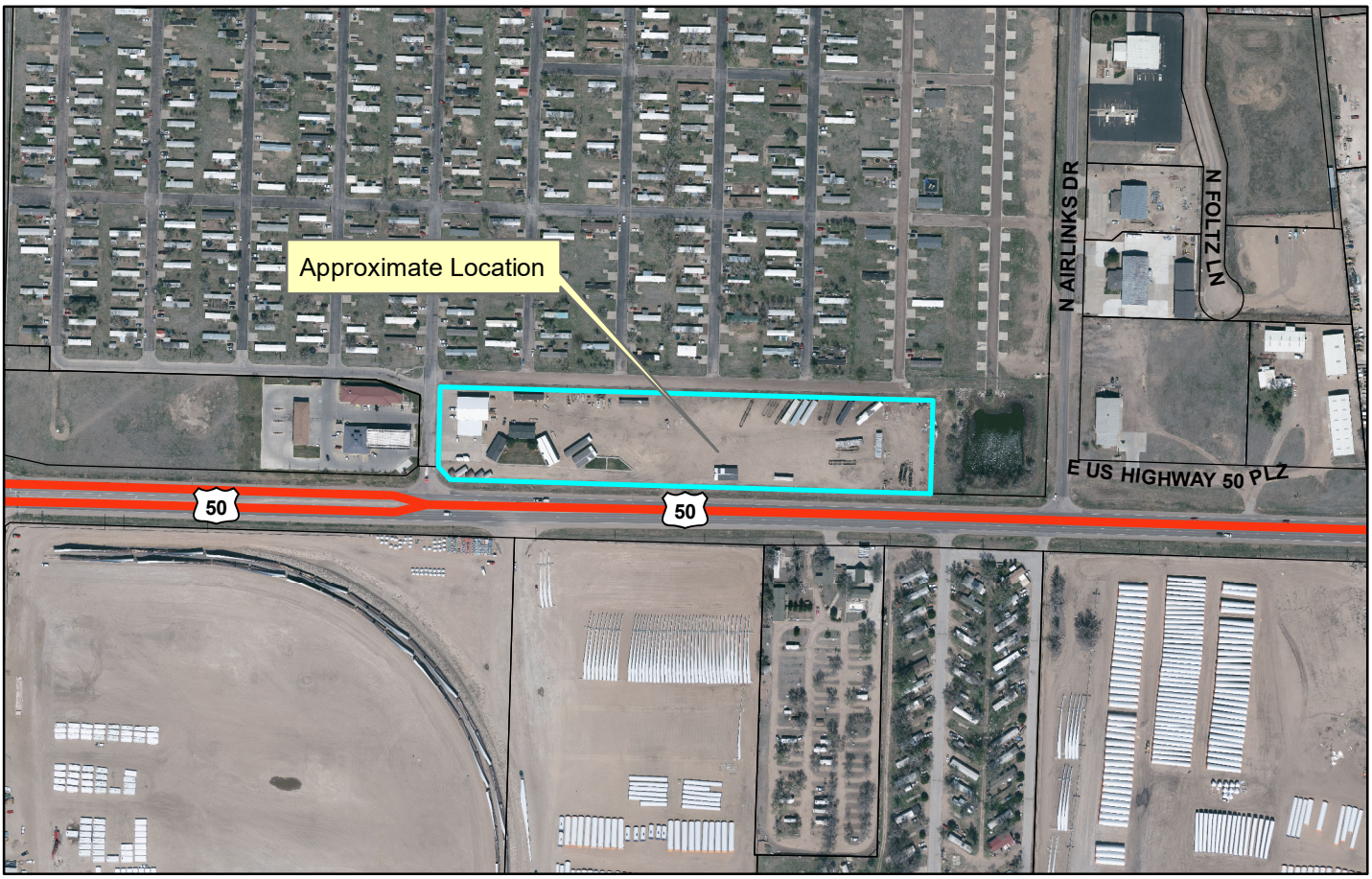
There is no fiscal impact.

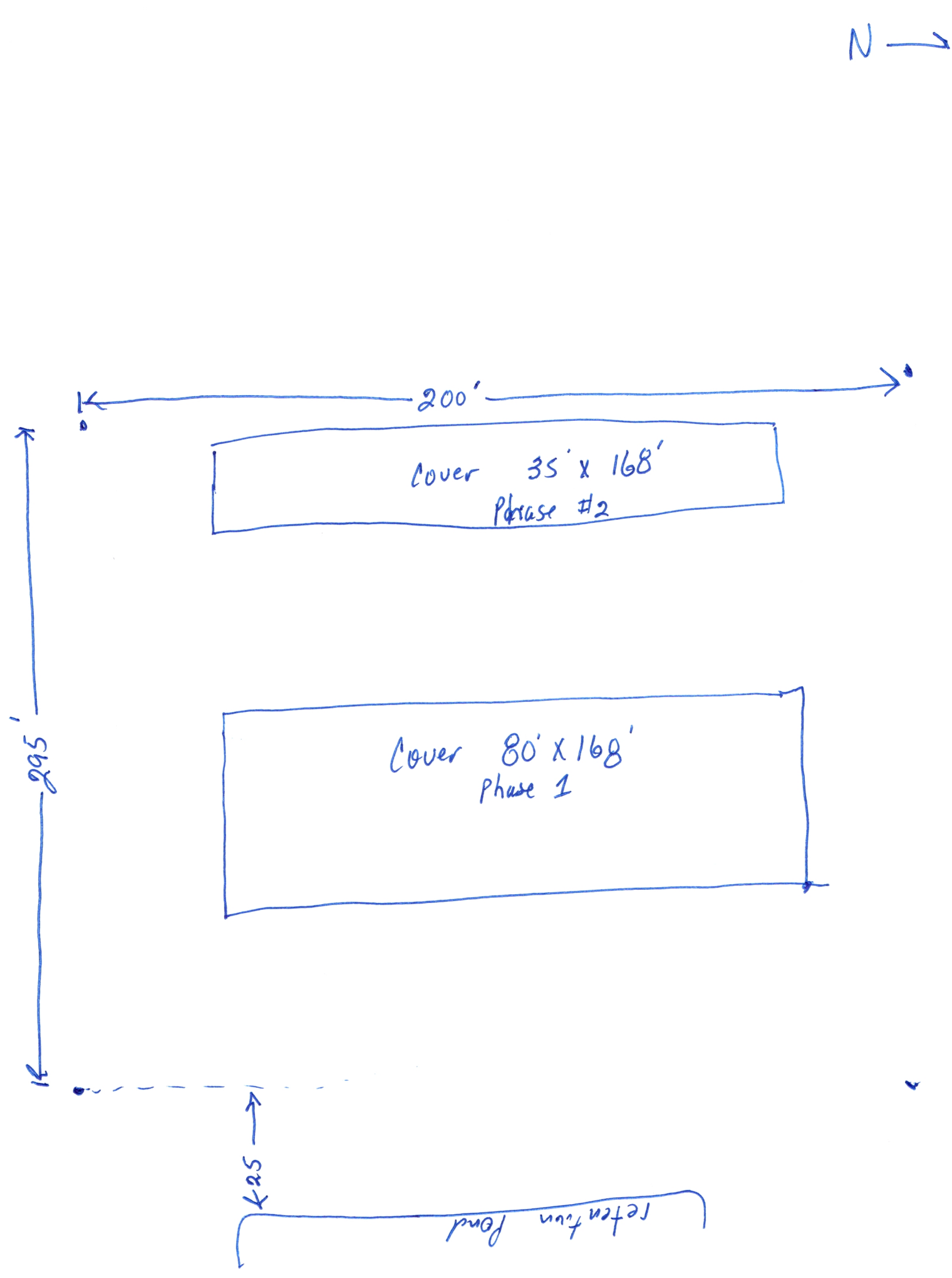
ATTACHMENTS:

GCBZA2025-10 Vicinity Map
GCBZA2025-10 Site Plan



Case Number: GCBZA2025-10
Applicant: STL Horizon, LLC
Address: 4111 E. HWY 50, Garden City, KS
Request: Conditional use permit to construct a parking lot.




N
200'
Cover 35' x 168'
Phase #2
295'
Cover 80' x 168'
Phase 1
25'
retention pond

GARDEN CITY
KANSAS

MEMORANDUM

TO: Garden City Board of Zoning Appeals
THRU: Trent Maxwell, Neighborhood and Development Services Director
FROM: Daunte Thompson, Planner
DATE: July 8, 2025
RE: GCBZA2025-11: Conditional use permit request to operate a physical fitness facility within the "I-1" Light Industrial District for the property generally located at 102 N. 11th Street.

ISSUE:

The Garden City Board of Zoning Appeals is asked to consider and approve a conditional use permit request to operate a physical fitness facility within the "I-1" Light Industrial District for the property generally located at 102 N. 11th Street.

BACKGROUND:

Jerry Valdez and the property owner are requesting a conditional use permit to operate a physical fitness facility at 102 N. 11th Street. The property is zoned "I-1" Light Industrial District and is currently vacant; however, it was previously occupied by a furniture store. As a result of the change of use, a site plan will be required if the conditional use permit is granted. During the site plan review process, City Staff will review and ensure compliance with the Zoning Regulations, including but not limited to parking requirements, parking lot layout, and landscaping requirements. The property is surrounded by a mix of industrial and commercial uses, as well as residential homes to the north.

STAFF ANALYSIS:

The Garden City Comprehensive Plan's Future Land Use Map designates this area as Mixed-use potential, which includes commercial and residential uses, making the request consistent with the plan. The proposed use also aligns with surrounding uses to the west, south, and east, which include a mix of commercial and industrial properties. Although residential homes are located north of the property, the existing building is set back approximately 200 feet from the northern property line. It abuts a street, which can help mitigate potential impacts such as noise or traffic from the proposed use. The Garden City Zoning Regulations require one space per 200 square feet of gross floor area, plus one (1) space per employee for physical fitness centers. With a total building area of 14,000 square feet, the facility would be required to provide 70 parking spaces, plus additional spaces for employees. The property includes an approximately 14,000-square-foot paved parking area with an additional 12,000 square feet of unpaved area. Assuming the minimum 9-foot by 20-foot stalls and the whole building is used for equipment, the existing paved lot could accommodate the required parking spaces. At the same time, additional land can be paved to accommodate any additional stalls required.

Physical fitness centers are a conditional use within the "I-1" Light Industrial District, as Section 17.030 of the Zoning Regulations outlines. 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, allowing the construction of the apartment buildings.
2. The Board may not approve the conditional use permit.

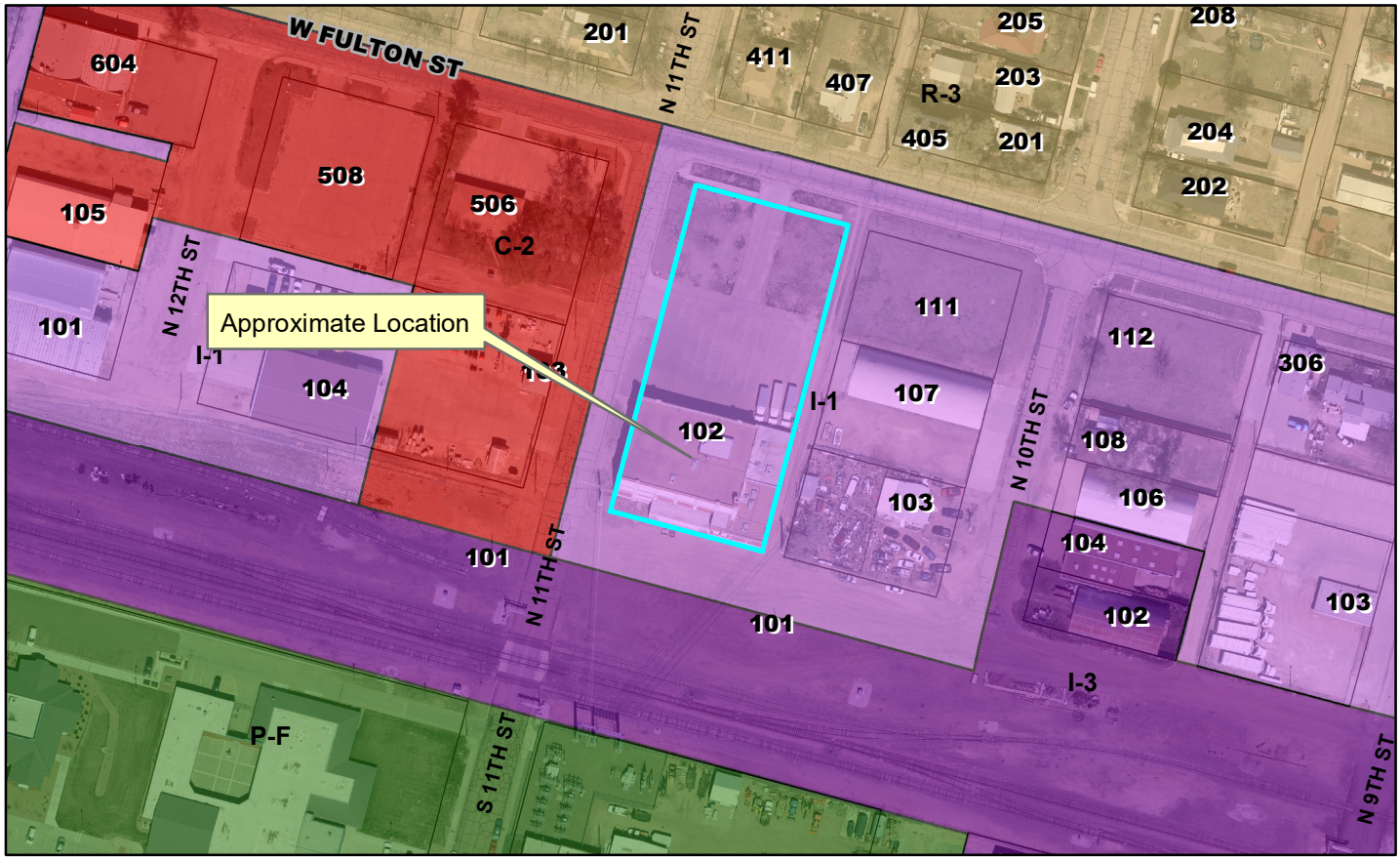
RECOMMENDATION:

Staff recommends approval of the conditional use permit.

FISCAL NOTE:

ATTACHMENTS:

GCBZA2025-11 Vicinity Map



Case Number: GCBZA2025-11
Applicant: Steve E. Elpers and Jerry Veldez
Address: 102 N. 11th Street
Request: Conditional use permit to operate a physical fitness facility within the "I-1" Light Industrial District.

