



PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS MEETING AGENDA

**Tuesday, May 27, 2025
7:00 PM**

THE PLANNING AND ZONING BOARD SHALL HOLD ITS REGULAR MEETING IN THE COUNCIL CHAMBER IN THE CITY HALL, LOCATED AT 121 S. MERIDIAN AVE., BEGINNING AT 7:00 P.M. (MEETING WILL ALSO BE BROADCASTED ON CITY'S YOUTUBE CHANNEL AND/OR COX PUBLIC ACCESS CHANNEL 7)

1) CALL TO ORDER THE PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS

2) PLEDGE OF ALLEGIANCE

3) ROLL CALL

<input type="checkbox"/> Gary Janzen	<input type="checkbox"/> Steve Conway	<input type="checkbox"/> Dalton Wilson
<input type="checkbox"/> Paul Spranger	<input type="checkbox"/> Rick Shellenbarger	
<input type="checkbox"/> Amy Bradley	<input type="checkbox"/> Scot Phillips	

4) SET/AMEND AGENDA

Motion made by (______). Seconded by (______). For____ Against____

5) APPROVAL OF DRAFT MINUTES

April 22nd, 2025 DRAFT meeting minutes

Motion made by (______). Seconded by (______). For____ Against____

6) COMMUNICATIONS

7) PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS

1. Review of V-2025-03, application of Carlos Torres & Sonnee Fisher, pursuant to City Code 17.10.08, who is petitioning for a variance to construct an accessory structure prior to a principal structure on property addressed as 2525 E Ford St. Valley Center, KS 67147.

- Chairperson opens hearing for comments from the public: TIME____
- Chairperson closes public hearing: TIME____

RECOMMENDED MOTION: Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, I _____ make a motion to (**approve**, **deny**, or **table**) V-2025-03. Seconded by_____. For____ Against____

2. Review of V-2025-04, application of Dale Langer & Susan Bair, pursuant to City Code 17.10.08, who is petitioning for a variance to use a shipping container as an accessory structure. The property is addressed as 2116 E Ford St., Valley Center, KS 67147.

- Chairperson opens hearing for comments from the public: TIME_____
- Chairperson closes public hearing: TIME_____

RECOMMENDED MOTION: Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, I _____ make a motion to (**approve**, **deny**, or **table**) V-2025-04. Seconded by_____. For____ Against____

3. Review of SD-2025-02, application of KE Miller Engineering, pursuant to City Code 16.04, who is petitioning for approval of a final plat for land currently un-addressed, located Northwest of the intersection of High Point Rd and East Point Rd in Valley Center, KS 67147.

- Chairperson opens hearing for comments from the public: TIME_____
- Chairperson closes public hearing: TIME_____

RECOMMENDED MOTION: Based on the City staff recommendations, public comments, and discussion by the Planning and Zoning Board, I _____ make a motion to (**approve**, **deny**, or **table**) SD-2025-02. Seconded by_____. For____ Against____

8) OLD/UNFINISHED BUSINESS

9) NEW BUSINESS

10) STAFF REPORTS

11) ITEMS BY PLANNING AND ZONING BOARD/BZA MEMBERS:

<input type="checkbox"/> Gary Janzen	<input type="checkbox"/> Steve Conway	<input type="checkbox"/> Dalton Wilson
<input type="checkbox"/> Paul Spranger	<input type="checkbox"/> Rick Shellenbarger	
<input type="checkbox"/> Amy Bradley	<input type="checkbox"/> Scot Phillips	

12) ADJOURNMENT OF THE PLANNING AND ZONING BOARD/BZA

Motion made by _____. Seconded by _____. For____ Against____

Note to Planning and Zoning Board Members: If you are unable to attend this meeting, please contact Kyle Fiedler (316-755-7320) prior to the meeting.

All items listed on this agenda are potential action items unless otherwise noted. The agenda may be modified or changed at the meeting without prior notice. At anytime during the regular Planning and Zoning Board meeting, the Planning and Zoning Board may meet in executive session for consultation concerning cases to be deliberated. This is an open meeting, open to the public, subject to the Kansas Open Meetings Act (KOMA). The City of Valley Center is committed to providing reasonable accommodations for persons with disabilities upon request of the individual. Individuals with disabilities requiring an accommodation to attend the meeting should contact the Community Development Department in a timely manner, at communitydevelopment@valleycenterks.org or by phone at (316)755-7320. For additional information on any item on the agenda, please visit www.valleycenterks.org or call (316) 755-7320.

**PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS MEETING
MINUTES
CITY OF VALLEY CENTER, KANSAS**

Tuesday, April 22, 2025 7:00 P.M.

CALL TO ORDER: Vice Chair, Paul Spranger, called the meeting to order at 7:00 P.M. with the following board members present: Amy Bradley, Steve Conway, Scot Phillips, and Dalton Wilson.

Members Absent: Gary Janzen, Rick Shellenbarger

City Staff Present: Kyle Fiedler, Brittney Ortega, Brent Clark

Audience: Matthew Tucker, Kitt Noah, Betty Whitted, Doug Cunningham, Chuck Potter, Feryl Potter, Gina Gregory, Jim Gregory, Jordan Noone, Deeanna Loibl, Mary Aspenson
Bob Blanton, June Blanton, John Farrington, Barb Farrington, Kevin Moler, Jeanne Grauerholz, James Grauerholz, Bret Loibl, Donna Rosbach, Michael Rosbach, Jon Bennett, Ashley Benett, Paul Hajdu, Shuvai Chambwe, Munashe Chipezeze, Joshua Copp, Nathaniel Hinkel, Kirk Miller, Bryan McDowell, Lee Calvert, Sergio Del Valle, Diane Spranger, Tyler Sherhod

AGENDA: A motion was made by Spranger and seconded by Wilson to set the agenda. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES: Spranger made a motion to approve March 25, 2025, meeting minutes. The motion was seconded by Wilson. Motion passed unanimously.

COMMUNICATIONS: none

PUBLIC HEARING BEFORE THE PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS:

1. Review of MAPC CON2025-00057: Conditional Use request in the County for an Accessory Apartment on property zoned RR Rural Residential District, generally located on the east side of Ross Avenue and 460 feet south of West 89th Street North (8912 Ross Avenue).

Spranger opened the hearing for comments from the public: 7:04 PM

Fiedler introduced Philip Zevenbergen with the Metropolitan Area Planning Department, who gave a summary of his staff report. This item is in the Valley Center Area of Influence and was presented to Planning and Zoning for a recommendation prior to going before the Metropolitan Area Planning Commission. Fiedler shared the staff recommendation is to make a favorable recommendation to MAPC for approval.

Spranger closed the hearing for comments from the public: 7:14 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Bradley made a motion to approve CON2025-00057. Motion was seconded by Conway. The vote was unanimous. Motion passed.

2. Review of RZ-2025-02, application of I2 Investments LLC, pursuant to City Code 17.11, who is petitioning for a rezoning of land that is currently zoned R-1B, which is the City's designation for a single-family district, to R-2, which is the City's designation for a two-family district. The property is currently addressed at 328 N Birch Ave, Valley Center, KS 67147.

Spranger opened the hearing for comments from the public: 7:19 PM

Fiedler gave a summary of his staff report. The subject property is in a predominantly R-1B zoned neighborhood, however, there are some two-family and multi-family zone lots nearby. Notices were sent to the property owners within 200 feet as well as published in the *Ark Valley News*. Staff received 1 phone call in opposition to this application regarding the applicant's intent to have two duplexes on the lot. Staff recommended approval of this application due to the Comprehensive Plan 2025-2035 recognizing that more diverse housing is needed in Valley Center, as well as that there are other two-family and multi-family lots within a block in either direction of the subject property. Staff also recommend approval based on prior hearings on this item where the neighbors expressed their desire for R-2 over R-3 for this lot.

Matthew Tucker, agent for the applicant, addressed the board.

Kitt Noah spoke in opposition, stating concerns about the increasing number of vehicles on the street and the growing presence of duplexes.

Tyler Sherhod spoke in opposition, stating concerns about property value decreases and increased traffic.

Lee Calvert spoke in opposition, stating concerns of traffic congestion and noted that unlike other duplexes in the neighborhood which are located on corner lots, this lot is not.

Brian McDowell spoke in opposition, stating that the area is already congested and that approving this application would only increase the problem. He added that if duplexes are going to be built, they should do so in the part of town where most new duplexes are being constructed.

Bradley asked about the barn located on the property. Fiedler shared that it is across property lines. Brian McDowell who owns part of it said that if the applicant wanted to take it down that would be something they would have to address.

Spranger closed the hearing for comments from the public: 7:31 PM

Fiedler reiterated the rezone to R-2 is only matter to be considered tonight. Any future intentions of the applicant discussed this evening would be a matter for Planning and Zoning at a future hearing.

Wilson wanted to know how the requested zoning of R-2 was different than what was denied by Council. Fiedler stated that the previous request was for R-3 which would allow 3 or 4 units on the property, and the consensus from the Council and the public comments was that R-2 would

be a better fit. R-2 will allow for one two-family structure. If the property owner chooses to do a lot split, that would be a separate item for Planning and Zoning.

Matthew Tucker addressed comments made. Currently there is no driveway for off-street parking, any new building would be required to have this, which would alleviate some of the street parking. He also said that in R-2 the most that could be built is a duplex and the setbacks are the same as R-1B, where R-3 and R-4 allow for more units to be built and have different setbacks. He addressed that as this neighborhood was originally platted for 50 foot wide lots that this property could have had three structures already on it and the total intention of the property owner would be one more unit than originally allowed.

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Wilson made a motion to approve RZ-2025-02. Motion was seconded by Conway. Motion passed 4 to 1 with Spranger opposed.

3. Review of RZ-2025-04, application of City of Valley Center, pursuant to City Code 17.11, who is petitioning for a rezoning of land that is currently zoned C-2, which is the City's designation for a general business district, to R-3, which is the City's designation for multi-family residential district. The property is currently unaddressed, located Northeast of the new REC Center at the future intersection of Emporia Ave and Northwind Dr, Valley Center, KS 67147.

Spranger opened the hearing for comments from the public: 7:46 PM

Fiedler reviewed his staff report. The property is currently zoned C-2, which was designated when the property was platted. As this development progresses, the City felt this property would be better suited for R-3 zoning as the majority of neighboring parcels are zoned R-2. R-3 allows for residential uses, such as apartments and senior living facilities. Notices were sent to the property owners within 200 feet as well as published in the *Ark Valley News*. Staff did not receive any communications from the public on this rezoning. Staff recommended approval of this application due to the Comprehensive Plan 2025-2035 recognizing that more diverse housing is needed in Valley Center.

Spranger closed the hearing for comments from the public: 7:47 PM

Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Wilson made a motion to approve RZ-2025-04. Motion was seconded by Phillips. The vote was unanimous. Motion passed.

4. Review of SD-2025-02, application of KE Miller Engineering, pursuant to City Code 16.04, who is petitioning for approval of a preliminary plat for land currently unaddressed, located Northwest of the intersection of High Point Rd and East Point Rd in Valley Center, KS 67147.

Spranger opened the hearing for comments from the public: 7:53 PM

Fiedler reviewed his staff report. The parcel that is proposed to be subdivided is currently zoned RR-1, as are the surrounding properties. The proposal is to subdivide the 5-acre tract into 5 1-acre tracts. The surrounding properties vary in size from approximately .75 acres to 5.5 acres. The preliminary plat submitted meets the City's Subdivision Regulations and Zoning Regulations for RR-1. Notices were sent to the property owners within 200 feet as well as published in the *Ark Valley News*. Staff received communications from six people, 3 of which sent in letters in opposition, which were provided to the Planning and Zoning Board at the meeting. The City Staff Review Team provided comments to the agent for the applicant, which were made and reflected in the preliminary plat. Staff are recommending approval of the preliminary plat.

Kirk Miller, agent for the applicant, reviewed the preliminary plat, that it was designed to meet our subdivision regulations and requested that the Planning and Zoning board remember that they are looking at the subdivision regulations when considering the preliminary plat.

Spranger shared that he has had ex parte communications on this item, it was confirmed that Spranger does not have ownership in the property in question, so he can vote on the item.

Paul Hadju said the neighbors use this property as a park and that residents in Fiddler's Creek should be asked their opinions on this as well. He also stated that this will stress the wells in the area. His opinion was that the narrow road would not support the subdivision. He also stated that the neighborhood has a lot of wildlife. He requests that they vote in opposition of the preliminary plat.

Chuck Potter would like to preserve the ambiance of the neighborhood. He requests that they reduce the preliminary plat to three lots instead of five.

Mary Aspenson is concerned about the road; the width of the road is hard for two vehicles to pass each other. She thought that the addition of five homes would add at least 10 cars to the traffic each day, they would have large driveways, and the five homes would make the neighborhood not unique anymore.

Shuvai Chambwe is concerned with the east lot because of the curve in the road and is unsure if the location of a driveway will be safe. In the center portion of the neighborhood there are five homes currently, the addition of five more homes would change the neighborhood. She also was concerned about septic tanks on the properties affecting the water quality of her well.

Sergio Del Valle was concerned about the additional traffic on the roads and strain on the infrastructure. Construction will disrupt the tranquility of the neighborhood.

Jim Gregory wanted to preserve the wildlife and space for neighbors to get out and enjoy the outdoors. He was concerned about the quality of buildings that would go in. He also talked about the road structure and drainage that might need to be addressed with the addition of these lots.

Bret Loibl is against the 1-acre sized because it is inconsistent with the others in the “island,” he is okay with two parcels. He said that the setbacks for the larger parcels should be 130 feet as their covenants require that.

Kevin Moler said the neighborhood is historic and there are other areas of town where growth is occurring, and it doesn’t need to be in their neighborhood.

Deeanna Loibl she thinks that the lots should be bigger in size to keep the area more open. She thinks that this is setting precedents for the other open lots in the neighborhood. She is concerned about infrastructure in place.

Gina Gregory thought they had to have five acres to build, she supported the comments of those that have spoke before her.

Bob Blanton is opposed to five homes, he requests that it is limited to two or three homes and would like to see a minimum size restriction and setback increased to 50 or 75 feet.

Feryl Potter would like to see the subdivision be for two or three houses.

Bob Grauerholz was concerned about safety and property values, and is opposed to the plat, five lots is too many, three would be okay.

Nathaniel Hinkle thinks a maximum of three lots would be more appropriate. He reviewed his opinion on the golden rules for zoning. He stated concerns about the infrastructure, the blind spot caused by a tree on East Point Road.

John Farrington is concerned about the precedence it sets for the neighborhood. The addition of five houses will change the character of the neighborhood. He had concerns about the width and condition of the roads.

Joshua Copp is concerned about the road width and infrastructure with all of the extra traffic.

Diane Spranger spoke on the size of the lots on the west side of High Point, she also was concerned that the homes built in the new lots would be spec homes in the middle of custom-built homes.

Jon Bennett is concerned if this is subdivided, what could happen with the other two 5-acre lots that are currently undeveloped. He would like to see it “knocked down a couple houses.”

Kirk Miller shared that this is private property, that many of the neighbors have shared that they use the property and asked that they respect the rights of the property owner. He mentioned many of the comments made this evening would pertain to a zoning case, but the property is already zoned the same as those that surround it. He reminded that the golden rules addressed previously were for zoning, not platting.

Spranger closed the hearing for comments from the public: 8:42 PM

Fiedler stated that he had been provided copies of covenants on the neighborhood, some just at the beginning of the meeting. He stated the City does not enforce covenants, but he did go ahead and review the covenants, of which he could not find anything that this preliminary plat conflicted with of the covenants. He also spent time with staff of the County Clerk and Register of Deeds Office, who could not find these covenants filed on the parcel in question or a Homeowners Association.

Spranger asked if they should table this to allow time to have staff talk with the applicant.

Wilson wanted to know if Fiedler had time to review the covenants that were provided to him prior to the meeting. Fiedler did not see a size requirement in the covenants that was bigger than the proposed lots. Fiedler reiterated that the City does not enforce covenants, but the staff recommendation to approve is based on the preliminary plat compliance with our subdivision regulations.

Philips requested confirmation on the road width and blind spot. Fiedler stated that the road was about 30-foot wide and was not sure if there was road right of way. Fiedler also commented on the blind corner that was mentioned by residents is actually a curve in the road, so it is not subject to the typical vision triangle, however if it is causing issues, code enforcement could look at having the property owner to trim the tree.

Spranger wanted to know the speed limit on the streets in the neighborhood. The speed limit is 30 MPH, unless otherwise posted on residential streets.

Wilson wanted to know if the street has to be rebuilt, what is the protocol. Fiedler could not speak to our street maintenance program as that falls under public works. Fiedler mentioned if the neighborhood wanted to have the street reconstructed, they could potentially pay specials for the road. Administrator Clark confirmed that there is road right of way existing today.

Clark also reminded the board that they are look at the preliminary plat and if it meets the subdivision regulations. Many of the other items discussed this evening are issues that are not pertaining to the preliminary plat. He was not sure if specials have ever been spread on these properties and that would determine if specials could be spread for improvements, if the neighborhood wanted them.

Philips asked if there were regulations as to how soon after a property was sold that a structure needs to be built. Fiedler said that the City does not have any regulations for that. The covenants he was presented, however, did require that building start within two years of the sale of the property, which hasn't happened on several lots.

Philips also asked if the property was ever a park, as many of the residents referred to it as one. Fiedler was not aware of any time when the property was a public park, that it has always been private property.

Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Wilson made a motion to approve SD-2025-02. Motion was seconded by Phillips. Motion passed 4 to 1 with Spranger voting in opposition.

5. Review of SP-2025-05, application of Alloy Architecture, pursuant to City Code 17.12, who is petitioning to add 31,000 sq ft of structures to the Valley Center High School Site, the property is currently addressed as 9600 N Meridian, Valley Center, KS 67147.

Spranger opened the hearing for comments from the public: 9:07 PM

Fiedler gave a summary of his staff report. The applicant plans to add on to the existing high school as well as construct a new supplemental learning center building. The City Review Team provided comments on the Site Plan and the applicant made those changes. Notices were sent to the property owners within 200 feet in the City and 1,000 feet in the County as well as published in the *Ark Valley News*. Staff received 2 inquiries on this site plan, the general information about the project was provided. Staff are recommending approval of this Site Plan.

Spranger closed the hearing for comments from the public: 9:08 PM

Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Wilson made a motion to approve SP-2025-05. Motion was seconded by Bradley. The vote was unanimous. Motion passed .

OLD/UNFINISHED BUSINESS: none

NEW BUSINESS: none

STAFF REPORTS: There are three applications on the agenda for the May 27, 2025 meeting.

ITEMS BY PLANNING AND ZONING BOARD/BZA MEMBERS:

Gary Janzen - absent

Paul Spranger – none

Rick Shellenbarger – absent

Phillips - none

Steve Conway - none

Dalton Wilson – none

Amy Bradley – none

ADJOURNMENT OF THE PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS MEETING: At 9:10 P.M., a motion was made by Spranger to adjourn and seconded by Phillips. The vote was unanimous, and the meeting was adjourned.

Respectfully submitted,

/s/ Kyle Fiedler, Secretary

Gary Janzen, Chairperson



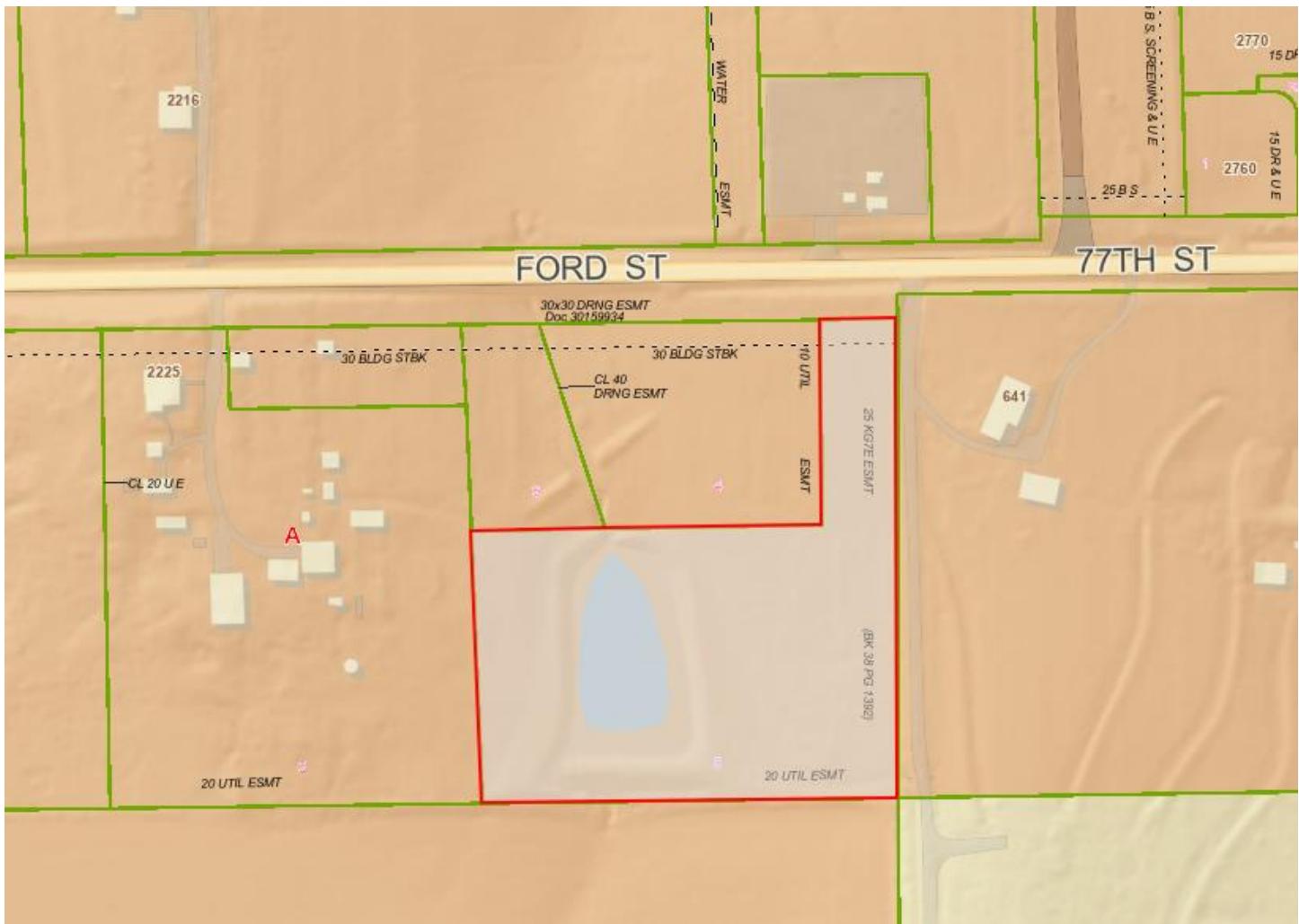
Date: May 27th, 2025

Present Zoning: RR-1 (Suburban Residential District)

Variance Request: The applicants, Carlos Torres & Sonnee Fisher, pursuant to City Code 17.10.08, are petitioning for an accessory building to be constructed and used prior to the construction of a principal structure. Accessory building will be 2,400 square feet.

Applicants: Carlos Torres & Sonnee Fisher

Property Address: 2525 E Ford St., Valley Center, KS 67147 (outlined in red below)



Applicant's Reasons for Variance Request:

Per the City of Valley Center's Zoning Code (17.06.01.D.), no accessory structure shall be constructed and occupied, or use started on any zoning lot prior to the time construction begins on the principal structure or use to which it is accessory, except for airplane hangars built on lots, etc. The applicant is requesting to construct a 2,400 square foot accessory

building prior to constructing their principal dwelling to store equipment and materials for their small business. The applicant indicated that their construction timeline for the primary residence would be in 5 years.

Review Standards for a Variance per 17.10.08.D. (standards in *italics*):

1. *That the variance requested arises from such condition which is unique to the property in question, and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or the applicant.*

This variance request is unique to this property and is not the result of any actions already taken by the property owner. The surrounding neighborhood is comprised of single-family homes on acreage; most have an accessory building and vacant lots for future residential development. Once completed there will be a single-family home and accessory building on this lot.

2. *That granting of the variance will not adversely affect the rights of adjacent property owners or residents.*

The granting of this variance will more than likely not adversely affect the rights of adjacent property owners/residents. A public notice was published in *The Ark Valley News* and notice letters were mailed to all property owners within 200 feet of the applicant's property boundaries within city limits and 1,000 feet from the boundary outside of the city limits. To date, one inquiry has been made, they did not share if they were in favor or against the variance. Any further responses received after the creation of this staff report will be shared with the Board of Zoning Appeals during the May 27th, 2025 board meeting.

3. *That strict application of the provisions of these regulations from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application.*

The property owner will experience hardship in the fact that not allowing this building to be constructed will result in having to construct the principal structure first or in a different way than they are planning. They would also have to store items elsewhere or outside in the elements on a property they already own.

4. *That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.*

The variance will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare of the surrounding neighbors or the community in general. If the variance request is approved, there will still be adequate codes that the property owners will have to comply with to avoid the creation of an eye sore to adjacent property owners. Building setback requirements will also still be met.

5. *That granting the variance desired will not be opposed to the general spirit and intent of these regulations.*

The granting of this variance will allow the property owner to build an accessory structure and use it for business use for 5 years prior to the principal structure being constructed. While home-occupations are allowed in most circumstances, the use of the land and building for business purposes for 5 years without a principal structure is not the intent of the zoning regulations.

Staff Recommendation: Staff do not recommend that the Board of Zoning Appeals grants the variance allowing for a 2,400 sq. ft. accessory building to be built prior to the principal structure as the structure will be used for business use for 5-years based on the timeline provided, prior to the residence being constructed at 2525 E Ford St., Valley Center, KS 67147. Staff would be in favor, if a shorter timeframe was established to build the principal structure.

VARIANCE APPLICATION

This application is for a Variance before the City Board of Appeals. The form must be completed in accordance with directions on the accompanying instructions and filed with the Zoning Administrator at Public Works, 545 W. Clay Street, Valley Center, Kansas 67147-0188 or FAX: (316) 755-7324. An incomplete application will not be accepted. For questions, call (316) 755-7310.

Property owner(s) Name & Address Carlos Torres & Sonnee Fisher

Phone 316 806 0511 fax# 2525 E Ford St 67147
316 249 0296

Petitioner's Name & Address _____

Phone _____ fax# _____

Contact email address Sonnee.jordan@gmail.com Contact Cell Phone _____

Relationship of applicant to property is that of X Owner _____ Tenant _____ Lessee _____ Other _____

Variance Requested: Build an accessory structure prior to
principal structure

Address/Location of Request 2525 E Ford St 67147

Parcel number(s) 30028248

Property Zoning is now _____

The applicant or his/her authorized agent acknowledges all of the following:

1. That he/she has received instruction material concerning the filing and hearing of this matter.
2. That he/she has been advised of the fee requirements established and that the fee accompanies this application.
3. That he/she has been advised of his/her rights to bring action in the District Court of the County to appeal a decision of the Board of Zoning Appeals.
4. That all documents are attached to this petition as noted in the instructions.

Carlos Amaro Torres 4/21/2025 _____
 Applicant Date Agent (If any) _____ Date _____

Office use only

A pre-application meeting occurred with the applicant on _____. This application was received at _____ (am) (pm) on _____, 20____ by the Zoning Administrator acting on behalf of the Board of Zoning Appeals. It has been checked and found to be complete and accompanied by the required documents and a nonrefundable fee of \$200.

Kyle Fiedler

From: sonnee.jordan@gmail.com
Sent: Tuesday, April 22, 2025 2:32 PM
To: Kyle Fiedler
Subject: Re: Variance

Kyle,

We are requesting a variance for the property at 2525 E Ford St in valley center. The property was purchased almost 1 year ago and we are needing to build an accessory structure prior to a principal structure.

We will need this accessory structure to store equipment and materials for our small business. The equipment for our small business requires protection from outside elements and this will need to be done prior to building the principal structure so we have a safe and secure building to store Equipment and materials.

Thank you,

Carlos Torres
Sonnee Fisher
316-806-0511

Sent from my iPhone

On Apr 22, 2025, at 1:09 PM, Kyle Fiedler <KFiedler@valleycenterks.gov> wrote:

Please reply to this email.

<image001.jpg>

Kyle Fiedler
Community Development
Director

Phone: 316-755-7320
Fax: 316-755-7324
Email:
kfiedler@valleycenterks.gov

City of Valley Center
545 W. Clay
P.O. Box 188
Valley Center, KS 67147

www.valleycenterks.gov

Kyle Fiedler

From: sonnee.jordan@gmail.com
Sent: Thursday, May 22, 2025 4:23 PM
To: Kyle Fiedler
Subject: Re: Variance

40x60

Sent from my iPhone

On May 22, 2025, at 7:42 AM, Kyle Fiedler <KFiedler@valleycenterks.gov> wrote:

Do you know approximately what size of building you are wanting to build?

<image001.jpg>

Kyle Fiedler

Community Development
Director

Phone: 316-755-7320
Fax: 316-755-7324
Email:
kfiedler@valleycenterks.gov

City of Valley Center
545 W. Clay
P.O. Box 188
Valley Center, KS 67147

www.valleycenterks.gov

<image002.png>

<image003.jpg>

<image004.png>

From: Kyle Fiedler
Sent: Thursday, May 15, 2025 2:30 PM
To: sonnee.jordan@gmail.com
Subject: RE: Variance

Thank you for sharing that. I'll let you know if I need anything else as I prepare for the meeting.

<image001.jpg>

Kyle Fiedler

Community Development
Director

Phone: 316-755-7320

Fax: 316-755-7324

Email:

kfiedler@valleycenterks.gov

City of Valley Center

545 W. Clay
P.O. Box 188
Valley Center, KS 67147

www.valleycenterks.gov

<image002.png>

<image003.jpg>

<image004.png>

From: sonnee.jordan@gmail.com <sonnee.jordan@gmail.com>

Sent: Wednesday, May 14, 2025 8:14 AM

To: Kyle Fiedler <KFiedler@valleycenterks.gov>

Subject: Re: Variance

Thank you Kyle! We plan start building the primary residence in 5 years

Sent from my iPhone

On May 8, 2025, at 2:15 PM, Kyle Fiedler <KFiedler@valleycenterks.gov>
wrote:

I know we discussed timeline on this when you were in my office.

After looking at the most recent variance for a principal structure to be built prior to the principal structure, the timeline for when the principal structure was planning to be build was necessary for the decision. I don't know that I can recommend approval without some sort of timeline for when the principal structure is anticipated to be built.

<image001.jpg>

Kyle Fiedler

Community Development
Director

Phone: 316-755-7320

Fax: 316-755-7324

Email:

kfiedler@valleycenterks.gov

City of Valley Center
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www.valleycenterks.gov

<image002.png>

<image003.jpg>

<image004.png>

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Subject: Re: Variance

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We will need this accessory structure to store equipment and materials for our small business. The equipment for our small business requires protection from outside elements and this will need to be done prior to building the principal structure so we have a safe and secure building to store Equipment and materials.

Thank you,

Carlos Torres
Sonnee Fisher
316-806-0511

Sent from my iPhone

On Apr 22, 2025, at 1:09 PM, Kyle Fiedler
<KFiedler@valleycenterks.gov> wrote:

Please reply to this email.

<image001.jpg>

Kyle Fiedler

Community Development
Director

Phone: 316-755-7320

Fax: 316-755-7324

Email:

kfiedler@valleycenterks.gov

City of Valley Center

545 W. Clay

P.O. Box 188

Valley Center, KS 67147

www.valleycenterks.gov

<image002.png>

<image003.jpg>

<image004.png>



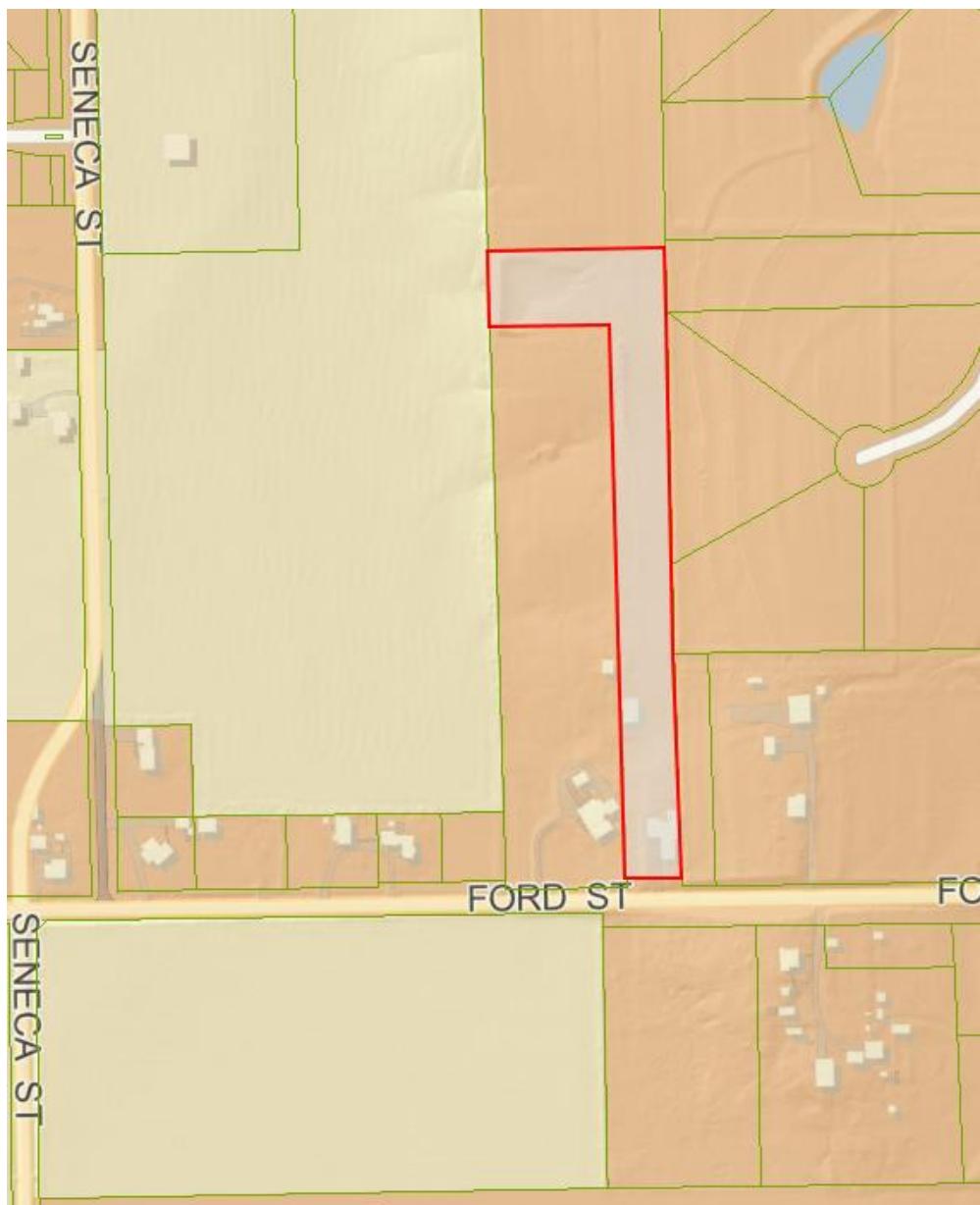
Date: May 27th, 2025

Present Zoning: RR-1 (Suburban Residential)

Variance Requests: The applicant, Dale Langer & Susan Bair, pursuant to City Code 17.10.08, is petitioning to use a shipping container as an accessory structure.

Applicant: Dale Langer & Susan Bair

Property Address: 2116 E Ford St, Valley Center, KS 67147 (outlined in red below)



Applicant's Reasons for Variance Request:

Per the City of Valley Center's Zoning Code (17.06.00), shipping containers may not be used for storage on residential lots other than for temporary use for during construction or reconstruction. This request is for the shipping container that is already placed on the property to be allowed to stay permanently as an accessory building.

Review Standards for a Variance per 17.10.08.D. (standards in *italics*):

1. *That the variance requested arises from such condition which is unique to the property in question, and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or the applicant.*

This variance request is unique to this property, the applicant has already placed the shipping container on the property. Neighboring properties have accessory structures built with traditional building materials.

2. *That granting of the variance will not adversely affect the rights of adjacent property owners or residents.*

The granting of this variance will not adversely affect the rights of adjacent property owners/residents. A public notice was published in *The Ark Valley News* and notice letters were mailed to all property owners within 200 feet of the applicant's property boundaries in the City limits and 1,000 feet in the County. To date there has been no contact with the City Staff regarding this variance request. Any further responses received after the creation of this staff report will be shared with the Board of Zoning Appeals during the May 27th, 2025, board meeting.

3. *That strict application of the provisions of these regulations from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application.*

The variance requested would allow the property owner to use the shipping container that he has already placed on his property as an accessory structure. If the variance is not approved, the property owner would experience a hardship having to remove the shipping container that is already there and construct an accessory structure.

4. *That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.*

The variance will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare of the surrounding neighbors or the community in general, if the variance request is approved.

5. *That granting the variance desired will not be opposed to the general spirit and intent of these regulations.*

The spirit and intent of the Zoning Regulations regarding accessory structures will be met. The building will still be subject to permitting where all other zoning regulations will be reviewed to ensure, lot coverage, height and other setbacks will be met, along with current building codes.

Staff Recommendation: Staff recommend that the Board of Zoning Appeals approves the variance allowing a shipping container as an accessory structure at 2116 E Ford St., Valley Center, KS 67147.

VARIANCE APPLICATION

RECEIVED
4/24/25

This application is for a Variance before the City Board of Appeals. The form must be completed in accordance with directions on the accompanying instructions and filed with the Zoning Administrator at Public Works, 545 W. Clay Street, Valley Center, Kansas 67147-0188 or FAX: (316) 755-7324. An incomplete application will not be accepted. For questions, call (316) 755-7310.

Property owner(s) Name & Address DALE LANGER + SUSAN BAIR 2116 E. FORD ST, VC

Phone 316-305-8002 fax# N/A

Petitioners Name & Address DALE LANGER, 2116 E. FORD ST, VC KS 67147

Phone 316-305-8002 fax# N/A

Contact email address dlanger9@yahoo.com Contact Cell Phone 316-305-8002

Relationship of applicant to property is that of Owner Tenant Lessee Other

Variance Requested:

40'
Re-purpose / modify shipping container into a workshop by adding a
people door, multiple windows + siding on all 4 sides to make it look
like a standard construction building.

Address/Location of Request 2116 E. FORD ST, VC KS 67147

Parcel number(s) 00482566, 30026220

Property Zoning is now Farmstead, agricultural

The applicant or his/her authorized agent acknowledges all of the following:

1. That he/she has received instruction material concerning the filing and hearing of this matter.
2. That he/she has been advised of the fee requirements established and that the fee accompanies this application.
3. That he/she has been advised of his/her rights to bring action in the District Court of the County to appeal a decision of the Board of Zoning Appeals.
4. That all documents are attached to this petition as noted in the instructions.

Dale L

Applicant

4/24/2025

Date

Agent (If any)

Date

Office use only

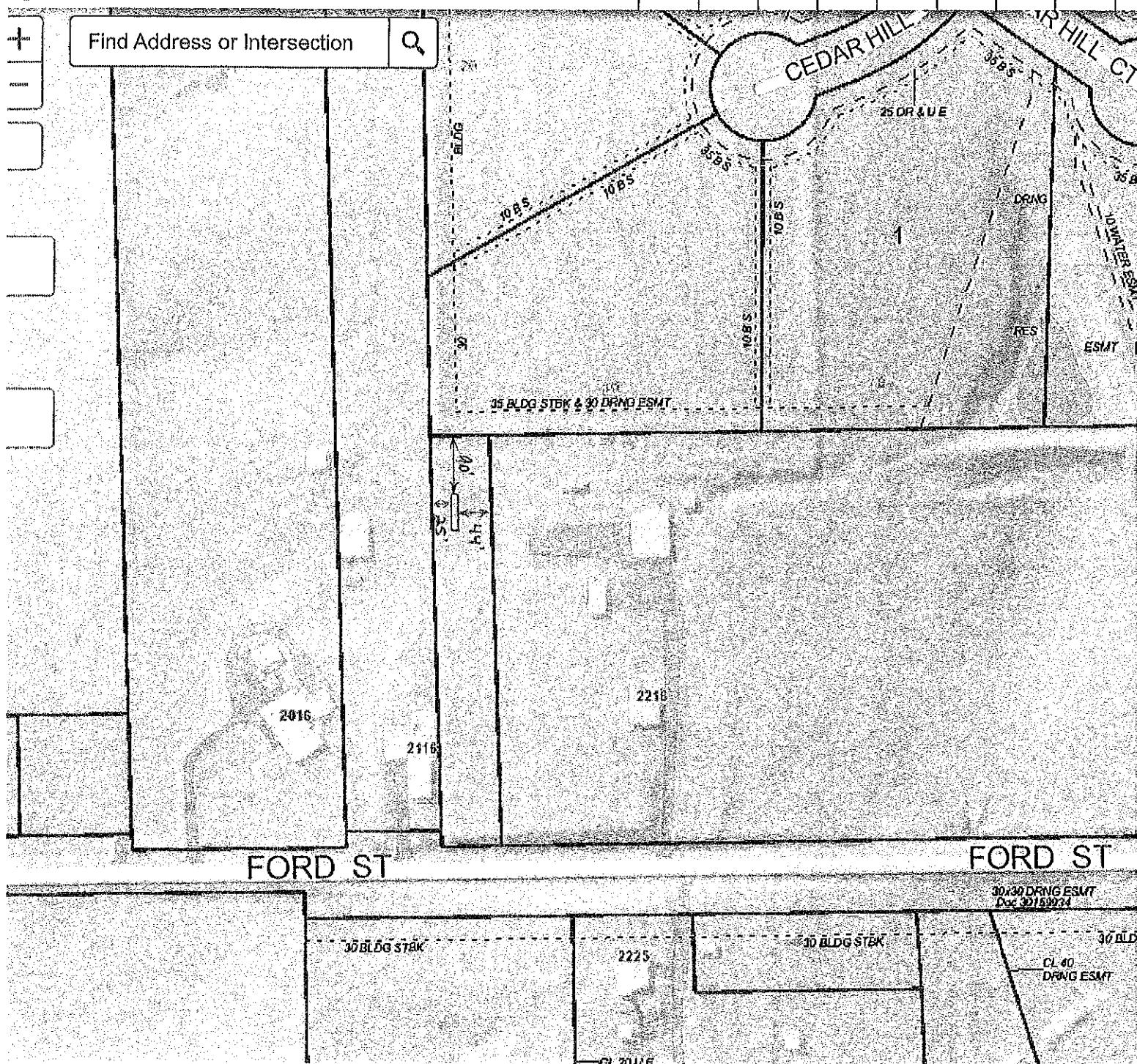
A pre-application meeting occurred with the applicant on _____. This application was received at _____ (am) (pm) on _____, 20____ by the Zoning Administrator acting on behalf of the Board of Zoning Appeals. It has been checked and found to be complete and accompanied by the required documents and a nonrefundable fee of \$200.

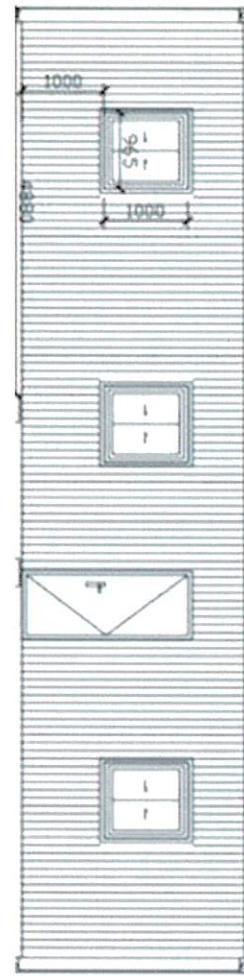
40' container was obtained for a good price from a family member. A search thru the zoning regulations found nothing regarding these containers. A location was leveled and prepared with gravel base and the container was moved. My plan is to repurpose windows recently removed from the home into the container for light and air movement. I have obtained a good used house front door and plan to install it on the west face. The steel container will be insulated, a monoslope roof and siding will be applied on all 4 sides to shield it from heat and cold.

Site sketch showing location on the property with distance from property lines as well as a page showing images of what it will look like are attached.



Find Address or Intersection







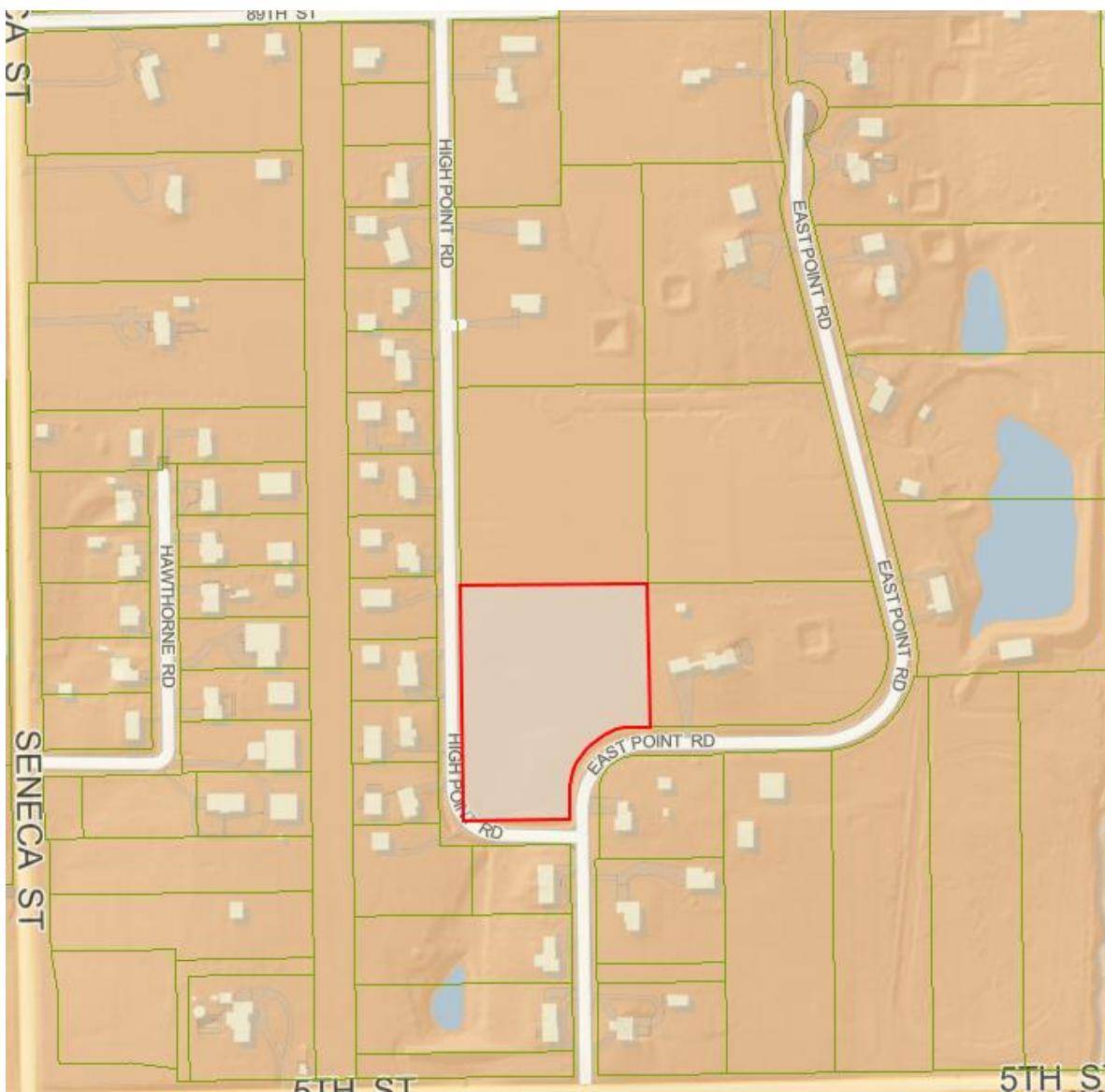
Date: May 27th, 2025

To: City of Valley Center Planning and Zoning Board

From: Kyle Fiedler, *Community Development Director*

Final Plat Approval for High Point Estates (SD-2025-02)

KE Miller Engineering, pursuant to Section 16.04., is petitioning the City of Valley Center Planning and Zoning Board to approve a final plat for the land (outlined in red below) currently not addressed, but northwest of the intersection of High Point Rd and East Point Rd in Valley Center, KS 67147.



Applicant's Reasons for Platting:

The applicant, on behalf of the property owner, is seeking to sub-divide this 5-acre tract into 5 1-acre tracts through the platting process.

Staff Comments:

The final plat has been reviewed by the City Staff Review Team, which has provided comments/revisions that have been incorporated into the final plat documents, which are included as a separate attachment with this staff report. The final plat meets all the requirements listed in the required contents section (16.05.01) for final plats submitted to the City of Valley Center. Once the final plat is approved by this board, it will go to City Council for acceptance of the dedications of right-of-way and easements. It is zoned RR-1 (Suburban Residential). As currently shown, this plat will create a total of 5 new parcels.

There were several comments during the preliminary plat hearing regarding the proposed lot sizes being too small for the neighborhood. Below is the neighborhood with the County record lot size for each lot in the High Point area for your reference. The proposed lots more than meet the required lot size in the RR-1 district.



A public notice was published in *The Ark Valley News*, along with letters sent to all property owners within 200 feet of the boundary of the proposed preliminary plat for properties inside the incorporated boundary of Valley Center. As of the date of this report, there have been no contacts made on the final plat.

Staff Recommendation:

City staff recommend approval of this final plat application.

RECEIVED
4.26.05
250189 2850

CITY OF VALLEY CENTER PLATTING APPLICATION

PRELIMINARY PLAT \$350 (fee is nonrefundable)
 FINAL PLAT \$150 (fee is nonrefundable)
 CORRECTING PLATTING ERROR \$100 (fee is nonrefundable)

Property owner(s) Name & Address Karen R. Kurtz 10103 E. Churchill St., Wichita, KS 67206

Phone (316) 640-3606 fax#

Petitioners Name & Address Kirk Miller 117 E. Lewis St., Wichita, KS 67202

Phone (316) 264-0242 fax#

Email address/ Cell Phone of contact person: kirk@kemiller.com

Location of Subdivision Intersection of High Point Rd. & East Point Rd., Valley Center, KS 67147

Parcel(s) numbers 00522847

Property shown on Valley Center Land Use Plan as RR-1 Suburban Residential District

Total acreage of Plat 5.02 Acres

Total number of lots 5

The following materials must be submitted with the plat. The application is not considered complete and ready for review until all materials are submitted.

This Application Form
 One (1) original copy, two (2) scaled copies (24" x 36") and 12 11" x 17" copies
 N/A Layout of public improvements
 N/A Street plans and profiles (if applicable)
 N/A Soil testing results (if necessary)
 N/A Any Restrictive covenants
 A list of all benchmarks
 N/A Property owners association (if applicable)
 Final storm water runoff and erosion control plans
 N/A Copy of Developers Agreement (if any)
 N/A Dedication of Right-of-Way

Filed by:

=====

Office use only

Has pre-application consultation been completed?

Date of filing

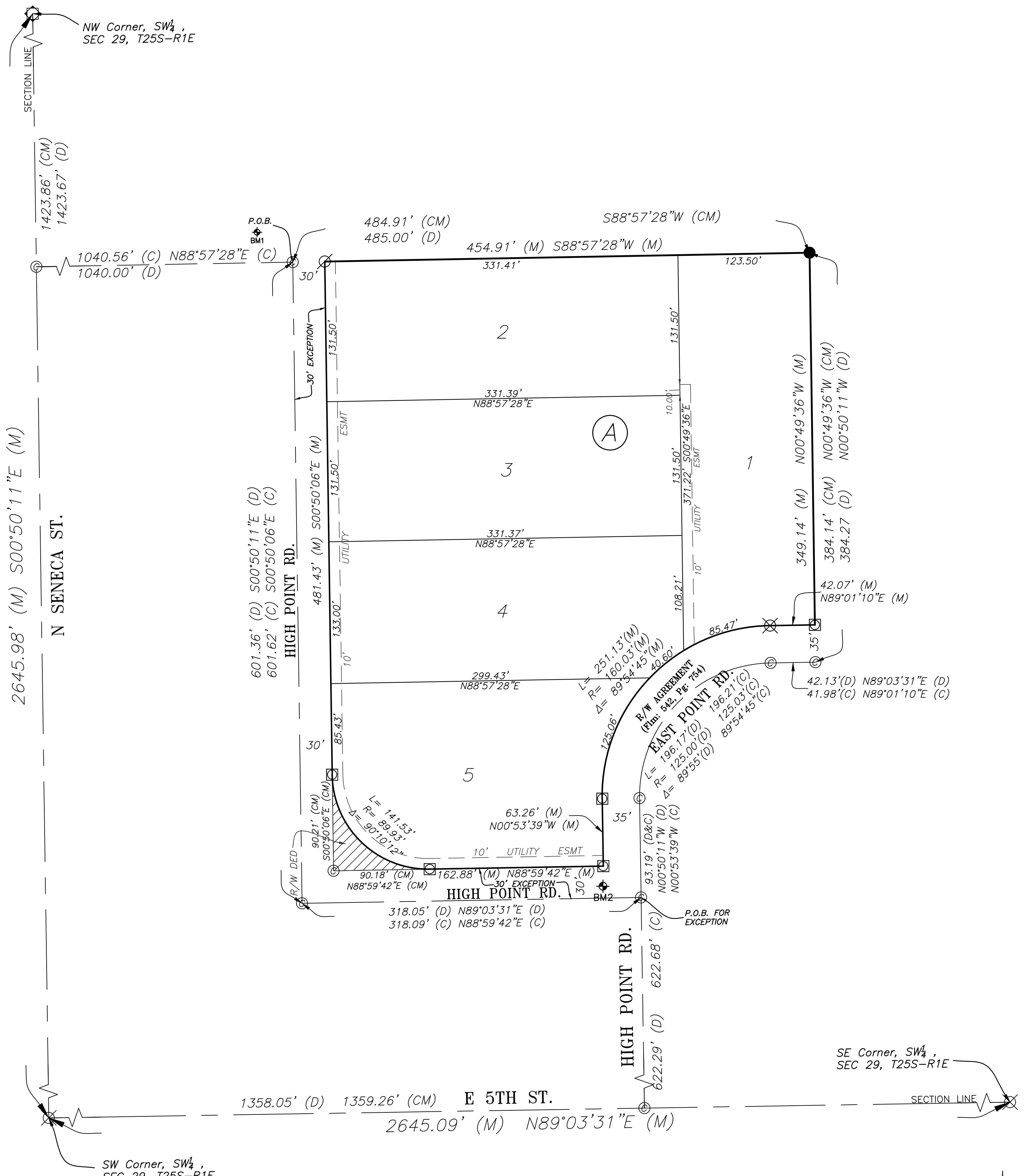
Person certifying date and time of submittal

Application Number

High Point Estates

An Addition To The City of Valley Center,
Sedgwick County, Kansas

Part of the SW $\frac{1}{4}$, Section 29, Township 25 South, Range 1 East



State of Kansas
County of Sedgwick) SS

I, Keith A. Severns, a licensed land surveyor of the State of Kansas, do hereby certify that the following described tract of land was surveyed on this 21st day of March, 2025 and the accompanying preliminary plat prepared and that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief:

LEGAL DESCRIPTION

Part of the Southwest Quarter of Section 29, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, described as follows: Beginning at a point 1040 feet east and 1423.67 feet south of the Northwest corner of said Southwest Quarter; thence southerly parallel with the south line of said Southwest Quarter 601.36 feet; thence easterly parallel with the west line of said Southwest Quarter, 318.05 feet; thence northerly parallel with the west line of said Southwest Quarter, 93.19 feet to the P.C. of a curve to the right with a radius of 125 feet and a central angle of 89°55'; thence northeasterly along said curve 196.17 feet to the P.T. of said curve; thence easterly parallel with the south line of said Southwest Quarter, 42.13 feet; thence northerly parallel with the west line of said Southwest Quarter, 384.27 feet; thence westerly parallel with the north line of said Southwest Quarter 485 feet to the point of beginning, EXCEPT the south 30 feet and the west 30 feet for road, and EXCEPT 35 foot permanent road easement lying to the left of the following described line: Beginning at a point 1358.05 feet east and 622.29 feet north of the Southwest corner of said Southwest Quarter of Section 29, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence north parallel with the west line of said Southwest Quarter, a distance of 93.19 feet to the P.C. of a curve to the right having a radius of 125.0 feet; thence along said curve to the right and through an central angle of 89°55'00"; a distance of 196.17 feet to the P.T. of said curve; thence east parallel with the south line of said Southwest Quarter a distance of 42.13 feet.

State of Kansas
County of Sedgwick) SS

This plat of the High Point Estates, an Addition to the City of Valley Center, Sedgwick County, Kansas, was approved by the Valley Center City Planning and Zoning Board. Dated this _____ day of _____, 2025.

Gary Janzen, Chair

Ryan W. Shrock, Secretary

State of Kansas
County of Sedgwick) SS

This plat approved as an addition to the City of Valley Center, Kansas pursuant to provisions of K.S.A. 12-401.

Dated Signed: _____

Barry Arbuckle, City Attorney

State of Kansas
County of Sedgwick) SS

This dedications shown on this plat, if any, are hereby accepted by the governing body of the City of Valley Center, Kansas on _____ day of _____, 2025.

At the Direction of the City Council.

Jet Truman, Mayor

Kristi Carrithers, City Clerk

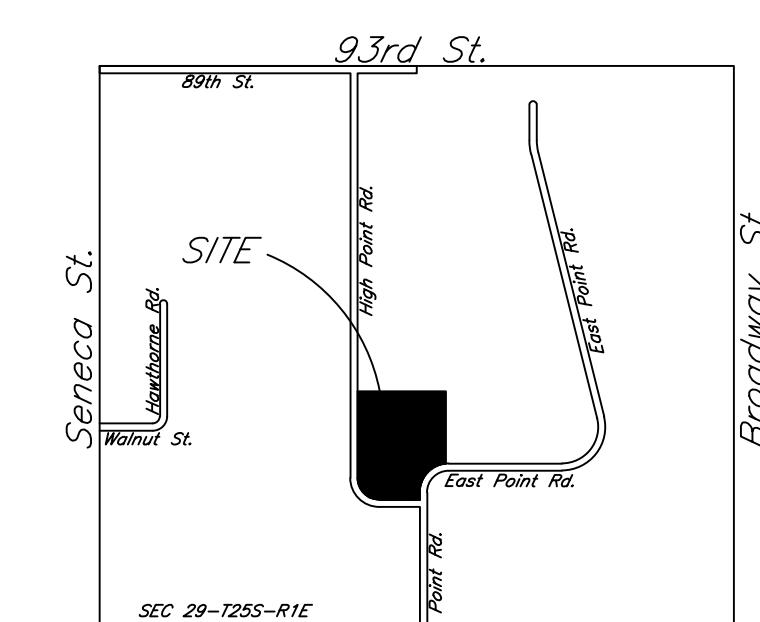
State of Kansas
County of Sedgwick) SS

This is to certify that this plat has been filed for record in the Office of the Register of Deeds this _____ day of _____, 2025, at _____ o'clock _____ M, and duly recorded in Book _____ Page _____.

Tonya E. Buckingham, Register of Deeds

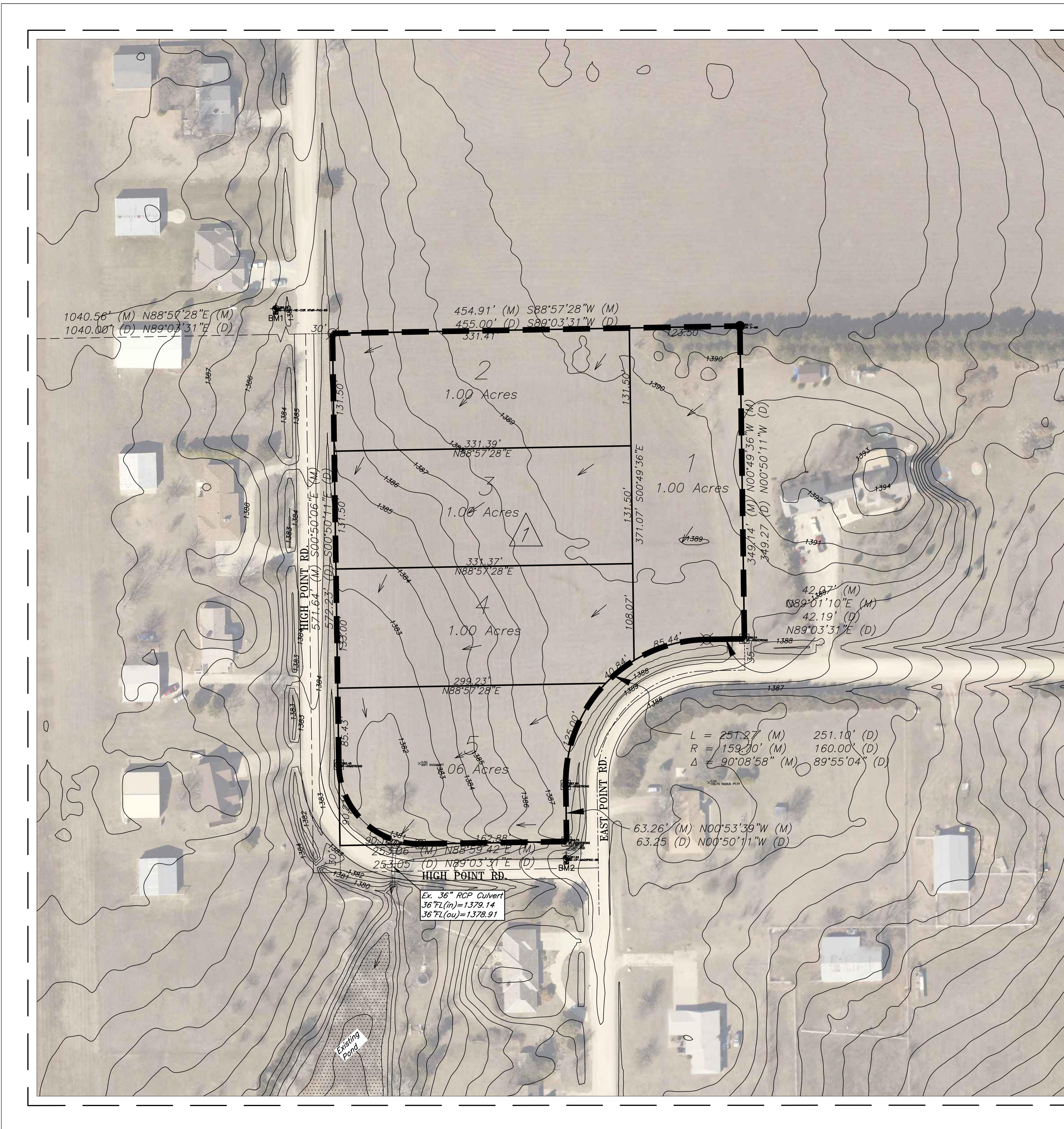
Kerly Zehring, Chief Deputy

Reviewed in accordance with K.S.A. 58-2005 on this _____ day of _____, 2025.



LOCATION MAP
(For Visual Use Only)

Tricia L. Robello, P.S. #1246
Deputy County Surveyor
Sedgwick County, Kansas



Project Narrative:

The Proposed Plot is located on the northwest of the intersection of East Point Rd and High Point Rd in Valley Center, Kansas. The site is currently used for pasture / agriculture. The existing drainage pattern indicates that the entire site drains south to existing roadside ditches and then south under High Point Rd into an existing pond. This is will remain the same in developed condition. The scope of the project is to split the existing lot into 5 single family residential lots roughly 1 acre in size.

Runoff Calculations (2-, 5-, 10-, 25-, and 100-yr)

EXISTING CONDITION:
 Total Area A = 5.02 acres, Surface Type = Agriculture (Pasture/Grassland/Range)
 Soil Group = C

EXISTING SITE (cfs)									
DRAINAGE AREA	ACRES	Tc min	CN	Q2	Q5	Q10	Q25	Q100	REMARKS
On-site (1)	5.02	26.5	80	8.02	12.81	15.78	19.82	26.95	On-site Area Draining South to Ex. 36" RCP Culvert under High Point Rd. and into Ex. Detention Pond

DEVELOPED CONDITION:
 Total Area, A = 5.02 acres, Total Impervious Area = 1.00 acres (Single Family Residential (1 ac), 20% impervious)
 Hydrological Soil Group = C

DEVELOPED SITE (cfs)									
DRAINAGE AREA	ACRES	Tc min	CN	Q2	Q5	Q10	Q25	Q100	REMARKS
On-site (1)	5.02	26.5	80.8	8.39	13.23	16.24	20.29	27.43	On-site Area Draining South to Ex. 36" RCP Culvert under High Point Rd. and into Ex. Detention Pond

Notes:

1. Existing and developed flows are calculated using the SCS Hydrograph method. "CN" & "I" values are established from "City of Wichita Stormwater Design Manual."
2. Internal grading may be necessary to route developed peak flows to the existing roadside ditches which convey runoff to the culvert flowing south to neighboring property.
3. No portion of the site is located in designated 100-yr floodplain (FIRM 20173C0203G, Revised, December 22, 2016)

1 Onsite drainage basin, Area = 5.02 acres - - - Drainage Basin Boundary

60 0 30 60 120 240
HORIZONTAL SCALE (IN FEET)
1 inch = 60 ft.

KURTZ ADDITION
Drainage Plan
Valley Center, Kansas

KEMILLER ENGINEERING PA
117 E. Lewis, Wichita, KS 67202 (316)284-0242

PROJECT NUMBER		
KEM NO. 24142	FILE	DATE 03/2025
DESIGN ME	DRAWN ME	REVISED

1.0 SHEET



Report Cover Page

Date:	03/13/2025	Prepared For:	K.E. Miller Engineering, P.A.
Order No.:	3119093	Owner(s):	Karen R. Kurtz
Issuing Office:	Security 1st Title 727 N Waco Ave, Ste 300 Wichita, KS 67203	Property Address:	No Situs Address, To Be Platted, Valley Center, KS 67147

Note: The documents linked in this report should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Vesting Documents:

[**Sedgwick county recorded 09/03/2024 under reception no. 30331537**](#)

Tax Information:

[**00522847**](#)

TITLE REPORT

Prepared By:

Security 1st Title
727 N Waco Ave, Ste 300
Wichita, KS 67203
Phone: (316) 779-1942
Contact: Joey Landes
Email: jlandes@security1st.com

Prepared Exclusively For:

K.E. Miller Engineering, P.A.
117 E. Lewis
Wichita, KS 67202
Work: (316) 264-0242
Contact: Josh White
Email: josh@kemiller.com

Report No: 3119093

Report Effective Date: March 04, 2025, at 7:00 A.M.

Property Address: No Situs Address, To Be Platted, Valley Center, KS 67147

This Title Search Report is NOT a commitment to insure and is not to be construed as an Abstract of Title or Title Opinion. It has been issued as a Report as to the status of title for the specific benefit of K.E. Miller Engineering, P.A., and as such should not be relied upon by any other party for any Real Estate Transaction. Any and all loss or damage that may occur by reason of any errors and omissions in this Company's Report is limited to \$1,000.00 and the fee it received for the preparation and issuance of this report, whichever is less.

1. **Fee Simple** interest in the Land described in this Report is owned, at the Report Effective Date, by

Karen R. Kurtz

2. The Land referred to in this Report is described as follows:

Part of the Southwest Quarter of Section 29, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, described as follows: Beginning at a point 1040 feet east and 1423.67 feet south of the Northwest corner of said Southwest Quarter; thence southerly parallel with the west line of said Southwest Quarter 601.36 feet; thence easterly parallel with the south line of said Southwest Quarter, 318.05 feet; thence northerly parallel with the west line of said Southwest Quarter, 93.19 feet to the P.C. of a curve to the right with a radius of 125 feet and a central angle of 89°55'; thence northeasterly along said curve 196.17 feet to the P.T. of said curve; thence easterly parallel with the south line of said Southwest Quarter 42.13 feet; thence northerly parallel with the west line of said Southwest Quarter, 384.27 feet; thence westerly parallel with the north line of said Southwest Quarter 485 feet to the point of beginning; EXCEPT the south 30 feet and the west 30 feet for road; and EXCEPT a 35.0 foot permanent road easement lying to the left of the following described line: Beginning at a point 1358.05 feet east and 622.29 feet north of the Southwest corner of said Southwest Quarter of Section 29, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence north parallel with the west line of said Southwest Quarter, a distance of 93.19 feet to the P.C. of a curve to the right having a radius of 125.0 feet; thence along said curve to the right and through an central angle of 89°55'00", a distance of 196.17 feet to the P.T. of said curve; thence east parallel with the south line of said Southwest Quarter a distance of 42.13 feet.

3. The following Real Estate Taxes, Easements, Restrictions, Judgments, Pending Suits, Mechanic Liens, State Tax Liens, Federal Tax Liens, Mortgage, and other liens and encumbrances are recorded in the local public records. No search of the oil, gas, or other mineral title has been made, and any matters incident to or growing out of the mineral estate are not included in this Report, including but not limited to conveyances, reservations, or oil and gas leases.

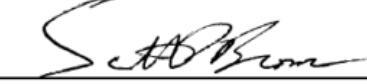
1. General taxes and special assessments for the year 2024 in the amount of \$16.04, plus applicable fees and interest, delinquent.

Property ID # GT-VC-01357

PIN # 00522847

2. Roadway easement, if any, over the South 30 feet and West 30 feet of subject property.
3. Right of Way Agreement for Road Easement recorded in/on Film 542, Page [754](#).
4. Covenants and restrictions contained in/on Misc. Book 547, Page [575](#) and Misc. Book 616, Page [81](#).
5. Findings and Order Expanding the Boundaries of the Equus Beds Groundwater Management District No. 2, filed as Doc#/Flm-Pg: [29716403](#).
6. The terms and provisions contained in the document entitled "Resolution No. 748-24, a Resolution Establishing and Defining the Boundaries of the City of Valley Center, Kansas" filed as Doc#/Flm-Pg: [30299065](#).
7. Notice of annexation to Valley Center recorded as Film 2120, Page [118](#) of Official Records.
8. Subject property may become subject to special assessments for various capital improvements as evidenced by numerous governmental filings of notice in the form of Resolutions filed as Film 2058, Page [363](#); Film 2134, Page [185](#); Film 2348, Page [926](#); and on Film 2617, Page [687](#).
9. Rights or claims of parties in possession not shown by the public records.

Security 1st Title

By: 

Seth Brown

Licensed Abstracter