

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

Tuesday, May 27, 2025      7:00 P.M.

**CALL TO ORDER:** Chair, Gary Janzen, called the meeting to order at 7:02 P.M. with the following board members present: Amy Bradley, Paul Spranger, Steve Conway and Dalton Wilson.

**Members Absent:** Rick Shellenbarger and Scot Phillips

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

**Audience:** Dale Langer, Sonnee Fisher, Carlos Torres, Kevin Moler, Mary Aspenson, Barb Farrington, Bret Loibl, Munashe Chipezeze, June Blanton, Bob Blanton, Diane Spranger, Gina & Jim Gregory, and Kirk Miller.

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

**APPROVAL OF DRAFT MINUTES:** Janzen made a motion to approve April 22, 2025, meeting minutes. The motion was seconded by Bradley. Motion passed unanimously.

**COMMUNICATIONS:** none

**PUBLIC HEARING 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.

Janzen opened the hearing for comments from the public: 7:05 PM

Fiedler reviewed his staff report and noted that the applicant stated they were going to use the accessory structure for business use and were not planning to build a principal structure on the property for five years. Fiedler only received one inquiry about this case, and they only requested a copy of the application. Valley Center zoning code allows home occupations in residential settings; however, the home must be occupied by the owner. Staff do not recommend approval of the variance, due to the timeframe submitted where a business would occupy the building/property for 5-years before a principal structure is built. Staff shared if a shorter timeframe was established that they would be more favorable towards the variance.

The board and staff engaged in a discussion regarding the significance and value of established zoning codes.

Applicant, Sonnee Fisher, addressed the board and presented a couple of options she would consider to be granted the variance. One option included the addition of living quarters within the proposed building. Another option discussed was the possibility of reducing the time frame required to construct the primary structure.

Janzen closed the hearing for comments from the public: 7:15 PM

Fiedler provided an overview of the building permit process, including document submission, internal plan review and compliance with building and zoning codes. Wilson inquired about the options, process and implications of tabling or denying the application. Fiedler explained that if building plans came before the Community Development Department that met code requirements to have living space in the same building that staff could approve the plans without Planning and Zoning approval.

Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Wilson made a motion to table the variance for V-2025-03 until the July 22<sup>nd</sup>, 2025 PZB Meeting. Motion was seconded by Conway. The vote was unanimous. Motion passed.

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

Fiedler reviewed his staff report and noted that the applicant has already placed the shipping container on his property. Shipping containers are not allowed on any residential lot in Valley Center, unless it is temporary in nature and tied to construction or moving, etc. Fiedler did not receive any communications on this variance. Valley Center zoning code does allow shipping containers as accessory structures on industrial and commercial zoned lots, we do have regulations in place to appropriately anchor these as a structure. Fiedler did share that the City of Valley Center Building Inspector would inspect anchoring and any work completed on the container, if the variance is approved. Staff do recommend approval of the variance, siting that this is a large RR-1 lot where the container will have little impact on surrounding properties.

Janzen opened the hearing for comments from the public: 7:33 PM

Dale Langer, applicant, addressed the board and was available to answer questions. He explained how he came into possession of the container and described how it would serve as a benefit to his family by providing storage space and a workshop for hobbies. Mr. Langer also noted his intention to modify the container by adding windows and a door, and to finish it in a manner that would resemble a stick-built structure.

Janzen closed the hearing for comments from the public: 7:37 PM

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

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.

Janzen opened the hearing for comments from the public: 7:38 PM

Fiedler reviewed his staff report and noted that staff had a few comments on the final plat that the applicant was able to address and were reflected in the plat before the planning commission. The main change in the final plat from the preliminary plat was the addition of two utility easements, one along High Point Road and one along the west side of lot 1 north of East Point Road. During the public hearing for the preliminary plat the blind curve on East Point was mentioned several times, staff shared that when a permit is applied for on Lot 1 that we would work with them to determine the most appropriate location for the driveway. Staff also shared a map prepared to address the concerns from neighbors about the proposed lot sizes compared to those around this parcel to show what the County records have for each lot size, the proposed lots are not the smallest, nor the largest in this area. Fiedler reported that the plat meets our subdivision regulations for the RR-1 zoning and staff recommend approval of the Final Plat.

Paul Spranger shared that some residents in the area had met and created a petition and Diane Spranger distributed copies.

Kevin Moler addressed the board in opposition stating concerns of neighborhood consistency in lot size.

Bret Loibl addressed the board in opposition, also stating concerns of lot size consistency.

Diane Spranger addressed the board and spoke regarding the petition that had been created by area residents. She expressed concerns about the current setback requirements and requested that the board consider implementing a larger front yard setback for new homes built on these lots. Mrs. Spranger emphasized the importance of preserving the country look and character of the neighborhood.

Conversation was held between staff and the board regarding the current setback requirements in RR-1 zoned districts being 30 feet, the depth of the proposed lots, and how potential changes to setback regulations would impact the proposed lots as well as other vacant lots in the future.

Mr. Chipezeze addressed the board in opposition stating concerns about the potential placement of future septic lines near his water source.

Bob Blanton addressed the board with concerns that the board is obligated to approve anything that meets current codes and regulations.

Janzen addressed the public comments. He noted that many of the concerns being raised are zoning issues and are not the subject of the current discussion. He stated that the obligation of the board is to follow the rules first and foremost.

Janzen closed the hearing for comments from the public: 8:06 PM

Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Spranger made a motion to table SD-2025-02, there was not a second. Motion

died for lack of a second. Janzen made a motion to approve SD-2025-02. Motion was seconded by Bradley. Motion passed 4 to 1 with Spranger opposed.

**OLD/UNFINISHED BUSINESS:** none

**NEW BUSINESS:** none

**STAFF REPORTS:** There were no applications received for our next meeting. No meeting in June.

**ITEMS BY PLANNING AND ZONING BOARD/BZA MEMBERS:**

Gary Janzen - none

Paul Spranger - none

Rick Shellenbarger - absent

Scot Phillips - absent

Steve Conway - none

Dalton Wilson – Asked about the Farmer’s Market. It’s been a successful start to the season so far. There are a lot of new vendors participating this year.

Amy Bradley – none

**ADJOURNMENT OF THE PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS MEETING:** At 8:25 P.M., a motion was made by Janzen to adjourn and seconded by Wilson. The vote was unanimous, and the meeting was adjourned.

Respectfully submitted,

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/s/ Kyle Fiedler, Secretary

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Gary Janzen, Chairperson