

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

Tuesday, April 28, 2026 7:00 P.M.

CALL TO ORDER: Dalton Wilson called the meeting to order at 7:00 P.M. with the following board members present: Amy Bradley, Steve Conway, Scot Phillips. Paul Spranger arrived at 7:12.

Members Absent: Gary Janzen, Rick Shellenbarger

City Staff Present: Kyle Fiedler, Sabrina Young

Audience: Katheleen George, Michael George, Jerald Pollock, Karen Davis, Roger Davis, Kent Miracle, Steve Feilmeier

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

APPROVAL OF DRAFT MINUTES: Wilson made a motion to approve March 24th, 2026, meeting minutes. The motion was seconded by Bradley. Motion passed unanimously.

COMMUNICATIONS: None

ORGANIZATOIN OF BOARD: After discussion, Phillips made a motion to appoint Dalton Willson as Board Chair, Amy Bradley as Vice Chair, and Kyle Fiedler as Secretary. The motion was seconded by Conway. The vote was unanimous. Motion passed.

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

1. Review of V-2026-05, application of Bryan Lagaly, pursuant to City Code 17.10.08, who is petitioning for a rear yard setback less than code requires on property addressed as 1413-1415 N. Hornet Ln. Valley Center, KS 67147.

Fiedler reviewed his staff report and stated this will be one of the first new builds in the Harvest Place addition. The floor plan that has been selected is about three (3) feet longer than the buildable area in the plat. There is 70 feet between the front setback and the rear setback, but the plan selected is 73 feet. Zoning regulations for this district require a 25-foot setback in the front and 20 feet off the rear. They would like to keep the front setback and encroach on the rear. Neighboring property owners were notified, and it was published in the paper. Nobody reached out with concerns so there is no opposition. Staff's only concern is that this could set a precedent for the neighborhood as this is the first home being built. However, most of the lots in the development are deeper. Staff do recommend approval.

Wilson opened the hearing for comments from the public: 7:08 PM

No public comment.

Wilson closed the hearing for comments from the public: 7:09 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Wilson made a motion to approve V-2026-05. Motion was seconded by Phillips. The vote was unanimous. Motion passed.

2. Review of V-2026-06, application of Kathleen George, pursuant to City Code 17.10.08, who is petitioning for a variance to have a rock drive from the property line to the homes on property addressed as 671 N. Seneca St. Valley Center, KS 67147.

Fiedler reviewed his staff report and explained that city zoning code requires all driveways be paved with a hard surface that is dustless. The home has already been permitted and is about 250 feet off the road. The driveway, however, will be longer as they want to come in off the southeast corner and cross over to the northern side of the property. Notice was published and sent out to the neighbors. One person called with questions, but they were not in opposition. They just wanted to make sure the driveway would not be along the property line to the north or impede with their fence and it is not. The applicant submitted images of the property to the north which is newer and was allowed to have a 100% rock driveway. Staff recommends that they pave to the setback line which is from the edge of the road to 30 feet into the property line to be more conforming with our driveway pavement requirement but still allow them to do the rest in rock. Staff recommendation is to allow rock from the setback line to the home.

Wilson opened the hearing for comments from the public: 7:13 PM

Applicant Michael George spoke to what kind of rock they plan to use for the driveway. The plan is to use 1.5-inch rock because the drive is on a hill and they don't want it to wash out. That will be the base rock. It will be covered with a premium hard rock which is designed to keep the dust down.

Wilson asked the applicant about their willingness to conform to city staff's recommendation of paving from the road to the setback line. George responded that it isn't a problem.

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

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Wilson made a motion to approve V-2026-06. Motion was seconded by Bradley. The vote was unanimous. Motion passed.

3. Review of V-2026-07, application of Jerald Pollock, pursuant to City Code 17.10.08, who is petitioning for a variance to add on 1,200 sq. ft. to have approximately a 1,900 sq. ft. accessory structure on property addressed as 530 W. 2nd St. Valley Center, KS 67147.

Fiedler reviewed his staff report, the parcels on west Second are larger than traditional city lots which does allow for more room for a larger accessory structure. All neighbors were notified but

no calls were received. Last year the Planning and Zoning Board did approve a larger accessory structure at a property caddy corner to this one. It is not out of the ordinary for the neighborhood. This one is an addition to an existing structure which will make the entire structure to be larger than code allows, which is why there is a need for a variance. Staff do recommend approval.

Wilson opened the hearing for comments from the public: 7:18 PM

Applicant stated that the addition is just to add more garage space. No businesses will be operating from the building.

Wilson closed the hearing for comments from the public: 7:19 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Wilson made a motion to approve V-2026-07. Motion was seconded by Conway. The vote was unanimous. Motion passed.

4. Review of V-2026-08, application of Roger & Karen Davis, pursuant to City Code 17.10.08, who are petitioning for a variance to have front yard setback of 0 ft. for a carport on property addressed as 220 N. Burns Ave. Valley Center, KS 67147.

Fiedler reviewed his staff report showing renderings of what the carport will look like. It will be a two-sided structure with open front and rear ends and will be placed on the front side of the house on the driveway. The lot has a 20ft setback and the house is set back about 22ft. This structure would essentially be placed roughly on the front property line. Or it could be placed up against the home as long as our building inspector allows that. It will be in-line with the north side of the home. There is no garage on the home so this would be for parking their cars under to provide shelter. Notice was published and sent out to the neighbors; no comments were received. There is a similar structure just one block north, no variance could be found for it, but it has been there for years so it might have been done and the file just not found. Staff recommends approval.

Wilson opened the hearing for comments from the public: 7:22 PM

Applicant Roger Davis spoke saying he spoke with his neighbors. It will be professionally put together and colors to match the home.

Wilson closed the hearing for comments from the public: 7:23 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Bradley made a motion to approve V-2026-08. Motion was seconded by Phillips. The vote was unanimous. Motion passed.

OLD/UNFINISHED BUSINESS:

1. None

NEW BUSINESS:

1. Zoning Regulation Change: Seasonal Sale of Produce in single-family residential districts.

Fiedler reviewed what the current Zoning Regulation states regarding produce stands. Zoning code currently allows for the seasonal sale of produce grown on the premises in a single-family residential district to continue for not more than six months per year. Small temporary structures on private property incidental to such sale need not comply with the applicable front yard requirements.

There are already a couple of this type of stands in the city. The owners have all been advised on what the code allows and told them that if they have items in there that are not produce that if directed to do so, that we can tell them they need to shut their stands down. However, it is a growing trend to have cottage bakeries. Currently a couple of these stands do have bread in them, one has eggs every now and then, floral arrangements, jewelry, and handmade items. One person specifically has asked to do a stand with freeze-dried goods.

Staff is seeking the Boards thoughts on if we want to change the code to accommodate more types of items or if this body would rather see it be just produce. The definition that was read is all that is in code. There is nothing regarding opening hours, if the stand needs to be removed when it is not open or whether it can stay out in the front yard all year long but can only have items in it for 6 months. There are a lot of things that could be cleared up.

The main question is do you want us to explore what other communities allow and bring back recommendations for what we should allow to be sold or if we want to govern what is sold in those stands.

Bradley stated that it is never a bad idea to see what neighboring communities are doing. Wilson agreed with Bradley's statement. Would like to see what other communities are doing to decide how strict we want to be.

Spranger stated that this could be opening Pandora's Box. We need to be real careful with broadening it.

Phillips stated that he doesn't see an issue with the examples given but would have an issue with hardcore resellers setting up. Agreed that it is a good idea to see what other cities have done and if they have some good language that we can borrow from them.

Wilson brought up a concern about homemade foods and asked if they would be required to have a food handlers license. Whatever you can bring back to us would be great and I'm glad we're looking at this.

Consensus to have staff research what other cities allow and craft new language to bring back to the board at later date.

2. Zoning Regulation Change: Modular residential buildings in residential districts.

The city has been approached by a developer that is interested in some of the lots in Harvest Place. There are three different definitions in our zoning code; manufactured home, residential design manufactured home, and modular home. Modular homes by definition are only allowed in agriculture and rural residential zoning districts. Residential design manufactured homes are allowed in all zoning districts. The biggest difference is a residential design manufactured home which arrives on a frame. A modular home is going to come in and is set on a foundation and secured down, there is no frame under it. In R-1A, R-1B, and R-2 you cannot currently have a modular home.

These developers are proposing to bring in modular homes that would meet the same or better standards potentially than what our building code would require for a traditional stick-built home. These would be stick built, just built in a factory rather than on-site.

Staff is seeking guidance from the Board to see if they would like to see new language for modular houses at the next meeting. Staff have not 100% explored how this would read, but there might be an additional definition recommended. The residential designed manufactured home has about nine criteria that it has to meet to be able to be in a residential district, staff are considering something similar for modular homes. Tonight staff wanted to brief the board and get guidance on what they should be working on to bring back at a future meeting, if the board decided that was the route they wanted to pursue.

Steve Feilmeier spoke about the plans his organization would like to carry out if the zoning code is changed to allow modular homes. The overall goal is affordable housing in the \$150,000 to \$200,000 range by building homes in a factory. They would like to purchase 30 lots in the Harvest Place addition as a showcase community. They can keep costs lower due to the factory setting where the labor costs are lower and there is less material waste. The homes are customizable so they will all look and feel different and have the option of an attached garage. Houses will be equipped with a storm shelter in the garage. He discussed the process that will be used to build.

Kent Miracle spoke to his reasons for being part of the project and why he believes this will help the community.

Consensus to direct staff to create language for an enhanced definition of modular built homes and bring back to the board at a later date.

STAFF REPORTS:

1. Fiedler announced that the Farmers Market this year will be every Thursday rather than every other.

ITEMS BY PLANNING AND ZONING BOARD/BZA MEMBERS:

Gary Janzen - absent

Paul Spranger - none

Rick Shellenbarger - absent

Scot Phillips - none

Steve Conway - none

Dalton Wilson – What is going on with the building at 201 W Main with the hole in the wall?
Fiedler answered that a support wall as been built inside to keep the roof from collapsing. The family plans to repair the wall and is looking at the use options for the space.

Amy Bradley – none

ADJOURNMENT OF THE PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS MEETING: At 8:07 P.M., a motion was made by Wilson to adjourn and seconded by Conway. The vote was unanimous, and the meeting was adjourned.

Respectfully submitted,

/s/ Kyle Fiedler, Secretary

Gary Janzen, Chairperson