

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

Tuesday, May 26, 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, Scot Phillips. Paul Spranger, Rick Shellenbarger

Members Absent: Gary Janzen, Steve Conway

City Staff Present: Kyle Fiedler, Sabrina Young

Audience: Jet Truman, Paul Eden, Kent Miracle, Cherstyn Reuber

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 April 28, 2026 meeting minutes. The motion was seconded by Phillips. Motion passed unanimously.

COMMUNICATIONS: None

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

1. Review of V-2026-09, application of Michael & Suzanne Cote, pursuant to City Code 17.10.08, who is petitioning to have an accessory structure on a separate lot from their principal structure, to have a 1,500 sq. ft accessory structure and for side-yard setbacks of 6 ft. on property addressed as 6 W. Son Ct. Valley Center, KS 67147.

Fiedler reviewed his staff report stating that there are three parts to this variance request. The board can choose to take them all as one motion or individually. The applicant owns three lots. The interior lots were once meant to be a park but were divided up and given to the adjacent property owners. These lots are on a different plat than the one for the lot where the home is located. This creates a barrier for the owner to consolidate all three into one lot, as re-platting can be expensive. Because they cannot be consolidated without re-platting, a variance is required to allow them to build the accessory structure on those lots. The small lots are required to be consolidated into one lot before a building permit will be issued. The second part is they would like to build a 1,500 sq ft accessory structure. Current zoning only allows for 720sqft. The third request is to have side yard setbacks of 6 ft on the North and South lot lines. Notification was published and sent to the neighboring property owners. Three neighbors reached out. Concerns included not wanting to look at the building, property values, and placing a building in what has traditionally been green space. The main concern all had was that the building would be used for automotive repair business. The owner shared that it will not be used for automotive business,

just for hobbies. During staff review, one other concern was raised by the Fire Department. Due to the depth of the lot, it could be difficult to reach in case of emergency, but it is not abnormal.

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

No public comment.

Bradley asked why the building is going to be set next to the north border and not closer to the southern. Fiedler explained that it is for better access so the property owner does not have to make as long of a drive.

Wilson asked about the easement shown on the map and if that would affect access to the building. Fiedler stated that it is a utility easement and not a drainage easement, so they are allowed to place a drive over it. They have also been made aware that if a utility need access that it is not on the utility company to replace it. So, he will be putting in the drive at his own risk.

Spranger asked if we are opening up the situation for more requests like this? Fiedler showed on the map that there is a similar shop just a block away.

Spranger also asked about usage. Fiedler says he can do anything allowed in R-1b in the accessory structure. If the city finds that it is being used in an unapproved way, the city can shut it down.

Wilson closed the hearing for comments from the public: 7:20 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Wilson made a motion to approve V-2026-09. Motion was seconded by Phillips. The vote was 4 in favor and 1 against. Motion passed.

2. Review of V-2026-10, application of David & Evelyn Callison, pursuant to City Code 17.10.08, who is petitioning for a variance to have a front yard setback of 0 ft and a side yard setback of 6 ft for a carport on property addressed as 110 N. Dexter Ave., Valley Center, KS 67147.

Fiedler reviewed his staff report mentioning that this is similar to a variance approved last month. There is no attached garage as it has been converted so they would like to add a 10x20 carport. This was published in the paper and neighbors were notified. No communication was received.

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

No public comment

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, Wilson made a motion to approve V-2026-10. Motion was seconded by Shellenbarger. The vote was unanimous. Motion passed.

3. Review of VAC-2026-01, application of Paul Eden, pursuant to City Code 16.10.04, who is petitioning to vacate a portion of South Park Ave. directly east of property addressed as 215 S. Park Ave. Valley Center, KS 67147.

Fiedler reviewed his staff report and stated there is already a fence across the middle of the easement. Paul Eden owns the property to the west of the road easement and is the one requesting the vacation. He would like to have it vacated to his north property line. Because this is a vacation of public right-of-way, all utilities as well as the neighbors must be notified. The neighbor to the north and owner of the storage units to the east called to find out how it would affect them but did not have any opposition to it. No utilities had a conflict. The only one that was in question was Kansas Gas Service as they have a dead end right at the north property line and the gas meter is right at the north end of the building. There are no utilities within the boundary that need a right-of-way dedicated to them.

Fiedler reviewed the process. The planning commission has to determine the following:

- That due and legal notice has been given
- No private rights will be injured or endangered
- The public will suffer no loss or inconvenience
- And in justice up to the petitioners the vacation should be granted

If the board chooses to grant the petition, it is a recommendation that will go to City Council. The board will need to announce when governing body will consider the recommendation of the vacation.

Fiedler recommends it go to City Council on June 2.

This must be entered in length in the minutes.

The petition shall not be recommended by the planning commission nor granted by the governing body if a written objection is filed with the clerk at or before the hearing by any owner who would be proper party to the petition but has not joined therein. Fiedler spoke to the adjacent property owners and they have no objections.

Staff recommends approval.

Wilson opened the hearing for comments from the public: 7:28 PM

No public comment

Wilson asked, what was the original intent of the right-of-way. Fiedler answered that it was originally intended to be a street. When the school was adjacent, this area was used as the bus barn facility. It has been fenced for years because it was where the buses were housed. It's leading to nothing at this point. The applicant owns the property to the south as well, so this is leading to his property. Applicant also wants to fix a drainage issue.

Wilson closed the hearing for comments from the public: 7:30 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Bradley made a motion to approve VAC-2026-01 and place it for

recommendation on the City Council agenda for June 2. Motion was seconded by Shellenbarger. The vote was unanimous. Motion passed.

4. Review of SP-2026-02, application of Calvary Baptist Church, pursuant to City Code 17.12.00, who has submitted a site plan for review for a new building on property addressed as 320 N. Sheridan Ave. Valley Center, KS 67147.

Fiedler reviewed his staff report, Calvary Baptist Church has been working on creating an out-reach center to support church activities. A new site plan is required because the footprint of this building exceeds the allowed percentage for staff review. No additional parking or paved surface is being added. Screening includes 3 redbud trees by the street, 2 spirea bushes on the north side of the building by the air conditioning unit which is also screened and a wood privacy fence on the west property line. No additional trash receptacle is required. All the lighting has to be full cut off lighting at the property line. They are looking at gooseneck lights. Staff is recommending approval.

Wilson opened the hearing for comments from the public: 7:35 PM

Jet Truman spoke to a letter he received regarding concerns about the building. Let them know that it will not be used as a shelter. The main concern is what it is going to look like as he was told it would look residential.

Applicant representative Paul Eden spoke to the look of the building. The AC unit will be screened and have bushes. The building will be two colors with wainscoting around the bottom, light and dark gray.

Spranger wants to know if the applicant would like to suggest any additional screening. Applicant states they would comply with additional screening if requested.

Willson made a recommendation to add 2 additional bushes, for a total of 4, to the screening on the north side of the building.

Wilson closed the hearing for comments from the public: 7:45 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Wilson made a motion to approve SP-2026-02 with 4 bushes for screening instead of the proposed 2. Motion was seconded by Bradley. The vote was unanimous. Motion passed.

5. Review of Zoning Regulation changes regarding modular homes.

Fiedler reviewed his staff report and presented recommended changes to the code. One piece needs to be updated no matter what as the code references the International Conference of Building Officials which is no longer an organization. The code will be updated to the HUD model and installation standards. That is on page 20 of the code in the Residential Design Manufactured Home definition. Staff are recommending to add a Residential Design Modular

Home definition. The definition is very similar to Modular Home but with the addition that it has to meet the 8 criteria listed below the definition. Fiedler reviewed the criteria that is recommended for addition. The last item states that Modular Home and Residential Design Modular Home are not the same thing. The last piece is to add these as allowed in A-1, RR-1, R-1A, R-1B zoning districts, the would also be allowed in R-2, R-3 and R-4, as these districts allow all uses in R-1B. Staff recommends approval. If the board does recommend approval, this would then go to City Council to be passed by ordinance.

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

No public comment.

Wilson closed the hearing for comments from the public: 7:54 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Wilson made a motion to approve the zoning regulation changes as presented. Motion was seconded by Phillips. The vote was unanimous. Motion passed.

OLD/UNFINISHED BUSINESS:

1. None

NEW BUSINESS:

1. None

STAFF REPORTS:

1. Fiedler gave an update on the research regarding produce stand regulations. Most of the surrounding cities do not have anything in their codes regarding them. More research will need to be conducted before any proposed wording can be brought before the board.

ITEMS BY PLANNING AND ZONING BOARD/BZA MEMBERS:

Gary Janzen - absent

Paul Spranger - none

Rick Shellenbarger - none

Scot Phillips - none

Steve Conway - absent

Dalton Wilson – Recognized the Mayor in the audience.

Amy Bradley – none

ADJOURNMENT OF THE PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS MEETING: At 8:58 P.M., a motion was made by Shellenbarger to adjourn and seconded by Wilson. The vote was unanimous, and the meeting was adjourned.

Respectfully submitted,

/s/ Kyle Fiedler, Secretary

Dalton Wilson, Chairperson