



PLANNING COMMISSION & BOARD OF ZONING APPEALS AGENDA

NOVEMBER 18, 2025 | 7:00 P.M.
ANDOVER CITY HALL | 1609 E. CENTRAL AVE.

1. CALL TO ORDER

The meeting was called to order at 7:00pm by Chairperson Garwood.

2. ROLL CALL

Committee Members present: Chairperson Vance Garwood, Gary Israel, Dan Colson, David Foley, Peter Fox & Marla Canfield.

Staff Members present: Jolene Graham, Assistant City Administrator; Les Mangus, Director of Community Development; Dylan Carroll, Interim Planning Technician.

3. APPROVAL OF THE MINUTES OF THE OCTOBER 21, 2025 MEETING

Gary Israel made a motion to approve the minutes of the October 21, 2025 meeting as presented. Seconded by David Foley. Motion passed 6-0.

4. COMMUNICATIONS

A. COMMITTEE & STAFF REPORT

None.

B. POTENTIAL RESIDENTIAL DEVELOPMENT REPORT

5. AGENDA

5.1 **SMALL TRACT PLAT — REVIEW AND RECOMMENDATION ON THE HIEN & MAI SMALL TRACT FINAL PLAT, ON CERTAIN LANDS GENERALLY LOCATED AT 216 W. HARRY ST., ANDOVER, KANSAS**

Chairperson Garwood called the first agenda item pertaining to the review and recommendation of the Hien & Mai small tract final plat, on certain lands generally located at 216 W. Harry St.

Les Mangus introduced the item as a small tract plat on Harry Street that is just west of Andover Road. It was originally two parcels that were combined over time and at one time housed 2 different single family houses. The applicant desires to split this metes and bounds tract into two platted lots. Staff have worked with the applicant and surveyor and there are still a few outstanding comments on the final plat document that are mostly text corrections and clarifications. These comments can be addressed with the surveyor before this plat could move to the City Council for final acceptance.

Chairperson Garwood asked if any approved motion would need to include the statement "subject to modifications". Les Mangus responded that it is correct.



The applicant Hien Nguyen was in attendance and spoke at the podium to answer any questions that Committee may have. He stated that he intends to build a house on the small lot and is splitting the tract because of an already existing single family house.

Marla Canfield stated that this plat was already reviewed by the Subdivision Committee at their last meeting.

Peter Fox asked about potential locations for a fire hydrant and if they had been determined. Les Mangus stated that Staff has not seen a location for the fire hydrant that was discussed at the Subdivision Committee and that it is something the applicant will need to discuss with the Fire Marshall at the time of construction on the new house.

Gary Israel made a motion to approve the small tract final plat for the Hien & Mai Addition on the condition that all text is approved by staff before going to the Governing Body. Seconded by Peter Fox. Motion passed 6-0.

5.2 Z-PUD25-0010 — PUBLIC HEARING AND RECOMMENDATION ON AN APPLICATION TO ESTABLISH THE HODGES 8TH ADDITION PLANNED UNIT DEVELOPMENT, ON CERTAIN LANDS GENERALLY LOCATED AT W. TURNPIKE RD., ANDOVER, KANSAS

Chairperson Garwood called the next agenda item pertaining to the public hearing and recommendation on the application to establish the Hodges 8th Addition PUD, on certain lands generally located at W. Turnpike Rd.

Public hearing opened at 7:08pm.

Les Mangus stated that the committee may recognize this property, as a portion of it was included in a plat from a few years ago, the Hodges 7th Addition, which was zoned for a group of multi-family dwellings. Since that time, the current applicant has purchased multiple surrounding parcels and combined four properties into a little over 5.5 acres, on which he intends to construct a group of multi-family dwellings served by a private street. Mr. Mangus further explained that this project was discussed extensively at the Subdivision Committee meeting, and since then the developer has decided to use a private street in lieu of a public one. As a result, Turnpike Drive, which currently serves the existing platted duplexes and three single-family homes, would be vacated as part of the final plat to be considered at a later date. The development would instead be accessed by a private loop driveway circulating through the collection of duplexes. The developer is planning a total of 43 buildings with 86 dwelling units, all served by a private street.

Gary Israel asked about the addresses for the duplexes. Les Mangus responded that typically in this group setting, it would be a single address with building numbers but that is something the GIS Department will have to work out when a final configuration has been decided on.



Peter Fox had a question about the discussion of additional green space that happened in the Subdivision Committee. Phil Meyer from Baughman Company, agent for the applicant, was in attendance and spoke at the podium to answer questions from the committee. Phil Meyer stated that they continue to tweak the design for this PUD, they made some improvements to the entryway, pushing it further east to help with the vision on 13th street. He stated that he had talked with Mr. Gray about adding some more green space and that they have yet to completely figure out the detention pond sizes which could lead to some space being available. They are leaning towards a dry detention option, that would give some green space when it is not serving as water detention. He further stated that they do not plan on adding any additional units, but they may move the placement of a couple of units.

Gary Israel asked if the Fire Department has reviewed this proposal. Les Mangus stated that Fire has reviewed the proposal and they were happy to see that it is a loop configuration rather than the minimum turnarounds that the fire code allows.

Public hearing closed at 7:14pm

STAFF ITEMS

1. Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property if the change in zoning were approved?	STAFF Adequate utilities are in place and can easily serve the development.
2 If the zoning change request was approved, would the subject property need to be platted or replatted, or have in-lieu-of dedications made, in order to provide needed rights-of-way, easements, building setback lines, or access control?	STAFF The rezone is itself partially a replat of the Hodges Seventh plat, and the additional parcels would be platted as a part of the PUD establishment. Any such dedications can be made at the time of the final PUD.
3 If the zoning change request was approved, would the subject property need a screening plan for existing or potential uses?	STAFF The subject property is surrounded by other residential-zoned lots, so additional screening would not be required. Landscaping would be reviewed by the Site Plan Review Committee.
4 What fact-based information in support of or in opposition to the requested zoning change has staff received?	STAFF None.



5 If there has been an error in the application of these Zoning Regulations to the subject property, would the requested zoning change correct the error?

STAFF | No error is known to exist.

STAFF & COMMISSION/COUNCIL ITEMS

6 How suitable or unsuitable is the subject property for its current zoning?

STAFF | The subject property is a collection of residential lots, which are suitable for their current zoning.

PLANNING
COUNCIL | Concur

7 Is the length of time the subject property has been vacant or undeveloped under its current zoning a factor in the zoning change request?

STAFF | No.

PLANNING | Concur

COUNCIL

8 How reasonably well-suited will the requested zoning change of the subject property be with the current zoning of nearby properties.

STAFF | The change would be very well-suited; the area is classified with the Mixed Residential Neighborhood Place Type under the Comprehensive Plan, for which a duplex development is a highly desirable use.

PLANNING | Concur

COUNCIL

9 Has the zoning change been requested because conditions in the area of the subject property have changed or are changing? If so, what is the nature and significance of these conditions?

STAFF | The Hodges Seventh development has been completed to a point, and the developer wishes to continue the complex. A PUD is necessary to be able to construct additional duplexes as planned.

PLANNING | Concur



COUNCIL

1f What are the current land uses, character and condition of the subject property and the surrounding neighborhood?

STAFF The neighborhood is largely low- to medium-density residential, with the I-35 right-of-way to the north.

PLANNING Concur
COUNCIL

1i Would the proposed zoning change of the subject property allow land uses which might have detrimental effects on nearby properties, and if so, how?

STAFF No such detrimental effects are anticipated. The inclusion of a single access point to the public street system prevents any increase in traffic congestion within nearby neighborhoods.

PLANNING Concur
COUNCIL

1j How would the requested zoning change conform with the City's Comprehensive Plan and other adopted master plans and policies?

STAFF The area is classified with the Mixed Residential Neighborhood Place Type under the Comprehensive Plan, for which a duplex development is a highly desirable use.

PLANNING Concur
COUNCIL

1k Do any professional persons knowledgeable on conditions that affect this zoning change request have information or recommendations to provide, which would be helpful in its evaluation?

STAFF Staff support the establishment of the proposed PUD.

PLANNING Concur
COUNCIL



1. How would the potential loss in value or hardship imposed on the Applicant compare to the relative gain to the public health, safety and welfare, if there is a change from the current zone to the requested zone?

STAFF	No such hardships are anticipated. Implementation of this PUD and subsequent construction of the complex would serve to increase housing availability and variety in Andover.
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PLANNING COUNCIL	Concur
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Marla Canfield made a motion to recommend to the Governing Body that the case be approved based on findings #8, #10, #11 & #12. Seconded by Gary Israel. Motion passed 6-0.

5.3 Z-SU25-0003 — PUBLIC HEARING AND RECOMMENDATION ON A SPECIAL USE APPLICATION TO ALLOW FOR SHORT TERM RENTALS ON CERTAIN LANDS ZONED SF-1 SINGLE FAMILY RESIDENTIAL / LOW DENSITY DISTRICT, AND GENERALLY LOCATED AT 505 N. GLENDEVON RD., ANDOVER, KANSAS

Chairperson Garwood called the next agenda item pertaining to the public hearing and recommendation on a Special Use application to allow for short term rentals on certain lands zoned SF-1 and generally located at 505 N. Glendevon Rd.

Public hearing opened at 7:21pm.

Les Mangus stated that the applicant in this case desires to use a room above a detached garage for an accessory dwelling unit/short term rental unit. Staff do not see any issues with this application; it is a large lot with good access and good separation from other residences. There are other short term rentals located along the golf course.

The applicant Ben Lawrence was in attendance and spoke at the podium. He stated that the short term rental will be above the detached garage, it is about a 1,000 sq ft apartment that he is looking to use for a short term rental. He stated he intends to rent it out to traveling nurses and executives. Individuals staying at the property will have their own parking space. David Foley asked where the short term rental will be posted. Mr. Lawrence stated most likely Airbnb or VRBO is where it will be listed.

Chairperson Garwood stated that he appreciates the applicant following the formal process to request a special use for a short term rental. He further stated that in the 5 years he has been on the committee that he has probably only seen 3 of these, but if you look at Airbnb or VRBO you will see lots of listings that probably don't have a permit.

The public hearing was closed at 7:24pm.



STAFF ITEMS

1! Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property if the change in zoning were approved?

STAFF Adequate public facilities are already in place serving the primary dwelling.

1! If the special use request was approved, would the subject property need to be platted or replatted, or have in-lieu-of dedications made, in order to provide needed rights-of-way, easements, building setback lines, or access control?

STAFF No.

1! If the special use request was approved, would the subject property need a screening plan for existing or potential uses?

STAFF No.

1! What fact-based information in support of or in opposition to the requested zoning change has staff received?

STAFF None.

1! If there has been an error in the application of these Zoning Regulations to the subject property, would the requested zoning change correct the error?

STAFF No error is known to exist.

STAFF & COMMISSION ITEMS

2 How suitable or unsuitable is the subject property for its current use?

STAFF The subject property features a single-family dwelling, and is suitable for its current zoning.

PLANNING Concur

COUNCIL

2 Is the length of time the subject property has been vacant or undeveloped under its current zoning a factor in the special use request?

STAFF No.



PLANNING	Concur
COUNCIL	
2 How reasonably well-suited will the requested special use of the subject property be with the current zoning of nearby properties.	
STAFF	The proposed use would be well-suited; it is a low-intensity use that should not interfere with any nearby properties.
PLANNING	Concur
COUNCIL	
2 Has the special use been requested because conditions in the area of the subject property have changed or are changing? If so, what is the nature and significance of these conditions?	
STAFF	No.
PLANNING	Concur
COUNCIL	
2 What are the current land uses, character and condition of the subject property and the surrounding neighborhood?	
STAFF	The subject property is surrounded by other residential properties, as well as the Terradyne golf course.
PLANNING	Concur
COUNCIL	
2 Would the proposed special use of the subject property allow land uses which might have detrimental effects on nearby properties, and if so, how?	
STAFF	No.



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PLANNING	Concur
COUNCIL	
2 How would the requested special use conform with the City's Comprehensive Plan and other adopted master plans and policies?	
STAFF	The requested Special Use complies with the property's classification under the Traditional Neighborhood Place Type.
PLANNING	Concur
COUNCIL	
2 Do any professional persons knowledgeable on conditions that affect this special use request have information or recommendations to provide, which would be helpful in its evaluation?	
STAFF	Staff supports the proposed Special Use application.
PLANNING	Concur
COUNCIL	
2 How would the potential loss in value or hardship imposed on the Applicant compare to the relative gain to the public health, safety and welfare, if there is a change from the current use to the requested use?	
STAFF	The change would have no foreseeable adverse impact on public health, safety or welfare.
PLANNING	Concur
COUNCIL	

Gary Israel had a questions about enforcement of the 30 day limit. Les Mangus stated that it would be a zoning violation if they are there longer than 30 days and these types of violations are typically complaint based.



Gary Israel made a motion to recommend to the Governing Body that this case be approved based on findings #8, #10 & #12. Seconded by Peter Fox. Motion approved 6-0.

*RECESS THE PLANNING COMMISSION AND CONVENE THE BOARD OF ZONING
APPEALS*

Gary Israel made a motion to recess the Planning Commission and convene the Board of Zoning Appeals at 7:31pm. Seconded by Marla Canfield. Motion passed 6-0.

**5.4 BZA-V25-0018 — PUBLIC HEARING ON AN APPLICATION FOR A VARIANCE OF
46 SQUARE FEET FROM THE 1000 SQUARE FOOT MAXIMUM AGGREGATE TOTAL
FLOOR AREA OF ALL ACCESSORY STRUCTURES; AND OF 10 FEET FROM THE 25
FOOT MINIMUM REAR YARD BUILDING SETBACK; ON A PROPERTY ZONED SF-1
SINGLE FAMILY RESIDENTIAL / LOW DENSITY DISTRICT, AND GENERALLY
LOCATED AT 111 E. STANTON RD., ANDOVER, KANSAS**

Chairperson Garwood called the next agenda item pertaining to the public hearing on an application for a variance on a property zoned SF-1 and generally located at 111 E. Stanton Rd.

Public hearing opened at 7:31pm.

Les Mangus stated that the applicant in this case desires to add another shed to his property on South Andover Rd at Stanton. This lot is almost $\frac{3}{4}$ of an acre and located on a corner lot. This variance is necessary because of the accumulation of three accessory structures. Mr. Mangus stated that this is a pretty simple request and in the surrounding area there are several large accessory structures so it is not out of character for this neighborhood.

Curtis Nelson, the applicant, was in attendance and spoke at the podium. He stated he has the need to increase the storage on the property to clean the yard up and get things out of the weather.

Gary Israel asked the type of construction. Curtis Nelson stated the shed is built by Dirkson Buildings and will be wood constructed with a metal roof. Gary Israel then asked if he had spoken to any of his neighbors about the shed. Mr. Nelson responded that one of his neighbors was actually in attendance tonight. Lenise Nelson, also of 111 E. Stanton asked if the variance is for the sq footage they are over as well as the 10 foot variance of the setback. Les Mangus stated that it is for both.

Michael Jacobson is a neighbor of the Nelson's and was in attendance to speak at the podium. He stated he does not have an issue with the construction of the shed. He also spoke about the role of the Homeowners Association in keeping property values protected.

The public hearing was closed at 7:38pm.

DOES THE EVIDENCE DEMONSTRATE THAT:



2 The physical surroundings, shape or topography of the property would result in a practical difficulty, as distinguished from a mere inconvenience, for the owner, lessee or occupant.

STAFF The subject property is over three times the minimum size for its zoning district, with a large backyard enclosed by an existing fence.

BZA Concur

3 Granting the variance will result in material detriment or injury to other property or improvements in the neighborhood.

STAFF No such detrimental effects are anticipated.

BZA Concur

3 Granting the variance will result in an inadequate supply of light or air to adjacent property, substantially increase traffic congestion, increased fire risk, or substantially diminished property values in the neighborhood.

STAFF No such detrimental effects are anticipated.

BZA Concur

3 The request for a variance is not based exclusively on a desire of the owner, lessee, occupant or applicant to make more money out of the property.

STAFF The request is to install an accessory shed for personal use.

BZA Concur

SPECIFIC CONDITIONS TO BE MET:

1. The requested variance arises from a condition unique to the property in question, which is not ordinarily found in the same zoning district, and which was not created by any action of the property owner or the applicant.

STAFF The subject property is over three times the minimum area for its zoning district, and already features multiple small accessory structures, one of which is an existing nonconformance.

BZA Concur

Strict application of the provisions of these Zoning Regulations would result in unnecessary hardship for the owner, lessee or occupant of the land or structures.



STAFF	Strict application of these Zoning Regulations would prevent the property owner from utilizing an amount of accessory structure space that would be commensurate with the treatment of property owners who have smaller lots.
BZA	Concur
2 Granting the variance will not adversely affect the rights of adjacent property owners or residents.	
STAFF	No such adverse effects are anticipated.
BZA	Concur
3 The requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.	
STAFF	No such adverse effects are anticipated.
BZA	Concur
4 The requested variance will not be opposed to the general spirit and intent of these Zoning Regulations.	
STAFF	The requested Variance is not opposed to the promotion of public health, safety, morals, comfort, or general welfare in the City.
BZA	Concur

Marla Canfield made a motion to authorize the Chairperson to sign a resolution granting the variance. Seconded by David Foley. Motion approved 6-0.

5.5 BZA-V25-0017 — PUBLIC HEARING ON AN APPLICATION FOR A VARIANCE OF 76 SQUARE FEET FROM THE 500 SQUARE FOOT MAXIMUM AREA OF AN ACCESSORY STRUCTURE; AND OF 9 FEET FROM THE 25 FOOT MINIMUM REAR YARD BUILDING SETBACK; ON A PROPERTY ZONED SF-1 SINGLE FAMILY RESIDENTIAL / LOW DENSITY DISTRICT, AND GENERALLY LOCATED AT 810 N. BROADVIEW LN., ANDOVER, KANSAS

Chairperson Garwood called the next agenda item pertaining to the public hearing for a variance on a property zoned SF-1 and generally located at 810 N. Broadview Ln.

Public hearing opened at 7:45pm.



Les Mangus stated that this case is more of the typical accessory structure cases. The SF-1 district has a maximum accessory structure size of 500 square feet. In this case, the building is 24x24 and 576 square feet. It requires a variance for the size and because it is a corner lot, this is considered a rear yard, so it would also require a variance of the rear yard 25 foot setback. This is located in an older neighborhood with large lot and many of these properties have large accessory buildings or large detached garages so it is not at all out of character for the neighborhood.

Peter Fox had a question about the GIS map and how it shows two separate properties but the tax records don't show 810 as a property. Les Mangus stated that this is a recent lot split and the applicant Scott Martin owns both properties.

There was discussion between the committee and Les Mangus about the distance depictions on the sketch provided.

The public hearing was closed at 7:49pm.

DOES THE EVIDENCE DEMONSTRATE THAT:

3 The physical surroundings, shape or topography of the property would result in a practical difficulty, as distinguished from a mere inconvenience, for the owner, lessee or occupant.	
STAFF	The parcel is a corner lot, meaning that it has more building setback requirements than most SF-1 properties. Additionally, the lot is nearly twice the minimum size for the zoning district, leaving lots of space for accessory structures without approaching the maximum lot coverage requirements.
BZA	Concur
3 Granting the variance will result in material detriment or injury to other property or improvements in the neighborhood.	
STAFF	No such detriments are expected.
BZA	Concur
3 Granting the variance will result in an inadequate supply of light or air to adjacent property, substantially increase traffic congestion, increased fire risk, or substantially diminished property values in the neighborhood.	
STAFF	No such detriments are expected.
BZA	Concur
3 The request for a variance is not based exclusively on a desire of the owner, lessee, occupant or applicant to make more money out of the property.	



STAFF	The request is for an accessory shed for personal use.
BZA	Concur

SPECIFIC CONDITIONS TO BE MET:

5 The requested variance arises from a condition unique to the property in question, which is not ordinarily found in the same zoning district, and which was not created by any action of the property owner or the applicant.

STAFF	The parcel is a corner lot, meaning that it has more building setback requirements than most SF-1 properties. Additionally, the lot is nearly twice the minimum size for the zoning district, leaving lots of space for accessory structures without approaching the maximum lot coverage requirements.
BZA	Concur

6 Strict application of the provisions of these Zoning Regulations would result in unnecessary hardship for the owner, lessee or occupant of the land or structures.

STAFF	Strict application of the provisions of these Zoning Regulations would dictate that the structure be placed basically in the middle of the owner's backyard, limiting their ability to enjoy the use of their property to its fullest extent.
BZA	Concur

7 Granting the variance will not adversely affect the rights of adjacent property owners or residents.

STAFF	No such adverse effects are anticipated.
BZA	Concur

8 The requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

STAFF	No such adverse effects are anticipated.
BZA	Concur

9 The requested variance will not be opposed to the general spirit and intent of these Zoning Regulations.

STAFF	The requested Variance is not opposed to the promotion of public health, safety, morals, comfort, or general welfare in the City.
BZA	Concur

Peter Fox made a motion to authorize the Chairperson to sign a resolution granting the variance. Seconded by Dan Colson. Motion passed 6-0



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PLANNING COMMISSION & BOARD OF ZONING APPEALS AGENDA

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ADJOURN THE BOARD OF ZONING APPEALS AND RECONVENE THE PLANNING COMMISSION

Gary Israel made a motion to adjourn the Board of Zoning Appeals and reconvene the Planning Commission at 7:54pm. Seconded by Marla Canfield. Motion passed 6-0.

6. MEMBER ITEMS

None.

7. ADJOURN

Gary Israel made a motion to adjourn the meeting. Seconded by Marla Canfield. Motion approved 6-0.

Meeting adjourned at 7:55pm.