



PLANNING COMMISSION/BOARD OF ZONING APPEALS MEETING MINUTES

Tuesday, April 14, 2026 at 5:30 PM – 400 W Madison Ave, Arkansas City, KS

Meeting called to order at 5:42 PM

Roll Call

Mike Bergagnini Lloyd Colston Chris Johnson
 Travis Pearman Duane Oestman Cody Richardson Dotty Smith

Consent Agenda

1. Meeting Minutes, February 10, 2026 meeting and MB made the second.

Lloyd Colston made the motion to approve the meeting minutes from February 10, 2026, meeting and Mike Bergagnini made the second motion. Voice vote carried the motion.

Board of Zoning Appeals

2. Recess the Planning Commission and convene the Board of Zoning Appeals.

Lloyd Colston made the motion to recess the Planning Commission meeting and convene the Board of Zoning Appeals meeting at 5:43 PM and Mike Bergagnini made the second motion. Voice vote carried the motion.

3. Hold a public hearing to consider the advisability of granting a variance for a sign at 1110 E Kansas Ave that exceeds the maximum height by 9 feet and exceeds the maximum area by 23 square feet.

Lloyd Colston made the motion to open the public hearing at 5:44 PM and Mike Bergagnini made the second motion. Voice vote carried the motion. Josh explained to the board the changes of the proposed variance for the sign at 1110 E Kansas Ave. The property owners were present and approached the board and asked for the boards blessing because the signs were smaller and there isn't much lighting. Josh also stated that the property owner across from the roundabout didn't have issues with the proposed changes.

Lloyd made the motion to approve the variance and Mike Bergagnini made the second motion. Roll call vote carried the motion.

4. Adjourn the Board of Zoning Appeals Sine Die and reconvene the Planning Commission

Lloyd Colston made the motion to adjourn the meeting at 5:54 PM and Mike Bergagnini made the second motion. Voice vote carried the motion.

5. Discuss recent amendments to the Zoning Regulations regarding carports and discuss Planning Commission/Board of Zoning Appeals bylaws

Josh discussed regulations of the carports and ADA. Josh stated the ADA doesn't apply to residential structures, but Fair Housing does. The city is required to make accommodations that comply with the Fair Housing Act but reasonable regulations would not be contrary to the law.

Other Items:

Mike Bergagnini introduces a potential new at large board member, Mike Pudden. Mike Bergagnini also stated that he and Dotty Smith felt Mr. Pudden would be a good member. Josh explained what the process would be for him to be a board member.

Lloyd Colston made the statement that in his opinion, regardless of what happens in Washington DC, Topeka or City Hall, if they choose to violate the constitution, he will not. It is the board members' duty to uphold the constitution.

Josh stated that Dotty wanted to discuss the by-laws, but Dotty asked to table that to the May meeting.

Lloyd Colston made the motion to adjourn the meeting at 6:02 PM and Mike Bergagnini made the second motion. Voice vote carried the motion.

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