



City of Bonner Springs

KANSAS

Tuesday, February 17, 2026
200 East Third Street, Bonner Springs, KS 66012

The meeting is open to the public.

BOARD OF ZONING APPEALS MEETING -6:00 P.M.

CALL TO ORDER - ROLL CALL

CONSENT AGENDA

1. Approval of minutes from the June 17, 2025 meeting.

Action Make a motion to approve, amend or deny the minutes as written.

Recommendation Staff recommends the minutes be approved as written.

Documents:

1. 6.17.25 BZA Minutes Draft

OLD BUSINESS

NEW BUSINESS

1. PUBLIC HEARING – Setback Variance - BZA-01-26; 13933 Leavenworth Street – Front yard setback encroachment.

Action Make a motion to Approve, Amend or Deny the requested variance with staff's stipulations.

Recommendation Staff recommends the requested variance be approved with the stated staff stipulations.

1. The encroachment into the required setback, approximately 3 feet, shall be no more than that indicated on the attached exhibit.
2. In addition to the stipulations in this report, the applicant/property owner agrees to abide by all regulations contained in the Bonner Springs Unified Development Ordinance.

Documents:

1. CompleteStaff ReportBZA-01-26OverlandCabinet

ADJOURNMENT



City of Bonner Springs

KANSAS

Board of Zoning Appeals Minutes - Regular Meeting - June 17, 2025

BOARD OF ZONING APPEALS MEETING -6:00 P.M. -

CALL TO ORDER - ROLL CALL - Chairperson Lloyd Mesmer called the meeting to order at 6:00 p.m. The Community Development Director took roll and verified a quorum was present.

CONSENT AGENDA -

Approval of the January 21, 2025, meeting minutes. - Paul Zeps moved and Larry Clark seconded to approve the minutes of the January 21, 2025, Board of Zoning Appeals meeting as presented. The motion passed unanimously 5-0.

OLD BUSINESS -

NEW BUSINESS -

PUBLIC HEARING - Special Exception - BZA-01-25; 1755 S. 136th Street – Relief from the required dimensional standards. - Chairperson Lloyd Mesmer read the specifics of the request for the special exception. The Community Development Director provided the staff report. The approval would allow for a deviation in the lot size from the required width to depth ratio. Chairperson Lloyd Mesmer requested a motion to open the public hearing. Paul Zeps moved and Larry Clark seconded to open the public hearing at 6:04 p.m.

Chairperson Lloyd Mesmer called for anyone wishing to speak in favor:
Krystal Voth 14500 Parallel, Basehor, KS. Atlas Land Consulting, representing the property owner. Requesting relief from the dimensional standards and lots will be divided to be used for very low-density, residential.

Chairperson Lloyd Mesmer called for anyone wishing to speak against - None
Chairperson Lloyd Mesmer called for any questions for staff - None
Chairperson Lloyd Mesmer called for comments from the applicant - none
Larry Clark moved and Nick Perica seconded to open the public hearing at 6:08 p.m.

Paul Zeps moved to approve as presented, Larry Clark seconded. The motion passed unanimously 5-0.

ADJOURNMENT - Chairperson Lloyd Mesmer adjourned the meeting at 6:09 p.m.

Memorandum

Date: February 17, 2026
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING – Setback Variance - BZA-01-26; 13933 Leavenworth Street – Front yard setback encroachment.

Recommendation: Staff recommends the requested variance be approved with the stated staff stipulations.

1. The encroachment into the required setback, approximately 3 feet, shall be no more than that indicated on the attached exhibit.
2. In addition to the stipulations in this report, the applicant/property owner agrees to abide by all regulations contained in the Bonner Springs Unified Development Ordinance.

Action: Make a motion to Approve, Amend or Deny the requested variance with staff's stipulations.

Background:

The applicant is requesting a variance from the requirements as written in the Unified Development Ordinance; that variance being, an encroachment into the required yard setback to allow for a roughly 5000 square foot addition to the cabinet manufacturing facility.

The uniqueness of the lot layout, the sighting of the existing building and infrastructure, the limited use of Leavenworth Street along with the existence of extensive floodplain area located on the property and the establishment of Environmentally Sensitive Areas (E.S.A.) with in the Unified Development Ordinance is such that additions to the Overland Cabinet business would more than likely not be able to occur

E.S.A. are defined within the UDO as the following – ***ESA or Flood Hazard Buffer Required***

- a. A **buffer no less than one hundred (100) feet in width** shall be established from the outermost limitations of the following features:
 - (1) Regulatory Floodways within areas having a one percent annual chance of Flooding as identified on the latest Federal Emergency Management Agency (FEMA) FIRMs; and
 - (2) Environmentally sensitive areas identified by City. b. ESA or flood hazard buffers shall be identified on all applicable plan sets and Plat applications within an Easement

In the instance of Leavenworth Street, the current use provides access to one single family residence and acts as the main driveway entrance and access point to Overland Cabinets. Leavenworth Street provides little to no access to other developable areas and is not constructed as an improved City street, it exists mainly through public right of way and could more than likely be vacated through proper processes.

Discussion: Staff's report is included.

Financial Impact: NA

City of
Bonner Springs
Board of Zoning Appeals
Agenda Item Cover Sheet

Agenda Item No. 4

BZA-01-26
VARIANCE REQUEST

Topic: Consider a request for variances from requirements of the Unified Development Ordinance of Bonner Springs. The requested variance is to allow for the encroachment of a structure into the required front yard setback as list in the LI; Light Industrial District.

Narrative: The applicant is requesting a variance from the requirements as written in the Unified Development Ordinance; that variance being, an encroachment into the required yard setback to allow for a roughly 5000 square foot addition to the cabinet manufacturing facility.

The uniqueness of the lot layout, the sighting of the existing building and infrastructure, the limited use of Leavenworth Street along with the existence of extensive floodplain area located on the property and the establishment of Environmentally Sensitive Areas (E.S.A.) with in the Unified Development Ordinance is such that additions to the Overland Cabinet business would more than likely not be able to occur

E.S.A. are defined within the UDO as the following – *ESA or Flood Hazard Buffer Required*

a. A **buffer no less than one hundred (100) feet in width** shall be established from the outermost limitations of the following features:

- (1) Regulatory Floodways within areas having a one percent annual chance of Flooding as identified on the latest Federal Emergency Management Agency (FEMA) FIRMs; and
- (2) Environmentally sensitive areas identified by City. b. ESA or flood hazard buffers shall be identified on all applicable plan sets and Plat applications within an Easement

In the instance of Leavenworth Street, the current use provides access to one single family residence and acts as the main driveway entrance and access point to Overland Cabinets. Leavenworth Street provides little to no access to other developable areas and is not constructed as an improved City street, it exists mainly through public right of way and could more than likely be vacated through proper processes.

Presented by: Mark Lee – Community Development Director

Staff Recommendation: Staff recommends the variance be approved with the stated stipulations.

Attachments:

Staff Report (6pgs)

Aerial image (included in report)

Response by applicant to BZA questions (3pgs)

Applicants site plan 11x17 (1pg)

STAFF REPORT

Meeting Date: February 17, 2026
Report Date: February 4, 2026

Subject: The applicant is requesting a variance from the requirements as written in the Unified Development Ordinance; that variance being, an encroachment into the required yard setback to allow for a roughly 5000 square foot addition to the cabinet manufacturing facility.

File Number: BZA-01-26

GENERAL INFORMATION

Applicant: Overland Cabinets – Jared Nussbaum and Jason Reif (Owners)
Address: 13933 Leavenworth Street
Bonner Springs KS 66012

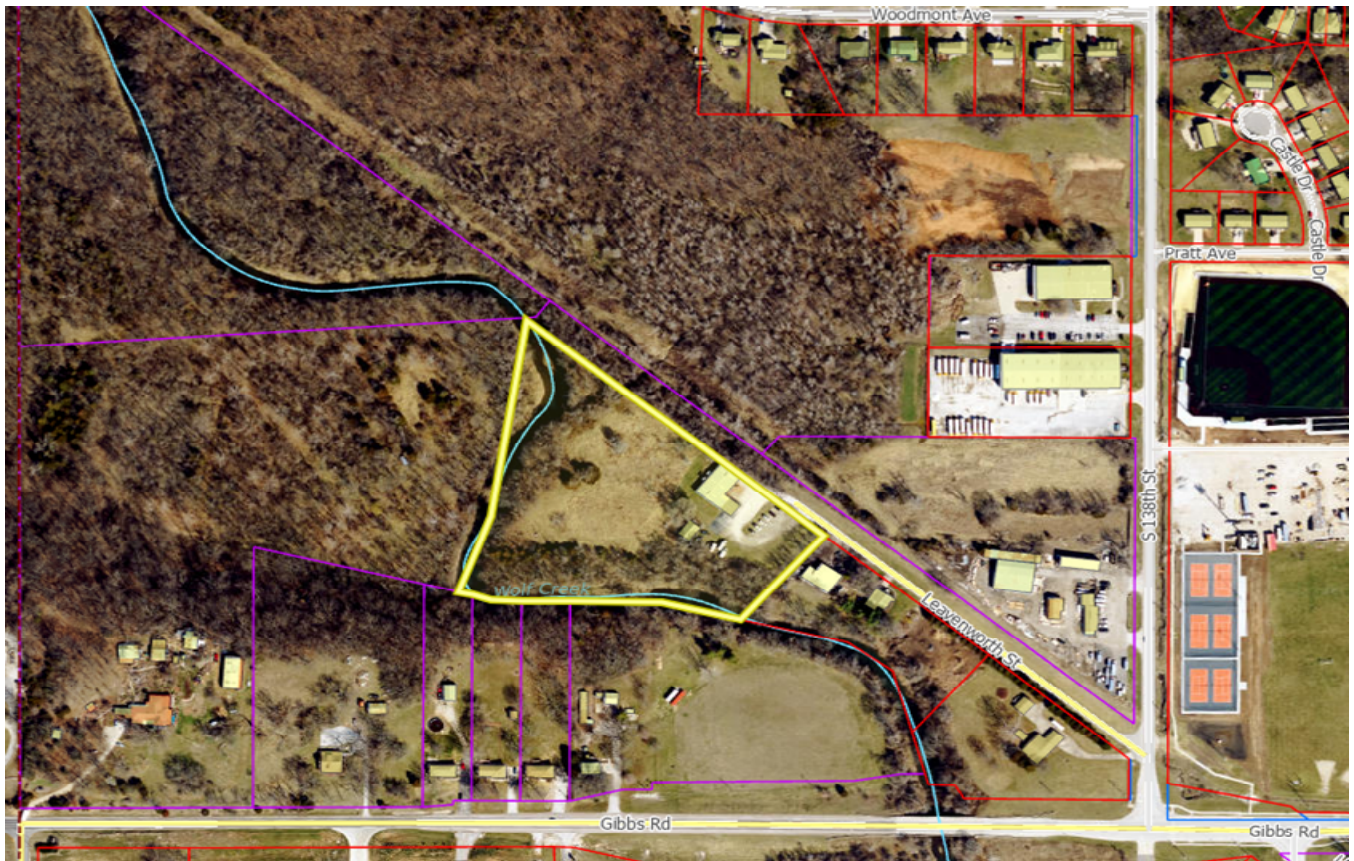
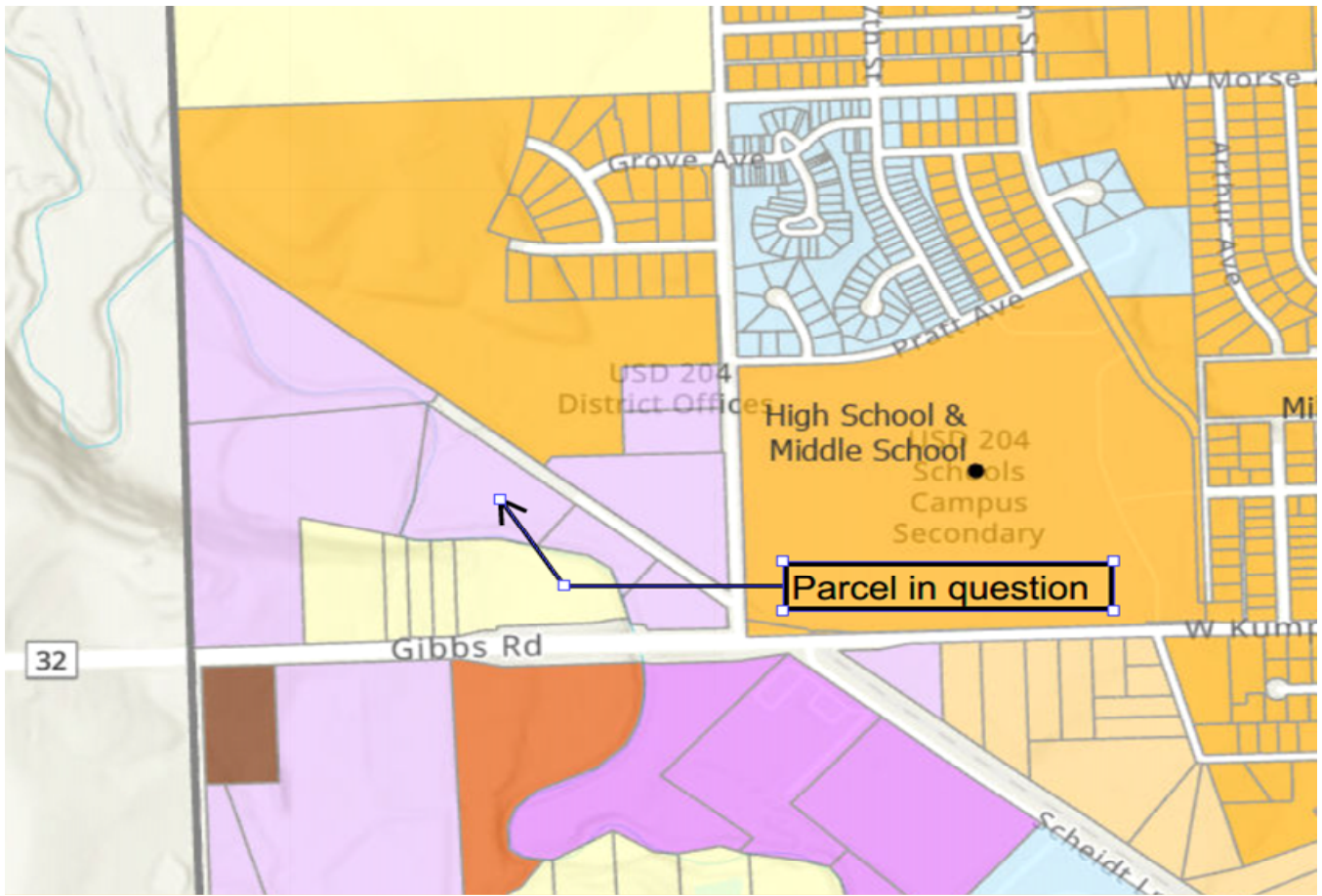
STAFF ANALYSIS

Site Characteristics

Location:	13933 Leavenworth St
Area of Property:	280,756sqft; 6.445+/- acres
Zoning:	LI; Light Industrial District
Future Land Use Map:	Industrial

Adjacent Property:

The majority of zoning districts adjacent to the property is LI; Light Industrial with one large parcel being zoned as GR; General Residential (see next page).



Narrative/Background

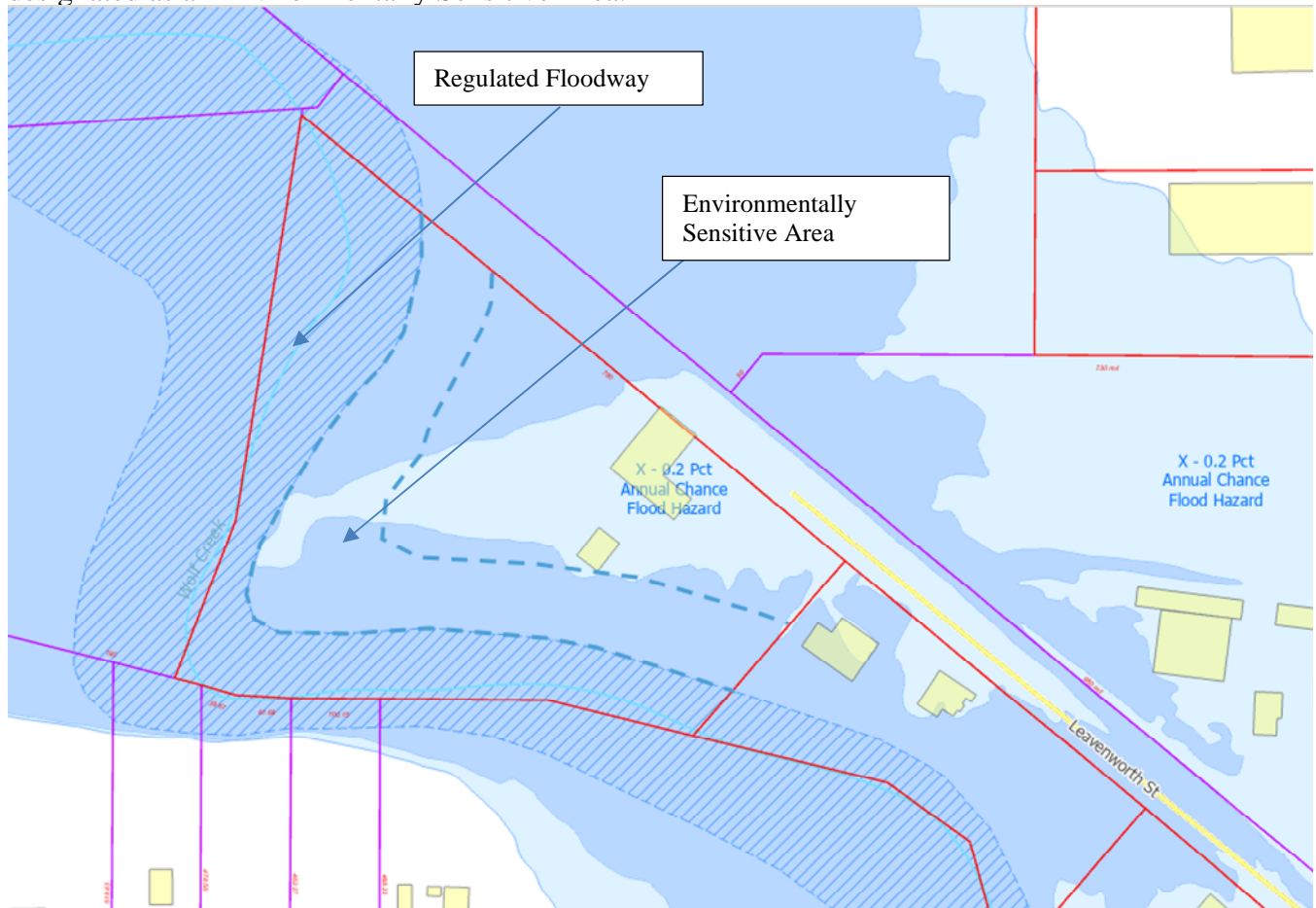
The uniqueness of the lot layout, the sighting of the existing building and infrastructure, the limited use of Leavenworth Street along with the existence of extensive floodplain area located on the property and the establishment of Environmentally Sensitive Areas (E.S.A.) with in the Unified Development Ordinance is such that additions to the Overland Cabinet business would more than likely not be able to occur

E.S.A. are defined within the UDO as the following – ***ESA or Flood Hazard Buffer Required***

- a. **A buffer no less than one hundred (100) feet in width** shall be established from the outermost limitations of the following features:
 - (1) Regulatory Floodways within areas having a one percent annual chance of Flooding as identified on the latest Federal Emergency Management Agency (FEMA) FIRMs; and
 - (2) Environmentally sensitive areas identified by City. b. ESA or flood hazard buffers shall be identified on all applicable plan sets and Plat applications within an Easement

In the instance of Leavenworth Street, the current use provides access to one single family residence and acts as the main driveway entrance and access point to Overland Cabinets. Leavenworth Street provides little to no access to other developable areas and is not constructed as an improved City street, it exists mainly through public right of way and could more than likely be vacated through proper processes.

In the image below, the existing floodplain is indicated, the existing regulatory floodway is indicated by a hashed area and dashed line. To the inside of the line indicating the floodway perimeter is the area designated as an Environmentally Sensitive Area.



Conformance with the Zoning Ordinance

Section 2.03.D.2.b states: *The purpose of this Section 2.03.D is to provide a process for reviewing and approving zoning relief applications from the requirements of this Chapter 2 Zoning Regulations.*

(2) *The purpose of a zoning relief application is to:*

- (a) *Provide a process for property owners to seek relief from the minimum Lot Area, setbacks, and other dimensional and Building requirements of this chapter;*
- (b) *Offer the City a method of considering alternative compliance metrics for unique or encumbered lots where strict compliance with this Chapter 2 Zoning Regulations would result in undue hardship to a property owner; and*
- (c) *Ensure the granting of relief from the zoning standards will not adversely affect surrounding property owners, and will not jeopardize further compliance with the subdivision and Development Standards outlined in these regulations.*

The questions listed below are required by K.S.A. 12-759; this Statute goes on to state: A request for a variance may be granted in such case, upon a finding by the board that all of the following conditions have been met.

The questions below, in bold type, are required by State Statute when hearing variance requests; the applicant's responses are below them in *italics*, with any Staff comments following.

1. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district; and is not created by an action or actions of the property owner or the applicant.

This property and the buildings are unique and not ordinarily found in the same zone or district. The variance request was not created by an action or actions of the property owner. Additionally, the road right of way was platted after the original building was erected. In addition, overhead power poles are located on this road right of way, buried gas lines are located on the road right of way. These utilities were allowed to be kept on the right of way with the known issue for well over 50 years and shown on site plans from 2004, 2011, a 2009 Replat of Whispering Woods.

The uniqueness of the lot layout, the sighting of the existing building and infrastructure, the limited use of Leavenworth Street along with the existence of extensive floodplain area located on the property and the establishment of Environmentally Sensitive Areas (E.S.A.) with in the Unified Development Ordinance is such that additions to the Overland Cabinet business would more than likely not be able to occur

2. The granting of the variance request will or will not adversely affect the rights of the adjacent property owners or residents.

Granting this permit for the variance will not adversely affect the rights of adjacent property owners or residents. The buildings have been present since 1972 and have not affected adjacent property owners or the community during that time. The addition that is in line with the existing and old building benefited adjacent property owners and the community by partially eliminating overhead power lines sitting on the road right away. Not having the current building or the newly constructed building in existence would eliminate a company and 20 employees that spend their money in Bonner Springs with local companies like Vesta Lee, Custom Welding and Fabrication, Inc., Crosby Plumbing, Performance Glass, Supreme Green Lawnworks, Red Fortune, Berning Tire, and Third Space Coffee

With Leavenworth Street being a dead-end street with no mechanism to turn around at its end; as well as acting as the sole access/driveway to Overland Cabinet and with it being the last building and only business located along the street the granting of the variance will not adversely affect the rights of adjacent property owners. While Leavenworth Street is dedicated as public right of way, the street dead-ends in the regulated floodway as well as the regulated floodplain but does not extend into those areas as constructed today.

3. That the strict application of the provisions of the Zoning Ordinance of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.

The strict application of the provisions of the zoning regulations of which the variance is requested will constitute unnecessary hardship upon the property owner. If the variance is not approved, the property owner, Overland Cabinets, would experience extreme business production hardship and direct financial hardship. Our company is growing and we need more storage space to expand operations in our current buildings.

Staff agrees that there would be unnecessary hardship placed upon the property owner in this instance. The building, as constructed today, is within the required setback. With the expansion of the facility and the extensive floodplain on the property, the inclusion of the Environmentally Sensitive Area provides little to no room for easy expansion. Encroaching into the setback will allow for this growth.

4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, the general welfare or the harmonious development of the city.

The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare. The variance requested will actually solve a long-standing issue. The granted variance will clarify and help the convenience and prosperity and general welfare of city officials and current property owners and future property owners.

The requested variance will have no adverse effect on the public health, safety, morals, order, etc.

5. That granting of the variance desired will not be opposed to the general spirit and intent of the Unified Development Ordinance.

The granting of the variance desired will not be opposed to the general spirit and intent of the zoning regulations. The general spirit of community rules and regulations and ordinances will be strengthened by granting this variance request as the growing Bonner Springs will be viewed as reasonable and willing to work with the community businesses.

With no other businesses or buildings being located in the general area, the lack of improvement to Leavenworth Street and the use of said street as the only driveway access to Overland Cabinets; the requested variance is not opposed to the general spirit and intent of the Unified Development Ordinance. The regulations in place, are there to ensure development is harmonious with its surroundings and throughout the subdivision.

Conformance with the Future Land Use Plan:

The Future Land Use Plan identifies this and much of the surrounding area as “Industrial” and is in conformance with said plan.

Traffic Impact:

The proposed variance request, whether approved or denied, will have no impact on the current street network.

Drainage Impact:

The proposed variance request, whether approved or denied, will have no impact on drainage.

STAFF RECOMMENDATION

Staff recommends the requested variance be approved with the stated staff stipulations.

1. The encroachment into the required setback, approximately 3 feet, shall be no more than that indicated on the attached exhibit.
2. In addition to the stipulations in this report, the applicant/property owner agrees to abide by all regulations contained in the Bonner Springs Unified Development Ordinance.

BOARD OPTIONS

- **Approve the variance request, with or without conditions/changes.**
- **Deny the variance request**
- **Continue the Public Hearing to another date, date, time, and/or place**

Staff Use Only

BZA -01-26

Mtg Date: 2/17/26

Date Rec'd: _____

Rec'd by: _____

BOARD OF ZONING APPEALS (BZA) APPLICATION

Date: 01/04/26

Application is hereby made to the Bonner Springs Board of Zoning Appeals to consider one of the following:

- Variance
- Appeals
- Special Exception

Subject Property Address: 13933 Leavenworth Street

Project Name (if applicable): Overland Cabinets

Applicant Name: Jered Nussbaum / Jason Reif Phone: 913.441.1985

Address: 13933 Leavenworth St., Bonner Springs, KS 66012

E-mail (required): jered@overlandcabinets.com

Record Property Owner: OC Real Estate Holdings, LLC Phone: 913.441.1985

Parcel No.: 201003 Quarter Section: SW 1/4 30 Section/Township/Range: 30-T11S-R23E

Legal Description of the Tract: Part of lot S, 6, 7 and 8 Heerwalds Addition

Tract Acreage: 6.25 General Location/Cross-streets: West of Leavenworth + 135th St. on Leavenworth Street

Zoning: Light Ind. Present Use: Wood Shop Future Land Use Designation: N/A

I hereby certify that the information herein submitted is complete, true, and accurate; that I have been notified on the processes and guidelines for submittal, and I hereby grant the City authority to post a public notice sign on the subject property.

Applicant Signature:  Date: 01/04/26

Applicant Name (Print): OC Real Estate Holdings, LLC / Overland Cabinet Holdings, LLC

Owner Signature (required):  Date: 01/04/26

Owner Name (Print): Jered Nussbaum

Does Applicant have Permission from the Owner(s) to Apply for a variance, appeal or special exception and Authorize Permission to Post?

Yes No

If Requested, Can the Applicant Provide a Letter of Consent from the Owner(s)?

Yes No N/A

Overland Cabinet Holdings, LLC
13933 Leavenworth Street
Bonner Springs, KS 66012

January 5th, 2026

City of Bonner Springs
Board of Zoning Appeals (BZA)
200 E Third Street
Bonner Springs, KS 66012

Dear Board of Zoning Members, Mark Lee and Kiley Meierarend,

Please see in accompaniment with this letter, the application for a setback variance on Leavenworth Street and the most recent site plan by Kaw Valley Engineering in 2025.

First, we will answer the required 5 (five) questions. Second, we will provide history of the property and Leavenworth Street.

Responses to the Five Questions

Please consider this variance for a road set back and let me know if anything else is required. We are motivated to get this worked out as we know the city is, too.

1. Condition Unique to the Property – This property and the buildings are unique and not ordinarily found in the same zone or district. The variance request was not created by an action or actions of the property owner.

Additionally, the road right of way was platted after the building was erected. In addition, overhead power poles are located on this road right of way, buried gas lines are located on the road right of way. These utilities were allowed to be kept on the right of way with the known issue for well over 50 years and shown on site plans from 2004, 2011, a 2009 Replat of Whispering Woods.

2. No Adverse Effects – Granting this permit for the variance will not adversely affect the rights of adjacent property owners or residents.

The buildings have been present since 1972 and have not affected adjacent property owners or the community during that time. The addition that is in line with the existing and old building benefited adjacent property owners and the community by partially eliminating overhead power lines sitting on the road right away. Not having the current building or the newly constructed building in existence would eliminate a company and 20 employees that spend their money in Bonner Springs

with local companies like Vesta Lee, Custom Welding and Fabrication, Inc., Crosby Plumbing, Performance Glass, Supreme Green Lawnworks, Red Fortune, Berning Tire, and Third Space Coffee

3. Unnecessary Hardship – The strict application of the provisions of the zoning regulations of which the variance is requested will constitute unnecessary hardship upon the property owner.

If the variance is not approved, the property owner, Overland Cabinets, would experience extreme business production hardship and direct financial hardship. Our company is growing and we need more storage space to expand operations in our current buildings.

A construction building permit was granted for the new addition after review by the Bonner Springs governing bodies. The building is nearly 100% complete and has already passed inspection by IBTS thus far and IBTS will do another inspection on Tuesday, Jan 6th, 2026. If the variance is not granted, all of this investment in a new building which cannot be used will cause additional financial hardship for the company.

4. Public Health, Safety, and Welfare – The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

The variance requested will actually solve a long-standing issue. The granted variance will clarify and help the convenience and prosperity and general welfare of city officials and current property owners and future property owners.

5. Ordinance Intent – The granting of the variance desired will not be opposed to the general spirit and intent of the zoning regulations.

The general spirit of community rules and regulations and ordinances will be strengthened by granting this variance request as the growing Bonner Springs will be viewed as reasonable and willing to work with the community businesses.

History of 13933 Leavenworth Street and Overland Cabinets SW ¼ 30-T11S-R23E

Overland Cabinets has been operating as a cabinet shop in Bonner Springs since 1972. It employs 20 people whose families live, work, and contribute to the Bonner Springs community.

As mentioned above, Overland Cabinets and their employees use many well-established businesses to support their work.

Overland Cabinets employed two paid interns from Bonner Springs High School tech program worked during the summer of 2025 with plans to continue partnering with BSHS in 2026.

Overland Cabinets will continue to grow and intends to be a top 5 supplier of custom cabinetry in the metro.

The Main Office and Manufacturing Building (that is inside the 10-foot road setback requirement) was built in 1972. The new permitted building, which is in line with the older building, is almost complete. Leavenworth Street is just on a paper plat and has not been constructed. The extension of Leavenworth Street as the plat shows would only be constructed with extensive and expensive roads, bridges, and development. If the road was constructed today, it would be a road to nowhere that would have to cross a creek multiple times and a flood zone. Additionally, gas lines and overhead power lines would need to be relocated as they sit directly on the platted roadway and most likely require prescriptive easements at this point.

The current building has existed since 1972 and was approved and in place before the road was planned. The building and the utilities may be prescriptive at this point since so many years have gone by.

The City of Bonner Springs has had other opportunities in the past to solve this 10-foot setback requirement, but not done so, as noted from Blevins-McCosh 03/23/04 site plan, the Heerwalds Addition/Whispering Woods addition replat of 2009, and the Donald G. White site plan from July 27th, 2011.

If this setback was an issue for the Permit for Construction, permit number 202500402 should not have been issued on 11/04/25.

Property pins are located on the property as noted by the above-mentioned site plans.

Please let us know if you need further information.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Jason Reif' or similar, written in a cursive style.

Jason Reif & Jered Nussbaum

Owners, Overland Cabinet Holdings, LLC

CERTIFICATE OF SURVEY

SW 1/4, SEC 30, T-11-S, R-23-E
BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS



SURVEYOR'S NOTES:

1. EXISTING BUILDING WAS LOCATED BY INSTRUMENT ON THE GROUND.
2. THE ACCURACY OF ANY IMAGE, PARCEL LINES, OR FLOOD HAZARD DATA SHOWN HEREON IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION ON THE REFERENCED FLOOD INSURANCE RATE MAP. THE EXISTING AND PROPOSED BUILDINGS LIE WITHIN "AREA OF MINIMAL FLOOD HAZARD ZONE X" AS SAID BUILDINGS PLOT BY SCALE ON THE FLOOD INSURANCE RATE MAP UNDER 20209C0117E EFFECTIVE DATE SEPTEMBER 2, 2015.

CERTIFICATION:

I, **ALAN M. ZUMBRUNN**, BEING A DULY LICENSED AND REGISTERED LAND SURVEYOR IN THE STATE OF KANSAS, HEREBY CERTIFY THAT THIS PLAT OR MAP IS A TRUE REPRESENTATION OF A TOPOGRAPHIC SURVEY PERFORMED ON THE GROUND BY ME OR UNDER MY DIRECT SUPERVISION, AND IS CORRECT TO THE BEST OF MY BELIEF AND ABILITY. NO PROPERTY BOUNDARY SURVEY WAS PERFORMED AND THIS SURVEY DOES NOT REPRESENT NOR PURPORT TO BE A PROPERTY BOUNDARY SURVEY.

DATE OF SURVEY: APRIL 23, 2025

(AN ORIGINAL SEAL WITH SIGNATURE IN BLUE INK SIGNIFIES THE CERTIFICATION OF THE ENTIRE FACE OF THIS DOCUMENT AND ALL OF ITS CONTENT)

<p style="font-size: small; margin-top: 10px;">ALAN M. ZUMBRUNN 1734 zumbrunn@kveng.com</p>	<p style="font-size: x-small; margin-top: 5px;">2319 NORTH JACKSON P.O. BOX 1304 JUNCTION CITY, KANSAS 66441 PH. (785) 762-5040 jc@kveng.com www.kveng.com</p>	PROJECT NO. A25_2332 DRAWN BY GB CHECKED BY AMZ CFN 2332CS SHEET 1 OF 1
	PROJECT: 13933 LEAVENWORTH STREET BONNER SPRINGS, KANSAS 66012	PREPARED FOR: SILO ENTERPRISES, INC 12120 STATE LINE ROAD LEAWOOD, KANSAS 66209
KAW VALLEY ENGINEERING, INC., IS AUTHORIZED TO OFFER SURVEYING SERVICES BY KANSAS STATE CERTIFICATE OF AUTHORIZATION NO. LS-20. EXPIRES 12/31/26		