

HAYS AREA BOARD OF ZONING APPEALS MEETING AGENDA
CITY COMMISSION CHAMBERS 1507 MAIN, HAYS, KS
JANUARY 13, 2016
8:15 A.M.

1. CALL TO ORDER BY CHAIRMAN.

2. CONSENT AGENDA.

A. Minutes of the regular meeting of December 9, 2015

Action: Consider approving the minutes of the December 9, 2015 meeting.

3. PUBLIC HEARING ITEMS.

A. Public hearing on a request from Hays Medical Center for an eight foot variance to reduce the required front yard setback for a monument sign from ten feet to two feet at 2509 Canterbury Drive. (Case #13-15)

Action: Consider approving a request for an eight foot variance to reduce the required front yard setback for a monument sign from ten feet to two feet on the property at 2509 Canterbury Drive.

4. NON-PUBLIC HEARING ITEMS.

A. Variance request from James and Shawn Mulkey for a two foot variance to reduce the east side yard building setback from the required seven feet to five feet and reduce the distance between structures from the required five feet to one foot to construct a 15 foot by 20 foot carport at 210 E 17th Street. (Case #01-16)

Action: Consider setting a public hearing for a two foot variance to reduce the east side yard building setback from the required seven feet to five feet and reduce the distance between structures from the required five feet to one foot to construct a 15' x 20' carport at 210 E 17th Street.

B. Request from Brent & Jill K Goertzen for a two and one-half foot variance to reduce the east side yard building setback from the required seven and one-half feet to five feet to construct a 20' by 24' shed at 1310 W 44th Street (Case #02-16)

Action: Consider setting a public hearing for a request for a two and one half foot variance to reduce the east side yard building setback from the required seven and one-half feet to five feet to construct a 20' by 24' shed at 1310 W 44th Street.

5. OFF AGENDA ITEMS/COMMUNICATIONS.

A. None

6. ADJOURNMENT.

**DRAFT
HAYS AREA BOARD OF ZONING APPEALS
COMMISSION CHAMBERS IN CITY HALL
MINUTES
DECEMBER 9, 2015**

1. CALL TO ORDER: The Hays Area Board of Zoning Appeals met at their regularly scheduled meeting on Wednesday December 9, 2015 at 8:15 a.m. in Commission Chambers at City Hall

Roll Call:

Present: Lou Caplan
Gerald Befort
Jerry Sonntag
Tom Lippert

Absent: Rich Sieker

City Staff Present: Assistant City Manager, Jacob Wood, Jesse Rohr, Superintendent and Linda Bixenman, Administrative Assistant of Planning, Inspection and Enforcement.

2. CONSENT AGENDA:

A. Minutes: Jerry Sonntag moved, Gerald Befort seconded the motion to approve the minutes from the November 12, 2015. There were no corrections or additions to those minutes.

Vote: Ayes: Lou Caplan
Gerald Befort
Jerry Sonntag
Tom Lippert

3. PUBLIC HEARING ITEMS:

A. CASE #09-15 - PUBLIC HEARING FOR A VARIANCE REQUEST FROM DAN AND JENNIFER HECKER TO REDUCE THE DISTANCE BETWEEN STRUCTURES FROM 5' TO 2 ½', AND A FOUR FOOT FIVE INCH (4' 5") VARIANCE TO REDUCE THE SIDE YARD BUILDING SETBACK FROM THE REQUIRED SEVEN FEET (7') TO TWO FOOT SEVEN INCHES (2' 7") TO CONSTRUCT A 10' x 16' STORAGE SHED AT 316 E 6TH STREET. Jesse Rohr presented a power point presentation with the information, location (corner of 6th and Allen) and site plan of the property for the above case on the overhead visual. There is an existing detached double car garage with an entrance to the side. The proposed shed would be between his home and the neighboring home to the west that is approximately 5 ½ feet to 6 feet from its property line.

He explained that anything built less than 3 feet from the property line would be looked at differently. It would be considered an extreme variance.

He explained that it would be tough for staff to recommend the variance. He suggested that the board can discuss other options with the applicant. The board has the authority to offer a lesser variance but not a greater variance than requested.

Dan Hecker came before the board to explain the importance of the variance that would be needed for the size (10' by 16') of shed that would meet his needs and also be built in a wasted space in his yard to keep the other side of his yard. He has visited with his neighbor that had no problem with it.

Lou Caplan stated that this is more of an extreme variance than any they have ever granted on a side yard that would set a bad precedence to build that close to the property line. He explained that property owners change over time.

Tom Lippert explained that when the board makes their decision they have to take into account how this may affect the property and neighboring property in the future years from now. His concern was the precedence this would set particularly the close proximity between structures is a fire concern. It would not meet the fire code that ensures separation between structures so the nearby structures have a fighting chance if there is a fire.

Jerry Sonntag concurred that he would not want to set precedence with the close proximity between structures and the side yard. He asked if the proposed shed was prebuilt. He explained that there were other options to consider a smaller shed.

Mr. Hecker asked if he would need to come before the board to build an 8 foot by 15 foot shed.

Jesse Rohr explained that if the shed is 120 square foot or less that the regulations allow the shed to be 3 feet from the side yard property line.

Jerry Sonntag stated that he would consider a one foot variance to reduce the separation distance from the required 5 feet to 4 feet to construct the 8 foot by 15 foot shed.

Lou Caplan asked for comments from the audience. There were none.

Jerry Sonntag moved, Gerald Befort seconded the motion to grant a one foot (1') variance from the required separation of five feet (5') to four feet (4') a lesser variance than requested between the proposed structure and primary structure for construction of an 8' X 15' shed, a smaller shed than proposed on the property at 316 E 6th Street based on the consideration it does meet the five statutory requirements.

No variance was granted for the side yard building setback.

Vote: Ayes: Lou Caplan
Gerald Befort
Jerry Sonntag

Nay: Tom Lippert

Mr. Hecker asked if he needed a permit for the 8 x 15 shed. Jesse Rohr answered that he would not need a permit for this size of shed.

B. CASE #10-15 – PUBLIC HEARING FOR THE REQUEST FROM BERNARD H WERTH FOR AN EIGHT FOOT (8’) VARIANCE TO REDUCE THE FRONT YARD BUILDING SETBACK FROM THE REQUIRED THIRTY-FIVE FEET (35’) TO TWENTY-SEVEN FEET (27’) TO CONSTRUCT A SHED ON 2015 GENERAL CUSTER ROAD. Jesse Rohr presented a power point presentation with the information, location (south of 22nd Street on General Custer) and site plan of the above case on the property at 2015 General Custer Road. It is a triangular, irregularly shaped vacant lot. It is a proposed 3 tiered building and each corner of the building would encroach into the front yard building setback by 8 feet. There were survey pins to accurately measure for the proposed building on the site.

He explained that staff recommends the variance be approved based on the hardship present for such an irregularly shaped lot.

Lou Caplan expressed this was good use of available infill property on a uniquely shaped lot where not many things could go in there.

Lou Caplan asked if there were any comments from the board or audience. There were none.

Tom Lippert moved, Gerald Befort seconded the motion to grant the variance as submitted based on the consideration it does meet the five statutory requirements.

Vote: Ayes: Lou Caplan
Gerald Befort
Jerry Sonntag
Tom Lippert

C. CASE #11-15 – PUBLIC HEARING FOR A REQUEST FROM LUECKE PROPERTIES LLC FOR A SPECIAL USE PERMIT AS REQUIRED BY ORD. SECTION 71-504(16) TO ALLOW THE CONSTRUCTION OF RENTAL STORAGE UNITS WITHIN THE “C-2” GENERAL COMMERCIAL & SERVICE DISTRICT LOCATED AT 780 E 41ST STREET. Jesse Rohr presented a power point presentation with the information, location (North of I-70, east of Home Depot) and site plan of the property for the above request at 780 E 41st Street. He explained the board had previously approved a special use permit for the construction of rental storage units

on the property in the years of 2013 and 2014 with the expectation they would request the same for future storage units. The first special use permit was granted with conditions that has been met that they be built appropriately and a perimeter fence erected around the existing structure.

This time the request is for a special use permit for any additional storage units they may build on this property. They propose to use the next storage units for private use that would not require a special use permit; although sometime in the future it may be converted to rental storage units.

The site construction has developed in an orderly manner and fencing around the perimeter of the area. Staff feels the current request for additional storage units may be approved with no new conditions imposed.

Staff recommends a special use permit for additional storage units due to several factors including adequate protection of adjacent properties, and no known invasion of inappropriate uses.

Jerry Sonntag asked about the boundaries of that property for the proposed units since it is located within a larger tract.

John Lueke, representing Luecke Properties, explained that the tract is 4 acres; although they are using only a part of it for the storage units. The proposed storage units would be built within the boundary of the existing storage units. The tract may be split someday. They do not plan to use the property south of the existing southern most structure.

Jesse Rohr explained to the board they could add a condition that any new storage units would have to be built north of the boundary starting from the southern most existing storage unit on the property.

Tom Lippert asked what kind of timeframe before the private unit would be converted to a commercial rental storage unit. Mr. Luecke answered that if there are any unused stalls in it, they would like to use it as soon as they can for commercial rental storage units. The remainder of the storage units within the 45' X 100' building would be determined by time and money. The proposed plans are for another 45' X 100' storage rental in the spring and the remainder, 30 foot wide units, be built a year from now. They would be the same color and same trim package as the others.

Lou Caplan asked if there were any comments from the audience. There were none.

Jerry Sonntag moved, Gerald Befort seconded the motion to grant a special use permit requested by Luecke Properties LLC to construct commercial storage units at 780 E 41st Street allowed per Section 71-504 (16) within a "C-2" General Commercial and Service District with a special use permit subject to a defined boundary using 60 feet from the southern most existing storage unit as the southern most boundary line.

Vote: Ayes:

Lou Caplan
Gerald Befort
Jerry Sonntag
Tom Lippert

Lou Caplan acknowledged to the applicant that the property is very well kept.

D. CASE # 12-15 PUBLIC HEARING FOR A VARIANCE REQUEST BY DAVID RANDA FOR AN OFF-PREMISE ADVERTISING SIGN TO BE LOCATED WITHIN 35 FEET OF THE FRONT PROPERTY LINE ON THE PROPERTY LOCATED AT 1104 E 22ND STREET. Jesse Rohr presented a power point presentation with the information, location (south of 22nd, east of VFW) and site plan for the request by the applicant for a variance to allow an off premise sign to be located on the island adjacent to the front parking lot of the property within the 35 feet front yard building setback. An on-premise advertising sign can be located within the 35 foot front yard building setback and right up to the property line without a variance; although this is to allow an off-premise sign to advertise the on premise business and adjacent off-premise tenants, thus the reason for the variance request.

The purpose of the variance is to allow this sign to advertise the on-premise business and the adjacent businesses on the back that do not have street frontage.

He did receive a call from the owners on the east and west side of the property to inquire about the variance request. He explained the reason for the variance request to them.

City Staff have no concerns with the request as submitted. There are no concerns of the site distance of the proposed location of the sign and no concerns about the businesses to the back of the property using the sign to advertise their business.

Tom Lippert asked if the sign would be closer to the street than the neighboring sign to the west. He also asked if placement of the sign met the standards not to block traffic visibility when exiting the property. David Randa, owner and applicant, explained the location of the sign.

Jesse Rohr explained that no sign can encroach into the right-of-way space that provides visual distance for an exit; there is a buffer between back of curb and the property line.

Lou Caplan asked if the sign would be placed at the same distance from the street as the neighboring sign to the west (Knoll Clinic). Jesse Rohr answered that the neighboring business chose to set their sign back further within the front yard building setback. The sign company has taken these sight differences into consideration to prevent blocking either of the signs.

Lou Caplan asked if a variance would be required under the proposed new development code. Jesse Rohr answered that he would look into this for him.

Gerald Befort moved, Jerry Sonntag seconded the motion to grant the variance request as submitted to allow an off-premise advertising sign to be located within the 35' building setback on the property at 1104 E 22nd Street based on the consideration it meets the five statutory requirements.

Vote: Ayes: Lou Caplan
Gerald Befort
Jerry Sonntag
Tom Lippert

4. NON-PUBLIC HEARING ITEMS:

A. CASE # 13-15 PUBLIC HEARING FOR A VARIANCE REQUEST FROM HAYS MEDICAL CENTER FOR AN EIGHT FOOT VARIANCE TO REDUCE THE FRONT SETBACK FOR A MONUMENT SIGN FROM TEN FEET TO 2 FEET ON THE PROPERTY AT 2509 CANTERBURY DRIVE: Jesse Rohr presented a power point presentation with the information, location and site plan of the property for the above case on the overhead visual. The applicant is requesting an 8 foot variance to place a monument sign two from the from the front property line rather than the 10 feet as required per regulation in a "C-O" Office and Institution Zoning District on the property at 2509 Canterbury Drive.

The base of the monument sign has already been built two feet from the front property line. When the owners submitted a full set of plans for the building permit, there was a misunderstanding that it included the sign; although signage requires a separate review for a permit.

The property is currently under construction with a substantial addition and a remodel of the existing facility. The frontage of the property is also being redone with a new drive approach and new parking. The proposed monument sign (8 ½ feet long, 5 feet in height) would be similar to the others along Canterbury and it would be located about 60 feet north of the existing sign.

Jesse Rohr stated that to meet the front yard setback, the sign would be approximately 8 feet further back when compared to the other monument signs along Canterbury. Variances have been granted for some of these signs in the past.

He pointed out that the "C-O" zoning district is the only commercial zoning district requiring a front yard setback for signs; the other commercial zoning districts do not require a front setback for this type and size of sign.

He stated that staff recommends setting a public hearing to set the sign as proposed if it can be determined it would meet the requirements for a variance request. Jesse Rohr explained that the Board can consider setting a public hearing or not to set a public hearing if it does not meet the requirements for a variance request or provide other alternatives.

Jerry Sonntag asked if the sign would be set back further than the existing sign. Jesse Rohr answered that it would be about 60 feet north of the existing sign and about 2 feet further back from the right-of-way.

Lou Caplan asked if the "C-O" district would exist in the new development code.

Jesse Rohr answered that he would provide an update to answer that question. He stated that the sign regulations have been thoroughly reviewed with input from those in the field.

Lou Caplan stated that he was in favor of setting a public hearing since it is necessary to have one for this case even though it does not seem necessary since the proposed sign would be the same distance from the street as the other signs along Canterbury.

Jerry Sonntag moved, Gerald Befort seconded the motion to set a public hearing for January 13, 2016 for the variance request from Hays Medical Center for an eight foot variance to reduce the front setback for a monument sign from ten feet to two feet on the property at 2509 Canterbury Dr.

Vote: Ayes:

Lou Caplan
Gerald Befort
Jerry Sonntag
Tom Lippert

Jesse Rohr explained about the public notification process.

Shae Veach, V.P. Regional Operations of Hays Medical Center asked if the sign would have to be moved to adhere to the proposed new regulations when they are implemented.

Jerry Sonntag answered that it would only be affected if the sign would be destroyed; the replacement sign would have to be moved to adhere to the new regulations.

Tom Lippert pointed out the importance for this type of case to be reviewed in the proposed new development code.

5. OFF AGENDA ITEMS: None

6. ADJOURNMENT: Lou Caplan adjourned the meeting at 9:00 a.m.

Submitted by: Linda K. Bixenman, Administrative Assistant,
Planning, Inspection and Enforcement

Board of Zoning Appeals Action Report

AGENDA ITEM: Setback Variance Application #13-15
 ADDRESS: 2509 Canterbury Dr.
 OWNER: Hays Medical Center
 TYPE OF REVIEW: Variance
 PRESENTED BY: Jesse Rohr, P.I.E. Superintendent
 DATE PREPARED: January 5, 2015
 MEETING DATE: January 13, 2015

SUMMARY AND RECOMMENDED ACTION:

The applicant is requesting a variance to reduce the front yard setback from 10 feet to 2 feet, a variance of 8 feet to allow the placement of a business sign on the property located at 2509 Canterbury Dr. (see further details below and attached site drawing). Staff recommends approval of the request as submitted.

BACKGROUND:

- The applicant is requesting a variance to reduce the required front yard setback from 10 feet to 2 feet, a variance of 8 feet to allow the placement of a sign on the property located at 2509 Canterbury Dr.
- This site/structure is being remodeled/reconstructed as part of a large redevelopment project.

	Setback Required	Applicant Proposed
Front Yard	Min. 10' (For signage)	2'
Side Yard	0	N/A
Rear Yard	0	N/A

STANDARDS OF EVALUATION:

Per State Statute 12-759 and City Ordinance Sec. 71-1250

- The BZA has the authority to grant a variance if a literal enforcement of the provisions of the adopted regulations, will, in an individual case, result in unnecessary hardship, provided:
 - The spirit of the regulations shall be observed
 - Public safety and welfare secured
 - Substantial justice shall be done
- The applicant must show that the property was acquired in good faith and that the variance is needed due to extraordinary or exceptional circumstances of the property such as exceptional narrowness, shallowness, or shape of the lot
- Before granting a variance on the basis of unusual difficulty or unreasonable hardship, there must be finding by the Board that all of the following conditions exist:
 - a. Uniqueness of the property not ordinarily found in the same zone or district and not created by willful action of the owner

Staff Analysis: *This property is somewhat unique due to its zoning district. This property falls within the C-O zoning district (Office and Institution). The C-O district is one of the only districts, and is the only commercial district, that requires a front setback for a sign of this small stature. The other signs along Canterbury, for various reasons, are nearly all placed on or very near the front setback.*

- b. The granting of the variance will not adversely affect the rights of adjacent property owners

Staff Analysis: *This proposed addition would not appear to have any adverse affects on the rights of nearby property owners. The existing sign, which will be removed and replaced by this sign, already has a setback similar to the one proposed by the new sign.*

- c. The strict application of the code will constitute unnecessary hardship upon the property owner

Staff Analysis: *Since other signs within this office corridor along Canterbury are placed at or near the front setback, placing the sign back to 10 feet per regulation could constitute a hardship by making visibility of this medical office more difficult.*

- d. The variance will not adversely affect the public health, safety, morals, order, convenience, propriety, or general welfare

Staff Analysis: *This proposed sign would not appear to adversely affect the public health, safety, morals, order, convenience, propriety, or general welfare.*

- e. The granting of the variance desired will not be opposed to the general spirit and intent of the regulations

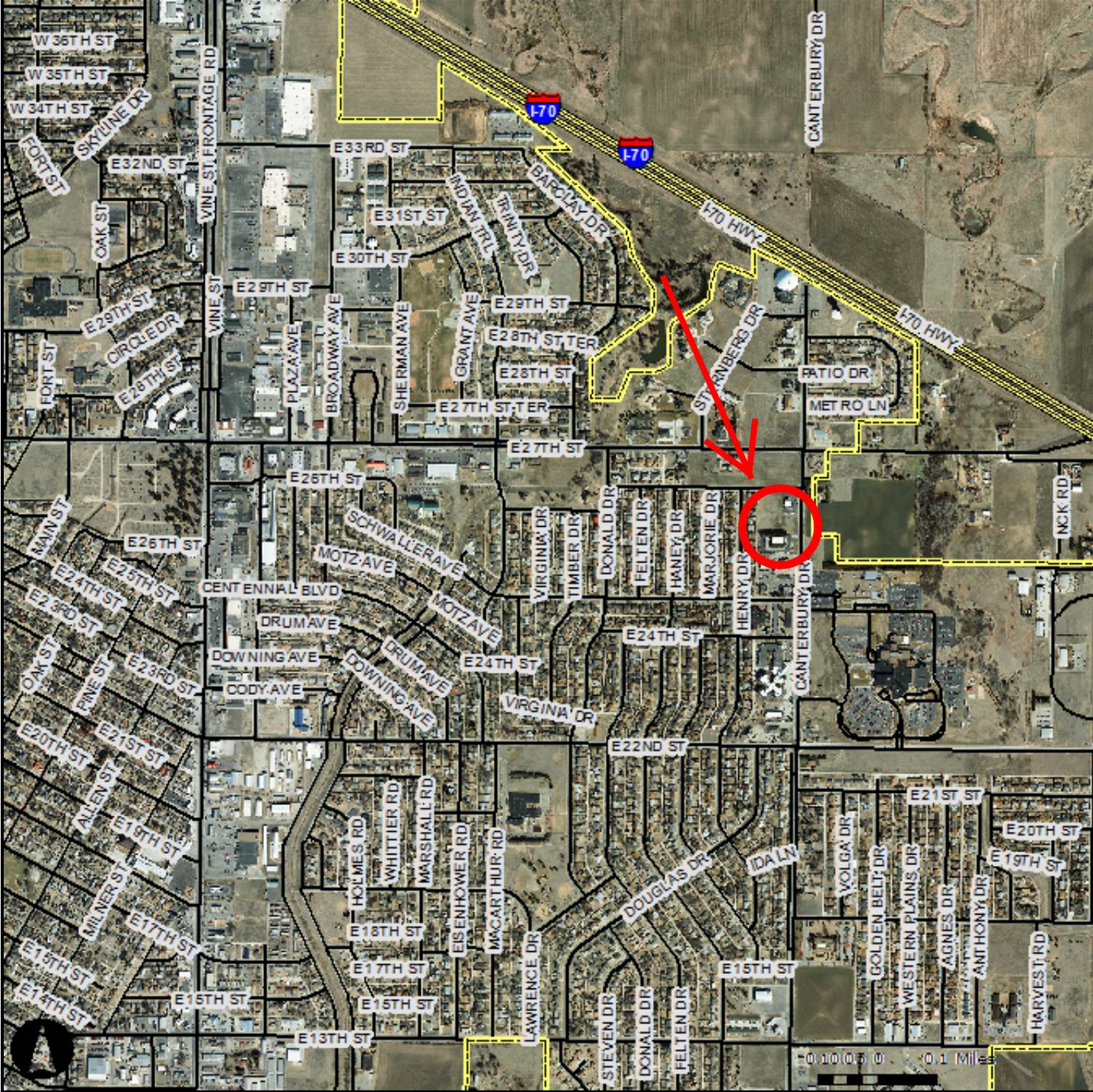
Staff Analysis: *The proposed sign location and variance request would not seem to go against the spirit and intent of the regulations.*

RECOMMENDED ACTION:

Staff recommends approval of the request as submitted.

ATTACHMENTS:

- Variance application
- Variance justification from owner
- Picture(s) and Map(s)



APPLICATION FOR VARIANCE

- I. Name of Applicant NABHOLZ CONSTRUCTION Phone 913-747-8243 ³⁹³⁻⁶⁵⁰⁰
- Mailing Address 1707 E. 123rd Terrace, Olathe, Kansas 66061-5875
- Name of Owner HAYS MED - Family Medical PC Phone 785-623-2501 ⁵⁸⁷⁵
- Mailing Address 2509 Canterbury St. Hays, Kansas 67601
- Name of Authorized Agent Steve Bennett Phone 913-747-8243
- Mailing Address 1707 E. 123rd Terrace, Olathe, Kansas 66061-5875
- Relationship of applicant to property is that of owner's construction manager
(Owner, tenant, lessee, other)
- II. The variance is requested Monument sign to be installed within two (2) feet of property line.

on property located at 2509 Canterbury St and legally described as: Lots Fifteen (15) and sixteen (16), Block Four (4), Golden Belt Fourth Addition to the City of Hays, Ellis County, Kansas in the City of Hays and which is presently zoned C-O OFFICE & INSTITUTION DISTRICT

Give metes and bounds description below or on attached sheet: (required only if property is not part of a legally recorded plat)

- III. The applicant and owner herein, or authorized agent and owner:
- A. Acknowledges receipt of an instruction sheet concerning the filing and hearing of this variance request.
 - B. Acknowledges the fee requirements established; and that the appropriate fee is herewith tendered.
 - C. Agrees to conform to all requirements of the appropriate section of the Zoning Regulations if this application is approved.
 - D. Acknowledges right to appeal the decision of the board to the District Court.

Steve Bennett of Nabholz
APPLICANT

Steve Bennett
AUTHORIZED AGENT (IF ANY)

[Signature]
OWNER

OFFICE USE ONLY:

RECEIVED IN THE PLANNING, INSPECTION, ENFORCEMENT DIVISION ON November 25 2015

TOGETHER WITH THE APPROPRIATE FEE OF \$ 50.00 Receipt # 612023

Linda Bixemman, Administrative Assistant.
NAME AND TITLE



Approx. Location of Proposed Sign



Existing Sign



0.00500250 0.005 Miles





November 25, 2015

City of Hay Area Board of Zoning
1002 Vine St.
Hays, Kansas 67601

Re.: HaysMed- Family Medicine- Sign Variance Request
2509 Canterbury St.
Hays, Kansas 67601

To Whom It May Concern:

Nabholz Construction, acting on behalf of the Owner of the above property- HaysMed, in its capacity as the Owner's Construction Manager, is respectfully requesting a sign variance on the above reference property.

Back in February/March of 2015, Health Facilities Group (the Owner's Architect), submitted plans, including showing the location of the sign and description of its construction. It is my understanding that discussion took place about the sign's construction and placement. HaysMed relied on the submittal of the approved plans in its construction.

Since this time, construction has now progressed to such that the sign foundation is in, and power run to the location that was submitted. The first phase of this project is due to be turned over next month.

The sign and its location, is actually further back away from the property line of the HaysMed Family Practice's present sign (this sign is on the property line), as well as in a similar locations to signage of other businesses around and along Canterbury St.

To change the location now, HaysMed would incur delay in the project and it's opening of the Phase 1 of the project, and incur additional expense.

Respectfully, on behalf of HaysMed, we are requesting a variance be provided for the location to which the sign is presently placed.

We have included some site plans (Sheets C1.1, C3.1, C4.1) to help illustrate the situation.

I also have included a form letter, trying to address the bullet points that I believe the Board of Zoning is used to seeing.

Should you have any questions, I can be reached at: 913-393-6500 or cell 913-747-8243.

We appreciate the Board of Zoning time and consideration in this manner.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Bennett". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Steve Bennett

NABHOLZ CONSTRUCTION

Enclosures: Zoning Appeal Application- 2 pages
Formal Request address specific Zoning Concerns- 1 page
Letter on Appeal
Site Plans- C1.1, C3.1, C4.1

Cc. HaysMed- Sharon Staab, Shae Veach
HFG- David Londagin
Commercial Sign Co. of Hays- Joe Leiker



Date: November 25, 2015
To: Hays Area Board of Zoning
From: Steve Bennett Nabholz on behalf of the Owner- HaysMed
Re.: HaysMed- Family Medicine- Sign Variance Request
2509 Canterbury St.
Hays, Kansas 67601

We hereby request a setback variance on the new sign on the above referenced project. (New sign to be two (2) Feet from the property line.

A. Uniqueness:

Due to the fact that the existing sign of this property is already set with 0 feet clearance to the property line, and this new sign replaces that previous sign and is 2' further away from the property, we are requesting this approval.

B. Adjacent Property:

The setback of 2' is similar to the other properties in the area.

C. Hardship:

The plans with this signs location and configuration were submitted back in February/March and discussed with staff as part of the permit. No exception was noted or brought to the Architects attention at this time. Since then, the signs foundation and power have been run, and the opening of the Phase1 portion of the project scheduled for next month. Only now has any questions arisen. Respectfully, this creates a undue hardship for the Owner, with this tight schedule, and additional costs and redesign if it has to move.

D. Public Interest:

We are requesting the variance to be within two (2) feet of the property line similarly to what is there now at the Family Clinic location and similarly or better that the surrounding areas and causes no additional hardship to the Public Interest.

E. Spirit and Intent of the Zoning Regulations:

Granting the variance requested does not impede to the general spirit and intent of the Zoning regulations as this request maintains the original signage location of this building

and does not interfere with conditions not already existing on this site or the surrounding area.

We appreciate the Board of Zoning time and consideration in this manner.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Bennett". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Steve Bennett

NABHOLZ CONSTRUCTION

Enclosures: See attached formal letter, and supporting documents.

Cc. HaysMed- Sharon Staab, Shae Veach
HFG- David Londagin
Commercial Sign Co. of Hays- Joe Leiker



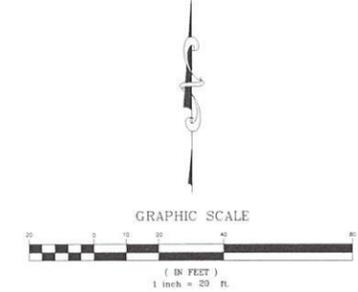
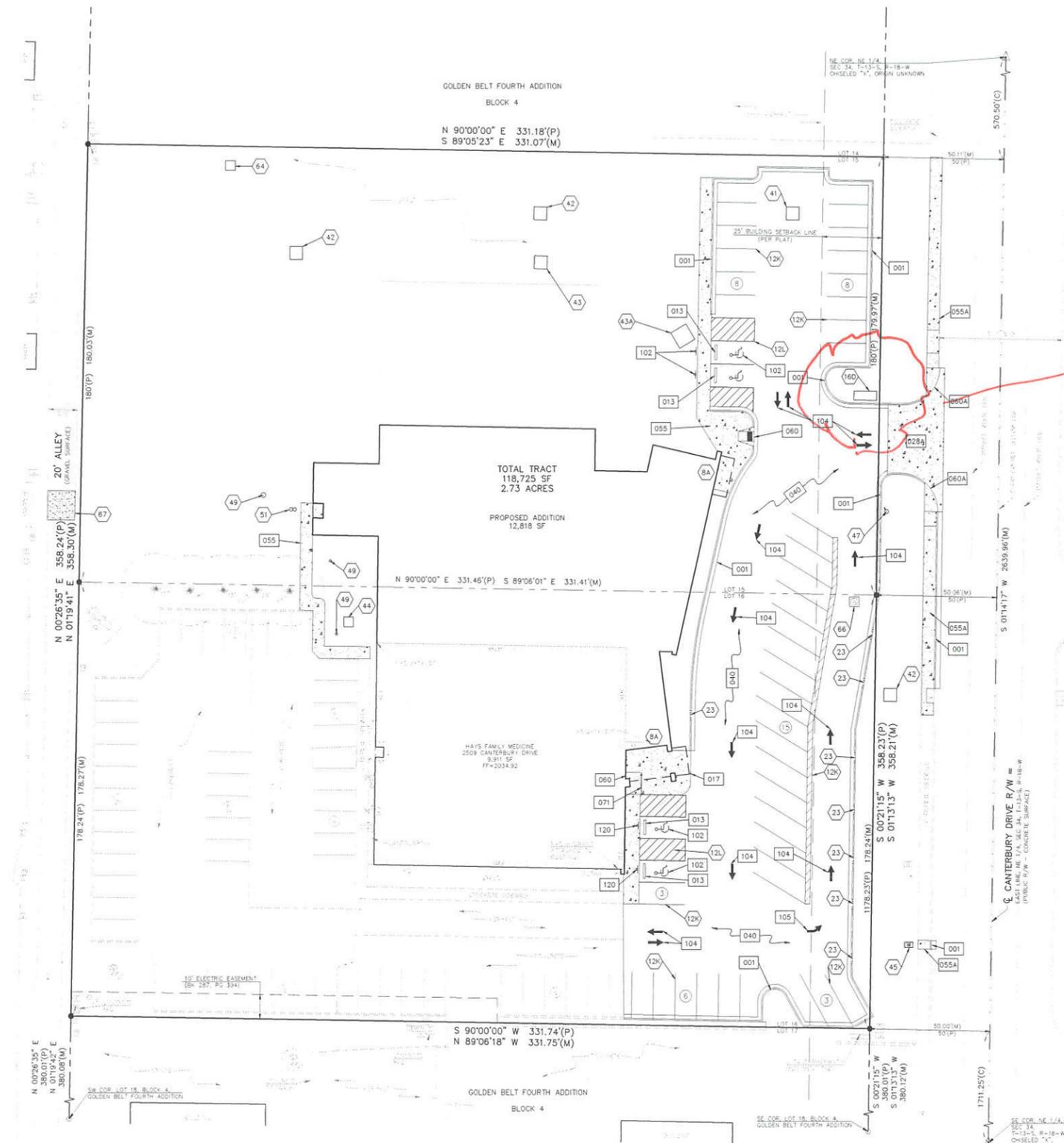
EQUIPMENT





Save A Heart
Pharmacy

HOME MEDICAL EQUIPMENT



New SIGN
New SIGN LOCATION → [Red arrow pointing to a red circle on the site plan]
PL
2'

- CONSTRUCTION NOTES:**
1. COORDINATE START-UP AND ALL CONSTRUCTION ACTIVITIES WITH OWNER.
 2. CONSTRUCTION METHODS AND MATERIALS NOT SPECIFIED IN THESE PLANS ARE TO MEET OR EXCEED THE STANDARD SPECIFICATIONS.
 3. ALL CONSTRUCTION WORK AND UTILITY WORK OUTSIDE OF PROPERTY BOUNDARIES SHALL BE PERFORMED IN COOPERATION WITH AND IN ACCORDANCE WITH REGULATIONS OF THE AUTHORITIES CONCERNED.
 4. PUBLIC CONVENIENCE AND SAFETY: THE CONTRACTOR SHALL CONDUCT THE WORK IN A MANNER THAT WILL INSURE, AS FAR AS PRACTICABLE, THE LEAST OBSTRUCTION TO TRAFFIC, AND SHALL PROVIDE FOR THE CONVENIENCE AND SAFETY OF THE GENERAL PUBLIC AND RESIDENTS ALONG AND ADJACENT TO HIGHWAYS IN THE CONSTRUCTION AREA.
 5. ALL DIMENSIONS SHOWN ARE TO THE BACK OF CURB UNLESS OTHERWISE NOTED.
 6. ACCESSIBLE STALLS SHOWN WITH A "V" SHALL BE 16'-0" MIN. AND SHALL HAVE A SIGN DESIGNATING "VAN-ACCESSIBLE". SEE DETAIL 102 AND 120.
 7. ALL TRAFFIC CONTROL DEVICES, INSTALLATION AND OPERATIONS SHALL CONFORM WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES".
 8. PAINT FOR STRIPING ON PUBLIC STREETS, HIGHWAYS AND ENTRANCES SHALL BE REFLECTORIZED PAINT CONFORMING TO THE SPECIFICATIONS OR REQUIREMENTS OF THE AUTHORITY GOVERNING THE STREET OR HIGHWAY.
 9. WHEN ASPHALT PAVING IS USED CURB AND GUTTER DETAIL 001 SHALL BE USED. WHEN CONCRETE PAVING IS USED CURB AND GUTTER DETAIL 003 SHALL BE USED.

- DETAILS - SEE DETAIL SHEETS C9.1 THRU C9.5 FOR THE FOLLOWING DETAILS**
- 001 CONCRETE CURB AND GUTTER
 - 013 CONCRETE WHEEL STOP
 - 017 CURB WALK/CURB
 - 028A COMMERCIAL DRIVE ENTRANCE
 - 040 CONCRETE PAVEMENT
 - 055 CONCRETE SIDEWALK
 - 055A CONCRETE SIDEWALK - PER CITY OF HAYS STANDARD DETAILS
 - 060 ACCESSIBLE RAMPS
 - 060A ACCESSIBLE RAMPS - PER CITY OF HAYS STANDARD DETAILS
 - 071 METAL HANDRAIL
 - 102 90° ACCESSIBLE & VAN ACCESSIBLE SPACE STRIPING
 - 104 TRAFFIC FLOW ARROW (STRAIGHT)
 - 105 TRAFFIC FLOW ARROW (LEFT/RIGHT)
 - 120 ACCESSIBLE PARKING SIGNAGE

- NOTES:**
- 8A ENTRY (SEE ARCH. PLANS)
 - 12K WHITE PARKING LOT STRIPING (SHERWIN-WILLIAMS TM 2160 LEAD FREE OR APPROVED EQUAL)
 - 12L YELLOW PARKING LOT STRIPING (SHERWIN-WILLIAMS TM 2160 LEAD FREE OR APPROVED EQUAL)
 - 160 MONUMENT SIGN (SEE ARCH. PLANS, SHEET A12.1)
 - 23 2'-0" CURB OPENING (SEE GRADING PLAN)
 - 41 AREA INLET (SEE STORM SEWER PLAN & PROFILE)
 - 42 DETENTION POND OUTLET STRUCTURE
 - 43 JUNCTION BOX (SEE STORM SEWER PLAN & PROFILE)
 - 43A BIOTENTION OUTLET STRUCTURE
 - 44 TRANSFORMER PAD (SEE UTILITY PLAN)
 - 45 WATER METER (SEE UTILITY PLAN)
 - 47 FIRE HYDRANT
 - 49 NYLOPLAST STRUCTURE (SEE STORM SEWER PLAN & PROFILE)
 - 51 2-WAY CLEAN OUT (SEE UTILITY PLAN)
 - 64 ELECTRIC JUNCTION BOX (SEE UTILITY PLAN)
 - 65 POWER POLE (SEE UTILITY PLAN)
 - 66 WATER WELL JUNCTION BOX (SEE UTILITY PLAN)
 - 67 ALLEY REPLACEMENT (SEE UTILITY PLAN)

NOTE:

1. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF ENTRANCE, SLOPED PAVING, EXIT PORCHES, RAMPS, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
2. THESE PLANS HAVE NOT BEEN VERIFIED WITH FINAL ARCHITECTURAL CONTRACT DRAWINGS. CONTRACTOR SHALL VERIFY AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES. CONTRACTOR IS FULLY RESPONSIBLE FOR REVIEW AND COORDINATION OF ALL DRAWINGS AND CONTRACTOR DOCUMENTS.
3. ALL DIMENSIONS ARE TO BACK OF CURB UNLESS NOTED OTHERWISE.
4. ALL DIMENSIONS ARE PERPENDICULAR TO PROPERTY LINE.
5. ACTUAL SIGN LOCATIONS TO BE COORDINATED WITH CONSTRUCTION MANAGER.

CAUTION - NOTICE TO CONTRACTOR

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH PROPOSED IMPROVEMENTS SHOWN ON THE PLANS. THE CONTRACTOR SHALL EXPOSE EXISTING UTILITIES AT LOCATIONS OF POSSIBLE CONFLICTS PRIOR TO ANY CONSTRUCTION.

SAFETY NOTICE TO CONTRACTOR

IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.

WARRANTY / DISCLAIMER

THE DESIGNS REPRESENTED IN THESE PLANS ARE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR THE DESIGN FUNCTIONS AND USES INTENDED BY THE OWNER AT THIS TIME. HOWEVER, NEITHER RAW VALLEY ENGINEERING, INC NOR ITS PERSONNEL CAN OR DO WARRANTY THESE DESIGNS OR PLANS AS CONSTRUCTED, EXCEPT IN THE SPECIFIC CASES WHERE RAW VALLEY ENGINEERING PERSONNEL INSPECT AND CONTROL THE PHYSICAL CONSTRUCTION ON A CONTINUING BASIS AT THE SITE.

EXTENSIVE REVISIONS
SITE PLAN

PROJ. NO. F140068 DSN: KDB KEITH D. BEATTY
 CFN: 006587 DSN: JP ENGINEER
 2319 N. JACKSON | P.O. BOX 1304
 JUNCTION CITY, KANSAS 66401
 PH: (785) 762-5240 | FAX: (785) 762-1744
 jdk@eng.com | www.rve.com

KV RAW VALLEY ENGINEERING

RAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO OFFER ENGINEERING SERVICES BY KANSAS STATE CERTIFICATE OF AUTHORIZATION # E-113. EXPIRES 12/31/16

CHECKED BY: KDB
 DOWN BY: J.P.

Health Facilities Group
 Medical Planning & Architecture

16978
 PROFESSIONAL
 ENGINEER

**HAYSMED
 FAMILY MEDICINE**
 2509 CANTERBURY DR. HAYS, KS

DATE: 11/20/14 11:46:55 AM

SHEET TITLE: SITE PLAN

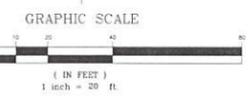
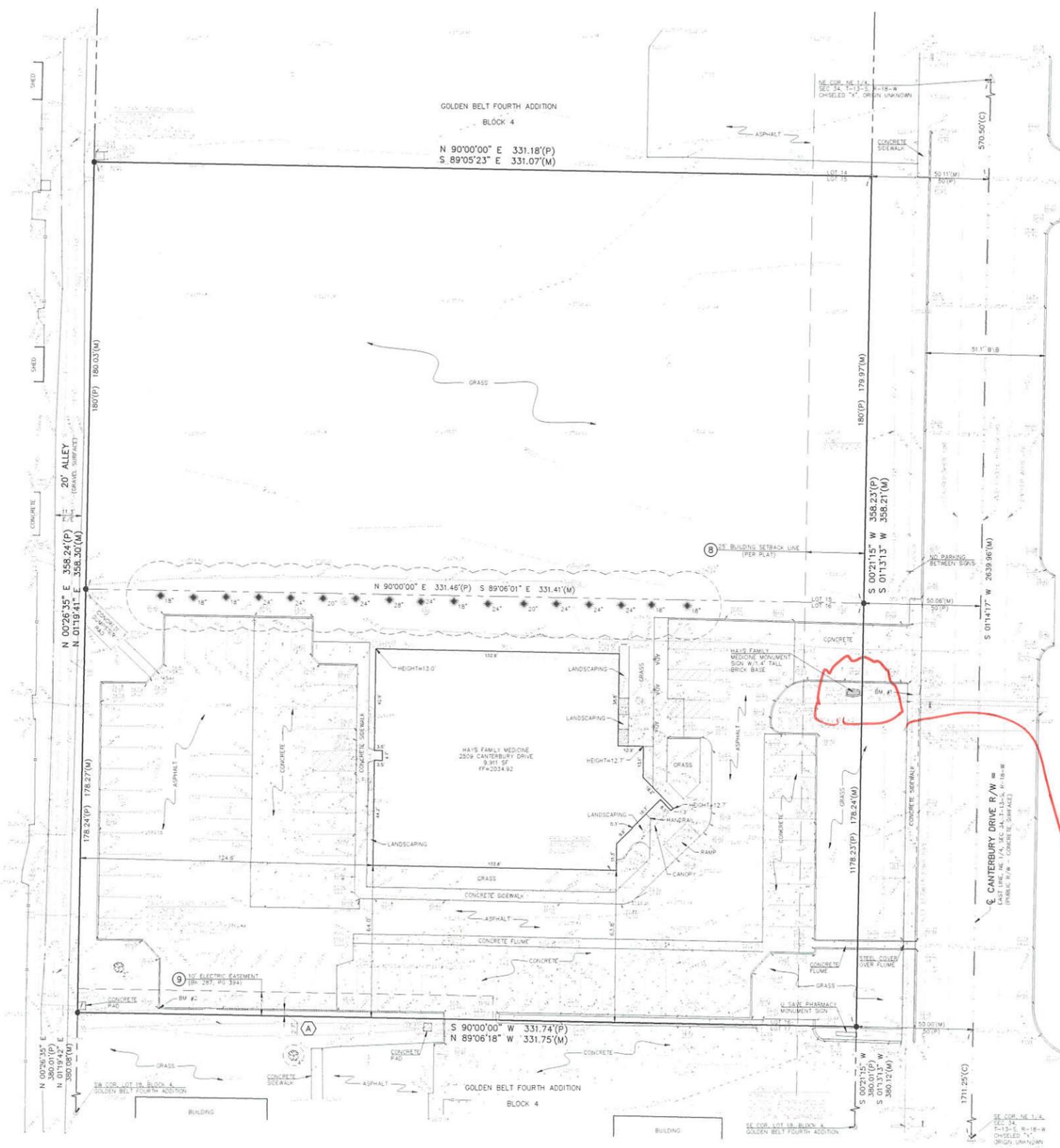
Revisions		
No.	Description	Date
1	DTY COMMENTS	2/17/15
2	DTY COMMENTS	3/4/15
3	45' AP	5/1/15
4	45' AP	5/1/15
5	STORM WATER	6/22/15

C3.1

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ALTA/ACSM LAND TITLE SURVEY

NE 1/4, SECTION 34, T-18-S, R-15-W
CITY OF HAYS, ELLIS COUNTY, KANSAS



NOTES:
1. THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

BASIS OF BEARINGS:
THE BASIS OF BEARINGS FOR THIS SURVEY IS A GRID BEARING OF S 100°41'17\"/>

POTENTIAL ENCROACHMENTS:
A. TELEPHONE LINE IS OVER THE SOUTH LINE ONTO THE SUBJECT PROPERTY AS SHOWN HEREON.

FLOOD STATEMENT:
SUBJECT PROPERTY IS SHOWN TO BE LOCATED IN "ZONE C" ON THE FLOOD INSURANCE RATE MAP FOR HAYS, KANSAS, COMMUNITY-PANEL NO. 20009 0002 B, EFFECTIVE DATE JULY 3, 1986. "ZONE C" IS DEFINED AS "AREAS OF MINIMAL FLOODING". LOCATION DETERMINED BY A SCALED GRAPHICAL PLOT OF THE FLOOD INSURANCE RATE MAP.

ZONING:
EXISTING ZONE: C-2 OFFICE AND INSTITUTION DISTRICT
PER CITY OF HAYS OS WEBSITE ACCESSED OCTOBER 23, 2014

REQUIRED SETBACKS:
SUBJECT REGULATIONS: NO BUILDINGS SHALL EXCEED 45 FEET IN HEIGHT, EXCEPT THAT FOR EACH ONE FOOT OF ADDITIONAL FRONT YARD PROVIDED, TWO ADDITIONAL FEET OF HEIGHT WILL BE PERMITTED.

FRONT YARDS: THE FRONT YARD SHALL BE A MINIMUM OF 25 FEET IN DEPTH MEASURED FROM THE FRONT LOT LINE, EXCEPT ON COLLECTOR STREETS, THE MINIMUM FRONT YARD SHALL BE 35 FEET FROM THE FRONT PROPERTY LINE OR 45 FEET MEASURED FROM THE CENTERLINE OF THE STREET, WHICHEVER IS GREATER, AND EXCEPT ON ARTERIAL STREETS, THE MINIMUM FRONT YARD SHALL BE 25 FEET FROM THE FRONT PROPERTY LINE OR 75 FEET MEASURED FROM THE CENTERLINE OF THE STREET, WHICHEVER IS GREATER.

SIDE YARDS: THERE SHALL BE A SIDE YARD ON EACH SIDE OF A BUILDING HAVING A WIDTH OF NOT LESS THAN FIVE FEET.

REAR YARDS: THERE SHALL BE A REAR YARD HAVING A DEPTH OF NOT LESS THAN 25 FEET OR 20 PERCENT OF THE DEPTH OF THE LOT, WHICHEVER IS GREATER.

TABLE "A" NOTES:
1. GROSS LAND AREA: 118,728 SQUARE FEET/2.73 ACRES.
2. "VERTICAL CURVE" WAS ESTABLISHED BY GROUND SURVEY; CONTOUR INTERVAL IS 1.0 FOOT.
3. THERE ARE SIX DESIGNATED PARKING STALLS LOCATED ON SUBJECT PROPERTY, 56 REGULAR, 3 HANDICAP ACCESSIBLE.
4. (11b) UNDERGROUND UTILITIES SHOWN PER (PICK ONE OR REUSE ACCORDINGLY) KANSAS ONE-CALL TICKET # 1444395
5. THERE WERE NO OFFSITE EASEMENTS OR SERVITUDES LOCATED AT TIME OF SURVEY.

SURVEY REFERENCE:
THE ITEMS SHOWN ON THE SURVEY AS (PER PLAT) REFER TO THE PLAT OF GOLDEN BELT FOURTH ADDITION, RECORDED IN BOOK 281 PAGE 734.

TITLE COMMITMENT:
FIELD REPRESENTATIVE: TRISTAN COO, AN AGENT FOR AMERICAN LAND TITLE ASSOCIATION
COMMITMENT NO. 0214-13949
EFFECTIVE DATE: OCTOBER 2, 2014 AT 8:00 AM

DESCRIPTION PER TITLE COMMITMENT:
LOTS FIFTEEN (15) AND SIXTEEN (16), BLOCK FOUR (4), GOLDEN BELT FOURTH ADDITION TO THE CITY OF HAYS, ELLIS COUNTY, KANSAS.

SCHEDULE B - SECTION II ITEMS:
1. REVISIONS, RESTRICTIONS AND COVENANTS AS CONTAINED IN THE PLAT AND DECLARATION OF GOLDEN BELT FOURTH ADDITION, RECORDED APRIL 13, 1977, IN BOOK "281" OF LEASES AT PAGE 734, SPECIFICALLY DESCRIBED AS FOLLOWS: REVISIONS, RESTRICTIONS AND COVENANTS OF RECORD, AREA OF APPLICATION INCLUDING FULLY PROTECTED RESIDENTIAL AREA, BUSINESS AREA AND MULTIPLE FAMILY DWELLING, LAND USE AND BUILDING TYPE, DWELLING SIZE, BUILDING LOCATION, LOT AREA AND WIDTH, EASEMENTS, NUISANCES, TEMPORARY STRUCTURES, BUILDING MATERIALS, SIGNS, OIL AND MINING OPERATIONS, LIVESTOCK AND POULTRY, ZONING AND PLANNING, GENERAL PROVISION INCLUDING TERM, ENFORCEMENT AND SEVERABILITY. (AFFECTS SUBJECT PROPERTY BUT IS NOT A PLOTTABLE ITEM)
2. BUILDING SETBACK OVER THE EAST 25 FEET OF SUBJECT PROPERTY AS SHOWN ON THE PLAT OF GOLDEN BELT FOURTH ADDITION, RECORDED APRIL 13, 1977, IN BOOK "281" OF PLATS AT PAGE 48. (AFFECTS SUBJECT PROPERTY AND IS SHOWN HEREON)
3. RIGHT OF WAY GRANTED TO CENTRAL KANSAS POWER COMPANY, INC. TO CONSTRUCT, RECONSTRUCT, MAINTAIN, REPAIR AND OPERATE UNDERGROUND ELECTRIC DISTRIBUTION AND SERVICE LINES, PAD-MOUNTED TRANSFORMERS AND SERVICE PEDESTALS, UPON LOT 16, WITH INGRESS AND EGRESS TO AND FROM THE SAME BY INSTRUMENT RECORDED APRIL 26, 1978, IN BOOK "281" OF LEASES AT PAGE 334. (AFFECTS SUBJECT PROPERTY AND IS SHOWN HEREON)

LEGEND	
△ SECTION CORNER FOUND	SPRINKLER VALVE
○ 1/2" BARS FOUND	SANITARY SEWER MANHOLE
○ ORIGIN UNKNOWN	SANITARY SEWER CLEAN-OUT
● 1/2" x 24" REBAR W/ KVE CLS 20 CAP SET	SANITARY SEWER LINE
(P) PLATTED	STORM SEWER MANHOLE
(M) MEASURED	ROOF DRAIN
(C) CALCULATED	TELEPHONE PEDESTAL
— STREET SIGN	SPLICE BOX
— UTILITY POLE W/LIGHT	UNDERGROUND TELEPHONE LINE
— BREAKER BOX	UNDERGROUND FIBER OPTIC CABLE
— AIR CONDITIONER UNIT	— HANDICAP SIGN
— ELECTRIC METER	— HANDICAP PAINTED SYMBOL
— ELECTRIC TRANSFORMER	— WOOD FENCE
— UNDERGROUND ELECTRIC LINE	— DECIDUOUS TREE W/SIZE & DRP LINE
— GAS METER	— CONIFEROUS TREE W/SIZE & DRP LINE
— UNDERGROUND GAS LINE	— PARKING STALL COUNT
— WATER LINE	— 1' CONTOUR INTERVAL
— WATER LINE GATE VALVE	— SPOT ELEVATION AT TOP AND FLOWLINE OF CURB (ADD 2000)
— WATER MANHOLE	— SPOT ELEVATION AT GROUND/PAVEMENT
— WATER METER	— B/B BACK OF CURB TO BACK OF CURB
— WATER WELL	— E/E EDGE OF PAVEMENT TO EDGE OF PAVEMENT
— FIRE HYDRANT	— POTENTIAL ENCROACHMENT IDENTIFIER
— SPRINKLER CONTROL BOX	— SCHEDULE B IDENTIFIER

SEWER & WATER:
1002 VINE STREET
HAYS, KANSAS 67601
MARK DANIELL
(785) 625-7350

TELEPHONE/CABLE TV:
EAGLE COMMUNICATIONS
3703 HALL STREET, SUITE 13
HAYS, KANSAS 67601
JOSHUA WICKHAM
(785) 625-5910

GAS & ELECTRIC:
KANSAS POWER
1330 CANTERBURY RD
HAYS, KANSAS 67601
CRAIG AUGUSTINE
(785) 625-1427

NEX-TECH:
2418 VINE STREET
HAYS, KANSAS 67601
(877) 625-7872

STEVE BARRON:
(314) 275-0061

UTILITY STATEMENT:
THE UNDERGROUND UTILITIES SHOWN HEREON ARE FROM FIELD SURVEY INFORMATION OF ONE-CALL LOCATED UTILITIES, FIELD SURVEY INFORMATION OF ABOVE-GROUND OBSERVABLE EVIDENCE, AND/OR THE SCALING AND PLOTTING OF EXISTING UTILITY MAPS AND DRAWINGS AVAILABLE TO THE SURVEYOR AT THE TIME OF SURVEY. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN CONFORM TO ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. FURTHERMORE, THE SURVEYOR DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES BY EXCAVATION UNLESS OTHERWISE NOTED ON THIS SURVEY.

CERTIFICATION:
TO HAYS MEDICAL CENTER, INC., FIELD ABSTRACT & TITLE CO., & AMERICAN LAND TITLE ASSOCIATION:
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARDS DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPL, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 7(a), 7(b)(1), 8, 9, 11(a), 20(a), AND 20(b) OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON OCTOBER 17, 2014.

DATE OF PLAT OR MAP: OCTOBER 29, 2014

PROFESSIONAL SEAL:
JASON R. LOADE
KANSAS REG. NO. 1462
10/29/2014



PROJ. NO. F140068 DGN: KGB
DWN: JP

KV KAW VALLEY ENGINEERING

2319 N. JACKSON | P.O. BOX 1304
JUNCTION CITY, KANSAS 66441
PH (785) 762-5040 | FAX (785) 762-7744
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KAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO OFFER SURVEYING SERVICES BY KANSAS STATE CERTIFICATE OF AUTHORIZATION NO. LS-20. EXPIRES 12/31/16

CHECKED BY: KGB
DRAWN BY: JP

Health Facilities Group.
Medical Planning & Architecture

HAYS MED FAMILY MEDICINE
2509 CANTERBURY DR. HAYS, KS

PROJECT: HSHHSW 14104
SHEET: ALTA/ACSM LAND TITLE SURVEY

DATE: 11/20/2014 11:46:56 AM

revisions:

No.	Description	Date

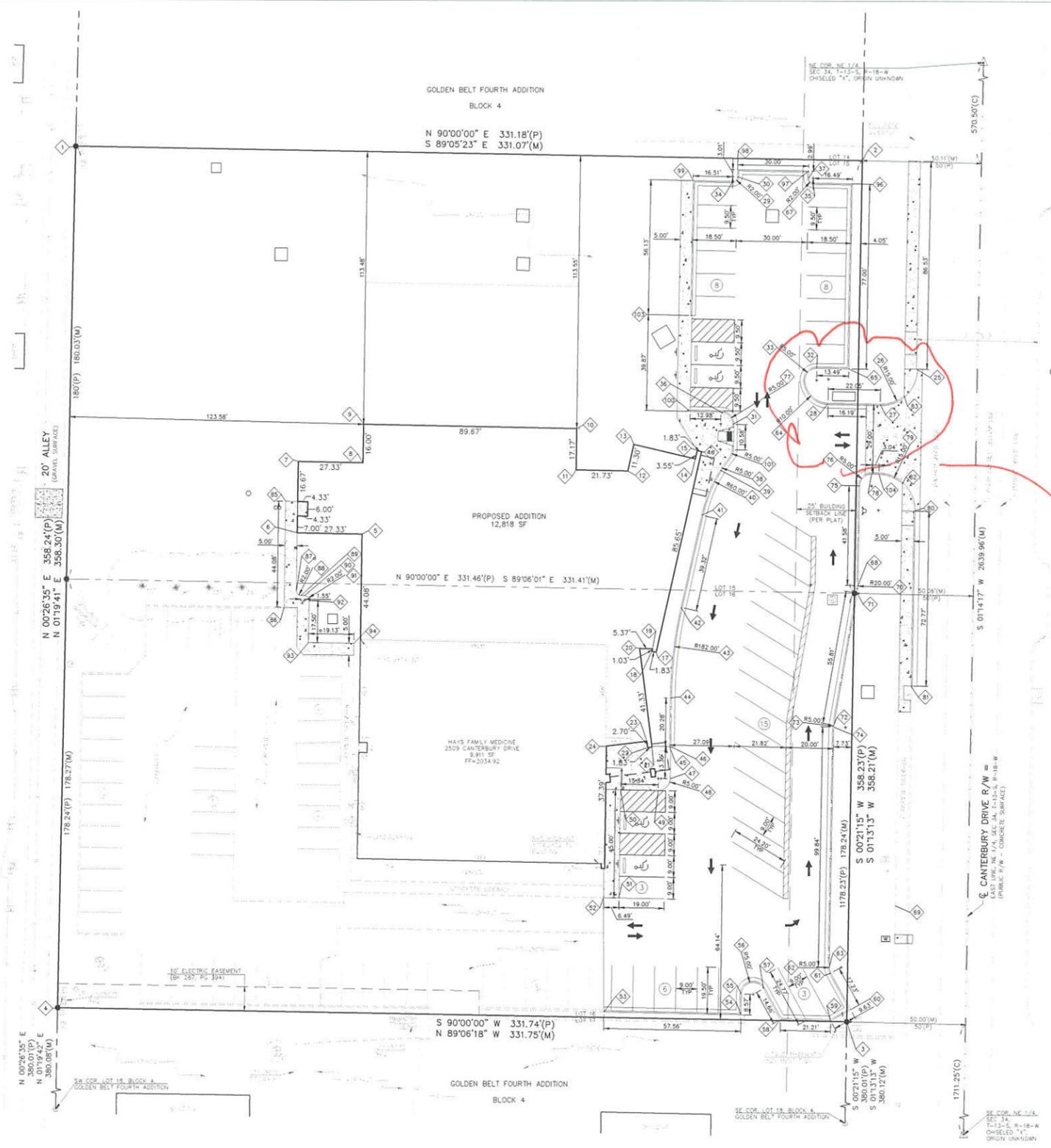
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EXISTING SIGN
Property Line
"0" setback

EXISTING SIGN →

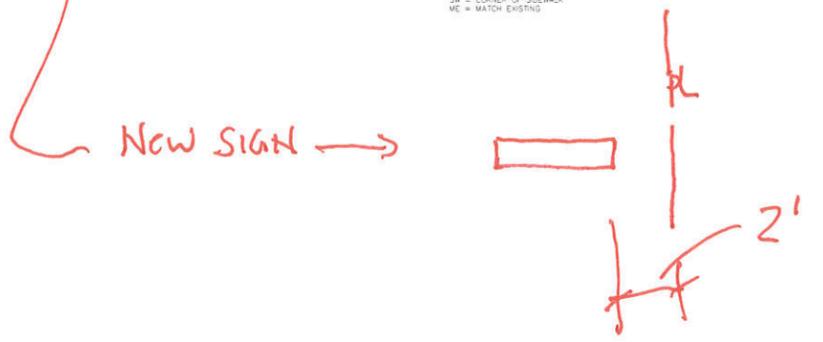
PL



COORDINATE TABLE			
POINT #	NORTHING	EASTING	DESCRIPTION
1	203180.36	942124.90	BDD
2	203175.10	942455.93	BDD
3	202816.98	942448.30	BDD
4	202822.16	942116.59	BDD
5	203019.29	942245.03	BDD
6	203019.77	942217.70	BDD
7	203049.43	942218.23	BDD
8	203048.95	942245.50	BDD
9	203064.94	942245.84	BDD
10	203063.37	942335.49	BDD
11	203046.20	942335.19	BDD
12	203045.82	942356.90	BDD
13	203056.83	942359.46	BDD
14	203050.87	942385.28	BDD
15	203054.33	942386.08	BDD
16	203053.92	942387.87	BDD
17	202970.47	942368.59	BDD
18	202970.88	942366.80	BDD
19	202971.88	942367.03	BDD
20	202971.97	942361.66	BDD
21	202930.95	942366.69	BDD
22	202930.72	942364.87	BDD
23	202933.40	942364.54	BDD
24	202931.32	942347.54	BDD
25	203088.39	942478.57	ER
26	203089.45	942462.97	RP
27	203073.71	942443.31	ER
28	203074.09	942441.26	ER
29	203168.31	942401.22	RP
30	203168.27	942403.22	ER
31	203065.28	942401.03	PI
32	203088.68	942436.54	ER
33	203083.68	942436.46	RP
34	203166.31	942401.19	ER
35	203165.72	942435.18	ER
36	203070.39	942396.12	PI
37	203167.78	942433.22	ER
38	203049.40	942391.17	RP
39	203046.27	942395.81	ER
40	203014.45	942445.45	RP
41	203027.50	942387.93	ER
42	202989.19	942379.08	ER
43	202949.21	942348.81	RP
44	202951.43	942374.44	ER
45	202931.15	942374.08	EC
46	202931.14	942374.58	SW
47	202917.79	942374.35	SW
48	202917.87	942369.35	RP
49	202912.87	942369.26	SW
50	202913.15	942353.42	SW
51	202868.27	942352.63	SW

COORDINATE TABLE			
POINT #	NORTHING	EASTING	DESCRIPTION
52	202868.27	942346.14	SW
53	202830.80	942346.14	ME
54	202819.79	942403.69	PI
55	202828.37	942403.85	ER
56	202828.27	942406.85	RP
57	202830.68	942413.23	ER
58	202817.83	942420.29	PI
59	202817.37	942411.50	PI
60	202822.01	942419.94	PI
61	202837.12	942441.64	ER
62	202839.52	942446.03	ER
63	202839.63	942441.03	ER
64	203084.09	942441.44	RP
65	203088.44	942450.03	PI
67	203167.72	942435.22	RP
68	202998.31	942453.60	ER
69	202865.15	942468.92	PI
70	202988.74	942433.60	RP
71	202985.15	942453.28	ER
72	202940.24	942443.26	ER
73	202939.35	942448.18	ER
74	202939.45	942443.18	ER
75	203039.88	942454.49	ER
76	203036.78	942457.82	RP
77	203065.39	942396.03	RP
78	203044.77	942459.58	ER
79	203030.21	942461.86	RP
80	203029.40	942477.35	ER
81	202956.66	942475.84	ME
82	203040.76	942472.51	SW
83	203077.32	942473.34	SW
84	203174.97	942475.54	ME
85	203032.85	942212.93	SW
86	202988.78	942212.16	SW
87	202995.70	942217.28	SW
88	202995.67	942219.28	RP
89	202993.67	942219.25	SW
90	202993.64	942220.80	SW
91	202991.64	942220.77	RP
92	202991.60	942222.77	SW
93	202974.10	942222.41	SW
94	202973.90	942221.54	SW
95	203165.43	942451.67	PI
97	203170.75	942433.28	PI
98	203171.28	942403.29	EC
99	203166.80	942384.68	PI
100	203070.62	942383.14	EC
101	203054.81	942395.81	RP
103	203110.49	942383.49	EC
104	203044.71	942462.62	ER

BDD = BUILDING CORNER
 RP = RADIUS POINT
 PI = POINT OF INTERSECTION
 ER = END RADIUS
 EC = END OF CURB
 SW = CORNER OF SEEWALK
 ME = MATCH EXISTING



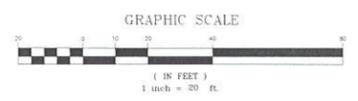
SAFETY NOTICE TO CONTRACTOR
 IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.

WARRANTY / DISCLAIMER
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CAUTION - NOTICE TO CONTRACTOR
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH PROPOSED IMPROVEMENTS SHOWN ON THE PLANS. THE CONTRACTOR SHALL EXPOSE EXISTING UTILITIES AT LOCATIONS OF POSSIBLE CONFLICTS PRIOR TO ANY CONSTRUCTION.

THE COORDINATES PROVIDED IN THESE PLANS ARE FOR INFORMATION AND CHECKING PURPOSES ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CALCULATE CONSTRUCTION STAKING COORDINATES ACCORDING TO THE DIMENSIONS SHOWN ON THESE PLANS. CONTRACTOR SHALL VERIFY THE ACCURACY OF THE COORDINATES SHOWN IN THE TABLE HEREON BEFORE CONSTRUCTION.

- NOTE:**
1. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF ENTRANCE, SLOPED PAVING, EXIT PORCHES, RAMPS, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
 2. THESE PLANS HAVE NOT BEEN VERIFIED WITH FINAL ARCHITECTURAL CONTRACT DRAWINGS. CONTRACTOR SHALL VERIFY AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES. CONTRACTOR IS FULLY RESPONSIBLE FOR REVIEW AND COORDINATION OF ALL DRAWINGS AND CONTRACTOR DOCUMENTS.
 3. ALL DIMENSIONS ARE TO BACK OF CURB UNLESS NOTED OTHERWISE.
 4. ALL DIMENSIONS ARE PERPENDICULAR TO PROPERTY LINE.



EXTENSIVE REVISIONS

DIMENSION PLAN

PROJ. NO. F1400068 DSN. KEB KEITH D. BEATTY
 CEN. 00680M DWN. JP ENGINEER
 KANSAS STATE CERTIFICATE OF AUTHORIZATION # E-113 EXPIRES 12/31/16

2319 N. JACKSON | P.O. BOX 1304
 JUNCTION CITY, KANSAS 6641
 PH (785) 762-5040 | FAX (785) 762-7744
 KVE@KVE.COM | WWW.KVE.COM

KAW VALLEY ENGINEERING
 KAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO OFFER ENGINEERING SERVICES BY KANSAS STATE CERTIFICATE OF AUTHORIZATION # E-113 EXPIRES 12/31/16

Health Facilities Group.
 Medical Planning & Architecture

REGISTERED PROFESSIONAL ENGINEER
 16978
 KEITH D. BEATTY
 PROFESSIONAL ENGINEER

HAYS MED FAMILY MEDICINE
 2509 CANTERBURY DR. HAYS, KS

revisions:

No.	Description	Date
11	STOPWATER REV. 8/22/15	

DATE: 11/20/2014 11:46:56 AM SHEET DIMENSION PLAN HKS\HKS 14104

C4.1

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This is the list of abutting property owners next to the location of the proposed sign that were sent notification of the Public Hearing.

#13-15						
Property Address	Parcel	First Name	Address	City	State	Zip
2509 Canterbury Dr	026-138-34-0-10-10-019.00-0	Hays Medical Center	2220 Canterbury Dr	Hays	KS	67601
O Canterbury Dr	026-138-34-0-10-10-020.00-0	Hays Medical Center Inc	2220 Canterbury Dr	Hays	KS	67601
O Canterbury Dr	026-137-35-0-20-01-014.00-0	Church of the Hays Nazarene Inc	P O Box 1584	Hays	KS	67601
2500 Canterbury Dr	026-137-35-0-20-01-016.00-0	Hays Medical Center Inc	2220 Canterbury Dr	Hays	KS	67601
2505 Canterbury Dr	026-138-34-0-10-10-017.00-0	Stecklein Investments LLC	2505 Canterbury Dr	Hays	KS	67601
2507 Canterbury Dr	026-138-34-0-10-10-018.00-0	Hays Medical Center Inc	2220 Canterbury Dr	Hays	KS	67601

(Published in the Hays Daily News, December 14, 2015)

BEFORE THE HAYS AREA BOARD OF ZONING APPEALS THE CITY OF HAYS, KANSAS NOTICE

TO: Hays Medical Center and Nabholz Construction Corporation
The Hays Area Planning Commission
The City of Hays, Kansas,
and all other persons concerned

You are hereby notified that pursuant to the provisions of K.S.A. 12-716 through K.S.A. 12-724 et seq. as amended, and Ordinance 3721 of the Code of Ordinances of the City of Hays, and Resolution

2007-8 of the Board of County Commissioners of Ellis County, Kansas, that a hearing will be had before said Board upon the appeal filed by Hays Medical Center and Nabholz Construction Corporation.

The subject of the hearing shall be a request by Hays Medical Center and Nabholz Construction Corporation for a variance as may be deemed by the Hays Area Board of Zoning Appeals of said City, from existing legal requirements for a 8 foot variance to reduce the front yard building setback from the required 10 feet to 2 feet in a "C-O" Office and Institution zoning district to allow placement of a business sign on-the property located at 2509 Canterbury Dr, Hays, Kansas

You are hereby notified that a hearing will be had upon said appeal on the 13th day of January, 2016 at 8:15 a.m., in the City Commission Chambers of City Hall, in the City of Hays, Kansas, at which time said appeal will be determined.

Lou Caplan,
Chairperson
Hays Area Board of
Zoning Appeals

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Board of Zoning Appeals Action Report

AGENDA ITEM: Setback Variance Application #01-16
 ADDRESS: 210 E 17th
 OWNER: James and Shawn Mulkey
 TYPE OF REVIEW: Variance
 PRESENTED BY: Jesse Rohr, P.I.E. Superintendent
 DATE PREPARED: January 5, 2016
 MEETING DATE: January 13, 2016

SUMMARY AND RECOMMENDED ACTION:

The applicant is requesting a variance to reduce the side yard setback from 7' to 5', a variance of 2' and also allow a reduced distance from the house of 1' from the required 5' to allow the reconstruction of a 15 x 20 carport on the property located at 210 E 17th (see further details below and attached site drawing). Staff recommends setting a public hearing for the February 10, 2106 Board of Zoning meeting for the request as submitted if it is found to be warranted based on discussion.

BACKGROUND:

- The applicant is requesting a variance on 1 side:
 - East Side – 7' to 5'
- Applicant wishes to construct a 15' x 20' carport on the property
- Applicant also wishes to have the carport as close as 1' from the existing house.
- Due to an honest mistake, this carport was erected on site without proper approval due to the owner not realizing the requirements. The fact the carport already exists should not be considered when determining if the variance should be granted or not.

	Setback Required	Applicant Proposed
Front Yard	N/A	N/A
Side Yard	7'	5'
Rear Yard	N/A	N/A
Other Structures	5'	1'

STANDARDS OF EVALUATION:

Per State Statute 12-759 and City Ordinance Sec. 71-1250

- The BZA has the authority to grant a variance if a literal enforcement of the provisions of the adopted regulations, will, in an individual case, result in unnecessary hardship, provided:
 - The spirit of the regulations shall be observed
 - Public safety and welfare secured
 - Substantial justice shall be done
- The applicant must show that the property was acquired in good faith and that the variance is needed due to extraordinary or exceptional circumstances of the property such as exceptional narrowness, shallowness, or shape of the lot
- Before granting a variance on the basis of unusual difficulty or unreasonable hardship, there must be finding by the Board that all of the following conditions exist:
 - a. Uniqueness of the property not ordinarily found in the same zone or district and not created by willful action of the owner

Staff Analysis: *While the uniqueness of this property is not very apparent when compared to homes in the surrounding neighborhood, the variance request in itself is minimal as compared to other similar requests for carports in the past. Also, as you look at the site, it is obvious that the existing accessory buildings and large trees on the property make it challenging to place the carport elsewhere on the lot.*

- b. The granting of the variance will not adversely affect the rights of adjacent property owners

Staff Analysis: *It is staff's opinion that this request will have minimal impact on the one property owner adjacent to the east property line of the subject property.*

- c. The strict application of the code will constitute unnecessary hardship upon the property owner

Staff Analysis: *As stated in the application submitted by the owner, other areas on the lot were considered and due to the fact that the concrete driveway is already in place, this location was chosen as the best option while trying to have a minimal impact on surrounding properties and not creating undue work and cost on the part of the owner.*

- d. The variance will not adversely affect the public health, safety, morals, order, convenience, propriety, or general welfare

Staff Analysis: *This variance **should not** adversely affect the public health, safety, morals, order, convenience, propriety, or general welfare.*

- e. The granting of the variance desired will not be opposed to the general spirit and intent of the regulations

Staff Analysis: *The granting of a variance for the carport, with approval of a variance as submitted, should not be opposed to the general spirit and intent of the zoning regulations.*

OPTIONS:

- Set a public hearing for the February 10, 2016 BZA meeting
- Do not move this forward for a public hearing

RECOMMENDED ACTION:

The owner of this property is attempting to utilize an older lot and is requesting a small change to accommodate a vehicle and be able to better utilize the property for the future. Based on the analysis above, staff recommends setting a public hearing for the February 10, 2016 Board of Zoning Appeals meeting and would further recommend approval of the variance request.

ATTACHMENTS:

- Variance application
- Variance justification and diagram from owner
- Images/Maps





212 E 17th St

Hays, Kansas

Street View - Apr 2013



< > Hide imagery

APPLICATION FOR VARIANCE

I. Name of Applicant James + Shawn Mulkey Phone ~~785-639-2951~~ 785-639-2951
 Mailing Address 210 E 17th St. Hays KS 67601
 Name of Owner (if different from applicant) Same Phone 785-639-2951

Mailing Address Same
 Name of Authorized Agent James Mulkey Phone 785-639-2951
 Mailing Address 210 E 17th St Hays KS 67601
 Relationship of applicant to property is that of Owner
(Owner, tenant, lessee, other)

II. The variance is requested For a carport (15'x20') next to the house on existing slab - Reduce Sidelyard From 7' to 5' and 6' away from house
 on property located at 210 E 17th St and legally described as: Fairview, Block 13, E 15' lot 10; West 55' Lot 12 section 33 Township 13 Range 10
 in the City of Hays and which is presently zoned R-3

Give metes and bounds description below or on attached sheet: (required only if property is not part of a legally recorded plat)

- III. The applicant and owner herein, or authorized agent and owner:
- A. Acknowledges receipt of an instruction sheet concerning the filing and hearing of this variance request.
 - B. Acknowledges the fee requirements established; and that the appropriate fee is herewith tendered.
 - C. Agrees to conform to all requirements of the appropriate section of the Zoning Regulations if this application is approved.
 - D. Acknowledges right to appeal the decision of the board to the District Court.

James L. Mulkey
APPLICANT

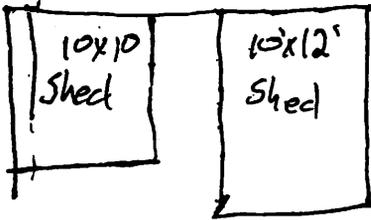
AUTHORIZED AGENT (IF ANY)

James L. Mulkey
OWNER

OFFICE USE ONLY:

RECEIVED IN THE PLANNING, INSPECTION, ENFORCEMENT DIVISION ON James L. Mulkey
 TOGETHER WITH THE APPROPRIATE FEE OF \$ 50.00
Sandra K. Bixenman, Administrative Assistant
 NAME AND TITLE

Back Fence

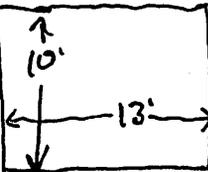


○ Cottonwood tree (Large)

15' x 15' dog run



71' x ≈ 135'



10'

9'

Fence

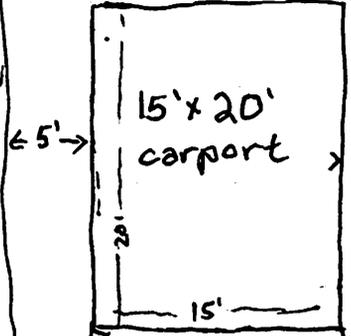
15'

Fence

Gate

water cellar door

Fence



Fence

18' small tree

flowers

drive way

tree small

24' not to scale at all

sidewalk



tree small





Date: 12-18-15

To: Hays Area Board of Zoning

From: James L Mulkey

Re: We request a setback for 2 carport
15'x20' next to the house.

A Uniqueness

Due to the fact that our property is small & narrow. I put it up about a year ago. Were I put it is the only logical place to put in. Concrete was already there. You would not have to go through a gate to park. It is 5 ft. away from my neighbors fence and a foot away from my house.

B Adjacent Property

The setback will affect only one neighbor. He has no problem with it. There is still plenty of lawn between us.

C Hardship

There is no other logical place to put a carport the drive is already there. We have no Garage to protect a vehicle. We have never had a decent vehicle so we finally get one and we would like keep it nice.

D Public Interest

If you will please let this carport remain it will not adversely affect the public's health, safety, morals, order, convenience, prosperity or general welfare.

E Spirit & Intent of the Zoning Regulation

Granting of the variance desired will

not be opposed to the general spirit and intent of the Zoning Regulations. The Carport will not be in the way of utilities or interfere with traffic or street maintenance.

Sincerely

James L. Mulkey

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Board of Zoning Appeals Action Report

AGENDA ITEM: Setback Variance Application #02-16
 ADDRESS: 1310 W 44th
 OWNER: Brent and Jill Goertzen
 TYPE OF REVIEW: Variance
 PRESENTED BY: Jesse Rohr, P.I.E. Superintendent
 DATE PREPARED: January 5, 2016
 MEETING DATE: January 13, 2016

SUMMARY AND RECOMMENDED ACTION:

The applicant is requesting a variance to reduce the side yard setback from 7 ½ feet to 5 feet', a variance of 2 ½ feet to allow the construction of a detached 20' x 24' shed on the property located at 1310 W 44th (see further details below and attached site drawing). Staff recommends setting a public hearing for the February 10, 2016 Board of Zoning meeting for the request as submitted if it is found to be warranted based on discussion.

BACKGROUND:

- The applicant is requesting a variance on 1 side:
 - East Side – 7 1/2' to 5'
- Applicant wishes to construct a detached shed on the property
- A similar variance (5' setback) was issued in 2015 for the neighboring property at 1308 W 44th, setting precedence for this neighborhood.

	Setback Required	Applicant Proposed
Front Yard	N/A	N/A
Side Yard	7 ½'	5'
Rear Yard	5'	5'
Other Structures	5'	>5'

STANDARDS OF EVALUATION:

Per State Statute 12-759 and City Ordinance Sec. 71-1250

- The BZA has the authority to grant a variance if a literal enforcement of the provisions of the adopted regulations, will, in an individual case, result in unnecessary hardship, provided:
 - The spirit of the regulations shall be observed
 - Public safety and welfare secured
 - Substantial justice shall be done
- The applicant must show that the property was acquired in good faith and that the variance is needed due to extraordinary or exceptional circumstances of the property such as exceptional narrowness, shallowness, or shape of the lot
- Before granting a variance on the basis of unusual difficulty or unreasonable hardship, there must be finding by the Board that all of the following conditions exist:
 - a. Uniqueness of the property not ordinarily found in the same zone or district and not created by willful action of the owner

Staff Analysis: *It is not immediately clear what is unique about this property. This lot is very typical of others in the area regarding lot size. The applicant states that the layout of the house, including exterior door and window locations has been a determining factor in placement of the proposed shed.*

- b. The granting of the variance will not adversely affect the rights of adjacent property owners

Staff Analysis: *It does not seem that the 2 ½ foot variance being requested would adversely affect nearby property owners.*

- c. The strict application of the code will constitute unnecessary hardship upon the property owner

Staff Analysis: *Again, this is a lot that is very consistent with others in the neighborhood. A smaller shed could be considered that would be able to meet the setbacks and not require a variance while still maintaining the yard space the applicant desires. However, the variance being requested is minimal in the grand scheme of things.*

- d. The variance will not adversely affect the public health, safety, morals, order, convenience, propriety, or general welfare

Staff Analysis: *It is unlikely that the variance would adversely affect the public health, safety, morals, order, convenience, propriety, or general welfare.*

- e. The granting of the variance desired will not be opposed to the general spirit and intent of the regulations

Staff Analysis: *The granting of a variance for the proposed shed, with approval of a variance as submitted, would not likely be opposed to the general spirit and intent of the zoning regulations.*

RECOMMENDED ACTION:

After discussion about these items with the owner, if the BZA feels a hearing is warranted, a hearing may be set for the February 10, 2016 Board of Zoning Appeals meeting.

OPTIONS:

- Set a public hearing for the February 10, 2016 BZA meeting
- Do not move this forward for a public hearing

ATTACHMENTS:

- Variance application
- Variance justification and site drawing(s) from owner
- Images/Maps

APPLICATION FOR VARIANCE

I. Name of Applicant Brent + Jill Goetzzen Phone 628-3656

Mailing Address 1310 W 44th

Name of Owner (if different from applicant) _____ Phone _____

Mailing Address _____

Name of Authorized Agent _____ Phone _____

Mailing Address _____

Relationship of applicant to property is that of _____
(Owner, tenant, lessee, other)

II. The variance is requested a 2 1/2' variance to reduce the east side yard building setback from 7 1/2' to 5' to construct a 20'x24' shed

on property located at 1310 W 44th and legally described as: Lot 3 block 2 41st St Plaza 4th Edition

in the City of Hays and which is presently zoned R-2

Give metes and bounds description below or on attached sheet: (required only if property is not part of a legally recorded plat)

- III. The applicant and owner herein, or authorized agent and owner:
 - A. Acknowledges receipt of an instruction sheet concerning the filing and hearing of this variance request.
 - B. Acknowledges the fee requirements established; and that the appropriate fee is herewith tendered.
 - C. Agrees to conform to all requirements of the appropriate section of the Zoning Regulations if this application is approved.
 - D. Acknowledges right to appeal the decision of the board to the District Court.

Brent + Jill Goetzzen
APPLICANT

AUTHORIZED AGENT (IF ANY)

Brent + Jill Goetzzen
OWNER

OFFICE USE ONLY:

RECEIVED IN THE PLANNING, INSPECTION, ENFORCEMENT DIVISION ON December 23, 2015

TOGETHER WITH THE APPROPRIATE FEE OF \$ 50.00

Sinda Bisman, Administrative Assistant

NAME AND TITLE

Date: December 23, 2015

To: Hays Area Board of Zoning

From: Brent and Jill Goertzen *BJG JKG*

RE: Application for Variance

We hereby request a setback from the property line to allow for an Accessory Structure to be used as a workshop which will be 20'x24'.

Uniqueness:

Due to the layout of our house, our master bedroom and bathroom are located in the southeast corner of the house (facing south). There are very few windows on that portion of our house and therefore will not have a negative impact on the aesthetic view from the house. However, since the family room, dining room and patio door is located at the southwest corner (all facing south) of the house, constructing the shed in a location other than proposed will have a negative impact on the aesthetic view from the house. Moreover, we would lose much more of the grass and functional space of the backyard should the structure be built other than the proposed location.

Adjacent Property:

The setback will affect only one neighbor (Robert Wickham, 1308 West 44th Street) to the east of our property. He has no problem with the shed in the proposed location. In fact he recently constructed a storage shed on his property and received a variance for his building that required a 5' setback, which is the same total setback of our request.

Hardship:

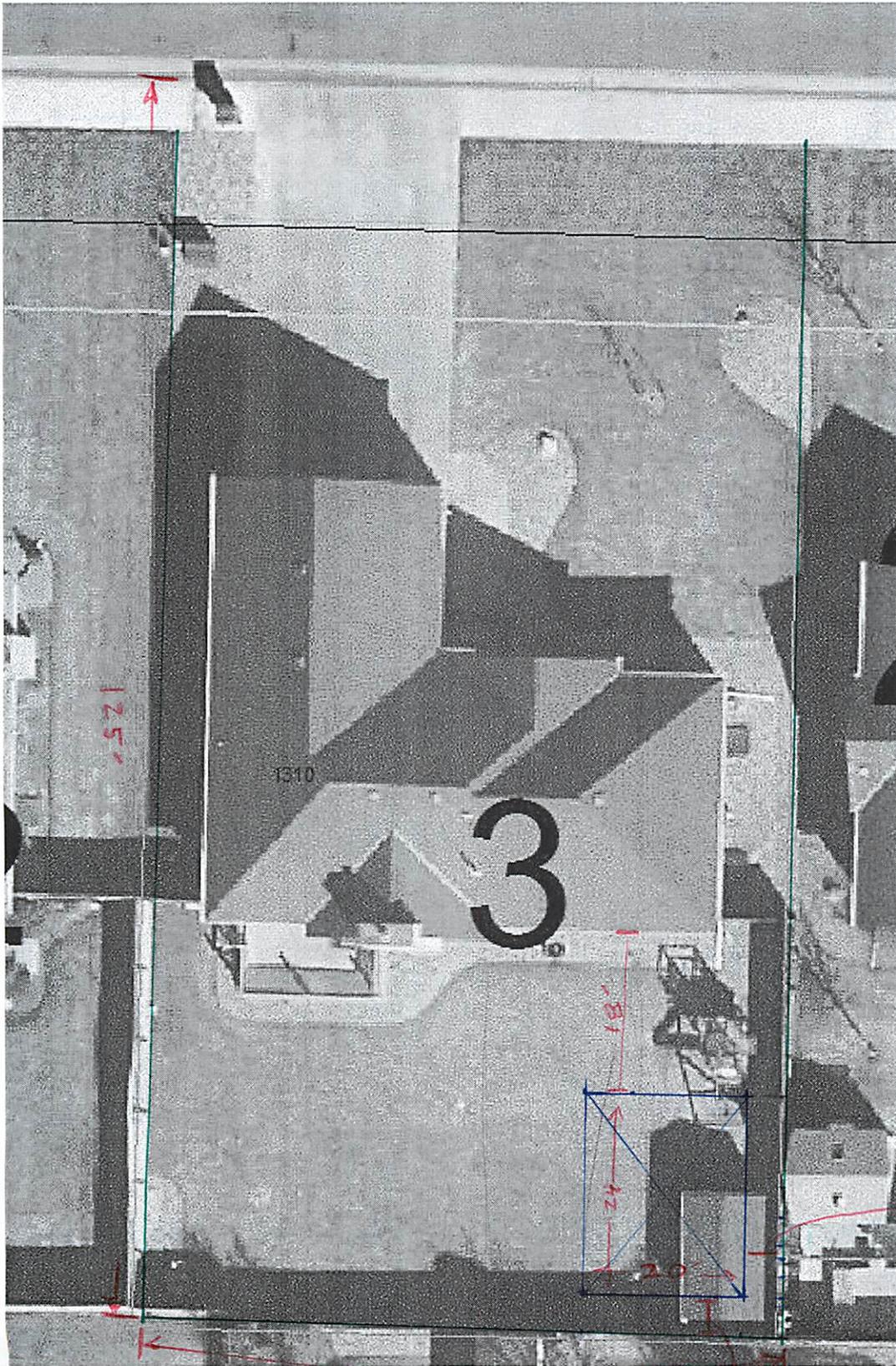
Placing the building on the lot per the current required zoning regulations would place the building in the middle of the backyard. The building would then impact the aesthetics from the living room, dining room and patio on the southwest portion of the house and substantially cut down on the functional greenspace.

Public Interest:

Our goal in requesting this variance is to allow the construction of an Accessory Structure serving as a personal workshop, in a location that our neighbors also agree on, and still maintain the visual appeal and functionality of the backyard space. It will also improve the neighborhood and the fair market value of the real estate with the new workshop. Moreover, our request is consistent with precedent set by the setback approved by Zoning Appeals for the adjacent property.

Spirit and Intent of the Zoning Regulations:

Granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Regulations. The workshop will not be in the way of utilities nor interfere with traffic. Moreover, it is our understanding the setback requested through this Variance Application could be similar to the proposed Zoning Regulations currently under review by the Planning Commission.



- Property Line
- Proposed Structure

73'

5'

5'

125'

1910

3

18'

24'

20'

