



**HAYS AREA BOARD OF ZONING APPEALS MEETING  
AGENDA OF PUBLIC HEARINGS  
FEBRUARY 12, 2014  
8:15 A.M.**

- 1. Call to Order by Chairman:**
  
- 2. MINUTES: Consider approval of the minutes from the January 8, 2014 meeting:**  
ACTION: \_\_\_\_\_
  
- 3. CASE # 01-14 – Bruce & Germaine Taggart – 2302 Donald “R-2”  
Request 19 foot variance to reduce the rear yard building setback from the required 25 feet to 6 feet for a 27’8” X 15’4” sunroom.**  
ACTION: \_\_\_\_\_
  
- 4. CASE # 02-14 – James Wacker (potential buyer) & Inam Haz (owner) 501Vine “C-2”  
Request exception for special use permit to construct storage units**  
ACTION: \_\_\_\_\_
  
- 5. OTHER:  
ACTION \_\_\_\_\_**

Enclosed: Draft Minutes  
Copy of Application & Supporting Documentation

If you will be unable to attend please contact the Planning, Inspection and Enforcement office at 785- 628-7310. Thank you. Any person with a disability and needing special accommodations to attend this meeting should contact the Planning, Inspection and Enforcement office (785-628-7310) 48 hours prior to the scheduled meeting time. Every attempt will be made to accommodate any requests for assistance.

**DRAFT MINUTES  
HAYS AREA BOARD OF ZONING APPEALS  
COMMISSION CHAMBERS IN CITY HALL  
MINUTES  
JANUARY 8, 2014  
8:15 A.M.**

**1. CALL TO ORDER:** The Hays Area Board of Zoning Appeals met on Wednesday, January 8, 2014 at 8:15 a.m. in Commission Chambers of City Hall.

**Roll Call:**

Present: Lou Caplan  
Jerry Sonntag  
Gerald Befort  
Thomas Lippert  
Shane Pruitt

Chairman Lou Caplan declared a quorum was present and called the meeting to order.

City Staff Present: Jesse Rohr, Superintendent of Planning, Inspection and Enforcement, Mike Schlyer, Inspector, Dean Koehn, Inspector and Linda Bixenman, Administrative Secretary of Planning, Inspection and Enforcement.

**2. MINUTES:** There was a motion by Jerry Sonntag with a second by Gerald Befort to approve the minutes from the December 18, 2013 meeting.

Vote: Ayes: Lou Caplan  
Jerry Sonntag  
Gerald Befort  
Thomas Lippert  
Shane Pruitt

**3. TRAINING SESSION AUDIO CONFERENCE PROGRAM on conducting the Zoning of Appeals Hearing** Jesse Rohr started the audio conference program with the power point presentation.

**4. ADJOURNMENT:** Lou Caplan adjourned the meeting at 10:05 a.m.

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

**Board of Zoning Appeals Action Report**

**AGENDA ITEM:** Setback Variance Application #01-14  
**ADDRESS:** 2302 Donald Dr.  
**OWNER:** Germaine and Bruce Taggart  
**TYPE OF REVIEW:** Variance  
**PRESENTED BY:** Jesse Rohr, P.I.E. Superintendent  
**AGENDA DATE:** February 12, 2014

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**SUMMARY AND RECOMMENDED ACTION:**

The applicant is requesting a variance to reduce the required rear yard setback from 25 feet to 6 feet, a variance of 19 feet to allow construction of a 16 x 28 addition on the property located at 2302 Donald Dr. (see attached site drawing) Staff recommends **denial** of the variance due to the request not meeting the requirements of State Statute and City Ordinance as they pertain to variances and the statutory requirements, particularly uniqueness, hardship, and the spirit and intent of the adopted regulations. (as further detailed below)

**BACKGROUND:**

- The applicant is requesting a variance to reduce the required rear yard setback from 25 feet to 6 feet, a variance of 19 feet to allow construction of a 16 x 28 addition on the property located at 2302 Donald Dr.
- The owner wishes to construct an addition that is 16 feet in width x 28 feet in length.
- The owner makes the claim that running the addition parallel to the house, which was considered, is not possible due to underground utilities such as a gas line being in the way.
- The lot is zoned R-2, Single-Family Dwelling District

	<b>R-2 Required</b>	<b>Applicant Proposed</b>
Front Yard	Min. 30 ft	N/A
Side Yard	10% of width, Min. of 7'	N/A
Rear Yard	Min. 25 ft	<b>6 ft</b>

## 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 lot is similar in size and shape to others within the area. The proposed addition would allow the main dwelling to differ from others within the neighborhood.*

- 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.*

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

**Staff Analysis:** *The sole reason for the proposed addition is for increased living space as a sunroom/windbreak from southwest winds in the backyard. This is a choice of the owner and is completely a self-imposed hardship. The provisions of the regulations do not hinder the owner from living on the property in a manner consistent with other neighboring properties.*

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

**Staff Analysis:** *This proposed addition would not appear to adversely affect the public health, safety, morals, order, convenience, propriety, or general welfare, but would set precedence for the entire neighborhood or other similar neighborhoods in Hays.*

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

**Staff Analysis:** *The general spirit and intent of the adopted regulations is to allow for rear yard area and separation of dwellings from others. The proposed addition would seem to go against the spirit and intent of the regulations.*

**RECOMMENDED ACTION:**

Motion to **deny** the variance due to the request not meeting the requirements of State Statute and City Ordinance as they pertain to variances and the statutory requirements, particularly uniqueness, hardship, and the spirit and intent of the adopted regulations.

**ATTACHMENTS:**

- Variance application
- Variance justification and site map from owner
- Aerial map

**APPLICATION FOR VARIANCE**

I. Name of Applicant Germain & Bruce Taggart Phone 785-639-4333

Mailing Address 2302 Donald

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

(Owner tenant lessee other)

II. The variance is request: Requesting a rear yard variance of 19 feet to reduce the rear yard setback from the required 25 feet to 6 feet for an attached addition

on property located at 2302 Donald and legally described as: \_\_\_\_\_

Lot 3, BIK 1, Brungardt Subdivision

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.

APPLICANT

Bruce Taggart 1-7-14  
Bruce Taggart Applicant & Owner

AUTHORIZED AGENT (IF ANY)

OWNER

**OFFICE USE ONLY:**

RECEIVED IN THE PLANNING, INSPECTION, ENFORCEMENT DIVISION ON 1-7-2014

TOGETHER WITH THE APPROPRIATE FEE OF \$ 50.00

Sinda Bihemman, Administrative Secretary

NAME AND TITLE

## Variance Justification for 16 x 28 Addition at 2302 Donald from the 20' requirement

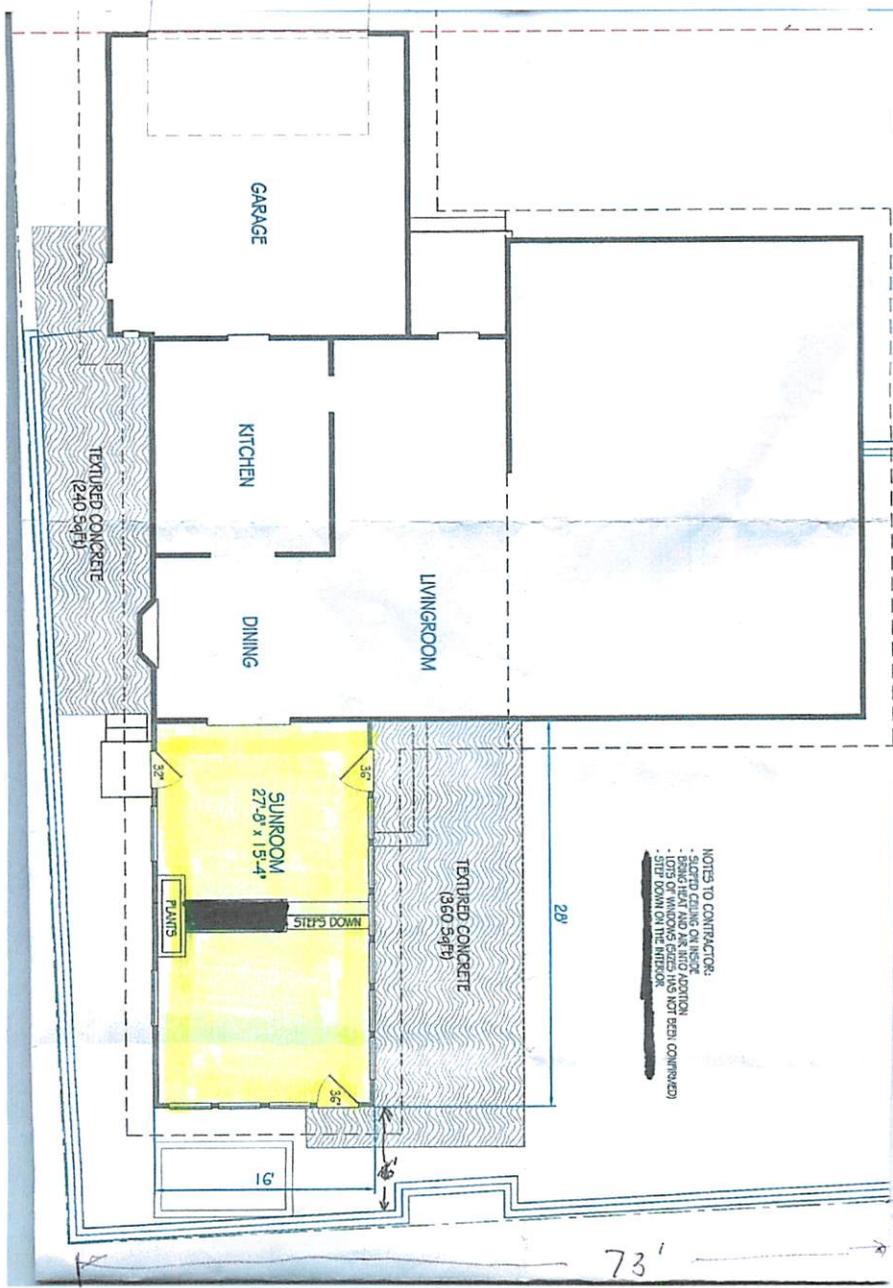
- A. **Uniqueness:** The addition needs to extend east towards the alley to not cover the gas line and other underground utilities and retain desired size of structure. This positioning of the addition will also allow it to serve as a windbreak from predominant southwest winds for outdoor backyard activities.
- B. **Adjacent Property:** Rights will not be impacted.
- C. **Hardship:**  
Strict adherence to the 20 ft distance for an attached structure will mean the desired structure can not be built. Two adjoining property owners to the east and south have constructed large two stall garages that are within the five foot limitation for detached structures. We question the need for the space difference between these structures and an attached one? A good explanation for the difference between a detached and attached structure has not been provided. We understand this may be one of the reasons the city is embarking on an effort to review and update these regulations. However, this process will take considerable time to complete. An approved variance by the Zoning Board is needed to proceed with the bidding and construction of the project this spring.
- D. **Public Interest:** The variance will not negatively impact public health, safety, morals, order, convenience, prosperity or general welfare. The variance will in fact improve the economy and general welfare of the city by generating work for contractors, businesses and associated sales and increased property taxes.
- E. **Spirit and Intent of the zoning Regulations:** The requested variance for the attached addition is in the spirit and intent of the best interest of the city of Hays and its residents which should be the purpose of zoning regulations.



Donald Drive

- Addition

driveway

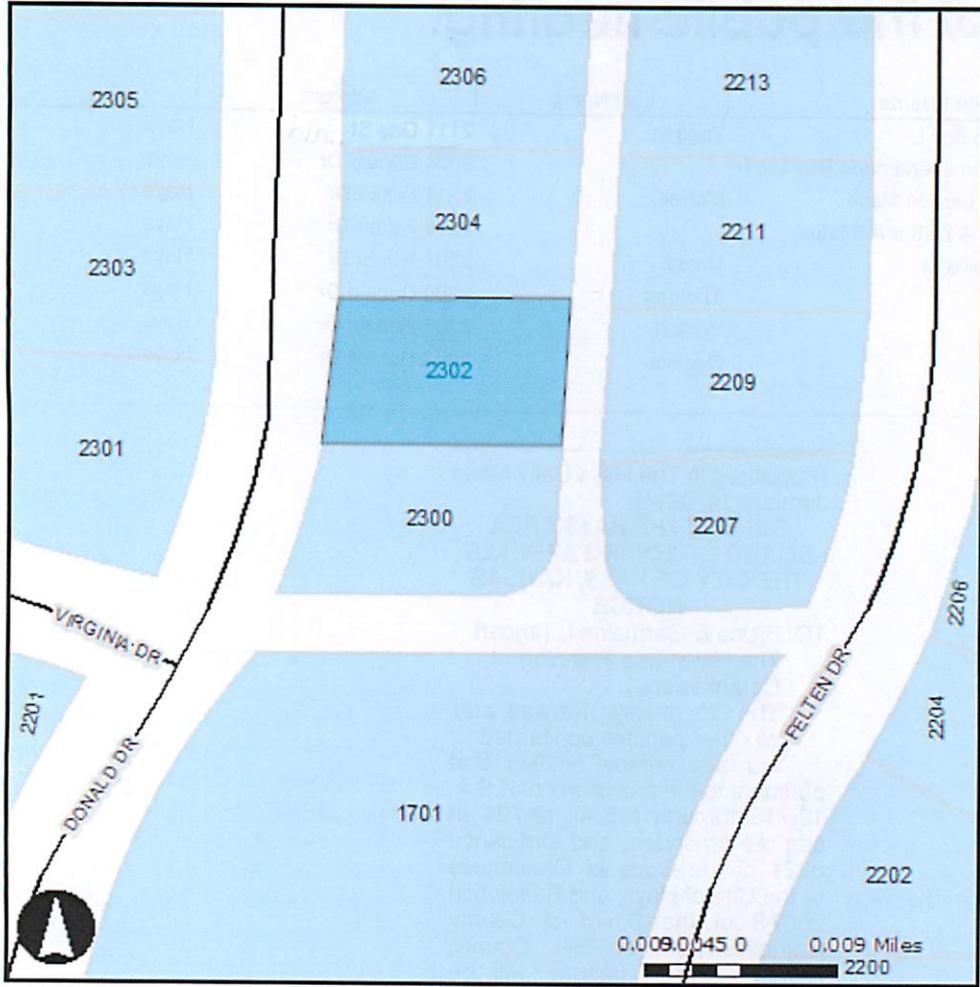


property boundary

73'

# 2302 Donald





Lot No.	Area (sq. ft.)	Area (sq. m.)
2305	1,200	111.5
2303	1,200	111.5
2301	1,200	111.5
2306	1,200	111.5
2304	1,200	111.5
2300	1,200	111.5
2213	1,200	111.5
2211	1,200	111.5
2209	1,200	111.5
2207	1,200	111.5
1701	1,200	111.5
2202	1,200	111.5
2204	1,200	111.5
2206	1,200	111.5

Virginia Dr & Donald Dr  
 The subject of the proposed  
 lot is located on the north side  
 of Virginia Dr, between Donald  
 Dr and Felten Dr. The lot is  
 bounded by Virginia Dr to the  
 north, Donald Dr to the west,  
 Felten Dr to the east, and the  
 2200 line to the south. The lot  
 is approximately 1,200 sq. ft.  
 in area and is currently vacant.  
 The lot is being offered for sale  
 by the City of Fayette County.  
 The lot is being offered for sale  
 by the City of Fayette County.  
 The lot is being offered for sale  
 by the City of Fayette County.

The Parcel Number for this Property is 026-138-34-0-10-18-008.00-0  
 Quick Ref ID: 7311

**Owner(s) Name and Mailing Address**

<b>Owner Name</b>	TAGGART, R BRUCE & GERMAINE L
<b>Address</b>	2111 OAK ST HAYS, KS 67601

**Property Situs Address**

<b>Address</b>	2302 DONALD DR, Hays, KS 67601
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**Land Based Classification System**

<b>Function</b>	Single family residence (detached)
<b>Activity</b>	Household activities
<b>Ownership</b>	Private-fee simple
<b>Site</b>	Developed site - with buildings

BRUNGARDT SUBDIVISION , BLOCK 01 , Lot 3 , SECTION 34 TOWNSHIP 13 RANGE 18

**Deed Information**

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
173	694	653	680				

**Market Land Information**

Method	Type	AC/SF	Eff FF	Depth	D- Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Frontage and Depth	Residual - 3		73	117	0.99							

# This is the list of property owners that own property abutting the subject property that were mailed notification of the public hearing.

Property	First Name	Last Name	Address	City	State	Zip
2302 Donald Dr	R Bruce & Germaine L	Taggart	2302 Donald	Hays	KS	67601
2304 Donald Dr	James F & Eileen Juenemann Rev Liv Tr		2304 Donald Dr	Hays	KS	67601
2211 Felten Dr	Nathan Briles & Lauren Marie	McNeil	2211 Felten Dr	Hays	KS	67601
2209 Felten Dr	Gary C Ostrom & Debra A Pilatus		2209 Felten Dr	Hays	KS	67601
2207 Felten Dr	Michael D & Arielle M	Drees	2207 Felten Dr	Hays	KS	67601
2300 Donald Dr	Duane A	Thomas	2300 Donald Dr	Hays	KS	67601
2301 Donald Dr	Curtis	Weilert	2301 Donald Dr	Hays	KS	67601
2303 Donald Dr	Bill & Kenda	Denison	2303 Donald Dr	Hays	KS	67601

(Published in The Hays Daily News  
January 14, 2014)

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

TO: Bruce & Germaine L Taggart  
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 Bruce & Germaine  
L Taggart.

The subject of the hearing shall  
be a request by Bruce & Germaine  
L Taggart for a variance as may be  
deemed by the Hays Area Board  
of Zoning Appeals of said City,  
from existing legal requirements  
for a nineteen foot (19') variance  
to reduce the rear yard building  
setback from the required twenty-  
five feet (25') to six feet (6') for a  
27' 8" X 15' 4" sunroom addition on  
the following real property situated  
in the City of Hays, Ellis County,  
Kansas to wit: Lot 3, Block 1,  
Brungardt Subdivision more  
generally located at 2302 Donald  
Drive.

You are hereby notified that  
a hearing will be had upon said  
appeal on the 12th day of February  
2014, 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, Chairman  
Hays Area Board of  
Zoning Appeals

## **Board of Zoning Appeals Action Report**

<b>AGENDA ITEM:</b>	Exception Application #02-14
<b>ADDRESS:</b>	501 Vine St.
<b>OWNER:</b>	Inam and Shehnaz Haq James Wacker (Authorized Agent)
<b>TYPE OF REVIEW:</b>	Exception – Special Use
<b>PRESENTED BY:</b>	Jesse Rohr, P.I.E. Superintendent
<b>AGENDA DATE:</b>	February 12, 2014

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### **SUMMARY AND RECOMMENDED ACTION:**

The applicant is requesting a special use permit to allow for the construction of storage units on the property located at 501 Vine St. (see attached site drawing) Staff recommends **denial** of the special use permit due to the request not being in conformance with several of the factors to be considered for a special use permit per City Ordinance. (as further detailed below)

### **BACKGROUND:**

- The applicant is requesting a special use permit to allow for the construction of storage units on the property located at 501 Vine St.
- The property is zoned C-2, General Commercial and Service District
- All commercial zoning districts require a special use permit from the BZA before storage units are allowed to be developed

### **STANDARDS OF EVALUATION:**

*Per State Statute 12-759 (e) and City Ordinance Sec. 71-1250 (3)*

In taking into consideration applications for a special use permit, the BZA shall give consideration to the comprehensive zoning plan, the health, safety, morals, comfort and general welfare of the inhabitants of the community, including, but not limited to, the following factors:

- The stability and integrity of the various zoning districts
- **Conservation of property values**
- Protection against fire and casualties
- Observation of general police regulations
- Prevention of traffic congestion
- Promotion of traffic safety and the orderly parking of motor vehicles
- Promotion of the safety of individuals and property
- Provision for adequate light and air
- Prevention of overcrowding and excessive intensity of land uses
- Provision for public utilities
- **Invasion by inappropriate uses**
- **Value, type and character of existing or authorized improvements and land use**
- **Encouragement of improvements and land uses in keeping with overall planning**
- **Provision for orderly and proper urban renewal, development and growth**

*By ordinance, the BZA does have the authority to impose certain restrictions, conditions, terms, time limitations, landscaping, and other appropriate safeguards to protect adjoining property.*

#### **STAFF ANALYSIS:**

As the City prepares to undergo a complete evaluation and rewrite of our current zoning and subdivision regulations, one of the areas to be considered will be design standards and how they can be applied to areas of development, particularly the “Gateways” to the City. Storage units would be considered an inappropriate use in a “gateway” area. The property located at 501 Vine St. is considered one of these gateways since it is highly visible from both Vine St. and HWY 183 By-pass, both State highways. Typically, aesthetics of storage unit facilities are not up to the standards one would consider in a high traffic and highly visible location.

The applicant has not provided any documentation that would ensure the property would be aesthetically pleasing. No design criteria has been submitted or described by the applicant.

Other issues with the property pertain to the flood plain. The property is completely within the 100-yr FEMA floodplain. Development is tricky and limited at best. Since this property is within a defined stream channel with a drainage area greater than 3 sq. miles, the State of Kansas Division of Water Resources regulations regarding floodplain fill must be followed. At this point, no State permits have been applied for. An elevation survey has been completed, and per the survey, the average fill across

the property would be required to be 1.5-2.5 feet in depth. It is of City staff's opinion that a State permit for fill in the floodplain would not be granted in this situation. The property is adjacent to two State highways which could be adversely impacted by the placement of fill.

**RECOMMENDED ACTION:**

Motion to **deny** the application for a special use permit due to many factors including conservation of adjacent property values, especially when considering how the development could impact flooding of the surrounding areas and surrounding developments. This can also be considered an invasion of inappropriate uses, especially since there are no design criteria regulations to be applied in this case.

**ATTACHMENTS:**

- Exception application
- Statement of justification and site map from owner

**APPLICATION FOR EXCEPTION**

I. Name of Applicant James Wacker Phone 785-421-8886  
Mailing Address 501 B S. Vine st Hays, KS 67601  
Name of Owner (if different from applicant) Inam Haq Phone 785-635-6133

Mailing Address 501 B S. Vine St Hays, KS 67601  
Name of Authorized Agent \_\_\_\_\_ Phone \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Relationship of applicant to property is that of lessee  
(Owner, tenant, lessee, other)

II. Application is made for an exception as provided in Section 71-504(16) of the Zoning Regulations to permit the installation or construction of Storage Units on property zoned C-2, located at 501 Vine/Sixth and legally described as: Lot(s) See Legal, Block(s) See Legal of the \_\_\_\_\_ See Legal Addition to Ellis County.

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

- II. The applicant and owner herein, or authorized agent and owner:
- A. Acknowledges receipt of an instruction sheet concerning the filing and hearing of this exception 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 Wacker  
APPLICANT James Wacker  
Inam Haq  
OWNER Inam Haq

\_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY:  
RECEIVED IN THE PLANNING, INSPECTION, AND ENFORCEMENT DIVISION, ON January 16, 2014,  
TOGETHER WITH THE APPROPRIATE FEE OF \$ 50.00.  
Sinda Bjornman, Administrative Secretary  
NAME AND TITLE

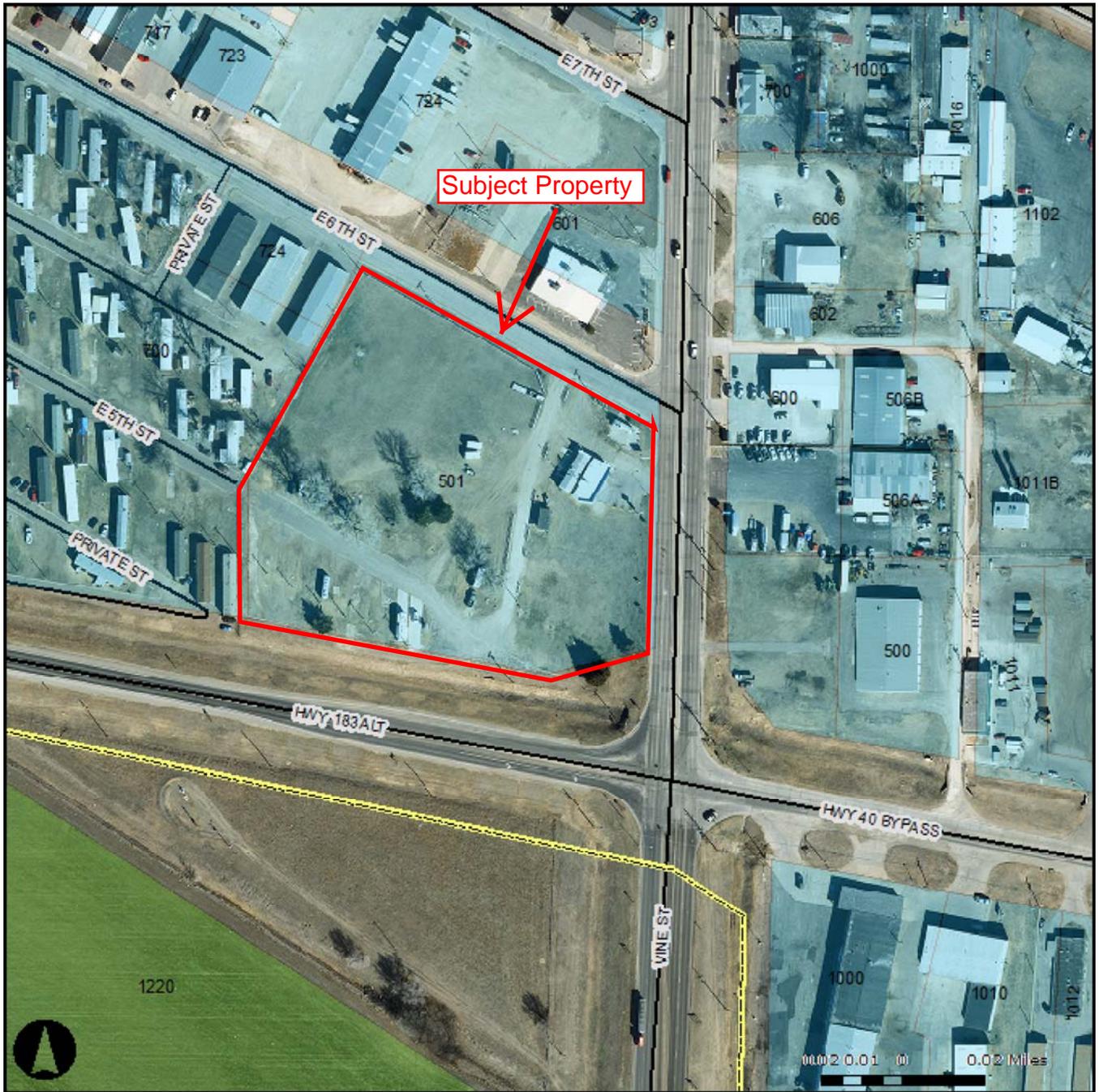
To whom it may concern,

I am writing this statement as justification for a special use permit in order to construct storage units on the property located at 501 Vine St, Hays, KS. The units will run length wise from east to west with the first building in the series starting on the north side of the property at 6th street and the last ending on the south side of the property at Highway 40. The first two buildings in the series will be 280ft long by 30ft wide and contain approximately 54 individual units. The next two to three buildings will be 400ft long by 30ft wide and contain approximately 76 units each. Finally, the last building in the series will be 125ft long by 30ft wide and contain approximately 24 units. This proposal is ideal for this location in the fact that there are two other adjacent properties which already have public storage facilities. My goal is to provide much needed storage space to the community while also creating a few new jobs. Due to the increase in tax revenues, this proposal would be beneficial to the city of Hays. Also, after the construction of the storage facility the surrounding property owners would also benefit due to possible increases in property values. In short, with the construction of the new storage facility there would be increased tax revenues to Ellis County and the city of Hays, new additional storage space for the community in an area where with existing public storage, the creation of additional jobs and a new upcoming business. Please consider 501 Vine Street for special use permit for storage units.

Sincerely,

James Wacker

# 501 Vine St





30 x 125

30 x 400

30 x 400

30 x 280

30 x 280

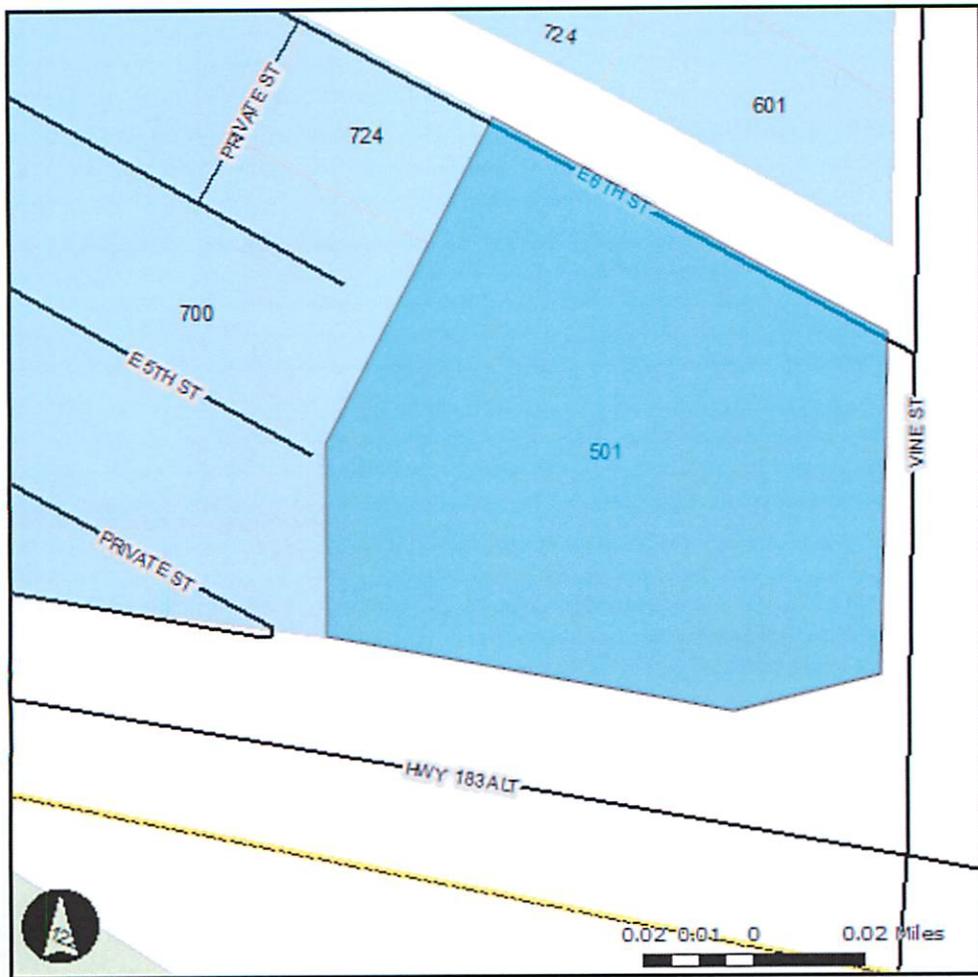
5

2

1

4

3



The Parcel Number for this Property is 026-182-04-0-40-01-001.00-0  
 Quick Ref ID: 12495

**Owner(s) Name and Mailing Address**

<b>Owner Name</b>	HAQ, INAM UL & SHEHNAZ
<b>Address</b>	3203 COUNTRY LN HAYS, KS 67601-3623

**Property Situs Address**

<b>Address</b>	501 VINE ST, Hays, KS 67601
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**Land Based Classification System**

<b>Function</b>	Fast food restaurant		
<b>Activity</b>	Restaurant-type activity		
<b>Ownership</b>	Private-fee simple		
<b>Site</b>	Developed site - with buildings		
Vacant Lots - V	82,160	0	82,160
Commercial & Industrial - C	148,560	74,350	222,910
<b>Total</b>	<b>230,720</b>	<b>110,350</b>	<b>341,070</b>

**2012 Appraised Value**

<b>Class</b>	<b>Land</b>	<b>Building</b>	<b>Total</b>
Commercial & Industrial - C	148,560	74,350	222,910
Residential - R	0	36,000	36,000
Vacant Lots - V	82,160	0	82,160
<b>Total</b>	<b>230,720</b>	<b>110,350</b>	<b>341,070</b>

**Tract Description**

WITT ADDITION, S04, T14, R18, ACRES 4.9, BEG AT INTER S LI E 6TH ST & W LI US HWY 183 TH NWLY 430(S) THE SWLY 330(S) TH S 186(S) TH SELY 395(S) TH NELY 145(S) TH N 328(S) TO POB
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# This is the list of property owners that own property abutting the subject property that were mailed notification of the public hearing.

Property	First Name	Last Name	Address	City	State	Zip
601 Vine St	Hallelujah Ministries International		1707 Main St	Hays	KS	67601
Vine St	J.B. Enterprises		1892 Hwy 40	Hays	KS	67601
1220 240th Ave	Kansas State University		Waters Hall	Manhattan	KS	66506
700 E 6th	Pacific Coast Equities LLC		25422 Trabuco R # Ste 105	Lake Forest	CA	92630
724 E 7th St	Professional Cargo Services Inc		P O Box 9244	Wichita	KS	67277
1000 Hwy 40 BYP	Stephen D Tebo & Bradley S Tebo		303 2nd St Terrace	Ellis	KS	67637
724 E 6th	Dean P	Dennig	2411 Fort St	Hays	KS	67601
Vine St	Mary Frances	Glassman	1892 Hwy 40	Hays	KS	67601
501 Vine St	Inam UL & Shehnaz	Haq	3203 Country Ln	Hays	KS	67601
500 Vine	Mark	Linenberger	2525 Felten Dr	Hays	KS	67601
600 Vine St	Chris J	Miller	600 Vine St	Hays	KS	67601
602 Vine St	Chris J.	Miller	600 Vine St	Hays	KS	67601
Vine St	August Jr & Linda	Windholz	3008 Tam O'Shanter	Hays	KS	67601

(Published in The Hays Daily News January 22, 2014)

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

TO: James Wacker and Inam Haq  
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 James Wacker & Inam Haq.

The subject of the hearing shall be a request by James Wacker & Inam Haq for an exception as may be deemed by the Hays Area Board of Zoning Appeals of said City, from existing legal requirements to permit the construction of storage units within the "C-2" General Commercial and Service District per the zoning and subdivision regulations Section 71-504 (16) with the issuance of a special use permit, on the following real property situated in the City of Hays, Ellis County, Kansas to wit: Beg at inter S LI E 6th St & W LI US HWY 183 TH NWLY 430 (S) the SWLY 330(S) TH S 186 (S) TH SELY 395 (S) TH NELY 145 (S) TH N 328(S) to POB in Witt Addition, Ellis County, Kansas more generally located at 501 Vine Street.

You are hereby notified that a hearing will be had upon said appeal on the 12th day of February, 2014, 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