

HAYS AREA BOARD OF ZONING APPEALS MEETING AGENDA  
CITY COMMISSION CHAMBERS 1507 MAIN, HAYS, KS  
SEPTEMBER 10, 2014  
8:15 A.M.

1. **CALL TO ORDER BY CHAIRMAN.**

2. **CONSENT AGENDA.**

A. Minutes of the regular meeting of August 13, 2014

*Action: Consider approving the minutes of the 8/13/14 meeting.*

3. **PUBLIC HEARING ITEMS.**

A. A public hearing to consider a request from David Randa of Reliable Heating Ventilation and Air Conditioning for a special use permit to permit the Heating, Ventilation, and Air Conditioning contracting business allowed per Section 71-504 (13) within the "C-2" General Commercial and Service District with the issuance of a special use permit at 1106 E 22<sup>nd</sup> Street. (Lot 4 RAG Addition) (Case #12-14)

*Action: Consider approval of the special use permit for the property at 1106 E 22<sup>nd</sup> St.*

B. A public hearing to consider a request from Rodney Rippe and Dustin Stanley of RRDS Investments LLC, for a special-use permit to permit a contractor showroom and cabinet shop Per Section 71-504 (10) within the "C-2" General Commercial and Service District with the issuance of a special use permit at 1102 E 22<sup>nd</sup> Street (Lot 3 RAG Addition) (Case #13-14)

*Action: Consider approval of the special-use permit request for the property at 1102 E 22<sup>nd</sup> Street.*

4. **NON-PUBLIC HEARING ITEMS.**

A. None

*Action: None*

5. **OFF AGENDA ITEMS/COMMUNICATIONS.**

A. Citizen Comments

B. Other

6. **ADJOURNMENT.**

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**  
**HAYS AREA BOARD OF ZONING APPEALS**  
**COMMISSION CHAMBERS IN CITY HALL**  
**MINUTES**  
**August 13, 2014**  
**8:15 A.M.**

**1. CALL TO ORDER:** The Hays Area Board of Zoning Appeals met on Wednesday, August 13, 2014 at 8:15 a.m. in Commission Chambers of City Hall.

**Roll Call:**

Present: Lou Caplan  
Gerald Befort  
Jerry Sonntag  
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, 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 July 9, 2014 meeting. There were no corrections or additions to those minutes.

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

**3. PUBLIC HEARING ITEMS:**

**A. CASE # 09-14 - REQUEST FROM DANNY HERMAN OF D J VENTURES FOR A SPECIAL USE PERMIT TO REMODEL THE BUILDING TO CONVERT TO AN EATING ESTABLISHMENT PER SECTION 71-532 (7) WITHIN THE "C-3" CENTRAL BUSINESS DISTRICT AT 230 W 9<sup>TH</sup> STREET (E 6.5' OF Lot 4, ALL OF LOT 6 AND W/2 OF LOT 8, HAYS ORIGINAL BLK 14 THRU END):**

Danny Herman and Brady Herman presented their request for a special use permit to remodel the building to convert to an eating establishment per Section 71-532 (7) within the "C-3" Central Business District if granted a special use permit at 230 W 9<sup>th</sup> Street. This was formerly the "Printcraft Printers" building.

Tom Lippert asked if a detailed plot plan drawn to scale showing the existing and proposed lines and dimensions of the structure should have been presented with the application. He asked for the proposed patronage occupancy.

Danny Herman handed out a rough draft of the proposed remodel. He explained that they are waiting on the flood proofing drawing from the architect. He answered that the proposed patronage occupancy is 92.

Tom Lippert voiced concern there was not an emergency exit on the preliminary drawing. Brady Herman stated that there will be a second exit in the southwest corner.

Jesse Rohr explained that the applicant is required to obtain the services of a professional licensed architect for this project. They have to meet life safety requirements and provide a code footprint and general layout of the ingress/egress. The property is within the 100 year floodplain. The Federal Emergency Management Association has a limit on how much they can spend to upgrade this property unless dry flood proofing for the facility is done; thus a dry flood proofing plan is being done by a professional architect. A permit will not be issued until the design is accepted and they meet the FEMA requirements and city regulations.

Lou Caplan explained that the applicant would have to meet all the building codes.

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

Jerry Sonntag moved, Shane Pruitt seconded the motion to grant the special use permit to permit the construction to remodel the building to convert from office use to an "eating establishment" per Section 71-532 (7) within the "C-3" Central Business District on the property at 230 W 9<sup>th</sup> Street (E 6.5' of Lot 4, all of Lot 6, and W/2 of Lot 8, Hays Original Blk 14) based on that the considerations have been met to issue a special use permit. (Case #09-14)

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

**B. CASE # 10-14 - REQUEST FROM RONALD HOLWEGER OF RJJ ENTERPRISES LLC, FOR A SPECIAL USE PERMIT TO PERMIT THE CONSTRUCTION TO CONVERT THE OFFICE SPACE TO RESIDENTIAL RENTAL SPACE PER SECTION 71-504 (18) WITHIN THE "C-2" GENERAL COMMERCIAL & SERVICE DISTRICT AT 1015 E 17<sup>TH</sup> ST (LOT 5 & W/2 LOT 6, SCHWALLER & DECHANT 2<sup>ND</sup> ADDITION):**

Ronald Holweger, applicant and builder Wayne Brungardt of Bieker Construction, presented the request for a special use permit to permit the construction to convert the office space to residential rental living space per section 71-504 (18) within the "C-2"

General Commercial & Service District at 1015 E 17<sup>th</sup> Street. It has a nine foot ceiling that would make it decoratively nice. There are apartments all around them.

He explained the different office uses since he had purchased the property; the storage of cable equipment and former business office for All American Tours. He would like to convert the 1500 square foot office space to a rental unit that would consist of two or three bedrooms with two full baths; one fully handicapped. He would also install a new HVAC unit.

No water would be used on the small grass area; it would rely on rain water.

Jerry Sonntag asked about the three existing garages if they would be used as storage. Jesse Rohr asked if a garage space would be used with the living unit. Mr. Holweger answered that they are heated spaces that would be used for storage. The garage next to the living unit may be used by the resident of the apartment if they want the garage (park two compact cars).

Tom Lippert asked about emergency egress. Jesse Rohr explained that egress windows would be required in each of the sleeping units. He explained that there will be a two hour fire separation wall between the apartment and garages.

Wayne Brungardt added that they may also have another exit door at the side if there is not a door from the garage to the apartment. He explained there would have to be a two hour fire separation wall between the living unit and the garages.

Jerry Sonntag asked if there would be ample parking if the tenant does not take the garage. Ronald Holweger answered that there is a concrete apron on the west side for parking.

Shane Pruitt asked about fencing. Ronald Holweger answered that because there is so much public traffic from the alley across the concrete apron, he plans to construct a fence.

Tom Lippert asked about the commercial lot to the west if there would be any concerns for the residential dwelling next to commercial land uses. Ronald Holweger answered that there is a large shed on the lot. With the required 35' front yard setback, he did not see a problem with it next to the commercial property; it would not affect the aesthetics.

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

Lou Caplan entertained a motion.

Jerry Sonntag moved, Tom Lippert seconded the motion to grant the special use permit to permit the construction to convert the respective area from office use to a "residential rental space" per Section 71-504 (18) within the "C-2" General Commercial & Service District at 1015 E 17<sup>th</sup> Street (Lot 5, W/2 Lot 6, Schwaller & Dechant 2<sup>nd</sup> Addition) based on that the considerations have been met to issue a special user permit. – Case #10-14.

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

**4. NON-PUBLIC HEARING ITEMS:** None.

**5. OFF-AGENDA ITEMS/COMMUNICATIONS:**

**A. Citizen Comments:** None.

**6. ADJOURNMENT:** Lou Caplan adjourned the meeting at 8:34 a.m.

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

## Board of Zoning Appeals Action Report

AGENDA ITEM: Exception Application #12-14  
ADDRESS: 1106 E 22<sup>nd</sup>  
OWNER: David Randa  
TYPE OF REVIEW: Exception – Special Use  
PRESENTED BY: Jesse Rohr, P.I.E. Superintendent  
AGENDA DATE: September 10, 2014

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

The applicant is requesting a special use permit to allow a plumbing shop to be constructed on the property located at 1106 E 22<sup>nd</sup>. After taking into consideration all known factors, staff recommends **approval** of the special use permit due to the request meeting the criteria for approval (as further detailed below).

### **BACKGROUND:**

- The applicant is requesting a special use permit as allowed in Section 71-504(13) of the Zoning Regulations to allow a plumbing shop to be constructed on the property located at 1106 E 22<sup>nd</sup>.
- The property is zoned C-2, General Commercial and Service District. The property has been vacant for several years.
- The property, known as the RAG Addition, was recently platted and had street and sewer infrastructure built to allow for future development.
- All plumbing shops located within a C-2 zoning district require a special use permit from the BZA.

### **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 (particularly the **bolded** 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:**

After considering all factors, and evaluating the surrounding properties, staff feels that the request is reasonable and will not have a detrimental effect on the surrounding property. This is a good example of infill development and utilization of existing infrastructure, land, and utilities. This project is in line with the comprehensive plan.

The applicant will be required to meet all building codes as well as stormwater management, parking requirements, landscaping requirements, etc. The applicant is preparing to solicit the services of an architect and engineer to fulfill the submittal requirements of the City and will continue if the request is approved by the BZA.

**RECOMMENDED ACTION:**

Motion to **approve** the application for a special use permit due to many factors including conservation of adjacent property values, no known invasion of inappropriate uses, and encouragement of uses of existing facilities.

**ATTACHMENTS:**

- Exception application
- Statement of justification from owner
- Maps of area

APPLICATION FOR EXCEPTION

I. Name of Applicant Reliable HVAC Phone 621-4925  
 Mailing Address PO Box 982  
 Name of Owner (if different from applicant) David Randa Phone 259-4329  
 Mailing Address 409 west 19th  
 Name of Authorized Agent \_\_\_\_\_ Phone \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 Relationship of applicant to property is that of \_\_\_\_\_  
 (Owner, tenant, lessee, other)

II. Application is made for an exception as provided in Section 71-504 (13) of the Zoning Regulations to permit the installation or construction of Reliable HVAC HVAC Contracting Business on property zoned C-2, located at 1106 E 22nd and legally described as: Lot(s) 4, Block(s) --- of the RAG 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)

- 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.

David Randa  
 APPLICANT  
David Randa  
 OWNER

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

OFFICE USE ONLY:

RECEIVED IN THE PLANNING, INSPECTION, AND ENFORCEMENT DIVISION, ON August 13, 2014,

TOGETHER WITH THE APPROPRIATE FEE OF \$ 50.00.

Receipt # 610627

Simola Burdeman, Administrative Secretary  
NAME AND TITLE



409 West 19<sup>th</sup> Street • PO Box 982  
Hays, KS 67601  
785-621-4925 (Office) • 785-621-4755 (Fax)

August 26, 2014

Hays Area Board of Zoning Appeals,

We are proposing the construction of an HVAC shop located at 1106 East 22<sup>nd</sup>. We do business out of Hays, and are in need of a location that can process all of our needs from one building. Currently, we are working out of multiple locations to make ends meet. This makes us dysfunctional and less productive than we should be to meet the demands of our clientele. A storefront for customers would be great as well. Thus, we are proposing the construction of one HVAC shop in Hays.

Attached to this letter is a preliminary site/floor plan of our future shop. Warren Ediger will do the architect drawings and engineering will be done by a combination of Harvey Ruder and Buck Driggs. Both the architect and engineer are well aware of the requirements needed for the City of Hays. The structure will be a metal 16 foot tall sentinel building on a concrete slab. It will meet all of our needs for office space, storage space, a show room, and a metal shop to fabricate ductwork.

As we all know, lots for commercial use in Hays are hard to come by and slim pickings. One in the middle of town is great for our occupation due to frequent trips from job sites to the shop. This helps keep our overall job costs and times down which in turn gets passed onto our customers in Hays. This lot is located around storage buildings, a tool rental company, an electrical wholesale outlet, and restaurants. We feel this is a perfect location for us and hopefully the purchase of this lot for our future shop will be able to proceed with construction upon your acceptance.

Thank You,

A handwritten signature in black ink that reads "David Randa". The signature is written in a cursive, slightly slanted style.

David Randa

Owner

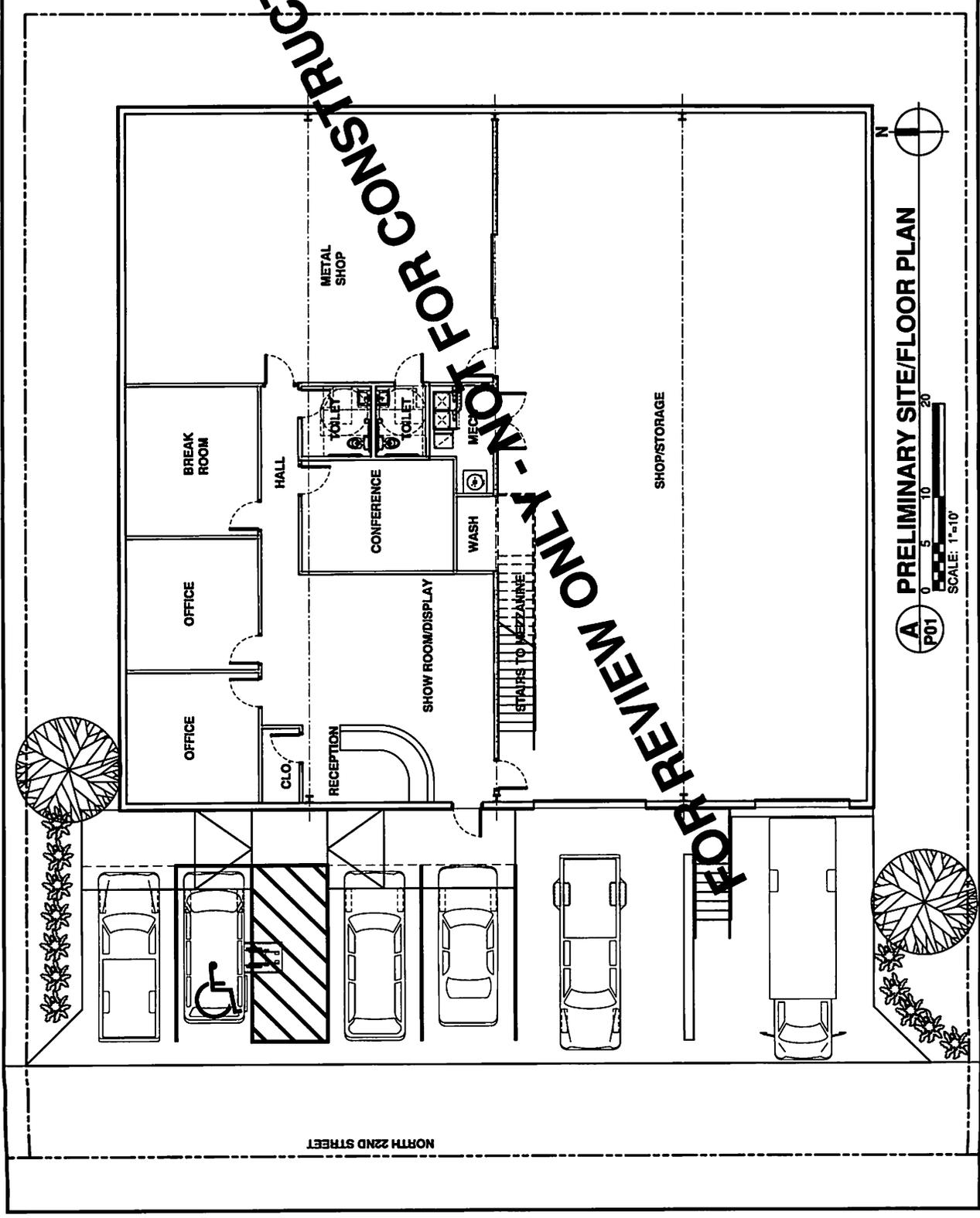
Please consider this request for a special use permit for an HVAC contracting business per section 71-504 (13) within the C-2 zoning district, at 1106 E 22nd.

THE ABSENCE OF A SEAL INDICATES PRELIMINARY OR REVIEW DRAWING NOT FOR CONSTRUCTION!

ARCHITECT OF RECORD:  
**Warren Ediger/ARCHITECT**  
 631 East Crawford, Suite 211  
 P. O. Box 1821  
 Salina, Kansas 67402-1821  
 e: ediger.archb@yahoo.com  
 t: 785.823.7547

**NEW OFFICE AND SHOP BUILDING**  
 DAVID RANDA - RELIABLE HVAC LLC  
 1108 NORTH 22ND STREET  
 HAYS, KANSAS  
**SITE/FLOOR PLAN**  
 PRELIMINARY - NOT FOR CONSTRUCTION

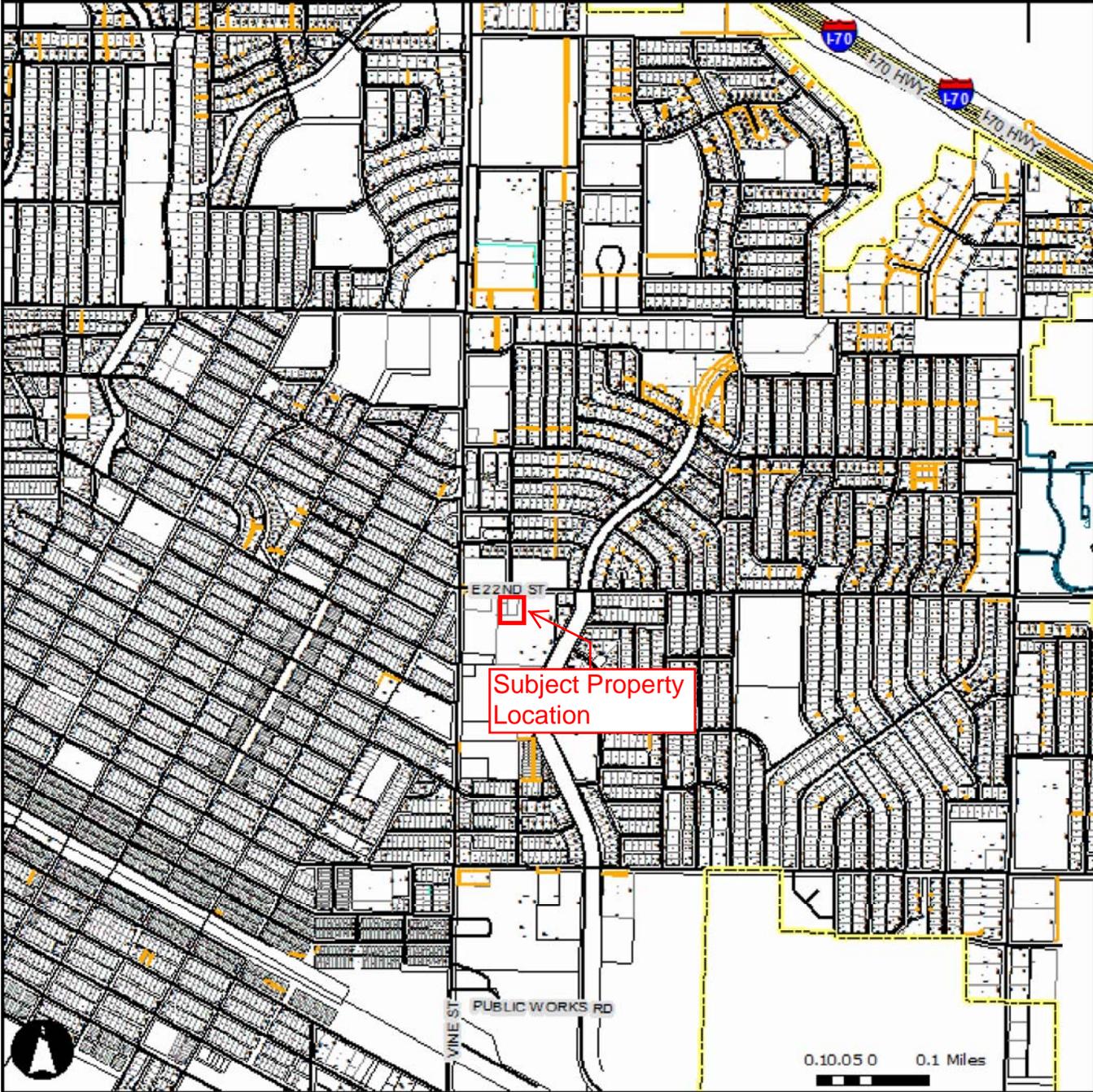
**P01**  
 25 AUG. 14  
 SHEET 1 OF 1



**A PRELIMINARY SITE/FLOOR PLAN**  
 P01  
 SCALE: 1"=10'

NORTH 22ND STREET

# Area Map



# Map Title







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

Case # 12-14

Property Address	Parcel	First Name	Last Name	Address	City	State	Zip
1106 E 22nd St	026-138-34-0-30-04-005.03-0	David & Krystal	Randa	409 W 19th St	Hays	KS	67601
1108 E 22nd St	026-138-34-0-30-04-005.00-0	Reliable Heating Ventilization & A.C.	David & Krystal Randa	409 W 19th St	Hays	KS	67601
1108 E 22nd St	026-138-34-0-30-04-005.00-0	Lois	Augustine	1326 280th Ave	Hays	KS	67601
1108 E 22nd St	026-138-34-0-30-04-005.00-0	Ralph J	Augustine Jr	1326 280th Ave	Hays	KS	67601
1108 E 22nd St	026-138-34-0-30-04-005.00-0	Gary	Haselhorst	1326 280th Ave	Hays	KS	67601
1110 E 22nd St	026-138-34-0-30-04-005.00-0	Sandra	Haselhorst	1326 280th Ave	Hays	KS	67601
1110 E 22nd St	026-138-34-0-30-04-003.00-0	IP Management LLC		2717 Canal Blvd	Hays	KS	67601
1102 E 22nd St	026-138-34-0-30-04-005.02-0	RRDS Investments LLC	Rodney Rippe & Dustin Stanley	1625 Mount Pleasant Rd	Hays	KS	67601
1104 E 22nd St	026-138-34-0-30-04-004.00-0	David & Krystal	Randa	409 W 19th St	Hays	KS	67601
2106 Vine St	026-138-34-0-30-04-006.00-0	Fort Hays Post No 9076 Veterans of Foreign Wars		2124 Vine St	Hays	KS	67601
	026-138-34-0-30-04-008.03-0	Gary	Haselhorst	1326 280th Ave	Hays	KS	67601
	026-138-34-0-30-04-008.03-0	Lois	Augustine	1326 280th Ave	Hays	KS	67601
	026-138-34-0-30-04-008.03-0	Ralph J Jr	Augustine	1326 280th Ave	Hays	KS	67601
	026-138-34-0-30-04-008.03-0	Sandra	Haselhorst	1326 280th Ave	Hays	KS	67601
1100 E 22nd St	026-138-34-0-30-04-005.01-0	Tonya & Grady	Knoll	3013 Thunderbird Ct	Hays	KS	67601

(Published in The Hays Daily News August 18, 2014)

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

TO: David Randa of Reliable Heating Ventilation & Air Conditioning  
 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 David Randa of Reliable Heating, Ventilation & Air Conditioning.

The subject of the hearing shall be a request by David Randa of Reliable Heating Ventilation & Air Conditioning for an exception for a special use permit as may be deemed by the Hays Area Board of Zoning Appeals of said City, from existing legal requirements to permit the HVAC contracting business allowed per Section 71-504 (13) within the "C-2" General Commercial and Service District with the issuance of a special use permit, on the following real property situated in the City of Hays, Ellis County, Kansas to wit: Lot 4, of the RAG Addition more generally located at 1106 E 22nd Street.  
 You are hereby notified that a hearing will be had upon said appeal on the 10th day of September 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

# Map Title



026-138-34-0-30-04-005.03-0

Randa, David & Krystal

Property Address:  
1106 E 22nd St  
Hays, KS 67601

Parcel Details for 026-138-34-0-30-04-005.03-0

Quick Reference #: R308935

[View GIS Map](#) | [View Tax Detail](#)

Owner Information		Property Address	
Owner's Name (Primary):	Randa, David & Krystal	Address:	1106 E 22nd St Hays, KS 67601
Mailing Address:	409 W 19th St Hays, KS 67601		

General Property Information		Deed Information	
Property Class:	Vacant Lots - V	Document #	Document Link
Living Units:		851-820	<a href="#">View Deed Information</a>
Zoning:			

## Board of Zoning Appeals Action Report

AGENDA ITEM: Exception Application #13-14  
ADDRESS: 1102 E 22<sup>nd</sup>  
OWNER: RRDS Investments LLC  
(Rodney Rippe and Dustin Stanley)  
TYPE OF REVIEW: Exception – Special Use  
PRESENTED BY: Jesse Rohr, P.I.E. Superintendent  
AGENDA DATE: September 10, 2014

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

The applicant is requesting a special use permit to allow a contractor showroom and cabinet shop to be constructed on the property located at 1102 E 22<sup>nd</sup>. After taking into consideration all known factors, staff recommends **approval** of the special use permit due to the request meeting the criteria for approval (as further detailed below).

### **BACKGROUND:**

- The applicant is requesting a special use permit as allowed in Section 71-504(10) of the Zoning Regulations to allow a contractor showroom and cabinet shop to be constructed on the property located at 1102 E 22<sup>nd</sup>.
- The property is zoned C-2, General Commercial and Service District. The property has been vacant for several years.
- The property, known as the RAG Addition, was recently platted and had street and sewer infrastructure built to allow for future development.
- All contractor showroom and cabinet shops located within a C-2 zoning district require a special use permit from the BZA.

### **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 (particularly the **bolded** 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:**

After considering all factors, and evaluating the surrounding properties, staff feels that the request is reasonable and will not have a detrimental effect on the surrounding property. This is a good example of infill development and utilization of existing infrastructure, land, and utilities. This project is in line with the comprehensive plan.

The applicant will be required to meet all building codes as well as stormwater management, parking requirements, landscaping requirements, etc. The applicant is preparing to solicit the services of an architect and engineer to fulfill the submittal requirements of the City and will continue if the request is approved by the BZA.

**RECOMMENDED ACTION:**

Motion to **approve** the application for a special use permit due to many factors including conservation of adjacent property values, no known invasion of inappropriate uses, and encouragement of uses of existing facilities.

**ATTACHMENTS:**

- Exception application
- Statement of justification from owner
- Maps of area

**APPLICATION FOR EXCEPTION**

I. Name of Applicant DUSTIN STANLEY & RODNEY RIPPE Phone 785-432-2409  
 Mailing Address 1178 ADDELYTE DR HAYS, KS  
 Name of Owner (if different from applicant) DUSTIN STANLEY Phone 785-432-2409  
RRDS Investments LLC Dustin Stanley and Rodney Rippe  
 Mailing Address 1178 ADDELYTE DR  
 Name of Authorized Agent \_\_\_\_\_ Phone \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 Relationship of applicant to property is that of OWNER  
 (Owner, tenant, lessee, other)

II. Application is made for an exception as provided in Section 21-504(10) of the Zoning Regulations to permit the installation or construction of CONTRACTOR SHOWROOM & CABINET SHOP on property zoned C-2, located at 1102 E 27<sup>th</sup> RD and legally described as: Lot(s) 3, Block(s) - of the RAG 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)

- 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 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.

[Signature]  
 APPLICANT  
[Signature]  
 OWNER

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

OFFICE USE ONLY:  
 RECEIVED IN THE PLANNING, INSPECTION, AND ENFORCEMENT DIVISION, ON August 14, 2014,  
 TOGETHER WITH THE APPROPRIATE FEE OF \$ 50<sup>00</sup>. Receipt 515385 (SB)  
[Signature]  
 NAME AND TITLE

DATE: August 27<sup>th</sup> 2014

TO: Hays Area Board of Zoning Appeals  
Planning, Inspection & Enforcement  
1002 Vine St.  
Hays, KS 67601

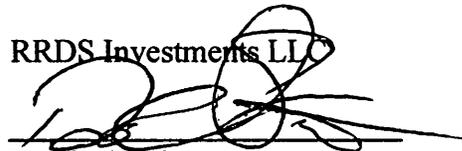
From: RRDS Investments LLC  
Rodney Rippe 1617 Mt Pleasant Rd Hays, KS 67601  
Dustin Stanley 1178 Airflyte Dr. Hays, KS 67601

Please consider this request for a special use permit to permit a cabinet & contractor showroom and cabinet shop at 1102 E 22<sup>nd</sup> Street per Section 71-504-(10) within the "C-2" Zoning district allowed with the issuance of a special use permit.

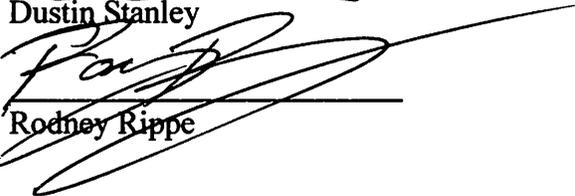
The plans are to have the showroom on the north side of shop with a main door access for customers. Showroom will include home finishes including samples of cabinets, flooring, trim & doors, windows, stone etc. Cabinet Shop will take up the middle of the building. Storage space will take up the south end of the building. The building will be constructed of a steel building with stone veneer on main entrance of the showroom. Building to measure 80' wide X 70' deep, shop to have a sidewall height of 16' with a 2/12 roof pitch. Customer parking shall be on front of building (east side) with an estimated no less than 7 parking lanes, with landscaping to north end of property. We are planning to provide this business to the community as there is a growing need for these services with new construction and remodels.

This use would fit the current neighborhood environment which is made up of commercial uses. This would bring additional business to surrounding businesses. This business would enhance the area.

Signatures of Owners: RRDS Investments LLC



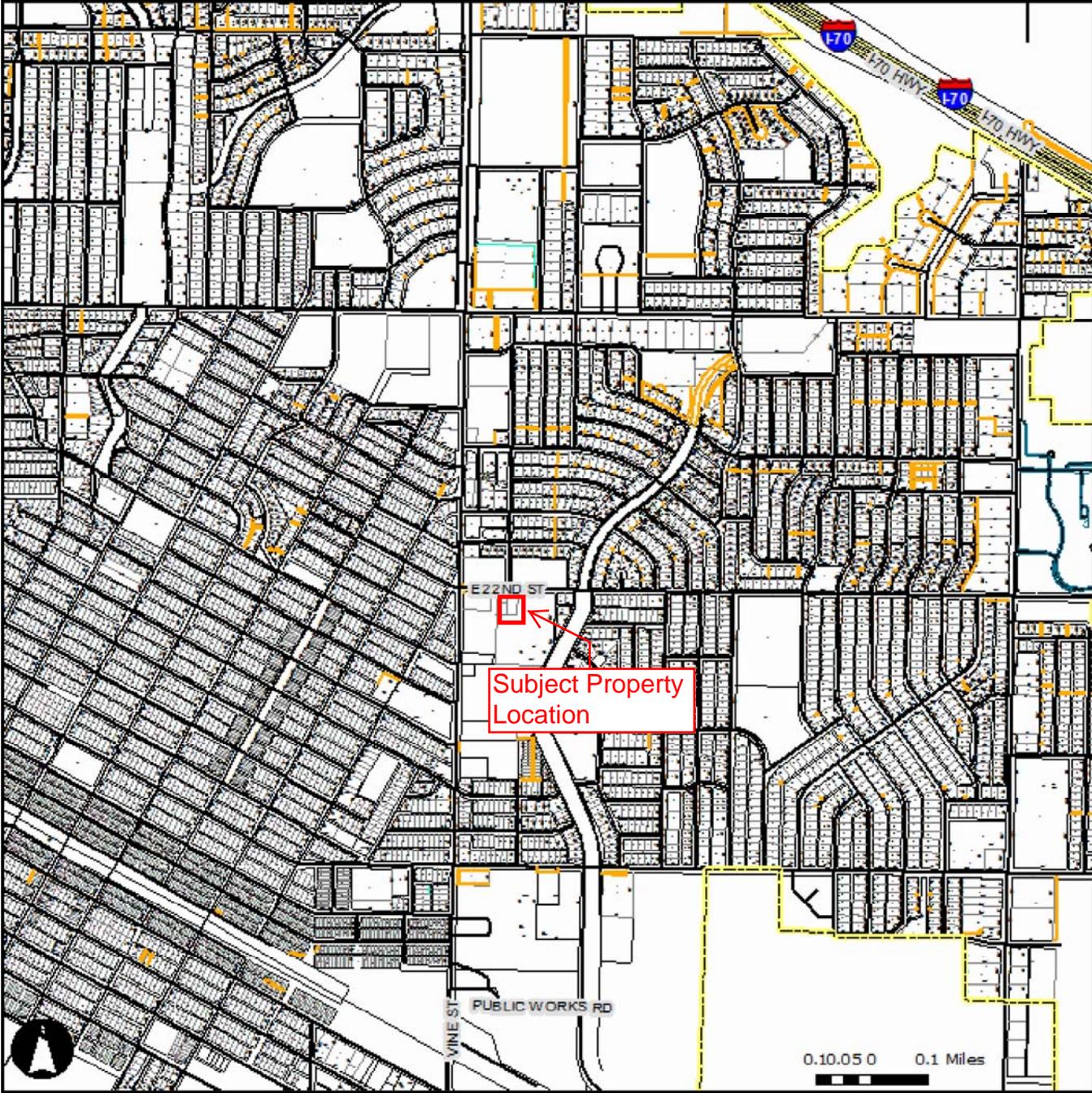
Dustin Stanley



Rodney Rippe



# Area Map



# Map Title







# Map Title



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

Case # 13-14

Property Address	Parcel	First Name	Last Name	Address	City	State	Zip
1106 E 22nd St	026-138-34-0-30-04-005.03-0	David & Krystal	Randa	409 W 19th St	Hays	KS	67601
1108 E 22nd St	026-138-34-0-30-04-005.00-0	Lois	Augustine	1326 280th Ave	Hays	KS	67601
1108 E 22nd St	026-138-34-0-30-04-005.00-0	Ralph J	Augustine Jr	1326 280th Ave	Hays	KS	67601
1108 E 22nd St	026-138-34-0-30-04-005.00-0	Gary	Haselhorst	1326 280th Ave	Hays	KS	67601
1108 E 22nd St	026-138-34-0-30-04-005.00-0	Sandra	Haselhorst	1326 280th Ave	Hays	KS	67601
1110 E 22nd St	026-138-34-0-30-04-003.00-0	IP Management LLC		2717 Canal Blvd	Hays	KS	67601
1102 E 22nd St	026-138-34-0-30-04-005.02-0	RRDS Investments LLC	Rodney Rippe & Dustin Stanley	1625 Mount Pleasant Rd	Hays	KS	67601
1104 E 22nd St	026-138-34-0-30-04-004.00-0	David & Krystal	Randa	409 W 19th St	Hays	KS	67601
2106 Vine St	026-138-34-0-30-04-006.00-0	Fort Hays Post No 9076 Veterans of Foreign Wars		2124 Vine St	Hays	KS	67601
	026-138-34-0-30-04-008.03-0	Gary	Haselhorst	1326 280th Ave	Hays	KS	67601
	026-138-34-0-30-04-008.03-0	Lois	Augustine	1326 280th Ave	Hays	KS	67601
	026-138-34-0-30-04-008.03-0	Ralph J Jr	Augustine	1326 280th Ave	Hays	KS	67601
	026-138-34-0-30-04-008.03-0	Sandra	Haselhorst	1326 280th Ave	Hays	KS	67601
1100 E 22nd St	026-138-34-0-30-04-005.01-0	Tonya & Grady	Knoll	3013 Thunderbird Ct	Hays	KS	67601

(Published in The Hays Daily News August 20, 2014)

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

TO: Dustin Stanley and Rodney Rippe of RRDS Investments LLC  
 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 Dustin Stanley and Rodney Rippe of RRDS Investments LLC.

The subject of the hearing shall be a request by Dustin Stanley and Rodney Rippe of RRDS Investments LLC for an exception for a special use permit as may be deemed by the Hays Area Board of Zoning Appeals of said City, from existing legal requirements to permit a contractor showroom and cabinet shop per Section 71-504 (10) within the "C-2" General Commercial and Service District with the issuance of a special use permit, on the following real property situated in the City of Hays, Ellis County, Kansas to wit: Lot 3, of the RAG Addition more generally located at 1102 E 22nd Street.  
 You are hereby notified that a hearing will be had upon said appeal on the 10th day of September, 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

Parcel Details for 026-138-34-0-30-04-005.02-0

**Owner Information**



**Owner's Name** RRDS INVESTMENTS LLC  
(Primary):

**Mailing Address:** 1625 Mount Pleasant Rd  
Hays, KS 67601

**Property Address**



**Address:** 1102 E 22nd St  
Hays, KS 67601