

AGENDA

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, June 9, 2014
7:30 p.m.

Commission Meeting Room
Courthouse Plaza East

(Procedure: Open joint meeting of the Riley County Planning Board/Board of Zoning Appeals.)

I. OPEN PUBLIC COMMENTS

II. CONSENT AGENDA

1. Consider the minutes of the April 14, 2014 meeting.
2. Consider the Report of Fees for the months of April and May 2014.

(Procedure: Adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and reconvene as the Riley County Board of Zoning Appeals.)

III. GENERAL AGENDA- RILEY COUNTY BOARD OF ZONING APPEALS

1. Public Hearing to consider the request of Stanley J. Koehn, petitioner and Bret & Ellen Volkel, owners, for a **Variance** authorization to reduce the front yard requirement from 25 feet to 20 feet for Lots 8 & 9 of Amended plat of Lots 4, 5, 6, 7, 8 & 9 High Meadows Addition.

(Procedure: Adjourn as the Riley County Board of Zoning Appeals and reconvene as the Riley County Planning Board.)

IV. GENERAL AGENDA- RILEY COUNTY PLANNING BOARD

1. Public Hearing at the request of Rusty Allison, Trustee for Mary Lou Allison Estate, petitioner, and Mary Lou Allison Trust, owner, to receive a **Residential Use Designator - Extraneous Farmstead** and **plat** a tract of land into one (1) lot, and receive a **Residential Use Designator – Country Estate** for a tract of land all in Wildcat Township, Section 17, Township 9 South, Range 6 East, in Riley County, Kansas. **ACTION NEEDED: Approve/deny a Residential Use Designator - Extraneous Farmstead and approve/deny Concurrent Plat of Allison Addition Unit Three and approve/deny a Residential Use Designator – Country Estate.**
2. Manhattan Urban Area Comprehensive Plan - discussion
3. Big Blue Floodplain Management Plan - update
4. Formation of an Agritourism Task Force – discussion

(Procedure: Adjourn the Riley County Planning Board meeting.)

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, April 14, 2014
7:30 pm

Courthouse Plaza East
Commission Meeting Room
115 North 4th Street

Members Present: Lorn Clement, Chairman
Dr. Tom Taul, Vice-Chair
Diane Hoobler
Julie Henton
John Wienck

Members Absent: None

Staff Present: Monty Wedel – Director, Bob Isaac – Planner, Lisa Daily –
Administrative Assistant

Others Present: Hope James, Stan Cook, Billie D. Deam, Vern Bulk, Duane Sherwood,
James Gardner, Tonya Bradley and Robert Boyd.

OPEN PUBLIC COMMENTS

None.

CONSENT AGENDA

The minutes of the March 10, 2014 meeting were presented and approved with a correction to the first page. The Report of Fees for the month of March (\$2,821.25) were presented and approved.

John Wienck moved to adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and convene as Board of Zoning Appeals.

Diane Hoobler seconded. Carried 5-0

BOARD OF ZONING APPEALS

Manhattan Township – Variance

Lorn Clement opened the public hearing at the request of Manhattan Township, petitioner and owner, for a variance authorization allowing the top of the bottom floor of the Manhattan Township Maintenance & Storage Shop (and proposed 20x40 addition) .89 feet (10.7 inches) below the required elevation of one (1) foot above base flood elevation.

Bob Isaac presented the request. Mr. Isaac described the history, location and physical characteristics of the subject property. Mr. Isaac stated that the proposed structure will be subject to the minimum requirements of the Riley County Floodplain Regulations. Staff recommended approval of the request.

Lorn Clement asked what flood-proofing entails.

Steve Higgins, Zoning Enforcement officer and Floodplain Administrator\Manager for Riley County, stated that flood-proofing for a structure, such as this shop, would consist of moisture resistant materials. He stated that due to the small difference in elevation, he doesn't believe the structure will require flood vents. Mr. Higgins explained that flood vents are installed in the walls to allow flood water to enter and leave, reducing hydrostatic pressure on the structure, which could collapse walls.

Diane Hoobler said she thought flood vents were required on any structure that is below the one (1) foot above base flood elevation.

Steve Higgins said flood vents can't be any higher than one (1) foot above the base flood elevation and in this case, with such a small difference, the flood vents would not function properly.

Dwayne Sherwood, Manhattan Township Treasurer, stated that a storage trailer and mower will be stored in the new addition.

Diane Hoobler moved to close the public hearing. Julie Henton seconded. Carried 5-0.

Diane Hoobler moved to approve the request for a variance authorizing the top of the bottom floor of the Manhattan Township Maintenance & Storage Shop (and proposed 20x40 addition) .89 feet (10.7 inches) below the required elevation of one (1) foot above base flood elevation.

John Wienck seconded. Carried 5-0.

American Cancer Society – Conditional Use

Lorn Clement opened the public hearing at the request of the American Cancer Society, petitioner, and Jay & Vonda Copeland, owner, for a conditional use authorization in Wildcat Township, Section 24, Township 9 South, Range 6 East in Riley County, Kansas, to permit a Type - III Special Event in the "AG" (Agricultural District) zoning district.

Bob Isaac presented the staff report. Mr. Isaac stated the event is the 5th Annual Cattle Baron's Ball, which is a fundraising event for the American Cancer Society. He described the background, location and physical characteristics of the subject site. Mr. Isaac reviewed the site plan for the proposed event and several of the conditions listed within the staff report. He said the permit shall apply exclusively to the proposed event, scheduled for August 23, 2014, and will be rescheduled for September 13, 2014, in the event of inclement weather. Mr. Isaac stated the permit will only be valid for the duration of the event on the dates mentioned from 6:00 p.m. to 12:00 a.m., terminating at the conclusion of the event.

Mr. Isaac stated the applicant requested that one condition from last year's event be changed which will allow for one week prior to the event for set-up and one week following the event for disassembly and clean up. Staff recommended the requested Conditional Use for a Type III Special Event be approved with the conditions listed in the staff report.

Tom Taul moved to close the public hearing. Julie Henton seconded. Carried 5-0.

John Wienck moved to approve Conditional Use Petition #14-06 with the conditions and reasons stated in the staff report.

Julie Henton seconded. Carried 5-0.

Cook – Variance

Lorn Clement opened the public hearing at the request of Stan Cook, petitioner and Deam & Cook L C, owner, for a variance authorization to permit the construction of a detached agricultural accessory structure 3.1 feet below the required elevation of one (1) foot above base flood elevation (1021.6 ft.).

Bob Isaac presented the request. Mr. Isaac described the history, location and physical characteristics of the subject property. He said the original elevation of the building pad was 1014.1 feet. He explained that the applicant proposes to use fill material to elevate the lowest floor of the proposed structure to 1018.5 feet, which is still 3.1 feet below the required elevation of one (1) foot above base flood elevation (1021.6 ft). Staff recommended approval of the request.

Lorn Clement asked if he heard correctly that the applicant is proposing to use fill to elevate from 1014 to 1018.

Bob Isaac replied that is correct. He said in discussions with the applicant, to elevate that structure above the one (1) foot above base flood elevation would not be practical.

Lorn Clement stated that in the event of severe flood, the raised area would diminish flood control and decrease flow downstream.

Monty Wedel said filling in the floodway fringe is perfectly acceptable.

Lorn Clement asked if the Applicant wished to speak.

Stan Cook stated the fill was moved from another location on the property. He said the purpose of the barn is to get the equipment out of the elements and protected from rodents. He stated that if he has to raise the ground eight (8) feet he would need a four-wheel drive vehicle to get into the barn. Mr. Cook said the barn would be two (2) feet above the existing roadway (Rosencutter Road).

Lorn Clement asked if there were any opponents. There were none.

Tom Taul moved to close the public hearing. Diane Hoobler seconded. Carried 5-0.

John Wienck moved to approve the request for a variance authorization to permit the construction of a detached agricultural accessory structure 3.1 feet below the required elevation of one (1) foot above base flood elevation (1021.6 ft.).

Tom Taul seconded. Carried 5-0.

Julie Henton moved to adjourn the Board of Zoning Appeals meeting and convene as the Riley County Planning Board.

John Wienck seconded. Carried 5-0

RILEY COUNTY PLANNING BOARD

Big Blue Floodplain Management Plan Update

Monty Wedel stated there will be an open house on April 16th from 6:00 pm to 9:00 pm, at the Fire Station on Denison Avenue.

Manhattan Urban Area Plan Update

Monty Wedel stated a public work shop will be held on Wednesday, May 14th from 6:00 pm to 8:00 pm, in the City Commission room. He said there are no agenda items for the May 12, 2014 Riley County Planning Board/Board of Zoning Appeals meeting. He asked if the Board wanted to cancel the May meeting and encouraged them to attend the public work shop instead. It was agreed to cancel the May meeting. He said an email would be sent out to the Board members with the date, time and place of the public work shop.

Work Session – Agricultural Exemptions

Monty Wedel said Planning & Development has seen an increase in Agricultural Exemption applications. He said he wanted the Board to review the applications received so far in 2014 to verify if the exemptions are being granted according to the Comprehensive Plan. Discussions were held and no changes were made at this time.

Tom Taul moved to adjourned.

Diane Hoobler seconded. Carried 5-0.

The meeting was adjourned at 8:42 P.M.



RILEY COUNTY
PLANNING & DEVELOPMENT

REPORT OF FEES

April 2014

<u>DATE</u>	<u>NAME</u>	<u>AMOUNT</u>
04-01-2014	Carpenter, Building Permit #14-0024	\$ 150.00
04-02-2014	L&L Trenching, Repair Permit	75.00
04-03-2014	Koehn, Copy fee	1.00
04-03-2014	LAWE, Profile hole	150.00
04-04-2014	Jenkins, Lagoon permit	300.00
04-04-2014	Haefke, Building Permit #14-0027	150.00
04-07-2014	Austin, Profile hole	150.00
04-07-2014	Cercone, Building Permit #14-0031	150.00
04-07-2014	Nickel, Water Screening Report	10.00
04-08-2014	Blanton, Water Screening Report	8.00
04-08-2014	Lewis, Building Permit #14-0028 & Lagoon Permit	450.00
04-09-2014	Poole, Building Permit #14-0029	150.00
04-09-2014	Salmans, Environmental Site Evaluation x 3	300.00
04-10-2014	Cercone, Lagoon Permit	300.00
04-11-2014	Conrow, Floodplain Development Permit #14-0003	75.00
04-11-2014	Leonard Backhoe, Repair Permit	75.00
04-11-2014	Springer, Copy of Zoning Regulations (<i>credit card</i>)	15.00
04-14-2014	Ruckert, copy fee	5.00
04-15-2014	Pottawatomie County, Water Screening Reports x 10	100.00
04-15-2014	Water Screening Report	10.00
04-15-2014	Taylor, Water Screening Report (<i>credit card</i>)	12.00
04-16-2014	Schwerdt, Water Screening Report	10.00
04-16-2014	Water Screening Report	10.00
04-16-2014	Reeves, Environmental Site Evaluation	100.00
04-17-2014	Moody, Building Permit #14-00035	150.00
04-18-2014	Kastanek, Water Screening Report and Repair Permit	79.00
04-18-2014	Born, Building Permit #14-0032 & #14-0033	200.00
04-21-2014	Adams, Water Screening Report	2.00
04-21-2014	McWhorter, Water Screening Report	10.00
04-21-2014	Krueger, Septic Installers License	150.00
04-21-2014	Nickle, Building Permit #14-0036 (<i>credit card</i>)	150.00
04-22-2014	Lawson, Water Screening Report	10.00
04-23-2014	Jenkins, Water Screening Report	2.00
04-23-2014	Holle, Lagoon Permit	300.00
04-23-2014	Holle, Water Screening Report	12.00
04-25-2014	Reeves, Repair Permit	75.00

04-25-2014	Penner, Plat, Rezone & Utilities	620.00
04-25-2014	Koehn, Variance	\$ 300.00
04-28-2014	Olson, Water Screening Report	8.00
04-28-2014	American Cancer Society, Special Event Security Deposit	1,000.00
04-28-2014	Schauff, Water Screening Report	10.00
04-28-2014	Hunter (Konza), Building Permit #14-0038 & #14-0039	275.00
04-28-2014	Allison, Plat, 2-Residential Use Designators & Utilities	420.00
04-29-2014	Woodworth, Water Screening Report	2.00
04-29-2014	Christopher, Environmental Site Evaluation	100.00
04-30-2014	L&L Trenching, Repair Permit	75.00
04-30-2014	Flippo, Water Screening Report x 2	24.00
04-30-2014	Lawson, Water Screening Report	12.00
04-30-2014	Miller, Repair Permit	75.00

TOTAL

\$6,817.00

DEPOSITS MADE:

04-04-2014	\$ 826.00
04-11-2014	1,593.00
04-11-2014	15.00
04-15-2014	12.00
04-21-2014	150.00
04-25-2014	1,300.00
04-30-2014	2,846.00
05-01-2014	75.00

TOTAL

\$6,817.00



**RILEY COUNTY
PLANNING & DEVELOPMENT**

REPORT OF FEES

May 2014

<u>DATE</u>	<u>NAME</u>	<u>AMOUNT</u>
05-01-2014	Hagenmaier, Well Permit	\$ 75.00
05-05-2014	Gilbert, Building Permit #14-0040	150.00
05-05-2014	Leopold, Water Screening Report	8.00
05-05-2014	Grant, Building Permit #14-0041	150.00
05-05-2014	Zimmerman, Environmental Site Evaluation	100.00
05-05-2014	Jones, Well Permit	75.00
05-05-2014	Moore, Copy fee	.25
05-05-2014	Penner, Repair Permit	65.00
05-05-2014	Huey, Environmental Site Evaluation	100.00
05-06-2014	Dykstra, Environmental Site Evaluation	100.00
05-08-2014	Leonard, Repair Permit	75.00
05-08-2014	Dykstra, Water Screening Report	8.00
05-07-2014	Delrosso, Building Permit #14-0042 & #14-0043	200.00
05-07-2014	Abbott, Building Permit #14-0044	225.00
05-08-2014	Haller, Repair Permit	75.00
05-12-2014	Tom, Water Screening Report	8.00
05-12-2014	Zimmerman, Repair Permit	75.00
05-15-2014	D&R Construction, Building Permit #14-0045	150.00
05-19-2014	Connet, Repair Permit	75.00
05-19-2014	Wilson, Repair Permit	75.00
05-19-2014	Henry, Building Permit #14-0046	150.00
05-19-2014	Henry, Repair Permit	75.00
05-20-2014	Carson, Building Permit #14-0047	225.00
05-20-2014	McWhorter, Water Screening Report	8.00
05-21-2014	Connet, Repair Permit	75.00
05-21-2014	K-Construction, Building Permit #14-0048	150.00
05-22-2014	McCoy, Building Permit #14-0049	150.00
05-22-2014	Jones, Building Permit #14-0050	150.00
05-22-2014	Trumpp, Residential Use Designator, Plat & Utility	410.00
05-23-2014	Raleigh, Environmental Site Evaluation	100.00
05-27-2014	Perry, Water Screening Report	12.00
05-30-2014	Henneberg, Building Permit #14-0051	150.00
05-30-2014	Stallman, Water Screening Report	12.00
	TOTAL	\$3,456.25

DEPOSITS MADE:

05-07-2014	\$ 425.00
05-08-2014	75.00
05-09-2014	906.25
05-16-2014	233.00
05-23-2014	1,643.00
05-30-2014	174.00

TOTAL	\$3,456.25
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Permit #	App Date	Ownr	Type of Bldg	Use of Bldg	Const Cost	Amnt Paid	Property Address	City & Zp
14-0027	04/04/2014	Haefke, David & Ann	Storage (residential)	Residential storage	\$15,000.00	\$150.00	7585 Rose Hill Rd	Randolph (66554)
14-0028	04/08/2014	Lewis, Karen & Duane	House (site built)	Residential dwelling	\$500,000.00	\$150.00	3801 Marlatt Ave	Manhattan (66503)
14-0029	04/09/2014	Ellis, Jerome & Katherine	Garage (attached)	Garage addition	\$24,000.00	\$150.00	4386 Fawn Cir	Manhattan (66503)
14-0030	04/10/2014	Cercone, Dominic & Autumn	House (site built)	Residential Dwelling	\$300,000.00	\$150.00	20700 Liberty Ln	Randolph (66554)
14-0031	04/11/2014	Conrow, Jack	Storage (ag related)	Ag storage w/ shop	\$60,000.00	\$0.00	1520 Collins Ln	Manhattan (66502)
14-0032	04/18/2014	Christopher C. Born	Storage (residential)	Lawn mower and equipment storage	\$6,000.00	\$150.00	1318 Lafayette Dr	Manhattan (66502)
14-0033	04/18/2014	Christopher C. Born	Deck	Deck	\$6,000.00	\$50.00	1318 Lafayette Dr	Manhattan (66502)
14-0034	04/18/2014	Robert W. & Julie A. Jenkins	House (site built)	Residential dwelling	\$300,000.00	\$0.00	8700 Falcon Rd	Riley (66531)
14-0035	04/18/2014	Steven R. & Laura L Moody Trust	Garage (detached)	Residential Storage	\$10,990.00	\$150.00	280 Deep Creek Rd	Manhattan (66502)
14-0036	04/21/2014	Miriam Nickle	Garage (detached)	Residential storage	\$8,000.00	\$150.00	12008 Lakeshore Ln	Randolph (66554)
14-0037	04/23/2014	Lance & Jennifer Holle	House (site built)	Residential dwelling	\$200,000.00	\$0.00	12280 Homestead Rd	Riley (66531)
14-0038	04/28/2014	The Nature Conservancy, Kansas Chapter	Miscellaneous	Scientific tower	\$35,000.00	\$225.00	3203 Shane Creek Ln	Manhattan (66502)
14-0039	04/28/2014	The Nature Conservancy Kansas Chapter	Miscellaneous	Instrument Hut	\$45,000.00	\$50.00	3203 Shane Creek Ln	Manhattan (66502)

Permit #	App Date	Ownr	Type of Bldg	Use of Bldg	Const Cost	Amnt Paid	Property Address	City & Zp
14-0041	05/05/2014	Grant, Jeffrey L.	Garage (attached)	Attached garage	\$40,000.00	\$150.00	9000 Anderson Ave	Manhattan (66503)
14-0040	05/05/2014	Gilbert, Tyson & Genine	Storage (ag related)	Tractor, skid steer	\$15,000.00	\$150.00	10064 Jerusalem Rd	Randolph (66554)
14-0044	05/07/2014	Tom Abbott	Commercial	Warehouse	\$40,000.00	\$225.00	2630 Tuttle Creek Blvd	Manhattan (66502)
14-0043	05/07/2014	Mackenzie Delrosso	Miscellaneous	Race track tower	\$1,500.00	\$50.00	8840 Norlin Rd	Randolph (66554)
14-0042	05/07/2014	Mackenzie Delrosso	Storage (ag related)	Horse shed	\$2,200.00	\$150.00	8840 Norlin Rd	Randolph (66554)
14-0045	05/15/2014	Doering, Hank & Laci	Addition (residential)	Master bath & bedroom	\$150,000.00	\$150.00	2956 Marlatt Ave	Manhattan (66502)
14-0046	05/19/2014	Henry, Jared	House (site built)	Primary residence	\$200,000.00	\$150.00	6730 University Park Rd	Manhattan (66503)
14-0047	05/20/2014	Russell K. Briggs Trust	Commercial	Office	\$20,000.00	\$225.00	1598 Recreation Dr	Manhattan (66503)
14-0048	05/21/2014	Kai Englert	Garage (detached)	Personal storage	\$45,000.00	\$150.00	8454 Fairview Church Rd	Manhattan (66502)
14-0050	05/22/2014	Jones, John H.	Storage (residential)	Residential storage	\$1,980.00	\$150.00	3227 Oak Shores Cir	Manhattan (66503)
14-0049	05/22/2014	McCoy, Mike	Storage (ag related)	Dump truck	\$8,000.00	\$150.00	7578 Blue River Hills Rd	Manhattan (66503)
14-0051	05/30/2014	Henneberg, Martin	Miscellaneous	Adding utility room & reconstructing garage	\$20,000.00	\$150.00	10914 High Ridge Dr	Manhattan (66503)



PLANNING & DEVELOPMENT

STAFF REPORT

Variance

PETITION: (#14-08) Variance

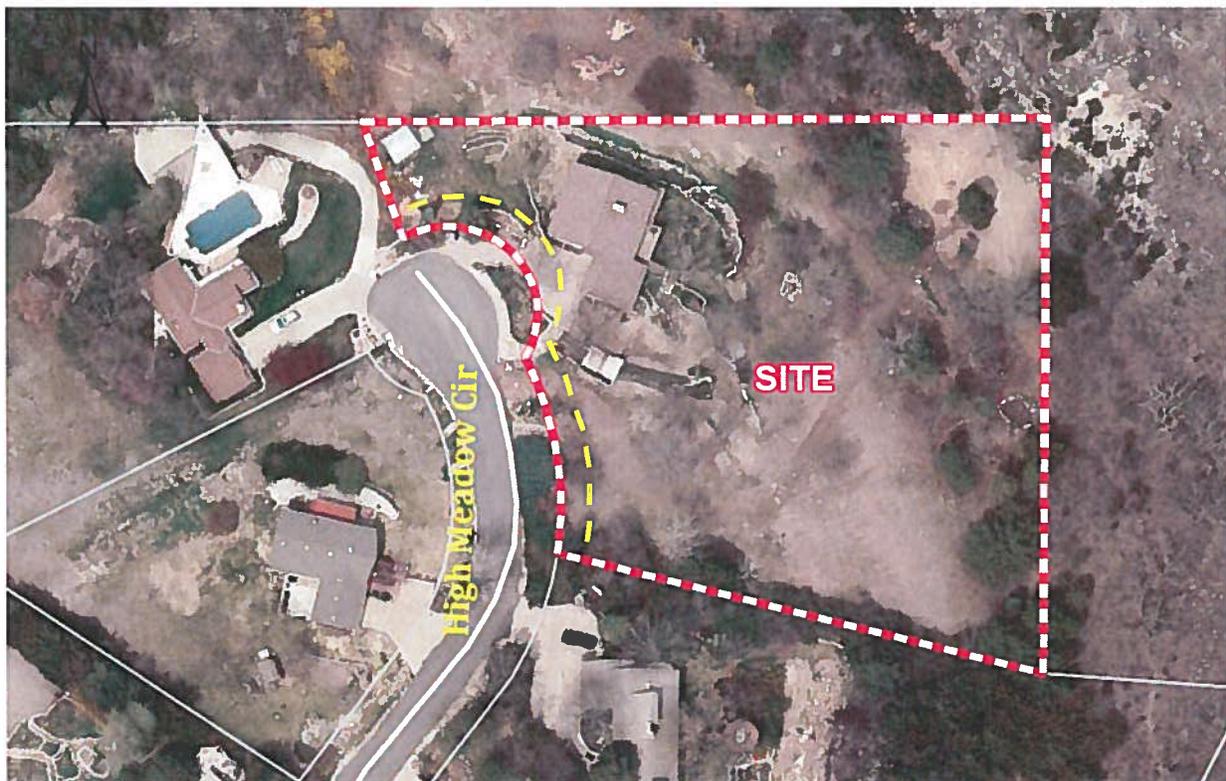
APPLICANT: Stanley J. Koehn
5121 S 52nd St
Manhattan, KS 66502

PROPERTY OWNER: Bret & Ellen Volkel
5616 High Meadow Cir
Manhattan, KS 66503

TYPE OF REQUEST: Reduce the front yard requirement from 25 feet to 20 feet for Lots 8 & 9 of Amended plat of Lots 4, 5, 6, 7, 8 & 9 High Meadows Addition.

SIZE OF TRACT: The subject site is approximately 2.04 acres.

LOCATION: Generally located approximately 1,000 feet north of High Meadows Drive, on the north and east sides of High Meadow Circle; Section 14, Township 9 South, Range 7 East; Grant Township.



BACKGROUND: The subject site consists of two contiguous lots (Lots 8 & 9 of Amended plat of Lots 4, 5, 6, 7, 8 & 9 High Meadows Addition) platted in February 1969. The site is currently developed with a single family home built in 1965. The applicant wishes to build on a second garage. However, due to the angle of the home in relation to the cul-de-sac, the southwest corner of the proposed addition would encroach into the 25-foot front yard building setback. The applicant is requesting a reduction of this front yard requirement from 25 feet to 20 feet.

DESCRIPTION:

Physical site characteristics: As mentioned, the subject site is developed with a single family home, which occupies the high point of the lot. The majority of the undeveloped portion of the site consists of mature trees and other vegetation. Typical of the hilly topography along Tuttle Creek Reservoir, the northern and eastern portions of the subject property slope dramatically down from Lakeside Drive.

General character of the area: The area is predominantly suburban residential in character.

ZONING:

Zoning History: The subject site was zoned "A-1" (Single Family Residential) (Pet #16) during the 1974 countywide zoning conversion process. The "A-1" (Single Family Residential) zoning district was renamed in May 2012 to "SF-1" (Single Family Residential).

STAFF EVALUATION OF VARIANCE CRITERIA:

- a. **The variance request arises from conditions which are unique to the property in question and which are not ordinarily found in the same zone or district and that such conditions are not created by an action of the owner or applicant.**

The condition which is unique to the property is the physical attributes of the lot, i.e. the relatively limited buildable area due to steep slopes and building setback requirements, which is not typical of the "SF-1" (Single Family Residential) zoning district. This condition was not created by an action of the Applicant.

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

The subject property has been developed as is for several years without incident. It is not anticipated that the construction of an accessory structure will have a negative impact on High Meadows Circle or surrounding properties.

- c. **The strict application of the provisions of the zoning regulations from which the variance is requested will constitute unnecessary hardship upon the property owner or applicant.**

The reasons for the request stems from the intention of improving the quality of the home, while providing a new structure to protect the family vehicles from the elements. Thus, not granting the variance could constitute an unnecessary hardship upon the property owner, as compared to what the public would gain by denying the request.

- d. **The variance requested will not adversely affect the public health, safety and welfare.**

There are at least two concerns that should be evaluated when considering a reduction of a minimum front yard requirement; first, is the impact of placing a structure (principle or accessory) closer to the designated right-of-way of a road that would limit a community's ability to widen the road if and when deemed necessary; and second, the creation of a potential safety hazard for drivers on High Meadows Circle and those entering and exiting the subject property, due to limited sight distance attributed to curves, hilly terrain, insufficient road width, vehicle speed and weather conditions. In this particular case, however, the residence has occupied the subject property for several years without incident and appears to have satisfied the above concerns over time. The existing structure does not extend into the platted right-of-way and does not interfere with the flow of traffic in the area. It is expected that the proposed addition also will not extend into the platted right-of-way and will not interfere with the flow of traffic in the area. Thus, the granting of the variance should not adversely affect the public health, safety and welfare.

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

According to the criteria for variance approval set forth in the Riley County Zoning Regulations, Section 20 (4), the granting of the request will not violate the general spirit and intent of the regulations.

STAFF RECOMMENDATIONS: Staff recommends that the requested variance be approved.

ATTACHMENTS:

- Vicinity/site map
- Site and surrounding area map
- Surrounding zoning map
- Floodplain map

Prepared by: Bob Isaac, Planner
May 29, 2014



VICINITY AND SITE

Koehn

Variance #14-08

Reduce the front yard requirement
from 25 feet to 20 feet

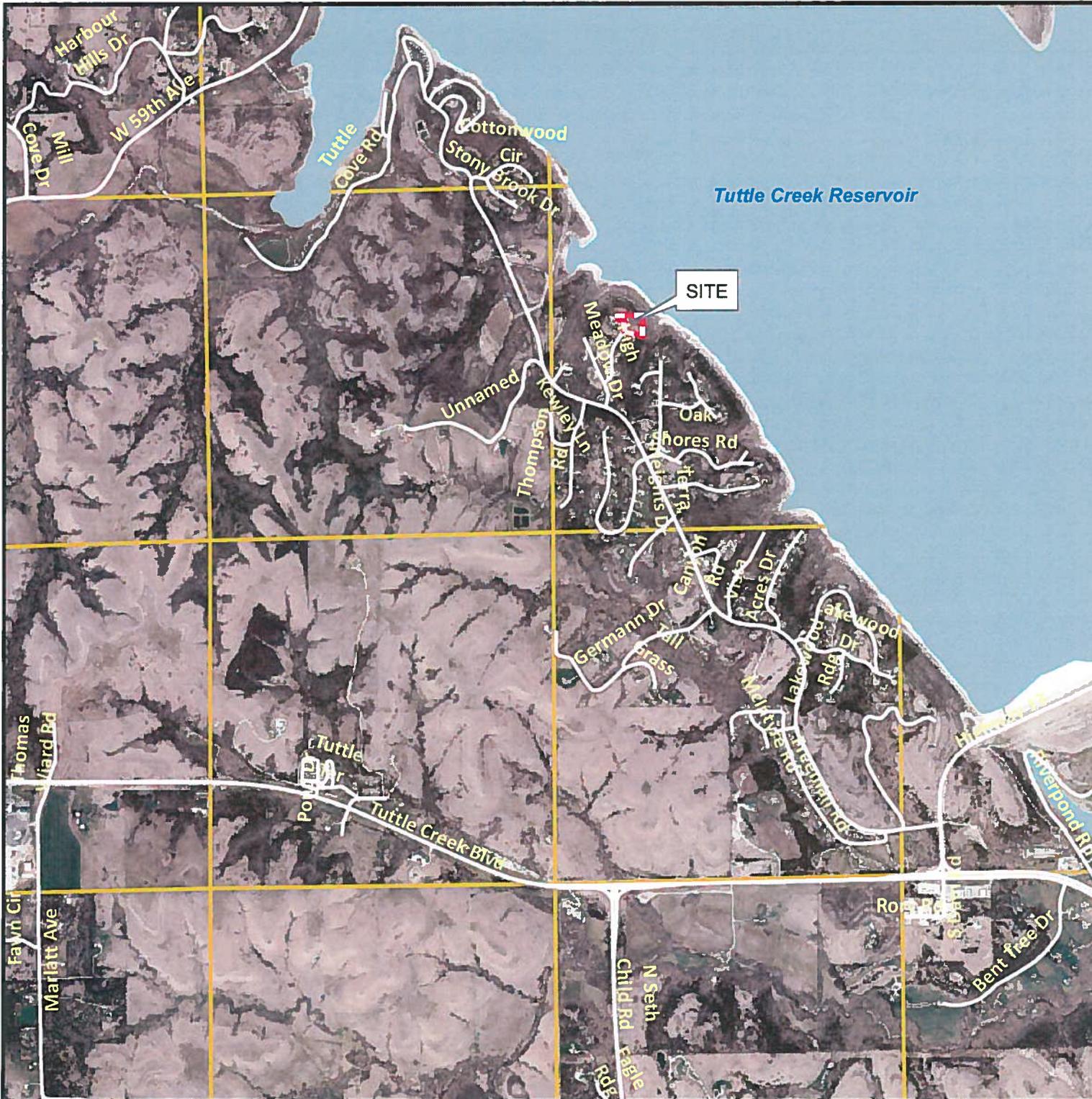
14-9-7

Legend



Site





SITE AND SURROUNDING AREA

Koehn

Variance #14-08

Reduce the front yard requirement
from 25 feet to 20 feet

14-9-7



SURROUNDING ZONING

Koehn

Variance #14-08

Reduce the front yard requirement
from 25 feet to 20 feet

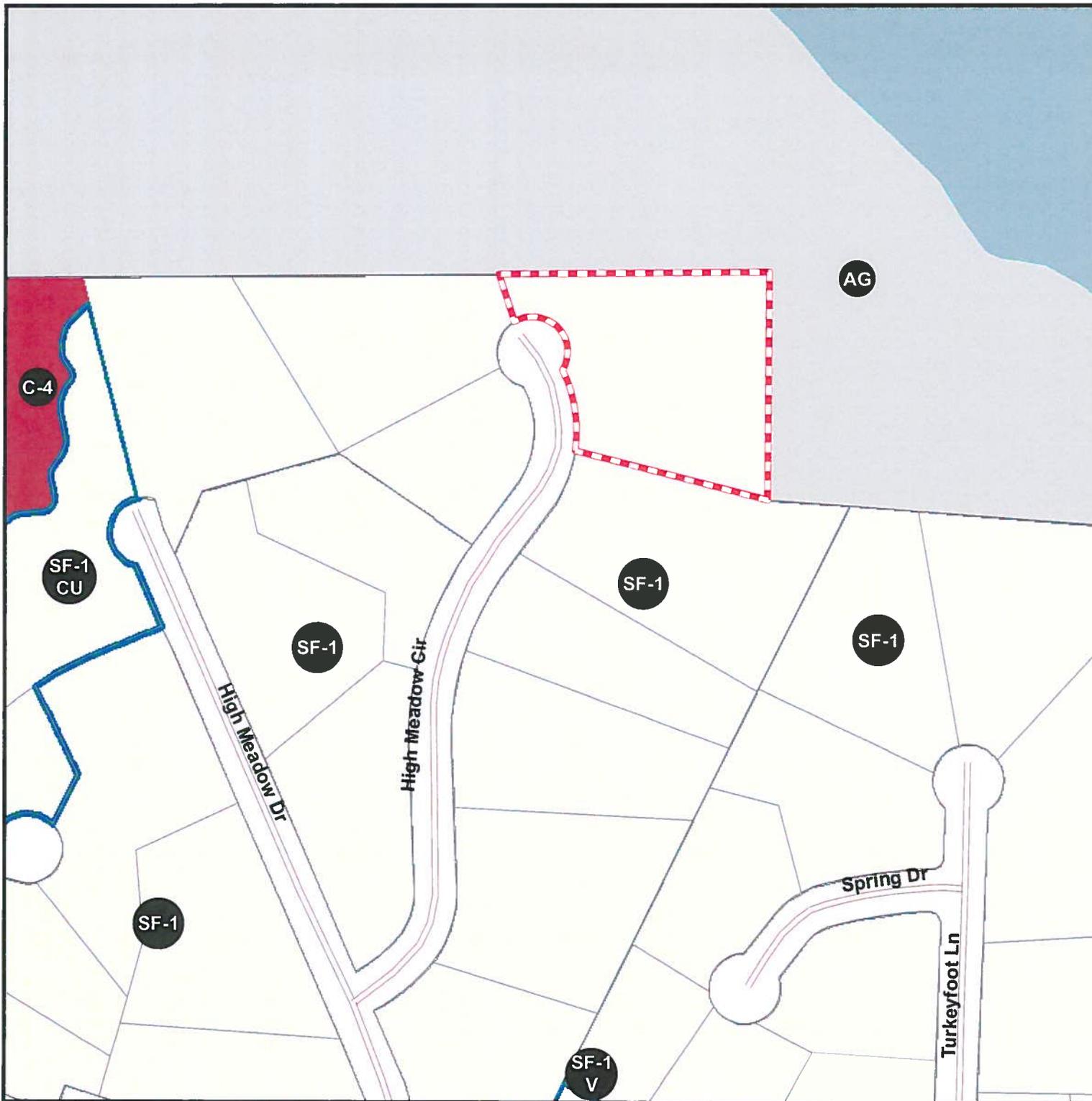
14-9-7

Legend



Site

SF-1 Single Family	AG Agricultural
SF-2 Single Family	N-1 Noise Hazard
SF-3 Single Family	PUD Planned Unit Dev
SF-4 Single Family	U University
SF-5 Single Family	City Boundaries
B-1 Two Family	Fort Riley
B-2 Multiple Family	
B-3 Mobile Home Park	
C-1 Neighborhood Bus	Special Zoning: Conditional Use Designator Lot Special Use Variance
C-2 Shopping Dist	
C-3 General Business	
C-4 Highway Business	
D-1 Industrial Park	
D-2 Light Industrial	
D-3 Heavy Industrial	
D-4 Business Park	





FLOODPLAIN

TOPEKA SHINER HABITAT

Koehn

Variance #14-08

Reduce the front yard requirement
from 25 feet to 20 feet

14-9-7

Legend

 Topeka Shiner Habitat

Floodplain

-  1% Annual Chance Flood (Unnumbered)
-  1% Annual Chance Flood (Numbered)
-  Floodway
-  1% Annual Chance Flood (1'-3' Depth)
-  .2% Annual Chance Flood



PLANNING & DEVELOPMENT

STAFF REPORT

Platting & Residential Use Designator

PETITION: (#14-09) Residential Use Designator - Extraneous Farmstead
(#14-10) Plat
(#14-11) Residential Use Designator – Country Estate

APPLICANT: Rusty Allison, Trustee for Mary Lou Allison Estate
2605 Circle Rd
Manhattan, KS 66502

PROPERTY OWNER: Mary Lou Allison Trust, Rusty Allison, Trustee
2605 Circle Rd
Manhattan, KS 66502

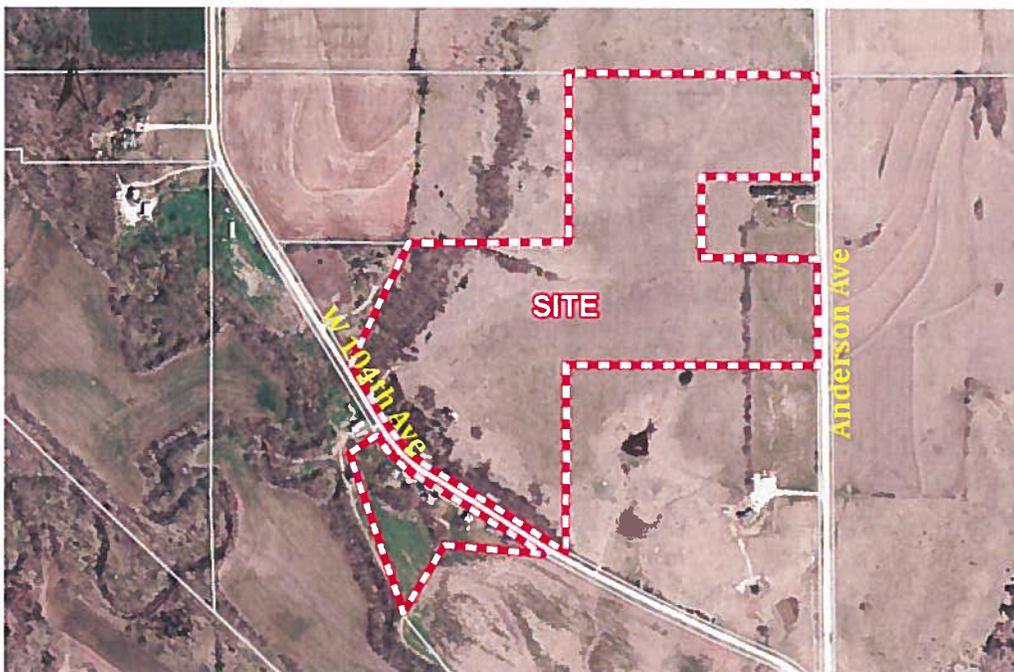
CONTRACT PURCHASER: Anthony & Michelle Allison
201 E Cedar St
Riley, KS 66531

TYPE OF REQUEST: Receive a Residential Use Designator - Extraneous Farmstead for a tract of land and plat the property into one (1) lot; receive a Residential Use Designator - Country Estate for a tract of land.

SIZE OF TRACT: The subject site is approximately 52.98 acres.

LOCATION: The request is generally located approximately ¼ mile northwest of Anderson Avenue, on the north and south sides of W. 104th Avenue; Section 17, Township 9 South, Range 6 East; Wildcat Township.

JURISDICTION: This application is subject to the requirements of the Riley County Subdivision Regulations.



BACKGROUND: The subject site is an approximately 53-acre tract transected by W. 104th Avenue. The portion of the tract located south of W. 104th Avenue is developed with an existing farmstead, while the portion to the north is undeveloped pasture ground. The applicant wishes to divide the 53-acre tract along W. 104th Avenue, platting the extraneous farmstead into a single lot and receive a Residential Use Designator – Extraneous Farmstead as well. The applicant also wishes to receive a Residential Use Designator – Country Estate for the remaining portion of the tract lying north of W. 104th Avenue, and develop the site with a non-agricultural residence.

DESCRIPTION:

Physical site characteristics: The portion of the parent tract located south of W. 104th Avenue is developed with an existing farmstead and several mature trees. The southern half of this portion is located within the 1% annual chance floodplain. The portion of the parent tract located north of W. 104th Avenue is hilly, undeveloped pasture ground, with a tree lined ravine on its west side. Mature trees also line most of the tract along W. 104th Avenue.

General character of the area: The area is generally a mix of suburban/low-density residential and agricultural uses.

SUITABILITY OF ZONING:

Zoning History: The subject property has been zoned agricultural since at least 1974. There are no conditional uses, special uses or variances associated with the site.

Current Zoning: The applicant is requesting to receive a residential use designator to accommodate the proposed development. The applicant has stated that he intends to leave a large portion of the site in pasture/haying and may possibly acquire some horses. Thus, the current zoning of the site is suitable for the request.

SURROUNDING ZONING/LAND USE		
	ADJACENT ZONING	LAND USE
NORTH	“AG” (Agricultural District)	Pasture
SOUTH	“AG” (Agricultural District)	Crops
NORTH-WEST	“AG” (Agricultural District)	Hay/open space
SOUTH-EAST	“AG” (Agricultural District)	Residential
EAST	“SF-5” (Single Family Residential) and “AG” (Agricultural District)	Residential/crops/hay
WEST	“SF-5” (Single Family Residential) and “AG” (Agricultural District)	Residential

POTENTIAL IMPACT:

Public Facilities and Services:

Streets and bridges: Both portions of the subject site have direct access to W. 104th Avenue, a two-lane gravel township road.

Water and sewer: Both tracts will share an on-site water well, located on the portion north of W. 104th Avenue. An access easement for the well is in place and shown on the Final Plat. The

existing farmstead is currently served by a conventional septic system, while the proposed country estate will be served by an on-site wastewater lagoon.

Fire: Riley County Fire District #1 serves the site. The nearest County Fire Station is located at 327 North Main Street, in the City of Riley. The subject site is located within five (5) road miles of a fire station.

Effect on nearby property: It is not anticipated that the proposed residential use designation of the subject property will have an adverse effect on surrounding property.

CONFORMANCE TO THE LAND USE PLAN:

Goals, Objectives and Policies

Goal for residential:

To allow for the development of a diversity of housing types, sizes and price levels to meet the changing needs of all county residents.

Objective R4: Allow for adequate amounts of single family housing in suitable locations throughout the county.

Policies:

R4.2 Roads serving residential developments should safely accommodate anticipated traffic.

Future Land Use Map

According to the final score of the LESA analysis, the subject property achieved 3417 points (Moderate for Preservation). No bonus points were factored into the analysis.

The Land Evaluation/Site Assessment (LESA) Score

Due to the type and nature of the request, a LESA was not generated.

Hardship on the landowner

The Applicant submitted has not indicated a hardship as a reason for the request.

Staff analysis: Due to the character of the existing development and the criteria set forth in the zoning regulations for Residential Use Designators, it is not anticipated that the request will cause conflicts. Thus, the request is consistent with the Plan.

RILEY COUNTY ZONING REGULATIONS:

The zoning regulations describe the purpose and intent for each Residential Use Designator. The conditions for approval for an Extraneous Farmstead are as follows:

1. The site to be divided from the existing agricultural operation should be the minimum required to accommodate the existing residence and any outbuildings or to accommodate a site that is logically separated from the existing agricultural operation. Conversion of existing productive agricultural land should be avoided.
2. The site shall be large enough to meet sanitary code minimum requirements.
3. A residential use designator for an extraneous farmstead is limited to one per original parent agricultural tract.

4. The site must be platted and must meet all requirements for a plat, including adequate public road access as specified in the subdivision regulations. The platted lot may not be further subdivided unless approved through the standard platting/rezoning process.
5. An Agricultural Protection Easement (APE), as specified in Section 21A, shall be filed with the plat.

The intent of the Country Estate is to allow these larger tracts, where appropriate, to provide opportunity for larger tract residential living without creating significant blocks of residentially zoned land in the rural areas. The conditions for approval for an Extraneous Farmstead are as follows:

1. The country estate lot shall be 20 acres or larger.
2. Approval shall only be granted following an analysis using the Development Guidance System and a determination that the proposal is compatible with surrounding uses by using the following criteria:
 - a. The site shall not be located within the state required minimum separation distances from a permitted confined animal feeding operation;
 - b. The site shall not be located within the Noise Zone II as identified by Fort Riley;
 - c. The site shall not score “Strong Finding for Preservation” using the Land Evaluation/Site Assessment system; and
 - d. The site should be located in an area where 20-acre home site parcel(s) already exist within ¼-mile from the site.
3. A residential use designator for a country estate is limited to one per original parent tract.
4. Country estate parcels are not required to be platted but must have adequate frontage on a public road and must meet the minimum sanitary code requirements.
5. An Agricultural Protection Easement (APE), as specified in Section 21A, shall be filed with the Register of Deeds.
6. A site plan is required as outlined in Section 21B.

Staff analysis: The request is consistent with the above criteria.

Agricultural Buffer: As per Section 21C of the Riley County Zoning Regulations, agricultural buffers are intended to provide “space”, or other physical separation, between typical farming/ranching practices and residential development. As shown on the Final Plat, an agricultural buffer has been included along certain boundaries of the “country estate” portion of the parent tract. The agricultural buffer standard applies to all new non-agricultural residential or commercial lots (excluding Extraneous Farmstead and Reconversion Lot residential use designator lots). The minimum setback for a residence or a structure for animal habitation shall be 200 feet from all property lines adjoining an existing agricultural use. However, the Planning Board may allow a reduction of this requirement to no less than 50 feet.

Riparian Buffer: No riparian areas have been identified with this request.

COMMENTS AND CONCERNS:

ENVIRONMENTAL HEALTH: Environmental Health staff has reviewed this plat and found it to be in compliance with the Riley County Sanitary Code.

RILEY COUNTY CONSERVATION DISTRICT: The staff at the Riley County Conservation District reviewed the request and had no comments.

COUNTY ENGINEER: The County Engineer has reviewed the request and stated that as long as there were no new entrances, there would be no concerns.

EMERGENCY MANAGEMENT: The Director of Riley County Emergency Management has reviewed and stated that as long as there was only one residence for the Country Estate residential designator lot, he had no objections.

FORT RILEY: The Director of Public Works on Fort Riley has reviewed the request and stated that the property is located in an area where noise generated by Fort Riley's military activities, while often perceptible to persons at that location, is generally considered compatible with the proposed use of the land. However, during periods of increased military operations on Fort Riley, it can be expected that some individuals at that location may be annoyed by the noise generated by the operations.

LAW ENFORCEMENT CENTER: The Assistant Director of the Law Enforcement Center has reviewed the request and had no objections.

STAFF RECOMMENDATIONS:

Staff recommends that the Planning Board approve the concurrent plat of Allison Addition Unit Three, as it has been determined that all requirements of the Riley County Subdivision Regulations, Zoning Regulations and Sanitary Code have been met. Staff also recommends that the Board approve the request to receive a Residential Use Designator – Extraneous Farmstead and the request to receive a Residential Use Designator – Country Estate , as it has been determined that each request meets the minimum requirements of the Riley County Zoning Regulations.

ACTION NEEDED FOR RESIDENTIAL USE DESIGNATOR:

A. Motion to approve the request to receive a Residential Use Designator–Extraneous Farmstead, as it has been determined that it meets the minimum requirements of the Riley County Zoning Regulations.

OR

B. Motion to deny the request to receive a Residential Use Designator–Extraneous Farmstead, as it has been determined that it does not meet the minimum requirements of the Riley County Zoning Regulations.

ACTION NEEDED FOR PLAT:

A. Motion to approve the concurrent plat of Allison Addition Unit Three, as it has been determined that it meets the requirements of the Riley County Subdivision Regulations.

OR

B. Motion to deny the concurrent plat of Allison Addition Unit Three, as it has been determined that it does not meet the requirements of the Riley County Subdivision Regulations.

ACTION NEEDED FOR RESIDENTIAL USE DESIGNATOR:

B. Motion to approve the request to receive a Residential Use Designator–Country Estate, as it has been determined that it meets the minimum requirements of the Riley County Zoning Regulations.

OR

B. Motion to deny the request to receive a Residential Use Designator– Country Estate, as it has been determined that it does not meet the minimum requirements of the Riley County Zoning Regulations.

ATTACHMENTS:

- Vicinity/site map
- Surrounding zoning map
- Floodplain map
- Fort Riley noise buffers map
- Preliminary Plat map
- Final Plat map
- Site plan (Country Estate)
- LESA

Prepared by: Bob Isaac, Planner
May 28, 2014



VICINITY AND SITE

Allison

Residential Use Designators
#14-09 Extraneous Farmstead
#14-11 Country Estate

Plat #14-10 Allison Addition Unit
Three

17-9-6

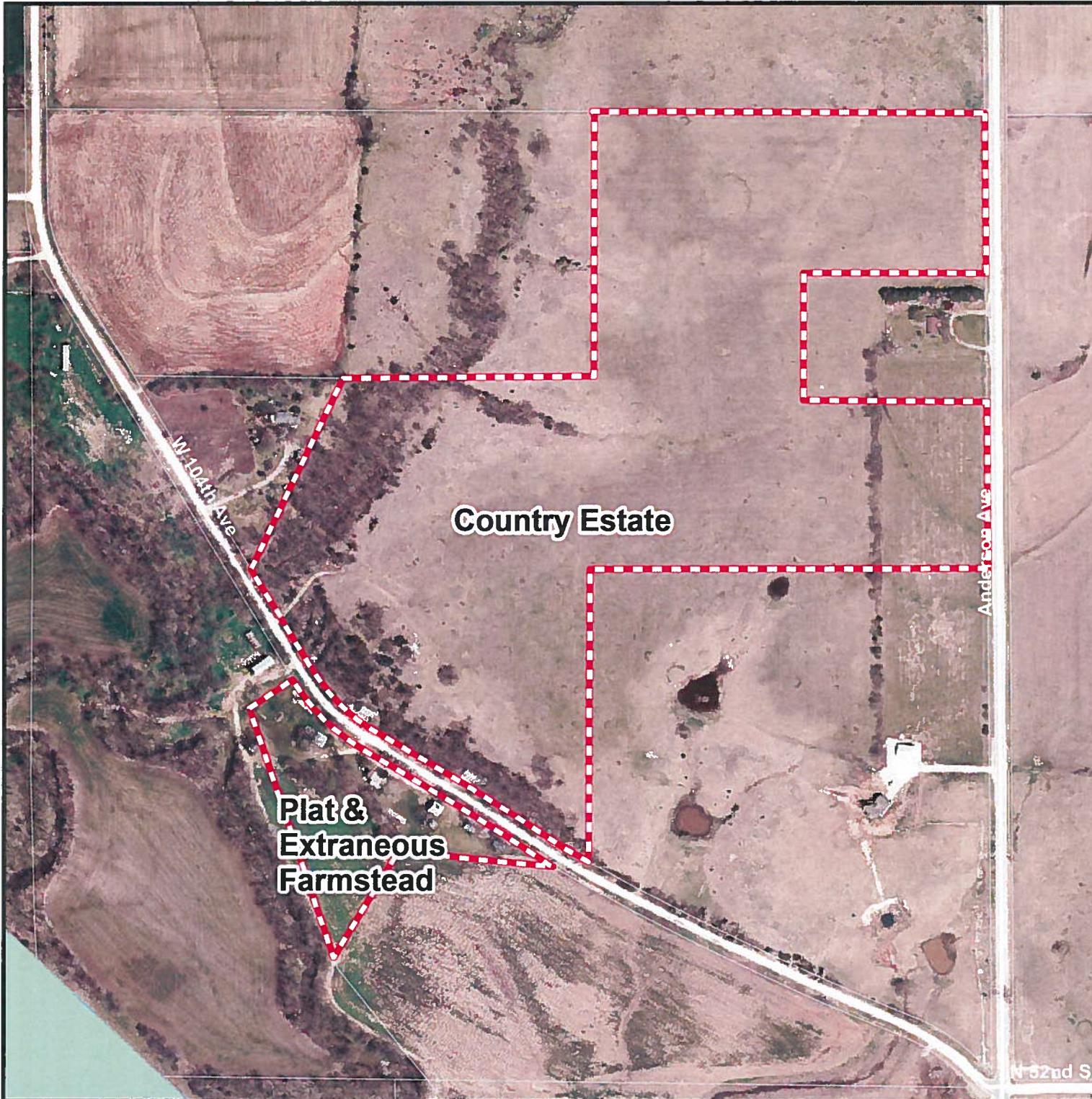


Site



VICINITY

FORT
RILEY



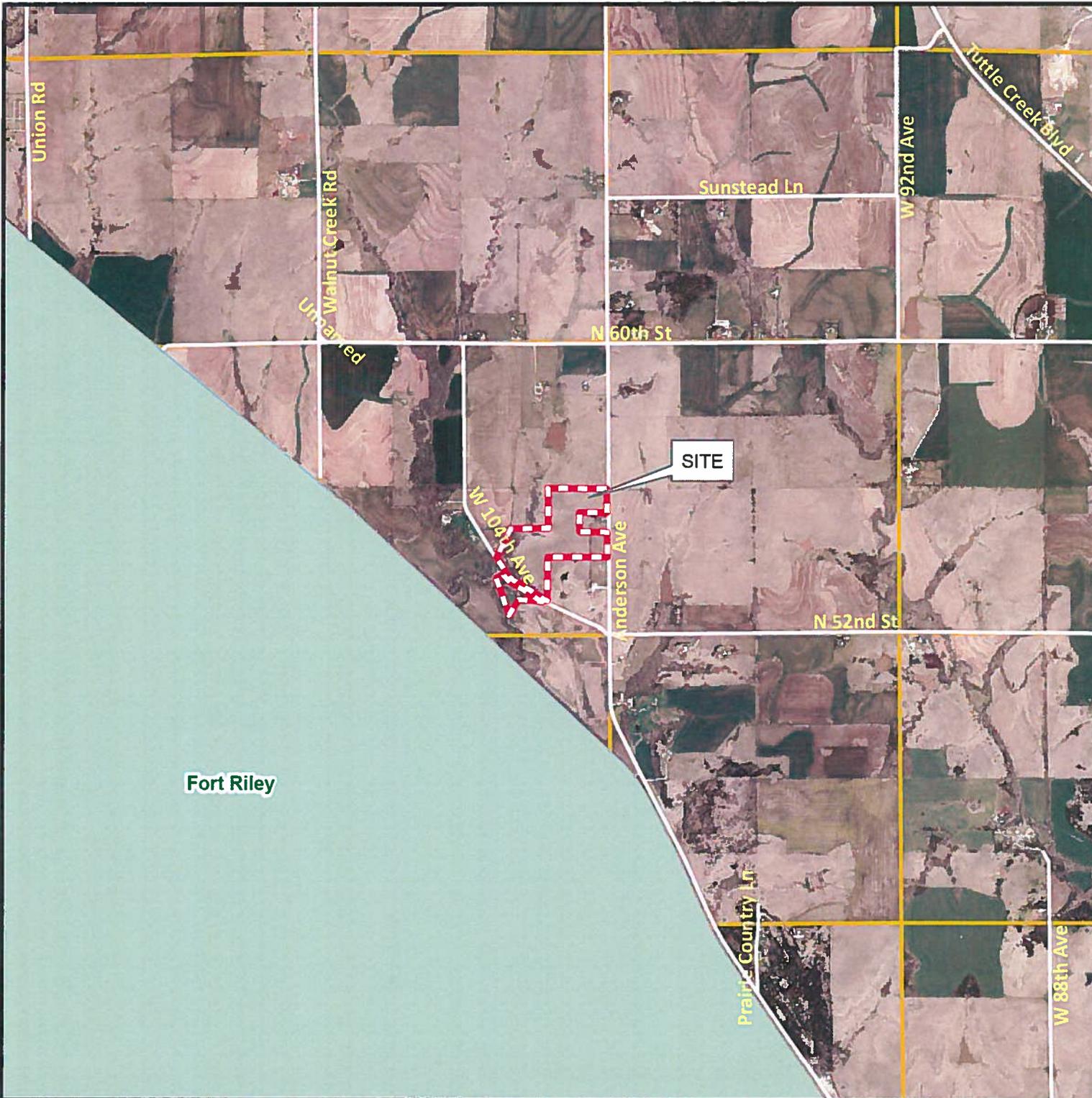
Country Estate

Plat &
Extraneous
Farmstead

W 104th Ave

Anderson Ave

N 52nd St



SITE AND SURROUNDING AREA

Allison

Residential Use Designators
#14-09 Extraneous Farmstead
#14-11 Country Estate

Plat #14-10 Allison Addition Unit
Three

17-9-6



FLOODPLAIN

TOPEKA SHINER HABITAT

Allison

Residential Use Designators
#14-09 Extraneous Farmstead
#14-11 Country Estate

Plat #14-10 Allison Addition Unit
Three

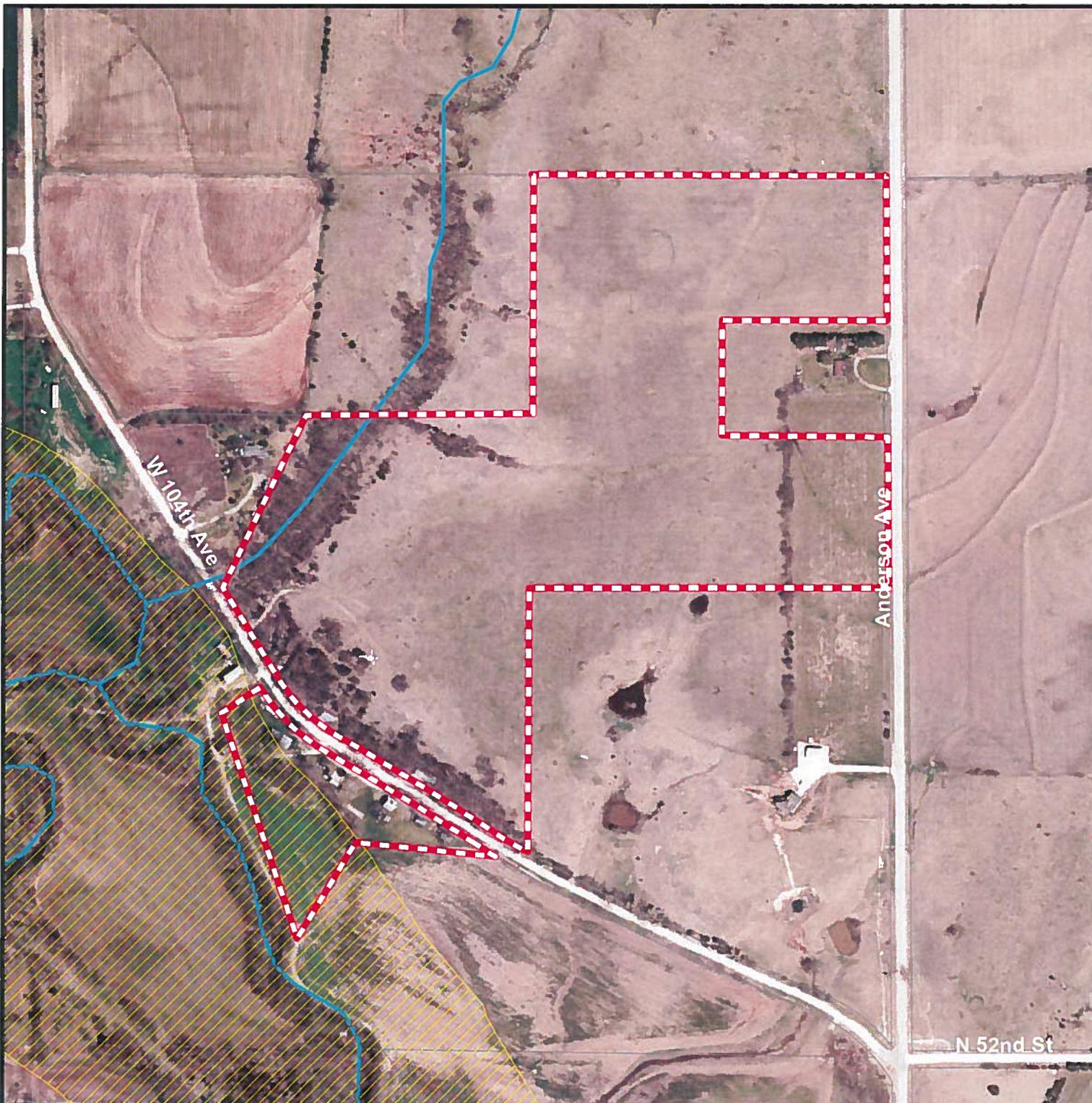
17-9-6

Legend

 Topeka Shiner Habitat

Floodplain

-  1% Annual Chance Flood (Unnumbered)
-  1% Annual Chance Flood (Numbered)
-  Floodway
-  1% Annual Chance Flood (1'-3' Depth)
-  .2% Annual Chance Flood





FORT RILEY NOISE CONTOURS AVERAGE AND PEAK

Allison

Residential Use Designators
#14-09 Extraneous Farmstead
#14-11 Country Estate

Plat #14-10 Allison Addition Unit
Three

17-9-6

AVERAGE

PEAK

Legend

Average Noise Levels

-  CDNL 57 (LUPZ)
-  CDNL 62 (ZONE II)
-  CDNL 70 (ZONE III)

Peak Noise Levels Large Caliber

-  Large Caliber 115
-  Large Caliber 130





VICINITY MAP
(NOT TO SCALE)

NOTES:
No gaps or overlaps exist.

The basis of bearings of this plat are assumed S 89°34'12" E on the North line of the Southeast Quarter of Section 17-9-6.

There are no existing buildings on the subject property, except as shown.

There are existing entrances and entrance pipes that will be utilized.

Parent Tract is recorded in Book 840, Page 5511, Register of Deeds Office, Riley County, Kansas.

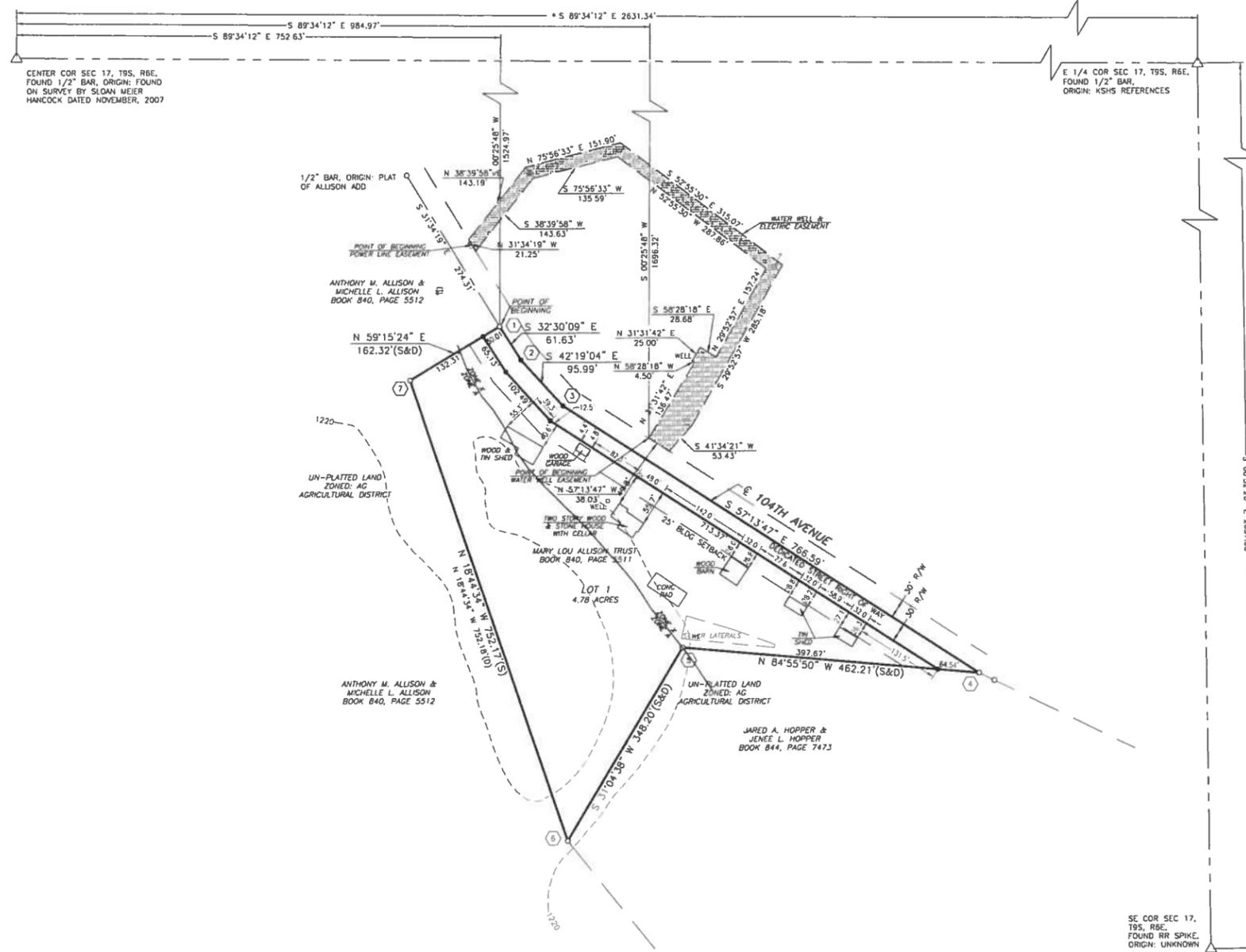
Easement for water well and electric service to subject tract is recorded in Book , Page , Register of Deeds Office, Riley County, Kansas.

FLOOD INFORMATION NOTE:
Flood Insurance Rate Map, Map Number 20161C0225E, identifies this property as situated in both Zone X and Zone A. Zone X is stated as "Areas determined to be outside the 0.2% annual chance floodplain." Zone A is stated as a "Special Flood Hazard Area Subject to Inundation by the 1% Annual Chance Flood with No Base Flood Elevation determined."
FIRM effective date: November 19, 2003.

LEGEND

- △ Section Corner
 - Monument Found, 1/2" Rebar w/CLS66 Cap, Origin: Survey by SMH Consultants dated January, 2010
 - 1/2"x24" Rebar w/ CLS66 Cap Set
 - Assumed Bearing
 - Corner Number
 - (S) Surveyed Dimension
 - (D) Deed Dimension
-
-

NOTES:
Existing Use: Residential / Farm
Proposed Use: Residential
Existing Zoning: "AG" (Agricultural District)
Proposed Zoning: No Change Requested



DESCRIPTION:

A tract of land in the Southeast Quarter of Section 17, Township 9 South, Range 6 East of the Sixth Principal Meridian, Riley County, Kansas described as follows:

Beginning at a point that is S 89°34'12" E 752.63 feet and S 00°25'48" W 1524.97 feet from the Northwest Corner of the Southeast Quarter of said Section 17, said point being in the center line of 104th Avenue and Corner 1, marked by a 1/2" rebar; thence

Along the center line of 104th Avenue the following 3 Courses,
Course 1: S 32°30'09" E 61.63 feet to the Corner 2, marked by a 1/2" rebar,
Course 2: S 42°19'04" E 95.99 feet to the Corner 3, marked by a 1/2" rebar,
Course 3: S 57°13'47" E 766.59 to the Corner 4, marked by a 1/2" rebar; thence
N 84°55'50" W 462.21 feet to Corner 5, marked by a 1/2" rebar; thence
S 31°04'38" W 348.20 feet to Corner 6, marked by a 1/2" rebar; thence
N 18°44'34" W 752.17 feet to Corner 7, marked by a 1/2" rebar; thence
N 59°15'24" E 162.32 feet to the point of beginning, containing 5.40 acres.
Subject to easements and restrictions of record.

Preliminary Plat
ALLISON ADDITION
UNIT THREE
in the Southeast Quarter of Section 17,
T9S, R6E, Riley County, Kansas



4201B Anderson Avenue, Suite 2 • Manhattan, Kansas 66503
(785) 776-0541 • FAX 776-9760 • Email: tim@smhconsultants.com
Project #1404MN1100 DD #94

JUNE 2014

DESCRIPTION:

A tract of land in the Southeast Quarter of Section 17, Township 9 South, Range 6 East of the Sixth Principal Meridian, Riley County, Kansas described as follows:

Beginning at a point that is S 89°34'12" E 752.63 feet and S 00°25'48" W 1524.97 feet from the Northwest Corner of the Southeast Quarter of said Section 17, said point being in the center line of 104th Avenue and Corner 1, marked by a 1/2" rebar; thence

Along the center line of 104th Avenue the following 3 Courses, Course 1: S 32°30'09" E 61.63 feet to the Corner 2, marked by a 1/2" rebar, Course 2: S 42°19'04" E 95.99 feet to the Corner 3, marked by a 1/2" rebar, Course 3: S 57°13'47" E 766.59 feet to the Corner 4, marked by a 1/2" rebar; thence N 84°55'50" W 462.21 feet to Corner 5, marked by a 1/2" rebar; thence S 31°04'38" W 348.20 feet to Corner 6, marked by a 1/2" rebar; thence N 18°44'34" W 752.17 feet to Corner 7, marked by a 1/2" rebar; thence N 59°15'24" E 162.32 feet to the point of beginning, containing 5.40 acres. Subject to easements and restrictions of record.

OWNER'S CERTIFICATE

STATE OF KANSAS) SS
COUNTY OF RILEY)

This is to certify that the undersigned is/are the owner(s) of the land hereon described on this plat, and that said owner(s) has/have caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes herein set forth, and does hereby acknowledge and adopt the same under style and title indicated.

All street rights-of-way as shown on this plat are hereby dedicated to the public. Any easements or licenses as shown on this plat, to locate, construct and maintain or authorize the location, construction and maintenance of poles, wires, conduits, water, gas and sewer pipes or required drainage channels or structures upon the area marked for easements on this plat, are hereby granted to the public.

Given under my hand at _____, Kansas this _____ day of _____, 2014.

Mary Lou Allison Trust

David Robert Allison, Trustee Janet Elaine Allison, Trustee

Russell Dean Allison, Trustee

NOTARY CERTIFICATE

STATE OF KANSAS) SS
COUNTY OF RILEY)

BE IT REMEMBERED, that on this _____ day of _____ A.D. 2014, before me, the undersigned, a notary public in and for the County and State aforesaid, came

David Robert Allison, Janet Elaine Allison and Russell Dean Allison,
as Trustees of the Mary Lou Allison Trust

personally known to me to be the same persons who executed the foregoing Owner's Certificate, and duly acknowledged their execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Notary Public

My appointment expires: _____

CERTIFICATE OF THE COUNTY COMMISSION

STATE OF KANSAS) SS
COUNTY OF RILEY)

Approved this _____ day of _____, 2014.
Board of Commissioners, Riley County, Kansas.

Chairperson _____ Commissioner _____

Commissioner _____ Attest: County Clerk _____

CERTIFICATE OF THE REGISTER OF DEEDS

STATE OF KANSAS) SS
COUNTY OF RILEY)

This instrument was filed for record on the _____ day of _____ A.D. 2014, at _____ o'clock _____ M. and duly recorded in Book _____ on Page _____.

Register of Deeds _____

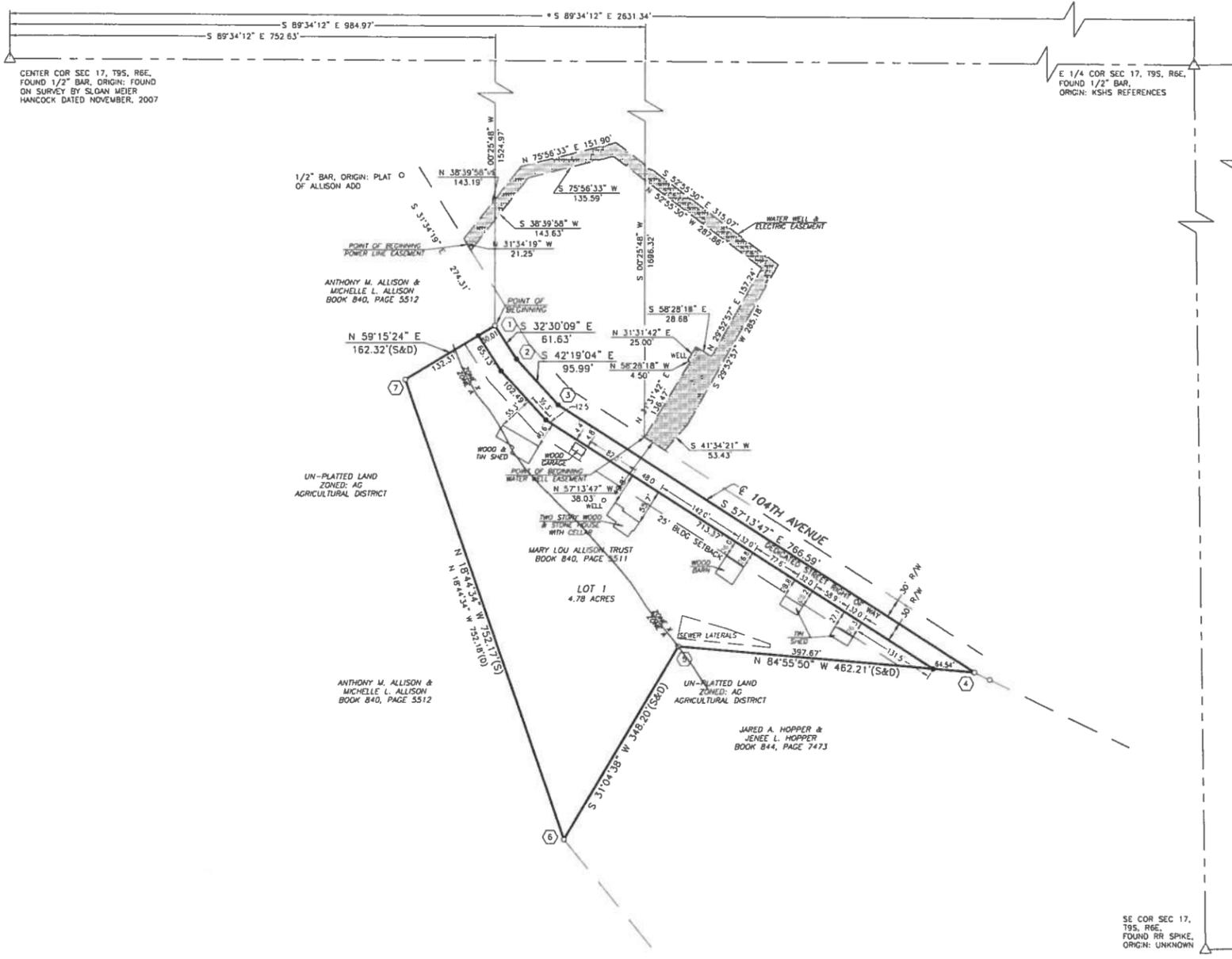
Deputy _____

RILEY COUNTY PLAT REVIEW SURVEYOR SIGNATURE BLOCK

This plat has been reviewed and approved for filing pursuant to and in compliance with K.S.A. 58-2005 and with the requirements of Riley County Resolution No. 082913-58. No other warranties are extended or implied.

Approved: _____

License Number: _____ Date: _____



VICINITY MAP (NOT TO SCALE)

NOTES:

No gaps or overlaps exist.

The basis of bearings of this plat are assumed S 89°34'12" E on the North line of the Southeast Quarter of Section 17-9-6.

There are no existing buildings on the subject property, except as shown.

There are existing entrances and entrance pipes that will be utilized.

Parent Tract is recorded in Book 840, Page 5511, Register of Deeds Office, Riley County, Kansas.

Easement for water well and electric service to subject tract is recorded in Book _____, Page _____, Register of Deeds Office, Riley County, Kansas.

FLOOD INFORMATION NOTE:

Flood Insurance Rate Map, Map Number 20161C0225E, identifies this property as situated in both Zone X and Zone A. Zone X is stated as "Areas determined to be outside the 0.2% annual chance floodplain". Zone A is stated as a "Special Flood Hazard Area Subject to Inundation by the 1% Annual Chance Flood with No Base Flood Elevation determined." FIRM effective date: November 19, 2003.

LEGEND

- △ Section Corner
- Monument Found, 1/2" Rebar w/CLS86 Cap, Origin: Survey by SMH Consultants dated January, 2010
- 1/2"x24" Rebar w/ CLS86 Cap Set
- Assumed Bearing
- Corner Number
- (S) Surveyed Dimension
- (D) Deed Dimension



APPROVAL OF COUNTY OFFICERS

STATE OF KANSAS) SS
COUNTY OF RILEY)

County Engineer _____

County Counselor _____

Environmental Health Specialist _____

RILEY COUNTY PLANNING BOARD CERTIFICATE

STATE OF KANSAS) SS
COUNTY OF RILEY)

Approved this _____ day of _____ A.D. 2014.

Riley County Planning Board.

Chairperson _____ Member _____

Member _____ Member _____

Member _____

SURVEYOR'S CERTIFICATE

STATE OF KANSAS) SS
COUNTY OF RILEY)

I, the undersigned, do hereby certify that I am a Registered Land Surveyor in the State of Kansas, with experience and proficiency in land surveying; and that the heretofore described property was surveyed and subdivided by me, or under my supervision, that all subdivision regulations of Riley County, Kansas, have been complied with in the preparation of this plat, and that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.

Given under my hand and seal at Manhattan, Kansas this _____ day of _____, A.D., 2014.

SMH Consultants
By: Tim Sloan
Tim Sloan, P.E.
President



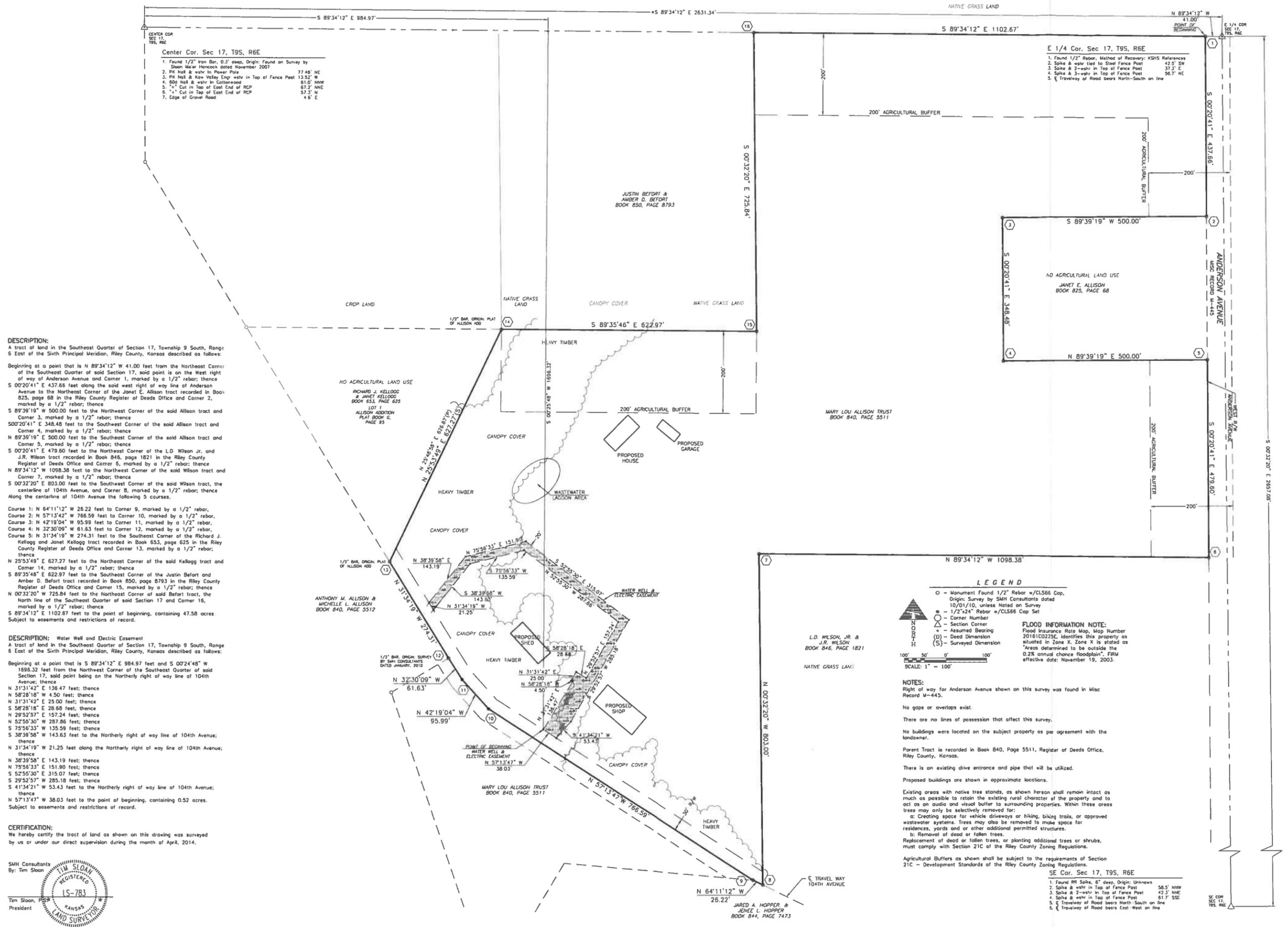
SE COR SEC 17, T9S, R6E, FOUND RR SPIKE, ORIGIN: UNKNOWN

Final Plat
ALLISON ADDITION
UNIT THREE
in the Southeast Quarter of Section 17,
T9S, R6E, Riley County, Kansas



4201B Anderson Avenue, Suite 2 • Manhattan, Kansas 66503
(785) 776-0541 • FAX 776-9760 • Email: tim@smhconsultants.com
Project #1404MN1100 DD #94

JUNE 2014



Center Cor. Sec 17, T9S, R6E

- Found 1/2" Iron Bar, 0.3' deep, Origin: Found on Survey by Sloan Meter Hancock dated November 2007 77.48' NE
- PK Nail & wire in Power Pole
- PK Nail & Kaw Valley Engr wire in Top of Fence Post 13.52' W
- 500 Nail & wire in Cottonwood
- 1/2" Cut in Top of East End of RCP 67.2' NNE
- 1/2" Cut in Top of East End of RCP 57.3' N
- Edge of Gravel Road 4.6' E

E 1/4 Cor. Sec 17, T9S, R6E

- Found 1/2" Rebar, Method of Recovery: KSHS Reference 42.5' SW
- Spoke & wire tied to Steel Fence Post 37.3' E
- Spoke & 3-wire in Top of Fence Post 56.7' NE
- Travelway of Road bears North-South on line

DESCRIPTION:

A tract of land in the Southeast Quarter of Section 17, Township 9 South, Range 6 East of the Sixth Principal Meridian, Riley County, Kansas described as follows:

Beginning at a point that is N 89°34'12" W 41.00 feet from the Northeast Corner of the Southeast Quarter of said Section 17, said point is on the West right of way of Anderson Avenue and Corner 1, marked by a 1/2" rebar; thence S 00°20'41" E 437.66 feet along the said west right of way line of Anderson Avenue to the Northeast Corner of the Janet E. Allison tract recorded in Book 825, page 68 in the Riley County Register of Deeds Office and Corner 2, marked by a 1/2" rebar; thence S 89°39'19" W 500.00 feet to the Northeast Corner of the said Allison tract and Corner 3, marked by a 1/2" rebar; thence S 00°20'41" E 348.48 feet to the Southwest Corner of the said Allison tract and Corner 4, marked by a 1/2" rebar; thence N 89°39'19" E 500.00 feet to the Southwest Corner of the said Allison tract and Corner 5, marked by a 1/2" rebar; thence S 00°20'41" E 479.60 feet to the Northeast Corner of the L.D. Wilson Jr. and J.R. Wilson tract recorded in Book 846, page 1821 in the Riley County Register of Deeds Office and Corner 6, marked by a 1/2" rebar; thence N 89°34'12" W 1098.38 feet to the Northeast Corner of the said Wilson tract and Corner 7, marked by a 1/2" rebar; thence S 00°32'20" E 803.00 feet to the Southwest Corner of the said Wilson tract, the centerline of 104th Avenue, and Corner 8, marked by a 1/2" rebar; thence along the centerline of 104th Avenue the following 5 courses:

Course 1: N 64°11'12" W 28.22 feet to Corner 9, marked by a 1/2" rebar.
 Course 2: N 57°13'42" W 765.59 feet to Corner 10, marked by a 1/2" rebar.
 Course 3: N 42°19'04" W 95.99 feet to Corner 11, marked by a 1/2" rebar.
 Course 4: N 32°30'09" W 61.63 feet to Corner 12, marked by a 1/2" rebar.
 Course 5: N 31°34'19" W 274.31 feet to the Southeast Corner of the Richard J. Kellogg and Janet Kellogg tract recorded in Book 653, page 625 in the Riley County Register of Deeds Office and Corner 13, marked by a 1/2" rebar; thence N 25°53'49" E 627.27 feet to the Northeast Corner of the said Kellogg tract and Corner 14, marked by a 1/2" rebar; thence S 89°39'19" E 622.97 feet to the Southeast Corner of the Justin Befort and Amber D. Befort tract recorded in Book 850, page 8793 in the Riley County Register of Deeds Office and Corner 15, marked by a 1/2" rebar; thence N 00°32'20" W 725.84 feet to the Northeast Corner of said Befort tract, the North line of the Southeast Quarter of said Section 17 and Corner 16, marked by a 1/2" rebar; thence S 89°34'12" E 1102.87 feet to the point of beginning, containing 47.58 acres Subject to easements and restrictions of record.

DESCRIPTION:

Water Well and Electric Easement

A tract of land in the Southeast Quarter of Section 17, Township 9 South, Range 6 East of the Sixth Principal Meridian, Riley County, Kansas described as follows:

Beginning at a point that is S 89°34'12" E 984.97 feet and S 00°24'48" W 1696.32 feet from the Northwest Corner of the Southeast Quarter of said Section 17, said point being on the Northerly right of way line of 104th Avenue; thence N 31°31'42" E 156.47 feet; thence N 58°28'18" W 4.50 feet; thence N 31°31'42" E 25.00 feet; thence S 58°28'18" E 28.68 feet; thence N 29°52'57" E 157.24 feet; thence N 52°50'30" W 287.86 feet; thence S 75°56'33" W 135.59 feet; thence S 38°39'58" W 143.63 feet to the Northerly right of way line of 104th Avenue; thence N 31°34'19" W 21.25 feet along the Northerly right of way line of 104th Avenue; thence N 38°39'58" E 143.19 feet; thence N 75°56'33" E 151.00 feet; thence S 52°55'30" E 315.07 feet; thence N 29°52'57" W 285.18 feet; thence S 41°34'21" W 53.43 feet to the Northerly right of way line of 104th Avenue; thence N 57°13'47" W 38.03 feet to the point of beginning, containing 0.52 acres. Subject to easements and restrictions of record.

CERTIFICATION:

We hereby certify the tract of land as shown on this drawing was surveyed by us or under our direct supervision during the month of April, 2014.



NO AGRICULTURAL LAND USE

RICHARD J. KELLOGG & JANET KELLOGG
 BOOK 653, PAGE 625

LOT 1
 ALLISON ADDITION
 PLAT BOOK G,
 PAGE 95

ANTHONY M. ALLISON & MICHELLE L. ALLISON
 BOOK 840, PAGE 5512

MARY LOU ALLISON TRUST
 BOOK 840, PAGE 5511

L.D. WILSON, JR. & J.R. WILSON
 BOOK 846, PAGE 1821

JARED A. HOPPER & JENEE L. HOPPER
 BOOK 844, PAGE 7473

LEGEND

- - Monument Found 1/2" Rebar w/CLS66 Cap, Origin: Survey by SMH Consultants dated 10/01/10, unless Noted on Survey
- - 1/2"x24" Rebar w/CLS66 Cap Set
- - Corner Number
- △ - Section Corner
- - Assumed Bearing
- (D) - Deed Dimension
- (S) - Surveyed Dimension

FLOOD INFORMATION NOTE:

Flood Insurance Rate Map, Map Number 20161C0225E, identifies this property as situated in Zone X. Zone X is stated as "Areas determined to be outside the 0.2% annual chance floodplain". FIRB effective date: November 19, 2003.

NOTES:

Right of way for Anderson Avenue shown on this survey was found in Misc Record M-445.

No gaps or overlaps exist.

There are no lines of possession that affect this survey.

No buildings were located on the subject property as per agreement with the landowner.

Parent Tract is recorded in Book 840, Page 5511, Register of Deeds Office, Riley County, Kansas.

There is an existing drive entrance and pipe that will be utilized.

Proposed buildings are shown in approximate locations.

Existing areas with native tree stands, as shown hereon shall remain intact as much as possible to retain the existing rural character of the property and to act as an audio and visual buffer to surrounding properties. Within these areas trees may only be selectively removed for:

- Creating space for vehicle driveways or hiking, biking trails, or approved wastewater systems. Trees may also be removed to make space for residences, yards and or other additional permitted structures.
- Removal of dead or fallen trees.

Replacement of dead or fallen trees, or planting additional trees or shrubs, must comply with Section 21C of the Riley County Zoning Regulations.

Agricultural Buffers as shown shall be subject to the requirements of Section 21C - Development Standards of the Riley County Zoning Regulations.

SE Cor. Sec 17, T9S, R6E

- Found RR Spoke, 6" deep, Origin: Unknown 58.5' NNW
- Spoke & wire in Top of Fence Post 42.5' SW
- Spoke & 2-wire in Top of Fence Post 37.3' E
- Spoke & wire in Top of Fence Post 61.7' SSE
- Travelway of Road bears North-South on line
- Travelway of Road bears East-West on line

MARY LOU ALLISON TRUST PROPERTY
 SITE PLAN
 SE 1/4 SECTION 17, T9S, R6E, RILEY COUNTY, KANSAS

SMH CONSULTANTS

4201B Anderson Avenue, Suite 2 • Manhattan, Kansas 66503
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PROJECT NO.	1404MN1101
DATA FILE NO.	94
REVISED: DATE:	
CHECKED BY:	TS
DRAWN BY:	DBA
DATE:	05/06/14
SHEET NO	1
TOTAL SHEETS	1

FACTOR 1

CHARACTER OF THE NEIGHBORHOOD (Surrounding Area within 1/4 Mile)

Agricultural Character Test

	Points	Score
● Percent of Cropland/Grassland		
<input type="checkbox"/> More than 95%	0	
<input checked="" type="checkbox"/> 80% to 95%	80	80
<input type="checkbox"/> 60% to 79.99%	165	
<input type="checkbox"/> Less than 60%	250	
	TOTAL	80
● Overall Housing Density		
<input type="checkbox"/> Greater than 160 acres/residence	0	
<input type="checkbox"/> 80 to 160 acres/residence	65	
<input type="checkbox"/> 40 to 79.99 acres/residence	130	
<input checked="" type="checkbox"/> 20 to 39.99 acres/residence	195	195
<input type="checkbox"/> Less than 20 acres/residence	250	
	TOTAL	195
● Number of Non-Farm Residences		
<input type="checkbox"/> 0	0	
<input type="checkbox"/> 1	50	
<input type="checkbox"/> 2	100	
<input checked="" type="checkbox"/> 3	150	150
<input type="checkbox"/> 4	200	
<input type="checkbox"/> 5 or more	250	
	TOTAL	150
● Number of Tracts Less Than 20 acres		
<input type="checkbox"/> 0	0	
<input type="checkbox"/> 1	50	
<input type="checkbox"/> 2	100	
<input type="checkbox"/> 3	150	
<input type="checkbox"/> 4	200	
<input checked="" type="checkbox"/> 5 or more	250	250
	TOTAL	250
GRAND TOTAL		675

<u>SCALE</u>	Points
Strongly Agricultural	0
Moderately-Strong Agricultural	50
Moderately Agricultural	100
Moderately-Mild Agricultural	150
Mildly Agricultural	200
Mildly Non-Agricultural	250
Mildly Non-Ag Residential	300
Moderately-Mild Non-Ag Res.	350
Moderately Non-Ag Res.	400
Moderately-Strong Non-Ag Res.	450
Strongly Non-Ag Residential	500
Strongly Non-Ag Residential	550
Strongly Non-Ag Residential	600
Strongly Non-Ag Residential	650
Strongly Non-Ag Residential	700
Strongly Non-Ag Residential	750
Strongly Non-Ag Residential	800
Strongly Non-Ag Residential	850
Strongly Non-Ag Residential	900
Strongly Non-Ag Residential	950
Strongly Non-Ag Residential	1000

Rural Character Test

● Development conforms to rural character guidelines		
	Bonus	
	Points	Score
<input type="checkbox"/> Conforms to guidelines	500	
<input checked="" type="checkbox"/> Does not conform to guidelines	0	0
	TOTAL	

TOTAL POINTS AVAILABLE:
(Not Including Bonus Points)

1000 Points

FACTOR 2

THE ZONING AND USES OF NEARBY PROPERTY (Surrounding Area within 1 Mile)

Compatible Zoning Test

Perimeter Component

- Percent of Perimeter Adjacent to Similar Zoning

	Points	Score
<input type="checkbox"/> No Adjacency	0	
<input type="checkbox"/> 1% - 9.99%	50	
<input checked="" type="checkbox"/> 10% - 24.99%	100	100
<input type="checkbox"/> 25% - 50%	200	
<input type="checkbox"/> Over 50%	250	
	TOTAL	100

Proximity Component

- Number of Acres of Similar Zoning Within Certain Distances

Acres	Points	Within 1000'	Between 1000' and ½ mile	Between ½ mile and 1 mile	
0	0		0		
.1-2	10				
2.1-5	20				
5.1-10	30	30			
10.1-15	40				
Over 15	50			50	
Weighting		2.5	1.5	1	
SUBTOTAL		75	0	50	
				TOTAL	125

Compatible Land Use Test

Perimeter Component

- Percent of Perimeter Adjacent to Similar Land Use

	Points	Score
<input type="checkbox"/> No Adjacency	0	
<input type="checkbox"/> 1% - 9.99%	50	
<input checked="" type="checkbox"/> 10% - 24.99%	100	100
<input type="checkbox"/> 25% - 50%	200	
<input type="checkbox"/> Over 50%	250	
	TOTAL	100

Proximity Component

- Number of Acres of Similar Land Use Within Certain Distances

Acres	Points	Within 1000'	Between 1000' and ½ mile	Between ½ mile and 1 mile	
0	0				
.1-2	10				
2.1-5	20				
5.1-10	30	30			
10.1-15	40				
Over 15	50		50	50	
Weighting		2.5	1.5	1	
SUBTOTAL		75	75	50	
				TOTAL	200

TOTAL POINTS AVAILABLE:

1000 Points

FACTOR 3

THE SUITABILITY OF THE PROPERTY FOR THE USES ALLOWED UNDER THE CURRENT ZONING

Crop Capability Test

LAND CAPABILITY CLASS	RELATIVE VALUE (RV)	NUMBER OF ACRES IN SITE	PRODUCT OF RV & NO. OF ACRES
1	0		
2	25	0.002325	0.058125
3	50		
4	75	31.63	2372.25
5	150		
6	225	15.09	3395.25
7	300		
8	375		
TOTALS		46.722325	5767.558125

Product of RV & Acres / Number of
Acres in Site = Average Site Value

Average Site Value 123

Rangeland Productivity Test

TOTAL DRY WEIGHT PRODUCTION - NORMAL YEAR (lbs)	RELATIVE VALUE (RV)	NUMBER OF ACRES IN SITE	PRODUCT OF RV & NO. OF ACRES
8500+	0	0.002325	0
7500-8499	50		
6500-7499	100		
5500-6499	150		
4500-5499	225		
3500-4499	300	35.35	10605
2500-3499	375	11.37	4263.75
TOTALS		46.722325	14868.75

Product of RV & Acres / Number of
Acres in Site = Average Site Value

Average Site Value 318

Site Suitability Test

- Attributes Reducing Agricultural Site Suitability

Size of site (in acres)

- 0-3
- 3.1-5
- 5.1-10
- Over 10

Points	Score
125	
90	
45	
0	0
TOTAL	0

Isolation of site from other agricultural land

(Site must be < than 10 acres; isolation may be created by ownership or physical features, e.g. riparian areas, roads, topography, etc.)

- Isolated
- Not Isolated

Points	Score
125	
0	0
TOTAL	0

TOTAL POINTS AVAILABLE:

1000 Points

FACTOR 4

Agricultural Conflict Test

• Proximity of Residence to Confined Animal Feeding Operation (CAFO)

	Points	Score
<input checked="" type="checkbox"/> More than 1 mile from CAFO	250	250
<input type="checkbox"/> Between 1 mile and 1/4 mile	0	
<input type="checkbox"/> Within 1/4 mile	-250	
TOTAL	250	

• Proximity of Site to Other Agricultural Activities

DISTANCE	POINTS	Permanently Preserved Land	Cropping Operation	Grassland Tract (>20 acres, no home)
Over 1000'	125	125		
500 - 1000'	100			
250 - 499'	75			
50 - 249'	50			
Less than 50'	0		0	0
SUBTOTALS		125	0	0
TOTAL				125

DISTANCE	POINTS	Livestock Enclosure (No
Over 2000'	125	125
1000 - 2000'	100	
500 - 999'	75	
100 - 499'	50	
Less than 100'	0	
TOTAL		125

Non-Agricultural Conflict Test

• Proximity of Site to Fort Riley Noise Zones

	Points	Score
<input type="checkbox"/> Outside of Noise Zone II and LUPZ	250	
<input checked="" type="checkbox"/> Within LUPZ	125	125
<input type="checkbox"/> Within Noise Zone II	0	
TOTAL	125	

ADDITIONAL POSITIVE/NEGATIVE POINTS FOR MITIGATIVE/DETRIMENTAL IMPACTS

• Effect of Rezoning on Valuation of Adjoining Property*

	Points	Score
<input type="checkbox"/> Evidence that rezoning will increase value of adjoining property	250	
<input type="checkbox"/> Evidence that rezoning will not devalue adjoining property	125	
<input checked="" type="checkbox"/> No evidence that rezoning will/will not devalue adjoining property	0	0
<input type="checkbox"/> Evidence that rezoning will devalue adjoining property	-250	
TOTAL	0	

* Evidence must be from a professional source

TOTAL POINTS AVAILABLE:

1000 Points

FACTOR 5

Public Health Test

• Availability of and Connection to Public Sanitary Sewer System

	Points	Score
<input type="checkbox"/> Available at site	200	
<input type="checkbox"/> Within 400'	175	
<input type="checkbox"/> 400' - .24 mile	150	
<input checked="" type="checkbox"/> .25 - .49 mile	100	100
<input type="checkbox"/> .5 miles - .99 mile	50	
<input type="checkbox"/> More than 1 mile	0	
TOTAL	100	

• Availability of and Connection to Public Water Systems

	Points	Score
<input type="checkbox"/> Available at site	200	
<input type="checkbox"/> Within 400'	175	
<input type="checkbox"/> 400' - .24 mile	150	
<input checked="" type="checkbox"/> .25 - .49 mile	100	100
<input type="checkbox"/> .5 miles - .99 mile	50	
<input type="checkbox"/> More than 1 mile	0	
TOTAL	100	

BONUS POINTS

	Points	Score
• Development will result in the creation/extension of new/additional public sewer system	500	0
• Development will result in the creation/extension of new/additional public water system	150	0

Public Safety Test

• Public Protection Classification (Fire Insurance Rating)

	Points	Score
<input type="checkbox"/> Within ISO Class 7	200	
<input checked="" type="checkbox"/> Within ISO Class 9	100	100
<input type="checkbox"/> Within ISO Class 10	0	
TOTAL	100	

• Location of building site relative to floodplain

	Points	Score
<input checked="" type="checkbox"/> Not in the floodplain	200	200
<input type="checkbox"/> Within 500-year floodplain	0	
<input type="checkbox"/> Within 100-year floodplain	-200	
TOTAL	200	

• Access to building site relative to floodplain

	Points	Score
<input checked="" type="checkbox"/> Not in the floodplain	200	200
<input type="checkbox"/> Within 500-year floodplain	0	
<input type="checkbox"/> Within 100-year floodplain	-200	
TOTAL	200	

• Expected Impact of Proposed Development on Existing Road*

	Points	Score
<input checked="" type="checkbox"/> Current Road Adequate, No Changes Required	150	150
<input type="checkbox"/> Minor Improvements Needed	0	
<input type="checkbox"/> Major Improvements Needed	-150	
<input type="checkbox"/> Additional Off-Site Improvements Needed**	-150	
TOTAL	150	

* Determination of anticipated traffic impacts from traffic study using assumed trip generation models. Minor/major improvements determined by County Engineer based on evaluation of degree of surface alterations required to meet the impact. Maximum points given for improvements funded by developer.

** Additional off-site improvements include addition of turning lanes, improvement of drainage structures and similar improvements that are not re-surfacing improvements. If alteration of surface and additional off-site improvements are needed, both point totals shall apply. No points subtracted for improvements funded by developer.

TOTAL POINTS AVAILABLE: 1150 Points

FACTOR 6

Transportation Test

• Adequacy of the Access Road Surface

	Points	Score
<input checked="" type="checkbox"/> Paved	150	150
<input type="checkbox"/> Gravel w/ 24' roadbed	100	
<input type="checkbox"/> Gravel w/ 22' roadbed	50	
<input type="checkbox"/> Gravel w/ 20' roadbed	0	
<input type="checkbox"/> Gravel w/ 18' or less roadbed	-50	
<input type="checkbox"/> Unimproved	-100	
<input type="checkbox"/> Trail or Undeveloped	-150	
TOTAL	150	150

• Distance from site to Paved Road

	Points	Score
<input checked="" type="checkbox"/> Direct access onto paved road	150	150
<input type="checkbox"/> Within .25 mi	100	
<input type="checkbox"/> .25 to .49 mi	50	
<input type="checkbox"/> .50 to .99 mi	0	
<input type="checkbox"/> 1-3 miles	-50	
<input type="checkbox"/> Over 3 miles	-100	
TOTAL	150	150

• Distance from site to major/minor trafficway

	Points	Score
<input checked="" type="checkbox"/> Direct access onto major/minor trafficway or frontage road	150	150
<input type="checkbox"/> Within .5 mi	100	
<input type="checkbox"/> .5 to .99 mi	50	
<input type="checkbox"/> 1 to 2.9 mi	0	
<input type="checkbox"/> 3-5 miles	-50	
<input type="checkbox"/> Over 5 miles	-100	
TOTAL	150	150

Efficient Development Test

• Distance from a City*

	Points	Score
<input type="checkbox"/> Contiguous to City Limit	200	
<input type="checkbox"/> Within .25 mile of City Limit	150	
<input type="checkbox"/> .26 to .5 mile from City Limit	100	
<input type="checkbox"/> .51 to 1 mile from City Limit	50	
<input type="checkbox"/> 1.1 to 3 miles from City Limit	0	
<input checked="" type="checkbox"/> Beyond 3 miles from City Limit	-50	-50
TOTAL	-50	-50

* Any Incorporated City within Riley County

• Distance from Nearest Public School*

	Points	Score
<input type="checkbox"/> Within 1 mile	200	
<input type="checkbox"/> 1.1 mile - 2 miles	100	
<input type="checkbox"/> 2.1 miles - 3 miles	0	
<input checked="" type="checkbox"/> Beyond 3 miles	-100	-100
TOTAL	-100	-100

* Distance to Either Elementary or Secondary School
Using the Shortest Travel Distance Via Improved Roads

TOTAL POINTS AVAILABLE:

850

FACTOR 7

CONFORMANCE TO THE COMPREHENSIVE PLAN

Future Land Use Map Test

• Conformance of the Proposal to the Future Land Use Map

- Within a Designated Growth Area (DGA)
- Within ¼ mile of DGA
- Between ¼ and ½ mile of DGA
- Over ½ mile from DGA

Points	Score
1000	
500	
250	
0	0
TOTAL	0

TOTAL POINTS AVAILABLE:

1000 Points

SUMMARY SCORESHEET

Factor	Score
1 <u>Agricultural Character Test</u>	
Percent of Cropland/Grassland	80
Overall Housing Density	195
Number of Non-Farm Residences	150
Number of Tracts Less Than 20 acres	250
2 <u>Compatible Zoning Test</u>	
Perimeter Component	100
Proximity Component	125
<u>Compatible Land Use Test</u>	
Perimeter Component	100
Proximity Component	200
3 <u>Crop Capability Test</u>	123
<u>Rangeland Productivity Test</u>	318
<u>Site Suitability Test</u>	
Site Size	0
Site Isolation	0
4 <u>Agricultural Conflict Test</u>	
Proximity to CAFO	250
Proximity to Other Ag Activities	125
Proximity to Livestock Enclosures	125
<u>Non-Agricultural Conflict Test</u>	
Proximity to Fort Riley Noise Zones	125
5 <u>Public Health Test</u>	
Availability of Sewer	100
Availability of Water	100
<u>Public Safety Test</u>	
Fire Protection Rating	100
Site to Floodplain	200
Access in Floodplain	200
6 <u>Transportation Test</u>	
Adequacy of Road Surface	150
Distance to Paved Road	150
Distance to Trafficways	150
Impact on Existing Road	150
<u>Efficient Development Test</u>	
Distance to City Limits	-50
Distance to Schools	-100
7 <u>Future Land Use Map Test</u>	0
SUBTOTAL	3417
ADDITIONAL POSITIVE/NEGATIVE POINTS	
1 <u>Rural Character Test</u>	0
4 <u>Additional +/- Points</u>	
Effect on Valuation	0
5 <u>New/Additional Public Sewer System</u>	0
<u>New/Additional Public Water System</u>	0
SUBTOTAL:	0
GRAND TOTAL:	3417

FINAL LESA DETERMINATION: Moderate for Preservation

Final Score:
3417

Final Scoring Chart

