

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423 Kansas City, Kansas 66101 www.wycokck.org/planning Phone: (913) 573-5750 Fax: (913) 573-5796 Email: planninginfo@wycokck.org

Welcome to the Unified Government's land entitlement process. We look forward to working in collaboration with you on your proposed project.



Prior to submitting your application, you <u>must</u> schedule a pre-application meeting with a member of Planning + Urban Design staff:

To set up a pre-application meeting you may: Call: (913) 573-5750 or Email: planninginfo@wycokck.org



After your pre-application meeting, complete the application and refer to the application checklist to ensure all required attachments and documents have been included.



You may submit a completed application in one of two (2) ways:

- 1. Electronically by email, at <a href="mailto:EDR@wycokck.org">EDR@wycokck.org</a>
- 2. **In person** at the Planning + Urban Design Annex, located in the Neighborhood Resource Center at 4953 State Avenue, Kansas City, Kansas 66102

NOTE: Your application and plans must be submitted prior to the monthly submittal deadline. All engineering drawings shall be signed and sealed by a Kansas Licensed Professional Engineer. All drawings shall comply with the Kansas City, Kansas Code of Ordinances.

Any incomplete applications WILL NOT be processed.

If you have any questions or need assistance, please contact us at (913) 573-5750 or <a href="mailto:Planninginfo@wycokck.org">Planninginfo@wycokck.org</a>.



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Bienvenidos a Unified Government's proceso a derecho de propiedad. Tenemos ganas de trabajar y colaborar contigo en tu proyecto.



Antes de enviar tu aplicación, debes de programar una cita Pre-aplicación con un miembro de Planificación + Urbanismo y Diseño:

Para programar una cita de pre-aplicacion: Marcar: (913) 573-5750 o Correo electrónico: planninginfo@wycokck.org



Después de su reunión previa a la solicitud, complete la solicitud y consulte la lista de verificación de la solicitud para asegurarse de que se hayan incluido todos los archivos adjuntos y documentos requeridos.



Usted puede enviar una aplicación completa en dos formas:

- 1. Electrónicamente por correo electrónico, a EDR@wycokck.org
- 2. **En persona** en el edifico de Planificación + Urbanismo y Diseño, ubicado en el Centro de Recursos para Vecindarios en 4953 State Avenue, Kansas City, Kansas 66102

NOTA: Tus planos deben ser enviados antes del plazo mensual. Todos los dibujos hechos por un ingeniero deben tener una firma y sello por un Ingeniero Professional Autorizado por el estado de Kansas. Todos los dibujos deben cumplir con el Código de Ordenanzas de Kansas City, Kansas.

TODAS Las aplicaciones incompletas no van a hacer procesadas.

Si tienes preguntas o necesitas ayuda, por favor de contactarnos (913) 573-5750 or <a href="mailto:Planninginfo@wycokck.org">Planninginfo@wycokck.org</a>.



Unified Government of Wyandotte County and Kansas City, Kansas

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### **Board of Zoning Appeals Application**

Office	Case Number:	Staff Planner:			
Use Only	Fee Total:	Date Fees Paid:	Anticipated BOZA Date:		
	Carport Appe	al Administrative Decision			
1	☐ Variance				
	Property Type				
	Agricultural/l	Residential O Commercial/I	ndustrial		
	Applicant(s) Na	ıme:	_ Company:		
	Street Address:	City/State:	Zip:		
	Telephone:	Email:			
	<b>Property Owne</b>	r(s) Name (if different tha	n applicant):		
	Street Address:	City/State:	Zip:		
	Telephone:	Email:			
	Firm Preparing	the Plan (if applicable):_	Contact:		
	Street Address:	City/State:	Zip:		
	Telephone:	Email:			
	Address or general location of property:				
3	Land area (acres)	: Land a	area (square feet):		
	*A legal descript	ion of the property must be att applicat	tached in word format when submitting this tion*		

	Project Description  Describe the present use and condition of the property:
4	What is the proposed use(s) for the property?
	Variance/Appeal  If an appeal is required, explain the Stoff Decision and why you are appealing it.
	If an appeal is required, explain the Staff Decision and why you are appealing it:
	If a variance is required, explain the reason for your request and the proposed use:
C	——————————————————————————————————————
	Have you been through a Planning and Zoning process before? ○ Yes ○ No  If so, where? □ KC Metro □ State of Kansas/Missouri □ Other:
6	Have you been through a Planning and Zoning process with the Unified Government before?  Yes No  If so, when was the last time?
	○ Within the past six (6) months ○ Within the past one (1) year
	○ Within the past five (5) years ○ More than five (5) years

### **Kansas State Statutes**

This section outlines the five (5) statutes in which variances are reviewed upon. The applicant must review these statutes and explain how their application applies and conforms to these five (5) statutes.

1	The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and which is not created by an action or actions of the property owner or the applicant.
2	The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.

3	The strict application of the provisions of the zoning ordinance of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.
4	The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.
5	The granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance.

### **End of Questionnaire**

Review the application to ensure all applicable fields are completed. Any incomplete fields may result in your application not being processed.

### application Declaration

The following declarations are hereby made:

- The undersigned is the owner or authorized agent of the owner or the offices of a corporation or partnership.
- The submitted plan, if any, contains all of the necessary information required by the zoning or other applicable ordinance(s). I will provide any and all omitted information and understand omissions can delay the development process a minimum of thirty (30) days.
- The applicant has discussed this application with a staff planner in the Department of Planning and Urban Design. (Planner Name) \_\_\_\_\_\_\_(Date)
- The information presented and contained within this application completed as required by this application and the required submission list is true and correct to the best of the undersigner(s) knowledge.
- The proposed plan does not violate any existing Conditions, Covenants, or Restrictions and/or any Homeowners Associations agreements that are set forth on the property.

My application consists of the following items and information necessary for a complete application. Please note that all of the information below is required for an application to be considered complete.

Completed Application
Completed owner(s) consent form
Required total fee \$
Legal description of the property in Microsoft Word Document format on USB Flash Drive.
Photographs of the existing site/building
Dimensioned Plans
Elevations (if applicable)

	Signature of Owner(s) or Applicant	(s)
	Signature	_ Printed Name
	Date	
	Signature	_ Printed Name
	Date	
S	Signature_	_ Printed Name
ŢĒ.	Date	
ature	Signature	_ Printed Name
	Date	
<u>Q</u>	Subscribed and sworn before me on this_	day of,
S	20	
	in the County of	, State of
	My commission expires	_of, 20
	Notary Public:	
	Stamp:	

## Property Owner Consent Form

	Affidavit, Property Owner Consent Form
	State of)
	State of) SS: County of)
	Comes now  (Property Owner)
	of lawful age, sound mind and upon his/her oath states as follows:
	1. That I am the property owner of in Kansas City, Kansas.
	2. That I have reviewed that application for to operate/develop (Applicant)
	on my property.  (Proposed Action)
	(i Toposca Action)
	3. That after discussing the matter and fully reviewing the application, I authorize this application and subsequent applications necessary to accomplish the plan/use noted above to be filed on my behalf.
	Further affiant saith not.
	Affiant
)	Subscribed in my presence and sworn before me on this, day of,
	20, in the County of, State of
	My commission expiresof, 20
	Notary Public: Stamp:



Submittal Deadline Calendar 2023-2024

Requested Actions: Master Plan Amendment, Change of Zone, Special Use Permits, Preliminary and Final Plans, Vacations, Appeals, Preliminary and Final Plats

### Applications/Resubmissions due by 12:00 Noon

Submission Preapplication Deadline Dates	ssion	Reviewing Agency	Comments to	Post Notice on	Last day for	City Planning			
DUE BY 12 NOON	DUE BY 12:00 NOON	Comments Due/Engineering Comments due to	Applicant and Comment Review Meeting Date	Property - Engineering Resubmittals due at	continuance/engineering approval /Final Revisions Due 12:00	Commission Meeting/Board of Zoning Appeals Public Hearing	Last day to comply with stipulations	BOC Packets Due	Board of Commissioners/ Public Hearing
1/27/2023	2023	2/14/2023	2/20/2023	2/21/2023	2/27/2023	3/13/2023	3/22/2023	3/24/2023	3/30/2023
2/24/2023	2023	3/14/2023		3/21/2023	3/27/2023	4/10/2023	4/19/2023	4/21/2023	4/27/2023
3/24/2023	2023	4/11/2023		4/18/2023	4/24/2023	5/8/2023	5/17/2023	5/19/2023	5/25/2023
4/28/2023	2023	5/16/2023	5/22/2023	5/23/2023	5/29/2023	6/12/2023	6/21/2023	6/23/2023	6/29/2023
5/26/2023	2023	6/13/2023	6/19/2023	6/20/2023	6/26/2023	7/10/2023	7/19/2023	7/21/2023	7/27/2023
6/30/2023	2023	7/18/2023	7/24/2023	7/25/2023	7/31/2023	8/14/2023	8/23/2023	8/25/2023	8/31/2023
7/28/2023	2023	8/15/2023		8/22/2023	8/28/2023	9/11/2023	9/20/2023	9/22/2023	9/28/2023
8/25/2023	2023	9/12/2023	9/18/2023	9/19/2023	9/25/2023	10/9/2023	10/18/2023	10/20/2023	10/26/2023
9/29/2023	2023	10/17/2023	10/23/2023	10/24/2023	10/30/2023	11/13/2023	11/20/2023	11/22/2023	11/30/2023
10/27/2023	.2023	11/14/2023	11/20/2023	11/21/2023	11/27/2023	12/11/2023	1/3/2024	1/5/2024	1/11/2024
11/27/2023	2023	12/13/2023	12/19/2023	12/19/2023	12/26/2023	1/8/2024	1/17/2024	1/19/2024	1/25/2024
12/29/2023	2023	1/16/2024	1/22/2024	1/23/2024	1/29/2024	2/12/2024	2/21/2024	2/23/2024	2/29/2024
1/26/2024	2024	2/13/2024	2/19/2024	2/20/2024	2/26/2024	3/11/2024	3/20/2024	3/22/2024	3/28/2024
2/23/2024	2024	3/12/2024		3/19/2024	3/25/2024	4/8/2024	4/17/2024	4/19/2024	4/25/2024
3/29/2024	2024	4/16/2024	4/22/2024	4/23/2024	4/29/2024	5/13/2024	5/22/2024	5/24/2024	5/30/2024
4/26/2024	2024	5/14/2024	5/20/2024	5/21/2024	5/28/2024	6/10/2024	6/19/2024	6/21/2024	6/27/2024
5/24/2024	2024	6/11/2024	6/17/2024	6/18/2024	6/24/2024	7/8/2024	7/17/2024	7/19/2024	7/25/2024
6/28/2024	2024	7/16/2024	7/22/2024	7/23/2024	7/29/2024	8/12/2024	8/21/2024	8/23/2024	8/29/2024
7/26/2024	2024	8/13/2024	8/19/2024	8/20/2024	8/26/2024	9/9/2024	9/18/2024	9/20/2024	9/26/2024
8/30/2024	2024	9/17/2024	9/23/2024	9/24/2024	9/30/2024	10/14/2024	10/23/2024	10/25/2024	10/31/2024
9/27/2024	2024	10/16/2024	10/22/2024	10/23/2024	10/29/2024	11/12/2024	11/25/2024	11/27/2024	12/5/2024
10/25/2024	2024	11/12/2024	11/18/2024	11/19/2024	11/25/2024	12/9/2024	12/30/2024	1/3/2025	1/9/2025
12/2/2024	2024	12/17/2024	12/23/2024	12/24/2024	12/30/2024	1/13/2025	1/22/2025	1/24/2025	1/30/2025
12/27/2024	2024	1/14/2025	1/20/2025	1/21/2025	1/27/2025	2/10/2025	2/19/2025	2/21/2025	2/27/2025
NOTES	ES:						Ì		i
<del>-</del>		Review of Final Plat engineering - Final en engineering includes final studies, final de: main, or low pressure systems may requir	ieering - Final engineering studies, final design, and tems may require addition	may be submitted after appropriated after appropriation drawings. All all review time. During perion	Review of Final Plat engineering - Final engineering may be submitted after approval of the preliminary plat. Initial review may take up to 30 days. Resubmittals may require up to 21 days for review. Final engineering includes final studies, final design, and construction drawings. All approvals are subject to KDHE review and approval. Applications that include a traffic study, innovative lechnology, pump station, force main, or low pressure systems may require additional review time. During periods of unusually heavy submissions, review time may be extended. Make scheduling decisions accordingly.	al review may take up to 3 view and approval. Appli is, review time may be ex	30 days. Resubmittals ma cations that include a traff tended. Make scheduling	y require up to 21 days for cstudy, innovative technol decisions accordingly.	review. Final ogy, pump station, force
2		Shange of zone, special	use permit, preliminary pla	n and preliminary plat petitic	Change of zone, special use permit, preliminary plan and preliminary plat petitions may be submitted simultaneously.	usly.			
3		Final plan/final plat petitions may be filed aft not involve significant public improvements.	ns may be filed after the pulic improvements.	reliminary plan, preliminary l	Final plan/final plat petitions may be filed after the preliminary plan, preliminary plat and zoning have been approved (UG BOC). Exceptions may be allowed by the Director of Planning for minor plans/plats that do not involve significant public improvements.	ved (UG BOC). Exceptio	ns may be allowed by the	Director of Planning for mir	nor plans/plats that do
4		Street construction may begin after the filir	egin after the filing of the f	ng of the final plat with the Register of Deeds.	f Deeds.				
5		All meeting dates are con	tingent upon complete suk	omissions by the progressiv	All meeting dates are contingent upon complete submissions by the progressive deadline schedule. If any deadline is missed, the application WILL BE DELAYED	ine is missed, the applicat	tion WILL BE DELAYED.		
9		Complete submissions will be submitted to	Il be submitted to the Plan	ning + Urban Design Depar	othe Planning + Urban Design Department at 4953 State Avenue or EDR@wycokck.org for verification by 12:00 Noon on the deadline date.	DR@wycokck.org for veri	ification by <mark>12:00 Noon</mark> or	the deadline date.	
7		he various applications	nclude a checklist indicatir	ng the items required to qua	The various applications include a checklist indicating the items required to qualify as a complete submission.				
8		Residential building perm	t applications may be filed	l after the final plat is approv	Residential building permit applications may be filed after the final plat is approved (UG BOC) and streets are accepted by Public Works.	cepted by Public Works.			
6		Commercial building permits may be filed		ets and utilities are acceptec	after streets and utilities are accepted and the final plan (if necessary) has been approved.	has been approved.			
10		Complete application submittal will be dete	mittal will be determined p	rior to the application being	imined prior to the application being distributed for review. Applicant will be notified if the application is determined to be incomplete.	will be notified if the applic	ation is determined to be	incomplete.	
12		Final plats will not be placed on a Planning		sion agenda unless Plannin	Commission agenda unless Planning Engineering has been approved	ď.			
13		t is highly recommended	that the applicant schedul	e a comment review meetin	It is highly recommended that the applicant schedule a comment review meeting to review comments with staff.				
14		Incomplete, sloppy or technically deficient	nnically deficient plans may	plans may be returned without complete review.	lete review.				
15		In cases where a variance is required, the	is required, the item will t	item will be stayed pending BOZA action.	tion.				

# Minimum Required Submissions

Development Application Unified Government of Wyandotte County and Kansas City, Kansas Minimum Required Submissions	Ohange of Zone	enos lo Vienimiliera Vienimiliera Vienimiliera	The Minimary Plan Applied In Mandole Veloning	inema sel leibede	JIMPA ST. AUS. AUS. OFMOH)	alle alle alle alle alle alle alle alle	gin.	Jeld Vir	noileael	Areinbred Areinbred Areinbred	non Postitifeale of Appropriete os	SSOUPLEIN
Application	>	^	>	>	^	>		<i>&gt;</i>			_	
Fee (check made to UNIFIED TREASURER)	>	>	>	>	^	^			>			
Legal description (electronically - MS Word File)	>	<i>&gt;</i>	<i>&gt;</i>	>	<i>&gt;</i>	>	>	^	<i>&gt;</i>	>	<i>^</i>	
Affidavit of ownership/authorization	>	<i>&gt;</i>	<i>&gt;</i>	>	^	>	>	^	^	>	^	
Title report (if owner does not match UG records)	>	<i>&gt;</i>	<i>&gt;</i>	>	*	>	>	^	*	*	*	
Digital pictures (.jpg format of all sides/directions)	^	^	^	*	*	^	^	^	*	*	*	
Density calculations/development summary	>	>	<i>&gt;</i>	*		*	>	>				
Storm water/drainage calculations	^	<i>&gt;</i>	^	*			^	^				
Preliminary grading plan	^	<i>&gt;</i>		*			^					
Final grading and erosion control plan			^					^	*	*	*	
Zoning map	^											
Preliminary development plan		<i>&gt;</i>		*								
Final development plan			<i>&gt;</i>	*		>				*	*	
Preliminary plat							^					
Final plat								^				
Preliminary engineering	*	^					<i>&gt;</i>					
Final engineering	*		<i>&gt;</i>					^				
Lighting plan			`			*				*	*	
Landscape plan	*	~	>			*				*	*	
Sign plan and details			<i>&gt;</i>			*				*	*	
Elevations	*	^	<i>&gt;</i>			*				*	*	
Material palate (material samples and paint chips)			<i>&gt;</i>			*				*	*	
Checklist	^	^	<i>&gt;</i>	^	^	~	<i>&gt;</i>	~	<i>&gt;</i>	>	<i>&gt;</i>	
Paper copies	>	^	`	>	~	~	>	^	<b>&gt;</b>	>	>	
Electronic copy (CD-ROM MS W ORD / ADOBE PDF)	>	^	>	>	~	~	>	>	>	>	>	
Covenants and restrictions							>	^		*		
NOTES: < Mandatory submission * Determined by staff at pre-application meeting	e-applic	ation mee	ting	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	:	:			7 7	-	-	

<sup>1.</sup> All checked Items must be submitted in proper form by the application deadline. Incomplete applications will be held until complete and then entered into the review process at the next deadline date.

2. For small or existing sites the applicant may request a waiver of specific detailed submission requirements in writing to the Director of Planning ten days in advance of the submission deadline.

<sup>3.</sup> Additional information may be required for unique and/or complex project.

<sup>4.</sup> All plans and documents including studies and reports shall be placed on a CD or USB Flash Drive formatted in Adobe PDF and MS Word.



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### Fee Schedule

Effective April 30, 2023

	DE	SCRIPTION OF SERVICES	UNIT	FEE
I.	MA	STER PLAN AMENDMENTS		
	Mas	ster Plan Amendment		No Charge
II.	СН	ANGE OF ZONE APPLICATIONS	TRACT SIZE	FEE
	A.	Agricultural Zones	All Sizes	\$160.00
	B.	Low Density Residential Zones	0-5 Acres	\$160.00
		R, RP, R-1, RP-1, R-1(B), RP-1(B),	5.1-10 Acres	\$210.00
		R-2, RP-2, R-2(B), RP-2(B)	10.1-20 Acres	\$260.00
			Over 20 Acres	\$315.00
	C.	Medium and High-Density Residential Zones	0-5 Acres	\$260.00
		R-3, RP-3, R-4, RP-4, R-5, RP-5, R-6, RP-6,	5.1-10 Acres	\$365.00
		RM	10.1-20 Acres	\$470.00
			Over 20 Acres	\$470.00 plus \$55.00 for each 5 acres over 20.
	D.	Office Zones and Multiple District Applications	0-5 Acres	\$260.00
		C-0 and CP-0	5.1-10 Acres	\$365.00
			10.1-20 Acres	\$470.00
			Over 20 Acres	\$550.00 plus \$55.00 for each 5 acres over 20.
	E.	Commercial Zones	0-5 Acres	\$365.00
		C-1, CP-1, C-2, CP-2, C-3, CP-3, TND	5.1-10 Acres	\$520.00
		0 1, 01 1, 0 2, 01 2, 0 0, 01 0, 1110	10.1-15 Acres	\$625.00
			15.1-20 Acres	\$730.00
			Over 20 Acres	\$730.00 plus \$55.00 for each 5 acres over 20.
	F.	Industrial Zones	0-5 Acres	\$420.00
		M-1, MP-1, M-2, MP-2, M-3, MP-3, B-P	5.1-10 Acres	\$520.00
		1, 1411 - 1, 141-2, 1411 -2, 141-0, 1411 -0, D-1	10.1-15 Acres	\$625.00
			15.1-20 Acres	\$730.00
			Over 20 Acres	\$730.00 plus \$55.00 for each 5 acres over 20.

	DESCRIPTION OF SERVICES	UNIT	FEE
III.	SPECIAL USE PERMIT APPLICATIONS (not specific	cally listed below)	FEE
	0-5 Acres		\$365.00
	5.1-10 Acres		\$470.00
	PECIAL USE PERMIT APPLICATIONS (not specifically list of the permit application) of the permit application of the permit application of the permit application of the permit application and the permit application application and the permit application and the permi		\$575.00
	15.1-20 Acres		\$680.00
	Over 20 Acres		\$680.00 plus \$55.00 for each 5 acres over 20.
IV.	HOME OCCUPATION SPECIAL USE PERMIT AP	PLICATIONS	FEE
	Home Occupations		\$80.00
	Keeping of Farm Animals		\$80.00
	Kennel Permits		\$365.00
	Temporary Use of Land		\$365.00
V.	MISCELLANEOUS SPECIAL USE PERMIT APPL	ICATIONS	FEE
	Fill or removal of earth materials		\$150.00
	Special event permits (10 days or less)		\$315.00
			\$365.00
	Group Dwellings		\$260.00
	` ' ' `	0-5 Acres	\$780.00
	group dwellings)	5.1-10 Acres	\$940.00
		10.1-15 Acres	\$1,145.00
		15.1-20 Acres	\$1,355.00
		Over 20 Acres	\$1,355.00 plus \$105.00 for each 5 acres over 20.
VI.	SHORT TERM RENTAL APPLICATIONS		FEE
	Special Use Permit Review	0-5 Acres	\$365.00
		5.1-10 Acres	\$470.00
		10.1-15 Acres	\$575.00
		15.1-20 Acres	\$680.00
	Over 20 Acres		\$680.00 plus \$55.00 for each 5 acres over 20.
	Administrative Review		\$50.00
VII.	VARIANCE (APPEAL) APPLICATIONS		FEE
	Carport Appeals		\$105.00
	Agricultural/Residential Appeals		\$105.00
	Commercial/Industrial Appeals		\$210.00
	Appeal of Director's Interpretation or Administr	ative Review	\$200.00

	DESCRIPTION OF SERVICES	UNIT	FEE
VIII.	PLAT APPLICATIONS	UNIT	FEE
	Preliminary and Final Plat Application		No Charge
	Kansas City Kansas Plat Recording	Per Lot	First 10 Lots - \$7.00
			Lots 11 and up - \$6.00
	Lot Split	Per Split	\$25.00
IX.	PLAN REVIEW APPLICATIONS		FEE
	Preliminary Plan Review		\$150.00
	Final Plan Review		\$250.00
	Preliminary and Final Plan Review		\$250.00
X	VACATION APPLICATIONS		FEE
	Agricultural/Residential		\$105.00
	Commercial/Industrial		\$315.00
XI.	HISTORIC LANDMARK REVIEW APPLICATIONS		FEE
	Environs Review		\$50.00
	Certificate of Appropriateness		\$75.00
	Historic Designation (District/Landmark)		\$150.00
XII.	SIGN PERMIT APPLCATIONS	UNIT	FEE
	Incidental Signs	Per Sign	\$25.00
	Flags	Per Flag	\$25.00
	Attached Signs	Per Sign	\$30.00
	Detached Signs	Per Sign	\$80.00
	Billboards	Less than 300 SqFt	\$160.00
		More than 300 SqFt	\$315.00
XIII.	MISELLANEOUS FEES		FEE
	Ordinance Publication Fees (for successful Change of Zone, Special Use Pe	ormits, and Vacation	\$125.00
	petitions)	ennits, and vacation	
XIV.	KANSAS OPEN RECORDS ACT		
	See Wyandotte County Clerks Offic	e for "Kansas Open Reco	ords Act Fees"



Unified Government of Wyandotte County · Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423 Kansas City, Kansas 66101 www.wycokck.org/planning

Phone: (913) 573-5750 Fax: (913) 573-5796 Email: planninginfo@wycokck.org

### **Electronic Document Review: Applicant Users Guide**

### What is Electronic Document Review?

Electronic Document Review (EDR) is an efficient and cost-effective method of submitting plans to the Unified Government's Department of Planning + Urban Design (Planning Commission/Board of Zoning Appeals) and Development Review Committee (commercial building permit applications). EDR saves applicants time and money by reducing the amount of printed material necessary for navigating the development process. By carefully adhering to the list of required materials, found below, you can help our staff efficiently process and review your application.

### What will I need?

You can participate in the EDR process with the free version of Adobe Acrobat Reader (click here to download). However, your functionality increases if you have an up-to-date version of Adobe Acrobat Pro or DC.

### A complete Development Review Committee submittal shall include:

- 1. DRC permit application.
- 2. DRC Plan review fee.
- 3. 1 flash drive or CD containing PDFs of the plan set with electronic seal and signature of all design professionals on all documents. CD shall contain reports, calculations, specs, COMchecks, transmittal letter, etc. Files must be labeled according to the file naming standards in this document.
- 4. 1 hard set of complete construction plans, signed and sealed by a Kansas-licensed professional(s).

### A complete Planning Commission or Board of Zoning Appeals submittal shall include:

- 1. Development application.
- 2. Development application fee.
- 3. 2 individual CDs containing PDFs of the plan set with electronic seal and signature of all design professionals on all documents. The CDs shall contain reports, calculations, specs, COMchecks, transmittal letter, etc. Additionally, the CDs will include a legal description of the property in MS Word format. Files must be labeled according to the file naming standards in this document.
- 4. Reference the submittal checklist for additional submittal requirements, such as, material palette, affidavits, etc. This document only applied to plan set submittals.

EDR: Applicant Users Guide

### **Electronic plan submittal standards:**

- 1. Individual CDs containing PDFs of the plan set shall follow the File Plan Naming Standard.
  - a. PDF sheets shall be saved as D sheets, 24" x 36".
  - b. Submittal shall include complete set of the project as a PDF (civil, architectural, MEP, etc).
  - c. Plan set shall have the legend or table of contents hyperlinked to each section/sheet listed.
  - d. Each sheet shall be required to have the digital seal and signature of the Kansas licensed surveyor, architect, and/or engineer and the seal date. Plans will not be reviewed unless each sheet is sealed and dated. Supporting reports, calculations, COMcheck required seal and signature as well.
- 2. Re-submittal shall follow the same schedule for Planning Commission and DRC applications as listed above. CD cover shall be labeled by the project name, address, and submittal date. A PDF detailed transmittal letter specifying how staff comments were addressed shall be included on the CD. The submitted electronic plans shall not use the color "red" for plans, drawings, notations, etc.
- 3. If revisions are required to the DRC plan set, applicant is responsible for inserting revised sheets into the DRC plan set. This will be a requirement for the submittals and final permitting approvals. This is critical, as it is the set that will be returned to the job site and referenced for inspections.
- 4. Revised sheets will be accepted via email, with a 150 mb per e-mail limit, at EDR@wycokck.org. If submitting in this manner, send a follow up e-mail to verify receipt. A PDF detailed transmittal letter specifying how staff comments were addressed shall be included on the CD. The submitted electronic plans shall not use the color "red" for plans, drawings, notations, etc. Reference File Plan Naming Standards. Final PDF record of plan sets shall be provided at the time of permit issuance if revised sheets were received via email. Seal date shall match the seal date of the approved sheets. Transmittal letter confirming seal dates and sheets shall be provided by the architect and/or engineer of the record shall be signed and sealed.
- 5. New electronic sumbittals and re-submittals shall follow the same submittal process. Submittals shall be provided to the DRC coordinator for distribution:

Neighborhood Resource Center Attn: DRC Coordinator 4953 State Avenue Kansas City, Kansas 66102 (913) 573-8664 | edr@wycokck.org

If the electronic submittal is not at the minimal standards listed above, it will not be accepted. Size of your project is taken into consideration and additional printed plan sets may be requested. It shall be at the discretion of the DRC members to accept electronic plan review submittals for DRC projects. If you have a substantially large project, please contact the DRC Coordinator to discuss prior to submittal.

### **New to DRC**

- EDR Submittal Guidelines
- DRC Certificate of Occupancy Inspection Request Guidelines
- Track the status of your DRC plan review online at www.wycokck.org/DRC
- DRC building permits will not be issued until all fees/permits are acquired with the Public Works
  Department
- Credit card payments are now accepted with the Department of Planning + Urban Design. A 2.5% transaction fee will be applied.

### File Plan Naming Standards for EDR

When preparing your plan sheets for an Electronic Document Review (EDR) submittal, please follow the file naming structure shown below. All file names will begin with a letter(s) designation followed by two numbers. Example: Architectural drawings would be designated as Ao1 through A99.

**Exception:** The applicant's cover sheet must always start with the number o (zero) followed by the letters cs (cover sheet) and then a number: ocs1, ocs2, etc. Using the number o (zero) will ensure that your cover sheet will always be alphabetically on top of the list in EDR.

Cover sheet index/legend for your plan set shall be labeled to these standards, in additional to each sheet of your plans. Each set of your supporting documents will be a separate file and must be clearly named.

**Example:** Zo1 COMcheck Building Envelope

**Zo2** Retaining Wall Calculations

Resubmitted plan sheets shall designate R behind the sheet title and include the revision date. Example: Original sheet titled Ao1 and revised sheet titled Ao1R\_1\_12\_14. For DRC Electronic Document Review (EDR) submittal requirements reference Electronic Document Review Submittal Requirements.

We have referenced a standard naming practice for construction plan sets. Plan set shall have the legend or table of contents hyperlinked to each section/sheet listed.

Abbreviation	Definition	Examples
0cs	Your Cover Sheet(s)	0cs1, 0cs2, etc. (zerocs1)
Α	Architectural Drawing	A01, A02, etc.
С	Civil Engineering & Site Work	C01, C02, etc.
D	Demolition Drawings	D01, D02, etc.
Dt	Details	Dt01, Dt02, etc.
E	Electrical Drawings	E01, E02, etc.
Eq	Equipment Plan	Eq01, Eq02, etc.
F	Fire (Fire Protection) Drawings	F01, F02, etc.
G	Grading Plans	G01, G02, etc.
Gen	General Project Requirements	Gen01, Gen02, etc.
Н	Hazardous Materials	H01, H02, etc.
I	Interior Plans	I01, I02, etc.
Irr	Irrigation Plans	Irr01, Irr02, etc.
L	Landscape Plans	L01, L02, etc.
M	Mechanical Plans	M01, M02, etc.
Р	Plumbing Drawings	P01, P02, etc.
PI	Plant Drawings	Pl01, Pl02, etc.
S	Structural Drawings	S01, S02, etc.
Sec	Section Drawings	Sec01, Sec02, etc.
SP	Site Plan (plot plan)	SP01, SP02, etc.
Т	Telecommunications Plan	T01, T02, etc.
Х	Existing Plan	X01, X02, etc.
W	Water Plan	W01, W02, etc.
Z	Supporting Documents	Z01, Z02, etc.



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### **Contact List**

The land development process frequently requires input from a variety of people and organizations. This can include utility companies, local school districts and many departments of the Unified Government. This contact list has been included in the application packet to better facilitate collaboration between you and the other entities involved in the development process. If you can't find a contact you need in this list, feel free to reach out to the Department of Planning + Urban Design and we'll be happy to assist you.

### **Board of Public Utilities**

Water Engineering Jenny Li 540 Minnesota Avenue Kansas City, KS 66101-2930 913-573-9845 Fax – 913-573-9851 jl@bpu.com

Gloria Barnett, Water Services Clerk New Water Services and Maintenance 913-573-9843 gbarnett@bpu.com

### **Electric Engineering**

Courtney Connor, Supervisor Transmission and Distribution Engineering 6742 Riverview Avenue Kansas City, KS 66102 913-573-9538 Fax - 913-573-9579 cconnor@bpu.com

Mathew Kreig 6742 Riverview Avenue Kansas City, KS 66102 913-573-9842 mkreig@bpu.com Mike Quimby, Electric Service Clerk New Electric Services and Temporary Services 6742 Riverview Avenue Kansas City, KS 66102 913-573-9531 Fax - 913-573-9579 mquimby@bpu.com

### **Building Inspection Department**

Anthony Hutchingson, Chief Building Inspector Neighborhood Resource Center 4953 State Avenue Kansas City, KS 66102 913-573-8620 Fax - 913-573-8622 buildinginspection@wycokck.org

### **Chamber of Commerce**

Daniel Silva, President 727 Minnesota Avenue P.O. Box 171337 Kansas City, KS 66117 913-371-3070 Fax: 913-371-3732 daniel@kckchamber.com www.kckchamber.com

Contact List 1 of 3

### **Convention and Visitors Bureau**

Alan Carr, Executive Director 755 Minnesota Avenue P.O. Box 171517 Kansas City, KS 66117 913-321-5800 Fax – 913-371-0204 alan@VisitKansasCityKS.com

### **Code Enforcement**

Patrick Holton, Division Manager Neighborhood Resource Center 4953 State Avenue Kansas City, KS 66102 913-573-8600 Fax - 913-573-8732 pholton@wycokck.org

### **Fire Department**

Harvey Fields 815 North 6th Street Kansas City, KS 66101 913-573-5550 Fax – 913-551-0490 hfields@kckfd.org

### **GAS SERVICE**

### **Atmos Energy**

Richard Yunghans 25090 West 110th Terrace Olathe, KS 66061 913-254-6355 richard.yunghans@atmosenergy.com

### **Kansas Gas Service Company**

Christina Murphy 1421 North 3rd Street Kansas City, KS 66101 913-599-8953 Fax – 913-599-8989

### **GeoSpatial Services**

Chris Cooley, Director 710 North 7th Street, Room 200 Kansas City, KS 66101 913-573-2941 Fax – 913-573-4106 ccooley@wycokck.org

### **Kansas City Area Transportation Authority**

1200 East 18th Street Kansas City, MO 64108 816-346-0200 metro@kcata.org

### **Kansas Department of Transportation**

Chris Herrick, Director of Planning and Development Eisenhower State Office Building 700 Southwest Harrison Street Topeka, KS 66603 785-296-2252

### Livable Neighborhoods

Kayla Hower, Director Neighborhood Resource Center (913) 573-8645 <u>kjhower@wycokck.org</u> 4953 State Avenue Kansas City, KS 6610

### **Public Works Department**

Jeff Fisher (Streets)
Sarah White (Sanitary Sewers and Stormwater)
Troy Shaw (Traffic Regulations)
701 North 7th Street, Room 712
Kansas City, KS 66101
913-573-5700
Fax - 913-573-5435
jfisher@wycokck.org
swhite@wycokck.org
tshaw@wycokck.org

### **Rental Licensing**

Rachel Miskec Neighborhood Resource Center 4953 State Avenue Kansas City, KS 66102 913-573-8649 Fax – 913-573-8731 rmiskec@wycokck.org

### **SCHOOL DISTRICTS**

### **Bonner Springs Unified School District #204**

Dan Brungardt, Superintendent 2200 South 138th Street Bonner Springs, KS 66012 913-422-5600 Fax - 913-422-4193

Contact List 2 of 3

### Board of Education of Kansas City Kansas #500

Dr. Anna Stubblefield, Superintendent 2010 N 59th Street Kansas City, Kansas 66104 913-279-2235 Fax – 913-279-2084 charles.foust@kckps.org

### Kansas City Kansas Community College

Dr. Greg Mosier, President 7250 State Avenue Kansas City, Kansas 66112 913-334-1100 Fax - 913-288-7609 gmosier@kckcc.edu

### Piper Unified School District Office #203

Dr. Jessica Dain, Superintendent 3130 N 122nd Street Kansas City, Kansas 66109 913-721-2088 Fax – 913-721-3573 bmccann@piperschools.com

### Turner Unified School District Board of Education #202

Jason Dandoy, Superintendent 800 South 55th Street Kansas City, Kansas 66106 913-288-4100 Fax – 913-288-3401 dandoyj@turnerusd202.org

### TELECOMMUNICATION

### AT&T

2121 E. 63rd Street Kansas City, MO 64130 800-403-3302

### Midco

2000 West 31st Street, Suite C Lawrence, KS 66046 800-888-1300

### **Spectrum**

550 Westport Road Kansas City, MO 64111 866-874-2389

### Wyandotte County Economic Development Council

Greg Kindle
727 Minnesota Avenue
P.O. Box 171337
Kansas City, KS 66117
913-371-3070
Fax: 913-371-3732
gkindle@wyedc.org

### Wyandotte County Conservation District

Cheri Miller, District Director 1204 North 79th Street Kansas City, KS 66112 913-334-6329 Fax - 913-334-6349 wyco.conservation@gmail.com

### Wyandotte County Health Department

Juliann VanLiew, Director 619 Ann Avenue Kansas City, KS 66101 913-573-8855 Fax – 913-321-7932 tgarrison@wycokck.org

### **Department of Planning + Urban Design**

701 N 7th Street, Suite 423 Kansas City, Kansas 66101 Phone: (913)-573-5750 Fax: (913)-573-5796 planninginfo@wycokck.org www.wycokck.org/planning

Contact List 3 of 3



### Planning and Urban Design

701 North 7<sup>th</sup> Street, Room 423 Kansas City, Kansas 66101 Email: planninginfo@wycokck.org

Phone: (913) 573-5750 Fax: (913) 573-5796 www.wycokck.org/planning

### **NEIGHBORHOOD MEETING GUIDELINES**

### **CRITERIA:**

Neighborhood Meeting are required to be conducted fourteen (14) days prior to the City Planning Commission meeting for the following applications:

- Change of Zone Applications
- Special Use Permit Applications Examples:
  - Fill Permits
  - Kennels
  - Temporary Use of Land for Commercial or Industrial Purposes (i.e. parking of heavy trucks, temporary trailers, etc.)
  - Live Entertainment
- > Preliminary Plan Review Applications

NOTE: Although a neighborhood meeting is not required for home occupation or livestock special use permit applications, it is strongly recommended that one be conducted.

### INFORMATION PROVIDED BY URBAN PLANNING AND LAND USE DEPARTMENT TO HELP YOU WITH YOUR NEIGHBORHOOD MEETING:

- Instructions/Sample Letter to send out for meeting.
- > Affidavit to be signed that the neighborhood meeting was held.
- ➤ List of people to be notified of the meeting (property owners within 200' of the property in question, staff, District Commissioner.) NOTE: List will be mailed one (1) week after the deadline for submission of applications.
- List of possible neighborhood meeting locations.
- > Sample minutes to follow when taking minutes at the neighborhood meeting (attached).

### **NOTICE OF NEIGHBORHOOD MEETING:**

- Determine location of your meeting. NOTE: The meeting must be held in Kansas City, Kansas and in close proximity to the proposed project.
- Opt for a public meeting place
- Meetings should be in late afternoon/early evening
- Use attached letter as a SAMPLE to write your letter.
- ➤ Notices should be mailed 14 days prior to the date of the neighborhood meeting. Although notices are not required to be sent certified mail, it is recommended so the applicant has a record that the notices were sent.

### **NEIGHBORHOOD MEETING:**

- > Provide a sign-in sheet
- ➤ If no one shows up for the neighborhood meeting at the scheduled time it is recommended that the applicant wait 30 minutes before leaving.
- Presentation:
  - Provide accurate details/photos/plans for review
  - Answer/address questions and concerns
  - Detail who will be involved (clients, customers, buyers, etc.)
  - Detail operational activity (residential, use, noise, traffic, etc)

### **AFTER NEIGHBORHOOD MEETING:**

- ➤ The following shall be sent to the Urban Planning and Land Use Department via e-mail, fax, U. S. mail or in person (two (2) business days after your meeting (twelve (12) days before the City Planning Commission Meeting):
  - Sign-in sheet
  - Minutes from meeting
  - Affidavit confirming that the neighborhood meeting was conducted.



### **Urban Planning and Land Use**

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### **ZONING SIGN PLACEMENT GUIDELINES**

When placing a zoning sign, keep in mind the purpose of the sign is to inform the public of a pending public hearing. The following criteria are intended to assist in placing the sign.

- 1. Place the sign conspicuously
- 2. Place the face of the sign parallel to the street.
- 3. If there is a choice of streets, place the sign on the most traveled street
- 4. Post the sign so that it is legible above grass and shrubs in the area
- 5. The sign should not be placed in the public right-of-way. The right-of-way usually begins at a fence line, utility line or sidewalk. When in doubt, place the sign at least 10 feet behind the edge of the street.
- 6. The use of trees near the right-of-way and fences are ideal for posting the notice.
- 7. If trees and fences are not available the use of two "tomato" stakes or a realty style sign are preferred.
- 8. The sign must be posted at least 20 days prior to the public hearing and needs to be kept in place until the Planning Commission meeting.



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### **Detailed Application Checklist**

### **ITEMS REQUIRED FOR ALL APPLICATIONS**

### 1. Pre-Application Meeting Completed (Section 27-197)

a. PLEASE NOTE: All applicants MUST have a pre-application meeting prior to submitting an application. If a pre-application has not been held then the submittal will not be accepted.

### 2. Application (Section 27-198)

- a. Completed Application
- b. Signed Application Declaration
- c. Signed Owner Consent Form

### 3. Application Fee (Section 27-198)

- a. Check
- b. Credit Card
- c. Cash

### 4. Legal Description (Section 27-198)

a. The legal description is on the deed to the property. If you can not find the legal description, please reach out to the Register of Deeds at (913) 573-2841.

### 5. Title Report (Section 27-198)

a. If the owner appears as the owner in county records, no title report is necessary. The name/entity must match exactly or a title report showing the current owner is required.

### 6. Digital Pictures (Section 27-198)

- a. If the site is currently raw land, submit 4-6 pictures giving the overall condition of the property.
- b. If there are structures, provide pictures of all 4 sides of each building as well as pictures showing the overall site.

### ITEMS REQUIRED FOR SPECIFIC APPLICATIONS

### 1. Change of Zone (Section 27-211), Special Use Permit (Section 27-214) and Short-Term Rental (Section 27-214 and Section 27-623)

- a. Preliminary site plan;
- b. Preliminary landscape plan;
- c. Floor Plan; (if applicable)
- d. Zoning Map; (Change of Zone Only)
- e. Business Plan (if applicable) (Special Use Permit only)
- f. Security Plan (if applicable) (Special Use Permit only)
- g. 3<sup>rd</sup> party home inspection (Short-Term Rentals Only)
- h. Proof of Liability Insurance Policy of \$1,000,000 (Short-Term Rentals Only)

### 2. Preliminary and Final Plats (Section 27-215)

a. See Code Section 27-215 for detailed list

### 3. Preliminary Development Plan (Section 27-212)

- a. Preliminary site plan;
- b. Preliminary landscape plan;
- c. Preliminary utility plan including storm water;
- d. Preliminary 4 sided elevations;
- e. If the proposal EXACTLY replicates another Wyandotte County Project, Pictures may be substituted for preliminary elevations;
- f. Preliminary list of materials and colors;
- g. Preliminary lighting plan if abutting a residential property or residential zone;
- h. Preliminary Engineering; and,
- i. A traffic study may be required. This should be discussed at the preapplication meeting.

### 4. Final Development Plan (Section 27-212)

- a. Site plan;
- b. Landscape plan;
  - i. Landscape Plan Sheet
  - ii. Include Planting Details
  - iii. Locate any statuary or art
  - iv. List in table format types and quantities of plant materials
  - v. Include Irrigation Plan
  - vi. Include details of perennial or annual planting areas
- c. Utility plan including storm water;
- d. Four (4) sided elevations;
- e. Material Palette including sample materials and colors (a small board 11X17 is sufficient);
- f. Lighting plan if abutting a residential property or residential zone otherwise showing the proposed light poles is sufficient;
- g. Detail sheets on other amenities and open spaces; and,
- h. Final Engineering and Civil Plans. (See Below)
- i. Sign Plan and Details
  - i. Sign Plan showing each sign location; and,
  - ii. Detail of the size and dimension of each sign.

### **ENGINEERING ITEMS (if applicable)**

### 1. Storm Water Drainage Calculations

- a. Preliminary:
  - i. Gross detention calculations for 100-year floodplain;
  - ii. Stick map with proposed location and routing;
  - iii. Indicate the tie in point to the existing system; and,
  - iv. Information on any portion of the system that is not gravity flow.
- b. Final
  - i. Obtain from Public Works a copy of STORM DRAINAGE DESIGN CRITERIA FOR PRIVATE DEVELOPMENTS be sure to ask for a copy that includes the review check list. The standard book includes the criteria, directions and sample charts/graphs.
  - ii. Submit drawings in accordance with the criteria.

### 2. Preliminary Grading Plan

- a. Show area of slope of less than 5 percent;
- b. Show areas of slope between 5 and 10 percent;
- c. Show areas of slop greater than 10 percent; and,
- d. Show preliminary erosion control plan.

### 3. Final Grading Plan

- a. Show existing and proposed 2' contours;
- b. Show final site balance calculations;
- c. Show final erosion control plan; and,
- d. Indicate where any excess dirt/shortage of dirt is going to/coming from

### 4. Preliminary Engineering

- a. See #7 above for storm water;
- b. Street layout with preliminary line and grade over proposed grading;
- c. Sewer layout (stick map) with location and routing to the existing system;
- d. Any plans for sewer systems other than a gravity system;
- e. Water and electric are designed by the Board of Public Utilities; and,
- f. Reference the following documents:
  - i. TECHNICAL PROVISIONS AND STANDARD DRAWINGS
  - ii. MINIMUM DESIGN STANDARDS FOR SANITARY SEWERS

### 5. Final Engineering

- a. See #7 above for storm water
- b. Complete street documents
- c. Complete Sewer documents
- d. Complete plans for sewer systems other than a gravity system
- e. Reference the following documents:
  - i. TECHNICAL PROVISIONS AND STANDARD DRAWINGS
  - ii. MINIMUM DESIGN STANDARDS FOR SANITARY SEWERS



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### Sec. 27-216. Appeals and variances.

- (a) Purpose.
  - (1) The board of zoning appeals may authorize, in specific cases, a variance from the specific terms of this article which will not be contrary to the public interest, and where, owing to special conditions, a literal enforcement of the provisions of this article will, in an individual case, result in unnecessary hardship, provided that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.
  - (2) Variances shall not be heard or granted for:
    - a. Any use not permitted by this article in such district;
    - b. Residential development that would result in an increase in density greater than that permitted in the applicable zoning district; or
    - c. Changes or modifications to any definition contained in this Code.
- (b) Applicant. A variance request may be initiated by the unified government, property owner, or owner's agent.
- (c) Preapplication conference. A preapplication conference is recommended.
- (d) Submission requirements. The director of planning shall prepare applications specifying the information to be submitted in support of a variance application. The application shall include at least the following:
  - (1) Legal description of the property.
  - (2) A map of the site showing the location and dimensions of the requested variance.
  - (3) A statement of reasons why the variance is being requested.
  - (4) A statement of how the applicant meets the statutory requirements for the issuance of a variance.
- (e) Application and review procedures.
  - (1) Determination of completeness. Applications shall be submitted to the director for a determination of completeness pursuant to section 27-198.
  - (2) Neighborhood meeting. The applicant shall comply with the requirements for a neighborhood meeting pursuant to section 27-199.
  - (3) Staff review. Following a determination of completeness, the staff shall review the application pursuant to section 27-200.
  - (4) Notice and public hearing. Following completion of staff review and such neighborhood meetings as are required, the application shall be scheduled for a public hearing before the board of zoning appeals.
    - a. Notice shall be provided pursuant to section 27-203.

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- b. The board of zoning appeals shall make findings based on the criteria listed in subsection (f) of this section in making a determination.
- (f) Review criteria. A request for variance may be granted upon a finding by the board of zoning appeals that all of the following conditions have been met:
  - (1) The variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district, and which is not created by an action of the property owner, a previous property owner, or the applicant.
  - (2) The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
  - (3) The strict application of the provisions of the zoning ordinance for which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.
  - (4) The variance desired will not adversely affect the health, safety, morals, order, convenience, prosperity, or general welfare.
  - (5) The granting of the variance desired will not be opposed to the general spirit and intent of this article.
- (g) Action.
  - (1) Following the public hearing, the board of zoning appeals may approve, conditionally approve, or deny the application for variance.
  - (2) If the board of zoning appeals conditionally approves a variance, the conditions imposed shall be designed so as to reduce or minimize any potentially injurious effects of such variance upon the other properties in the neighborhood, and to carry out the general purpose and intent of these regulations.
  - (3) All variance approvals shall include:
    - a. A requirement that construction commence within six months and be completed by a time identified by the board of zoning appeals; and
    - b. A requirement that the project conform to the plans approved as part of the variance permit.
- (h) Appeal. Any person, official, or governmental agency aggrieved by any order or determination of the board of zoning appeals may bring an action in the district court to determine the reasonableness of such order or determination. Such petition must be presented to the court within 30 days after the filing of the decision in the office of the board.
- (i) Fees. Any person filing an appeal pursuant to this section to the board of zoning appeals shall, at the time application is made, pay the appropriate fee as set by the county administrator in the fee schedule set forth as an appendix to this Code.

(Code 1988, § 27-281; Ord. No. O-27-05, § 1, 3-24-2005)

### Sec. 27-217. Appeal of administrative decisions.

(a) Process. Appeals to the board of zoning appeals may be taken by any person aggrieved, or by any officer of the unified government or any governmental agency or body affected by any decision of the director of planning or the building official. Such appeal shall be taken within 30 days of the final decision by filing with the director of planning and a notice of appeal specifying the grounds thereof and the payment of the fee required therefore. The director of planning shall transmit to the board all the papers constituting the record upon which the action appealed from is taken. This shall be done in advance of the next regularly scheduled meeting that is more than 30 days from the date of the appeal.

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- (b) Stay. An appeal stays all proceedings, including processing of applications, in furtherance of action appealed from unless the building official certifies to the board, after the notice of appeal has been filed, that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board or by a court of record, on application or notice to the director of planning and on due cause shown.
- (c) Hearing. The board shall fix a reasonable time for the hearing of the appeal or any other matter referred to it. Except in emergency cases as noted in this section, notice of the time, place and subject of such hearing shall be published once in the official unified government newspaper at least 20 days prior to the date fixed for the hearing. A copy of the notice shall be mailed to each party to the appeal, all property owners within 200 feet of the subject property, and to the planning commission chairman. Upon the hearing, any party may appear in person or by agent or by attorney.
- (d) Action. In exercising its powers, the board, in conformity with the provisions of law, may reverse or affirm, wholly or in part, or may modify the order, requirement, decision, or determination, and to that end, shall have all powers of the director of planning and the building official, may attach appropriate conditions, and may issue or direct the issuance or revocation of a permit.

(Code 1988, § 27-282; Ord. No. O-27-05, § 1, 3-24-2005)