

**APPLICATION FOR VARIANCE
BOARD OF ZONING APPEALS
OSKALOOSA, KANSAS**

1. Applicant's Name _____
2. Applicant's Address _____
3. Telephone Number (Home) _____ (Work) _____

4. Present use of Subject Property _____
5. Desired use of Subject Property _____
6. Present Zoning _____

7. Legal Description of Subject Property:
Approximate Street Address & Location _____
_____ Lots _____ in Block No. _____
in _____ Subdivision _____

Metes and Bounds Description, if Unplatted _____

8. Area of Subject Property, Square Feet and/or Acres _____
9. How are Adjoining Properties Used _____
North _____ South _____
East _____ West _____

10. Proposed Changes to Zoning Regulations _____

11. Exact Footage of Variance Being Requested _____

ATTACHMENTS TO APPLICATION:

12. FURNISH A SITE PLAN, PLOT PLAN OR DEVELOPMENT PLAN OF THE ENTIRE PROPERTY BEING CONSIDERED, DRAWN TO A REASONABLE SCALE AND SHOWING THE LOCATION OF ALL ABUTTING STREETS OR ROADWAYS, THE LOCATION OF EXISTING AND PROPOSED STRUCTURES, TYPES OF BUILDINGS AND THE USES PROPOSED, EASEMENTS, WATER COURSES, TOPOGRAPHY, ETC.

13. FURNISH A DEED OF OWNERSHIP TO REAL ESTATE.

APPLICANT'S SIGNATURE

DATE

CITY CLERK'S SIGNATURE
(indicating receipt of application)

DATE

ZONING ADMINISTRATOR'S SIGNATURE
(deeming application full and complete)

DATE

VARIANCE HEARING CHECKLIST

- SIGNED APPLICATION (Needs to be deemed complete by Zoning Administrator)
 - DETAILED MAP DRAWN TO SCALE INDICATING EXACT FOOTAGE OF EXISTING STRUCTURE(S) AS WELL AS EXACT FOOTAGE OF PROPOSED STRUCTURE(S). MUST INCLUDE AMOUNT OF VARIANCE BEING REQUESTED. (This may require landowner to provide a survey to indicate boundary lines of property.)
 - DEED OF OWNERSHIP TO REAL ESTATE
- ORDER FOR HEARING SIGNED BY ZONING ADMINISTRATOR
- NOTICE OF HEARING ISSUED BY LEGAL COUNSEL
 - PUBLISHED ON _____
(minimum of 20 days prior to hearing date)
- PROOF OF PUBLICATION BY NEWSPAPER SHOWING PROPER DATE(S) OF PUBLICATION AND PAYMENT
(must be paid in full by applicant prior to hearing date)
- CERTIFIED LIST OF PROPERTY OWNERS WITHIN 200 FEET OF PROPERTY LINES
- AFFIDAVIT OF SERVICE INDICATING MAILING OF NOTICE OF HEARING SUBMITTED WITH WHITE AND GREEN CARDS. CHECKED AGAINST CERTIFIED LIST.
 - MAILED ON _____
(minimum of 20 days prior to hearing date)
- HEARING BEFORE THE BOARD OF ZONING APPEALS WITHIN SIXTY DAYS OF SUBMISSION OF COMPLETED APPLICATION
 - CONSIDERATION OF VARIANCE
 - VARIANCE GRANTED
 - VARIANCE FILED @ REGISTER OF DEEDS
 - VARIANCE DENIED
 - APPEAL TO DISTRICT COURT WITHIN 14 DAYS OF DENIAL
- MINUTES OF HEARING

120.3 FILING FEES

Filing fees for the various Zoning Permits are as stated in these Regulations or as set by the Governing Body.

ARTICLE 121

Variance Permits

121.1 GENERAL PROVISIONS

Any property owner who can show that his property was acquired in good faith prior to the effective date of these Zoning Regulations may apply for a Variance Permit where the strict application of these Regulations prohibit development in a manner similar to other property in the same Zoning District because of unusual lot dimensions, exceptional topographical conditions or other unusual situations (none of which are the result of his own doing).

121.2 ADMINISTRATIVE PROCEDURESA. Application

An application for a "Variance Permit" shall include a map of the lot and abutting area showing all existing and proposed structures drawn to scale of not less than twenty feet (20') to an inch. The map shall show utilities, sidewalks, driveways and other items of importance. The applicant shall provide any information required by the Zoning Administrator.

B. Processing of Applications

Upon receipt, the Zoning Administrator shall immediately forward copies of the application and accompanying maps and information to the Planning Commission and Board of Zoning Appeals.

1. The Planning Commission, within thirty (30) days of the receipt of the application, accompanying maps and information, shall submit its report to the Board of Zoning Appeals.
2. The Board of Zoning Appeals shall hold a public hearing, take into consideration the Planning Commission's report and make a determination within sixty (60) days of the original application date in accordance with the provisions set forth in these Zoning Regulations. The Board of Zoning Appeals shall forward its determination in writing to the Zoning Administrator for action.