



VARIANCE FROM UNNECESSARY HARDSHIP BY THE BOARD OF ZONING APPEALS Application Requirements

This checklist has been provided to assist you as you prepare your application. Submission of less information than necessary to adequately review and process your application may delay the review process. Planning Staff will determine the completeness, accuracy, and sufficiency of the application within five (5) business days of submission.

Pre-Application Meeting

- 1. Pre-Application Meeting. The applicant shall meet with Planning Staff at least seven (7) business days prior to submittal of the application.

General Submittal Requirements

- 2. A complete application form.
- 3. Payment of review fee. (Make check payable to the City of Lawrence.)
- 4. Owner Authorization form if Applicant is not the legal owner of the property.

Requirements for Public Notification of the Public Hearing

- 5. Legal description of the property in print and electronic (Microsoft Word) formats.
- 6. A list certified by the City Clerk of all property owners within the notification area of the subject property.
- 7. Ownership List Certification form.

Other Requirements

- 8. Plot plan illustrating the requested variances and proposed development.
 - a. Submit 9 copies.
 - b. If larger than 8.5 " x 11", fold all plans with the image side out.
 - c. Additional plans and an 11" x 17" reduction (if larger than 8.5 " x 11") may be requested prior to completion.



**Lawrence Douglas County
Metropolitan Planning Office**

6 East 6th Street, P.O. Box 708, Lawrence, KS 66044
(785) 832-3150 Fax (785) 832-3160
<http://www.lawrenceplanning.org>

RESOURCES AVAILABLE TO THE APPLICANT

1. Planning Staff
2. Calendars:
 - Board of Zoning Appeals Submittal Deadlines and Meeting Dates
 - Planning Commission Submittal Deadlines and Meeting Dates
 - Historic Resources Commission Submittal Deadlines and Meeting Dates
3. Fee Schedule
4. City of Lawrence Development Code
The following articles of the Development Code are applicable to variance applications:
 - Article 6: Density and Dimensional Standards
 - Article 13, Section 20-1308: Zoning Variances

PLANNING DEPARTMENT PROCEDURES

Public Hearing: Planning Staff will schedule a hearing before the Board of Zoning Appeals, which is responsible for hearing the request.

Newspaper Publication: Planning Staff will publish the notice of the public hearing twenty (20) days prior to the date of the public hearing.

Mailed Notice: Planning Staff will mail notices of the public hearing to all property owners within the required notification area at least twenty (20) days prior to the public hearing. Planning Staff will also mail notice to any Registered Neighborhood Associations whose boundaries include or are contiguous to the subject property.



OWNER AUTHORIZATION

I/WE _____,
hereby referred to as the "Undersigned", being of lawful age, do hereby on this
_____ day of _____, 200__, make the following statements to wit:

- 1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in
fee simple absolute of the following described real property:

See "Exhibit A, Legal Description" attached hereto and incorporated herein by
reference.

- 2. I/We the undersigned, have previously authorized and hereby authorize

(Herein referred to as "Applicant"), to act on my/our behalf for the purpose of
making application with the Planning Office of Lawrence/Douglas County, Kansas,
regarding _____ (common
address), the subject property, or portion thereof. Such authorization includes, but
is not limited to, all acts or things whatsoever necessarily required of Applicant in the
application process.

- 3. It is understood that in the event the Undersigned is a corporation or partnership
then the individual whose signature appears below for and on behalf of the
corporation or partnership has in fact the authority to so bind the corporation or
partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Owner _____ Owner _____

STATE OF KANSAS
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this _____ day of
_____, 200__,

by _____.

My Commission Expires:

Notary _____ Public _____



PROPERTY OWNERSHIP LIST CERTIFICATION

As required by Article 13, Section 20-1301(q) of the Development Code, the applicant is responsible for providing certified Ownership information (including names and mailing addresses) of all real property owners within a defined radius from the subject property. The Planning Department is required by the Development Code to use the submitted Ownership list to mail notice of the public hearing to surrounding property owners regarding this Application.

Ownership Information

The applicant is responsible for providing certified Ownership information. Current Ownership information shall be obtained from the Douglas County Clerk. Ownership information will be considered current if it is **no more than 10 days old** at the time an application is submitted to the Planning Department.

Radius of Notification

The Ownership list shall include the record Owner of the subject property and all Owners of property located within 200 feet of the subject property. If the subject property is adjacent to the City limits the area of notification shall be extended to at least 1,000 feet into the unincorporated area.

A map of the "Radius of Notification" can be obtained **at the Applicant's request** at the Planning Office. The map indicates ownership of each property and can be used to check the accuracy and completeness of the Ownership List. The map will be supplied **at the Applicant's expense**. **Allow 10 business days** to receive the map.

THE FOLLOWING IS TO BE COMPLETED AND SUBMITTED BY THE APPLICANT.

I certify that I have read and understood the above information and that the submitted Ownership list:

1. was a) obtained from and b) certified by the Douglas County Clerk,
2. is current (**no more than 10 days old**), and
3. includes all property owners within the required notification radius of the subject property.

Signature

Date

Printed Name



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Note to Applicant:

Replace this page with "Exhibit A, Legal Description".



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**VARIANCE
Unnecessary Hardship or Flood Protection Regulations**

**DETERMINATION OF COMPLETENESS, ACCURACY, AND SUFFICIENCY
(Completed by Staff)**

The following items apply to variance applications. Submission of less information than necessary to adequately review and process your application may delay the review process. The following submittal requirements will be deemed: (P)provided or (NP)not provided. (Circled items have not been reviewed due to time constraints.)

Pre-Application Meeting

P NP

- 1. Pre-Application Meeting. The applicant shall meet with Planning Staff at least seven (7) business days prior to submittal of the application.

General Submittal Requirements

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Other Requirements

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 - d. Submit 9 copies.
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Determination Of Completeness, Accuracy, and Sufficiency

I have reviewed the variance application submitted by:

Name: _____ Date: _____

Application No. _____

Based upon the submitted information, I find the application to be:

- Complete (based upon the items reviewed)
Incomplete, inaccurate, or insufficient (circle) for the following reasons:
The application or plan contains one or more significant inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with Development Code standards.
The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with Development Code standards.
Other

Blank lines for providing reasons for incompleteness, inaccuracy, or insufficiency.

Planner _____ Date _____

(1) Resubmit by _____ to be placed on the agenda for the Board of Zoning Appeals meeting on _____. (All resubmitted materials must be deemed to be complete, accurate, and sufficient.)



**APPLICATION
FOR
VARIANCE FROM UNNECESSARY HARDSHIP**

OWNER INFORMATION

Name(s) _____
Contact _____
Address _____
City _____ State _____ ZIP _____
Phone (____) _____ Fax (____) _____
E-mail _____ Mobile/Pager (____) _____

APPLICANT/AGENT INFORMATION

Contact _____
Company _____
Address _____
City _____ State _____ ZIP _____
Phone (____) _____ Fax (____) _____
E-mail _____ Mobile/Pager (____) _____
Pre-Application Meeting Date _____ Planner _____

PROPERTY INFORMATION

Present Zoning District _____ Present Land Use _____
Proposed Land Use _____
Legal Description (*may be attached*) _____
Address of Property _____
Total Site Area _____
Number and Description of Existing Improvements or Structures _____



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3. That strict application of the provisions of this chapter for which the variance is requested would constitute unnecessary hardship upon the property owner represented in the application:

4. That the variance desired would not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare:

5. That granting the variance desired would not be opposed to the general spirit and intent of the Development Code:



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SIGNATURE

I/We, the undersigned am/are the **(owner(s))**, **(duly authorized agent)**, **(Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for variances as indicated above.

Signature(s): _____ Date _____

_____ Date _____

_____ Date _____

STAFF USE ONLY

Application No. _____

Date Received _____

BZA Date _____

Fee \$ _____

Date Fee Paid _____