

INSTRUCTIONS TO THE APPLICANT REQUESTING A VARIANCE FROM THE ZONING REGULATIONS BEFORE THE BOARD OF ZONING APPEALS

1. Applicants are advised that the City Board of Zoning Appeals is only authorized to consider variances from the City Zoning Regulations as listed in Section 10-107C.
2. An Applicant must complete an application form, and all blanks should be filled in or noted as not applicable (N/A). See Section 10-107 of the Zoning Regulations for procedures pertaining to a variance.
3. Applicant must submit a current ownership list of names, mailing addresses and zip codes of all real property owners within 200 feet of the exterior boundary of the area **in the City** described in the application both within the city limits and extending outside the city limits. If such area is located **adjacent to but inside the city limits**, the ownership list, in addition to the 200 feet inside the city limits, shall provide similar information extending to 1,000 feet into the unincorporated area. If such area is located **outside the city limits**, the area of notification shall extend for 1,000 feet and, if such notification extends into the city limits, then 200 feet inside the city limits must also be included.
(For Notice of Hearing information, see Section 10-103 of the Zoning Regulations; an applicable Zoning Notification Area Diagram is available from the Zoning Administrator.)
4. The Applicant must submit a statement in writing providing information as required by Section 10-107A 1-4 of the Zoning Regulations.
5. The Applicant must also submit a sketch required by Section 10-107 A5, drawn to scale, showing the lot(s) included in the application, the structures existing thereon, and the structures proposed that necessitate the request. Any information which would be helpful to the Board of Zoning Appeals in consideration of the application, including all appropriate dimensions, should be provided. A professionally drawn sketch is not necessary.
6. The above application and accompanying documents shall be filed in a timely manner with the Zoning Administrator before the next regular Board meeting, together with a fee to the City as established by the Fee Schedule in Section 9-104 of the Zoning Regulations. See Zoning Administrator for fee schedule information and Meeting and Closing Date Schedules for application. **Incomplete applications will be returned to the Applicant.**
7. Notice of the public hearing by the Board of Zoning Appeals will be published in the official city newspaper by the Secretary so that **at least 20 days elapse** between the date of publication and hearing date. Notices of the hearing will also be mailed by the Zoning Administrator to all property owners on the ownership list, the Applicant and the Secretary of the City Planning Commission so that **at least 20 days shall elapse** between the mailing date and the hearing date.
8. Prior to the hearing, Applicants are advised to study the standards for granting variances in Section 10-107D of the Zoning Regulations of which Section 10-107D1 are required by state statutes and will be the basis for the Board of Zoning Appeals' decision.

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9. If the variance is granted, it shall be valid for only 180 days unless within such period a zoning permit is obtained and the variance requested is started. The Board of Zoning Appeals may grant extensions not exceeding 180 days each, upon written application during the original period of validity, without further notice or hearing.
10. When your variance is decided, a resolution will be signed and filed with the Zoning Administrator. If the variance is granted, you may apply for a zoning permit.
11. A decision of the Board of Zoning Appeals is considered final, unless appealed to the District Court under Section 10-105 of the Zoning Regulations within 30 days after the date of filing the resolution with the Zoning Administrator.
12. Please note that the City is processing your application for a variance under the minimum time period prescribed by state law.