Appeal of Administrative Decision to the Board of Zoning Appeals (BZA)

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.

1. **Filing Deadline.** Appeals of administrative decisions shall be filed with the Planning Director within ten (10) working days after the administrative official’s decision.

**General Submittal Requirements**

2. A complete application form.
3. Owner Authorization form if applicant is not the legal owner of the property.

**Requirements for Public Notification of the Public Hearing**

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

**Other Requirements**

7. Plot plan illustrating the issue appealed (if relevant).
   a. Submit paper and electronic formats.
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:
   - Article 13, Section 20-1311: Appeals of Administrative Decisions.

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. Additionally, a copy of the notice will be mailed to each party of the appeal at least twenty (20) days before the hearing.
OWNER AUTHORIZATION

I/WE___________________________________________________________, hereby referred to as the “Undersigned”, being of lawful age, do hereby on this ________ day of __________, 20 __, 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 __________, 20 __, by _________________________________________________________________.

My Commission Expires:                                   ______________________________
Notary Public
Note to Applicant:

Replace this page with “Exhibit A, Legal Description”.
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 Land 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 30 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 400 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.

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:

(a) was obtained from and certified by the Douglas County Clerk,
(b) is current (no more than 30 days old), and
(c) includes all property owners within the required notification radius of the subject property.

________________________________________________________________________  __________
Signature                                      Date

________________________________________________________________________
Printed Name

Ownership List Certification                  Page 5 of 7
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APPLICATION FOR
APEAL OF ADMINISTRATIVE DECISION TO THE
BOARD OF ZONING APPEALS (BZA)

OWNER INFORMATION (if relevant)

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 (if relevant)

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 __________________

Lawrence Douglas County
Metropolitan Planning Office
1 Riverfront Plaza, Ste 320 | P.O. Box 708
Lawrence, KS  66044
(785) 832-7700  Fax (785) 832-3110
http://www.lawrenceks.org/pds/

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Please indicate the reason for appeal:

(Alternatively, attach a letter to the Planning Director.)

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

SIGNATURE

I/We, the undersigned am/are the (owner(s)), (duly authorized agent), (circle one if relevant) of the aforementioned property.

By execution of my/our signature, I/we do hereby officially apply for an appeal to the Board of Zoning Appeals as indicated above.

Signature(s): ____________________________ Date ______________

_______________________________ Date ______________

_______________________________ Date ______________

STAFF USE ONLY

Application No. ____________________________

Date Received ____________________________

BZA Date ____________________________

Fee $____________________________