



# Planning & Zoning Commission Application

City of Scott City

221 W 5<sup>th</sup> St., Scott City, KS 67871

[scottcty@scottcityks.org](mailto:scottcty@scottcityks.org)

City Clerk, 620-872-5322

*K.S.A. 12-741 – “For the Protection of Public Health, Safety, and Welfare”*

### Type of Application

- |   |  |
|---|--|
| <input type="checkbox"/> <b>Variance</b> - \$75.00 Fee                | <input type="checkbox"/> <b>Zoning Change*</b> - \$100.00 Fee                      |
| <input type="checkbox"/> <b>Lot Split</b> - \$75.00 Fee               | <input type="checkbox"/> <b>Vacation*</b> - \$75.00 Fee                            |
| <input type="checkbox"/> <b>Extension</b> - \$50.00 Fee               | <input type="checkbox"/> <b>Preliminary Plat*</b> - \$100.00 Fee                   |
| <input type="checkbox"/> <b>Conditional Use Permit*</b> - \$75.00 Fee | <input type="checkbox"/> <b>Final Plat*</b> - \$\$50.00+\$1.00/Lot (\$150.00 Max.) |

*\*Denotes Council Approval Required*

### Property Owner/Applicant Information

Name of Applicant(s):	
Mailing Address:	
Primary Phone Number:	
Alternate Phone Number:	
Primary Email Address:	
Alternate Email Address:	

### Authorized Agent Representing the Applicant (if applicable)

Name of Agent(s):	
Mailing Address:	
Primary Phone Number:	
Alternate Phone Number:	
Primary Email Address:	
Alternate Email Address:	

### Property Information

Property Address:	
Zoning District of Property:	
Property Legal Description: (Add a separate sheet if necessary)	

<b>For Office Use Only:</b> Received in the Office of the City Clerk at _____ on _____ along with the appropriate fee of \$ _____ Received by _____
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## Application Instructions

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1. **Application:** An application form for a hearing with the Planning & Zoning Commission must be completed and signed by all property owners/applicants and their authorized agent(s) (if applicable) and filed with the City Clerk. If spaces on the application ask for information that is not applicable to the request, then such spaces shall be marked "N/A."

In order for an application to be scheduled, it must be filed with the City Clerk **thirty (30) days prior** to the monthly hearing date as scheduled by Scott City Code as 6:00 p.m. on the second Thursday of each month. Please contact the City Clerk's office to verify application deadlines or hearing dates.

All applicants are encouraged to meet with applicable City staff prior to filing an application. The purpose of the pre-application conference is to provide staff and the applicant an opportunity to discuss all steps and any other applications that may be necessary prior to commencement of a specific project.

2. **Legal Description:** The legal description provided on the application must be accurate. Should it be discovered that the legal description included as part of public notices is inaccurate, the City staff may declare that notices are null and void and that the notification process, required by State Law, must be started over again. This will necessitate the repayment of the application fee. In this regard, at least 20 days must elapse between the date the legal notice is published and the public hearing date. Also, at least 20 days must elapse between the date of mailing notices to persons listed on the ownership list and the hearing date.
3. **Ownership List:** Applicants submitting an application that requires City Council approval must submit a current ownership list which includes names, mailing addresses, and zip codes of all landowners within 200 feet of the boundary of the area described in the application if within the city limits or within 1,000 feet of the area described in the application if outside the city limits, but within the 3-mile extraterritorial zone of the city.
4. **Site Plan Required:** In order to demonstrate how the subject property will be developed if the requested application is approved, a site plan depicting existing structures and the structures proposed which necessitate the request is required. The site plan shall be drawn to scale, include all appropriate dimensions, and any other information which assist staff and the Commission in reviewing the request. Additional information may include photographs, drawings, renderings, and/or other reports. Such materials will be made part of the case file and become public records.
5. **Fee:** The appropriate fee must be received before the application is considered to be complete. No hearing notices will be published for incomplete applications.
6. **Public Hearing Notice:** Notice of public hearing by the Planning & Zoning Commission will be published in the official city newspaper so that at least 20 days elapse between the date of publication and the hearing date. Notice of the hearing will also be mailed to all property owners on the ownership list. Members of the Planning & Zoning Commission will be emailed or mailed the notice at the time the notice is sent to the newspaper for publication.
7. **Public Hearing Sign:** A sign – a minimum of two (2) square feet in size – advertising the date, time, location, and purpose of the public hearing shall be posted on the property subject to alteration, at its most visible location, a minimum of 20 days prior to the public hearing date. The City Clerk shall provide (via email) a copy of the notice at the time the notice is sent for publication to be used for signage purposes.



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## Application Instructions - Continued

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8. **Additional Information:** Information such as photographs, renderings, landscaping/screening plans or other reports may be submitted and/or required by the Building Inspector and/or Planning & Zoning Commission along with the site plan. Such materials will be made a part of the case file and become public record.
  
9. **Public Hearing:** The Planning & Zoning Commission shall hold the public hearing advertised in the official notices in accordance with State law. At the meeting, the applicant(s) shall be provided time to offer a statement along with members of the general public. **A written statement on each of the following conditions shall be submitted for applications for variance from the City code.**
  - a. That 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 is not created by an action or actions of the property owner or the applicant.
  - b. That the granting of the variance will not adversely affect the rights of adjacent property owners or residents.
  - c. That the strict application of the provisions of the regulations of which the variance is requested will constitute unnecessary hardship upon the property owner represented in the application.
  - d. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.
  - e. That granting the variance will not be opposed to the general spirit and intent of the regulations.

**Applications Requiring Council Approval** will be heard by the Planning & Zoning Commission who will then recommend action to be taken by the City Council. With Council approval in favor of the application as presented, the Council will pass an ordinance changing zoning determination. A protest period must elapse before the ordinance becomes effective.

**For all other applications**, the Planning & Zoning Commission will vote to approve or deny applications. Their decision does not need to be presented to the City Council for approval. The Commission may attach additional conditions of approval to the variance requested. Upon approval of an application, the applicant must apply for the necessary building permits for construction of the project for which the variance was requested. The applicant is required to abide by all conditions of approval made by the Planning & Zoning Commission.

10. **Period of Validity & Extensions:** An approved variance shall expire if the variance is not commenced upon the property within **2 years**. The applicant may apply for an extension to an **unexpired** variance, which will be addressed on a case by case basis. The Planning & Zoning Commission may grant additional extensions not exceeding 180 days each, upon written application, without further notice or hearing. If an applicant desires to move forward with an **expired** variance, the application process must begin again. The original decision made by the Planning & Zoning Commission may be upheld or the decision may be revoked. There is no guarantee that a previously approved application will be approved a second time.



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## Certification

### The undersigned acknowledges and certifies the following:

- I / We have been advised of the fee requirements established and that the appropriate fee is herewith tendered.
- I / We understand that applications not received in City Hall at least thirty (30) days prior to the hearing date as set by City Code will be scheduled for the next available hearing date to meet publication/ mailing requirements.
- I / We have submitted a site plan drawn to scale.  Supplemental documentation has also been provided.
- I / We agree to post a sign advertising the date, time, location, and purpose of the public hearing shall be posted on the property subject to alteration a minimum of 20 days prior to the public hearing date. The sign shall remain onsite and continually displayed for the general public's viewing until after the public hearing.
- I / We understand that progress must be made on approved applications within two years. I / We understand that requests for extensions will be addressed on a case by case basis. If applications are allowed to expire, the process must begin again if the applicant still desires to follow through with the initial request.
- For Applications for Variance** (and select other applications), I have submitted a written statement describing, in detail, the variance being requested, addressing the following conditions:
  - a. That 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 is not created by an action or actions of the property owner or the applicant.
  - b. That the granting of the variance will not adversely affect the rights of adjacent property owners or residents.
  - c. That the strict application of the provisions of the regulations of which the variance is requested will constitute unnecessary hardship upon the property owner represented in the application.
  - d. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.
  - e. That granting the variance will not be opposed to the general spirit and intent of the regulations.
- For Applications Requiring City Council Approval**, I have provided a separate page with a current ownership list which includes names, mailing addresses, and zip codes of all landowners within 200 feet of the boundary of the area described in the application if within the city limits or within 1,000 feet of the area described in the application if outside the city limits, but within the 3-mile extraterritorial zone of the city.
- I / We verify that the information given herein is correct.

\_\_\_\_\_  
Applicant Printed Name

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Printed Name

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date