

VARIANCE

Chapter 405.610 to 405.625 of the zoning ordinance of the city provides the following guidance regarding matters before the Board of Zoning Adjustments (BZA). **Please read and answer the questions below from Section 405.615 (A) and Section 405.615 B.**

Section 405.610 Purpose

The Board of Zoning Adjustment may grant variances from the provisions of this Chapter in harmony with its general purpose and intent and may vary them only in specific instances hereinafter set forth. The Board of Zoning Adjustment, based on standards hereafter prescribed and after hearing, may decide that there are practical difficulties or hardship in the way of carrying out the strict letter of these regulations. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement or decision of the party appealed from or to issue an order or variance or to decide in favor of an appellant.

Section 405.615 (A) Standards

The BZA may vary the provisions of this Chapter as authorized in this Section, but only when it shall have made findings based upon evidence presented to it in the following specific cases.

1. Can the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located?

Response: _____

2. Is the plight of the owner due to unique circumstances? (*Unique circumstances include, but are not limited to, the shape, topographical conditions, or physical surroundings of the property.*)

Response: _____

3. Will the variance, if granted, alter the character of the locality and/or neighborhood?

Response: _____

Section 405.615 (B)

For the purpose of supplementing the above standards, the Board of Adjustment shall also, in making the determination of whether there are practical difficulties or hardship, take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence.

1. Will the physical surroundings, shape or topographical conditions of the specific property involved would bring a hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out?

Response: _____

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2. Will the conditions upon which the petition for variance is based not be applicable generally to other property within the same zoning classification?

Response: _____

3. Has the alleged difficulty or hardship not been created by any person having an interest in the property at any time after the effective date of this Chapter?

Response: _____

4. Will the granting of the variance not be detrimental to the public welfare in the neighborhood in which the property is located?

Response: _____

5. Will the proposed variance impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood?

Response: _____

SIGNATURE OF OWNER OR APPLICANT: _____

NOTE: IF APPLICANT IS NOT THE PROPERTY OWNER, A SIGNED STATEMENT FROM THE PROPERTY OWNER AUTHORIZING THE APPLICATION IS REQUIRED.

THE PROCESS

STEP 1. PRE-APPLICATION CONFERENCE

Applicants should contact the Community Development Planner to schedule a pre-application conference prior to submission of an application.

STEP 2. ITEMS TO BE SUBMITTED BY APPLICANT

Submit following 30 days before the Meeting of the Board of Zoning Adjustments (BZA).

1. Complete application form
2. \$100 filing fee. Make check payable to the City of Harrisonville
3. Five (5) paper copies and one (1) electronic copy of a site plan drawn to scale showing dimensions of the subject property, and the dimensions and location of existing and proposed structures and any additional information necessary for the city staff and Board of Zoning Adjustments (BZA) to make a decision.

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STEP 3. PUBLIC HEARING NOTICE AND LETTERS

A public hearing is required at the meeting of the Board of Zoning Adjustments. City staff will have a legal notice of the public hearing published at least 15 days before the hearing and notify all adjacent property owners by US Post-Office First-Class mail.

STEP 4. MEETING OF THE BOARD OF ZONING ADJUSTMENTS

The Harrisonville Planning and Zoning Commission meets on the 2nd Tuesday of the month at 6:00 PM in City Hall. The agenda and staff report(s) are distributed approximately one week before the meeting.

The chair will open the public hearing to hear a presentation by the city staff, the property owner or authorized agent, and the public. After everyone has had the opportunity to speak, the chair will close the public hearing, and the BZA will deliberate on the request and approve or deny the application.

RESOURCES

It is the applicant's responsibility to become familiar with the applicable requirements prior to the submission of an application. Here are some online links to information that will be useful.

Zoning Map	https://www.ci.harrisonville.mo.us/documentcenter/view/6182
Zoning Regulations	https://www.ecode360.com/27908265
Subdivision Regulations	https://www.ecode360.com/27909481
Sign Regulations:	https://www.ecode360.com/27910695
Cass County Maps, Property and Building Information	https://cassgis.integritygis.com/h5/index.html?viewer=cass

CONTACTS

<u>City Hall, 300 East Pearl St., Harrisonville, MO 64701</u>	<u>(816) 380-8900</u>	<u>Fax 816-380-8910</u>
Roger Kroh, Community Development Planner	816) 380-8922	rkroh@harrisonville.com
Christopher Arthur, Building Official	(816) 380-8912	carthur@harrisonville.com
Ted Martin, City Engineer	(816) 380-8900	tmartin@harrisonville.com