

Harper County, Kansas

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

A \$200.00 non-refundable application fee required.

**\*All costs associated with recording documents, placing legal publications, resolutions and/or ordinances in the official paper, and mailing notices to adjoining landowners shall be payable in addition to the fee stated above prior to final disposition of the case.**

1. Applicants are advised that the Harper County Board of Zoning Appeals is only authorized to consider variances from the Zoning Regulations of Harper County, Kansas as listed in Section 10-107C.
2. An Applicant must complete an application form and all blanks should be filled in or noted as N/A. See Section 10-107 of 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 owners of record of real property within 1,000 feet of the exterior boundary of the area described in the application which is outside of a city. If the 1,000 foot notification area extends into a city, then similar notification shall be given to owners in that area. (See Section 10-103 of the Zoning Regulations for Notice of Hearing.)
4. The Applicant must submit a statement in writing providing information as required by Section 10-107A 1-4 of the Zoning Regulations. (see attached)
5. The Applicant must also submit a sketch required by Section 10-107A5 which is drawn to scale showing the lot(s) included in the application, the structures existing thereon and the structures proposed that necessitate the request. All appropriate dimensions should be included and any other information which would be helpful to the Board of Zoning Appeals in consideration of the application. 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 County Treasurer as established by the Fee Schedule in Section 9-104 of the Zoning Regulations. See the Administrator for fee schedule information and Meeting and Filing Date Schedule for applications.  
**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 County 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 Harper County 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.
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, 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 County is processing your application for a variance under the minimum time period prescribed by state law.