

730 Topeka
P.O. Box 287
Lyndon, KS 66451-0287
Phone: 785 828-3146

CITY OF LYNDON, KANSAS
VARIANCE APPLICATION
BOARD OF ZONING APPEALS

Fee: \$35.00
Date Paid: _____

For Office Use Only

Case No.: _____
Date Advertised: _____
Date Notices Sent: _____
Public Hearing Date: _____
Board of Zoning Appeals Decision: _____

Please complete both pages of this form and return to:

City of Lyndon, City Clerk
730 Topeka, P.O. Box 287
Lyndon, KS 66451

This application must be turned in at least twenty-five days prior to the Board of Zoning Appeals meeting. The board meets on the first Wednesday of each month, when called. You must also provide a list of the names and addresses of all property owners within 200 feet of any of your property lines.

APPLICANT: _____ PHONE: _____
ADDRESS: _____ ZIP: _____
OWNER: _____ PHONE: _____
ADDRESS: _____ ZIP: _____
LOCATION OF PROPERTY: _____
LEGAL DESCRIPTION (Please use the legal description off property deed): _____

ADJACENT ZONING AND LAND USE:

	<u>Land Use</u>	<u>Zoning</u>
North	_____	_____
South	_____	_____
East	_____	_____
West	_____	_____

Present Use of Property: _____
Proposed Use of Property: _____
Utility lines or easements that would restrict proposed development: _____

Please indicate below the extent to which the following standards are met, in the applicant's opinion. Provide an explanation on a separate sheet for each standard, which is found to be met.

1. *UNIQUENESS* Yes No

The variance requested arises from conditions which are unique to the property in question, which are not ordinarily found in the same zoning district, and which are not caused by actions of the property owners or applicant. Such conditions include the peculiar surroundings, shape, or topographical condition of the specific property involved which would result in a practical difficulty or unnecessary hardship for the applicant, as distinguished from a mere inconvenience, if the requested variance was not granted.

2. *ADJACENT PROPERTY* Yes No

The granting of the variance will not be materially detrimental or adversely affect the rights of adjacent property owners or residents.

3. *HARDSHIP* Yes No

The strict application of the provisions of the zoning regulations from which a variance is requested will constitute an unnecessary hardship upon the applicant. Although the desire to increase the profitability of the property may be an indication of hardship, it shall not be a sufficient reason by itself to justify the variance.

4. *PUBLIC INTEREST* Yes No

The variance desired will not adversely affect the public health, safety, morals, order, convenience, or general welfare of the community. The proposed variance shall not impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.

5. *SPIRIT AND INTENT* Yes No

Granting the requested variance will not be opposed to the general spirit and intent of the zoning regulations.

6. *MINIMUM VARIANCE* Yes No

The variance requested is the minimum variance that will make possible the reasonable use of the land or structure.

APPLICANT'S SIGNATURE: _____ DATE: _____

DETERMINATION OF THE BOARD OF ZONING APPEALS

Variance Case: _____

Date of Action: _____

On _____, 20____, the City of Lyndon Board of Zoning Appeals, at its regular meeting, _____(Action: Approved, Conditionally Approved, Denied) the variance requested from Section ____ of the Zoning Ordinance for the property at _____(Address or Location) as requested by _____(Applicant).

In _____ (Action) this request, the Board of Zoning Appeals found that the variance (did/did not) fulfill the necessary five conditions for variance approval. Specifically, the Board of Zoning Appeals found: _____

Findings of Board of Zoning Appeals on each of the following conditions:

	Approved	Denied
a. Uniqueness	_____	_____
b. Adjacent Property	_____	_____
c. Hardship	_____	_____
d. Public Interest	_____	_____
e. Spirit and Intent	_____	_____
f. Minimum Variance	_____	_____

Conditions (if any): _____

Planning Commission Chairperson

Planning Commission Member

Planning Commission Member

Planning Commission Member

Planning Commission Member