

HAYS AREA BOARD OF ZONING APPEALS
APPLICATION FOR VARIANCES
INSTRUCTIONS TO APPLICANT

1. The applicant must complete the attached application form. All blanks should be filled in and any not applicable should be completed with N/A. All applications must be signed by the owner or his duly authorized agent.
2. The applicant shall submit a statement, in writing, justifying the variance requested, indicating specifically the enforcement provisions of the Zoning Regulations from which the variance is requested, and outlining, in detail, the manner in which it is believed that this application will meet each of the five conditions, as set out by State Statute. The applicant's statement shall contain remarks pertaining to each of the said five conditions. The five conditions are as follows:
 - A. Uniqueness: 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 applicant.
 - B. Adjacent Property: The granting of the permit for the variance will not adversely affect the rights of the adjacent property owners or residents.
 - C. Hardship: The strict application of the provisions of the zoning ordinance of which is requested will constitute unnecessary hardship upon the property owner represented in the application.
 - D. Public Interest: The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.
 - E. Spirit and Intent of the Zoning Regulations: The granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Regulations.
3. The applicant must submit a survey, completed by a licensed land surveyor, drawn to scale, showing the lot or lots included in the application, the structures existing thereon, and the structures contemplated, necessitating the variance requested. All appropriate dimensions should be included and any other information that would be helpful to the Board of Zoning Appeals, in consideration of this application.
4. The above-listed documents, together with the fee of \$50.00, shall be submitted to the Planning, Inspection, and Enforcement Division, 1002 Vine St., Hays, KS.
5. **The applicant must be present at the time of the public hearing or the application will be continued until the next meeting.**
6. If this form is obtained online, please contact the Planning, Inspection, and Enforcement Division at 785-628-7310.

APPLICATION FOR VARIANCE

I. Name of Applicant _____ Phone _____

Mailing Address _____

Name of Owner (if different from applicant) _____ Phone _____

Mailing Address _____

Name of Authorized Agent _____ Phone _____

Mailing Address _____

Relationship of applicant to property is that of _____
(Owner, tenant, lessee, other)

II. The variance is requested _____

on property located at _____ and legally described as: _____

in the City of Hays and which is presently zoned _____.

Give metes and bounds description below or on attached sheet: (required only if property is not part of a legally recorded plat)

III. The applicant and owner herein, or authorized agent and owner:

- A. Acknowledges receipt of an instruction sheet concerning the filing and hearing of this variance request.
- B. Acknowledges the fee requirements established; and that the appropriate fee is herewith tendered.
- C. Agrees to conform to all requirements of the appropriate section of the Zoning Regulations if this application is approved.
- D. Acknowledges right to appeal the decision of the board to the District Court.

APPLICANT

AUTHORIZED AGENT (IF ANY)

OWNER

OFFICE USE ONLY:

RECEIVED IN THE PLANNING, INSPECTION, ENFORCEMENT DIVISION ON _____,

TOGETHER WITH THE APPROPRIATE FEE OF \$ _____.

NAME AND TITLE