

Application for a "Use Permitted Upon Review"

An application for a "Use Permitted Upon Review" is obtained from the city office located at 4 E. 7th. The office hours are 8:15am to 4:15pm during the week, with longer hours on Thursday, 7:30am to 6:30pm. The application can also be obtained at the city administrative office located at 12 E. 7th. The office hours are from 8:00am to 5:00pm.

Upon receipt of the application for a Use Permitted Upon Review, it shall be completed and filed at the city office or administrative office at least ten days before the meeting of the Eudora Planning Commission which is held on the first Wednesday of each month at 7:30pm in the Municipal Building.

The application must be accompanied by a payment of \$150 per building site and by the following items:

1. **If for a new building**, a survey prepared by an engineer or land surveyor registered in the state of Kansas of the boundaries of the lot/lots, or property for which the use permitted is requested, with each corner pinned.
2. A site plan drawn to scale, showing the exact size, shape and dimensions of the lot, the exact size and location on the lot of all existing buildings and structures, and the exact size and location on the lot of the structure or building proposed to be built, repaired, altered, or moved, and the size, arrangement, number of parking stalls, movement of vehicles and ingress and egress drives for all off-street parking and loading facilities.
3. A list of property owners within 200 feet of the property described. This list is obtained upon request to the County Clerk's office in the Douglas County Courthouse at 1100 Massachusetts in Lawrence, KS. If in the township, owners within 1,000 feet are needed.

The application will be placed on the agenda for the Planning Commission meeting and it will be considered at that meeting. The usual procedure is for a motion to be made to set a public hearing at the next month's meeting.

The secretary to the Planning Commission will have the legal notice of the public hearing published in the official newspaper at least 20 days before the hearing date and will mail notices of the hearing to all landowners within 200 feet of the site, inviting them to appear and make known whether they favor or oppose the use requested.

The applicant should be present at the hearing to answer any questions of the commission or the landowners. After the applicant and the public are heard, the commission members discuss the application and a motion is made to recommend approval or disapproval of the request to the Eudora City Council. The result of the vote and the recommendation will be forwarded to the council for their action at their next meeting, usually the last Monday evening of the month at 7:30pm in the Municipal Building.

In the exercise of its review, the city council may disapprove an application, or in granting a "Use Permitted Upon Review", the council may impose any conditions

relative to location, character, density or other features of the proposed use of buildings or space as it may deem advisable.

There are a number of special guidelines the commission and the city council use in considering an application. These are outlined for specific uses, and a copy of the ordinance section dealing with them can be copied for the applicant if he or she so desires.

ARTICLE 11: USE PERMITTED UPON REVIEW

Certain uses or exceptions are permitted in some zoning districts only when a Use Permitted Upon Review permit has been obtained from the City Council. Such uses require special study with respect to specific location and design considerations to assure that they will have minimal negative impact on surrounding properties.

1. The applicant shall first obtain the proper application form from the Office of the Codes Administrator. Specific details regarding the application are located in the Zoning Ordinance.
2. The Use Permitted Upon Review permit application form shall be completely filled out and returned to the Office of the Codes Administrator with the appropriate filing fee and required information. An application shall not be scheduled for public hearing until the application form has been fully completed, the fee paid, and all required information submitted.
3. The Office of the Codes Administrator shall be responsible for having an official notice of the public hearing published in a newspaper of general circulation and the notification of all property owners within 200 feet of the subject property at least twenty (20) days prior to the hearing. The Office of the Codes Administrator shall be responsible for following the administrative procedures for a Use Permitted Upon Review permit as prescribed in the adopted zoning regulations. The notice shall fix the time and place of the hearing and shall describe generally the Use Permitted Upon Review permit requested.
4. The Planning Commission shall hold a public hearing at which time citizens and parties of interest shall have an opportunity to be heard.
5. The public hearing may be adjourned from time to time and, upon its conclusion, the Planning Commission shall prepare and adopt its recommendation to the City Council. This recommendation shall be submitted along with an accurate record of the public hearing.

CITY OF EUDORA
USE PERMITTED UPON REVIEW APPLICATION

Return Form to:
Codes Administrator
City of Eudora
12 East 7th
Eudora, KS 66025
(785) 542-4111
(785) 542-4112 (fax)

Contacts:
PC Secretary (785) 542-4111
Codes Administrator (785) 542 3124
City Administrator (785) 542-4111
Planning Consultant (816) 363-2696
Engineering Consultant (785) 749-4474

For Office Use Only
Case ID.: _____
Filing Fee: _____
Date Submitted: _____
Date Advertised: _____
Date Notices Sent: _____
Public Hearing Date: _____

APPLICANT INFORMATION:

Applicant: _____ Phone: _____

Address: _____ Zip: _____

Fax: _____ E-mail: _____

Owner: _____ Phone: _____

Address: _____ Zip: _____

Fax: _____ E-mail: _____

Signature of Owner: _____ Date: _____

PROPERTY INFORMATION:

Location of Property: _____

Legal Description: _____

Present Zoning Classification: _____ Acreage: _____

Present Use of Property: _____

Proposed Land Use Activity: _____

Article, Section and sub-section (if applicable) allowing for said Use Permitted Upon Review to be applied for: _____

ADJACENT ZONING AND LAND USE:

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

Should this Use Permitted Upon Review be valid only for a specific time period? Yes _____
 No _____

If Yes, what length of time? _____

| Use Permitted Upon Review Permit Review Checklist | | |
|--|-----|----|
| <i>Does the proposed Use Permitted Upon Review further the goals and objectives of the Comprehensive Plan and the health, safety, morals, comfort and general welfare of the inhabitant of the City and County and promote the following? If not, please attach a separate sheet explaining why.</i> | Yes | No |
| 1. The Stability and integrity of the various zoning districts. | | |
| 2. Conservation of property values. | | |
| 3. Protection against fire and casualties. | | |
| 4. Observation of general police regulations. | | |
| 5. Prevention of traffic congestion. | | |
| 6. Promotion of the safety of individuals and property. | | |
| 7. Provision of adequate light and air. | | |
| 8. Prevention of overcrowding and excessive intensity of land uses. | | |
| 9. Provisions of public utilities and schools. | | |
| 10. Promote the level of continuity in use. (Avoid inappropriate uses) | | |
| 11. Promote the value and character of existing or authorized improvements and land uses. | | |
| 12. Promote improvements and land uses that are in keeping with accepted planning principles. | | |
| 13. Provision of orderly and proper urban renewal, development and growth. | | |

ATTACHMENTS REQUIRED:

1. A site plan as specified in the Zoning Regulations as well as any other information which would be helpful to the Planning Commission in consideration of the application.
2. List of property owners located within 200 feet of the property.

Applicant's Signature

Date