

**THE CITY OF HOLTON,
KANSAS**

**BOARD OF ZONING
APPEALS**

APPLICATION PACKET FOR

**SPECIAL USE PERMITS
(EXCEPTIONAL)**

FROM CITY OF HOLTON ZONING REGULATIONS

**CITY OF HOLTON
ZONING AND PLANNING ORDINANCE NUMBER 1203**

PASSED JANUARY, 1991

TIME TABLE AND GENERAL INFORMATION

GENERAL:

A special use permit is an allowed use in a zoning district that must receive permission to operate from the Board of Zoning Appeals in order to be an allowed use. These uses are limited to what is listed as special use permits in any particular zoning district.

TIMETABLE:

The length of time required for a special use permit to be approved will be approximately 60 to 75 days from the time the application is filed until the special use is legally in effect. After receiving the application for a special use, the Chairman of the Board of Zoning Appeals will schedule a public hearing. An official Public Notice of the hearing must appear in the newspaper at least 20 days prior to the hearing. Then the hearing is held and the Board of Zoning Appeals may or may not vote on the special use permit at that time. After an official vote is taken either at the hearing or at a meeting scheduled at a later date, there is a 30 day waiting period to allow anyone wanting to challenge the decision of the Board in District Court.

If there is no challenge in District Court the special use permit is legal and effective and you may proceed with your intended special use.

PROPERTY OWNER NOTIFICATION:

All owners of land located within two-hundred (200) feet of the property to be affected by the intended special use permit will receive written notice of the proposed special use permit [by mail] of the public hearing and will be given an opportunity to be heard at the hearing. Also a copy of such notice will be mailed to each member of the Zoning and Planning Commission.

FILING FEE:

For the purpose of helping to defray the cost of publication, property owner notification and other costs, the applicant, upon filing a request for special use, shall pay a fee in the amount of seventy (70) dollars. This fee is non-refundable once the public hearing date is set.

SUPPORTING DOCUMENTS, ETC.:

Please be sure to include with your application any information or documents you feel may be valuable to the Board in assisting them to render a decision. You should include six (6) copies each of the supporting documents, so they can be distributed to each of the Board Members prior to the hearing. Additionally you should be prepared to address any extraordinary conditions that might affect your application for a special use permit.

INFORMATION SOURCES:

Legal descriptions to properties may be obtained from the Recorder of Deeds Office, second floor, Jackson County Courthouse or from you copy of your deed for the property. Adjacent land use and zoning information can be obtained from the Holton Code Enforcement Office, City Hall, 430 Pennsylvania Ave., Holton, KS.

CITY OF HOLTON BOARD OF ZONING APPEALS

APPLICATION FOR SPECIAL USE PERMIT

APPLICANT: _____

ADDRESS: _____

NAME OF AGENT (if any): _____ Phone: _____

ADDRESS: _____

APPLICANTS INTEREST IN PROPERTY:

_____ Owner _____ Tenant _____ Other, _____

PRESENT USE OF PROPERTY: _____

PROPOSED USE OF PROPERTY: _____

PROPERTY LOCATION: _____

LEGAL DESCRIPTION:

Lot or Parcel: _____ Block: _____ Sub-division: _____ Other, _____

CURRENT ZONING DISTRICT AND USE: _____

PROPOSED ZONING DISTRICT AND USE: _____

ADJACENT ZONING AND LAND USE:

North: _____

North: _____

South: _____

South: _____

East: _____

East: _____

West: _____

West: _____

Explanation of the reasons for this special use permit:

Will this special use be consistent with the intent and purpose of the Holton Comprehensive Plan, and the Future Land Use Map [please explain]?

This application is made in accordance with Article _____ Section _____

Provide a drawing, plot plan, blueprint, plat or any other information that would be helpful to either Commission in evaluating this request.

The applicant/agent hereby declares that all information submitted is true to the best of his or her knowledge and that all information required for this request has been included within this application.

[Applicant / Agent Signature]

[Date]

[Zoning and Planning Officer]

[Date]

FOR OFFICIAL USE ONLY

Case Number: _____

Date Received: _____

Received by: _____

Date Notices Sent: _____

Date Advertised: _____

Public Hearing Date: _____

Board of Zoning Appeals Decision:

Reason for Decision:

Appealed to District Court? ____ Yes ____ No Date: _____

Decision of District Court:

Date of District Court Decision: _____