

**CITY OF TOPEKA PLANNING DEPARTMENT**

620 SE Madison Street, 3<sup>rd</sup> Floor  
Topeka, Kansas 66607

Office: (785) 368-3728  
Fax: (785) 368-2535

**APPLICATION TO THE  
BOARD OF ZONING APPEALS**

Variance/Exception

**Planning Office Use Only**

Case No. \_\_\_\_\_ | Hearing Date: \_\_\_\_\_

Filing Fee \$ \_\_\_\_\_

Zoning district: \_\_\_\_\_ Building height: \_\_\_\_\_ # of stories: \_\_\_\_\_

Parcel size: \_\_\_\_\_ Lot dimensions: \_\_\_\_\_

**Planning Office Use Only**

Make checks payable to "City of Topeka".

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Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
(Street) (City) (State) (Zip)

Property Address: \_\_\_\_\_

Legal Description: (use additional sheets if necessary)


**Action Sought:**

\_\_\_ A *variance* from a provision of the Zoning Ordinance (Section to be appealed: \_\_\_\_\_)

\_\_\_ An *exception* from a provision of the Zoning Ordinance (Section to be appealed: \_\_\_\_\_)

**Description of Action Sought:**


**Applicant offers the following as grounds for this action:** (In accordance with Section 48-34.10 of the Comprehensive Zoning Regulations, the Board of Zoning Appeals must determine that **ALL** of the following conditions governing unnecessary hardship have been met before a variance may be granted.) *All items must be addressed or the application will be deemed incomplete.*

1. That 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 of the property owner or applicant (*The problem must relate to the land. Community needs or personal hardships do not qualify as legitimate grounds for issuing a variance.*);


2. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;


3. That the strict application of the provisions of this chapter of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;


4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, property, or general welfare;


5. That granting the variance desired will not be opposed to the general spirit and intent of this chapter.


**Please attach additional sheet if necessary.**

# Authorization:

## Property Owner(s):

I/We the undersigned owner(s) of record hereby authorize the filing of this application and declare that all required materials are submitted along with this application and that the information and material is complete and accurate. I/We hereby acknowledge that all appropriate procedures, policies, and regulations have been reviewed and also understood that this application will be processed in sequence with respect to other submittals.

## Printed Name of Owner(s):


## Signature(s) of Owner(s):


## Authorized Agent:

If the owner(s) of record are to be represented by legal counsel or an authorized agent, please complete the following information so that communications and correspondence pertaining to this application may be forwarded to such individual.

Printed Name of Agent: \_\_\_\_\_

Signature of Agent: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
(Street) (City) (State) (Zip)

Phone Number: \_\_\_\_\_

\_\_\_\_\_  
Printed Name of Applicant

\_\_\_\_\_  
Signature of Applicant

## **Additional Requirements:**

At the discretion of the City Planning Staff, the applicant may be required to submit a site plan showing the subject property and the variance requested. This site plan may be required to identify some or all of the following items:

- Vicinity Map
- Scale equivalent to 1": 20'
- North Arrow
- Lot lines and dimensions
- All improvements located on the property
- All proposed improvements to the property
- Topography
- All dedicated easements on the property
- Building setback lines
- Property legal description
- A note detailing the proposed improvement
- Names and addresses of adjoining property owners
- Name and Address of Surveyor or Engineer
- Names and Right-of-way dimensions of adjacent streets
- Date of preparation
- Copy of Deed

It may be necessary to secure the services of a certified land surveyor or engineer in order to comply with the above stated requirements.

In addition to the above stated requirements, **PROOF OF OWNERSHIP MUST ACCOMPANY APPLICATION.**

**(This page does not need to be turned in with application.)**