



-----OFFICE USE ONLY-----

Permit No: _____

Fee: _____

Paid: _____

Receipt #: _____

Received By: _____

Permit is: ☐ transferable, ☐ transferable upon review/renewal (if staying in same zoning area)

Approved or Denied, Approved with Added Conditions: _____

Signature of Chair, Ellis Planning and Commission & Board of Zoning Appeals

Attest: _____
City Clerk

Dated this _____ day of _____, 20____.



**List of Documents for
Re-Zoning/Variances/Conditional Use Permits**
(To be given to applicant with application package)

- ___1. Proof of Ownership (deed/title insurance/real estate contract may be used for seller/buyer transactions, but current owner or designated representative must apply.)
- ___2. Written description of proposed use of the land to include size and footprint of buildings, the setbacks requested or existing, any roads to be constructed and proposed access to the property.
- ___3. Approval from the appropriate entity for ingress/egress on city, county, or state roads and highways.
- ___4. Site plan to include all footprint measurements of the lot, all buildings and requested or existing setbacks.

The above documents must be turned in to the city no later than 30 days before a scheduled public hearing. No major deviation from the original plan shall be permitted once submitted. Minor deviations (insignificant adjustments) may be approved by the zoning officer if submitted at least 10 days before the hearing.

Zoning Administrator shall do a synopsis of the project and how it does or does not meet all requirements.

Variations of the code shall not be reviewed at the same meetings/application as zoning changes. Zoning is approved or remanded back to PCBZA Board for reconsideration by council, and variations are approved by the Board of Appeals. Once Council has approved the zoning change, then applicant/new owner may apply for any variations required.

**PCBZA
Public Hearing Meeting Procedure**

Case # of 1st submission

- Chairman opens public hearing, stating type of permit requested and noting the time the hearing is opened.
 - Motion to Open Public Hearing for _____.
 - Staff Report on _____ Permit/Plan.
 - Questions from Committee to Staff.
 - Presentation by Applicant.
 - Opportunity for Public to speak.
 - Applicant Rebuttal.
 - Questions from Committee to Applicant, Public, or Staff.
 - Motion to Close Public Hearing.
- Chairman closes public hearing, noting the time the hearing is closed. All comments from the public cease.
- Committee now completes the Findings of Fact in accordance with action taken.
- Committee takes action upon request.
- Motion for Committee Representative to approve request as present or if required to present to City of Ellis Council after the Protest Period has expired.



Conditional Use Reference Sheet

(To be given to PCBZA Committee before Public Hearing)

Conditional uses may be allowed in the districts in which the proposed conditional use is provided for in Section 5.06 of the Ellis, Kansas Zoning Ordinance. A request for a conditional use must be submitted in writing to the Board of Zoning Appeals, and the application must include a detailed development plan that shows the proposed buildings and property that the use is requested for, along with how that requested use will be implemented.

A public hearing of the conditional use request is required. Publication notice shall be made in keeping with the notice provisions of a variance request.

The Board of Zoning Appeals may grant the conditional use request if the Board finds that the public health, safety, morals, and general welfare will not be adversely affected, that ample off-street parking facilities will be provided, and necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values. Conditional use permits/requests can be granted outright or have reasonable restrictions/conditions imposed on them.

The Board should consider the following non-exclusive factors in making this determination. It is NOT necessary for all of these factors to be present.

- ___ 1) Whether approval of the Conditional Use would be consistent with the intent and purpose of this Code.
- ___ 2) Whether the location of the proposed use is compatible to other land uses in the surrounding neighborhood.
- ___ 3) Whether the proposed use places an undue burden on the existing transportation and service facilities in the area affected and, if so, whether such additional transportation and service facilities can be provided.
- ___ 4) Whether the proposed use is made necessary or desirable because of changed or changing conditions in the area affected. (I would suggest that this consideration not include conditions which have been intentionally changed by the applicant in an effort to promote the conditional use.)
- ___ 5) The length of time the subject property has remained vacant or undeveloped as zoned.
- ___ 6) Whether the applicant's property is suitable for the proposed use.
- ___ 7) Recommendations of permanent staff or professional consultant of the City.
- ___ 8) Whether the proposed Conditional Use would be in conformance to and further enhance the implementation of the Comprehensive Plan.
- ___ 9) Whether the relative gain to the public health, safety, and general welfare outweighs the hardship imposed on the applicant by not upgrading the value of the property by approving the proposed Conditional Use.
- ___ 10) Whether the proposed Conditional Use, if it complies with all the conditions upon which the approval is made contingent, will not adversely affect the property in the area affected; and,
- ___ 11) Such other factors as may be relevant from the facts and evidence presented in the application.

The factors that the Board relied on in making their determination should be stated in the motion to approve or deny.