

VARIANCE

IN ORDER TO FILE AN APPLICATION FOR A VARIANCE, THE APPLICANT SHALL:

1. Submit a complete and signed General Application for a Variance.
2. **Provide a complete and correct ownership list (form(s) attached) of all the owners of record for the property for which the Variance is requested, and for all property located within 200 feet of the property boundaries on which the Variance is proposed. If the property is adjacent to the City limits or outside the City limits, the notification boundary shall be extended to 1,000 feet in the unincorporated area. Ownership information must be typewritten.**

An owner of record shall mean any person or entity who is reflected as the most recent owner or owners of property as documented in (1) the Riley County Register of Deeds or (2) the Riley County District Court, or (3) the Pottawatomie County Register of Deeds, or (4) the Pottawatomie County District Court, or any combination thereof. The applicant should contact these offices, as appropriate by County, in order to complete the attached boundary ownership list.

The ownership list shall be typed either on the attached form(s) or shall follow the format as shown on the attached form(s). Lists from a professional service, or any other source, must be submitted either on the attached form(s) or put in the equivalent format.

Submit the ownership map which is prepared by the City and provided to the applicant. The City of Manhattan will rely on the list provided by the applicant and will not check to verify its correctness. It may be prudent for the applicant to obtain the owner of record information from professional services which are available locally. The fee for those services are to be paid by the applicant.

3. Provide a complete and correct legal description of the property for which the Variance is requested. The legal description must be typewritten, readable and reproducible.
4. Pay the Variance fee of \$120.
5. An acceptable Site Plan shall be legible, accurate, and shall show the following information:
 - (a) North arrow;
 - (b) Engineer or architect scaled drawing (for example, 1/4" = 1');
 - (c) Property lines;
 - (d) Adjacent streets (names), alleys and sidewalks;
 - (e) Public or private easements on the property;
 - (f) Existing building setbacks;
 - (g) Proposed building setbacks;

- (h) Dimensions of existing and proposed improvements;
 - (i) Location of Flood Plain, if necessary;
 - (j) Location of existing and proposed drives and parking;
 - (k) Location of existing and proposed structures, additions or other improvements;
 - (l) Elevation and dimensioned drawings of proposed building, signs or other improvements;
 - (m) Existing and proposed landscaping;
 - (n) Name and address of owner of the property;
 - (o) Name and address of consultant (engineer, architect, land surveyor, etc.); and,
 - (p) Date the Site Plan was prepared.
6. Provide one set of 8½ by 11 inch readable and reproducible reductions of all drawings, once corrections or changes, if necessary, are made to the Site Plan and/or drawings.
7. A written explanation of what the proposed project consists of and why a Variance is requested. The explanation should be in sufficient detail for the Board of Zoning Appeals to completely and clearly understand the project.
8. Provide a written response to the following statements:
- (a) The Variance requested arises from a condition, or conditions which are unique to the property in question and which are not ordinarily found in the same zoning district, and were not created by an action or actions of the property owner or the applicant;
 - (b) That the granting of the Variance will not adversely affect the rights of adjacent property owners or residents;
 - (c) That the strict application of the provisions of the regulations from which a Variance is requested will constitute an unnecessary hardship upon the property owner represented in the application;
 - (d) That the Variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and
 - (e) That granting the Variance desired will not be opposed to the general spirit and intent of these regulations.
9. Obtain a Notice of Public Hearing Yard Sign and Instructions from the Community Development Department and post the sign on the property at least 20 days prior to the public hearing.
10. On the day of the public hearing, come to the Community Development Department, prior to 5 PM, and sign the Yard Sign Affidavit.

Requests will not be scheduled for a public hearing if applications and attachments are incomplete or unsigned. If you have any questions about the application or the information required please contact the Community Development Department before submitting the application.

THE SITE PLAN IS NOT CONCEPTUAL. BUILDINGS, STRUCTURES, PARKING AREAS AND ALL OTHER IMPROVEMENTS, INCLUDING LANDSCAPING, SHALL BE PROVIDED AS APPROVED BY THE BOARD OF ZONING APPEALS.

Prior to making any improvements, it is the applicant's responsibility to contact the Code Services Department (587-4506) to determine what building and fire codes apply and if a building permit is needed.