

## **City of Ottawa Community Development Department**

101 S. Hickory, P. O. Box 60  
Ottawa, KS 66067  
(785) 229-3620 Fax (785) 229-3625  
[www.ottawaks.gov](http://www.ottawaks.gov)

### **Appeals Procedures and Application**

The Board of Zoning Appeals shall have the power to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of these regulations.

Appeals to the board may be taken by the person aggrieved, or by any officer, department or bureau of the government affected by any decision of the Zoning Administrator. Such appeal shall be filed with the Zoning Administrator within sixty (60) days after a ruling has been made by the Zoning Administrator. The Zoning Administrator shall transmit to the secretary of the board all papers constituting the record upon which the action appealed from is taken.

An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the board, after the notice of appeal has been filed, that a stay would, in the opinion of the Zoning Administrator, cause imminent peril to life or property.

#### **The procedure for requesting a hearing before the board shall be as follows:**

1. All applications to the board shall be in writing on forms provided by the Zoning Administrator and shall be filed within sixty (60) days after a ruling has been made by the Zoning Administrator.
2. A copy of the order, requirement, decision or determination of the Zoning Administrator which the applicant believes to be in error shall be submitted along with a clear and accurate written description of the proposed use, work or action in which the appeal is involved, and a statement justifying the applicant's position. When necessary the Zoning Administrator may require any legal description submitted as part of an application to be certified by a registered surveyor, a plot plan, drawn to scale, in duplicate showing existing and proposed plans for the area in question shall be submitted.
3. An application filing fee of **\$100.00** shall accompany the application.
4. The Zoning Administrator shall determine whether the filed application is complete.
5. The Zoning Administrator will create the required ownership list of the names and addresses of the owners of all property located within two hundred (200) feet of the city limits and within one thousand (1,000) feet of the county boundaries of the property included in the application.
6. The board shall fix a reasonable time for the hearing of an application and notice of the time, place and subject of each hearing shall be published in the official city newspaper at least twenty (20) days prior to the date fixed for the public hearing. A copy of the notice of public hearing shall be sent to each party of interest and each person on the ownership list fifteen (15) days prior to the hearing.

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**Appeals Application Form**

Date Filed: \_\_\_\_\_

**Fee:** \$100.00

List Article # and Section # of the Zoning Ordinance, and the basis for the appeal. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

1. Name of Applicant \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone # \_\_\_\_\_ Fax \_\_\_\_\_

2. Name of Authorized Agent (if applicable) \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone # \_\_\_\_\_ Fax \_\_\_\_\_

3. Relationship of Applicant to property is: Owner [ ] Tenant [ ] Lessee [ ] Other [ ]

4. Property Address \_\_\_\_\_

5. Legal Description \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. The applicant/agent hereby declares that all information submitted is true to the best of his knowledge and that all information required for this request has been included and that the date of the Public Hearing has be conveyed to the applicant/agent.

PUBLIC HEARING DATE: \_\_\_\_\_

APPLICANT:

AUTHORIZED AGENT:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Attachment(s):      Yes    No

=====

OFFICE USE ONLY

Date received: \_\_\_\_\_

Received by: \_\_\_\_\_

Fee paid: \_\_\_\_\_

Board action: \_\_\_\_\_

Date of action: \_\_\_\_\_