

## ZONING CHANGE FORM REZONING SCHEDULE

This process takes place over a 60-90 day period. If any of the notices or publications are missed due to any reason, the process must be restarted.

Applicant submits rezoning application to Zoning Administrator. Application must include list of owners and fee. No action will start until ALL information is received. **Applicant must be present for hearing.**

Notice will be published in the Ulysses News 20 days prior to the Planning Commission meeting. The Planning Commission meets on the 3rd Thursday of each month. Special meetings are not called for rezoning issues.

Notices will be mailed to all adjacent landowners 20 days prior to the Planning Commission meeting.

Planning Commission holds hearing and makes recommendation to the governing body to approve or deny the rezoning request. 14-Day protest period must lapse prior to Governing Body action.

The City Council reviews the Planning Commission's recommendation and acts on the request by ordinance and resolution. The County Commissioner's are notified of the action at their next scheduled meeting.

The ordinance/resolution is published in the Ulysses News following city approval and county endorsement. Rezoning final after publication.

Protestors may appeal to district court within 30 days of effective date.

## **GENERAL INSTRUCTION FOR COMPLETING AN APPLICATION FOR A ZONING CHANGE**

1. Each applicant should **consult** with the Planning Staff **prior** to submitting an application to obtain the necessary information and processing requirements.
2. **Each item on forms A & B must be completely answered or the application will not be processed for public hearing.** The authority to determine the completeness of an application rests with the Zoning Administrator. Therefore, it is of prime importance to you that **all** items and questions be completed in full before submission to the Planning and Zoning office.
3. The application consists of Form A and Form B. The following is a checklist of information required:

### **Form A: Application.**

a. Describe **only** the property you desire rezoned. Since this description is **published** in the **legal section** of the official newspaper, the description of the lots, blocks and subdivision must be **correct** and all metes and bounds descriptions must close.

b. The policy of this office in accepting applications for the above shall be as follows without exception: The application shall be endorsed by the owner or owners of record. Owners of record shall mean the owner or owners as contained on the last deed of record filed with the Register of Deeds, Grant County, Kansas, or a Certificate of Power-of-Attorney, duly notarized, from the owner or owners of record to the person, representative, agent, firm, company or corporation who is filing such application on behalf of the owner or owners. Where an application does not meet one of the above stated conditions, the applicant shall be provided a fourteen (14) day period in which to comply. Failure to comply shall void any further processing of the application.

### **Form B: Justification.**

a. Form B is provided for your use in submitting justification and data to support your application. This information should be answered to the best of your ability.

4. In addition to the information required on Forms A & B; a Certificate of Ownership is also required. **This Certificate of Ownership shall be submitted with the Application for Rezoning.** A Certificate of Ownership is:

a. In the City - a listing of all property owners of record, within two hundred (200) feet of the property if the site is within the City or within one thousand feet (1,000) of the property if the site is outside the city limits of the property proposed for rezoning. When the site is adjacent to the city limits, the notification area shall be extended to one thousand feet (1,000) in the unincorporated area. The foregoing dimensional distance also represents the limits of the legal protest areas, as set forth by Kansas Statutes. The Certificate of Ownership will enable the Planning Commission to give written notice to property owners prior to the Public Hearing. Failure to provide written notice will **invalidate** an application. The procedure for securing a Certificate of Ownership for rezoning is as follows:

- (1) Present your legal description to the Zoning Administrator at your earliest possible convenience and preferably three weeks in advance of the submission of the Application for A Zoning Change.

(2) The Zoning Administrator will prepare a Vicinity Map from your legal description. The Vicinity Map will set forth the property proposed for rezoning, and the land area within the appropriate legal protest area, for which a Certificate of Ownership is required.

(3) The completed Vicinity Map should be secured from the Zoning Administrator and presented to any Abstract Company requesting that a Certificate of Ownership be prepared.

(4) The completed Certificate of Ownership should then be presented to the Zoning Administrator with the Application for A Zoning Change.

(5) The foregoing is an obligation of the applicant and a prerequisite to acceptance of an Application for Rezoning.

**5. It is the policy of the Planning Commission to require the subdividing of unplatted property as a prerequisite in considering rezoning applications.**

6. Zoning applications should be submitted to the Planning Department office approximately 40 days prior to public hearing date so they may be properly processed and advertised, as provided for by State Statute, prior to public hearing. The applicant should **verify** the deadline date for his application with the Planning Department.

7. Zoning applications are considered at public hearings. Consult the Zoning Administrator as to the schedule for the prearranged date, time, and meeting place for said hearings. Applicant must be present for the hearing.

8. Applications for proposals must be accompanied by Filing Fees. Due to costs incurred in legal advertising and processing of applications, said Filing Fees **shall not be refunded** regardless of application approval or disapproval. Rezoning fee schedules are available in the Zoning Administrator's office. Fees for rezoning shall be made payable to: **City of Ulysses**.



**ZONING CHANGE APPLICATION  
FORM A**

1. Owner: \_\_\_\_\_ Phone: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Agent: \_\_\_\_\_ Phone: \_\_\_\_\_

2. Address of premises: \_\_\_\_\_

3. Legal description of premises:

4. Subdivision Name: \_\_\_\_\_  
(If unplatted, attach metes and bounds description)

5. Improvements on premises:  
\_\_\_\_\_  
\_\_\_\_\_

6. Current Use of premises: \_\_\_\_\_  
Desired Use: \_\_\_\_\_

7. Current Zoning: \_\_\_\_\_  
Requested Zoning: \_\_\_\_\_

8. Area of property, square feet and/or acres: \_\_\_\_\_

9. Are there any covenants of record, which prohibits the proposed development? \_\_\_\_\_

\*\* Important: The applicant or an authorized representative must be present at the public hearing.

\$100.00 fee

\_\_\_\_\_  
Date Owner or Agent

The owner(s) of record hereby submits this completed application including Forms A and B, the Certificate of Ownership for an amendment to the District Zoning Map and acknowledges that all appropriate procedures and regulations have been reviewed and are understood fully by the owner(s) of record.

(Please Attach Any Additional Information)

ZONING CHANGE APPLICATION  
FORM B  
JUSTIFICATION

1. Describe, in summary, the proposed development of the subject property.

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2. Explain in summary, what effect the development will have on:

a. The surrounding properties: \_

b. The public schools: \_

c. The public utilities: \_\_\_\_\_

1. Water:

2. Sewer

3. Flooding and Storm Drainage:

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d. The roads, highways, and traffic patterns: \_\_\_\_\_

e. The fire and police protection:

f. The refuse collection system: \_

g. The general environment including, but not limited to, water and air  
quality: \_\_\_\_\_

3. Explain your reasons for rezoning this property rather than utilizing land presently zoned to allow for the proposed development.

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