



BOARD OF ZONING ADJUSTMENTS PROCESS

case to the Board, FULLY describing the situation and the variance criteria (see Statement of Variance Criteria).

- Any evidence presented to the Board will become public record and must be provided in duplicate to the City or tagged as an exhibit at the hearing.

Board's Authority

- The Board of Zoning Adjustment may grant a variance, only if application of the UDO when applied to a particular property, would significantly interfere with the use of the property.
- The Board's authority is limited by the statutes of the State of Missouri and the UDO. The Board may only grant a variance if, in its discretion, each of the variance criteria is met (See Statement of Variance Criteria). It is the applicant's responsibility to demonstrate to the Board that each of these criteria have been met. The Board may evaluate the evidence in the record before it, and exercise its discretion on whether each of these criteria has been met on a case by case basis.

The person completing the application must sign below.


SIGNATURE

Tara Atkins
PRINT NAME HERE



NON-USE VARIANCE APPLICATION FORM

Application No. _____

APPLICATION IS HEREBY MADE TO THE BOARD OF ADJUSTMENTS OF THE CITY OF LEE'S SUMMIT, MISSOURI, REQUESTING A VARIANCE TO THE UNIFIED DEVELOPMENT ORDINANCE, AS SET FORTH BELOW,

VARIANCE REQUEST (Give description of variance(s) requested) We are requesting

a variance in our side yard setback. Our
lot is irregular shaped and our house is set angled on the lot.

PROPERTY ADDRESS 3603 SW Crane Rd LS Mo 64082

LEGAL DESCRIPTION Sec 6.040 - Minimum principal

building setbacks. Ag. sideyard 50ft.

APPLICANT Tara Atkins PHONE 816-682-2822

CONTACT PERSON Tara Atkins FAX _____

ADDRESS 3603 SW Crane Rd CITY/STATE/ZIP LS Mo 64082

E-MAIL taraatkins@yahoo.com

PROPERTY OWNER Jason + Tara Atkins PHONE 816-682-2822

CONTACT PERSON Tara Atkins FAX _____

ADDRESS 3603 SW Crane Rd CITY/STATE/ZIP LS Mo 64082

E-MAIL taraatkins@yahoo.com


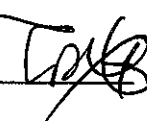
THIS APPLICATION MUST BE ACCOMPANIED BY:

- Acknowledgement of the Board of Adjustment Process.
- One set of drawings to clearly indicate the requested variance in relation to the property and/or structures. These could include plot plan, plat, site plan, survey and/or building elevation(s).
(Note: These drawings must be able to be clearly read as well as being reproduced. If the drawings are larger than 11" by 17", a smaller copy of the drawings shall also be provided.)
- Statement of Non-use Variance Criteria.
- Application filing fee and legal notice publishing charge, payable to the City of Lee's Summit - see Schedule of Fees and Charges found on www.cityofls.net. One legal notice is required for a variance. A single payment covering the application fee and legal notice charge may be accepted. An application may be withdrawn at any time upon written request; however, no refund will be made after the initial publication.



NON-USE VARIANCE APPLICATION FORM

The application must be signed by the legal property owner AND the applicant, if other than the owner. The property owner may grant permission for the filing of the application by means of a signed and notarized affidavit to that effect.


PROPERTY OWNER
Tara Atkins 
APPLICANT
Print name here: JASON ATKINS + TARA ATKINS

Receipt #: _____ Date Filed: _____ Processed by: _____ Application # _____



STATEMENT OF VARIANCE CRITERIA (NON-USE)

In accordance with Section 2.530.B.3 of the Lee's Summit Unified Development Ordinance, the applicant must meet each of the following requirements to support the granting of the requested variance. **Failure to complete each may result in an incomplete application.** Explain **IN DETAIL** how this application meets each of the following requirements.

1. The granting of the variance will not adversely affect the rights of adjacent property owners or residents.

The granting of this variance will not block any view. It will not inhibit any green space. In the contrary, it will positively increase the value of our neighbors homes and properties.

2. The granting of the variance will not be opposed to the general spirit and intent of the ordinance from which the variance is sought.

No. This variance will bring our property more in line with properties in this area.

3. The variance requested will not adversely affect the public health, safety, morals, or general welfare of the community.

This variance will have no adverse affects on the community health, safety and welfare. It will uplift the neighborhood and the 150 corridor.

4. The variance requested arises from a condition which is unique and peculiar to the property in question and which is not ordinarily not found in the same zone or district, and further, is not created by an action or actions of the property owner or applicant.

Our lot is an irregular shape. The existing



LEE'S SUMMIT MISSOURI

STATEMENT OF VARIANCE CRITERIA (NON-USE)

house is set crooked on this irregular lot. At 894 sq ft. this house is smaller than all others and is a detriment to real estate values.

5. Substantial justice will be done by the granting of this variance.

This variance will enhance the landscape of this 150 corridor, the property will be brought up to date and be a substantial property for Lee's Summit. As well as allowing our family to have room to breathe.

Further, in accordance with Section 2.530.B.2 of the Lee's Summit Unified Development Ordinance, the applicant must meet each of the following requirements to support the granting of the requested non-use variance. Explain **IN DETAIL** how this application meets each of the following requirements.

1. Practical difficulties exist that would make it impossible to carry out the strict letter of the Unified Development Ordinance when considered in light of the following factors:

- a. How substantial the requested variation is, in relation to the requirement of the Ordinance.

We will be able to keep our daughter in her school, and live where we love and have been our whole lives. The addition must be to the NW of our house for construction and aesthetics. All other possibilities for the addition have been surveyed.

- b. The effect of increased population density, if any, on available public facilities and services, if the variance is allowed.

There will be no increase of population.

- c. Whether a substantial change will be produced in the character of the neighborhood, or whether a substantial detriment to adjoining properties will be created if the variance is allowed.

This variance will allow us to enhance the character of our home, it will be more fitting with the neighbors to our North, West and South and all of Pryor Rd.

STATEMENT OF VARIANCE CRITERIA (NON-USE)

- d. Whether it is feasible for the applicant to pursue a method, other than a variance, to obviate the practical difficulty.

To enlarge our house the addition must be built for construction and aesthetics to the west/northwest. The septic tank and laterals in the back prevent building on in the back. The structure of the house does not allow to build upon vertically. It is not feasible to build an angled addition to follow the property line.

- e. Whether the interests of justice will be served by allowing the variance, in view of the manner in which the practical difficulty arose in consideration of all of the above factors.

To allow this property to catch up with the current trends, specifically the corridor overlay in place to improve this corner of Lee's Summit. The interests of justice will be served. Adjoining neighborhoods (Arbor Walk) allow for side yard setbacks as little as 3 ft.

- f. Conditions of the land in question, and not conditions personal to the landowner. (The Board will not consider evidence of the applicant's or landowner's personal financial hardship unrelated to any economic impact on the land.)

This property, 3603 SW Crane Rd, is an irregular shaped lot, the existing house is angled

This sheet must be signed by the person completing this sheet.


SIGNATURE

Tara Atkins
PRINT NAME HERE