

***The City of Roeland Park,
Kansas***



**APPLICATION FOR
SPECIAL USE PERMIT**

**Ordinance
and
Application Form**



The City of Roeland Park, Kansas

City Hall (913) 722-2600 – Fax (913) 722-3713

Date filed: _____
Case no.: _____

Special Use Permit Application

5-207

FEE: Each application for a special use permit shall be accompanied by an application fee. The fee for 0 to 5 acres is \$250.00, 5+ to 10 acres is \$350.00, 10+ acres is \$500.00.

Applicant _____ Phone _____

Address _____

Property owner _____ Phone _____

Property Owner's Address _____

Range _____ Township _____ Section _____ Quadrant _____

Legal description – (Attach - legal description must be typed).

Zoning classification of property _____

Present use of property _____

Reasons for Special Use Permit request _____

Requested length of time/hours of operation _____

Surrounding Land Use and Zoning:

	<u>Land Use</u>	<u>Zoning</u>
North	_____	_____
South	_____	_____
East	_____	_____
West	_____	_____
Applicant signature	_____	Date _____

Any signs/structures being used: Y () N ()

If yes, describe: _____

_____ A letter from the property owner or manager, if different from the applicant

Applicant signature _____ Date _____

Approved By: _____ Date: _____
If declined, reason why: _____

PROOF OF OWNERSHIP AFFIDAVIT

STATE OF _____)
) SS
COUNTY OF _____)

_____, being first duly sworn upon his/her oath deposes and states as follows:

(1) [FILL IN ONLY IF APPLICATION SUBMITTED ON BEHALF OF THE LEGAL OWNER]

(Name of owner signing Affidavit; if owner is a corporation or business, name of individual signing Affidavit, capacity and exact name and legal status of said corporation or business)

is/are the legal owner/authorized official of the legal owner of the property that is the subject of Rezoning No. _____/Special Use Permit No. _____/(Other)_____
_____. (ALL OWNERS OF RECORD MUST FILE AN AFFIDAVIT).

(2) [FILL IN ONLY IF APPLICATION SUBMITTED ON BEHALF OF A CONTRACT PURCHASER]

That _____

(Name of contract purchaser signing Affidavit; if a corporation or business, exact name and legal status of said corporation or business)

is the holder of a contract to purchase the property that is the subject of Rezoning No. _
_____/Special Use Permit No. _____/(Other)_____
_____ from the owner(s) and is therefore a "landowner" within the meaning of the Zoning Regulations.

Signature

Subscribed and sworn to before me this _____ day of _____, 200_

Notary Public

My commission expires:

Excerpt of Roeland Park City Code, Chapter 5, Article 2

5-207. SPECIAL USE PERMIT REQUIRED. Before any business described in this article shall be conducted within the city limits of the city, the applicant shall obtain from the city council a special use permit as provided herein.

(a) The city council shall grant the applicant a special use permit if the city council finds all of the following:

(1) The use, as proposed by the applicant, if permitted, will comply with all applicable laws, including, but not limited to, the city's building, zoning and health regulations;

(2) The use, as proposed by the applicant, if permitted, would be in harmony with the intent and purpose of the city's zoning law or comprehensive plan.

(3) The use, as proposed by the applicant, if permitted, would be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions, and number of similar uses.

(4) The use, as proposed by the applicant, if permitted, will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood, and will cause no objectionable noise, vibration, fumes, odors, dust, glare or physical activity.

(5) The use as proposed by the applicant, if permitted, would have no detrimental effect on vehicular or pedestrian traffic.

(6) The use, as proposed by the applicant, if permitted, would not adversely affect the health, safety, security, morals, or general welfare of residents, visitors, or workers in the area.

(7) The use, as proposed by the applicant, if permitted, would not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.

(b) In addition to the foregoing findings required to grant a special use permit the city council may deny a special use permit for the particular business, if the city council finds any of the following:

(1) The applicant has knowingly made any false, misleading or fraudulent statement of fact in the permit application or in any document required by the city in conjunction therewith.

(2) The applicant, if an individual, or any of the stockholders holding more than 10% of the stock of the corporation, any of the officers or directors, if the applicant is a corporation; or any of the partners, including limited partners, if the applicant is a partnership; and the manager or other person principally in charge of the operation of the business, have been convicted of any crime involving fraud, deceit, theft of property, possession of stolen property or similar crime, unless such conviction occurred at least five years prior to the date of the application.

(3) The applicant has had a similar permit denied, suspended or revoked by any city, state or local agency within five years to the date of the application.

(Ord. 523, Sec. 6)