

Criteria for Reviewing Variances and Deviations

OVERLAND PARK

K A N S A S

ABOVE AND BEYOND. BY DESIGN.

Current Planning Division

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In consideration of a variance (Board of Zoning Appeals) or a deviation (Planning Commission), the following criteria, as outlined in the Unified Development Ordinance, must be considered. A request for a variance or deviation may only be granted upon a finding that all of the conditions have been met.

1. That the request arises from a condition which is unique to the property in question, is not ordinarily found in the same zoning district, and is not created by an action or actions of the landowner or the applicant.
2. That the granting of the request will not adversely affect the rights of adjacent landowners or residents.
3. That the strict application of the provisions of the ordinance would constitute unnecessary hardship upon the landowner represented in the application.
4. That the request will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.
5. That granting the request will not be opposed to the general spirit and intent of the Unified Development Ordinance.