



# **Forms & Procedures**

## **Planning Commission / Board of Zoning Appeals**

**City of Pittsburg, Kansas  
201 W 4<sup>th</sup> Street  
PO Box 688  
620-231-4100  
[www.pittks.org](http://www.pittks.org)**

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## Application Packet Instructions

All forms must be completed in accordance with the directions on the following instruction sheets and filed with the Zoning Administrator:

Zoning Administrator  
City Hall  
201 W 4<sup>th</sup>  
PO Box 688  
Pittsburg, KS 66762

Incomplete applications **will not** be accepted.

A separate application form and filing fee is required for each application.

A pre-application conference with the Zoning Administrator is **strongly recommended** before filing any application.

**All application materials are due by 12:00 pm (noon) on the Filing Deadline.**

The Planning Commission/Board of Zoning Appeals is a seven-member, non-partisan body appointed by the Pittsburg City Commission. The Planning Commission/Board of Zoning Appeals meets at 5:30 pm on the fourth Monday of each month. Meetings are held in the Municipal Court Room, at the Beard-Shanks Law Enforcement Center, 201 N Pine, Pittsburg, KS.

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# Zoning Change

# Procedure to Apply for a Zoning Change

## Application Requirements

At a minimum, all applications must include the following to be accepted:

- Completed Application Form
- Fully-Executed Owner Authorization Form (if applicable)
- Certified Ownership List of Properties within 200 feet
- Copy of the plat of record for the property, indicating the location of the proposed zoning change
- \$185 Non-Refundable Filing Fee
- Development Plan (applicable to zoning changes to PUD, Planned Unit Development)

Additional information may be requested. The applicant is responsible for meeting all applicable City, County, State, and Federal Codes in their submission.

## Application Fee:

Please provide a check made payable to “The City of Pittsburg, Kansas” in the amount of \$185.00 to apply for a zoning change. This check shall accompany the completed application and is **non-refundable**. The application fee covers staff work and publication costs for the required legal notices.

Separate applications and fees are required for each requested area as described in the legal description.

## Timeline

A Zoning Change will take a minimum of 90 days.

## **Zoning Change Process**

1. The completed application and required supporting documentation is received by the Zoning Administrator.
2. The Zoning Administrator schedules a Public Hearing to be held by the Planning Commission/Board of Zoning Appeals (PC/BZA).
  - a. Utility companies and individuals who own property within 200 feet of the property proposed to be re-zoned are notified by mail of the Public Hearing.
  - b. A notice announcing the Public Hearing is published in The Morning Sun.
3. The Public Hearing will be conducted in the following manner:
  - a. The PC/BZA will open the public hearing.
  - b. All presentations, remarks, questions, etc., shall be addressed directly to the PC/BZA.
  - c. The applicant will be heard first.
  - d. Those in favor of the zoning change will be heard second.
  - e. Those in opposition to the zoning change will be heard third.
  - f. Each side will be given an opportunity for rebuttal.
  - g. The PC/BZA will close the Public Hearing.
4. At the conclusion of the Public Hearing, the PC/BZA will make such findings of fact and make a recommendation to be forwarded to the Pittsburg City Commission.
5. Fourteen (14) days must elapse after the Public Hearing to allow for protest, which shall be filed in the City Clerk's Office, 201 W 4<sup>th</sup> Street, PO Box 688, Pittsburg, KS 66762.
  - a. If the protest is duly signed and acknowledged by the owners of twenty percent (20%) or more of any real property located within two hundred (200) feet of the boundaries of the property proposed to be rezoned, such amendment shall not be passed except by at least three-fourths (3/4) vote of the members of the City Commission.
6. The City Commission will consider the recommendation of the PC/BZA at their first regular meeting following the fourteen (14) day protest period.
7. If the City Commission approves the zoning change, they will refer to the matter to the City Attorney for the preparation of an Ordinance to change said zoning.
8. The City Commission will approve or disapprove the Ordinance.
9. The zoning change is not official until the Ordinance is approved by the City Commission and published in the official City newspaper (The Morning Sun).

## **Additional Zoning Change Information**

Please refer to Article 37 of the Pittsburg Zoning Ordinance and Subdivision Regulations for additional information regarding zoning changes (see page 95 in this packet).

## **City Staff Review**

The following steps are to be completed by City Staff and are included for applicant reference only.

### **Access Impacts**

Will the proposed zoning change impair access to a public street by any adjoining property owners?

### **Utility Impacts**

Will the proposed zoning change impair the ability of utility companies to deliver services to the adjoining properties and surrounding areas?

- Water
- Sanitary Sewer
- Stormwater
- Gas
- Electric
- Telephone
- Cable

### **Rights Preservation**

Should the zoning change reserve any City of Pittsburg rights?

### **Public Notification**

Were mailings sent to property owners within 200 feet and all utility companies a minimum of 20 days prior to the Public Hearing?

Was a Notice of Public Hearing published in The Morning Sun a minimum of 20 days prior to the Public Hearing?





**Return Completed Application to:**  
 Zoning Administrator  
 201 W 4<sup>th</sup> Street  
 Pittsburg, KS 66762

Case No.: \_\_\_\_\_  
 Date Filed: \_\_\_\_\_  
 Date Paid: \_\_\_\_\_  
 Publication Date: \_\_\_\_\_  
 PC/BZA Date: \_\_\_\_\_

## Zoning Change Application

### Applicant's Information

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Property Owner's Information

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Property Information

Property Address: \_\_\_\_\_

Property's Current Zone: \_\_\_\_\_ Property's Proposed Zone: \_\_\_\_\_

Property's Current Use:    Commercial    Residential    Industrial    Vacant

Property's Desired Use:    Commercial    Residential    Industrial    Vacant

Use and Zoning of Adjacent Properties:

	North	South	East	West
Use:				
Zoning:				

Reasons for Zoning Change: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Legal Description of Property: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Owner's Certification**

I/we acknowledge the receipt of the instruction packet explaining the method of submitting this application. I/we realize that this application cannot be processed unless it is completed in its entirety, is accompanied by all required supporting documentation as required in the instruction packet, and is accompanied by the appropriate, non-refundable fee.

I/we further certify that the foregoing information is true and correct to the best of my/our knowledge. If my/our request is granted, I/we will complete construction in accordance with plans submitted and approved by the Planning Commission/Board of Zoning Appeals (PC/BZA).

I/we authorize unannounced inspections of the subject property by City staff for the purpose of collecting information to review and analyze this request. I/we acknowledge that the PC/BZA and the Governing Body of the City of Pittsburg, Kansas, shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

This application must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the Owner Authorization form to this application.

**Office Use Only**

Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_

Approved       Denied

Conditions of Approval/Reasons for Denial

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Zoning Administrator

(seal)



# Variance

# Procedure to Apply for a Variance

## Application Requirements

At a minimum, all applications must include the following to be accepted:

- Completed Application Form
- Legal description prepared by a registered Land Surveyor
- Fully-Executed Owner Authorization Form (if applicable)
- Certified Ownership List of Properties within 200 feet
- Copy of the plat of record for the property, indicating the location of the proposed variance
- \$125 Non-Refundable Filing Fee
- Proposed structure plan to include the location of the proposed structure on the lot, measurements from the property line, and the distance between the proposed structure and structures on adjacent lots on the block.

Additional information may be requested. The applicant is responsible for meeting all applicable City, County, State, and Federal Codes in their submission.

To qualify for a variance, the applicant must first prepare a plan for the proposed structure and submit the plan to the Building Official. If the Building Official finds that the proposed structure does not conform to yard or height regulations, he or she will refuse to issue a building permit. The refusal to issue a building permit on the basis that the proposed structure does not comply with the Zoning Ordinance authorizes the application process for a variance.

## Application Fee:

Please provide a check made payable to “The City of Pittsburg, Kansas” in the amount of \$125.00 to apply for a variance. This check shall accompany the completed application and is **non-refundable**. The application fee covers staff work and publication costs for the required legal notices.

Separate applications and fees are required for each requested area as described in the legal description.

## Timeline

A Variance will take a minimum of 40 days.

## **Variance Process**

1. The completed application and required supporting documentation is received by the Zoning Administrator.
2. The Zoning Administrator schedules a Public Hearing to be held by the Planning Commission/Board of Zoning Appeals (PC/BZA).
  - a. Utility companies and individuals who own property within 200 feet of the proposed variance are notified by mail of the Public Hearing.
  - b. A notice announcing the Public Hearing is published in The Morning Sun.
3. The Public Hearing will be conducted in the following manner:
  - a. The PC/BZA will open the public hearing.
  - b. All presentations, remarks, questions, etc., shall be addressed directly to the PC/BZA.
  - c. The applicant will be heard first.
  - d. Those in favor of the variance will be heard second.
  - e. Those in opposition to the variance will be heard third.
  - f. Each side will be given an opportunity for rebuttal.
  - g. The PC/BZA will close the Public Hearing.
4. At the conclusion of the Public Hearing, the PC/BZA will make such findings of fact and make a recommendation to be forwarded to the Pittsburg City Commission.
5. The City Commission will consider the recommendation of the PC/BZA at their first regular meeting following the PC/BZA meeting.
6. The City Commission will approve or disapprove the variance.

## **Additional Variance Information**

Please refer to Article 34, Section 103, of the Pittsburg Zoning Ordinance and Subdivision Regulations for additional information regarding variances (see page 89 in this packet).

## **City Staff Review**

The following steps are to be completed by City Staff and are included for applicant reference only.

### **Access Impacts**

Will the proposed variance impair access to a public street by any adjoining property owners?

### **Utility Impacts**

Will the proposed variance impair the ability of utility companies to deliver services to the adjoining properties and surrounding areas?

- Water
- Sanitary Sewer
- Stormwater
- Gas
- Electric
- Telephone
- Cable

### **Rights Preservation**

Should the variance reserve any City of Pittsburg rights?

### **Public Notification**

Were mailings sent to property owners within 200 feet and all utility companies a minimum of 20 days prior to the Public Hearing?

Was a Notice of Public Hearing published in The Morning Sun a minimum of 20 days prior to the Public Hearing?

## Variance Requirements

The following checklist of questions and/or criteria shall be considered by the Planning Commission/Board of Zoning Appeals (PC/BZA) members while considering a variance request.

Criteria	Yes	No
Are there conditions which exist in respect to the property or structure being considered which are different from other properties or buildings in the neighborhood (i.e. small lot size, unusual grade, easements, rights-of-way, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>
Has such condition or circumstance being created by action or actions of the property owner or the applicant?	<input type="checkbox"/>	<input type="checkbox"/>
Are there special conditions or circumstances such that the strict literal interpretation of the provisions of the Zoning Ordinance will constitute unnecessary hardship upon the property owner represented in the application?	<input type="checkbox"/>	<input type="checkbox"/>
Will the granting of a permit for the variance requested adversely affect the rights of any adjacent property owners or residents?	<input type="checkbox"/>	<input type="checkbox"/>
Will the granting of the variance requested confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, structures, or buildings in the same district?	<input type="checkbox"/>	<input type="checkbox"/>
Will the granting of the variance requested adversely affect the public healthy, safety, morals, order, convenience, prosperity, or general welfare?	<input type="checkbox"/>	<input type="checkbox"/>
Will the granting of the variance requested be opposed to the general spirit and intent of the Zoning Ordinance?	<input type="checkbox"/>	<input type="checkbox"/>
Is the variance being requested the minimum variance that will accomplish this purpose?	<input type="checkbox"/>	<input type="checkbox"/>

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**Return Completed Application to:**  
Zoning Administrator  
201 W 4<sup>th</sup> Street  
Pittsburg, KS 66762

Case No.: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
PC/BZA Date: \_\_\_\_\_

## Variance Application

### Applicant's Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Property Information

Address of Affected Property: \_\_\_\_\_

Applicant's Interest in Property: \_\_\_\_\_

Nature of Requested Variance: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Legal Description of Property: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Attach a sketch of the proposed variance.

**Owner's Certification**

I/we acknowledge the receipt of the instruction packet explaining the method of submitting this application. I/we realize that this application cannot be processed unless it is completed in its entirety, is accompanied by all required supporting documentation as required in the instruction packet, and is accompanied by the appropriate, non-refundable fee.

I/we further certify that the foregoing information is true and correct to the best of my/our knowledge. If my/our request is granted, I/we will complete construction in accordance with plans submitted and approved by the Planning Commission/Board of Zoning Appeals (PC/BZA).

I/we authorize unannounced inspections of the subject property by City staff for the purpose of collecting information to review and analyze this request. I/we acknowledge that the PC/BZA and the Governing Body of the City of Pittsburg, Kansas, shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

This application must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the Owner Authorization form to this application.

**Office Use Only**

Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_

Approved

Denied

Conditions of Approval/Reasons for Denial

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Zoning Administrator

(seal)



# **Conditional Use Permit**

# Procedure to Apply for a Conditional Use Permit

## Application Requirements

At a minimum, all applications must include the following to be accepted:

- Completed Application Form
- Fully-Executed Owner Authorization Form (if applicable)
- Certified Ownership List of Properties within 200 feet
- Copy of the plat of record for the property, indicating the location of the proposed conditional use
- \$185 Non-Refundable Filing Fee
- Development plan, including a property boundary map and statement of intent

Additional information may be requested. The applicant is responsible for meeting all applicable City, County, State, and Federal Codes in their submission.

## Application Fee:

Please provide a check made payable to “The City of Pittsburg, Kansas” in the amount of \$185.00 to apply for a conditional use permit. This check shall accompany the completed application and is **non-refundable**. The application fee covers staff work and publication costs for the required legal notices.

Separate applications and fees are required for each requested area as described in the legal description.

## Timeline

A conditional use permit will take a minimum of 90 days.

## **Conditional Use Permit Process**

1. The completed application and required supporting documentation is received by the Zoning Administrator.
2. The Zoning Administrator schedules a Public Hearing to be held by the Planning Commission/Board of Zoning Appeals (PC/BZA).
  - a. Utility companies and individuals who own property within 200 feet of the proposed conditional use permit are notified by mail of the Public Hearing.
  - b. A notice announcing the Public Hearing is published in The Morning Sun.
3. The Public Hearing will be conducted in the following manner:
  - a. The PC/BZA will open the public hearing.
  - b. All presentations, remarks, questions, etc., shall be addressed directly to the PC/BZA.
  - c. The applicant will be heard first.
  - d. Those in favor of the conditional use permit will be heard second.
  - e. Those in opposition to the conditional use permit will be heard third.
  - f. Each side will be given an opportunity for rebuttal.
  - g. The PC/BZA will close the Public Hearing.
4. At the conclusion of the Public Hearing, the PC/BZA will make such findings of fact and make a recommendation to be forwarded to the Pittsburg City Commission.
5. Fourteen (14) days must elapse after the Public Hearing to allow for protest, which shall be filed in the City Clerk's Office, 201 W 4<sup>th</sup> Street, PO Box 688, Pittsburg, KS 66762.
  - a. If the protest is duly signed and acknowledged by the owners of twenty percent (20%) or more of any real property located within two hundred (200) feet of the boundaries of the proposed conditional use permit, such amendment shall not be passed except by at least three-fourths (3/4) vote of the members of the City Commission.
6. The City Commission will consider the recommendation of the PC/BZA at their first regular meeting following the PC/BZA meeting.
7. The City Commission will approve or disapprove the conditional use permit.

## **Additional Conditional Use Permit Information**

Please refer to Article 37 of the Pittsburg Zoning Ordinance and Subdivision Regulations for additional information regarding conditional use permits (see page 95 in this packet).

## **City Staff Review**

The following steps are to be completed by City Staff and are included for applicant reference only.

### **Access Impacts**

Will the proposed conditional use permit impair access to a public street by any adjoining property owners?

### **Utility Impacts**

Will the proposed conditional use permit impair the ability of utility companies to deliver services to the adjoining properties and surrounding areas?

- Water
- Sanitary Sewer
- Stormwater
- Gas
- Electric
- Telephone
- Cable

### **Rights Preservation**

Should the conditional use permit reserve any City of Pittsburg rights?

### **Public Notification**

Were mailings sent to property owners within 200 feet and all utility companies a minimum of 20 days prior to the Public Hearing?

Was a Notice of Public Hearing published in The Morning Sun a minimum of 20 days prior to the Public Hearing?



Return Completed Application to:  
Zoning Administrator  
201 W 4<sup>th</sup> Street  
Pittsburg, KS 66762

Case No.: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
PC/BZA Date: \_\_\_\_\_

## Conditional Use Permit Application

### Property Owner's Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Applicant's Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Property Information

Street Address of Affected Property: \_\_\_\_\_

Current Zone of Affected Property: \_\_\_\_\_

Applicant's Interest in Property: \_\_\_\_\_

Desired Use of Property: \_\_\_\_\_

Description of Submitted Plans (Plot Plan, Elevations, Etc): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Legal Description of Property: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Owner's Certification**

I/we acknowledge the receipt of the instruction packet explaining the method of submitting this application. I/we realize that this application cannot be processed unless it is completed in its entirety, is accompanied by all required supporting documentation as required in the instruction packet, and is accompanied by the appropriate, non-refundable fee.

I/we further certify that the foregoing information is true and correct to the best of my/our knowledge. If my/our request is granted, I/we will complete construction in accordance with plans submitted and approved by the Planning Commission/Board of Zoning Appeals (PC/BZA).

I/we authorize unannounced inspections of the subject property by City staff for the purpose of collecting information to review and analyze this request. I/we acknowledge that the PC/BZA and the Governing Body of the City of Pittsburg, Kansas, shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

This application must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the Owner Authorization form to this application.

**Office Use Only**

Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_

Approved

Denied

Conditions of Approval/Reasons for Denial

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Zoning Administrator

(seal)





**Vacate**

# Procedure to Apply for a Vacation

## Application Requirements

At a minimum, all applications must include the following to be accepted:

- Completed Application Form
- Fully-Executed Owner Authorization Form (if applicable)
- Certified Ownership List of Properties within 200 feet
- Copy of the plat of record for the property, indicating the location of the vacation
- \$125 Non-Refundable Filing Fee

Additional information may be requested. The applicant is responsible for meeting all applicable City, County, State, and Federal Codes in their submission.

## Application Fee:

Please provide a check made payable to “The City of Pittsburg, Kansas” in the amount of \$125.00 to apply for a vacation. This check shall accompany the completed application and is **non-refundable**. The application fee covers staff work and publication costs for the required legal notices.

Separate applications and fees are required for each requested area as described in the legal description.

## Timeline

A vacation will take a minimum of 90 days.

## **Vacation Process**

1. The completed application and required supporting documentation is received by the Zoning Administrator.
2. The Zoning Administrator schedules a Public Hearing to be held by the Planning Commission/Board of Zoning Appeals (PC/BZA).
  - a. Utility companies and individuals who own property within 200 feet of the proposed conditional use permit are notified by mail of the Public Hearing.
  - b. A notice announcing the Public Hearing is published in The Morning Sun.
3. The Public Hearing will be conducted in the following manner:
  - a. The PC/BZA will open the public hearing.
  - b. All presentations, remarks, questions, etc., shall be addressed directly to the PC/BZA.
  - c. The applicant will be heard first.
  - d. Those in favor of the vacation will be heard second.
  - e. Those in opposition to the vacation will be heard third.
  - f. Each side will be given an opportunity for rebuttal.
  - g. The PC/BZA will close the Public Hearing.
4. At the conclusion of the Public Hearing, the PC/BZA will make such findings of fact and make a recommendation to be forwarded to the Pittsburgh City Commission.
5. The City Commission will consider the recommendation of the PC/BZA at their first regular meeting following the PC/BZA meeting.
6. The City Commission will approve or disapprove the vacation.
7. If the City Commission approves the vacation, they will refer the matter to the City Attorney for the preparation of an Order to Vacate.
8. The City Commission will approve or disapprove the Order.

## **City Staff Review**

The following steps are to be completed by City Staff and are included for applicant reference only.

### **Access Impacts**

Will the proposed vacation impair access to a public street by any adjoining property owners?

### **Utility Impacts**

Will the proposed vacation impair the ability of utility companies to deliver services to the adjoining properties and surrounding areas?

- Water
- Sanitary Sewer
- Stormwater
- Gas
- Electric
- Telephone
- Cable

### **Rights Preservation**

Should the vacation reserve any City of Pittsburg rights?

### **Public Notification**

Were mailings sent to property owners within 200 feet and all utility companies a minimum of 20 days prior to the Public Hearing?

Was a Notice of Public Hearing published in The Morning Sun a minimum of 20 days prior to the Public Hearing?



Return Completed Application to:  
Zoning Administrator  
201 W 4<sup>th</sup> Street  
Pittsburg, KS 66762

Case No.: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
PC/BZA Date: \_\_\_\_\_

## Vacation Application

### Applicant's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Surveyor's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

A survey of the proposed vacation area is attached and has been completed by a licensed surveyor.  Yes  No  
Does the area proposed to be vacated or any part thereof terminate at or abut a public water?  Yes  No

### Property Information

I hereby petition the City of Pittsburg to vacate the following:

Street Right of Way  Drainage/Utility Easement  Alley  Other: \_\_\_\_\_

Reasons for Petition to Vacate: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Legal Description of Property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Owner's Certification**

I/we acknowledge the receipt of the instruction packet explaining the method of submitting this application. I/we realize that this application cannot be processed unless it is completed in its entirety, is accompanied by all required supporting documentation as required in the instruction packet, and is accompanied by the appropriate, non-refundable fee.

I/we further certify that the foregoing information is true and correct to the best of my/our knowledge. If my/our request is granted, I/we will complete construction in accordance with plans submitted and approved by the Planning Commission/Board of Zoning Appeals (PC/BZA).

I/we authorize unannounced inspections of the subject property by City staff for the purpose of collecting information to review and analyze this request. I/we acknowledge that the PC/BZA and the Governing Body of the City of Pittsburg, Kansas, shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

---

Owner's Signature

Date

---

Owner's Signature

Date

This application must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the Owner Authorization form to this application.

**Office Use Only**

Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_

Approved

Denied

Conditions of Approval/Reasons for Denial

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Signature of Zoning Administrator

(seal)



# Site Plan

# Procedure to Submit a Site Plan

## Application Requirements

At a minimum, all applications must include the following to be accepted:

- Completed Application Form
- Property site map drawn to a scale of 1" = 20' or greater, indicating the legal description, property boundary, existing utilities and easements, and natural and man-made features of the property.
- Development Plan, drawn to the same scale as the property site map
- Statement of Intent
- Fully-Executed Owner Authorization Form (if applicable)
- Copy of the plat of record for the property

Additional information may be requested. The applicant is responsible for meeting all applicable City, County, State, and Federal Codes in their submission.

## Application Fee

There is no application fee for a Site Plan.

Separate applications and fees are required for each requested area as described in the legal description.

## Timeline

A site plan will take a minimum of 15 days.

## Additional Site Plan Information

Please refer to Article 23: Plan Approval Guidelines of the Pittsburg Zoning Ordinance and Subdivision Regulations for additional information regarding site plans (see page 83 in this packet).



## Site Plan Contents

A Site Plan application must include a development plan that describes the applicant's intentions for the use and development of the property. The development plan must include and/or display the following information:

1. Property site map drawn to scale of 1" = 20' or greater, indicating the legal description, property boundary, existing utilities and easements, and natural and man-made features of the property.
  - a. A certified topographic survey at no more than a 2-foot contour drawn to the same scale as the property site map shall be provided when either the Zoning Administrator or the City Engineer determines the development will substantially increase the runoff coefficient, alter the direction of drainage flow from the property or might obstruct traffic visibility.
2. A development plan, drawn to the same scale as the property site map, indicating:
  - a. Existing contours (shown as dashed lines)
  - b. Proposed contours (shown as solid lines)
  - c. Location and orientation of all existing and proposed buildings
  - d. Areas to be used for parking, including the number and arrangement of stalls
  - e. Areas to be developed for screening, including the location of plant materials, and screening structures and features
  - f. Pedestrian and vehicular traffic circulation, and their relationship to existing streets, alleys, and public rights-of-way
  - g. Points of ingress and egress
  - h. Location of all existing and proposed utilities (sanitary sewage systems, water systems, storm drainage systems, gas lines, telephone lines, and electrical power lines)
  - i. Drainage controls (retention and detention ponds)
  - j. Location, size, and characteristics of identification and business signs
  - k. Lighting, layout, appurtenances, and intensity of illumination
  - l. Proposed finished floor elevations of all buildings and structures
3. A statement of intent must accompany the preliminary development plan to explain the measures used to achieve compatibility of the proposed development with surrounding properties through the planning of the site and the location and design of structures. Such a statement of intent will also address the anticipated schedule of development, including any phasing of development over time.

## Site Plan Process

1. The completed application and required supporting documentation is received by the Zoning Administrator.
2. The Zoning Administrator will place the Site Plan and Application on the agenda for the next regular meeting of the Planning Commission/Board of Zoning Appeals (PC/BZA).
3. The PC/BZA will make such findings of fact and will, in writing, either approve, with or without conditions, or disapprove the site plan and application.
  - a. Approval by the Planning Commission constitutes approval and permanency of the development plan, thereby establishing the criteria for construction of the proposed development.
  - b. In the process of reviewing any development plan, the Planning Commission may provide approval of the development plan conditioned upon certain limitations or restrictions deemed necessary to protect the public interest and surrounding properties, including, if any, the following:
    - i. Limitations on the type, illumination, and appearance of any signs or advertising structures.
    - ii. Direction and location of outdoor lighting.
    - iii. Arrangement and location of off-street parking and off-street loading spaces.
    - iv. The type of paving, landscaping, fencing, screening, and other such features.
    - v. Limitations on structural alterations to existing buildings.
    - vi. Plans for control or elimination of smoke, dust, gas, noise, or vibration caused by the proposed use.
    - vii. Waiver of any standards, requirements or depiction of information required by Article 23 when requested by the applicant and shown to be necessary as applied to the specific case in question.
    - viii. Such other conditions and/or limitations that are deemed necessary.



**Return Completed Application to:**  
 Zoning Administrator  
 201 W 4<sup>th</sup> Street  
 Pittsburg, KS 66762

Case No.: \_\_\_\_\_  
 Date Filed: \_\_\_\_\_  
 Date Paid: No Charge  
 Publication Date: No Publication  
 PC/BZA Date: \_\_\_\_\_

## Site Plan Application

### Applicant's Information

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Surveyor's Information

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Architect's Information

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Engineer's Information

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Property Information

Current Land Use of Property: <input type="checkbox"/> Commercial <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant	Current Zoning of Property: <input type="checkbox"/> CP-0 <input type="checkbox"/> CP-1 <input type="checkbox"/> CP-2 <input type="checkbox"/> CP-3 <input type="checkbox"/> CP-4 <input type="checkbox"/> RP-3 <input type="checkbox"/> RP-4 <input type="checkbox"/> IP-1 <input type="checkbox"/> IP-2 <input type="checkbox"/> IP-3 <input type="checkbox"/> AP
--	---

Proposed Use of Property: \_\_\_\_\_  
 \_\_\_\_\_

Legal Description of Property: \_\_\_\_\_  
 \_\_\_\_\_

## Site Plan Checklist

In order to assure that proposed re-zonings to a “Planned” district and proposed uses requiring Conditional Use Permits meet the requirements of Article 23 of the Pittsburgh Zoning Ordinance and will be compatible with surrounding properties and uses, it is hereby required that all applications for one of the “Planned” districts, or a Conditional Use Permit, except those uses exempted in Section 23-101 of the Pittsburgh Zoning Ordinance, include a development plan, which must be approved as specified within Article 23 prior to any construction on the property. The development plan shall include and/or display the following information:

	<b>Shown on Plan</b>	<b>Complies w/ Ordinance</b>
Property site map drawn to a scale of 1”=20’ or greater, indicating the legal description, property boundary, existing utilities and easements, and natural and man-made features of the property.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>▪ A certified topographic survey at no more than a 2-foot contour drawn to the same scale as the property site map shall be provided when either the Zoning Administrator or the City Engineer determines that development will substantially increase the runoff coefficient, alter the direction of drainage flow from the property, or might obstruct traffic visibility.</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
A development plan, drawn to the same scale as the property site map, indicating:		
<ul style="list-style-type: none"> <li>▪ Existing contours (shown as dashed lines)</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>▪ Proposed contours (shown as solid lines)</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>▪ Location and orientation of all existing and proposed buildings</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>▪ Area to be used for parking, including the number and arrangement of stalls</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>▪ Areas to be developed for screening, including the location of plant materials, screening structures, and features</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>▪ Pedestrian and vehicular circulation and their relationship to existing streets, alleys, and public rights-of-way</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>▪ Points of ingress and egress</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>▪ Location of all existing and proposed utilities (sanitary sewage systems, water systems, storm drainage systems, gas lines, telephone lines, and electric power lines)</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>▪ Drainage controls (detention-retention ponds, weirs, pooling areas)</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>▪ Location, size, and characteristics of identification and business signs</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>▪ Lighting layout, appurtenances, and intensity of illumination</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>▪ Finished floor elevations of all buildings and structures</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>▪ Landscaping in a CP-0, CP-1, CP-2, or CP-3 zone, including: <ul style="list-style-type: none"> <li>· Street yard planting</li> <li>· Landscape buffer</li> <li>· Parking lot landscaping</li> </ul> </li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

**Owner's Certification**

I/we acknowledge the receipt of the instruction packet explaining the method of submitting this application. I/we realize that this application cannot be processed unless it is completed in its entirety, is accompanied by all required supporting documentation as required in the instruction packet, and is accompanied by the appropriate, non-refundable fee.

I/we further certify that the foregoing information is true and correct to the best of my/our knowledge. If my/our request is granted, I/we will complete construction in accordance with plans submitted and approved by the Planning Commission/Board of Zoning Appeals (PC/BZA).

I/we authorize unannounced inspections of the subject property by City staff for the purpose of collecting information to review and analyze this request. I/we acknowledge that the PC/BZA and the Governing Body of the City of Pittsburg, Kansas, shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

This application must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the Owner Authorization form to this application.

**Office Use Only**

Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_

Approved

Denied

Conditions of Approval/Reasons for Denial

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Zoning Administrator

(seal)

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# Preliminary Plat

# Procedure to Submit a Preliminary Plat

## Application Requirements

At a minimum, all applications must include the following to be accepted:

- Completed Application Form
- One (1) original Preliminary Plat. Said original preliminary plat shall be formatted so that it can be clearly and legibly drawn at a scale of 1" = 200' upon mylar at a size of 24" x 36", and shall contain the information requested herein.
- Fully-Executed Owner Authorization Form (if applicable)
- Certified Ownership List of Properties within 200 feet
- Copy of the plat of record for the property
- Non-Refundable Filing Fee as calculated by the Zoning Administrator
- Development plan, including a property boundary map and statement of intent

Additional information may be requested. The applicant is responsible for meeting all applicable City, County, State, and Federal Codes in their submission.

## Pre-Platting Conference

Any applicant who desires to subdivide land is required to attend a pre-platting conference with the Zoning Administrator as a first step to file an application for any plat.

The purpose of the pre-platting conference is to inform the city staff of possible future subdivisions so that the staff may determine and inform the applicant of the effect, feasibility, and compatibility of the proposal in relation to Pittsburg's utility and street system and any City development policies and plans. The conference enables the staff to inform owners and their agents of the general conformance or nonconformance of the subdivision proposal with The Zoning Ordinance and Subdivision Regulations, identify additional requirements for further processing of the proposal, and to advise them of applicable zoning provisions or conflicts and special design considerations present by particular environmental features on or affecting the site (i.e. flood plains, excessive slope areas, soil problems, high water tables, etc.)

The landowner or representative, may, if they desire, prepare a schematic drawing of the proposed subdivision in order to receive any pre-plat comments from the staff.

In addition to the Zoning Administrator and representatives of the owner(s) intending to subdivide the land, principal participants involved in the pre-platting conference may include representatives of the Pittsburg Public Works Department and other persons and agencies as applicable. No verbal, written, or schematically-illustrated statements made during the course of the conference are legally binding or grant approval of the proposed subdivision.



### **Application Fee:**

The appropriate fee is due upon application filing. Please provide a check made payable to “The City of Pittsburg, Kansas” in the amount calculated by the Zoning Administrator to submit a preliminary plat. This check shall accompany the completed application and is **non-refundable**. The application fee covers staff work and publication costs for the required legal notices.

The minimum fee for a preliminary plat is \$90 plus a charge of \$3.70 per lot, with the maximum fee for a preliminary plat being \$180.

Separate applications and fees are required for each requested area as described in the legal description.

### **Timeline**

A preliminary plat will take a minimum of 90 days.



## **Preliminary Plat Contents**

The following information is required to be shown on the preliminary plat or attached:

### **Items Pertaining to Title**

- The name of the proposed subdivision.
- Location of the subdivision by reference to a section corner.
- The name(s) and address(es) of the owner(s)/developer(s) and the licensed land surveyor who prepared the plat.
- North arrow.
- Date prepared and scale of the drawing(s). The preliminary plat shall be drawn to a scale of not less than 1" = 200'; however, with special conditions and prior approval of the Zoning Administrator, this scale may be exceeded.
- The legal description of the entire dimensions of the subdivision.

### **Items Pertaining to the Subject Property (Existing)**

- All of the land to be platted as well as all platted or unplatted adjacent properties within 200 feet shall be shown. The boundary of the platted area shall be accurately indicated by a heavy solid line.
- Existing contours with the contour intervals of not more than 2 feet. All elevations and contours shall be related to city datum.
- The location, width, and names of all existing platted or private streets or other public ways within or adjacent to the tract, together with easements, railroad and utility rights-of-way, parks, and other significant features such as city boundary lines and monuments.
- Environmental features including the location and direction of drainage and drainage channels, and areas subject to flooding by the Intermediate Regional Flood (100-year flood).
- All airports, sanitary landfills, feedlots, and other similar uses located within two miles of the proposed plat shall be shown on a vicinity map.

### **Items Pertaining to the Plat (Proposed)**

- Layout and names of streets with general dimensions and appropriate grades and their relationship to adjoining or projected streets or roadways.
- Intended layout, numbers, and dimensions of lots.
- Parcels of land intended to be dedicated or reserved for parks, schools, or other public use, or to be reserved for the use of property owners within the subdivision.
- Location and type of utilities to be installed, including approximate location of extensions of any sanitary sewers, storm sewers, and water mains.
- Utility easements indicating width and purpose.
- A statement or other indication of phasing of the development and an appropriate timetable if applicable.
- Vicinity sketch which indicates the relationship between the proposed subdivision and surrounding properties within 1,000 feet, showing streets and other features.

## **Preliminary Plat Process**

1. The completed application and required supporting documentation is received by the Zoning Administrator.
2. The Zoning Administrator schedules a Public Hearing to be held by the Planning Commission/Board of Zoning Appeals (PC/BZA).
  - a. Utility companies and individuals who own property within 200 feet of the proposed preliminary plat are notified by mail of the Public Hearing.
  - b. A notice announcing the Public Hearing is published in The Morning Sun.
3. The Public Hearing will be conducted in the following manner:
  - a. The PC/BZA will open the public hearing.
  - b. All presentations, remarks, questions, etc., shall be addressed directly to the PC/BZA.
  - c. The applicant will be heard first.
  - d. Those in favor of the preliminary plat will be heard second.
  - e. Those in opposition to the preliminary plat will be heard third.
  - f. Each side will be given an opportunity for rebuttal.
  - g. The PC/BZA will close the Public Hearing.
4. At the conclusion of the Public Hearing, the PC/BZA will make such findings of fact and make a recommendation to be forwarded to the Pittsburg City Commission.
5. The City Commission will consider the recommendation of the PC/BZA at their first regular meeting following the PC/BZA meeting.
6. The City Commission will approve or disapprove the preliminary plat.

## **Additional Preliminary Plat Information**

Please refer to Article 2: Procedure for Approval of Subdivisions of the Pittsburg Zoning Ordinance and Subdivision Regulations for additional information regarding preliminary plats (see page 99 in this packet).

## **City Staff Review**

The following steps are to be completed by City Staff and are included for applicant reference only.

### **Access Impacts**

Will the proposed preliminary plat impair access to a public street by any adjoining property owners?

### **Utility Impacts**

Will the proposed preliminary plat impair the ability of utility companies to deliver services to the adjoining properties and surrounding areas?

- Water
- Sanitary Sewer
- Stormwater
- Gas
- Electric
- Telephone
- Cable

### **Rights Preservation**

Should the preliminary plat reserve any City of Pittsburg rights?

### **Public Notification**

Were mailings sent to property owners within 200 feet and all utility companies a minimum of 20 days prior to the Public Hearing?

Was a Notice of Public Hearing published in The Morning Sun a minimum of 20 days prior to the Public Hearing?



Return Completed Application to:  
Zoning Administrator  
201 W 4<sup>th</sup> Street  
Pittsburg, KS 66762

Case No.: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
PC/BZA Date: \_\_\_\_\_

## Preliminary Plat Application

### Applicant's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Developer's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Surveyor's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Architect's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Engineer's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Property Information

Proposed Subdivision Name: \_\_\_\_\_  
Legal Description of Property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Owner's Certification**

I/we acknowledge the receipt of the instruction packet explaining the method of submitting this application. I/we realize that this application cannot be processed unless it is completed in its entirety, is accompanied by all required supporting documentation as required in the instruction packet, and is accompanied by the appropriate, non-refundable fee.

I/we further certify that the foregoing information is true and correct to the best of my/our knowledge. If my/our request is granted, I/we will complete construction in accordance with plans submitted and approved by the Planning Commission/Board of Zoning Appeals (PC/BZA).

I/we authorize unannounced inspections of the subject property by City staff for the purpose of collecting information to review and analyze this request. I/we acknowledge that the PC/BZA and the Governing Body of the City of Pittsburg, Kansas, shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

This application must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the Owner Authorization form to this application.

**Office Use Only**

Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_

Approved

Denied

Conditions of Approval/Reasons for Denial

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Zoning Administrator

(seal)



# Final Plat

# Procedure to Submit a Final Plat

## Application Requirements

At a minimum, all applications must include the following to be accepted:

- Completed Application Form
- One (1) original Final Plat, formatted so that it can be clearly and legibly drawn at a scale of 1" = 100' upon mylar at a size of 24" x 36", and shall contain the information requested herein.
- Fully-Executed Owner Authorization Form (if applicable)
- Certified Ownership List of Properties within 200 feet
- Copy of the plat of record for the property
- Non-Refundable Filing Fee as calculated by the Zoning Administrator
- Development plan, including a property boundary map and statement of intent

Additional information may be requested. The applicant is responsible for meeting all applicable City, County, State, and Federal Codes in their submission.

## Application Fee:

The appropriate fee is due upon application filing. Please provide a check made payable to "The City of Pittsburg, Kansas" in the amount calculated by the Zoning Administrator to submit a final plat. This check shall accompany the completed application and is **non-refundable**. The application fee covers staff work and publication costs for the required legal notices.

The minimum fee for a final plat is \$90 plus a charge of \$3.70 per lot, with the maximum fee for a final plat being \$180.

Separate applications and fees are required for each requested area as described in the legal description.

## Timeline

A final plat will take a minimum of 90 days.



## Final Plat Contents

The following information is required to be shown on the final plat and attached:

### Items to be Included on the Final Plat

- The lines and names of all proposed streets or other ways or easements and other open spaces intended to be dedicated for public use or granted for use of inhabitants of the subdivision.
- Lines and names of all adjoining streets within 200 feet.
- The length of all straight lines, deflection angles, and radii, arcs, and central angles of all curves, along the center line and the property lines of each street. All dimensions along the lines of each lot with the true bearings and angles of intersection which they make with each other, and also any other data necessary for the location of any lot line in the field. If more convenient, calculated bearings may be used instead of angles.
- The location of all building setback lines.
- Suitable primary control points, approved by the City Engineer, or descriptions and “ties” to such control points, to which all dimensions, angles, bearings, and similar data given on the plat shall be referred. All dimensions shall be shown in feet and decimals of a foot.
- Location and elevation of a permanent bench mark.
- The location of all permanent monuments with the distance between them, and sufficient curve data plainly marked. These monuments shall be located at all block corners.
- Date of preparation, title, north point, and scale shall be included. The title shall include the name of the subdivision under which it is to be recorded. The north point may indicate either the magnetic or true north and shall be so designated on the plat.
- The boundary of the subdivided tract with courses and distances marked thereon which shall be determined by survey in the field, which shall be balanced and closed, made by a qualified engineer or surveyor. The error of closure for a perimeter distance having a length of 10,000 feet or more shall not be more than one (1) in 20,000. For perimeter distances less than 10,000 feet in length, the error of closure shall not be more than one (1) in 10,000.
- An identification system for all lots and blocks, and the areas in square feet of each lot.
- The certification of the land surveyor making the plat, his seal, and signature.
- The acknowledgement of a notary.
- A certification of the Planning Commission showing its approval of the final plat.
- The approval of the Governing Body.
- The certificate of the Register of Deeds.
- Title insurance certification or a certificate of title prepared by a competent attorney showing that the proposed subdivider owns all the property within the plat in fee, and that it is free from encumbrances and liens; but if encumbered, the mortgagee shall be required to consent to the plat.
- Statement by the owner dedicating streets, rights-of-way, and any sites for public use.
- Such other certificates, affidavits, endorsements, or dedications as may be required by the Planning Commission.

- Purpose for which sites, other than residential lots, are dedicated or reserved.
- Marginal lines encircling the sheet. All lettering, signatures and seals shall be within this margin.
- Legal description of the subdivision.
- In the event the proposed subdivision is outside the city limits of the City of Pittsburg, but within the three (3) mile limit of jurisdiction, it will also be required to include a certificate showing the approval of the Board of County Commissioners of Crawford County, Kansas.



## **Final Plat Process**

1. The completed application and required supporting documentation is received by the Zoning Administrator.
2. The Zoning Administrator schedules a Public Hearing to be held by the Planning Commission/Board of Zoning Appeals (PC/BZA).
  - a. Utility companies and individuals who own property within 200 feet of the proposed final plat are notified by mail of the Public Hearing.
  - b. A notice announcing the Public Hearing is published in The Morning Sun.
3. The Public Hearing will be conducted in the following manner:
  - a. The PC/BZA will open the public hearing.
  - b. All presentations, remarks, questions, etc., shall be addressed directly to the PC/BZA.
  - c. The applicant will be heard first.
  - d. Those in favor of the final plat will be heard second.
  - e. Those in opposition to the final plat will be heard third.
  - f. Each side will be given an opportunity for rebuttal.
  - g. The PC/BZA will close the Public Hearing.
4. At the conclusion of the Public Hearing, the PC/BZA will make such findings of fact and make a recommendation to be forwarded to the Pittsburg City Commission.
5. The City Commission will consider the recommendation of the PC/BZA at their first regular meeting following the PC/BZA meeting.
6. The City Commission will approve or disapprove the final plat.
7. After approval by the City Commission, the final plat will be recorded with the Register of Deeds of Crawford County, Kansas.

## **Additional Final Plat Information**

Please refer to Article 2: Procedure for Approval of Subdivisions of the Pittsburg Zoning Ordinance and Subdivision Regulations for additional information regarding final plats (see page 99 in this packet).

## **City Staff Review**

The following steps are to be completed by City Staff and are included for applicant reference only.

### **Access Impacts**

Will the proposed final plat impair access to a public street by any adjoining property owners?

### **Utility Impacts**

Will the proposed final plat impair the ability of utility companies to deliver services to the adjoining properties and surrounding areas?

- Water
- Sanitary Sewer
- Stormwater
- Gas
- Electric
- Telephone
- Cable

### **Rights Preservation**

Should the final plat reserve any City of Pittsburg rights?

### **Public Notification**

Were mailings sent to property owners within 200 feet and all utility companies a minimum of 20 days prior to the Public Hearing?

Was a Notice of Public Hearing published in The Morning Sun a minimum of 20 days prior to the Public Hearing?



Return Completed Application to:  
Zoning Administrator  
201 W 4<sup>th</sup> Street  
Pittsburg, KS 66762

Case No.: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
PC/BZA Date: \_\_\_\_\_

## Final Plat Application

### Applicant's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Developer's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Surveyor's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Architect's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Engineer's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Property Information

Proposed Subdivision Name: \_\_\_\_\_  
Legal Description of Property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Owner's Certification**

I/we acknowledge the receipt of the instruction packet explaining the method of submitting this application. I/we realize that this application cannot be processed unless it is completed in its entirety, is accompanied by all required supporting documentation as required in the instruction packet, and is accompanied by the appropriate, non-refundable fee.

I/we further certify that the foregoing information is true and correct to the best of my/our knowledge. If my/our request is granted, I/we will complete construction in accordance with plans submitted and approved by the Planning Commission/Board of Zoning Appeals (PC/BZA).

I/we authorize unannounced inspections of the subject property by City staff for the purpose of collecting information to review and analyze this request. I/we acknowledge that the PC/BZA and the Governing Body of the City of Pittsburg, Kansas, shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

Owner's Signature

Date

Owner's Signature

Date

This application must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the Owner Authorization form to this application.

**Office Use Only**

Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_

PC/BZA Preliminary Plat Review Date: \_\_\_\_\_

Governing Body Preliminary Plat Review Date: \_\_\_\_\_

Final Plat Submission:  Approved  Denied

Conditions of Approval/Reasons for Denial

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Zoning Administrator

(seal)



# Short-Form Plat

# Procedure to Submit a Short-Form Plat

## Application Requirements

At a minimum, all applications must include the following to be accepted:

- Completed Application Form
- 1 original Short-Form Plat, submitted at least 10 days prior to the Planning Commission/Board of Zoning Appeals meeting. Said original short-form plat shall be formatted so that it can be clearly and legibly drawn at a scale of 1" = 100' upon mylar at a size of 24" x 36", and shall contain the information requested herein.
- Fully-Executed Owner Authorization Form (if applicable)
- Certified Ownership List of Properties within 200 feet
- Copy of the plat of record for the property
- Non-Refundable Filing Fee as calculated by the Zoning Administrator
- Development plan, including a property boundary map and statement of intent

Additional information may be requested. The applicant is responsible for meeting all applicable City, County, State, and Federal Codes in their submission.

## Pre-Platting Conference

Any applicant who desires to subdivide land is required to attend a pre-platting conference with the Zoning Administrator as a first step to file an application for any plat.

The purpose of the pre-platting conference is to inform the city staff of possible future subdivision so that the staff may determine and inform the applicant of the effect, feasibility and compatibility of the proposal in relation to Pittsburg's utility and street system and any City development policies and plans. The conference enables the staff to inform owners and their agents of the general conformance or nonconformance of the subdivision proposal with this Ordinance, identify additional requirements for further processing of the proposal, and to advise them of applicable zoning provisions or conflicts and special design considerations present by particular environmental features on or affecting the site (i.e. flood plains, excessive slop areas, soil problems, high water tables, etc.).

The landowner or representative may, if they deem it desirable, prepare a schematic drawing of the proposed subdivision in order to receive any pre-plat comments of the staff.

In addition to the Zoning Administrator and representatives of the owner(s) intending to subdivide the land, principal participants involved in the pre-platting conference may include representatives of the Pittsburg Public Works Department and other persons and agencies as applicable. No verbal, written, or schematically illustrated statements made during the course of the conference shall be held as legally binding or construed in any way as granting or assuring



approval of the proposed subdivision since the Governing Body has the final authority on all subdivision plats upon action from the Planning Commission.

### **Application Fee**

The appropriate fee is due upon application filing. Please provide a check made payable to “The City of Pittsburg, Kansas” in the amount calculated by the Zoning Administrator to submit a short-form plat. This check shall accompany the completed application and is **non-refundable**. The application fee covers staff work and publication costs for the required legal notices.

The minimum fee for a short-form plat is \$90 plus a charge of \$3.70 per lot, with the maximum fee for a short-form plat being \$180.

Separate applications and fees are required for each requested area as described in the legal description.

### **Timeline**

A short-form will take a minimum of 90 days.



## Short-Form Plat Contents

The following information is required to be shown on the short-form plat and attached:

### Items to be Included on the Short-Form Plat

- The lines and names of all proposed streets or other ways or easements and other open spaces intended to be dedicated for public use or granted for use of inhabitants of the subdivision.
- Lines and names of all adjoining streets within 200 feet.
- The length of all straight lines, deflection angles, and radii, arcs, and central angles of all curves, along the center line and the property lines of each street. All dimensions along the lines of each lot with the true bearings and angles of intersection which they make with each other, and also any other data necessary for the location of any lot line in the field. If more convenient, calculated bearings may be used instead of angles.
- The location of all building setback lines.
- Suitable primary control points, approved by the City Engineer, or descriptions and “ties” to such control points, to which all dimensions, angles, bearings, and similar data given on the plat shall be referred. All dimensions shall be shown in feet and decimals of a foot.
- Location and elevation of a permanent bench mark.
- The location of all permanent monuments with the distance between them, and sufficient curve data plainly marked. These monuments shall be located at all block corners.
- Date of preparation, title, north point, and scale shall be included. The title shall include the name of the subdivision under which it is to be recorded. The north point may indicate either the magnetic or true north and shall be so designated on the plat.
- The boundary of the subdivided tract with courses and distances marked thereon which shall be determined by survey in the field, which shall be balanced and closed, made by a qualified engineer or surveyor. The error of closure for a perimeter distance having a length of 10,000 feet or more shall not be more than one (1) in 20,000. For perimeter distances less than 10,000 feet in length, the error of closure shall not be more than one (1) in 10,000.
- An identification system for all lots and blocks, and the areas in square feet of each lot.
- The certification of the land surveyor making the plat, his seal and signature.
- The acknowledgement of a notary.
- A certification of the Planning Commission showing its approval of the short-form plat.
- The approval of the Governing Body.
- The certificate of the Register of Deeds.
- Title insurance certification or a certificate of title prepared by a competent attorney showing that the proposed subdivider owns all the property within the plat in fee, and that it is free from encumbrances and liens; but if encumbered, the mortgagee shall be required to consent to the plat.
- Statement by the owner dedicating streets, rights-of-way, and any sites for public use.
- Such other certificates, affidavits, endorsements, or dedications as may be required by the Planning Commission.

- Purpose for which sites, other than residential lots, are dedicated or reserved.
- Marginal lines encircling the sheet. All lettering, signatures and seals shall be within this margin.
- Legal description of the subdivision.
- In the even the proposed subdivision is outside the city limits of the City of Pittsburg, but within the three (3) mile limit of jurisdiction, it will also be required to include a certificate showing the approval of the Board of County Commissioners of Crawford County, Kansas.



## **Short-Form Plat Process**

1. The completed application and required supporting documentation is received by the Zoning Administrator.
2. The Zoning Administrator schedules a Public Hearing to be held by the Planning Commission/Board of Zoning Appeals (PC/BZA).
  - a. Utility companies and individuals who own property within 200 feet of the proposed short-form plat are notified by first-class mail of the Public Hearing.
  - b. A notice announcing the Public Hearing is published in The Morning Sun.
3. The Public Hearing will be conducted in the following manner:
  - a. The PC/BZA will open the public hearing.
  - b. All presentations, remarks, questions, etc., shall be addressed directly to the PC/BZA.
  - c. The applicant will be heard first.
  - d. Those in favor of the short-form plat will be heard second.
  - e. Those in opposition to the short-form plat will be heard third.
  - f. Each side will be given an opportunity for rebuttal.
  - g. The PC/BZA will close the Public Hearing.
4. At the conclusion of the Public Hearing, the PC/BZA will make such findings of fact and make a recommendation to be forwarded to the Pittsburg City Commission.
5. The City Commission will consider the recommendation of the PC/BZA at their first regular meeting following the PC/BZA meeting.
6. The City Commission will approve or disapprove the short-form plat.
7. After approval by the City Commission, the short-form plat will be recorded with the Register of Deeds of Crawford County, Kansas.

## **Additional Short-Form Plat Information**

Please refer to Article 2: Procedure for Approval of Subdivisions of the Pittsburg Zoning Ordinance and Subdivision Regulations for additional information regarding short-form plats (see page 99 of this packet).

## **City Staff Review**

The following steps are to be completed by City Staff and are included for applicant reference only.

### **Access Impacts**

Will the proposed short-form plat impair access to a public street by any adjoining property owners?

### **Utility Impacts**

Will the proposed short-form plat impair the ability of utility companies to deliver services to the adjoining properties and surrounding areas?

- Water
- Sanitary Sewer
- Stormwater
- Gas
- Electric
- Telephone
- Cable

### **Rights Preservation**

Should the short-form plat reserve any City of Pittsburg rights?

### **Public Notification**

Were mailings sent to property owners within 200 feet and all utility companies a minimum of 20 days prior to the Public Hearing?

Was a Notice of Public Hearing published in The Morning Sun a minimum of 20 days prior to the Public Hearing?

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Return Completed Application to:  
Zoning Administrator  
201 W 4<sup>th</sup> Street  
Pittsburg, KS 66762

Case No.: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Date Paid: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
PC/BZA Date: \_\_\_\_\_

## Short-Form Plat Application

### Applicant's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Developer's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Surveyor's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Architect's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Engineer's Information

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Property Information

Proposed Subdivision Name: \_\_\_\_\_  
Legal Description of Property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Owner's Certification**

I/we acknowledge the receipt of the instruction packet explaining the method of submitting this application. I/we realize that this application cannot be processed unless it is completed in its entirety, is accompanied by all required supporting documentation as required in the instruction packet, and is accompanied by the appropriate, non-refundable fee.

I/we further certify that the foregoing information is true and correct to the best of my/our knowledge. If my/our request is granted, I/we will complete construction in accordance with plans submitted and approved by the Planning Commission/Board of Zoning Appeals (PC/BZA).

I/we authorize unannounced inspections of the subject property by City staff for the purpose of collecting information to review and analyze this request. I/we acknowledge that the PC/BZA and the Governing Body of the City of Pittsburg, Kansas, shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

Owner's Signature

Date

Owner's Signature

Date

This application must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the Owner Authorization form to this application.

**Office Use Only**

Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_

Approved

Denied

Conditions of Approval/Reasons for Denial

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Zoning Administrator

(seal)





# Lot Split

# Procedure to Apply for a Tract or Lot Split

## Application Requirements

At a minimum, all applications must include the following to be accepted:

- Completed Application Form
- Three (3) copies of a drawing to scale of not less than 1" = 100' showing the lots involved, the precise location of any structures, and the location and dimensions of the original and proposed lots or tracts, certified by a licensed land surveyor.
- Fully-Executed Owner Authorization Form (if applicable)
- Copy of the plat of record for the property

Additional information may be requested. The applicant is responsible for meeting all applicable City, County, State, and Federal Codes in their submission.

## Pre-Platting Conference

Any application proposing to subdivide land into not more than two lots are not required to attend a pre-platting conference with the Zoning Administrator.

## Authorization for Approval of Lot Splits

The Zoning Administrator is authorized to approve or disapprove a tract or lot split. An applicant may appeal a decision made by the Zoning Administrator to the Governing Body.

## Application Fee

There is no application fee for a Lot Split.

Separate applications and fees are required for each requested area as described in the legal description.

## Timeline

A short-form will take a minimum of 15 days.

## **Approval Guidelines**

No tract or lot split shall be approved if one or more of the following applies:

1. A new street or alley is needed or proposed.
2. Such action will result in significant increases in service requirements, e.g., utilities, traffic control, streets, etc.; or will interfere with maintaining existing service levels, e.g., additional curb cuts or points of access, repaving, etc.
3. There is less street right-of-way than required by ordinance, unless dedication of additional right-of-way can be made by a separate instrument.
4. Any easement requirements have not been satisfied.
5. Such split will result in a tract or lot without direct access to and/or less than 50 feet of frontage on a street.
6. A substandard sized tract or lot will be created according to ordinance or the Pittsburg Zoning Ordinance.

## **Tract or Lot Split Process**

1. The completed application and required supporting documentation is received by the Zoning Administrator.
2. The Zoning Administrator will, in writing, either approve, with or without conditions, or disapprove the tract or lot split within 15 working days of the application.
3. The Zoning Administrator may make any additional requirements as deemed necessary to comply with City of Pittsburg ordinances. Such requirement may include, but not be limited to, installation of public facilities or dedication of right-of-way and/or easements.

## **Additional Tract or Lot Split Information**

Please refer to Article 3: Tract or Lot Splits of the Pittsburg Zoning Ordinance and Subdivision Regulations for additional information regarding tract or lot splits (see page 105 in this packet).

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Return Completed Application to:  
Zoning Administrator  
201 W 4<sup>th</sup> Street  
Pittsburg, KS 66762

Filing Date: \_\_\_\_\_

Review Date: \_\_\_\_\_

## Lot Split Application

### Owner's Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Surveyor's Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### Property Information

Street Address or Legal Description: \_\_\_\_\_

Current Zone: \_\_\_\_\_

Present Lot Size: \_\_\_\_\_ Proposed Lot Sizes: \_\_\_\_\_

### Owner's Certification

I/we acknowledge the receipt of the instruction packet explaining the method of submitting this application. I/we realize that this application cannot be processed unless it is completed in its entirety, is accompanied by all required supporting documentation as required in the instruction packet, and is accompanied by the appropriate, non-refundable fee.

I/we further certify that the foregoing information is true and correct to the best of my/our knowledge. If my/our request is granted, I/we will complete construction in accordance with plans submitted and approved by the Planning Commission/Board of Zoning Appeals (PC/BZA).

I/we authorize unannounced inspections of the subject property by City staff for the purpose of collecting information to review and analyze this request. I/we acknowledge that the PC/BZA and the Governing Body of the City of Pittsburg, Kansas, shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

This application must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the Owner Authorization form to this application.

**Office Use Only**

Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_

Approved

Denied

Conditions of Approval/Reasons for Denial

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\_\_\_\_\_  
Signature of Zoning Administrator

(seal)



# **General Information**



**2024-2025  
Meeting Schedule  
Planning Commission/Board of Zoning Appeals**

Filing Deadline	Newspaper Deadline	Notification & Publication	PC-BZA Hearing	City Commission Review
01/25/2024	02/01/2024	02/06/2024	02/26/2024	03/12/2024
02/22/2024	02/29/2024	03/05/2024	03/25/2024	04/09/2024
03/21/2024	03/28/2024	04/02/2024	04/22/2024	05/14/2024
4/18/2024	04/25/2024	04/30/2024	<b>05/20/2024</b>	06/11/2024
05/23/2024	05/30/2024	06/04/2024	06/24/2024	07/09/2024
06/18/2024	06/25/2024	06/28/2024	07/22/2024	08/13/2024
07/25/2024	08/01/2024	08/06/2024	08/26/2024	09/10/2024
08/22/2024	08/29/2024	09/03/2024	09/23/2024	10/08/2024
09/26/2024	10/03/2024	10/08/2024	10/28/2024	11/19/2024
10/24/2024	10/31/2024	11/05/2024	11/25/2024	12/10/2024
11/18/2024	11/25/2024	11/27/2024	<b>12/16/2024</b>	01/14/2025
12/23/2024	01/02/2025	01/07/2025	01/27/2025	02/11/2025

(Third Monday of the month if the Fourth Monday falls on or near a holiday.)

<b>Date:</b>	Fourth Monday of each Month
<b>Time:</b>	5:30 pm
<b>Location:</b>	Municipal Court Room Law Enforcement Center 201 N Pine Pittsburg, KS 66762

Site Plans **MUST BE** submitted two (2) weeks prior to the PC-BZA Hearing Date. Site Plans submitted after that time will not be reviewed until the following hearing date.

**ALL APPLICATION MATERIALS ARE DUE BY 12:00 PM ON THE FILING DEADLINE. NO EXCEPTIONS.**

**\*\* ALL APPLICATIONS REQUIRE A CERTIFIED OWNERSHIP LISTING PREPARED BY A TITLE COMPANY\*\***



## Planning Commission/Board of Zoning Appeals Owner Authorization Form

I/We \_\_\_\_\_, hereby referred to as the “Owner”, being of lawful age, do hereby on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, make the following statements to wit:

1. I/We, the Owner, on the date first written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. I/We, the Owner, have previously authorized and hereby authorize \_\_\_\_\_ (herein referred to as “Agent”) to act on my/our behalf for the purpose of making application with the Pittsburg, Kansas, Planning Commission/Board of Zoning Appeals, regarding the property located at \_\_\_\_\_. Such authorization includes, but is not limited to, all acts or items whatsoever necessarily required of Owner in the application process.

3. It is understood that in the event the Owner is a corporation or partnership, the individual whose signature appears below for and on behalf of the Owner has the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

In witness whereof, I, the undersigned, have set my hand and seal below.

\_\_\_\_\_  
Owner Date

\_\_\_\_\_  
Owner Date

State of Kansas, Crawford County } ss.

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public My Commission Expires: \_\_\_\_\_

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## Contact Information

Contact Person	Phone Number	Email Address
<b>Dexter Neisler</b> Zoning Administrator & Building Official	620-230-5517	<a href="mailto:dexter.neisler@pittks.org">dexter.neisler@pittks.org</a>
<b>Quentin Holmes</b> Director of Community Development & Housing	620-230-5550	<a href="mailto:quentin.holmes@pittks.org">quentin.holmes@pittks.org</a>
<b>Matt Bacon</b> Director of Public Utilities	620-240-5126	<a href="mailto:matt.bacon@pittks.org">matt.bacon@pittks.org</a>
<b>DeAnna Goering</b> Planning & Zoning Secretary	620-230-5551	<a href="mailto:deanna.goering@pittks.org">deanna.goering@pittks.org</a>
<b>Sandra Villa</b> Permit Clerk	620-230-5581	<a href="mailto:sandra.villa@pittks.org">sandra.villa@pittks.org</a>



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# Fee Schedules

## Planning Commission/Board of Zoning Appeals Filing Fees

Filing Action	Price
Zoning Ordinance Amendment	\$185
Change in Zoning District Boundary	\$185
Conditional Use Permit	\$185
Variance	\$125
Vacation	\$125
Preliminary Plat	\$3.70/lot (Min. Fee: \$90; Max. Fee: \$180)
Final Plat	\$3.70/lot (Min. Fee: \$90; Max. Fee: \$180)
Short-Form Plat	\$3.70/lot (Min. Fee: \$90; Max. Fee: \$180)
Lot Split	No Charge
Site Plan	No Charge

## Building Permit Fees

Project Valuation	Building Permit Fee
\$1.00 - \$1,000.00	\$20.00
\$1,001.00 - \$2,000.00	\$30.00
\$2,001.00 - \$5,000.00	\$40.00
\$5,001.00 - \$10,000.00	\$60.00
\$10,001.00 - \$25,000.00	\$100.00 for the first \$10,001.00 plus \$6.85 for each additional \$1,000.00 or fraction thereof.
\$25,001.00 - \$50,000.00	\$202.00 for the first \$25,001.00 plus \$4.65 for each additional \$50,000.00 or fraction thereof
\$50,001.00 - \$100,000.00	\$332.00 for the first \$50,001.00 plus \$3.55 for each additional \$100,000.00 or fraction thereof
\$100,001.00 and up	\$509.00 for the first \$100,001.00 plus \$3.00 for each additional \$100,000.00 or fraction thereof

## Engineering Division Printing Fees

Document Size	Price
18" x 24"	\$16.00
24" x 36"	\$12.00
36" x 36"	\$18.00
36" x 42"	\$24.00
36" x 60"	\$36.00
Large Sewer Map	\$54.00

Plat Book Page	\$2.15
Plat Book	\$120.00
8.5" x 11" Copy	\$0.15
8.5" x 14" Copy	\$0.20
11" x 17" Copy	\$0.25



# **Pittsburg City Code**

## **Chapter 62: Planning**

### **Article 2: Planning Commission**

#### **62-41: Creation**

There is hereby created a Planning Commission. It shall consist of seven members appointed by the Governing Body. Five of the members must be residents of the City, and two of the members shall reside outside but within three miles of the corporate limits of the City. The members of the Planning Commission shall also serve as the members of the Board of Zoning Appeals and shall serve the term for which they were appointed by the Governing Body. Upon the expiration of the term of any member, the Governing Body shall appoint that member or some other qualified individual to a three-year term of office; provided, however, that no members shall serve more than two consecutive terms.

*(Code 1975, §24-101; Ord. No. G-1265, § 1, 11-22-2016)*

#### **62-42: Filling Vacancies**

Should any member of the Planning Commission resign, move to an area other than the area they were appointed to represent, or be removed by the Governing Body, the Governing Body shall appoint some other qualified individual to serve the former member's unexpired term.

*(Code 1975, §24-102)*

#### **62-43: Election of Officers**

The members of the Planning Commission shall annually elect one of its own members as chairperson and another as vice-chairperson, each of whom shall serve for one year until successor are appointed.

*(Code 1975, §24-103)*

#### **62-44: Meetings**

The Planning Commission shall meet at least once a month at a time and place as fixed by resolution. Special meetings may be called by the chairperson, or in his absence, the vice-chairperson. The commission shall cause a proper record to be kept of its proceedings. A copy of such proceedings shall be signed by the secretary and filed with the City Clerk. All affidavits for legal notices published by the Planning Commission shall be filed with the City Clerk.

*(Code 1975, §24-104)*

#### **62-45: Powers and Duties**

The Planning Commission shall be vested with such powers and charged with such duties as are enumerated in the zoning ordinance and subdivision regulations, or may hereafter be fixed, by the laws of the state.

*(Code 1975, §24-105)*

**State Law Reference:** Planning Commission powers generally, K.S.A. 12-745 et seq.

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**Pittsburg City Code**  
**Chapter 62: Planning**  
**Article 3: Zoning Ordinance**  
**Division 2: Board of Zoning Appeals**

**62-101: Creation**

There is hereby created a Board of Zoning Appeals. It shall consist of seven members appointed by the Governing Body. Five members must be residents of the City, and two of the members shall reside outside of but within three miles of the corporate limits of the City. The members of the Board of Zoning Appeals shall also serve as the members of the Planning Commission and shall serve the term for which they were appointed by the Governing Body. Upon the expiration of the term of any member, the Governing Body shall appoint that member or some other qualified individual to a three-year term of office; provided, however, that no members shall serve more than two consecutive terms.

*(Code 1975, §24-201; Ord. No. G-1265, § 2, 11-22-2016)*

**62-102: Filling Vacancies**

Should any member of the Board of Zoning Appeals resign, move from the City, or be removed by the Governing Body, the Governing Body shall appoint some other qualified individual to serve the former member's unexpired term.

*(Code 1975, §24-202)*

**62-103: Election of Officers**

The members of the Board of Zoning Appeals shall annually elect one of its own members as chairperson and another as vice-chairperson, each of whom shall serve for one year and until successors are appointed.

*(Code 1975, §24-203)*

**62-104: Powers and Duties**

The Board of Zoning Appeals shall be vested with such powers and charged with such duties as are enumerated in the zoning ordinance or the laws of the state, as well as all amendments and modifications thereto.

*(Code 1975, §24-204)*

**62-105: Meetings**

The Board of Zoning Appeals shall meet at a time and place pursuant to the call of the chairperson or vice-chairperson in the absence of the chairperson.

*(Code 1975, §24-205)*

## **62-106: Fees for Hearing**

The fee listed in this Section shall be charged as follows: Filing fee for hearing before the Board of Zoning Appeals for variances or special exceptions: \$125.00.

*(Ord. No. G-1085, § 2, 1-26-2010; Ord. No. G-1154, § 2, 9-13-2011)*

**Secs. 62-107 to 62-140 - Reserved**



# Pittsburg Zoning Ordinance and Subdivision Regulations

## Article 23: Plan Approval Guidelines

23-101: Purpose

23-102: Application, Review, Approval Procedure

23-103: Development Plan

23-104: Development Plan – Review, Approval

23-105: Development Plan – Phasing, Time Restrictions

23-106: Appeals of Planning Commission Action on Development Plans

23-107: Remedies for Noncompliance

### 23-101: Purpose

The procedures and requirements set forth in this Article, or the requirements set forth elsewhere in this Ordinance when referred to in this Article, are for the “P” Planned zoning districts, a “PUD” Planned Unit Development, or Conditional Use Permits designated elsewhere in this Ordinance. These requirements are specifically intended to accommodate:

1. The fully planned, coordinated, and orderly development of relatively large tracts of land into a “PUD” Planned Unit Development.
2. The planned, coordinated, and orderly development of properties to a use in the “P” Planned zoning districts.
3. The redevelopment or change in use of a tract of land that was zoned in a “P” Planned zoning district at the time of the adoption of this Ordinance but which has never had an approved development plan.
4. The consideration of an application for a Conditional Use under the provisions of this Ordinance.

The erection, construction, reconstruction, moving or altering on an individual lot or property of a single-family, two-family, or three-family residential unit shall not be subject to the provisions of this Article, regardless of the zone in which such unit is placed. The requirements and regulations herein prescribed pertaining to height, open space, setbacks, parking, loading, and signs may be adjusted or modified so that the property in question may be developed in a reasonable manner and, at the same time, will not be detrimental to the public welfare and the interests of the community, but in keeping with the general intent and spirit of this Ordinance. Such adjustments or modifications may be made as a part of the rezoning or Conditional Use process, or may be allowed after approval by the Planning Commission upon request of the applicant.

### 23-102: Application, Review, Approval Procedure

In order to assure that proposed rezoning to a “P” Planned zoning district or “PUD” Planned Unit Development and proposed uses requiring Conditional Use permits meet the requirements of this Ordinance and will be compatible with the surrounding properties and uses, it is hereby required that all applications for one of the “P” Planned zoning district, a “PUD” Planned Unit

Development, or a Conditional Use permit, except those uses exempted in Section 23-101 above, include a development plan which must be approved as specified within this Article prior to any construction on the property. The “Planned” districts subject to this Article are:

- RP-3 Planned Medium Density Residential District
- RP-4 Planned Apartment House District
- CP-0 Planned Commercial Office District
- CP-1 Planned Neighborhood Commercial District
- CP-2 Planned General Commercial District
- CP-3 Planned Highway Service Commercial District
- CP-4 Planned Central Business District
- IP-1 Planned Light Industrial District
- IP-2 Planned Medium Industrial District
- IP-3 Planned Heavy Industrial District
- AP Planned Airport Industrial District

The procedure for approval of a development plan shall consist of the following:

1. Application for a:
  - a. “P” Planned district, designating which zone or zones to be utilized, or
  - b. Conditional Use permit, or
  - c. “PUD” Planned Unit Development, and;
2. A development plan.

For proposals for new construction, the development plan shall be submitted at the time the application is submitted for the “P” planned zoning district, a “PUD” Planned Unit Development, or a Conditional Use and no application shall be deemed complete nor set for public hearing until said development plan is submitted. No building permit shall be issued for property in a “P” Planned Zoning District, in a “PUD” Planned Unit Development, or for a Conditional Use Permit until the property has been zoned and the development plan for the entire property and/or each phase of development has been approved in accordance with the provision of this Ordinance. Properties classified in a “P” Planned zoning district at the time of the initial adoption of the Ordinance may change uses or construct additions to existing buildings without the necessity of obtaining a development plan approval if the Zoning Administrator deems such improvements are within the spirit and intent of the underlying zoning classification. Any construction for the first time on the properties classified in a “P” Planned zoning district at the time of adopting of this ordinance must have a development plan approved as provided herein prior to any building permit being issued, provided that such approval shall not require a public hearing but be acted upon the Planning Commission consistent with all other provisions of this Ordinance.

### **23-103: Development Plan**

Application for a “P” Planned zoning district, “PUD” Planned Unit Development, or Conditional Use, and development plan approval shall be made in accordance with the procedures outlined in

Article 37 of this Ordinance. The application shall include a development plan which describes the applicant's intentions for the use and development of the property. The development plan shall include and/or display the following information:

1. Property site map drawn to scale of 1" = 20' or greater, indicating the legal description, property boundary, existing utilities and easements, and natural and man-made features of the property.
  - a. A certified topographic survey at no more than a 2-foot contour drawn to the same scale as the property site map shall be provided when either the Zoning Administrator or the City Engineer determines the development will substantially increase the runoff coefficient, alter the direction of drainage flow from the property or might obstruct traffic visibility.
2. A development plan, drawn to the same scale as the property site map, indicating:
  - a. Existing contours (shown as dashed lines);
  - b. Proposed contours (shown as solid lines);
  - c. Location and orientation of all existing and proposed buildings.
  - d. Areas to be used for parking, including the number and arrangement of stalls;
  - e. Areas to be developed for screening, including the location of plant materials, and screening structures and features;
  - f. Pedestrian and vehicular circulation, and their relationship to existing streets, alleys, and public right-of-way;
  - g. Points of ingress and egress;
  - h. Location of all existing and proposed utilities (sanitary sewage systems, water systems, storm drainage systems, gas lines, telephone lines and electrical power lines);
  - i. Drainage controls (retention or detention ponds);
  - j. Location, size and characteristics of identification and business signs;
  - k. Lighting layout, appurtenances, and intensity of illumination;
  - l. Proposed finished floor elevations of all buildings and structures.
3. A statement of intent shall accompany the preliminary development plan to explain the measures used to achieve compatibility of the proposed development with surrounding properties through the planning of the site and the location and design of structures. Such a statement of intent will also address the anticipated schedule of development, including any phasing of development over time.

The Plan Approval Guidelines, including site plan submission and content requirements, are contained in Article 23 of this Ordinance.

### **23-104: Development Plan – Review, Approval**

The Planning Commission shall review the application along with the development plan and may recommend approval or denial of the development plan, or request modifications to the development plan as deemed necessary to carry out the spirit and intent of this Ordinance. Approval by the Planning Commission shall constitute approval and permanency of the development plan, thereby establishing the criteria for construction of the proposed development. In the process of reviewing any development plan, the Planning Commission may provide approval of the development plan conditioned upon certain limitations or restrictions deemed

necessary to protect the public interest and surrounding properties, including, if any, the following:

1. Limitations on the type, illumination, and appearance of any signs or advertising structures.
2. Direction and location of outdoor lighting.
3. Arrangement and location of off-street parking and off-street loading spaces.
4. The type of paving, landscaping, fencing, screening, and other such features.
5. Limitations on structural alterations to existing buildings.
6. Plans for control or elimination of smoke, dust, gas, noise, or vibration caused by the proposed use.
7. Waiver of any standards, requirements or depiction of information required by this Article when requested by the applicant and shown to be necessary as applied to the specific case in question.
8. Such other conditions and/or limitations that are deemed necessary.

The total number of dwelling units and level of nonresidential development allowed within a “PUD” shall not exceed the level that can be adequately served by public facilities. To provide information on the capacity of streets and other facilities serving the “PUD”, the Zoning Administrator, Planning Commission, and/or Governing Body may require the applicant to conduct a traffic impact study or other infrastructure capacity analysis to provide information on the proposed development’s expected impacts on existing and planned facilities.

### **23-105: Development Plan – Phasing, Time Restrictions**

The applicant may proceed with construction based on the entire development plan, or may elect to develop the property in phases. The applicant may submit the development plan separately for the first and each successive phase of construction, or for the entire project with a depiction of the phasing sequence; however, all “P” Planned zoning districts, “PUD” Planned Unit Development, and conditional uses approved with a development plan shall have construction begun within one (1) year of said approval by the Planning Commission. The applicant may request a one (1) year extension may be granted one time but shall not be granted for any longer period.

The Planning Commission shall review the development plan and shall act on said plan in a reasonable time period following the submission of the plan. Upon approval by the Planning Commission, the development plan shall be filed for record in the office of the Zoning Administrator.

After the development plan has been approved, and when in the course of carrying out the development plan, minor adjustments are requested by the applicant and such adjustments conform to the minimum standards established by the approved development plan for building coverage, parking spaces, points of ingress and/or egress, heights, setbacks and/or other requirements, such adjustments may be made by the Zoning Administrator. If the requested adjustments are deemed by the Zoning Administrator to exceed the minimum standards established by the approved development plan, the revised development plan must be submitted and approved by the Planning Commission before any further work can proceed. At no time shall

the zoning or conditional use previously approved be subject to disapproval. The only issue in said review shall be the requested revisions to the previously approved development plan.

### **23-106: Appeals of Planning Commission Action on Development Plans**

Any decision of the Planning Commission regarding development plans may be appealed to the Governing Body, whose decision shall be final. An appeal shall be filed in writing with the Zoning Administrator not later than fifteen (15) days following the date of the Planning Commission's final action. If no appeal is taken within that time, the decision of the Planning Commission shall be final. The appeal shall set forth the basis for the appeal and the relief sought by the applicant. The Zoning Administrator shall schedule the appeal before the Governing Body no later than thirty (30) days following the filing of the appeal. The Zoning Administrator shall not notify all interested persons in writing of the time and place of the Governing Body's meeting at least ten (10) days prior to said meeting.

### **23-107: Remedies for Noncompliance**

If the applicant fails to comply with the time requirements herein established, the approved development plan shall be declared null and void and no permit for construction shall be used until a new development plan has been approved following the procedures previously cited. The "P" Planned zoning district, "PUD" Planned Unit Development, or Conditional Use permit shall remain in effect but shall do so without an approved development plan. If the approved development plan is violated and then voided, either the Planning Commission or the Governing Body may initiate an action to have the zoning changed to the previous zoning classification, or to have the Conditional Use permit revoked, or may seek some other more restrictive zoning classification by following the procedures outlined in this Ordinance.



Forward Together.

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# Pittsburg Zoning Ordinance and Subdivision Regulations

## Article 34: The Board of Zoning Appeals

34-101: Procedure

34-102: Powers

34-103: Variances

34-104: Special Exceptions

34-105: Special Yard and Height Exceptions

34-106: Guidelines for Conditions

34-107: Written Application Required

34-108: Stay of Proceedings

34-109: Public Hearing Required

34-110: Findings and Records of Proceedings

34-111: Lapse of Special Exceptions or Variances

34-112: Decisions of the Board

### 34-101: Procedure

The Board of Zoning Appeals shall administer the details of the application of this Ordinance in accordance with the general rules set forth herein. The Board may adopt rules and regulations as it may deem necessary to effectuate the provisions of this Ordinance.

### 34-102: Powers

The Board of Zoning Appeals shall have the following powers:

1. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this Ordinance.
2. To hear and decide special exceptions to the terms of this Ordinance upon which such Board is required to pass under this Ordinance.
3. In accordance with the specific provisions of this Article, to authorize upon appeal of specific cases such variance from the terms of the Ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship, and so that the spirit of this Ordinance shall be observed and substantial justice done.

### 34-103: Variances

The Board of Zoning Appeals shall have the power to grant the following variances:

1. A variation in the yard requirements in any district so as to relieve practical difficulties or particular hardships in cases, when and where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, at the time of the enactment of such regulations or restrictions or by reason of exceptional topographic conditions or other extraordinary or exceptional situations or conditions of such piece of property, the strict

application of each regulation or restriction would result in peculiar and exceptional practical difficulties to, or exceptional hardship upon the owner of such property. Such grant or variance shall comply, as nearly as possible, in every respect with the spirit, intent and purpose of the zoning regulations, it being the purpose of this provision to authorize the granting of variation only for reasons of demonstrable and exceptional hardship as distinguished from variations sought by applicants for purposes or reasons of convenience, profit, or caprice. Such variance shall be granted only when public safety and welfare are secured and substantial justice done.

2. A request for a variance may be granted in such case, upon a finding by the board that ALL of the following conditions have been met:
  - a. The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner(s) or of the applicant;
  - b. The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;
  - c. The strict application of the provisions of the zoning regulations of which the variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
  - d. The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare, and;
  - e. That granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations.

### **34-104: Special Exceptions**

In order to provide for adjustment in the relative locations of uses and buildings of the same or difference classifications, to promote the usefulness of this Ordinance as an instrument for fact finding, interpretation, application, and adjustment, and to supply the necessary elasticity to its efficient operation, special exceptions are hereby permitted by the terms of this Article. The following buildings and uses may be allowed as special exceptions if the Board of Zoning Appeals finds that in its opinion, as a matter of fact, such exceptions will not have an adverse effect on adjacent and neighboring property permitted by this Ordinance (*Sec. 11, Ord. G-811, 7/31/98*):

1. A nonconforming commercial use to extend to the entire lot or a larger portion of the lot where there is now a commercial use on a portion of the lot.
2. A nonconforming commercial use on a lot between two lots which are used for commercial.
3. A nonconforming use now existing in any part of a building to be extended vertically or laterally to other portions of the building. In a building now occupied by a nonconforming commercial or industrial use, an additional use of the same classification in the remainder of the building.
4. The extension of an existing nonconforming building and the existing use thereof, upon the lot occupied by such building at the time of the passage of this Ordinance; or the erection of an additional building upon the lot owned at the time of the passage of this Ordinance by a nonconforming commercial or industrial establishment and which additional building is a part of such establishment.

5. Where a use district boundary line crosses a lot, a use of either classification on the whole lot within 100 feet of said district boundary line.
6. In any residential district, a private garage(s) and/or storage building(s) as an accessory building(s) for more than four motor vehicles and/or covering more than 900 square feet.
7. In any commercial district, residential use where it is accessory to the commercial use and within the same building (*Sec. 11, Ord. G-811, 7/31/98*).
8. Off-street parking areas, adjacent to or at a reasonable distance from the premises on which parking areas are required by the parking regulations of this Ordinance where practical difficulties, including the acquisition of property, or undue hardships are encountered in locating such parking areas on the premises and where the purpose of this Ordinance to relieve congestion in the streets would be best served by permitting such parking off the premises.

### **34-105: Special Yard and Height Exceptions**

The following special yard exceptions, limited as to location and especially in locations described below in this section, are permitted by this Ordinance if the Board of Zoning Appeals finds that in its opinion, as a matter of fact, such exception will not substantially affect adversely the uses of adjacent and neighboring property permitted by this Ordinance and provided such exceptions are approved by the Board:

1. An exception in the yard regulations on a lot where, on the adjacent lot, there is a front, side, or rear yard that does not conform to the yard regulations.
2. A yard exception on a corner lot, or lots opposite or adjoining permanent open spaces, including parks and playgrounds.
3. An exception in the depth of the rear yard on a block where there are nonconforming rear yard conditions.
4. An exception where there are irregularities in depths of existing front yards on a street frontage on the side of a street between two intersecting streets, so that any one of the existing depths shall, for a building hereafter constructed or extended, be the required minimum front yard depth.

### **34-106: Guidelines for Conditions**

Where, in this Ordinance, special exceptions are permitted, provided they are approved by the Board of Zoning Appeals, where the Board is authorized to decide appeals or approve certain uses, and where the Board is authorized to approve variances, such approval, decision, or authorization shall be limited by such conditions as the case may require, including, if necessary, any of the following specifications:

1. No outside signs or advertising structures except professional or directional signs.
2. Limitations of signs as to size, type, color, location or illumination.
3. Amount, direction, and location of outdoor lighting.
4. Amount and location of off-street parking and loading space.
5. Maintenance requirements including cleaning and painting of buildings, structures or facilities.
6. Type of roof (i.e. gable, flat, etc.)
7. Construction design and type of construction materials to be used.
8. Whether the buildings, if multiple buildings are proposed, can be connected or not.
9. Exit, entrance, door and window locations.

10. The type and amount of paving, landscaping, fencing, screening, and other such features.
11. Hours of operation, including limitations on nighttime hours.
12. Limitations on structural alterations to existing buildings.
13. Plans for the control or elimination of smoke, dust, gas, noise or vibration caused by the proposed use.
14. Such other conditions and/or limitations that are deemed necessary.

### **34-107: Written Application Required**

Written application for an appeal, a special exception, or a variance referred to in this Article shall be filed with the Board or its agent, upon forms and in a manner prescribed by the Board. Said application shall be submitted within 30 days of the action requiring said appeal, variance or special exception.

### **34-108: Stay of Proceedings**

Upon the application for an appeal of an order, requirement, decision, or determination made by an administrative official in the enforcement of this Ordinance, said appeal shall stay all legal proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the Board, after the application for appeal has been filed with him, that by reason of facts stated in the certificate the stay would, in his opinion, cause imminent peril to life or property. In such case the proceedings shall not be stayed except by a restraining order which may be granted by the Board, or by a court of competent jurisdiction on application, on notice to the Zoning Administrator and on due cause shown.

### **34-109: Public Hearing Required**

The Board shall hold a public hearing on each application for an appeal, decision, variance, or special exception. Applications for a variance or special exception must be accompanied with a certified list of property owners, and their addresses, within 200 feet of the property for which the variance or special exception is being sought. Notice of the time and place of the public hearing shall be published once in the official City paper not less than 20 days prior to the date of such public hearing. In addition, all property owners within 200 feet shall be notified by registered mail of such public hearing and be given an opportunity to attend and be heard regarding such application for a variance or special exception.

### **34-110: Findings and Records of Proceedings**

The Board of Zoning Appeals shall hold the public hearing at such prescribed time and place and shall make its findings and determinations in writing within a reasonable time from the date of filing of the application, and shall forthwith transmit a copy thereof to the applicant. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, and shall keep records of its examinations and other official actions, which shall be a public record.

### **34-111: Lapse of Special Exceptions or Variances**

After the Board of Zoning Appeals has approved a special exception or granted a variance, the special exception or variance so approved or granted shall lapse after the expiration of one year if no substantial construction or change of use has taken place in accordance with the plans for

which such special exception or variance was granted, and the provisions of this Ordinance shall thereafter govern.

### **34-112: Decisions of the Board**

In exercising the foregoing powers, the Board of Zoning Appeals, in conformity with the provisions of this Article, may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination, and to that end shall have all the powers of the officer from whom the appeal is taken, may attach appropriate conditions and may issue or direct the issuance of a permit. Any person, official or governmental agency dissatisfied with any order or determination of the Board of Zoning Appeals may bring an action in the District Court of Crawford County, Kansas, to determine the reasonableness of any such order or determination.



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# Pittsburg Zoning Ordinance and Subdivision Regulations

## **Article 37: Amendments**

37-101: Who May Petition or Apply

37-102: Procedures for Consideration of Request for Amendments, Revisions, or Changes

37-103: Posting of Sign

37-104: Traffic Studies

37-105: Limitations on Reapplication for Amendments

### **37-101: Who May Petition or Apply?**

Applications for amendments, revisions, or changes in the Zoning District Boundary Map in effect for Pittsburg, Kansas, or for a Conditional Use Permit, may be made by any person who owns the land for which such an amendment, revision, change, or conditional use permit is sought, or by the owner's agent as defined by this Ordinance. If such application is made by the owner's agent, said agent shall enter upon the application the name and current mailing address of the owner and shall submit written authorization to act as agent for said owner prior to any public hearing.

Recommendations for amendments, revisions, or changes to the Zoning Ordinance or the Zoning District Boundary Map may also be made by the Planning Commission upon its own motion, for final determination by the Governing Body; likewise the Governing Body may amend the Zoning Ordinance or Zoning District Boundary Map upon its own motion; provided, however, such proposed amendments shall first be submitted to the Planning Commission for recommendation and report as provided herein.

### **37-102: Procedures for Consideration of Request for Amendments, Revisions, or Changes**

All applications or requests for amendments, revisions, or changes to the Zoning Ordinance or the Zoning District Boundary Map or for a Conditional Use Permit shall be made to the Zoning Administrator on such forms as provided and acceptable to the Zoning Administrator and the payment of the application fee established by the Governing Body. Immediately upon receipt of an application for a zoning change or conditional use by the owner of a particular tract of land, or his agent, and the payment of the appropriate fee, the Zoning Administrator shall note thereon the date of filing and make a permanent record thereof. All such applications shall be set down for hearing not later than 60 days after receipt of a completed application. Notice of such hearing shall be published once in the official City newspaper at least 20 days prior to the date set for said hearing and a hearing shall be granted to any person at the time and place specified in such notice. In addition to such publication notice, notice of such proposed hearing shall be mailed to

all the owners of land located within 200 feet of the area proposed to be altered at least 10 days prior to the hearing, thus providing an opportunity to all interest parties to be heard. Such notice shall be given by regular first-class mail, and shall be in the form of a letter explaining the proposed change. Such mailed notices shall be addressed to the owners of land mentioned above and not to occupants of such lands. The applicant shall provide a certified list of the owners of said lands at the time of the filing of the application. The applicant shall furnish proof that he is the owner, owner's agent, or has an option to buy the land described in the application, in which case the present owner must consent in writing to the application prior to the public hearing. In the case of an application to amend, revise, or change the Zoning Ordinance, whether by an individual, the Planning Commission, or the Governing Body, all the above stated requirements shall be followed except:

- No fee shall be required if the request is from the Planning Commission or the Governing Body.
- Notice of Public Hearing shall not be required to be mailed to all affected persons; therefore, a certified list of the owners of land shall not be required.

For action on zoning amendments, a quorum of the Planning Commission is more than one-half of all the members. A vote either for or against an amendment by a majority of all the Planning Commission members present constitutes a recommendation of the Planning Commission; whereas a vote either for or against an amendment by less than a majority of all the members of the Planning Commission present constitutes a "failure to recommend."

When the Planning Commission submits a recommendation of approval or disapproval of such amendment, the Governing Body may either adopt such recommendation by ordinance or take no further action thereof, as appropriate. In the event the Planning Commission submits a "failure to recommend" to the Governing Body, the Governing Body may take such action as it deems appropriate. Upon receipt of a recommendation of the Planning Commission which the Governing Body disapproves, the Governing Body shall return such recommendation to the Planning Commission with a statement specifying the basis for disapproval. The Planning Commission, after reconsidering the same, may resubmit its original recommendations giving the reasons therefore or submit new and amended recommendations. Upon receipt of such recommendations, the Governing Body may adopt or may revise or amend and adopt such recommendations by resolution, or it need take no further action thereon. If the Planning Commission fails to deliver its recommendation to the Governing Body within 10 days after receipt of the Governing Body's statement specifying disapproval, the Governing Body shall consider such course of inaction on the part of the Planning Commission as a resubmission of the original recommendations and proceed accordingly. The Planning Commission shall submit its first recommendation, in whatever form, no later than 3 months after the first public hearing.

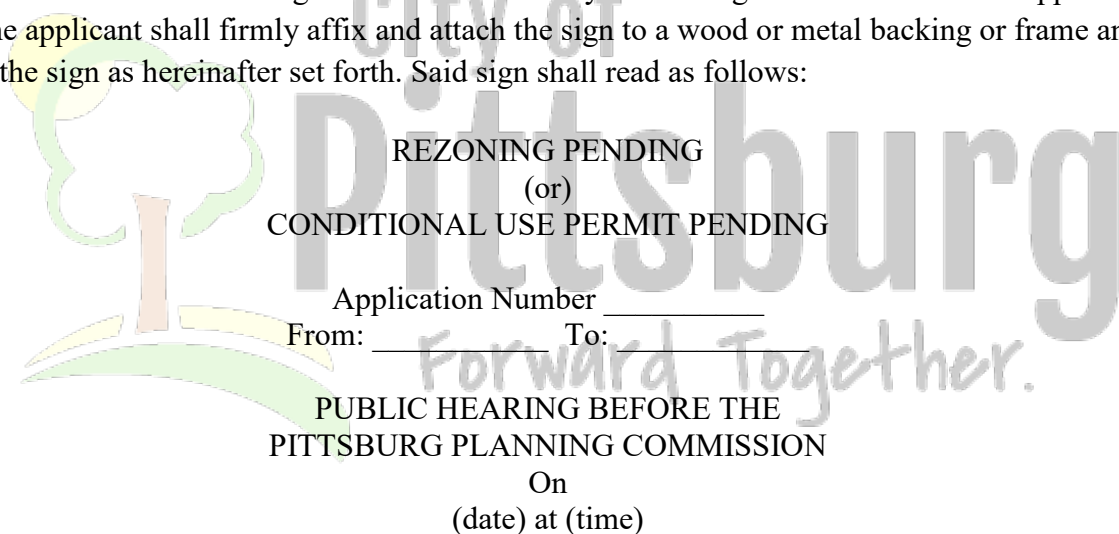


If the zoning amendment shall affect the boundaries of any zone or district, the resolution of the Governing Body shall define the change or the boundary as amended, shall order the official map to be changed to reflect such amendment and shall reincorporate such map as amended.

Regardless of whether or not the Planning Commission approves or disapproves a proposed zoning amendment or “fails to recommend,” if a protest against amendment, supplement, or change is filed in the office of City Clerk within 14 days after the date of the conclusion of the public hearing duly signed and acknowledged by the owners of 20 percent or more of any property proposed to be rezoned, or by the owners of 20 percent or more of the total area, excepting public streets and highways, which is located within 200 feet of the boundaries of the property proposed to be rezoned, such amendment shall not be passed except by three-fourths majority vote of the Governing Body.

### **37-103: Posting of Sign**

Each applicant for a rezoning and each applicant for a Conditional Use Permit shall, within 48 hours of filing such application, place a sign upon the lot, tract or parcel of land for which the application was filed. Said sign shall be furnished by the Zoning Administrator to the applicant and the applicant shall firmly affix and attach the sign to a wood or metal backing or frame and place the sign as hereinafter set forth. Said sign shall read as follows:



NOTE: Unauthorized Removal, Defacing, or Destruction  
of this sign Punishable upon Conviction by  
Fine not exceeding \$100.00 and/or not more  
than thirty (30) days imprisonment.

Said sign shall be maintained and kept in place by the applicant until final disposition of such application, or until withdrawal of the application. The sign shall be removed by the applicant after final action on the application.

The bottom of said sign shall be a minimum of two (2) feet above the ground line. Said sign shall be placed within five (5) feet of the street right-of-way line, in a position on such lot, tract or parcel of land as to have no visual obstructions thereto and to be readily seen by passerby. If the

lot, tract or parcel of land has more than one (1) street abutting thereto, signs shall be placed facing both streets. Failure to comply with this requirement shall not deprive the Planning Commission of its jurisdiction or affect any decision, but may be due cause for the Planning Commission to refuse to hear the application or to adjourn the hearing or to require further notice. Any such hearing may, for good cause at the request of the applicant, or in the discretion of the Planning Commission, be continued.

### **37-104: Traffic Studies**

In the case of an application for rezoning of land or a conditional use permit for a use which may, in the opinion of the Planning Commission or Governing Body, substantially change traffic patterns, or create traffic congestion, either the Planning Commission or Governing Body may require that the applicant procure the services of a competent professional traffic engineer for the purpose of preparing a traffic study. Such traffic study shall show that the traffic generated by the proposed development will be handled on the site in an orderly and efficient manner, that vehicular ingress and egress from the site onto public streets will function in an orderly and efficient manner and that no undue burden will be placed upon the existing public street system. The results of the traffic study shall be used in determining the impact of the proposed rezoning or conditional use permit and guide the development of a recommendation or decision regarding the same.

### **37-105: Limitations on Reapplication for Amendments:**

Whenever an application for amendment, supplement, change, rezoning, or conditional use permit has been denied by the Governing Body, such application or one substantially similar shall not be reconsidered sooner than ninety (90) days after the said denial.

# Pittsburg Zoning Ordinance

## Subdivision Regulations

### **Article 2: Procedure for Approval of Subdivisions**

2-101: General Provisions

2-102: Platting Conference

2-103: Preliminary Plat

2-104: Final Plat

2-105: Short-Form Plat

#### **2-101: General Provisions**

This Article establishes uniform procedures and platting requirements for subdivisions subject to this Ordinance. No final plat shall be filed or recorded with the County Register of Deeds as required by law unless and until it has been acted upon by the Planning Commission and approved by the Governing Body as required herein.

#### **2-102: Platting Conference**

Any person desiring to subdivide land shall be required to attend a pre-platting conference with the Zoning Administrator as a first step to filing an application for any plat.

The purpose of the pre-platting conference is to inform the city staff of possible future subdivisions so that the staff may determine and inform the applicant of the effect, feasibility, and compatibility of the proposal in relation to Pittsburg's utility and street system and any City development policies and plans. The conference enables the staff to inform owners and their agents of the general conformance or nonconformance of the subdivision proposal with this Ordinance, identify additional requirements for further processing of the proposal, and to advise them of applicable zoning provisions or conflicts and special design considerations present by particular environmental features on or affecting the site (i.e. flood plains, excessive slop areas, soil problems, high water tables, etc.).

The landowner or representative may, if they deem it desirable, prepare a schematic drawing of the proposed subdivision in order to receive any pre-plat comments of the staff.

In addition to the Zoning Administrator and representatives of the owner(s) intending to subdivide the land, principal participants involved in the pre-platting conference may include representatives of the Pittsburg Public Works Department and other persons and agencies as applicable. No verbal, written or schematically illustrated statements made during the course of the conference shall be held as legally binding or construed in any way as granting or assuring

approval of the proposed subdivision since the Governing Body has the final authority on all subdivision plats upon action from the Planning Commission.

## **2-103: Preliminary Plat**

1. **Application:** A subdivision application form and copy of the preliminary plat shall be filed with the Zoning Administrator and shall be submitted digitally. The appropriate fee shall be paid upon filing the application.
2. **Preliminary Plat Contents:** The following information shall be shown on the preliminary plat or attached thereto:
  - a. Items Pertaining to Title:
    - i. The name of the proposed subdivision.
    - ii. Location of the subdivision by reference to a section corner.
    - iii. The name(s) and address(es) of the owner(s)/developer(s) and the licensed land surveyor who prepared the plat.
    - iv. North arrow
    - v. Date prepared and scale of the drawing(s). The preliminary plat shall be drawn to a scale of not less than 1" = 200'; however, with special conditions and prior approval of the Zoning Administrator, this scale may be exceeded.
    - vi. The legal description of the entire dimensions of the subdivision.
  - b. Items Pertaining to the Subject Property (Existing)
    - i. All of the land to be platted as well as all platted or unplatted adjacent properties within 200 feet shall be shown. The boundary of the platted area shall be accurately indicated by a heavy solid line.
    - ii. Existing contours with the contour intervals not more than 2 feet. All elevations and contours shall be related to city datum.
    - iii. The location, width and names of all existing platted or private streets or other public ways within or adjacent to the tract, together with easements, railroad and utility rights-of-way, parks and other significant features such as city boundary lines and monuments.
    - iv. Environmental features including the location and direction of drainage and drainage channels, and areas subject to flooding by the Intermediate Regional Flood (100-year flood).
    - v. All airports, sanitary landfills, feedlots and other similar uses located within two miles of the proposed plat shall be shown on a vicinity map.
  - c. Items Pertaining to the Plat (Proposed)
    - i. Layout and names of streets with general dimensions and appropriate grades and their relationship to adjoining or projected streets or roadways.
    - ii. Intended layout, numbers and dimensions of lots.

- iii. Parcels of land intended to be dedicated or reserved for parks, schools, or other public use, or to be reserved for the use of property owners within the subdivision.
  - iv. Location and type of utilities to be installed, including the approximate location of extensions of any sanitary sewers, storm sewers, and water mains.
  - v. Utility easements indicating width and purpose.
  - vi. Vicinity sketch which indicates the relationship between the proposed subdivision and surrounding properties within 1,000 feet, showing streets and other features.
3. **Application Complete:** Upon receipt of the preliminary plat and supporting data required in this Section, the Zoning Administrator shall certify the application as complete and affix the date of application acceptance on the plat or application form. The Zoning Administrator shall then place the preliminary plat on the agenda for consideration at the first available meeting of the Planning Commission.
4. **General City Staff and Utility Review:** The Zoning Administrator shall distribute copies of the preliminary plat to the appropriate Pittsburg city departments and agencies and the affected utility companies for review and comment. All general staff and utility review comments shall be coordinated by the Zoning Administrator and shall be forwarded along with a report and recommendation to the Planning Commission.
5. **Planning Commission Review and Action:** The Planning Commission shall review the preliminary plat for compliance with the provisions of this Ordinance. After reviewing the preliminary plat, hearing comments from concerned citizens, and considering the review by the Zoning Administrator, the Planning Commission shall take action on the acceptance, modification, or rejection of the preliminary plat. Upon approval of the preliminary plat, if requested by the developer, the Planning Commission may immediately consider the final plat as described in Section 2-104. The Zoning Administrator shall forward a statement of action taken by the Planning Commission to the Governing Body.
6. **Effect of Approved Preliminary Plat:** Approval of the preliminary plat does not constitute final acceptance of the subdivision by Pittsburg. It establishes the overall layout and design of the proposed subdivision. The applicant shall file a final plat application along with the required documents described in Section 2-104 within three (3) years of the approval of the preliminary plat by the Planning Commission and/or Governing Body. Upon failure to do so within the time specified, approval of the preliminary plat is null and void, unless an extension of time, limited to six (6) months, is applied for by the developer and granted by the Planning Commission. An extension shall be granted only once.

## 2-104: Final Plat

1. **Application:** The final platting process is intended to provide a complete surveyed drawing of the subdivision for the purpose of providing a legal record of lots, streets, areas for dedication and easements for future reference and transactions. The final plat submitted may be for all of the property approved in the preliminary plat or may be for only a portion or “phase” thereof. The applicant shall file digital copies of the final plat with the Zoning Administrator along with the additional information required herein. Said final plat shall be prepared by a registered land surveyor, and so sealed. One (1) original final plat in digital format shall be submitted to the Zoning Administrator at least ten (10) days prior to the Planning Commission meeting. Said original final plat shall be formatted so that it can be clearly and legibly drawn at a scale of 1” = 100’ upon mylar at a size of 24” x 36”, and shall contain the information requested herein.
2. **Final Plat Contents:** The following information shall be shown on the final plat and attached thereto:
  - a. Items to be Included on the Final Plat
    - i. The lines and names of all proposed streets or other ways or easements, and other open spaces intended to be dedicated for public use or granted for use of inhabitants of the subdivision.
    - ii. Lines and names of all adjoining streets within 200 feet.
    - iii. The length of all straight lines, deflection angles, and radii, arcs and central angles of all curves, along the center line and the property lines of each street. All dimensions along the lines of each lot with the true bearings and angles of intersection which they make with each other, and also any other data necessary for the location of any lot line in the field. If more convenient, calculated bearings may be used instead of angles.
    - iv. The location of all building setback lines.
    - v. Suitable primary control points, approved by the City Engineer, or descriptions and “ties” to such control points, to which all dimensions, angles, bearings, and similar data given on the plat shall be referred. All dimensions shall be shown in feet and decimals of a foot.
    - vi. Location and elevation of a permanent bench mark.
    - vii. The location of all permanent monuments with the distance between them, and sufficient curve data plainly marked. These monuments shall be located at all block corners.
    - viii. Date of preparation, title, north point, and scale shall be included. The title shall include the name of the subdivision under which it is to be recorded. The north point may indicate either the magnetic or true north and shall be so designated on the plat.
    - ix. The boundary of the subdivided tract with courses and distances marked thereon which shall be determined by survey in the field, which shall be

balanced and closed, made by a qualified engineer or surveyor. The error of closure for a perimeter distance having a length of 10,000 feet or more shall not be more than one (1) in 20,000. For perimeter distances less than 10,000 feet in length, the error of closure shall not be more than one (1) in 10,000.

- x. An identification system for all lots and blocks, and the area in square feet of each lot.
  - xi. The certification of the land surveyor making the plat, his seal and signature.
  - xii. The acknowledgement of a notary.
  - xiii. A certification of the Planning Commission showing its approval of the final plat.
  - xiv. The approval of the Governing Body.
  - xv. The certificate of the Register of Deeds.
  - xvi. Title insurance certification or a certificate of title prepared by a competent attorney showing that the proposed subdivider owns all the property within the plat in fee, and that it is free from encumbrances and liens; but if encumbered, the mortgagee shall be required to consent to the plat.
  - xvii. Statement by the owner dedicating streets, rights-of-way, and any sites for public use.
  - xviii. Such other certificates, affidavits, endorsements, or dedications as may be required by the Planning Commission in the enforcement of this Ordinance.
  - xix. Purpose for which sites, other than residential lots, are dedicated or reserved.
  - xx. Marginal lines encircling the sheet. All lettering, signatures and seals shall be within this margin.
  - xxi. Legal description of the subdivision.
  - xxii. In the event the proposed subdivision is outside the city limits of the City of Pittsburg, but within the three (3) mile limit of jurisdiction, it will also be required to include a certificate showing the approval of the Board of County Commissioners of Crawford County, Kansas.
3. **Application Complete:** Upon receipt of the final plat, engineering drawings and certification documents required in this Section, the Zoning Administrator shall certify the final plat application as complete. He shall then place the final plat on the agenda for consideration at the next regular meeting of the Planning Commission which is held no less than 10 days after said application or no more than 60 days thereafter.
  4. **General City Staff and Utility Review:** The Zoning Administrator shall transmit copies of the final plat, along with the other documents submitted, to the appropriate Pittsburg

city departments and agencies, and utility companies as the Administrator deems necessary for review and to assure compliance with the approved preliminary plat. The Zoning Administrator shall serve as the final plat coordinator and all review comments shall be directed to such person and forwarded to the Planning Commission along with a report and recommendation.

5. **Planning Commission Review and Action:** The Planning Commission shall review the final plat for compliance with the approved preliminary plat and for the completion of all final platting requirements. After consideration, the Planning Commission shall either recommend to the Governing Body to approve or deny the final plat or table for additional information. The Zoning Administrator shall forward a statement of the action taken by the Planning Commission together with the minutes and the original and digital copies of the final plat to the Governing Body.
6. **Governing Body Review and Action:** Upon recommendation from the Planning Commission, the Governing Body shall take action to approve or disapprove the final plat including the acceptance of street or other public way dedications, service and utility easements, and land dedicated for other public use.
7. **Recording of Final Plat:** The final plat shall be recorded and filed with the Register of Deeds of Crawford County, Kansas, after approval of the final plat by the Governing Body as required by State law.

## **2-105: Short-Form Plat**

1. **Application:** A short-form plat procedure is included within this Ordinance for the purpose and intent of providing a means of approving a subdivision of land that contains four lots or less and, in all other respects, meets the requirements of this Ordinance. The submission and approval of a preliminary plat is not required as a prerequisite for a short-form plat approval. If the proposed subdivision qualifies for a short-form plat, the applicant shall file a digital copy of the plat with the Zoning Administrator along with the additional information required herein.
2. **Short-Form Plat Contents:** Said original short-form plat shall be formatted so that it can be clearly and legibly drawn at a scale of 1" = 100' upon mylar at a size of 24" x 36", and shall contain the information required herein. Except for the above requirement, a short-form plat must meet all of the requirements necessary for the approval of a final plat as stated herein.
3. **Short-Form Plat Review and Action:** The review and approval procedures for a short-form plat are the same as specified herein for a final plat.



# Pittsburg Zoning Ordinance

## Subdivision Regulations

### Article 3: Tract or Lot Splits

3-101: Objective

3-102: Authorization for Approval of Lot Splits

3-103: Application Procedure

3-104: Approval Guidelines

3-105: Saving Clause

#### 3-101: Objective

The objective of this Article is to provide for the division of a tract of land into not more than two (2) tracts or lots without having to comply with the platting requirements described in Article 2. Such tract or lot split shall be subject to the guidelines established in Section 3-104 and any further divisions of the tract(s) or lot(s) shall be platted in compliance with the requirements of Article 2.

#### 3-102: Authorization for Approval of Lot Splits

The Zoning Administrator is hereby authorized to approve or disapprove a tract or lot split in accordance with the provisions of this Article. Appeals from a decision made by the Zoning Administrator may be made by the applicant to the Governing Body for a final determination.

#### 3-103: Application Procedure

The application for a tract or lot split shall be made to the Zoning Administrator on forms provided and shall be accompanied by the following information:

1. Three copies of a drawing to scale of not less than 1"=100' showing the lots involved, the precise location of any structures thereon, and the location and dimensions of the original and proposed lots or tracts. Said drawing shall be a certificate of survey from a licensed land surveyor to determine the exact location of the structures and the precise dimensions of the lots or tracts.

#### 3-104: Approval Guidelines

No tract or lot split shall be approved if one or more of the following applies:

1. A new street or alley is needed or proposed.
2. Such action will result in significant increases in service requirements, e.g., utilities, traffic control, streets, etc.; or will interfere with maintaining existing service levels, e.g., additional curb cuts or points of access, repaving, etc.
3. There is less street right-of-way than required by this Ordinance, unless dedication of additional right-of-way can be made by a separate instrument.

4. Any easement requirements have not been satisfied.
5. Such split will result in a tract or lot without direct access to and/or less than 50 feet of frontage on a street.
6. A substandard sized tract or lot will be created according to this Ordinance or the Pittsburg Zoning Ordinance.

The Zoning Administrator shall, in writing, either approve, with or without conditions, or disapprove the tract or lot split within 15 working days of the application. The Zoning Administrator may make such additional requirements as deemed necessary to carry out the intent and purpose of this Ordinance. Such requirements may include, but not be limited to, installation of public facilities or dedication of right-of-way and/or easements.

### **3-105: Saving Clause**

Nothing in this Article shall be deemed to be in conflict with K.S.A. 79-405 et seq.

