

EDGERTON BOARD OF ZONING APPEALS
Edgerton City Hall
March 13, 2018
7:00 PM

(Immediately Following Adjournment of Planning Commission Regular Session)

1. Call Meeting to Order
2. Roll Call
3. Old Business

**CONTINUED FROM THE FEBRUARY 13, 2018 BOARD OF ZONING APPEALS MEETING:
UNIFIED DEVELOPMENT CODE – BOARD OF ZONING APPEALS BY-LAWS**

- A. Consideration of Resolution No. BZA2018-01 amending the Organization and Bylaws of the Edgerton Board of Zoning Appeals to reflect approved changes to Article 8, Section 8.2A of the Uniform Development Code regarding size and composition of the Board of Zoning Appeals. Applicant: City of Edgerton

Action requested: Consider motion to approve, deny, or table the amendment.

4. Adjournment

STAFF REPORT

Date: March 13, 2018

To: Edgerton Board of Zoning Appeals

From: Katy Crow, Development Services Director

Re: Consider approval of amendment to the Organization and Bylaws of the Edgerton Board of Zoning Appeals to reflect approved changes to Article 8, Section 8.2A of the Uniform Development Code regarding size and composition of the Board of Zoning Appeals.

BACKGROUND INFORMATION

On December 12, 2017 the Edgerton Planning Commission recommended changes to Article 8, Section 8.2A of the Unified Development Code (UDC) of the City of Edgerton, Kansas regarding the size and composition of the Planning Commission. The recommendation made to the Edgerton City Council was to reduce the number of Planning Commission members from nine to five with three constituting a quorum. Additionally, it was recommended that up to two Planning Commission members could reside in the unincorporated planning area adjacent to Edgerton. The City Council approved the Planning Commission recommendation at the January 25, 2018 City Council Meeting. Because the members of the Planning Commission make up the Board of Zoning Appeals, this change is also applicable to the Board of Zoning Appeals.

MATTER TO BE CONSIDERED

It is necessary for the Board of Zoning Appeals Organization and Bylaws document to be consistent with Article 8 of the UDC and updates are needed to reflect the approved amendments. Within the Organization and Bylaws document, the following amendment is necessary:

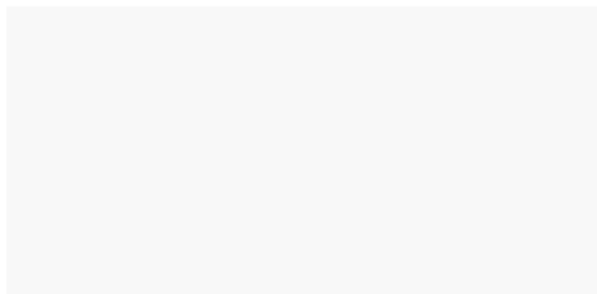
- Correct the number of voting members from nine to five (Creation of the Board of Zoning Appeals - Section C, Composition of the Board).

STAFF RECOMMENDATION

Staff recommends **approval** of Resolution BZ2018-01 which amends the Organization and Bylaws to be consistent with the approved amendments to Article 8 of the UDC.

ATTACHMENTS

- Resolution BZ2018-01



RESOLUTION NO. BZA 2018-01

A RESOLUTION OF THE BOARD OF ZONING APPEALS OF THE CITY OF EDGERTON, KANSAS AMENDING THE ORGANIZATION AND BYLAWS OF THE BOARD OF ZONING APPEALS TO REDUCE THE NUMBER OF BOARD OF ZONING APPEALS MEMBERS FROM NINE TO FIVE, TO REMOVE THE POSITION OF ALTERNATIVE COMMISSIONERS AND TO REPEAL ALL BYLAWS OR PARTS OF BYLAWS IN CONFLICT THEREWITH

BE IT RESOLVED BY the Board of Zoning Appeals of the City of Edgerton, Kansas, that page one (BZA-1), of the “Organization and Bylaws of the Board of Zoning Appeals”, more specifically sections A-D under the title “Creation of the Board of Zoning Appeals” are hereby amended to read as follows:

I. Creation of the Board of Zoning Appeals

A. Creation. A Board of Zoning Appeals (BZA) is hereby created to administer all zoning, floodplain, subdivision appeals, variances and other matters of land regulation as enumerated in the Edgerton Unified Development Code.

B. Membership Requirements. All members of the Board of Zoning Appeals must be age 18 years of older at the time of their initial appointment and meet the requirements of appointment to the Edgerton Planning Commission.

C. Composition of the Board. The Board of Zoning Appeals shall be composed of all five (5) current members of the Edgerton Planning Commission.

D. Service of Members.

1. All members of the Board of Zoning Appeals shall serve without pay or other compensation, except that all members shall be reimbursed for traveling or phone expenses.
2. Members may be removed for just cause, including conflict of interest, bias and failure to attend scheduled meetings.
3. Appointments to fill unexpired terms shall be made by the Governing Body.

ADOPTED at Edgerton, Kansas this 13th day of March, 2018.

CHAIRPERSON OF THE PLANNING COMMISSION

ATTEST:

PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:

LEE W. HENDRICKS, City Attorney