



# City of Sugar Creek

103 South Sterling – Sugar Creek, Missouri 64054  
Phone: (816) 252-4400, Fax: (816) 252-7082

## BOARD OF ZONING ADJUSTMENT APPLICATION PROCESS

The City of Sugar Creek has adopted a Zoning Ordinance that regulates the use of land within the city of Sugar Creek. All property in the city has been classified within one of the zoning districts for which requirements have been established in the Zoning Ordinance. The Zoning Ordinance specifies what uses of land are allowed within each zoning district, and establishes standards for the placement of structures, accessory uses, lot sizes, yards, fences, signs, off-street parking and other requirements.

In certain circumstances where unique conditions exist and where the strict application of the regulations would impose an undue hardship, a variance may be requested from the Board of Zoning Adjustment. Where a person believes that an error has been made in the enforcement of the regulations, an appeal may be made to the Board of Zoning Adjustment.

### PROCEDURES:

#### 1. Application

- a. An application for a variance is included with these instructions.
- b. The Applicant Information, Owner Information, and Property Information sections must be filled in completely.
- c. One copy of site plan or plat showing all building locations and lot dimensions and measurements from buildings to property lines is required as part of the application.
- d. The complete correct legal description of the property must be provided. If the legal description requires more space than provided on the form, it may be written on a separate sheet attached to the application.
- e. The application must be signed by the owner(s) of the property, or an authorized representative who has co-signed with the property owner on the application and who has submitted a letter of authorization signed by the owner stating that the representative is authorized to act on behalf of the owner.

#### 2. Fees

- a. The required fee for an application for a variance is \$50.00. The application will be accepted for processing by the City Clerk's Office only after the fee has been paid.

**3. Notice of Publication**

The Zoning Ordinance requires that a legal notice be published one time in the official city newspaper not less than 5 nor more than 15 days prior to the date the Board of Zoning Adjustment will hold a public hearing on the application. The City will prepare and place the Notice of Public Hearing in the newspaper. The applicant will reimburse the City for the cost of the public notification.

**4. Notification of Surrounding Property Owners**

- a. The applicant shall provide a list of the property owners within 185 feet of the property for which a variance is sought.
- b. The City will notify the owners of all property located within 185 feet of the property no less than 10 days prior to the date of the hearing.

**5. Schedule**

A date for the hearing will be established within 30 days following receipt of a complete application. The Board of Zoning Adjustment meets at the call of the Chairman at 7:00 p.m. in the Council Chambers at City Hall, 103 South Sterling.

**6. Variance Powers**

The powers of the Board of Zoning Adjustment to grant variances are contained in the Zoning Ordinance which sets forth specific findings of fact that shall be made by the board in order to grant a variance, as follows:

- a. The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
- b. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property with the same zoning classification.
- c. The purpose of the variance is not based exclusively upon a desire to make more money out of the property.
- d. The alleged difficulty or hardship has not been created by any person presently having an interest in the property.

- e. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
- f. The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

**7. Additional Information**

Additional information is contained in the Zoning Ordinance. A copy of the Zoning Ordinance may be purchased from the City Collector at City Hall. If you have questions or wish to file an application for a variance, you should contact:

The City of Sugar Creek  
Building Official  
103 S. Sterling Ave.  
Sugar Creek, Missouri 64054  
Phone (816) 252-4400 ext. 137  
Fax (816) 252-7903

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**ALL PROPERTY OWNERS ARE ENCOURAGED TO REVIEW THE ZONING ORDINANCE AND DISCUSS THEIR SPECIFIC SITUATION WITH THE BUILDING OFFICIAL PRIOR TO FILLING AN APPLICATION FOR A VARIANCE.**