

10. UNIFIED DEVELOPMENT ORDINANCE AMENDMENT - Amendments to Unified Development Ordinance for Section 18.140.080 for notification requirements to surrounding property owners and Section 18.140.350 for consideration of variances

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1. APPLICANT: The City of Overland Park is the applicant for this request.
2. REQUESTED ACTION: The applicant is requesting amendments to Unified Development Ordinance for Section 18.140.080 for notification requirements to surrounding property owners and Section 18.140.350 for consideration of variances.
3. ANALYSIS: The applicant is requesting amendments to Sections 18.140.080 and 18.140.350 of the Unified Development Ordinance for notification requirements to surrounding property owners. This amendment would no longer require all notification letters for public hearing items provide return receipts (green cards). This includes rezonings, special use permits, revised preliminary plans with public hearing, preliminary plats and variances. All notification letters would still be certified (white slips) which would allow for the staff to verify a letter was mailed out to all adjacent property owners. The Kansas State Statute only requires the mailing but does not delineate how the letter should be mailed. Therefore, the city would still meet the requirements of the State Statute.
4. ORDINANCE REVIEW COMMITTEE: The Ordinance Review Committee met January 5, 2010, on this proposed change. The Ordinance Review Committee voted unanimously to approve the amendment.
5. STAFF RECOMMENDATION: The staff recommended approval of the amendments to Unified Development Ordinance for Section 18.140.080 for notification requirements to surrounding property owners and Section 18.140.350 for consideration of variances, as proposed.
6. PLANNING COMMISSION RECOMMENDATION: The Planning Commission considered this item at a public hearing on March 22, 2010. No one spoke in opposition to the request and the Planning Commission voted 11 to 0 to recommend approval of the amendments to Unified Development Ordinance for Section 18.140.080 for notification requirements to surrounding property owners and Section 18.140.350 for consideration of variances, as proposed.