



ADMINISTRATIVE ADJUSTMENTS APPLICATION

Pre-App Date _____
App Date _____
Fee _____
File No. _____

OWNER INFORMATION

Name(s) _____

Contact _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

APPLICANT/AGENT INFORMATION

Name(s) _____

Contact _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

SITE INFORMATION

Property Address/Location: _____

Legal Description (Attach If Necessary) _____

Number of Proposed Lots _____ Present Land Use _____

Total Site Area _____ Present Zoning _____

Proposed Building Types(s) _____

REQUESTED ADJUSTMENT

The administrative adjustment process is intended to provide flexibility for application of specific standards to sites where it is clear that an alternative approach with minor modifications of the standards will equally or better meet the purpose, intent or design objectives of these regulations. In any of these cases the adjustment cannot create conflicts with any other applicable standard.

1. Altering a building standard, such as setback, area or height by less than 5% of the stated standard. Provide section, standard, and reason for request.



- 2. Reducing a site design standard, such as a landscape requirement, parking quantity or location, open space requirement or dimension by less than 10% of the required standard. Provide section, standard, and reason for request.

- 3. Deviating from any building design standard, where an alternative "equal or better" standard is proposed by the applicant. Provide section, standard, and reason for request.

SIGNATURE

I/We, the undersigned am/are the **(owner(s)), (duly authorized agent), (Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for an administrative adjustment as indicated above.

Signature(s): _____ Date _____
_____ Date _____

**ADMINISTRATIVE ADJUSTMENTS
APPLICATION CHECKLIST**

APPLICATION SUBMITTAL REQUIREMENTS

- | Yes | No | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Complete application packet |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Application fee |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Submittal of an associated site plan/ design review, administrative site plan, or plot plan (detached house or duplex) |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Digital copies (PDF) of the completed application and plans (if not submitted with site plan) |

I hereby submit all information required for an administrative site plan review. I understand that failure to provide the required information may result in a postponement of my request for review until all information has been submitted.

Signature of Applicant

Date

OWNER AFFIDAVIT

I/WE _____, hereby referred to as the "Undersigned", being of lawful age, do hereby on this _____ day of _____, 20____, make the following statements to wit:

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

See "Exhibit A, Legal Description" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize _____ (Herein referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the City of Gardner, regarding _____ (common address), the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process. I/We further attest that I/We agree to be legally bound by the application made on our behalf by applicant and the resultant action upon such application by the City of Gardner.
3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Owner

Owner

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____, by

_____.

My Commission Expires:

Notary Public

ADMINISTRATIVE ADJUSTMENT APPLICATION PROCESS

Applications for administrative adjustments shall follow the same procedures required for a site plan and design review or administrative site plans, whichever is applicable. In cases where the Director is the decision authority, administrative adjustments may be granted by the Director. In the case where the Planning Commission is the decision authority, administrative adjustments may be granted only by the Planning Commission.

REVIEW CRITERIA

The review of an administrative adjustment is based on the regulations of the Land Development Code, Title 17 of the Gardner Municipal Code at www.gardnerkansas.gov/documents/city-code.

The administrative adjustment shall be reviewed according to the following criteria:

1. The relief requested is compatible with the surrounding area in terms of building scale, building form, and landscape and site design.
2. The relief requested supports the intent and applicability of the zoning district.
3. The relief requested is based upon sound planning and urban design principles that are consistent with the intent and objectives behind the applicable standard.
4. Compliance with the standard is not practical due to some factors specific to the site or context.
5. The relief requested is not strictly for the convenience of the applicant or a specific tenant, and is the minimum necessary to result in the best design for the site.
6. The relief requested produces no perceived impact on the adjacent property or public realm, then would otherwise occur if the standard were met.
7. The relief requested may be limited to specific conditions, or proposed alternatives that equally or better meet the intent of the applicable standard.
8. In the case of any specific standard where exceptions or alternative compliance is identified in this Code, the relief shall be limited only to the extent identified with that standard.