

Instructions for
ZONING COMPLIANCE APPLICATION

READ THOROUGHLY BEFORE SUBMITTING APPLICATION

These instructions are provided to aid applicants of unincorporated Jackson County in completing the necessary application form and to advise you of any required attachments and/or documentation needed to process your application. Completed application along with all required submittals at the time of filing will expedite the approval process. This application applies to all residential, agricultural, commercial structures and additions.

Please allow at least three (3) business days for review and processing.

PURPOSE OF ZONING COMPLIANCE APPLICATION

The Board of Jackson County Commissioners finds that the provisions for adequate and reasonable control over improvements in unincorporated Jackson County is necessary and desirable; that adoption of a county zoning compliance certificate procedure to prevent the development of conditions that are hazardous to health and safety is in the public interest; and, that the use of said zoning compliance certificate procedure to promote the economical and orderly development of the county is in the public interest.

The purpose of the zoning compliance certificate procedure is to ensure a thorough and comprehensive review of proposed construction or alteration of a structure, or change of use, for compliance with applicable floodplain, zoning, driveway entrance, subdivision, private sewage, construction, groundwater regulations, and other adopted policies and procedures of the county.

ZONING COMPLIANCE CERTIFICATE REQUIRED

It shall be unlawful to commence construction, enlargement, placement, alteration or conversion of a building or structure or cause or allow the same to be done without first filing an application for a zoning compliance certificate with the Jackson County Office of Planning and Land Information and obtaining a certificate, therefore. ***A separate certificate shall be required for each such building or structure.*** No person, firm, corporation, owner of the land or possessor shall maintain or occupy such building or structure without obtaining a certificate of occupancy.

It shall be the responsibility of the property owner, developer, builder or other authorized representative to obtain all required certificates/permits. All persons are hereby advised that in instances where a zoning compliance certificate is not required, other permits may still be required from other county, state or federal agencies.

ZONING COMPLIANCE CERTIFICATE PROCEDURE

It is advised that anyone wanting to erect a building or structure to contact the Jackson County Office of Planning and Land Information before materials are purchased or someone is hired to confirm applicable building requirements. Planning Department staff would be happy to discuss your project with you to ensure that it complies with current county regulations.

A complete zoning compliance certificate application shall consist of:

APPLICATION FORM:

Applicant Information:

- Owner Name – Identify the fee title owner of the property including address and phone number.
If purchasing under contract an affidavit of equitable interest must be filed with the Register of Deeds prior to submitting application.
- Contractor Name – Identify the name and address of person/company engaged in the proposed construction.

Type & Cost of Certificate Requested:

- Type of Construction – Identify whether the proposed improvement is new construction, an addition to an existing structure; or the proposed improvement is a relocation from another property. Relocation includes manufactured homes or modular homes that are constructed off-site and moved to the subject property.
- Completed Value* – This is the estimated valuation of the structure upon completion. The value to be used in computing the application fee is the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, and any other permanent equipment.
- Dwelling Unit Type – Identify dwelling unit type (e.g. single family, two family, or multifamily, etc.) or other type of residential occupancy (e.g. group home, nursing facility, etc.). If the proposed improvement is a single-family dwelling, identify whether it will be site built or qualify as a residential design manufactured home. A residential design manufactured home includes both manufactured and modular homes which are placed on a permanent foundation and consist of a minimum dimension of 22 body feet in width, a pitched roof, and siding and roofing materials which are customarily used on site-built homes.

Application Property Information:

- Parcel Information – Identify the property's size (acreage) and the subdivision name, if the property is in a recorded subdivision.
- Total Square Footage – Identify the gross square footage of the proposed improvement, including basement. If multi-story, the square footage would include the square footage of all floors.
- Dimensions – Identify the perimeter dimension of the proposed improvement. The perimeter dimension includes the size of the smallest square or rectangle that contains the proposed improvement.
- Number of Bedrooms and Baths – Identify the total number of bedrooms and bathrooms associated with the proposed improvement.

- Height/Stories – Identify the approximate height of the proposed improvement in feet from the adjacent grade to roof peak and total number of stories. A story denotes one floor.
- Estimated Completion Date – Indicate the estimated date of completion.

Provide Source Information for Utilities:

- Water Service – Identify source of water service (i.e. rural water district or private well).
- Sewage Disposal – Identify proposed method of sewage disposal (e.g. on-site septic and lateral, public sewer, lagoon) serving the proposed improvement.
- Type of Street – Indicate if the type of street serving the property is paved, gravel, or chip and seal.

Applicant Signature: By signing the application form, you are certifying that the information provided is true and accurate to the best of your ability. Any information that is found to be inaccurate or misleading, intentional or otherwise, will not only delay the processing of the application, but could lead to its denial. If the same is found to be true following issuance of a zoning compliance certificate application, it could lead to the application being revoked.

CONTRACTOR/BANK ESTIMATE*

All zoning compliance certificate applications must be accompanied by a detailed copy of the winning contractor bid and/or an owner build construction loan agreement letter from the bank. This establishes the completed value amount required on the application

FLOOR PLAN

All zoning compliance certificate applications must be accompanied by a copy of the floor plan or construction drawing showing total square feet and all rooms and their designated use including plumbing fixtures.

SITE PLAN

All zoning compliance certificate applications must be accompanied by an accurate site plan that represents the location, size and dimensions of the proposed improvement and its relationship to property lines and other structures on site. Site plan shall include the following information:

1. Identify the location and dimensions of the proposed improvement.
2. Identify and dimension all easements, platted building setback lines and property lines.
3. Identify setback of proposed improvement from property lines and nearest on-site improvements. Please note that the front yard setback is not measured from the center or edge of pavement but from the street right-of-way line.
4. Identify location of existing or proposed driveway and dimension from nearest property line.
5. Identify location and size of proposed on-site sewage disposal system and setback from on-site improvements and property lines.
6. If applicable, identify location and elevation of 100-year floodplain. Any construction located within the 100-year floodplain is subject to a Floodplain Development Permit.

See the attached sample site plan for reference.

FILING FEE:

All applications must be accompanied by the filing fee which is made payable to the Jackson County Treasurer. The non-refundable filing fee is based on the type and completed value of the proposed improvement as follows:

Valuation	Fee
Under \$20.00	None
\$21.00 to \$2,000	\$15.00
\$2,001 to \$10,000	\$25.00
\$10,001 to \$20,000	\$50.00
\$20,001 to \$30,000	\$75.00
\$30,001 to \$40,000	\$100.00
\$40,001 to \$50,000	\$125.00
\$50,001 to \$100,000	\$150.00
\$100,001 +	\$200.00 + \$2.00 for each additional \$1,000

Penalty: Any person, firm or corporation who performs or caused to be performed any work for which a zoning compliance certificate is required prior to obtaining such certificate, shall be subject to double the normal fee for such permit. The payment of the penalty shall not relieve any person, firm or corporation from full compliance with the requirements of the zoning compliance certificate procedure in the execution of the work. All work on the project must stop. The Jackson County Zoning Administrator will review the application in normal fashion. If a violation is found, the owner will need to correct the violation before the County will issue a permit. Fee payment and application submittal does not guarantee approval. The permit may even be revoked.

*****Agricultural Use buildings are exempt from permit fees but still require a permit. *****

Penalty – If an agricultural use building is constructed without a permit, said structure shall be subject to double the standard fee schedule for such permit.

VERIFICATION OF OWNERSHIP:

A recorded deed will need to accompany the application if county records do not reflect the represented ownership as a result of a recent purchase.

ADDITIONAL INFORMATION:

1. **On-site Sewage Disposal System** – If access to public sewer is not available, you will need to contact the NEK Environmental office to construct an on-site sewage disposal system. A zoning compliance certificate will not be issued until the Environmental Agency approves the on-site sewage disposal system. Contact the NEK Environmental Office at (785) 985-2778.
2. **Driveway Entrance** – If a new or existing driveway entrance is proposed, you will need to complete a Residential Access Agreement for review and approval by the Jackson County Road and Bridge Department. The Residential Access Permit Agreement will need to be approved before a zoning compliance certificate can be issued. The Road and Bridge Department may be reached at (785) 364-3519.
3. **State Access Control** – If a new or existing driveway entrance is proposed to be located upon a state highway, Kansas Department of Transportation (KDOT) review and approval is required. A zoning compliance certificate will not be issued until submission of a highway entrance permit approved by KDOT has been received. Contact KDOT at (785) 296-2291.
4. **Floodplain Development Permit** – If the proposed improvement is located within a regulatory floodplain, a Floodplain Development Permit will be required. Contact the Jackson County Zoning Administrator at (785) 364-4781 to obtain additional information.
5. Property owners are encouraged to call **1-800-DIG-SAFE** or through www.kansasonecall.com to verify location of underground utilities before digging.
6. **State Fire Marshal** – If the proposed improvement is a single-family residence or a two-family residence, no letter is required. All other structures require a letter from the State Fire Marshal (K.S.A. 31-133 & K.S.A. 31-134). Contact the Kansas State Fire Marshal at (785) 296-3401 or firemarshal@ks.gov or prevention@ks.gov.
7. **Subdivision Approval Letter** – If the proposed improvement is located within a rural subdivision, an approval letter from the subdivision's board shall be required to indicate compliance with the subdivision's requirements.

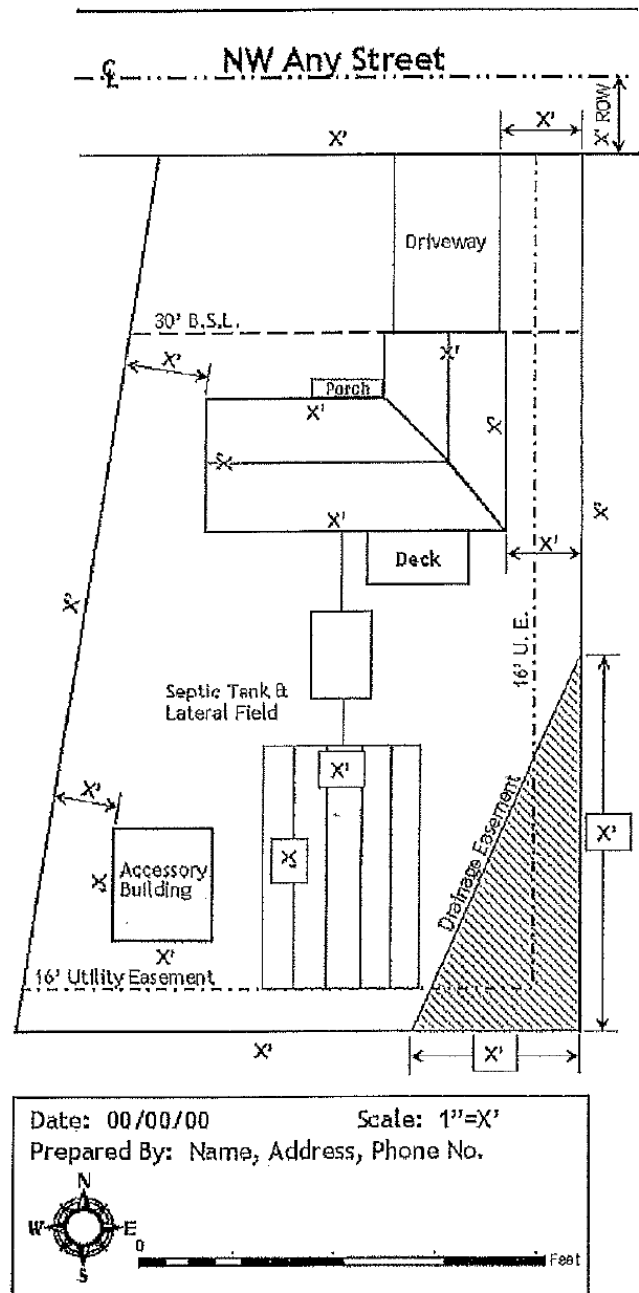
PLEASE NOTE: Jackson County Zoning Regulation Article XXXI, Section 4, Paragraph 1 requires that anyone who commences work on a project before a zoning compliance certificate application has been approved and issued, shall be punishable by a fine of not to exceed \$500 for each offense or imprisonment for not more than six (6) months for each offense, or by both such fine and imprisonment and each day's violation shall constitute a separate offense when action is filed in court. In addition to the above penalties, any structure constructed or altered without a permit as required shall be subject to removal at the owner's expense.

DISCLAIMER: This instructional booklet is provided by the Jackson County Office of Planning and Land Information as a guide to assist property owners interested in making application for a zoning compliance certificate and understanding the basic regulations that apply to buildings. It is not possible for this booklet to address all situations and, therefore, should not be relied upon for the legality of its content. For a complete description of the requirements, please refer to the Jackson County Zoning Regulations.

Sample Residential Site Plan

Site Plan Requirements:

- ☐ Scale and North Arrow
- ☐ Date of Preparation
- ☐ Name, Address and Phone No. of Person Preparing Site Plan
- ☐ Lot Dimensions
Identify perimeter lot dimensions; type, location and width of easements; adjoining street names and right-of-way dimensions; and, location of driveway and existing structures.
- ☐ Building Footprint
Include porches, decks and overhangs. Identify perimeter wall dimensions.
- ☐ Septic System
Identify location, dimension and setback of septic tank and lateral field system.
- ☐ Plat Restrictions
Include plat restrictions, if any, such as minimum opening elevations, utility connection requirements, etc.



Site Plan

A site plan must be drawn to scale, showing the actual dimensions of the zoning lot in reference to a recorded plat, if any exists, and showing the location, dimensions and height, of all present and proposed structures, drives and parking, loading spaces, signs, building lines in relation to lot lines, and the use to be made of such structures. The site plan must also include street names, street right of way, dimension of utility and drainage easements, identify septic tank, lateral fields, lagoons, wells, and or ponds and distance from proposed structure. Please indicate a North arrow on the site plan.

Lack of information or an inaccurate drawing can be a cause for the delay or denial of an application.

This image shows a full page of blank graph paper. The grid consists of thin, light gray horizontal and vertical lines that intersect to form small squares across the entire surface. There are no margins, text, or other markings on the paper.

Application #: _____

Note: that the front yard setback is not measured from the center or edge of the road but from the road right-of-way line.