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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE DESIGNATING THE PLANNING COMMISSION AS THE  
BOARD OF ZONING APPEALS IN THE CITY OF BEL AIRE, KANSAS.

WHEREAS, pursuant to K.S.A. 12-759, et seq., any governing body which has enacted a zoning ordinance or resolution shall create a board of zoning appeals by adoption of the appropriate ordinance or resolution; and

WHEREAS, pursuant to K.S.A. 12-759(g), a planning commission may be designated as a board of zoning appeals; and

WHEREAS, the planning commission is best suited to serve as the board of zoning appeals due to their specialized knowledge of the comprehensive plan, zoning ordinances, and other land use regulations.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE,  
KANSAS:

- A. Establishment. The Board of Zoning Appeals (hereinafter the “BZA”) for the City of Bel Aire, Kansas (hereinafter the “City”) is hereby created under the authority of K.S.A. 12-759, et seq.
- B. Authorization. The Planning Commission as previously established by the governing body shall also serve as the BZA pursuant to K.S.A. 12-759(g), as amended.
- C. Members. All members of the Bel Aire Planning Commission are voting members of the BZA, whether they reside inside or outside the City limits.
- D. Officers. All officers of the Planning Commission are officers of the BZA, including the Secretary.
- E. Compensation. All members of the BZA must serve without compensation, but may be reimbursed for expenses as authorized in the bylaws.
- F. Bylaws. The BZA must adopt rules for its operation in the form of bylaws, which:
  1. Must include hearing procedures.
  2. Must not conflict with the ordinance designating the Planning Commission as the BZA, with applicable State statutes, or with the provisions of these Zoning Regulations.
  3. Are subject to the approval of the Governing Body.
- G. Meetings. BZA meetings may be held separately from a Planning Commission meeting, or in conjunction with one.

1. When Planning Commission and BZA meetings are held in conjunction, the Planning Commission must recess a portion of its meeting to conduct the business of the BZA, and then reconvene to continue the Planning Commission agenda.
2. Special meetings must be held at the call of the Chairperson, and at such other times as the bylaws allow.

SECTION 1. Repealer. All other ordinances or parts of other ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

SECTION 2. Effective Date. This Ordinance shall take effect and be in force from and after its adoption by the Governing Body of the City, approval by the Mayor, and publication once in the official city newspaper.

*[Remainder of this page intentionally left blank]*

ADOPTED by the Governing Body of the City of Bel Aire, Kansas on this 2<sup>nd</sup> day of September, 2025.

SIGNED by the Mayor on this \_\_\_\_\_ day of September, 2025.

CITY OF BEL AIRE, KANSAS

\_\_\_\_\_  
Jim Benage, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Krehbiel, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Maria A. Schrock, City Attorney