



DATE: May 8, 2025

TO: Planning Commission

FROM: Paula Downs, Community Development Director

RE: Board of Zoning Appeals

This memo is designed to provide a very brief overview of information related to the Board Of Zoning Appeals (BZA) in the City of Bel Aire.

The City of Bel Aire currently does not have an established BZA. The City of Bel Aire does have an Ordinance and Zoning Regulations setting out the BZA and their responsibilities, however, there are no appointed members to the BZA. Cases that would fall under the purview of the BZA, have been handled in alternative processes.

The BZA is established under the authority of K.S.A. 12-713 and is designated to hear appeals of the building official or any other administrative official's interpretation of the zoning regulations. In addition, the BZA hears Variance cases, which are specifically set out in the Bel Aire zoning regulations. In the absence of a BZA, there is no mechanism for appeals and Variance cases to be heard which has required other approval processes to be followed.

BZA Ordinance History:

- Bel Aire Ordinance 275 designated the Bel Aire Planning Commission as the BZA.
- Bel Aire Ordinance 357 updated language related to appointments and removal of the Planning Commission and BZA
- In 2014, Bel Aire Ordinance 548, Page 31, changed the BZA from being the Planning Commission to a three-member board with one member being the Planning Commission chair and two at-large members which shall not hold any other office of the City.

Bel Aire City Code- BZA Information:

- The BZA membership, appointment, removal and responsibilities are provided in the Bel Aire City Code, Chapter 18, Article 3 of the Zoning Regulations.
- Information on Appeals of the Building Official and Variance cases are provided in the Bel Aire City Code, Chapter 18, Article 5 of the Zoning Regulations.

Surrounding communities including Derby, Park City, Kechi, Valley Center, Maize and others, utilize the Planning Commission as the BZA. Agenda items for the BZA are included in the Planning Commission Agenda. Planning and Zoning cases are becoming more detailed and complex. The Planning Commission has extensive experience with hearing planning and zoning cases and with the zoning regulations in the City. It makes sense to appoint the Planning Commission to serve as the BZA moving forward.

Next Steps: (subject to review and refinement)

1. Planning Commission Workshop- June/July Meeting
 - a. Schedule workshop date
 - b. Develop BZA Bylaws
 - c. Develop presentation on types of issues/cases to be heard and how the BZA agenda becomes part of the Planning Commission agenda. Review BZA bylaws.
2. Planning Commission Agenda Item- approve BZA bylaws and make recommendation that Planning Commission also serve as BZA.
3. Develop Ordinance
4. Update Zoning Regulations via ordinance
5. City Council- agenda item to approve ordinances and bylaws
6. Publish updated Zoning Regulations