

Building Projects

When do I need a permit?

Mission Hills City Code, Chapter 5, requires that a building permit be issued for most renovation/construction work in the City, including interior remodeling, additions, decks or patios, driveway and roof replacements, fences and walls, generators, irrigation systems, new structures, pools, and sport courts. Exceptions include minor repairs or purely cosmetic updates such as painting and wallpapering. Call City Hall at 913-362-9620 to find out if your project needs a building permit.

How do I get a permit?

Submit a building permit application to City Hall listing the scope of the project. You will also need to submit necessary photographs, construction drawings or surveys, depending on the project. If the project consists of interior work only, the City Administrator will review your plans for building code and zoning regulations and can approve your project. Once the permit application is approved, the permit fee must be paid and the permit located on the property before any work can begin. There are fines for working without a permit. With few exceptions, any change to the exterior of a house must be approved by the **Architectural Review Board** before the permit is issued. Substantial Construction projects, except for pools and sport courts, must be reviewed by the City's Professional Review Panel before going to the ARB.

Contractor/Performance Bonds

The City requires a performance bond (or check) for certain projects in the event the contractor damages City infrastructure.

\$5,000 - Substantial Construction

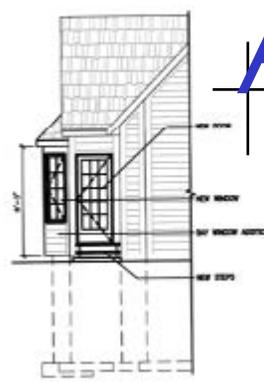
\$5,000 - Whole House Demolition

\$5,000 - Tier #3 Land Disturbance

\$2,500 - Concrete (driveways, swimming pools, patios, etc.)

Contractor License

Contractors must have an occupational license with the City to be able to obtain a building permit. (This does not include sub-contractors.) The license fee is \$60 for each calendar year. Contractors must also have a current Johnson County Contractors License.



Architectural Review Board

The ARB exists to maintain and protect the charm and integrity of Mission Hills by ensuring conformity to architectural standards. With few exceptions, the ARB must approve all exterior modifications to a home before a building permit can be issued. The ARB is made up of five members who are residents of the City. They meet every other Tuesday at 3:00 p.m. at City Hall.

STEPS ①②③④ Before You Begin

Review the **Design Guidelines** which will help you understand what residents value most about Mission Hills and how to design your project to fit seamlessly into your specific neighborhood. The Design Guidelines were created to make the design review process transparent and predictable and to balance the sometimes competing interests of the property owner/applicant with their neighbors.

Review the **ARB checklist** and **schedule**, both of which are available on the City's website and at City Hall. The checklist outlines what must be submitted to be on the ARB's agenda (i.e. drawings, survey and site plan, photos, etc.), and the schedule gives submittal deadlines and meeting dates. Call City Hall if you have specific questions about your submittal.

STEPS ①②③④ The ARB Meeting

Required documentation must be submitted to City Hall by the appropriate deadline. All parties involved in the project (homeowner, contractor, architect) will receive notice of the meeting. In addition, a notice letter will be sent to the surrounding Mission Hills' neighbors with project details. To approve your project, the ARB must find: 1) the project meets customary architectural requirements and is in general conformity with the surrounding structures, 2) the project will not adversely affect property values of surrounding properties and the health, safety and general welfare of residents, 3) the project conforms to the Design Guidelines, 4) in the case of a Substantial Construction Matter (other than pool or sport court), the structure to be erected or altered does or will meet the recommendation of the Professional Review Panel, and if it does not meet the recommendation, that there is sufficient justification for deviating from those aspects of the recommendation that are not accepted by the ARB, and 5) the project conforms to the principles of the Comprehensive Plan (See Code Section 5-146).

STEPS ①②③④ After the Meeting

Once your project receives approval from the Architectural Review Board, there may be other documents required before you can pay for your building permit and begin construction. Most projects will require construction drawings to be submitted and reviewed for code compliance. Review of construction drawings can take 1-2 weeks depending on the size of your project.

If your project requires a variance, you must file a variance request at City Hall. The Board of Zoning Appeals meets once a month to hear requests for variances. Check with City Hall for deadlines for filing variance requests to be on the next available BZA meeting agenda.

If you decide to make changes after the ARB approves your project, you will most likely need to return to the ARB for approval of the changes. Some very small changes can be approved by the City Administrator so contact City Hall for clarification on whether you need to return to the ARB. When **submitting changes** to the ARB, you will need to submit two full size sets and one 11X17 set of drawings with the changes clouded.

STEPS ①②③④ Construction

Be sure to schedule the appropriate inspections with City Hall throughout the project and at the end of the project. Required inspections will be marked on the building permit application and on the permit that is posted on the property.

Normal construction noise is allowed from 8:00 a.m. to 8:00 p.m., Monday through Thursday, and from 8:00 a.m. to 6:00 p.m., Friday and Saturday. Noise from heavy equipment must end each day by 6:00 p.m. There is no construction noise allowed on Sundays or legal holidays.

Professional Review Panel

Substantial Construction projects, except for pools and sport courts, must be reviewed by the City's Professional Review Panel before going to the Architectural Review Board. Substantial Construction projects are defined as any new principal building, an addition of 3,000 sq. ft. or more to an existing principal building, or an addition which results in at least a 50% increase of the footprint or square footage of the structure. Contact City Hall for details.

Board of Zoning Appeals

If your project requires a variance because it does not conform to the City's zoning regulations, you will need to request a variance from the BZA. In addition to reviewing requests for variances, the BZA hears appeals of decisions made by the ARB or City staff.

STEPS ①②③④ Before You Begin

After you have received approval from the Architectural Review Board, you will need to appear before the Board of Zoning Appeals to request a variance. The BZA meets

once a month. Variance requests must be filed in writing and a \$50 publication fee paid to the City. Call City Hall for filing dates. A description of the variance requested will be published in The Legal Record at least 20 days before the hearing. Letters will be sent to all relevant parties involved in the project and the surrounding neighbors with a description of the variance request and the hearing date.

STEPS ①②③④ Before the Mtg

Read the five conditions that State statute requires the BZA to find for approving a variance, and be prepared to address how your project meets those five conditions.

The Board of Zoning Appeals Five Conditions

- 1) That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant;
- 2) that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;
- 3) that the strict application of the provisions of the zoning ordinance of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
- 4) that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and
- 5) that granting the variance desired will not be opposed to the general spirit and intent of the zoning ordinance.

Appealing Decisions to the BZA

An applicant can appeal an unsatisfactory decision made by the Architectural Review Board, the City Administrator, City Clerk or other administrating officer to the BZA within thirty (30) days of the decision at issue. Appeals must be filed in writing and a \$50 legal publication fee must be paid to the City. As with all appeals to the BZA, notice of the appeal will be published in The Legal Record and included in letters to all related parties.

The BZA will determine if an order, requirement, decision, or determination made by City staff or the ARB in the enforcement of the zoning ordinance is properly made. The BZA may reverse or affirm, wholly or in part, or modify an order, requirement, decision, or determination made by the City staff or ARB.

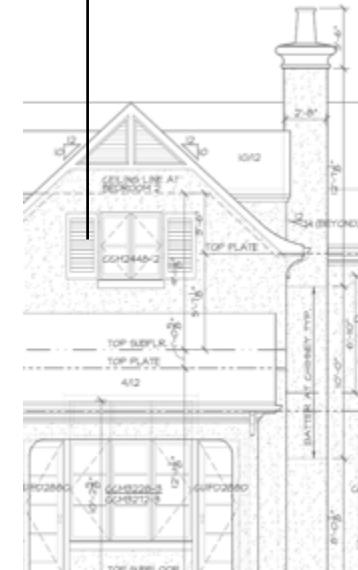
To appeal a decision by the BZA, you must file your appeal within thirty (30) days to the District Court of Johnson County, Kansas.

Any homeowner or neighbor can appeal a decision made by the ARB, BZA or City staff.

Contact City Hall at 913-362-9620 for questions regarding this process, or visit our website at www.missionhillssks.gov.

Building Projects in Mission Hills

Procedures for the Architectural Review Board and Board of Zoning Appeals



City of Mission Hills
6300 State Line Road
Mission Hills, KS 66208
913-362-9620
www.missionhillssks.gov