



****ADMINISTRATIVE REVIEW****
ACCESSORY DWELLING UNIT
APPLICATION PROCEDURES

For

ACCESSORY DWELLING UNIT CERTIFICATES

For

**The UNINCORPORATED AREA OF
JOHNSON COUNTY, KANSAS**

**A PRE-APPLICATION CONFERENCE WITH THE DEVELOPMENT REVIEW
COMMITTEE IS REQUIRED PRIOR TO SUBMITTAL OF ANY APPLICATION**
[Development Review Process Guidebook and Application Questionnaire](#)

**An accessory dwelling unit must meet certain performance
standards to be eligible for Administrative Review.
Planning staff will assist you in determining the appropriate
application form for your project.**

****ADMINISTRATIVE REVIEW****

ACCESSORY DWELLING UNIT APPLICATION PROCEDURES

APPLICANT RESPONSIBILITIES: Submission of less than the following items may delay the review and processing of the application.

- A. A complete Administrative Accessory Dwelling Unit Application form. (Attachment A-1)
- B. A complete Zoning Permit Application. (Attachment A-2)
- C. Payment of filing fee. Make check payable to Johnson County Planning Department. (Attachment B)
- D. Letter of Authorization if not the legal owner of the property. (Attachment C)
- E. Two (2) Development Plan drawings, including a site plan, elevations, and a table of building areas, in accordance with the requirements of Article 15, Sections 3 and 6 of the Zoning Regulations. (Attachment D)
- F. Legal Description and common street address of the property.
- G. Written narrative description of proposal.
- H. Accessory Dwelling Unit Worksheet. (Attachment E)

FOR ADDITIONAL INFORMATION PLEASE REFER TO THE *JOHNSON COUNTY ZONING AND SUBDIVISION REGULATIONS*, WHICH INCLUDES THE FOLLOWING ARTICLES APPLICABLE TO ACCESSORY DWELLING UNIT CERTIFICATE APPROVAL.

- 1. Article 5, Section 6 – Permits
- 2. Article 15 – Development Plan Procedures
- 3. Article 17 – Supplementary Height, Area, and Bulk Regulations
- 4. Article 18, Section 7(D) – Accessory Dwelling Units

PLANNING DEPARTMENT PROCEDURES

The Department reviews the Accessory Dwelling Unit Certificate request and notifies the applicant whether it is approved or denied. The application may be approved subject to stipulations.

When Accessory Dwelling Unit Certificate Approval is received, the applicant may apply for a building permit. A copy of the Accessory Dwelling Unit Certificate Approval and Zoning Permit Application will be attached to the building permit.

Prior to or concurrent with the Final building permit inspection, the subject real property will be reviewed to determine whether the actual site development conforms with the requirements of the approved development plan. If the site is in conformance with the approved development plan, then the Zoning Permit will be issued.

The Zoning Permit must be approved before use of the accessory dwelling unit is allowed.



ADMINISTRATIVE ACCESSORY DWELLING UNIT APPLICATION

OFFICE USE ONLY

Application No. _____
 Township _____ Zoning Board _____
 Date Received _____ Date Paid _____

APPLICANT/AGENT INFORMATION

OWNER INFORMATION

NAME _____
 ADDRESS _____
 CITY/ST/ZIP _____
 PHONE _____
 EMAIL _____
 CONTACT PERSON _____

NAME _____
 ADDRESS _____
 CITY/ST/ZIP _____
 PHONE _____
 EMAIL _____
 CONTACT PERSON _____

PROPOSED USE INFORMATION

Present Zoning District _____
 The property owner will occupy the *(circle one)* *Principal Dwelling Unit/Accessory Dwelling Unit* as their domicile.
 Reason for Requesting Accessory Dwelling Unit Certificate _____

 Livable Area of Principal Dwelling Unit (sq. ft.) _____
 Livable Area of Accessory Dwelling Unit (sq. ft.) _____

PROPERTY INFORMATION

Legal Description *(may be attached to this application)* _____

 Address of Property _____
 Site Size _____ Property Real Estate Number _____
 Present Improvements or structures (include all dwelling units having a kitchen and bathroom) _____

I, the undersigned am the ***(circle one) owner, duly authorized agent,*** of the aforementioned property situated in the unincorporated portion of Johnson County, Kansas. By execution of my signature, I do hereby Officially apply for an Accessory Dwelling Unit Certificate as indicated above.

Signature _____ Date _____
 Please Print Name _____

ATTACHMENT A-1



ZONING PERMIT APPLICATION

Office Use Only

Date Sent: _____ CUP Application No: _____

Final Dev. Plan No: _____ BOCC Resolution No: _____

Building Permit No: _____ Applicant/Project Name: _____ Map # _____

PROPERTY INFORMATION

Site Address: _____

Use: _____ Administrative Accessory Dwelling Unit Certificate

Disposition: _____ Date: _____

Signature: _____ Title: _____

Comments: _____

APPLICANT INFORMATION

Applicant Name: _____

Company Name: _____

Address: _____ City/St/Zip: _____

Contact Person: _____

Telephone _____ Email _____

I, the undersigned, am the *(Circle One)* owner/duly-authorized-agent of the aforementioned property situated in the unincorporated portion of Johnson County, Kansas. By execution of my signature, I do hereby officially apply for Zoning Permit Approval.

Signature: _____ Date: _____

ATTACHMENT A-2



ZONING FEE SCHEDULE

Rezoning		
Rural or Residential Districts	\$300	0-5 acres
\$350		5.1-10 acres
\$400		10.1-20 acres
\$450		>20 acres
Planned Retail Business Districts	\$300	0-5 acres
\$350		5.1-10 acres
\$400		10.1-20 acres
\$450		>20 acres
Planned Employment Center Districts	\$600	0-5 acres
\$750		5.1-15 acres
\$900		15.1-25 acres
\$1,050		25.1-50 acres
\$1,200		>50 acres
Conditional Use Permit		\$375 or \$75*
*The seventy-five-dollar (\$75.00) fee applies to:		
✓ Keeping animals on less than 10 acres in accordance with the Zoning and Subdivision Regulations		
✓ Preschools and Day-Care Centers in a residence or accessory building to a residence		
✓ Accessory buildings or structures larger than or in greater quantities than permitted by Article 18 of the Zoning and Subdivision Regulations		
✓ Kennels		
Accessory Dwelling Unit Permit (Public Hearing Required)		\$375
Special Permit (Public Facilities/Utilities)		\$375
Development Plan (Site Plans)		
Preliminary	\$300 + \$7.50 per lot	
Final		\$300
Plat		
Preliminary	\$300 + \$7.50 per lot	
Final		\$300
Board of Zoning Appeals		
Variance		\$150
Appeal		\$100
Airport Plan Review		\$50
Sign Permit		\$75
Tract/Lot Split or Lot Line Adjustment		\$150
Grading Plan		\$225
Flood Plain Development Permit		\$75
Administrative Plan Review (Includes Accessory Dwelling Unit Certificate)		\$150
Nonconforming Use, Lot, or Structure Review		\$100



OWNER AUTHORIZATION

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 the lawful, owner(s) in fee simple absolute of the following described real property
See Exhibit A attached hereto and incorporated herein by reference.
2. I/We the undersigned, have previously authorized and hereby authorize _____
_____ (Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Johnson County, Kansas, _____
_____ (common address) the subject real property, or portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.
3. I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County Commissioners of Johnson County, Kansas, its officers employees and agents (hereinafter collectively referred to as the 'County'), free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly out of this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.
4. 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 below.

OWNER
STATE OF KANSAS
COUNTY OF JOHNSON

OWNER

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

My Commission Expires:

Notary Public _____

ATTACHMENT C

DEVELOPMENT PLAN REQUIREMENTS for Administratively Reviewed Accessory Dwelling Units (Accessory Dwelling Unit Certificates)

Two (2) copies of a Development Plan shall be submitted to the Johnson County Planning Office as part of the Administratively Reviewed Accessory Dwelling Unit application. The Development Plan shall consist of a site plan, elevations, and a table of building areas containing at least the following information. (Additional information may be requested by Planning Department staff per Article 15, Section 6 of the *Zoning Regulations*.)

Site Plan, identify the following:

- Location by common street address and legal description.
- Names, addresses and telephone numbers of the applicant, owner, and designer of the plan.
- Date and North Arrow.
- The boundary lines of the parcel or lot containing the accessory dwelling unit and the principal dwelling unit (also known as the “property lines”).
- The location and names of all abutting streets.
- The location and dimensions of all existing and proposed buildings and dwellings including the proposed Accessory Dwelling Unit and the Principal Dwelling Unit.
- The distance of all buildings and dwellings from the property line (also known as the “setbacks”).
- The distance of the Accessory Dwelling Unit (if detached) from the Principal Dwelling Unit.
- The location of natural features such as streams and ponds.
- The location of any land area subject to 100-year flooding.
- The location of existing sewers and on-site sanitary waste disposal systems.
- The location of all existing and proposed driveways.
- Location, height and general materials to be used for walls, fences and landscaping.
- An easily measurable scale shall be used such as 1” = 60’ or 1” = 100’.

Building Elevations

The Building Elevations shall depict the general style, size and exterior construction materials of the Accessory Dwelling Unit, the Principal Dwelling Unit and other existing or proposed buildings in sufficient detail to exhibit the relative compatibility of the proposed Accessory Dwelling Unit with the Principal Dwelling Unit and the character of the neighborhood.

(Note: Pictures of existing buildings and houses may be provided in lieu of Building Elevations.)

ATTACHMENT D-1



Table of Building Areas

Complete the table below for either an attached or detached ADU, whichever is applicable. The areas supplied will be used to determine if the proposed ADU meets the adopted performance standards.

The tables collect information regarding “Livable Area,” which is defined as follows:

Livable Area: A space within a dwelling unit that is heated, has a ceiling height of at least seven feet, and has finished walls, floors, and ceilings. Walls and ceilings shall be deemed finished if they are covered with plaster, wallboard, wood paneling, or similar material. Floors shall be deemed finished only if they are covered with carpeting, tile, linoleum, finished wood, decorative concrete, or similar material. This definition includes hallways, closets, dormers, laundry room facilities, stairs, and storage rooms if they are a functional part of the living area and not part of an unfinished area such as an unfinished attic or unfinished basement. In rooms with sloped ceilings (e.g., finished attics) livable area is considered that portion of the room with a ceiling height of at least five feet.

Note: The Johnson County Appraiser refers to “Livable Area” as “Finished Floor Area”. The Appraiser’s Office documents the “Finished Floor Area” of existing dwelling units in Johnson County and provides this information to the public. The Appraiser’s Office can be contacted at 913-715-9000.

BUILDING AREA -- ATTACHED ADUS (Development Plan Requirement)

The Livable Area (defined above) of an Attached ADU shall not exceed 50 percent of the Livable Area of the Principal Dwelling Unit prior to the establishment of the ADU.

If the proposed Accessory Dwelling Unit is ATTACHED to the Principal Dwelling Unit, then complete the following table to be included as part of your Development Plan:

Building Area: Attached Accessory Dwelling Unit		
	Livable Area (sq. ft.)	
	Submitted by Applicant	Planning Staff Comments
Livable Area of ADU		
Livable Area of Principal Dwelling Unit		
Ratio (ADU / PDU)		

ATTACHMENT D-2



BUILDING AREAS -- DETACHED ADUS (Development Plan Requirement)

The Livable Area (defined above) of a Detached ADU shall not exceed 900 square feet. Additionally, Detached ADUs shall meet and count towards the size and number limitations regarding accessory buildings and structures as set forth in Article 18, Section 6 (B) and (C) of the Zoning Regulations.

If the proposed Accessory Dwelling Unit is NOT ATTACHED to the Principal Dwelling Unit, then complete the following table to be included as part of your Development Plan:

Building Area: Detached Accessory Dwelling Unit		
	Livable Area (sq. ft.)	
	Submitted by Applicant	Planning Staff Comments
Livable Area of ADU		
Livable Area of Principal Dwelling Unit		

Area of Accessory Buildings (including tool sheds, garages, and barns)			
Structure as labeled on Site Plan	Approximate Dimensions of First Floor (Building Footprint)	First Floor Area (sq. ft.)	Planning Staff Comments.
Example: tool shed	10' x 12'	120	
Example: metal barn w/ ADU	60' x 60'	3,600	
Example: detached garage w/ ADU on second floor	24' x 30'	720	
		Total Area:	

Does the ADU cover only a portion of a larger accessory building (i.e., the ADU is on the second floor of a detached garage)? yes or no

ATTACHMENT D-4