

HOW TO PROTEST A REZONING In DOUGLAS COUNTY

If you own property which lies within 1,000 feet of a proposed rezoning and you oppose the rezoning, you may file a protest petition in opposition to it.

If the petition is found to be valid, approval of the rezoning requires unanimous approval of the Board of County Commissioners (rather than a majority).

- A. For a protest petition against a rezoning to be valid it must meet the following requirements:
1. It must be duly signed and acknowledged by the owner or owners of 20% or more of the real property, excluding streets and public ways, within 1,000 feet of the land for which the rezoning has been proposed.
 2. It must be filed with the County Clerk before 5:00 p.m. on or before the 14th days after the date of the conclusion of the Planning Commission public hearing. The day following the Planning Commission shall be counted as the first day. If the 14th day falls on a weekend or holiday, the Petition must be filed before 5:00 p.m. on the first business day following that weekend or holiday.
- B. Facts about the petition:
1. The "owner" for the purpose of a protest petition is defined as the owner of record (recorded for purposes of taxation) on the date of publication of the legal notice for the Planning Commission public hearing.
 2. Each and every owner of a single piece of property must sign the protest petition, but all are considered as a single owner in determining the sufficiency of the petition.
 3. An authorized representative of a corporation may sign, but must provide a legal documentation of his or her right to sign for the corporation.
 4. The protest petition should state what is being protested, its general location, and the reasons for the protest.

If you have questions regarding the protest petition, please feel free to contact the Planning Office, first floor of City Hall, 6 E. 6th Street, P. O. Box 708, Lawrence, Kansas 66044-0708. Phone: (785) 832-3150 Fax: (785) 832-3160

Verification

I, _____ (name/address), being first duly sworn, under oath, depose and state that the signatures and legal description and/or addresses placed on the Protest Petition are, genuine, that I personally know all of the signers of this sheet of the Protest Petition to be the persons whose names are signed to the Petition and that I personally witnessed their signature, that I am one of the signers of the Protest Petition and own property within the statutory area of notification related to the are for which a rezoning is sought, and that to the best of my knowledge the signers of the Protest Petition are owners of land located within the statutory area of notification for this rezoning application.

Signature of Circulator of Petition

STATE OF KANSAS)
) SS:
DOUGLAS COUNTY)

Subscribed and sworn to me this _____ day of _____, 2007, by _____
_____ who is/are personally known to me to be the same person(s) whose name is subscribed in the foregoing instrument.

Notary Public

My Appointment Expires: _____