



## **APPEAL TO CITY COMMISSION WITH A PUBLIC HEARING Planning Director's Denial of Final Development Plan or Site Plan**

### **Application Requirements**

This checklist has been provided to assist you as you prepare your application. Submission of less information than necessary to adequately review and process your application may delay the review process. Planning Staff will determine the completeness, accuracy, and sufficiency of the application within five (5) business days of submission.

**\*NOTE: Application must be submitted with 45 days of date of Planning Director's refusal of Final Development Plans, and within 9 days of said date for Site Plans.**

#### **Pre-Application Meeting**

- 1. Pre-Application Meeting. The applicant shall meet with Planning Staff at least seven (7) business days prior to submittal of the application.

#### **General Submittal Requirements**

- 2. A complete application form.
- 3. Payment of review fee. (Make check payable to the City of Lawrence.)
- 4. Owner Authorization form if Applicant is not the legal owner of the property.

#### **Requirements for Public Notification of the Public Hearing**

- 5. Legal description of the property in print and electronic (Microsoft Word) formats.
- 6. A list certified by the City Clerk of all property owners within the notification area of the subject property.
- 7. Ownership List Certification form.
- 8. Post a sign (supplied by the Planning Office) at least twenty (20) days before the public hearing.
- 9. Submit Sign Posting Procedures and Affidavit form at least seven (7) but no more than ten (10) days before the public hearing.



**Lawrence Douglas County  
Metropolitan Planning Office**  
6 East 6<sup>th</sup> Street, P.O. Box 708, Lawrence, KS 66044  
(785) 832-3150 Fax (785) 832-3160  
<http://www.lawrenceplanning.org>

### **Other Requirements**

- 10. Complete application submitted within 45 days of the date of notice of Planning Director's refusal in the case of Final Development Plans or in the case of Site Plans, 9 days.
- 11. Final Development Plan or Site Plan
  - a. Submit 17 copies
  - b. Fold all plans, image side out.
  - c. Additional plans and an 11" x 17" reduction may be requested prior to completion.



**APPEAL TO CITY COMMISSION WITH A PUBLIC HEARING  
Planning Director's Denial of Final Development Plan or Site Plan**

**DETERMINATION OF COMPLETENESS, ACCURACY, AND SUFFICIENCY  
(Completed by Staff)**

The following items apply to applications to appeal the Planning Director's denial of a final development plan or site plan. Submission of less information than necessary to adequately review and process your application may delay the review process. The following submittal requirements will be deemed: (P)provided or (NP)not provided. (Circled items have not been reviewed due to time constraints.)

**\*NOTE: Application must be submitted with 45 days of date of Planning Director's refusal of Final Development Plans, and within 9 days of said date for Site Plans.**

**P NP**

**Pre-Application Meeting**

- 1. Pre-Application Meeting. The applicant shall meet with Planning Staff at least seven (7) business days prior to submittal of the application.

**General Submittal Requirements**

- 2. A complete application form.
- 3. Payment of review fee.
- 4. Owner Authorization form if applicant not the legal owner of the property.

**Requirements for Public Notification of the Public Hearing**

- 5. Legal description of the property in print and electronic (Microsoft Word) formats.
- 6. A list certified by the City Clerk of all property owners within the notification area of the subject property.
- 7. Ownership List Certification form.
- 8. Post a sign (supplied by the Planning Office) at least twenty days before the public hearing.
- 9. Submit Sign Posting Procedures and Affidavit form at least seven but no more than ten days before the public hearing.



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### **Other Requirements**

- 10. Complete application submitted within 45 days of the date of notice of Planning Director's refusal of a Final Development Plan or within 9 days in the case of Site Plans.
- 11. Final Development Plan or Site Plan.
  - d. Submit 17 copies
  - e. Fold all plans, image side out.
  - f. Additional plans and an 11" x 17" reduction may be requested prior to completion.



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### Determination Of Completeness, Accuracy, and Sufficiency

I have reviewed the application submitted by:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Application No. \_\_\_\_\_

Based upon the submitted information, I find the application to be:

- Complete (based upon the items reviewed)
- Incomplete, inaccurate, or insufficient (circle) for the following reasons:
  - The application or plan contains one or more significant inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with Development Code standards.
  - The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with Development Code standards.
  - Other

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\_\_\_\_\_  
Planner

\_\_\_\_\_  
Date

Resubmit by \_\_\_\_\_ to be placed on the agenda for the City Commission meeting on \_\_\_\_\_. (All resubmitted materials must be deemed to be complete, accurate, and sufficient.)



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**APPEAL TO CITY COMMISSION WITH A PUBLIC HEARING  
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**OWNER INFORMATION**

Name(s) \_\_\_\_\_  
Contact \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
Phone (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_  
E-mail \_\_\_\_\_ Mobile/Pager (\_\_\_\_) \_\_\_\_\_

**APPLICANT/AGENT INFORMATION**

Contact \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
Phone (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_  
E-mail \_\_\_\_\_ Mobile/Pager (\_\_\_\_) \_\_\_\_\_  
Pre-application Meeting Date \_\_\_\_\_ Planner \_\_\_\_\_

**PROJECT INFORMATION**

Please indicate the type of appeal:

- Appeal of Planning Director's Denial of Final Development Plan
- Appeal of Planning Director's Denial of Site Plan

Project Name \_\_\_\_\_  
Legal Description (*may be attached*) \_\_\_\_\_  
Address of Property \_\_\_\_\_  
Application Number of (Final Development Plan, Site Plan) (circle one) \_\_\_\_\_  
Date of notice of Planning Director's refusal \_\_\_\_\_





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**SIGNATURE**

I/We, the undersigned am/are the **(owner(s)), (duly authorized agent), (Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially Appeal to the City Commission as indicated above.

Signature(s): \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

**STAFF USE ONLY**

Application No. \_\_\_\_\_

Date Received \_\_\_\_\_

City Commission Date \_\_\_\_\_

Fee \$ \_\_\_\_\_

Date Fee Paid \_\_\_\_\_

Related Application Numbers \_\_\_\_\_



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**OWNER AUTHORIZATION**

I/WE \_\_\_\_\_,  
hereby referred to as the "Undersigned", being of lawful age, do hereby on this  
\_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

See "Exhibit A, Legal Description" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize

\_\_\_\_\_ (Herein referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Lawrence/Douglas County, Kansas, regarding \_\_\_\_\_ (common address), the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.

3. 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 and seal below.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

STATE OF KANSAS  
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_,

by \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_  
Notary Public



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**Note to Applicant:**

**Replace this page with "Exhibit A, Legal Description".**



## PROPERTY OWNERSHIP LIST CERTIFICATION

As required by Article 13, Section 20-1301(q) of the Development Code, the applicant is responsible for providing certified Ownership information (including names and mailing addresses) of all real property owners within a defined radius from the subject property. The Planning Department is required by the Development Code to use the submitted Ownership list to mail notice of the public hearing to surrounding property owners regarding this Application.

### Ownership Information

The applicant is responsible for providing certified Ownership information. Current Ownership information shall be obtained from the Douglas County Clerk. Ownership information will be considered current if it is **no more than 10 days old** at the time an application is submitted to the Planning Department.

### Radius of Notification

The Ownership list shall include the record Owner of the subject property and all Owners of property located within 200 feet of the subject property. If the subject property is adjacent to the City limits the area of notification shall be extended to at least 1,000 feet into the unincorporated area.

A map of the "Radius of Notification" can be obtained **at the Applicant's request** at the Planning Office. The map indicates ownership of each property and can be used to check the accuracy and completeness of the Ownership List. The map will be supplied **at the Applicant's expense. Allow 10 business days** to receive the map.

### THE FOLLOWING IS TO BE COMPLETED AND SUBMITTED BY THE APPLICANT.

I certify that I have read and understood the above information and that the submitted Ownership list:

- (a) was a) obtained from and b) certified by the Douglas County Clerk,
- (b) is current (**no more than 10 days old**), and
- (c) includes all property owners within the required notification radius of the subject property.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name



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**SIGN POSTING  
PROCEDURES AND AFFIDAVIT**

**Sign Posting Procedures**

The applicant is required to post one or more notification sign(s) on the property. The applicant is responsible for obtaining the sign(s) from the Planning Office of Lawrence/Douglas County, Kansas and for posting and maintaining the sign(s) as prescribed below:

1. When the provisions of the Development Code require that "Posted Notice" be provided, the applicant shall ensure that notice is posted on the subject property.
2. Posted notice shall be in the form of official signs provided by the Planning Office.
3. Posted notice shall be clearly visible to neighboring residents and passers-by from each public street bordering the subject property. At least one sign shall be posted on each street frontage. The Planning Director is authorized to require the posting of additional signs when deemed necessary for effective public notice, but not more than one sign per 300 feet of Street Frontage may be required.
4. Posted notice shall remain in place for **at least 20 days** before the public hearing, meeting, or date of action that is the subject of the notice.
5. During the required notice period, the applicant shall periodically check the condition of the sign and shall replace it if it is no longer legible for any reason, whether through act of God, vandalism, defect in installation or vegetative growth.
6. For any application requiring posted notice, the applicant shall supplement the application with an affidavit of posting and notice **at least seven but no more than ten days** before the scheduled hearing. **Failure to make timely delivery of such affidavit to the Planning Director shall render the application incomplete and subject it to removal from the agenda on the hearing date, at the discretion of the Planning Commission.**
7. The applicant shall remove notice signs required by this section within 10 days of the date that the decision-making body takes action or the date that the application is withdrawn.
8. Failure to properly post or maintain such signs is grounds for deferral or denial of the application
9. For applications that do not abut public streets, the Planning Director is authorized to approve an alternative form of posted notice that will be visible to passers-by.



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**Sign Posting Affidavit**

THE FOLLOWING AFFIDAVIT SHALL BE COMPLETED AT LEAST SEVEN BUT NO MORE THAN TEN DAYS BEFORE THE SCHEDULED HEARING. Failure to make timely delivery of such affidavit to the Planning Director shall render the application incomplete and subject it to removal from the agenda on the hearing date, at the discretion of the Planning Commission.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

I, \_\_\_\_\_ (printed name), hereby state that I have received a copy of the Sign Posting Procedures and that the required sign(s) have been posted and maintained as prescribed in the Sign Posting Procedures.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Application No. \_\_\_\_\_

STATE OF KANSAS  
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

by \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_  
Notary Public