

TYPE B HOME OCCUPATION CHECKLIST

Application Requirements

This checklist has been provided to assist you, the applicant, as you prepare your application. Submission of less information than necessary to adequately review and process your application will delay the review process.

Submission of less information than necessary to adequately review and process your application may delay the review process. The submitted application shall conform to the following application requirements of Article 5, Section 20-537(9).

General Submittal Requirements

❖ Application Form

- ☐ A complete application including:
 - Contact information property summary
 - Business Information

❖ Attachments Required

- ☐ Owner Authorization Form **if** applicant is not the legal owner of the property
- ☐ Legal description of property
- ☐ A list, certified by the Douglas County Clerk, of all property owners within 400 feet
- ☐ Certificate of Mailing
- ☐ Property Ownership List Certification
- ☐ Copy of letter of notification
- ☐ Compliance Affidavit



**Lawrence Douglas County
Planning Office**

1 Riverfront Plaza, Ste 320, P.O. Box 708
Lawrence, KS 66044
(785) 832-7700 Fax (785) 832-3110
<http://www.lawrenceks.org/pds/>

CERTIFICATE OF MAILING

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

Name of Project: _____

Address of Project: _____

Application Number: _____

I hereby certify that I have read and understood the attached requirements for public notification of a proposed Type B Home Occupation and that I have executed all requirements.

Furthermore, I hereby certify that a true and correct copy of the foregoing "Notice to Property Owners" was mailed to the attached list by depositing said copy in the United States Mail, proper postage prepaid, on the following date: _____

Signature

Date

Printed Name



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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/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 (printed name and position in corporation if signing for a corporation) Owner (printed name and position in corporation if signing for a corporation)

STATE OF KANSAS
COUNTY OF DOUGLAS

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

My Commission Expires:

Notary Public



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**PUBLIC NOTICE OF PROPOSED Type B Home Occupation
Instructions**

The applicant is responsible for public notice of a proposed Type B Home Occupation. Complete the following notification procedures then submit the executed "Certificate of Mailing" as part of the application materials.

Public notice includes:

- Written notice to *all adjacent property owners* of record within 400 feet of the subject property.
- To *all Registered Neighborhood Associations* whose boundaries include the subject property or are adjacent to the neighborhood the subject property is located in.

Procedures for Public Notice of a Proposed Type B Home Occupation – Written Notification

1. Written notice of the proposed home occupation shall be mailed to the owners of record of all property within 400 feet of the subject property, **and**
2. Written notice of the proposed home occupation shall be mailed to all Registered Neighborhood Associations whose boundaries include the subject property or are adjacent to the neighborhood the subject property is located in.
 - For purposes of this provision, "adjoining property" includes all property that touches the subject property, including the right-of-way of the subject property.
3. The notice shall be sent by the applicant via by regular mail, postage pre-paid.
4. The applicant shall submit a **Certificate of Mailing** (*attachment to the application form*) at the time of submission of the Type B Home Occupation application.
 - An application for Type B Home Occupation will not be considered complete without an executed Certificate of Mailing.
5. Per Section 20-537(9)(iii) the written notice shall provide:
 - a. a brief description of the proposed home-based business;
 - b. the hours of operation;
 - c. the existence of a nonresident employee;
 - d. the expected number of customers/clients on a daily basis
 - e. a statement with substantially the following information:



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Notice of Proposed Home Occupation

This letter is being sent to the Landowners, or a Registered Neighborhood Association near the site of a proposed Home Occupation. It is being sent for the purpose of informing the Landowner and other interested parties about the proposed home-based business. This letter does not grant the recipient and/or Landowner any legal rights to challenge the proposed development, instead, it is being provided solely to inform nearby Landowners of the proposed plans of one of your neighbors. For further information, contact the applicant's designated representative at (xxx) xxx-xxxx or the Lawrence-Douglas County Planning Director at (785) 832-7700.

The Failure to receive notice of a type B Home Occupation by an adjoining Landowner or Registered Neighborhood Association will not affect the validity of site plan approval or review.



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Sample "Notice to Property Owners"

<property owner name>
<address>

NOTICE OF TYPE B HOME OCCUPATION

Re: <name of business> - Home-based business

To Whom It May Concern:

A home-based business is being registered at the Lawrence-Douglas County Planning Office on <date> for <business name>, located at <address>. The proposed home-based business is a <brief description of business>. Business activities will take place <day> - <day> from <time> to <time>. There will be <number> nonresident employees and <number> customers/clients visiting the business on a daily basis.

This letter is being sent to all owners of property adjoining the proposed home-based business described in this letter. Additionally, it is being sent to registered neighborhood associations encompassing the proposed home-based business. The purpose of this letter is to inform the notified person and other interested parties about the proposed home-based business. This letter does not grant the recipient and/or landowner any legal rights to challenge the proposed development; instead, it is being provided solely to advise adjoining landowners of the home-based business. For further information, contact <applicant name> at <applicant phone number> or the Lawrence-Douglas County Planning Office at (785) 832-7700.

Sincerely,

<name>



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**Compliance Affidavit
Type B Home Occupation**

THE FOLLOWING AFFIDAVIT SHALL BE COMPLETED UPON SUBMISSION OF AN APPLICATION FOR A TYPE B HOME OCCUPATION REGISTRATION. Failure to make timely delivery of such affidavit to the Planning Director shall render the application incomplete and subject it to removal from the review cycle.

NOTE: If you, the applicant, have not received a copy of Section 20-537 of the Land Development Code pertaining to the standards, regulations and procedures for Home Occupations you must request that this be provided to you prior to completing this affidavit and submitting your application.

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 Home Occupation Standards, Regulations, and Procedures within Section 20-537 of the Land Development Code and that I pledge compliance with all standards, regulations and procedures of Section 20-537 of the Land Development Code.

Signature

Date

Application No. _____
(Completed by Planning Staff)

STATE OF KANSAS
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____,

by _____.

My Commission Expires: _____