



## **APPEAL TO CITY COMMISSION WITH A PUBLIC HEARING**

### **Planning Director's Decision on a Final Development 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 decision of a Final Development Plan.**

#### **General Submittal Requirements**

- 1. A complete application form.
- 2. Owner Authorization form if Applicant is not the legal owner of the property.

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

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

#### **Other Requirements**

- 8. Final Development Plan



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Planning Director's Decision on a Final Development Plan**

**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 Name \_\_\_\_\_  
 Legal Description (*may be attached*) \_\_\_\_\_  
 Address of Property \_\_\_\_\_  
 Application Number of Final Development Plan \_\_\_\_\_  
 Date of notice of Planning Director's decision \_\_\_\_\_





**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 \_\_\_\_\_

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

**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 Owner

STATE OF KANSAS  
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_,  
by \_\_\_\_\_.

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



City of Lawrence  
Douglas County  
PLANNING & DEVELOPMENT SERVICES

**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.lawrenceks.org/pds/>

**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 30 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.

**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 obtained from and certified by the Douglas County Clerk,
- (b) is current (**no more than 30 days old**), and
- (c) includes all property owners within the required notification radius of the subject property.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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



## 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.





**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 \_\_\_\_\_, 20 \_\_,

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

My Commission Expires:

\_\_\_\_\_  
Notary Public