

## INSTRUCTIONS FOR FILING PROTEST PETITIONS

The attached protest petition form may be used to protest an application for a zone change, special use, or planned unit development. A protest petition may be submitted regardless of whether the Derby Planning Commission recommended approval or disapproval. To be valid, Kansas law requires that sufficient protest petitions be filed with the Derby City Clerk within 14 days after the date of the public hearing conducted by the Planning Commission.

To be valid, protest petitions must be signed by the owners of record of 20% or more of the land (not including streets and public ways), within the statutory notification area. Kansas law requires written notification be mailed to all property within 200 feet of the perimeter of the application area. When any portion of the application area is less than 200 feet from the City boundary, all property located in the unincorporated area (the area outside of the City boundary) and within 1,000 feet of the application area is included in the notification area. If valid, sufficient petitions are filed, approval of the zone change, special use, or planned unit development application requires an affirmative vote by at least a 3/4 vote of the City Council.

Protesters not shown as the record owner of property within the notification area on the certified ownership list submitted in support of the application will be required to provide proof of ownership.

### **Instructions for completing protest petition:**

**Section I: Enter the information about the case for which the protest is submitted.** This information can be found in the "NOTICE OF PUBLIC HEARING," which you received in the mail; or can be obtained by contacting the City's Planning and Engineering Department.

#### **Section II:**

- A. **Include the full legal description of the protester's property** (by lot, block, and subdivision name or, if applicable, by a metes and bounds description).
- B. **If your property has more than one owner**, all owners of your property, as shown on the case's certified ownership list, must sign the protest petition to ensure that it will be found valid. Signature(s) must substantially match the owner's name as it appears on the certified ownership list. Petitions with a signature that does not substantially match the name shown on the ownership may be determined to be invalid.

### **Completed protest petitions must be submitted to:**

Lynn Ciarleglio, City Clerk  
611 Mulberry, Derby, KS 67037

If you have questions or need additional information about completing this form, please call the Derby Planning and Engineering Department at **788-6632**.

# PROTEST PETITION

## SECTION I

The undersigned, as an owner(s) of record of real property protest the proposed (check appropriate box):

**Zone Change:** Case # \_\_\_\_\_ a change from \_\_\_\_\_ District  
to \_\_\_\_\_ District

**Special Use:** Case # \_\_\_\_\_ a request for a \_\_\_\_\_  
on property zoned \_\_\_\_\_

**Planned Unit Development:** Case # \_\_\_\_\_

## SECTION II

Protestor's Name and Property Description (Must be Completed)

A: Full Legal Description of Your Property (Legal Description can be attached to the petition)

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B. Address: \_\_\_\_\_

C. Name(s) of Protestor(s):

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

*Additional protest signatures can be attached and made a part of this petition as necessary.*