Zoning/Special Use Protest Petition
Please read carefully. This is a legal document.

Kansas Statutes and the City of Olathe Unified Development Ordinance (UDO) provide for the filing of Protest Petitions on requested Rezonnings and Special Use Permits. If a Protest Petition is filed in accordance with adopted regulations and determined to constitute a valid protest, an ordinance approving the protested Zoning or Special Use Permit shall not be passed except by at least a three-fourths (¾) vote of all of the members of the City Council.

Valid Protest Requirements:

- Protest Petition forms must be correctly completed and filed with the City Clerk within 14 days after the conclusion of the public hearing by the Planning Commission;
- Protest Petition forms must be filed by the owner(s) of record of at least 20 percent of the total area required to be notified of the public hearing (200 feet within the City limits and 1,000 feet within unincorporated area);
- Names of property owners must exactly match the property deed recorded in the Department of Records and Tax Administration of Johnson County, Kansas;
- Signatures must be notarized;
- The validity of the protest shall be determined by the Planning Official in accordance with KSA 12-757(f) and UDO 18.40.090.E.

If the 20 percent requirement is met and the protest is deemed to be valid, the Olathe City Council may only approve the Rezoning or Special Use Permit with six positive votes. The attached form has been created in order to ensure an accurate determination of the protest percentage. The following is a list of instructions to assist in completing a Protest Petition.

Example of 200 foot public notice area (red outline) around City Hall (blue outline).
Properties within the public notice area are eligible to submit a Protest Petition.
Instructions to complete this form:
This Protest Petition is applicable to one piece of property.
All owners of record for this property are required to sign this Protest Petition.
All signatures must be notarized.
Other eligible properties should file separate Protest Petition documents.
Business entities require an affidavit stating that the business has authorized the signator to file this Protest Petition.

Section I
Enter the case number found in the notice received for the proposed Rezoning or Special Use Permit applicable to this Protest Petition.

Section II
Enter the full name of all owners of this property, exactly as they appear on the property deed recorded in the Department of Records and Tax Administration of Johnson County, Kansas.

Enter the full legal description by lot, block and addition (or by metes and bounds description) of this property. A street address is not a legal description, and is therefore not sufficient for completing this form. Refer to the following resources for the full legal description:

- The deed to this property.
- The office of Department of Records and Tax Administration of Johnson County, Kansas.
- Search Location Maps at www.jocogov.org, and look for the legal description under “General Information.”

Example: For one lot with two property owners:

<table>
<thead>
<tr>
<th>PROPERTY OWNED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Plat Name:</strong> Olathe Estates, 2nd plat</td>
</tr>
<tr>
<td><strong>(if applicable)</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROPERTY OWNER SIGNATURE(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Owner #1:</strong> John A. Doe</td>
</tr>
<tr>
<td>Signature</td>
</tr>
<tr>
<td>John A. Doe</td>
</tr>
<tr>
<td>Typed or Printed Name</td>
</tr>
<tr>
<td>913 – 555 – 5555</td>
</tr>
<tr>
<td>Phone number</td>
</tr>
<tr>
<td><a href="mailto:idoe@example.com">idoe@example.com</a></td>
</tr>
<tr>
<td>E-mail</td>
</tr>
</tbody>
</table>

Property owner(s) must file a separate Protest Petition for each lot or tract owned.

Protest Petitions are to be submitted to the City Clerk, 100 East Santa Fe Street. They will be presented to the Olathe City Council when the subject Rezoning or Special Use Permit is considered.

**IMPORTANT NOTE:** Protest Petitions must be submitted within 14 days after the conclusion of the public hearing by the Planning Commission in order to be considered valid.
Zoning/Special Use Protest Petition

SECTION I.

The undersigned property owners protest the proposed change of Zoning or Special Use Permit for property described in Case No._____________.

Legal description of property included in Protest Petition for above case:

SECTION II. -- Protester(s)

PROPERTY OWNED

Plat Name: __________________________________________________________

Lot Number: ___________________________ Block: _________________________

(if applicable)

For property described by metes and bounds, attach the legal description to this document.

PROPERTY OWNER SIGNATURE(S)

(All owners of record for the above-described property must sign)

Owner #1: 

Signature 

Typed or Printed Name 

Phone number 

E-mail 

Owner #2: 

Signature 

Typed or Printed Name 

Phone number 

E-mail

If you are signing as a Trustee or HOA representative, documentation of your authorization to represent the property ownership must be submitted with the petition.

ACKNOWLEDGMENT

State of Kansas )
County of Johnson ) ss

Be it remembered that on this ____ day of _________________, 20____, before me, a
notary public in and for said County and State, came ____________________________, to
me personally known to be the same person who executed the foregoing instrument of writing and
duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and
year above written.

Notary Public ____________________________________

My Commission expires __________________________

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached as necessary.