

INSTRUCTIONS FOR FILING PROTEST PETITIONS

The attached protest petition form may be used to protest an application for a zone change or conditional use. A protest petition may be submitted regardless of whether the Haysville Planning Commission recommended approval or disapproval of the application.

To be valid, Kansas law requires that a sufficient protest petition be submitted to the Haysville City Clerk within **14 days** of the public hearing. **Protest petitions submitted before the day following the conclusion of the public hearing will not be considered valid.** If a valid and sufficient petition is submitted, approval of the rezoning or conditional use application requires an affirmative vote by at least a ⅔ of the members of the Governing Body.

A protest petition must be signed by the owners of record of 20% or more of the land (not including streets and public ways), within the 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 the ownership of the protestor's property is different from that shown on the certified ownership list submitted by the applicant, it is the responsibility of the protestor(s) to provide proof of ownership. If you are signing on behalf of the property owner(s), you must provide proof of your legal authority to do so and specify the formal capacity in which you are signing (e.g., as a legal guardian, power of attorney, etc.).

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 Zoning Department.

Section II:

- A. **Include the contact information, address, and full legal description of the protestor'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.
- C. **The petition must be acknowledged before a notary public.** When a petition is signed by the owner(s) of record of two or more properties:
 - 1. All signatures must be acknowledged before a notary public; or
 - 2. An affidavit, signed by one of the persons whose signature is acknowledged before a notary public, must be attached. This affidavit shall state that he or she knew personally all of the persons who had signed the petition, witnessed their signatures, and that all signed voluntarily.Petitions that do not include a notary acknowledgment for at least one of the signatures will be presumed invalid.

Completed protest petitions must be submitted to:

Angela Fulton, Haysville City Clerk
200 West Grand, Haysville, KS 67060

If you have questions or need additional information about completing this form, please contact the Haysville Planning and Zoning Department at 316-529-5900.

**CITY OF HAYSVILLE**

PO Box 404
200 W. Grand
Haysville, KS 67060
Phone: 316/529-5900 | Fax: 316/529-5925
www.haysvilleks.gov

PROTEST PETITION**Section I: ZONING INFORMATION**

I, the protestor, am an owner of record of real property in the City of Haysville, Kansas and my residence address is correctly written. I hereby protest:

- ☐ Rezoning. A change from _____ to _____.
(Zoning District)
- ☐ Conditional Use. A request for a _____ on property zoned _____.
(Zoning District)

Section II: PROTESTOR INFORMATION

Mailing Address:

Legal Description of Property:

City, State, ZIP:

Phone:

Email:

Signature: _____ Name: _____ Date: _____

SUPPORTERS

	Signature & Date	Name (Print)	Property Address/Legal Description
1			
2			
3			
4			
5			
6			
7			
8			

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(Add additional pages if necessary)

OFFICE USE ONLY	
This application was received at the office of the City Clerk at _____ (am/pm) on _____, 20____. It has been checked and found to be correct and accompanied by required documents. Authorized Signature: _____ Title: _____	

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PROTEST PETITION**AFFIDAVIT OF PETITION CIRCULATOR**

I, _____, <i>Being duly sworn, personally witnessed the signing of this petition by each person whose name appears herein.</i>	
Print Name	
Signature of Circulator:	Date:
Address of Circulator:	

NOTARY USE ONLY

Subscribed and sworn before me this _____ day of _____, 20_____.

Authorized Signature: _____
Title: _____

My appointment expires: _____, 20_____.