

Dear Rezoning, Special Use Permit, (Revised) Preliminary Plan Applicant:

As part of your application process, you are required to notify surrounding property owners of the Planning Commission hearing to consider your application request. This notice must be sent by certified mail, a minimum of twenty two days prior to your scheduled public hearing before the Planning Commission. You are required to submit to the city the white certified mailing receipt cards as proof of mailing. Do not use any electronic options for the delivery of certified mail as it does not provide adequate proof for the city to verify you have met your notice requirements. For your convenience, the last date to mail notices can be found on your application receipt or on the Planning Commission deadline schedule. The required notice must be sent to:

- Property owners within 200 feet of the property subject to your request and
- If the subject property is located adjacent to unincorporated land outside of the city's limits, the notices must also be mailed to all property owners of unincorporated property within 1,000 feet of the property subject to your request.

A form letter is included in this packet. Use the information on your receipt to fill in the blanks on the form. A reduced copy of your proposal should be included with the letter. You are also encouraged to make personal contact with surrounding property owners, homes associations or neighborhood groups to discuss your application. The Planning Staff can assist with contact information for adjacent home associations and neighborhood groups.

Additional requirements for the processing of your application include:

- A certified mailing affidavit
- A proof of ownership affidavit
- An authorization of agency affidavit for use when the applicant is not the property owner
- A sign posting affidavit – for rezonings and special use permits only

For your convenience, a notification and affidavit checklist is included to assist you through this portion of the process. All affidavits, except the sign posting affidavit, should be returned to the Planning and Development Services Department the Monday prior to your scheduled hearing date. The sign affidavit must be returned the day of your hearing. Improper notification of surrounding property owners will result in your application being delayed. As outlined in Section 18.140.110 of the Unified Development Ordinance, requests for continuance may receive prior approval if they are submitted in writing no later than the Tuesday prior to your scheduled hearing. Late requests for continuance must be made in person to the Planning Commission. Should you determine that a continuance is necessary, please contact the planner assigned to your case for an overview of the continuance process. If you have any questions about the notification process or the required affidavits, please contact the Planning Department at 895-6217.

**LESLIE KARR**  
**MANAGER, CURRENT PLANNING**

Attachment

Dear Property Owner:

This letter is to notify you that the Planning Commission will hold a public hearing at Overland Park City Hall, 8500 Santa Fe Drive, City Council Chamber, to consider a **(insert case type)** on the following tract of land:

**Insert a typed Legal Description of the property here, or type “See Attached Legal Description” here and attach a typed legal description to the letter when it is mailed.**

This tract of land can be more generally described as:

**insert address**

A public hearing to consider this request for **(insert case type and case number from application receipt)** has been scheduled before the Overland Park Planning Commission on:

Monday, **insert date**, beginning at 1:30 p.m.

The purpose of the request is to allow:

**Indicate the proposed use of the property and the time frame (duration) requested on the application.**

All interested property owners are invited to attend. More information on this application and copies of any submitted plans are available on the city’s website (<http://gis.opkansas.org/Development-Proposals/>), in the Planning & Development Services Department in City Hall, or by contacting the undersigned.

Following the action of the Planning Commission, the surrounding property owners as defined by Section 18.140.080 of the Unified Development Ordinance (UDO), may file a protest petition with the City Clerk. The protest petition must be filed with the City Clerk’s office by the close of business within fourteen (14) days after the Planning Commission’s action. A valid protest petition (signed by the owners of 20 percent of the property required to be notified under Section 18.140.080) requires an affirmative vote of at least ten members of the thirteen member Governing Body in order for the application to be approved. If you have questions about filing a protest petition or you wish to obtain the required forms, please contact the Planning and Development Services Department, Overland Park City Hall, 8500 Santa Fe Drive, 913-895-6217 or visit the city’s website [www.opkansas.org](http://www.opkansas.org).

Respectfully,

**Type your name and contact information below your signature.**

CASE NUMBER \_\_\_\_\_

**SIGN POSTING (To be returned the day of the hearing)**

**AFFIDAVIT**

STATE OF \_\_\_\_\_ )  
 ) SS:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states:

That he/she has visually observed the sign(s) being in place and maintained on the lot, tract, or parcel of land for which the application was filed, for no less than 15 days prior to the date of the hearing in compliance with Chapter 18.140.090 of the Overland Park Municipal Code.

Further affiant saith naught.

\_\_\_\_\_  
SIGNATURE

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

My Commission Expires:  
\_\_\_\_\_

For Office Use Only	
_____ Date Submitted	
_____ Received By	_____ Approved for Hearing/Date

CASE NUMBER \_\_\_\_\_

**CERTIFIED MAILING AFFIDAVIT**

STATE OF \_\_\_\_\_ )  
 ) SS:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That he/she is a representative of the property described in the attached notice upon which an application for a \_\_\_\_\_ has been filed before the City Planning Commission of the City of Overland Park, Kansas.
2. That on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, did mail at least twenty two (22) days prior to the scheduled Public Hearing, postage prepaid, by certified mail, a letter explaining the proposed change, time, date, and place of hearing and attached hereto, to all of the owners of property within a radius in compliance with Chapter 18.140.080 of the Overland Park Municipal Code, from the described real estate, as follows:

**(Please attach legal description)**

List the name and address of all property owners who have received notification below:

<u>NAME</u>	<u>ADDRESS</u>
_____	_____
_____	_____
_____	_____

If additional space is needed, prepare an attachment.

3. Further affiant saith naught.

\_\_\_\_\_  
SIGNATURE

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

My Commission Expires:  
\_\_\_\_\_

			For Office Use Only
<u>Date Received</u>	<u>Received By</u>	<u>Number of Owners</u>	<u>Number of Cards</u>
_____ Approved for Hearing/Date			





# Notification and Affidavit Checklist



**Current Planning Division**  
8500 Santa Fe Drive  
Overland Park, KS 66212  
(913)895-6217 Fax (913)895-5013  
E-mail: pod@opkansas.org

**Planning and Development Services Department**

**www.opkansas.org**

## GENERAL NOTIFICATION INFORMATION

- The Planner of the Day, 913/895-6217, is available to answer questions about the notification requirements for your application.
- Failure to properly notify surrounding property owners will result in a continuance of your application.
- A notary public is available in the Planning and Development Services Department for your convenience.
- DO NOT use electronic options for providing your notice requirements.

## OBTAIN A LIST OF SURROUNDING PROPERTY OWNERS

- The Johnson County Records and Tax Administration office, 913/715-0775, can provide a list or you may contact a private title company. (See back for directions to the Johnson County Administration Building)
- List must include owners within a 200 foot radius of your application area.
- If your application is adjacent to any unincorporated properties, the list must include owners within a 1,000 foot radius.

## PREPARE NOTIFICATION LETTER

- See attached sample, fill in the following information:
  - Case number,
  - A description of your request,
  - Date of the public hearing,
  - General location of the property or the address ,
  - Legal description of the application area (*may also be attached*).
- Attach a copy of your plan when applicable.
- Provide a copy of your letter to the Planner assigned to your case.

## NOTIFICATION PROCESS

- Send notices by certified mail to surrounding property owners.
- Notices must be mailed 22 days in advance of the Public Hearing. See application receipt or deadline schedule for the last date to mail.
- Keep the white portion of the receipts.

## POST SIGN - REZONINGS, SPECIAL USE PERMITS AND RESIDENTIAL DAY CARE

- A sign will be provided by the Planning and Development Services Department.
- The sign must be posted 15 days prior to the Public Hearing.
- The sign must be posted in a central location, five feet beyond the sidewalk, or 20 feet from the edge of the pavement. One sign is required for each street frontage.
- If your item is continued, the public hearing date must be updated. Contact the Planner of the Day for a continuance sticker.

## AFFIDAVITS AND DOCUMENTATION

- Return the following notarized affidavits and documentation to the Planning and Development Services Department by 5:00 p.m. the Monday prior to the Public Hearing.
  - Ownership affidavit - for property owner or contract purchaser.
  - Authorization of agency - for any person representing or acting on behalf of the owner.
  - Certified mailing affidavit.
  - Mailing list.
  - Copy of notification letter.
  - White receipts from certified mailing.
- Bring the sign posting affidavit with you to your hearing (if required).

## Directions from Overland Park City Hall to the Johnson County Administration Building

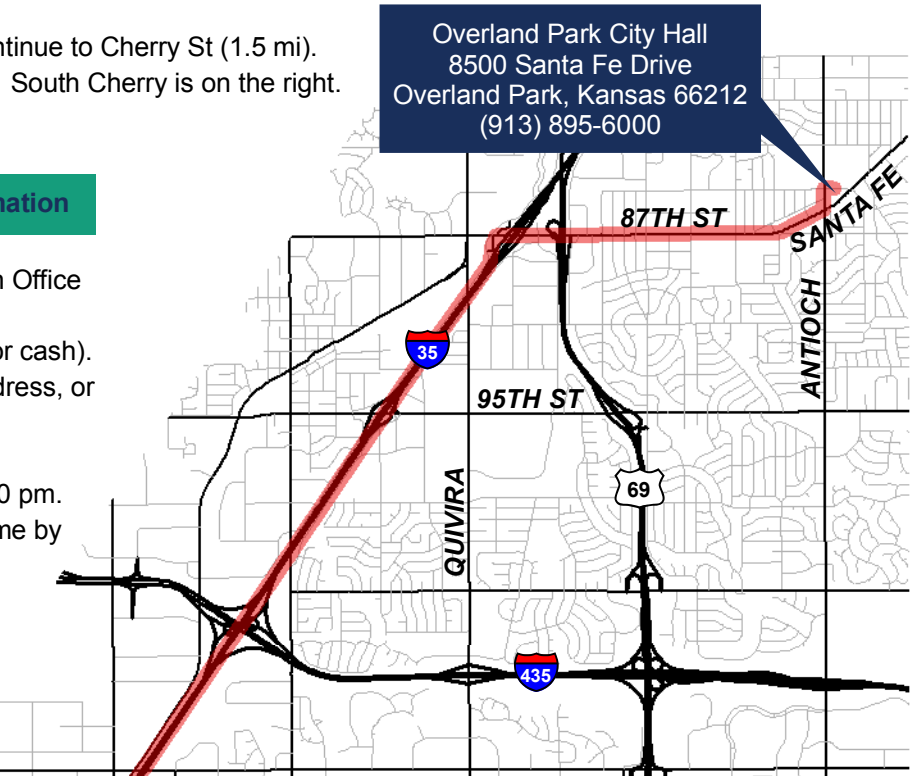
### Turn-by-Turn Directions (total distance: 10.5 mi)

- 1) Leaving City Hall, turn left (west) onto 85th Street.
- 2) Turn left (south) on Antioch.
- 3) Turn right (west) on Santa Fe Drive (which becomes 87th Street) and continue to I-35 (1.8 mi).
- 4) Turn left (south) onto I-35 South and continue to the Santa Fe exit (7 mi).
- 5) Turn right (west) on Santa Fe and continue to Cherry St (1.5 mi).
- 6) Turn left (south) on Cherry Street. 111 South Cherry is on the right.

### Johnson County Mailing List Information

- Go to Records and Tax Administration Office (suite 1200).
- The mailing list fee is \$20.00 (check or cash).
- You will need a parcel ID number, address, or legal description for the property.
- It will take 5 to 30 minutes to process.
- Requests must be started prior to 4:30 pm.
- You can start the process ahead of time by calling (913) 715-0775.

Overland Park City Hall  
8500 Santa Fe Drive  
Overland Park, Kansas 66212  
(913) 895-6000



Inset Map



Johnson County  
Administration Building  
111 South Cherry Street  
Olathe, Kansas 66061  
(913) 715-5000

