

# **City of Ottawa Community Development Department**

101 S. Hickory, P. O. Box 60  
Ottawa, KS 66067  
(785) 229-3620 Fax (785) 229-3625  
[www.ottawaks.gov](http://www.ottawaks.gov)

## **Protest Petition Procedure & Application**

A property owner which lies within the notice area of the proposed rezoning or conditional use or who owns the property for which the City has initiated a rezoning may file a protest petition in opposition. The protest petition will require that the ordinance adopting such amendment shall not be passed except by at least a  $\frac{3}{4}$  majority vote of all the members of the governing body.

1. For a protest petition to be valid, it must meet the following requirements:
  - a. It must be duly signed and acknowledged by the owners of 20% or more of any real property, excluding publicly owned property, within the notification area that is described in Article 26 of the City's Zoning Regulations, or the owners of 20% or more of the property proposed to be rezoned.
  - b. It must be filed with the City Clerk within fourteen (14) days following the close of the Planning Commission public hearing on the proposed rezoning or the proposed conditional use permit.
2. Facts about the petition:
  - a. The "owner" for the purpose of a protest petition is defined as the owner of record (recorded for purposes of taxation) on the date of publication of the legal notice for the Planning Commission public hearing.
  - b. Each and every owner of a single piece of property must sign the protest petition, but all are considered as a single owner in determining the sufficiency of the petition.
  - c. An authorized representative of a corporation may sign but must provide a legal documentation of his or her right to sign for the corporation.
  - d. The protest petition should state what is being protested. Petitioners may want to state the reasons for the protest but are not required to do so.
3. Filling out the protest petition.
  1. If land is not platted, insert metes and bounds description on separate page.
  2. Enter in Section 1 of the petition the information about the property against which the protest is made.
  3. Use a separate form for each property owner signing the petition.
  4. Enter in Section 2 of the petition:

- a. Your full name (spouse's also if he/she is a joint owner).
- b. The full legal description by lot, block, and addition, or the land is not platted insert the metes and bounds description on a separate page for your property.

**(Example)**

Address: 123 S. Poplar

Legal Description: Lot(s) Block(s) Addition  
5 10 Ottawa Original Town

1. John K. Doe  
Signature

2. Jane C. Doe  
Signature

John K. Doe  
Typed or Printed Name

Jane C. Doe  
Typed or Printed Name

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**Protest Petition Application**

Section 1. The undersigned property owners protest the proposed:

- A. The change of zoning for property located at \_\_\_\_\_,  
from \_\_\_\_\_ Zoning District to \_\_\_\_\_ Zoning District.
  
- B. The proposed Conditional Use Permit for \_\_\_\_\_ at the  
property located at \_\_\_\_\_, submitted by \_\_\_\_\_  
\_\_\_\_\_.

Section 2. Petitioners address and legal description.

Address: \_\_\_\_\_

Legal Description	<u>Lot(s)</u>	<u>Block(s)</u>	<u>Addition</u>
	_____	_____	_____

1. \_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name

2. \_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name