

 If you need assistance, contact the Department of Community Development at 913-477-7500.

**ALL APPLICATIONS ARE DUE AT 12:00 NOON ON THE FILING DATE**

| ____ New Application   |          | ____ Renewal | Office Use Only |
|------------------------|----------|--------------|-----------------|
| <b>FEES</b>            |          |              |                 |
| ____ Less than 1 acre  | \$350.00 |              | Fee Paid:       |
| ____ 1.1 to 3 acres    | \$450.00 |              | \$              |
| ____ More than 3 acres | \$550.00 |              | Date Paid:      |
|                        |          |              | Case No.:       |
|                        |          |              | Meeting Date:   |

Proposed Use of Property: \_\_\_\_\_

Present Use of Property: \_\_\_\_\_

Proposed Term for Special Use Permit: \_\_\_\_\_

Location/Address: \_\_\_\_\_

Parcel/Tax ID: \_\_\_\_\_

Subdivision: \_\_\_\_\_

Acreage: \_\_\_\_\_

Zoning: \_\_\_\_\_

**Legal Description:** An electronic legal description of the property must be provided on a CD.

-  Special Use Permits require plan approval. Please check with Staff to determine whether both preliminary and final plan approval will be required.
-  If applicant is anyone other than the fee simple owner, signature of the fee simple owner designating the applicant as the authorized agent for all matters concerning this request must be submitted in writing with this application.

**APPLICANT INFORMATION**

**OWNER OF RECORD:**

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

**CONTACT PERSON:**

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

## Special Use Permit Procedures

1. Applicant participates in a pre-application conference with the Department of Community Development to present a conceptual plan for new development or a change of use for an existing structure and to determine what submittals will be required. Minimally, the applicant must submit a site plan with relevant supporting data. Special Use Permit applications that involve construction of a new structure require preliminary and final plan review prior to beginning the development. The plan must be submitted in compliance with Chapter 1, Article F, of the Code of the City of Lenexa.
2. Submit a digital PDF set of plans (**if required**), including site, landscape, grading, stormwater management, erosion control, utility plans, and building elevations that show the construction material and color for all exterior surfaces, height of the structure and number of stories. Community Development staff will check the application for completeness and receive the filing fee. Filing deadlines and Planning Commission meeting dates are set out in a calendar prepared by the Department of Community Development at the end of each year for the upcoming dates.
3. Application information and accompanying site plans are reviewed by the City staff, which includes representatives from Community Development, Development Engineering, Building Inspection, Fire, and Police.
4. After reviewing the plans, the City staff prepares staff comments that are e-mailed to the contact person and that subsequently must be addressed and resubmitted by the applicant according to the required schedule. Resubmittals must include digital PDF set of plans revised plans that, a letter addressing all staff comments and questions in digital format.
5. The applicant must mail a notice of the Public Hearing (supplied by the City) to all surrounding property owners within 200 feet (or 1000 feet if required) of all property boundaries. A listing of property owners may be obtained from the Johnson County Clerks Office, at 111 North Cherry Street in Olathe, KS, 913-715-0775. Mailings must be made at least 20 days prior to the hearing date by certified mail, with return receipt requested. Submit a copy of the notification letter sent to the property owners along with a list of property owners, the buffer map, and certified mail receipts along with the Affidavit of Legal Notification to the Community Development Department immediately following the mailing. In addition, 14 days prior to the Planning Commission meeting, the applicant must post public notice signs (provided by the City) on the property so that they are visible from the public street. (ONCE APPLICATION IS MADE A NOTICE OF THIS PROCEDURE WITH INSTRUCTIONS WILL BE SENT TO THE APPLICANT)
6. The City is responsible for placing a public notice in the official newspaper of the City of Lenexa.
7. The Planning Commission conducts a public hearing on the Special Use Permit application and forwards a recommendation to the Governing Body. Copies of any information presented at meetings in support of a request, i.e. renderings, building material samples, etc., must be left with staff and become part of the file record.
8. On Special Use Permit applications, a 14-day protest period begins after the conclusion of the Planning Commission public hearing. During this period, a petition that sets out the protest to the special use may be filed with the City Clerk. The petition must be signed and acknowledged by twenty percent (20%) or more of the property owners of the total area, excluding streets, located within 200 feet (1000 feet if required) of the boundaries of the proposed special use. If a valid petition is filed, then an affirmative vote of 3/4 of the Governing Body members must occur for the Special Use Permit to be approved.
9. The Governing Body approves the application, in whole or in part, with or without modifications or conditions, or denies the application. The Governing Body also has the option to remand the application back to the Planning Commission for further study and consideration.
10. In the event that a Special Use Permit request is denied by the Governing Body, the application cannot be resubmitted for one year.
11. Upon approval of a Special Use Permit application, any plan revisions required by staff, Planning Commission or Governing body must be completed and a copy submitted for the file within 20 working days after approval or prior to application for a building permit, whichever occurs first.

# Special Use Permit

## A F F I D A V I T

STATE OF KANSAS       )  
                                  ) S.S.  
COUNTY OF JOHNSON    )

I \_\_\_\_\_, being duly sworn upon our oath and being of  
                                  Name of Property Owner  
sound mind and legal age, depose and state that:

1. \_\_\_\_\_ is the owner of property located at approximately  
                                  Name of Property Owner  
\_\_\_\_\_, in the City of Lenexa, Kansas, Johnson County.  
                                  Address or Vicinity of Property

2. I have the legal authority to bind \_\_\_\_\_, as the Applicant, the  
                                  Authorized Person  
authority to authorize the filing of land use applications on the Property.

3. I have authorized \_\_\_\_\_ to file an application for  
                                  Authorized Person  
a \_\_\_\_\_ on the property described above, and do  
                                  Rezoning/Special Use Permit  
affirm that I have the authority necessary to grant such.

\_\_\_\_\_  
Signature of Property Owner

Name: \_\_\_\_\_  
Print name of Property Owner

Title: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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

My Commission Expires:

\_\_\_\_\_