



Zoning District Classification Change Application

611 Mulberry Rd. Suite 300
Derby, KS 67037

Phone: 316-788-1519 / Fax: 316-788-6067
www.derbyweb.com

This form must be completed in accordance with directions on the accompanying instructions and filed with the DIRECTOR OF PLANNING or the PLANNING COMMISSION SECRETARY at Derby City Hall, 611 Mulberry, Derby, Kansas 67037. (AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Date _____

1. Name of the **OWNER(S)** of the property requesting the rezoning.

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone #: _____ Email: _____ Fax #: _____

2. Name of the **AGENT** representing the applicant.

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone #: _____ Email: _____ Fax #: _____

3. Name of **CONTRACT PURCHASER (if applicable)**

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone #: _____ Email: _____ Fax #: _____

4. The owner of this property hereby requests a change of zoning from the _____ District to the _____ District for property legally described as Lot(s) _____ of Block _____ in the subdivision of _____.

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet).

5. Dimensions of the property are _____ feet in depth by _____ feet in width and _____ acres (round to the nearest tenth) or _____ square feet in area.

6. The general location of the property is (use appropriate section):

a. The address is _____

b. At the _____ corner of _____ Street and _____ Street.

c. On the _____ side of _____ Street between _____ Street and _____ Street.

7. Is this property part of a recorded plat? _____ Yes _____ No.

8. The property is presently used for _____ and this change of zoning is requested for the following reason(s):

9. I (we) the owner(s), acknowledge receipt of the instructions and further state that I (we) have read the material. I (We) realize that this application cannot be processed unless it is complete and is accompanied by a current ownership list certified by an abstractor for the notification area and the appropriate fee.

a. _____ Date

b. _____ Date
Contract Purchaser (if applicable)

OFFICE USE ONLY

This application was received by the Director of Planning or Planning Commission Secretary at _____ (a.m. / p.m.) on _____, 20____.

It has been checked and found to be complete and accompanied by the required landownership list, development plan for certain districts and the appropriate fee of \$350.00.

Director of Planning or Planning Commission Sec.

CITY OF DERBY, KANSAS

INSTRUCTIONS TO THE APPLICANT FOR A CHANGE OF ZONING DISTRICT CLASSIFICATION

1. An application for a **CHANGE OF ZONING DISTRICT CLASSIFICATION** must be completed and signed by all owners of record of the rezoning application area. The completed application must be filed with the Zoning Administrator, or their appointed representative. A schedule of Planning Commission meeting dates, along with designated “**closing dates**” or dates by which a completed application must be filed in order for the application to be advertised for a specific Planning Commission meeting, is available upon request. **All zone change applicants are encouraged to meet with applicable City Staff prior to filing a rezoning application.** The purpose of the pre-application conference is to provide Staff and the applicant an opportunity to discuss all forthcoming rezoning steps and any other applications or steps that may be necessary prior to commencement of a specific building project.
2. **It is very important that the legal description for the property subject to the rezoning application is accurate.** If it is discovered during the processing of the application that the legal description submitted on the application is unclear or incorrect, then this may delay processing of the application. Should it be discovered that the legal description included as part of public notices is inaccurate, the Zoning Administrator may declare that notices are null and void and that the notification process, required by State Law, must be started over again. **This may necessitate the payment of a readvertising fee.**
3. In accordance with Section 1100(E) of the Zoning Ordinance, the **rezoning application must be accompanied by a current list of applicable property owners, including mailing addresses, which is certified by a licensed abstractor. Ownership list shall include property owners within two hundred feet of applicants rezoning location and 1000 feet if property is located in the County.**
4. **The rezoning application must be accompanied by a filing fee of \$350.00.**
5. The Planning Commission meets twice monthly to consider rezoning applications. **In order for an application to be scheduled for a “date certain” Public Hearing before the Planning Commission, the rezoning application must be filed with the Zoning Administrator, or their appointed representative, by one of the specific “closing dates” established by the Planning Commission.** As stated above, a copy of the “closing dates” may be obtained upon request.
6. **Continuation of the Public Hearing before the Planning Commission** - A zone change applicant may, **prior to or at the advertised Public Hearing** before the Planning Commission, request that the Commission’s recommendation on the merits of their rezoning application be deferred or tabled until an upcoming meeting of the Commission. Approval of any such request shall be at the discretion of the Planning Commission. **If the Commission determines a deferral or tabling of action on a rezoning request is appropriate, then the required Public Hearing shall be continued to a date and time that is certain in the future.** Such future date and time for continuation of the advertised Public Hearing will be stated as part of the Commission’s action to table or defer consideration of a rezoning case.
7. **Submitting of additional information** - It is the policy of the Planning Commission to permit the submission of information relating to the appropriateness of the particular application. Any materials, however, such as photographs of the existing area, renderings, site plans, planting plans or reports which are submitted at the Public Hearing may, at the discretion of the Commission, become the property of the Commission and a part of the case file.
8. It will be the responsibility of the owners of the property requesting the rezoning to **post a “Development Application” notice board on the property.** The notice board will be provided by the city and must be continually displayed for 20 days prior to the Planning Commission meeting on which the rezoning case is scheduled to appear.