

# LOT SPLIT APPLICATION GUIDELINES

## Application Procedure.

Requests for lot split approval shall be made by the owner of the land to the planning staff. The request for approval shall consist of the following:

- (1) A completed lot split application form.
- (2) The appropriate filing fee of \$25.00
- (3) Two (2) copies of a drawing that indicates the location of existing municipal water mains, water meters and sanitary sewer laterals that serve the lot split site.
- (4) Four (4) copies of a drawing to scale shall be submitted of the lot(s) involved if there are no structures present; and if structures exist on any part of the lot(s) being split, four (4) copies of a survey of the lot(s) showing the precise location of structures thereon shall be submitted. The drawing or survey shall depict or provide the following:
  - a. The precise nature, location and dimensions of the proposed split;
  - b. The legal description(s) for the proposed split;
  - c. The amount of square footage contained in each portion of the original lot;
  - d. All existing easements and, if any, access control. If the easements or access control were granted by separate instrument, the recording information shall be indicated;
  - e. All platted building setbacks;
  - f. All platted easements, building setbacks, access control or public rights-of-way that have been previously vacated. The Vacation Ordinance number or recording information for the Vacation Order shall be referenced; and
  - g. A Certificate of Approval as shown in Exhibit 1.

**EXHIBIT 1**

**CERTIFICATE OF LOT SPLIT APPROVAL**

**STATE OF KANSAS )**

) ss

**CITY OF HAYSVILLE )**

I hereby certify that this lot split has been examined by Haysville City Planning Staff and found to comply with the Subdivision Regulations of the City of Haysville, Kansas, and is, therefore, approved for recording.

Date Signed: \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, (Printed Title)

(Print Name)

**STATE OF KANSAS )**

) ss

**CITY OF HAYSVILLE )**

The foregoing instrument was acknowledged before me this \_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.

(SEAL)

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

My appointment expires\_\_\_\_\_.

### **Approval Guidelines.**

Approval or disapproval of lot splits shall be made based on the following guidelines:

- (1) A lot split shall **not** be approved unless **all** the following requirements have or can be satisfied:
  - a. A new street or alley is needed or proposed.
  - b. A vacation of streets, alleys, setback lines, access control or easements is required and has not been satisfied.
  - c. Such action will result in significant increases in service requirements, e.g., utilities, drainage, schools, traffic control, streets, etc.; or will interfere with maintaining existing services, e.g., additional curb cuts, repaving, etc.
  - d. There is less street right-of-way than required by these regulations or the Comprehensive Plan unless such dedication can be made by separate instrument.
  - e. All easement requirements have not been satisfied.
  - f. Such split will result in a landlocked tract. (Access easements are an appropriate means to provide access to lots without public road frontage.)
  - g. A substandard sized lot or parcel will be created or an existing structure will not be able to meet all yard requirements according to applicable zoning regulations or sanitary code.
  - h. The lot is subject to periodic flooding which cannot be feasibly corrected by fill.
- (2) Review of lot splits by affected and interested governmental and public and private organizations as appropriate may be required for lot splits that may result in significant increases in service requirements (e.g., utilities, schools, traffic controls, etc.), interfere with maintaining existing service levels (e.g., additional curb cuts, repaving, etc.) or propose private easements for access and/or utilities. Such determination shall be made by the Planning Staff. If a review by these organizations is necessary, 25 additional copies of the lot split drawing or survey shall be provided by the applicant along with information regarding the location of existing utilities.
- (3) The Planning Staff may make such additional requirements as deemed necessary to carry out the intent and purpose of existing land development regulations and Governing Body policy. Requirements may include, but not be limited to, the installation of public facilities, dedication of right-of-way and easements, and submission of covenants for the protection of other land owner (s) in the original subdivision.
- (4) The Planning Staff shall, in writing, either approve with or without conditions or disapprove the lot-split within 30 days of application. If approved, and after all conditions have been met, the appropriate Planning Staff shall sign the certificate of approval on the lot split drawing or survey. A certified copy thereof shall be filed with the Register of Deeds, the official designated to issue building or occupancy permits, the official files of the Planning Commission, and a copy shall be furnished to the applicant.