

SECTIONS:**3-101 OBJECTIVE****3-102 AUTHORIZATION FOR APPROVAL OF LOT SPLITS****3-103 APPLICATION PROCEDURE****3-104 APPROVAL GUIDELINES****3-105 INDUSTRIAL LOT SPLITS****3-106 AGRICULTURAL LOT SPLITS****3-101 OBJECTIVE**

The objective of this Article is to create a procedure for the division of existing platted lots into not more than two (2) lots without having to comply with the formal platting requirements described in Article 2 of these regulations. Such lot split shall be subject to the guidelines established in Section 3-104 and any further divisions of the lot or lots so established shall be platted in compliance with the requirements of Article 2 of these regulations.

3-102 AUTHORIZATION FOR APPROVAL OF LOT SPLITS

The Zoning Administrator is hereby authorized to approve or disapprove a lot split in accordance with the provisions of this Article. Appeals from a decision made by the Zoning Administrator may be made to the Governing Body for a final determination.

3-103 APPLICATION PROCEDURE

The application for a lot split shall be made by the owner of the land to the Zoning Administrator on forms provided and shall be accompanied by the following information:

1. Three (3) copies of a drawing to a scale of not less than 1" = 100' showing the lot(s) involved, the precise location of any structures thereon, and the location and dimensions of the original and proposed lots. Said drawing shall be a certificate of survey from a licensed land surveyor to determine the exact location of the structures and the precise dimensions of the lots.
2. The legal description(s) for the proposed lot(s).
3. The location of existing parking and curb cuts, if any. In the case of a non-residential lot split, required off-street parking shall be shown.
4. The amount of square footage contained in each portion of the original lot.
5. 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.
6. All platted building setbacks.

7. The location of existing municipal water mains, water meters, sanitary sewer laterals, gas mains, gas meters, and storm sewer lines which serve the property subject to the lot split.
8. The location of electric, telephone and other utility services to the property subject to the lot split.

3-104 APPROVAL GUIDELINES

No tract or lot split shall be approved if one or more of the following applies:

1. A new street or extension of an existing street, or a vacation of streets, alleys, setback lines, access controls or easements is required or proposed.
2. There is less street right-of-way than required by these regulations, unless dedication of additional right-of-way can be made by separate instrument.
3. Any easement requirements have not been satisfied.
4. Such split will result in a landlocked tract.
5. Such split will result in a lot(s) without direct access to and/or less than 50 feet of frontage on a street.
6. A substandard sized tract or lot will be created according to these regulations or the Rice County Zoning Regulations.

For those lot splits which result in significant increases in service requirements, e.g., utilities, traffic control, streets, etc.; or which interfere with maintaining existing service levels, e.g., additional curb cuts or points of access, repaving, etc.; or which propose private easements for access and/or utilities; review of the lot split by the Rice County Joint Planning Commission may be required. Such determination shall be made by the Zoning Administrator. If such a review is necessary, sufficient additional copies of the proposed lot split, and all supporting documentation, shall be provided by the applicant for distribution to the Rice County Joint Planning Commission.

The Zoning Administrator shall, in writing, either approve, with or without conditions, or disapprove the lot split within fifteen (15) working days of the application.

The Zoning Administrator may make such additional requirements as deemed necessary to carry out the intent and purpose of these regulations. Such requirements may include, but not be limited to, installation of public facilities, dedication of right-of-way and/or easements, or submission of covenants for the protection of other landowners in the original subdivision.

3-105 INDUSTRIAL LOT SPLITS

The unlimited division of a platted lot used for industrial purposes only shall be permitted; provided, the resulting lots are used for industrial purposes in accordance with the Rice County Zoning Regulations.

3-106 AGRICULTURAL LOT SPLITS

The creation of one (1) additional lot in the unincorporated portion of Rice County on properties zoned and used as agricultural shall be permitted without requiring either a rezoning or a plat, including those divisions of agricultural lands because of mortgage or lending requirements; provided:

1. The provisions of section 3-103 are complied with completely.
2. The approval guidelines specified in section 3-104 are complied with to the extent they are applicable to an agricultural lot split.
3. A recordable covenant for the entire original tract, executed by the owner and/or owners, restricting further division of the original tract without full platting of the original tract, including the original split, into lots no larger than the size of the original split. The covenant shall include the requirements that rezoning and platting shall be in conformance with the then applicable Zoning and Subdivision Regulations of Rice County, Kansas. Said covenant shall be recorded with the Register of Deeds of Rice County prior to the approval of the initial agricultural lot split.