

Article 5

Lot Splits

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5.100 Purpose

These regulations are designed to provide for the division of a lot into not more than two lots that meet the minimum size and area requirements of the zoning district in which said lots are located. Any new lot created under the provisions of this article shall not be further subdivided without re-platting.

5.101 General Provisions

The owner of the land shall submit a lot split application to the Zoning Administrator in accordance with the following standards.

1. The applicant shall submit a complete lot split application form available from the Zoning Administrator and three (3) copies of a plot plan to the Zoning Administrator, together with any supplementary data specified by these regulations.
2. The applicant shall pay all filing fees associated with a lot split as adopted by the City Commission before the application is accepted for review.
3. The plot plan shall be submitted as a certificate of survey and sealed by a licensed land surveyor or engineer in Kansas.

5.102 Contents of Plot Plan

The plot plan shall contain the following information:

1. Signature and date blocks for the Zoning Administrator and the Register of Deeds.
2. The location and dimension of existing structures and/or curb cuts on the lot with respect to the existing lot lines.

3. All platted building setbacks.
4. The dimensions of the proposed lots.
5. The legal description(s) for the proposed lots.
6. The current zoning of the subject parcel.
7. The total square footage contained in each of the two lots.
8. All existing easements and utilities. If the easements were granted by separate instrument, the certificate of survey must contain a note indicating that these instruments are on file with the Register of Deeds.
9. Location and width of access ways, existing and proposed.
10. The Surveyor's signature, certificate, and seal.
11. The Owner's signature.

5.103 Approval Authority

The Zoning Administrator or other city employee appointed by the City Manager is authorized to approve or disapprove lot splits with these regulations.

1. The Zoning Administrator shall provide a written approval, with or without conditions, or denial of the lot split within thirty (30) days after receiving a complete application.
2. The Zoning Administrator may provide conditions as deemed necessary to implement the intent and purpose of these regulations. Requirements may include, but are not limited to, installation of public facilities, and dedication of right-of-way and easements.
3. If the application is approved, the applicant shall file the approved lot split with the Pottawatomie County Register of Deeds. A copy of the filed request must be returned to the Zoning Administrator.

5.104 Approval Guidelines

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

1. A new street or alley is needed or proposed.
2. There is less street or road right-of-way than required by these regulations.
3. A vacation of streets, alleys, setback lines, access control, or easements is required or proposed.

4. The lot split results in a lot or tract without direct access to a street.
5. The lot split results in a lot that does not meet minimum lot size, setbacks, or other requirements of the zoning regulations.
6. An easement requirement has not been satisfied.