

LOT AND TRACT SPLIT APPLICATION REQUIREMENTS

For

**The UNINCORPORATED AREA OF
LEAVENWORTH COUNTY, KANSAS**

**A PRE-APPLICATION CONFERENCE IS REQUIRED
PRIOR TO SUBMITTAL OF ANY APPLICATION**

**DEADLINE: All application materials shall be submitted by
application deadline as indicated on the current Planning
Commission Schedule and Deadlines form.**

ALL APPLICATION FEES ARE NON-REFUNDABLE

For more information contact:
Leavenworth County Department of Planning and Zoning
300 Walnut, Suite 212
Leavenworth, Kansas 66048
pz@leavenworthcounty.gov
913-684-0465

LOT AND TRACT SPLIT PROCEDURES

APPLICANT RESPONSIBILITIES: Submission of less than the following items may delay the review and processing of the application.

1. Please see the attached checklist (Attachment C).

PLANNING DEPARTMENT PROCEDURES

The Planning and Zoning Department staff requires a minimum of fifteen (15) business days for review of a lot/tract split documents. If corrections need to be made, the process is repeated.

The application and attachments will be sent to the relevant agencies for comments.

RECORDING OF LOT/TRACT SPLITS

All lot/tract splits must be filed with the Leavenworth County Register of Deeds.

1. Filing Fee. The filing fee as set forth by separate resolution shall accompany the application for all lot or tract splits.

FOR ADDITIONAL REQUIREMENTS, PLEASE REFER TO THE *LEAVENWORTH COUNTY ZONING AND SUBDIVISION REGULATIONS*, WHICH INCLUDES THE FOLLOWING ARTICLES APPLICABLE TO LOT AND TRACT SPLITS.

1. Article 85 – Lot and Tract Splits; Leavenworth County Zoning and Subdivision Regulations
2. All other applicable Regulations.

LOT/TRACT SPLIT APPLICATION

Leavenworth County Planning Department
300 Walnut, St., Suite 212
County Courthouse
Leavenworth, Kansas 66048
913-684-0465

Office Use Only

PID: _____ Date Received: _____
Township: _____
Case No. _____
Legal description _____
Zoning District _____
Comprehensive Plan land use designation _____

APPLICANT/AGENT INFORMATION

NAME _____
ADDRESS _____
CITY/ST/ZIP _____

PHONE _____
EMAIL _____

OWNER INFORMATION

NAME _____
ADDRESS _____
CITY/ST/ZIP _____

PHONE _____
EMAIL _____

PROPERTY INFORMATION

Address of property _____
Parcel size _____
Existing structures _____
Current use of the property _____

PROPOSED USE INFORMATION

Proposed land use _____
Proposed Lot/Tract 1 Size

Proposed Lot/Tract 2 Size

I, the undersigned, am the *(circle one)* owner, *duly authorized agent*, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a Tract/Lot Split as indicated above.

Signature _____ Date _____

OWNER AUTHORIZATION

I/WE _____, hereby referred to as the “Undersigned”, being of lawful age, do hereby on this ___day of _____, 20___, make the following statements, to wit:

- 1. I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of the following described real property
See Exhibit A attached hereto and incorporated herein by reference.
- 2. I/We the undersigned, have previously authorized and hereby authorize _____
_____ (Hereinafter referred to as “Applicant”), to act on my/our behalf for the purpose of making application with the Planning Office of Leavenworth County, Kansas, _____
_____ (common address) the subject real property, or portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.
- 3. I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter collectively referred to as the ‘County’), free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character (hereinafter “claims”), in connection with, relating to, or arising directly or indirectly our of this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.
- 4. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand below.

OWNER

OWNER

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledged before me on this ___day of _____, 20___,
by _____.

My Commission Expires:

Notary Public _____

ATTACHMENT B

REVIEW CHECKLIST FOR LOT AND TRACT SPLITS

The Lot/Tract Split shall comply with the following:

- Zoning and Subdivision regulations Article 85.
 - a. A tract split request shall only be permitted for a parcel 40 acres in size or greater, or be an aliquot part of a section that is at least a quarter (1/4) quarter (1/4) section
 - b. A tract shall be permitted one (1) division into **no more** than two (2) subsequent parcels. Any further division shall require platting
- Sanitary Code.
- K.S.A. 19-1434, K.S.A. 58-2004, K.S.A. 58-2005, K.S.A. 58-2011 and Kansas Minimum Standards for Boundary Surveys.
- Application Form
- Owner authorization and court order or trustee/executor documentation indicating the ability to act on behalf of owner.

1. The following shall be indicated on the Lot/Tract Split:

- a. Titled: Lot/Tract Split
- b. Township, Section, Range, and location map
- c. Existing and Proposed property lines
- d. The location of all structures and other existing features on or adjacent to the lots or tracts together with the precise nature, location and dimensions. Features to include; but not limited to:
 - I. Public Roads
 - II. Buildings
 - III. Private septic systems- on apparent location, note if location is approximate or actual
 - IV. Fence lines along property lines
 - V. Ponds & Lakes
 - VI. Utilities
 - VII. Hydrants
 - VIII. Sewer locations
 - IX. Limits of the FEMA special flood hazard areas as indicated on the July 16, 2015 FEMA FIRM maps.
 - X. Driveway and field entrance locations
- e. Right Of-Way on the affected road side only
 - I. Prior to approval of lot/tract split, any additional right-of-way shall be dedicated, by separate document, to the County.
- f. Parcel identification number of existing tract being divided.
- g. The scale, north point, and date and revision dates.
- h. The name and address of the owner.
- i. The name, address, phone number of professional preparing the Lot/Tract Split.
- j. Lots shall meet the following:
 - I. Lot area
 - II. Road Frontage
 - III. Width to Depth Ratio
 - IV. Lot Lines 90° to Right-of-Way
 - V. Lot Lines Parallel/Perpendicular to Right-of-Way
 - VI. Lot Lines not Parallel/Perpendicular to Right-of-Way due to_____
- k. The legal description of the parent lot or tract & legal descriptions of the newly divided tracts or lots
- l. Drawn to Scale
- m. Locate and identify: These items are reviewed by the County Surveyor
 - I. Corner Pins, Section Corners, Control points, bench mark
 - II. Point of Beginning/Commencement

III. Distances and bearings for all proposed lot lines

- n. The following endorsements:

This lot/tract split, as described and shown above, has been submitted to and approved by the following County Staff persons this _____ day of _____, 20____.

Planning & Zoning Director

I hereby certify this document has been reviewed by me and is being filed for survey information only.

County Surveyor

2. The following notes should be indicated:
 - a. Survey completed without title work or indicate title work number and include a copy with exception documents and exceptions should be indicated on BLA.
 - b. Fence lines do not necessarily denote property lines
 - c. FEMA Firm map number(s) and Special Flood Hazard Area indicated on survey or no Special Flood Hazard Areas indicated on map
 - d. Existing easements may not be indicated
 - e. Utility locations may not be indicated
3. The following may be required:
 - a. Wells if located closer than 100' from property line or when they are located off site from the house they serve
 - b. Water meters when they are located off site from the house they serve
 - c. Existing and proposed easements for driveways, water service lines, or wells where they cross property lines
 - d. Dimensions to property lines where buildings are close the required setback distances
4. If anything, out of the ordinary is approved, it should be indicated on the survey and referenced in approval letter.

Attachment C