

**ARTICLE 15: LOT SPLIT**

The intent of this section is to provide for the issuance of building permits on lots divided into not more than two tracts without having to replat said lot, provided that the resulting lots shall not again be divided without replatting. The Planning Commission may approve or disapprove lot splits in accordance with the lot split regulations set forth in the City of Eudora Subdivision Regulations.

1. The applicant shall first meet with the Codes Administrator and her designee to receive an explanation of the lot split procedure, including its requirements and limitations, and an application form.
2. The lot split application shall be completely filled out and returned to the Office of the Codes Administrator with the appropriate fee. An application fee shall be paid at the time the site plan application is submitted. The fee shall be used to cover expenses incurred by the city in the processing and review of the application. **An application for a lot split shall not be processed until it has been fully completed, the appropriate application fee is paid, and all requested information submitted.** As a part of the application, fifteen (15) copies of a plot plan shall be submitted, prepared by an Engineer, Architect or Surveyor registered in the state of Kansas. This shall show the following:
  - A. Boundaries of the existing parcel;
  - B. Location of all structures;
  - C. Precise nature of the proposed split;
  - D. Legal description of the lots to be formed; and
  - E. Name, signature, and seal of the registered land surveyor who prepared the drawing.
3. Upon submission of a completed application and payment of the application fee, the City shall place the lot split request on the Planning Commission agenda for final action, per the approved Planning Commission schedule.
4. No lot split shall be approved if:
  - A. A new street or alley is needed or proposed.
  - ~~B. Vacation of streets, alleys, setback lines, access control or easements is required or proposed.~~
  - B. If the lot split will result in significant increases in service requirements, (e.g., utilities, schools, traffic control, streets, etc.); or will interfere with maintaining existing service levels (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. The split will result in a tract without direct access to a street.
  - G. A substandard-sized lot or parcel will be created.
  - H. The lot has been previously split in accordance with this article.
5. Upon review of a lot split application in relation to the above specified criteria, the Codes Administrator may make such recommendations as deemed necessary to carry out the intent and purpose of existing land development regulations and the adopted Comprehensive Plan. These recommendations are to be considered by the Planning Commission during its review of the lot split application.

CITY OF EUDORA, KANSAS  
LOT SPLIT APPLICATION

Return Form to:  
Codes Administrator  
City of Eudora  
12 East 7th  
Eudora, KS 66025  
(785) 542-4111  
(785) 542-4112 (fax)

Contacts:  
PC Secretary (785) 542-4111  
Codes Administrator (785) 542 3124  
City Administrator (785) 542-4111  
Planning Consultant (816) 363-2696  
Engineering Consultant (785) 749-4474

For Office Use Only  
Case ID.: \_\_\_\_\_  
Filing Fee: \_\_\_\_\_  
Date Submitted: \_\_\_\_\_  
Hearing Date: \_\_\_\_\_

**APPLICANT INFORMATION:**

Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Owner: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**LOT SPLIT INFORMATION:**

1. General Location of Property \_\_\_\_\_
2. Legal Description \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Existing Zoning \_\_\_\_\_
4. Gross Acreage \_\_\_\_\_
5. Existing Street Right-of-Way Width : \_\_\_\_\_
6. Lot Frontage:  
Tract A: \_\_\_\_\_ Tract B: \_\_\_\_\_
7. Lot Area:  
Tract A: \_\_\_\_\_ Tract B: \_\_\_\_\_

8. Is there a public water supply available to serve the proposed lots?

Yes \_\_\_\_\_ No \_\_\_\_\_

9. Is there a public sanitary sewer available to serve the proposed lots?

Yes \_\_\_\_\_ No \_\_\_\_\_

The owner herein agrees to comply with the City of Eudora, Kansas Zoning and Subdivision Regulations and all other pertinent ordinances or resolutions of the City as are determined to be applicable, and the Statutes of the State of Kansas. It is agreed that all costs of recording the lot split and supplemental documents thereto with the Recorder of Deeds shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for the lot split.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Agent (if any)

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LOT SPLIT CHECKLIST

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**INSTRUCTIONS:**

The following is to be completed by the applicant or his engineer, architect or surveyor and shall accompany the lot-split application when it is submitted to the Codes Administrator.

- A. Have the fifteen (15) required copies of the survey or drawing been submitted? Yes No  
\_\_\_\_\_ \_\_\_\_\_
- B. Has the filing fee been submitted? *10<sup>00</sup>* \_\_\_\_\_ \_\_\_\_\_

C. A lot split shall not be approved if the answer is yes to any of the following questions:

	Yes	No
1. Is a new street or alley required or proposed?		
2. Is a vacation of streets, alleys, setback lines, access control or easements required or proposed?		
3. Will the lot split result in significant increases in service requirements or interfere with maintaining existing service levels?		
4. Is there less street right-of-way than required by these regulations or the Comprehensive Plan and such dedication cannot be made by separate instrument?		
5. Are easement requirements unsatisfied?		
6. Will such subdivision result in a tract without direct access to a street?		
7. Will a substandard-sized lot or parcel be created?		
8. Has the lot been previously subdivided under these lot split regulations?		

Yes \_\_\_\_\_ No \_\_\_\_\_

9. Is there a public sanitary sewer available to serve the proposed lots?

Yes \_\_\_\_\_ No \_\_\_\_\_

The owner herein agrees to comply with the City of Eudora, Kansas Zoning and Subdivision Regulations and all other pertinent ordinances or resolutions of the City as are determined to be applicable, and the Statutes of the State of Kansas. It is agreed that all costs of recording the lot split and supplemental documents thereto with the Recorder of Deeds shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for the lot split.

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- |  | Yes   | No    |
|--|-------|-------|
| A. Have the fifteen (15) required copies of the survey or drawing been submitted?  | _____ | _____ |
| B. Has the filing fee been submitted?  | _____ | _____ |
| C. A lot split shall not be approved if the answer is yes to any of the following questions:   |       |       |
|  | Yes   | No    |
| 1. Is a new street or alley required or proposed?  | _____ | _____ |
| 2. Is a vacation of streets, alleys, setback lines, access control or easements required or proposed?  | _____ | _____ |
| 3. Will the lot split result in significant increases in service requirements or interfere with maintaining existing service levels?                         | _____ | _____ |
| 4. Is there less street right-of-way than required by these regulations or the Comprehensive Plan and such dedication cannot be made by separate instrument? | _____ | _____ |
| 5. Are easement requirements unsatisfied?  | _____ | _____ |
| 6. Will such subdivision result in a tract without direct access to a street?  | _____ | _____ |
| 7. Will a substandard-sized lot or parcel be created?  | _____ | _____ |
| 8. Has the lot been previously subdivided under these lot split regulations?   | _____ | _____ |

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 Owner: \_\_\_\_\_ Phone: \_\_\_\_\_  
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