

ARTICLE 3  
LOT SPLITS

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**3-101 Objective:** The objective of this Article is to provide for the division of a lot without having to comply with the platting requirements of described in Article 2. Such lot split shall be subject to the guidelines established in section 3-104.

**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 the Article. Appeals from a decision made by the Zoning Administrator may be made by the applicant to the appropriate Governing Body for the final determination.

**3-103 Application Procedure:** The application for a lot split may be made to the Zoning Administrator and shall provide the dimensions of the lot and proposed split and the location of any structures and any other information that might be relevant to an analysis under section 3-104.

**3-104 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; unless dedication can be made by separate instrument.
2. Such action will result in significant increase in service requirements, e.g., utilities, traffic control, streets, ect.; or will interfere with maintaining existing service levels, e.g., additional curb cuts or points of access, repaving, ect.
3. 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.
4. Any easement requirements have not been satisfied.
5. Such split will result in a lot without direct access to and/or less than the required frontage on a street as specified in the Wabaunsee County Zoning Regulations.

6. A substandard sized lot will be created according to these regulations or the Wabaunsee County Zoning Regulations; except as provided in Section 3-106 herein.

The Zoning Administrator shall, in writing, either approve, with or without conditions, or disapprove the lot split within 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 limited to, installation of public facilities or dedications of right-of-way and/or easements.

**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 Wabaunsee County Zoning Regulations.

**3-106 Agricultural Lot Splits:** The creation of additional lots in the unincorporated portion of Wabaunsee 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. Only 2 dwelling units are permitted for each quarter/quarter (1/4 –1/4) of a section. Any more housing construction or building permit requests will require compliance with subdivision rules unless a variance is granted pursuant to Zoning Regulations Article 35-103.