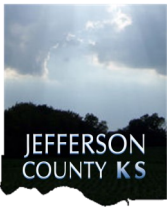


Process for Agricultural Lot Split

1. **Pre-submittal meeting:** All applicants requesting a lot split should consult with the Planning & Zoning staff at least seven (7) working days prior to submitting a formal application. The applicant should review the lot split provisions & the Agricultural lot split agreement provisions of the Subdivision Regulations to assure a complete understanding of the requirements.
2. **Application submission:** Application forms are available in the Planning & Zoning office and online. Staff will determine the completeness, accuracy, and sufficiency of the application within five (5) working days of submission.
3. **Application Packet: a complete application will include the following materials:**
 - Application Fee - \$50.00
 - Completed application form must be signed by the owner(s) of record. An agent or a trustee can sign the application if trustee designation documentation, and/or a signed contractor's affidavit is submitted.
 - One (1) physical copy and one (1) digital copy of the survey/drawing – correctly certified & with Agricultural Lot Split in the title of the document for the initial review.
 - The survey shall be drafted in the following format and include the following information:**
 - a. A drawing to a scale of not less than 1" = 100' showing the lots involved, the precise location of any structures thereon, and the location and dimensions of the original and proposed lots. (Structures shall include but are not limited to the following: driveways, ponds, all buildings, sewage lagoons etc.) Said drawing shall be a certificate of survey from a licensed land surveyor to determine the exact location of the structures and precise dimension of the lots.
 - b. The legal description(s) for the proposed lot(s).
 - c. 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.
 - d. The square footage contained in each portion of the original lot.
 - e. 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. (Indicate existing right-of-way width and dedication of additional if needed)
 - f. All platted building setbacks.
 - g. The location of existing municipal water mains, water meters, sanitary sewer laterals, gas mains, gas meters, and storm sewer lines that serve the property subject to the lot split.
 - h. The location of electric, telephone and other utility services to the property subject to the lot split.
 - i. A 3-inch by 5-inch blank space for the approval stamp of the Zoning Administrator.
 - Completed & signed agreement - The restrictive covenant agreement must accompany the application for an Agricultural Lot Split and will be recorded with the Register of Deeds, along with the Lot Split Survey if the split is approved.
 - Any required Affidavits (e.g. Affidavit for Authorization of Agent(s)) – if needed
 - Letter from the Rural Water District serving the property in question. The letter needs to address the Districts ability to serve the property. If a private well is planned or no public water supply is available – please reference this on the application form.
 - Letter from the Jefferson County Health Department addressing wastewater. The County Sanitarian will verify separation requirements and functionality of any existing wastewater system/systems and the feasibility of placing additional systems on the proposed parcels. The Health Department can be reached by calling 785-403-0025.

- Reviews of road access from the appropriate agency – KDOT and/or the Jefferson County Road & Bridge Dept. The Road & Bridge Dept. can be reached at 785-403-0279. If access is along a state highway, the applicant shall request a review from KDOT and include that report with the application. Scott Cushing and Steve Taylor are the current KDOT contacts. They can be reached at 785-296-3986 (Scott) or 913-721-2754 (Steve).
 - Copy of the Real Estate Deed (Register of Deeds Office).
 - Copies of Paid Tax Receipts for all real estate & personal property owned by the Applicant and/or Property Owner (Treasurer's Office).
 - Any other supplementary documents requested by staff (varies on a case-by-case basis).
4. **Additional fees:** will be required for recording approved splits with the Register of Deeds Office. Those fees will vary based on the documents to be recorded. Any lot split surveys **greater in size than 11"x17"** will need to be submitted on Mylar prior to recording with the Register of Deeds.

****INCOMPLETE APPLICATIONS WILL BE RETURNED TO THE APPLICANT****



Planning & Zoning Department

Jefferson County Courthouse
P.O. Box 628
Oskaloosa, Kansas 66066

www.jfcountyks.com/planningandzoning

Phone: (785) 403-0000
Toll Free: (844) 679-0748
Fax: (785) 403-0783

APPLICATION FOR AGRICULTURAL LOT SPLIT

THE APPLICATION PACKAGE MUST INCLUDE THE FOLLOWING ITEMS. REVIEW OF THE APPLICATION WILL NOT COMMENCE UNTIL ALL ITEMS ARE SIGNED AND SUBMITTED.

PLANNING & ZONING APPLICANT CHECKLIST:

- | | |
|--|--|
| _____ Application Fee - \$50.00 | _____ Completed & Signed Application Form |
| _____ Completed & Signed Agreement | _____ Contractor's Affidavit (if needed) |
| _____ Real Estate Deed | _____ Paid Tax Receipts |
| _____ 1 physical copy & 1 digital copy of the survey/drawing - correctly certified & with Agricultural Lot Split in the title of the document. | _____ Written Statements from: WATER DIST., HEALTH DEPT. & KDOT OR ROAD & BRIDGE DEPT. |

Name of ALL Applicant(s)/ Owner(s) and/or Agent(s). (Use separate sheet if necessary)

Applicant/ Owner: _____	Agent: _____
Address: _____	Address: _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____
Phone: () _____	Phone: () _____

NAME OF SURVEYOR: _____ PHONE: _____

PARCEL INFORMATION (General Location): _____

Gross Acreage: _____ Min. Lot Frontage: _____ Min. Lot Area: _____

Public Water: _____ Public Sewer: _____ Street Row Width: _____

The owner herein agrees to comply with the Subdivision Regulations of Jefferson County, as amended, and all other pertinent resolutions of Jefferson County, and statutes of the State of Kansas. It is agreed that all costs of recording the lot split and supplemental documents thereto with the Register of Deeds shall be assumed and paid by the owner at the time of filing. The undersigned further states that he is the owner of the property proposed for the Ag Lot Split.

Owner: _____ OR Authorized Agent: _____

Owner: _____ OR Authorized Agent: _____

This application and all corresponding documents were received at the office of the Zoning Administrator on this _____ day of _____, _____. It has been examined and found to be complete and accompanied by the required documents.

Rec. by: _____ Approval/ Denial Date: _____ Payment Method: _____

Appeal to CC Rec.: _____ Determination: _____ Date: _____

AGRICULTURAL LOT SPLIT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Agricultural Lot Split Agreement is made and entered into by and between _____, hereinafter referred to as "Divider", and the County of Jefferson County, Kansas, by and through its duly appointed and acting Zoning Administrator, hereinafter referred to as "County".

Dividers covenant they are the owner(s) of the following described real estate in Jefferson County, Kansas, zoned "AG - Agriculture" and containing a minimum of 40 acres, to wit:

_____.

Divider further covenant they have or will cause to be made a division of said property resulting in the creation of a new lot or tract of land described as: _____

leaving a remainder lot or tract of land containing _____ acres, more or less.

For and in consideration of not being required to rezone and plat said division of the above described property as required by the Jefferson County Zoning and Subdivision Regulations, Divider covenants and agrees with the County that a survey will be done on the created lot or tract of land above described, with the same to be recorded with the Jefferson County Register of Deeds; and Divider further covenants and agrees with the County that no further division of any of the remainder portion of the property above described will occur except in full compliance with the then applicable Jefferson County Subdivision Regulations, which shall include the requirement of platting all of the remainder property referenced above. Further, the Divider hereby consents to and agrees that the County may impose a rezoning on either of the properties established herein without objection by the then owners of said property in the event future divisions occur, and that this and all other provisions of this covenant and agreement shall be binding on the heirs, executors, administrators, agents, assigns and all successors in interest of property subject to this agreement.

Divider also agrees to grant to the public an additional _____ feet of original parcel along the adjoining public road/roads, _____ Street/Road, as shown on the lot split survey, for roadway and utilities purposes. (If needed)

Signed and executed by Divider this _____ day of _____, 20____.

Divider: _____

Divider: _____

STATE OF KANSAS)
)SS
JEFFERSON COUNTY)

BE IT REMEMBERED, that on this _____ day of _____, 20____,
came _____, to me personally known to be the same person(s) who executed
the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal,
the day and year above written.

My Commission Expires: _____

_____ Notary Public

Signed and executed on behalf of Jefferson County this _____ day
of _____, 20____.

Dustin Parks, Jefferson County Zoning Administrator

STATE OF KANSAS)
)SS
JEFFERSON COUNTY)

BE IT REMEMBERED, that on this _____ day of _____, 20____,
came _____, to me personally known to be the same person(s) who executed
the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal,
the day and year above written.

My Commission Expires: _____

_____ Notary Public

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. Additionally, procedures are hereby established to provide for unlimited splits of industrial lots and for very limited splits of agricultural lots.

3-102 Authorization for Approval of Lot Splits:

1. 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 by the applicant to the Governing Body for a final determination. Appeals to the Governing Body shall be made within thirty (30) days of the date the Zoning Administrator's decision is postmarked to the applicant. Appeals to the Governing Body shall not be de novo; but shall be decided based upon the record made before the Zoning Administrator. Appellants shall be entitled to make such oral or written arguments as the Governing Body may permit.

2. Reapplications following a final decision denying a lot split, whether rendered by the Zoning Administrator or Governing Body, shall be permitted only after one hundred eighty (180) days have passed since the date of said final decision.

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.
9. A 3-inch by 5-inch blank space for the approval stamp of the Zoning Administrator.

3-104 Approval Guidelines: No 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 lot.
5. Such split will result in a lot(s) without direct access to and/or less than the required frontage on a street as specified in the Jefferson County Zoning Regulations.
6. A substandard sized lot will be created according to these regulations or the Jefferson County Zoning Regulations. This includes both the created lot and the parent lot. This shall not apply to lots created under the provisions of section 3-106 herein.

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 or the parent property.

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 Jefferson County Zoning Regulations. The documents required in Section 3-103 above shall be submitted.

3-106 Agricultural Lot Splits: The creation of one (1) additional lot in the unincorporated portion of Jefferson 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. All lots created shall maintain the minimum lot frontage on a public road as required under the provisions of the Jefferson County Zoning Regulations applicable to the size of lot created by the split. Further, neither lot shall have a lot depth to lot width ratio greater than 4:1.

4. A recordable covenant between the owner and the County for the entire original tract, executed by the owner and/or owners and the County, restricting further division of the original tract without full platting of the remainder of the original tract, and rezoning to the appropriate zoning district. The covenant shall include the requirements that rezoning and platting shall be in conformance with the then applicable Zoning and Subdivision Regulations of Jefferson County, Kansas, and shall be binding on all heirs and assigns of both lots. Said covenant shall be recorded with the Register of Deeds of Jefferson County as a condition of the approval of the agricultural lot split and no construction authorization shall be issued until such time as the covenant has been recorded.

Zoning District Outline

Zoning Districts

- “AG” Agricultural = 40 acres or more
- “RR” Rural Residential = 10 to 39.99 acres
- “SR” Suburban Residential = 1 to 9.99 acres
- “R-1” Single-Family Residential = 20,000 sq. ft. to 1 acre
- “CP-1” Planned Light Business
- “CP-2” Planned General Commercial
- “CP-3” Planned Highway Service Commercial
- “IP-1” Planned Light Industrial
- “IP-2” Planned Medium Industrial

Any subdividing (creation of two or more lots less than 40 acres) of ground requires rezoning and/or platting.

The minimum road frontage requirement for **Agricultural (40 acres or more)** is 660 feet. The building setbacks for Agricultural zoning are 50 feet from the front property line, 30 feet from the side property lines and 30 feet from the back property line. The lot width to depth ratio shall not exceed 4:1.

The minimum road frontage requirement for **Rural Residential (10 to 39.99 acres)** is 330 feet. The building setbacks for Rural Residential zoning are 50 feet from the front property line, 20 feet from the side property lines and 30 feet from the back property line. When rezoning property to Rural Residential (10 to 39.99 acres) the lot width to depth ratio shall not exceed 4:1.

The minimum road frontage requirement for **Suburban Residential (1 to 9.99 acres)** is 165 feet. The building setbacks for Suburban Residential zoning are 25 feet from the front property line, 10 feet from the side property lines, and 20 feet from the back property line. When rezoning property to Suburban Residential (1 to 9.99 acres) the lot width to depth ratio shall not exceed 3:1. The lot must meet a minimum of 250 feet in depth.

The minimum road frontage requirement for **Single-Family Residential (20,000 sq. ft to 1 acre)** is 100 feet. The building setbacks for Single-Family Residential zoning are 25 feet from the front property line, 10 feet from the side property lines, and 20 feet from the back property line. The lot must meet a minimum of 150 feet in depth and requires public water and sewer.

The minimum road frontage requirement for **Planned Light Business “CP-1”** (43,560 sq. ft) is 165 feet. The building setbacks for CP-1 zoning are 20 feet from the front property line, 20 feet from the side property lines, and 20 feet from the back property line. The lot must meet a minimum of 200 feet in depth.

The minimum road frontage requirement for **Planned General Commercial “CP-2”** (43,560 sq. ft) is 165 feet. The building setbacks for CP-2 zoning are 20 feet from the front property line, 20 feet from the side property lines, and 20 feet from the back property line. The lot must meet a minimum of 200 feet in depth.

The minimum road frontage requirement for **Planned Highway Service Commercial “CP-3”** (87,120 sq. ft) is 250 feet. The building setbacks for CP-3 zoning are 20 feet from the front property line, 20 feet from the side property lines, and 20 feet from the back property line. The lot must meet a minimum of 300 feet in depth.

The minimum road frontage requirement for **Planned Light Industrial “IP-1”** (87,120 sq. ft) is 250 feet. The building setbacks for I-1 zoning are 20 feet from the front property line, 15 feet from the side property lines, and 20 feet from the back property line. The lot must meet a minimum of 300 feet in depth.

The minimum road frontage requirement for **Planned Medium Industrial “IP-2”** (87,120 sq. ft) is 250 feet. The building setbacks for I-2 zoning are 20 feet from the front property line, 15 feet from the side property lines, and 20 feet from the back property line. The lot must meet a minimum of 300 feet in depth.

Case Number: _____

BP #: _____

Professional Review Fee Disclosure
COUNTY OF JEFFERSON
STATE OF KANSAS

PROFESSIONAL REVIEW FEES: Resolution No. 2011-016, dated July 11, 2011, provides that the County may require that the applicant pay for “the actual costs of reasonable and necessary technical assistance” for review of an application and that the planning process may result in the assessment of the actual costs of engineering or other professional review, and the applicant agrees to pay same.

Applicant and/or Authorized Agents:

Name	Address	Phone

Signed and entered this _____ day of _____, 20__.

Name (Printed): _____

Name (Printed): _____

Signed: _____

Signed: _____

FEE SCHEDULE
Effective July 11, 2011

SUBDIVISION REGULATIONS FEES

Application for Preliminary/Final Plat Review	\$50.00
Application for Short Form Plat	\$50.00
Application for Agricultural Lot Split	\$50.00
Appeal from decision of Zoning Administrator	\$50.00
Application for Rule Exception	\$50.00

Additional Fees:

The County may cause to be made an investigation of facts bearing on the application necessary to provide information to insure a decision consistent with the intent of the regulations. Such investigation may require the hiring of consultants for review of technical data of the application. **The actual costs of reasonable and necessary technical assistance shall be the responsibility of the applicant and not Jefferson County.**

NO REFUNDS OF FEES FOR ANY REASON

No fee shall be required when a proposed plat or lot split concerns land owned by any Township, City, the County, the State, or the Federal Government; nor any agency, board, or legal entity thereof.