

Lot Split Application & Process

See Unified Development Ordinance 18.40.180

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Pre-Application Meeting



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Step 1 – Pre-Application Process

The applicant is required to meet with City Planning staff prior to submitting an application. There are two types of pre-application meetings, depending on the scope of the project: (A) a Discovery meeting; and (B) a Project Evaluation meeting. More than one pre-application meeting may be required by staff as needed.

A) Discovery Meeting

This meeting gives staff the opportunity to identify issues that may be addressed prior to the application being submitted and identify special studies needed in conjunction with the application. In addition, the meeting allows the applicant to explain issues that shaped the initial design of the project and ask questions about the application procedures. This exchange of information can often make the process go more smoothly. It is not necessary to have detailed plans drawn prior to the meeting. However, the more information brought to the meeting (even in sketch form), the more thorough and specific the staff can be in response. Depending on the complexity of the project, this meeting may be waived at the discretion of the Planning representative.

Purpose

- Acquaint the applicant with the procedural requirements.
- Provide for an exchange of information regarding the proposed development and the regulations, restrictions and requirements, the *Comprehensive Plan* and other development requirements.
- Advise the applicant of any public sources of information that may aid the application, identify policies and regulations that create opportunities or pose significant restraints for the proposed development.
- Review proposed concept plans and provide the applicant with opportunities to enrich the development plan to mitigate any undesirable project consequences;
- Review the compatibility with adjacent land uses, either proposed or existing; and
- Provide general assistance by City staff on the overall design of the proposed development.

B) Project Evaluation Meeting

This meeting allows staff to meet with the applicant and discuss the changes made to the project up to this point, as well as additional concerns both parties may have during the remainder of the process. At the conclusion of this meeting, the applicant should be aware of all materials needed for filing the application and the correct format for all documents. Additional staff comments and revisions may be required as a result of this meeting. Depending on the changes required by City staff, it may be necessary to have a second project evaluation meeting prior to filing the application.

Purpose

- Provide a more in-depth review of the plans with the applicant prior to filing the application;
- Review plan corrections based on comments made by the applicant with respect to staff's comments during the discovery meeting;
- Advise the applicant of any additional revisions that are necessary prior to filing the application; and
- Provide general assistance by City staff on the overall design of the plan.

Schedule a Meeting

Applicants may schedule a meeting by creating an account and submitting a request at: <https://energov.olatheks.org>. For more information contact the Planning Division at 913-971-8750, Monday through Friday, 8 a.m. to 5 p.m.

Please be aware that the meetings are not intended to cover all issues related to the development process, and decisions/discussions during the pre-application process are subject to change based on information submitted at the time the application is filed.

Step 2 – Application Checklist: Submittal Requirements

Applications missing any of the following items will be considered incomplete and rejected.

General Requirements:

- Application Form** complete with signatures
- Ownership Affidavit form**
- Filing Fee** (See Planning Application Fees)
- Legal Description** of the property in print and on disk (Microsoft Word)
- Digital Copies** all items submitted (PDF)
- Hard Copies** Two (2) folded copies of the full size lot split survey or exhibit
- Reduced Copies** One (1) 11"x17" or 8.5"x14" of lot split survey or exhibit
- Utility Company** sign-off checklist
- Statement of Purpose**
- Completed Checklist** (this form)

Duplex Requirements (in addition to the above requirements):

- Fire Wall Affidavit** signed and notarized
- Shared Responsibility Affidavit** (if the property is serviced by one sewer service lateral line)
- Verification of Location of Electrical Service** gas and water meters to each unit

Step 3 – Submit the Application

An application for lot split must be completed and submitted to the Planning Division with the proper filing fee, payable to the City of Olathe. See the Fees and Charges for the applicable application fee. An application may be withdrawn at any time upon written request; however, no refund will be made after the application has been accepted. A complete application consists of all items identified in the Submittal Requirements checklist.

Lot split applications will be placed in the internal review process based upon the completeness of the application submittal. All additional information, which is to support the application, must be submitted by the deadline date. Failure to meet the application submittal requirements checklist will result in the application being denied.

Step 4 and 5 – Review Comments and Development Review Committee

Every application goes through a detailed staff review. Although a member of the Planning staff is assigned to coordinate the review of each application, the focal point of the process is the meeting of the Development Review Committee. This is a staff-only committee consisting of 10 to 15 representatives of various city departments that review each item on the agenda and identify relevant issues. From this meeting, the departments will prepare written comments on the proposed application. The staff comments will be sent to all parties listed on the application form by email according to the Development Review Schedule.

The comments prepared by staff based on this meeting are intended to be a

complete list of changes required by the applicant prior to the Planning Commission meeting. However, some circumstances may warrant additional staff comments following the applicant meeting to ensure compliance with city codes and ordinances. For example, if a change is requested by City staff and the solution presented by the applicant creates an unforeseen issue, staff may provide additional comments to correct the problem.

Step 6 – Approval and Recording

The Planning Official approves, approves with conditions, or denies a lot split. A lot split is not subject to the procedures for platting (Sections UDO 18.40.150 to 18.40.170). The Planning Official shall act upon a Lot Split application within thirty (30) days after receipt of a complete application. If the application is approved, the Planning Official shall sign and furnish a certificate of approval to be affixed to the lot split survey.

The applicant may appeal the denial of an application for a lot split to the Planning Commission. The Planning Commission shall act on the appeal within thirty (30) days following the filing. All decisions of the Planning Commission are final. A lot split does not authorize development. After the lot split is approved, the applicant may file any required permits to develop the property, such as site plan or building permit applications

The lot split shall be recorded with the Johnson County Records and Tax Administration office within two years following approval. A copy of the recorded lot split shall be provided to the Planning Division. Lot splits which are not timely recorded are null and void.

In the event that any section of this document conflicts with the city's *Unified Development Ordinance (UDO)*, the requirements of the *UDO* shall prevail.



LOT SPLIT APPLICATION

PLEASE PRINT OR TYPE

FEE: \$70	CASE NO: LS _____
REC'D BY _____	
DATE _____	PLANNER _____
STAFF USE ONLY	

LOCATION OF LOT SPLIT _____

ZONING OF SUBJECT PROPERTY _____ CURRENT LAND USE _____

PROPERTY OWNER

NAME _____ COMPANY _____

ADDRESS _____ SUITE _____

CITY _____ STATE _____ ZIP _____

PHONE _____ FAX _____ EMAIL ADDRESS _____

APPLICANT

NAME _____ COMPANY _____

ADDRESS _____ SUITE _____

CITY _____ STATE _____ ZIP _____

PHONE _____ FAX _____ EMAIL ADDRESS _____

ENGINEER

NAME _____ COMPANY _____

ADDRESS _____ SUITE _____

CITY _____ STATE _____ ZIP _____

PHONE _____ FAX _____ EMAIL ADDRESS _____

NOTE: *Submit two (2) copies of a plan, drawn to a standard engineering scale, and a PDF, depicting the lots, structures and existing utility easements located on any part of the lot being split, together with the precise nature, location, dimensions and legal descriptions of the new lots to be created.*

This application must be signed by all property owners (attach additional sheets if necessary) and all public and/or private utility providers (see attachment).

Once the lot split has been approved by the City of Olathe, the survey and deed must be recorded by the applicant with Johnson County Records and Tax Administration and a copy must be provided to the City of Olathe.

SIGNATURE OF PROPERTY OWNER: _____ DATE _____

CITY OF OLATHE

Ownership Affidavit

STATE OF KANSAS)

SS.

COUNTY OF JOHNSON)

Comes now _____ (owner) who being duly sworn upon his/her
oath, does state that he/she is the owner of the property legally described as

_____.

In the application for _____.

(description of application)

Acknowledge the submission of said application and agree to bind the subject property in
accordance with the plan submitted as part of the above application.

Dated this _____ day of _____, 20_____.

Signature of Owner

Printed Name

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

My Commission Expires

Private Utility Contact List

PROPERTY ADDRESS _____ SUITE _____

CITY _____ STATE _____ ZIP _____

Telephone	<p>AT&T</p> <p>Attn: Rick Theno 9444 Nall Avenue Overland Park, KS 66207</p> <p>Phone: 913-383-4854 E-mail: rt7095@att.com</p>	<p>_____</p> <p>Signature of Representative</p> <p>_____</p> <p>Position Date</p>
Cable Television	<p>COMCAST</p> <p>Attn: James Duff 3400 NW Duncan Road Blue Springs, MO 64015</p> <p>Phone: 816-795-2257 E-mail: james_duff@comcast.com</p>	<p>_____</p> <p>Signature of Representative</p> <p>_____</p> <p>Position Date</p>
Natural Gas	<p>Atmos Energy</p> <p>Attn: Richard Yunghans 25090 W/ 110th Terrace Olathe, KS 66061</p> <p>Phone: 913-254-6355 E-mail: richard.yunghans@atmosenergy.com</p>	<p>_____</p> <p>Signature of Representative</p> <p>_____</p> <p>Position Date</p>
Telephone	<p>Century Link</p> <p>Attn. Andy Tuttle 435 E. Main Gardner KS 66030</p> <p>Phone: 913-856-2232 Email: andy.w.tuttle@centurylink.com</p>	<p>_____</p> <p>Signature of Representative</p> <p>_____</p> <p>Position Date</p>
Electricity (West of I-35)	<p>Westar Energy</p> <p>Attn. Chris Feldhausen 23505 W. 86th St. Shawnee, KS 66227</p> <p>Phone: 913-667-5130 Email: Christopher.feldhausen@westenergy.com</p>	<p>_____</p> <p>Signature of Representative</p> <p>_____</p> <p>Position Date</p>

Electricity (East of I-35)	Kansas City Power and Light Attn. Randy Jamison 19950 Newton Stilwell, KS 66085-1054 Phone: 913-681-7333 E-mail: randy.jamison@kcpl.com	<hr/> Signature of Representative <hr/> Position Date
Sanitary Sewer Water	Johnson County Waste Water Attn. Tim Reeves 11811 S. Sunset Dr. Suit 2500 Olathe, KS 66061-7061 Phone: 913-715-8533 E-mail: tim.reeves@jcw.org	<hr/> Signature of Representative <hr/> Position Date
Water	WaterOne Attn. Randy Freeborn 10747 Renner Blvd. Lenexa, KS 66219 Phone: 913-895-5772 E-mail: rfreeborn@waterone.org	<hr/> Signature of Representative <hr/> Position Date
Cable	Surewest, Digital TV and Internet Attn. Tom Reaves 9669 Lackman Rd. Lenexa, KS 66215 Phone: 913-322-9631 E-mail: tom.reaves@surewest.com	<hr/> Signature of Representative <hr/> Position Date

CITY OF OLATHE

Fire Wall Affidavit

STATE OF KANSAS)

ss.

COUNTY OF JOHNSON)

I affirm that a separation wall meeting the standards of at least a two-hour firewall exists between the living units at _____ in the City of Olathe, Kansas. This separation wall exists between both units, including all attic, basements, and crawl spaces. Furthermore, I affirm that I am the property owner.

Signature

Printed Name

Date

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

My Commission Expires



**Public Works Department
Planning Division – 2019 Application Fees**

(Resolution No. 18-1073, Adopted 11-20-2018)

Plan Review	Fee	
Preliminary Site Development Plan	\$450.00	
Final Site Development Plan	\$175.00	
Administrative Reviews	\$150.00	
Board of Zoning Appeal		
Appeals	\$158.00	
Variances: Residential	\$158.00	
Non-Residential	\$158.00	
Rezoning	Tract Size	
Residential Districts (AG, R-1, R-2, R-3, and R-4)	0-5 acres	\$400.00
	5.1-10 acres	\$525.00
	10.1-20 acres	\$675.00
	20.1-50 acres	\$800.00
	50.1 and up	\$938.00
Commercial, Office, and Industrial Districts (C-1, C-2, C-3, C-4, O, BP, M-1, M-2, and M-3)	0-5 acres	\$925.00
	5.1-10 acres	\$1050.00
	10.1-20 acres	\$1175.00
	20.1-50 acres	\$1275.00
	50.1 and up	\$1375.00
Mixed Use, Planned Districts, and combinations of districts above (N, D, TOD, PR, and PD)	0-10 acres	\$1015.00
	10.1-20 acres	\$1132.00
	20.1-40 acres	\$1250.00
	40.1-80 acres	\$1375.00
	80.1 and up	\$1500.00
Zoning Amendment	\$215.00	
Lot Split	\$70.00	
Vacation - Street, Utility, Alley	\$180.00	
Special Use Permit		
Initial Application	0-10 acres	\$375.00
	10.1-20 acres	\$500.00
	20.1 and up	\$625.00
Renewal of Special Use Permit for the keeping of horses, goats, cows, chickens, or other animals on less than three acres; group care homes and childcare centers including preschools	\$70.00	
Renewal of Special Use Permit for land use	\$70.00	

Plat / Recording Fees

The following fees shall be paid by all persons or corporation submitting preliminary, minor, and final plats for approval by the Planning Commission and shall be computed to the nearest dollar

Per lot for 10 or less lots in a subdivision	\$125.00 + \$12.50
Per lot for 11 to 50 lots in a subdivision	\$125.00 + \$10.00
Per lot for 51 to 150 lots in a subdivision	\$125.00 + \$7.50
Per lot for 151 to 500 lots in a subdivision	\$125.00 + \$5.00
Per lot for 501 or more lots in a subdivision	\$125.00 + \$2.50
Recording fee for all final plants (including minor plats)	\$50.00

If the preliminary plat and final plat include the same area to be subdivided and are submitted together in one application, only one fee shall apply. The recording fee is paid at the time of the final plat application to cover the costs of recording the plat with Johnson County Records and Tax Administration.

Excise Taxes

The following fees shall be paid at time of platting. Street and Traffic Signal Excise Fees are due prior to recording the final plat. Park Excise fees are paid with the building permit.

Transportation Improvement Tax

Street excise tax	\$0.215/square foot
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Traffic Signal Excise Tax

Single Family District	\$0.0037/ square foot
Multifamily District	\$0.0120/ square foot
Commercial District	\$0.0576/ square foot
Other District	\$0.0098/ square foot

Park Excise Tax

Residential	\$520.00/dwelling unit
Commercial	\$0.13/square foot of gross floor area
Industrial	\$0.07/square foot of gross floor area

Temporary Sales & Events Permit

Examples:

- Christmas tree sales
- Seasonal sale for produce, seasonal sale of landscape plantings, material, and lawn and garden supplies (as accessory to a business with other commercial activities)
- Carnivals, circuses, and fairs
- Commercial tent sale or sidewalk sales

No inspection required	\$60.00
Inspection required	\$200.00