

CITY OF HAYSVILLE
Instructions for Vacation Request

1. Prior to submitting a Vacation application, a pre-application meeting with the Planning and Zoning Administrator is advised to determine the public and private entities that have an interest in the proposed Vacation. Staff typically does not recommend approval of a Vacation request if any such entities oppose the request
2. The attached form must be completed before it can be presented to the City of Haysville Planning Commission. All spaces must be filled in or marked as “Not Applicable” (NA).
3. Please submit the completed form to City Hall at 200 West Grand Avenue, Haysville, KS 67060. Applications can be received in-person, by mail, or via email at khogan@haysville-ks.com.
4. Vacation applications must be accompanied by a filing fee as established in Chapter 17 of the City Code. Checks can be made payable to the City of Haysville.
5. Vacation applications must include a current ownership list, certified by a title company. This list must contain a legal description of the area in the application and the names and mailing addresses (with Zip codes) of all property owners within the required notification area. Required notification areas are determined by the type of Vacation, as seen below.

Type of Vacation

- a. *Street or Alley Right-of-Way.* All owners of property adjacent to a street or alley petitioned to be vacated. In the event a Vacation would leave a dead end street or alley, all of the owners of property adjacent to the remaining segment of street or alley shall also receive written notice. If the Planning and Zoning Administrator determines the Vacation of the street or alley could have an effect upon traffic circulation, the Planning and Zoning Administrator may require that the owners of property within a radius of up to two blocks shall also be entitled to notice.
- b. *Access Controls.* All lots or tracts involved, plus all lots and tracts on the same side of the street within the same block, plus all lots and tracts on the opposite side of the street from the property involved, and, if involving areas greater than one block in length, the owners of all lots and tracts in the next block. In the event of a partial block, the balance of the block shall be included for notification purposes.
- c. *Building Setbacks.* For a building setback along the front of a lot, use the same procedure as for access controls. For a building set back along a side or rear lot line, the owners of property abutting thereupon.
- d. *Drainage and/or Utility Easements.* Owners of all lots or tracts on which the easement is located and owners of all lots or tract which abut the easement to be vacated.
- e. *Reserves.* If the Vacation is to permit the construction of a building or structure on a reserve dedicated to open space, the owners of property abutting thereupon. If for a Vacation of an entire reserve, then all owners of property within the subdivision from which the reserve was first dedicated.
- f. *Plat.* Owners of all lots or parcels within the plat or tracts of land included within the area proposed to be vacated. Also, all owners of land abutting the plat to be vacated.

- g. *Special Cases*. In the event a petition for Vacation involves some special dedication, such as a pedestrian access easement, or any other dedication not specifically identified above, the notification area shall be determined by the Planning and Zoning Administrator.
6. The applicant shall submit an accurate site plan, drawn to scale, showing the location of property lines, buildings, parking areas, driveways and other improvements or facilities. Additional drawings and documents may be required at the discretion of the Planning and Zoning Administrator.
7. Vacation applications must be accompanied by a Vacation petition with the signatures of the property owners.
8. The Vacation request will be scheduled for a public hearing by the City of Haysville Planning Commission. In the event the applicant disagrees with the recommendation or a condition made by the Planning Commission, the Vacation request may be appealed to the governing body. No Vacation request is final until acted upon by the governing body.
9. Any dedications, covenants, or special documents involved in a Vacation request will be provided to the Planning and Zoning Administrator prior to the Vacation request being forwarded to the governing for final action.
10. After approval of the Vacation request by the governing body, the original documents (dedications, covenants, etc.) associated with the Vacation request shall be submitted to Staff for recording with the Vacation Order by the Sedgwick County Register of Deeds. The applicant shall not directly submit the required documents to the Register of Deeds.

Questions? Contact the Planning and Zoning Department at (316) 529-5900 or khogan@haysville-ks.com.

VAC _____

VACATION PETITION

I/We, the undersigned, do hereby formally petition the City of Haysville Planning Commission in the matter of the Vacation of _____, generally located at _____.

The petitioner prays this petition be set for a public hearing by the City of Haysville Planning Commission, that proper legal notice of said hearing be provided, and that said petition be granted by the governing body.

PETITIONER

Signature

Print Name

Date

PETITIONER

Signature

Print Name

Date

AGENT FOR PETITIONER*

Company Name

Signature

Print Name

Date

*I am authorized to sign this Petition on behalf of the Owner(s) of the real property identified above.



CITY OF HAYSVILLE

PO Box 404
200 W. Grand Ave.
Haysville, KS 67060
Phone: (316)529-5900 | Fax: (316) 529-5925
www.haysville-ks.com

VACATION APPLICATION

THE RECEIPT OF MONIES DOES NOT CONSTITUTE APPROVAL OF THE APPLICATION

APPLICANT INFORMATION

Name of Applicant:	Phone:
Mailing Address:	Email:
City, State, ZIP	
Name of Authorized Agent or Additional Applicant:	Phone:
Mailing Address:	Email:
City, State, ZIP	
Relationship of applicant to property is that of: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Lessee <input type="checkbox"/> Other If other, please describe:	

VACATION INFORMATION

The applicant(s) hereby request(s) vacation of:
For property generally located at:
And legally described as: Lot _____, Block _____, _____ Addition

If property is not platted, a **metes and bounds description** and **location map** shall be provided with this application.

And is presently zoned:
The vacation described above is requested for the following reasons:

The following items must accompany the application:

- Proof of ownership.
- Vacation petition.
- Site plan.
- Legal description of area to be vacated.
- Certified ownership list.
- Copy of restrictive covenants (if any).
- Filing fee of \$250 paid to the City Clerk.

Note: The application and all required items listed above must be submitted in order to deem this application complete.

SIGNATURE

Applicant:	Date:	
Agent or Additional Applicant:	Date:	
FOR OFFICE USE ONLY		
Date _____	Fee \$ _____	Received By _____
Required Documents:		
<input type="checkbox"/> Ownership List	<input type="checkbox"/> Legal Description	<input type="checkbox"/> Vacation Petition <input type="checkbox"/> Site Plan