



## INSTRUCTIONS

### VACATION REQUEST

1. Prior to submitting an application for a Vacation, a pre-application meeting with the Zoning Administrator is advised to determine the public and private entities that have an interest in the proposed Vacation.
2. The applicant shall fill out the attached application. The attached form must be completed before it can be presented to the Reno County Planning Commission. Portions of the form that are not applicable shall be marked N/A. The completed form shall be submitted to Reno County Zoning Administrator.
3. Applications shall be accompanied by a certified ownership list prepared by licensed title company or from the tax records of Reno County. The list shall give the names and addresses, with zip codes, of property owners as specified below, and must also be accompanied by the signatures of all abutting property owners or their authorized agent. **Mailing Addresses Submitted Without Zip Codes Will Be Returned To The Applicant.**

#### **Type of Vacation**

- a. **Road or Alley Right-of-Way.** All owners of property adjacent to a road or alley petitioned to be vacated. In the event a vacation would leave a dead-end road or alley, all of the owners of property adjacent to the remaining segment of road or alley shall also receive written notice. If the Zoning Administrator determines the vacation of the road or alley could have an effect upon traffic circulation in the vicinity, the Zoning Administrator may require that the owners of property within a radius of up to 2 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 road within the same block, plus all lots and tracts on the opposite side of the road from the property involved, and if involving areas greater than one block in length, then 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, the same procedure as for access controls. For a building setback 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 tracts 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 same policy as for building setbacks. 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 pedestrian access or aerial navigation rights, or any other dedication not specifically identified above, the notification area shall be determined by the Zoning Administrator.
5. Applications for vacation must be accompanied by a filing fee in the amount of \$250. Reprocessing of a vacation case must be accompanied by a filing fee in the amount of \$250.
  6. The applicant shall submit a scaled site plan. A drawing done on Google Earth or aerials will not be accepted unless they are done to scale. Other plans, drawings or information which the Zoning Administrator deems necessary to enable proper consideration of the request may be required.
  7. Applications for vacation must be accompanied by a vacation petition, sample forms of which are either attached or available in the office of the Zoning Administrator.
  8. The vacation request will be scheduled for public hearing by the Reno County Planning Commission. A Planning Commission recommendation for approval will not be placed on the agenda for consideration by the Board of County Commissioners until such time as all requirements made by the Planning Commission have been met by the applicant. 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 Board of County Commissioners. No vacation request is final until acted upon by the Board of County Commissioners.



**BEFORE THE RENO COUNTY PLANNING COMMISSION**

**IN THE MATTER OF THE VACATION OF**

**GENERALLY LOCATED AT**

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**CASE NO. \_\_\_\_\_**

**VACATION PETITION**

COMES NOW your petitioner(s), \_\_\_\_\_, and pray(s) for the vacation of the following described \_\_\_\_\_, to wit:

1. That the petitioner(s) is/are owner(s) of real property adjacent to and abutting the herein described \_\_\_\_\_.
2. That no private rights will be injured or endangered by the vacation of \_\_\_\_\_, described herein, and that the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s) hereof, the prayer(s) of the petitioner(s) for the vacation of \_\_\_\_\_ should be granted.





**VACATION ORDER**

NOW on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock A.M., comes the petition filed by \_\_\_\_\_, praying for the vacation of the \_\_\_\_\_ on the following described property, to-wit:

\_\_\_\_\_  
(INSERT LEGAL)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WHEREUPON, it is shown that proper notice has been given by publication once at least 20 days prior to the date of hearing in the official county newspaper, such publication having occurred on \_\_\_\_\_, 20\_\_\_\_; and it is further shown that proper proof of such publication has been filed herein. The Board finds that such notice is in lawful form and that it conforms to K.S.A. 58-2613, and amendments thereto.

THEREAFTER, the Board, being duly advised in the premises, finds and determines that no private rights will be injured or endangered by such vacation; that the public will suffer no loss or inconvenience thereby; that no written objections hereto have been filed with the Reno County Clerk; and that, in justice to the petitioner, the petition's prayer should be granted, subject to the following conditions:



The Board further finds that the Reno County Planning Commission held a public hearing on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, and recommended that the vacation petition herein be approved.

THEREFORE, IT IS ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF RENO COUNTY, KANSAS, that the \_\_\_\_\_ hereinabove described be and the same is hereby vacated.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**BOARD OF COUNTY COMMISSIONERS  
OF RENO COUNTY, KANSAS**

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
County Clerk