

SUBDIVISION REGULATIONS

Any tract outside the corporate limits of any City within Gray County except tracts within the three mile planning range of any City having three mile planning and zoning authority must comply with the following requirements.

DENSITY

At such time as any 40 acre tract has reached a density of more than 3 dwellings such tract will be subject to the regulations of this resolution.

Exception 1.

Any tract that contains four dwellings occupied by family members and related to the principal owner for the purpose of farming.

Exception 2.

Any existing tract that exceeds the Density requirements at the time this resolution is approved, provided that any further development must meet the requirements of this resolution.

Exception 3.

Any tract within the three mile planning and zoning radius of any city provided the City plan contains provisions equal to the provisions of this instrument.

TRACT SIZE

Any tract exceeding the density requirements as set forth in the DENSITY Section must comply with the tract size requirements.

Minimum tract size will be 2.0 acres and the optimum measurement will be 250 feet.

Exception 1.

Tracts as located on curved roads or streets or tracts that have irregular shapes will be judged on a case by case basis.

DUE PROCESS

Any landowner that desires to sell or otherwise divide or subdivide a tract of land for the purpose of creating housing parcels will be required to apply to the County Clerk on forms as provided, and will be presented to the Gray County Commissioners for further review.

All applications will contain the following;

1. An accurate boundary survey showing distance, Bearings and interior angles, closure calculations and lot and block numbers and fully dimensioned lots, blocks, streets, and alleys. All streets, alleys, drainage ways, and impoundments will be fully dedicated to the public for public use.
2. Fully detailed drawings of septic systems and drain fields or sanitary sewers and location of proposed domestic water supply(s) and all natural gas or other pressured lines and telephone lines and electric lines.

3. A complete topography map showing all natural drainage, proposed drainage system, including culverts, bridges, retaining walls, terraces and impoundments.

4. All drawings must be to a minimum scale of 1" equals 100 feet plan and 1" equals 10' profile and topographic maps shall show the contour lines at intervals of not less than 4'.

5. All drawings will be prepared by a Registered Land Surveyor or Engineer and Stamped accordingly.

PHYSICAL IMPROVEMENTS

As a condition to the approval to the final plat the landowner and subdivider will agree to install or construct the following physical improvements;

1. All streets shall have a minimum right-of-way of 60 feet, all alleys to have a minimum right-of-way of 20 feet.

2. All streets will be paved with either asphalt or concrete. Asphalt will be a minimum of 4" thick and will be determined by the county prior to acceptance of the plat. Concrete will be a minimum of 7" thick.

3. All streets shall be curbed and guttered to conform to Gray County Specifications as determined prior to the acceptance of the plat.

4. The owner of subdivider will be responsible for the purchase and installation of all culverts and other drainage structures as approved by the County Commissioners.

5. All sanitary sewers, septic systems or drain fields and all domestic water supplies must comply with the Kansas Department of Health standards and Gray County standards.

6. Any subdivision or plat of lots or acreages that will contain more than 20% mobile homes (1 in 5) more commonly described as trailer houses must be labeled as a Mobile Home Park and must comply with the regulations of this document including the following;

Any Mobile Home Park will be required to be fenced with a fence constructed of wood, concrete, brick or block and running the entire perimeter of the property. The fence may have no more than 30% through visibility in any given 10 feet of run and must be a minimum of 4 feet in height from the surrounding contours and be located a minimum of ten feet inside the perimeter of the exterior boundary lines.

7. Building set-back from the front will be minimum of 50 feet from any street or road and a minimum of 20 feet from any side or rear property line.

Building permits will be issued to the prospective owner or builder and construction will follow all common practices for good, safe and sound construction.

ACCEPTANCE

Gray County will issue a construction permit to allow the owner or subdivider to commence construction but under no circumstances will any site, lot, parcel or acreage be inhabited until an occupancy permit is granted. An occupancy permit will be granted only upon the completion of the terms of the application as determined by the Gray County Commissioners.

Any subdivision or plat of lots, tracts or acreages that abuts an existing county road and does not require streets or alleys or access routes or special drainage provisions may be eligible for a waiver of a portion or all of the physical improvements section as determined by the Gray County Commissioners.

Upon submissions of a proposed plat the County Commissioners will give approval or disapproval within 20 days after the first regular County Commission meeting that the plat is studied.

Disapproval will be followed with a written statement describing in detail the reasons for disapproval and outlining methods of gaining approval.

RESOLUTION #91-11
A RESOLUTION ADOPTING SUBDIVISION REGULATIONS

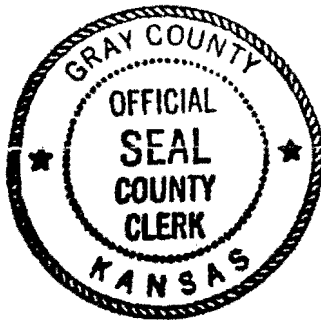
WHEREAS, it is the desire of the Board of Commissioners of Gray County, Kansas, to promote the public health, safety, morals, comfort, general welfare, and conserving and protecting property and building values throughout the county.

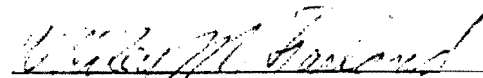
NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Gray County, Kansas, that the County of Gray, Kansas, provide for the preparation, adopting, amendment, extension enforcement and variation of subdivision regulations within the unincorporated territory lying within Gray County, Kansas, as per K.S.A. 12-2927.


The powers of this act shall not be exercised so as to deprive the owner of any existing property of its use or maintenance for the purposes to which it is then lawfully devoted, except that reasonable regulations may be adopted for the gradual elimination of nonconforming uses as per K.S.A. 19-2930.

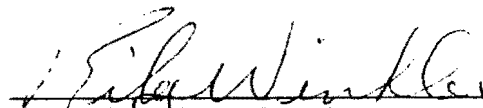
This resolution shall become effective upon publication thereof in the official county paper.

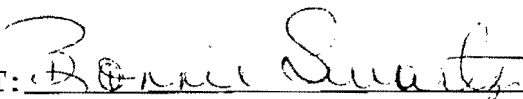
ADOPTED this 15th day of August, 1991.




W. Wiley McFarland, Chairman


Stephen J. Iršak, Jr., Commissioner


Riley Winkler, Commissioner

ATTEST: 
Bonnie Swartz, County Clerk