

Harvey County Subdivision Regulations

Subdivision Regulations *D. Article 1 (1.03)*

D. **EXEMPTIONS.** These regulations shall not apply in the following instances or transactions.

- a. The split, division, or transfer of land is for a valid agricultural purpose.
- b. The land is owned or held in trust for the United States Government, the State of Kansas, Harvey County, or railroad right-of-way.
- c. The lot, tract, or parcel has been previously subdivided and is proposed to be split into no more than two lots or tracts.
- d. The division of any tract or parcel containing 40 acres/quarter of a quarter may be divided one time for creation of a home site after the date of adoption of this regulation. The smaller parcels shall not be less than 5 acres without rural water or 3 acres with rural water, including road right of way. The parcel created shall meet all the zoning and environmental set back requirements for a parcel of its size, without variance. A survey must be provided and filed with the Registrar of Deeds. This includes all divisions made for mortgage purposes. It also includes parcels that have been divided since the May 4, 1987 date. Provided they meet all the criteria above. Supporting evidence will need to be provided.
- e. A subdivision of any land used exclusively for cemetery purposes and associated accessory uses.
- f. The vacation of land used (i.e., right-of-way, alley or easement) for public use.
- g. A "lot of record" that was legally created prior to the effective date of this resolution.
- h. A transaction between owners of adjoining land that involves only a change in the boundary and does not create an additional lot or a substandard lot as required by the zoning property development regulations.
- i. A lot split for property zoned industrial.