



VACATIONS

INTRODUCTION:

Vacation means the partial or complete abandonment or termination of the public right to use a street, alley, highway, or a public service easement.

INTRODUCTION, CONT.

A vacation can also remove and /or reestablishes platted setbacks, access control, reserves, revert a reserve to private property, and can terminate a portion on an entire plat.

PRIMARY ISSUES REVIEWED BY STAFF

1. 1) Setbacks: A setback is the distance that is required in the UZC between a Principal Structure or Accessory Structure and the property line of the Lot on which the Structure is located.

ACCESS CONTROLS:

- Access controls are the limitations of public access rights to and from properties abutting streets or highways. Access control is used on higher functional classes of roadways to preserve high quality traffic services and to improve safety.

PUBLIC RIGHT-OF-WAYS

- A right-of-way is a strip of land which is used as a roadbed, either for a street or railway. The land is set aside as an easement in fee, either by agreement or condemnation.

EASEMENTS:

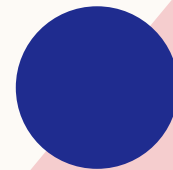
An easement is a grant of one or more of the property rights by the property owner and/or for the use by the public or by a person or legal entity.

RESERVES:

A reserve is an area of property within a subdivision that is platted for specific uses, that include but not limited to: landscaping, recreational facilities, utilities, and drainage.

PLATS:

A plat is a map dividing a parcel of land into lots, such as a subdivision.

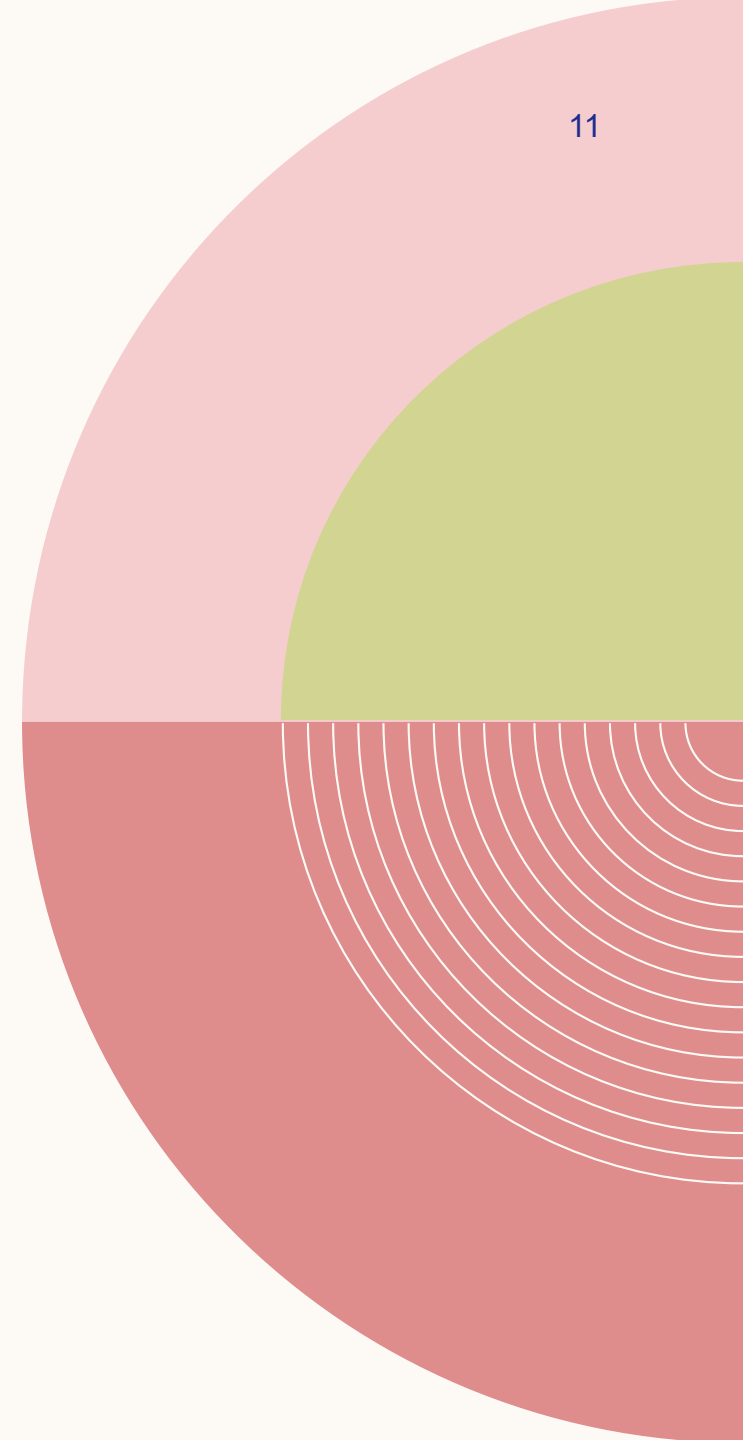
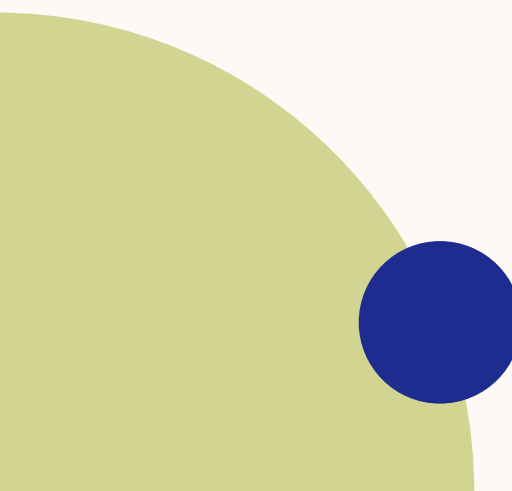


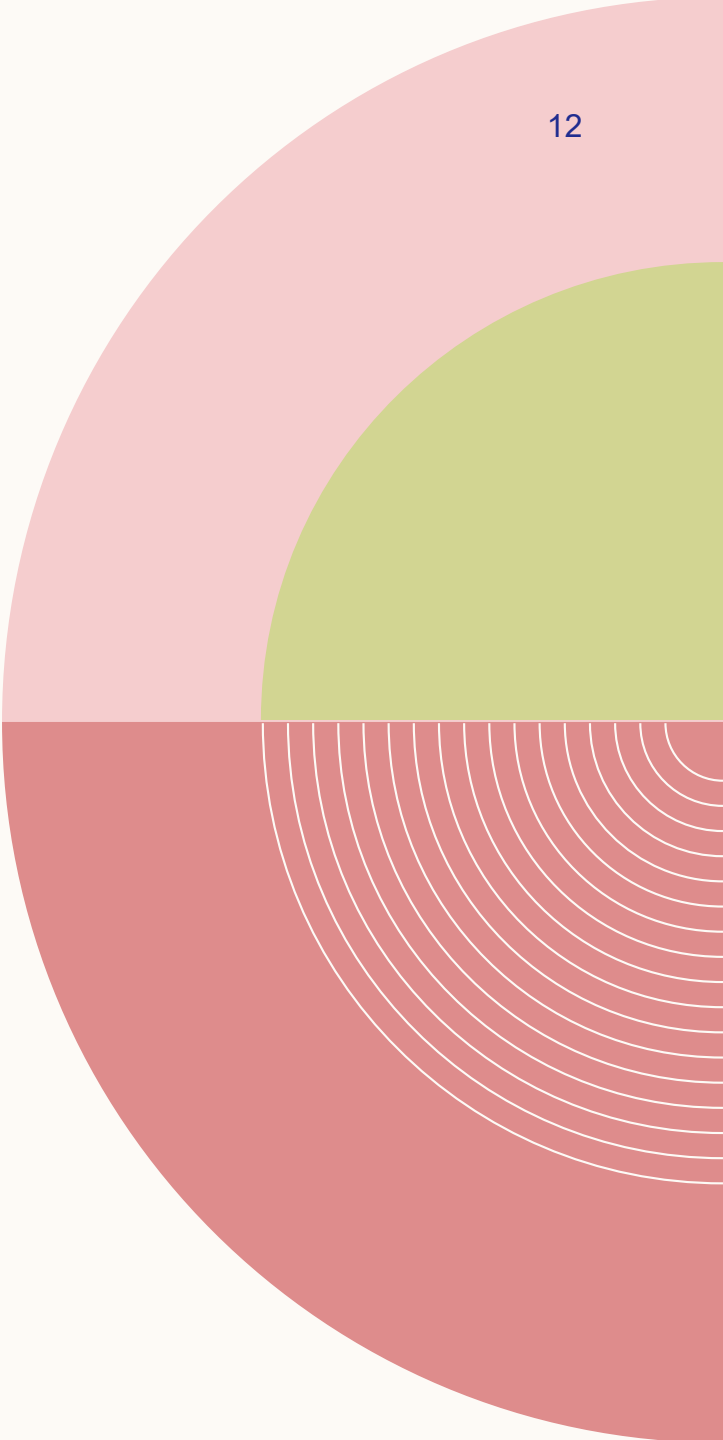
K.S.A. 12-505

- This statute states that whether it is the planning commission or the governing body hearing the case, it must find the following:
 - Due and legal notice was given by publication,
 - That no private rights will be injured or endangered by such vacation or exclusion,
 - The public will suffer no loss or inconvenience; and
 - That in justice to the petitioner or petitioners the prayer of the petitioner ought to be granted.

SUMMARY

For a more through discussion of Vacation, please see the handout I have provided.





THANK YOU

Jeff A. VanZandt
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