



## JUNCTION CITY/MILFORD/GEARY COUNTY

### Instructions for a Vacation

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 must complete the attached application form. Applications **must be received by the calendar deadline date** to be on the next agenda for the **Metropolitan Planning Commission**. An incomplete application cannot be accepted.
3. A list of the names and mailing addresses will be requested by the Planning Department from the Assessor's Office of all property owners within a distance of:
  - a. Two hundred (200) feet of the boundaries of the property included within the application for land within the City of Junction City.
  - b. One thousand (1,000) feet of the boundaries of the property included within the application for land within the unincorporated portion of Geary County.

### Type of Vacations

- 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 Director determines the vacation of the street 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 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, 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; and also, all owners of land abutting the plat to be vacated.
  - g. **Exclusion of Land from City.** Owners of all lots or parcels within the area proposed to be excluded from the city, as well as owners of all lots or parcels abutting said area.
  - h. **Special Cases.** In the event a petition for vacation involves some special dedication, such as pedestrian access or avigation 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 **fifty dollars (\$50.00)**.
  6. 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.
  7. The vacation request will be scheduled for public hearing by the Metropolitan Planning Commission. A Metropolitan Planning Commission recommendation for approval will not be placed on the agenda for consideration by the appropriate governing body until such time as all requirements made by the Metropolitan Planning Commission have been met by the applicant. In the event the applicant disagrees with the recommendation or a condition made by the Metropolitan Planning Commission, the vacation request may be appealed to the appropriate governing body. No vacation request is final until acted upon by the appropriate governing body and a Vacation Order prepared.