

PROCEDURES FOR LOT SPLIT OF TAX LOTS OR PARCELS
or ADMINISTRATIVE TAX LOT LINE ADJUSTMENT

1. Discuss the proposed use with City Planning staff member(s).
2. The staff member will supply you with an application form that must be completed in duplicate and signed by the owner(s) or owner's attorney of the subject property. The staff member will assign a specific date the application must be returned to the City Office which allows for ample time to comply with the requirements by City Code for proper publication and notification of property owner's notices. This is usually approximately sixteen (16) days prior to a regular or called meeting of the Planning Commission.
3. A fee of **\$330.00** for a new application (non-refundable) is required to process the application. Four (4) originals and one (1) reproducible copy not more than eleven (11) inches x seventeen (17) inches of a survey of the lots, certified by a surveyor, showing the location of the structure(s) thereon, together with the precise nature, location and dimensions of the split, shall accompany the application. Such drawings shall include a scale drawing of the entire tract being divided. An electronic version of the map(s) is also required. **Applicants must meet the requirements of Section 705 set forth in the Subdivision Regulation Ordinance of the City of Blair Comprehensive Plan (See Attached).**
4. All persons which are the recorded title owners of land within three hundred (300) feet of any point along the perimeter of the land shall be notified in writing of the request for a lot split. The letter of notification shall be mailed to recipients no later than ten (10) days prior to the Planning Commission's public hearing. Adjacent land owners shall have ten days from the date of notification to notify the City Administrator of any protests which they may have concerning the application. A certified list must be prepared, by the applicant, of the names and addresses of those persons who own property within a 300' radius of the subject property. This list may be obtained by contacting the County Surveyor's Office for the names of the property owners and then the County Assessor's Office for the addresses. This list **must** accompany the application or no action will be taken on your request.
5. A "Platting Action Pending" sign will be posted on the front yard of the property under consideration for a lot split at least ten (10) days prior to the public hearings of the Planning Commission and City Council.
6. You will be provided with a copy of the agenda for the Planning Commission meeting at which your request will be considered. It is recommended that the applicant or a representative attend the Planning Commission meeting and City Council meeting to answer any questions. Without someone being there to speak on your behalf, your request may be deferred to the next meeting. The Planning Commission action is in the form of a recommendation to the City Council. The City Council will make the official decision.
7. Lots splits platted along existing streets shall include dedication to the public right of way pursuant to the provisions of Section 502.03 of the Subdivision Regulations. Lot splits along county roads resulting in a parcel less than 10.01 acres shall dedicate a 33-foot wide public right-of-way to the county.

ARTICLE 7 VARIANCE

SECTION 705 LOT SPLIT OF TAX LOTS OR PARCELS

An existing tax lot or parcel of land shown as a unit or as contiguous units on the January 1, 1979 Tax Rolls, of sufficient size, may be divided into no more than two (2) tax lots, upon recommendation of the Planning Commission and approval of the City Council. In AGG a lot split is allowed where a tax lot, tract or parcel of land is divided into one tax lot that is at least three (3) acres and a second tax lot that is greater than ten (10) acres. The subdivider, developer or owner shall file with the City an application upon forms prescribed therefor and shall comply with these minimum lot requirements. Requests for lot split approval shall be made by the owner of the land to the City Administrator.

The subdivider shall submit four (4) full-size paper originals and one (1) reproducible copy not more than eleven (11) inches x seventeen (17) inches of a survey of the lots, certified by a surveyor, showing the location of the structure(s) thereon, together with the precise nature, location and dimensions of the split. Such drawings shall include a scale drawing of the entire tract being divided. An electronic version of the survey maps capable of being imported into the City's GIS system must also be submitted. The application shall be accompanied by a list of names and addresses of all owners of land within three hundred (300) feet of the property who shall receive notices.

The submitted drawing shall also contain the following:

- (1) Date, title (such as "Lot Split of Tax Lot .."), and location map of the tax lot being split.
- (2) Names and locations of abutting streets and lots, identifying street names and tax lot or lot and block numbers.
- (3) Identification of the new tax lot and set back lines.
- (4) Graphic scale, true north point and full legend depicting all map symbology.
- (5) Monuments.
- (6) Dimensions, angles and bearings and complete legal description of the property.
- (7) Sufficient engineering data to reproduce any line on the ground.
- (8) Location, dimensions, and purposes of any existing easements.
- (9) Certification by surveyor or engineer certifying to the accuracy of the survey and drawing.
- (10) Certification signed and acknowledged by all parties holding title or having any title interest in the land subdivided and consenting to the preparation and recording of the drawing as submitted.
- (11) Certification by the County Treasurer all assessed taxes for the current year have been paid in full.
- (12) Square footage of each tax lot.
- (13) If applicable, utility easements signed by the owner or owners to permit all tax lots created access to all

utilities available, including but not limited to, sanitary sewer, storm sewer, water, electrical, telephone, and cable television.

(14) Location of all existing buildings, structures, fences and retaining walls.

Written notices shall be mailed to all owners of land within three hundred (300) feet of the property. Adjacent land owners shall have ten days from the date of notification to notify the City Administrator of any protests which they may have concerning the application.

The applicant shall pay and the application must be accompanied by a nonrefundable application fee. Said fee shall be set and determined from time to time as deemed necessary by the Mayor and City Council by resolution, and shall be appended to the Municipal Code as part of an appendix for permit, license, and application fees.

A “Lot Split Action Pending” sign will be posted on the front yard of the property under consideration for a lot split at least ten (10) days prior to the public hearings of the Planning Commission and City Council.

1. Approval or disapproval of tax lot splits shall be made based on the following guidelines in which:
 - A. No tax lot split shall be approved if:
 - (1) A new street or alley is needed or proposed.
 - (2) A vacation of streets, alleys, setback lines, access control of easements is needed or proposed.
 - (3) Such action will result in significant increases in service requirements, utilities, schools, traffic control, streets, etc.; or will interfere with maintaining existing service levels, additional repaving etc.
 - (4) There is less street right-of-way than required by these Regulations or the comprehensive plan, unless such dedication can be made by separate instrument.
 - (5) All easement requirements have not been dedicated.
 - (6) The tax lot split results in a tract which does not border on and provide direct access for ingress and egress to a public right-of-way. Said direct access shall not be less than thirty (30) feet in width. An easement shall not be considered as providing direct access.
 - (7) A substandard tax lot or parcel would be created, as determined by the existing zoning.
 - (8) Any assessed, current year taxes are not paid.
 - (9) Approval has not been granted by the Public Works Director for access to proposed lots in corporate limits or County Roads Superintendent for access to proposed lots in the two-mile jurisdiction.
 - B. Additional requirements or provisions pertaining to tax lot split applications are as follows:
 - (1) Tax lot splits platted along existing streets shall include dedication to the public of right-of-way pursuant to the provisions of Section 502.03 of these Subdivision Regulations.
 - (2) The Planning Commission may make such additional requirements deemed necessary to carry out the intent and policy of existing land development regulations and governing body policy which may include, but not be limited to, installation of public facilities and submission of covenants for the protection of other landowners in the original subdivision.
 - (3) The City Council, after recommendation of the Planning Commission, may waive any of the restrictions herein prohibiting the approval of a tax lot split upon the following conditions:
 - (a) Lot split to be appended to an existing tax lot: If the tax lot split application includes a letter from the County Surveyor indicating that upon granting of the tax lot split any resulting substandard size tax lot will be combined with an existing tax lot or tract and redesignated as one tax lot or tract, the tax lot split may be approved if such redesignated tax lot or tract meets

all of the requirements for the granting of tax lot splits herein; or

(b) Lot split to be appended to an existing platted lot: If the tax lot split application includes an agreement of the owners thereof and owners of adjacent platted lot(s) to which any part of the split lot is to be appended, binding the transferees, grantees, and the assignees of the owners, requiring the resulting split tax lot(s) will be permanently appended to the contiguous platted lot(s) with common ownership. Permanently appended shall mean that the resulting partial tax lot or the contiguous platted lot may not be conveyed without the other in a simultaneous transaction to the same grantee, pursuant to the terms of a contiguous parcel agreement in form satisfactory to the Planning Commission and City Council.

C. The Planning Commission shall consider the tax lot split within thirty (30) days of application. The chairman of the Planning Commission shall sign and furnish a certificate of approval or disapproval to be affixed to the lot split survey.

D. The tax lot split application shall then be submitted to the City Council for appropriate action.

E. Following approval by the City Council, an original survey bearing the land surveyor's certificate, the signatures of the chairman of the Planning Commission and Mayor, indicating City Council approval, shall be filed by the City Clerk in the office of the Washington County Register of Deeds.

2. The Zoning Administrator may approve an Administrative Tax Lot Line Adjustment without further approval by the Planning Commission or City Council which involves a transaction between owners of adjoining tax lots, which involves only a change in the boundary between the tax lots owned by such persons, which does not create an additional tax lot, and which does not result in the creation of a substandard tax lot.

Following the mailing of the written notices required in Section 705, if a protest or protests against such tax lot split be filed in the office of the City Clerk within ten (10) days of the notice of such split, which are duly signed by the owners of twenty percent (20%) of the total area, excepting public streets and ways, located within three hundred feet of the boundaries of the property proposed to be split, approval of such tax lot split shall not be made by the Zoning Administrator under this section, and the approval of such tax lot split shall be made by the procedure as set forth hereinabove by hearing before the Planning Commission and City Council.

3. Conveyances or transfers of real estate otherwise subject to the provisions of this section shall be exempt in the following instances:

A. A conveyance of land or interest therein for use as right-of-way by railroad or other public utilities subject to state or federal regulation, where no new street or easement of access is created.

B. Any transfer by operation of law.

C. A conveyance of land to any governing body for right-of-way or other public use when such acceptance is in the public interest and not for the purpose of circumventing these regulations.

Filing Date _____

Receipt Number _____

APPLICATION FOR LOT SPLIT OF TAX LOTS OR PARCELS

1. _____
Applicant's Name Mailing Address Telephone

2. _____
Agent's Name Mailing Address Telephone

3. _____
Owner's Name Mailing Address Telephone

4. _____
Address and Legal Description of Location - Subject Property

5. Present Zoning District: _____

6. _____
State briefly your reasons for request

Signature of Owner(s) Date

Signature of Owner(s) Date

DO NOT WRITE BELOW THIS LINE

PLANNING COMMISSION RECOMMENDATION:

DATE OF NOTICE: _____

DATE OF PUBLIC HEARING: _____

VOTE: _____ TO _____ TO _____

CITY COUNCIL ACTION:

DATE OF PUBLIC HEARING: _____

VOTE: _____ TO _____ TO _____
