

LOT SPLIT PROCEDURES

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 **\$230.00** 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 requirements set forth in the Subdivision Regulation Ordinance of the City of Blair Comprehensive Plan and shall also contain the following series of items in Subsection 403.03 (see below).**
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 "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.
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.

Filing Date _____

Receipt Number _____

APPLICATION FOR LOT SPLIT

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 _____

I hereby certify that the persons listed below are the record title owners of the property within 300 feet of my property.

SECTION 705 LOT SPLIT

An existing platted 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) lots, upon recommendation of the Planning Commission and approval of the City Council. In AGG a lot split is allowed where a lot, tract or parcel of land is divided into one lot that is at least three (3) acres and a second lot that is greater than ten (10) acres. The subdivider, developer or owner shall file with the City an application upon forms prescribed therefore and shall comply with these minimum subdivision requirements. Requests for lot split approval shall be made by the owner of the land to the City Administrator.

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 survey maps must also be submitted. The application shall be accompanied by a certified list of names and addresses of all persons to receive notices.

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.

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 lot splits shall be made based on the following guidelines in which:
 - A. No 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 required or proposed.
 - (3) If 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 satisfied.
 - (6) If a 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 sized lot or parcel will be created as determined by the existing zoning.

(8) Any assessed current year taxes are unpaid.

(9) No approval has 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 lot split applications are as follows:

(1) 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 lot split upon the following conditions:

(a) In the event the application is accompanied by an approval of the County Surveyor indicating that upon granting of the lot split any resulting substandard size lot will be combined with an existing lot and redesignated as one tract, the lot split shall not be approved unless such redesignated tract meets all of the requirements for the granting of lot splits herein; or

(b) If the lot split application is for the split of a platted subdivision lot, government lot, government subdivision or an irregular tract as created by the Washington County Nebraska Surveyor, the lot split regulations may be waived if the certified survey drawing includes an agreement of the owners thereof and adjacent lots to which any part of the split lot is to be appended, binding the transferees, grantees, and the assignees of the owners, providing that the resulting split tracts will be permanently appended to the contiguous lot with common ownership. Permanently appended shall mean that the resulting partial lot or the contiguous 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, in writing, either approve with or without conditions or disapprove the lot split within thirty (30) days of application. If approved, and after all conditions have been met, the chairman of the Planning Commission shall sign and furnish a certificate of approval to be affixed to the lot-split survey.

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

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

MAP REQUIREMENTS:

403.03 SCALE AND MAP CONTENTS: The sub divider shall submit four (4) Mylar originals, two (2) full size paper, and one (1) reproducible copy not more than eleven (11) inches x seventeen (17) inches of the lot split and other exhibits required for approval shall be submitted. An electronic version of the maps must also be submitted as part of the application. The original shall be at a scale of one (1) to one hundred (100) feet or 1" equals 200' if seventy-five percent (75%) of the lots are of one acre or larger. The lot split shall contain the following:

- (1) Date, title, name, and location map of subdivision.
- (2) Street and street names, lots and lot numbers.
- (3) Graphic scale and arrow or indicator.
- (4) Monuments or pins unless waived pursuant to Section 602.
- (5) Dimensions, angles, and/or bearings, and complete legal description of the property.
- (6) Sufficient survey data to reproduce any line on the ground.
- (7) Names of adjoining properties.
- (8) Locations, dimensions, and purpose of any easements.
- (9) Purpose for which sites are dedicated or reserved, and the transfer of ownership of the same.
- (10) Certification by surveyor certifying to accuracy of survey and plat.
- (11) Certification by the County Treasurer that all assessed taxes for the current

year have been paid in full.

- (12) 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 plat as submitted.
- (13) Location of street trees, size, and species.
- (14) Certificate certifying consideration of review by the Planning Commission and signature of the Chairman.
- (15) Certificate for approval by the Council and signatures of the Mayor and City Clerk.
- (16) Square footage of each lot.
- (17) All adjustments to front, rear and side yard setback requirements (See Section 1110 and 1110.5 of the City of Blair Zoning Requirements.)