

CHAPTER 16.10

**LOT LINE SHIFTS, LOT CHANGES,
AND MINOR LAND DIVISIONS**

SECTION:

- 16.10.010: Procedure
16.10.020: Appeal
16.10.030: Fees
16.10.040: Repeated Division Of An Original Parcel

16.10.010: **PROCEDURE:** Lot line shifts, lot changes, and minor land divisions are exempted from the subdivision approval requirements in chapters 16.12 through 16.44 of this title, and shall be accomplished by the following procedure:

- A. A written application shall be filed with the city clerk and shall contain the following information:
1. Name, address and telephone number of the applicant.
 2. Legal description of property and proof of ownership and/or agency.
 3. Documentation of the permission of the owner of the parcel to be changed.
 4. Zoning district the property is in.
 5. Name of proposed plat amendment.
 6. Name, address and telephone number of the engineer or surveyor who is preparing the final plat map.
 7. Record of survey conforming to the requirements of Idaho Code, title 55, chapter 19.

8. Descriptions of existing use and any proposed changes of use inclusive of any changes to traffic flow or access, including location of utility lines, wells, and easements.

9. A preliminary map showing all existing buildings, lot lines, blocks and boundaries along with the proposed lot line changes, including description of lot sizes and setbacks as they would exist after the changes, shall accompany the application. Adjoining streets, street names, rights of way, alleys, access roads, and roadway widths must be included on the preliminary map. The map shall be to scale.

B. Prior to approving an application under this section, the city clerk shall make the following findings:

1. That the proposed lot line shift, lot change, or minor land division conforms to existing zoning regulations; and

2. That the proposed lot line shift, lot change, or minor land division is in conformity with the comprehensive plan; and

3. That the proposed lot line shift, lot change, or minor land division will not create a nonconforming use under the city's zoning regulations, or that it will not increase an existing nonconforming use.

C. The city clerk shall, upon finding that the application package is complete, and that the requirements of subsections B1, B2, and B3 of this section have been satisfied, approve the application. Approval, conditional approval, or disapproval shall occur within thirty (30) days of the date of receipt of the application by the city.

D. Within ten (10) days after a decision has been rendered, the city clerk shall provide the applicant with written notice of the action on the request.

E. Once the application has been approved, the applicant shall be required to submit a final plat map that conforms to specifications on the approved application, prepared by an engineer or surveyor. The city shall require:

1. Two (2) mylars for sign off by the city clerk. One shall be retained for the records of the city. The second shall be returned to the applicant for their submission to Custer County for county approval.

2. Two (2) blue line copies of the final plat map for city records. (Ord. 187, 6-14-2012)

16.10.020

16.10.040

16.10.020: **APPEAL:** The applicant may appeal in writing the decision of the city clerk relative to application disapproval. Such appeal must be submitted to the city council within sixty (60) days of application disapproval. The city council shall render a decision within sixty (60) days of receipt of appeal. (Ord. 187, 6-14-2012)

16.10.030: **FEES:** Each applicant shall pay an administrative fee to cover the costs of processing the application by the city. The fee shall be set by resolution of the city council. (Ord. 187, 6-14-2012)

16.10.040: **REPEATED DIVISION OF AN ORIGINAL PARCEL:** No property involved in a minor land division shall be involved in a subsequent minor land division for a period of five (5) years from the recording date of the previous record of survey for a minor land division. (Ord. 187, 6-14-2012)