## Attachment to Technical Document Review Application



**City of Boulder Planning and Development Services Center** 1739 Broadway, third floor Mail: P.O. Box 791 Boulder, CO 80306-0791 Phone: 303-441-1880, Fax: 303-441-3241 Web: boulderplandevelop.net

Revised Aug. 2012 706.pdf

# LOT LINE ADJUSTMENT - SECTION ONE

## **GENERAL INFORMATION**

### How to Use this Attachment

**Section One** of this attachment contains general information about the review type, and the process used to review your application. Keep this section as a reference while your application proceeds through review.

**Section Two** contains material that **you are required to fill out, detach, and submit with your application**. The Application Submittal Requirements checklist describes the minimum information to include in your application. Your application will not be accepted for review unless all the information is present.

Use the information in this attachment to prepare your application. The information in this, and related, attachments **identifies the criteria that will be used to evaluate your application**. Your application should **focus on demonstrating** <u>how</u> your proposal complies with <u>all</u> the criteria. Effective use of this attachment will help you avoid costly revisions to your application later.

## Lot Line Adjustment Summary

The city manager is authorized to grant exemptions from the subdivision process for the transfer of part of one lot or parcel for the purpose of enlarging an existing lot or parcel. Such an exemption is called a lot line adjustment, and can be approved if it meets the standards of Section 9-12-3, "Adjustment of Lot Lines," B.R.C. 1981. The purpose of the lot line adjustment review process is to verify that the following standards are met:

- 1) The lot line adjustment will not be approved if the part of another lot or parcel being transferred and the lot or parcel to which the former is added will create, immediately after the transfer, two or more potential building sites or lots permitted under Title 9, "Land Use Regulation," B.R.C. 1981.
- 2) The lot line adjustment will not be approved if the transfer reduces a lot or parcel to a size below that required by such title, including any applicable requirement for planned unit developments or site review.
- 3) The lot line adjustment will not create a non-standard lot or parcel or create non-standard setbacks for any existing structures or buildings.
- 4) The frontage of any of the lots to which the lot line adjustment is applied will not be relocated to another street.
- 5) The basic shape of any of the lots to which the lot line adjustment is applied is maintained.
- 6) The lots or parcels, after the lot line adjustment, and existing structures will comply with the lot standards of Section 9-12-12, "Standards for Lots and Public Improvements," B.R.C. 1981, and the solar access requirements of Section 9-9-17, "Solar Access," B.R.C. 1981.

A transfer of land from one lot or parcel to another that does not meet the above standards must be accomplished through a subdivision or minor subdivision process.

A lot line adjustment is reviewed through the Development Review Committee (DRC) as a Technical Document Review application. After an application has been submitted, and found to be complete, it is assigned to a review "track." The review track establishes a review schedule for the application. Typically, review takes three weeks after the review track is started.

At the end of the review period, the application will either be approved, or the applicant will be informed of deficiencies. The applicant is allowed up to two opportunities to correct deficiencies before final action is taken on the request.

## LOT LINE ADJUSTMENT - SECTION TWO

### APPLICATION SUBMITTAL CHECKLISTS AND FORMS Submit with your application.

#### Section Two contains:

- Lot Line Adjustment Application Requirements checklist.
- Approval signature blocks for private utility companies
- Sample of Required Lot Line Adjustment Signature Blocks and Sample Lot Line Adjustment Plat

The checklist must be filled out completely and submitted with your application, in the quantities specified on the Technical Document Review application form and on the Lot Line Adjustment Application Requirements checklist.

### LOT LINE ADJUSTMENT APPLICATION REQUIREMENTS AND CHECKLIST Submit with your application.

An application for Lot Line Adjustment must meet the basic submittal requirements listed in the city's land use regulations (found in Section 9-12-3 B.R.C. 1981). These submittal requirements are detailed below and are listed on the Technical Document Review Application Form. **An application fee, as specified on the application form, is also required.** In addition, an applicant may submit any additional materials which may be appropriate to the review.

All required materials must be included in order for an application to be accepted by the Planning and **Development Services Center**. Incomplete applications will not be accepted and will be returned to the applicant.

All application materials must be submitted in 5 collated packets, with one complete packet marked "Original." Each packet must contain one of each required plan, statement, etc. Every packet must include a cover sheet that clearly indicates the contents of the packet. Where fewer than 5 copies of an item are required, the cover sheet should clearly indicate the packets that contain those items.

**Complete the checklist below, marking those items as they are included in your application submittal, and sign it at the end.** The checklist is intended to assist the applicant in collecting all of the required materials and to assist the Planning and Development Services Center in determining that all of the application requirements are met.

### Lot Line Adjustment Application Requirements

- [] 1. A <u>complete</u> **Technical Document Review Application Form**, including signatures by or the written consent of the owners of all property to be included in the development.
- [] 2. Five (5) copies of an **improvement survey** or improvement location certificate by a registered surveyor of the subject properties.
- [] 3. Five (5) copies of a **vicinity map** (8 ½" x 11") indicating the site and adjacent streets. If the site is less than one acre, the map must be drawn at a minimum scale of 1":200'.
- [] 4. Five (5) copies of a **written statement** which describes the proposed lot line adjustment, and <u>how</u> it meets the criteria for approval.
- [] 5. Signatures from electric/gas, telephone, and cable company representatives consenting to the lot line adjustment (see attached form).
- [] 6. Two (2) copies of a **current (within 30 days) title insurance commitment** or attorney memorandum based on an abstract of title must be submitted with the application at the time of application. An **update to the title insurance commitment** or attorney memorandum based upon an abstract of title must also be submitted current as of the date of submittal of the final plat on mylars.
- [] 7. Five (5) prints (24" x36", folded to 9" x 12" as well as a digital copy) of a **lot line adjustment map**, drawn to a standard scale showing existing and proposed lot lines and including the following:

- [] A map of the plat drawn at a scale of no less than one inch equals one hundred feet (and a scale sufficient to be clearly legible; maps of two or more sheets shall be referenced to an index placed on the first sheet);
- [] The title under which the subdivision is to be recorded;
- [] Accurate dimensions for all lines, angles, and curves used to describe boundaries, public improvements, easements, areas to be reserved for public use, and other important features. All curves shall be circular arcs and shall be defined by the radius, central angle tangent, arc and cord distances. All dimensions, both linear and angular, are to be determined by an accurate control survey in the field that must balance and close within a limit of one in ten thousand. No final plat showing plus or minus dimensions will be approved;
- [] The names of all abutting subdivisions, or if the abutting land is unplatted, a notation to that effect;
- [] An identification system for all lots and blocks and names of streets;
- [] An identification of the public improvements, easements, parks, and other public facilities shown on the plat, a dedication thereof to the public use and areas reserved for future public acquisition;
- [] The total acreage and surveyed description of the area;
- [] The number of lots and size of each lot in square feet;
- [] Proposed ownership and use of outlots;
- [] The date of preparation, name of registered surveyor, scale, and north arrow (designated as true north);
- [] A vicinity map to aid in location;
- [] Clear delineation of, and the legal descriptions of, the existing and resulting lots and the transfer parcel (The legal descriptions should be clearly labeled as Existing Legal Description, Transfer Parcel Description and Resulting Legal Description);
- [] The total area of the lots involved, the existing area of each lot, the resulting area of each lot, and the area transferred, in square feet and acres in a Table (the table should be titled "Lot Area Calculations");
- [] Signature blocks for all owners and lenders with an interest in the properties involved (see sample signature blocks), including but not limited to the lenders identified in a current title commitment;
- [] A signature block for the Planning Department (see sample signature blocks);
- [] A signature block for the Boulder County Clerk and Recorder (see sample signature blocks); and
- [] A statement specifying the floodplain zone the subject property subject is located within (if any), with a reference the applicable FEMA flood map.
- [] 8. If applicable, two (2) copies of agreements with ditch companies.

[] 9. **Proof of authorization for Owner (If the owner is an entity)** Please note that different forms of documentation are required depending on the type of entity (i.e. a Limited Liability Company vs. a Corporation). The name and title of person(s) authorized to sign (Manager, President, etc) must be provided.

If the entity is a **Limited Liability Company** (LLC), the following are **examples** of documentation that may be accepted, subject to the review by the city:

- Articles of Organization
- Operating Agreement
- □ Statement of Authority
- Attorney's Memorandum (must be dated and signed and include company name and title of the authorized person)

If the entity is a **Corporation**, the following are examples of documentation that may be accepted, subject to the review of the city:

- Articles of Incorporation/ Bylaws
- Corporate Minutes confirming current officers
- □ Statement of Authority or Corporate Resolution/Delegation
- Attorney's Memorandum (must be dated and signed and include company name and title of the authorized person)

Please note that a copy of the "Articles of Organization" or "Articles of Incorporation" listing the name of the "Registered Agent" alone is not sufficient proof of authorization to bind. The documentation provided must clearly show the name of the person who has the authority to sign on behalf of the entity.

- [] 10. The lot line adjustment **fee**, as stated on the Technical Document Review Application Form.
- [] 11. One (1) copy of a **computer check** to assure that the exterior lines of the final plat close. In the absence of such verification, the city shall obtain such computer check, and the applicant shall pay the fee therefore prescribed by section 4-20-34, B.R.C., 1981 before recording the plat.
- [] 12. One copy of a shadow analysis for any existing buildings per section 9-9-7 "Solar Access" BRC, 1981. See Solar Access Brochure for specific requirements.
- [] 13. One signed **Acknowledgement of Obligation to Pay** form for applications that may include hourly billing.
- \*Note: At the time your Lot Line Adjustment is ready to be approved, you will be required to submit a reproducible ink-on-mylar original, suitable for signature and recordation.

(signature of person that filled out checklist)

(print name)

## UTILITY COMPANY ACKNOWLEDGEMENT

## Please complete the following:

CENTURYLINK			
Contact: Chris Janoski at 303-552-8545 1855 South Flatiron Court, Boulder, CO 80301 christopher.janoski@centurylink.com			
I have reviewed the proposed encroachment plans and recommend Comments:	Approval Disapproval		
Representative's Signature	Date		
XCEL ENERGY			
Contact: Bob Voegely at 303-245-2395, fax 303-245-2292 2655 N. 63 <sup>rd</sup> Street, Boulder, CO 80301 bob.voegely@xcelenergy.com			
I have reviewed the proposed encroachment plans and recommend Comments:	_ Approval	_ Disapproval	
Representative's Signature	Date		
COMCAST			
Contact: Kevin Young at 720-281-8666, fax 303-603-5628 8470 Umatilla Ave., Federal Heights, CO 80221 kevin_young@cable.comcast.com			
I have reviewed the proposed encroachment plans and recommend Comments:	_ Approval	_ Disapproval	
Description of the Oliveration			
Representative's Signature	Date		

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### SAMPLES OF REQUIRED LOT LINE ADJUSTMENT SIGNATURE BLOCKS

The following are samples of signature blocks typically required on Lot Line Adjustment plats. Before a final plat can be approved, all information on the plat, including signature blocks, must be accurate and correct as to form. The following samples should be used to prepare Lot Line Adjustment plat signature blocks that meet city requirements.

#### STATEMENT OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED \_\_\_\_\_\_ ARE THE OWNERS AND PROPRIETORS OF (LEGAL DESCRIPTION) COMMONLY KNOWN AS (ADDRESS).

BY:\_\_\_

(NAME OF INDIVIDUAL)

ACKNOWLEDGEMENT

STATE OF COLORADO )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF , 20 , BY (NAME OF INDIVIDUAL).

WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES:\_\_\_\_\_

[SEAL]

COUNTY OF

NOTARY PUBLIC

#### LENDER'S CONSENT AND SUBORDINATION

THE UNDERSIGNED, A BENEFICIARY UNDER A CERTAIN DEED OF TRUST ENCUMBERING THE PROPERTY, HEREBY EXPRESSLY CONSENTS TO AND JOINS IN THE EXECUTION AND RECORDING OF THIS SUBDIVISION PLAT, DEDICATION AND EASEMENTS SHOWN HEREON AND MAKES THE DEED OF TRUST SUBORDINATE HERETO. THE UNDERSIGNED REPRESENTS THAT HE OR SHE HAS FULL POWER AND AUTHORITY TO EXECUTE THIS LENDER'S CONSENT AND SUBORDINATION ON BEHALF OF THE ABOVE-STATED LENDER.

(NAME OF BANK)

BY:

AUTHORIZED REPRESENTATIVE

#### ACKNOWLEDGMENT

STATE OF	)
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) SS.

THE	FOREGOING	INSTF	RUMENT	WAS	ACKNOWLEDGED	BEFORE	ME	THIS	DAY	OF
, 20, BY				AS		OF (NAME OF BANK).				

WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES:\_\_\_\_\_

[SEAL]

NOTARY PUBLIC

#### APPROVAL

APPROVED BY THE PLANNING DEPARTMENT OF THE CITY OF BOULDER. THIS MAP IS AN EXHIBIT TO THE CITY REVIEW CERTIFICATION.

BY:\_\_\_\_

DIRECTOR OF PLANNING

DATE

#### **CLERK AND RECORDER'S CERTIFICATE**

STATE OF COLORADO )

) SS. COUNTY OF BOULDER )

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT

\_\_\_\_\_ O'CLOCK \_\_. M., THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,

20\_\_\_\_\_, AND IS RECORDED AT RECEPTION # \_\_\_\_\_\_.

\_\_\_\_

FEES PAID: \$\_\_\_\_\_.

CLERK AND RECORDER

DEPUTY

#### LEGAL DESCRIPTIONS



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9/5/08

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