

FOR OFFICE USE ONLY
GL:10-3413-102 Code: 304

Fees received by: _____ Date of submittal: _____

Amount paid: _____ Receipt number: _____

Fee required: \$200 for each new parcel

of Parcels _____ x \$200 = _____



**SARATOGA
SPRINGS
PLANNING**

Applications submitted before Tuesday at 12:00pm will be discussed at an internal Development Review Committee (DRC) meeting on the following Monday. The 10-15 business day turnaround time for the first round of comments remains the same.

Subdivision Exception Application

(For creating a new parcel in anticipation of development)
Updated September 2019

Applicant & Project Information

PROJECT NAME: _____

Property owner: _____ **Contact Person:** _____

Address: _____ **City:** _____ **Zip:** _____

Phone: _____ **Cell:** _____

E-mail Address: _____

Applicant / Authorized Agent: _____ **Contact Person:** _____

Address: _____ **City:** _____ **Zip:** _____

Phone: _____ **Cell:** _____

E-mail Address: _____

General location of the property: _____ **Zoning:** _____

Purpose of new parcel(s): _____

Number of new parcels: _____

Supporting Materials

In an effort to provide the best service and most efficient review of your application, no planning application will be accepted unless an appointment is made and the application is determined to be complete, containing all items on the application checklist. To schedule an application submittal appointment, please contact the Planning Department Administrative Assistant at 801-766-9793 x126.

Plans will be routed for review the first business day after they are received. Once routed, most applications will receive a response within 10 business days. A Comment Review Meeting (CRM) may be scheduled 10 business days after the plans are routed and are generally held Thursday mornings. Reviews may occasionally take longer for large projects or those with complex circumstances; in these instances the City will notify the applicant of the extended review period.

Staff Use Only:

Anticipated review of 10 business day's Anticipated review of more than 10 business

19.12.08. **Property Line Adjustments (Exchange of Title).**

1. **Standards.** Owners may adjust property lines between adjacent parcels that are described by a metes and bounds description, by exchanging title portions of those parcels after approval if:
 - a. no new dwelling lot or dwelling results from the property line adjustment;
 - b. the number of lots or parcels does not increase;
 - c. the adjoining property owners consent to the property line adjustment;
 - d. the property line adjustment does not result in remnant land that did not previously exist;
 - e. the adjustment does not result in a violation of applicable zoning requirements; and
 - f. a plat amendment is processed concurrently with the application if the parcels are part of an existing recorded plat.
2. **Application.** The owners shall file an application requesting a property line adjustment together with all required documents.
3. **Planning Director Review.** The Planning Director shall review all the documents to determine if they are complete and that they comply with the requirements set forth above. If the Planning Director determines that documents are complete, the Planning Director will take action the Property Line Adjustment.
 1. the Planning Director shall determine whether the property line adjustment complies with the requirements of this section and this Title; and
 2. the Planning Director shall approve, approve with conditions, or delay the amendment.
4. **Notice of Approval and Conveyance of Title.** After approval by the Planning Director, the applicant shall:
 - a. Prepare a Notice of Approval which:
 - i. is executed by each owner included in the exchange;
 - ii. is signed by the Planning Director;

- iii. contains an acknowledgment for each party signing the Notice as required by State law for real property; and
 - iv. recites the description of both the original parcels and the parcels created by the property line adjustment; and
 - b. Record a deed which conveys title as approved;
 - c. Record the Notice of Approval; and
 - d. Provide City staff with a recorded copy of the Notice of Approval.
- 2. **Property Line Adjustment Not a Subdivision.** A property line adjustment shall not be deemed a subdivision of property and shall not be required to follow the subdivision process of this Title.
- 3. **Other Divisions of Land.** Other divisions of land not meeting the definition of subdivision in Utah Code § 10-9a-103, as amended, shall be allowed so long as the process in this Section is complied with and all requirements of § 10-9a-103 are met.

Applicant Use	City Staff Use	<i>Please check the applicable box to indicate the materials have been included with the application.</i>
		1. Application. Application form, applicant certification, and application fee.
		2. Fee required: \$200 for each new parcel. # of Parcels _____ x \$200 = _____
		3. Materials. Provide a paper copy and a pdf file of the signed application form and application materials.
		4. Written Intent. A written statement describing the need for the subdivision exception and the intent of the property after the parcel is created.
		5. Legal Description. A legal description for the new parcel shall be submitted.
		6. Map. A map of the proposed new parcel and parent parcel.
		7. Notice and Covenant. The attached notice of approval and owner's covenant to be recorded after approval.

Exhibit "A"
Owner's Covenant

After recording please return to:

City Recorder
City of Saratoga Springs, Utah
1307 N. Commerce Drive, Suite 200
Saratoga Springs, UT 84045

OWNER'S COVENANT

_____, an individual/Utah limited liability company/Utah corporation (“Owner”) and its successor and assigns, hereby covenants as follows:

Owner acknowledges that the parcel described in Exhibit A (the “Parcel”) has been created with the approval of the City of Saratoga Springs, Utah in connection with Utah Code 10-9a-103(65)(c)(v), which excludes from the definition of a “subdivision” the division or partition of land by deed or other instrument where the land use authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels, thus relieving an owner of the requirement of recording a plat to subdivide land upon the condition that further land use approvals will be made.

Owner acknowledges and agrees that prior to recording a future subdivision plat, receiving further approvals, and receiving building permits on any portion of the Parcel, Owner or its successors and assigns will be required to obtain further land use approvals from the City of Saratoga Springs, Utah as required by the ordinances of the City of Saratoga Springs and applicable law. Upon obtaining any such land use approvals (including but not limited to the recording of a subdivision plat or similar document and entering into the City’s applicable Installation of Improvements and Bond Agreement) this covenant shall be of no further force or effect.

Owner is signing this Covenant as of the date set forth below and consenting to the recording of the foregoing Owner’s Covenant on the Parcel.

[_____]
An individual/Utah limited liability
company/corporation

By: _____

Name:

Its:

STATE OF UTAH)

:ss

COUNTY OF UTAH)

On the ____ day of _____, 201__, personally appeared before me, _____, who being by me duly sworn, did say that he is the _____ of _____, a Utah limited liability company/corporation, and duly acknowledged to me that he is authorized to sign the foregoing instrument on behalf of said company, and duly acknowledged to me that said company executed the same.

Notary Public

Commission expires:

Residing at: