

STAFF USE ONLY
GL: 103413102 Dist. Code: 304
FEE: \$200 for each new parcel



SARATOGA
SPRINGS
PLANNING

Applications submitted before 12:00 p.m. on Tuesday will be discussed at an internal Development Review Committee (DRC) meeting on the following Monday. First round of comments anticipated complete after 10 business days.

SUBDIVISION EXCEPTION APPLICATION
(FOR CREATING A NEW PARCEL IN ANTICIPATION OF DEVELOPMENT)
UPDATED JANUARY 2021

PROJECT NAME: _____

Property Owner: _____ **Contact Person:** _____

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

Phone: _____ **Cell:** _____ **E-mail:** _____

Applicant / Authorized Agent: _____

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

Phone: _____ **Cell:** _____ **E-mail:** _____

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 the application is determined to be complete, containing all items on the application checklist. Submit the signed application and supporting materials to Planning@SaratogaSpringsCity.com. Please contact the Planning Department Administrative Assistant at 801-766-9793 x155 with questions.

Plans will be routed for review the first business day after they are accepted. 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 require additional time 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 days

Anticipated review of more than 10 business days

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.
 - a. the Planning Director shall determine whether the property line adjustment complies with the requirements of this section and this Title; and
 - b. 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	City Staff	Please check the applicable box to indicate the materials have been included with the application.
		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 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.

APPLICANT ACKNOWLEDGMENT:

I hereby certify that I have read the information contained in this application form and that I have provided the required application materials.

Applicant's Name: _____

Applicant's Signature: _____ Date: _____

APPLICANT CERTIFICATION:

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that the City of Saratoga Springs may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Saratoga Springs Land Development Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I agree to reimburse the City of Saratoga Springs all amounts incurred by the City in excess of the base fee required by the Consolidated Fee Schedule to review and process this submitted application and agree to comply with Resolution No. R 08-21 and R 11-22. I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Property Owner's Name: _____

Property Owner's Signature: _____ Date: _____

Applicant's Name: _____

Applicant's Signature: _____ Date: _____

EXHIBIT "A"

OWNER'S COVENANT

After recording please return to:
City Recorder, City of Saratoga Springs
1307 N. Commerce Drive Suite 100
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 _____, 20___, 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: