

**Lot Line Adjustments Proposed Regulations– City of Albion**

5-1-2-1: Definitions:

LOT LINE, ADJUSTMENT: A change or modification of the boundary lines between existing legally created lots or legally created parcels of land or between dwelling units which does not reduce the area, frontage, width, depth, or building setback lines of such lots below the minimum zoning requirements and which does not create additional lot(s) or dwelling unit(s).

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5-1-13-1: LOT LINE ADJUSTMENTS:

- A. Purpose and Intent: It is the purpose and intent of this section to establish the requirements for adjustment of lot lines of platted lots or legally created unplatted parcels within the City of Albion. Lot line adjustments will not be approved for lots that were not legally created. An application for a lot line adjustment may be submitted to adjust a single common boundary between two (2) adjoining legal lots or parcels if the proposed boundary adjustment does not:
  - 1. Create any additional lots;
  - 2. Include any lots or parcels which are not legal lots, as defined by City ordinance or regulation;
  - 3. Impair existing access or easements, or create the need for new easements or access to any adjacent lots; and
  - 4. Create any lot which does not conform with this Code.
  
- B. Application: An application for a boundary line adjustment must be filed with the City Clerk along with such other information as may be required. The application will not be deemed to be filed until a complete application has been tendered to the City Clerk, until such time it is only lodged. The application must include a current title report for the affected properties and three (3) scaled drawings of the proposed adjustment showing the following:
  - 1. All existing and proposed boundaries of the affected lots with dimensions;
  - 2. All existing structures with dimensions and distances to the existing and the proposed boundaries;

3. Existing sewer and water services to the affected lots;
4. Existing street frontages and accesses to each lot.

The City Clerk will refer copies of the application, including drawings, to the City maintenance official and the building official with jurisdiction over the City for review and comment.

C. Approval: Once the application has been accepted and comments forwarded to the applicant, a record of survey must be submitted for review and approval by the City Council. The record of survey must contain a certificate of approval for the City Council. The City Council will approve the lot line adjustment only after determining that all of the following conditions have been met:

1. Only one common lot line between two lots or parcels is being adjusted;
2. Both lots are legally created;
3. No additional lots have been created;
4. The resultant parcels meet the minimum requirements for area, frontage and width for the existing zone;
5. The accompanying deed accurately describes the property to be transferred by a metes and bounds description and shall refer to the instrument number on the record of survey;
6. No existing easements or access have been impaired nor has the need for new easements or access to the subject lots or adjacent lots been created;
7. The adjusted lots are served by sanitary sewer and water services of the City. Lots shall not be adjusted so that they do not, or cannot, have sewer and water services that conform to applicable City policies and standards;
8. The record of survey has been prepared by an Idaho licensed surveyor in conformance with the requirements of Idaho State statutes and this chapter;
9. All new property corners have been monumented as generally required by this title and Idaho Code;
10. Upon determining that all of the above requirements have been met, the City Council will affix its certificate of approval to the record of survey.
11. After such certificate of approval is granted, the applicant will then file the record of survey and deeds with the Cassia County Recorder's Office and obtain new parcel numbers from the Cassia County Assessor's Office.

D. Issuance of Building Permits: No building permits will be issued on lots or parcels whose boundaries have been adjusted without the approval of the City Council, nor will they be issued on lots or parcels whose boundaries are being

adjusted until all the requirements of this section have been met and the record of survey and warranty deeds recorded.

- E. A non-refundable fee shall be payable to the City of Albion as part of a complete application filing, and before any review of the application will take place. Fees will be set by resolution, from time-to-time, by the City Council.
  
- F. Approved Lot Line Adjustments shall be developed according to the record of survey, drawings and legal descriptions submitted to, and approved by, the City. Any deviation from the proposal in the application will require re-application and a new fee.