

**Sec. 17-1-30. Partial replatting of approved subdivisions.**

The procedure for the amendment or partial replatting of approved subdivisions, including lot line adjustments, lot line vacations and resubdivision of single-family lots as duplex lots shall be as follows:

(1) Applications for the amendment or partial replatting of approved subdivisions, including lot line adjustments, lot line vacations and resubdivision of single-family lots as duplex lots, shall include the following:

a. An application form, signed by the owner of the property, in a format prescribed by the Town, including a brief description of the purpose of the application, a legal description and the name and address of the property owner, together with evidence of ownership and any liens against the property (such as an informational title commitment).

b. An application deposit in the amount of five hundred dollars (\$500.00) for lot line adjustments or two hundred (\$200.00) for other applications, which deposit will be used to pay actual review costs, including attorney and engineering costs and any recording, publication or other miscellaneous fees and costs. If such costs are less than the deposit, the difference shall be refunded to the applicant. If the costs are more than the deposit, the applicant shall pay all amounts due in full before approval.

c. A copy of the original plat, or relevant portion thereof, which would be affected by approval of the application and a vicinity map indicating the location of the property.

d. The names and addresses of any property owners within three hundred (300) feet of the property.

e. A plat in recordable form, at a minimum meeting the requirements for plats of the *Summit County Land Use and Development Code*, Section 8700 and Appendix 8-3, Standard Plat Certificates and Notes, subject to the following changes and unless otherwise approved by the Town Attorney:

1. Change "Summit County" or "County of Summit" to "Town of Blue River."
2. "Summit County Clerk and Recorder" – no change.
3. Change "Summit County Planning Commission" to "Town of Blue River Planning and Zoning Commission."
4. Change "Board of County Commissioners" to "Board of Trustees."

Said plat shall contain the following additional certificate:

This plat is approved for recording by the Board of Trustees of the Town of Blue River the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

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Town Clerk

The plat shall state the name of the original subdivision and show all easements and rights-of-way for roads and utility lines as constructed. The plat shall state the purpose of the resubdivision or partial replatting of the subdivision. In the case of lot line adjustments and lot line vacations, the plat shall also show the existing lot line and, in the case of lot line adjustments, the new lot line.

f. Letters of consent from any utility companies identified on the plat as having the right of use of any easements which will be affected by approval of the application.

(2) Any application for a lot line vacation shall also contain a restrictive covenant for recording, in a form prescribed by the Town, wherein the owner agrees for himself or herself and successors and assigns that, if the lot line vacation is approved, there shall be no future resubdivision of the new lot.

(3) Procedure for review of application.

a. The Town Attorney will determine if the application is complete. If the Town Attorney determines that any application may materially affect third parties, a public hearing shall be conducted pursuant to Section 16-2-60 of this Code.

b. Within thirty (30) days of the receipt of a complete application, the Planning and Zoning Commission shall review the application and recommend to the Board of Trustees approval, approval with conditions or denial of the application. An application shall be approved only if:

1. Except in the case of an application for resubdivision of single-family lots as duplex lots, no additional lots will be created;

2. No lots will be created which do not comply with zoning requirements;

3. No lots will be created which cannot be built upon under the regulations of the Town;

4. No other lot lines within the subdivision are affected; and

5. In the case of resubdivision of a single-family lot as a duplex lot, the single-family lot was approved as a duplex lot but not originally subdivided as such.

c. At its next regular meeting following the receipt of the recommendation of the Planning and Zoning Commission, the Board of Trustees shall consider the recommendation and shall deny the application or approve the plat for recording, with or without conditions. (Prior code 7-1-8; Ord. 05-03 §5, 2005; Ord. 06-01 §1, 2006)