

# Town of Springerville Land Split/Recombination/Amendments/Reversions Application

\_\_\_\_\_  
Name of applicant(s)

\_\_\_\_\_  
Mailing address

\_\_\_\_\_  
Telephone number(s)

\_\_\_\_\_  
Name of property owner(s) (if different)

\_\_\_\_\_  
Mailing address

\_\_\_\_\_  
Telephone number

\_\_\_\_\_  
Signature of applicant(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of owner(s) (if different)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parcel number to be split

\_\_\_\_\_  
Property address

\_\_\_\_\_  
Zoning classification

\_\_\_\_\_  
Lot size

**Nature of request: (Note: Separate applica-  
tion required Per request for the following:)**

\_\_\_ Land Split \_\_\_ Recombination

\_\_\_ Amended \_\_\_ Reversion

\_\_\_\_\_  
Existing access and utility easements (attach  
recorded easement documents, legal descrip-  
tions and maps)

Fee: \$75.00 10-320-250

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

Approved: Y \_\_\_ N \_\_\_

Date: \_\_\_\_\_

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Fee: \$75.00 10-320-250
Received by: _____
Date: _____

Approved: Y_____ N_____
Date: _____

## Town of Springerville Minor Land Division (Land Split)/Recombination

Legal description of newly created parcel(s) (separate sheets may be attached):

1. Legal description \_\_\_\_\_

Proposed access and utility easements (must be recorded separately) \_\_\_\_\_

2. Legal description \_\_\_\_\_

Proposed access and utility easements (must be recorded separately) \_\_\_\_\_

3. Legal description \_\_\_\_\_

Proposed access and utility easements (must be recorded separately) \_\_\_\_\_

**Note:** ARS 9-463.02 limits a minor land division/recombination within a municipality to not more than three (3) lots. Splits resulting in four (4) or more lots constitute a subdivision and must comply with state and municipal subdivision regulations.

## Town of Springerville Minor Land Division (Land Split)/Recombination

### Purpose

The purpose of this section is to provide a process to divide or combine two or three (2 or 3) or fewer lots, tracts, parcels, sites or divisions with a level of review to ensure the division of land complies with zoning ordinances, zone maps and does not constitute a subdivision as defined by Arizona Revised Statutes 9-463.

### Application, Submittal and Fees

A minor land division/recombination application shall be filed with the Zoning Administrator on a form provided by the Zoning Administrator.

A. Prior to the recordation of a deed and survey map dividing land into two or three parcels of land, for the purpose of sale, lease, or transfer of ownership shall submit a minor land division/recombination application to the Zoning Administrator.

B. The fee for land split or minor land division/recombination applications shall be set by resolution of the town council in the town fee schedule.

### Requirements for Minor Land Divisions/Recombinations

The division/recombination of improved or unimproved land into two or three (2 or 3) tracts or parcels of land for the purpose of transfer, sale or lease may be allowed subject to the following requirements:

A. Each lot or parcel shall comply with minimum applicable Town zoning requirements and have recorded access, including utility easements.

B. No lot proposed to be created through the minor division/recombination of a parcel shall be sold until a recorded deed and survey map showing the division has been approved by the Zoning Administrator as complying with all applicable provisions of this ordinance.

C. The legal descriptions and map shall be prepared by a Registered Land Surveyor (R.L.S.) and shall include:

1. The boundaries of the section (or portion thereof) within which the minor land division/recombination lies.

2. The boundary lines of the minor land division/recombination and the lots within it, including their bearings and distances.

3. Location and width of all easements within and bordering the minor land division/recombination.

4. Width of easements and streets bordering the property indicating whether they are public or private.

D. The map shall be of a format acceptable to the Apache County Recorder as per Arizona Revised Statutes 11-481.

E. The survey requirement may be waived by Zoning Administrator in areas where aliquot descriptions based upon the Public Land Survey System may be used describe the minor land division/recombinations and satisfy the all provisions herein.

F. Access to each parcel shall be by a recorded public or private street, or a recorded private driveway easement, as defined by this section.

1. A private driveway easement shall have a minimum width of 30 feet.

2. Public streets to be maintained by the Town shall have a minimum width of 50 feet and be constructed to standards and specifications set forth in the "Maricopa Association of Governments Uniform Standard Specifications for Public Works Construction (Revised)" or as approved by the town engineer, and then adopted or accepted by the Town council prior to sale of any of the divided lots.

#### **Review Criteria**

A. The deed and survey map shall conform to the requirements of all applicable Town zoning regulations. In addition:

1. The design, shape, size, and orientation of the tracts should be appropriate for the use intended and to the character of the area in which they are located.

2. Alignment of any road created in a land division shall be designed in conformance with the standards and specifications set forth in the "Maricopa Association of Governments Uniform Standard Specifications for Public Works Construction (Revised)" or as approved by the town engineer, with appropriate consideration for existing and planned roads, anticipated traffic patterns, topographic and drainage conditions, public safety and the use of the land so divided.

3. The Zoning Administrator may require an arrangement of the tracts and roads such as to permit a subsequent re-division in conformity with streets and plans adopted by the Town.

4. Resulting lots should not be divided by the boundary of any zoning designation or public right-of-way.

B. To approve a minor land division/recombinations, the Zoning Administrator must find the following conditions exist::

1. The property is not part of a Town approved subdivision plat.

2. Ownership of the property being split is demonstrated through a deed or other acceptable documents showing ownership and legal access to the parcel.

3. The newly-created parcels shall meet the minimum lot size required by the applicable zoning district.

4. The newly-created parcels shall meet minimum access standards required by this chapter, the town engineer and/or the Arizona Department of Transportation. In cases where a lot does not abut a dedicated street, access shall be by a recorded easement as defined in this chapter.

#### **Approval**

A. Upon receipt of the submitted documents, the Zoning Administrator shall review them to determine their completeness. If the submitted documents and information are found to be incomplete or insufficient, the applicant shall be notified of the deficiencies and informed the application will not be formally accepted for processing until the missing items are submitted.

Upon receipt of the completed application, the Zoning Administrator shall:

1. Distribute the submitted application for review and comment to the appropriate departments as

deemed necessary.

2. Review the submitted survey map and supplemental information to determine compliance with all Town regulations and prepare a report, which shall include comments received from other departments.

3. If the division does not result in a subdivision as defined, the Zoning Administrator shall approve, conditionally approve, or deny the application within 15 working days from the date a completed application was filed unless the applicant consents to an extension of the review period in writing.

B. Where the resulting parcels do not meet the review criteria, the deficiencies shall be noted on the recorded deed and survey map. Nothing herein shall be construed to create a right or expectation of such approval and no building or use permit may be issued by the Town until the parcel has met the review criteria or been granted a variance by the Board of Adjustments. It shall be the responsibility of the landowner to remedy all deficiencies.

C. If the application is approved, the Zoning Administrator shall attach the following signed and dated certification to the approved record plat:

I, \_\_\_\_\_, Zoning Administrator of the Town of Springerville, certify that this plat creates a minor land division/recombinations subject to and approved in accordance with the Town of Springerville Subdivision Ordinance, and that it meets all statutory requirements for recording.

#### **Appeals**

Any applicant who is dissatisfied or aggrieved by the decision of the Zoning Administrator or the Planning and Zoning Commission, may appeal such decision to the Board of Adjustment by filing a written notice of appeal with the Zoning Administrator no later than fifteen (15) days from the date of the decision.

#### **Dedications**

A. If the approved deed and survey map shows or otherwise includes a dedication of any rights-of-way for roads, utilities and associated public improvements, the Zoning Administrator shall also attach the following signed and dated certification to the approved record plat:

The Town of Springerville hereby accepts, for the use and benefit of the general public, the rights-of-way shown or otherwise provided for on this plat as dedicated for public roads and associated public improvements. This acceptance does not include the Town's acceptance of any responsibility to construct, install, or maintain the roadway or other public improvement intended to be constructed or installed within the right-of-way.

B. Recordation of an approved plat with the above signed certification shall constitute public acceptance of the public dedication, authorizing the use of the dedicated right-of-way for public road access and associated public purposes.

#### **Exemptions**

Other than proof of recorded access, the requirements of this chapter shall not apply to a minor subdivision for which the owner and grantee certify the applicability of each of the following conditions:

1. The grantee of each lot is the child or child and spouse, or grandchild or grandchild and spouse of the owner.

2. No consideration shall be paid for any of the lots.

3. The purpose of the minor subdivision is not to circumvent the provisions of the Town Subdivision Ordinance and that none of the lots shall be conveyed to third parties for a period of not less than three (3) years.

If the Zoning Administrator determines that such a map or plat intended to be presented to the Recorder's Office for recording does not fall with the regulations of this ordinance, the Director shall attach the following signed and dated certification to the map or plat:

I, \_\_\_\_\_, Zoning Administrator of the Town of Springerville, certify that this plat does not create a subdivision subject to the Town Subdivision Ordinance, and that it meets all statutory requirements for recording.