

**ADMINISTRATIVE LOT SPLIT APPLICATION**

Loup County Zoning Administrator

POB 187

Taylor NE 68879-0187

(308) 942-6218

Permit No. \_\_\_\_\_ Zoning District \_\_\_\_\_ Date \_\_\_\_\_

Property Owner's Name \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Number \_\_\_\_\_

Legal Description of Property to be Split \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

What ¼ section is lot being removed from: NE1/4 NW1/4 SW1/4 SE1/4

Number of acres being split off \_\_\_\_\_

1. Is split 3 or less parcels? YES or NO
2. Does the lot split involve the dedication of any right-of-way? YES or NO
3. Has the lot been previously split in accordance with these regulations? YES or NO
4. Will this action result in a tract without direct access to an improved county road? YES or NO

Applicant's Signature \_\_\_\_\_

**A Survey must accompany this form**

**Administrative Fee: Must be submitted with permit**

See Fee Schedule online at <http://www.co.loup.ne.us/zoning.html>

Office Use Only

Date \_\_\_\_\_ Approved \_\_\_\_\_

Disapproved \_\_\_\_\_ Zoning Administrator

## CHANGE OF BOUNDARY

(County and Village)

**Sec. 17 17.1 Change of lot boundary without subdivision plat thereof; enumerated; survey and plat approval required; deed of conveyance required; fees.**

- (a) A proposed change in lot boundary may be approved without a subdivision plat thereof under the following circumstances:
1. If the change is solely for the purpose of establishing or changing the boundary of a public way; or
  2. If the change consists of the division of three(3) adjoining approved lots or platted lots being platted into two (2) adjoining lots; or
  3. If the change is for the purpose of making lawful the conveyance of a part of a lot, block, or tract of land which would otherwise be noncomplying with this Code, so long as the boundary change does not create or result in the reaction of a noncomplying lot or lots; or
  4. If the boundary change consists of a change between two (2) adjoining lots on one (1) or both of which is or are situated, a building or buildings which do not comply with the minimum setback requirements of this Code, where the purpose of the change is to effect or more nearly effect compliance with such setback requirements; provided, a change of boundary as set forth above shall not be approved, unless the Village or County Boards find that the owner or owners of the lot or lots at the time when construction of the building or buildings was commenced did not have knowledge of the noncompliance, or if facts that should have put the owner or owners on notice to inquire in regard thereto; or
  5. If the change is for the purpose of making lawful the conveyance of part of a lot, block, or tract of land which would otherwise be noncomplying, where the acquisition or conveyance of such part of a lot, block, or tract of land which would otherwise be noncomplying, was made necessary by problems arising in the construction of a building on adjoining property and where the Village or County Boards find that the problems arising in the construction of the building could not have been reasonably anticipated before commencement of construction.
- (b) Any boundary change as set forth in subsections (a) above shall not become effective until a detailed drawing or plat showing both the previous and proposed new boundaries, and showing any alterations, adjustments or removal in setback lines resulting from the lot boundary change, is delivered to the county zoning official and approved by said zoning official for those changes set forth in subsections (a)(1), (a)(2) or(a)(3). The zoning official shall, at the time of the delivery of the detailed drawing or plat, collect a filing fee for such boundary change of twenty-five dollars (\$25.00).
6. If the change is for the reasonable development of real estate as approved by the Board of Commissioners or the Village Board, but in no event shall the division result in or tract less than three (3) acres or less than the minimum of the lot size.
- (c) That said changes in boundaries shall be reasonable and as much as practicable conform to the "Loup County Lot Split Guidelines" attached hereto.
- (d) The Board of Commissioners and the Village Board hereby reserve the right to reasonable reject any and all Lot Split applications but shall not do so for reasons prohibited by state or federal law.



## Loup County Lot Split Guidelines

A lot split is required if the owner of a piece of property wishes to transfer part of their property to another owner (regardless of relationship). The only exception is a piece of property may be sold to an adjoining neighbor as long as the property purchased is added to an existing lot or parcel and a new lot is not created.

1. An application for Lot Split Certificate and the application fee of \$25 (make checks payable to the Loup County Treasurer) must be made by the owner of the land to the Zoning Administrator.
2. Present the original Survey Certification as shown on the included sample along with seven (7) copies, and the completed application.

The Survey Certificate should be prepared on Mylar or sufficient substitute drafting paper and include:

- a. The proposed name of the split.
  - b. The names of the owner, engineer, surveyor, architect or engineer who prepared the plat
  - c. Scale at 1"=100' or larger
  - d. Date of preparation and north arrow
  - e. Legal description indicating exactly from which 40 acre tract and which quarter section the lot split is being removed
  - f. The location of monument
  - g. Building setback lines
  - h. Utility easements if known
  - i. Existing structures
  - j. Certificates for signatures of all owners, surveyor, notary acknowledgements, Zoning Administrator, Board of Commissioner's Chairman, County Clerk and/or Register of Deeds
  - k. The survey shall also contain a location map at a scale of at least 1"=500' indicating exactly from which 40 acre tract and which quarter section the lot split is being removed
3. A list of the names and addresses of all those persons having any ownership interest in the property involved prepared and certified by a registered abstractor must be submitted or a title commitment showing the true vested owner.
  4. Also:
    - a. The completed application, fee, signed plat, and abstractor's certificate must be submitted before the plot will be placed on the Board of Commissioners Agenda for final approval. The school district in which the split is located must be notified per state statute.

5. No lot split shall be approved if:

- a. A new street or alley is proposed
- b. A vacation of streets, alley, setback lines, access control or easement is required or proposed.
- c. Such action will result in significant increases in service requirements or will interfere with maintaining existing service levels.
- d. The split will result in no direct access to a street.
- e. A substandard-sized or non-conforming lot or parcel will be created.

6. Three acres is the minimum size for all lots splits.