APPLICATION – NON PLAT SUBDIVISION

(This box for office use only)
Date proposal received:
Fee collected: $
Proposal Determined to be Complete:

CASE NUMBER

Section 10-17-16—Subdivision and Sale of Property: No person shall subdivide any lands, located wholly or partially within the unincorporated area of the County for any purpose, unless approval for such subdivision has been received from the applicable Land Use Authority, as required by the County Subdivision Ordinance, and Administrative Manual. (Ord. 12-12-04, 12-4-2012)

PETITIONER INFORMATION	
Name	Phone
Address	Other Phone
	Fax
City, State, Zip	e-mail

(Additional names and addresses should be listed on a separate paper and attached)

OWNER INFORMATION	
Name	Phone
Address	Other Phone
	Fax
City, State, Zip	e-mail

(Additional names and addresses should be listed on a separate paper and attached)

PROJECT DESCRIPTION
Description of Proposed Project:
General Location
Street Address

PROPERTY and VICINITY DESCRIPTION			
Parcel Number	Property Size (in acres)	Existing Use	Number of Divisions Total Number of Lots Created
Minimum Lot Width	Minimum Lot Size		.015 cfs or one acre-foot of water for domestic use for each lot ☐ yes ☐ no
Zoning District	☐ This application is made to correct an illegal subdivision of property		Each lot is adjacent to a public street and does not require the dedication of any land for streets ☐ yes ☐ no

MILLARD COUNTY PLANNING AND ZONING
71 South 200 West ▪ P. O. BOX 854 ▪ Delta, UT 84624
Phone 435-864-1400 ▪ Fax 435 864-1404

Upon compliance with certain procedures as set forth in the Millard County Subdivision Ordinance, approval to develop and or divide real property requires a recommendation by the Millard County Planning Commission, and is subject to approval by the Millard County Board of Commissioners. The following checklist, when completed, will assist the petitioner with compiling some of the necessary information required for processing the petition through Planning Commission and the Board of County Commissioners. Partial completion or total omission of any requirement listed below may cause the application to be rejected or delayed.

√	SUBMITTAL REQUIREMENTS	
	Application	One original which must contain an original signature of the owner/applicant.
	Site Plan	One copy of the site plan drawn to scale and of sufficient size to portray the necessary detail but **no larger** than 11" x 17". The site plan should include: 1. North point, scale, and date. 2. Property lines with dimensions, adjoining streets, rights-of-way, and any easements. 3. Boundaries and dimensions of all existing and proposed parcels.
	The Project	Please describe the overall scope of the project. Explain how this approval will be in harmony with the General Plan of the County for this area, and how it would be in the best interest of the County to approve this petition.
	Fees	A non-refundable administrative fee in the amount of $165.00 plus $10.00 per lot for each lot or parcel being created by this application must be submitted with this application.
	Plat Map(s)	County Recorder's property plat (s) showing all the subject property clearly marked and all adjoining properties within 1000 feet of the subject property. This can be obtained from the County Recorder's office in Fillmore.
	PERMISSION	Written permission from any lien holders, mortgage companies, property owners (if different than the applicant) or anyone having a material interest in the property.
	Legal Description	Legal description of property prior to division and a legal description of the new parcel(s) that are being created along with the new legal description of the original parcel if applicable, An existing legal description can generally be obtained from the deed, or from the County Recorder's office. Please attach accurate complete description on a suitably titled addendum sheet.
	Names & Addresses	A list of the names **and the mailing addresses** for owners of property within 1000 feet from the outer boundaries of the subject property. Addresses may be obtained at the County Recorder's office in Fillmore.
	Water, Power, & Sewer	A written plan for the distribution of water and power to each lot, and a plan for disposal of sewer. If the division of property is for the construction of new dwelling(s), you must show proof of adequate water for the new parcels. *** Attach copy of water right document(s) from the Utah Division of Water Rights. If a well and water right is being shared by multiple parcels, attach water right deed(s) and easement deed(s) to pipe water to new parcel(s).** Documentation protects current and future property owners.

	Sensitive Land Area	☐Yes ☐No The following lands are hereby determined and identified to be "sensitive lands." A. All areas identified to be subject to a 100-year flood event, including the boundaries of all natural drainage ways and 100-year floodplains. B. All areas of wetlands, as identified, or as may be identified by the U.S. army corps of engineers. C. All areas where the increase or decrease in the elevation of the natural grade is equal to or greater than fifteen percent (15%) (15 feet of grade change for every 100 feet of horizontal run for a minimum distance of 100 feet). D. Areas of known geologic hazard, as identified, or as may be identified by a state or federal agency with authority. (Ord. 12-12-04, 12-4-2012)
	Airport Overlay District	☐Yes ☐No A. The airport plan for a publicly operated airport located within the county, and as adopted by the owner and/or operator, may include airport influence zones, and other areas, as provided for by the federal aviation administration ("FAA"). Such zones may include: 1) runway protection zone; 2) object free area; 3) runway safety area; 4) primary surface; 5) approach surface; 6) transitional surfaces; 7) horizontal and conical surfaces; and 8) critical zones.
	Signatures	Obtain the approval and signatures of the following agencies in the space provided: Millard County Sheriff; Millard County Road Department or Utah Department of transportation (whichever is the applicable access to the property); Central Utah Regional Board of Health; Millard County Fire District; Millard County Building Department

One Time Process; Information on Deed: This special provision may be utilized only once per parcel of property. Parcels of land which are subdivided under these special circumstances must be deed restricted with a notation on the documents of conveyance that this one time election has been exercised and that the resulting parcels may not be further subdivided without recordation of an approved subdivision plat. The deed restriction shall also contain a statement that subsequent owners of the created parcels are on notice that the parcels may be in an agricultural area, were created for the support of agricultural activities, and may be subject to the noises, odors and other conditions typical of agricultural activities.

SIGNATURES REQUIRED FOR NON-PLAT SUBDIVISION APPLICATION

For _____, located at: _____
Name of Applicant *County address or brief description*

Millard County Sheriff's Office
Review comments:

Signature: _____ Date: _____
Steve O'Camb, Sheriff
765 S Hwy 99, Fillmore, UT 84631 | 435-743-5302 | ocamb@millardcounty.gov

Road Department or UDOT
Review comments:

Signature: _____ Date: _____
Brandon Winget, Road Supervisor | Matt Rhodes, UDOT Right of Way Control Coordinator
County: 435-864-8401 | millardcountyroad@millardcounty.gov
UDOT: 1470 North Airport Rd, Cedar City, UT 84721 | (435) 865-5500 office | (435) 590-8897 cell | mrhodes@utah.gov

Central Utah Health Department
Review comments:

Signature: _____ Date: _____
David Heaton, Environmental Health Scientist
160 North Main Street, Nephi, UT 84648 | 435-623-0696 | dheaton@centralutahhealth.org

Millard County Fire Warden
Review comments:

Signature: _____ Date: _____
Copeland Anderson, Acting Fire Warden
(435) 406-4193 | copelandanderson@utah.gov

Millard County Building Department
Review comments:

Signature: _____ Date: _____
Adam Richins, Building Official
71 S 200 W, PO Box 854, Delta, UT 84624 | 435-864-1400 | arichins@co.millard.ut.us

AUTHORIZATION SIGNATURES

ONLY THE OWNER OF THE PROPERTY OR AN AUTHORIZED AGENT MAY FILE AN APPLICATION

I, the Owner/Agent agree to indemnify and hold harmless Millard County and its agents, officers and employees from any claim, action or proceeding against the Owner/Agent's project.

I certify, under penalty of perjury, that I am (check one):

☐ Legal property owner includes partner, trustee, grantor, or corporate officer) of the property(s) involved in this application, and that the foregoing application statements are true and correct

☐ Legal agent (attach proof of the owner's consent to the application of the property(s) involved in this application and have been authorized to file on their behalf, and that the foregoing application statements are true and correct.

Print Name _____ Signature _____ Date: _____

Print Name _____ Signature _____ Date: _____

Print Name _____ Signature _____ Date: _____

Print Name _____ Signature _____ Date: _____

If signatory is not the owner of record, the attached "Owner/Agent Agreement" must be signed and notarized.

This space for Office Use only ↓

Land Use Authority Decision

☐ Favorable Recommendation ☐ Unfavorable Recommendation

_____ _____

Zoning Administrator **Date**

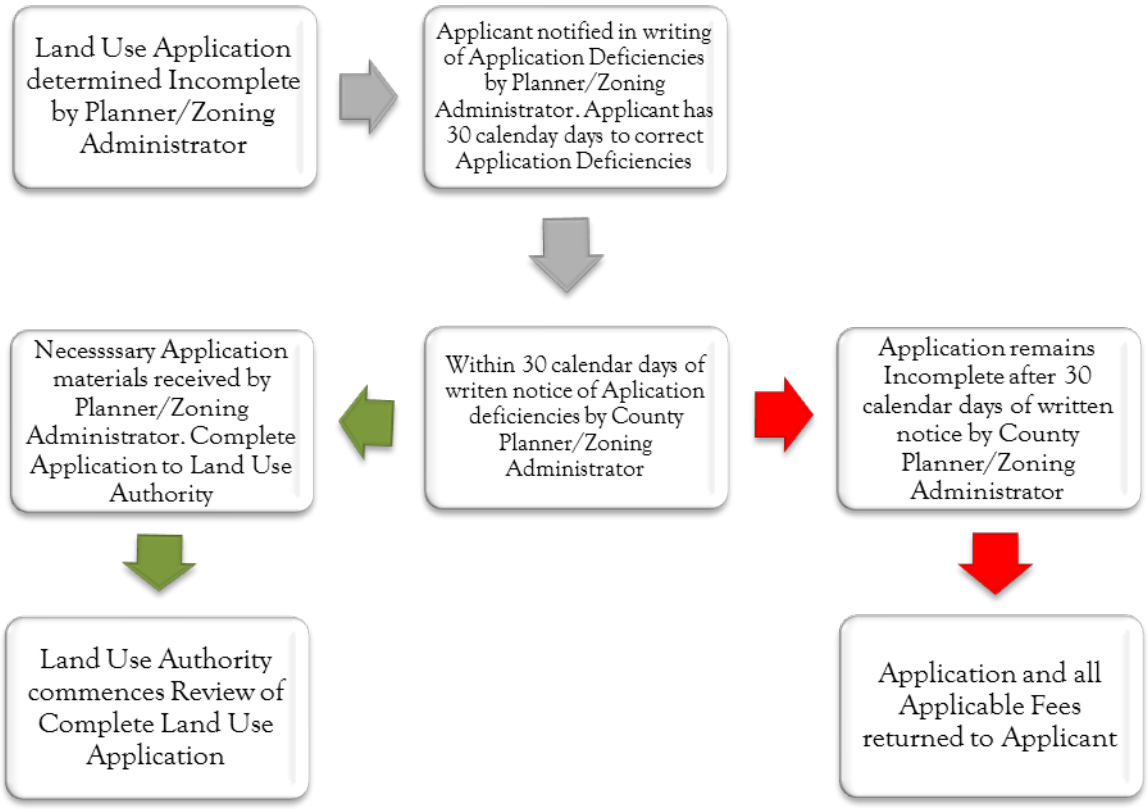
Figure 10

PROCEDURES FOR NON-PLAT SUBDIVISION BY THE PLANNING COMMISSION



Figure 2

PROCEDURES FOR DETERMINATION OF LAND USE APPLICATION COMPLETENESS BY COUNTY PLANNER/ZONING ADMINISTRATOR



OWNER / AGENT AGREEMENT

The undersigned is (are) the owner(s) of record of the property identified b y the Millard County Assessor's account number _____,

Located at _____,

Millard County, Utah. The undersigned hereby give(s) consent and approval to _____ _____to act on his/her/their behalf as his/her/their agent to proceed with an application for a Non Plat subdivision on the property referenced herein. This agreement authorizes the agent to act on the owner's behalf for the application through _____.

Date or specific phase

_____		_____	
Owner of Record	***Date***	***Owner of Record***	***Date***
_____		_____	
Owner of Record	***Date***	***Owner of Record***	***Date***

STATE OF UTAH)
) §
COUNTY OF MILLARD)

On this _____ day of _____, 20___, before me, the undersigned, a Notary Public in and for the State of Utah, duly commissioned and sworn, personally appeared:

To me knows as the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that he/she/they signed and sealed the said instrument, as his/her/their free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated the he/she/they was (were) authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL, HERETO AFFIXED THE DAY AND YEAR IN THIS CERTIFICATE ABOVE WRITTEN.

_____
Notary Public in and for the State of Utah

Residing at _____

*My appointment expires:*_____