

Boundary Line Adjustment Applicant Guide



Town of Bennett
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Boundary Line Adjustment Process

Purpose

This guide contains the basic procedures and requirements for a Boundary Line Adjustment. A Boundary Line Adjustment is either a lot merger or a minor change to the boundary lines of (2) or more adjacent platted lots, parcels or tracts of a recorded subdivision plat when such adjustment does not create additional lots.

Process

The administrative process consists of the following basic steps. Once the Boundary Line Adjustment application is submitted and found to be complete, the Boundary Line Adjustment will be either approved or denied within 30 days.

Step 1 – Pre-Application

The applicant completes the Pre- Application process, in which the proposed annexation is reviewed by the Town’s Development Review Committee (DRC). The DRC will make recommendations to the applicant on how the formal application might be structured to enhance chances the project will ultimately be approved by the Town Zoning Administrator. The DRC will highlight issues of particular concern and refer the applicant to the applicable Town standards and regulations.

Step 2 – Applicant Submits Formal Application

Applicant submits to the Town the complete application package.

Step 3 – Staff Reviews Application for Completeness (5 Business Days)

Town Staff reviews the application for Completeness.

Step 4 – Referral Agencies

The applicant may be required to submit referral packets for referral agencies.

Step 5 – Zoning Administrator and Referral Agencies Review (15 Business Days)

The Zoning Administrator and the applicable referral agencies will review the application within 15 business days. The Zoning Administrator will compile comments and return them to the applicant for review and revision with 3 business days.

Step 6 – Resubmittal (if required) (Resubmit within 10 Business Days)

The applicant will revise and resubmit to the Zoning Administrator any needed revisions or changes per the Zoning Administrator’s or Referral comments.

Step 7- Resubmittal Review

Staff and the Zoning Administrator will review the re-submitted application.

Step 8- Approval or Denial

The application for Boundary Line Adjustment is either approved or denied by the Zoning Administrator.

Step 9 – Recording (10 Business Days)

If the Zoning Administrator approves the Boundary Line Adjustment, the application shall be finalized, and the boundary line adjustment map, prepared by a licensed surveyor, shall be recorded.

Step 10 – Right to Appeal

If the Boundary Line Adjustment is denied, the Applicant has 15 days after the date of the Zoning Administrator's denial. The applicant must file a written notice of appeal with the Town Clerk.

Boundary Line Adjustment Submittal Requirements

(Town of Bennett | Revised January 4, 2021)

The following elements constitute an acceptable application for Boundary Line Adjustment. An application is not considered submitted until all items are included in the application. (Note that depending on the size, scale and complexity of a proposal, some of the requirements below may be waived by Town Staff.)

APPLICATION DOCUMENTS		
Required if Checked	Submitted by Applicant	Project Name: _____
		Case No.: _____
		Land Use Application Form (must be signed by Property Owner)
		Application Fees (see below)
		Cost Agreement
		Funds Deposit Agreement
		Title Commitment (current within 30 days of application)
APPLICATION FEES		
		1. Engineering: \$800
		2. Attorney: \$750
		3. Traffic Engineer:
		4. Other: e.g. Water Engineer Review, Special Utility Review, Landscape Arch. Review: \$215
		Subtotal
		5. Administrative Fee: 20% of Project Total
		(Additional fees may be required, depending on the number of resubmittals or changes by applicant, or if a Subdivision Agreement, Development Agreement or Construction Document Review is required.)
		Total
		Recording fees will also be required when the final documents are recorded with Adams or Arapahoe County. (See below)
BOUNDARY LINE ADJUSTMENT APPLICATION SHALL INCLUDE:		
		1. Letter of Intent. The applicant shall provide a letter of intent addressed to the Zoning Administrator to serve as a cover letter to the formal application, introducing the applicant(s) to the Zoning Administrator, requesting a Boundary Line Adjustment of the property and describing the proposed Boundary Line Adjustment.
		2. Boundary Line Adjustment Application. The Town's Land Use Application Form shall be completed, signed and dated.
		3. Agreement for Payment of Development Review Expenses Incurred by the Town. The application shall be accompanied by signed standard Cost Agreement and Funds Deposit Agreement for the payment of development review expenses incurred by the Town.
		4. Written Consent. This must include signatures by all of the owners of all of the properties that would be affected by the proposed Boundary Line Adjustment or their duly authorized agents.
		5. Boundary Line Adjustment Map. A scaled site plan map (18" X 24" if in Adams County, 24" x 36" if in Arapahoe County) prepared by a licensed surveyor indicating: the standardized scale; date of preparation; north arrow; existing zoning; all existing boundaries shown as dashed lines; all proposed boundaries shown as solid lines; property address, lot size and property dimensions and bearings of all lots; location and dimensions of all existing structures; setbacks of all existing structures from new property lines; location, name and rights-of-ways widths for all adjacent streets and alleys; location and dimensions of all existing easements; names, address and phone numbers of applicant and owners; and the appropriate certifications and signature blocks as directed by Town Staff.
		6. Affected Properties. The legal descriptions of the properties affected by the adjustment, describing such properties before and after the proposed adjustment, and a legal description of the area subject to the adjustment.

	<p>7. Title Commitment. The applicant shall submit proof of ownership in the form of a current title commitment, issued by a title insurance company licensed by the State of Colorado, whose effective date shall be less than (30) thirty days prior to the date of submittal of the Boundary Line Adjustment Application. Ownership must match the ownership listed in the application. If the legal description of the area subject to the Boundary Line Adjustment as shown on the Site Plan. If the applicant is not the owner, there shall be provided in addition to the title commitment naming the owner as the insured, a notarized affidavit by the owner stating the applicant is authorized by the owner to make application for Boundary Line Adjustment. The applicant is to provide a word processing file of the legal description contained in the title commitment.</p>
	<p>8. Property Tax Statement. A copy of the prior year's property tax statement for all properties affected by the Boundary Line Adjustment.</p>
	<p>9. Instruments of Conveyance. The proposed deeds or other instruments of conveyance to be used to effectuate the adjustment, together with legal descriptions.</p>
	<p>10. Mailing List and Envelopes. for County, Special Districts, Irrigation Ditch Companies, Mineral Interest Owners and Adjacent Property Owners that will be affected by the Boundary Line Adjustment if approved.</p>
	<p>11. Other Information Requested by the Zoning Administrator. Any other information required by the Zoning Administrator necessary for the review of the proposed Boundary Line Adjustment.</p>

RECORDING FEES – Please verify with appropriate County Clerk & Recorder's Office

	<p><u>Adams County Recording Fees</u> \$13.00 for the first page and \$10.00 for each additional page per document Accept only 18" x 24" Original Mylar http://www.adcogov.org/recording</p> <p><u>Arapahoe County Recording Fees</u> \$13 for first page and \$10.00 for each additional page Accepts only 24 x 36" Original Mylar https://www.arapahoegov.com/313/Recording</p>
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