

**APPLICATION FOR ADMINISTRATIVE SUBDIVISION
WITHIN THE CORPORATE LIMITS OF MICHIGAN CITY**

1. Name of identifying title: _____
2. Subdivider: (If owner, so state; if agent or other type of relationship, state details on separate sheet)
Name: _____
Address: _____
Telephone: _____
3. Licensed land surveyor or engineer:
Name: _____
Address: _____
Telephone: _____
4. Location of proposed subdivision: (Block and lot or other identification. Use additional sheet if necessary)

5. Legal description:

6. Submittal materials per Section 02.03 are attached.
7. Administrative subdivision requirements per Section 02.04 are provided on plat.
8. The undersigned hereby states that the appropriate application fees (\$50.00) are submitted herewith.
9. The undersigned hereby requests approval by the Plat Committee of the above identified subdivision plat.

(Signature)

(Title)

(Date)

Article 02**Administrative Subdivision Review and Approval Procedures****Section 02.01 Applicability**

The provisions of this article apply only to administrative subdivisions, as determined in section 01.08(a)(1).

Section 02.02 Review Process

All administrative subdivisions shall be reviewed according to the following process.

- (a) **Application.** An application for approval shall be filed with the enforcement official together with all required materials.
- (b) **Filing fee.** A filing fee, as set under the provisions of this ordinance, shall be paid at the time of the filing.
- (c) **Administrative Review.** The enforcement official will first review the application for completeness and compliance with this ordinance and the lot size and setback requirements of the zoning ordinance. If the proposed application does not involve the opening of a new public way, the plat committee may approve the application for an administrative subdivision without public notice and hearing, subject to appeal to the plan commission. Within ten (10) days after any approval by the plat committee, the enforcement official shall provide due notice to interested parties of their right to appeal to the plan commission.
- (d) **Written Notice.** Written notice of the application's compliance with the criteria for an administrative subdivision will be sent to the subdivider within 10 working days. If the application is deficient, the notice shall state the reasons for its rejection.
- (e) **Signature.** If the subdivision complies with this ordinance the enforcement official shall sign the drawing.
- (f) **Recording.** The subdivision and any deeds shall be recorded together in the county recorder's office within 120 days of approval by the enforcement official. If not recorded within this time the subdivision and certification shall be null and void.

Section 02.03 Submittal Materials

The application for an administrative subdivision shall include the following materials, unless specifically waived by the enforcement official:

- (a) A completed application form signed by the owner(s) of record of all property involved in the subdivision;
- (b) A sketch plan, meeting the requirements of section 02.04, showing the property, the area of each lot or parcel in square feet or acres for parcels more than one (1) acre, the configuration of the property, and any easements (prior to and after approval). This drawing is not required for the following types of applications:
 - (1) For removal of platted easements, provided signed and notarized letters from all parties having an interest in the easements are submitted approving the proposed action. For drainage easements any neighboring property owners affected by the easements shall be included and a certified

survey of the drainage easement shall be provided. Any vacated easement shall be noted on the plan;

- (2) An explanation of the reason(s) for changes in the notations on a previously approved subdivision. The enforcement official may require approval by the plan commission if it finds that the changes have a significant effect on the subdivision;
 - (3) Where the purpose is to resolve a boundary dispute or to establish a mutually agreed-upon boundary line. An affidavit stating the purpose of the subdivision shall be included and signed by all affected property owners ; or
 - (4) Division required by court action, provided a copy of the decree for divisions required by a court is provided with legal descriptions of the divided land.
- (c) A legal description, drawing and additional materials shall be submitted under the following circumstances with an application for changes to an approved administrative subdivision:
- (1) A certification by a registered land surveyor that monuments have been set to indicate the relocated property lines. If land involved in the subdivision has not been previously monumented, then no monumentation is required.
 - (2) An application for the addition and division requested as a result of a sale or exchange of adjoining land where one or both affected parcels are platted.
 - (3) Where the purpose is to resolve a boundary dispute or to establish a mutually agreed-upon boundary line, an affidavit signed by all affected property owners, stating the purpose of the subdivision, shall be included.
 - (4) An application shall include quitclaim or warranty deed(s) containing the legal description for each parcel of property for which ownership is transferred within and by the administrative subdivision.
 - (5) For corrections of legal descriptions, an affidavit signed by the affected owners shall be submitted, stating that the description was in error. A corrected legal description shall also be provided and recorded. An appropriate notation shall be placed on the recorded plat.
 - (6) A legal description dedicating or granting easements for purposes other than access. The easements shall be recorded, and an appropriate notation shall be placed on the recorded plat.
 - (7) A legal description and a drawing showing the parcels and the location of the right-of-way or easement shall be included for dedicated rights-of-way or access easements. In addition, for right-of-way dedication, certification shall be provided by a registered land surveyor that monuments have been set indicating the relocated property lines.
 - (8) For combination of interior lots, a legal description of the property and new lot number(s);
 - (9) For a cemetery, a cemetery plan shall be submitted showing the layout of the cemetery including private drives, parking areas, and the sizes of burial lots. The plat shall comply with the requirements of I.C. 23-14-8 and any amendment thereto;

Section 02.04 Administrative Subdivision Requirements

Requirements below apply for monumentation, certificates and drafting.

- (a) Subdivisions may be drawn on standard size white paper not smaller than 8½" x 11", at a scale of not more than 400 feet to one inch (1" = 400'). The drawing shall contain a vicinity map, scale, and north arrow, and the name of the owner(s) and drafters of the subdivision.

(b) Monumentation

- (1) For previously platted areas, a note shall be added to the most recent recorded plat indicating that a change has been made and a drawing indicating the change shall be recorded. The plat must contain a certification by a registered land surveyor that monuments have been or will be set to indicate relocated property lines.
 - (2) If the land involved in the subdivision has not previously been monumented, no monumentation is required. In this case, the source of the property description shall be indicated in the surveyor's certificate.
- (c) The plat shall contain a legal description of property to be added to or subtracted from each lot involved.
- (d) The submitted application shall include a quitclaim or warranty deed(s) containing the legal description for each parcel of property for which ownership is transferred within and by the subdivision.
- (e) Any lot included in an administrative subdivision must meet the minimum lot size and setback requirements of the zoning district in which it is located.