



# City of Bay Minette

## Administrative Subdivision Application

OFFICE USE ONLY

AS- \_\_\_\_\_

Fee- \$200 + \$10 / per Lot

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM\_Planning@ci.bay-minette.al.us

Owner Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

Street / PO Box

City

State

Zip

Name of Applicant / Agent / Professional Land Surveyor, if other than owner:

\_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Name of Subdivision: \_\_\_\_\_

Subdivision Location: \_\_\_\_\_

Parcel/PPIN #: \_\_\_\_\_

Total Acreage: \_\_\_\_\_ # of Parcels Existing: \_\_\_\_\_

Lot Sizes: \_\_\_\_\_ # of Lots Proposed: \_\_\_\_\_

Reason for request: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

### Fees

Application Fee: \$200.00

No. of Parcels: \_\_\_\_\_ X \$10 = \$ \_\_\_\_\_

Paid:  Cash  Credit Card

Total \$ \_\_\_\_\_

Check # \_\_\_\_\_

### Submittal Requirements

\_\_\_\_\_ Application

\_\_\_\_\_ Fee

\_\_\_\_\_ Agent Authorization Form (if applicant is not the owner)

\_\_\_\_\_ Survey/Plat showing existing parcel(s)

\_\_\_\_\_ (2) Survey/Site Plan drawn to scale \*Administrative Subdivision Regulations are included with packet



# City of Bay Minette

## Subdivision Regulation Excerpt

Sec. 8. - Subdivisions and resubdivisions not subject to the provisions of these regulations.

(...)

8.2 – Administrative Subdivisions. Except as set forth in this Section 8, the provisions of these regulations shall not otherwise apply to the following administrative subdivisions:

- a) An owner of a parcel of real property may convey a portion thereof to an adjoining owner without being subject to the provisions of these regulations provided that no new lots are thereby created.
- b) Subdivisions of land into five (5) or less lots, tracts or parcels wherein the size of each and every resulting lot equals or exceeds twenty (20) acres including existing public rights-of-way. Each parcel shall have access from an ingress/egress and utility easement of a minimum of thirty (30) feet in width.
- c) The public acquisition by purchase or donation of strips of land for the widening or opening of streets" or for other public uses.
- d) A "one-time" split of a single parcel into two parcels, if, and only if, the parcel existed and has not been divided since July 1, 1991. Sufficient documentation of property status as of July 1, 1991 must be submitted along with request for exemption.
- e) Common property lines are being moved or reconfigured, where no new lots are being created.

8.2.1 In addition to the requirements set forth above, the following requirements must be satisfied: each lot created or modified hereunder shall comply with all minimum lot size, width and setback requirements otherwise specified by the provisions herein or by provisions of the Zoning Ordinance; maintenance of the easement, together with all improvements thereto, shall be the responsibility of all parties to which it is granted by (1) written agreement or (2) deed reference. Neither the City nor the County shall be responsible for any easement or improvements thereto.

8.2.2 For administrative subdivisions hereunder, no public hearing shall be required, but shall be subject to review and approval of the City Planner for compliance with the requirements contained in this Section 8. Administrative Subdivision applicants shall not be required to submit a plat to the City of Bay Minette Planning Commission. Applicants shall be required to submit to the Planning and Community Development Department, a completed Administrative Subdivision application; a plot plan or survey of the original parcel, drawn to scale, indicating any existing structures (with dimensions) and the setbacks from property lines; a plot plan or survey of the proposed parcel, drawn to scale, indicating any existing structures (with dimensions) and the setbacks from proposed property lines; and any additional documentation deemed necessary to complete the review.

8.2.3 Any subdivider who appears to the Planning & Community Development Department to be circumventing the intent and substance of these Regulations shall be required to submit a certified plat for review and approval by the Planning Commission.

8.3 All exempt and administrative subdivisions shall meet the following eligibility criteria:

- a) Consist of five or less lots
- b) Shall not contain any public improvements, nor require the expenditure of any public funds.
- c) Shall apply to residential uses only.

8.4 Any property included as part of an exempt or administrative subdivision shall not be eligible for consideration for further subdivision as an exempt or administrative subdivision for a period of one (1) year from the date of the last exempt or administrative subdivision.

8.5 Exemption from the requirement for approval to subdivide does not constitute exemption from the requirements of other applicable regulations including but not limited to state law, zoning regulations, other municipal ordinances, Health Department requirements or, where applicable, the regulations of Baldwin County Planning Department or Highway Department.

**Sec. 9. Penalties.** Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers or sells or agrees to sell any land by reference to or exhibition of or by other use of a plat of a subdivision, before such plat has been approved by the Planning Commission and recorded in the records of the office of the judge of probate of Baldwin County, shall forfeit and pay a penalty of five hundred dollars (\$500.00) for each lot or parcel so transferred to be sold or agreed or negotiated to be sold; and the description of such lot or by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. The City of Bay Minette may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the same penalty by a civil action in any court of competent jurisdiction.