

Madison 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 a Lot Split Certificate and the application fee of \$50 (make checks payable to the Madison County Treasurer) must be made by the owner of the land to the Zoning Administrator.

2. Present the original Survey Certificate as shown on the included sample along with seven (7) copies along with the completed application.

The Survey Certificate should be prepared on Mylar 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 or benchmarks
 - G. Building setback lines and lot numbers
 - H. Utility easements
 - I. Topography
 - J. Existing structures
 - K. Certificates for signatures of all owners, surveyor, notary acknowledgement, zoning administrator, Board of Commissioner's Chairman, County Clerk and Register of Deeds
 - L. 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.
 - M. GPS coordinates of the center of the driveway for each lot, locations of existing well, quarter and section corners using the NDA83 Nebraska State Plane Coordinate System.
 - a. The plat shall designate one monument with State Plane Grid Coordinates that have a maximum ellipsoid error of 0.25 feet. Said coordinate may be established by use of a G.P.S. static session and an OPUS solution derived there from or by a traverse from a known Geodetic Station by G.P.S. traverse or conventional methods.
 - b. The allowable error of the State Plane Coordinates for the other monuments shown, must comply with the State of Nebraska Minimum Standards for Land Surveys.
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 also be submitted.

4. Also:

- The completed application, fee, signed plat, and abstractor's certificate must be submitted before the split 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, alleys, setback lines, access control or easements 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. For Lot Splits of Less than Forty Acres

A. In addition to the steps above, a Conditional Use Permit must be granted by the Madison County Board of Commissioners.

- i. File the enclosed Conditional Use Permit Application with your Lot Split Application.
- ii. Include a check or money order for \$100 payable to "Madison County Treasurer."
- iii. A Public Hearing will be held in front of the Madison County Joint Planning Commission at its next regular meeting.
- iv. A Public Hearing will be held in front of the Madison County Board of Commissioners the first Monday of the month following the Planning Commission meeting.
- v. If your Conditional Use Permit Application is approved, your Lot Split will be approved as well.

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