



EXEMPT AMENDED PLAT or COS APPLICATION

Community Development Department, Planning Division

316 North Park Avenue, Room 445, Helena, MT 59623

406-447-8490; citycommunitydevelopment@helenamt.gov

Date received:

**Amended Plat or Certificate of Survey (COS) Exempt from Subdivision Review
Application Form**

PROPERTY OWNER: Primary Contact?

Name: _____ Primary Number: _____

Address: _____ Other Phone: _____

Email: _____

PROPERTY OWNER: Primary Contact?

Name: _____ Primary Number: _____

Address: _____ Other Phone: _____

Email: _____ Company: _____

APPLICANT (SURVEYOR/ENGINEER): Primary Contact?

Name: _____ Primary Number: _____

Address: _____ Other Phone: _____

Email: _____ Company: _____

ADDRESS OF PROPERTY: _____
Street Address Zip Code

Legal Description of property (Subdivision, COS #, Block & Lots)

Current Zoning District _____

Geocode _____

Are there other related Land Use Applications being submitted: Yes No

Submit proof of current paid taxes

Have all the application checklist items been submitted? Yes No

I HEREBY CERTIFY AND ACKNOWLEDGE THE STATEMENTS IN THIS APPLICATION AND ANY ATTACHED INFORMATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed: _____ Date: _____
Property Owner

_____ Date: _____
Property Owner

Applicant: _____ Date: _____
(If different from Owner)

Please provide all the information requested in the Application Instructions. An incomplete application may delay the review of your request.

Are you requesting any variances with this application?	Yes	No
If yes, see Board of Adjustment application.		

Have any variances or CUPs been previously given for this property?	Yes	No
If yes, provide a copy of the variance decision or CUP Resolution.		

IS THE AFFECTED PROPERTY WITHIN THE BOUNDS OF A SPECIAL IMPROVEMENT DISTRICT (SID) (lighting, paving, sewer, water, etc.)? Yes No

Note: Any SIDs in effect must be re-spread in accordance with Ordinance #2258, including the payment of the applicable fees.

Any amended plat/COS that is exempt from subdivision review must be certified by the Director of Community Development and the City Engineer or a designated representative that the exemption is applicable.

The use of any exemption set forth in § 76-3-201 and § 76-3-207, MCA, for the purposes of evading subdivision review, city zoning regulations, or installation of infrastructure is prohibited.

The property owners shall submit the following information to show entitlement to exemption and compliance with City Code:

COS and amended plats exempt from subdivision review must include all information required by the City and State including, but not limited to, the requirements in MCA Title 76, The Administrative Rules of Montana, and the Helena Subdivision Regulations.

Upon final approval of the amended plat/COS, please submit three (3) mylars for City signatures. The applicant is responsible for filing the amended plat/COS with the County Clerk and Recorder and payment of any related fees.

APPLICATION INSTRUCTIONS:

All applications must include the following information. Items marked with * are not required for retracement surveys.

- 1. Completed application signed by all property owners;
- 2. Vicinity map of the area showing the location of the property in relation to surrounding land and zoning in the immediate area, water and wastewater mains, other utilities, and city streets;
- 3. A site plan which contains the following information to determine compliance with the applicable Helena City Codes including Subdivision and Zoning regulations: *
 - Any existing and proposed utilities located on and adjacent to the property, including:
 - Location and access to adequate storm water drainage;
 - Location, available access, and size of wastewater and water mains; (Note: if water or wastewater service lines are shared, the party responsible for maintenance of the shared line must be identified);
 - Location of nearest fire hydrant.
 - Location of sidewalks adjacent to the subject property;
 - For structures on the subject property, the following information must be provided on the site plan:
 - The location of all existing structures and exterior square footage (to determine lot coverage);
 - The distance of the structure from proposed lot lines (setbacks);
 - Location and number of any parking spaces; and
 - Landscaping area.
 - Show the location, width, and purpose of all easements on the subject property or off-site easements that may impact the provision of services, stormwater, and access;
- 4. The most recently filed plat or certificate of survey;
- 5. Per MCA 76-3-609, a list of prior division of land alterations of the particular tract in question since 1973 that utilized exemptions in MCA 76-3-201 or 76-3-207;*
- 6. The last recorded deed or other documentation of ownership of all affected property;
- 7. A proposed amended plat or certificate of survey showing legal and physical access and the proposed configuration of the tracts in compliance with survey requirements;*
- 8. For divisions made outside of platted subdivisions for the purpose of a single gift or sale to a member of the property owner's immediate family, verification that the family member is the spouse of the grantor, or whether by blood or adoption a son, daughter, mother, or father of the grantor;*
- 9. Lewis and Clark County review fee. (Check made out to Lewis and Clark County.)

The following information must be indicated on the COS or amended plat or in supplements submitted with the application and must be in compliance with the Administrative Rules of Montana (ARM) specifications. Items marked with * are not required for retracement surveys.

- Provide the name(s) of property owner(s) [including sellers if under a contract-for-deed];
- Provide a title block with the location of the property (Quarter-Section, Section, Township, and Range, etc.); a scale not exceeding one hundred feet (100') per inch; a north arrow; legend; date of preparation; and the name of preparer;
- An amended subdivision plat must cite the subdivision that is being amended and identify the blocks and lots being amended (i.e., prior lot boundaries must be shown with a dashed line with a notation; new or retained lot boundaries must be shown in a solid line with a notation);
- Designate each new lot with numbers or combination of numbers and letters (example Lot 1-A),*
- Provide the dimensions and area of each new lot or tract;
- Provide a narrative legal description;
- Identify the location of all section corners or legal subdivision corners of sections pertinent to the subdivision boundary, all monumentation and basis of bearing;
- Identify all adjacent streets and alleys including ROW width;
- Identify legal and physical access to a public street;*
- Show the location of all existing utility and access easements of record and any other proposed public easements, including description of their width and purpose*
- Signatures - shown on first sheet of plat/COS:
 - Certificate of County Treasurer
 - Certificate of Examining Land Surveyor
 - Required space for Clerk and Recorder's filing information
 - Certificate of Surveyor
 - Certificate of property owner acknowledgement
 - Certificate of dedication (if applicable)
 - Certificate of Exemptions:
 - Purpose of survey and subdivision exemption
 - Cite DEQ exemption
 - City of Helena:*
 - Community Development Division*
 - City Engineer*

Note on the plat/COS any ordinances or resolutions (such as alley or street closures) that impact the plat and provide a copy of the ordinance/resolution; and*

"NOT INCLUDED IN THIS COS/PLAT" notation when applicable

Boundary relocation notation when applicable:

"The area that is being removed from one tract of record and joined with another tract of record is not itself a tract of record. Said area shall not be available as a reference legal description in any subsequent real property transfer after the initial transfer associated with the [certificate of survey or amended plat] on which said area is described, unless said area is included with or excluded from adjoining tracts of record."*