

SEC. 1.3.005 WARRANTS AND VARIANCES

- (a) The Development Review Committee (DRC) has the discretion to approve any Neighborhood Regulating Plan, Public Frontage submittal, Administrative Plat, Site Development, and/or building permit that deviates less than 5% from any specific standard prescribed in the Code.
- (b) If not approved or the deviation is greater than 5%, the Applicant may request a Warrant or a Variance, The type of Application is determined by the DRC.
- (c) The DRC shall have the authority to approve or disapprove administratively a request for a Warrant.
- (d) An Appeal of a Warrant denial by the DRC shall be heard by the Planning & Zoning Commission for action. An Appeal of the Historic Landmark Commission's decision can be made in writing to the City Council within 10 business days of the Historic Landmark Commission's decision.
- (e) Variances processes are further defined in Section 2.4.003(f) Zoning Board of Adjustment.

SEC. 1.3.006 LOTS OF RECORD

- (a) A Lot of Record Verification is a document provided by the City acknowledging whether a particular tract of land was created lawfully. A legal or lawful division of land is one that was done in compliance with, or prior to, applicable Subdivision regulations which were adopted April 20, 1981. A parcel boundary used for property taxation or conveyed by deed to transfer ownership or title is not necessarily indicative of a lawfully created division of land. A Lot of Record Verification does not make claims as to ownership, title, or boundary locations.
- (b) No Street number and no building permit shall be issued for the Construction of any Building on any piece of property subdivided after April 20, 1981, unless said property has been subdivided in accordance with this Code, and all required Streets, utilities, Drainage, and other required improvements have been completed and approved by the City Engineer.

(c) A Lot of Record will be recognized if the property:

- (1) Was created by a Subdivision procedure; or
- (2) Is currently in the same size, shape, and configuration as it was prior to April 20, 1981, as established by a comparison of property descriptions found in deeds or property transfer documents.
- (3) Is greater than 5 acres with access to a public road and municipal utilities.

(d) Lot of Record Verification:

- (1) A Lot of Record Determination is a document provided by the City acknowledging whether a particular tract of land was created lawfully. A parcel boundary used for property taxation or conveyed by deed to transfer ownership or title is not necessarily indicative of a lawfully created division of land. A Lot of Record Verification does not make claims as to ownership, title, or boundary locations.
- (2) A request for Lot of Record Verification may be submitted to the Director of the Planning and Development.

(3) The Lot of Record Verification Request Form can be found in the Development Manual.

(e) Existing Lot of Record

- (1) Existing lots of record may continue in the same configuration without the requirement to Plat until:
 - A. Any infrastructure extensions or upgrades are required to serve the Lot. A request for a meter of any utility does not constitute an infrastructure upgrade or extension. An upgrade to a infrastructure is better defined by increasing the size of a water or wastewater main line or an extension of water and wastewater main lines to the entire property line
 - B. A change of use to a more intense use or a use from Residential to any other use.