

**TOWN OF MONKTON
BOUNDARY ADJUSTMENT
APPLICATION INSTRUCTIONS**

The purpose of a boundary adjustment is to shift the common boundary between two adjoining parcels of land by two willing landowners or one owner of both parcels.

To apply for a boundary adjustment with the Development Review Board, file a completed Boundary Adjustment Application and submit the required fees to the Zoning Administrator. You must file an original (marked original) and two copies (marked copies) of your application and project materials. The application shall be accompanied with of a letter signed by the record owners of all the affected lots stating they are in agreement with the request for an adjustment.

Upon review of the application for completeness, the DRB will set a hearing. A Notice of Zoning Permit Request sign (available at the Town Hall) must be posted by the applicant within view from the public right-of-way most nearly adjacent to the subject property not less than 15 days prior to the warned hearing and shall remain until the appeal period has expired. All applicants or their duly authorized agents shall appear at the hearing.

If you need help with your application, please contact Ken Wheeling Monkton's Zoning Administrator at: 453-3800 by email at zoning@monktonvt.com.

It is recommended that you review all zoning or subdivision regulations that apply to your project. For Town regulations on boundary adjustment, please see Article III Section 380 – Boundary Adjustments on pages 41- 43 of the *Unified Planning Document For the Town of Monkton*, which can be found at the Monkton Town Hall or on the Monkton Town website at: <http://monktonvt.com/town-info/town-plan-and-zoning-bylaws/>.

Additional copies of this form can be found on the Monkton Town website at: <http://monktonvt.com/boards-and-committees/development-review-board/drb-forms/>.

Applicants have the obligation to identify, apply for and obtain any relevant state permits for their projects. Call Rick Oberkirch, Permit Specialist at the Agency of Natural Resources' Environmental Assistance Office, at 802-786-5907 to determine if any State permits are required before beginning construction.

Boundary Adjustment Restrictions:

1. The area of change shall not be disproportionate to the size of either lot affected, considering all circumstances that the Development Review Board deem appropriate.
2. If affecting a prior non-conforming lot, the adjustment does not increase the degree of non-conformance.
3. The boundary adjustment cannot increase the number of buildable lots on either parcel.
4. The boundary adjustment will not impair or negatively affect third party rights in shared or individually held right of way or easements.

**TOWN OF MONKTON
BOUNDARY ADJUSTMENT APPLICATION**

A. Required Information:

1. Name, address, and phone number of First Willing Landowner of Affected Lot.	
2. Property Identification Number for First Willing Landowner of Affected Lot (from the latest tax records).	
3. Name, address, and phone number of Second Willing Landowner of Affected Lot.	
4. Property Identification Number for Second Willing Landowner of Affected Lot (from the latest tax records).	
5. A letter signed by the record owners of all the affected lots, stating they are in agreement with the request for an adjustment.	
6. Proof of payment of required fee.	
7. Drawings containing the following information. An original and two copies required.	
a. A location map.	
b. The lots affected by the adjustment with sufficient data to determine the exact location, bearing and length of all lot lines.	
c. The names of record owners of lots affected.	
d. The location of the existing boundary.	
e. The location of the proposed new boundary.	
f. The acreage of the lots prior to adjustment and the approximate acreage of the lots after the adjustment.	
g. All easements and their location on all lots affected by the adjustment.	
h. Zoning boundary lines, if located within any lot affected by the adjustment.	
i. Wooded areas, public facilities on or within any lot affected by the adjustment.	
j. The location of any existing or proposed buildings on any affected lot.	
k. Any miscellaneous provisions, covenants, or deed restrictions.	

CHECKLIST FOR DRB BOUNDARY ADJUSTMENT REVIEW

B. Boundary Adjustment Restrictions

1. The area of change shall not be disproportionate to the size of either lot affected, considering all circumstances that the Development Review Board deem appropriate.	
2. If affecting a prior non-conforming lot, the adjustment does not increase the degree of non-conformance.	
3. The boundary adjustment cannot increase the number of buildable lots on either parcel.	
4. The boundary adjustment will not impair or negatively affect third party rights in shared or individually held right of way or easements.	

C. Required Information on Mylar for Boundary Adjustment

1. All of the affected lots.	
2. The adjusted boundary.	
3. The acreage of all affected lots after adjustment.	
4. A location map.	
5. Sufficient data to determine the location, length and course of each lot line.	
6. A title that shall included Boundary and Adjustment: and the names of all record owners of all affected lots.	
7. Any miscellaneous provisions such as easements.	

D. DRB Decision, Conditions and Filings

1. Decision by DRB	
2. Finding of Fact Written and Filed	
3. Conditions Required by DRB	
4. Copies of Decision Sent to Applicant	
5. Copies of Decision Sent to All Interested Persons	
6. Copies of Decision Filed with Zoning Administrator	
7. Copies of Decision filed with the Town Clerk, who Record it in the Public Record.	
8. Proof of final deed restrictions and covenants recorded.	
9. A Mylar and three copies of the final plat were delivered 90 days from the date of the approval. (Delivery of the Mylar to the clerk does not relieve the Applicant of the duty to ensure that the Mylar is executed and filed in the land records within 180 days from the date of the approval.)	
10. Signed Mylar was Filed.	