

# APPENDIX

## **SUGGESTED STEPS FOR A DEVELOPER OF A SUBDIVISION**

Confer with the planning commission and its staff representative to become thoroughly familiar with the subdivision requirements, the major road plan, and other public improvements which might affect the area to be subdivided.

Have a preliminary sketch plat prepared by a reputable engineer or surveyor.

Discuss the preliminary plat with staff representative. This pre-application review by a trained land planner may save the subdivider time and costly revisions, as well as possible savings through better design.

### **WHEN PRELIMINARY APPROVAL HAS BEEN GRANTED:**

See city engineer or designated approving agent(s) for road and utility specifications; contact city or county health officials for septic tank specifications if public sewers are not available.

Develop subdivision according to preliminary plat and required modifications, if any. Install improvements.

Obtain certificates from road and health officials certifying that improvements have been made or that a performance bond has been posted.

Prepare final plat.

Submit final plat to the planning commission for approval. When approved, the planning commission secretary will sign the certificate of approval for recording.

The subdivider now records the plat with the county register's office. The subdivider is now ready to sell his lots.

## ANSWERS TO QUESTIONS OFTEN ASKED ABOUT SUBDIVISION REGULATIONS

1. Are subdivision regulations fair to everyone?

Yes, the written regulations provide the local planning commissions with uniform procedures and standards of design and construction by which to appraise equally and fairly all plats for land subdivision.

2. Who is affected by the regulation?

Every owner of land within the planning region who divides land into smaller parcels, or changes the size or shape of existing lots.

3. Am I affected if I resubdivide my tract into two parcels

Yes, in most cases. "Subdivision" means the division of a tract or parcel of land into two or more lots, sites or divisions for immediate or future sale or building development, and includes resubdivision. (See definition in Article 2.)

4. What's to prevent me from recording a subdivision plat without approval?

The county register of deeds is prevented by law from recording land subdivisions lying within planning regions without final planning commission approval in writing.

5. Can I sell by an unapproved plat and then record my lots by metes and bounds?

No. State law makes it a misdemeanor, punishable by law, to use an unapproved subdivision plat even if metes and bounds description is used in the instrument of transfer or sale.

6. What happens if I sell unapproved and unrecorded lots from my subdivision?

- A state law has been broken (TCA 13-3-410).
- Some cloud would exist on the title to the lot.
- Most lending agencies will not approve or guarantee loans.
- State law requires that public bodies shall not extend sewers, water mains, lighting or other utilities in unauthorized roads.
- Where building permits or zoning are in effect, a building permit to construct any building will be withheld.
- Any building or structure erected in violation may be forced to be vacated or removed.
- The legislative body of a county or municipality may stop sales by injunction or other legal action.

7. What improvements will I need to install in my subdivision?

Most subdivision regulations require the developer to grade and improve roads, install curbs, monuments, sewers, and water mains in accordance with adopted specifications.

8. Why doesn't the lot buyer instead of the developer pay for improvements?

The lot buyer does - at the time he purchases his property. If lots are sold without regulations, often the community bears the expense of providing needed improvements that should have been originally planned for and installed by the developer.

9. Won't subdivision regulations cause expensive development and cost me a lot of money?

Quite the contrary! Properly planned subdivisions make the most of land with a minimum of construction and operating cost. Good design takes advantage of all capabilities of the site and results in a minimum amount of roads and utilities with a maximum number of well-arranged and easier-sold lots. Good land subdivision affects the value of the land and the immediate return to the investor, while saving the developer money.

10. How do I go about having a subdivision approved?

Your local planning commission's printed set of regulations include the procedure for having a plat approved. The planning commission meets at regular intervals and your preliminary plat is submitted in advance of the meeting at which it is to be considered. It is suggested that you consult your planning commission early so as to become familiar with the official plans that might affect your area.

11. What if I wish to lay out a commercial or industrial subdivision?

The provisions of subdivision regulations apply to all subdivision of land, including that for use of business and industry. Since space, parking and service requirements will vary greatly, it is impossible to establish standards for all types of uses. For that reason, specific requirements for lot sizes and area are set forth in detail only for residential areas.

12. Where can I get technical site planning assistance?

Your planning commission will help by recommending several competent subdivision designers who can contribute much to the financial success of your subdivision. Although they will not prepare final plans for you, advice on layout and design is available from the staff of the Local Planning Office of the Tennessee Department of Economic and Community Development.

**PRELIMINARY SUBDIVISION PLAT CHECKLIST**  
(For use with McMinn County Subdivision Regulations)

NAME OF SUBDIVISION \_\_\_\_\_  
LOCATION IN COUNTY \_\_\_\_\_  
OWNER/SUBDIVIDER \_\_\_\_\_  
ADDRESS \_\_\_\_\_ PHONE# \_\_\_\_\_  
SURVEYOR \_\_\_\_\_  
ADDRESS \_\_\_\_\_ PHONE# \_\_\_\_\_  
DATE SUBMITTED FOR PRELIMINARY APPROVAL \_\_\_\_\_  
CIVIL DISTRICT \_\_\_\_\_ ZONING DISTRICT \_\_\_\_\_

\_\_\_\_ Staff Notified (& 6 copies delivered) 15 days prior to meeting for AGENDA inclusion

**PLAT SHOWS CORRECTLY:**

- \_\_\_\_ Name of Subdivision (if different from existing S/D)
- \_\_\_\_ Name, Address, & Phone # of Owner, Subdivider (if different) and Surveyor.
- \_\_\_\_ North Point, Date of Drawing, Graphic Bar Scale (not less than 1" = 100')
- \_\_\_\_ Acreage of Subdivision to Nearest 1/10th acre and Acreage of Area Owned for Future Development.
- \_\_\_\_ Vicinity Map Showing Subdivision Location and Nearby Roads with Road Names.
- \_\_\_\_ Contour Lines at Five (5) Foot Intervals.
- \_\_\_\_ Names of Adjoining Property Owners and/or Subdivisions.
- \_\_\_\_ Boundary Lines of Tract.
- \_\_\_\_ Lots Numbered Consecutively Regardless of Number of Sections or Phases.
- \_\_\_\_ Minimum Building Setback Lines
- \_\_\_\_ Existing Roads, Buildings, Water Courses, Railroads, Culverts Utilities and Easements on and Adjacent to the Subdivision
- \_\_\_\_ Plans of Proposed Utility Layouts (water, sewer, gas, elec.)
- \_\_\_\_ Limit of 100-yr. Flood and Boundary and Elevation of Designated "Floodway."
- \_\_\_\_ Road Cross Section (if required)
- \_\_\_\_ Conforms to General Subdivision Requirements and Minimum Design Standards for Lots and Roads.
- \_\_\_\_ Proposed Design including all Roads with Proposed Road Names, Lot Lines with Approximate Dimensions, Easements, Land to be Reserved or Dedicated for Public Uses, and Land to be used for Purposes other than Single-Family Dwellings.
- \_\_\_\_ Certificate of Tentative Approval.
- \_\_\_\_ Owner or agent has been notified that no sale or agreement to sale shall be conducted until final approval is given on the subdivision.

APPROVED (Date) \_\_\_\_\_ to proceed to Final Plat subject to following modifications: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DISAPPROVED (Date) \_\_\_\_\_ for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNED \_\_\_\_\_  
TITLE \_\_\_\_\_

## FINAL SUBDIVISION PLAT CHECKLIST

NAME OF SUBDIVISION \_\_\_\_\_  
 LOCATION IN COUNTY \_\_\_\_\_  
 OWNER/SUBDIVIDER \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ PHONE# \_\_\_\_\_  
 SURVEYOR \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ PHONE# \_\_\_\_\_  
 DATE PRELIMINARY APPROVAL GRANTED BY MCRPC \_\_\_\_\_  
 CIVIL DISTRICT \_\_\_\_\_ ZONING DISTRICT \_\_\_\_\_  
 DATE SUBMITTED TO STAFF FOR REVIEW AND AGENDA INCLUSION \_\_\_\_\_

### PLAT SHOWS CORRECTLY:

- \_\_\_ Name of Subdivision.
- \_\_\_ Name, Address, & Phone # of Owner, Subdivider (if different) and Surveyor.
- \_\_\_ North Point, Date of Drawing, Graphic Bar Scale (not less than 1" = 100').
- \_\_\_ Acreage of Subdivision to Nearest 1/10th acre.
- \_\_\_ Vicinity Map Showing Subdivision Location and Nearby Roads with Road Names.
- \_\_\_ County Deed Book and Page Numbers for Property being subdivided.
- \_\_\_ Lots Numbered Consecutively Regardless of Number of Sections or Phases.
- \_\_\_ Minimum Building Setback Lines.
- \_\_\_ Correct Sheet Size (20" x 20")
- \_\_\_ Private covenants have been prepared for recording with plat.
- \_\_\_ Limit of 100-yr. Flood and Boundary and Elevation of Designated "Floodway."
- \_\_\_ Bearings and Distance to at least two of the following: Nearest Existing Road Lines, Bench Marks or other permanent monuments.
- \_\_\_ Boundary lines to 1/10th of a foot and Angles to the nearest minute (closure error not over 1/5,000th).
- \_\_\_ Monuments by type and location.
- \_\_\_ Existing Roads, Buildings, Water Courses, Railroads, Culverts, Utilities and Easements on and adjacent to the subdivision.
- \_\_\_ Names, locations of adjoining property owners.
- \_\_\_ Location, Widths, and Names of all Roads within & Connecting to the Property.
- \_\_\_ Sufficient Data Regrading Location, Bearing and Length of every Road Line, whether Curved or Straight.
- \_\_\_ Lot Line Dimensions to Nearest 1/10th foot and Bearings to Nearest Minute.
- \_\_\_ Location of all Water Courses; Location & Size of Needed Drainage Structures.
- \_\_\_ Maintenance Bond has been furnished by developer.
- \_\_\_ Owner's Certificate and Dedication.
- \_\_\_ Surveyor's/Engineer's Certificate.
- \_\_\_ Block with Signatures of:
 

___ Health Department	___ County Road Department
___ Road Status	___ Planning Commission
___ Director of Finance	
- \_\_\_ Required Physical Improvements Have Been Made OR Bond Posted in Amount of \$ \_\_\_\_\_ to Cover Cost of: \_\_\_\_\_

APPROVED (Date) \_\_\_\_\_ for recording: \_\_\_\_\_  
 VARIANCES GRANTED: \_\_\_\_\_  
 DISAPPROVED (Date) \_\_\_\_\_ for the following reasons: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_