

ARTICLE 11

PROCEDURE FOR FINAL PLAT APPROVAL OF A SUBDIVISION

Section 11.01. Application for Final Plat Approval. After the preliminary plat of a proposed subdivision has been given tentative approval by the Planning Commission, the subdivider may, within one (1) year from tentative approval, submit to the Planning Commission at least fifteen (15) days prior to the next regular meeting of the planning commission for agenda inclusion, the following:

- a. Notification requesting review and approval of a final plat, giving the name and address of the person to whom the notice of the hearing by the Planning Commission on the final plat shall be sent; and
- b. Five (5) copies of the final plat and other documents, as specified in Article 12, plus the original which shall be drawn in permanent ink on permanent reproducible material, equal to the standards required by the County Register. Signatures and the required certifications shall not be placed on the reproducible copy, but on all five prints of the plat.

NOTE: The five (5) copies required here would provide: 1. one (1) original plat to be recorded in the files of the County Register, 2. One (1) copy of the records of the Planning Commission; 3. One (1) copy for the governing body; 4. One (1) copy for the County Engineer; and 5. One(1) copy for return to the subdivider with inscriptions of the Planning Commission.

Section 11.02. Review of Final Plat. The Planning Commission shall check the final plat for conformance with the tentatively approved preliminary plat, and with the rules and regulations of this document, and shall afford a hearing on the final plat, notice of the time and place of which shall be sent by the Secretary of the Planning Commission by registered or certified mail to the person designated in the letter requesting final review and approval, not less than five (5) days prior to the date of the hearing.

Thereafter, the Planning Commission shall approve or disapprove the final plat. A notation of the action of the Planning Commission shall be made on the original drawing and all copies of the final plat, including a statement of the reasons for disapproval if the plat is disapproved. If action on a final plat is not taken by the Planning Commission within sixty (60) days of the date of submittal, the final plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.

Section 11.03. Procedure for Expeditious Certifications of Minor Subdivisions. A developer or property owner who wishes to divide a tract or lot into four (4) or less lots, all of which will have the required access to a publicly-maintained road, and does not involve any new roads or extensions of public water or sewer, may prepare a combined preliminary and final plat which meets all of the platting requirements and submit it to the McMinn County Regional Planning Commission. Provided there is no request for, or need for a variance of any type, and does not involve any new road construction or

additional utility installations, both the preliminary and final plats can be approved at the same planning commission meeting provided all platting requirements, including soils test, are met.

Section 11.04. Requirements for Subdivisions in Previously Approved Subdivisions. If any one lot in a previously approved and/or recorded subdivision is being further resubdivided into two (2) or more lots, the following conditions shall be met.

- a. It shall be the responsibility of the property owner or developer to research and obey any and all legal restrictions, public or private, controlling the use of said property.
- b. A final plat shall be prepared that meets those minimum standards required of such by these regulations.
- c. A vicinity map showing the location and acreage of the property in relation to the existing subdivision shall be included on the plat.
- d. The name of the existing subdivision shall be utilized and it shall state this resubdivision is an "amended" version.
- e. There shall be a note on the plat citing the plat book and page number(s) of the original subdivision plat as filed in the County Register of Deeds Office.
- f. Any pre-existing restrictions, applying to the land or deed, shall be noted on the plat and a copy of these restrictions shall accompany the plat.

Section 11.05. Recording of Final Plat. Upon approval of a final plat the developer shall have the final plat recorded in the office of the McMinn County Register of Deeds.

Section 11.06. Acceptance of Road Improvements By County Commission.

- a. The required public improvements shall be accepted by the county when the following steps are met.
 1. Construction is completed.
 2. The Highway Commissioner conducts a final inspection and determines the construction is satisfactory.
 3. A maintenance bond is furnished as described in item "b" below.
 4. The Highway Commissioner makes a recommendation to the county commission.
 5. The county commission approves a resolution accepting the public improvements.

- b. All improvements, whether constructed by the developer or by the county using the developer's bond, shall have a maintenance bond to pay for any repairs during the first eighteen (18) months after construction.
1. The county agrees to attempt to contact the developer prior to making any repairs, unless these repairs are deemed by the county to be of an emergency nature, to give the developer an opportunity to make the repairs prior to calling the bond.
 2. The maintenance bond shall cover 40 percent of the value of all road and drainage improvements.
 3. The bond shall be released upon expiration of the required time, with a final inspection by the Highway Commissioner, a favorable recommendation by the county attorney, and approval by the county commission.