

## **TRACT-SPLIT GENERAL REQUIREMENTS**

- Only one residence allowed per septic system; existing systems require designated future drain field area.
- If connecting to public sanitation system, must also connect to public water system.
- Minimum acreage for septic system is 1.0 acre as a 'rule of thumb'. ADH advises enough area for the structure(s), primary septic field area, and secondary septic field area; all within the required setbacks and distances from wells, streams, property lines, etc.
- Any time that 1 parcel of land is split into 3 or more tracts AND *any* of those tracts are less than 3 acres AND will use septic systems, then such land divisions **meet the definition of a subdivision** according to the Arkansas Department of Health and requires submission of plans to their agency.
- Prior to issuance of building permit, a septic design system must be approved by the ADH.

Each lot affected by a lot split or property line adjustment must meet the zoning requirements for that district. You cannot alter a lot in such a way that would create Code non-compliance including required lot width and size, setbacks, or buildable area, etc. Dedication of easements is also required in most cases. If a zoning requirement cannot be met, then a Variance must be requested via Application/fee and obtained from the Board of Zoning Adjustment (Note – need for a Variance could result in delay of or extend time for approval). If a subdivision requirement cannot be met, Application shall include a written Waiver request. A rezone may be required if the tract-split creates lots that do not adhere to minimum lot size requirements of the current zoning.

A survey must be prepared by a registered land surveyor. The lot split application and four (4) copies of the drawing are to be submitted to the City of Centerton. The planning staff will determine if administrative approval can be given, or if approval must be obtained from the Planning Commission. The plat will be distributed to City Staff for their review and comment. If the property is located in the county but within the Centerton Planning Area, a copy of the plat will be sent to Benton County agencies for their review and comment.

Upon addressing all comments, the applicant will then submit six (6) Final original plats for recording purposes. The plats will need to be stamped and signed by the surveyor and signed by the property owner(s) and notarized. City approval signatures will be obtained by the Planning Department. The owner will be responsible for all recording fees & costs.

The following is a summary of the items, which constitute a Lot Split/Property Line Adjustment submittal.

### **SUBMITTAL REQUIREMENTS: (Please check all that apply and return with Application)**

- Completed Lot Split/Property Line Adjustment application form; include copy of completed "Plat Drawing Checklist".
- Submit fee of \$250. NOTE: This Application Fee now includes engineering review costs associated with the project per Ordinance No. 2022-62 Amended Section 13.05.01, effective September 12, 2022. Recording Fees will be invoiced, as applicable.
- Four (4) paper copies and one (1) digital file of tract split/property line adjustment plat. Submittals shall meet requirements for plat drawing as follows.
- If ROW and/or Easement dedications apply - 1 digital copy of an absolute accurate legal description for each tract in Word format.

**PLAT DRAWING CHECKLIST: (Please have Surveyor complete checklist and return with Application)**

All Lot Splits/Property Line Adjustments shall comply with the “Arkansas Standards of Practice for Property Boundary Surveys and Plats”, latest revision, and following requirements. Plat area shall fit on one or more 18” x 24” standard sheets, and shall include the following information:

- Scale. Plat shall be drawn at a scale not smaller than 1” =100’ and must clearly depict all necessary and required information in a clear, organized, and legible manner, as determined by Planning Director.
- Name, address, telephone numbers of the record owners, applicant, and design professional that prepared the plat.
- Property lines and Parcel ID labels, including owners of all properties adjacent to the exterior boundaries of the parent parcel(s). If there is an existing structure on the property, provide the 911 address.
- North arrow with basis of direction and bar scale. When the basis of direction is referenced to the Arkansas Coordinate System, NAD83 Grid, a note shall be included to list convergence Angle at a specified point. If distances have been converted to ground, the Combination Adjustment Factor at a specified point shall be noted.
- Date of survey, date of plat/drawing preparation, zoning classifications, lot width and area requirements, setbacks, and proposed use.
- A general vicinity map showing the location of the project within the City with a radius of 1 mile.
- Wetlands and Flood Areas. Notes regarding whether any **wetlands and flood areas** exist on parent parcel(s), including any wetland determinations in progress. Flood areas shall include base flood elevation (BFE), when applicable, and reference FIRM panel number and effective date and method of location. **Each lot that is entirely or partially within a flood hazard area shall be designated as being flood prone.**
- Title Block, indicating the name and type of project and name of firm and individual who prepared the drawing, with revision block and correct date.
- A complete and accurate legend for all symbols used on drawings.
- Boundary survey, shown on the plat drawing or a separate drawing. The Surveyor shall seal, sign and date the survey. Lot boundaries shall show distances in feet and directions by bearings reading clockwise. When circular curves are platted, the following four (4) curve elements shall be shown: radius, arc length, chord bearing, and chord distance. Monuments or references bearing the license number of the responsible surveyor for found or to be set pins/corners. Tract, or lot lines that cross existing/proposed right-of-way lines shall also be monumented at the point of intersection. As-Recorded and As-Surveyed data shall be shown whenever differences are identified.
- Point of Commencement from a permanent, well defined reference point, such as a ¼ section corner/monument.
- If known, Arkansas State Plane, North Zone, NAD83 Grid coordinates shall be labeled on at least two corners of the Parent Tract.
- Ties to corners, monuments, corner accessories and other relevant witness information, which control the location of a boundary or corner, the surveyor’s basis for acceptance thereof, and the originating source of monuments or accessories.

- Easements: Show width, location, and purposes of all existing and proposed easements for drainage, utilities, flood control, conservation, and all other public purposes within and adjacent to the parent tract(s). If an easement is blanked or indeterminate in nature, a note to this effect shall be placed on the plat or plan. An Abstract parcel search may be needed to verify existing encumbrances.
- Reasonably observed encroachment and possession lines.
- Show and label type/dimension of monuments found or set during the course of the survey and I.D. #.
- Site Benchmark tied to a specific, defined Datum, when buildable lots are created by survey.
- Written boundary or survey legal description using a common point of commencement, reading clockwise, for all tracts involved in the Lot Split/Property Line Adjustment, including area in square feet and acres.
- Show all applicable site improvements, including dwelling, building, structures, and site elements such as property line fences, walls, wells & well houses, septic tank, clean-outs, location of existing lateral line fields to extent plottable, existing water & sewer lines (above ground or visible utility features), existing easements, proposed easements and all other matters of record. If existing septic is based on ADH Permit, show & dimension approx. location for alternate lateral- line field. {ref BC 5.4.4 (9 & 10)}
- Street right-of-way lines, including for the City/County/AHTD, with centerlines dimensioned, include basis (e.g., Deed, prior plat, prescriptive, etc.). Show all physical features-dimensions-labels within full ROW and pavement Centerlines, type/edges, across frontage of parcel. For County & AHTD basis for ROW.
- If Right- of- way is not being dedicated, show future planned Right-of-way per the Master Street Plan, County and AHTD requirements.
- Easement grants if required. If Public easements are being dedicated per plat, add approval signature for City acceptance as shown in example on Page 6.
- Do all tracts in proposed land division/split have minimum required 60-ft frontage on public roads (ingress/egress)?
  - Yes**—clearly Indicate future planned Right-of-Way per the Master Street Plan.
  - No**— If no public road frontage, provide minimum 30-ft Access Easement plus 15-ft contiguous Utility Easement, labeled “Restricted for Use by Lot\_\_\_\_\_” [pipe-stem lot]. (Land locked Tracts CAN NOT BE CREATED; all parcels shall have adequate access to public roadways meeting local & Fire Code requirements.)
- For properties in the County, add note: **“Benton County will not accept for maintenance any roads or infrastructure that are platted or filed for record in which a certificate of approval for Benton County Judge is not provided.”**
- Are existing habitable buildings on parent tract connected to Septic or Sanitary Sewer?
  - Existing septic system** — Require letter from the AR Dept. of Health that the existing septic system is operational by state standards or that the property is conducive for septic. Entire septic system & lateral line field must be fully contained on tract and at least 10-ft from property line, with provision for future drain field (*see ADH requirements for secondary or alternate lateral line fields*).
  - Existing public sanitary sewer** — Add the following note to the plat in LARGE BOLD PRINT:  
**“Sanitary Sewer is available within 300ft of platted property; all new development shall connect to the available public sewer system and water service.”**
- If public sewer is NOT available, and any development upon new lots will require plumbing, add the following Statement of Non-Assurance from State Health Dept when vacant parcels are being created: **“Approval of this plat does not carry any assurances that the tract(s) will qualify for a septic system**

permit from the AR Department of Health." {ref BC 5.4.4 (11)}

- Statement of Non-Buildability; ADD following statement: "**Approval of this plat does not in any way indicate that any of the tracts on this plat are buildable according to the Planning Regulations of (Benton County and) the City of Centerton, nor an endorsement by the (Planning Board and) Planning Commission of said buildability of said lots.**" {ref BC 5.4.4 (12)}
  
- Do all tracts in the proposed land division/split have access to public water utility connection?
  - Yes**—Show on plat approximate location of Water Main & Size for connection(s) to be made, and Name of Utility of jurisdiction; *IF Parent parcel connected currently, also show Water Meter location.* ADD note to Plat: "**These tracts have access to public water system connection.**"
  - No**—Add the following note to the plat: "**This property is not serviced by nor have access to a public water system connection at this time.**"
  
- Signature Block per Centerton Requirements. See examples on page 6. **Note: If no dedication of easements or public rights-of-way is being made, revise owner statement to omit and do not include signature approval block for City Council (Mayor and City Clerk).**

**RECORDING REQUIREMENTS:**

Benton County Recorder Block – 2" H x 3 ½" W un-bordered space in upper right corner of plat.

**APPLICANT / REPRESENTATIVE** (*Select One*): I certify under penalty of perjury that the foregoing statements and answers herein made, all data, information and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incomplete, incorrect, or false information is grounds for invalidation of the application. I understand that the City may not approve my application or may set conditions on approval.

Applicant/Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**PROPERTY OWNER:** I certify under penalty of perjury that I am the owner or duly authorized agent of the property that is the subject of this application and that I have read this application and consent to its filing. **(If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his/her behalf.)**

Property Owner/Authorized Agent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

