

WASHINGTON COUNTY, ARKANSAS **EXEMPTION CHECKLIST**

(If you have questions about any of the following information, someone in the Planning Office will be glad to answer your questions!)
Contact us at 479-444-1724

- ❑ **Exemption Application completed to the best of your knowledge.**
- ❑ **Five-original surveys (one for the Circuit Clerk, one to be returned filed to the Planning Office, the remaining for your purposes). You may bring more copies if you would like us to stamp them.**
- ❑ **Two-8 ½ x 11 original-reduced surveys (one for the Planning Office, one for the Circuit Clerk).**

Your survey must include:

- All parcels that are less than 20 acres (you may include those that are larger). **Please note that your survey is not required to show remainder tract (defined as the tract retained by the owner of the property who is seeking the split) unless the tract is less than 5 acres in size. However, a new legal description is required for this tract.*
- **The original legal description of the property and the legal descriptions of the new parcels being created.**
- **Building setbacks:** (please depict these as lines on the survey- as well as text):
 - **20' from the rear property line,**
 - **10' from the side property line(s), and**
 - **25' from the front of the property and from any road right-of-way (ROW)- this 25' front/ROW setback must also be dedicated as a Utility Easement (UE).**
 - **If in a city planning area, setbacks may be varied based on that city's requirements.**
- ❑ **Appropriate Processing Fee:** \$15.00 if the property is within a planning area, or \$25.00 if the property is located solely in the county. (If you are not sure, contact the planning office).
- ❑ **If your property is located in a planning area, please bring proof of approval from that city** (a letter from the city or the approval stamp on the surveys). (If your property is located in the City of Farmington's Planning Area, contact the Planning Office. There is an inter-local agreement effective for this area that may affect your split.)

**WASHINGTON COUNTY, ARKANSAS
EXEMPTION APPLICATION**

(If you do not know some of the information asked for, someone in the Planning Office will be glad to help you!)
Contact us at 479-444-1724

- Check one:** Family Lot Split (b)(1) Division into 40 acre tracts (b)(2) Division into 4 parcels (b)(3)
 Lotline Adjustment (b)(4) Court-ordered Split (b)(5) Cemetery Purposes (b)(6)
 Street Widening/Easements (b)(7) Mortgage Split (b)(8) Public Services (b)(9)
 Corrections (b)(10) Planning Area Split (b)(11) Other _____

Property Owner: _____ **Email:** _____
Address: _____ **Phone:** _____

Applicant (if different): _____ **Email:** _____
Address: _____ **Phone:** _____

I certify under penalty of perjury that I am the owner of the property that is the subject of this application or I am the owner's authorized agent and consent to its filing. (check one) owner agent
Signature of Property Owner or Agent: _____ **Date:** _____

Property Information:
Tax Parcel Numbers: _____
Total Acreage of Property: _____ **Total Number of Lots/Parcels Proposed:** _____
Acreage of Proposed Lots/Parcels: _____
Planning Area: _____ **School District:** _____

Road Information:
U.S., State, or County road # giving access to property: _____
Public Road, Private Road (certain restrictions may apply), or Residential Drive: _____
Road surface (asphalt, gravel, unimproved, etc.): _____ **Right of way width:** _____

Utility Information:
 Water company name: _____ Electric Company name: _____
 Gas company name: _____ Telephone company name: _____
 Cable company name: _____ Sewer System / Septic: _____

If (b)(1) Family Lot Split:
Name of Person Receiving Property Relationship to Property Owner Road Frontage/Easement Acreage

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OFFICE USE ONLY:
Quorum Court District: ____ **City/Planning Area Approval Date:** _____
Section: _____ **Township:** _____ **Range:** _____
Floodplain: yes no **If yes: Map #:** _____ **Floodplain type (A, AE, etc.):** _____
Current Zoning: _____

Sec. 11-79. Exemptions.

(a) The intent of these exemptions is to achieve the following:

- (1) To balance private and public interests;
- (2) To expedite the review and approval process for subdivisions that may have a low impact on public resources, facilities, and services and/or the need for them;
- (3) To expedite the distribution of land among family members;
- (4) To promote safety;
- (5) To monitor the growth and development of the county;
- (6) To ensure proper legal descriptions, identification and recordation of subdivided land boundaries; and
- (7) To protect natural resources.

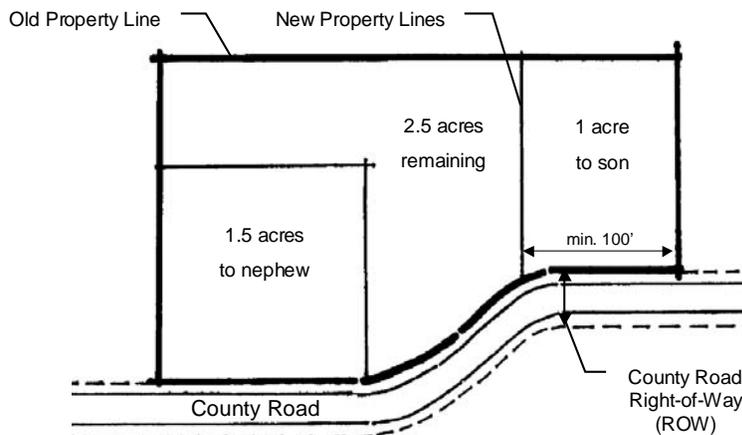
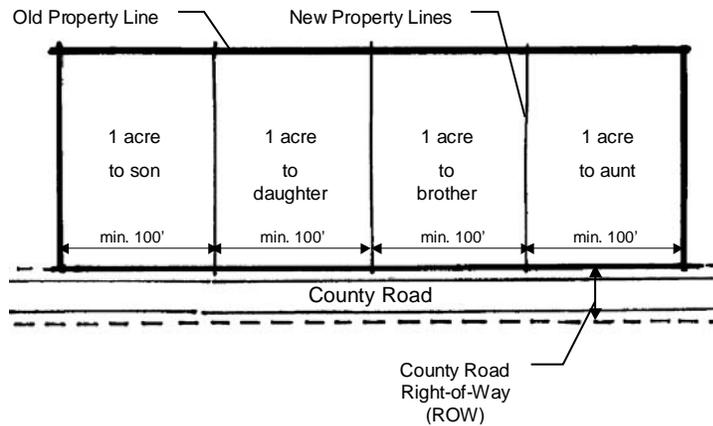
All Exempt Splits are subject to rules found in d.

(b) The following are exempt from the provisions specified in the county development regulations:

- (1) The division of land into parcels for the purpose of selling or donating the parcels to family members. Only one (1) such division shall be allowed per family member and all parcels must be at least one (1) acre in size.

This exemption is subject to rules found in c

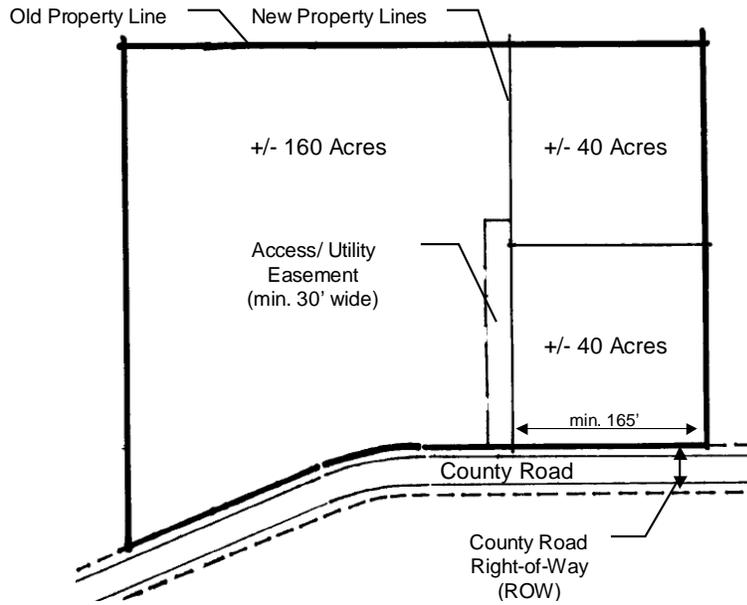
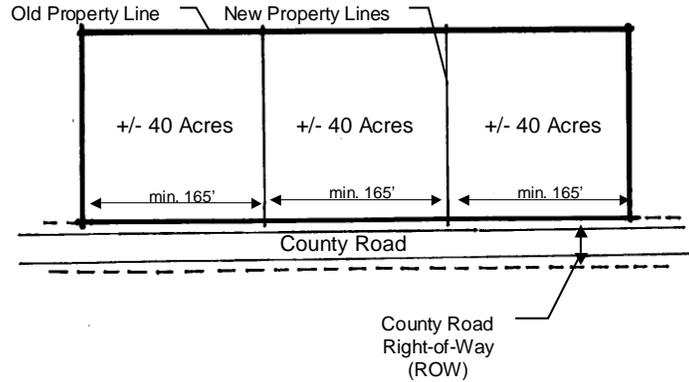
EXAMPLES:



- (2) The division of land into an unspecified number of tracts, each of which are at least forty (40) acres, more or less, in size.

This exemption is subject to rules found in c

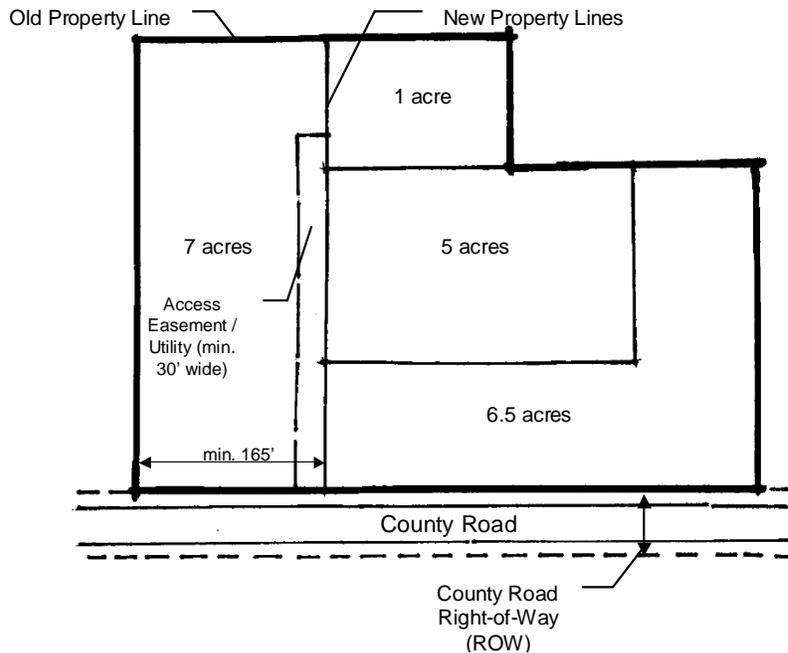
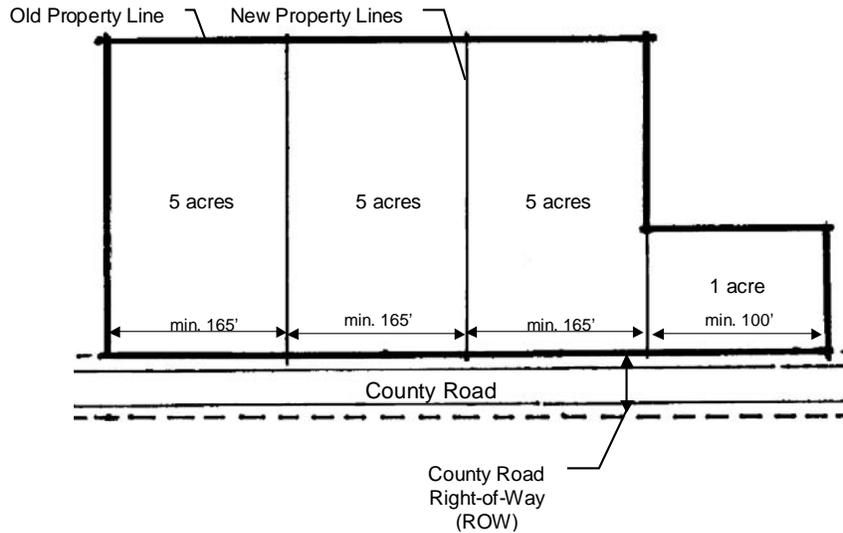
EXAMPLES:



- (3) The division of land into four (4) parcels, three (3) of which must be at least five (5) acres, and one which may be at least one (1) acre. Previous divisions for family members shall not be counted toward the four parcels exempted in this section.

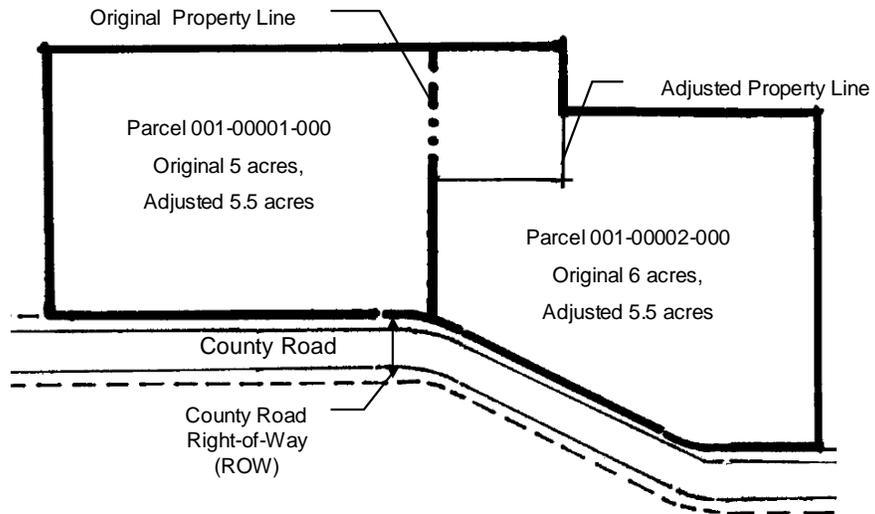
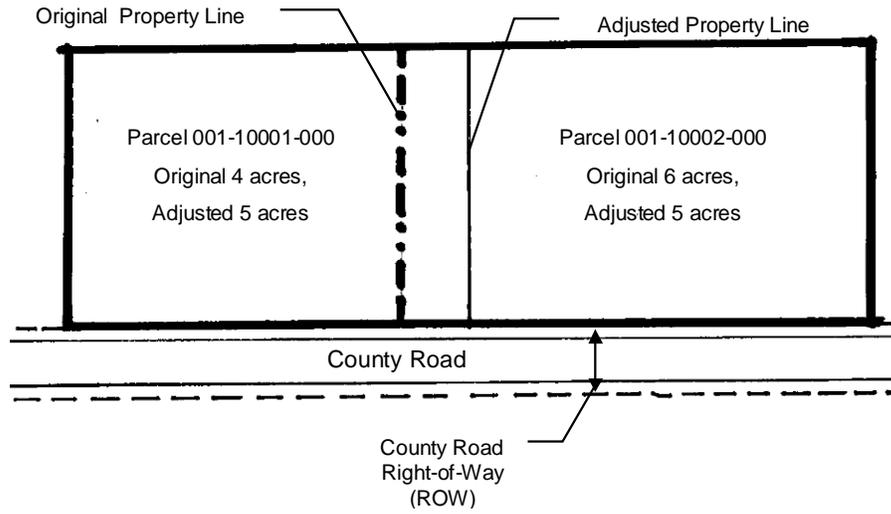
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EXAMPLES:



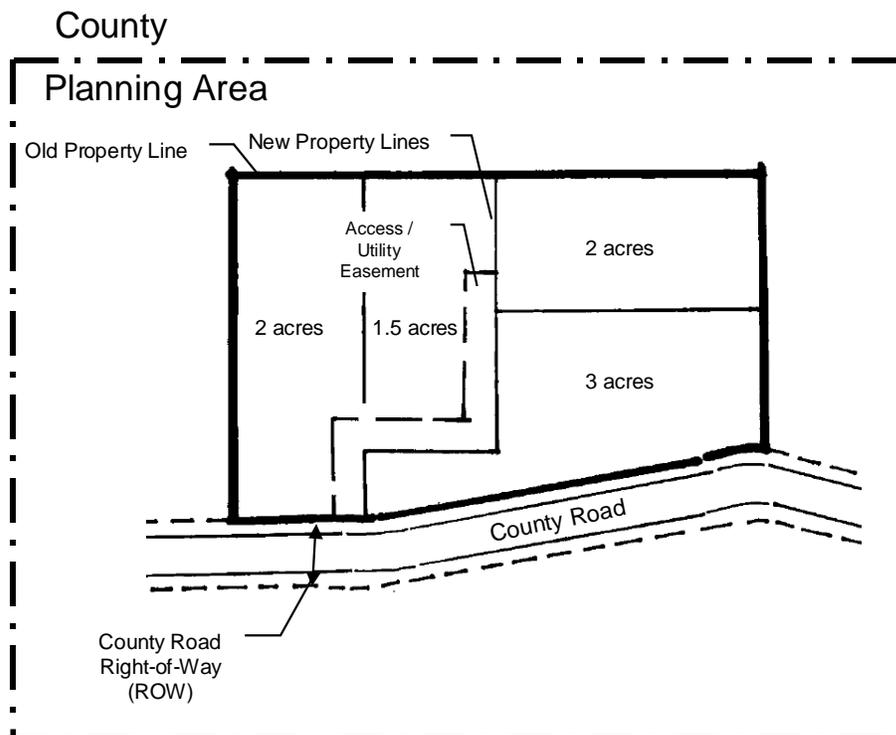
- (4) The division of land for the sale or exchange of tracts between adjoining landowners, where such sale or exchange does not create additional lots.

EXAMPLES:



- (5) The division of land which may be ordered by a court.
- (6) The division of land which is to be used for cemetery purposes, and the division of land to create burial plots in a cemetery.
- (7) The public acquisition of strips of land for the widening or opening of streets and/or easements.
- (8) The transfer of an interest in land for mortgages, liens or deeds of trust provided that the division of land is not the result of a seller-financed transaction.
- (9) A division of land for the purpose of conveying a parcel(s) to a public service, nonprofit organization.
- (10) A conveyance made to correct errors in prior conveyances.
- (11) The division of land creating no more than four (4) lots, regardless of size and public road frontage, that is in a territorial planning area pursuant to Ark. Code Ann. § 14-56-413 and has been approved by the Planning Commission of the appropriate city.

EXAMPLE:

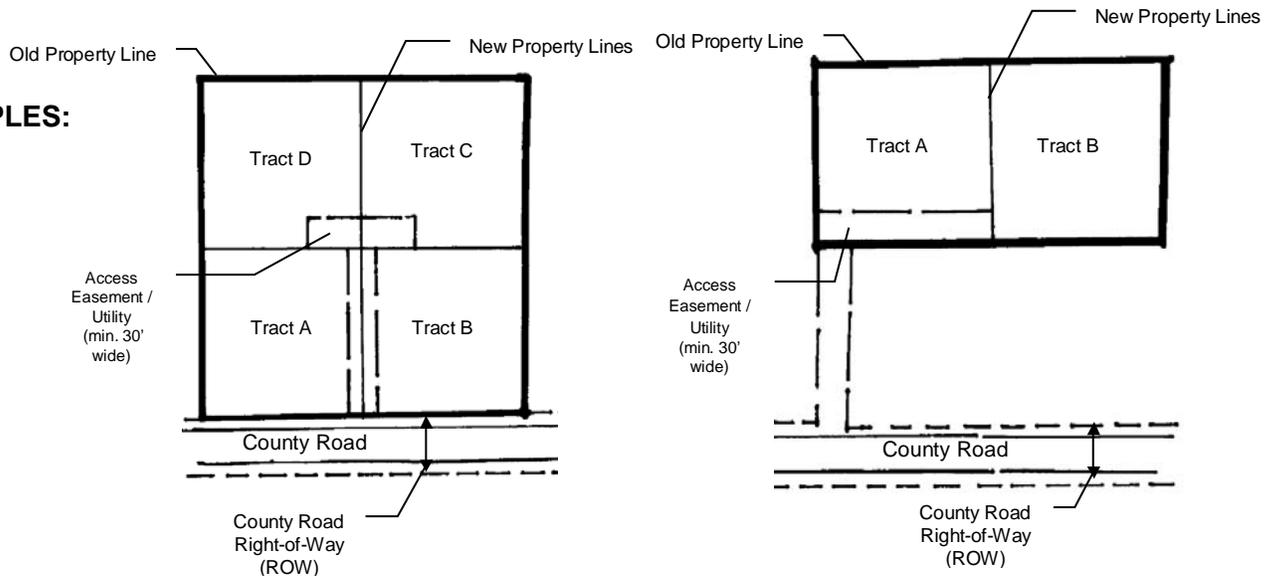


(c) Exemptions (1) through (3) above are subject to the following:

- (1) Owners are not required to improve, maintain or dedicate right-of-way along existing public roads, except that the County Road Superintendent may set the standard for drainage tiles. There shall be a deed restriction with each land conveyance stating that no new improvements will be constructed on any new or existing parcels within a sufficient distance (as determined by the County road plan) from the centerline of any existing public road to accommodate future road improvements.

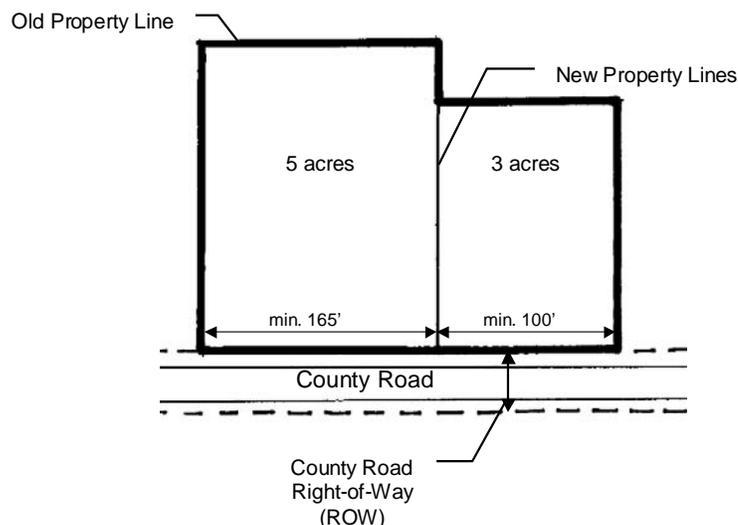
- (2) Only two (2) parcels may be created without public road frontage. Parcels not fronting a public road must be connected to a public road with an easement for ingress, egress and utilities. The easement must be a total width of thirty (30) feet, and can be a shared easement (see the definition of "shared easement").

EXAMPLES:



- (3) Parcels fronting a public road must have at least one hundred (100) feet of frontage if they are less than five (5) acres in size, and at least one hundred sixty-five (165) feet of frontage if they are five (5) acres or greater in size.

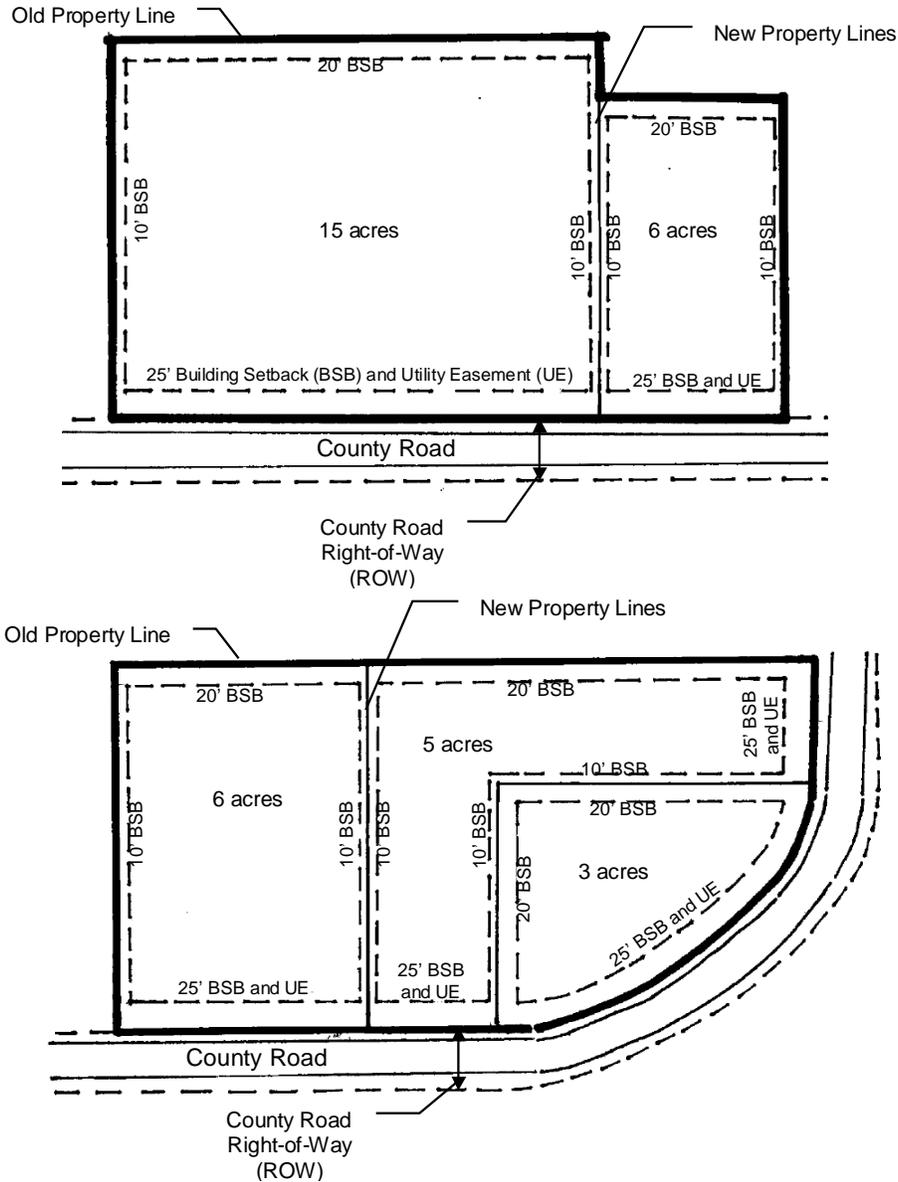
EXAMPLE:



(d) Ordinance 2006-74: **A survey is required for lots less than 20 acres.** **Please note that your survey is not required to show the remainder tract (defined as the tract retained by the owner of the property who is seeking the split) unless the tract is less than 5 acres in size. However, a new legal description is required for this tract. Setbacks must be shown* (please depict these as lines on the survey-as well as text):

- 20' from the rear property line,
- 10' from the side property line(s), and
- 25' from the front of the property and from any road right-of-way (ROW)- this 25' front/ROW setback must also be dedicated as a Utility Easement.
- *If in a city planning area, setbacks may be varied based on that city's requirements.*

EXAMPLES:



Before a transaction can be considered exempt, such must be approved by the Planning Administrator.

(Ord. No. 98-10, Art. 1, 3-12-98; Ord. No. 99-9, Arts. 1, 2, 3-11-99; Ord. No. 99-32, Art. 1, 7-8-99; Ord. No. 2002-34, Art. 1, 9-12-02)