

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 FAMILY LOT SPLIT

(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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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: _____

Planning Area Contacts

January 12, 2011

Elkins – Planning Contact: Don CrYder ~ (479) 643-3696
Mayor Bruce Ledford ~ (479) 643-3400

Elm Springs – Planning Contact: Craig Hull ~ (479) 273-5454
Mayor Ben Wall: (479) 248-7323

Farmington – Planning Contact: Melissa McCarville ~ (479) 267-3865
Mayor Ernie Penn ~ (479) 267-3865

Fayetteville – Planning Contact: Jeremy Pate, Jesse Fulcher, Dara Sanders, or
Andrew Garner ~ (479) 575-8267
Mayor Lioneld Jordan ~ (479) 575-8331

Goshen – Planning Contact: Terri Graham ~ (479) 443-9128
Mayor Joe Benson ~ (479) 443-9128

Greenland – Planning Contact: Michael Moore ~ (479) 871-3473
Mayor Bill Groom ~ (479) 871-3473

Johnson – Mayor Lonnie Barron ~ (479) 521-7291

Lincoln – Planning Contact: Barbara Barker ~ (479) 824-3321
Mayor Rob Hulse ~ (479) 824-3321

Prairie Grove – Planning Contact: Jackie Baker ~ (479) 846-3038
Mayor Sonny Hudson ~ (479) 846-3038

Springdale – Planning Contact: Patsy Christie ~ (479) 750-8550
Mayor Doug Sprouse ~ (479) 750-8114

Tontitown – Mayor Tommy Granata ~ (479) 361-2700

West Fork – Mayor Frances Hime ~ (479) 839-2342

Winslow – Mayor Randy Jarnagan ~ (479) 634-3901

Questions? Contact the Planning Office!

Operations & Maintenance Center, 2615 Brink Drive, Fayetteville, AR 72701
Phone (479) 444-1724. Fax (479) 973-8417. <http://www.co.washington.ar.us/>

Lot Split Procedure: Farmington Planning Area

The applicant brings a drawing of a potential lot split within the Farmington Planning Area to the City of Farmington for Review. The Farmington City official will determine whether lot is located within or outside one mile of the city limits, and whether or not it qualifies under Farmington standards as a lot split or subdivision.

If the Parcel is more than 1 mile from Farmington City limits and qualifies as a lot split under Farmington Regulations, see below.

Applicant obtains letter from City official stating such, and proceeds to County to be processed solely under County Regulations.

County lot split regulations differ from Farmington's. Depending on the number of previous splits, and acreage of the property, the transaction may qualify for a split or a Subdivision under County Regulations.

If the Parcel is more than 1 mile from Farmington City limits, but does NOT qualify as a lot split under Farmington Regulations, see below.

Applicant must proceed through Farmington for review, and then through the County.

If proposed subdivision/ split is 4 lots or less, then this review will be administrative through the County. If the split is more than 4 lots, the transaction shall be processed through County Subdivision regulations, as well.

If the Parcel is less than 1 mile from the Farmington City limits, see below.

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.

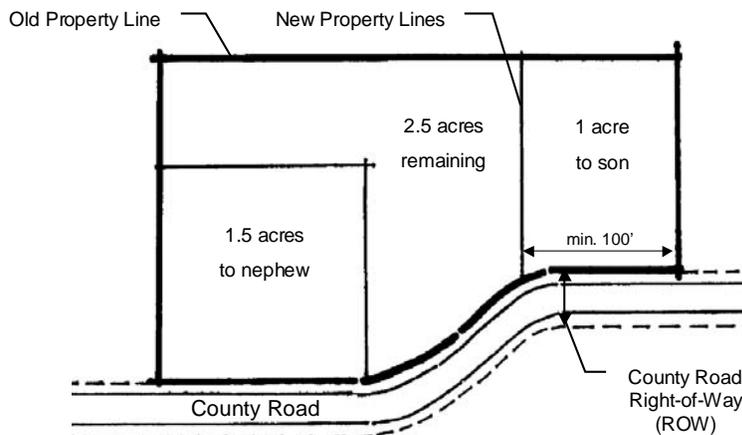
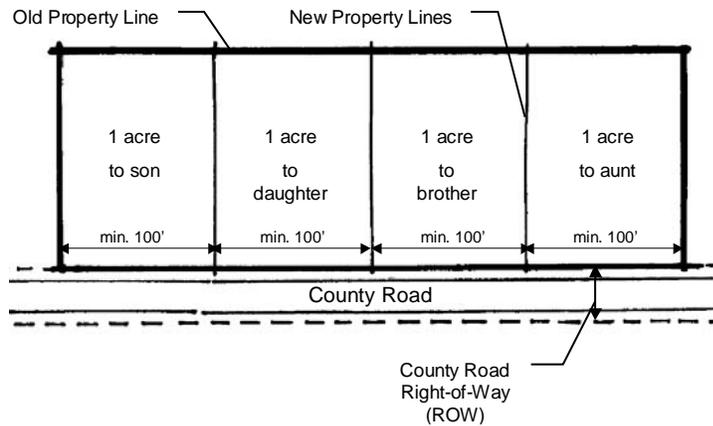
All Exempt Splits are subject to rules found in d.

(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

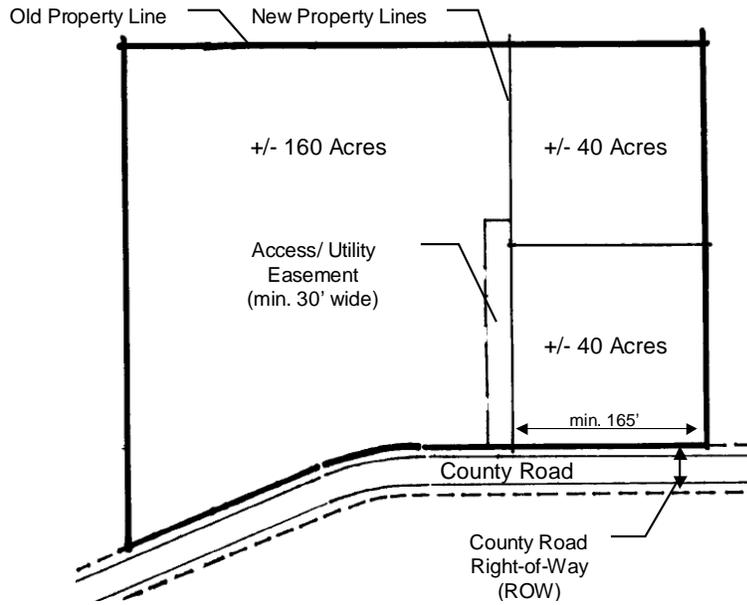
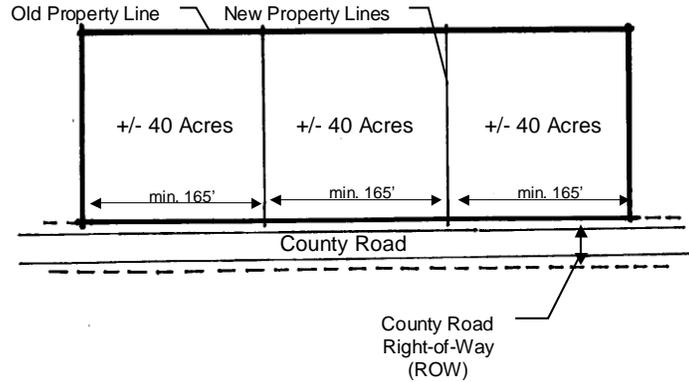
EXAMPLES:



- (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

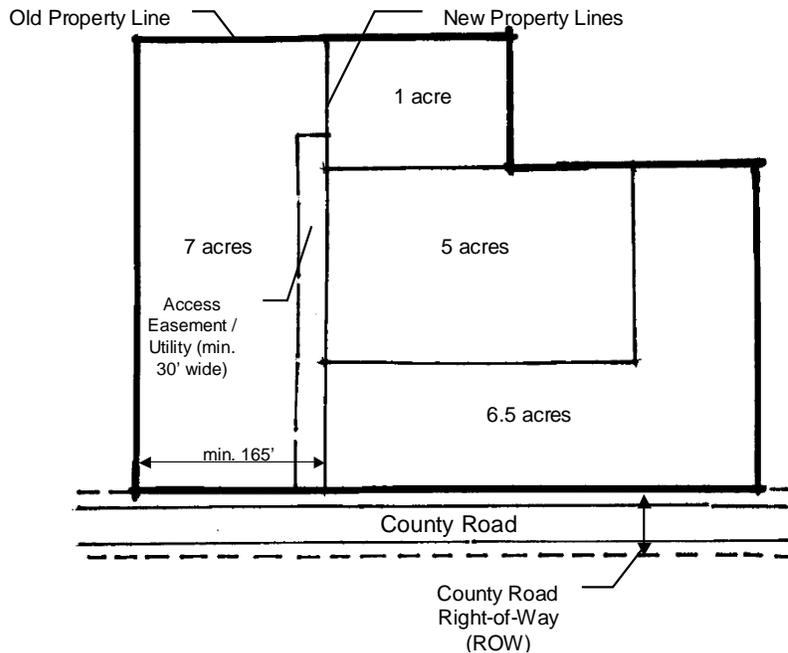
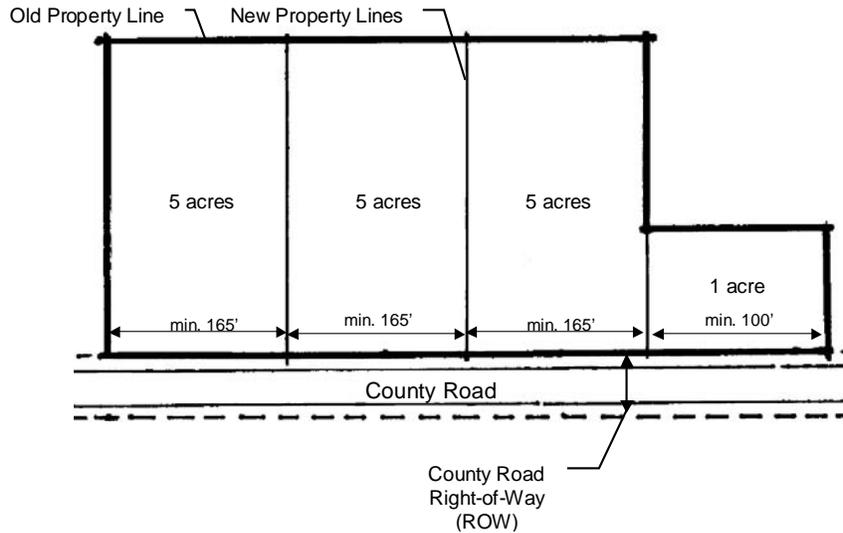
EXAMPLES:



- (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.

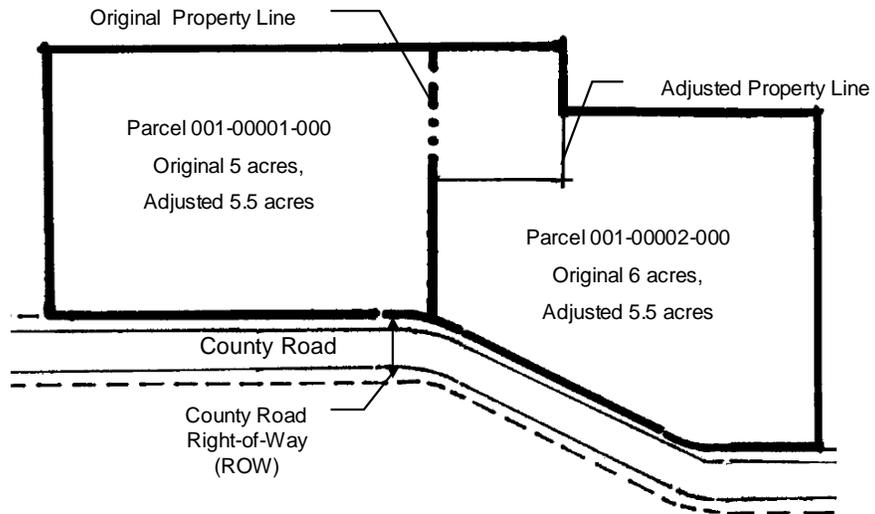
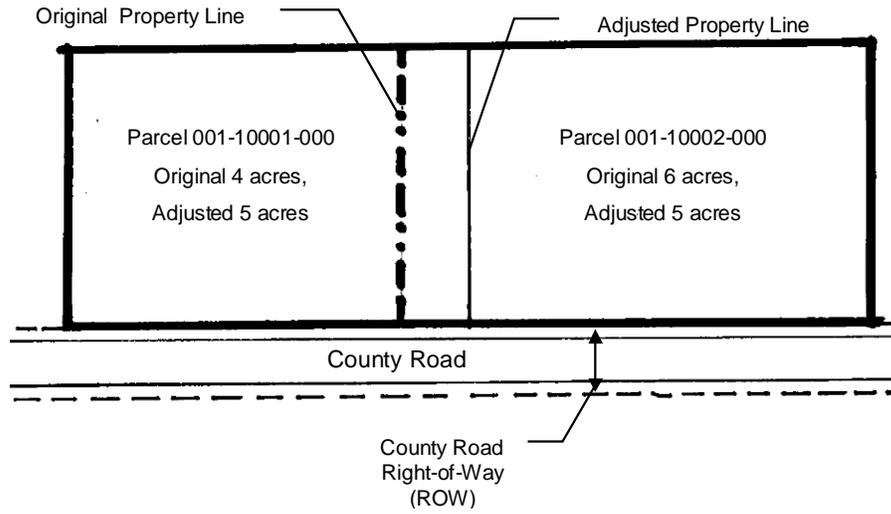
This exemption is subject to rules found in c

EXAMPLES:



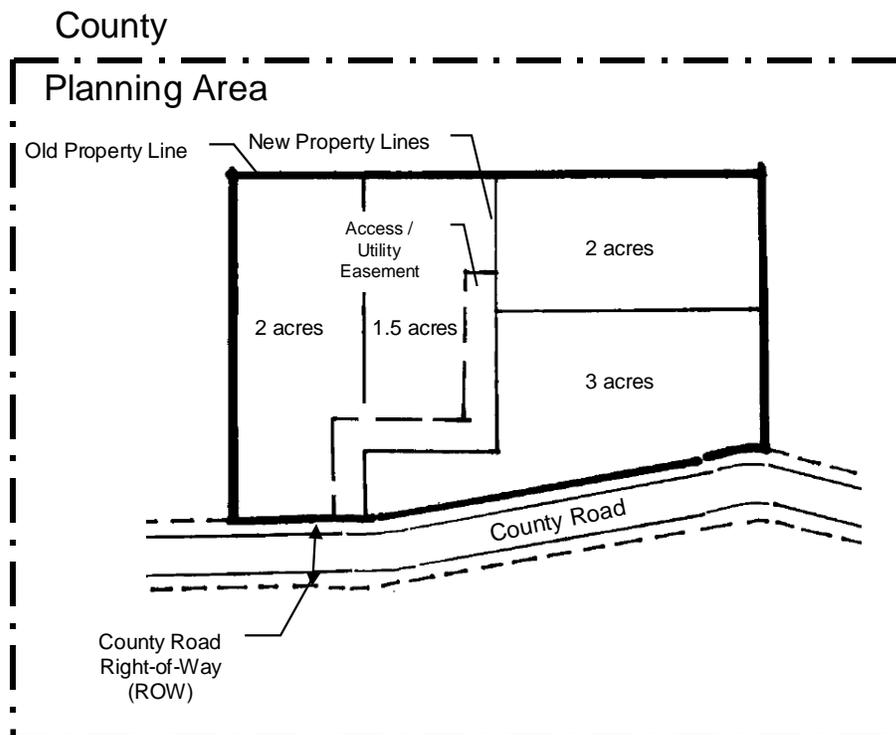
- (4) The division of land for the sale or exchange of tracts between adjoining landowners, where such sale or exchange does not create additional lots.

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:

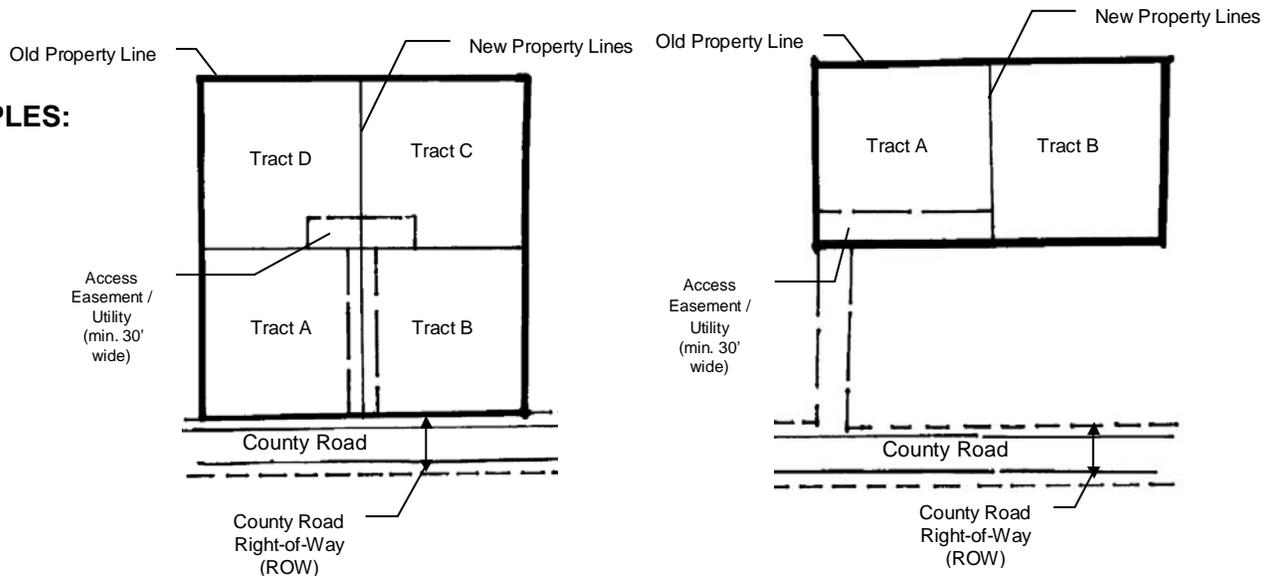


(c) Exemptions (1) through (3) above are subject to the following:

- (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.

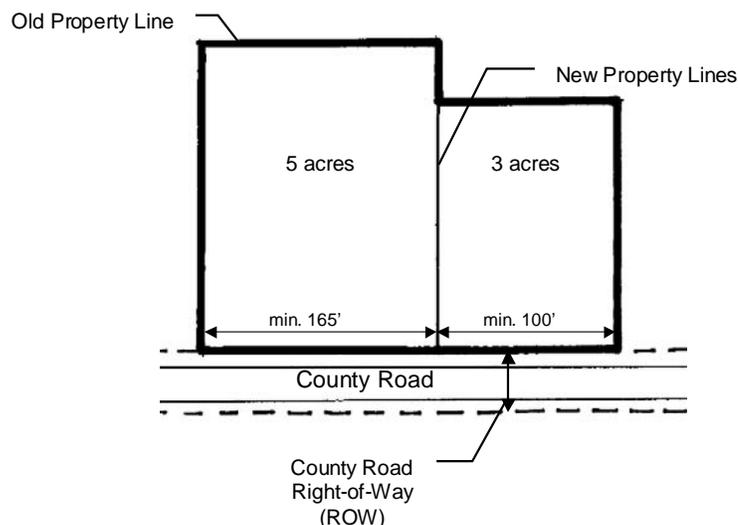
- (2) Only two (2) parcels may be created without public road frontage. Parcels not fronting a public road must be connected to a public road with an easement for ingress, egress and utilities. The easement must be a total width of thirty (30) feet, and can be a shared easement (see the definition of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

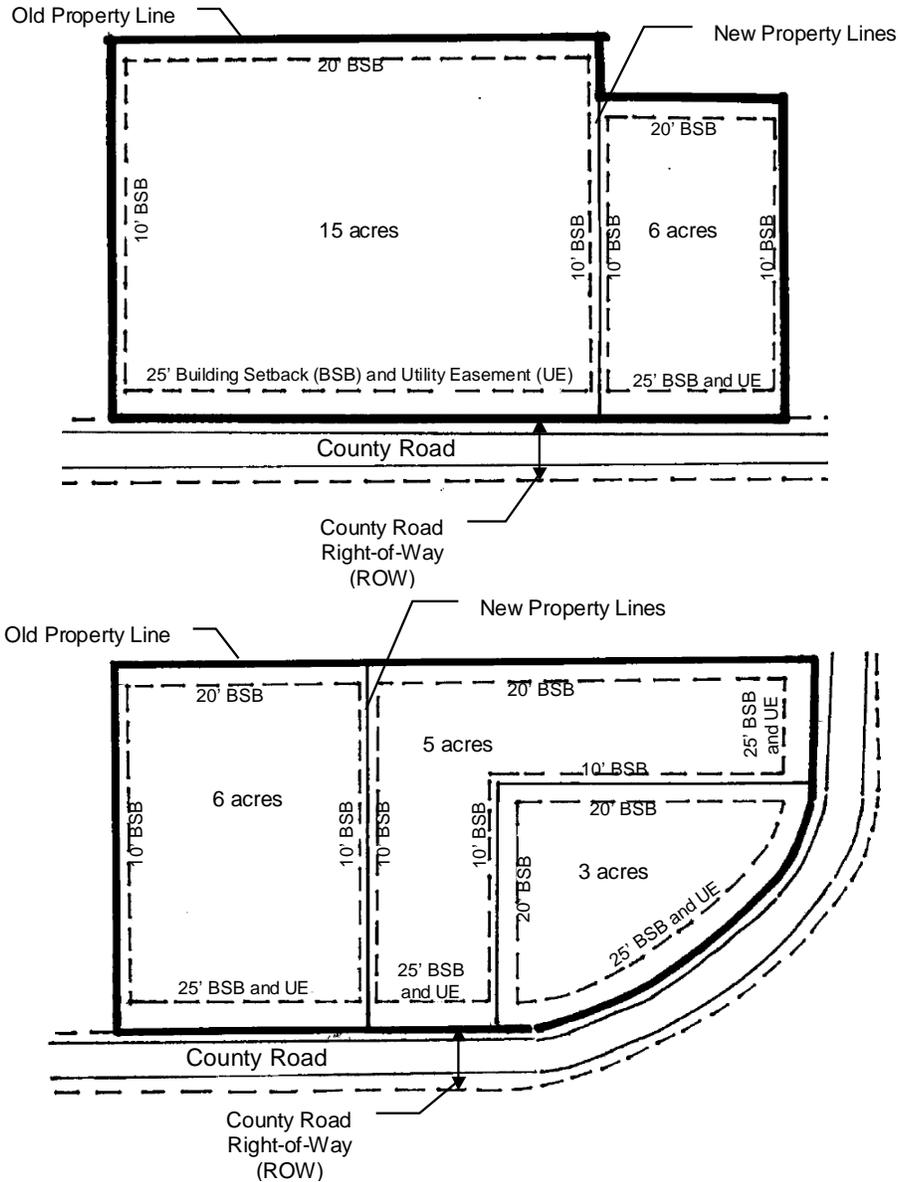
EXAMPLE:



(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)

ORDINANCE NO. 2008-73

**BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:**

KARLETONS
CO & PROBATE CLERK
WASHINGTON CO ARK

2008 NOV 14 PM 3:10

FILED

**AN EMERGENCY ORDINANCE REGULATING
THE LOCATION OF MAILBOXES IN THE
RIGHT-OF-WAY OF COUNTY ROADS.**

WHEREAS, all county roads have a right-of-way on both sides of the road of differing widths; and,

WHEREAS, said right-of-ways are extremely important in regards to adequate maintenance of county roads; and,

WHEREAS, said right-of-ways must be mowed and otherwise maintained; and,

WHEREAS, most people in the County must have their mailboxes in the road right-of-way to enable delivery of their mail; and,

WHEREAS, many mailboxes are now being placed too close to the driving surface of county roads; often made of brick, thus, causing difficulty in maintaining the right-of-way and creating a safety hazard.

**NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM
COURT OF WASHINGTON COUNTY, ARKANSAS:**

ARTICLE 1. Mailboxes shall be allowed to encroach within the right-of-way of any county road so long as the outermost edge of said mailbox and/or its supporting structure is no less than two feet (2') from the edge of the driving surface of said road.

ARTICLE 2. All such mailboxes shall also comply with the following:

- (a) Mailboxes must be made of Postmaster-approved light sheet metal or plastic only.
- (b) The support should be only strong enough to hold the mailbox. An ordinary 4"x 4" wood post or 1-1/2" to 2" metal pipe, or other material comparable or less in strength, anchored in the ground no more than two feet is required.

ORDINANCE NO. 2008-73
PAGE 2

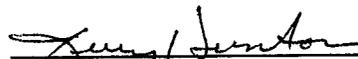
- (c) Mailbox-to-post attachments must be strong enough to prevent the box from coming loose from the post if struck by a motor vehicle.
- (d) Multiple mailbox mountings must use individual mounting posts rather than a horizontal support.
- (e) No reflective material may be used on the mailbox or supporting post except for addresses.
- (f) Specific installation details of the Postmaster must be followed.

ARTICLE 3. The County Judge or his designee may grant an extension of time to relocate any mailbox upon showing a good cause.

ARTICLE 4. This Ordinance shall be applicable to any mailbox that is erected or replaced on or after the effective date of this Ordinance.

ARTICLE 5. Any violation of this Ordinance shall be punishable by a fine of \$250 per day and may be enforced by appropriate civil action by the County Judge.

ARTICLE 6. Emergency Clause: It is hereby determined that it is in the best interest of the citizens of the county for this ordinance to be effective immediately; and the general health, safety and welfare of the citizens are affected by such for the reasons as set out above; therefore, an emergency is declared to exist and this ordinance shall be, and is, effective from the date of its passage.



JERRY HUNTON, County Judge

11-14-08

DATE



KAREN COMBS PRITCHARD, County Clerk

Sponsor: David Daniel
Date of Passage: November 13, 2008
Votes For: 11 Votes Against: 1
Abstention: 0 Absent: 1

ORDINANCE NO. 2009-32

KAREN COMBS PRITCHARD
CO. & PROBATE CLERK
WASHINGTON CO. ARK.

2009 MAY 18 AM 10:36

FILED

BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING WASHINGTON
COUNTY ORDINANCE NO. 2008-73 CONCERNING
ITS APPLICABILITY.

WHEREAS, Ordinance 2008-73 was recently enacted which
prohibited certain types of mailboxes; and,

WHEREAS, it has been determined that such should be
amended.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM
COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. Ordinance 2008-73 is hereby amended to read as
follows:

ARTICLE 7: APPLICABILITY. This Ordinance shall not apply to the following:

1. Any mailbox made from brick, stone, or similar material so long as the outermost edge of said mailbox is at least eight feet (8') from the outermost edge of a hard surface road.
 - a. However, a separate hard surface, to be approved by the County Road Superintendent, or his or her designee, in accordance with county road specifications must be provided for the postal service to access mailboxes.
 - b. The separate hard surface and/or the mailbox may not have a negative drainage impact to the road or surrounding property owned by others; and the mailbox may not obstruct the vision of any person driving on said road or any person pulling out onto said road.
 - c. A permit must be obtained from the Road Department in accordance with Washington County Code 12-23.
2. Any mailbox in a subdivision that has curb and gutter that received approval by the County Road Superintendent, or his or her designee.



MARLYN EDWARDS, County Judge

5-15-09

DATE



KAREN COMBS PRITCHARD, County Clerk

Sponsor: Tom Lundstrum
Date of Passage: May 14, 2009
Votes For: 10 Votes Against: 1
Abstention: 0 Absent: 2