

Questions? Contact the Planning Office!
Operations & Maintenance Center
2615 S Brink Drive. Fayetteville, AR 72701
Phone (479) 444-1724. Fax (479) 444-1786.
<https://www.washingtoncountyar.gov>

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 or planning@washingtoncountyar.gov

If your property is located within a **City's Planning Area**, and your split qualifies for the exempt (administrative) lot split or lot line adjustment process through the County, the **split can be completed once you have obtained City approval**. Please be aware that **County zoning applies in most City Planning areas**; therefore, please contact the County Planning Office prior to beginning the split process to obtain the zoning information for your tract of land. This information can also be found at <https://www.washingtoncountyar.gov>.

- Exemption Application completed to the best of your knowledge.
- Six-original surveys (two for the Circuit Clerk, one to be returned filed to the Planning Office, the remaining for your purposes) completed and signed by a certified surveyor. You may bring more copies if you would like us to stamp them. If in Planning Area, the City whose Planning Area the project is in may also want a filed survey.

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.
 - The City's codes will determine lot frontage minimums, etc.
- Processing Fee:** \$50.00
- If your property is located in a planning area**, please bring proof of approval from the City whose Planning Area the project is in. (a letter from the city or the approval stamp on the surveys). If the approval is by letter please bring the exact survey that the City approved. 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.

*****If the plat/survey shows multiple tracts at less than 5 acres, Minor Subdivision review and approval will be required***.**

**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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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.

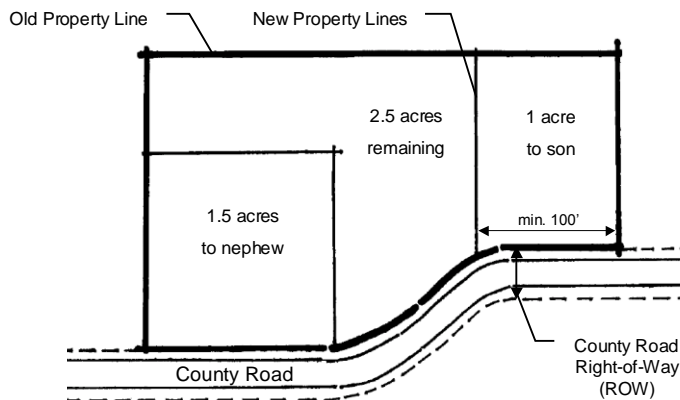
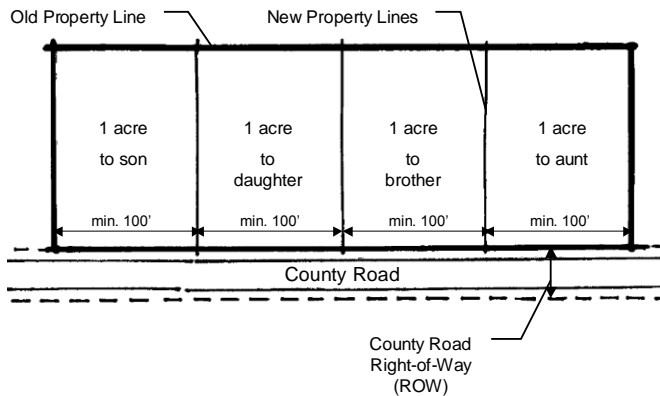
All Exempt Splits are subject to rules found in d.

(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

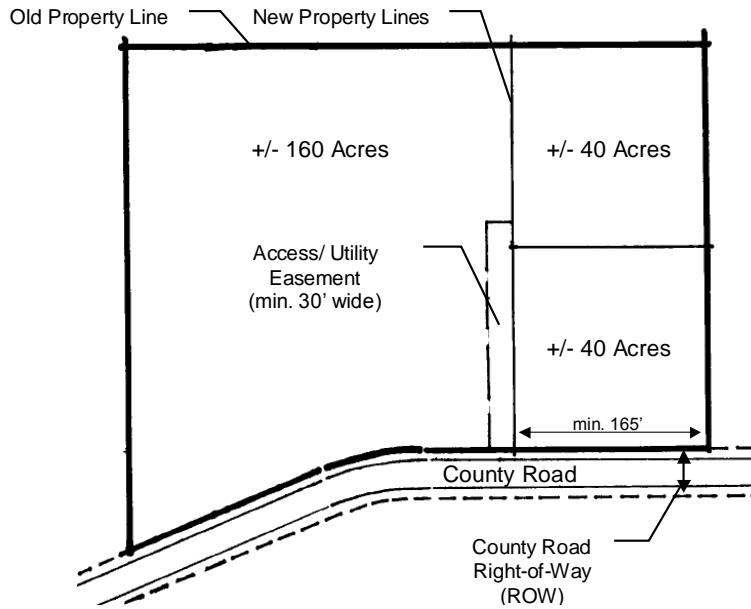
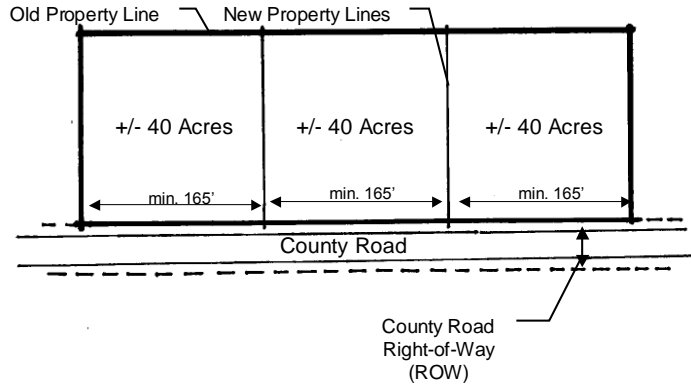
EXAMPLES:



- (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

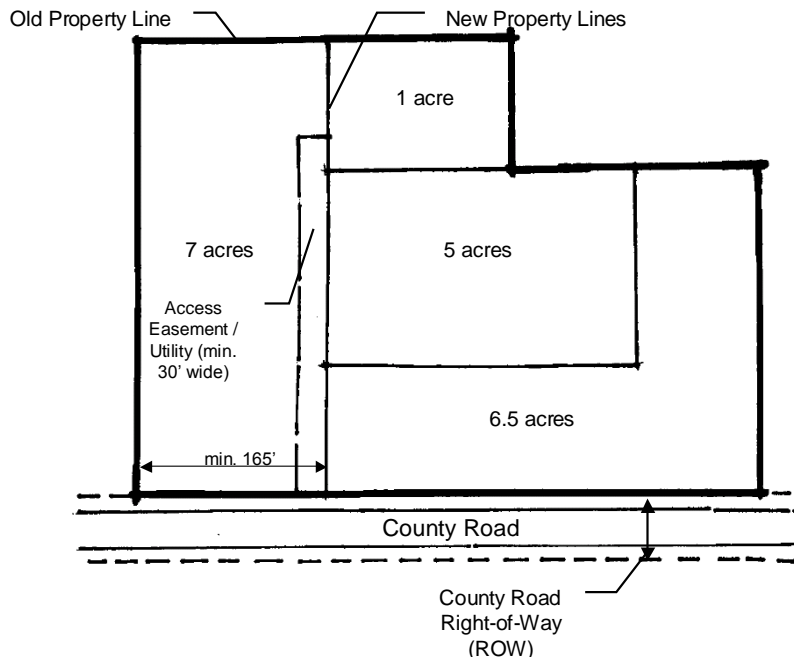
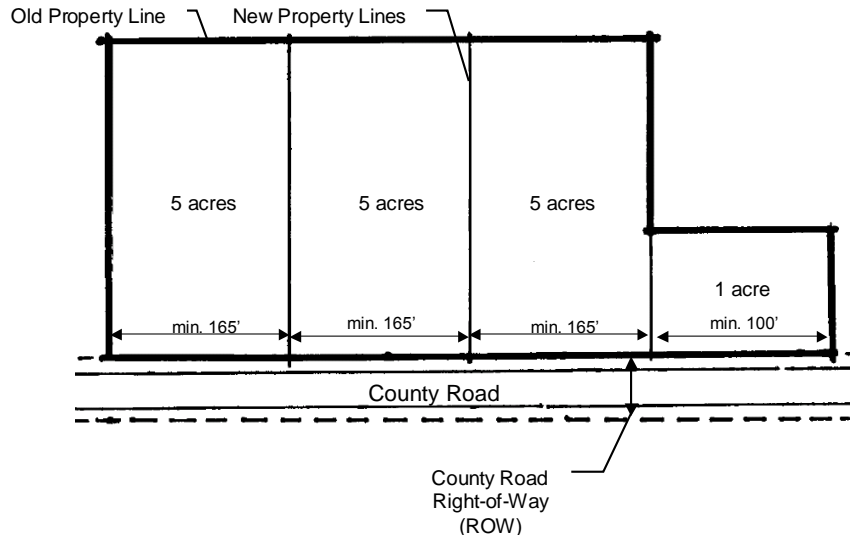
EXAMPLES:



- (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.

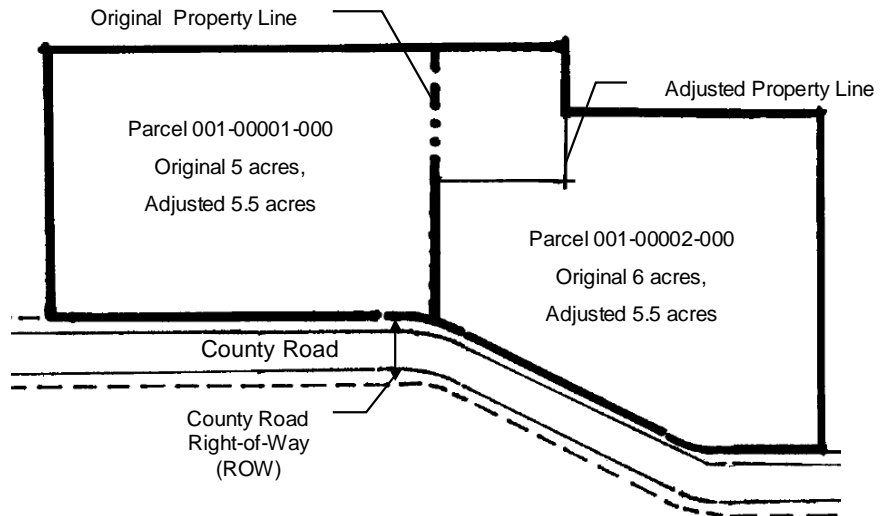
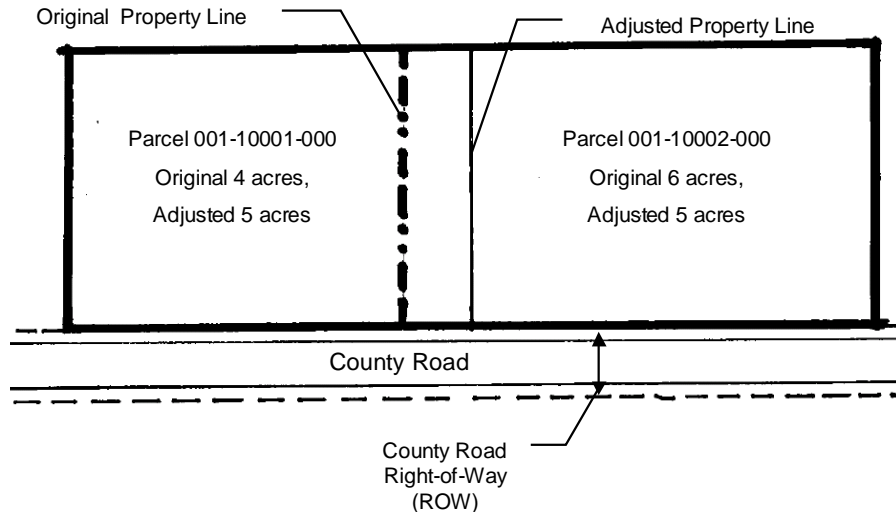
This exemption is subject to rules found in c

EXAMPLES:



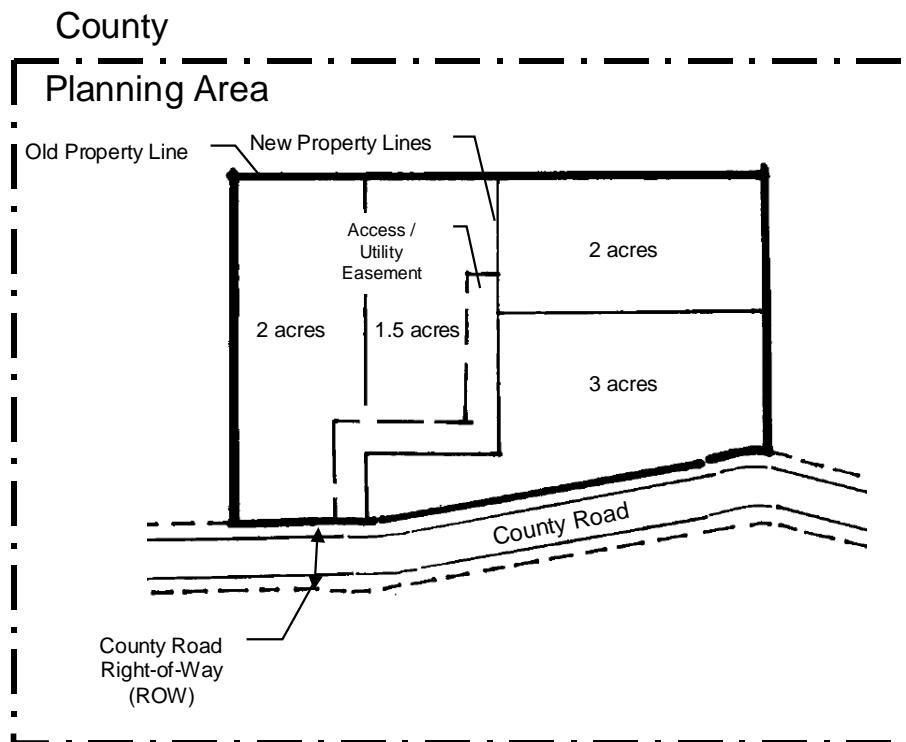
- (4) The division of land for the sale or exchange of tracts between adjoining landowners, where such sale or exchange does not create additional lots.

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.

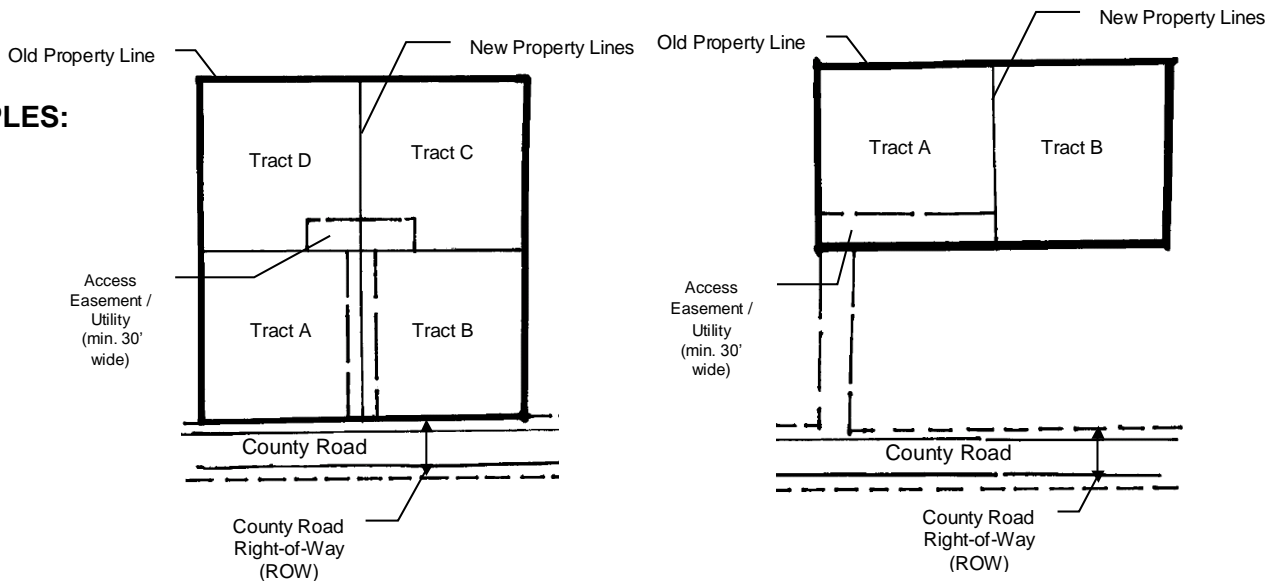
EXAMPLE:



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

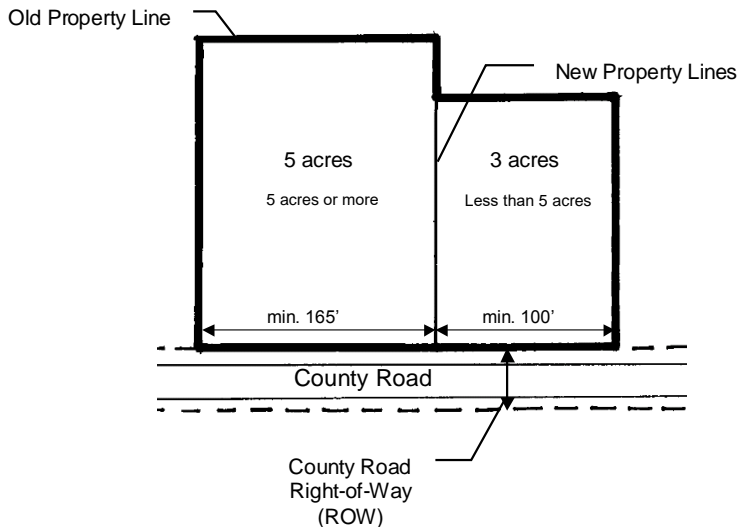
- (1) Owners are not required to improve, maintain or dedicate right-of-way along existing public roads, except that the County Road Superintendent may set the standard for drainage tiles. There shall be a deed restriction with each land conveyance stating that no new improvements will be constructed 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.

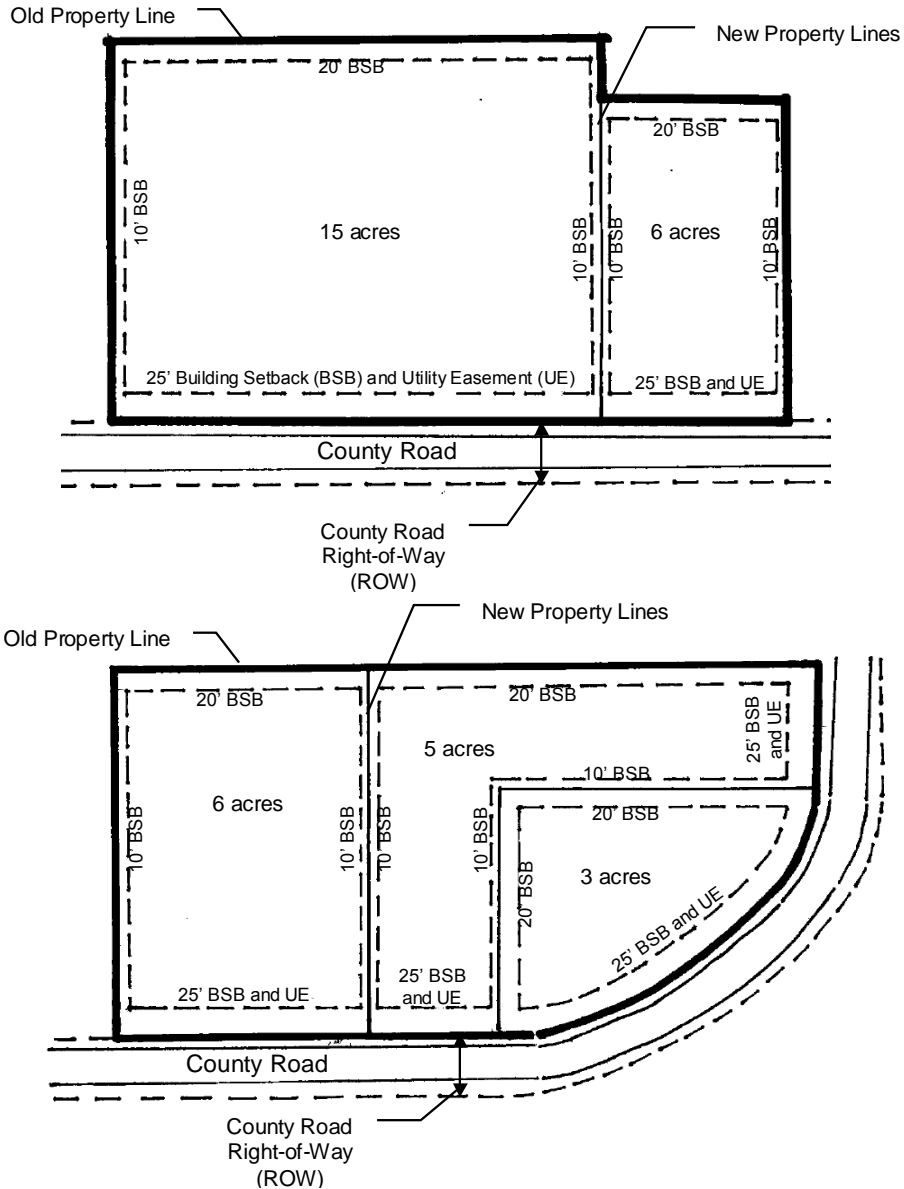
EXAMPLE:



(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)

***Shared easement:** An easement which connects more than one lot without public road frontage to the public road.

Authorization of Representation

This document is to be submitted to the Washington County Planning Department and Rural Development via planning@washingtoncountyar.gov

TO THE PLANNING OFFICE OF WASHINGTON COUNTY, AR

I, _____ hereby authorize
(Printed name of property owner/applicant)

_____ to represent me and/or my
(Authorized Representative)

organization and to make decisions on my behalf pertaining to the following project(s):

(Project Name/Number)

(Project Name/Number)

(Project Name/Number)

(Project Name/Number)

which is/are to be presented to the Washington County Planning Board/ZBA at their meeting to be held on _____.
(Meeting date)

(Printed name of property owner/applicant)

(Signature of property owner/applicant)

(Date)

(Printed name of property owner/applicant)

(Signature of property owner/applicant)

(Date)

Family Split Letter Consent Form

This document is to be submitted to the Washington County Planning Department and Rural Development via planning@washingtoncountyar.gov

TO THE PLANNING OFFICE OF WASHINGTON COUNTY, AR

I, _____ hereby authorize a tract split

(Printed name of property owner/applicant)

to occur on my property for the purpose of giving land to the following family member(s):

Name: _____	Relationship: _____	Acreage Receiving: _____
Name: _____	Relationship: _____	Acreage Receiving: _____
Name: _____	Relationship: _____	Acreage Receiving: _____
Name: _____	Relationship: _____	Acreage Receiving: _____

The following parcel(s), totaling _____ acres will be involved in this split:

Parcel #: _____
Parcel #: _____
Parcel #: _____
Parcel #: _____

Name: _____	Signature: _____	Date: _____
(Printed name of property owner/applicant)	(Signature of property owner/applicant)	(Date)