

CITY OF GOSHEN, ARKANSAS
PLANNING DIVISION
Phone: 479-442-9128 Fax: 479-442-9181
Email: cityhall@cityofgoshen.net
Web: www.cityofgoshen.net

Instructions for submitting planning items to the City of Goshen.

- 1) Fee required – Check payable to the City of Goshen.
- 2) Application filled out in full and SIGNED.
- 3) Attachment to application with a brief explanation of what you are requesting.
- 4) Statement from State Health Dept. that proposed lot will accommodate on-site waste disposal system.
- 5) Plat - 7 copies 18” x 24” and two reduced copies 11” x 17”
- 6) If you live in a subdivision with a POA, the POA must provide a written signed letter authorizing their approval of this request.

Please note:

Your application will only be sent to the agency reviewing our planning items once we have received all requested items from you. Only after all items have been received and reviewed by the agency that assists the City of Goshen can this request be placed on the Goshen Planning Commission agenda. **The Goshen Planning Commission decides a minimum of five days prior to any monthly meeting if there are items ready to be placed on the agenda. The Goshen Planning Commission meets the first Tuesday night of each month at 5:30 pm subject to items meeting the agenda deadline ready to be discussed.**

AFTER approval is granted by our Planning Commission it is the PROPERTY OWNER'S responsibility to have the plat (after signed by everyone) filed with Washington County who will stamp it. One copy of that plat with the Washington County stamp on it must be brought back to the Goshen City Hall within 30 days.

Thank you!

CITY OF GOSHEN, ARKANSAS
PLANNING DIVISION
Phone: 479-442-9128 Fax: 479-442-9181
Email: cityhall@cityofgoshen.net
Web: www.cityofgoshen.net

Lot Combination/Lot Split/Lot Line Adjustment

Please fill out this form completely, supplying all necessary information and documentation to support your request. **Your application will only be sent to the agency reviewing our planning items once we have received all requested items from you. Only after all items have been received and reviewed can this request be placed on the Goshen Planning Commission agenda. The Goshen Planning Commission meets the first Tuesday night of each month at 5:30 pm subject to business to be discussed.**

FOR STAFF USE ONLY

Date _____ Fee \$200.00 Receipt # _____

Washington County Parcel # _____ Goshen zone: _____

GENERAL INFORMATION:

Check what is being proposed: _____ Lot Split _____ Property Line Adjustment _____ Lot combination

Property Owner's Representative: _____ Day Phone: (____) _____

email: _____ Relationship to Property Owner _____

Property Owner's Name _____ Day Phone: (____) _____

Address _____ email: _____

PROPERTY DESCRIPTION: *A brief explanation of why this is being requested.*

PROPERTY OWNERS'S REPRESENTATIVE (if applicable): I certify 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 incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve this application or might set conditions on approval.

Date: _____ Signature _____

PROPERTY OWNER: I certify that I am the owner of the property, this is the subject of this application and that I have read this application and consent to this request. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve this application or might set conditions on approval.

Date: _____ Signature _____

General Information

Lot Combination shall mean the combining of two or more existing tracts, parcels or lots into one lot. A lot combination may only occur if the tracts are owned by the same individual(s) or entit(ies) and if they are adjoining such that the resulting lot or tract can be described legally as one tract which is a single enclosed area and does not have a dedicated or existing street which bisects it. A lot combination of lots in an existing subdivision shall require that the owner have prepared and present a re-plat of such subdivision or of the lots affected, but the fee for a lot combination shall be inclusive and no separate fee for re-plat shall be required. Approval of a lot combination shall be sufficient without requiring a lot line adjustment. No parcel resulting from a lot combination shall be less than the minimum area required by ordinance.

Lot Line Adjustment shall mean the adjustment of the boundary line between adjacent property owners. The result of the transfer shall not cause either the receiving tract or the tract from which it is taken to be below the minimum lot area standard within the City unless the current lot size of affected lots are already less than minimum lot area, in which case, the lot line adjustment shall only be permitted to correct errors in survey, building placement which created insufficient yard area, set back issues, transfer of real estate to adjoining property owner or any other circumstances of a similar nature. In the event of a lot line adjustment which creates a tandem lot or which modifies an existing tandem lot which might otherwise be considered exempt from regulation because it existed prior to the implementation of the ordinance, the owner shall be required to meet the requirements stated in the definition of a Lot Split in this Section 1-2 the same as if it was a lot split creating a tandem lot.

Lot Split shall mean subdividing property which involves the dividing or redesigning of an existing lot or lots per the requirements of DIVISION 1-A of SECTION 2 PLATTING PROCEDURES but which does not involve the meeting the requirements of DIVISION B of SECTION 2 PLATTING PROCEDURES. A parent tract may only suffer one lot split, even if there have been different owners, before the property owner shall be required to apply for preliminary and final plat approvals for a subdivision. For purposes of determining whether a tract is a parent tract, the deed records as of January 1, 2000 shall be the date of such determination. All divisions prior to that date shall not be considered.

- (7) Direction of and approximate distance nearest existing major street intersection.
 - (8) Existing storm and sanitary sewer, if any.
 - (9) Proposed land use designation.
 - (10) Existing adjacent development.
 - (11) Existing easement and covenants affecting the area.
 - (12) Any additional information the developer feels is pertinent.
 - (13) Color elevations with respect to the site plan perimeters to allow the staff the opportunity to understand any structures, fences, barriers, berms, or enclosures intended with respect to any boundary of the site plan.
- (b) The staff shall review and evaluate the sketch plat as soon as practical, and shall report to the developer its opinion as to the merits and feasibility of the improvements contemplated by the sketch plat. The developer shall have the option of submitting the sketch plat before the planning commission for review.
 - (c) No fees shall be collected for pre-application submission, the purpose being to acquaint the developer with plans and policies in effect that would be significant to the proposed subdivision.

Sec. 2-3. Re-platting.

The re-plat shall meet all requirements for a new subdivision that may be pertinent. A fee in the amount specified herein shall be collected for each re-plat that does not require a preliminary plat. If a preliminary plat is required, the fee for the re-plat shall be the same as required for a preliminary plat. The re-plat will not be reviewed or considered in any respect until such fee has been collected.

Sec. 2-4. Schedule of fees.

The fees to be charged for various provisions of the subdivision regulations shall be those as set by the Goshen City by ordinance as it may be amended from time to time.

DIVISION 1-A

Sec. 2-5. Lot splits and lot line adjustments.

- (a) Lot split. A property owner seeking to accomplish a lot split shall make application and pay the required fee. A lot split request shall include a survey with a legal description and a scaled drawing of the parcel being split, showing dimensions of the new parcels created and shall include all the requirements for a Lot Split Survey as provided herein. A lot split shall not be permitted if it seeks to divide a tract of land into more than five (5) tracts. Except for tandem lots, all lots resulting from a lot split shall have a minimum of one hundred (100') frontage on a public street. As to tandem lots, the parent tract or other tract through which access is provided for the tandem lot, shall have street frontage to meet the requirements of the previous

sentence. Any property owner seeking a lot split which does not meet the requirements of this Section may apply for a deviation pursuant to Section 1-11 of these regulations. A split of a lot in an existing subdivision shall require that the owner have prepared and present a re-plat of such subdivision or of the lot affected, but the fee for a lot split shall be inclusive and no separate fee for re-plat shall be required. In order to insure compliance with the Subdivision Regulations, a parent tract may only have one lot split, even if there have been different owners, before the property owner shall be required to apply for preliminary and final plat approvals for a subdivision. For purposes of determining whether a tract is a parent tract, the deed records as of January 1, 2000 shall be the date of such determination. All divisions prior to that date shall not be considered. For purposes of determining the parent tract being considered for a lot split, the assignment of parcel numbers by the County Assessor may or may not be taken into account, but rather the chain of title as evidenced by recorded deeds shall be determinative. If the records of the City of Goshen reflect a lot split, but the landowner(s) did not file the plat or deed(s) with the Washington County Circuit Clerk and Recorder of Deeds evidencing such lot split, the landowner shall be bound by the lot split revealed by the records of the City of Goshen. Conversely, if a parent tract was split without the approval of the City of Goshen, it shall not be eligible to be split informally by means of a Lot Split. Lot splits shall be processed in an expedited manner by considering the Lot Split Survey approval or disapproval at the same meeting. The property owner shall be required to fulfill all of the Subdivision Regulations that apply. No parcel resulting from a lot split shall be less than the minimum area required by ordinance.

A lot split which creates a tandem lot shall require that:

- (1) Before a building permit will be issued for a residential or commercial structure upon any lot resulting from such lot split, the owner shall present sufficient documentation that all the requirements of subsection (3) below have been met; or
- (2) In the case of a parcel outside the corporate limits of Goshen, but within the City's planning jurisdiction, the owner will sign a covenant with the City of Goshen in a form provided by the City, which shall include the legal description of the tandem lot(s) provided by the owner and which shall be suitable for filing in the deed records of Washington County, which covenant shall run with the land; shall be binding upon all heirs, successors and assigns; and shall provide that: (i) before any residential or commercial structure may be built thereupon, all the requirements of subsection (3) shall have been met; and (ii) if the covenant be breached that the City may seek to enforce the covenant by court action and obtain a mandatory injunction requiring the owner(s) to comply herewith, in which the City shall also recover its attorney's fees for having to pursue such action;
- (3) All tandem lots shall have access to a public street via a private street by a

recorded access easement, which may be shared by others, with a minimum width of thirty feet (30') and which access easement shall have sufficient base material twenty feet wide (20') and as deep as necessary, as determined by the planning commission, in consultation with the Goshen Fire Department, for the reasonable ingress and egress of traffic and public safety equipment, including, but not limited to emergency and service vehicles, school buses, postal and package delivery trucks. The approval of a representative of the Goshen Fire Department shall be noted on the plat at the appropriate time, which may then require that the plat with such approval is re-recorded. Such approval is for the limited purpose of gauging the Goshen Fire Department's ability to use it for access in the event of an emergency as viewed at the time of approval, but the Goshen Fire Department shall not be responsible if subsequent conditions do not permit such access. All tandem lot owners shall be responsible for maintaining the access easement so that all vehicles have safe access to any structures located on the lot. The tandem lot owners shall have title to, or a perpetual easement filed of record for the access easement and shall provide evidence of such as a condition of obtaining approval of the lot split.

- (4) No more than five (5) lots may utilize a private street as described above. Thereafter the property owner shall be required to apply for preliminary and final plat approvals for a subdivision and make all the necessary street improvements to the entire street from the public road to the platted subdivision, which may require that property owner to obtain the necessary easements of sufficient width to accomplish the required improvements per the Subdivision Regulations.
- (b) Lot line adjustment. A lot line adjustment is the adjustment of the boundary line between adjacent property owners. A property owner seeking to accomplish a lot line adjustment shall make application and pay the required fee. A request for a line line adjustment shall include a survey with a legal description and a scaled drawing of the parcel being split, showing dimensions of the new parcels created and shall include all the requirements for a Lot Line Adjustment Survey as provided herein. The result of the transfer shall not cause either the receiving tract or the tract from which it is taken to be below the minimum lot area standard within the City unless the current lot size of affected lots are already less than minimum lot area, in which case, the lot line adjustment shall only be permitted to correct errors in survey, building placement which created insufficient yard area, set back issues, transfer of real estate to adjoining property owner or any other circumstances of a similar nature.
- (c) Assuming all requirements of applicable regulations and ordinances are met, lot splits and lot line adjustments may be approved administratively by the Building Official or the Mayor or by the Chair of the Planning Commission. Whichever official approves it, such approval shall be represented by that official's signature on

Sec. 2-6. Form and contents of Lot Split or Lot Line Adjustment Survey.

- (a) The survey shall be prepared by a licensed and qualified engineer or land surveyor.
- (b) The accuracy of all survey data must be certified by a licensed land surveyor.
- (c) The survey shall be prepared in compliance with these regulations, as the Planning Commission shall require in its discretion, but at a minimum shall contain the following:
 - (1) Blueline or blackline prints of the proposed subdivision drawn to a scale of not greater than one hundred (100) feet to the inch.
 - (2) The original surveys shall be submitted as follows: seven copies 18" x 24" and two reduced copies on 11" x 17".
 - (3) Whenever two (2) or more sheets are required, they shall be accompanied by an index sheet showing the entire subdivision layout on one (1) sheet.
 - (4) The survey shall have or be accompanied by this information:
 - a. A key or vicinity map showing the tract and its relation to the surrounding area.
 - b. The name of the property owner.
 - c. The name of the registered land surveyor responsible for the survey and contour information on the survey.
 - d. The 911 address of the property, if one has been designated.
 - e. North point, date, graphic scale, indicating the scale used.
 - f. Existing and proposed restrictive covenants and restrictions which can be graphically depicted.
 - g. The location, name, and width of all existing streets, alleys, and easements within or adjacent to the proposed subdivision or within a distance of two hundred (200) feet of the property. Names, locations and dimensions of all streets, rights-of-way, alleys, setbacks, utility easements, drainage easements, and other easements on the property.
 - h. The survey shall show the actual boundary survey and legal description of both the original tract, only if the original tract is less than 20 acres, and any tracts that result from the split or the line adjustment. The acreage of each resulting tract shall be shown.
 - i. The assessor's parcel number for the parent tract(s) shall be depicted.
 - j. Names of any legal streams on or adjacent to the lot, and also, designation of any property located in 100-year floodplain or floodway.
 - k. Building setback lines with dimensions.
 - l. Location of all permanent structures, to include roof or other overhanging portions of such structures if such structures or portions are within the applicable setback.

- m. Use of each structure by labeling (e.g. residence, pool, covered porch, deck, storage shed, etc.).
 - n. Distances from front, rear, and each side property line to all structures. The distance is measured from the point where the measurement form a right angle with the property lines.
 - o. Location of existing driveway and its width at the right of way (property line). Also show the driveway location from the street to the structure.
 - p. Location and dimension of any other paved areas.
 - q. Location of tank and lateral lines of septic system, if applicable.
 - r. City of Goshen boundary lines, if available and if within a distance of two hundred (200) feet of the property
 - s. Names and county assessor's parcel numbers of adjoining property owners.
 - t. Signature block with signatures of all owners of record.
- (d) The following certificates shall be placed on the survey:

(1) **Certificate of Survey Approval.**

“All requirements of the Goshen Subdivision Regulations relative to the preparation and submittal of a Survey [*insert appropriate phrase: for lot split or lot line adjustment*] having been fulfilled, approval of this Survey is hereby granted.

(Signed)

Date of Execution

Goshen Mayor or Chairman
Goshen Planning Commission
Either may sign

Certificate of Approval Regarding Compliance with Tandem Lot Requirements.

Pursuant to the Goshen Subdivision Regulations, this document is given approval by a representative of the Goshen Fire Department regarding the access to the tandem lot created hereby. [If no tandem lot, this signature is not necessary. If the private street is built later, this plat shall be signed by the representative of the Goshen Fire Department at that time and the landowner shall re-record it].

Date of Execution

Representative of Goshen Fire Dept.”

- (a) Where a public water supply is within one-quarter mile, the developer shall install or have installed a system of water mains and connect to such supply. No street cuts for utility connections will be allowed after the street has been paved.
- (b) Where a public water supply is not available, each lot in a subdivision shall be furnished with a water supply system approved by the State Health Department.
- (c) Fire hydrants shall be required in all subdivisions. The maximum distance between fire hydrants shall be five hundred (500) feet.

Sec. 3-22. Sewage disposal.

- (a) With there being no public sanitary sewer system in Goshen, an alternate method of sewer disposal system may be used when in compliance with the standards of the Arkansas State Board of Health and these regulations.

Sec. 3-23. Utility design criteria.

- (a) Water supply and distribution. All subdivisions shall be provided with water supply and water distribution systems approved by and meeting the requirements of the state department of health.
- (b) Water service connections. Water service connections shall be provided for every lot in the subdivision and the respective water system specifications shall govern the size and material used in the installation of water service connections.

Sec. 3-24. Private water supply, septic tanks and absorption systems.

- (a) Where a public water supply is not available, or a public sanitary sewer is not accessible, a certificate or letter from the county health department shall be presented showing the results of soil morphology or percolation tests for septic tanks and a statement as to the ability of soil to absorb water. The statement must set out that septic tanks meet the requirements of the state health department. The letter shall also state the state health department's recommendation as to the approximate recommended depth of wells, if known. If unknown, the subdivider shall sink a test well to enable the state health officer to evaluate the adequacy of the individual well water supply. The statement must set out that the well meets the requirements of the state health department.
- (b) Whenever an on-site septic tank and an absorption system or water supply is to be provided, the subdivider shall require, as a condition in the bill of assurance of the subdivision, that those facilities shall be installed by the builders of the improvements in accordance with regulations and in compliance with the standards of the Arkansas State Department of Health.