

ORDINANCE NO. 256

AN ORDINANCE AMENDING TITLE 15, CHAPTER 15.04, SECTIONS 15.04.04 AND 15.12.08 OF THE GREENLAND MUNICIPAL CODE, REPEALING ORDINANCE NO. 248, AND FOR OTHER PURPOSES

WHEREAS, the current Ordinance dealing with lot splits and lot split procedures has been susceptible to abuse.

WHEREAS, the Planning Commission is familiar with past abuses of the lot split procedures and has given much thought and study on how to remedy the weakness of our current Ordinance.

WHEREAS, the result of the extensive efforts by the Planning Commission has resulted in a recommendation to put into effect certain changes regarding the definition of a lot split and our lot split procedure; and,

WHEREAS, the current moratorium on lot splits has prevented further abuse it has also delayed legitimate needs of some citizens to avail themselves of a lot split.

NOW THEREFORE IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF GREENLAND, ARKANSAS

SECTION 1: Paragraph J (defining "lot split") of Section 15.04.04 Definitions of the Greenland Municipal Code is hereby amended as follows:

All text after the first sentence is hereby omitted and the following language is hereby inserted:

"Except as specifically provide herein, all resulting lots/parcels must have frontage on a public street, and meet the minimum size and

square footage requirement for the zoning district in which they are located. If a lot split occurs in the Greenland planning area the size of the resulting lots/parcels shall be determined by the Health Department standards for septic systems with a minimum of 10,000 square feet and, in such event, a successful perk test certificate shall be attached to the application. In the event a lot split of a parcel is requested where a resulting lot/parcel does not front on a public street then the resulting lot/parcel shall be used only for one single family dwelling and shall have access to a public street by way of an exclusive, owned private drive with a minimum width of twenty (20) feet which is not more than 100 feet in length, which drive shall be maintained by the owner in such a manner as to allow access for sanitation trucks and emergency vehicles (including fire trucks) and the private drive shall have (at a minimum) a 30 foot by 30 foot stable base turn around at the residence end for use by sanitation/emergency vehicles. The legal description of the private drive shall be included with the application and the private drive shall become a part of the resulting parcel that does not front on a public street. At the point where such a private drive intersects with a public street the last twenty-five (25) feet of the private drive shall be paved to City street standards and shall be at least 25 feet from the nearest public street intersection at its closest point.”

SECTION 2: Subsection B of Section 15.12.08 Lot Split Procedure of the Greenland Municipal Code is hereby amended as follows:

a) omit the text at B.1. and insert the following language in its place:

“A lot split is the division of a parcel of land into two (2) lots/parcels. Applications shall include a survey with a legal description of the original parcels and each of the resulting parcels/lots, along with a scale drawing of the proposed

resulting lots/parcels including the address and directions to the property. The application required survey and drawings must be turned in to City Hall (along with payment of all costs/fees) at least seven (7) days prior to the Planning Commission meeting. Except as specifically provided herein all resulting lots/parcels shall have a minimum of twenty (20) feet frontage on a public street. All resulting lots/parcels shall meet the minimum size and square footage requirements for the zoning district in which it is located. If a lot split occurs in the Greenland planning area the size of the resulting lots/parcels shall be determined by the Health Department standards for septic systems with a minimum of 10,000 square feet and, in such event, a successful perk test certificate shall be attached to the application. Only one lot split shall be allowed at the time of the original request and no other applications for a lot split from the original parcel or from any of the newly created lots/parcels shall be allowed for a period of sixty (60) months from the time the prior lot split request was approved. The owner shall state on the lot split application the date on any prior lot split requests involving the same parcel. This lot split procedure shall apply to all lands within Greenland, Arkansas, and within Greenland's planning area."

b) omitt the text at B.4 and insert the following language in its place:

"A land locked lot split produces a lot/parcel not fronting on a public street, a land locked split shall be permitted only for use as one single family dwelling as to the resulting land locked lots/parcels. A lot split creating a land locked parcel shall have access to a public street by way of an exclusive, owned private drive with a minimum width of twenty (20) feet which is not more than 100 feet in length, which drive shall be maintained by the owner in such a manner as to allow access for sanitation trucks and emergency vehicles (including fire trucks) and the private drive shall have (at a minimum) a 30 foot by 30 foot stable base turn around at the residence end for use by sanitation/emergency vehicles. The legal description of the private drive shall be included with the application and the

private drive shall become a part of the resulting parcel that does not front on a public street. At the point where such a private drive intersects with a public street the last twenty-five (25) feet of the private drive shall be paved to City Street standards and shall be at least 25 feet from the nearest public street intersection at its closest point. No building permit shall be issued for the resulting lots/parcels until the requirements for the private drive are met at the cost/expense of the owner. The owner shall also be responsible for the cost/expense of installing and connecting to all utilities unless the utility company provides such. Only one lot split shall be allowed at the time of the original request, and no other lot split applications involving the original or newly created lots/parcels shall be accepted for a period of sixty (60) months from the time the prior lot split request was approved. The owner shall state on the lot split application, the date of any prior lot split requests involving the same parcel. This lot split procedure shall apply to all lands within Greenland, Arkansas, and within Greenland's planning area. The lot split application shall include a survey with a legal description of the original parcel and each of the resulting parcels/lots, along with a scale drawing of the proposed resulting lots/parcels including the address and directions to the property. The application, required survey and drawings must be turned in to City Hall (along with payment of all costs/fees) at least seven (7) days prior to the Planning Commission meeting. All resulting lots/parcels shall meet the minimum size and square footage requirements for the zoning district in which they are located. If a lot split occurs in the Greenland planning area the size of the resulting lots/parcels shall be determined by the Health Department standards for septic systems with a minimum of 10,000 square feet and, in such event, a successful perk test certificate shall be attached to the application.

SECTION 3: Ordinance No. 248 of the City of Greenland is hereby repealed in its

entirety effective April 11th, 2007.

PASSED AND APPROVED this 12th day of March, 2007.

John L. Gray
JOHN GRAY, Mayor

Donna Cheevers
DONNA CHEEVERS, Recorder/Treasurer

