

ELIZABETHTON REGIONAL PLANNING COMMISSION

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Bill Cooper, Secretary  
Harold Lingerfelt, Mayor  
Thomas M. Hord, City Manager  
Manuel Bandarra  
Haynes Elliott  
Joe LaPorte III

Amended Through December 3, 1996

## ANSWERS TO QUESTIONS OFTEN ASKED ABOUT SUBDIVISION REGULATIONS

1. Are subdivision regulations fair to everyone?

Yes, the written regulations provide the local planning commission with uniform procedures, standards of design and construction by which to appraise equally and fairly all plats for land subdivision.

2. Who is affected by the regulations?

Every owner of land within the Elizabethton planning region who divides land into smaller parcels, or changes the size or shape of existing lots is affected.

3. Am I affected if I re-subdivide my tract into two parcels?

Yes “subdivision” means the division of a tract or parcel of land into two or more lots, sites or divisions for immediate or future sale or building development, and includes resubdivision, provided, however, that “subdivision” does not include a division of land into two or more parcels when such parcels are five acres or large in size.

4. What’s to prevent me from recording a subdivision plat without approval?

The county registrar of deeds is prevented by law from recording land subdivision lying within the planning region without final approval in writing.

5. Can I sell by an unapproved plat and then record my lots by metes and bounds?

No, state law makes it a misdemeanor, punishable by law, to use an unapproved subdivision plat even if metes and bounds description is used in the instrument of transfer or sale.

6. What happens if I sell unapproved and unrecorded lots from my subdivision?

(a) A state law has been broken (Section 13-3-410, Tennessee Code Annotated).

(b) Some cloud would exist on the title of the lots.

(c) Most lending agencies will not approve or guarantee loans.

(d) State law requires that public bodies shall not extend sewers, water mains, lighting or other utilities in unauthorized roads.

(e) Where zoning is in effect a building permit to construct any building will be withheld.

(f) Authorities may cause any building or structure erected to be vacated or removed.

- (g) The legislative body of a county or municipality may stop sales by injunction or other legal action.

7. What improvements will I need to install in my subdivision?

The developer will be responsible for grading and improving streets, installing curbs, monuments, sewers and water mains in accordance with adopted specifications.

8. Why doesn't the lot buyer instead of the developer pay for improvements?

The lot buyer does – at the time he purchases his property. If lots are sold before improvements are in, the community bears the expense of providing needed improvements that should have been originally planned for and installed by the developer.

9. Won't subdivision regulations cause expensive development and cost me a lot of money?

Quite the contrary, probably planned subdivisions make the most of land with a minimum of construction and operating cost. Good design takes advantage of all capabilities of the site and results in a minimum amount of streets and utilities with a maximum number of well-arranged and easier sold lots. Good land subdivision affects the value of the land and the immediate return to the investor, while saving the developer money.

10. How do I go about having a subdivision approved?

These subdivision regulations include the procedure for having a plat approved. The planning commission meets at regular intervals and your preliminary plat is submitted in advance of the meeting at which it is to be considered. It is suggested that you consult the planning commission early so as to become familiar with the official plans that might affect your area.

11. What if I wish to lay out a commercial or industrial subdivision?

The provisions of subdivision regulations apply to all subdivision of land, including that for use of business and industry. Since space, parking and service requirements will vary greatly, it is impossible to establish standards for all types of uses. For that reason, specific requirements for lot sizes and area are set forth only for residential areas.

12. Where can I get technical site planning assistance?

The planning commission will help by recommending several competent subdivision designers who can contribute much to the financial success of your subdivision.

*(The sketches are not a part of the regulations, but are included for illustrative purposes and to aid in explaining the text.)*

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SUBDIVISION REGULATIONS  
OF THE  
ELIZABETHTON REGIONAL PLANNING COMMISSION  
(Hereafter referred to as the planning commission)

ARTICLE I. PURPOSE, AUTHORITY AND JURISDICTION

A. Purpose

Land subdivision is the first step in the process of community development. Once land has been cut up into streets, lots and blocks and publicly recorded, the correction of defects is costly and difficult. Subdivision of land sooner or later becomes a public responsibility, in that roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. It is therefore to the interest of the public, the developer and the future owners that subdivisions be conceived, designed and developed in accordance with sound rules and proper minimum standards.

The following subdivision regulations guiding the planning commission are designed to provide for the harmonious development of the planning region; to secure a coordinated layout and adequate provision for traffic and also to secure adequate provision for light, air, recreation, transportation, water, drainage, sewer, and other sanitary facilities.

B. Authority

These subdivision regulations are adopted under authority granted by Sections 13-3-401 through 13-3-411 and Sections 13-4-301 through 13-4-307, Tennessee Code Annotated. The planning commission has fulfilled the requirements set forth in these statutes as prerequisite to the adoption of such regulations. A certified copy of the Elizabethton, Tennessee Major Street and Road Plan was filed in the office of the registrar of Carter County, Tennessee on June 13, 1955.

C. Jurisdiction

These regulations shall govern all subdivision of land within the corporate limits of Elizabethton, Tennessee as now or hereafter established and within the Elizabethton planning region as established by resolution of the Tennessee State Planning Office. Within these regulations the term "subdivision" shall mean the division of a tract or parcel of land into two or more lots, sites or divisions for the purpose, whether immediate or future, of sale or building development, and includes resubdivision of the land or area subdivided, provided, however, that "subdivision" does not include a division of any tract or parcel of land into two or more tracts or parcels when such parts or parcels are five (5) acres or large in size. Any prospective subdivider owning land located within the Elizabethton planning region shall submit his subdivision plat to the Elizabethton Regional Planning Commission. The plat is to be submitted according to the procedures outlined in Article II, which plat shall conform to the minimum requirements set forth in Article III of these regulations. Improvements shall be installed as required by Article IV of these standards.

## ARTICLE II. PROCEDURE FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of three separate steps. The initial step is the early informal consultation with the planning commission technical staff for advice and assistance. The second step is the preparation and submission to the planning commission of a preliminary sketch plat of the proposed subdivision. The third step is the preparation and submission to the planning commission of a final plat together with required certificates. This final plat becomes the instrument to be recorded in the office of the county registrar when duly signed by the secretary of the planning commission.

The subdivider shall consult early and informally with the planning commission and its technical staff for advice and assistance before the preparation of the preliminary plat and its formal application for approval. This will enable him to become thoroughly familiar with these regulations, the major street and road plan and other official plans or public improvements which might affect the area. Such informal review should prevent unnecessary and costly revisions.

### A. General

1. Any owner of land lying within the area of jurisdiction of the planning commission who wishes to divide such land into two or more lots, sites, or divisions for the purpose, whether immediate or future, of sale or building development, or who wishes to resubdivide for this purpose, shall submit a plan of such proposed subdivision to the planning commission for approval and shall obtain such approval prior to the filing of his subdivision plat for record. Any such plat of subdivision shall conform to the minimum standards of design for the subdivision of land as set forth in Article III of these regulations and shall be presented in the manner specified in the following sections of this Article. No plat of a subdivision of land within the area of planning jurisdiction shall be filed or recorded by the county registrar without the approval of the planning commission as specified herein.
2. In order to secure review and approval of the planning commission of a proposed subdivision, the prospective subdivider shall, prior to the making of any street improvements or installations of utilities, submit to the planning commission a preliminary plat as provided in Section C below. On approval of said preliminary plat he may proceed with the preparation of the final plat and other documents required in connection therewith as specified in Section C and the improvements set forth in Article IV.
3. A subdivider may omit the submission of a preliminary plat, submitting only a final plat if the following conditions are met:
  - a. All public improvements as set forth in Article IV are already installed. Any construction, installation, or improvements of any public improvements shall require the submission of a preliminary plat as prescribed by Section C of Article II.

- b. The subdivider has consulted informally with the planning commission technical staff for advice and assistance before the preparation of the final plat and its formal application for approval.

B. Informal Consultation

The subdivider shall consult early and informally with the planning commission technical staff for advice and assistance before the preparation of the preliminary sketch plat and its formal application for approval. This will enable him to become thoroughly familiar with these regulations, the Major Thoroughfare Plan and other official plans or public improvements which might affect the area. Such informal review should prevent unnecessary and costly revisions.

C. Preliminary Sketch Plat

1. At least twenty-one (21) days prior to the meeting at which it is to be considered, the subdivider shall submit to the secretary of the planning commission, or recording secretary, thirteen (13) copies of a preliminary sketch plat of the proposed subdivision in order to allow the planning commission technical staff and utilities heads time to review and prepare recommendations to the planning commission. The subdivision plan shall be drawn to a scale of not less than one inch equals one hundred (100) feet.
2. The preliminary sketch plat shall be presented to the planning commission at its next meeting by the secretary or the acting secretary of the planning commission for the consideration for approval, disapproval, or approval subject to modification. Failure to present the preliminary sketch plat by the secretary or the acting secretary shall not relieve the planning commission of its responsibility to consider said plat.
3. The sketch plat which shall meet the minimum standards of design as set forth in Article III and the general requirements for the construction of public improvements as set forth in Article IV shall give the following information insofar as possible.
  - a. The proposed subdivision's name and location, the name(s) and address(es) of the owner or owners and the name of the designer of the plat who shall be an engineer or surveyor approved by the planning commission.
  - b. Date, approximate north point, and graphic scale.
  - c. The location of existing and platted property lines, existing streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easement or lines, the present zoning classification, if any, on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdivisions.

- d. A construction plan which shall include:
    - (1) A complete drainage plan showing all improvements including all proposed streets, easements, storm sewers, swales, ditches, reserved areas and lot drainage; and
    - (2) A plan and profile of all streets showing typical cross sections of proposed roadways, swales and ditches as well as both existing and proposed finished grades of paved rights-of-way and special ditches, and details of all structures which are part of the physical improvements in the subdivision. All proposed drainage structures including manholes, catch and other drainage facilities including headwalls shall be shown on the plan and profile.
  - e. The distance and bearing of one of the corners of the boundary of the subdivision to the nearest intersection of existing streets or roads and to an original corner of the original survey of which it is a part – or a key map showing relation of subdivision to well-known streets, railroads, and water courses in all directions to a distance of at least one-half mile. Suggested scale: one inch equals 2,000 feet.
  - f. Plans of proposed utility layouts (sanitary and storm sewers, water and electricity) showing feasible connections to the existing or any proposed utility systems. When such connections are not practicable, any proposed individual water supply and/or sewage disposal systems must be approved by the county health department.
  - g. The names, locations, widths and other dimensions of proposed streets, alleys, easements, parks, and other open space, reservations, lot lines, building lines and utilities.
  - h. Contours at vertical intervals of not more than five (5) feet except when specifically not required by the planning commission. Contours of one or two feet may be required at the discretion of the planning commission.
  - i. The acreage of land to be subdivided.
  - j. Actual closure computations for the boundary traverses. Such boundary traverses shall close to an accuracy of at least one (1) part in five thousand (5,000).
4. Within sixty (60) days after submission of the preliminary plat, the planning commission will review it and indicate approval, disapproval, or approval subject to modifications as a basis for the preparation of the final plat. If a plat is disapproved, reasons for such disapproval will be stated in writing. If approved subject to modifications, the nature of the required modifications shall be indicated.



5. The approval of the preliminary plat by the planning commission will not constitute acceptance of the final plat and will not be indicated on the preliminary plat.
6. Failure of the planning commission to act on the preliminary sketch plat within sixty (60) days after being presented at a planning commission meeting in accordance with subsection C.1 and C.2 of this Article will be deemed approval of this plat, and a certificate to that effect shall be issued by the commission on demand, provided, however, that the applicant may waive this requirement and consent to the extension of such period.
7. One copy of the sketch plat will be returned to the subdivider with any notations at the time of approval or disapproval and the specific changes, if any, required.
8. The approval of the preliminary plat shall lapse unless a final plat based thereon is submitted within twelve (12) months from the date of such approval unless an extension of times is applied for and granted by the planning commission.
9. If the subdivision is going to be developed and submitted as final plats in portions of the preliminary plat, the portions must be designated and titled in alphabetical characters.
10. No subdivision shall use the name of an existing subdivision except as noted in Article II, Subsection C.9.

THE  
PRELIMINARY PLAT  
SHALL SHOW:

NAME, LOCATION, OWNER, AND  
DESIGNER.

DATE, NORTH POINT, AND GRAPHIC  
SCALE

LOCATION OF PROPERTY LINES,  
ROADS, EXISTING UTILITIES, ETC.

PRESENT ZONING CLASSIFICATION

NAMES OF ADJOINING PROPERTIES

PROPOSED UTILITY SYSTEM

NAMES OF NEW STREETS

DIMENSIONS, LOT LINES, AND  
BUILDING SETBACKS

LOCATION OF PROPOSED CULVERTS

CONTOURS AT 5' INTERVALS

ACREAGE OF LAND SUBDIVIDED

LOCATION SKETCH MAP.

PRELIMINARY SKETCH  
WESTVIEW ADDITION SECTION "A"

TENNCACITY, TENN.

G.O. WEST, OWNER

100' 0' 100' 200'

SCALE

MARCH 29, 1979

FRANK T. SQUARE  
ENGINEER

NORTH

HARDING AVE.

EXISTING  
8" SEWER

RIGHT-OF-WAY  
INCREASED  
TO 60'

ADDITION

ROAD

NORTHWEST

MILLER PARK

WESTVIEW CIRCLE

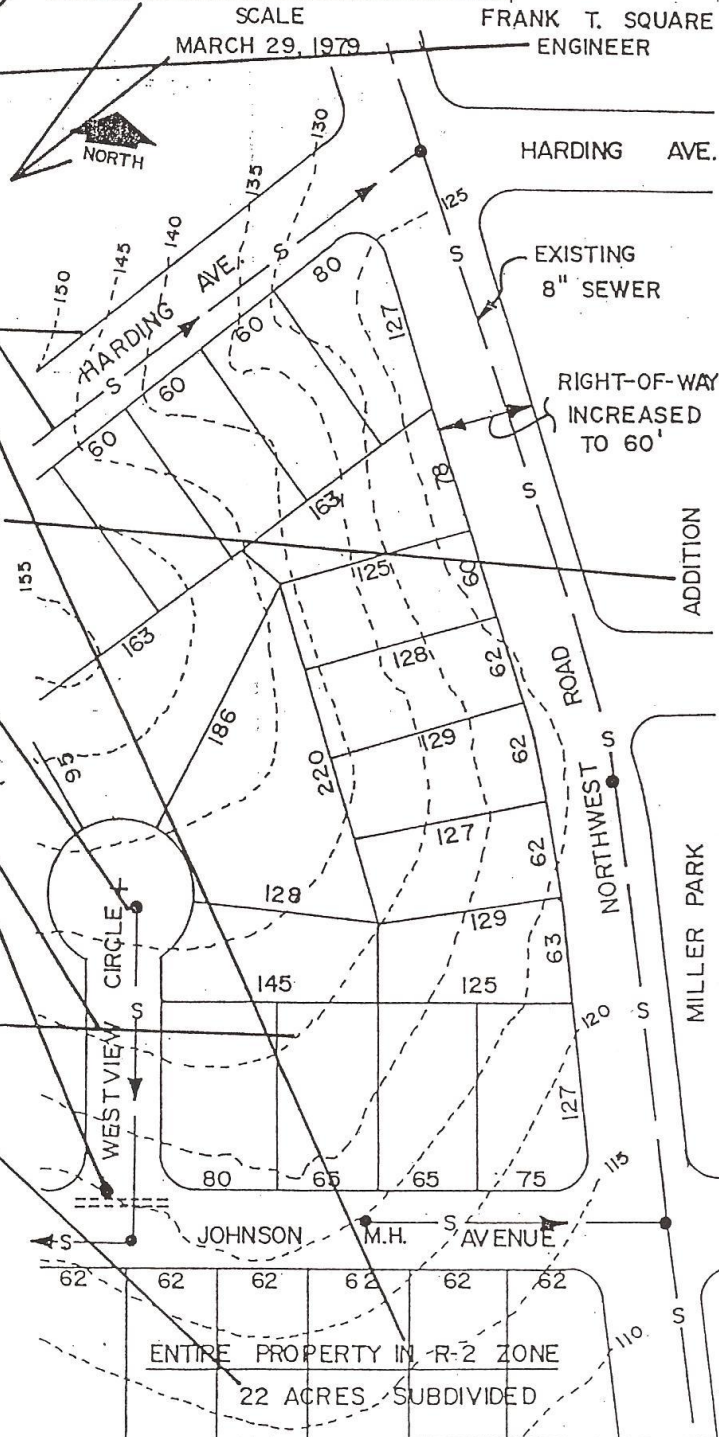
JOHNSON

M.H.

AVENUE

ENTIRE PROPERTY IN R-2 ZONE

22 ACRES SUBDIVIDED



D. Final Plat

1. The final plat shall conform substantially to the preliminary sketch plat as approved, and, if desired by the subdivider, it may constitute only that portion of the approved preliminary sketch plat which he proposed to record and develop at the time, provided, however, that such portion conforms to all requirements of these regulations. If a proposed subdivision fronts upon an existing public road the planning commission may waive the requirements for preliminary approval, and permit the developer to submit only a final plat.
2. In order to allow the planning commission technical staff and utilities heads time to review and prepare recommendations to the planning commission, the final plat shall be submitted to the planning commission at least twenty-one (21) days prior to the meeting at which it is to be considered. The subdivider shall submit the original drawings in black drawing ink and thirteen (13) copies (black and white or blue line prints), together with street profiles or other plans that may be required by the planning commission.
3. The plat shall be drawn to a scale of not less than one (1) inch equals one hundred (100) feet on sheets eighteen (18) by twenty-four (24) inches or of an approved size to correspond to local plat book. When more than one sheet is required, an index sheet of the same size shall be submitted showing the entire subdivision with the sheets lettered in alphabetical order as a key.
4. Upon approval of the plat the developer shall submit a signed copy of the plat and a check made to the Carter County Register of Deeds to the planning commission recording secretary. The check shall be of a sufficient amount to cover the cost of recording the plat at the County Courthouse. The developer shall supply a copy of the plat to the planning staff, building inspector, and department of public works to be placed on file for future references.
5. The planning commission shall approve or disapprove the final plat within sixty (60) days after its submission. Failure of the planning commission to act on this final plat within these sixty (60) days shall be deemed approval. If the plat is disapproved the grounds for disapproval shall be stated upon the records of the planning commission.
6. Approval of the final plat by the planning commission shall not constitute the acceptance by the public of the dedication of any streets or other public way or ground.
7. The final plat shall be presented to the planning commission at its next meeting by the secretary or acting secretary of the planning commission for consideration for approval or disapproval.

8. The final plat shall conform to the preliminary plat as approved; and, if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time, provided, however, that such portion conforms to all requirements of the regulations.
9. If the subdivision has no more than two lots, approval may be endorsed in writing on the plat by the secretary of the planning commission without approval of the planning commission upon certification by the planning staff that the subdivision complies with the requirements of the subdivision regulations and no request for variance has been made. **TCA 13-4-302**
10. The final plat shall show:
  - a. The lines of all streets and roads, right-of-way lines, pavement width lines, alley lines, lot lines, building setback lines, lot numbers in numerical order, reservations, easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
  - b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line whether curved or straight. This shall include the radius, central angle, and tangent distance for the center line of curved streets and curved property lines that are not the boundary of curved streets.
  - c. All dimensions to the nearest one hundredth (100<sup>th</sup>) of a foot and angles to the nearest minute.
  - d. Location and description of monuments.
  - e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
  - f. Date, title, name and location of subdivision, graphic scale and true north point.
  - g. Location map to scale, showing site in relation to area.
  - h. All boundary traverses including lot and block traverses shall close to an accuracy of at least one (1) part in five thousand (5,000).
11. The following certificates shall be presented with the final plat:
  - a. Certification showing that applicant is the land owner and dedicates streets, right-of-ways and any sites for public use (see Appendix B).

- b. Certification by surveyor or engineer to accuracy of survey and plat and placement of monuments (see Appendix B).
- c. Certification of approval by the appropriate health officer and the approval of the source of water used to serve the individual lots when individual sewage disposal or water systems are to be installed.
- d. Certifications by city engineer or other competent engineer approved by the planning commission that the subdivider has complied with one of the following alternatives:
  - (1) All improvements have been installed in accordance with the requirements of the subdivision regulations, or
  - (2) A surety bond approved by the city attorney has been posted in sufficient amount to assure such completion of all required improvements (see Appendix A).
- e. Certification on the plat of approval to be signed by the secretary of the planning commission (see Appendix B).

# THE FINAL PLAT

SHALL SHOW:

STREETS, LOTS, SETBACK LINES,  
LOT NUMBERS, ETC.

SUFFICIENT ENGINEERING DATA TO  
REPRODUCE ANY LINE ON THE  
GROUND.

DIMENSIONS, ANGLES, AND  
BEARINGS

MONUMENTS

NAMES OF ADJOINING PROPERTIES

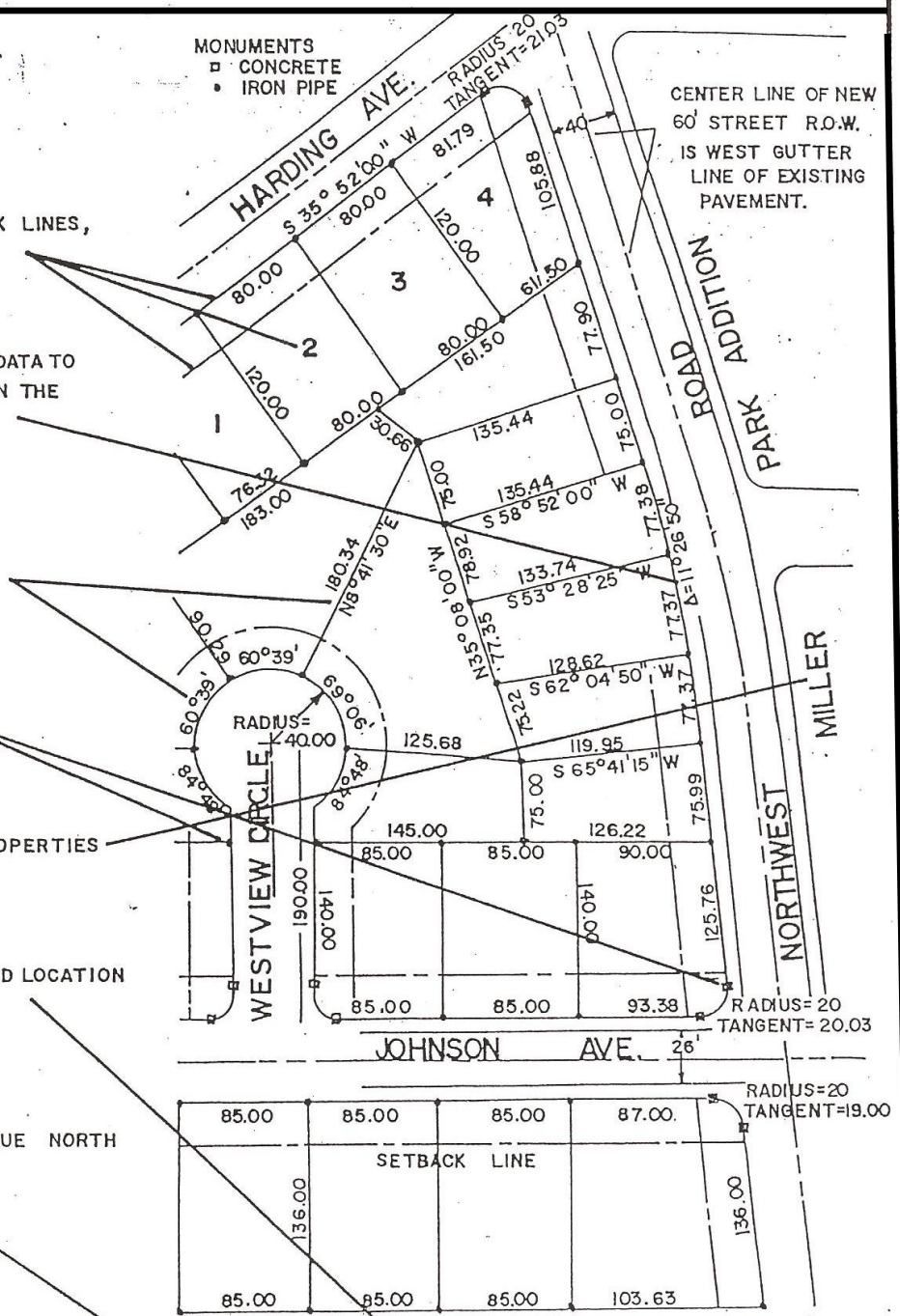
DATE, TITLE, NAME, AND LOCATION  
OF SUBDIVISION.

GRAPHIC SCALE AND TRUE NORTH  
POINT

LOCATION SKETCH MAP AND  
CERTIFICATES AS REQUIRED.

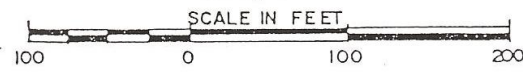
MONUMENTS  
□ CONCRETE  
• IRON PIPE

CENTER LINE OF NEW  
60' STREET R.O.W.  
IS WEST GUTTER  
LINE OF EXISTING  
PAVEMENT.



SECTION "A"  
WEST HILLS ADDITION

TENNACITY, TENN.  
MAY 5, 1979



### ARTICLE III. GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

#### A. Streets

##### 1. Conformity to the Major Thoroughfare Plan

The location and width of all streets and roads shall conform to the official Major Thoroughfare Plan.

##### 2. Relation to Adjoining Street Systems

The proposed street system extends existing streets or projects. They shall be extended at a width no less than the required minimum width as set forth in this Article or the width of the existing street, whichever is greater.

##### 3. Access Streets to Subdivision Boundaries

Sufficient access streets to adjoining properties shall be provided in subdivisions to permit harmonious development of the area.

##### 4. Street Elevation

The planning commission shall not approve streets subject to inundation or flooding by water. All streets must be adequately located above the line of flood elevation to prevent isolation of areas by flood. The planning commission may require profiles and elevations of streets in areas subject to flooding.

##### 5. Street Widths

The minimum width of rights-of-way shall be as shown on the Major Thoroughfare Plan, or if not shown on such plan shall be not less than as follows:

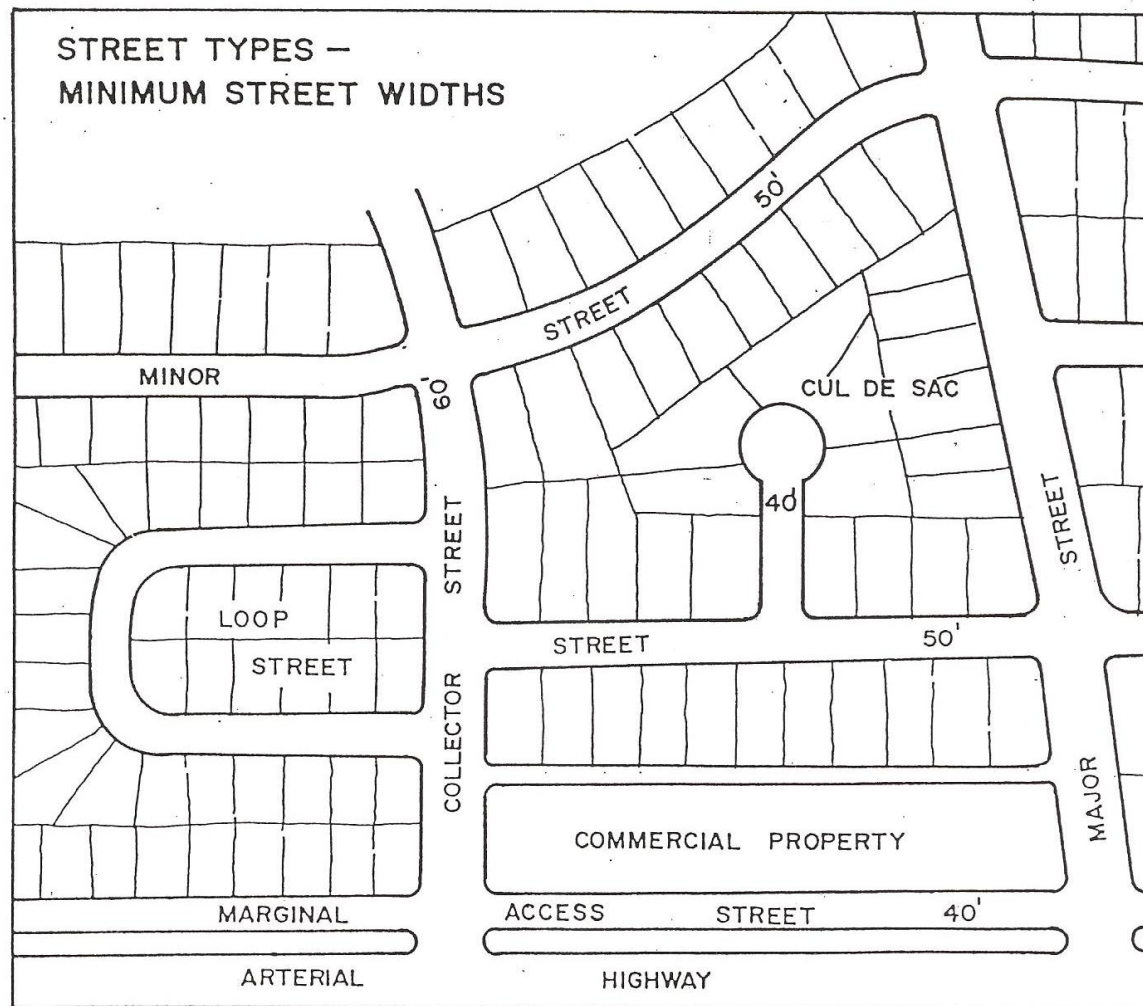
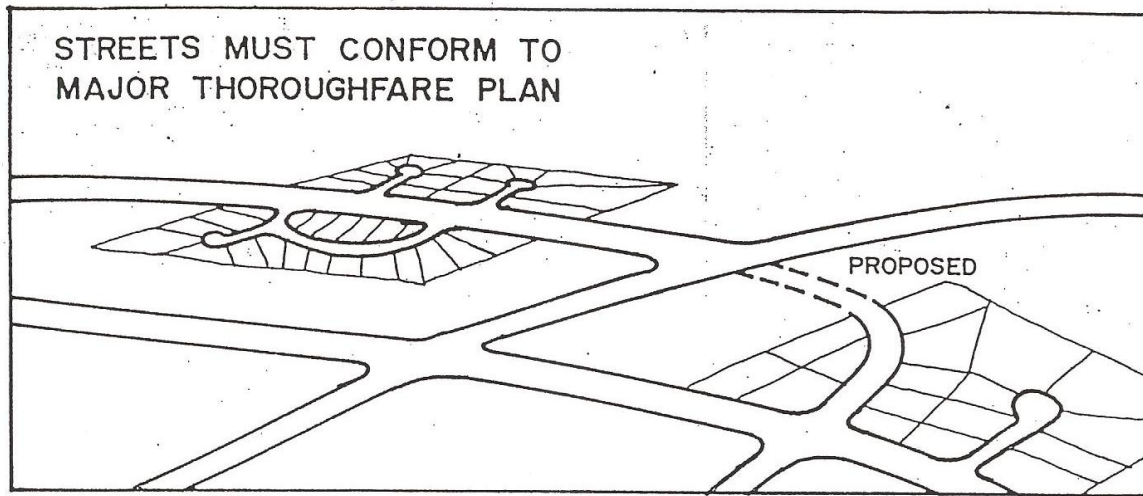
- a. Arterial Streets and Highways . . . . .80 – 150 feet as may be required.  
Arterial streets and highways are those to be used primarily for fast or heavy traffic and will be located on the Major Thoroughfare Plan.
- b. Collector Streets . . . . . 60 feet  
Collector Streets are those which carry traffic from minor streets to the major system of arterial streets and highways and include the principle entrance street of a residential development and streets for major circulation within such a development.
- c. Minor Residential Streets . . . . .50 feet  
Minor streets are those which are used primarily for access to the abutting residential properties and designed to discourage their use by through traffic.

- d. Marginal Access Streets . . . . .40 feet  
Marginal access streets are minor streets which are parallel and adjacent to arterial streets and highways; and which provide access to abutting properties and protection from through traffic.
- e. Dead-end Streets (cul-de-sac) . . . . .40 feet  
Cul-de-sacs are permanent dead-end streets or courts not to exceed six hundred (600) feet or fifteen (15) dwelling units, designed so that they cannot be extended in the future.
- f. Loop Streets . . . . .40 feet  
Loop streets are streets open at both ends of the loop and connected to the same residential street with a maximum length twelve hundred (1200) feet or twenty-five (25) dwelling units.
- g. Rural Streets . . . . .50 feet  
Rural streets are those where development density is not more than one dwelling unit per acre and where minimum street frontage is one hundred fifty (150) feet per lot.
- h. Alleys . . . . .20 feet  
Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street.

In cases where topography or other physical conditions make a street of the required minimum width impracticable, the planning commission may modify the above requirements. Through proposed business or commercial areas the street widths shall be increased ten (10) feet on each side if needed to facilitate parking without interference to normal passing traffic.



## MINIMUM STANDARD OF DESIGN



6. Additional Width of Existing Streets

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
- b. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the center line of the existing roadway, shall be provided. In no case shall the resulting right-of-way width be less than fifty (50) feet. Except on loop streets and cul-de-sacs where rights-of-way width will be no less than forty (40) feet.

7. Restriction of Access

Where a subdivision abuts or contains an existing or proposed major street, the planning commission may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, or such other treatment as may be necessary for adequate protection of residential properties to afford separation of through and local traffic.

8. Street Grades

Grades on major streets and roads shall not exceed seven (7) percent. Grades on other streets may exceed seven (7) percent but shall not exceed fifteen (15) percent.

9. Horizontal Curves

Where a deflection angle of ten (10) degrees or more in the alignment of a street occurs, a curve of reasonable long radius shall be introduced. On streets sixty (60) feet or more in width, the center line radius of curvature shall not be less than three hundred (300) feet; on other streets, not less than one hundred (100) feet.

10. Vertical Curves

All changes in grade shall be connected by vertical curves of minimum length in feet equal to fifteen (15) times the algebraic difference in rates of grade for major streets and one-half this minimum length for other streets. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one inch equals one hundred (100) feet horizontal, and one inch equals ten (10) feet vertical, may be required by the planning commission.

11. Intersections

Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than sixty (60) degrees.

Property line radii at street intersections shall not be less than twenty (20) feet and where the angle of street intersection is less than ninety (90) degrees the planning commission may require a greater curb radius. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such construction.

12. Tangents

A tangent of at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.

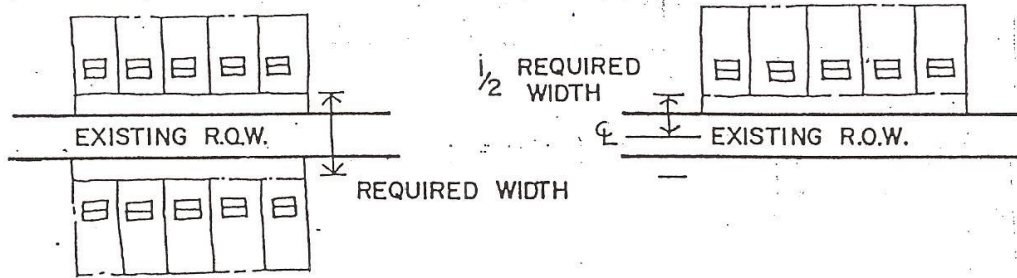
13. Street Jogs

Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be allowed.

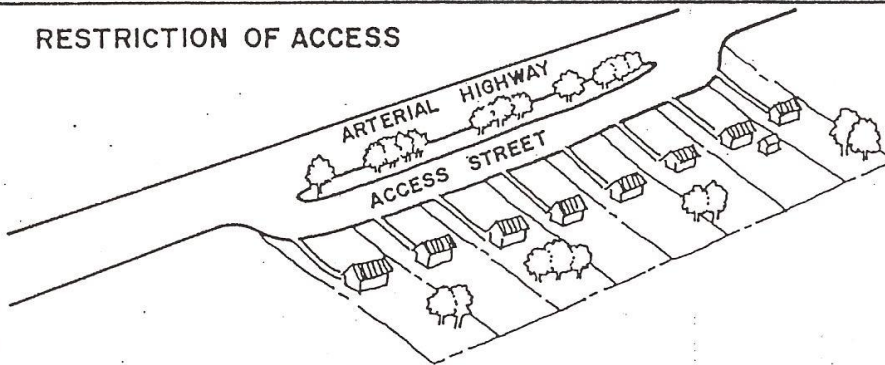
14. Dead-end Streets

- a. Minor terminal streets or courts designed to have one end permanently closed shall be no more than six hundred (600) feet long unless necessitated by topography. They shall be provided at the closed end with a turn-around having an outside roadway diameter of at least eighty (80) feet and a street right-of-way diameter of at least one hundred (100) feet or the planning commission may approve an alternate design such as the "T" or "Y" backaround shown on Illustration 7.
- b. Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Such dead-end streets shall be provided with a temporary turn-around having a roadway diameter (pavement) of at least eighty (80) feet with necessary temporary easements. However, the planning commission may approve a "T" shaped paved backaround in place of the turn-around providing it is determined that the street length is not more than three hundred (300) feet, that the topographic conditions dictate a lesser turn-around be provided, or that the development of the adjoining property is imminent. The planning commission may waive the temporary turn-around requirement when no lots front on such temporary dead-end streets.

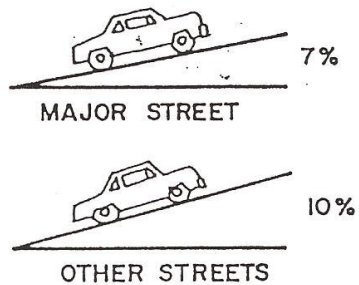
### EXISTING STREETS- ADDITIONAL WIDTH



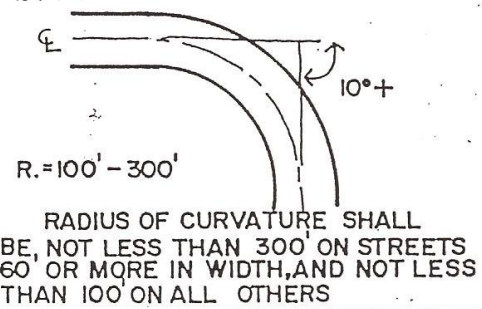
### RESTRICTION OF ACCESS



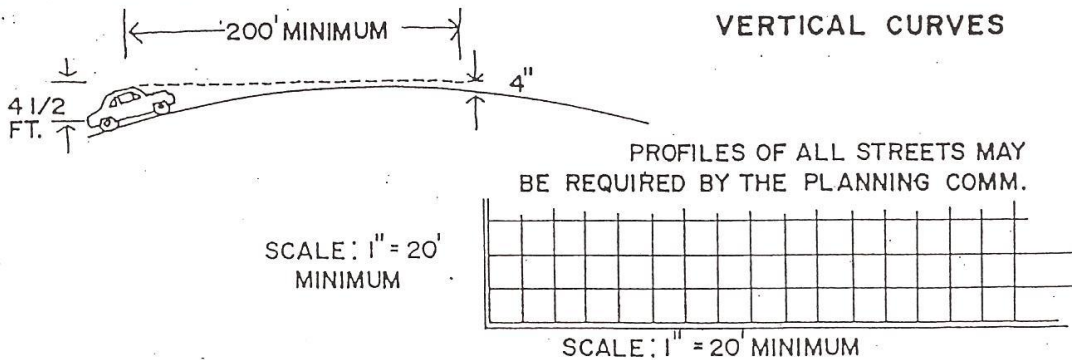
### MAXIMUM GRADES

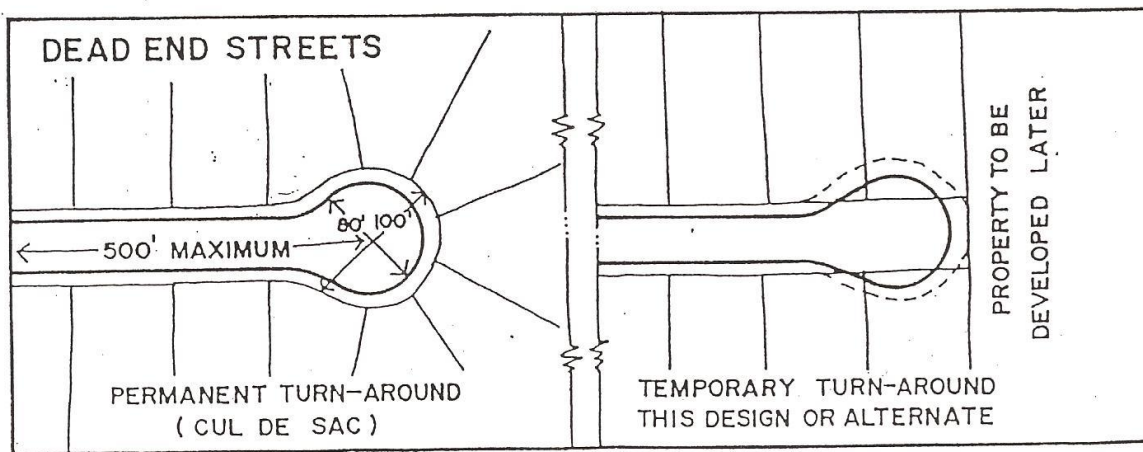
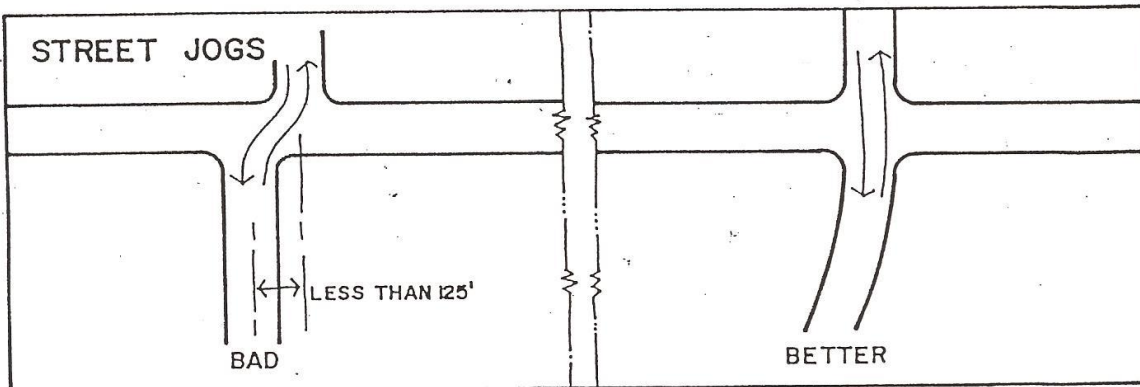
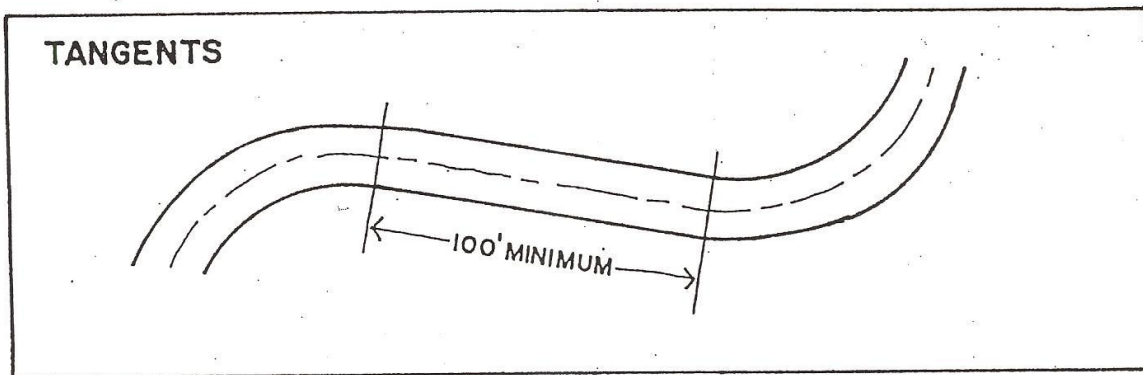
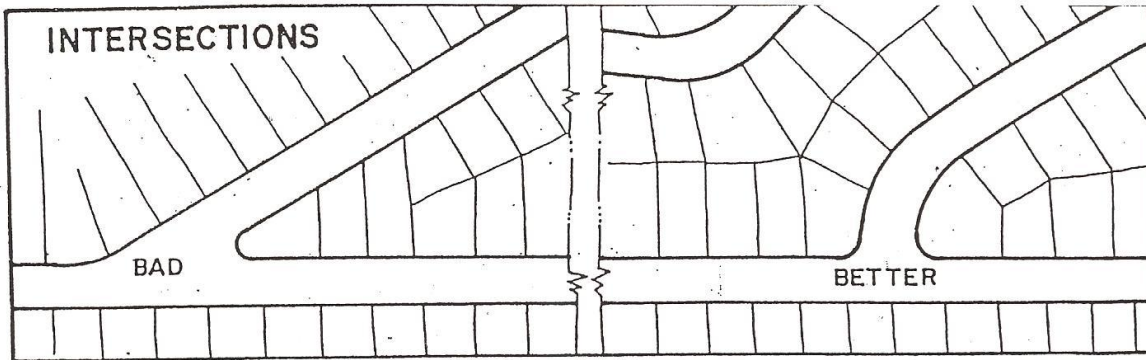


### HORIZONTAL CURVES



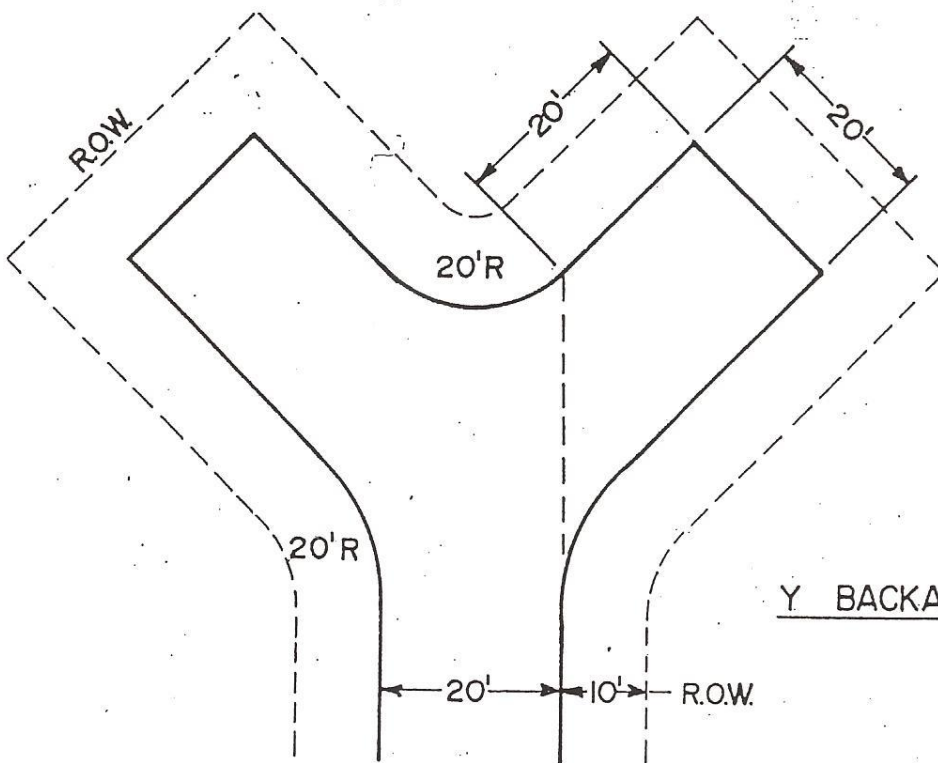
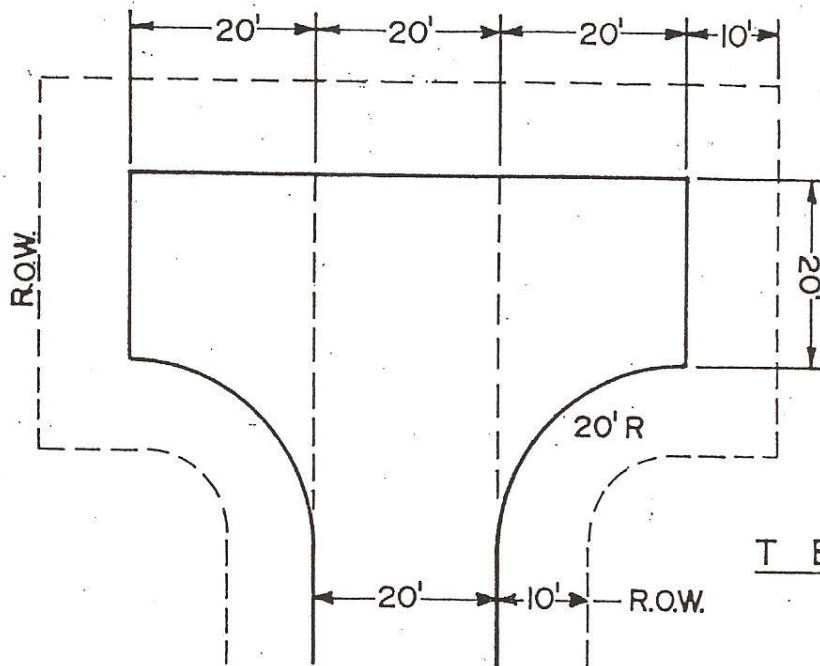
### VERTICAL CURVES







# T & Y BACKAROUND



- c. It shall be the responsibility of the subdivider of adjacent land to remove the pavement used in constructing temporary turn-arounds and to begin construction of the street extensions, at standard street specifications, so as to properly connect the two subdivisions. Furthermore, the subdivider shall improve to standard specifications all unimproved rights-of-way leading to the subdivision from improved county roads and city streets unless in the opinion of the planning commission such improvement is an undue burden upon the subdivider.

15. Private Streets and Reserve Strips

There shall be no private streets platted in any subdivision. Every subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the planning commission.

16. Street Names

Proposed streets which are obviously in alignment with others already existing and named, shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, driveway, place or court. Through its index list of street names on file the planning commission can assist the subdivider in avoiding duplication.

17. Drainage

All streets and road must be so designed as to provide for the discharge of surface water from the right-of-way of all streets and roads by grading and drainage as shall be approved by the city engineer or by the planning commission. When it is the opinion of the planning commission that water cannot be adequately discharged by surface drainage, the planning commission may require the installation of a storm water system.

18. Alleys

Alleys shall be provided to the rear of all lots and used for business purposes, and shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the planning commission of the need for alleys.

B. Blocks

1. Length

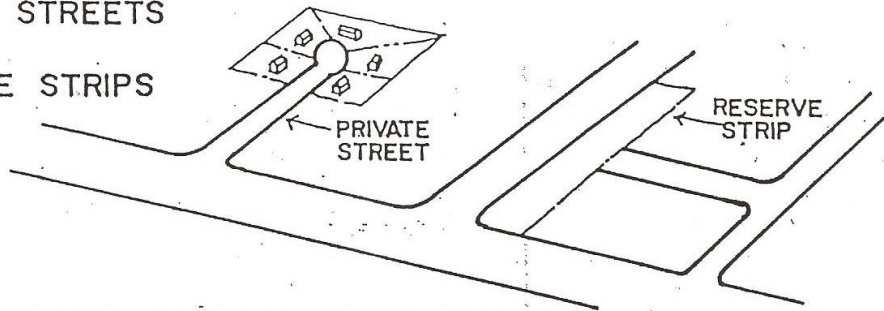
Blocks shall not be less than four hundred (400) feet nor more than twelve hundred (1200) feet in length, except as the planning commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over eight hundred (800) feet in length, the planning commission may require one or more public crosswalks of not less than ten (10) feet in width to extend entirely across the block and at locations deemed necessary.

2. Width

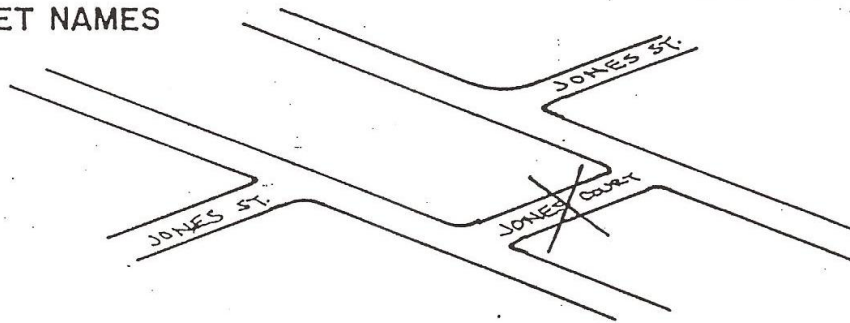
Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets and roads or prevented by topographic conditions or size of the property, in which case the planning commission will approve a single tier of lots of minimum depth.



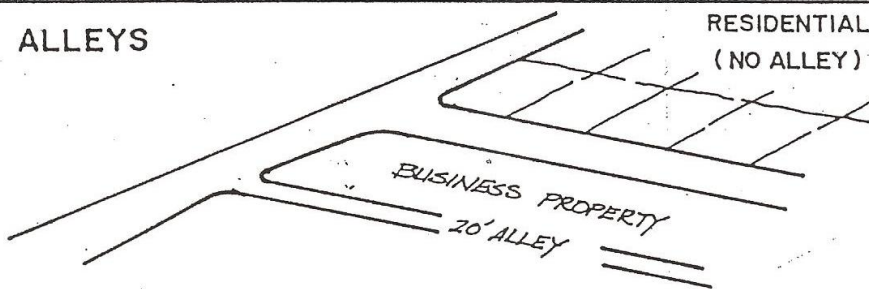
### PRIVATE STREETS AND RESERVE STRIPS



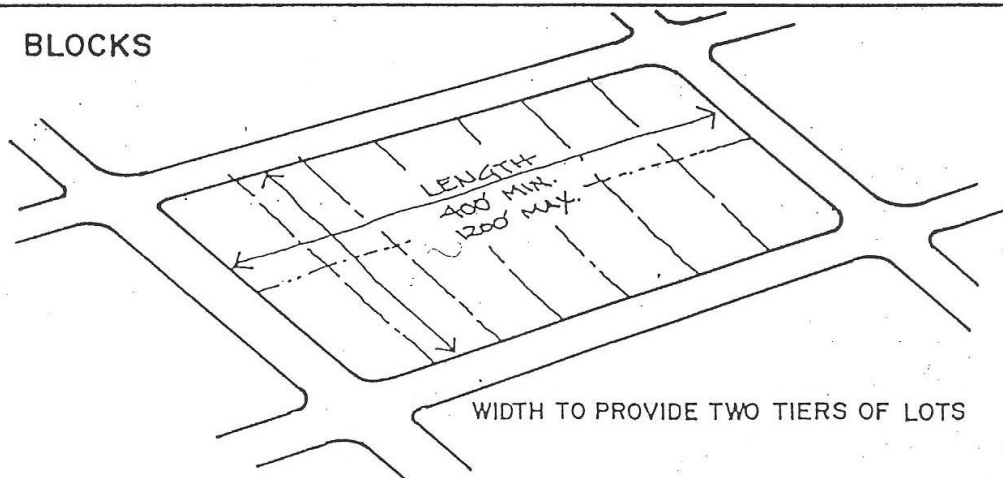
### STREET NAMES



### ALLEYS



### BLOCKS



C. Lots

1. Adequate Building Site

To insure that residents will have sufficient land upon which to build a house which is flood free, the planning commission may require elevations and flood profiles. Each lot shall be completely free of the danger of flood waters.

2. Arrangement

Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front for a minimum of fifty (50) feet upon a public street or road which is not less than forty (40) feet in width. Road frontage of thirty (30) feet shall be allowed on cul-de-sacs. Provided however that when only one piece of property is being subdivided into no more than two tracts, thirty (30) feet road frontage shall be sufficient for one tract if the tract is no larger than one-half of an acre or no smaller than one-fourth acre provided that the other tract has a minimum of sixty (60) feet frontage and each tract or parcel meets all the other requirements of the Elizabethton Subdivision Regulations and Zoning Ordinance.

3. Minimum Size

The size, shape and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated. Where a public sanitary sewer is reasonably accessible, the subdivider shall connect with such sewer and provide a connection to each lot. Where a public sewer is not accessible, an alternate method of sewage disposal may be used, if it meets all applicable public health regulations.

- a. Residential lots served by a public sewerage system shall not be less than fifty (50) feet wide at the building setback line nor less than five thousand (5,000) square feet in area.
- b. Residential lots not served by a public sewerage system shall not be less than fifty (50) feet wide at the street right-of-way line and a minimum of eighty (80) feet wide at the building setback line, and shall provide a minimum area of fifteen thousand (15,000) square feet.
- c. Greater area may be required for private sewage disposal if, in the opinion of the county health officer, there are factors of drainage, soil condition or other conditions to cause potential health problems. The planning commission may require that data from percolation test be submitted as a basis for passing upon subdivisions dependent upon septic tanks as a means of sewage disposal.

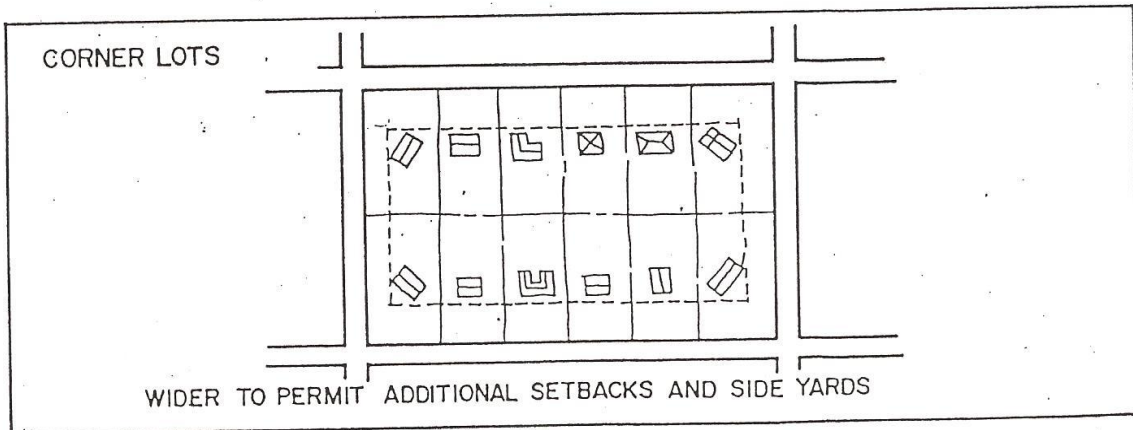
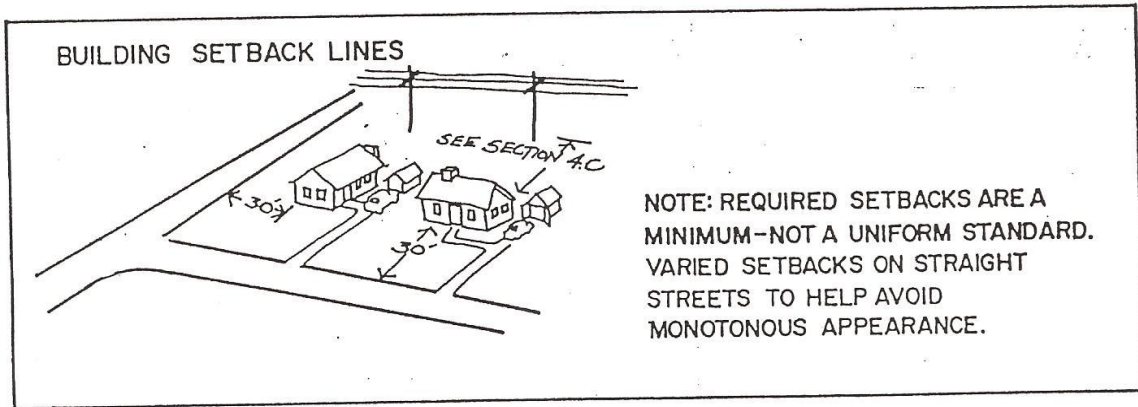
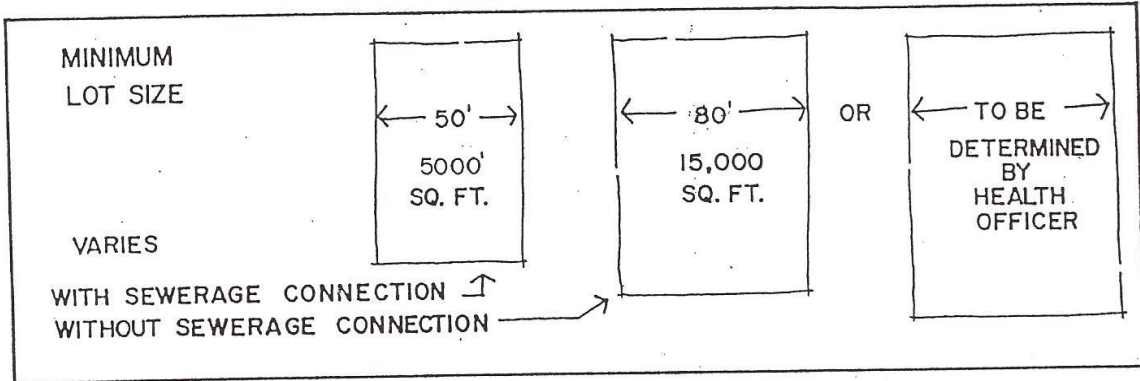
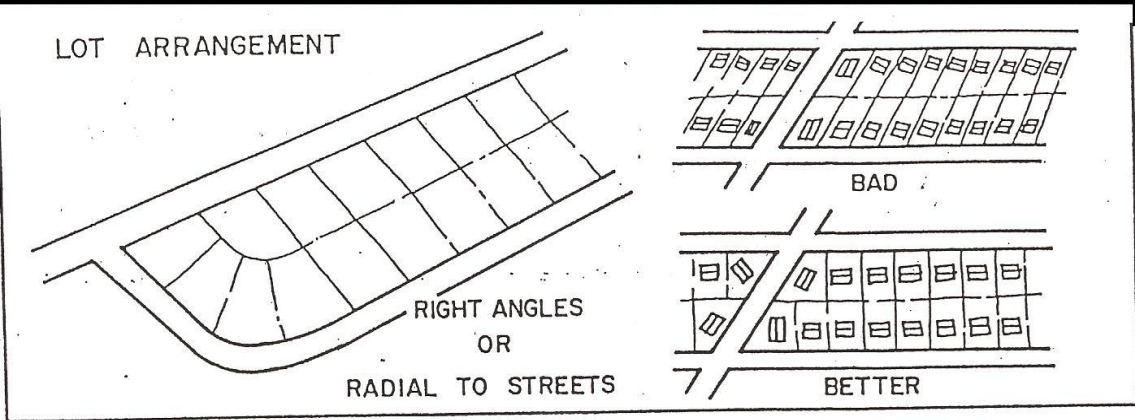
- d. The minimum size of residential lots to be served by a private source of water supply shall be determined by the county health officer after investigations of soil conditions, proposed sewerage system, and depth of ground water.
- e. Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purpose.
- f. The size and width of lots shall in no case be less than the minimum requirements of any zoning ordinance in effect.
- g. Any lot less than one hundred and eighty-five (185) feet in width shall not have a depth more than three (3) times the width.

4. Building Setback Lines

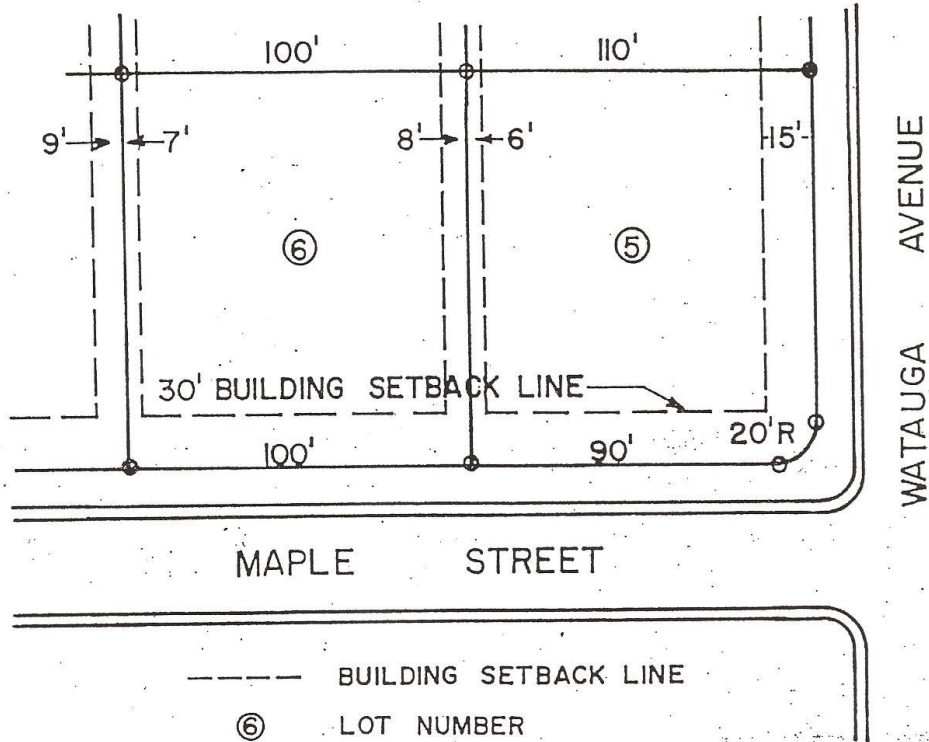
The minimum depth of building setback lines from the street shall not be less than thirty (30) feet and in the case of corner lots fifteen (15) feet from the side street unless a lesser or greater standard is required by the Zoning Ordinance of Elizabethton, in which case the zoning ordinance requirements shall be observed.

5. Corner Lots

Corner lots shall be sufficiently wider and larger to permit the additional side yard requirements of the zoning ordinance in building setback lines as outline above.



## BUILDING SETBACK LINES



D. Public Use and Service Areas

Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as for use as public service areas.

1. Public Open Spaces

Where a school, neighborhood park or recreation area of public access to water frontage, shown on an official map or in a plan made and adopted by the planning commission, is located in whole or in part in the applicant's subdivision, the planning commission may require the dedicated or reservation of such open space within the subdivision up to a total of ten (10) percent of the gross area or water frontage of the plat, for park, school or recreation purposes or of a greater amount if such is specified under the planned unit development provisions of the Zoning Ordinance of Elizabethton.

2. Easements

a. Drainage and Utilities

Except where alleys are permitted for the purpose, the planning commission shall require utility and drainage easements not exceeding fifteen (15) feet in width (usually seven and one-half feet on either side of lot line) for poles, wires, conduits, storm and sanitary sewers, gas water and heat mains or other utility lines, along all side and rear lot lines, except on the street side of corner lots. Easements of the same or greater width may be required along the lines of or across lots, where necessary for the extension of existing or planned utilities or drainage-ways. Permanent drainage easements shall be required where sink holes are used for drainage to prevent encroachment into the drainage-way.

b. Storm Sewers

Where in the opinion of the planning commission the flow of water cannot be accommodated with surface drainage, storm sewers may be required. The planning commission shall determine, on the basis of the watershed and the probable runoff, the size of storm sewers. In ascertaining the size of the storm sewers, the planning commission may call upon its city engineer and technical staff or any other public or private agency to assist it in its determinations.

3. Water Supply and Sewerage Connections

Where a public water supply or public sewerage system is reasonably accessible, the subdivider shall indicate a connection with such water supply or sewerage

system and a water or sewerage system and a water or sewerage connection for each lot with such material and to such size and length as shall be approved by the planning commission. Where a public water supply or public sewerage system is not reasonably accessible or not planned for in the future, an alternate method of water supply or sewage disposal may be indicated and shall be approved in writing by the county health officer.

4. Community Assets

In all subdivisions due regard shall be shown for all natural features such as large trees and water courses, and for historical spots and similar community assets which, if preserved, will add attractiveness and value to the property.

E. Suitability of the Land

The planning commission shall not approve the subdivision of land if, from adequate investigations, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed.

Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for any other use that may increase flood hazard, endanger health, life or property, or aggravate erosion. Such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not provide unsatisfactory living conditions.

Fill may not be used to raise land in areas subject to flood unless the fill proposed does not restrict the flow of water and unduly increase flood heights.

F. Large Tracts or Parcels

When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical further resubdivision.

G. Group Housing Development or Planned Unit Development

A comprehensive group housing or planned unit development, including the construction of townhouse, duplexes, condominiums, or similar structures, and the conversion of apartments or other existing buildings to commercial developments, condominiums, or owner units together with necessary drives and ways of access may be approved by the planning commission. When the design of the project does not include standard street, lot and subdivision arrangements, departure from the foregoing standards can be made provided the intent of the regulations are maintained. Each development within the City of Elizabethton shall comply with all requirements of the planned unit development provisions of the zoning ordinance. Preliminary or design approval and final or recording approval shall be required for all condominium developments approved by the planning

commission before any units can be sold. For condominium projects to be developed in stages or phases, preliminary or design approval shall be required on the entire project with final or recording approval required at the completion of each stage of construction before any units can be sold.

#### H. Mobile Home Subdivision

The planning commission may approve a subdivision with lots designed and established exclusively for mobile homes. A mobile home is a detached single-family dwelling unit with the following characteristics: (a) designed for long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems; (b) designed to be transported after fabrication on its own wheels, or on a flatbed or other trailers or detachable wheels or constructed as a single self-contained unit and mounted on a single chassis; and (c) arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities and the like. Mobile home subdivisions shall meet the following standards:

1. The minimum tract size for a mobile home subdivision shall be ten (10) acres.
2. The minimum lot sizes, setbacks, and yard requirements shall be the same as those established in this Article.
3. Mobile home subdivisions must be located and developed in compliance with all provisions of the Elizabethton Zoning Ordinance.

#### I. Variances

Variances may be granted under the following conditions:

1. Where the subdivider can show that strict adherence to these regulations would cause unnecessary hardship, or
2. Where the planning commission decides that there are topographical or other conditions peculiar to the site, and a departure from these regulations will not destroy their intent. Any variance thus authorized and the reason therefore shall be stated in writing in the minutes of the planning commission.

#### J. Zoning or Other Regulations

No final plat of land within the force and effect of an existing zoning ordinance shall be approved unless it conforms to such ordinance. Whenever there is a discrepancy between minimum standards of dimensions noted herein and those contained in zoning regulations, building code, or other official regulations, the highest standard shall apply.



## ARTICLE IV. DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

A perfectly prepared and recorded subdivision or plat means little to a prospective lot buyer until he can see actual physical transformation of raw acreage into lots suitable for building purpose and human habitation. Improvements by the subdivider spare the community of a potential tax liability. The following tangible improvements or provision for their estimated cost are required before final plat approval in order to assure the physical reality of a subdivision which approval and recordation will establish legally. Furthermore, all materials used and all methods of construction employed must meet the minimum specifications established by the city engineer unless otherwise specified.

### A. Required Improvements

Every subdivision developer shall be required to grade and improve streets and alleys, and to install curbs, monuments, sewers, storm water inlets and water mains in accordance with specifications established by the Elizabethton Regional Planning Commission. Where specifications adopted by local authorities conflict with standards as set forth in these subdivision regulations, the higher set of standards, as determined by the planning commission, shall govern.

#### 1. Monuments

- a. Concrete monuments four (4) inches in diameter or four (4) inches square, three (3) feet long, with a flat top, shall be set at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision, and at angle points and points of curve in each street. The top of the monument shall have an indented cross to identify properly the location and shall be set flush with the finished grade.
- b. All other corners and points shall be marked with iron pipe or solid steel rod not less than one-half (1/2) inches in diameter and twenty-four (24) inches long and driven so as to be flush with the finished grade.

#### 2. Grading

All streets, roads and alleys shall be graded or filled horizontally to the full width of their rights-of-way by the subdivider or developer. Due to special topographic conditions, deviations from the above will be allowed only with special approval of the planning commission.

- a. Preparation: Before grading is started the entire right-of-way area shall be first cleared of all trees, stumps, roots, brush and other objectionable materials.
- b. Cuts: All tree stumps, boulders and other obstructions shall be removed to a depth of two (2) feet below the subgrade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below the grade.

- c. Fill: All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed six (6) inches loose and compacted by a sheep's foot roller. Unless another method of preparation of the subgrade is approved by the planning commission, the subgrade shall be constructed as specified in Section 23 Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways and Public Works, March 1, 1981 and latest revision thereto. The filling of utility trenches and other places not accessible to a roller shall be mechanically tamped, and where water is used to assist compaction, the water content shall not exceed the optimum of moisture.

### 3. Storm Drainage

An adequate drainage system, including storm sewers, necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water.

Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes. The size openings to be provided shall be determined by Talbot's formula, but in no case shall the pipe be less than eighteen (18) inches. Cross drains shall be built on straight line and grade, and shall be laid on a firm base but not on rock. Pipes shall be laid with the spigot end pointing in the direction of the flow and with the ends filled and matched to provide tight joints and a smooth uniform invert. They shall be placed at pressure of impact, and in no case shall the top of the pipe be less than one foot below the roadbed.

### 4. Roadway Improvements

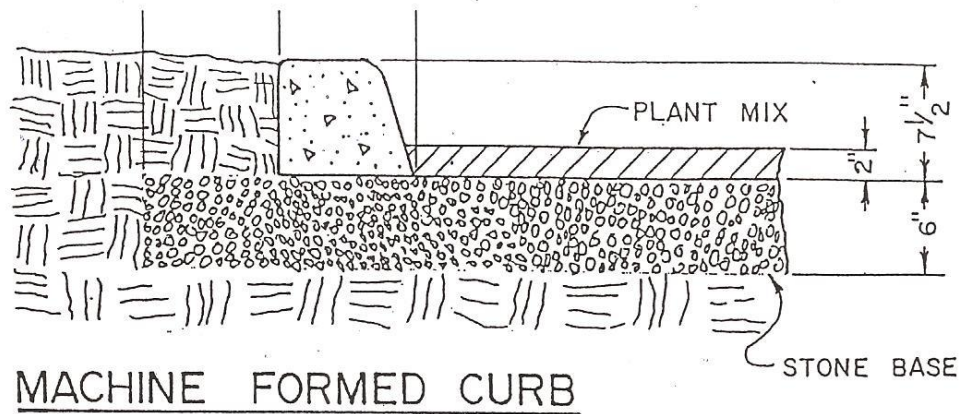
- a. Base: A compacted base course six (6) inches deep and three (3) feet wider than the width of the pavement, measured from the inside of the curbs, shall be installed for all streets, including cul-de-sacs, temporary turn-arounds and access streets to adjoining properties, according to the method specified in Section 303, Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways and Public Works, as revised. Wetting of the stone before compaction may be done at the point of origin or on the job site at the option of the contractor. In all cases the centerline of the right-of-way dedicated for such road or street.
- b. Prime Coat: After a thoroughly compacted base has been established, a prime coat shall be applied as specified in Section 402, Standards Specifications for Road and Bridge Construction, Tennessee Department of Highways and Public Works, March 1, 1981 and latest revisions thereto.

- c. Wearing Surface: The wearing surface shall consist of a surface course constructed with asphalt concrete, prepared with mineral aggregate, laid hot as specified under Section 411, Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways and Public Works, March 1, 1981 and latest revisions thereto. It shall be constructed in one layer not less than two (2) inches thick to conform to the lines, grades and cross sections indicated on a plan approved by the inspecting engineer.
- d. Curbs: The subdivider shall install curbs of no lower classification than machine formed concrete extruded curb, nine (9) inches wide at the base and seven and one-half (7 ½) inches high. The curb shall be installed after the prime coat is applied to the base. Back fill shall be towards the curb to insure drainage of surface water into the drainage system. One-half (1/2) inch to three-fourths (3/4) inches expansion and contraction joints for the curbs shall be placed at intervals not exceeding forty (40) feet. In lieu of curbs as the drainage system in the planning region, the planning commission may accept one of two alternatives:
- (1) Swales may be used on streets where the finished grade does not exceed the following standards:

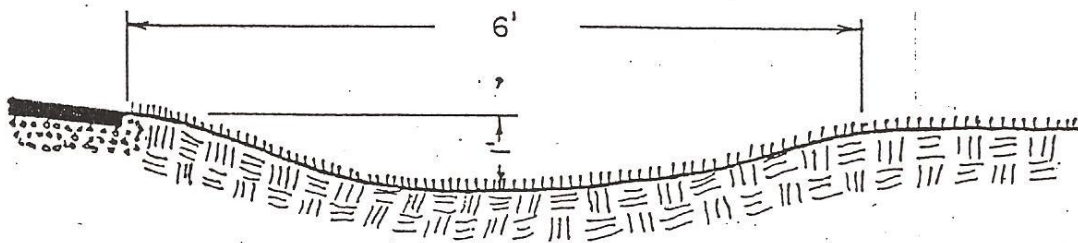
<u>Average Slope</u>	<u>Maximum Length of Swale</u>
2%	1,000 ft.
3%	800 ft.
4%	600 ft.
5%	400 ft.
6%	200 ft.
7%	100 ft.

An illustration showing the design requirements for swales are shown on the following page. Swales shall be seeded to properly stabilize the soil and prevent erosion. If swales are not established with grass prior to final approval, a bond will be required to insure that the swales are properly grassed.

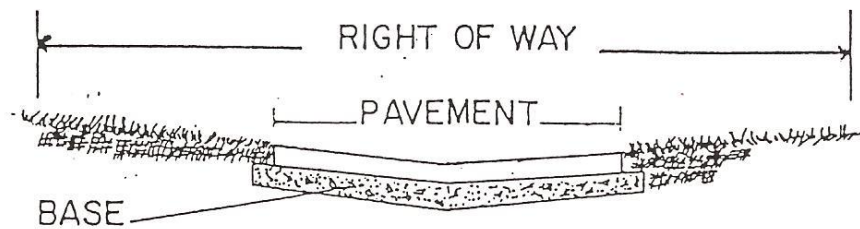
- (2) Streets with an inverted crown may be used provided that the drainage area of the street does not exceed five (5) acres.



AN ACCEPTABLE SWALE LOOKS LIKE THIS



SWALE



INVERTED CROWN

PAVEMENT TO SLOPE 3" IN 10'

NO SCALE

5. Minimum Street Improvement Width

Due to the diversity of development in the planning region's ranging from sparsely populated agriculture areas to the densely populated urban areas, required street improvement widths will necessarily vary with the character of building development and the amount of traffic encountered. Minimum widths for surface treatment of roads and streets shall be those indicated below:

- a. Arterial Streets . . . . . (not paved by developer)
- b. Collector Streets. . . . . 36 feet  
(not usually paved by developer)
- c. Minor Residential Streets . . . . . 28 feet  
Most minor streets in residential developments involve parking and/or considerable traffic.
- d. Marginal Access . . . . . 20 feet  
Maximum length 1,200 feet or 25 dwelling units.
- e. Loop Streets. . . . . 20 feet  
Maximum length 1,200 feet or 25 dwelling units.
- f. Dead-end Streets (cul-de-sac) . . . . . 20 feet  
Maximum length 600 feet or 15 dwelling units.
- g. Rural Streets. . . . . 24 feet  
Without curbs – minimum of one acre lots and 150 feet frontage.  
Pavement widths of 20 feet may be accepted on loop and dead-end (cul-de-sac) rural streets meeting the above standard of maximum length and number of dwelling units.

6. Installation of Utilities

After grading is completed and approved and before any base is applied, all of the underground works – water mains, gas mains, etc., and all service connections shall be installed completely and approved throughout the length of the road and across the flat section. All driveways for houses to be built by the developer shall be cut and drained.

7. Inspection of Roadway Improvements

The city engineer or authorized staff shall inspect the subgrading, base and wearing surface. It shall be the responsibility of the developer to contact the city engineer and allow adequate time for such inspections.

8. Water Supply System

Water mains properly connected with the community water supply system or with an alternate supply approved by the county health officer shall be constructed in such a manner as to serve adequately all lots shown on the subdivision plat for both domestic use and fire protection.

The size of water mains, the locations and type of valves and hydrants, the amount of soil cover over the pipes and other features of the installation shall be approved by the water department and the planning commission, and shall conform with accepted standards of good practice for municipal water systems.

9. Sanitary Sewers

When located within the service area of a public sewerage system, sanitary sewers shall be installed in such a manner as to serve adequately all lots with connection to the public system.

Where lots cannot be economically connected with a sewerage system, they must contain adequate area for the installation of approved septic tank and disposal fields, and must be approved by certification on the original of the final plat by the county health officer.

10. Street Name Signs

Appropriate street signs also add sales value to land subdivided and enable strangers, delivery concerns and even potential lot buyers to find their way around. Street names shall appear at all intersections. Street name signs shall be constructed and installed in conformance with the specifications as set forth by the city engineer.

11. Erosion Control

The planning commission shall require seeding or other conservation measures of all areas subject to erosion.

B. Guarantee in Lieu of Completed Improvements

No final subdivision plat shall be approved by the planning commission or accepted for record by the County Registrar of Deeds until one of the following conditions has been met:

1. All required improvements have been constructed in a satisfactory manner and approved by the city engineer.
2. The planning commission has accepted a security or performance bond in an amount equal to the estimated cost of installation of the required improvements,

whereby improvements may be made and utilities installed without cost to the city in the event of default of the subdivider. The conditions of such security or performance bond shall provide for the installation of the improvements covered by such bond within a period not to exceed one (1) year, provided, however, that such period may be extended by the planning commission with the consent of the parties thereto if the planning commission finds that the public interest will not be adversely affected by such extension. If the planning commission shall decide at any time during the performance bond that the extent of the building development that has taken place in the subdivision is not sufficient to warrant all the improvements covered by such performance bonds, that required improvements have been installed as provided in this section in sufficient amount to warrant reduction in the face amount of said bond, or that the character and the extent of such development require additional improvements for any or all such improvements, the face value of such performance bond shall thereupon be reduced or increased by an appropriate amount so that the new face amount will cover the cost in full of the amended list of improvements.

Performance bonds which are submitted in lieu of the installation of required improvements shall be in cash or made by a surety company authorized to do business in the State of Tennessee. In the case of a surety company, the performance bond shall be prepared according to the form as shown in Appendix A, said Appendix A is made a part of these subdivision regulations.

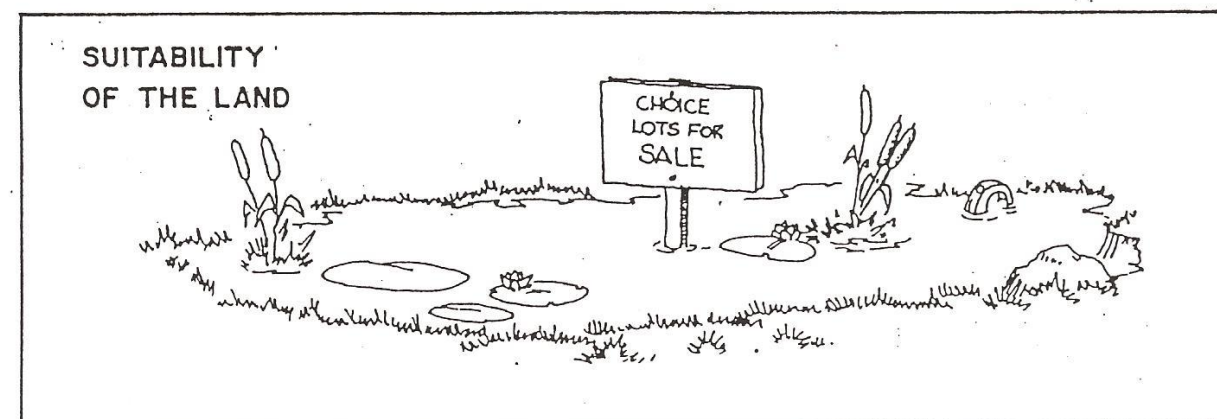
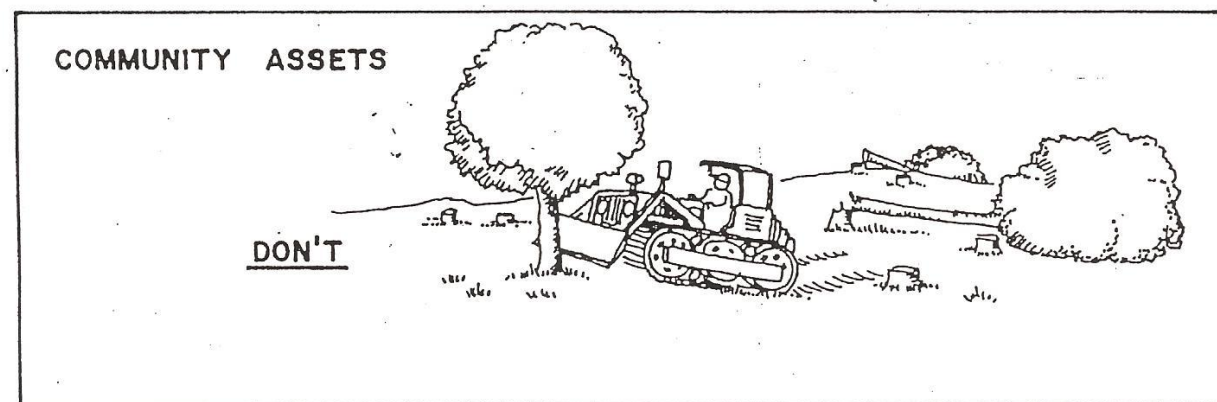
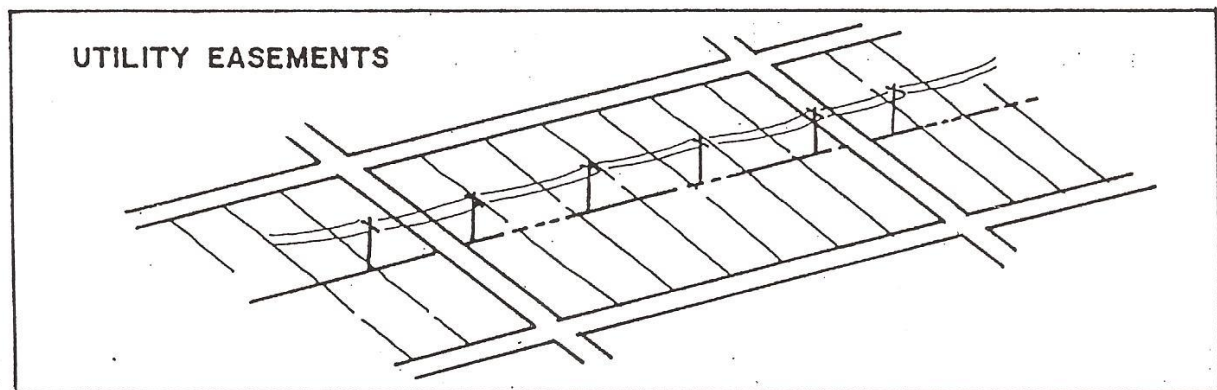
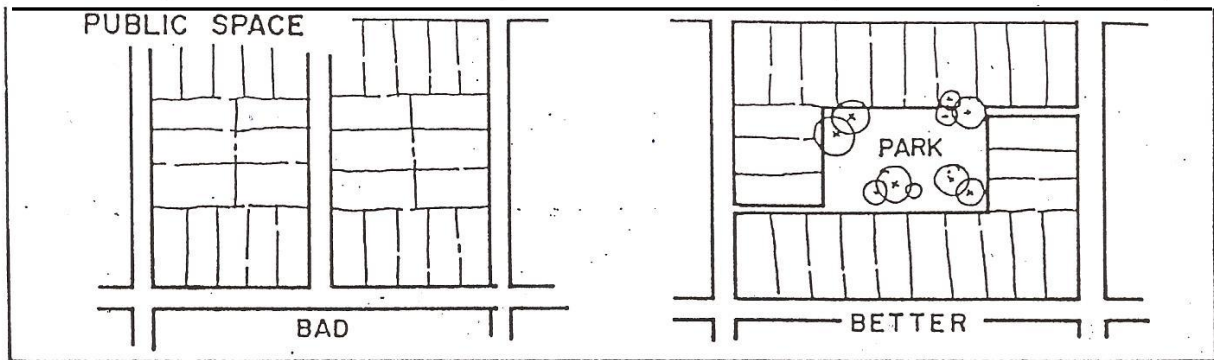
#### C. Guarantee Maintenance of Improvements

The planning commission shall require a maintenance bond on all improvements made within the proposed public right-of-way as indicated on the subdivision plat, which shall include but not be limited to the following: (1) subgrading, (2) roadway base, (3) wearing surface and curbs, (4) surface drainage and underground storm sewer, (5) water lines and associated structures, (6) sanitary sewer lines and associated structures, and (7) open ditches and culverts.

A maintenance bond shall be submitted by the developer in an amount to be determined by the city engineer, to be no less than an amount equal to one-half of the total cost of all improvements within proposed rights-of-way. The maintenance bond will cover any repairs necessary to correct defects due to faulty materials or workmanship.

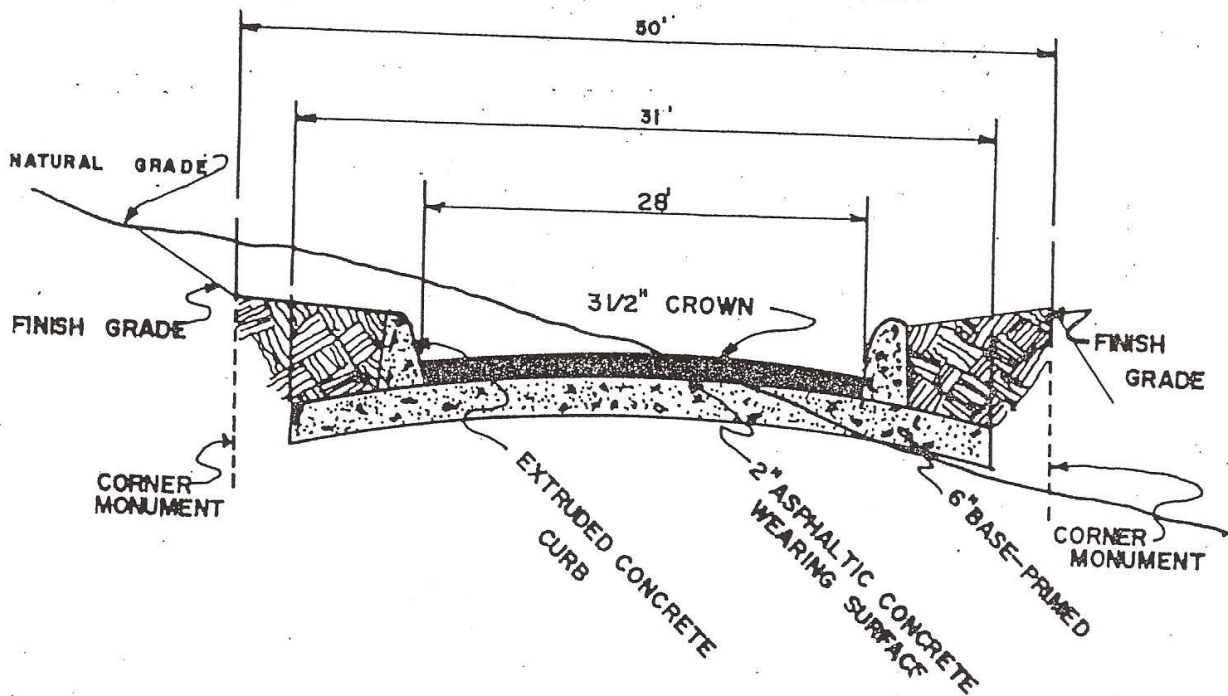
The developer will be liable for a period of **two years** commencing **from date of the final approval**, or in the event that the planning commission has accepted a performance bond in lieu of construction of improvements, from the date of release of said performance bond.

The maintenance bond will be made payable to the Elizabethton Regional Planning Commission for and on the behalf of the City of Elizabethton, TN.

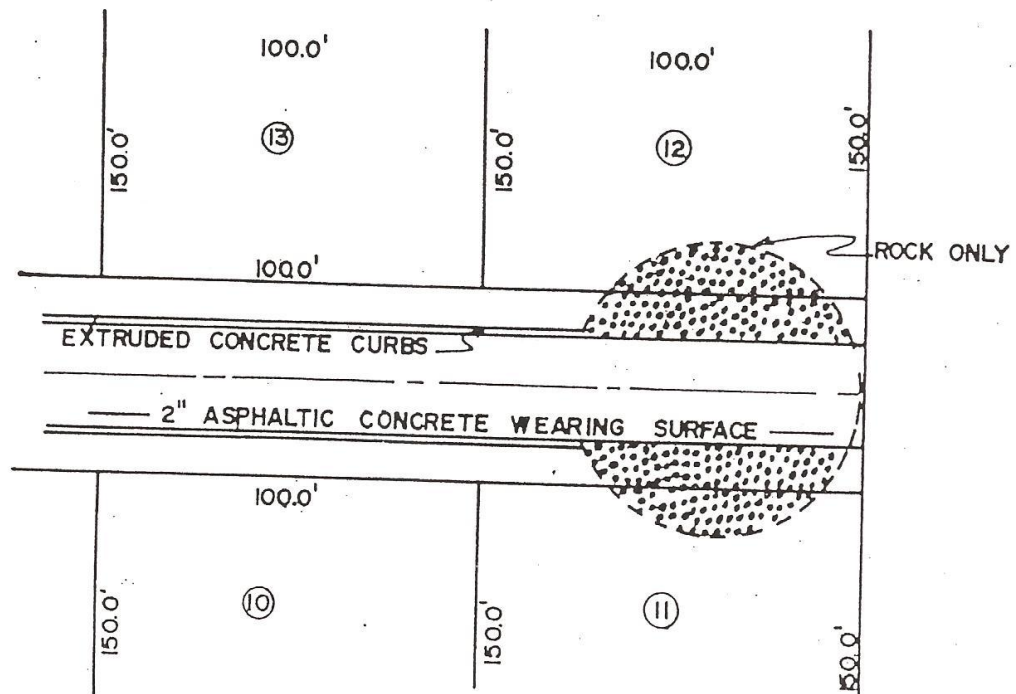




## TYPICAL ROADWAY CROSS SECTION



## TEMPORARY TURN-AROUND CONSTRUCTION



## ARTICLE V. ENFORCEMENT OF PENALTIES FOR VIOLATIONS

The enforcement of these regulations and penalties for the unapproved recordation or transfer of land is provided by state law in the authority granted by public acts of the State of Tennessee.

### A. Enforcement

1. No plat or plan of subdivision of land into two or more lots located within the area of planning jurisdiction shall be admitted to the land records of the county or receive or recorded by the county register of deeds until said plat or plan has received final approval, in writing, by the planning commission as provided in Sections 13-3-402 and 13-4-302, Tennessee Code Annotated.
2. No board, public officer, or authority shall light any street, lay or authorize the laying of water main or sewers or the construction of other facilities or utilities in any street located within the area of planning jurisdiction unless such street shall have been accepted, opened or otherwise received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its locations and lines to a street shown on a subdivision plat approved by the planning commission, or on a street plan made and adopted by the planning commission, as provided in Sections 13-3-406 and 13-4-307, Tennessee Code Annotated.

### B. Penalties

1. No county registrar shall receive, file or record a plat of a subdivision within the planning region without the approval of the planning commission as required in Sections 13-3-402 and 13-4-302, Tennessee Code Annotated, and any county registrar so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.
2. Sections 13-3-410 and 13-4-306, Tennessee Code Annotated, provides that whoever, being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the planning commission (the regional planning commission in Section 13-3-410 and the municipal planning commission in Section 13-4-306) and obtained its approval as required by law and before such plat is recorded in the office of the county register shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. In the case of the regional planning commission, Section 13-3-410 provides that the county through its county attorney, or other official designated by the quarterly county court, may enjoin such transfer or sale or agreement by action or injunction. In the case of the municipal planning commission, Sections

13-4-306 provides that the municipality through its solicitor or other official designated by its chief legislative body may enjoin such transfer or sale or agreement by action or injunction.

3. Any building or structure erected or to be erected in violation of the subdivision regulations shall be deemed an unlawful building or structure, and the building commissioner or the solicitor of the municipality or other official designated by the chief legislative body and/or the county attorney or other official designated by the quarterly county court may bring action to enjoin such erection or cause it to be vacated or removed as provided in Sections 13-3-411 and 13-4-308, Tennessee Code Annotated.

#### ARTICLE VI. ADOPTION AND EFFECTIVE DATE

- A. Before adoption of these regulations a public hearing as required by Sections 13-3-403 and 13-4-303, Tennessee Code Annotated, was afforded any and all interested persons and was held at the City Hall in Elizabethton, TN on March 9, 1964. Notice of such said public hearing was announced in the Elizabethton Star, being of general circulation within the area of planning jurisdiction, on February 7, 1964, stating the purpose, time and place of the hearing.
- B. These rules and regulations shall be in full force and effect from and after their adoption and effective date.
- C. Major revisions, as reflected in this regulation, were adopted on August 8, 1973 after due notice having been given in the Elizabethton Star, being of general circulation within the area of planning jurisdiction, and a public hearing having been held at the City Hall in Elizabethton, TN on August 7, 1973.
- D. Revisions and reprint of the regulations were approved on \_\_\_\_\_. After due notice having been given in the Elizabethton Star, being of general circulation within the area of planning jurisdiction, and a public hearing having been held at the City Hall in Elizabethton, TN on \_\_\_\_\_.
- E. Latest revision December 3, 1996\_\_\_\_\_.

## APPENDIX

## APPENDIX A

### PERMIT BOND

Bond Number \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS, that we \_\_\_\_\_  
Principal, and \_\_\_\_\_, a corporation duly incorporated under the  
laws of the State of Tennessee, Surety, are held and firmly bound unto the City of Elizabethton  
in the full and just sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_), current money of the  
United States, to be paid to the said City of Elizabethton, to the payment whereof we hereby bind  
ourselves and each of us, our and each of our heirs, executors, administrators, successors and  
assigns, jointly and severally, firmly be these presents, sealed with our seals and dated this  
\_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_.

WHEREAS, The Principal hereunder has been, or will be, granted a permit or permits (a) to  
operate or move vehicles or property upon the public highways of the City of Elizabethton  
exceeding in size and weight the maximum specified by law; or (b) to cut the surface of  
highways of the City of Elizabethton, or to tunnel under such highways; or (c) to erect telephone,  
electric power lines, or other public utilities on, under, or over such highways; or (d) to  
reimburse the City of Elizabethton for any failures that might occur in the street or drainage  
facilities due to faulty workmanship or material for a period of two years from date of acceptance  
into the highway system with regard to: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

NOW, THEREFORE, The condition of this obligation is such that if the said Principal,  
\_\_\_\_\_, shall in all respects comply with  
conditions of the permit or permits granted or to be granted and the requirements for permits as  
set forth in "Manual on Permits" in effect at time of issuing permit, and shall indemnify and save  
harmless the City of Elizabethton and from all loss, cost, expense, damage or injury to highways  
and bridges and to persons and property lawfully on such highways, growing out of the granting  
of such permit or permits to said principal, then this obligation to be void, otherwise to be and  
remain in full force and virtue.

It is expressly understood that this bond may be cancelled by the Surety at the expiration of sixty  
(60) days from the date upon which the Surety shall have lodge with the Elizabethton Planning  
Commission written notice to so cancel. This provision, however, shall not operate to relieve,  
release or discharge the Surety from any liability already accrued or which shall accrue, before  
the expiration of the sixty-day period.

IN WITNESS WHEREOF, said Principal and Surety have caused these presents to be executed and their seals affixed the day and year first above written.

		_____
		(Principal)
Witness:	By (Seal)	_____
		_____
		(Address)
Countersigned: _____		_____
		_____
		(Surety)
	By (Seal)	_____
		(Attorney-in-Fact)
Resident Tennessee Agent: _____		_____
		(Address)

ACKNOWLEDGEMENT OF PRINCIPAL

STATE OF \_\_\_\_\_,  
\_\_\_\_\_ of \_\_\_\_\_, to-wit:

I, \_\_\_\_\_ a notary public in and for the  
\_\_\_\_\_ aforesaid, in the State aforesaid, to certify that  
\_\_\_\_\_ President of \_\_\_\_\_

\_\_\_\_\_  
(Address)

Whose name is signed to the above bond, bearing date on the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, personally appeared before me in my \_\_\_\_\_

Aforesaid, and acknowledged the same.

I further certify that my term of office expires on the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_.

Give under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

AFFIDAVIT AND ACKNOWLEDGMENT OF SURETY

STATE OF \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_ to wit:

I, \_\_\_\_\_ a notary public in and for the  
\_\_\_\_\_ aforesaid, in the State aforesaid, do certify that  
\_\_\_\_\_ personally appeared before me in my

\_\_\_\_\_  
(City)

Aforesaid and made oath that he is \_\_\_\_\_ of the

\_\_\_\_\_ that he is duly authorized to execute the  
foregoing bond by virtue of a certain power of attorney of said company, date \_\_\_\_\_,  
And recorded in the Clerk's Office of the \_\_\_\_\_ of the \_\_\_\_\_

\_\_\_\_\_ in Deed Book No. \_\_\_\_\_, page \_\_\_\_\_, that said  
power of attorney has not been revoked; that the said company has complied with all the  
requirements of law regulating the admission of such companies to transact business in the State  
of Tennessee; that the said company holds the certificate of the Commissioner of Insurance  
authorizing it to do business of the State of Tennessee; that the said company holds the certificate  
of the Commissioner of Insurance authorizing it to do business of the State of Tennessee; that it  
has a paid-up cash capital of not less than \$250,000; that the paid-up capital, plus the surplus and  
undivided profits of said company, is \$\_\_\_\_\_ that the penalty of the foregoing  
bond is not in excess of ten percentum of said sum; that the said company is not by principal  
named in said bond, a liability for an amount larger than one-tenth of its paid-up capital, plus its  
surplus and undivided profits; obligations, and the said \_\_\_\_\_  
Thereupon, in the name and on behalf of the said company, acknowledged the foregoing writing  
as its act and deed.

My term of office expires \_\_\_\_\_, \_\_\_\_\_.

Give under my hand this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public



## APPENDIX B

### FORMS FOR FINAL PLAT CERTIFICATION

#### CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks and other open space to public or private use as noted.

\_\_\_\_\_, \_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

#### CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Elizabethton Regional Planning Commission and that the monuments have been placed as shown hereon, to the specifications of the subdivision regulations.

\_\_\_\_\_, \_\_\_\_\_  
Date

\_\_\_\_\_  
Registered Engineer or Surveyor

#### CERTIFICATION OF THE APPROVAL OF WATER AND SEWERAGE SYSTEMS

I hereby certify that the private water supply and/or sewage disposal utility system or systems installed, or proposed for installation, fully meet the requirements of the Tennessee State Health Department, and are hereby approved as shown.

\_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
County Health Officer or His Authorized Representative

CERTIFICATION OF THE APPROVAL OF STREETS AND UTILITIES

I hereby certify: (1) that streets, utilities and \_\_\_\_\_ have been installed in an acceptable manner and according to specifications or, (2) that a surety bond in the amount of \$\_\_\_\_\_ has been posted with the planning commission to assure completion of all required improvements in case of default.

\_\_\_\_\_, \_\_\_\_\_  
Date

\_\_\_\_\_  
County Engineer or County Road Commissioner

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown here has been found to comply with the Subdivision Regulations for Elizabethton, TN, with the exception of such variances, if any as are noted in the minutes of the planning commission and that it has been approved for recording in the office of the county registrar.

\_\_\_\_\_, \_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary, Planning Commission