

ORIGINAL

MISC 261 3
Recorded In Above Book and Page
08/25/2009 09:14:12 AM
Leah Patterson Lust
Probate Judge
Cullman

Recording Fee 127.00
TOTAL 127.00

CITY
OF
HANCEVILLE, ALABAMA
SUBDIVISION REGULATIONS

2009

RELATED DOCUMENTS

HANCEVILLE COMPREHENSIVE PLAN

MISC 261 4

HANCEVILLE ZONING ORDINANCE

HANCEVILLE SKETCH THOROUGHFARE PLAN

ALABAMA DEPARTMENT OF TRANSPORTATION STANDARD

SPECIFICATIONS FOR HIGHWAY CONSTRUCTION

ii CONTENTS

PAGE

SECTION I - PURPOSE, AUTHORITY, JURISDICTION, EXEMPTION	MISC 261 5 1
A. PURPOSE	1
B. AUTHORITY	1
C. JURISDICTION	1
D. EXEMPTION	2
SECTION II - DEFINITIONS	3
SECTION III - PROCEDURES AND PLATTING REQUIREMENTS	6
A. SKETCH PLAN APPROVAL	6
1. General Information	6
2. Sketch Plan Requirements	6
3. Applicable References	6
a. Figure 1. Sketch Plan Example	7
b. Figure 2. Summary of Subdivision Rules and Regulations	8
c. Figure 3. Timeline for Approval of Proposed New Subdivisions	9
d. Figure 4. Application for Permit to Develop Land	10
B. ENGINEERING PLAN APPROVAL	11
1. General Information	11
2. Platting Requirements	11
3. Public Hearing	14
4. Appearance of Sponsor	14
C. FINAL FLAT APPROVAL	14
1. General Information	14
2. Platting Requirements	14
3. Suggested Forms for Final Plat Certification	16
4. Application for Final Plat Review	18
	iii
	PAGE
5. Appearance of Sponsor	19
6. Distribution of Copies of Final Plat	19
7. Final Plat Approval Through Failure to Act	19
SECTION IV - DESIGN STANDARDS	20

A. CONFORMITY TO THE CITY, COUNTY, OR REGIONAL PLAN	20
B. STREETS	20
1. Relation to Adjoining Street System	20
2. Right-of-way Width	20
3. Pavement Widths	21
4. Conformance to Topographic Conditions and Street Grades	21
5. Street Intersections	21
6. Curves in Streets	21
7. Closed-end Streets (cul-de-sacs)	21
8. Street Names	22
9. Alleys	22
10. Utilities	22
C. ENVIRONMENTAL SUITABILITY OF THE LAND	22
1. Surface Water	22
a. Mapping	22
b. Description	22
c. Water Body Alteration	22
d. Wetlands	23
e. Other.	23
D. BLOCKS AND SIDEWALKS	23
1. Blocks	23
2. Sidewalks	23
E. LOT ARRANGEMENT AND SIZE	24
1. Lot Arrangement	24
	iv
2. Minimum Lot Size	PAGE 24
F. PUBLIC USE AND SERVICE AREAS	24
1. Public Uses	24
2. Easements br Utilities	25
3. Dedication to Public Use	25

	MISC	261	7
G. BUILDING RESTRICTIONS			25
H. COMPREHENSIVE GROUP HOUSING DEVELOPMENT			25
SECTION V - REQUIRED IMPROVEMENTS			26
A. GENERAL			26
B. STREETS			26
Figure 5. Requirements for Base Course Material			29
Figure 6. Minimum Standards for Subdivision Streets			30
Figure 7. Minimum Standards for Subdivision Gutters			31
C. STREET DRAINAGE			32
D. RIGHTS OF WAY			33
E. LOT REQUIREMENTS			34
F. ACCESSIBILITY			34
C. ALLEYS			34
H. CURBS AND GUTTERS			34
I. WATER MAINS			34
J. SANITARY SEWERS			34
K. STORM SEWERS AND DRAINAGE			35
L. OVERSIZE FACILITIES			35
M. MONUMENTS			35
N. STREET SIGNS			35
SECTION VI - VARIANCES			36
A. SUBDIVISION BY CERTIFICATE			36
B. HARDSHIP			37
			V
			PAGE
C. CONDITIONS			37
D. CERTIFICATE TO SUBDIVIDE			38
SECTION VII - SEVERABILITY AND SEPARABILITY, AND EFFECTIVE DATE			40

vi
SECTION 1

PURPOSE, AUTHORITY, JURISDICTION AND EXEMPTION

A. PURPOSE

1. To safeguard and provide for the public health, safety and general welfare of residents and property owners of subdivisions in the City of Hanceville.
2. To serve as guidelines for future growth and development of the City of Hanceville.
3. To establish reasonable standards of design and procedures for subdivisions in order to further the orderly layout and use of land, and insure proper legal descriptions and monuments in subdivided land.

4. To promote the eventual elimination if unsafe or unsanitary conditions.

MISC 261 9

B. AUTHORITY

These regulations of the City Planning Commission of the City of Hanceville, Alabama are adopted and enforced under authority of Title II, Article 2, Sections 11--52-30 through 11-52-36, inclusive, Code of Alabama, 1975

C. JURISDICTION

From and after the date of adoption these regulations shall govern all subdivision of land located within the corporate limits and police jurisdiction of the City of Hanceville.

Any owner of land within the limits of said subdivision jurisdiction wishing to subdivide land shall submit to the Planning Commission such data, information, drawings, plans, specifications, and other details and matters hereafter required including but not limited to, a plat of subdivision which shall conform to the minimum requirements set forth in these regulations. Data shall be submitted to the Planning Commission, via the City Clerk, seven days prior to a regular meeting, which are held at 6:00 PM, the second Monday of each month. No plat of a subdivision lying within such territory or part thereof, shall be filed or recorded in the Office of the Probate Judge, and no sub-divider shall proceed with improvement of or sale of lots until such subdivision plat shall have been approved by the Planning Commission and such approval entered in writing on the plat by the Secretary of the Planning Commission.

1

D. EXEMPTION.

These Regulations shall not apply to the sale, deed, or transfer of land by the owner to an immediate family member, except that, in the event that there is any sale, deed, or transfer of land by the owner or an immediate family member to someone other than an immediate family member, this chapter shall then apply to any subdivision of property as defined in Code of Alabama. Section 11-24-1, subdivision (4).

2

SECTION II

DEFINITIONS

As used in these regulations, the following words or phases shall have the following meaning or definitions:

The word "shall" is mandatory and the word "may" is permissive.

Alley: A lane, or passageway which provides secondary access to property, and is used primarily for vehicle service access to the rear, or side of properties otherwise abutting on a street.

Block: A parcel of land entirely surrounded by streets, streams, parks or other public spaces or by a combination thereof.

Building Setback Line: The line indicating the minimum horizontal distance between the street line and the front of buildings.

Common Areas: Areas of a property that are dedicated for public use.

Common Property: Property owned equally by all members of a group.

MISC 261 11

Community Facilities Plan: The component part of the Comprehensive Plan showing the general locations of parks, recreation areas, school sites and other public buildings and community facilities.

Comprehensive Plan: Any legally adopted part or element of the Comprehensive Plan of the City of Hanceville or its environs. This may include, but is not limited to: the Zoning Plan, Public Improvements Program, Subdivision Regulations, Community Facilities Plan, Land Use and Sketch Thoroughfare Plan. May otherwise be known by or referred to as Master Plan.

Developer: One who transforms raw land to improved property by use of labor, capital, and entrepreneur efforts.

Development: The process of adding improvements on or to a parcel of land. Such improvements may include drainage, utilities, subdividing, access, buildings, and any other combination of these elements.

Easement: A grant by the owner of the use of a parcel of land by others for specific purposes.

3

Engineering Plan: A set of engineering drawings which meet the requirements of these regulations for a proposed subdivision submitted for approval by the Planning Commission.

Final Plat: A plat of a tract of land which meets the requirements of these regulation and is in form for recording in the Office of the Probate Judge of Cullman County.

Improvements: Street surfacing, sidewalks, water mains, fire hydrants, sanitary sewers, storm sewers, utilities, street markers, and similar developmental enhancements.

Land Use Plan: The component part of the Master Plan showing the areas recommended for residential, commercial, industrial and other purposes.

Lot: A portion of a subdivision intended as a unit for ownership transfer or for development.

Monument: A permanent marker from which property lines can be accurately surveyed by an engineer. (See Final Plat requirements Section III, Subsection C, Item 5.)

Municipal or Municipality: The City of Hanceville and, where appropriate to the context, that area lying within the corporate limits of such City as such corporate limits may exist in the future.

Plan for Circulation (Sketch Thoroughfare Plan): The component part of the Comprehensive Plan showing the general locations of principal thoroughfares and other transportation facilities.

Planning Commission: The City Planning Commission of the City of Tallapoosa, Alabama.

Reserve Strip: A strip of land smaller than a lot, retained in private ownership for the purpose of controlling access to land dedicated, or intended to be dedicated, to street or other public uses.

Sidewalk: The portion of a Street or cross walkway, paved or otherwise surfaced, intended for pedestrian use.

Sketch Plan: The sketch map or drawing showing the general design of a proposed subdivision which is submitted to the planning commission for consideration for layout approval.

Street: A public right-of-way for vehicular traffic which provides access to adjacent properties.

- a. **Arterial Street:** A street, existing or planned, which serves or is intended to serve as

4

a principal traffic way and which is designated by the Sketch Thoroughfare Plan as a limited access highway, major street, thoroughfare, or parkway, to identify those streets comprising the basic structure of the Street system.

- b. **Collector Street:** A street existing or planned, which serves or is intended to serve as a secondary traffic way, collecting traffic from local streets and feeding it into arterial streets.
- c. **Local Street:** A street of limited continuity which serves or is intended to serve the local needs of a neighborhood
- d. **Closed-end Street (Cul-de-sac):** A short street having one end open to traffic, and terminated at the other end with a vehicular turn-around.

Subdivider: One who partitions a tract of land for the purpose of selling the individual plots. If the land is improved in any way, the subdivider becomes a developer.

Subdivision: The division of a lot, tract, or parcel of land into two or more lots, plats, sites or other division of land for the purpose, whether immediate or future, of sale or building development. The term includes re-subdivision and when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

Survey: The process by which a parcel of land is measured and its area ascertained.

Surveyor: One who prepares surveys.

Tract. A parcel of land, generally held for subdividing; a subdivision.

MISC 261 13

Water Table. The upper level at which underground water is normally encountered in a particular area.

Wetlands. Land, such as a marsh or swamp, normally saturated with water. Often protected from development by environmental law.

Zoning Ordinance. Act of city or county or other authorities specifying the type of use to which property may be put in specific areas

5

SECTION III

PROCEDURES AND PLATTING REQUIREMENTS

A. SKETCH PLAN APPROVAL

I. General Information

The purpose of Sketch Plan Approval is to give the sub-divider and his engineer an opportunity to consult with the Planning Commission concerning the proposed subdivision in order to help prevent the waste of engineering time, money, and effort.

2. Sketch Plan Requirements

Planning Commission approval of a subdivision layout is based upon information contained in a Sketch Plan to be presented to the Planning Commission, at a scale of approximately 1 inch equals 100 feet. The Sketch Plan shall contain the following data:

- a. Location Map
- b. Arrangement, number and size of lots
- c. Proposed streets
- d. Number of acres and zone classification
- e. Subdivision boundaries
- ii Names of adjacent property owners
- g. Name and address of sub-divider
- h. Availability of community facilities and utilities

After the examination of the Sketch Plan by the Planning Commission and changes recommended by the Planning Commission are agreed upon by the sub-divider, the Planning Commission shall grant Sketch Plan Approval subject to such conditions as may be required. Arrangements will then be made with the sub-divider for a public hearing on the Engineering Plans with the Planning Commission and the adjacent property owners.

3. Applicable References.

- a. Page 7. Figure 1. Sketch Plan Example
- b. Page 8. Figure 2, Summary of Subdivision Rules and Regulations.
- c. Page 9. Figure 3. Timeline for Approval of Proposed New Subdivisions.
- d. Page 10. Figure 4. Application for Permit To Develop Land

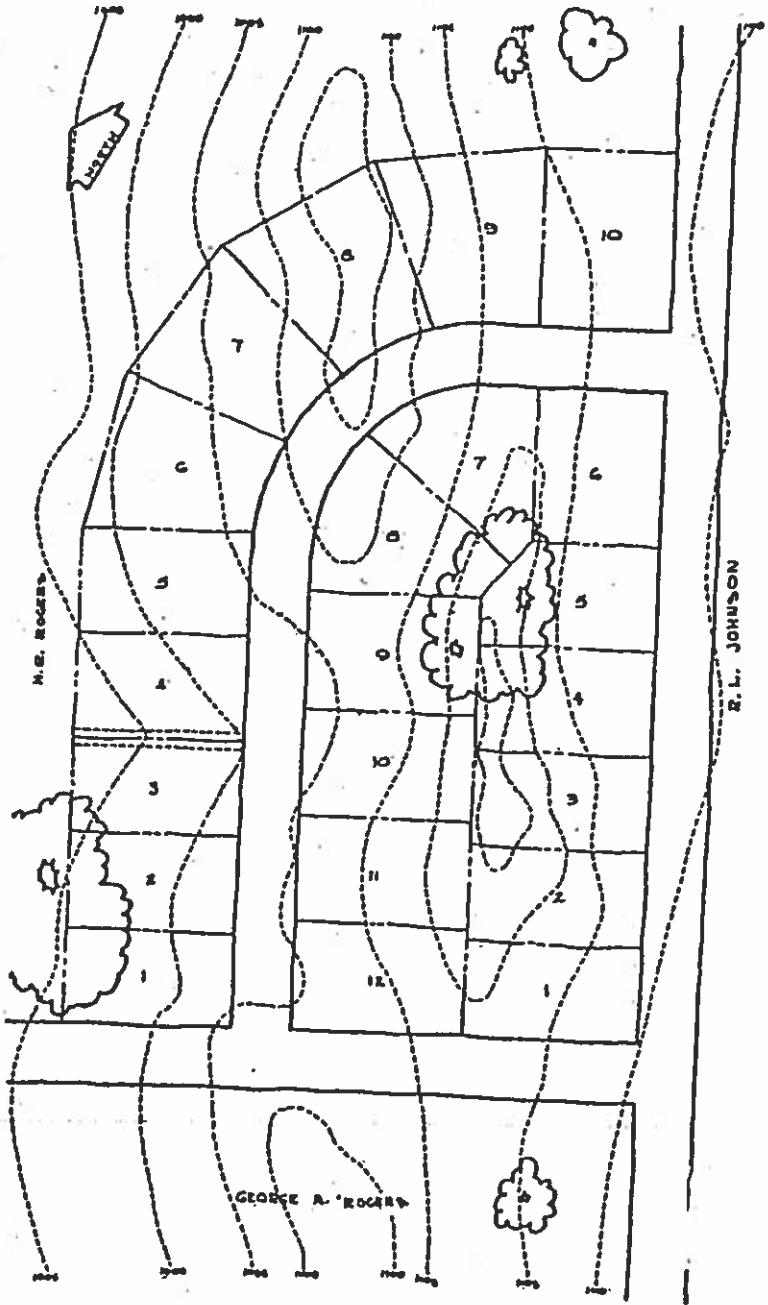
Figure 1. Sketch Plan Example

7

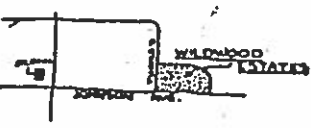
SUMMARY OF SUBDIVISION RULES AND REGULATIONS
CITY OF HANCEVILLE, ALABAMA

Subdivision Definition: The development and division of a lot, tract or parcel of land into two (2) or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale, lease or building development. Development includes, but is not limited to, the design work of a lot layout, the construction and planning of drainage structures, buildings, streets, roads and utilities. All definitions, rules and regulations apply to developments with proposed public roads and developments with proposed private roads.

1. A preliminary plat shall be submitted to the City Planning Commission along with a list of adjoining property owners with mailing addresses and all proposed utilities.
2. The City Planning Commission will review the preliminary for compliance with current requirements. If it is determined to be satisfactory, letters will be prepared and mailed to utility providers and adjoining property owners a minimum of ten (10) days prior to the Commission meeting when preliminary will be considered. If it is determined to be unsatisfactory our office will notify the owner/developer of the deficiency, at which time corrections can be made or a variance applied for. All variances must be approved or denied by the City Variance Commission.
3. Preliminary plat shall be presented to the Planning Commission at it's regularly scheduled meeting by the Commission Chairman.
4. Once the preliminary is approved, the owner/developer shall proceed to construct the subdivison per the approved preliminary plat and the City of Hanceville Rules and Regulations. During construction, all work within the proposed ROW shall be adequately inspected by the City of Hanceville Street Department.
5. Once all work is completed, a final plat with all required signatures must be submitted to the Planning Commission, who will present it to the Cullman County Engineer for final review and approval.



SITE DATA
ACRES - 11.00
ZONE - R-1



SKETCH PLAN
OF
WILDWOOD ESTATES
OWNER - H. R. ROGERS, ANYTOWN, ALA.
DATE - MARCH 7, 1948

Figure 1. Sketch Plan Example

6. Once the plat is approved, the County Engineer will sign the plat and then the plat will be signed by the Chairman of the City Planning Commission and said plat may be recorded by the County Probate Judge,s Office. At this point the owner/ developer can legally begin to sell lots.

Figure 2. Summary of Subdivision Rules and Regulations

Figure 3. Timeline For Approval of Proposed New Subdivisions

MISC 261 18

APPLICATION FOR PERMIT TO DEVELOP LAND

(Must Attach Proposed Plat)

City of Hanceville, Alabama Date _____

Subdivision Name _____

Location _____

No. Proposed Lots _____ Type: _____ Major _____ Minor

Total Length Proposed Road(s) _____

Owner(s)/Developer(s) _____

Mailing Address _____ Phone # _____

_____ Fax # _____

_____ Email _____

Upon approval of this permit application, I(we) hereby agree to comply with all state laws and local regulations as applies to the subdividing and/or development of land. I(We) understand the permit will be valid for 12 months from the issuance date and may be revoked for non-compliance at anytime by the Chairman of the City Planning Commission or his/her designee.

Owner(s)/Developer(s) Signature Date

Figure 4. Application for Permit to Develop Land

TIMELINE FOR APPROVAL OF PROPOSED NEW SUBDIVISION

SUBDIVISION DEFINITION: The development and division of a lot, tract or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose of sale, lease or building development. Development includes, but is not limited to, the design work of a lot layout, the construction and planning of drainage structures, buildings, streets, roads and utilities. All definitions, rules and regulations apply to developments with proposed public roads and developments with proposed private roads.

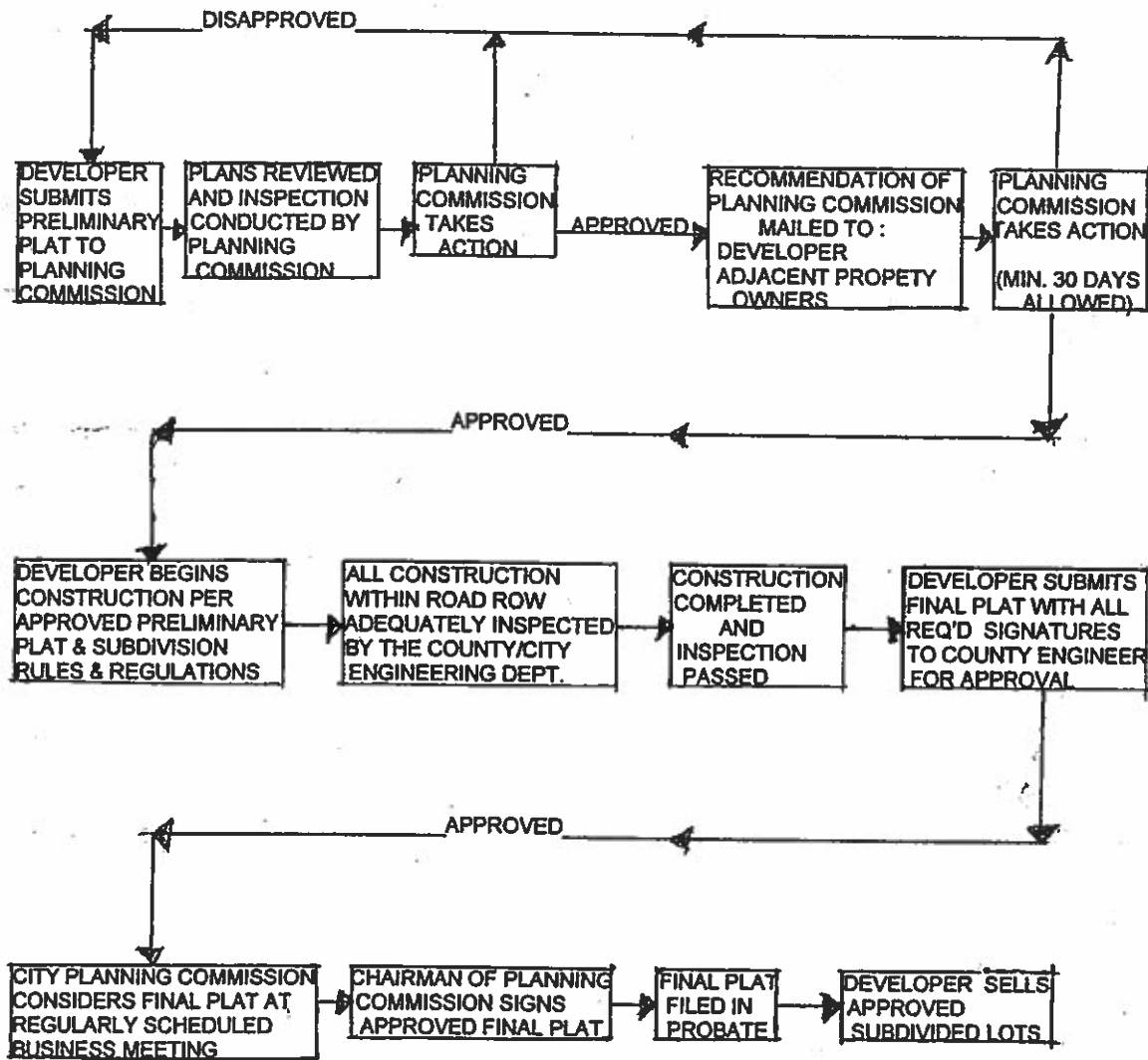


FIGURE 3. TIMELINE FOR APPROVAL OF PROPOSED NEW SUBDIVISION

B. ENGINEERING PLAN APPROVAL

MISC 261 20

1. General Information

After conclusions have been reached at the Sketch Stage and Sketch Plan Approval granted, the sub-divider must formally make application for a "Permit to Develop" which is mandatory before the subdivision can be reviewed for Final Approval. Engineering Plan Approval shall be tentative in nature and shall not constitute a waiver of the requirements to be met for Final Plat Approval, and shall lapse if Final Plat Approval is not obtained within one year, unless such period of time is extended by the Planning Commission. Engineering Plan Approval is also required prior to any grading or other improvements to the subdivision.

2. Platting Requirements

The sub-divider shall have Engineering Plans prepared at a scale not smaller than one hundred (100) feet to the inch, containing the following data:

- a. Proposed name of subdivision,
- b. Names and address of
 - 1) Owner of the land being subdivided;
 - 2) Designer of the plat, who must be a professional engineer, architect, landscape architect, or land surveyor registered to practice in Alabama,
- c. Vicinity Map,
- d. Date,
- e. Graphic scale and north arrow; lot and block numbers,
- f. Location of existing property lines, buildings, sewers, bridges, culverts, drainpipes, water mains, and any public utility easements, both on the land subdivided and on the adjoining land,
- g. Zoning classification of the land being subdivided,
- h. Names of adjacent subdivisions,
- i. Names and address of recorded owners of adjoining parcels of land as they appear on the current tax records,
- j. Names, locations, widths, and other dimensions of proposed streets, alleys, easements, parks, and other open spaces. reservations, lot lines, and building lines,
- k. Contours at vertical intervals of five (5) feet unless a closer contour interval is required by the city engineer or planning commission.
- l. Profiles of all streets showing natural and finished grades drawn to scale of not less than one inch equals one hundred (100) feet horizontal, and twenty (20) feet vertical,
- m. Preliminary sketch plans of proposed utility layouts (sewer, storm drains, water, gas and electricity) duly approved by the appropriate utility departments

- including pipe sizes and the location of valves and fire hydrants, and showing feasible connections where possible to existing and proposed utility systems.
- n. If the proposed subdivision does not lie within the existing zoning ordinance jurisdiction, a plan indicating the proposed use of lots and the instrument to be used in establishing restrictions must be submitted.
 - o. Periodic inundation any portion of the land in, or adjacent to, the subdivision subject to periodic inundation by storm drainage, overflow or ponding, shall be clearly shown and identified on the plat,
 - p. Location of all sidewalks and crosswalks,
 - q. Location of proposed drainage ways, streams and ponds in a subdivision,
 - r. Certificates executed, as exhibited below:

STORM DRAINAGE SYSTEM

I, _____, the City Engineer of the City of Hanceville, Alabama. concur in the design of the Storm Drainage System as shown on this drawing.

Date

City Engineer or Chairman Planning Commission
City of Hanceville, Alabama

SANITARY SEWERS

The Sanitary Sewer System shown on this drawing meets the requirements of the City of Hanceville Sanitary Sewer System.

Date

Engineer, Water and Sewage Department,
City of Hanceville, Alabam

12

WATER DISTRIBUTION

The Water Distribution System shown on this drawing meets the design requirements of the City of Hanceville Water System.

Date

Engineer, Water and Sewage Department,
City of Hanceville, Alabama

SEPTIC TANKS

Septic Tanks installed according to requirements of the Cullman County Health Department are acceptable until a public sanitary sewer system is available.

Date

Health Officer, Cullman County

ELECTRIC DISTRIBUTION

The Electric Distribution System will be installed by the Cullman Electric Cooperative Department to serve the subdivision, as shown hereon.

Date

Cullman Electric Cooperative

GAS DISTRIBUTION

The Gas Distribution System shown on this drawing meets the design requirements of the Cullman-Jefferson County Gas District.

Date

Cullman - Jefferson County
Gas District

3. Public Hearing

Upon application for Engineering Plan Approval, the Planning Commission shall set a hearing. Notice of the hearing stating the time, date, and place shall be mailed to the applicant and the adjoining property owners by registered mail not less than five (5) days prior to the hearing by the City clerk. No plat shall be acted upon by the commission without first holding a hearing thereon.

4. Appearance of Sponsor

MISC 261 23

The subdivision sponsor and/or his authorized representative and designer of the plat will appear in person at the planning commission meeting when the public hearing is held.

C. FINAL PLAT APPROVAL

1. General Information.

After Engineering Plan Approval has been obtained, the next step is Final Plat Approval. The Final Plat shall conform to the Engineering Plans as approved; and if so desired, it may constitute only that portion of the approved Engineering Plans which the Subdivider proposes to record and develop at that time, providing that the portion conforms to all the requirements of the Subdivision Regulations.

Final Approval of a subdivision plat by the Planning Commission is required prior to the recording of the Plat in the Office of the Probate Judge. It is not legal to "transfer or sell, or agree to sell, or negotiate to sell" any land in said subdivision until the Plat is recorded.

Final Approval is also required prior to the construction of any structures, and no certificate of occupancy will be issued until such time as the subdivision has been given Final Approval.

2. Platting Requirements

Final plat shall be submitted in triplicate at a scale not smaller than one hundred (100) feet to the inch, with the original drawing in black ink upon tracing cloth, or equal, 24" x 36" in size. The Final Plat shall contain the following data:

- a. Names and lines of all streets, alley lines, lot lines, building lines, lots numbered in numerical order, reservations, easements, and areas to be dedicated to public use with notes stating their purpose and any restrictions,
- b. Sufficient data to determine readily and reproduce on the ground, the location, bearing
14
and length of every street line, lot line, boundary line, block line, an building line in relation to the Government Survey,
- c. Names and location of adjoining subdivision and streets,
- d. Date,
- e. Scale, f North arrow,
- g. Name of subdivision, and
- h. The following endorsements, dedications and certificates:

- 1). Certificates from the municipal departments having jurisdiction stating that:

- All streets shown on the plat have been improved in accordance with municipal specifications
- Drainage, water and other utilities have been properly installed and in sufficient size .

In lieu of above, a performance bond will be required of the subdivision sponsor, and the bond must be approved by the City Council, whereby the City is placed in an assured position to make these improvements and install these utilities without cost to the City. The performance bond will be at least 1.5 times the projected cost of the project.

- 2) Certificate of title showing ownership,
- 3) Certificate of dedication of streets, and alleys, and public areas from the owner to the public,
- 4) Certificate of accuracy by an engineer or land surveyor licensed to practice in the State of Alabama. This certificate shall provide a written description of the property surveyed.
- 5) A receipt of certification from a registered engineer or land surveyor that permanent reference monuments have been placed in the subdivision and that a satisfactory survey defines such permanent monuments in relation to established section corners of the Government Survey. These primary control points, tract boundary lines and the points of intersection of all street right-of-way lines shall be a minimum of a 4" x 4" x 36" stone or concrete marker substantially embedded with the upper surface exposed and flush with the ground.
- 6) Certificate of recording by the Probate Judge,
- 7) Certificate of approval by the planning commission,
- 8) Certificates of approval by health departments, utility systems and street department; where no lot in the proposed subdivision contains less than 20,000 square feet, and installation of public water supply and sewage disposal systems are unreasonable requests in the opinion of the planning commission, the planning commission may approve the final plat if individual water supplies an
 - sewage systems are approved by the county health officer and state health department, and
 - 9) Certificate of approval by the County Engineer.
- i. If the subdivision lies outside the zoning ordinance jurisdiction, or if deed restrictions or restrictive covenants are proposed, there must be furnished a plan showing the proposed use of and the restrictions on each lot, and instrument whereby such use of building and land use restrictions will be imposed.

3 Suggested Forms for Final Plat Certification

CERTIFICATION OF ENGINEER OR SURVEYOR

I, _____, a registered engineer and surveyor (a registered land surveyor), hereby certify that I have surveyed the property of _____ lying and being in Cullman County, Alabama, and described as follows: _____

HISC 261 25

and that the plat or map contained hereon is a true and correct map showing the subdivision into which the property is divided, giving the lengths and bearings of the boundaries of each lot and its number and showing the streets, (alleys) easements and public grounds and giving the bearings and length, width and name of each street, (alley) easement and public ground and said map further shows the relationship of the land so platted to the Government Survey.

Witness my hand this the _____ day of _____, 20 _____.

Registration Number

CERTIFICATION OF OWNERSHIP AND DEDICATION

I, (we), _____, hereby certify that I am (we are) the owner(s) of the property shown and platted hereon and hereby join in and sign the above certificate of _____ as required by the statute for the purpose therein provided and that I (we) hereby adopt this plan of subdivision with my (our) free consent and dedicate all streets, alleys, walks, parks, easements and other public space as noted to the public.

Date

Owner(s)

16

CERTIFICATION OF APPROVAL OF STREET OR UTILITY DEPARTMENT

I hereby certify that streets, utilities and storm drainage systems, have been installed in an acceptable manner and according to specifications.

Date 20____.

Approving Agent

OR

I hereby certify that a performance bond in the minimum amount of 1.5 times the projected cost has been posted with the municipality to assure completion of all required improvements in case of default and that this bond has been approved by the City Council

Date 20

City Clerk

CERTIFICATION OF APPROVAL OF PLANNING COMMISSION

I hereby certify that the subdivision plat shown hereon has been examined for compliance with the Subdivision Regulations by the City of Hanceville Planning Commission and that the said Planning Commission has approved this plat.

Date 20

Chairman
Hanceville Planning Commission

CERTIFICATION OF RECORDING

I hereby certify that this plat or map was filed in this office for record on this ____ day of _____ 20 ____, at ____ o'clock (AM/PM) and recorded in the Book of Plats and Maps page no. _____ in the Probate Office of Cullman County, Alabama.

Probate Judge of
Cullman County, Alabama

CERTIFICATION OF APPROVAL BY COUNTY HEALTH DEPARTMENT

I hereby certify that this land subdivision complies with Cullman County ^{MISC 261 27} health standards and same is hereby approved.

_____ 20
Date

Health Officer
Cullman County

CERTIFICATION OF APPROVAL BY COUNTY ENGINEER

The undersigned, as County Engineer of Cullman County, Alabama, hereby approved this plat for the recording of same in the Probate Office of Cullman County, Alabama, this the ____ day of _____ 20____.

County Engineer
Cullman Count

18

4. Application for Final Plat Review

The sponsor shall make application for final plat review five work days in advance of planning commission meeting and place all necessary information in the hands of the City clerk.

5. Appearance of Sponsor

The subdivision sponsor and/or his authorized representative and plat designer will appear in person at the planning commission meeting for presentation of final plat.

6. Distribution of Copies of Final Plat.

Upon approval of the plat the original drawings shall be returned to the sub-divider; one copy retained in the files of the planning commission; and one copy shall be transmitted to the City clerk.

7. Final Plat Approval Through Failure to Act

MISC 261 28

Failure of the planning commission to approve or disapprove the final plat within thirty

(30) days after submission shall be deemed approval of the plat. If the plat is disapproved, the grounds for disapproval shall be stated upon the records of the commission, and a letter transmitted to the sub-divider stating the reasons for such disapproval.

SECTION IV

DESIGN STANDARDS

A. CONFORMITY TO THE CITY, COUNTY, OR REGIONAL PLAN

All proposed subdivisions shall conform to any City, County, or Regional Plan and to the City zoning ordinance. Whenever a tract to be subdivided embraces any part of a highway, arterial or collector street, or parkway so designated on any City, County, or Regional Plan, such part of such proposed public way shall be platted and dedicated by the sub-divider in the same location and at the same width as indicated on such City, County, or Regional Plan.

B. STREETS

1. Relation to Adjoining Street System

MISC 261 29

- a. Proposed new streets shall extend existing streets or their projections at the same or greater width, but in no case less than the minimum required width, unless variations are deemed necessary by the planning commission for reasons of topography or design.
- b. Where, in the opinion of the planning commission, it is desirable to provide street access to adjoining property, proposed streets shall extend to the boundary of such property.
- c. Half streets and half alleys along the boundary of land proposed for subdivision will not be permitted.

2. Right-of-Way Width

The minimum width of proposed right-of-ways measured from lot line to lot line shall be as shown on the "Sketch Thoroughfare Plan" of the City of Hanceville or, if not shown on said plan, not less than the following:

- a. One hundred (100) feet for arterial streets.
- b. Eighty (80) feet for collector streets.
- c. Fifty (50) feet for local streets and closed-end streets (cul-de-sacs)
- d. Twenty (20) feet for alleys.

20

3. Pavement Widths

The minimum pavement width of new streets shall be as follows:

Arterial Streets	- 48
Collector Streets	- 40
Minor Streets	- 30
Closed-end Streets(cul-de-sac)	- 30

4. Conformance to Topographic Conditions and Street Grades

In general, streets shall be planned to conform to existing topographic conditions.

- a. The maximum grade on arterial and collector streets shall be eight (8) percent.
- b. The maximum grade on all other streets may not exceed twelve (12) percent except where, in the opinion of the planning commission, such grade is over restrictive.
- c. Street grades along the gutter line shall not be less than one-half of one percent.

5. Street Intersections

- a. Acute angles at street intersections shall be avoided.
- b. Intersections shall be rounded with a 25 foot radius, but may be greater if deemed necessary by the planning commission.
- c. Submission of a grading plan showing existing and proposed contours at one (1) foot intervals and a detailed design for the intersection may be required by the planning Commission

6. Curves in Streets

- a. Where a deflection angle of more than five (5) degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On all streets, except minor streets, the center line radius of curvature shall not be less than three hundred (300) feet; on minor streets not less than one hundred (100) feet.
- b. A tangent of at least one hundred (100) feet shall be provided between curves on all streets.

7. Closed-end Streets (cul-de-sacs)

- a. Streets designed to have one end permanently closed (cul-de-sac) shall be provided at the closed end with a turnaround with a minimum right-of-way radius of fifty (50) feet.
- b. Such turnaround shall have a minimum driving surface radius of forty (40) feet.
- c. A closed-end street shall not be more than six hundred (600) feet in length unless approved by the planning commission for specific reasons of topography or design.

21

8. Street Names

- a. in no case shall the name for the proposed streets duplicate existing street names, irrespective of the suffix used.
- h. However, proposed streets obviously in alignment with existing and named streets shall bear the names of the existing streets.

9. Alleys

- a. Alleys shall be provided along the rear of all lots to be used for business and industry.
- b. Alleys shall be provided along the rear of residential lots where in the opinion of the planning commission, alleys are advisable.

10. Utilities.

- a. Utilities will be underground unless approved otherwise by the planning

commission.

- b. Street lights will be required no more than three hundred (~~300~~²⁶¹) feet ³¹ apart, on one side of each street.
- c. Street lights, fire hydrants, signs, etc., shall be at least 2' 6" back of the face of the curb.

C. ENVIRONMENTAL SUITABILITY OF THE LAND

1. Surface Water:

- a. Mapping. Locate on the plat all surface waters and delineated floodways that may affect or be affected by the proposed subdivision including:

- (1) Natural water systems such as streams, lakes, rivers, or marshes.
- (2) Artificial water systems such as canals, ditches, irrigation or drainage systems.

- b. Description. Describe all surface waters which may affect or be affected by the proposed subdivision including names, approximate size, present use, and time of year when water is present.

- (1) Describe proximity of proposed construction (such as buildings, sewer systems, roads) to surface waters.

- c. Water Body Alteration. Describe any existing or proposed stream bank or shore line alterations or any proposed construction or modification of lake

22

beds or stream channels. Provide information on location, extent, type, and purpose of alteration. A 310 Permit will be required for any alterations to perennial streams.

- d. Wetlands. The sub-divider shall provide a wetlands investigation report completed by a certified consultant, using the U. S. Army Corps of Engineers' Wetlands Manual. If the investigation indicates the presence of wetlands, a wetlands delineation shall be shown on the final plat. If any construction or changes are proposed which require a 404 permit, the sub-divider shall provide evidence of such a permit to the planning commission.

- e. Other. Land which the planning commission has found to be unsuitable for subdivision due to flooding, bad drainage, steep slopes, rock formation, or other features likely to be harmful to the safety, health, and general welfare of the future residents shall not be subdivided unless adequate methods approved by the planning commission are formulated by the developer for resolving the problem involved.

D. BLOCKS AND SIDEWALKS

1. Blocks

- a. Blocks shall not be more than fourteen hundred (1400) feet in length. 32
- b. In blocks over eight hundred (800) feet in length the planning commission may require one or more public crosswalks with not less than ten (10) feet of right-of-way width.
- c. The planning commission may require a minimum block length of four hundred (400) feet.

2. Sidewalks.

The installation of paved sidewalks is required as a minimum standard, as follows:

- a. Both sides of major streets, highways, collector streets, and at least one side of minor streets within 1000 feet of school grounds, as may be required by the planning commission.
- b. Commercial areas.
- c. Sidewalks shall be a minimum of a four inch thick layer of concrete:
 - 23
 - 1) A minimum of five (5) feet wide in residential areas.
 - 2) A minimum of ten (10) feet wide in commercial areas.

E. LOT ARRANGEMENT AND SIZE

1. Lot Arrangement

- a. Insofar as practical. side lot lines shall be at right angles to straight street lines or radial to curved street lines.
- b. Each lot must front upon a public street which has not less than fifty (50) feet of right-of-way and which is connected with the public street system.
- c. No building lots shall be platted in areas that have not been determined to be wetland free or are subject to flooding, or in areas which, for other reasons, are unsuitable for such use.

2 Minimum Lot Size

- a.. Within the subdivision jurisdiction limits of the City, the area and shape of lots shall be such as the planning commission and health department deem appropriate for the type of building development contemplated.

- b. In no case shall lot area be less than the minimum standards established by the zoning ordinance.
- c. Corner residential lots shall have extra width sufficient to permit establishment of a building line at least fifteen (15) feet from the side street property line. The distance from the side street property line shall be measured from the street right-of-way paralleling the long dimension of the lot.

F. PUBLIC USE AND SERVICE AREAS

1. Public Uses

Where a park, neighborhood recreational open space, a school site, or other areas for public use shown on an official map or on a plan adopted by the planning commission is located in whole or in part in the proposed subdivision, the planning commission shall seek to secure the reservation of the necessary land for such use.

2. Easements for Utilities

24

Except where alleys are provided for the purpose, the planning commission may require easements not exceeding ten (10) feet in width for poles, wires, conduits, storm and sanitary sewers, gas, and water mains, or other utility lines on each side of the common rear lot lines and along side lot lines, if necessary or advisable in the opinion of the planning commission.

3. Dedication to Public Use

There shall be no reserve strips except those which are conveyed to the government having jurisdiction. All vacant areas not conveyed to the government having jurisdiction will be clearly identified, on the plat, as a 'Common Area'.

G. BUILDING RESTRICTIONS

No final plat of land within the force and effect of a zoning ordinance shall be approved unless the building and restrictions to be established conform with the minimum requirements of such zoning ordinance.

H. COMPREHENSIVE GROUP HOUSING DEVELOPMENT

- I. A comprehensive group housing development to be constructed on a plot of ground of at least four (4) acres including the construction of two (2) or more buildings together with the necessary drives and ways of access and which is not subdivided into the customary lots, blocks, and streets may be approved by the planning commission if in the opinion of the commission any departure from the

foregoing regulations can be made without destroying the intent of the regulations.

2. Plans for all such development shall be submitted to be approved by the planning commission whether or not such plan is to be recorded and no building permits shall be issued until such approval has been granted.

MISC 261 34

25
SECTION V

REQUIRED IMPROVEMENTS

A. GENERAL.

The Subdivider is required to install or construct the improvements hereinafter described prior to receiving approval of his/her Final Plat or prior to the releasing of bonds or other securities which guarantee such required improvements.

All improvements required under these regulations shall be constructed in accordance with City of Hanceville specifications and under the inspection of the City of Hanceville.

All water mains, sanitary sewers, with laterals and storm sewers shall be installed as necessary to prevent the future cutting of pavement of any street, sidewalk, or other required pavement.

B. STREETS.

- a. The latest edition of the Alabama Department of Transportation Standard Specifications For Highway Construction is hereby made a part of these regulations and shall apply to construction procedures, construction methods, material requirements and etc., except as otherwise noted herein. The Hanceville

City Street Dept. shall have the final authority as to this requirement.

- b. All streets shall be along contour elevations, which will result in minimum grades and safe horizontal and vertical visibility wherever practicable with adequate consideration given to future land use.
- c. All streets and/or roads must provide for the continuation or projection of principle streets in surrounding areas and provide reasonable means of ingress and egress for surrounding or adjacent land.
- d. The Owner or Developer will be responsible for the placement and maintenance of proper signage of new streets or roads until the road is accepted into the county road system. Signage shall be coordinated with the City Street Dept. prior to the installation of any street signs. Regulatory and Warning Signs shall be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD). Additionally, for subdivisions where roads are not to
26
be accepted into the City Maintenance System, the Owner or Developer of the subdivision is required to install a sign of reasonable size at the entrance of the subdivision stating "ROADS NOT MAINTAINED BY CITY BEYOND THIS POINT". It is the responsibility of the Owner or Developers of the subdivision to maintain this sign until the road is accepted by the county. It is also required that the plat and deeds have a statement printed on them stating that the streets are not a part of the City Maintenance System.
- e. All roads shall be built in the center of the right of way and shall be paved with approved materials.
- f. All cul-de-sacs shall be designed with a minimum radius of fifty (50) feet with a minimum transition radius of twenty-five (25) feet. Cul-de-sacs shall be paved with a minimum radius of forty (40) feet.
- g. Public utilities shall be installed in accordance with the State of Alabama Department of Transportation Utility Manual. The Owner or Developer shall coordinate his work with the appropriate utility or fire department and comply with the local standards. These utilities, whenever possible, shall be installed prior to the City of Hanceville acceptance of the streets and/or roads. All costs shall be the responsibility of the Owner or Developer.
- h. Paving marking will be required where deemed necessary for the public safety.
- i. Where land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow the opening of future roads and logical further subdivisions.
- j. Regardless of whether or not the developer intends to seek city acceptance of

roads in the subdivision, the following design standards shall be considered minimum requirements for all subdivisions. It is the responsibility of the developer to communicate and schedule with the City Street Dept., prior to initiating any and all steps of the road building process. In addition to other penalties prescribed by law and by these regulations, any road construction performed without the knowledge and inspection of the City Street Dept. will not be considered for acceptance by the city.

1. The street and/or road shall have a roadway width (including shoulders) of not less than twenty-four (24) feet and the sub grade shall be compacted and properly shaped prior to the placement of base course materials (See Figures 5 and 6).
2. The base course shall have a compacted thickness of not less than six (6) inches and a width of twenty-four (24) feet. The base course shall extend one

27

(1) foot outside of curb and gutter and/or valley gutter sections. (See Figure 7). All base course materials shall be approved by the City Street Dept. as to quality and durability. (See appendix for gradation requirements and typical section) Base Course shall be compacted as required by the City Street Dept. representative, or certified compaction reports submitted by the developer.

3. The layers of embankment up to the top layer of subgrade shall be compacted as required by the City Street Dept. representative, or certified compaction reports submitted by the developer. Subbase and base course layers of local materials shall be placed in successive layers not to exceed six (6) inches per layer.
4. All roads shall be paved with a bituminous concrete and shall have a minimum width of eighteen (18) feet with a minimum shoulder width of three (3) feet. If a 20-foot pavement is used, a minimum two (2) foot shoulder is acceptable. All roads with curb and gutter and/or valley gutter shall have a minimum paved roadway width of twenty-three (23) feet between gutters. Cul-de-sacs shall be paved with a minimum radius of forty (40) feet. Bituminous concrete pavement shall consist of a bituminous "A" treatment and a minimum 150 lb./sy wearing surface. The Owner or Developer shall provide for the maintenance of the roads for a minimum of one (1) year after final plat is approved and release of surety, if applicable. After this minimum one (1) year period the Owner or Developer may request acceptance of the road(s) by the City Council into the City Maintenance System. Roads in need of maintenance will not be considered for acceptance until necessary repairs have been made.
5. A profile with proposed grades along with a drainage plan shall be submitted with the preliminary plat to the City Planning Commission.

6. Grades over 18% will not be permitted.

MISC 261 37

7. All intersections shall have sufficient turning radii to accommodate the contemplated traffic.

8. For Average Daily Traffic (ADT) less than 2500 vehicles per day, roads shall be designed using the Alabama Department of Transportation's (ALDOT) "County Road Design Policy". (Example: A 35 mph design speed would translate into 355 feet of required sight distance.)

9. Roads shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new roads at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique road should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet from the intersection.

28

Percent Passing by Weight

Sieve Requirements	Type A	Type B	Type C
2 - 1 1/2"		100	100
2"	100	85-100	85-100
1"	85-100	50-100	50-100
3/4"			35-95
No. 4	50-85	30-75	25-58
No. 8	35-75	25-70	22.50

Percent Passing No. 8 Sieve (Binder)

No. 40	35-90	25-95	25-95
No. 200	12-37	12-42	12-45
% Clay	6-30	6-30	6-30

Percent Passing by Weight

Sieve Requirements	Type A	Type B	Type C
2 - 1 1/2"		100	100
2"	100	85-100	85-100
1"	85-100	50-100	50-100
3/4"			35-95
No. 4	50-85	30-75	25-58
No. 8	35-75	25-70	22.50

Percent Passing No. 8 Sieve (Binder)

No. 40	35-90	25-95	25-95
No. 200	12-37	12-42	12-45
% Clay	6-30	6-30	6-30
Liquid Limit	26 Max.	26 Max.	26 Max.
Plasticity Index	6 Max	6 Max	6 Max

Figure 5. Requirements for Base Course Material

Liquid Limit	26 Max.	26 Max.	26 Max.
Plasticity Index	6 Max	6 Max	6 Max

MISC 261 39

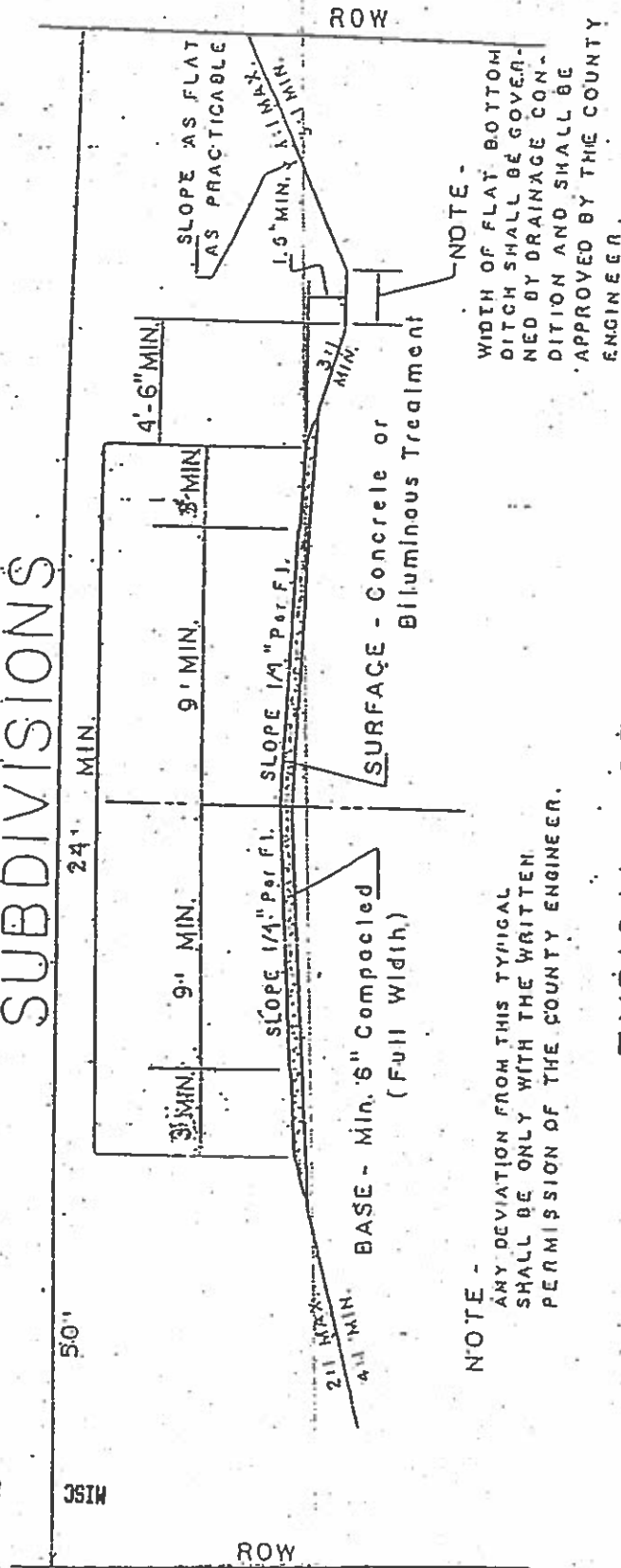
Figure 5. Requirements for Base Course Material

MISC 261 40

Figure 6. Minimum Standards for Subdivision Streets

30

MINIMUM STANDARDS FOR SUBDIVISIONS



TYPICAL SECTION

Figure 6. Minimum Standards for Subdivisions Streets

41
261
MISC

Figure 7. Minimum Standards for Subdivision Gutters

31

C. STREET DRAINAGE

1. Proper and sufficient drainage structures shall be constructed at designated locations determined by plans and/or by field inspections and contour maps of the area under development. The plans submitted shall indicate the number of acres involved in each drainage area and the Owner or Developer's Engineer shall show the recommended size structure designed to fit the area. The City Planning Commission will approve the design or may make changes upon study of the data submitted.
 - (a) Ditch checks may be required depending on the grade on long grades where cross drain pipes to divert the water do not seem feasible.
 - (b) Water will not be permitted to run along the street and/or road more than 500 feet where at all possible to divert.
 - (c) No oil drums or unacceptable pipe shall be used. All roadway cross drain pipe shall be a minimum size of 18" and all side drain pipe shall be a minimum size of 15". Only pipe that meets specifications equaling Alabama Department of Transportation Specifications shall be acceptable
 - (d) Driveway and side drain pipe may be reinforced concrete pipe or high density polyethylene pipe meeting the requirements of either ASTM D335D Cell Classification 3244230C or ASTM D1248 Type III, Class C, Cat. 4, Grade P33 may also be used up to 60" diameter, or 14 gauge coated, uncoated or aluminized corrugated metal pipe. Stronger metal pipe may be required when deemed necessary by the City Engineer.
 - (e) Cross drain and culvert pipe shall be reinforced concrete pipe (Class 3 or

MINIMUM STANDARDS FOR SUBDIVISIONS

NOTE - ANY DEVIATION FROM THESE TYPICALS SHALL BE ONLY WITH THE WRITTEN PERMISSION OF THE COUNTY ENGINEER.

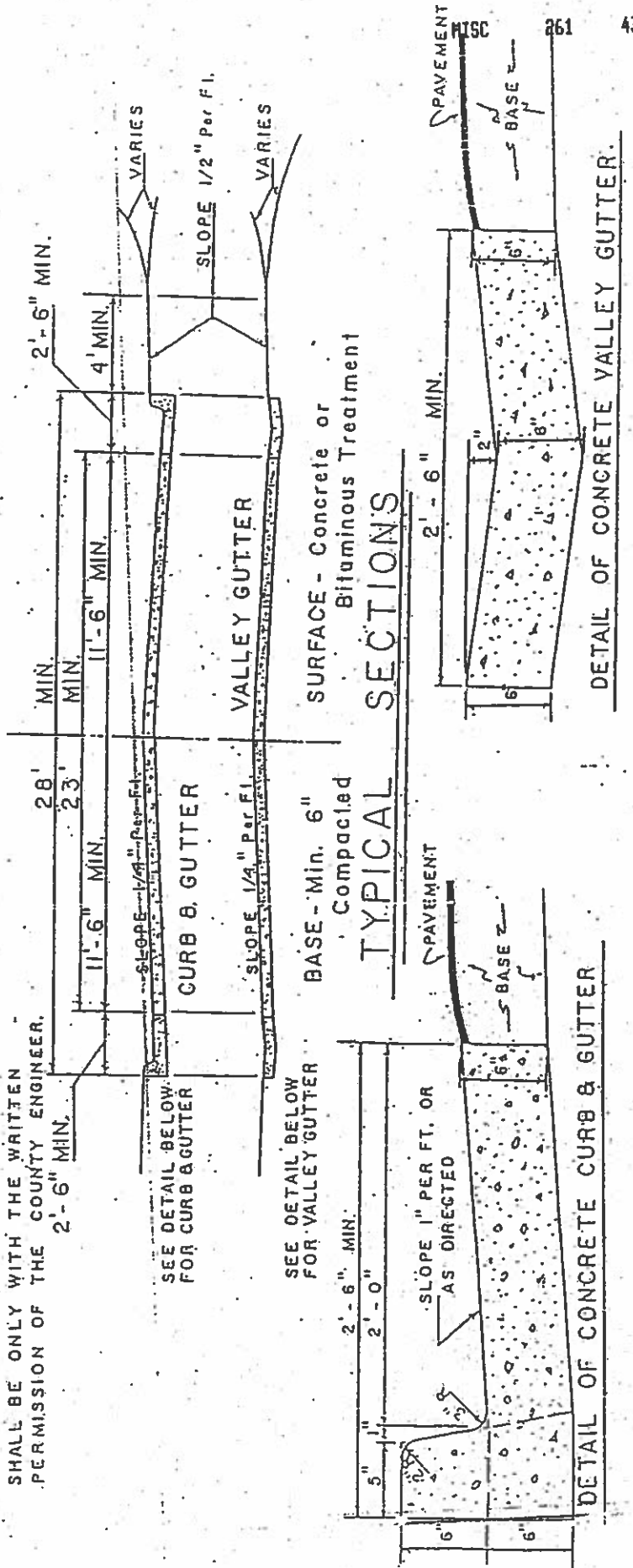


Figure 7. Minimum Standards for Subdivision Gutters

better) or high density polyethylene up to 30" in diameter as specified in (4) above. The high density polyethylene pipe may not be used where the fill depth is greater than ten (10) feet.

MISC 261 44

- (f) Headwalls, catch basins and/or inlets shall be constructed if deemed necessary by the City Engineer.

D. RIGHTS OF WAY

1. Rights of way for any street or road which is or might become an arterial highway or main thoroughfare shall be a minimum width of sixty (60) feet.
2. Rights of way for all other streets and/or roads shall be a minimum of fifty (50) feet. The street and/or road shall be located in the center of the right of way.
3. All cul-de-sacs shall be designed with a minimum ROW radius of fifty (50) feet with a minimum transition radius of twenty-five (25) feet.
4. Rights of way at intersections shall have turning radii unless waived by the City Engineer.
5. All lot lines shall be calculated to the right of way line and not to the center of the road.
6. Where a subdivision borders an existing road with a right-of-way less than that specified in these regulations, the applicant shall be required to dedicate such additional areas necessary to meet the minimum requirements, not to exceed 25' from center of existing road, unless section "g" below applies. The applicant shall dedicate areas for existing substandard roads to the full width as required by these subdivision regulations on property owned in the proposed subdivision.
7. Right of way widths in excess of the standards designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall be in excess of 3 horizontal to 1 vertical.

E. LOT REQUIREMENTS

1. The size of the lots shall conform to the requirements of the State of Alabama Health Dept.

F. ACCESSIBILITY

1. Where a proposed subdivision, addition or extension of an existing subdivision or development has no frontage on an existing public road, the

Owner or Developer must provide and dedicate suitable rights of way, for ingress and egress. This connecting road becomes part of the street or road system of the proposed subdivision or development and is subject to all regulations set out herein.

G.. ALLEYS

1. No alleys will be permitted unless:

- (a) Front entrance cannot be attained because of abnormal lay of the lot in relation to the street or;
- (b) There is an existing alley in an adjoining subdivision.

33

H. CURBS AND GUTTERS

Standard "L" type curbs and gutters shall be placed on both sides of all streets in accordance with specifications of the City of Hanceville, unless specifically waived by the City Engineer.

I WATER MAINS

The design and specifications of the water distribution system shall meet the Hanceville Water Department requirements.

J. SANITARY SEWERS

The design and specifications of the sanitary sewer system shall meet Hanceville Water Department requirements. If a private sewage system is required for a lot, said system shall meet the specifications of the Health Department.

K. STORM SEWERS AND DRAINAGE

Storm sewers and drainage structures shall be designed and installed as required by the City Engineer in accordance with good engineering practices.

L. OVERSIZE FACILITIES

The City of Hanceville may participate in the cost of "Oversized" Improvements within a subdivision (i.e. streets, water or sewer mains, drainage facilities, etc.), if it is judged that such oversized improvements are necessary to serve large areas of land not in the subdivision and if the cost of such oversized improvements is an unreasonable burden on the Sub-divider. For example, the

Sub-divider shall not be required to pay the cost of any freeway, arterial street, or major street, but shall participate in the cost of these improvements in the amount that a "Collector Street" would cost if situated where such freeway, arterial Street, or major street is located.

M. MONUMENTS

Permanent monuments shall be located on the ground at all angles in the boundaries of the land platted and at all intersections of the streets and alleys with the boundaries of the land platted and at all intersections of streets, intersections of alleys, or of streets and alleys. Such monuments shall be constructed and set in the ground as required by the City Engineer.

34

N. STREET SIGNS

The Subdivider shall have paid to the City Clerk for each street sign within a subdivision. Two street signs are required for each 4-legged (cross) intersection and one street sign for each 3-legged (Tee) intersection.

SECTION VI

VARIANCES

A. SUBDIVISION BY CERTIFICATE

The foregoing procedure for Plat Approval contained in Section III may be waived by the Planning Commission in the case of a property owner who desires to convey a part or parts of one lot or tract of land as shown by an already recorded map or plat of a subdivision, or as shown by the official City Map of the City of Hanceville, as approved by the Planning Commission, when it is the opinion of the Planning Commission that compliance with the foregoing procedure would cause an unnecessary hardship to the property owner if strictly adhered to, and that by reference to existing maps or plats the Planning Commission can determine that the conveyance of such part or parts of such lot or tract is in harmony and conformity with the general requirements and minimum standards of design for the subdivision of land as contained in these regulations.

The property owner desiring approval of the conveyance of a part or parts of any such lot shown by an existing recorded plat or by an approved map of the City of Hanceville without complying with the provisions of Section III hereof may make a request to the Planning Department for such approval by the Planning Commission. The Planning Commission shall consider such request and shall have authority to require such property owner to furnish such information as the Planning Commission shall deem necessary in order to pass upon such request. If upon consideration of such request and the evidence or information furnished by the property owner in accordance with the requirements of the Planning Commission, and the Planning Commission is of the opinion that such part or parts of such lot or tract may be conveyed without destroying the intent of these Regulations in conformity with the general requirements and minimum standards as contained in these regulations, it shall issue to such property owner a

certificate of approval (see sample certificate, following page) of such conveyance in writing and containing such restrictions and conditions as the Planning Commission may deem appropriate. Without limiting the generality of the authority of the Planning Commission to impose conditions and restrictions with reference to such conveyance, it is hereby provided that the Planning Commission may impose as a condition of such approval that such part of such

36

lot or tract, the conveyance of which is being approved, may not be re-conveyed by the grantee in such conveyance without further approval of the Planning Commission.

The Certificate of Approval provided for in the above paragraph shall be executed and acknowledged by the Chairman, Vice-Chairman or Secretary of the Planning Commission, and may be recorded in the appropriate Probate Office along with the conveyance of such part of such lot or tract as evidence of compliance with these subdivision regulations in the conveyance of such part of such lot or tract.

B HARDSHIP

Where the Planning Commission finds that extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variation will not have the effect of nullifying the intent and purpose of the General Community Plan, or these regulations.

C CONDITIONS

In granting variances, modifications, and approval for experimental subdivisions, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied, modified, or approved. These may include, without being limited to: personal, security, performance, or maintenance bonds; affidavits, covenants, or other legal instruments.

CERTIFICATE TO SUBDIVIDE

STATE OF ALABAMA)

COUNTY OF CULLMAN)

KNOW ALL MEN BY THESE PRESENTS THAT:

The Hanceville City Planning Commission does hereby certify that it has received a request from (NAME OF PROPERTY OWNER(S), the owner(s) of the following described real estate, situated in Cullman County, Alabama, to-wit:

(DESCRIPTION OF REAL ESTATE INSERTED HERE FOR EACH UNIT)

It is further certified that the Hanceville City Planning Commission has determined that the conveyance, holding, selling, purchasing, leasing and otherwise treating the said property in units or parcels as aforesaid is in harmony and conformity with the general requirements and design standards for the subdivision of land as contained in the Land Subdivision Regulations of the City of Hanceville and the above described units may be conveyed without destroying the intent of said regulations, and in conformity with the general requirements and design standards, as aforesaid, and the said planning commission does hereby authorize and approve the conveyance by deed, lease, mortgage, or other form of conveyance of said above described units by said owner and by any other person having an interest therein or being a successor in title thereto; provided, however, that said units hereinabove particularly described and designated may hereafter be conveyed without further approval of the planning commission, except in the footages and frontages as herein approved for the conveyance of said units and as complete units as hereinabove described.

IN WITNESS WHEREOF, the Hanceville City Planning Commission has caused this certificate to be issued and executed by its Chairman on this the _____ day of _____ 20____.

HANCEVILLE CITY PLANNING COMMISSION
BY;

38

STATE OF ALABAMA COUNTY OF CULLMAN

i. _____, a Notary Public in and for said County

and said State, hereby certify that (NAME OF CHAIRMAN). whose name as Chairman of the Hanceville City Planning Commission is signed to the foregoing certificate and who is known to me, acknowledged before me on this day that being informed of the contents of the certificate, he/she, in his/her capacity as chairman of the Hanceville City Planning Commission executed the same voluntarily for and as the act of said planning commission and with full authority.

GIVEN under my hand the seal of my office, this the _____ day of _____ 20_____

Notary Public

SECTION VII

SEVERABILITY AND SEPARABILITY

A. SEVERABILITY AND SEPARABILITY

Should any article, section, subsection, or provision of these Subdivision Regulations be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or unconstitutionality of these Subdivision Regulations as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.


B. EFFECTIVE DATE

These Subdivision Regulations shall take effect and be in force from and after the date of adoption. Subdivision Regulations heretofore adopted are hereby repealed.

ADOPTED this the 10th day of August 2009.

PLANNING COMMISSION OF THE
CITY OF HANCEVILLE, ALABAMA


Johnny Whitaker, Vice Chairman

ATTEST: 
Tania C. Wilcox, City Clerk