

WASHINGTON COUNTY, ARKANSAS

EXEMPTION CHECKLIST

If you have questions about any of the following information, contact the Planning Office for assistance.

- Exemption Application completed to the best of your knowledge.
- Submit **One Digital .pdf** completed and signed by a certified surveyor.
- Submit Digital survey by email to the project planner or planning@washingtoncountyar.gov
- Submit the Circuit Clerk's file number once survey is recorded.

Per Ordinance No. 2025-044, the survey must include:

- All parcels that are less than 20 acres must be surveyed (those that are larger may be included).
** Please note that your survey is not required to show remainder tract (defined as the tract retained by the owner of the property who is seeking the split) unless the tract is less than 5 acres in size. However, a new legal description is required for this tract.*
 - The original legal description of the property and the legal descriptions of the new parcels being created.
 - Building setbacks-**please depict these as lines on the survey- as well as text:**
 - 20' from the rear property line,
 - 10' from the side property line(s), and
 - 25' from the front of the property and from any road right-of-way (ROW)-this 25' front/ROW setback must also be dedicated as a Utility Easement (UE).
- Processing/REview Fee:** \$100.00.

Keep in mind:

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

-For MSD review, a copy of the approved Soil Work performed by a Designated Representative (D.R.) of the Arkansas Department of Health (ADH) is needed for all lots involved.

-If the property is in a FEMA identified Special Flood Hazard Area (SFHA), a floodplain permit is required. Please contact the planning staff for details.

-Completed and signed enclosed family split letter is required before Family Split survey approval. The Family Split process is strictly for the conveyance of property to direct family members (see definition of family members* below). If future conveyance of the property to a non-family member is anticipated, a minor subdivision is the appropriate process unless the survey meets other exemption criteria.

**WASHINGTON COUNTY, ARKANSAS
EXEMPTION APPLICATION**

- Check one:** Family Lot Split (b)(1) Division into 40 acre tracts (b)(2) Division into 4 parcels or less (b)(3)
 Lotline Adjustment (b)(4) Court-ordered Split (b)(5) Cemetery Purposes (b)(6)
 Street Widening/Easements (b)(7) Mortgage Split (b)(8) Public Services (b)(9)
 Corrections (b)(10) Other _____

Property Owner: _____ Email: _____
Address: _____ Phone: _____

Applicant (if different): _____ Email: _____
Address: _____ Phone: _____

I certify under penalty of perjury that I am the owner of the property that is the subject of this application or I am the owner's authorized agent and consent to its filing. (check one) owner agent
Signature of Property Owner or Agent: _____ **Date:** _____

Property Information:

Tax Parcel Numbers: _____

Total Acreage of Property: _____ Total Number of Lots/Parcels Proposed: _____

Acreage of Proposed Lots/Parcels: _____

School District: _____

Road Information:

U.S., State, or County road # giving access to property: _____

Public Road, Private Road (certain restrictions may apply), or Residential Drive: _____

Road surface (asphalt, gravel, unimproved, etc.): _____ Right of way width: _____

Utility Information:

Water company name: _____ Electric Company name: _____

Gas company name: _____ Telephone company name: _____

Cable company name: _____ Sewer System / Septic: _____

If (b)(1) Family Lot Split:

Name of Person Receiving Property	Relationship to Property Owner	Road Frontage/Easement	Acreage
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_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

OFFICE USE ONLY:

Quorum Court District: _____

Section: _____ Township: _____ Range: _____

Floodplain: yes no If yes: Map #: _____ Floodplain type (A, AE, etc.): _____

Current Zoning: _____

Section 4(B)(g): Exemptions.

(a) The intent of these exemptions is to achieve the following:

- (1) To balance private and public interests;
- (2) To expedite the review and approval process for subdivisions that may have a low impact on public resources, facilities, and services and/or the need for them;
- (3) To expedite the distribution of land among family members*;
- (4) To promote safety;
- (5) To monitor the growth and development of the county;
- (6) To ensure proper legal descriptions, identification and recordation of subdivided land boundaries; and
- (7) To protect natural resources.

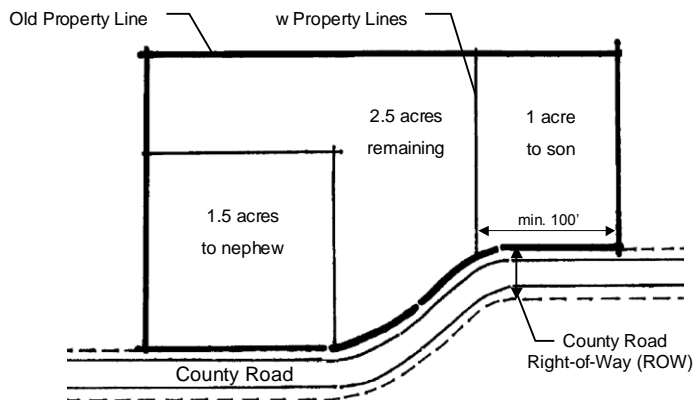
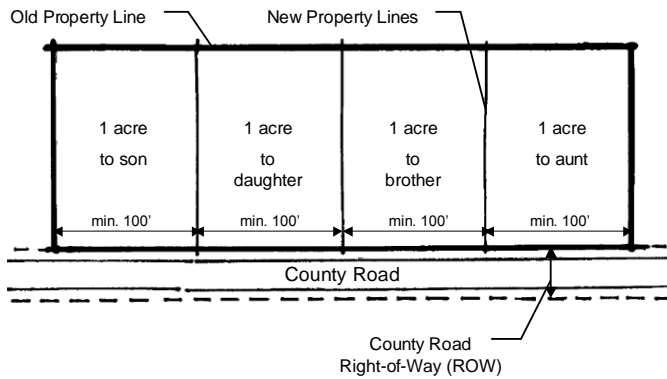
All Exempt Splits are subject to rules found in d.

(b) The following are exempt from the provisions specified in the county development regulations:

- (1) The division of land into parcels for the purpose of selling or donating the parcels to family members. Only one (1) such division shall be allowed per family member and all parcels must be at least one (1) acre in size.

This exemption is subject to rules found in c

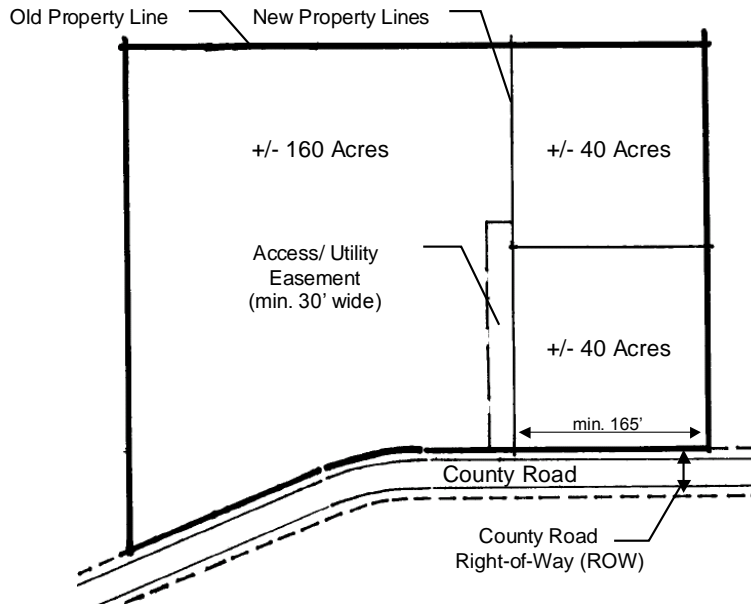
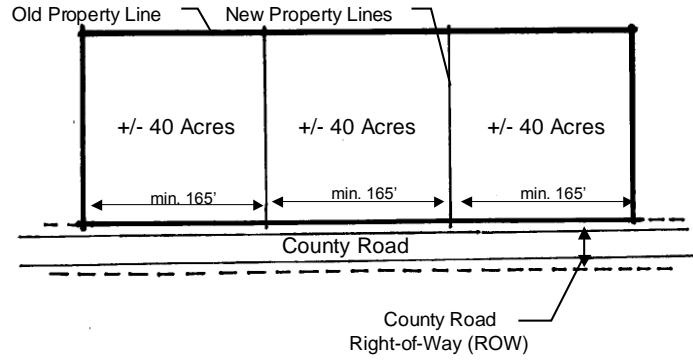
EXAMPLES:



- (2) The division of land into an unspecified number of tracts, each of which are at least forty (40) acres, more or less, in size.

This exemption is subject to rules found in c

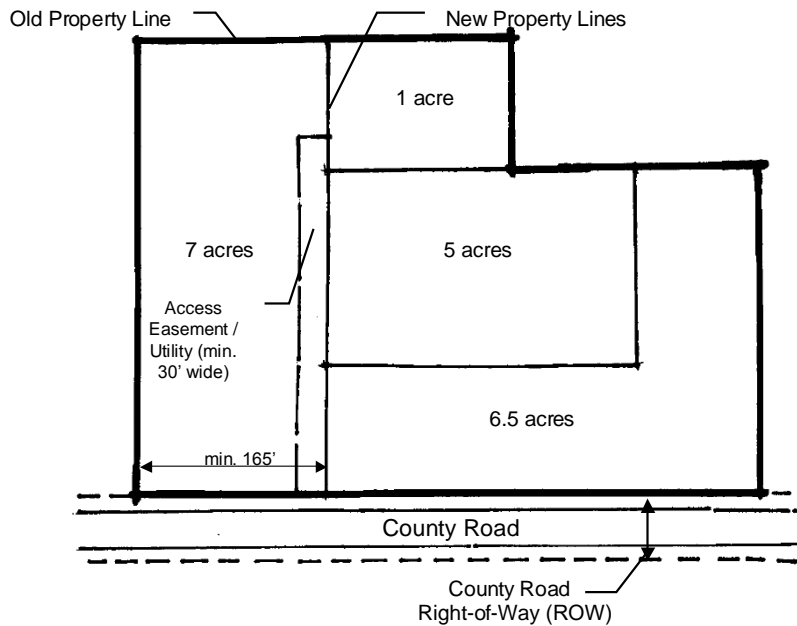
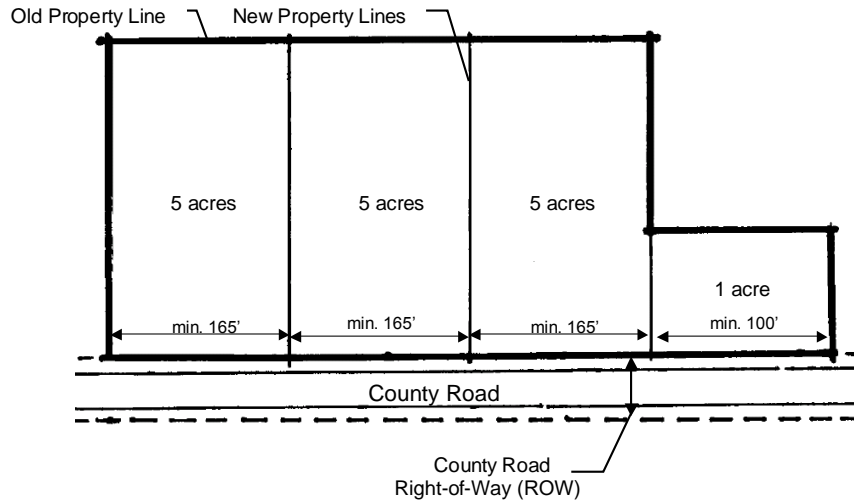
EXAMPLES:



- (3) The division of land into four (4) parcels, three (3) of which must be at least five (5) acres, and one which may be at least one (1) acre. Previous divisions for family members shall not be counted toward the four parcels exempted in this section.

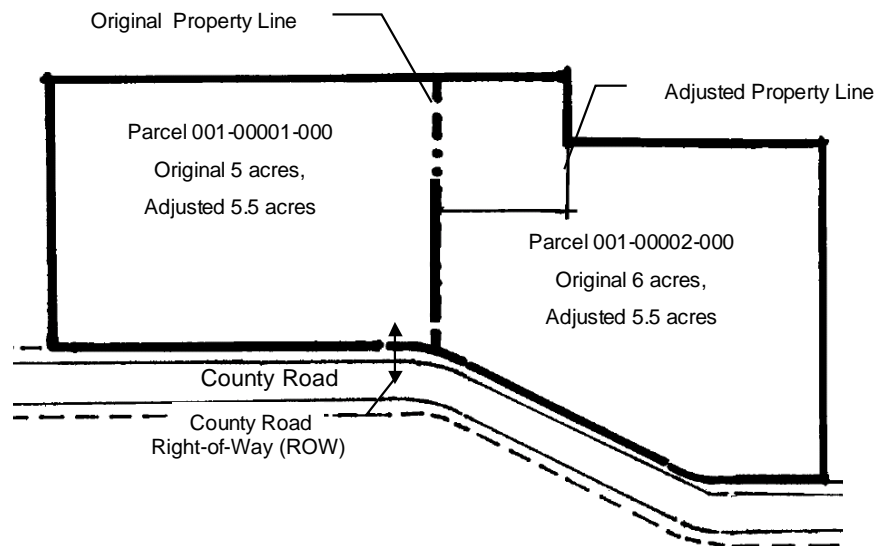
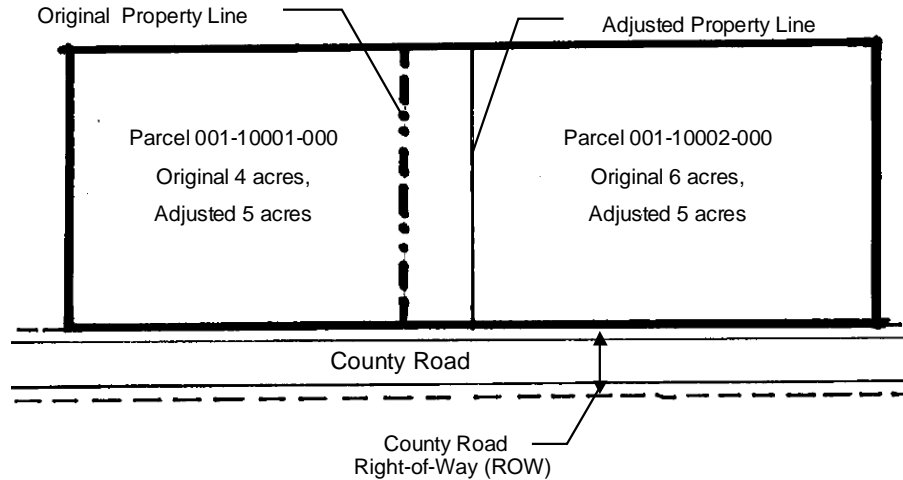
This exemption is subject to rules found in c

EXAMPLES:



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

EXAMPLES:

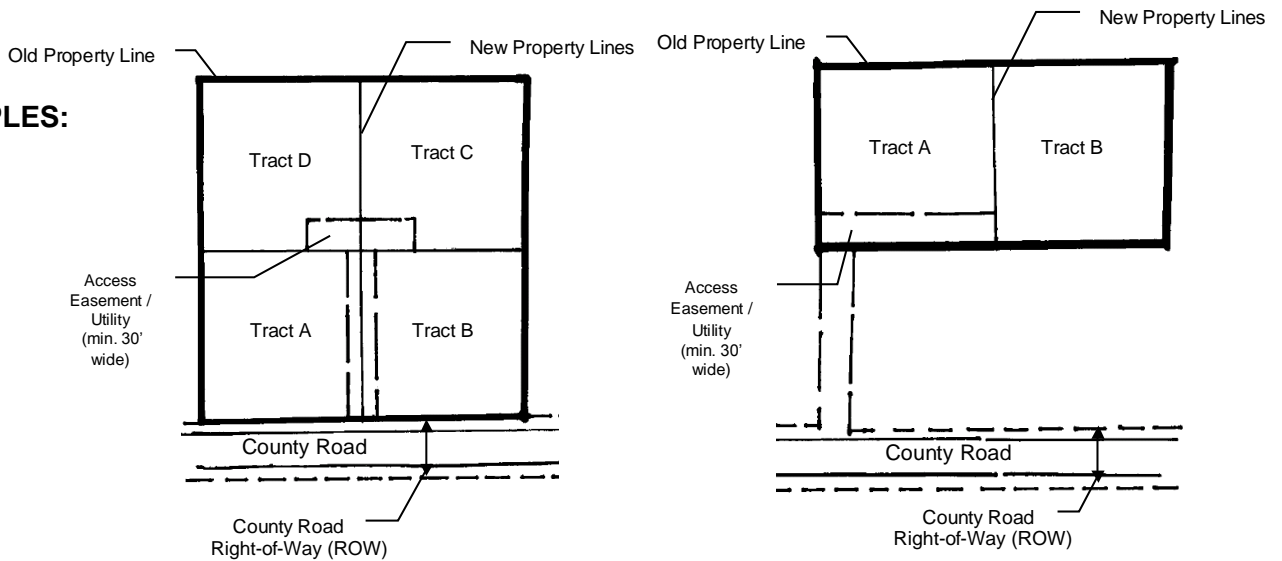


- (5) The division of land which may be ordered by a court.
- (6) The division of land which is to be used for cemetery purposes, and the division of land to create burial plots in a cemetery.
- (7) The public acquisition of strips of land for the widening or opening of streets and/or easements.
- (8) The transfer of an interest in land for mortgages, liens or deeds of trust provided that the division of land is not the result of a seller-financed transaction.
- (9) A division of land for the purpose of conveying a parcel(s) to a public service, nonprofit organization.
- (10) A conveyance made to correct errors in prior conveyances.

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

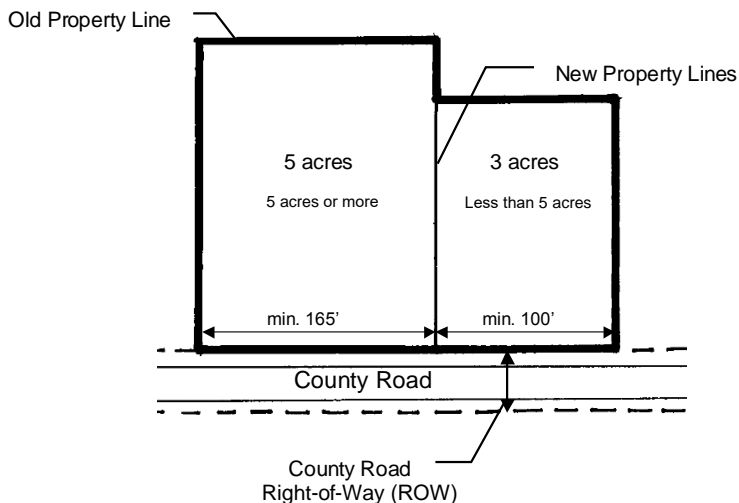
- (1) Owners are not required to improve, maintain or dedicate right-of-way along existing public roads, except that the County Road Superintendent may set the standard for drainage tiles. There shall be a deed restriction with each land conveyance stating that no new improvements will be constructed on any new or existing parcels within a sufficient distance (as determined by the County road plan) from the centerline of any existing public road to accommodate future road improvements.
- (2) Only two (2) parcels may be created without public road frontage. Parcels not fronting a public road must be connected to a public road with an easement for ingress, egress and utilities. The easement must be a total width of thirty (30) feet, and can be a shared easement (see the definition of "shared easement"***).

EXAMPLES:



- (3) Parcels fronting a public road must have at least one hundred (100) feet of frontage if they are less than five (5) acres in size, and at least one hundred sixty-five (165) feet of frontage if they are five (5) acres or greater in size.

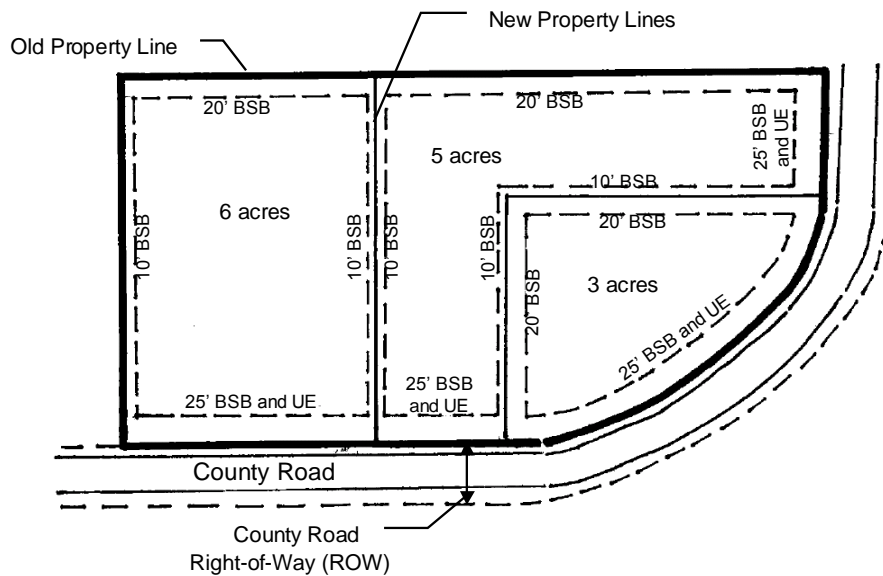
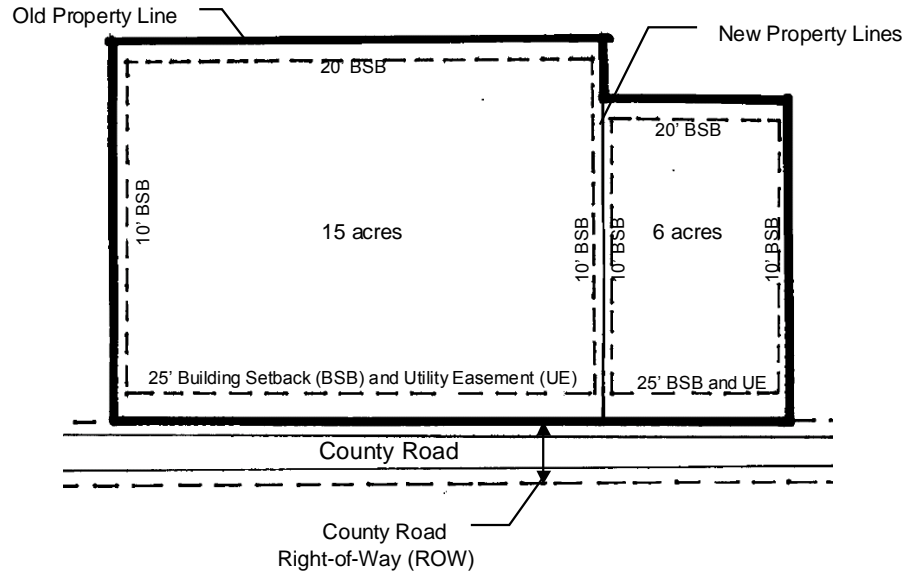
EXAMPLE:



(d) Ordinance 2025-044: **A survey is required for lots less than 20 acres.** **Please note that your survey is not required to show the remainder tract (defined as the tract retained by the owner of the property who is seeking the split) unless the tract is less than 5 acres in size. However, a new legal description is required for this tract. **Setbacks must be shown** (please depict these as lines on the survey-as well as text):*

- 20' from the rear property line,
- 10' from the side property line(s), and
- 25' from the front of the property and from any road right-of-way (ROW)-this 25' front/ROW setback must also be dedicated as a Utility Easement.

EXAMPLES:



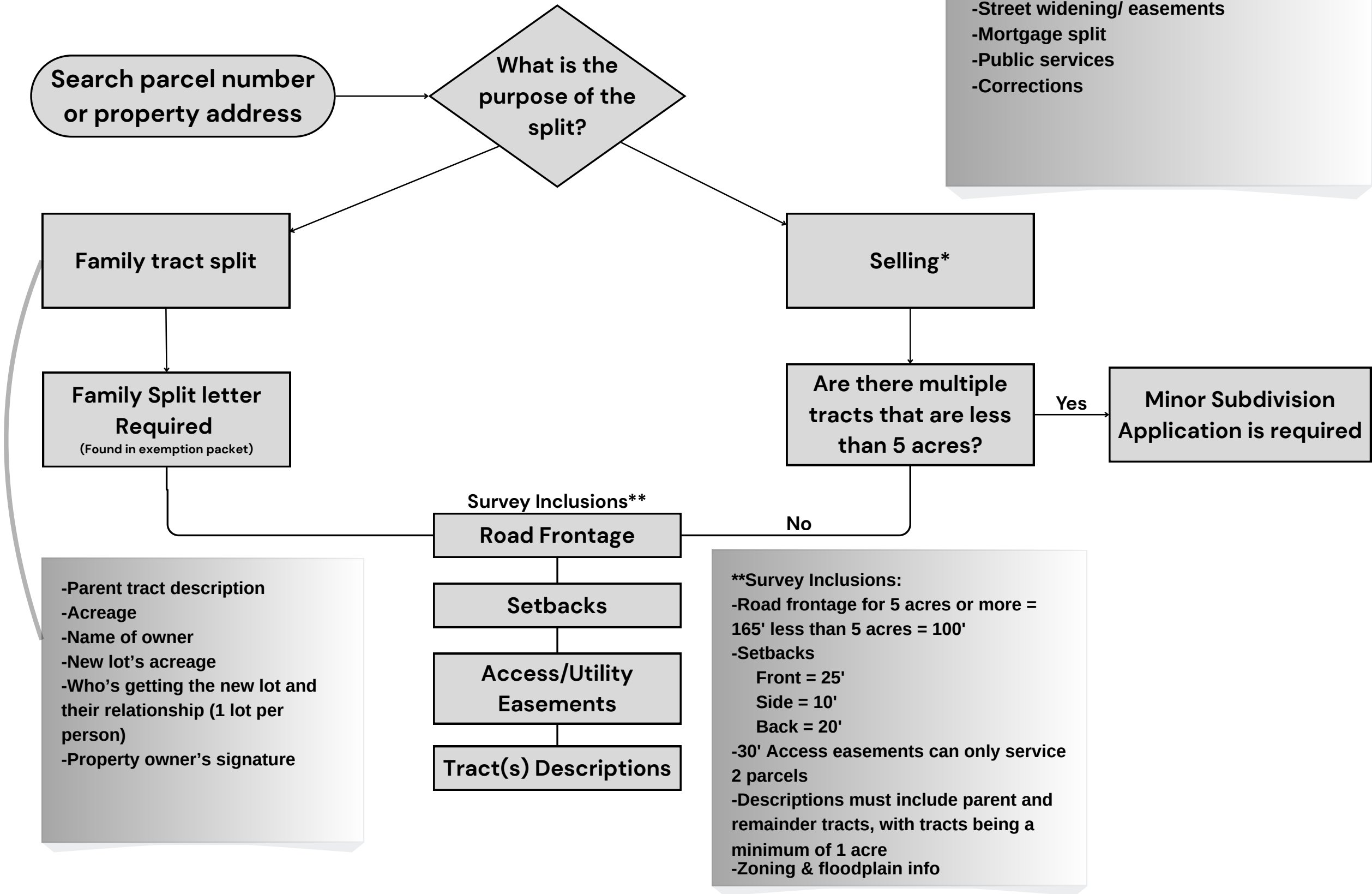
Before a transaction can be considered exempt, such must be approved by the Planning Administrator. (Ordinance No. 2025-044)

***Family Member:** Any person who is a natural or legally defined sibling, offspring, spouse, grandchild of parent of the property owner.

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

Exemption Processing

- *Selling for the purpose of:**
- Division into 40 acre tracts
 - Division into 4 parcels
 - Lotline adjustment
 - Court ordered split
 - Cemetery purposes
 - Street widening/ easements
 - Mortgage split
 - Public services
 - Corrections



Authorization of Representation

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

TO THE PLANNING OFFICE OF WASHINGTON COUNTY, AR

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

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

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

(Project Name/Number)

(Project Name/Number)

(Project Name/Number)

(Project Name/Number)

(Printed name of property owner/applicant)

(Signature of property owner/applicant)

(Date)

(Printed name of property owner/applicant)

(Signature of property owner/applicant)

(Date)

Family Split Letter Consent Form

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

TO THE PLANNING OFFICE OF WASHINGTON COUNTY, AR

I, _____ hereby authorize a tract split

(Printed name of property owner/applicant)

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

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

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

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

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