

SUBDIVISION REGULATIONS

A Brief Summary

- **Monroe County**
- **Madisonville**
- **Sweetwater**
- **Tellico Plains**
- **Vonore**

Monroe County, Tennessee

**Monroe County Planning Department
103 College Street South
JP Kennedy Building
Madisonville, TN 37354
423-545-8276 (office)
423-253-4187 (cell)**

<http://monroeplanning.com>

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WHAT IS A “SUBDIVISION”?

“Subdivision” means the division of a tract or parcel of land into two or more lots or parcels and also includes resubdivision. This means that every owner of land who divides land into smaller parcels or changes the size or shape of existing lots is doing a “subdivision”.

IF I WANT TO JUST MOVE A PROPERTY LINE BETWEEN MY NEIGHBOR AND ME, IS THAT A “SUBDIVISION”?

If the resulting lots/parcels are less than 5 acres - Yes.

CAN’T I JUST PREPARE A DEED AND RECORD IT?

No. Per Tennessee Code Annotated 13-3-410 (a) (2), the description by metes and bounds is not exempt from the platting requirements in the Subdivision Regulations.

WHAT HAPPENS IF I SELL UNAPPROVED AND UNRECORDED LOTS?

- A state law has been broken (Tennessee Code Annotated 13-3-402 and 13-3-410).
- Some cloud would exist on the title of the lot/parcel.
- Most lending agencies will not approve or guarantee loans for the lot/parcel or a building constructed on the lot/parcel.
- The legislative body may stop sales by injunction or other legal action.

HOW DO I PREPARE A SUBDIVISION PLAT?

Tennessee requires that subdivision plats be prepared by a Tennessee Licensed Surveyor. The surveyor will survey your land and prepare a plat. The plat is submitted to the planning staff for review for compliance with the jurisdiction’s Subdivision Regulations. Once found to comply with the regulations, the plat is presented to the Planning Commission for approval. If the subdivision plat only involves two lots/parcels, the plat does not have to go to the full planning commission and the Secretary of the Planning Commission can sign the plat.

WHAT DO YOU MEAN BY “SIGN THE PLAT”?

Certifications verifying ownership, accuracy, and access to utilities are required on the plat. These certifications must be signed by people who have the authority to verify the information. The Planning Commission Secretary is the last person to sign the plat before recording. The Secretary’s signature indicates the plat is approved and ready to be recorded at the Register of Deeds Office.

WHAT IF I HAVE AN EXISTING HOUSE AND SEPTIC SYSTEM ON THE PROPERTY I AM SUBDIVIDING?

If the resulting lot is less than 5 acres, a septic system reserve area is required for the existing house. This reserve area must be located on the same lot/parcel as the house. This is required in the event the

existing septic system fails. [This is not required in all parts of Monroe County. Please check with the Planning Department to verify.]

HOW DO I LOCATE THE SEPTIC RESERVE AREA?

You will need to hire a soils consultant to determine where a reserve septic area can be located. The reserve area must then be shown on your plat.

REMEMBER

Always record your plat at the Monroe County Register of Deeds Office once it has been approved and signed.

Utility Providers:

Fort Loudoun Electric Cooperative
877-353-2674

Loudon Utilities Board
423-884-6062

City of Madisonville –
Water, Sewer and Gas
423-442-9416

Sweetwater Utilities Board
423-337-5081

Tellico Area Services System
423-884-6400

Town of Tellico Plains –
Water and Sewer
423-253-2333

Monroe County Environmentalist
Septic Systems
423-420-1885

REMINDER

**Please record your plat at the Monroe County Register of Deeds Office
once it has been approved and signed**

Are You Subdividing Your Property?

If so, you will need to have a subdivision plat prepared of your property.

All subdivision plats (surveys) must be prepared by a licensed surveyor and shall include, at a minimum, the following information:

- Surveyor's name, address, and phone number
- Property owners' names and addresses
- Property Parcel/Tax Map information and street address
- Recording information of previously recorded plats involving the land
- Title of subdivision plat
- Date plat is prepared
- Acreage of total land area and of each lot
- Location map, graphic scale, and north arrow
- All lots numbered in consecutive order
- Minimum building setback requirements
- Standard utility and drainage easements along property lines
- All floodable areas and water courses
- Existing septic system locations (if applicable)
- Reserve septic system locations (if applicable)
- Names of adjacent property owners, roads/streets, and subdivisions
- Locations and descriptions of all monuments, iron pins, drainage facilities, and utilities
- Locations and descriptions of all property lines, easements, and road rights-of-way
- Road centerlines and distance to centerlines
- Certifications verifying land ownership, accuracy of survey, access to utilities, septic approval if applicable, road status, E-911 approval, and planning commission approval

Copies of the adopted Subdivision Regulations for each of Monroe County's planning regions can be found at <http://monroeplanning.com>

Specific Minimum Platting Requirements by Planning Region

All subdivision plats in all jurisdictions must be in compliance with the adopted *Flood Damage Prevention Regulations*. This covers all FEMA mapped rivers and streams and also unmapped streams. Standards for Unmapped Streams: No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank.

Monroe County: Minimum road frontage required: 50'
A 12' utility and drainage easement on all side and rear lot lines
Building setback requirements:
 Front – 50' on streets classified as arterials
 40' on streets classified as major collectors
 30' on all other streets
 Sides and Rear – 12'
Minimum right-of-way widths:
 Arterial Streets or Highways – up to 80'
 Major Collector Streets – 60'
 All Other Streets – 50'

Madisonville: Minimum road frontage required: 50'
A 10' utility and drainage easement on all lot lines
Building setback requirements:
 Front – 50' on streets classified as arterials
 40' on streets classified as collectors
 30' on all other streets
 Sides and Rear – 10'
Minimum right-of-way widths:
 Arterial Streets or Highways – 80' - 150'
 Major Collector Streets – 60'
 All Other Streets – 50'

Sweetwater: Minimum road frontage required: 50'
A 10' utility and drainage easement on side and rear lot lines
Building setback requirements:
Front – 30'
Sides and Rear – 10'
Minimum right-of-way widths:
Arterial Streets or Highways – 80' - 150'
All Other Streets – 50'

Tellico Plains: Minimum road frontage required: 50'
A 10' utility and drainage easement on all lot lines
Building setback requirements:
Front – 40'
Sides and Rear – 10'
Minimum right-of-way widths:
Arterial Streets – 80'
Major Collector Streets – 60'
Minor Collector Streets – 50' with 60' at intersections to
accommodate turn lanes
Historic Downtown Streets – 40'
All Other Streets – 50'

Vonore: Minimum road frontage required: 50'
A 5' utility and drainage easement on front and side lot lines and a 10' utility and
drainage easement on rear lot lines
Building setback requirements:
Front – 50' on streets classified as arterials
40' on streets classified as major collectors
30' on all other streets
Sides – 5'
Rear – 10'
Minimum right-of-way widths:
Arterial Streets or Highways – 80'
Major Collector Streets – 60'
All Other Streets – 50'

You have the survey – What is your next step?

1. The plat (survey) is submitted to the Monroe County planning staff. The planning offices are located in the JP Kennedy building and the phone number is 423-545-8276.
2. The planning staff reviews the plat (survey) to ensure it complies with the adopted Subdivision Regulations.
3. If changes are necessary, the surveyor must make the changes and a revised plat must be resubmitted to the planning staff.
4. 2-Lot subdivision plats can be reviewed by staff and do not need to go to a planning commission meeting.
5. If the plat has three (3) or more lots, then the plat must go to the planning commission for their review and approval. The rules are the same, it is just a different approval process.
6. Once a plat complies with the adopted Subdivision Regulations and either the Planning Commission or the planning staff approves the plat, the certifications must be signed by people who have the authority to verify the accuracy of the information. All property owners must also sign the plat. As the applicant, getting these signatures is your responsibility, but the planning staff will direct you to the correct agencies/people.
7. The Planning Commission Secretary is the last person to sign the plat. The planning staff will obtain this final signature for you.

**Once all the signatures are obtained, record the plat at the
Monroe County Register of Deeds Office**