

Sec. 7-21. Application for approval of final plat.

(1) *In general.* Any person who wishes to record a final subdivision plat in the public records of Wakulla County shall, upon the completion of all improvements contained in the approved preliminary plat or the posting of a bond as required in section 7-23, submit an application for approval of the proposed final plat in the form described below to the building and zoning official with an application fee for advertising and other administrative expenses in an amount set by resolution of the board of commissioners.

(2) *Time limit for submission.* Unless the proposed final plat is submitted within eighteen (18) months of the planning commission's initial approval of the preliminary plat, such approval shall be deemed to have lapsed and a new application for plan and preliminary plat approval must be filed; however, extensions of time in which to submit a final plat shall normally be granted by the planning commission upon request and for good cause shown.
(Ord. No. 85-4, 7-23-85)

Sec. 7-22. Reserved.

Sec. 7-22.1. Form and contents of final plat.

(1) *Form.* The final plat shall be submitted in triplicate, including the original reproducible drawing drawn on mylar or velum, and shall be at a scale of one (1) inch equals one hundred (100) feet or greater detail. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision.

(2) *Contents.* The final plat shall be certified by a qualified land surveyor and include information or drawings showing the following:

(a) Primary control points, or descriptions and ties to such control points to which all dimensions, angles, bearings, and similar data on the plat shall be referred.

(b) Tract boundary lines; right-of-way lines of streets, easements and other rights-of-way; property lines of residential lots and other sites, with accurate dimensions, bearing or deflection angles and radii, arcs, and central angles of all curves and block corners.

(c) Location, center line, name and right-of-way width of each street or other right-of-way; location, width and names of all waterways.

(d) Location, dimensions and purpose of any easements.

(e) Number or letter to identify each separate lot, plot or site.

- (f) Purpose for which sites, other than residential lots, are dedicated or reserved.
 - (g) Minimum building setback line on all lots and other sites.
 - (h) Location and description of monuments.
 - (i) Adjoining land owner names and addresses with name, number and date of any adjoining recorded subdivisions or plats.
 - (j) Certification by registered surveyor or registered engineer certifying to accuracy of survey and plat.
 - (k) Certification of title showing that applicant is the land owner.
 - (l) Statement by owner dedicating streets, rights-of-way, and any sites for public use, and identification of those areas on the plat.
 - (m) Title, scale, north point and date; section, township and range.
 - (n) Certificate of approval by the planning commission.
 - (o) Certificate for recording by the clerk of the court.
 - (p) Executed dedication of all mortgagees of record, if any.
 - (q) If required by the county commission, a statement of review by the Appalachian Regional Planning Council.
- (3) *Other requirements.* In addition to the above requirements, any further requirements found in Florida Statutes, section 177.091 shall be included in the plat which is submitted for final approval to the planning commission.
(Ord. No. 85-4, 7-23-85)

Editor's note: Ord. No. 93-24, adopted Nov. 15, 1993, amended the Land Development Code by redesignating § 7-22 as § 7-22(A) and adding two new sections designated as §§ 7-22(B) and 7-22(C). In order to conform to established Code format, the editor has redesignated these provisions as §§ 7-22.1--7-22.3.

Sec. 7-22.2. Short form subdivision.

- (1) *Intent and purpose.* It is the county's intent to provide a short form subdivision process, consistent with chapter 163, Florida Statutes, and the platting of a large lot subdivisions. A large lot subdivision is the division of a large parcel of land into lots which contain a minimum of ten (10) acres or greater but

less than twenty (20) acres and where county expenditure for infrastructure to support the development is not required.

(2) *Form.* The short form subdivision submittals shall be on mylar with three (3) paper copies for review and processing by the planning department. The mylar shall be drawn at the scale acceptable to the planning department with one inch to four hundred (400) feet established as a suggested minimum scale. Where necessary, the plat may be drawn on more than one (1) mylar accompanied by the appropriate legend and index sheet.

(3) *Content.* The final plat submittal shall be certified by a registered land surveyor or a professional engineer and shall include the following information, documentation or drawings:

(a) Subdivision name, north arrow, scale, date, section, township, and range, legend and all information as required for subdivision plats pursuant to chapter 177, Florida Statutes.

(b) Measurements, bearings and location of existing and proposed property lines, roads, easements, rights-of-way and tracts.

(c) Stormwater retention or detention facilities (if any) shall be identified as tracts.

(d) Location, centerline, name, tract number and purpose of any easements. Ownership and maintenance responsibility shall be identified in any related documentation.

(e) Lots shall be numbered sequentially. Tracts may be designated as Tract A, Tract B, etc.

(f) Identify the purpose of nonresidential sites or tracts.

(g) Location and description of survey monuments.

(h) Registered land surveyor's or professional engineer's seal or mylar.

(i) Certification of title or title opinion submitted with mylar.

(j) Statement by property owner regarding dedication of roadways, stormwater facilities, tracts, easements or rights-of-way being dedicated to public or private use, which corresponds to such areas identified on the plat. Homeowner or property owner associations shall be created and identified prior to recordation of the plat or sale of newly created lots. Membership in the homeowners' association shall be mandatory when an association is responsible for the ownership or maintenance of roadways, easements or tracts.

(k) Certification and/or signature blocks for county commission chairperson, county attorney, clerk of the court and planning director for recordation purposes.

(l) Certificate for recording of plat by clerk of the circuit court.

(m) The plat and all deeds shall contain a note that states all such duly recorded subdivision lots shall not be divided or resubdivided in the future without complying with the platting requirements of section 7-22.1, or approval of the planning department, Land Development Code, including written approval from the mandatory homeowner or property owner's association.

(Ord. No. 93-24, 11-15-93)

Note: See the editor's note to § 7-22.1.

Sec. 7-22.3. Review and platting procedures.

(1) The planning and zoning department shall accept final subdivision applications for short form subdivisions. The department shall review the application for informational sufficiency within five (5) working days and request additional information. The department shall review sufficient applications within ten (10) days of receipt.

(2) When the application is found to be consistent with all other applicable sections of the Land Development Code, then, as outlined in section 7-22.2, it shall be scheduled by the department, as an agenda item at the next regular meeting of the board of county commissioners for written approval.

(3) *Appeals.* When the planning department finds an application herein is inconsistent with the Land Development Code and thus not recommended for approval, the applicant may appeal such determination by filing the appeal with the department. The department shall schedule the appeal for hearing before the planning and zoning board. Appeals from the planning and zoning board shall be directly to the board of county commissioners pursuant to section 3-23 of the Land Development Code.

(Ord. No. 93-24, 11-15-93)

Note: See the editor's note to § 7-22.1.

Sec. 7-23. Certified completion of improvements of filing of bond.

(1) *In general.* The planning commission shall not approve a final plat unless and until, in addition to all other requirements for approval contained in this Code, the applicant has submitted along with the proposed final plat one of the following certificates.

(2) *Certificate of completion.* A certificate under penalty of perjury from an engineer licensed in the State of Florida identifying all improvements on the site and certifying that all improvements have been installed in accordance with this chapter as shown on the preliminary plat in compliance with any additional

conditions of approval of the preliminary plat imposed by the planning commission.

(3) *Certificate of bond.* A certificate from the clerk of court that a bond available to the county has been posted in an amount determined by the county to be sufficient to complete the required improvements.
(Ord. No. 85-4, 7-23-85)

Sec. 7-24. Review of final plat.

(1) *Planning commission.* The final plat shall promptly be placed on the planning commission agenda by the planning official for the next practicable meeting and due public notice thereof published as provided in section 3-2(10). No later than ten (10) days prior to such hearing three (3) sets of said final plat, including the original reproducible drawing, shall be submitted to the planning department. The planning commission shall review the final plat for compliance with this Code and, if found to be in compliance, the plat shall be approved and transmitted to the building and zoning official for final review by the county commission. If the final plat is disapproved, the reasons therefore shall be entered in the planning commission minutes and written notice thereof mailed to the applicant, and such disapproval may be appealed to the county commission in accordance with section 7-19 of this chapter.

(2) *County commission.* The building and zoning official shall promptly place the final plat on the county commission agenda for the next regular meeting. The county commission shall review the final plat for compliance with this Code and, if found to be in compliance, the final plat shall be approved. If the final plat is disapproved, the reasons therefore shall be announced in the county commission minutes and written notice thereof mailed to the applicant. The disapproval may be appealed in accordance with section 7-19 of this chapter.
(Ord. No. 85-4, 7-23-85)

Sec. 7-25. Effect of final plat approval.

(1) *Copies of plat.* Upon approval of the plat, the original reproducible drawings shall be returned to the subdivider and one copy retained in the files of the planning commission, one (1) copy transmitted to the clerk and one copy transmitted to the regional planning agency.

(2) *Dedications.* The approval of any subdivision plat by the planning commission shall not constitute an acceptance of the dedication of any street or any other land or improvement shown upon the plat. The authority to accept such dedications for whatever purposes shall be exercised exclusively by the county commission. The developer shall be responsible for the maintenance of the roads during all phases of construction required prior to acceptance or upon which acceptance of the dedication by the county is contingent.

(3) *Recording.* Upon approval of the final plat by the county commission, the plat may be recorded in the public records of Wakulla County as provided by law.

(Ord. No. 85-4, 7-23-85)

Sec. 7-26. Developments of regional impact.

In the event a proposed subdivision is also a development of regional impact, as defined in Florida Administrative Code, chapter 27F, the procedures for review and approval of the plat of such subdivision shall be in accordance with Florida Statutes, section 380.06 as applied to this Code.

(Ord. No. 85-4, 7-23-85)

Sec. 7-27. Variance.

If strict compliance with the provisions of this chapter causes undue hardship concerning a subdivision regulated hereunder, the planning commission may recommend and the county commission may approve modification of these requirements requested by the applicant. Such variances shall apply only to a specific hardship and shall not be detrimental to the intent of this chapter and the Code.

(Ord. No. 85-4, 7-23-85)

Cross references: Application for variance from land development code, § 3-22.

Sec. 7-28. Violations; penalties.

(1) *Subdividing or recording of plats prohibited without compliance.* No person shall subdivide any land before such subdivision is approved as provided in this chapter. No plat of a subdivision shall be filed or recorded by the clerk until the plat is submitted to and approved by the planning commission and the county commission and such approval has been entered in writing on the plat by the chairman of the planning commission and the county commission.

(2) *Sale or transfer of platted land without approval.* No person shall sell or transfer land in a subdivision before the subdivision plat is approved and recorded as provided in this chapter. It is unlawful for any owner or agent of the owner of any land to transfer, sell, agree to sell or negotiate to sell such land by reference to, exhibition of or other use of a subdivision plat of such land without gaining the approval of such plat as provided in this chapter, and recording such approval of the subdivision plat as required by law. If any owner or agent of an owner unlawfully uses a subdivision plat in violation of this subsection (2) before it is properly approved and recorded, the owner or agent of the owner of such land shall be deemed guilty of a misdemeanor and shall be punished as provided by law.

(3) *Metes and bounds description no exception.* The description by metes and bounds in any instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from these penalties,

unless roads and other improvements on the site are planned, constructed and dedicated in accordance with this chapter.

(4) *Misrepresentation a misdemeanor.* Any owner or agent of an owner who falsely represents to a prospective purchaser or real estate agent that roads and streets, sewers, water systems or drainage facilities will be built, constructed or maintained by Wakulla County shall be deemed guilty of a misdemeanor and shall be punishable as provided by law.

(5) *Contract voidable.* Any contract to sell land in violation of this chapter shall be voidable at the option of the purchaser and the purchaser may recover from such owner or agent of an owner any damages he may have by reason of the violation of any of these regulations. Suit for such damages may be tried in any court of competent jurisdiction.

(6) *General enforcement.* Violation of this section, or of any rules or regulations of this chapter, shall be deemed a misdemeanor, punishable as provided by law and with each day such violation continues constituting a separate offense. Any person violating any provision of these regulations shall be fined upon conviction not less than two dollars (\$2.00) nor more than one hundred dollars (\$100.00) and costs of court for each offense.

(Ord. No. 85-4, 7-23-85)

Cross references: Enforcement of zoning regulations, § 5-13; violation of coastal construction regulations, § 9-20.

Secs. 7-29--7-39. Reserved.