



**TOWN OF ELSMERE**

**MINOR SUBDIVISION/REVERSE SUBDIVISION APPLICATION**

<p><b><u>Definition of a Minor Subdivision:</u></b></p> <p>All division of land into five (5) or fewer residential lots upon which building can occur or the adjustment of property lines to permit the expansion of an existing structure shall be approved and reviewed as a minor subdivision under the procedures and regulations below. Subdivisions of five (5) lots or fewer, which involve any new street or road, shall be reviewed and approved as major subdivisions. All division of land into commercial or industrial lots where no new streets or other public improvements are involved shall be reviewed and approved as minor subdivisions.</p>	
<p>Petition Number: _____</p>	<p>Date Petition was Filed: _____</p>
<p>Subject Properties Address: _____          _____</p>	<p>Tax Parcel Number:          _____</p>
<p>Applicants Name:          _____</p> <p>Applicants Address:          _____          _____</p> <p>Applicants Phone Number: _____</p> <p>Applicant Relationship to the Owner: _____</p>	<p>Property Owners Name:          _____</p> <p>Property Owners Address:          _____          _____</p> <p>Phone Number: _____</p> <p>Relationship to the Owner: _____</p>
<p>Reason for the requested Subdivision:</p> <p>_____</p> <p>_____</p> <p>_____</p>	

**The Following Information Must be Submitted With This Application. Failing to Submit Any of the Information Listed Below Will Result in the Applications Status Being Incomplete and no Further Action Will be Taken Until All of the Information Listed is Submitted.**

**Please Check The Items Which Are Enclosed:**

1. \_\_\_\_\_ An affidavit of ownership, which shows the book and page number of each conveyance to the present owner as, recorded in the County Recorder of Deed's offices.
2. \_\_\_\_\_ A reproducible original and ten (10) copies of a subdivision plan drawn to convenient scale [one (1) inch equals twenty (20) feet through one (1) inch equals one hundred (100) feet] and showing date, scale and North point. Each sheet shall be numbered to show its relation to the total number of sheets. The subdivision plan shall include the following information:
  3. \_\_\_\_\_ A title consisting of the name of the fee simple or equitable owners (s) of the land to be subdivided, the name(s) and address(es) of the subdivider (s) if different than the owner(s) name and address of the Delaware registered engineer, land surveyor or architect. The subdivision plan shall bear the certificate, signature and seal of a Delaware registered engineer, land surveyor or architect.
  4. \_\_\_\_\_ A graphic and written scale along with date, including the month, day and year that the original ground was completed and the month, day and year that the original drawing was revised.
  5. \_\_\_\_\_ A location map drawn to the scale of one (1) inch equals eight hundred (800) feet indicating the location of the property and its relationship to all streets and other property within one thousand (1,000) feet of the applicant's property.
  6. \_\_\_\_\_ The total area of parcel in acres.
  7. \_\_\_\_\_ The courses and distances of the boundary line survey on all properties being subdivided.
  8. \_\_\_\_\_ The proposed name of the subdivision, which shall not duplicate the name of any other subdivision in the town.
  9. \_\_\_\_\_ The layout and dimensions of all proposed lots, which will be created by the subdivision.
  10. \_\_\_\_\_ The names of all property owners of un-subdivided property within two hundred (200) feet of the extreme limits of the subdivision as their names appear in the tax records. In the event that lots adjoin the land to be subdivided, the subdivision name and lot number of the adjoining lot shall be shown. The zoning classification governing the tract and adjoining properties shall be shown.

**Please Check The Items Which Are Enclosed:**

- 11.\_\_\_\_\_ The location of all existing and proposed watercourses and natural drainage flows and the location and size of storm sewers and other related storm water facilities, which may influence the design of the subdivision.
- 12.\_\_\_\_\_ The location of the open floodway district and floodway fringe, applicable.
- 13.\_\_\_\_\_ The location, widths and names of all existing roads upon which the proposed subdivision will front and within one hundred (100) feet of the proposed subdivision.
- 14.\_\_\_\_\_ Contour lines at vertical intervals of two (2) feet for land with average natural slope of four (4) feet or less and at intervals of five (5) feet for land with average natural slope exceeding four percent (4%).
- 15.\_\_\_\_\_ Location of proposed landscape screening, if applicable.
- 16.\_\_\_\_\_ The general location of mature tree stands, if any.
- 17.\_\_\_\_\_ The location and size of existing and proposed waterlines which serve the proposed subdivision.
- 18.\_\_\_\_\_ The location and size of existing and proposed sanitary sewers which serve the proposed subdivision.
- 19.\_\_\_\_\_ Location of all proposed sidewalks.
- 20.\_\_\_\_\_ The dimensions and area of all property to be dedicated or reserved for public open space use or to be dedicated for use of all property owners in the subdivision and the location, dimensions and purpose of any proposed easements, if applicable.
- 21.\_\_\_\_\_ Proposed parking areas and number of parking spaces, where applicable.
- 22.\_\_\_\_\_ The approximate location of proposed buildings and the amount of land to be used for buildings expressed as a percentage of total land area, if applicable. The location of existing buildings and a description of their present or intended use.
- 23.\_\_\_\_\_ The North point, the phrase "Minor Subdivision Plan" and the phrase "Town of Elsmere, Christiana Hundred, New Castle County, Delaware.
- 24.\_\_\_\_\_ Sediment and stormwater plans according to standards set within the current Delaware Sediment and Stormwater Regulations.
- 25.\_\_\_\_\_ Twenty-five (25) copies and a reproducible original of the subdivision plan shall be submitted by the applicant to the Town Manager.

Has a previous application for subdivision of this property ever been filed?

Yes\_\_\_\_\_ No\_\_\_\_\_, If yes, Petition #\_\_\_\_\_

**THE UNDERSIGNED HEREBY CERTIFIES THAT THE LEGAL OWNER OF THE SUBJECT PROPERTY IS AWARE OF AND AGREES TO THE FILING OF THIS APPLICATION AND THAT THE INFORMATION OBTAINED HEREIN IS CORRECT.**

**NOTE: IF THE APPLICANT IS NOT THE LEGAL OWNER OF THE PROPERTY, THE LEGAL OWNER OR HIS AUTHORIZED REPRESENTATIVE MUST ALSO SIGN THIS FORM.**

Applicant's Signature:\_\_\_\_\_ Date: \_\_\_\_\_

**I, \_\_\_\_\_ BEING THE LEGAL OWNER OF THE SUBJECT PROPERTY, HEREBY CERTIFY THAT THE INFORMATION PROVIDED HEREIN IS CORRECT.**

Legal Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Fee Schedule:**

- 1. Application Fee:  

\$100.00 per application	\$100.00 X 1	=	<b>1.</b>	<b><u>\$100.00</u></b>
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- 2. Review Fee;
  - a. For each dwelling unit \$10.00.  

\$10.00	X _____	=	<b>2a.</b>	_____
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  - b. For commercial and Industrial developments  
\$25.00 per acre or fraction thereof.  

\$25.00	X _____	=	<b>2b.</b>	_____
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- 3. Recordation Fee:  

\$100.00 per application	\$150.00 X 1	=	<b>3.</b>	<b><u>\$150.00</u></b>
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**Total Application Fee Due: Add 1, 2a, 2b, and 3. = \$\_\_\_\_\_**

Received By \_\_\_\_\_  
Name of the Town Official Receiving the Application Fee

Date \_\_\_\_\_  
Date Received

**For Use By Town Officials**

Date The Application Was Filed: \_\_\_\_\_

Date The Town Manager Received 25 Copies: \_\_\_\_\_

Date the Process Began: \_\_\_\_\_

- (1)\_\_\_\_\_ The Town Manager shall, within three (3) workdays, distribute subdivision plan copies to the Building Committee and the Town Engineer and Town Council.

**This must be completed by :** \_\_\_\_\_

Within fifteen (15) working days of the receipt of the subdivision plan, the Building Committee and Town Engineer shall review prepare and return written comments to the Town Manager.

**Written Comments are due to the Town Manager by:** \_\_\_\_\_

- (2)\_\_\_\_\_ Upon receipt of departmental comments, the Town Manager shall prepare a written report to the applicant indicating those suggestions, concerns or problems pointed out by the Building Committee and Town Engineer. This report shall be prepared within five (5) workdays and forwarded to the applicant. The applicant may then revise amend the subdivision plan as per Building Committee and Town Engineers suggestions.

**Written Response due to the applicant by:** \_\_\_\_\_

- (3)\_\_\_\_\_ If no concerns are raised by the Building Committee or Town Engineer or if concerns are eliminated through applicant revisions in the subdivision plan, the Town Manager shall, within five (5) workdays, prepare a written report containing the recommendations concerning the subdivision plan to the Planning Commission and Town Council.

**If applicable written response due to the Planning Commission and Council By:** \_\_\_\_\_

- (4)\_\_\_\_\_ The Planning Commission shall review the subdivision plan and within forty (40) workdays, issue a recommendation to the Town Council concerning the subdivision plan.

**The Planning Commission must make their recommendation to the Council by.** \_\_\_\_\_

If approved, the Town Solicitor should prepare a subdivision agreement to be signed by the applicant and the Town Manager upon approval by Town Council.

- (5)\_\_\_\_\_ Upon receipt of the Planning Commission report, Town Council shall review subdivision plan for final determination. The subdivision plan and agreement shall submitted to Town Council with a resolution of approval. The resolution, plan and agreement shall be approved, approved with conditions or disapproved by Town Council.

**The Resolution should be placed on the Council agenda for approval At the** \_\_\_\_\_ **meeting.**

- (6)\_\_\_\_\_ After approval or approval with conditions, the Town Secretary shall certify such approval on the subdivision plot plan, which shows distinctly the part to be recorded.

The Town Manager shall certify on the approved subdivision plot plan that said plans and related plans comply with all requirements of the subdivision regulations and deviations, if any, from the subdivision regulations have been noted and qualified.

Five (5) copies of the plan shall be signed and provided to the Town Secretary's for recordation and certification. A copy of the approved plan shall be forwarded to the applicant.

- (a) Following approval of the subdivision plan by Town Council, the sub divider or developer shall prepare the necessary construction improvement plans for approval by the Town in accordance with 196-24 of the Code of The Town of Elsmere. Approval of the subdivision plan by Council shall indicate the Town's approval of the construction improvements
- (b) If, however, the subdivision plan is not completed in full within five (5) years from the date of approval by Town Council, the applicant is required to reapply for subdivision approval to the Planning Commission.

(7)\_\_\_\_\_ Within fifteen (15) working days after Council approval, all agreements, easements and deeds of land concerning the subdivision plan shall be executed and signed by the applicant and the Town Manager.

**Final steps should be completed by:** \_\_\_\_\_

**Record of Actual Timeline**

Application received	_____
Forwarded to Building Committee, Engineer & Council	_____
Returned to Town Manager with Comments	_____
Town Managers report forwarded to applicant	_____
Town Manager forwards to Council & Planning Commission	_____
Considered by the Planning Commission	_____
Planning Commissions recommendations sent to Council	_____
Council considered the issue	_____
Approved or Denied	_____
Secretary signs the copies	_____
Town Manager signs off on the plans	_____
All required actions are completed	_____
Issue closed	_____

**Miscellaneous Comments or Notes:**

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