



## **Town of Smyrna**

### **APPLICATION FOR RESUBDIVISION OR MINOR SUBDIVISION**

Any questions please contact Jeremy Rothwell by email [jrothwell@smyrna.delaware.gov](mailto:jrothwell@smyrna.delaware.gov) or by phone 302-389-2332.

On December 17, 2001, the Town of Smyrna subdivision regulations were amended to allow the owner(s) of a legally subdivided parcel or parcels to apply for a resubdivision or minor subdivision of the parcel(s) if approved by the Town Manager. This approval may be granted provided the following conditions are met:

- 1) The lots to be adjusted are recorded in the office of the Recorder of Deeds for Kent County or New Castle County;
- 2) The creation of no more than three (3) lots including the existing lot with no more than three (3) existing or proposed individual dwelling units total;
- 3) No new streets are created;
- 4) All lots involved will comply with the Zoning Ordinance after adjustment of lot lines;
- 5) Adjustment of lot lines to ensure existing utilities are contained within the easement;
- 6) A six (6) foot easement shall be recorded on all side and rear property lines which do not currently have recorded easements;
- 7) A copy of the amended plot shall be signed and dated by the Town Manager with the following notation: "The revised plot has been approved by the Town Manager pursuant to the authority delegated to him under Section 3.05 of the Town of Smyrna Subdivision and Land Development Ordinance of December 2001";
- 8) A copy of the amended plot as approved by the Town Manager shall be recorded in the office of the Recorder of Deeds for Kent County or New Castle County. All costs associated with the recordation of the plan will be at the expense of the owner and/or developer.

**Please complete the following information:**

Name of owner (owner must be applicant): \_\_\_\_\_

\_\_\_\_\_

Address of owner: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Location of subject property: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tax map number: \_\_\_\_\_

Proposed size of lots: \_\_\_\_\_

\_\_\_\_\_

Present zoning: \_\_\_\_\_

Date of original subdivision approval: \_\_\_\_\_

Reason for request for resubdivision or minor subdivision: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

In any case where the owner is a corporation, information must be included regarding the state and date of incorporation and the names and addresses of the corporate officers:

\_\_\_\_\_  
State of incorporation

\_\_\_\_\_  
Date

_____ Name of President	_____ Address
_____ Name of Vice-President	_____ Address
_____ Name of Secretary	_____ Address
_____ Name of Treasurer	_____ Address
_____ Other	_____ Address

I hereby certify that I am the owner of the land on which the proposed subdivision is situated.

\_\_\_\_\_  
Signature of owner

\_\_\_\_\_  
Date

NOTES:

- \* If review of this application is required by the Town of Smyrna Engineer, the applicant is responsible for the incurred costs related to this review.
- \* 8 plot plans that show the existing lot lines and the proposed changes must accompany this application. Plot plans must be prepared by a professional land surveyor.
- \* Fee:
  - Minor subdivision (no more than 3 lots including original lot) application fee is \$500.00
  - Resubdivision (adjustment of lot lines only) application fee is \$250.00.

-----**FOR OFFICIAL USE ONLY**-----

Date application received: \_\_\_\_\_ Fee paid: \$\_\_\_\_\_

Date approved/denied: \_\_\_\_\_

If denied, reason(s): \_\_\_\_\_

\_\_\_\_\_  
Additional conditions, if any: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Town Manager

\_\_\_\_\_  
Date

**(Attach a copy of recordation by Kent County or New Castle County)**

# **Site Plan/Subdivision Plan Process**

1. Submit application, fee, plot plans, and engineering and legal review escrow as per fee schedule;
2. Application goes to Planning & Zoning Commission (application must be in by that month's meeting date at 4:30 p.m. in order to go to the following month's meeting);
3. Staff will submit plans to the Citizens' Hose Co. No. 1, Smyrna Police Department, Town of Smyrna Electric Department, Town of Smyrna Public Works Department, Town Engineer, Town Electrical Engineer, and the US Postal Service for comments/concerns (**\*Applicant is responsible for all engineering and review fees**);
4. Staff will forward any comments from the agencies listed above to the applicant/engineer;
5. Applicant is responsible for submitting plan to the State Fire Marshal, Kent Conservation District, Kent County Addressing for street/subdivision name approval, DelDOT, DNREC, Department of Public Health, and PLUS, if applicable, for approval;
6. Once the site plan is approved by the Planning & Zoning Commission the applicant must obtain approvals from the agencies listed above (see #5). Once the subdivision plan is approved by the Planning & Zoning Commission the plan goes to Council at their second meeting of the month following the Planning & Zoning Commission meeting for their approval. Once approval from Council is obtained the applicant must obtain final approvals from the agencies listed above (see #5);
7. Once all final approvals are obtained, including, but not limited to Planning & Zoning staff, Citizens' Hose Co. No. 1, Smyrna Police Department, Town of Smyrna Electric Department, Town of Smyrna Public Works Department, Town Engineer, Town Electrical Engineer, and the US Postal Service, the applicant will submit:
  - a) **If the site plan/subdivision plan is in Kent County** - seven (7) copies of the plan, with signature(s) of the owner(s), and the applicant's engineer; and with signature lines for the Town Manager and the Town Engineer; or
  - b) **If the site plan/subdivision plan is in New Castle County** – six (6) copies of the plan – one (1) Mylar and five (5) paper – with the signature(s) of the owner(s), and the applicant's engineer; and with the signature lines for the Town Manager and the Town Engineer;
8. Staff will obtain signatures from the Town Engineer and the Town Manager and then record the plan (**\*Applicant is responsible for recordation costs**);
9. Once recorded staff will assign appropriate addressing;
10. After recordation the applicant needs to request a pre-construction meeting which will be scheduled by the Town's Engineer;
11. Applicant will submit a completed spreadsheet (provided by the Town) detailing costs for all public improvements for the Performance Bond/Construction Bond;
12. Staff will prepare the Public Works Agreements and have it to the applicant before the pre-construction meeting;
13. Applicant will bring signed and notarized Public Works Agreements, along with a check for the Public Improvements Inspection Escrow, to the pre-construction meeting;

14. Staff will prepare the Electric Agreements, which include an Electric Estimate and an Electric Layout, and mail it to the applicant. Applicant will complete the Electric Agreements and return them to the town along with a check for the Electric Estimate;
15. Applicant will supply a Performance Bond/Construction Bond as determined from the spreadsheet submitted detailing the costs for all public improvements;
16. Once the Public Works Agreement, Electric Agreement, and Performance Bond/Construction Bond are in place applicant may submit building permit application.

**Please view current fee schedule on our website:**

**<http://www.smyrna.delaware.gov/DocumentCenter/Home/View/890>**