

ARTICLE 6

GENERAL PROVISIONS

6-1 Area of Jurisdiction

These regulations shall govern all subdivisions of land within the corporate limits of Springfield and within the Springfield Planning Region.

6-2 Increased Standards

The Planning Commission may require standards above the minimum contained herein whenever it feels the public health, safety and welfare justifies such increases.

6-3 Variances

Where the Planning Commission finds that extraordinary hardships or particular difficulties may result from the strict compliance with these regulations, it may, after written application by the developer, grant variances to the regulations, subject to specified conditions, so that substantial justice may be done and the public interest secured, provided that such variances shall not have the effect of nullifying the intent and purpose of these regulations. The Planning Commission shall not grant variances to these regulations unless they shall make findings based upon the evidence presented to them in each specific case that:

6-3.1 Physical Surroundings

Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations was adhered to.

6-4.1 Unique Conditions

The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable, generally, to other property, and have not been created by any person having an interest in the property. A variance shall not be requested for financial gain.

6-3.3 Detriment to Public Safety

The granting of the variance will not be detrimental to the public safety, health or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

6-4 Amendments

The Planning Commission may from time to time revise, modify or amend these regulations by appropriate action taken at a regularly scheduled meeting after the required notice and holding of a public hearing as required by law.

6-5 Enforcement and Penalties for Violations

The enforcement of these regulations and penalties for the unapproved recording or transfer of land is provided by state law in the authority granted by public acts of the State of Tennessee. The following procedures are provided in the Tennessee Code Annotated for the enforcement of subdivision regulations:

6-5.1 Recording

6-5.1 A No plat or plan of a subdivision of land into two or more lots located within the area of planning jurisdiction shall be admitted to the land records of the county or received or recorded by the County Register of Deeds until said plat or plan has received final, certified approval of the Planning Commission as provided in Section 13-4-302 and Section 13-3-402, Tennessee Code Annotated.

6-5.1 B Upon final approval, a staff representative of the City of Springfield shall record the plat in the Robertson County Office of the Register of Deeds upon the payment by the subdivider of any and all fees associated with the plat that are established in these regulations. Recording of the plat shall occur within ten (10) days of collecting of all fees or the final certification of all required approving authorities of the subdivision whichever comes last.

6-5.2 Acceptance of Streets and Utilities

No board, public officer, or authority shall light any street, lay or authorize the laying of water mains or sewers, or the construction of other facilities or utilities in any street located within the area of planning jurisdiction unless such street shall have been accepted, opened, or otherwise received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines to a street shown on a subdivision plat approved by the Planning Commission, or on a street plan made and adopted by the Planning Commission as provided in Section 13-4-303 and Section 13-3-403, Tennessee Code Annotated. Final acceptance of a new street shall not be complete until approved by the Planning Commission on a subdivision plat, certified by all the required approving authorities, and approved by the Board of Mayor and Aldermen or County Commission by resolution.

6-6 Penalties

For violation of these regulations, the following penalties are provided by the Tennessee Code Annotated:

6-6.1 Recording

No county register shall receive, file, or record a plat of a subdivision within the planning region without the approval of the Planning Commission as required in Section 13-4-302 and Section 13-3-402, Tennessee Code Annotated; and any county register so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

6-6.2 Transfer or Sale of Land

Section 13-3-410 and Section 13-4-306, Tennessee Code Annotated provides that whoever being the owner, or agent of the owner, of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the Planning Commission and obtained its approval and the certification of the other approving authorities as required before such plat is recorded in the office of the appropriate county register, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The municipality, through its solicitor or their official designated by its chief legislative body and/or the county attorney or other officials designated by the County Commission, may enjoin such transfer or sale or agreement by action or injunction.

6-6.3 Erection of Structures

Any building or structure erected in violation of the subdivision regulations shall be deemed an unlawful building or structure, and the City Attorney or other official designated by the chief legislative body may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-3-411 and Section 13-4-308, Tennessee Code Annotated.

6-7 Fees

The subdivider shall, at the time of submission of the preliminary plat, pay a Review Fee established by the Board of Mayor and Aldermen by separate ordinance. Final plats, minor, and two-lot subdivision plats shall have a plat Review Fee established by the Board of Mayor and Aldermen by separate ordinance. Additional fees may be charged to cover the expense,

if required, of making prints of the original plat and for distribution to the appropriate officials and agencies.

(Amended by Ordinance 20-11, June 18, 2020)

6-8 Severability

Should any section, subsection, paragraph, or provision of these regulations be held invalid or unenforceable by a court of competent jurisdiction, such decision shall in no way affect the validity of any other provision of these regulations.

6-9 Repealer

All regulations in conflict with the provisions of these requirements are hereby repealed, except that all plats having preliminary approval prior to the adoption of these regulations will be governed by all previous regulations for a period of twenty-four (24) months from the date of preliminary approval. At the end of that period all preliminary approvals granted will be subject to the requirements of these regulations.

6-10 Public Hearing, Adoption, and Effective Date

Before adoption of these regulations, a public hearing as required by Sections 13-4-303 and 13-3-403, Tennessee Code Annotated, was afforded any interested person or persons and was held on February 2, 2023. Notice of said hearing was announced in the Robertson County Connection, being a newspaper of general circulation in Robertson County and within the Springfield Planning Region. These formal regulations shall be in full force and effect from and after their adoption.

Adopted: February 2, 2023

Date

Virginia Boyd; Secretary
Springfield Regional/Municipal Planning Commission