

4. Resubdivisions

- 4.1 Once the owner of an exiting lot or lots in a legally platted subdivision has followed the procedure as found in Section 3.14, the owner of an existing lot or lots in a legally platted subdivision may initiate a resubdivision by notifying the County Engineer. The County Engineer will contact the Commissioner's office to request placement of the plat on the next Commissioner's Court agenda in order to set a public hearing on the proposed resubdivision.
- 4.2 The person proposing the resubdivision must send notice of the hearing by Certified Mail, Return Receipt Requested, at private expense, to each of the property owners within 400 feet of the property. This will give them the opportunity to assert any legal claims against the proposed subdivision. An additional copy of this letter is to be sent to the County Engineer along with the list of property owners within 400 feet of the property.
- 4.3 Notification signs to be posted adjacent to the property (one per 300 feet of street frontage). These signs may be purchased from the County Engineer. The signs must be posted not less than 20 days prior to the Public Hearing.
- 4.4 A proposed plat meeting the requirements of these Regulations must be submitted to the Court signed by each owner (including lienholders) of the property to be resubdivided. The owners of property elsewhere in the subdivision need not give specific written consent.
- 4.5 If the Court finds after the public hearing that the resubdivision will affect no established legal rights, it will enter its order partially vacating the original plat and approving the plat of the resubdivision. If the Court finds that the resubdivision will affect established legal rights, it may not approve the resubdivision without the consent of all affected parties.

Notice must be published in the area newspaper not later than (14) fourteen days before the public hearing.