

## **What Steps Do I Need to Take to Divide My Property?**

The information in this handout will explain the steps that you need to follow to divide your property. Whether you are planning to divide your property to create a large residential subdivision or if you would like to give a portion of your property to a family member or to your adjoining owner, the Subdivision Ordinance of Wythe County must be followed.

The Subdivision Ordinance of Wythe County (a law) governs the manner in which property is divided either on a small or large scale. This document was adopted by the Board of Supervisors on December 15, 1999. A copy of the ordinance can be obtained in the Planning Commission Office at a cost of \$.20 per page or it can be viewed at [www.wytheco.org](http://www.wytheco.org).

Ms. Michelle Cassell, Assistant Department Head, or Mr. Stephen Bear, Assistant County Administrator, are members of the Planning Commission staff that can assist you at any time during the process to get your property divided. The information to contact the Planning Commission Office is provided on the card attached.

## **Where Do I Begin?**

Meeting with staff is a great way to ensure that your plan will comply with the requirements in the ordinance before you invest in having the property surveyed. Staff will review a rough sketch or preliminary drawing, answer any questions you may have, and advise you on how to proceed.

## **Obtaining the Services of a Surveyor**

Once Planning Commission staff has approved your concept for dividing your property, you can proceed with having your property surveyed. Attached is a listing of certified land surveyors and/or engineering/surveying firms that you may find helpful. If the surveyor you choose is not included on this listing, we recommend that they carefully review the ordinance requirements. The completed survey (plat) is submitted to the Planning Commission Office for review. Services offered by surveyors may vary. Some surveyors provide ONLY the survey/plat to their client. Others may in addition offer to work with the Planning Commission and staff through the entire approval process.

## **Review of Survey/Plat**

The survey/plat, an application letter, a copy of the deed, and a \$50 fee must be submitted to the Planning Department. In cases when property is being exchanged between adjoining owners a copy of the tax map and land card must also be submitted. This information can be obtained from the Commissioner of the Revenue. Also, for divisions of property amongst immediate family members the application letter must include affirmation

that the property recipient is immediate family to the owner. (This letter must be notarized.) Staff reviews the completed survey/plat upon receipt to ensure that all requirements have been met and that all of the required information is included.

## Exceptions/Full Terms

**ALL DIVISIONS OF PROPERTY MUST BE REVIEWED/APPROVED BY THE PLANNING COMMISSION OR STAFF NO MATTER HOW LARGE OR SMALL.**

### 1. Property Divisions that DO NOT Have to Meet All the Requirements in the Ordinance

The Subdivision Ordinance allows exceptions for particular divisions of property, i.e. **a)** if you are dividing your property to convey a lot to a member of your immediate family for a home site, or, **b)** if you are conveying a portion of your property to your adjoining owner, or **c)** if you own property jointly with another individual(s) and wish to divide it amongst yourselves.

The requirements are different for these types of property divisions. (staff will explain these differences.) A short-form checklist is used to review these divisions and staff approves these divisions. This type of division does not have to be reviewed and approved by the Planning Commission. Staff works with the surveyor and/or the landowner to make sure that all the necessary requirements are met.

Once staff determines that the plat is correct, the surveyor will be notified to produce two originals (also called mylars) of the survey/plat.

**(PLEASE SEE "SIGNATURES" SECTION BELOW FOR STEPS TO COMPLETE APPROVAL PROCESS)**

### 2. Property Divisions that Must Meet All the Requirements in the Ordinance

All divisions of property that are not exceptions to the ordinance must comply with the full terms of the Subdivision Ordinance.

A long-form checklist is used by staff to review these divisions to ensure that they comply with the full terms of the ordinance. Once staff has determined that the survey/plat is technically adequate the surveyor will be requested to provide 10 copies of the survey/plat that will be distributed to members of the Planning Commission and staff to review at their next regular monthly meeting.

Lot line revisions must meet all the requirements of the ordinance and a long-form checklist is used to review these divisions; however, they are approved by staff and do not need to be approved by the Planning Commission.

The Planning Commission reviews/approves subdivision plats at its regular meeting held on the first Monday night of each month at 7:00 p.m. To be included on the monthly agenda, plats must be submitted and determined technically adequate by 5:00 p.m. approximately 10 calendar days before the regular monthly meeting.

Upon approval of the plat by the Commission, staff will notify the surveyor/citizen to produce two (2) originals (also called mylars) of the survey/plat.

**(PLEASE SEE "SIGNATURES" SECTION BELOW FOR STEPS TO COMPLETE APPROVAL PROCESS)**

## **GETTING THE SIGNATURES**

The first person to sign the plats is the surveyor. Secondly, the landowner(s) must sign the plat and a notary public must confirm the signature by completing the "notary statement" included on the plats. At this point, seven (7) additional people need to sign the plat.

The landowner, surveyor, or agent of the landowner must take the plats to the Virginia Department of Transportation and the Wythe County Health Department to get the required signatures. ***Plats showing divisions of property with lots over five (5) acres do not have to be signed by Health Department officials.***

After VDOT and the Health Department (*if required*) have signed the plats, the landowner, surveyor or agent must return the plat to Planning Commission staff. Staff will obtain the remaining signatures on the plat within a few days.

## **RECORDATION, COPIES OF PLAT AND DISTRIBUTION**

A fee will be charged when the mylars are returned to the Planning Commission staff. This fee is for the recording of ONE original plat at \$20 per page. This fee must be made by check to the Clerk of the Circuit Court for the accurate amount. (Cash cannot be accepted.) A separate fee will also be charged for copies of the recorded plat. Cash can be accepted or a check made payable to the Wythe County Treasurer. Four copies of the original plat are required at the cost of \$2.00 per page. Additional copies can be provided upon request at \$2.00 per page.

After staff records the original mylar/plat in the Office of the Clerk of the Circuit Court, one copy of the recorded plat will be distributed to both the Commissioner of the Revenue and the County's Administrator's Office. Staff will notify the landowner/surveyor that the plat has been recorded and that a copy is available to pick-up in the Planning Commission Office.

**Please do not hesitate to contact the Planning Commission Office if you need assistance.**

## SURVEYOR LIST

**ALPS Surveying & Graphics**  
P.O. Box 759  
Newbern, VA 24126

**Bolt Surveying**  
107 Harris Hollow Rd. SW  
Floyd, VA 24091  
540-789-7531

**LBL & Associates, PC**  
Bland, VA  
276-688-4432  
276-688-4462

**Pentree, Incorporated**  
175 West Main Street  
Wytheville, VA 24382  
(276) 228-9581

**David Scott**  
1626 North Main Street  
Hillsville, VA 24343  
276-728-3311

**Jimmy Zeh**  
East Main Street  
Independence, VA 24348  
276-773-2443

**Greg Armentrout**  
P.O. Box 870  
Hillsville, VA 24343  
276-728-3147

**Douglas T. Casey**  
220 South First Street  
Wytheville, VA 24382  
276-228-8581

**Mathews & Henegar**  
P.O. Box 1038  
Dublin, VA 24084  
540-674-4275

**Pillar Engineering & Surveying**  
130 W. Monroe Street  
Wytheville, VA 24382  
276-223-0500

**Kenneth M. Sells**  
P.O. Box 914  
Marion, VA 24354  
276-783-2211

**Blue Ridge Surveying and Mapping, Inc.**  
Brian Sutphin, LS  
864 West Stuart Drive  
Hillsville, VA 24343

**D.B. Dudley & Associates**  
207 Davis Street  
Independence, VA 24348  
276-773-3381

**Thomas E. Maxwell**  
P.O. Box 596  
Independence, VA 24348  
276-228-9020

**L.J. Quesenberry**  
521 South Main Street  
Hillsville, VA 24343  
276-728-7471

**M. Bradley Tate, LS**  
Hurt & Proffitt  
350 S. 4<sup>th</sup> Street  
Wytheville, VA 24382  
276-228-0008

This information is provided as a public service and constitutes no endorsement by the Wythe County Planning Commission. While an effort has been made to provide an accurate listing of surveyors, omissions or other errors may occur, and therefore, other available sources of information should be consulted.