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(Includes Ordinance 2004-)**

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**ARTICLE VII. SUBDIVISIONS
AND PLATS***

Sec. 62-2841. Application for final plat review and approval.

- (a) *General:* The final plat submitted for approval by the board shall meet the requirements of F.S. ch. 177, Part 1 and Subsection (c) and (D) of this section, as amended, and shall be in conformity with the preliminary plat as approved.
- (b) *Filing:* Five copies of the final plat shall be submitted to the land development section with the documents specified in subsection (c) of this section for a 15 calendar day review.

(c) Information required to Accompany the Plat:

- (1) Applicable Review Fees
- (2) Boundary Survey: The submitted plat must be accompanied by a boundary survey which is signed and sealed by the surveyor and mapper whose signature and seal appears on the plat.

Plats bordering on tidally affected navigable waters must comply fully with the requirements of Chapter 177, part 2, Florida Statutes, regarding establishment of a local tidal datum and the determination of the MHWL (Mean High Water Line.) The elevation and date of determination of the MHWL, as approved by the Florida Department of Environmental Protection (FDEP), Bureau of Surveying and Mapping, or its successor agency, must appear on the plat.

A copy of the written MHWL survey approval from the FDEP must be submitted to the county prior to plat recordation.

All boundary lines bordering a body of water must show a monumented witness line tied to the plat boundary

with bearing and distance. The witness line, if possible, should be set at the distance used to determine building or other setbacks required for development.

- (3) Title Opinion/Certification: The title opinion/certification must contain names of owner(s), mortgagee(s), if any, and list all encumbrances, if any, impacting the property. The legal description of the property must be identical to description shown on the plat.
- (4) Security for performance of construction as provided in this code.

Security for maintenance for public improvements meeting the requirements of this code if the infrastructure improvements have been completed and a certificate of completion has been requested as provided in this code.

- (5) All paperwork required by reviewing agencies including but not limited to the Final Plat Check Sheet completed and signed by the Surveyor of Record.
- (6) Vertical Control field notes.

(d) *Requirements and Information on the Plat*

- (1) Material: The final plat shall be prepared on a twenty four (24) inch by thirty six (36) inch sheet of material in conformity with Chapter 177, part 1 Florida Statutes, and must contain a three (3) inch margin on the left side of the plat for binding purposes. The remaining three (3) sides must have a one (1) inch margin
- (2) Text Dimensions: All text and numerical data shown on the plat must be a minimum of one-tenth (0.10) inches in height. Details should be added where appropriate. Neatness and clarity on the plat is mandatory.
- (3) Plat Description: The plat description must be complete, correct and agree with the plat boundary dimensions. All calls within the description, i.e. boundary lines, section lines, grant lines, right of way lines, deed lines, non-tangent lines, point of beginning, point of commencement, point of curvature,

point of reverse curvature, point on tangency, etc., must be shown on the graphic depiction of the plat. The plat description must be identical to the description shown in the title opinion/certification.

- (4) *The following wording is required on the plat and in the Homeowners' Association Declarations and Covenants:*

"Each lot owner consents to the imposition of a Municipal Service Taxing Unit by Brevard County or other governmental entity for maintenance of common areas in the event of the failure of the Homeowners' Association to maintain properly the common areas in conformance with the applicable regulatory permits or upon petition of 50% plus 1 of the lot owners to Brevard County Board of County Commissioners requesting the creation of a Municipal Service Taxing Unit. If an MSTU is established, a right-of-way or easement to the common area is hereby granted to Brevard County for maintenance purposes."

- (5) *Certification of the Surveyor: The language in the certification box must contain: "I completed the Boundary Survey of lands shown in the foregoing plat. This plat was prepared under my direction and supervision. This plat complies with all the survey requirements of Chapter 177, part 1, Florida Statutes." The certification shall also contain the signature, registration number, and name of firm (if applicable), address, and seal of the surveyor certifying the plat.*

- (6) *Scale and North Arrow: The plat must be clearly and legibly drawn with black permanent drawing ink or varitype process to a scale of not smaller than one (1) inch equals one hundred (100) feet. A scale of one (1) inch equals eighty (80) feet and/or ninety (90) feet is not permitted unless the county issues prior written approval based upon good cause shown. The scale should be written and graphically shown with a north arrow on each page. The bearing note on the plat must state whether based on "True North", "Grid North", "Geographical North", and/or "Assumed North". The bearing must be referenced to a well established and monumented line.*

- (7) *Vicinity Map:* The first page of the plat must contain a vicinity map showing the subdivision location in reference to major roadways and adjoining subdivisions and/or phases.
- (8) *Index:* If more than one sheet is required, the plat shall contain an index/kep map on the first page showing the entire subdivision and indexing the area shown on each succeeding map sheet. Each map sheet shall contain an index delineating that portion of the subdivision shown on that page in relation to the entire subdivision. When more than one sheet must be used to accurately portray the lands subdivided, each sheet must show the particular number of that sheet and the total number of sheets included, as well as clearly labeled match lines between map segments.
- (9) *Section Lines:* The plat shall be accurately tied to All section, $\frac{1}{4}$ section, government lot, grant or other plat lines occurring within the plat by bearing and distance. The plat boundary shall be tied to the nearest quarter ($\frac{1}{4}$) section corner, section corner or government lot corner. Each section corner shall be identified by a complete description of size, material, stamping, etc. If the subdivision being platted is a re-plat of a previously recorded subdivision, then a tie to the permanent reference monuments from the parent plat is sufficient. The plat boundary must also be tied to any regulatory lines occurring within the plat., i.e., Erosion Control lines, Coastal Construction Control lines, etc.
- (10) *Curve-Line Data:*
- a. The plat boundary and roadway centerlines must show all curve data as described in Chapter 177, part 1 and cannot be shown tabulated.
 - b. Interior lot and tract dimensions may be given in tabular form if necessary.
 - c. Curve tables must appear on the plat sheet where the curve appears.
 - d. Curve tables must contain a minimum of four (4) curve elements.
 - e. Line tables are permitted only at the discretion of the county on a case by case basis where it is deemed necessary to meet the requirements of neatness and clarity on the plat

Benchmarks: Plats shall have a minimum of one (1) permanent Benchmark established on site in an accessible location. Plats that contain 40 acres or more, must have a minimum of two (2) permanent Benchmarks. The Vertical Control Requirements are outlined in the Brevard County Vertical Control Manual and must be obtained by the Surveyor of Record. The Benchmarks shall be shown and described on the plat. The stamping, elevation, datum and primary BM must be labeled on the plat or in the notes. The primary benchmark used to establish the vertical control must be based on a published benchmark, (USC&G, NGS). The plat benchmarks must be part of a closed and adjusted vertical control circuit that meets and or exceeds the vertical control accuracy requirements of Brevard County. The Benchmarks shall consist of a brass or aluminum disk set in concrete or other permanent materials. The stamping on the disk must include the County identification number and year. County Surveying and Mapping will provide the disk(s) and Benchmark identifying number. The field notes of the vertical control run must be provided with the final submittal.

- (11) *Easements and Tracts: All existing and proposed easements must be graphically shown, labeled and dimensioned.*
- a. *For plats which contain a public easement located within private streets or other rights of way, the following note must be placed on the plat: "In the event that Brevard County disturbs the surface of a private street due to maintenance, repair or replacement of a public improvement located therein, then the county shall be responsible for restoring the street surface only to the extent which would be required if the street were a public street in accordance with county specifications."*
 - b. *For plats which contain private rights of ways, private stormwater tracts, and private drainage easements, the following note must be placed on the plat: "An ingress and egress easement is hereby dedicated to Brevard County over and across all private drainage easements, private stormwater tracts*

and private roadways for emergency access and emergency maintenance."

- c. All plats must provide the following note: "All lot drainage is private and is the responsibility of the individual lot owner and/or the Homeowner Association to maintain."*
 - d. Private roads must be placed in tracts.*
 - e. Buffer designations shall be noted with its intended use and purpose.*
 - f. All easements and/or matters of record that are listed on the title certification/opinion must be shown and or listed on the plat.*
 - g. Easements and tract data listed in the notes must be shown consecutively and not scattered.*
 - h. All notes shall be separated by a single or double space.*
 - i. All easements must state their purpose, whether they are private or public and the recipient of the dedication.*
 - j. All tract data shall be shown in tabular form.*
- (12) Survey Data: The plat boundary must mathematically close. Mathematical closure print-out sheets shall be provided for the overall plat boundary, lots, and tracts. Closures must include the error closure, acreage, and lot/tract designation.

The plat boundary shall be delineated by a heavy solid line. Lots and tracts shall be delineated by a solid line. Dotted, dashed or broken lines in any form are not acceptable for the plat boundary, lot and or tract within the plat.

All radial and non-radial lines must be labeled.

Sufficient survey data shall be shown to positively described the boundary of each lot, block, right-of-way, street, easements, and all other areas shown on the plat.

All adjoining property shall be identified by a subdivision name, plat book, and page together with the graphic depiction of lots and tracts adjoining the plat boundary or, if unplatted, the land shall so be designated. Easements and rights of ways contiguous to the plat shall be shown and referenced to where officially recorded.

Erroneously established boundary lines, monuments and other inconsistencies shall be clearly shown and labeled.

Encroachment of any permanent structures must be resolved prior to the plat recordation.

All curvilinear roadway centerlines must include the chord bearing and chord distance. This data shall be shown without benefit of tabulation.

Permanent reference monuments (PRMs) must be set in the field and graphically shown and described on the plat. Prior to final approval of the plat for recordation, the county surveyor shall physically inspect the PRMs to verify placement. The inspection must be initiated by the surveyor of record and coordinated with the county surveyor. The Surveyor of record and/or his/her designee must be on site at the scheduled time of inspection. The PRM check will not be performed if the monumentation is not flagged or well identified.

Where corners are found to coincide with previously set PRMs, the description and stamping of the corner must be labeled on the plat.

PRMs set on an offset/witness line must be stated on the plat and must be stamped "Offset" or "witness."

Permanent control points (PCPs) must be set in the field and graphically shown and described on the plat. The PCPs must be in place prior to final subdivision improvement inspection by Brevard County. The county survey must make a field inspection to verify existence and placement of PCPs.

Lot and tract corner monumentation to be set must be described on the plat and a note (if applicable) stating that the lot and tract corners will be set prior to the final subdivision improvement inspection by Brevard County. The county surveyor must make a field inspection to verify existence and placement of all lot and tract corners. The Surveyor of record and/or his/her designee must be on site at the scheduled time of inspection.

14. State Plane Coordinates: The position and orientation of the subdivision plat shall conform to the Florida State Plane Coordinate System as follows:
 1. Show State Plane Coordinates on a minimum of 6 permanent reference monuments and any section corners shown in accordance with the requirements for State Plane Coordinates as defined by the Chapter 177, part 1, subsection 177.151, Florida Statutes.
 2. Distances shall be shown and noted as being ground distances.
 3. The appropriate scale factor(s) that was used shall be shown clearly on each sheet of the plat.
 4. The control stations used to coordinate the plat must be noted on the plat with pertinent associated data relative to the control points.
 5. Copies of the geodetic tie-in field notes and traverse closure data is required with the initial plat submittal for review of the Surveyor can show a single line tie from the plat to the control points used.
 6. The electronic data file shall be made available to the County upon request in order to expedite entering the subdivision in the County's geographic information systems (GIS) parcel map coverage. The coordinates within this file are to be rotated and translated to state plane coordinates in the currently approved datum. The conversion of ground distance to grid distance within the digital file is not required.
 7. All reference information on published control must be provided with the final plat submittal.

15. *Dedication of public improvements*: All public improvements or property designated for public purpose on any approved final plat, including, but not limited to, all streets,

alleys, easements, rights-of-way and public areas, shall be expressly dedicated on the face of the final plat by the owner as indicated on the certificate of ownership. In addition, such final plat shall contain a statement of dedication to the county, other appropriate government units or public utilities for all water lines, gravity sewer line, pressure line, cable television, pumping stations and appurtenances located within the tract as provided.

- 16 *Dedication of private improvements:* All private improvements or property designated for private purpose on any approved final plat, including, but not limited to, all streets, alleys, easements, rights-of-way and private areas, shall be expressly dedicated on the face of the final plat by the owner as indicated on the certificate of ownership. In addition, such final plat shall contain a statement of dedication to appropriate government units or public utilities for all water lines, gravity sewer lines, pressure lines, cable television, pumping stations and appurtenances located with the tract as provided.
 - 17 *Acceptance of public improvements:* Approval of such final plat shall be deemed accepted by the county upon the dedication of public improvements, water lines, gravity sewer lines, pressure lines, pumping stations, appurtenances, streets, alleys, easements, rights-of-way, recreational areas, ponding areas, water recharge areas, canals, drainage facilities and other public areas dedicated to the county. The board's acceptance of dedications for public purposes shall be affixed to the face of the plat.
 - 18 *Acceptance of private improvements:* Approval of such final plat shall be deemed accepted by the county upon the dedication of private improvements, with the exception of county water and sewer which are publicly dedicated, appurtenances, streets, alleys, easements, rights-of-way, recreational areas, ponding areas, water recharge areas, canals, drainage facilities and other private areas. The board's acceptance of dedications for public and private purposes shall be affixed to the face of the plat.
- (e) **Final plat approval:** Upon receipt of the mylar, signed by the owner and surveyor, the board shall either approve, disapprove or approve subject to specified conditions. Upon

compliance with the required certifications and security requirements, and with the other requirements and provisions of this article and other applicable policies, ordinances, articles, laws and regulations, such final plat shall be entitled to be recorded by the clerk of the circuit court of the county under the applicable provisions of F.S. ch. 177.

- (f) **Homeowners' Association Declarations, Covenants and Restrictions, Incorporation and By-Laws** must be recorded prior to or with the final plat.
- (g) Plats will be recorded by staff in the public records of Brevard County in sequential order. Example: Phase 1 followed by Phase 2 followed by Phase 3, etc.