

SUBDIVISION REQUIREMENTS

LEGAL DESCRIPTION & PRELIMINARY PLAT

SUBDIVISION APPLICATION

DRAINAGE PLAN & STORM WATER PERMIT

COPY OF PROPERTY DEED

COPY OF SUBDIVISION COVENANTS -REGULATIONS FOR SUBDIVISION

PUBLIC HEARING WITHIN 60 DAYS OF APPLICATION

* SEND NOTIFICATION TO ALL ADJACENT PROPERTY OWNERS

***NOTICE OF PUBLIC HEARING IN NEWSPAPER 15 DAYS PRIOR TO MEETING**

FINAL PLAN SUBMITTED IN DIGITAL FORMAT – for subdivisions containing 10 or more lots

FINAL PLANS REQUIRE **4 BLUELINES, 1 LINEN, & 1 MYLAR** TO BE FILED

PUBLICATION FEE \$35.00 + COURT REPORTER FEE \$25.00

In addition to that at the time of filing a Preliminary **Subdivision** Plat a fee of Three Hundred Dollars (\$300.00) plus Five Dollars (\$5.00) for each lot include in the **Subdivision** shall be paid to help defray the cost of processing the application. For **subdivisions** containing less than five (5) lots and less than (10) acres in area, the total fee shall be Two Hundred Dollars (\$200.00). An additional fee of Five Dollars (\$5.00) for each lot in addition to those shown on the preliminary plat shall be paid at the time of filing of the final subdivision plat.

All paper work is to be turned in to our office, by the Friday prior to the week of the meeting to allow us time to get you on the Agenda. **Regularly scheduled meetings and Public Hearings** are on the first and third Thursdays of each month at 4:15 P.M. A third meeting date will be scheduled at the first meeting of each month.

* INDICATES PLANNING COMMISSION OFFICE PROCEDURES

A. General

2. In lieu of the completion of such improvements the subdivider shall file a surety **performance bond** or other acceptable guarantee with the Board to secure to Hancock County the actual construction of such improvements in a satisfactory manner within a specified period not exceed two (2) years. Such bond shall in an amount adequate to cover the cost of the improvements as determined by the Board plus an additional Twenty-five Percent (25%) to cover contingencies, with surety and conditions satisfactory to the Board.

6. The subdivider shall guarantee in writing to the Board the maintenance of all required improvements for a period of one (1) year after final acceptance by the Board and shall secure same with such surety bonds or other undertakings as may be acceptable to the Board

SUBDIVISION AND
PIER
REGULATIONS

HANCOCK COUNTY,
MISSISSIPPI

ADOPTED FEBRUARY 6, 1967

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SUBDIVISION AND PIER REGULATIONS

HANCOCK COUNTY, MISSISSIPPI

Originally adopted February 6, 1967
Amended June 1, 1970,
February 14, 1977 and
November 7, 1983

SECTION I. DEFINITIONS

A. SUBDIVISIONS

1. For the purpose of these regulations, a subdivision of land is the division or re-division of land two or more lots, tracts, sites or parcels for the purpose of development or for transfer of ownership, which transfer of ownership shall include, among other things, the sale, lease or rental of said lots, tracts, sites or parcels.

2. For those subdivisions in which lots, tracts, sites or parcels are at least three (3) acres in area, the subdivider shall only be required to comply with Sections II (B) and (C), IV (C) and VIII of these regulations.

3. These regulations shall not apply to the following:

a. A subdivision legally established and recorded prior to the adoption of these regulations.

b. Small parcels of land sold or exchanged to or between adjoining property owners upon certification by the county engineer that such sale or exchange does not create additional lots.

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c. A division of land for farming and related agricultural purposes, when such division does not involve the construction of any new public roads or streets or easements of access which are tendered to Hancock County for maintenance.

4. A plat shall be required showing, date, north arrow, scale, registered surveyor or engineer, name and address of owner or owners, vicinity map, easements, topographic features, exact boundaries, utilities, and any other information desired by the Board for the following:

a. The dedication, vacation or reservation of any public or private easement through any tract of land regardless of the area involved, including those for use by public and private utility companies.

b. The dedication or vacation of any street or alley through any tract, lot or parcel of land regardless of the area involved.

B. BOARD, OR BOARD OF SUPERVISORS

The duly elected Board of Supervisors of Hancock County, Mississippi.

C. PLANNING COMMISSION

The duly created Planning Commission of Hancock County, Mississippi.

D. MAJOR STREET

A street which is used primarily for fast or heavy traffic.

E. COLLECTOR STREET

A street which carries traffic from minor streets to the major streets, including the principal entrance streets of a residential development, and streets for circulation within such a development.

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F. MINOR STREET

A street which is used primarily for access to the abutting residential properties.

G. ALLEY

A way affording a secondary means of access to property abutting thereon.

H. MARGINAL ACCESS STREET

A street which is parallel to and adjacent to major streets, and which provides access to abutting properties and protection from through traffic.

I. LIMITED ACCESS HIGHWAY

A street to which access is prohibited except at specific points.

J. DOUBLE FRONTAGE

A lot with access to two parallel streets.

K. REVERSE FRONTAGE

A lot fronting on two parallel streets but with access to only one street.

L. LOT, TRACT, PLOT, PLAT OR PLAN

Any area with similar designations--all mean the same general purposes of these regulations.

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SECTION II. PROCEDURES

A. PRE-APPLICATION PROCEDURE

1. Prior to the filing of an application for tentative approval of the Preliminary Plan, the subdivider shall submit to this Board, the Planning Commission, the Hancock County Health Department, and the Mississippi Air and Water Pollution Control Commission, plans and data as specified in Section II B., 4.

2. Upon submittal of the plans of the proposed subdivision, within thirty (30) days this Board, after recommendation by the Planning Commission, shall inform the subdivider that the plans and data as submitted do or do not meet the objectives of these regulations. When the Planning Commission finds that the plans and data do not meet the objectives of these regulations, it shall express its reasons therefor in writing.

B. PRELIMINARY PLAT

1. On reaching conclusions informally as recommend in "A" above regarding the general program and objectives, the subdivider shall cause to be prepared a Preliminary Plat together with improvements plans and other supplementary matters as specified in Section II-B, 4.

2. The subdivider shall submit five (5) copies of the Preliminary Plat and five (5) five copies of a location map to the Planning Commission at least ten (10) days prior to the meeting at which it is to be considered.

3. The location map shall show the relationship of the proposed subdivision to existing community facilities which serve or influence it, including development name and location, main traffic arteries, public transportation lines, shopping centers,

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elementary and high schools, parks and playgrounds, churches, gas and electrical lines, drainage, sewer and water facilities. The location map requirements may be waived for subdivisions of five (5) lots or less which do not involve the rearrangement or modification of an existing street or the platting of a new street.

4. The preliminary plan shall be drawn to a scale of one hundred (100) feet to the inch and shall show:

a. The locations of all existing property lines, the locations, widths, and names of all streets and alleys, the location of buildings, water courses, sewer mains, water mains, culverts, and other underground structures, easements, building lines and other existing features within the area to be subdivided and for all property immediately adjacent to such area extending for a distance sufficient to show all surface drainage courses which may affect the property or any other pertinent physical conditions. The width of all adjoining streets shall be shown on the plan and their distance from the property shall be shown.

b. The names of all adjoining subdivisions and the names of all owners of all adjoining lots or tracts.

c. The proposed location and width of all streets, alleys, lots and building lines, also the zoning distance or districts in which the land to be subdivided is located according to the Zoning Ordinance, if such Zoning Ordinance exists.

d. The title under which the proposed subdivision is to be recorded, the name of the subdivider and the name of the engineer, designer or surveyor platting the tract.

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e. The character and general details of type of development and improvements proposed shall be shown on the preliminary plan or contained in a written, signed statement attached thereto.

f. The Planning Commission shall require a contour map, showing contour intervals which would reasonably show the topography. Elevations shall refer to mean sea level datum, where benchmarks are reasonably accessible.

5. Adequate provision shall be made for drainage and runoff of storm water resulting from the subdivision.

6. Public Hearing. Upon receipt of a written request from the subdivider for approval of the preliminary plans of the subdivision, the Chairman of the Planning Commission shall arrange a public hearing to consider such approval. The Clerk of the Board shall send written notices of the public hearing by registered mail to all adjoining property owners shown on the preliminary plan and as verified by the county assessor. These notices shall be mailed at least fifteen (15) days prior to the public hearing. The Chairman of the Planning Commission shall conduct the hearing. If the plan is conditionally approved by the Board of Supervisors, the conditions of approval shall contain the following requirements:

a. That any changes the Board deems necessary (in order for the subdivision to conform to these Regulations, and to the comprehensive plan of the County) be made.

b. That proper final plans be submitted complying with the provisions herein set forth for final plans.

If the plan is disapproved by the Board of Supervisors, the Clerk of the Board shall report its action and the reasons therefore, to the subdivider within ten (10) days after such action, and the subdivider shall have the right to appeal as provided by statute.

c. That all permits for construction of treatment facilities as issued by the Mississippi Air and Water Pollution Commission shall be included prior to acceptance by the Board.

C. FINAL PLAN

1. The final plan on mylar with five (5) copies thereof shall be submitted to the Planning Commission. In addition, the final plan shall also be submitted in digital format for all subdivisions containing at least ten (10) lots. The final plan shall be drawn to a scale of one hundred (100) feet to the inch from an accurate survey. In certain circumstances, for example, where the area to be subdivided is of unusual size or shape, the Planning Commission may recommend a variation in the scale of the final plan.

The sheet on which the final plan is drawn shall conform to one of the four following sizes: 10 inches by 12 inches; 12 inches by 20 inches; 20 inches by 24 inches; 24 inches by 40 inches. If more than two sheets are required, an index sheet of the same dimension shall be filed, showing the entire subdivision on one sheet and the portion thereof contained on each of the other sheets.

The photostats shall be 12 inches by 15 inches and so arranged that each may be bound as a right-hand page book with a blank margin not less than one and one half (1 ½ inches along the left, the

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margin being included in the twelve (12) inch dimension.

2. The final plan shall show:
 - a. The boundary lines of the area being subdivided with accurate distances and bearings, also all section, township and county lines.
 - b. The property lines of all proposed streets and alleys and their widths, grades, and names.
 - c. The accurate boundary lines of any property which is offered for dedication to public use.
 - d. The line of departure of one street from another.
 - e. All common corners of all adjoining lands and the limits of adjacent streets and alleys with their widths and names.
 - f. All lot lines and an identification system for all lots and blocks other areas and front yard building lines which shall be not less than twenty (20) feet.
 - g. Easements for rights of way provided for public use, services or utilities, and any other areas for public or private use; the linear dimensions are to be expressed in feet and decimals of a foot.
 - h. All dimensions, both linear and angular, necessary for locating boundaries of subdivisions, lots, streets, alleys, easements,

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and any other areas for public or private use; the linear dimensions are to be expressed in feet and decimals of a foot.

i. Shall show the location of treatment plant effluent discharge and those receiving waters being primarily or secondary streams.

j. Name of subdivision and description of property subdivided, showing its location and extent, points of the compass, scale, and name of the owner or owners and the subdivider, together with appropriate evidence of ownership of the area subdivided.

k. Purpose for which sites, other than residential lots, are dedicated or reserved.

l. Certification by a registered professional engineer or registered land surveyor to the effect that the plan represents a survey made by him and that all necessary survey monuments are correctly shown thereon.

m. Protective covenants and their periods of existence to apply to lots in the subdivision shall be printed on the plan for recording. Should such covenants be of such length as to make the lettering of same on the plat impracticable and thus necessitate the preparation of a separate instrument, reference shall be made on the plat. Plats shall contain proper acknowledgments of owners and the consent by the mortgagee to said plat and restrictions.

n. Certificates by the appropriate officer having jurisdiction shall be supplied certifying that the subdivider has complied with one of the following alternatives:

1) All improvements have been installed in accordance with requirements of the

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Regulations and with the action of the President of the Board giving approval to the preliminary plat, or

2) A bond has been posted, which is available to the County in sufficient amount to assure such completion of all required improvements.

o. Such other certificates, affidavits, endorsements, or deductions as may be required by the Board in enforcement of this regulation.

SECTION III. DESIGN STANDARDS

A. ACRE SUBDIVISIONS

Where the area is subdivided in larger tracts than for normal building lots, and, in the opinion of the Board any or all of the tracts are susceptible of being resubdivided, the street and lot arrangements of the original subdivision shall be such that additional minor streets can be opened at locations permitting a logical arrangements of streets and normal building lots.

B. STREETS

1. Relation to Adjoining Street

a. The arrangement of streets in new subdivisions shall provide for the continuation of existing streets in adjoining subdivisions (or their proper projection where adjoining property is not subdivided) insofar as they may be necessary for public requirements. The width of such streets in new subdivisions shall not be less than the minimum street widths herein established. The street and alley arrangements shall be such as to cause no undue hardship to owners of adjoining property.

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b. Whenever there exists a dedicated or platted half street or alley adjacent to the tract to be subdivided, the other half of the street or alley shall be dedicated.

c. The angle of intersection between minor streets and major streets should not vary by more than ten degrees from a right angle. All other streets should intersect each other as near to a right angle as possible and no intersection of streets at angles less than sixty degrees shall be permitted.

d. Street jogs resulting from the creation of two "I" intersections shall be avoided unless the centerline offset of the jogged streets is not less than one hundred twenty-five (125) feet.

e. When the centerline tangents of a street deflect from each other at any one point by more than 10 degrees, they shall be connected by an arc with a radius of at least one hundred (100) feet. To insure safe sight distances and produce more desirable building sites, the Board may require a greater radius.

2. Street and Alley Widths.

a. The width for major streets shall be determined by the Board at the time Preliminary Plan is approved. Where the property being subdivided abuts a major street shall be dedicated.

b. The minimum width for collector streets shall be sixty (60) feet.

c. The minimum width for minor streets shall be fifty (50) feet, except that in cases where the topography or special conditions make a street of less width more suitable, the Board

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may waive the above requirement. Where the property being subdivided abuts a minor street, any land necessary for widening such street shall be dedicated.

d. The minimum width for an alley shall be twenty (20) feet. Alleys shall be provided for all business lots but shall not be provided for residential lots except under unusual conditions. A five (5) feet cutoff shall be provided at all acute and right angle alley intersections.

3. Street Names.

Any street that is to be approximately in alignment with an existing street shall bear the name of the existing street. All other streets shall be assigned names which do not conflict with the names of the existing streets.

C. BLOCKS

1. No block shall be longer than one thousand five hundred (1,500) feet between street lines.

2. Each block shall be sufficient in depth to provide for two (2) tiers of lots.

3. Whenever a new subdivision is located at a considerable distance from any other subdivided property, the width of blocks, except for special reasons, shall not be less than three hundred (300) feet.

4. Where it is desired to subdivide a parcel of land which, because of its size, shape, topography or location, does not permit a subdivision with a normal street arrangement, there may be established a "Place." Such a Place shall be of cul-de-sac type and the closed end shall provide a turning loop having an inside radius of forty (40) feet, except in unusual

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circumstances; no cul-de-sac street shall exceed six hundred (600) feet in length.

D. LOTS

1. Where the developer does not provide for the installation of a community sewage collection system and a sewage treatment plant, the minimum rectangular lot size shall be determined by the Mississippi Board of Health. The developer shall be responsible to meet the requirements of the Mississippi State Board of Health for the installation of septic tanks and water system. Those subdivisions that have smaller lots than those minimums established by the State Board of Health shall provide a sewage collection system with a sewage treatment plant to meet the requirements as set forth by the Mississippi Air and Water Pollution Control Commission. The lots for the installation where the developer does not provide for the installation of sewer collection systems with sewage treatment plant shall have a minimum width of not less than 50 feet and a minimum depth of not less than 100 feet.

2. For irregular shaped residential lots the minimum width at the building line at a point not to be less than 20 feet back of the property line, shall be fifty (50) feet; the minimum depth shall be one hundred (100) feet; minimum area shall be seven thousand five hundred (7,500) square feet.

3. Corner lots shall have extra width sufficient to permit the establishment of front yard building lines on both the front and side line of the lots adjoining streets.

4. All side lots lines of lots shall be at right angles radial to curved street lines. Lots with double frontage shall be avoided.

5. Lots on street intersections and all other points likely to be dangerous shall have a radius of

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not less than twenty-five (25) feet at the street corner.

6. No lot shall have less area or width than is required by the zoning regulations applying to the area in which it is located, if such zoning ordinance exists.

7. The creation of lots with frontage on parallel streets shall be avoided unless otherwise approved by the Board.

E. CHARACTER DEVELOPMENT

The Board shall have the right to determine with the subdivider the type and character of development that will be permitted in the subdivision and may require that certain minimum regulations be incorporated into the restrictive covenants to apply to all lots in the subdivision. Such regulations shall be for the protection of the character and value of the surrounding development as well as to secure the most appropriate character of development on the property being subdivided.

F. PARKS, SCHOOL SITES, ETC.

In subdividing property, due consideration shall be given to the provision of suitable sites for schools, parks and playgrounds. Such provisions shall be indicated on the preliminary plan in order that it may be determined when and in what manner such areas will be dedicated to or acquired by the county.

SECTION IV. REQUIRED IMPROVEMENTS

A. GENERAL ***see amendment on page 31

1. The improvements listed below in this section shall be installed prior to the approval of the Final Plat.

2. In lieu of the completion of such improvements the subdivider shall file a surety performance bond with the Board to secure to Hancock County the actual construction of such improvements in a satisfactory manner, within a specified period not to exceed two (2) years. Such bond shall be in any amount adequate to cover the cost of the improvements determined by the Board and with surety conditions satisfactory to the Board.

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3. Where the subdivision contains sewers, sewerage treatment plants, water supply systems, park areas, or other physical facilities necessary or desirable for the welfare of the area or that are for common use and benefit, which are not or cannot be satisfactorily maintained by an existing public agency, provision shall be made by the trust agreement, which shall become part of the deed restrictions, acceptable to any agency having jurisdiction over the location and improvement of such facilities, for the proper and continuous maintenance and supervision by the subdivider of such facilities.

4. Plans for improvements required in this section shall be prepared by a licensed and registered engineer or surveyor, as applicable.

5. The owner of the tract may prepare and secure approval of a preliminary plat of the entire area and may install the above improvements only in a portion of the area for which a final plan is approved for recording, and the owner may sell or lease or offer for sale or lease, lots only in the improved portion of said property, provided, however, that trunk sewers and sewerage treatment plants and other utilities be designated and built to serve the entire area or designed and built in such a manner that they can be easily expanded, or extended, as the case may be, to serve the entire area.

PERMANENT MARKERS

A. Monuments shall be placed at all intersections of subdivision boundary property boundary lines and at all block corners, angle points, points of curves in streets, and at intermediate points as shall be required by the Board. A permanent monument shall be deemed to be a quarter (1/4) inch or larger brass rod cast in concrete post with a minimum dimension of four (4) inches extending a minimum of three (3)

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feet below the ground line, or steel pipe firmly embedded in concrete extends a minimum of three (3) feet below the ground line. Should conditions prohibit the placing of monuments on the line, offset markings will be permitted, provided, however, that exact offset markings and distances are shown on the subdivision plat.

2. Where a benchmark is not existing within a reasonable distance, a permanent benchmark shall be accessible placed, the elevation of which shall be based on sea level datum as determined by the U. S. Coast and Geodetic Survey, and accurately noted on the subdivision plat.

C. STREET IMPROVEMENTS

1. All streets and roads shall be hard surfaced in accordance with standard specifications for road and bridge construction, Mississippi State Highway Department. Design and supervision of work shall be done by a registered professional engineer. The design of the work shall be submitted to the county engineer prior to the construction of the work.

2. All pavement or surfacing designs must be approved by the Board before any construction is undertaken to insure adequate design for the existing soil conditions and proposed use to which it is to be subjected. The design and typical section of roads and streets shall conform to the following minimum dimensions:

- a. Minimum width of road out to outside of shoulders 30 feet
- b. Minimum foreslopes from edge of shoulder to ditch invert 3:1 slope
- c. Minimum back slope from ditch invert to top of cut 2:1 slope

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- d. Minimum depth of ditch from edge of to flow lines 1'6"
- e. Minimum width of base course (open ditch section) 22 feet
- f. Minimum thickness of base course after compaction 6 inches
- g. Minimum thickness of subgrade stabilization or topping course, where required 6 inches
- h. Minimum width of paved surfaces (open ditch section) 20 feet
- i. Minimum width of street between curbs (curbs and gutter section) back to back, I 27 feet
- j. Minimum open ditch gradient of flow line... 0.1%
- k. Minimum curb and gutter gradient 0.2%
- l. Minimum width of shoulders 5 feet
- m. Minimum pavement crown slope from center line 1/4" per feet
- n. Minimum radii of pavement intersections..18 feet
- o. Minimum thickness of alternate types of pavements
 - 1) Double bituminous surface treatment 3/4"
 - 2) Sand Asphalt road mix 3"
 - 3) Asphaltic concrete hot or cold mix (one or two courses) 1 1/2"

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- 3. Specifications for all materials and street work shall conform to the appropriate provisions of the standard specifications for road and bridge construction, Mississippi State Highway Department.
- 4. Street name signs shall be erected by the subdivider in accordance with the specifications of the county.
- 5. In the case of surface drainage, the subdivider shall furnish and install an adequate driveway culvert pipe for each subdivision lot, tract, site or parcel. The sizes and capacities of all culvert pipes shall be determined from known drainage areas by the use of generally accepted engineering formulas, but no culvert pipe shall be smaller than twelve (12) inches in diameter. Culvert pipe may be either concrete or corrugated metal. Corrugated metal shall not be used in areas where the soil has high salt content.

D. WATER LINES

- 1. Where the public water supply is already reasonably accessible, the subdivider shall enter into agreement with the agency supplying same, at the subdivider's expense, for the extension of the said public water system, including the installation of standard valves, fire hydrants, etc., so that the public water services shall be available for each lot within the subdivided areas.
- 2. Pending availability of public water supply, the subdivider shall construct a private water system in such a manner that an adequate supply of potable water will be available to every lot within the subdivision. Proposal plans and specifications of such private water supply system shall be submitted to the Board and the Mississippi State Board of Health for approval. The plans shall contain complete

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information regarding the water distribution system and the source of supply. and shall comply with the requirements of the Sanitary Code of the State of Mississippi for a public water supply system. The minimum pressure at each house connection shall not be less than 40 p.s.i. on lines carrying fire hydrants and 20 pounds minimum on lines without fire hydrants. However, there shall be no obligation on the part of the county to incorporate said private system of water supply and distribution, or any part thereof, into any public system of water supply that may be built in the future.

3. Private water wells shall not be installed in subdivisions where septic tanks are in use. Water for subdivisions must be obtained from either a municipal supply or from an approved community system.

4. Proposed plans and specifications of a water distribution system for a subdivision shall be submitted to the Board of Supervisors and the State Board of Health for approval. The plans shall contain complete information regarding the water distribution system and the source of supply.

E. SANITARY SEWERS

1. If the subdivision is so located that it can be reasonably served by the extension of an existing public sanitary sewer, the subdivider shall enter into an agreement with the agency owning the same for the extension of the said sewer at his expense so that sanitary sewer service shall be available for each lot within the subdivided area.

2. Plans for the proposed extension of an existing average system or the construction of a new sanitary sewerage system within the county shall be submitted to the Board of Supervisors and the Mississippi Air and Water Pollution Control Commission for approval prior to construction.

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3. All sanitary sewerage systems built within the unincorporated areas of the county shall be submitted to the Board of Supervisors and the Mississippi Air and Water Pollution Control Commission for approval prior to construction.

4. Design Flows for a Community System or Extension of an Existing System:

a. The minimum sewer size shall be "8" and the minimum sewer to the property line shall be 6". Sewers shall be designed to carry when flowing one half full a quantity of sewage and infiltration equal to 100 gallons per capita per day domestic flow plus 500 gallons per mile per day per inch of pipe infiltration shall be used for commercial or industrial sewage. Sewers receiving a pump station discharge shall be designed to flow .5 full.

b. The design population shall be based upon a minimum of three and six-tenths people per residential development site or apartment unit connected into the system.

c. Lift stations shall be designed to pump the sewage and infiltration entering the lines connected to the station, as calculated by subparagraph "a" above. Each station shall have a minimum of two pumps with each pump capable of handling the computed flow.

d. Treatment plant units shall be designed to treat a flow of 100gal./capita/24 hours, including infiltration and appropriate allowance for commercial and industrial sewage. This flow shall, for design purposes, be assumed to reach the plant in a 16-hour period.

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e. Sewers shall be designed to have self-cleansing flow velocities, and design "n" values used shall be those, approved by the Board of Supervisors of Hancock County, and the Mississippi State Board of Health.

5. When the subdivider proposes a development which contains only a few lots thereby making it impracticable to construct a community sewerage system, the developer shall meet the following requirements of the Board of Supervisors of the Hancock County and the Mississippi State Board of Health. But this section is not to be construed to permit the successive approvals of continuous areas.

6. Prior to subdividing any site for development, preliminary soil tests shall be made on the basis of one test per acre under the supervision of the county health department. When the proposed development is to be financed by the F.H.A., the soil tests shall be made under the joint supervision of the F.H.A. and the county health department. Should 10% of the soil tests show an unsatisfactory percolation rate, the entire subdivision shall be disapproved for the use of septic tanks or any other type of private sewage disposal system. Should practically all of the preliminary soil tests show an acceptable percolation rate, the developer shall be so notified and he shall then prepare the necessary plat of the subdivision. One soil test shall be made on each lot shown on the subdivision plat. The installation of septic tank and underground absorption fields shall be approved for only those lots where the soil tests show an acceptable percolation rate and having a lot size as per III-D-a. No repeated soil tests shall be made if the first test fails. All soil tests shall be made in accordance with the State Board of Health, and under the supervision of the county health department.

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7. In the construction of any type sewage disposal system for use on individual lots, the disposal system shall be constructed so that it has not positive outlets.

F. DRAINAGE

1. Subdivision developers shall submit to the Board of Supervisors a proposed drainage plan of the site to be developed. The drainage plan shall show the location of all ditches with arrows indicating the direction of flow, typical cross sections, and flow line inverts at all intersection ditches and outfalls. The plan shall show the number of acres to be drained and computed discharge for all outfalls.

2. Where natural drainage streams exist beyond the limits of the subdivision, the developer shall submit a drainage plan of the collection ditch to the county engineer for preliminary approval. The plan shall show the proposed ditch location from the subdivision to the natural stream, the easement width shall provide for operating equipment for future maintenance, typical cross sections, and flow line inverts. This plan shall conform to the overall drainable plan of the county and the developer shall not acquire any offsite drainage easements until he has received preliminary approval by the county engineer.

3. Drainage pipe shall be sized to carry not less than the runoff from a storm of one-hour duration with a frequency of two years.

4. If so requested by the county engineer, the developer shall submit his drainage calculations for review by the county.

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G. FENCES ADJACENT TO OPEN DRAINAGE CANALS, OPEN DITCHES,
ETC.

Whenever fences are required adjacent to an open drainage canal, ditches, or borrow pits, the subdivider shall be required to construct a galvanized chain link fence (not less than seven [7] feet in height) topped with three (3) strands of barbed wire and containing removable sections located and constructed in such a manner it is acceptable to the Board of Supervisors or other governmental agency having jurisdiction thereover.

SECTION V. VARIANCES

A. HARDSHIPS

Where the Board finds that extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such variance will not have the effect of nullifying the intent and purpose of these regulations.

B. LARGE SCALE DEVELOPMENT

The standards and requirements of these Regulations may be modified by the Board in the case of a plan and program for a complete community for a neighborhood unit, which in the judgment of the Board provides adequate open spaces and improvements for the circulation, recreation, light, air, and service needs of the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to the achievement of the plan.

C. WATER AND SEWER IMPROVEMENTS

The Board may waive or modify the aforementioned requirements for water and sewer improvements if, after such waiver or modification, the subdivision plan is

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acceptable to and approval by the Mississippi State Board of Health and/or the Mississippi Air and Water Pollution Control Commission.

D. CONDITIONS

In granting variances and modification, the Board may require such conditions as will in its judgment substantially secure the objectives of the standards and requirements so varied or modified.

SECTION VI. RECONSIDERATION

When the Board has taken final action on any subdivision proposal, no reconsideration of an application will be granted unless

- A. Certification is furnished the Board that circumstances have been changed or altered.
- B. Certification is furnished the Board that data used in analysis of the proposed subdivision was inaccurate.
- C. Additional information has become available which was not available at the time the subdivision study was made.

SECTION VII. ADMINISTRATION

The Board may, from time to time, adopt, amend and publish rules and instructions for the administration of these regulations to the end that the public be informed and that approval of plats be expedited. These regulations may be changed or amended by the Board, after public hearing, due notice of which shall be given as required by law.

***see amendment on page 31

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SECTION VIII. FEE

At the time of filing a Preliminary Subdivision Plat, a fee of twenty-five dollars (\$25.00), plus fifty cents (50c) for each lot included in the subdivision, will be charged to help defray the cost of processing the application. An additional fee of fifty cents (50c) for each lot in addition to those shown on the preliminary plat will be charged at the time of filing a final subdivision plat. For subdivisions containing less than five (5) lots, the fee shall be five dollars (\$5.00).

SECTION IX
PIER REGULATIONS

A. That all piers constructed along the Bay of St. Louis in Hancock County, Mississippi, whereon the sand berm or beach is now located, shall commence not less than 30 feet from the seawall and there shall be no structure of any kind or nature within 30 feet of said seawall.

B. That all piers be constructed so that there will not be less than 11 feet clearance from the ground level to the bottom of the walkway, except that such height shall not apply to approaches to piers, boat landings and swimming platforms.

C. That piers shall be constructed on creosoted pilings of not less than 18 feet in length which shall be sunk or planted not less than 6 feet in depth throughout the 11 foot height required by Sub-Section B; be it further provided that entrances for boat landings and swimming platforms shall also be constructed on creosoted pilings.

D. All piers constructed after the effective date of this order shall be constructed with not less than #2 grade lumber, provided, however, that materials now in piers or salvaged from piers may be used by the actual owner thereof

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in the construction of a new pier.

E. That stringers shall not be bolted in the construction of piers.

F. That not more than one pier shall be constructed at the head of any public street and all waste or scrap material and old piling must be removed from the area immediately surrounding a new pier before completion of construction.

G. That all piers must be maintained in a good state of repair.

This Board does hereby recognize that piers as above constructed are in the public interest of the county, providing protection from hurricanes and adding to the aesthetic value of the beach, and will not interfere with the proper maintenance of the beach or berm by public authority, and that the owners thereof should be protected in their use thereof.

IT IS, THEREFORE, ORDERED that this Board recognize private ownership thereof and that the same are subject to trespass.

SECTION X.

ENFORCEMENT

No plat or plan of any subdivision shall be eligible for registration in the office of the Clerk of the Chancery Court until such plat or plan has received final approval by the Board of Supervisors and has been recorded on the official county map. The President or Acting President of the Board of Supervisors shall certify in writing on the final plat the approval of the Board of Supervisors.

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- A.
1. No owner or agent of the owner of any land located in a subdivision, as defined by the regulations shall transfer, sell, or offer such land for sale before a plat of such subdivision has been duly approved and recorded in the Office of the Clerk of the Chancery Court.
 2. No building permit shall be issued for the erection of any building in the county on any lot, tract, or parcel of land with a width, depth, or area less than the original lot, tract, or parcel of land except for a duly approved and recorded subdivision. The main building shall front the street which the lot fronts, unless otherwise approved on review of subdivision plans. In subdivisions where street numbers may be required, street numbers for only one main building shall be issued for each lot provided, however, that where it is satisfactorily appears to the Board that the erection of more than one building on a lot, tract, or parcel of land does not in any way violate the purpose of the regulations herein set forth, it may issue street numbers for more than one building on such lot, tract, or parcel of land.
 3. No sewer, water, or gas main or pipe or other improvements shall be voted or made, nor shall any public money be expended within any lands laid out in building lots, streets, or alleys, where the improvements are for the benefit of such lands, until the plan, plat or replat of such land shall have been approved by the Board and recorded in the office of the Clerk of the Chancery Court.
 4. The approved plan of any subdivision shall be recorded in the office of the Chancery Clerk within thirty (30) days from the date of approval by the Board, or such approval shall become void.
 5. All decisions of the Board shall be reached in open public sessions. No application shall be acted upon by the Board until same shall have been

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reviewed and recommendations made by the appropriate personnel, public agency, or utility company.

6. Approval of a preliminary subdivision plan shall valid for six (6) months, and a record of the Board's action in approving, rejecting or revising any such application or plan, together with all recommendations and restrictions placed thereon, shall be kept for six (6) months in the office of the Board.

B. The duly created Hancock County, Mississippi, Planning Commission is hereby designated as the administrative agency of Hancock County for the purposes of administering and enforcing these subdivision regulations, and said Planning Commission is authorized and empowered and directed, and with the assistance of the County Engineer, to make determinations as to whether or not said regulations are being complied with by any subdivider and to recommend to the Board of Supervisors such action or actions as are necessary to enforce these regulations. The Board shall take such action as may be deemed necessary to enforce these regulations including injunction or other remedial relief as shall be considered proper. The Board, at its discretion, may direct the Planning Commission, in the name of the county, to bring such action or actions as are considered necessary to enforce these subdivision regulations; and said Planning Commission is further authorized and empowered to conduct all preliminary hearings provided for by these regulations and to make its recommendations to the Board of Supervisors.

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SECTION XI

VIOLATION AND PENALTY

If any person, firm, or corporation shall sell any lot or lots within the county, hereafter laid out, before the plat or map thereof shall be recorded, such person, firm or corporation shall be liable to an action, to be brought for the use of the county, for two hundred dollars (\$200.00) for each separate transaction; and the Planning Commission shall institute the action upon the execution of any deed to a lot within the county, and in addition thereto shall maintain an action for injunction or other remedial relief as may be deemed meet and proper by the Commission. All incorporated cities, towns, and villages within the county having duly adopted, subdivision regulations shall not be subject to the duly adopted Subdivision Regulations of Hancock County, Mississippi.

Amendments to subdivision regulations:

“SECTION IV. REQUIRED IMPROVEMENTS”

A. General

2. In lieu of the completion of such improvements the subdivider shall file a surety performance bond or other acceptable guarantee with the Board to secure to Hancock County the actual construction of such improvements in a satisfactory manner within a specified period not to exceed two (2) years. Such bond shall be in an amount adequate to cover the cost of the improvements as determined by the Board plus and additional Twenty-Five Percent (25%) to cover contingencies, with surety and conditions satisfactory to the Board.

6. The subdivider shall guarantee in writing to the Board the maintenance of all required improvements for a period of one (1) year after final acceptance by the Board and shall secure same with such surety bonds or other undertakings as may be acceptable to the Board.

“SECTION VII. FEE”

At the time of filing a Preliminary Subdivision Plat, a fee of Three Hundred Dollars (\$300.00) plus Five Dollars for each lot included in the subdivision shall be paid to help defray the cost of processing the application. An additional fee of Five Dollars (\$5.00) for each lot in addition to those shown on the preliminary plat shall be paid at the time of filing of the final subdivision plat. For subdivisions containing less than five (5) lots and less than (10) acres in area, the total fee shall be Two Hundred Dollars (\$200.00)

The subdivisions minimum lot width is depending on which ZONE that you are planning to build the subdivision in.