

# JEFFERSON COUNTY, ALABAMA

## Subdivisions



Divisions of property in unincorporated Jefferson County (not in a city) have to comply with the Jefferson County Subdivision and Construction Regulations.

Any division of land, whether it be into 2 lots, or 200 lots with new roads, is a "subdivision" and must be approved by the Planning and Zoning Commission (P&Z) before the subdivision can be recorded in the Probate Office and building permits are issued. Also, any change to lots lines in an existing, recorded subdivision must have a resurvey approved by P&Z. There are some exceptions to this requirement which are discussed in the section on the next page.

Applications to P&Z for subdivision approval are filed in the Department of Land Planning & Development Services (LP&DS).

P&Z can only approve subdivisions that are in full compliance with the Zoning Regulations. If the subdivision property must be rezoned, you may apply for both rezoning and subdivision approval at the same time. However the rezoning process takes longer to complete:

- Subdivision Approval requires only one hearing by P&Z.
- Rezoning requires two hearings: one by P&Z for a recommendation, and one by the County Commission for final approval.

In some cases where there is a unique hardship associated with the land, a zoning variance may be better than rezoning the property. If a variance is needed for compliance, the Board of Zoning Adjustment must first approve the variance before a subdivision case can be considered by P&Z.

\*\*\* Approval of one application does not \*\*\*  
guarantee approval of the other

### FILING A SUBDIVISION CASE

You must hire a surveyor to begin this process. LP&DS staff is always available to meet with you to answer questions and guide you through the subdivision process before you spend money.

***Call ahead & schedule to an appointment.***

**The Subdivision Process has 2 steps:**

- 1) Preliminary Plat Approval, and
- 2) Final Plat Approval.

**Preliminary Plat Approval:** P&Z has a monthly public hearing on requests for Preliminary Plat approval. Public notice to adjoining property owners is required by law. P&Z will listen to all comments before making a decision to approve the request.

If infrastructure improvements (roads, sewerage, etc.) are required, Construction Plans must be approved prior to Final Plat Approval

**Final Plat Approval:** a Final Plat is submitted to LP&DS for review and approval by affected Jefferson County Departments.

- 5 paper copies of the proposed Final Plat are submitted to LP&DS for distribution and review by affected departments (LP&DS, Traffic and Drainage Divisions of Roads & Transportation, and Environmental Services).
- A process of review and revision is made to paper copies as needed to get the plat into approvable form.
- A mylar of the Final Plat is submitted for formal approval, along with the fee for recording the map in the Office of Probate.
- If using an on-site septic system the applicant is responsible for obtaining Jefferson County Health Department approval.
- The approved Final Plat mylar is recorded in Probate by LP&DS staff, and applicant is contacted to pick up recorded Final Plat.

## **EXEMPTIONS from the Subdivision and Construction Regulations**

Section 201.04 of the Subdivision and Construction Regulations provides an exemption from P&Z review and approval in certain cases – provided no road improvements are required and the property is not in an existing, recorded subdivision.

- Divisions of land where all resulting parcels are 10 acres or larger.
- Divisions of property by testamentary or intestate provisions.
- Divisions of property upon a court order.
- A 1-time division of land to allow a family member to build on a residential lot only.

These exemptions from the Subdivision and Construction Regulations still require a surveyor prepare a Plot Plan for approval and recording.

### **Additional Information Sheets you may need:**

**Subdivision & Construction Regulations**

**Zoning Regulations**

**Major Development Checklist**

**Floodplain Regulations and/or  
Floodplain Development Permit**

**How to Rezone Property**

### **FEES**

**Application/Review:** \$50.00 + \$7.50 per lot, plus a notification fee of \$6.00 for each adjoining lot, parcel, or tract. Checks should be made payable to **Jefferson County Treasurer**.

#### **Recording fees for Probate Court:**

\$28.00 for the first 15 lots, plus \$1.00 for each additional lot, plus \$1.00 for each paper copy (2 copy minimum). Checks should be made out to **Judge of Probate**.

Possible additional charges:

For additional Mylar pages, you will be charged \$10.00 for each sheet.

For covenants, the Probate Court charges \$2.50 for the first page and \$2.00 for each additional page.

### **Jefferson County Land Planning and Development Services**

716 Richard Arrington Jr. Blvd. N. Room 260  
Hours are 8:00 to 5:00, Monday - Friday

**Planning and Zoning Division**  
**(205) 325-5638 option # 3**

**Addressing Division**  
**(205) 325-5174**

### **Jefferson County Inspection Services**

716 Richard Arrington Jr. Blvd. N. Room B-200  
Hours are 7:30 to 4:30 Monday – Friday

**(205) 325-5145**

### **Jefferson County Health Department**

Birmingham – 1400 6<sup>th</sup> Avenue S.  
Hours are 7:30-4:30 Monday – Friday

**(205) 930-1230**

### **Jefferson County Environmental Services**

716 Richard Arrington Jr. Blvd. N. Room 300A  
Hours are 8:00-5:00 Monday – Friday

**(205) 325-5138**

### **Jefferson County Roads & Transportation**

716 Richard Arrington Jr. Blvd N. Room 200  
Hours are 8:00-5:00 Monday – Friday

**(205) 325-5157**

### **Judge of Probate – Bessemer Division**

1801 3rd Avenue North – Room 101  
Hours are 8:00 – 4:00

**(205)325-5411**

### **Judge of Probate – Birmingham Division**

760 Richard Arrington Jr Blvd North  
Birmingham, AL 35203

**(205)481-4100**

### **Bessemer Jefferson County Courthouse**

1801 3rd Avenue North  
Bessemer, AL. 35020 (205)481-4110  
(Free on-street parking available)

### **Birmingham Jefferson County Courthouse**

760 Richard Arrington Jr Blvd North  
Birmingham, AL 35203  
(205)325-5311

(Paid parking across the street)

Visit our website

**<http://jeffconline.jccal.org>**