

Chapter 19

Answer Key

1. d. Zoning ordinances have traditionally classified land use into residential, commercial, industrial, and agriculture, and do not include rental as one of the classifications. (357)
2. c. Through the permit requirement, municipal officials are made aware of new construction and alterations and can verify compliance with building codes. (360)
3. c. Before the actual subdividing can begin, the subdivider must go through the process of land planning. The resulting land development plan must comply with the municipality's comprehensive plan. (361)
4. b. Deed restrictions are private restrictions and are separate from and in addition to land-use controls exercised by the government. (363)
5. a. A variance is a use allowed that does not meet current zoning requirements and permits a landowner to use the property in a manner that is strictly prohibited by the existing zoning. (359)
6. a. The plat for a proposed subdivision must be approved by the municipality before it can be recorded. (361)
7. d. Local governments establish development goals by creating a comprehensive plan, also known as a master plan. (356)
8. c. The purpose of bulk zoning is to control density and avoid overcrowding by imposing restrictions such as setbacks, building heights, and percentage of open area or by restricting new construction projects. (357)
9. c. Once the completed structure has been inspected and found satisfactory, the municipal inspector issues a certificate of occupancy or an occupancy permit. (360)
10. d. A subdivider is a person who buys undeveloped acreage and divides it into smaller lots for sale to consumers. (360)
11. b. Restrictive covenants can be enforced in court when one lot owner applies to the court for an injunction to prevent a neighboring lot owner from violating recorded restrictions. (364)
12. a. A developer improves the land, constructs homes or other buildings on the lots, and sells them. (361)

13. d. The deed conveying a particular lot in the subdivision will refer to the plat or declaration of restrictions, thus limiting the title conveyed and binding all grantees. (363)
14. a. Zoning ordinances are local laws that implement the comprehensive (master) plan and regulate and control use of land and structures within designated land-use districts. (356)
15. c. Eminent domain is the power of the government to seize private land for public use. Condemnation is the act of doing so. (358)
16. b. If a lot or an improvement does not conform to the zoning use because it existed before the enactment of the ordinance, it may be allowed to continue legally under certain restrictions. (359)
17. c. Deed restrictions cannot be for illegal purposes, such as for the exclusion of certain races, nationalities, or religions. (364)
18. b. Density zoning ordinances restrict the average maximum number of houses per acre that may be built within a particular subdivision. (362)
19. d. Inverse condemnation is an action brought by a property owner seeking just compensation for land taken for a public use where it appears that the taker of the property does not intend to bring eminent domain proceedings. The property is condemned because its use and value have been diminished due to an adjacent property's public use. (358)
20. b. Under nonconforming use, if the improvement is destroyed or torn down, then rebuilding is usually prohibited. (359)
21. b. Private restrictions can be enforced in court to prevent a neighboring lot owner from violating the recorded restrictions and may be required to stop the violation by altering or removing the structure. (364)
22. c. Restrictive covenants are created by private entities and are separate from, and in addition to, those controls exercised by the government. (363)
23. a. Under the US Constitution, private property cannot be condemned or 'taken' without just compensation. (358)
24. b. A variance permits a landowner to use the property in a manner that is strictly prohibited by the existing zoning, (359)

- 25. b. Developers must file statements of record with HUD before they can offer unimproved lots in interstate commerce by phone or mail. Purchasers must receive a report before signing a purchase contract. (364)
- 26. d. A conditional-use permit usually is granted to a property owner to allow a special use of property that is defined as an allowable conditional use within that zone. (359)
- 27. d. Zoning ordinances control the use of land and structures within designated land-use districts, but do not regulate the prices of properties. (356)
- 28. d. Buffer zones, such as parks, are used by municipalities to screen residential areas from non-residential zones. (357)
- 29. a. A building that existed prior to the current zoning ordinance may be allowed to continue legally with some restrictions. (359)