

Chapter 19 Questions

Land Use Controls and Property Development

1. Zoning ordinances normally define specific uses for land that are permitted within a municipality. All of the following are designated uses in such ordinances EXCEPT
 - a. Industrial
 - b. Commercial
 - c. Residential
 - d. Rental

2. The purpose of building permits is to
 - a. generate revenue for the municipality.
 - b. control the activities of building inspectors.
 - c. ensure compliance with building codes.
 - d. prevent encroachments.

3. When planning a subdivision, developer Jamal should determine the kinds of land uses to be involved and the amounts of land to be allocated to each use by considering
 - a. which are the most profitable types of buildings to construct.
 - b. what he considers an ideal development.
 - c. the comprehensive plan of the local government.
 - d. the customs of the area and what other developers have already done.

4. Deed restrictions are created by all of the following EXCEPT
 - a. Deed
 - b. Statute
 - c. Written agreement
 - d. General plan of a subdivision

5. Which of the following is a variance?
 - a. An exception to a zoning ordinance
 - b. A court order prohibiting certain activities
 - c. A reversion of ownership
 - d. A nullification of an easement

6. The plat for a proposed subdivision is submitted to the
 - a. municipality.
 - b. property owners.
 - c. developer.
 - d. state.

7. A municipality establishes development goals in its
 - a. subdivision regulations.
 - b. restrictive covenants.
 - c. environmental regulations.
 - d. comprehensive plan.

8. The purpose of bulk zoning is to
 - a. ensure that certain kinds of uses are incorporated into developments.
 - b. specify certain types of architecture for new buildings.
 - c. control density and avoid overcrowding.
 - d. set overall development goals for the community.

9. The construction of a family room, additional bedroom, and extra bath has been completed on the owner's home. Before the addition can be used, which of the following is true?
 - a. The municipality must issue a building permit.
 - b. The bath must be inspected by the plumbing inspector.
 - c. The municipality must issue an occupancy permit.
 - d. The municipality must issue a conditional-use permit.

10. Stavros is in the business of buying large tracts of land and then reselling them to consumers in small tracts. He is in business as a
- developer.
 - real estate broker.
 - engineer.
 - subdivider.
11. A subdivision was developed, and one of the deed restrictions covering all of the properties in the subdivision set aside the back six feet of each parcel as a combination green belt area and bicycle path. Homeowner Sylvia plans to convert the back one-half of her yard, including this set-aside space, into an organic garden. Her neighbor, Horace, can
- do nothing because individual homeowners have no authority in this matter.
 - go to court in an attempt to obtain injunctive relief.
 - force Sylvia to sell her property.
 - share in the profits from Sylvia's garden.
12. Quinta is in the business of buying tracts of land, constructing buildings and making other improvements on them, and then selling them to the general public. She is in business as a
- developer.
 - real estate broker.
 - engineer.
 - subdivider.
13. Restrictive covenants
- are no longer effective when the title is transferred.
 - apply only until the developer has conveyed the title.
 - can be removed by a court of competent jurisdiction.
 - apply to and bind successive owners of the property.

14. The primary intent of zoning ordinances is to
- assure that proposed land uses conform with the master plan.
 - demonstrate the police power of the state.
 - limit the amount and types of businesses in a given area.
 - protect residential neighborhoods from commercial encroachment.
15. The condemnation of private property for public use is allowed under the state's right of
- police power.
 - escheat.
 - eminent domain.
 - confiscation.
16. For the past 30 years, Latrice has operated a neighborhood grocery store. Last week the city council passed a zoning ordinance that prohibits packaged food sales in the area where her grocery store is located. The store is now an example of a(n)
- illegal enterprise.
 - nonconforming use.
 - violation of the zoning laws.
 - variance of the zoning laws.
17. Deed restrictions may *NOT* legally control or limit
- sizes and types of structures to be built.
 - potential future uses of the properties.
 - the race of future owners and occupants of a property.
 - exterior finish and decoration of the structures.
18. A town prohibits a developer from building more than five houses per acre in a subdivision. This restriction is called
- a variance
 - density zoning
 - cluster building
 - curvilinear

19. Lloyd owns property next to property that the city has condemned to extend the runways at the municipal airport. Lloyd feels his property has diminished in value due to this public use. He may seek compensation by an action of
- taking
 - condemnation
 - confiscation.
 - inverse condemnation.
20. A tire company has a manufacturing plant located in an area that has just been rezoned for residential use. The company is allowed to continue operating the plant under the new zoning classification as a nonconforming use. However, if the plant is destroyed by fire or other hazard, the tire company most likely
- could rebuild the plant in that neighborhood by applying for a zoning variance.
 - would be forbidden to rebuild the plant in that neighborhood under any circumstances.
 - could construct another plant by obtaining the consent of the residents then living in the neighborhood.
 - could construct another plant without the residents' consent as long as the homeowners' association approves it.
21. If buyer Martin builds an outbuilding that violates the subdivision covenants mentioned in his deed, he
- may forfeit the title to the property.
 - may be sued and required to alter the structure or remove it
 - may be sued and required to pay damages to the other residents in the neighborhood.
 - is safe from legal actions taken by other residents in the area about this matter.
22. All of the following are examples of public land use control EXCEPT
- Zoning ordinances
 - Building codes
 - Restrictive covenants
 - City planning requirements

23. Which of the following is true about land taken for public use?
- The owner must be fairly compensated.
 - The health, safety, and welfare of the government must be the reason
 - The local use will benefit the residents in the immediate area.
 - The property is then established as a fee simple determinable estate for a particular use.
24. Under an existing ordinance no signs that extend more than 3 feet above the highest point of a roof may be placed on any building. An owner wants to erect a 9-foot-high revolving sign on the roof of his store. In order to do this legally, the owner must get a
- deed to the air rights.
 - variance.
 - nonconforming use permit.
 - court order.
25. The federal Interstate Land Sales Full Disclosure Act provides that
- sales of lots in subdivisions consisting of more than 25 lots are exempt from regulation
 - developers file with HUD before selling certain properties interstate.
 - sales of lots in subdivisions of 10 acres or more are exempt from regulation
 - potential purchasers be issued a written report with detailed information about the subdivision before closing
26. Loy applies to the municipality for permission to open an adult day-care facility in his neighborhood. He may be granted a (n)
- variance
 - non-conforming use permit
 - amendment to the zoning ordinance
 - conditional-use permit

27. Control by zoning ordinances does *NOT* regulate
- a. the height of buildings in an area.
 - b. the density of population.
 - c. the use of the property.
 - d. the price of the property.
28. A wooded area with biking and hiking trails is situated between old cotton mills and a housing development. This area is considered a
- a. designated park required under federal guidelines
 - b. variance to the existing zoning
 - c. utility easement
 - d. buffer zone
29. A landowner constructed a building 7 stories high. Several years later the municipality changed the zoning ordinance, prohibiting buildings that exceed 6 stories in height. Which of the following is true regarding the existing 7-story building?
- a. It is a nonconforming use.
 - b. The building must be demolished.
 - c. It is a conditional use.
 - d. The owner must obtain a variance.