

KANSAS 24 HOUR BROKER PRE-LICENSE COURSE

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NAVIGATION CONTROLS

In the bottom right hand corner of the screen, there is an icon button that allows you to choose between standard screen, no sidebar screen and full screen view. When the program appears for the first time, it is in standard screen view.

The standard screen view shows the normal screen as well as the thumbnails off to the side.

The no sidebar screen view shows the normal screen a little bit larger but does not have any thumbnails.

The full screen view shows the normal screen in an even larger format.

You can click onto the large icon button to advance forward from screen to screen or use the smaller forward and backward buttons to navigate.

NOTE: In the full screen view, you can only advance forward. If you want to go to a previous screen, you must be in the standard or no sidebar screen view.

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COURSE CONTENT

There are twenty sections to the Ownership chapter of the broker pre-license class.

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QUIZZES

At the end of most sections, there are multiple choice questions which must be completed with 90% accuracy before you can move on in the course.

If you pass, you will be forwarded to the next slide. If you fail, you will be directed back to the beginning of that quiz. If you choose an incorrect answer, you may click onto quiz review for an analysis of the correct and incorrect answers. The quiz review should help you choose the correct answer the next time you take that same quiz.

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FINAL EXAM

After you finish the course, there is a 50 question multiple choice final examination which you must pass with a score of 90% or greater to receive Kansas credit.

If you pass final examination #1, you can then print out your certificate and receive credit for the course.

If you fail final examination #1, you then must take final examination #2. If you pass final examination #2, you can then print out your certificate and receive credit for the course. If you fail final examination #2, you cannot receive credit for the course.

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FINAL EXAM

The final exam will consist of the following learning objectives:

- 1) Differentiate between different types of ownership of real property
- 2) Explain various ways to finance real estate, including clauses in a mortgage and lender requirements
- 3) Clarify the different agency relationships and how this affects the client and customer
- 4) Discuss the elements of a contract and explain the various contracts used in real estate transactions
- 5) List various methods of valuing real estate and the type of property normally associated with each method
- 6) Explain the various Kansas statutes that govern real estate transactions in Kansas

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TAKING COURSE IN MULTIPLE SESSIONS

You can complete part of the course and then come back and finish at a later time. Whenever you log back in on the course, a question appears asking if you would like to continue with the course where you left off. Just answer "yes" and you will be placed where you can continue on right where you finished with the last session.

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COURSE TIMEFRAMES

Once you register and pay for the course, you have access to the course for one full calendar year from the date of registration. Once you complete the course, the course certificate is valid for one year. In order to obtain a Kansas broker's license, you must pass the test and apply for license within six months.

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CONTACT US

You may contact us by e-mail at any time. Our e-mail address is:

Instructor@CareerEducationSystems.com

Or call 1-800-748-7715



SPECIAL NOTE:

To download and print a manual of the course, please go to:

www.careereducationsystems.com/ksbroker/manual.asp

If you would like a hardcopy manual to use during the course or just for review, you can print off one chapter at a time or the entire book all at once.





This is a title slide for a chapter. It features a decorative border with a rainbow gradient at the top and a blue gradient at the bottom. On the left side, there is a vertical blue bar with a yellow star in the upper left corner. The main text, "CHAPTER ONE OWNERSHIP", is centered in a large, bold, blue, sans-serif font. At the bottom left, the "Career Education Systems" logo is present, identical to the one in the first image.

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- 20) ZONING AND PLANNING – SLIDE 167

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1. INTRODUCTION TO REAL ESTATE



WHAT IS REAL ESTATE?

“BUNDLE OF RIGHTS” - TITLE

DEED – transfers real property rights

3 ways to transfer

Sell
Will
Steal

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Others that may have rights in real property

Taxation

Mortgage

Easement



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1. LAND

Spot on the earth that goes down to the center and up to infinity

PHYSICAL CHARACTERISTICS

- 1) Immovable
- 2) Indestructible
- 3) Unique

ECONOMIC CHARACTERISTICS

- 1) Situs (location)
- 2) Scarcity
- 3) Improvable

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2. REAL ESTATE = Land + APPURTENANCES

Appurtenance - right, privilege or improvement permanently attached to the land - **RUNS WITH THE LAND**

Natural - Trees, streams

Man-made - Houses, buildings

Mineral rights - Pass with sale of land unless otherwise noted

Air rights - Part of real estate

Water rights - Part of real estate

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2. PERSONAL PROPERTY

WHAT IS PERSONAL PROPERTY?

Not "real" property

1. EASILY MOVABLE –

Chairs, cameras, etc.



2. CHATTEL - Another word for personal property

3. BILL OF SALE - Instrument used to transfer personal property

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3. CHANGES

CAN REAL ESTATE EVER BECOME PERSONAL PROPERTY OR PERSONAL PROPERTY EVER BECOME REAL ESTATE?

1. SEVERANCE

Going from real to personal property;
e.g., cutting down a tree



2. FIXTURE = Real Estate

Going from personal to real property; item once personal property but is now attached



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Tests For Determining

Method - Method of attachment

Intention - Intention of attaching parties

Adaptation - Adaptation of the article

MIA

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3. TRADE FIXTURES = Personal Property

Item installed by commercial tenant for business use;
e.g. display cases, countertops

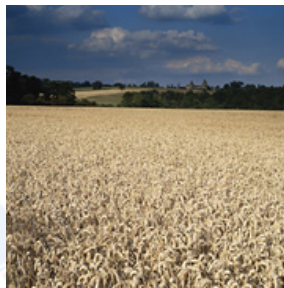
- 1) Tenant can take item at end of lease
- 2) If not taken, item has been abandoned and belongs to landlord
- 3) Tenant can take item even if it damages space as long as tenant repairs



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4. EMBLEMENTS

Crops



Growing crops in field; allows seller to come back and harvest

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4. RIGHTS IN PROPERTY
WHAT IS THE DIFFERENCE BETWEEN
GOVERNMENT AND PRIVATE RIGHTS?


**GOVERNMENT RIGHTS IN REAL
PROPERTY**

Government rights for good of
community

1. TAXATION

On real property; money for
schools, roads, etc.; if not
paid, government attaches
property

Real Estate Taxes



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The slide content is presented in a white box with a blue vertical bar on the left. The text is arranged in a hierarchical manner, starting with a main section header, followed by a question, then a sub-section header, and a descriptive sentence. Below this is a numbered sub-section header, its description, and another sub-section header. To the right of the description is a photograph of a large, two-story house with a green roof and white trim, surrounded by trees and a driveway. The Career Education Systems logo is located at the bottom left of the slide content.

2. POLICE POWER

Keeping
things in
order



Zoning
Building Codes

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3. EMINENT DOMAIN

The **RIGHT** of the government
to take private property for
PUBLIC GOOD

Property owner is paid
compensation for the property

Government includes federal,
state, local; also schools,
railroads, utilities



CONDEMNATION

The **PROCESS** used to take the property when the
government exercises the right of Eminent
Domain

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4. ESCHEAT

The right of the government to take private property upon:

1) **Dying Intestate & having no heirs**



2) **Abandonment** – Leaving; no paying of taxes

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PRIVATE RIGHTS IN REAL PROPERTY

ESTATE = Possessory

ESTATE = The degree, quantity, nature and extent of ownership interest in real property – **POSSESSORY RIGHTS**



1. FREEHOLD ESTATES = OWNERSHIP

What we usually think of as **OWNERSHIP**. There is no definite ending date and it is for at least a lifetime.

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**FOR
RENT**

2. LEASEHOLD ESTATES = RENTING or LEASING

What we usually think of as
RENTING or LEASING. It is
for a definite period of time,
i.e., a limited duration.

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5. FREEHOLD ESTATES

WHAT ARE THE DIFFERENT TYPES OF
FREEHOLD ESTATES?

ESTATES IN LAND

FREEHOLD ESTATES

FEE ESTATES

Fee = Inheritable

Fee Simple

Conditional Fee

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1. FEE SIMPLE

Maximum Rights

Maximum rights in real estate; also called fee simple absolute



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2. CONDITIONAL FEE OR DEFEASIBLE FEE

Certain Conditions

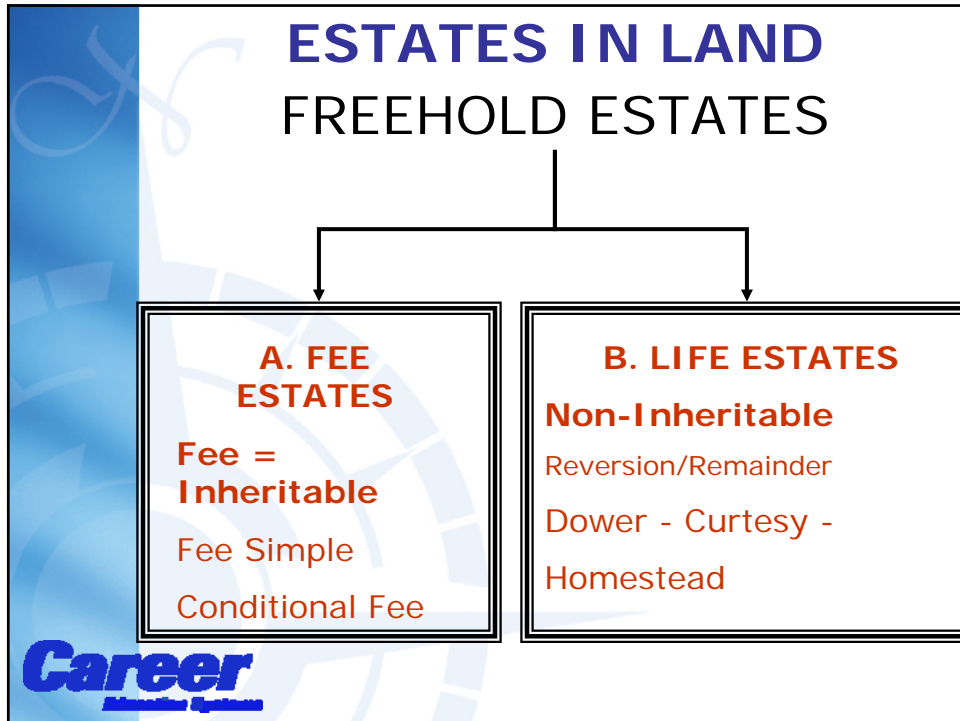
Property deeded with conditions; e.g., must be used as a school



Inheritable?

Inheritable to heirs with conditions attached

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LIFE ESTATES - Deeded to someone for life or life of another

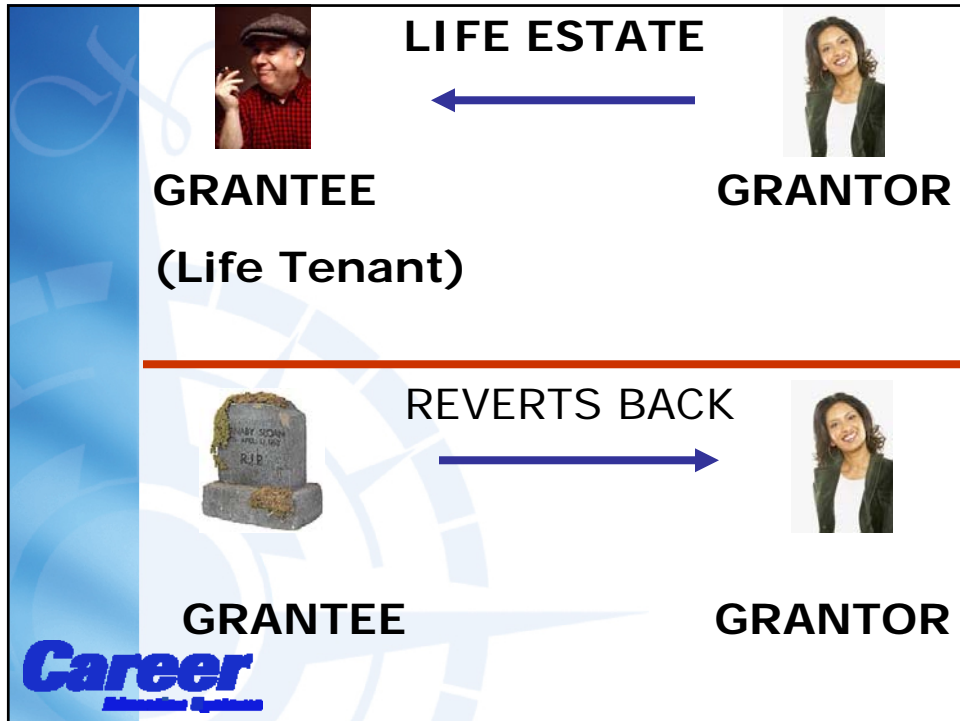
VOLUNTARY LIFE ESTATES

1. ESTATE IN REVERSION

Reverts Back

When life tenant dies, property goes back to grantor or grantor's heirs

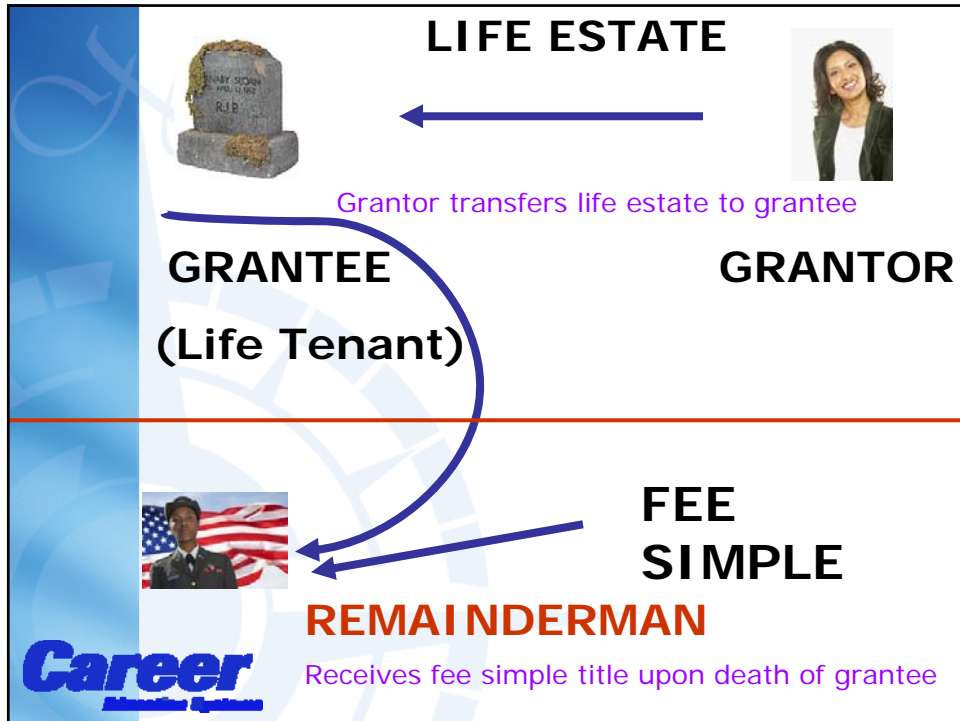
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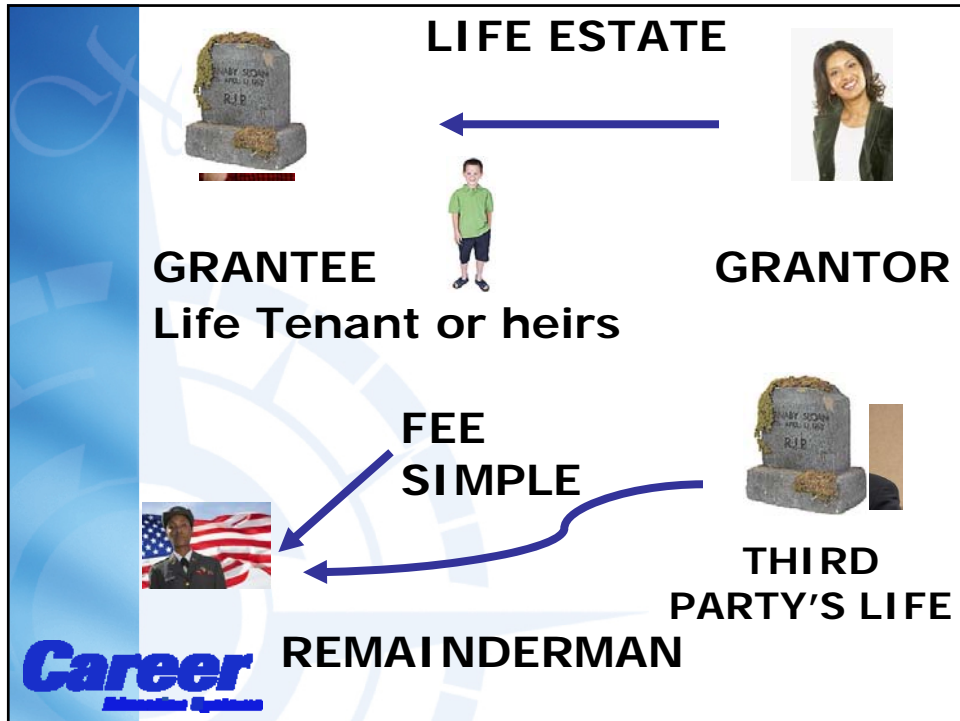


2. ESTATE IN REMAINDER

Goes to third party remainderman

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1. DOWER
Life interest wife receives upon husband's death

2. CURTESY
Life interest husband receives upon wife's death

3. HOMESTEAD
Family home protected from judgments for debts

NOTE: The homestead exemption does **NOT** apply to real estate taxes or mortgages.

Protect Against Homelessness

The 'Career' logo is in the bottom left corner.

OTHER LIFE ESTATE ISSUES

YES NO

SOLD?	★	
LEASED?	★	
MORTGAGED?	★	
WASTED?		★
WILLED?		★

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6. DIFFERENT WAYS TO TAKE TITLE TO AN ESTATE

WHAT ARE THE VARIOUS WAYS PEOPLE CAN TAKE TITLE TO PROPERTY?

FREEHOLD ESTATES

A. FEE ESTATES

Fee = Inheritable

Fee Simple

Conditional Fee

B. LIFE ESTATES

Non-Inheritable

Reversion/Remainder

Dower - Curtesy -

Homestead

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1. SEVERALTY

One Only



OR



Also, how corporations take title

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CONCURRENT ESTATES

1. Tenancy in Common
2. Joint Tenancy
3. Tenancy by the Entireties
4. Community Property



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1. TENANCY IN COMMON

Individual interests in group ownership

A	B	C
1/8	1/2	3/8



Interests unequal

Undivided interest - share possession

Inheritable



A	B	C
1/8	1/2	3/8



C dies – who gets C's 3/8 ownership?



TENANCY IN COMMON

To Children



SUIT TO PARTITION

A	B	C
1/8	1/2	3/8



I WANT OUT!

One of the owners institutes court action to force sale of property by all parties

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2. JOINT TENANCY

A	B	C
1/3	1/3	1/3



Unity of ownership

Time Must take title at same time

Title All parties joint tenants on one deed

Interest Must be equal ownership interest

Possession (undivided interest) All parties share possession

TTIP

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RIGHT OF SURVIVORSHIP

Surviving Owners

If one dies, interest passes to the surviving owners

Voluntary

Must be intentional act to be joint tenants

C dies – who gets C's 1/3 ownership?

A	B
1/2	1/2



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HOW IS A JOINT TENANCY TERMINATED?????



When any of the 4 unities are destroyed

Suit to Partition

One sells their interest

C Sells to D

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<p>A & B - Joint Tenants</p>	<table border="0"> <tr> <td>A</td> <td>B</td> <td>C</td> </tr> <tr> <td>1/3</td> <td>1/3</td> <td>1/3</td> </tr> </table> 	A	B	C	1/3	1/3	1/3	<p>D - Tenant - In - Common</p>
A	B	C						
1/3	1/3	1/3						
<p>A - Now a Tenant - In - Common</p>	<table border="0"> <tr> <td>A</td> <td>D</td> </tr> <tr> <td>2/3</td> <td>1/3</td> </tr> </table>	A	D	2/3	1/3	<p>D 1/3</p> 		
A	D							
2/3	1/3							

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3. TENANCY BY THE ENTIRETIES

Husband and Wife



Similar to Joint Tenancy

Right of Survivorship

TTIP

Works like joint tenancy only must be married

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4. COMMUNITY PROPERTY

Separate Property



Property acquired before marriage; individual spouses retain sole ownership interest

Community Property



Property acquired during marriage; spouses have equal interest in property

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7. LEASEHOLD ESTATES

WHAT ARE THE DIFFERENT TYPES OF LEASEHOLD ESTATES?

Leasehold Estate - Personal Property

Lessor Giver of lease (landlord)

Lessee Receiver of lease (tenant)

Demise Transfer of rights in real through a lease

Reversion Upon expiration of lease, property goes back to lessor



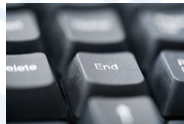
FOR RENT

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1. ESTATE FOR YEARS



Beginning
and Ending



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2. PERIODIC TENANCY



30
day
notice

Month-To-Month

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3. TENANCY AT WILL



No Written -
Have Permission

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4. TENANCY AT SUFFERANCE



Without
Permission

NOTE: Tenancy = Estate

NOTE: Leasehold Estates = **LESS THAN FREEHOLD ESTATES**

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8. LIEN ENCUMBRANCES

WHAT EXACTLY IS AN ENCUMBRANCE?

ENCUMBRANCE - **BURDENS** or **LIMITS** title.....or.....*rights held by someone else*

LIEN – Money encumbrance



SPECIFIC LIEN

One Specific Item



1. PROPERTY TAX LIEN

For non-payment of real estate taxes

Specific
#1 Priority

Real Estate Taxes



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2. MORTGAGE LIEN

Using one's property as security for loan

Specific

Voluntary



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3. MECHANIC'S LIEN

For contractor's, etc. who make improvements on property; also for sub-contractors and material vendors who are not paid; effective date is date work first began; lien will expire if not enforced

Specific



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MECHANIC'S LIEN

Effective Date - Date work first started

October 1st - started work

November 1st - sent bill

December 1st - filed mechanic's lien

Effective date - October 1st

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GENERAL LIEN

Real and Personal

Applies to all of one's property, real and personal



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1. INCOME TAX LIEN

For non-payment of income tax to IRS

General

I.R.S.



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2. JUDGMENT LIEN

General

For personal debts; covers all real and personal property

LIS PENDENS Latin for "pending litigation or action"

WRIT OF EXECUTION Sheriff seizes property and sells to satisfy judgment



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9. RESTRICTION ENCUMBRANCES

WHAT EXACTLY IS A DEED RESTRICTION?

RESTRICTIONS - Use Encumbrance

Restrictive **COVENANTS**

Placed by **GRANTOR** - binds future owners

Examples:

Types of fences, roofs, vehicles, etc.



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Who can ENFORCE?

Courts only



Who can bring action?

Interested party; e.g., neighbor or homes association

Which would NOT be enforceable?

Racial, ethnic, religious, etc.

How can one find out what restrictions are?

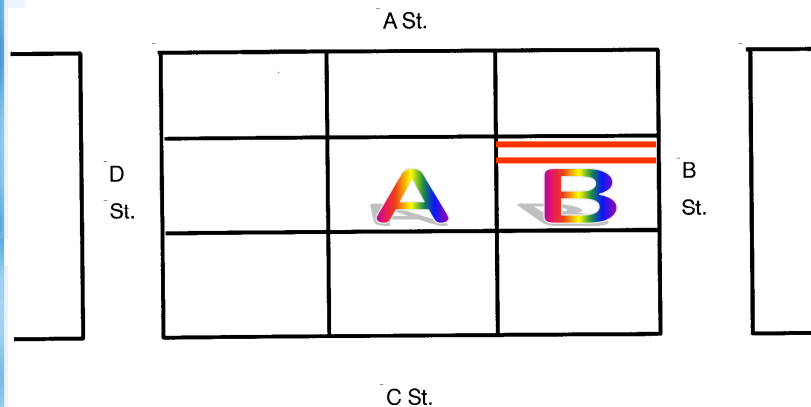
Matter of public record

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10. EASEMENT/ENCROACHMENT ENCUMBRANCES

WHAT EXACTLY IS AN EASEMENT?

**EASEMENT - INGRESS (enter) and EGRESS (leave) -
NOT AN ESTATE - Also called SERVIITUDE.**



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1. APPURTENANT EASEMENT

RUNS WITH THE LAND

Shared driveway, Easement by necessity (landlocked)

DOMINANT TENEMENT - Land
BENEFITED or **IN FAVOR OF**

SERVIENT TENEMENT - Land
BURDENED

Who can terminate?????

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2. EASEMENT IN GROSS

Utilities & Railroads

Gross easements
usually commercial
- can be sold to
others.



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3. EASEMENT BY PRESCRIPTION

Use someone else's property

Continuous

All The Time

Open

In open clear view

Notorious (hostile)

Without permission



Can gain easement after statutory period of time; each state different

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HOW ARE EASEMENTS CREATED?

Easement deed

Long term use

By necessity

HOW ARE EASEMENTS TERMINATED ?

Abandonment

Purpose no longer exists

Merger of properties

Dominant tenement releases rights through quitclaim deed

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LICENSE

Personal permission;
e.g., ball tickets

Permission



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ENCROACHMENT Trespassing

Improvement or other real property that extends across
property line; e.g., fences, tree limbs, etc.



Encroachment can lead to easement

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11. WATER RIGHTS

WHAT DO WATER RIGHTS HAVE TO DO WITH A REAL ESTATE TRANSACTION?

RIPARIAN River or Stream

Property bordering a flowing waterway; e.g., river or stream; riparian owners have reasonable usage of water; if non-navigable, riparian owners own underneath to middle of waterway



WATER TABLE

Difference between earth's surface and percolating water

Septic System Percolation Test



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12. MULTIPLE OWNER PROPERTIES

WHAT ARE DIFFERENT WAYS OF MULTIPLE OWNERSHIP?

1. COOPERATIVE



Coop owns - SEVERALTY

Members own STOCK

Stockholders - Proprietary

Lease - Leasehold Estate

Rental payments to Coop

Coop pays mortgage and taxes

All could lose if foreclosed on

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2. CONDOMINIUM



Fee simple

Pay own mortgage and taxes

COMMON AREAS - Owned as
Tenants-In-Common

Pay home's association dues

MASTER DEED or
DECLARATION

Bylaws and charter

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3. TIME SHARING

Fee Simple - Time Period

Fee simple title to unit for set period of time each year;
interval ownership




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13. TRANSFER OF PROPERTY BY VOLUNTARY ALIENATION

WHAT ARE DIFFERENT WAYS SELLERS CAN TRANSFER PROPERTY TO BUYERS??

**ALIENATION
= Transfer**



The image shows a family of four (a man, a woman, and two children) standing in front of a white house. The man is holding a sign that says 'HOUSE SOLD'. A golden retriever is sitting on the grass to the right of the family.

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Transfer by DEED

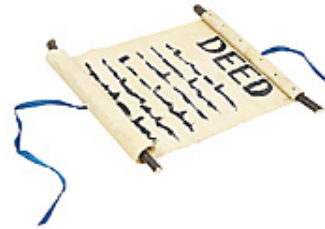
Instrument used to transfer title

GRANTOR

Giver of real property
(seller)

GRANTEE

Receiver of real property
(buyer)



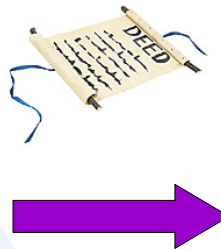
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TYPES OF DEEDS

1. GENERAL WARRANTY



SELLER



BUYER

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Seizin - Seized of Title

Seller owns property and has right to sell



SELLER

I Own It

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Quiet Enjoyment

No one else will claim title



SELLER

No 3rd Party
Claims

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Against Encumbrances

No hidden encumbrances



SELLER

No Hidden
Encumbrances

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Further Assurance

Seller will provide or sign documents in future if necessary to help prove buyer's title



SELLER

Provide
Documents
In Future

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Warranty Forever

Money back guarantee from seller if seller provides faulty title



SELLER

MONEY
BACK
GUARANTEE

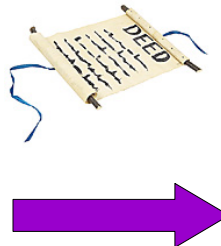
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2. SPECIAL WARRANTY

I promise you its been clear **SINCE I'VE HAD IT.**
No promises before that.



SELLER

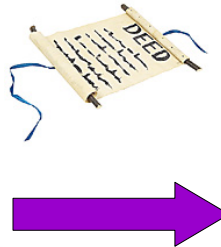


BUYER

Since I've Owned It

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3. BARGAIN AND SALE



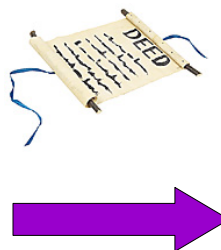
SELLER

BUYER

One Promise - I Own It

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4. QUITCLAIM



SELLER

BUYER

No Promises - "IF" I Own It

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Most Common Use:

To quiet a cloud on the title; e.g., ownership disputes, misspelled names, etc.

**Difference in deeds is
PROMISES**



**14. REQUIREMENTS FOR A
VALID DEED**

WHAT ARE THE ITEMS REQUIRED FOR A VALID DEED?

1. GRANTOR


Legal age

Sound mind



2. GRANTEE

Clearly identified



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3. CONSIDERATION

Something of value



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4. GRANTING CLAUSE

Words of
Conveyance

**I Convey
and
Warrant**



HABENDUM

To Have and To Hold



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5. PROPERTY DESCRIPTION

Should be
Legal



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6. EXCEPTIONS AND RESERVATIONS

Lists Encumbrances

Liens
Restrictions
Easements



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7. SIGNATURES OF GRANTORS

Only
GRANTOR
signs

GRANTOR

GRANTEE



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8. DELIVERY AND ACCEPTANCE

Title Passes

Title transferred when deed is delivered and accepted



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15. RECORDING DOCUMENTS

WHY SHOULD DOCUMENTS BE RECORDED?



Recording NOT necessary - Still valid

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Only valid between 2 parties in transaction

Purpose:

1. Establish Priority

e.g., 1st mortgage over 2nd mortgage



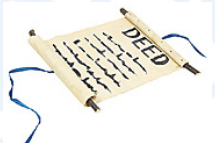
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Purpose:

2. Provide Constructive Notice



Constructive Notice – Person responsible for knowing facts because of recording



Notarized

Although a deed does NOT have to be recorded to be valid, if you want to record it, you would have to go before a notary public and ACKNOWLEDGE that it is a voluntary act before it could be recorded

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16. TRANSFER OF PROPERTY BY WILL

HOW DO WILLS AFFECT REAL ESTATE TRANSACTIONS?



Requirements:

Legal Age

Sound Mind

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1. TESTATE

With Will

Dying with a valid will



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2. INTESTATE Without Will

Dying without a valid will



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3. TESTATOR Deceased

Deceased person who had made a will



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4. DEVISE

Transfer of real property
through a will

Transfer real estate via will



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5. DEVISEE

Receiver of real property
through a will

Receiver



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6. BEQUEST

Transfer personal property
via will



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7. EXECUTOR

Carries out
will

One named in will
to carry out will



Executor's Deed

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Type of deed used to transfer property
to those named in will

17. TRANSFER OF PROPERTY BY INVOLUNTARY ALIENATION

WHAT ARE SOME DIFFERENT WAYS OF HAVING AN INVOLUNTARY TRANSFER OF REAL ESTATE?

1. DESCENT **Intestate**

Occurs when one dies intestate



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Probate



Determines
distribution to
relatives

Administrator

Court appointed
to oversee distribution



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2. ADVERSE POSSESSION

Squatter's Rights

Can gain title by using someone else's property – time periods vary from state to state



I've been here umpteen years - It's Mine, All Mine

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Requirements:

Continuous All the time

Open In open clear view

Notorious (hostile) Without permission

Exclusive Property abandoned by owner

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3. INVOLUNTARY DEEDS

Tax Deed



Sheriff's Deed

Tax Deed - Transfers property to buyer at foreclosure sale for non-payment of taxes

Sheriff's Deed – Transfers property to buyer at foreclosure sale; e.g., for non-payment of mortgage



4. TRANSFER BY WATER OR WIND

Erosion - gradual wearing away of soil

Owner loses title to land eroded away

Accretion - gradual build up of soil

Person gains title to added land built up on property



Avulsion - sudden transfer

Owner does not lose title to land washed away by sudden act of nature – BOUNDARY LINES DO NOT CHANGE



Boundary lines do NOT change

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5. TRANSFER BY THE COURTS

Cloud on the Title

Any claim that impairs title; e.g., forged signatures or no signatures on deed, heirs of prior owner claiming title, etc.



Unmarketable - lowers the value

To remove:

Quitclaim Deed Releases one's claim to property

Quiet Title Suit Court action to remove a cloudy title

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18. SELLER'S PROOF OF OWNERSHIP

HOW DOES ONE PROVE OWNERSHIP OF REAL ESTATE?

1. ABSTRACT

History



An abstract will NOT guarantee clear title

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2. TITLE INSURANCE

Coverage:

Standard Policy Covers forged documents, undisclosed heirs, etc.

Extended Policy May cover other things, such as unrecorded liens, etc.

What is contained in policy?

Schedule of exceptions (things not covered, such as zoning restrictions)

Premium Paid one time at closing

Who is insured?

Owner's Policy Covers buyer

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19. TAXES AND ASSESSMENTS

WHAT ARE THE DIFFERENT TYPES OF REAL ESTATE TAXES?


1. GENERAL ASSESSMENT

Land + Improvements

Tax on land plus improvements; pays for school, police and fire protection, etc.



Ad Valorem - VALUE



How do they decide how much tax one owes????

City adopts budget

Properties of same class assessed at same rate based on market value (estimated by Tax Assessor)

Commercial **32%**

Residential **19%**

Agricultural **12%**



Market Value **\$100,000**

Assessment Rate x **30%**

Assessed Value **= 30,000**



Tax rate determined by dividing total needed by total assessed values

Total Needed	\$500,000
Total Assessments	÷ 10,000,000
Tax Rate	= 5%

NOTE: Total assessments referred to as "TAX BASE"



Tax rate can be expressed in MILLS

1 mill = 1/10 of a cent or 1/1000 of a dollar

\$50 per \$1,000 same as \$5 per \$100

Tax rate of 50 mills = .05 or 5%



Tax for each property determined by multiplying the assessed value times the tax rate

Assessed Value	\$30,000
Tax Rate	x 5%
	<hr/>
Tax Owed	= 1,500
	<hr/> <hr/>

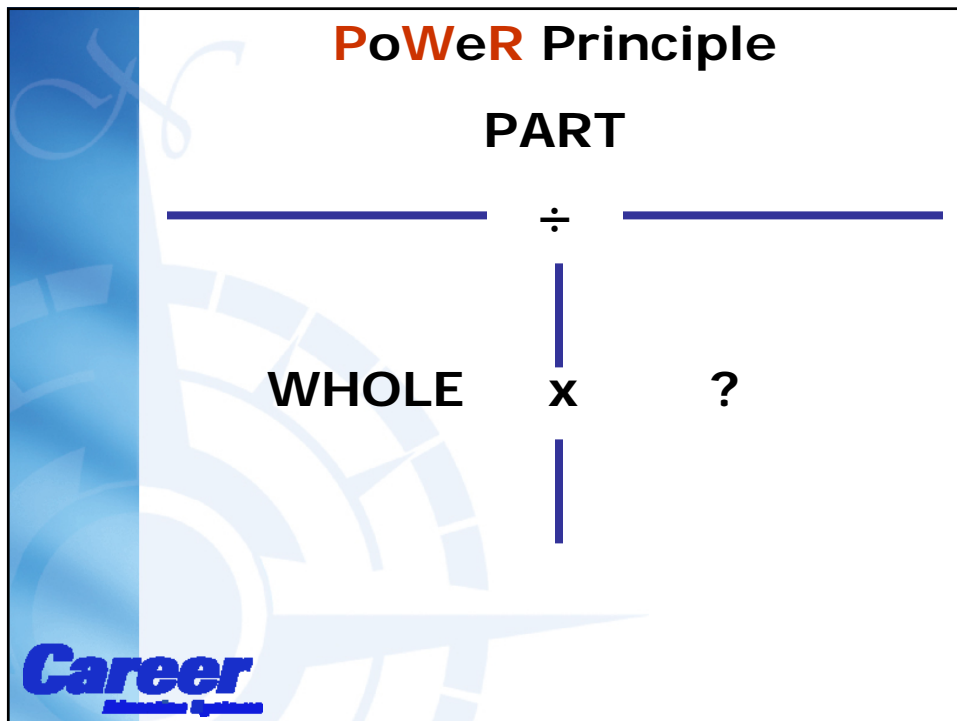
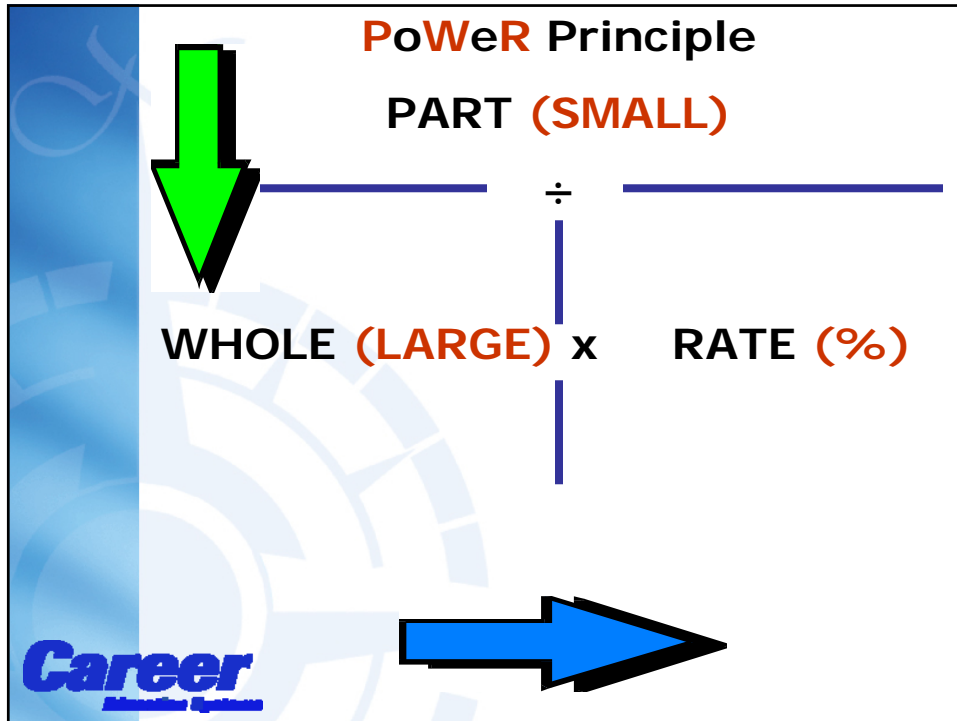
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2. SPECIAL ASSESSMENT

Real Estate Tax for Improvements

e.g., sewers & sidewalks

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10 is what % of 50?

10 (PART)

$$\frac{\text{50 (WHOLE)}}{10} \div \frac{\text{?}}{50} = \text{.20 or 20\%}$$

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PoWeR Principle

$$\frac{\text{?}}{\text{WHOLE}} \div \frac{\text{?}}{\text{RATE}}$$

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What is 20% of 800?

160

$$\begin{array}{r} \text{_____} \\ 800 \text{ (WHOLE)} \\ \times \\ 20\% \text{ (RATE)} \\ \hline \end{array}$$

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PoWeR Principle

PART

$$\begin{array}{r} \text{_____} \\ ? \\ \times \\ \text{RATE} \\ \hline \end{array}$$

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60 is 30% of what number?

60 (PART)

$$\begin{array}{r} \text{_____} \\ 200 \\ \times 30\% \text{ (RATE)} \\ \hline \end{array}$$

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20. ZONING AND PLANNING

WHAT IS ZONING AND WHAT DOES IT HAVE TO DO WITH REAL ESTATE?

1. MASTER LAND PLAN Future growth
Plan for future growth of city



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2. BUFFER ZONE

Area separating two incompatible areas

Separates incompatible areas



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3. ZONING

What are types of zoning?

Residential
Commercial
Agricultural

4. PLANNED UNIT DEVELOPMENT (PUD)

Different uses - one area

Diverse uses of land in one area; requires special zoning (referred to as overlay, cluster or density zoning)

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5. DOWNZONING

More intensive to less intensive



Going from more to less active use; e.g., multi-family to single family



Are there any exceptions to zoning?

6. NON-CONFORMING USE

Before Zoning

2005



UNZONED

2008



RESIDENTIAL



RESIDENTIAL




RESIDENTIAL




Café does not have to move as it was there before zoning

7. VARIANCE After Zoning




RESIDENTIAL


2005



RESIDENTIAL




RESIDENTIAL




RESIDENTIAL

2008




RESIDENTIAL



RESIDENTIAL

Café has to receive a variance before it can be built in residential area - zoning of lot does not change



8. SPOT ZONING









REZONED







Changing zoning of one particular spot; normally for public good



9. SUBDIVISIONS

Regulations – government

Government regulations: e.g., streets, sewers, easements, etc.

Subdivider - separates

Divides land into lots for sale

Developer – improves

Improves the lots

Restrictions - private

Typically placed by developer
(private deed restrictions)

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10. DEDICATION Voluntary

Voluntarily giving land to government

Donate land for school



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