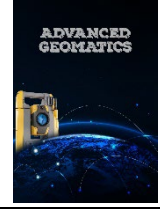




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Village Law No. 3367 and Village Settlement Related to its Plan Applications: Example of Osmaniye Dereli Village

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Keywords

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Land Planning,
Village Law No. 3367,
Village Settlement,
Plan Applications.

Research Article

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Abstract

The basic regulation regarding the management of villages is the Village Law of 1924. In this Law, the village; It is defined as a settlement with a population of less than two thousand, consisting of people living in collective or scattered houses with common goods such as mosques, schools, pastures, pastures, coppices, together with their vineyards, gardens and fields. The village administration is a local administrative unit formed by the voters in order to meet the local common needs of the village people. As of 2021, the number of villages in our country is 18,211. Although there is a general framework of the law described above, it is not exactly the case. As it is known, the concept of ownership in rural settlements is subject to slightly more stringent rules than the concept of ownership in urban life. In order to deliver the necessary infrastructure facilities at an affordable cost, the village settlement must be gathered at a collective point and operated in accordance with a plan. However, such a planning within the village borders, within the framework of the Zoning Law No. 3194, will cause great costs both in the construction and implementation phase, and it will take many years to reach the intended regular settlement due to the failure of the sale of the parcels to be made by the villagers. Thanks to the articles introduced in addition to the law numbered 3367, in case of applying the provisions of the law numbered 3194 to the parcels located within the borders of the village (pasture, field, etc.) owned by the public (pasture, field, etc.). The aim of this study is to offer regular new settlements that will meet the needs of people. In this study, the study carried out in Osmaniye Province Dereli Village is exemplified. Institutionally, the Special Provincial Administration, the Environment and Urbanization directorate, the Ministry of Agriculture and Forestry will be informed about the results of correspondence and the settlement plan of the Village Settlement Area Detection Commission will be carried out.

1. Introduction

In order for the Village Settlement Plan to be implemented, it is necessary to establish the commission that will make the planning first. Under the chairmanship of the Deputy Governor of the Village Settlement Area Detection Commission, the abolished Provincial Director of Public Works and Settlement (Environmental Urbanism and Climate Change Provincial Director), Cadastre Director, National Real Estate Director, Provincial Director of Agriculture, Provincial Director of Abolished Village Services (General Secretary of the Provincial Special Administration) and the relevant It is formed by the headman of the village. During the

construction phase of the Village Layout Plan, the secretariat of the operations such as commission formation is carried out by the abolished Provincial Directorate of Village Services (Provincial Special Administration), and in correspondence to be made within this scope, the relevant directorate may assign technical personnel instead of the Provincial Director to carry out the transaction.

Institutional opinion letters are written from public institutions/organizations on whether there is any obstacle in making a plan in line with the minutes kept after the on-site study regarding the work to be done after the commission is formed.

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In the examination to be made, if the incoming letters are appropriate, the necessary planning work is started by the commission in the light of the current map, cadastral sheet and letters from public institutions and organizations, which will form the basis for the necessary planning stage. In the planning phase, necessary studies are carried out based on the relevant provisions of the Village Law No. 442, the Law No. 3194 on Zoning and the Law No. 3367.

2. Legal Basis for Implementation

The main reason for making a Village Settlement Plan; to produce housing-purpose parcels that can meet the needs of the village people and thus to make the village plan a settlement. For this purpose, necessary work will be carried out after the necessary planning after the work to be done on-site by establishing the necessary commission within the framework of the relevant legal regulations.

Village Settlement Plan; It is a subdivision plan apart from the Zoning Law No. 3194 and the related regulations, and the Additional Article 10 of the Law No. 3367 is related to the Village Settlement Plan: "The Commission prepares the village settlement plan according to the housing and general needs, taking into account the current and development status of the village. On this plan, the Ministry of Agriculture and Forestry carries out or has the works that determine the location of the parcels, without being subject to the provisions of the current Zoning Law and the regulation on this subject. provision is included.

Legislation on Village Settlement Plans is included in additional articles 9, 10, 11, 12, 13 and 14 of Law No. 3367 and Village Law No. 442.

- What kind of a way should be followed to make a village settlement plan? Who takes the decision, how to start the implementation?

- Additional Article 9 of Law No. 3367 - (20/5/1987-3367/1 art. additional 11th art. clause and the article number has been repeated.)

After the village headman takes the positive decision of the village elder council, he can request the preparation of the village settlement plan from his local authority. The village settlement plan includes the village settlement and development area.

- Which institutions are the members of the Village Settlement Area Determination Commission?

- Village Settlement Area Determination Commission Additional Article 10 – (20/5/1987-3367/1 art. Supplementary 12th that comes with art. provision and the article number has been repeated.)

If the request of the governor's office or the village headman is approved, it is sent to the Village Settlement Area Determination Commission for the preparation of the village settlement plan.

The Village Settlement Area Detection Commission, under the chairmanship of the Deputy Governor, consists of a technical staff from each of the local organizations of the Ministries of Finance and Customs, Public Works and Settlement, Agriculture and Forestry and General Directorate of Land Registry and Cadastre, and a village representative. When necessary, expert personnel from

other relevant institutions are also included in this commission.

The commission prepares the village settlement plan according to the housing and general needs of the village, taking into account the current and development status of the village. On this plan, the Ministry of Agriculture and Forestry carries out or has the works that determine the location of the parcels, without being subject to the provisions of the current Zoning Law and the regulation on this subject. This plan is approved by the governorship, finalized and enters into force.

- How long is the objection period to the Village Settlement Plan? In how many days does the objection have to be answered?

- Objection to the Village Settlement Plan made by the Village Settlement Area Detection Commission Supplementary Article 11 – (20/5/1987 - 3367/1 art. with the additional 13th article. clause and the article number has been repeated.)

The decision of the commission and the village settlement plan are notified to the village headman. If no objection is made, it becomes final with the approval of the governor. Based on the decision of the village elders' council, the village headman may appeal against the commission's decision to the governorship within 30 days at the latest, and the objection is resolved within 15 days by the governorship. This decision is final.

Final decisions are implemented by the Ministry of Agriculture and Forestry.

- How are the immovables for which the Village Layout Plan will be determined?

- Additional Article 12 – (20/5/ 1987 - 3367/1 art.) additional 14th art. provision and the article number has been repeated; Amended: 27/5/2004-5178/6 art.)

the village settlement plan, areas allocated for housing and village general needs, areas such as roads and fairgrounds under the rule and disposal of the State, and immovables owned by the Treasury but not allocated for public service, following the examination in accordance with the provisions of Article 5 of the Pasture Law No. 4342, pasture, plateau and places that cannot be used as winter quarters, pastures and meadows automatically lose these qualifications with the approval of the village settlement plan.

However, within the scope of this article, the transfer of immovables that are owned by the Treasury but not allocated to public service is made by obtaining the opinion of the Ministry of Finance and registered in the land registry in the name of the village legal entity by the governorship.

- How is the distribution of the parcels that emerged after the Village Settlement Plan?

- Transfer of parcels that emerged after the Village Settlement Plan was made Supplementary Article 13 – (20/5/1987 - 3367/1 art. additional 15th art. clause and the article number has been repeated.)

The parcels registered in the name of the village legal entity, with a maximum size of 2000 m² according to the village settlement plan, are sold to the needy people residing in the village and registered to the village population but do not have a house, by the decision of the council of elders, at the current price.

The sale price is collected in cash or in 5 equal installments at the most in 5 years and deposited in the village fund to be used in the development works of that village.

It is obligatory to construct a building on the parcels sold by the village council of elders within 5 years at the latest from the date of sale.

Rights holders cannot transfer or assign these places to others for a period of 10 years.

- Which Institutions/Organizations are responsible for the preparation and implementation of the Village Settlement Plan?

- Responsible institution/organization for the preparation of the Village Settlement Plan Supplementary Article 14 - (20/5/1987 - 3367/1 art. additional 16th _ art. provision and the article number has been repeated.)

Laws No. 6831 on Forest, Tourism Encouragement No. 2634, Protection of Cultural and Natural Assets No. 2863, Laws No. 7269 on Assistance to be Taken Due to Disasters Affecting Public Life and No. 2565 on Military Forbidden Zones and Security Zones Laws as amended by Law No. 1051 are outside the scope of this Law.

The Village Law No. 442, "The provisions of this Law are applied for the villages located in the adjacent area of the municipality with the proposal of the governor and the approval of the Ministry of Public Works and Settlement." Village settlement plan approvals made in adjacent areas are approved by the Ministry of Environment and Urbanization.

3. Special Provisions for Implementation

Aim

This regulation regulates the matters regarding the implementation of the Law No. 3367 dated 20/5/1987 on Adding 7 Additional Articles to the Village Law dated 18/3/1924 and numbered 442.

Scope

Except for the areas included in the scope of Forestry No. 6831, Promotion of Tourism No. 2634, Protection of Cultural and Natural Assets No. 2863, Aids to be Taken Due to Measures to be Taken Due to Disasters Affecting Public Life No. 7269 as amended by Law No. ; Determination of village settlement areas in villages, preparation of village settlement plans, establishment of village settlement area determination commission, decision-making and working principles, qualifications to be sought in those in need, determination of the current value of lands, sales and registrations, transfer prohibitions and principles of proper use are in accordance with the provisions of this regulation. done accordingly.

Rest

It has been prepared in accordance with the Supplementary Article 17 of the Law No. 3367 dated 20/5/1987, which was added to the Village Law No. 442 dated March 18, 1924.

As material, national and international articles, statements, Osmaniye Provincial Directorate of Environment and Urbanization, Osmaniye Provincial Directorate of Agriculture and Forestry and Osmaniye

Special Provincial Administration data, correspondence, plans and reports were evaluated.

4. Application

The letter is written by the Village Settlement Area Detection Commission by the abolished Provincial Directorate of Rural Services (Special Provincial Administration) within the scope of the relevant legislation (Figure 1).

Sayı :E-71562491-754-541	DAĞITIMLI
Konu :Köy Yerleşim Alanı Tespit Komisyonu	25/01/2021
DAĞITIM YERLERİNE	
<p>442/3367 Sayılı Köy Kanununun ek-9, ek-11,ek-12,ek-13,ek-14 ve ek-15. maddeleri ve 26/05/1987 tarih ve 19471 sayılı Resmî Gazetede yayımlanan Köy Yerleşim Alanı Uygulama Yönetmeliğine göre 2019 yılı içerisinde yapılacak çalışmada görev alacak Köy Yerleşik Alan Tespit Komisyonu için Kurumumuzca 1 asil 1 yedek tiyenin isimlerinin İdaremize bildirilmesi hususunda;</p> <p>Bilgi ve gereğini rica ederim.</p>	
Mustafa BOLAT Vali a. Genel Sekreter	
<p>Dağıtım:</p> <p>OSMANİYE GIDA TARIM VE HAYVANCILIK MÜDÜRLÜĞÜNE OSMANİYE ÇEVRE VE ŞEHİRCİLİK MÜDÜRLÜĞÜNE OSMANİYE KADASTRO MÜDÜRLÜĞÜNE OSMANİYE ÇEVRE VE ŞEHİRCİLİK MÜDÜRLÜĞÜNE (MİLLÎ EMLAK MÜDÜRLÜĞÜNE)</p>	

Figure 1. Example cover letter

After the commission is formed, a letter of assignment is written by the governorship in order to carry out the relevant work, and after this letter, the commission becomes ready to work in the areas determined by the governorship. The work is started after the necessary letter of consent for the Village Settlement Plan is written on the 101 block 107 parcel with pasture quality, which is located within the borders of Dereli Village in the central district of our city (Figure 2).

OSMANİYE VALİLİĞİ Özel Kalem Müdürlüğü	
Sayı : B.05.4.VLK.4.80.0400/090/ 2-552	17/06/2008
Konu: Kamu Yararı Kararı	
İL ÖZEL İDARESİNE	
İlgi : 07/06/2008 tarih ve 3208 sayılı yazınız.	
<p>İlgi tarih ve sayılı yazınız ve ekinde yer alan Tarım İl Müdürlüğünün 02/06/2008 tarih ve 2632-11151 sayılı yazısında 3367 Sayılı Köy Kanunu ile Köy Yerleşme Alanı Uygulama Yönetmeliğine göre çalışma yapılan İlimiz Merkez Dereli Köyü sınırları içerisindeki yaklaşık 185 Ha alanın yerleşik alan olarak kullanılmak amacıyla imar planı yapılması için uygun görüldüğü, bu amaçla 1/25.000 ölçekli İskenderun Körfezi ve yakın çevresi ve çevre düzeni planında değişiklik yapılması için kurumların görüşüne başvurulduğu, konu ile ilgili İl Toprak Koruma Kurulunun görüşünün belirtilebilmesi için 5403 Sayılı Toprak Koruma ve Arazi Kullanımı Kanunu çerçevesinde ilgili kurum tarafından Kamu Yararı Kararı Belgesinin verilmesi gerektiği belirtilmektedir.</p> <p>İlimiz Merkez Dereli Köyü yerleşim alanı olarak ihtiyaç duyulan alanın, yukarıda sınırları ve miktarı belirtilen yerden karşılanması sonucunda ekonomik, ekolojik ve sosyal açıdan büyük katkı sağlayacaktır. Bu nedenle insan, toplum ve çevre açısından olumsuz etkisi bulunmayan bu alanın İlimiz Merkez Dereli Köyü köy yerleşim alanı olarak kullanılmasında kamu yararı bulunmaktadır.</p> <p>Bilgilerinizi rica ederim.</p>	
Zübeyir KEMELERİK Vali	

Figure 2. Governor's consent

The Village Settlement Area determination commission initiates the necessary correspondence for the work to be done in the relevant area, and the commission committee announces the working date and time to the commission members with a cover letter.

After the on-site studies by the Village Settlement Area Detection commission, a commission decision is taken to make a Village Settlement Plan, but it is also emphasized that the relevant public institutions /organizations need to complete the relevant permitting process in order for this plan to be put into practice (Figure 3).

a problem in making a plan related to the relevant area (Figure 8);

- Environment Urbanism and Climate Change Directorate
- Culture and Tourism Directorate
- Turkey Energy Distribution Inc.
- BOTAŞ directorate
- Unit directorates of the Special Provincial Administration
- Provincial Directorate of Health

KÖY YERLEŞİM ALANI TESPİTİ KOMİSYON KARARI				
KONU	:	Köy Yerleşim Yerlerinin Tespiti		
KARAR TARİHİ	:	05/05/2011		
KARAR SAYISI	:	2011/5		
İLİ	:	Osmaniye		
İLÇESİ	:	Merkez		
KÖYÜ	:	Derele Köyü		
KÖY YERLEŞİM ALANI	:	379430,906 m ² (37,94 ha)		
<p>442 sayılı (3367 sayılı kanunla değişik) Köy Kanununa göre ve bu kanunun ek-15. maddesine göre çıkarılan, 26/05/1987 tarih ve 19471 sayılı Resmi Gazete yayınlanan "Köy Yerleşim Alanı Uygulama Yönetmeliği" ve Valilik Makamının 13/07/2010 tarih ve 4201 sayılı Olurlarıyla kurulan Köy Yerleşim Alanı Tespit Komisyonu, Osmaniye Merkez İlçesi Derele Köyü, Köy Yerleşim Planının yapılması hususunu görüşmek üzere toplanmıştır.</p> <p>Osmaniye Merkez İlçesi Derele Köyüne ait köy yerleşim dosyasının incelenmesinde; Osmaniye Valiliğince 17/06/2008 tarih ve 2552 sayılı Kamu Yaran Kararının alındığı, tüm kurum görüşlerinin dosyasında bulunduğu tespit edilmiş ve bu doğrultuda Komisyonumuzca aşağıda parsel numaraları belirtilen taşınmazların köy yerleşim alanı olarak ayrılması uygun görülmüştür. Ancak Köy Yerleşim Alanı olarak ayrılmasına karar verilen parsellerden 372 nolu parselin mera olması nedeniyle, Köy Yerleşim Planı Yapılıp, kesinleştikten sonra 4342 sayılı Mera Kanunu ile 5178 sayılı Mera Kanunu İle Bazı Kanunlarda Değişiklik Yapılması Hakkında Kanunun ilgili maddeleri gereğince meralık vasfının İl Mera Komisyonu tarafından kaldırılması için başvuruda bulunulması gerekmektedir.</p>				
Sıra No:	Köyü:	Ada / Parsel No: (Eski - Yeni)	Malliki:	Yüzölçümü(m ²) Vasfı (Nitelili)
1-	Derele	372 - 101/107	Maliye Hazinesi Toplam	379430,906 379430,906 m ² (37,94 ha)
<p>Osmaniye Merkez ilçesi Derele Köyüne ait 379430,906 m² (37,94 ha) lik alanda 442 sayılı Köy Kanununa göre "Köy Yerleşim/Gelişme Planı" yapılmasına karar verilmiş olup iş bu karar tarafımızdan imza altına alınmıştır. 05/05/2011</p>				
<p><i>[Signature]</i> BASKAN Hüseyin DOĞAN Vali Yardımcısı</p>		<p><i>[Signature]</i> Hüseyin DIDİN Plan ve Proje Müdürü</p>		<p>ÜYE Yunus YAŞDI Kadastro Kontrol Memuru</p>
<p>ÜYE Yusuf SAĞAŞ Ziraat Yüksek Mühendisi Tarım İl Müdürlüğü</p>		<p>ÜYE H.Tahsin İÇİRGİN Jeoloji Mühendisi Bayındırlık ve İskan Müdürlüğü</p>		<p>ÜYE Fuat AKDIRİN Müh-Emlak Uzman Defterdarlık</p>

Figure 3. Detection Commission decision.

After collecting the necessary data, notifications to the commission members and the village headman of the day information determined by the Administration so that work can be done on site.

In the study carried out on site, the physical roads, private areas (Cooperative building, prayer hall, sports fields, etc.) structures on the immovable/immovables subject to the application are examined, and the demands of the village headman are taken. If the area where the Village Settlement Plan will be made is large, the Special Provincial Administration can do this work itself, as it is stated in the regulation. After the commission decision is taken, an opinion letter is written to other public institutions and organizations on whether or not there is

DAĞITIMLI	
Sayı :E-71562491-754-14379	13.05.2022
Konu :Köy Yerleşme Alanı Tespiti	
DAĞITIM YERLERİNE	
İlgi : Valilik Makamının 10.03.2021 tarih ve 1870 nolu oluru .	
<p>İlgi Valilik Makamı oluru ile teşkil edilen Köy Yerleşme Alanı Tespit Komisyonu 442 sayılı Köy Kanunu ve 3367 sayılı Kanunun Ek 9, 11, 13, 14, ve 15. maddeleri 26/05/1987 tarih ve 19471 sayılı Resmi Gazetede yayınlanan Köy Yerleşme Alanı Uygulama Yönetmeliği gereği görev yapacak personel tespit edilmiştir.</p> <p>Köy Yerleşme Alanı Tespit komisyonu 20.05.2022 tarihinde İlimiz Merkez İlçe Derele Köyünde çalışma yapacağından ilgili personellerin saat: 10:30 da İdaremez İmar ve Kentsel İyileştirme Müdürlüğümüzde hazır bulunması hususunda;</p> <p>Bilgi ve gereğini rica ederim.</p>	
Mesut OVALI Vali a. Genel Sekreter	
<p>Dağıtım: İL TARIM VE ORMAN MÜDÜRLÜĞÜNE İL ÇEVRE VE ŞEHİRCİLİK MÜDÜRLÜĞÜNE KADASTRO MÜDÜRLÜĞÜNE OSMANİYE ÇEVRE VE ŞEHİRCİLİK MÜDÜRLÜĞÜNE (Milli Emlak Müdürlüğüne)</p>	

Figure 4. Governor's consent



Figure 5. Satellite image of the parcel for which the Village Layout Plan will be made

- General Directorate of Highways
- Provincial Directorate of Agriculture and Forestry,
- AFAD provincial directorate

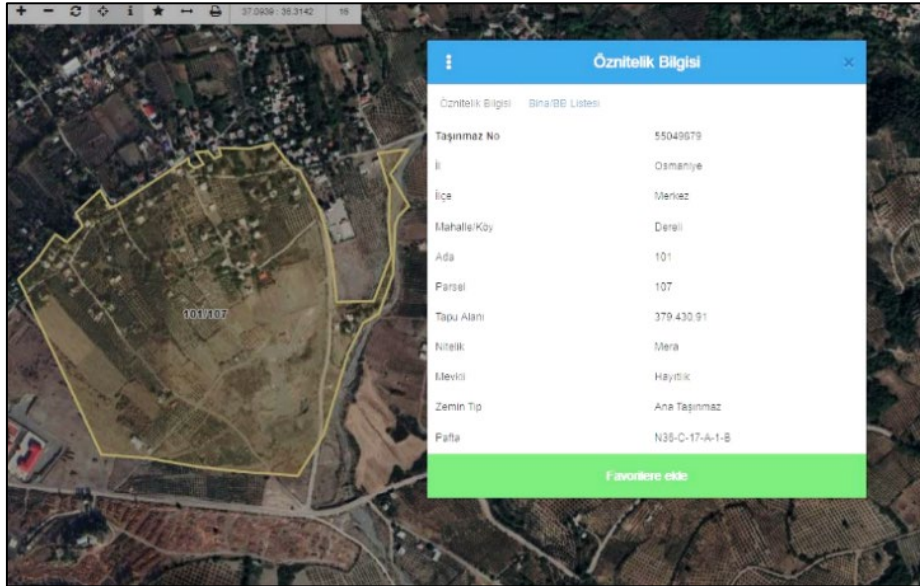


Figure 6. Information of the Parcel on which the Village Settlement Plan will be made

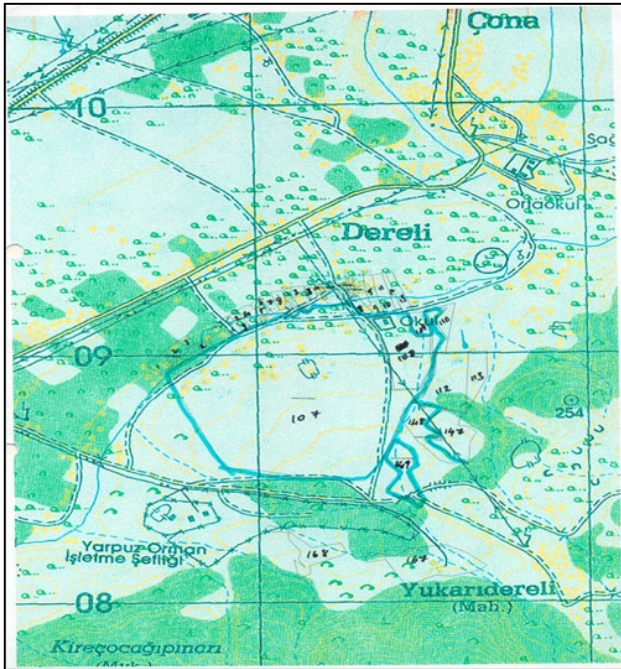


Figure 7. 1/25000 Scale Topographic Map of the Parcel for which Village Settlement Plan will be made

In case the letters from all institutions whose opinions are written are positive, a ready-made map is prepared/made in order to determine the topographical structure of the existing land and to form a base for the village settlement plan to be made.

The Village Settlement Plan, which will be prepared in accordance with the provisions of the regulation, will primarily be based on the cadastral map, but the current usage situation is seen as the primary factor in the preparation of the plan. Various structures (road, mosque, school, etc.) on the land are seen as the main element of the planning phase.

After the planning phase is completed, the minutes signed by the commission members and the draft plan are submitted to the Special Provincial Administration for correction. After the arrangement, the commission

members sign the plan sheets and deliver a copy to the village headman.

The village headman has the right to object to the planning within 15 days, but the decision maker of the objection is the commission. After the planning and approval phase is completed, the relevant sheet becomes final with the approval of the Governor's Office.

After the plan made by the Village Settlement Plan Detection Commission, the registration file prepared/prepared by the Special Provincial Administration is signed by the commission members and sent to the Cadastre Directorate for technical control. After the necessary technical controls are made by the Cadastre Directorate, the relevant file is sent to the Land Registry Directorate for registration and the registration process is carried out.

T.C. OSMANIYE İL ÖZEL İDARESİ Plan ve Proje Müdürlüğü	
Sayı : M.80.0101.0.11.00.00-754-4114	30/06/2011
Konu : Köy Yerleşim Planı	
OSMANIYE DEFTERDARLIĞINA (Millî Emlak Müdürlüğü)	
İlimiz Merkez İlçe Dereli Köyüne ait Maliye hazinesi adına kayıtlı mera vasfı 379430,14 m ² yüzölçümlü 372 (yeni ada/parsel no : 101/107) parsel nolu taşınmaz üzerinde 442/3367 sayılı Köy Kanunu'nun ek-9, ek-10, ek-11, ek-12, ek-13, ek-13, ek-14 ve ek-15 maddeleri ile 26/05/1987 tarih ve 19471 sayılı Resmî Gazete'de yayınlanan Köy Yerleşim Alanı Uygulama Yönetmeliği hükümlerine göre Köy Yerleşim Planı yapım çalışmaları başlatılmıştır. Bilgilerinize rica ederim.	
Hüseyin KARALAR Vali a. Genel Sekreter V.	
DAĞITIM : OSMANIYE TARIM İL MÜDÜRLÜĞÜNE OSMANIYE DEFTERDARLIĞINA (Millî Emlak Müdürlüğü)	

Figure 8. Institution's opinion letter

Although the primary reason for making Village Settlement Plans is to meet the housing parcel needs of the village people, the planning will pave the way for a regular settlement within the village.

Our city, which is the subject of the examination, Dereli village, 101 block, 107 parcels, has been registered as pasture as seen in Picture-2. However, over time, various public (General Directorate of Highways, DSI, Special Provincial Administration) organizations, which have been occupied by the villagers for residential purposes and as an olive grove, have taken soil for various purposes due to the appropriate soil structure and disrupted the topographic structure of the land.

As mentioned above, since the relevant land is pastureland, in order for the Village Settlement Plan to be put into practice, the lands that have lost their pasture quality in accordance with the 14th article of the pasture law no 4342 should be made suitable for planning by making a change in type. However, before the change of breed to be made, within the framework of the principles specified in the pasture law, the price of 20 years of grass must be deposited into the account of the Ministry of Agriculture and Forestry. For this purpose, in addition to Dereli Village, a Village Settlement Plan was made in 2011 and 20 years of grass price was calculated by the Provincial Pasture Commission in line with this plan. The related plan could not be implemented due to the fact that the aforementioned grass price was not paid by the village headman (Figure 9).

In the course of time, due to the fact that the village people occupy more of the pasture-qualified immovable and the conversion of the land for residential purposes has increased, an attempt has been made to amend the relevant Village Settlement plan and to pay the price of 20 years of grass.

Provincial Pasture Commission affiliated to the Directorate of Agriculture and Forestry calculated the price of 589.230.22 TL as the price of grass for 20 years, after which this amount was deposited into the account of the Ministry on 29/04/2022 by the village headman. At the same time, necessary arrangements have been made in the light of the topographical data of the land to be planned by the Village Settlement Area Detection Commission for the preparation of the relevant Village Settlement Plan (Figure 10), necessary planning has been made in line with the needs of the village, and signed and will enter into force after the approval of the Governor's Office.

After the approval of the Governor's Office, the necessary registration file for the plan is prepared and submitted to the Special Provincial Administration. After the necessary committee decision is taken by the Provincial Committee, the registration file is sent to the Land Registry Directorate for registration after the necessary checks are made at the Cadastre Directorate.

After the registration process, title deeds are created on behalf of the treasury. After the necessary decision is taken by the Village Settlement Area Detection Commission in order to transfer the title deed in accordance with the relevant law, work is carried out by the headman to determine the right holders. After the appraisal of these parcels transferred to the Village Legal

Entity, sales or transfer transactions take place in line with the provisions of the regulation (Figure 11).

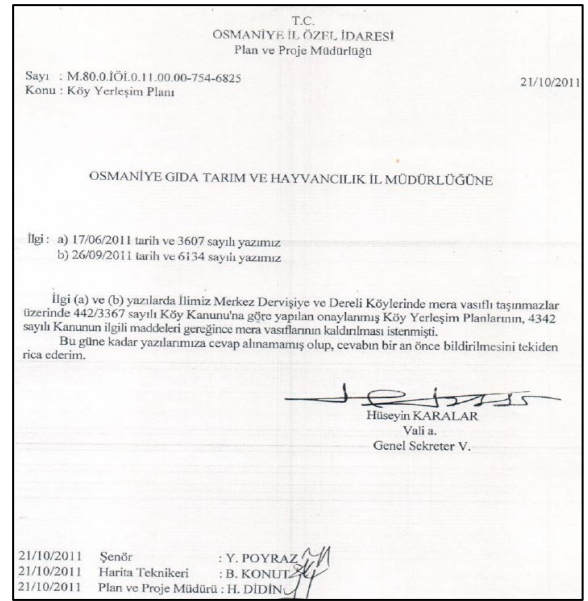


Figure 9. Qualification change letter

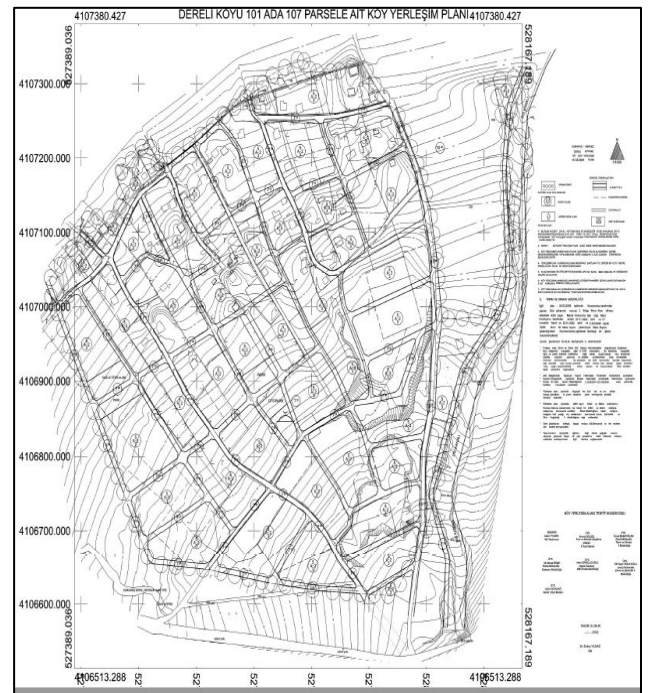


Figure 10. Village Layout Plan

5. Findings and Discussions

The production of Village Settlement Plans is a work done to meet the needs of the village people and it is a work that brings income to the treasury and the village legal entity. However, a large part of the work done is hindered by public institutions and organizations. Among the reasons for this, there are many bureaucratic obstacles as well as pasture-qualified immovables.

At the beginning of these is the fact that the planned plots are pasture quality. At the same time, it continues to exist as another factor in front of planning, especially in the planning made at the scale of our province, as the planning area is included in the Great Plain Protection

area determined by the Ministry of Agriculture and Forestry.

In addition, irrigation plans determined by DSI and current irrigation areas are another obstacle in front of planning. Although it is said that the current legislation provisions of the relevant institutions will not be included in the regulation, in the opinion letters asked to the institutions, these institutions express the issues in their own legislation as an obstacle to planning. In these days, when our country and the world are in serious need of food, it is of great importance that the people of the village stay in the villages. Apart from these obstacles in front of planning, it appears as another obstacle in the approach of administrators in public institutions to this type of planning.

It is obvious that the construction to be made thanks to the methods used in the planning made in accordance

with the provisions of the zoning law numbered 3194 (ground survey, ready-made map production methods) will cause the feet to touch the ground more. However, it is obvious that the resources to be spent for such a planning work are transferred to more productive subjects, which will open the door to a more efficient use of public resources.

The fact that our country is built on an earthquake zone makes it necessary to take the necessary precautions at the highest level, regardless of the ground at the planning stage. A planning that will take into account the geographical (climatic) changes experienced will ensure that the problems that will arise will be damaged at the minimum level.



Figure 11. Example of parcellation made in line with the plan (Central district Yeniköy Village)

6. Conclusion and Recommendations

Considering today's urban life and the need for rural production, although it is revealed how valuable the Village Settlement Plan is, there are large fees for the planning and implementation of the villages in real need, especially on the pasture-qualified immovables. There are difficulties in paying these fees by the administrations and the village people, and the necessary planning processes cannot be carried out because most of them cannot be paid.

In addition, it is ignored whether there is a geological obstacle in the planning stage where no geological survey is made in the areas where the plan is made, even if the building boundary, which is determined as A-2 (Permission for two-story separate residential buildings), is built in accordance with the earthquake regulations. While planning according to the conditions of the day, the main idea that is effective in a forward planning;

1. Considering the area leading to the land and social equipment facilities as a lost area,
2. The road widths excluded from the plan during the planning phase are daily plans,
3. The planned area is not large enough.

For the reasons mentioned above, planning only saves the day and cannot be a forward-looking process. Although there are deficiencies in the plans made, the realization of these plans will set an example for the plans to be made in the future and the disruptions in these plans will not be repeated once again.

The climate zone in which our country is located has the potential to host many agricultural products. One of the main problems in producing these products and bringing them into the country's economy is our lack of planning. In order for our country to develop, it is necessary for everyone to reach planned and cultural social opportunities in our villages equally. We will have passed the most important corner in the transition to a production economy if the necessary land is provided for

the villagers to be able to build housing and small-scale (breeding barns, dairy farms, small-scale greenhouses, etc.) businesses for future generations.

Author contributions

Nuri Erdem: Data curation, Writing-Original Draft Preparation, Validation, Data curation, Writing, Visualization, Control and Validation

Hüreda Yalçınöz: Conceptualization, Methodology, Software, Investigation, Software

Conflicts of interest

There is no conflict of interest between the authors.

Statement of Research and Publication Ethics

Research and publication ethics were complied with in the study.

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