

Chapter 30 SUBDIVISIONS

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CHAPTER 30 SUBDIVISIONS

ARTICLE I. - IN GENERAL

Sec. 30-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Subdivision means a division of a lot, parcel or tract of land by the owner thereof or his agent for the purpose of sale or of building development where:

- (1) The act of division creates three or more parcels or building sites of 1½ acres each or less in area; or
- (2) Three or more parcels or building sites of 1½ acres each or less in area are created by successive divisions within a period of three years.

(Prior Code, § 8.01(1))

Secs. 30-2—30-20. Reserved.

ARTICLE II. - PROCEDURE

Sec. 30-21. Tentative plat to be submitted.

Any owner of land within the limits of the village desiring to subdivide the same into building lots for the purpose of resale or assessment, or both, or desiring to construct or dedicate streets and other lands for public use, shall first submit to the board of trustees a proposed blueprint plan in duplicate. Such proposed plan shall meet the following requirements:

- (1) It shall be drawn to the scale of not less than 100 feet to one inch;
- (2) It shall designate the boundaries of the land to be subdivided, existing permanent buildings, water courses and other existing features affecting a proper subdivision;
- (3) It shall designate all corporate boundary lines within or adjacent to the proposed subdivision;
- (4) It shall indicate one foot contour lines at such interval as to show every change in the elevation of the surface of the land;
- (5) It shall indicate the names and the width of roads and streets, whether they are to remain private property or to be dedicated to the public, and the dimensions of the lots and blocks and building lines shall be shown. It shall indicate the names and full width of streets bounding the proposed subdivision and the names of intersecting streets in the land immediately adjacent;
- (6) It shall indicate all existing and proposed easements. Agreements shall accompany the proposed plat. Upon presentation of any such proposed plat to the board of trustees, the board shall by motion refer the same to the plan commission for examination and recommendation as to approval or disapproval;
- (7) It shall be in conformance with the official map of the village;
- (8) If the classification of use, as shown by the proposed plat, does not conform to the requirements of chapter 36 and the amendments thereto, the plan commission shall so advise the applicant. Approval or disapproval of the proposed plat shall be made by the plan commission within 20

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days from the date of the aforesaid motion transmitting the same to said commission. Such approval or disapproval does not constitute acceptance, approval or rejection of the proposed plat of subdivision.

(Prior Code, § 8.01(2))

Sec. 30-22. Submission of final plat.

Upon the approval of the proposed plat, a final plat for record shall be submitted to the plan commission, which shall be in strict accordance with the approved proposed plat and shall be on tracing cloth accompanied by a blueprint, and drawn to the scale of 100 feet to one inch. The final plat shall meet the following requirements:

- (1) A correct survey showing date of preparation of survey of the land to be platted shall be shown.
- (2) It shall indicate the legal description of the property; the names, location and dimensions of all streets and all other lands to be dedicated to public use, and the names, lines and dimensions of abutting roads and streets shall be indicated.
- (3) All streets shall be named in conformity with any street naming plan of the village, whether they are to remain private property or to be dedicated to the public, and any existing street which is continued through a new subdivision shall bear its existing name.
- (4) It shall indicate all lot lines, lots and blocks by numbers or letters, and it shall indicate building lines and easements determined by measurements.
- (5) It shall indicate the description survey monuments erected in the subdivision. Such monuments shall be either iron pipe not less than 1¼ inch in diameter and 30 inches long, or stone or concrete not less than four inches in diameter and 24 inches long. Permanent monuments shall be erected at all street corners, at all points where street lines intersect the exterior boundaries of the subdivision and at angle points of curve of each street.
- (6) It shall indicate the width of all major roads and streets. Residential streets extending one block or more shall be not less than 60 feet wide. Dead-end streets shall be limited to a length of 500 feet; they shall be terminated in a cul-de-sac with minimum radii of 50 feet right-of-way and 38 feet roadway surface. A set back line in conformity to village zoning regulations shall be indicated. The minimum width of lots shall be 100 feet, and easements not less than six feet wide shall be provided across the rear of all lots for any and all public utilities. The easements shall be so laid out that a proper continuity may be had for such utilities from block to block.
- (7) Subdivision control.
 - a. All lots shall have a minimum width of 100 feet at the building site and shall have sufficient area so that a square of 100 feet by 100 feet may be described within the proposed lot site. All lot areas shall be figured exclusive of adjoining street areas whether public or private. No lots shall be platted with a frontage on two parallel or converging streets except in the case of a corner lot or lot located at the point of such convergence. No "butt" lots shall be permitted. The term "butt" lots, as used in this article, are defined as lots in the rear lot lines of which abut the side lot lines of other lots in the same block and are not separated therefrom by an open space.
 - b. All lots in subdivisions north of the south line of the north one-half of the north one-half of sections 27 and 28 in said village shall have a total area of not less than 15,000 square feet.
 - c. All lots in subdivisions south of the south line of the north one-half of the north one-half of sections 27 and 28 of said village shall be laid out with no lots smaller than 15,000 square feet and no more than 1.5 lots per acre in such subdivision.
 - d. This subsection shall apply to all subdivisions within the village limits or within the extraterritorial plat approval jurisdiction of the village.

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- (8) The subdivider shall provide access to all proposed streets, across all ditches, in a standard method approved by the village engineer.
- (9) There shall be submitted with the plat a certificate of title showing the ownership of all lands to be dedicated for public use.
- (10) All proper certificates, seals and signatures as required by law shall be attached before the plat will be approved.
- (11) All adjustments for current taxes and current special assessments shall be made and for the same shall be paid on all of the land in the proposed subdivision before the plat will be approved.

(Prior Code, § 8.01(3))

Sec. 30-23. Variations.

The plan commission may approve variations from these requirements in specific cases which do not affect the general plan or the spirit of this chapter. All such variations shall be communicated to the president and board of trustees in writing with the reasons therefore before the final approval of the plat by that body.

(Prior Code, § 8.01(4))

Sec. 30-24. Streets and utilities.

Before the final plat of a subdivision located within the corporate limits will be approved the subdivider shall provide the following facilities or enter into a written agreement with the village on terms satisfactory to the village to ensure that such facilities will be installed within such time and in such manner as may be required by the village board.

- (1) Sanitary sewer mains, and laterals to the lot line, where connection to existing systems can be reasonably provided;
- (2) Streets constructed in accordance with chapter 28, article III, division 2;
- (3) Adequate facilities to provide surface water drainage. The adequacy of such facilities shall be subject to the approval of the village engineer;
- (4) Water mains and laterals to the lot line;
- (5) Underground electric and telephone services.

(Prior Code, § 8.01(5))

Sec. 30-25. Additional bond.

Where sewer and water mains or laterals are constructed under riding surfaces of streets or roads, an additional bond shall be imposed, in an amount set by the village board to indemnify the village for repair work necessitated by settling of the road where such sewer or water mains or laterals have been constructed. This bond shall run for two years from date of acceptance of the roads or streets.

(Prior Code, § 8.01(6))

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Sec. 30-26. Final approval of plat.

When the plan commission has approved the final plat, said plat shall be transmitted to the president and board of trustees bearing the official approval of the plan commission. If the village board gives its final approval by resolution, the final plat shall then be signed by the village president and attested by the village clerk.

(Prior Code, § 8.01(7))

Sec. 30-27. New subdivisions; planned development overlay district.

- (a) *Lots.* In the planned community development overlay district, there shall be no predetermined lot area, or lot width requirements, but such requirements as are made a part of a recorded precise development plan or plat shall be, along with the approved development plan itself, constructed to be and enforced as part of this article.
- (b) *Streets.* In the planned community development overlay district, there shall be no predetermined street width, but such requirements as are made a part of a recorded precise development plan or plat, shall be, along with the approved development plan itself, construed to be and enforced as part of this article.

(Prior Code, § 8.02)

Sec. 30-28. Acceptance of facilities and subdivisions.

- (a) Any facilities required to be provided by the subdivider shall be installed in accordance with the standards required by the village at the time they are completed and are offered to the village for acceptance except as provided in subsection (b) of this section.
- (b) When the facilities required or the standards required by the village for the installation of any facility are changed after a subdivision plat is finally approved, the village shall, for a period of 90 days after the date of enactment of such change accept subdivisions or facilities meeting the standards required prior to such change. If a subdivider shall within such 90-day period show good cause to the village board why he cannot install such facility or facilities within the 90-day period the board may extend such period for an additional period, not to exceed six months, specified by the board.

(Prior Code, § 8.03)