

ARTICLE 2

CLASSIFICATION OF SUBDIVISIONS

SECTION 2.1 Classification

The Planning Commission, its Director, or Designee shall classify all proposed subdivisions as either a "Major Subdivision," "Minor Subdivision," "Non-Conforming Lot of Record", or "Farm Plat" as set forth in these regulations.

Before any owner or his agent contracts for the sale of or offers to sell any land or lot within a proposed subdivision, he shall apply in writing to the Planning Commission for the approval of said subdivision. The application for subdivision shall be accompanied by the necessary prints, maps, and information prepared in accordance with these Subdivision Regulations. Such fees as are established by the Planning Commission shall also accompany the application. Further, no sale of such subdivided land shall be completed until the Final Plat of said Subdivision shall have been accepted and approved by the Planning Commission or its designee and shall have been recorded in the Boyle County Clerk's office.

SECTION 2.2 Major Subdivisions

The subdivision of land for multi-family residential, commercial, industrial, professional, or institutional uses; or into four or more single-family residential or agricultural lots; ~~or~~

The subdivision of land which requires the construction, improvement, or widening of streets; or the major construction of utility lines and other public services, singularly or in combination with any of the above.

The Planning Commission may request the submission of a Topographic Survey, as defined in Section 4, if a lot is being created and land subdivided which is determined to contain areas both within and without the Flood Plain District. No lot shall be created and land subdivided which is determined to contain areas both within and without the Flood Plain District until a Topographic Survey, submitted as defined in Section 4, has been approved by the Planning Commission. After review of the Topographic Survey, the Planning Commission may request a Drainage Plan if areas of concern are identified.

SECTION 2.3 Minor Subdivisions

To qualify for consideration as a minor subdivision plat, a subdivision must meet the following situations:

- A. Where a subdivision contains three (3) single-family residential or agricultural lots or fewer, counting the remainder of the original tract; and fronts on an existing public street and
- B. Involves no opening, widening or extension of a right-of-way, streets, or easement of utilities; ~~nor~~
- C. Has it not been part of a minor plat recorded during the last five (5) years.

- D. Where a subdivision provides for the transfer of land between adjacent property owners and does not involve creation of any new lots or building sites.
- E. Where any number of lots are consolidated into three (3) lots or less and involve no new public improvements.
- F. Where there is a need to make technical revisions to a recorded final plat of any engineering or drafting nature or similar small discrepancy, but not including public improvements requirements.

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SECTION 2.4 Non-Conforming Lots of Record

The Planning Commission is vested with the authority to approve the recordation of non-conforming lots of record for information purposes only and under the following conditions:

- A. The recordation of a plat under this section shall in no manner alter the legal status of a Non-Conforming Lot of Record; following recordation of a plat under this section a Non-Conforming Lot of Record contained thereon shall remain a non-conforming lot of record for all purposes.
- B. No additional development of the property described in the plats recorded in this section shall be allowed except as set forth in the Zoning Ordinance.
- C. No plat shall be approved under this section, which reduces in area or width any non-conforming lot of record.
- D. All plats to be recorded under this section shall contain the following statement conspicuously placed thereon:

NOTICE	NOTICE	NOTICE
<p>"This Plat is being filed for informational purposes only; and the non-conforming status of the lots shown thereon are not altered. No additional development of this property shall be allowed except as set forth in Article 6 (Non-Conforming Lots of Record), in the Zoning Ordinance as of the date of this recording."</p>		

SECTION 2.5 Farm Plats

The owner of property consisting of at least 20 acres that is zoned agriculture may voluntarily request the recordation of a plat of the property for information and financing purposes. Procedures for the filing of Farm Plats will be listed in Article 3 and 4. All Plats to be recorded under this section shall contain the following statement conspicuously placed thereon:

FARM PLAT NOTICE

“This Plat is being filed for informational purposes only. The Planning Commission has reviewed this Plat solely to determine that the property is currently zoned agricultural and contains a minimum of twenty (20) acres. All other information contained on this plat is the sole responsibility of the surveyor.”