

CHAPTER 5

PROCEDURE

SECTION:

- 10-5-1: Compliance
- 10-5-2: Preapplication Phase
- 10-5-3: Preliminary Plat Review Phase
- 10-5-4: Final Plat Review Phase

10-5-1: COMPLIANCE: The developer/subdivider or his representative shall be responsible for compliance including all standards, specifications, certificates and sureties herein contained.

10-5-2: PREAPPLICATION PHASE: Informal, not mandatory. If any deviation from these regulations is anticipated, or the developer anticipates a potential problem area, this informal phase is intended to conserve time, effort and expense by encouraging the developer to discuss the proposed subdivision with the Zoning Board Chairman, or Zoning Board, prior to any formal application being made.

10-5-3: PRELIMINARY PLAT REVIEW PHASE: Formal, Mandatory.

(A) **Filing:** A person or corporation desiring approval of a plat of a subdivision of any land lying within the jurisdiction of the Village, shall submit a letter of application therefore to the Village Clerk's Office at least fifteen (15) days prior to the date of a regular or special Zoning Board meeting. At least three (3) copies of Preliminary Plat Documents shall be made available by the developer for use at the above mentioned Zoning Board meeting. The developer shall also submit a letter with the preliminary plat indicating all requests for variations from the requirements and standards herein contained, whether temporary or permanent in nature. The granting of variations shall be by action of the Village Board.

(B) **Preliminary Plat Document Specifications and Support Materials:**

The developer or his representative shall submit the following:

The plat drawn or printed upon tracing paper, tracing cloth, or a similar reproducible medium. The plat shall be drawn at a scale of one inch equals one hundred feet (1" = 100') or at a scale of one inch equals fifty feet (1" = 50'). All materials shall contain information concerning the name of the subdivision; the name, address and telephone number of the firm and person preparing the material, and if appropriate, signature and certification; and the date of material preparation with reference to any changes made. There shall be one (1) common scale for all maps and plans presented for each subdivision, unless otherwise stated herein. The plat may be prepared, at the developer's discretion, so as to contain items required in both the preliminary and final plats. NOTE: Adjacent shall mean for these specifications and at a minimum, the area lying outside of but contiguous to the subdivision site and extending a distance of one hundred feet (100'), or to such further distance as may be necessary.

(C) Preliminary Plat Contents:

1. The proposed subdivision name, which shall not duplicate the name of any platted subdivision previously recorded in the County;
2. Date, bar scale, and North arrow;
3. Location by distances and bearings from true North or Grid North, as established by the Illinois State Plane Coordinate System, East Zone, and angles with reference to a corner or corners established in the United States Public Land Survey;
4. All angular and linear data along the exterior boundary of the tract, which meets the criteria for a "second order" accuracy survey, by Professional Land Surveyor's Standards;
5. The width, course and extent of all existing and proposed on-site and adjacent roads, streets, and thoroughfares; and, railroad rights-of-way, if present;
6. The names of all existing and proposed roads, streets and other thoroughfares;
7. The location, dimensions and easements of all existing and proposed public utilities (surface and subsurface) and private utilities affecting the site or proposed for extension thereupon,

including but not limited to water lines, sanitary sewers, storm sewers, and drainage tile lines;

8. Locations and dimensions for any other easements and any limitations upon each easement;
9. All existing adjacent and developer-proposed on-site tracts, parcels, lots or blocks giving their precise dimensions where proposed, including square footage for proposed parcels and lots;
10. The progressive numbering of all proposed tracts, parcels, lots and blocks;
11. Existing and proposed building setback lines and dimensions;
12. All existing and proposed adjacent and on-site parks, playgrounds, school grounds or other grounds to be dedicated or reserved for public, semi-public, common, or community use;
13. The locations and widths of any proposed walkways and easements, clearly indicating any connections to present or proposed public lands or facilities and/or private walkways and easements.
14. The identification of all civil and/or political divisions within which the proposed subdivision is wholly or partially located. And where applicable, the location of the division's boundary lines if within or adjacent to the site. Such divisions shall include, but are not limited to: school districts, fire protection districts, incorporated municipalities, soil and water conservation districts, park districts, and water districts;
15. The location and direction of flow, as applicable, of natural drainage ways, streams, rivers and lakes, and similar natural flows or impoundments;
16. The location and identification of all existing man-made features including but not limited to: buildings, excavations, bridges, impoundments, drainage improvements and tiles within and adjacent to the site;

17. Present zoning of the site and the authority of that zoning, if applicable;
18. The name(s), address(es), and telephone number(s) of the owner(s) and developer(s) of the subdivision or their duly authorized representative; and,
19. The name(s), address(es), and telephone number(s) of the surveyor, engineer, or planner preparing the preliminary plat. NOTE: The final plat must be prepared by a Professional Land Surveyor.

(D) Supplementary Information Required:

1. Vicinity Map – A small scale map to a scale of not less than one inch equals two thousand feet (1" – 2,000'), which may be shown on or accompany the preliminary plat. The map shall indicate the site's relationship to boundaries, traffic arteries, community facilities, railroads and other non-residential land uses for adverse influences. The map itself must include a minimum five hundred feet (500') radius surrounding the site;
2. Water Supply and Sewage Disposal – Preliminary plans for water supply and sewage disposal facilities shall be presented. Including:
 - (a) The location of the nearest public water supply and fire hydrant with a statement from the controlling authority indicating the ability to serve the site, as well as available capacity. Requests shall be in writing by the developer with notice that reply be made within fourteen (14) calendar days of receipt. In addition, if the site is to be served by private wells, a statement of the adequacy and usability of the proposed water supply available on-site; such statement shall include available well logs of the area.
 - (b) The location of the nearest public or private sewer system shall be shown; information concerning the possibility of connection and the capacity of the system will be required where necessary. If the subdivision lots are to be served with individual wastewater systems, the plans shall be reviewed by the County Public Health Department for conformance to the County Private Sewage Disposal Ordinance, as amended, as well as other applicable State or local ordinances.

3. Drainage and Stormwater Management – Preliminary plans for site drainage, surface and subsurface, and stormwater management shall be presented. Also to be included is a statement of whether the proposed subdivision is located in a drainage district and identifying and agreements that have been made with the drainage district in which the subdivision is located, if any.
4. Water Course and Impoundments – Preliminary plans for any proposed water course changes or impoundments to be developed. Existing and proposed impoundments shall indicate points of discharge, design capacities and calculations, and shall indicate normal pool elevations. Water courses shall show direction of flow. Both impoundments and water courses shall indicate elevations of the one hundred (100) year flood.
5. Topographic and Profile Studies – There shall be submitted simultaneously with the plat a study which shows topographically and by profile the elevation of the land prior to the commencement of any change in elevations as part of any phase of subdividing as well as a study which shows topographically and by profile any changes contemplated from such land when change is contemplated. Topography of the site shall be identified with contour lines at one foot (1') vertical intervals on grades of less than five percent (5%) and with five foot (5') contours elsewhere. Contours and elevations shall be based on sea level datum, USGS standards, where possible. Further, the topographical studies shall be prepared in such a manner as will permit the studies to be used as overlays to the subdivision plat. The studies shall have on their face a certification of an Illinois Registered Professional Engineer and the owner of the land or his duly authorized representative confirming the topographic and drainage certificate in these regulations.
6. Road and Thoroughfare Design Plan – Such preliminary plan shall contain information as to right-of-way widths, pavement design, standards and specifications, cross sections and profile drawings of roads, streets, thoroughfares and other public ways, all conforming to the design requirements herein contained, including standard detail and culvert sizes for each entrance.

7. Variance Narrative – If a variation or variations are to be requested from the standards herein contained, a narrative for each variation the developer is requesting shall accompany all other documents.

(E) Reviewing Agencies:

The developer or his representative shall be responsible for sending the preliminary plat document and support materials to the following agencies at the time of making formal application:

1. The County Health Department, if applicable;
2. Illinois Department of Transportation, if applicable;
3. Applicable Fire Protection District;
4. Township Road Commissioner, if applicable;
5. Supervisor of Village Employees;
6. The County Highway Superintendent, if applicable;
7. The County Soil and Water Conservation District, if applicable.

(F) Approval: After an application for approval of a plat of a subdivision with three (3) copies of all maps and data, has been filed, the Village Zoning Board shall review the application and shall approve the plat proposed in the application, subject to its receipt of an acceptable Final Plat, as described in Section 10-5-4 of this Ordinance, or disapprove the plat, setting forth its reasons in its own records and providing the applicant with a copy. An approval shall be effective for a period of twelve (12) months, unless, upon request of the applicant, the Village Zoning Board grants an extension. If the Final Plat is not received by the Village Zoning Board within the period of time specified, all previous actions by the Village Zoning Board with respect to the plat shall be deemed to be null and void.

(G) Appeal: Any party aggrieved by a decision of the Village Zoning Board may within fifteen (15) days thereafter, appeal therefrom to the Village Board and he shall file with the Village Board a written

notice of appeal specifying the decision from which such appeal is taken. Procedure for appeal shall be provided by the Village Board.

10-5-4: FINAL PLAT REVIEW PHASE: Formal, mandatory.

(A) Final Plat Document Specifications and Support Materials:

The developer or his representative shall request the Zoning Board Chairman, at least fifteen (15) days before a regular or special Zoning Board meeting, to place final plat review of the proposed subdivision on the Zoning Board agenda. At least three (3) copies of Final Plat Documents shall be made available for use at the Zoning Board meeting. The final plat shall meet the following specifications:

The final plat shall be prepared by a Professional Land Surveyor and drawn in ink on reproducible mylar at the same scale as the preliminary plat. When more than one (1) sheet is used for any plat, they shall be numbered consecutively and each sheet shall contain a notation showing the whole number of sheets in the plat and its relation to other sheets.

(B) Final Plat Contents:

1. Name of Subdivision;
2. Date, bar scale, and North arrow;
3. Locations by distances and bearings from true North or Grid North, as established by the Illinois State Plane Coordinate System, East Zone, and angles with reference to a corner or corners established in the United States Public Land Survey;
4. All angular and linear data along the exterior boundary of the tract, which meets the criteria for a "second order" accuracy survey, by Professional Land Surveyor's Standards;
5. The width, course, and extent of all existing and recorded roads, streets, thoroughfares and other rights-of-way intersecting the boundaries of the subdivision with accurate dimensions in feet and decimal parts of feet and accurate angles to streets, thoroughfares, alleys and property lines;

6. The width, course and extent of all proposed roads, streets, thoroughfares and other rights-of-way with accurate dimensions in feet and decimal parts of feet and accurate angles for all curves included in the plat;
7. Complete curve notes for all curves included in the plat;
8. Location, type and size of all monuments and lot markers;
9. The names of all existing and proposed roads, streets and other thoroughfares;
10. The location and dimensions for all easements and any limitations thereupon;
11. Accurate location of all existing abutting tracts, parcels, lots or blocks;
12. All tracts, parcels, lots and blocks contained within the subdivision shall be precisely dimensioned including any property to be dedicated or reserved for public, semi-public, common, or community use;
13. All tracts, parcels, lots and blocks contained within the subdivision shall be consecutively numbered;
14. All setback lines required by these regulations or fixed within approved protective covenants shall be shown and dimensioned upon the plat;
15. The centerline of streams, rivers or other similar flows; the normal pool elevation of any lake or impoundment; and, an elevation line indicating the elevation of the one hundred (100) year flood, if applicable;
16. The name(s), address(es), and signature(s) of the owner(s) and developer(s) of the subdivision or their duly authorized representatives;
17. The name, address, registration number and seal, and signature of the Professional Land Surveyor preparing the final plat;

18. Certificates required by these regulations to be included upon the final plat; and,
19. A statement of maintenance responsibility for any public improvements.

(C) Supplementary Information Required:

1. Soil Information Plan – Such plan shall contain delineation of the subdivision by soil types utilizing the most recent soil survey techniques and classification information system in use by the United States Department of Agriculture, Soil and Water Conservation Service; any information known and relating to the site's water table elevation and, any such additional information as may be required by the reviewing authorities, including further soil tests conducted as ASTM (American Society for Testing Material) standards when indicated by soil type.
2. Percolation Report – In the absence of sanitary sewer access, a report prepared by an Illinois Registered Professional Engineer shall be required which shall contain a representative number of percolation tests as selected by the County Health Department. Tests need not exceed two (2) tests per lot or one (1) test per change in soil type, whichever is greater. These tests shall be provided where on-site wastewater disposal is contemplated. Percolation tests presented with the final plat shall be witnessed by the County Health Department. The developer or his engineer shall properly notify the County Health Department in advance of testing, such notification and requests for observation shall conform to the applicable rules and procedures of the Department. The County Health Department after witnessing the percolation tests shall sign the results indicating that the percolation tests were conducted as to proper standards and procedures. The location of each test hole shall be plotted and numbered on a map of the same scale as the final plat, and a typewritten text of the results are to accompany the plan. A minimum of one (1) copy of all such information shall be provided by the project engineer for review and comment by the County Health Department.
3. Special Studies – Where required by site conditions or these regulations, such other special studies as may be necessary

and which may include but need not be limited to erosion control plans and specifications; landscaping plans and specifications; and, fill plan with location, depth and fill type; and hazardous waste sites and disposal sites, shall be submitted;

4. Covenants, Restrictions, Home Owner's Information – There shall be submitted with the plat one (1) copy of the covenants, deed restrictions, and/or home owner's association charter and by-laws, of a home owner's association is intended. NOTE: Within the covenants, statements shall be included, as applicable, which identify subsequent lot owners as responsible for the placement of driveway culverts in accordance with approved engineering plans. Additional statements shall also be included which identify subsequent lot owners as responsible for contacting the County Health Department for review and approval of individual (non-municipal type) septic systems and well locations, prior to construction of any permanent improvements or structures upon the individual lot. All restrictions are to be reviewed as part of the plat review process and must be recorded, as approved, with the approved plat.
5. Final Water and Sewage Disposal Engineering Plans;
6. Final Drainage and Stormwater Management Engineering Plans;
7. Final Water Course and Impoundment Engineering Plans. Complete plans shall be required for improvements, minimally, where impoundments or water courses affect the subdivision, elevations shall be included for the one hundred (100) year flood;
8. Final Topographic and Profile Studies, certified by the engineer and the owner for the entire site, where topographical change is contemplated;
9. Final Road and Thoroughfare Engineering Design Plans, Profiles and Cross-Sections;
10. Special studies and engineering plans in final form as required in preliminary plat presentation or as required to provide supporting information for final plat approval;

11. Final copies of all covenants, restrictions and home owner's association charters and by-laws as intended to be filed simultaneously with the final plat of subdivision; and,
 12. Applicable certificates as required by these regulations for final plat approval.
- (D) **Reviewing Agencies:** At the time of making final plat application to the Village Zoning Board, the developer shall forward copies of the final plat to all reviewing agencies receiving copies of the preliminary plat. Within ten (10) calendar days after receipt, interested review agencies shall prepare written reports which shall be available for use and review by the Village Zoning Board.
- (E) **Guarantee of Performance:**

Prior to the final plat being approved by the Village Board, a surety bond shall be posted, as follows:

The developer's engineer shall make an estimate of the probable expenditures necessary to enable the developer to conform with the standards of construction and the required improvements contained in these regulations. Each developer or subdivider who seeks the Village Board's approval of a map, plat, or subdivision shall post a surety bond when seeking final approval; such bond being posted with the Village Clerk. The amount of the bond shall not be less than one hundred percent (100%) of the final estimate of cost of the improvements as checked by a Committee of three (3) members of the Village Zoning Board, one (1) of whom shall be the Supervisor of Village Employees. The surety bond shall be in the form of a performance bond; however, in special circumstances and where approved by the Village Attorney, an "Irrevocable Letter of Credit", Escrow Account, or similar acceptable means of surety may be authorized. The bond shall be conditioned upon adherence to the rules and regulations and upon the construction of the improvements and full conformity with the approved engineering plans and specifications, within twelve (12) months from the date thereof and with surety thereon satisfactory to the Village Attorney. The Village Board at its discretion may extend the time of the performance bond for not more than an additional twelve (12) months, to allow for completion. When such an extension is at the request of the developer or subdivider or his legal representative,

the Village Board may require an increase in the value of the bond to cover the cost of inflation.

The surety bond shall guarantee that the owner of the land shall be one (1) of the principals under said bond and that the surety shall be responsible for the completion of the work within a reasonable time after being notified of default. The Village Board shall determine the length of reasonable time.

NOTE: For release of surety, see Section 10-19-1.

(F) Final Plat Approval:

Upon a finding by the Village Zoning Board that the final plat submitted is in accordance with the requirements of this Ordinance, the Chairman and Secretary shall so certify by placing their signatures upon the plat, and shall recommend it to the Village Board for review and final approval.

Following final approval by the Village Board, the final plat may be legally recorded in compliance with the laws of the State of Illinois. Such final approval shall be null and void if the said plat is not recorded within ninety (90) days after the approval, unless application for an extension of time to so record is made in writing during said ninety (90) day period to the Village Board, and by it granted.