

ORDINANCE NO. 14-47

**AN ORDINANCE AMENDING TITLE 10, SUBDIVISIONS, CHAPTER 4,
APPLICATION AND APPROVAL PROCEDURE, BY ADDING SECTION 10-
4-7, RESUBDIVISION EXCEPTION, TO THE MUNICIPAL CODE FOR THE
VILLAGE OF MANTENO**

TIMOTHY O. NUGENT

Village President

TIMOTHY J. BOYCE
TODD CROCKETT
DIANE DOLE
JOEL GESKY
SAMUEL J. MARTIN
WENDELL PHILLIPS

Trustees

ALISA BLANCHETTE

Village Clerk

ORDINANCE NO. 14-47

AN ORDINANCE AMENDING TITLE 10, SUBDIVISIONS, CHAPTER 4, APPLICATION AND APPROVAL PROCEDURE, BY ADDING SECTION 10-4-7, RESUBDIVISION EXCEPTION, TO THE MUNICIPAL CODE FOR THE VILLAGE OF MANTENO

WHEREAS, the Village of Manteno is a non-home rule municipality duly existing and subject to the laws of the State of Illinois; and

WHEREAS, Title 10, Chapter 4 of the Manteno Municipal Code sets forth the requirements for the application and approval procedures for subdivisions; and

WHEREAS, the Village of Manteno believes such Section 10-4-7, Resubdivision Exception, should be added and, therefore, is desirous of amending Section 10-4 Application And Approval Procedures, by adding Section 10-4-7; and

NOW THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Manteno, Kankakee County, Illinois, as follows:

Section 1

That Title 10, Chapter 4 is recommended to be amended by adding Section 10-4-7, Resubdivision Exception, to read as follows:

10-4-7: RESUBDIVISION EXCEPTION:

Expedited Subdivision Approval. Under the following circumstances, an owner of land otherwise exempt from the platting requirements codified in the Plat Act, 765 ILCS 205/0.01, *et seq.*, may divide a legal and previously subdivided lot into four lots or less without complying with the full subdivision approval process prescribed by Title 10 if the division does not: i) alter existing infrastructure, or involve additional infrastructure; ii) involve road improvements; iii) involve easements of access; or iv) create lots that violate, or necessitate a variance to comply with, the code provisions applicable to the zoning district in which the lots are located.

A. Final Resubdivision Plat Application. The owner of land seeking to divide a legal and previously subdivided lot under this section shall file an application for approval of the division with the Village Clerk, accompanied by the appropriate platting fee, and the following documents:

- i) Eight (8) copies of the plat of survey for the division; and
- ii) One (1) copy of the final plat of subdivision and any existing covenants or restrictions for the subdivision previously approved for the subdivision in which the lot is situated; and
- iii) Eight (8) copies of documentation including, but not limited to, proposed covenants or restrictions, which shall address future maintenance of common areas, structures, private infrastructure, or any other shared components; and
- iv) Such other documentation requested by the Village Administrator.

B. Final Plat Fees: The platting fee to be submitted with the owner's application shall be as follows: i) nine hundred dollars (\$900.00) for every additional residential lot created, plus nine hundred dollars (\$900.00) for every additional planned or potential residential unit created, where multiple units (PUD, condo, apartment, townhome, etc.), are located on a single lot or multiple lots; and/or ii) one thousand five hundred dollars (\$1,500.00) per additional lot created for commercial lots or industrial lots.

C. Plat of Survey Review and Approval: The plat of survey and any covenants or restrictions shall be reviewed by Village Staff and the Village Engineer to ensure the division is eligible for expedited subdivision approval and such other things as they deem pertinent. Upon its approval, the plat of survey and any covenants or restrictions shall be submitted to the board of trustees for review and approval. The board of trustees shall approve or disapprove of the final subdivision plat within sixty (60) days after its receipt, unless this time period is extended by the mutual consent of the applicant and the board of trustees, in writing. The board of trustees' failure to approve or disapprove of a plat of survey resubdividing existing lots within the time period prescribed shall constitute a denial.

D. Plat of Survey; Village Board Approval: Upon approval by the board of trustees, the owner shall, within ninety (90) days thereafter, record the plat of survey and any covenants or restrictions with the county recorder. If not recorded within this time, the approvals shall be null and void. The owner shall furnish the village clerk with five (5) additional recorded copies, one to be retained by the village clerk and the others to be distributed to the village administrator, director of building and zoning, village field inspector and village engineer.

Section 2

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Section 3

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 4

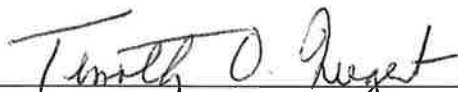
This ordinance shall be immediately in full force and effect after passage, approval and publication. This ordinance is authorized to be published in pamphlet form.

PASSED by the President and Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 6th day of April, 2015.

DEPOSITED with the Village Clerk
this 6th day of April, 2015.


ALISA BLANCHETTE, Village Clerk

APPROVED by me this 6th
Day of April, 2015.


TIMOTHY O. NUGENT, Village President

I DO HEREBY CERTIFY that this ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Manteno, in accordance with the law, this 6th day of April, 2015.


ALISA BLANCHETTE, Village Clerk