

VILLAGE OF NORTH FREEDOM

SUBDIVISION AND PLATTING

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20.01 PURPOSE

For the purposes listed in Sections 236.01 and 236.45, Wis. States., the tillage Board ordains subdivision regulations as provided herein.

20.02 GENERAL REQUIREMENTS (1)

SUBDIVISION DEFINED. (Am. #2-84)

Subdivision includes any division of land resulting in 2 or more parcels or lots where any parcel or lot is less than 10 acres. If a new street is involved, any division of land becomes a subdivision. Subdivision also includes resubdivision and replatting. A minor subdivision is a subdivision of 4 or less parcels using a certified survey map.

(2) APPROVED PLAT.

No division of land within the Village or within its extraterritorial jurisdiction shall be permitted if it results in a subdivision, unless a plat or certified survey map of the subdivision is submitted and approved in accordance with this chapter and Ch. 236, Wis. Stats.

(3) CONFORMITY TO ORDINANCES AND PLANS REQUIRED.

In addition to the provisions of this Chapter and Ch. 236, Wis. Stats., all subdivisions shall conform to the Zoning Code, the official map ordinance and the Land Use Plan for the Village of North Freedom and its extraterritorial planning area.

(4) STREETS, PLATTING AND DEDICATION OF.

Whenever a tract to be subdivided embraces any part of an arterial, connector or collector street designated in the official Village map ordinance, such part of the proposed public way shall be platted and dedicated by the subdivider at the location and at a width indicated on the plan and official map ordinance.

(5) PROHIBITED SUBDIVISIONS.

No land shall be subdivided for residential use which is held by the Village Plan Committee to be unsuitable for such use by reason of flooding or bad drainage, adverse earth or rock formation or topography or any other feature likely to be harmful to the health, safety or welfare of the future residents in the proposed subdivision or the community.

(6) PRIVATE COVENANTS AND MORE RESTRICTIVE ORDINANCES.

This chapter shall not repeal, impair or modify private covenants or public ordinances except that it shall apply whenever the regulations it imposes are more restrictive.

(7) LAND DIVISIONS.

Where the division of land into 2 or more parcels or lots for the purpose of transfer of ownership or building development does not come within the definition of subdivision as defined by this chapter, a description of such land division shall be filed with the Village Clerk, who shall submit copies of such division to the Plan Committee and Village Engineer. No building permit shall be issued until such description has been received by the Plan Committee.

(8) EXCEPTIONS.

The provisions of this Chapter do not apply and no plat is required for any of the following:

(a) Transfers of interest in land by will or pursuant to court order.

(b) Leases for a term not exceeding 10 years, mortgages or easements.

(c) The sale or exchange of parcels of land between owners of adjoining property if additional lots are not created and the lots are not reduced below the minimum sizes required by this Chapter or other ordinances.

(d) Assessors' plat made under Section 70.27, Wis. Stats., but such assessors' plat shall comply with s.236.15(1)(a) to (g) and 236.20(1) and (2)(a) to (e), Wis. Stats.

(9) Only 4 new parcels may be created by means of a minor subdivision within a five year period by a subdivider from a contiguous tract of land, outlot or part of a recorded minor subdivision.

20.03 PROCEDURE FOR SUBMITTING SUBDIVISIONS.

(1) PRELIMINARY MEETING.

Before filing a preliminary plat or a certified survey map, the subdivider shall consult with the Plan Committee for advice regarding general requirements affecting the proposed development. A sketch of the proposed subdivision drawn on a topographic survey map shall be submitted. The subdivider shall also submit a location map showing the relationship of the proposed subdivision to traffic arteries and existing community facilities.

(2) PRELIMINARY PLAT.

If a plat is required the subdivider shall submit to the Plan Committee and to those agencies having the authority to object to plats under provisions in Ch. 236, Wis. Stats., a preliminary plat based upon an accurate exterior boundary survey by a registered land surveyor which shall show clearly the proposed subdivision at a suitable scale and shall show correctly on its face the following information:

(a) GENERAL.

1. Title under which the proposed subdivision is to be recorded which shall not be a duplicate name or descriptively similar name of any plan previously recorded in the County.

2. Location of proposed subdivision by: government lot, private claims, quarter section or quarter-quarter section, section, township, range, outlet number, if applicable, county and state noted immediately under the title. Any previous subdivision or part thereof shall be identified.

3. Date, scale and north point.

4. Names and addresses of owner, subdivider and land surveyor preparing the plat.

5. A sketch or diagram showing how the remainder of all lands contiguous under the same ownership may be divided in order that the proposal be considered as a portion of an acceptable pattern of total land development.

(b) PLAT DATA.

1. Exact length and bearing of the exterior boundaries of the proposed subdivision referenced to a corner established in U.S. Public Land Survey and the total acreage encompassed thereby.

2. Contours at vertical intervals of no more than 2 feet where the slope of the ground surface is less than 10 per cent., and of not more than 5 feet where the slope is 10 per cent. or more. Elevations shall be marked on such contours on U.S.G.S. (1929 adjustment) datum.

3. Water elevations of adjoining lakes and streams and the date of the survey and approximate high and low water elevations, all referred to U.S.G.S. (1929 adjustment) datum and approximate boundaries of area subject to flood or storm water overflow.

4. Location, right-of-way width and names of all existing streets, alleys or other public ways, easements, railroads and utility rights-of-way and all section and quarter section lines within the exterior boundaries of the plat or immediately adjacent thereto.

5. Location and names of any adjacent subdivisions, assessor's plats, recorded certified survey maps, parks and cemeteries, and owners of record of abutting unplatted lands.

6. Type, width and elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established centerline elevations, curb elevations, bench marks and monuments all to U.S.G.S. (1929 adjustment) datum.

7. Location, size and invert elevation of any existing sanitary or storm sewers, culverts and drain pipes, the location of manholes, catchbasins, hydrants, power and telephone poles, and the location and size of any existing water and gas mains within the exterior boundaries of the plat or immediately adjacent thereto. If no sewer or water mains are located on or immediately adjacent to the tract, such sewer or water mains which might be extended and which are located within one mile of the plat shall be indicated by their direction and distance from the tract. Their size and invert elevations shall also be shown.

8. Locations of all existing property boundary lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas, railroad tracks and other similar significant features within the tract being subdivided or immediately adjacent thereto.

9. Location, width and names of all proposed streets and public right-of-way such as alleys and easements.

10. Dimensions of all lots together with proposed lot and block numbers.

11. Location and dimensions of any sites to be reserved or dedicated for parks, recreation and open space drainageways, or other public use or which are to be used for group housing, shopping centers, church sites, or other non-public uses not requiring lotting.

12. Approximate radii of all curves.

13. Existing zoning on and adjacent to the proposed subdivision.

14. Municipal boundary lines within or adjacent to the proposed subdivision.

15. Any proposed lake and stream access with a small drawing clearly indicating the location of the proposed subdivision in relation to the access.

16. Any proposed lake and stream improvement or relocation.

(c) TESTING. The Village Engineer may require that borings and soundings be made in specified areas to ascertain subsurface soil, rock and water conditions, including depth to bedrock and depth to groundwater table.

(d) PLATTING IN A FLOODPLAIN AREA. When receiving a preliminary plat, all or part of which lies in any floodplain area, the Village Plan Committee may prior to rendering a decision thereon;

1. Require the applicant to submit 2 copies of an aerial photograph, or a plan certified by a competent technician, which accurately locates the floodplain proposal with respect to the floodplain district limits, channel stream, existing floodplain developments, together with all pertinent information such as the nature of the proposal; fill limits and elevations; building flood elevations; and flood proofing measures.

2. Transmit one copy of the information which may be required herein to the Department of Natural Resources with a request, where deemed necessary, to have that agency provide expert technical assistance in evaluating the effect of the proposed project upon flood heights, velocities, and floodplain storage areas and the determination of flood protection levels.

3. Require the applicant to furnish the following additional information as is deemed necessary for the evaluation of the effects of the proposal upon flood flows and floodplain storage and to render a decision on the proposed floodplain use:

a. A typical valley cross-section showing the channel of the stream, the floodplain and adjoining each side of the channel, cross-sectional area to be occupied by the proposed development and highwater information.

b. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and spatial arrangement of all proposed and existing structures on the site; location and elevations of streets, water supply, sanitary facilities, and soil types and other pertinent information.

c. Profile showing the slope of the bottom of the channel or flow line of the stream.

d. Specifications for building construction and materials, filling, dredging, grading, channel improvements, storage of materials, water supply and sanitary facilities.

4. Affirm, modify or withdraw its determination of unsuitability basing its decision on the floodplain management standards set forth by the Department of Natural Resources.

COVENANTS. The subdivider shall submit to the Village Plan committee a draft of protective covenants whereby the subdivider intends to regulate land use in the proposed subdivision and otherwise protect the proposed development.

AFFIDAVIT. The registered land surveyor preparing a plat shall certify on the face of the plat that it is a correct representation of all existing land divisions and features and that he has fully complied with the provisions of this chapter.

STATEMENT. A supplementary written statement shall be submitted by the subdivider along with the preliminary plat briefly describing improvements, such as grading, paving, tree planting, installation of utilities, improvements to park and recreation areas, which the subdivider proposes to make and when he intends to make them.

APPROVAL. After review of the preliminary plat and negotiations with the subdivider on changes being advisable and the kind and extent of public improvements which will be required, the Plan Committee shall reject, approve or conditionally approve the preliminary plat within 90 days as provided by statute, unless extended by mutual agreement.

1. Approval or conditional approval of a preliminary plat shall not constitute approval of the final plat, but an expression of approval or conditional approval of the layout submitted as a guide to the preparation of the final plat, subject to further consideration by the Plan Committee.
2. Whenever it is proposed to replat or resubdivide a recorded subdivision or subdivisions, or any part of a recorded subdivision or subdivisions, the Plan Committee shall hold a public hearing on the proposed preliminary plat of the replat before taking action. When a preliminary plat of a replat is filed with the Plan Committee, the Village Clerk shall schedule a public hearing before the Plan Committee. The Clerk shall mail notices of the proposed replat and of the scheduled hearing thereon at least 10 days prior to the time of such hearing to the owners of all properties situated within the limits of the exterior boundaries of the proposed replat; and to the owners of all properties within a radius of 300 feet of the exterior boundaries of the proposed replat.

(i) ENVIRONMENT. A statement shall be submitted for each subdivision setting forth its effects, or lack thereof, on the immediate environment.

(3) FINAL PLAT.

- (a) Final plats shall be submitted to the Plan Committee within 6 months of preliminary plat acceptance unless this requirement is waived in writing by the Plan Committee. The final plat shall conform to the preliminary plat as approved and to the requirements of all applicable ordinances and state laws and shall be submitted for certification of those agencies having the authority to object to the plat as provided by Section 236.12(2), Wis. Stats. The final plat shall be accompanied by detailed construction plans of all improvements.

The final plat shall be submitted to the Plan Committee at least 10 work days prior to the meeting at which it is to be considered and acted upon by the Plan Committee and the Village Board within 60 days of its submission, unless the time is extended by an agreement with the subdivider. Reasons for rejection shall be stated in the minutes of the Board Meeting and a copy thereof or a written statement of such reasons shall be given to the subdivider. Approved final plats shall be recorded in accordance with the statutory requirements prior to the time that lots are offered for sale, reference is made to the map for sale purposes, or use is made of lot and block numbers shown on the plat.

(b) If the original of the final plat has been filed with another approving authority, the subdivider may file a true copy of such plat in lieu of the original. However, before the approval of the Plan Committee and Village Board will be inscribed on the original of the final plat, the surveyor or subdivider shall certify the respects in which the original of the final plat differs from the true copy, and all modifications must first be approved.

(4) SUBDIVISION OUTSIDE THE VILLAGE.

(Within the Village's Extraterritorial Plat approval jurisdiction). In planning and developing a subdivision in an unincorporated area of Sauk County within area designated by the Village's Land Use Plan as provided by Section 236.02(2), Wis. Stats., the subdivider or his agent shall follow the procedures outlined in Section 18.03 of this Chapter and Section 236.12, Wis. Stats.

(5) MINOR SUBDIVISION.

(a) Certified survey maps for minor subdivisions shall be submitted to the Plan Committee (6 copies) 13 days prior to the meeting at which it is to be considered and shall be approved, conditionally approved or rejected by the Plan Committee and Village Board within 60 days, unless extended by mutual consent.

(b) Required Information.

1. All information required in accordance with Section 236.34 of the Wisconsin Statutes.

2. A sketch or diagram showing how the remainder of all lands contiguous under the same ownership may be divided in order that the proposal be considered as a portion of an acceptable pattern of total land development.

(c) Requirements and Applicable Standards.

1. Requirements and Standards set forth in Section 20.04 through and including 20.10 of this Chapter shall be met and complied with.

2. Cash or open space shall be accepted for minor subdivisions and the requirements will also be applied for further divisions of this land as stated in Section 20.06.

3. No divisions of land shown on the certified survey map nor the remaining portion of the original parcel of land shall be below the minimum lot area or other requirements of the zoning and other municipal ordinances.

20.04 IMPROVEMENTS.

(I) GENERAL PROVISIONS.

The following provisions shall apply to the subdivisions platted within the Village and to subdivisions platted within the extraterritorial plat approval jurisdiction of the Village.

(a) CONSTRUCTION BY SUBDIVIDER. The improvements required under these regulations shall be constructed by the subdivider and at the subdivider's expense prior to the filing with the Plan Committee and Village Board of the final plat for final approval, in accordance with the specifications and under the supervision of the officials having jurisdiction.

(b) PERFORMANCE OR OTHER SURETY. In lieu of constructing the improvements as required in par.(a), the subdivider shall enter into an agreement with the Village to install the required improvements and shall file with the Subdivider's Agreement an Irrevocable Letter of Credit or other appropriate sureties running to the Village sufficient to cover the subdivider's costs of such required improvements, as estimated by the Village Engineer, plus an additional sum of 25% of said estimate, thereby securing the actual construction and installation of such improvements immediately after final approval of the plat or at a time in accordance with the requirements of the Village Board or as provided in the Subdivider's Agreement. The Subdivider's Agreement shall specify a completion date for all improvements.

(c) COMPLETION OF IMPROVEMENTS. If the procedure under par.(b) is followed, the construction of all improvements required by these rules and regulations shall be completed within 2 years from the date of approval of the final plat by the Village Board unless good cause can be shown for the granting of an extension of time by authority of the Village Board. If no extension is granted, the Village, at its option, may cause all uncompleted required work to be constructed, and the parties executing the bond shall be firmly bound for the payment of all necessary costs thereof. The Village Clerk-Treasurer shall return the bond to the subdivider upon completion of the improvements.

(d) ACCEPTANCE OF DEDICATIONS. The approval of the final plat by the Village Board shall constitute acceptance of the dedication of any public street, road, park or highway dedicated in such plat.

(e) MODIFICATION BY BOARD. Where unusual or exceptional factors or conditions exist, the Board may modify the provisions of this Chapter. A written statement of the reasons for such modification shall be attached to all copies of the construction plans.

(e) PUMPING STATIONS AND FORCE MAINS. If a pumping station is required to pump either sanitary wastes or storm water into

the existing public sewer mains, the subdivider shall install, at no expense to the Village, a pumping station and force main adequate to service the subdivision, and shall deed such pumping station, force main, equipment, and site to the Village, prior to acceptance of the final plat. If a greater capacity system is desired by the Village, the subdivider shall be required to pay only that portion of the total cost attributable to his subdivision. Combined sewers are unacceptable.

(f) BRIDGES AND CULVERTS. All bridges and culverts shall be installed at the expense of the subdivider.

(g) MONUMENTS. Monuments of a permanent character (pipes, steel rods, concrete, or equivalent) shall be placed in each corner or angle on the boundary of the subdivision and at each corner of each lot. All United States, County or other official benchmarks, monuments, or triangulation stations shall be preserved at precise locations. The subdivider shall maintain the monuments in good order during construction and development.

(h) CONCRETE SIDEWALKS. Concrete sidewalks constructed to conform with specifications established by the Village Board with a minimum width of 5 feet shall be installed at the subdivider's expense.

(i) STREET SIGNS. Street name signs shall be installed at the subdivider's expense.

(j) TREES. A minimum of one tree selected from 3 species acceptable to the Park Committee shall be planted or left for each 50 feet of frontage on all streets proposed to be dedicated. New planting shall conform to specifications established by the Village Board and on file with the Clerk. Trees shall be located no closer than 5 feet from the curb or street side of the sidewalk. Care should be taken not to plant trees over utilities.

(k) UTILITIES. The subdivider shall cause gas, electric power, and telephone facilities to be installed to make adequate service available to each lot in the subdivision. Telephone and electric power shall be installed underground wherever feasible.

(l) PEDESTRIAN WAYS. Pedestrian ways and other improvements shall be provided as required at the subdivider's expense.

(m) PARKS. Subdivider will provide at their expense that park areas be of finished grade with topsoil in place and seeded.

(3) CONSTRUCTION PLANS AND INSPECTION REQUIRED.

(a) CONSTRUCTION PLANS. Whenever any improvements are required by the Village, construction plans for improvements to be installed shall be furnished in accordance with the specifications of the officials having jurisdiction and shall receive approval of these officials before improvements are installed. The following plans shall be required where applicable:

1. Street plans and profiles showing existing and proposed grades, including extension for a reasonable distance beyond the subdivision elevations and cross-sections of required improvements.

2. Sanitary sewer plans and profiles showing the locations, grades, sizes, elevations and materials.

3. Storm sewer plans and profiles showing the locations, grades, sizes, cross-sections, elevations and materials or method of storm water disposal in lieu of sewers.

4. Water main plans and profiles showing locations, sizes, elevations and materials.

5. Grading plans for the entire subdivision.

6. Additional special plans or information as required by the officials having jurisdiction.

(b) INSPECTIONS. Prior to starting any of the work covered by the plans approved as above, arrangements shall be made for the Village Engineer to inspect the work, which in the opinion of the Village Engineer, Water and Sewer Committee and Village Board will ensure compliance with the plans and specifications as approved. Prior to starting work, written approval shall be obtained from the Village Engineer, Water and Sewer Committee and Village Board. All costs of inspection shall be borne by the subdivider.

(c) CONTRACTS WITH THE VILLAGE. The subdivider shall engage his own contractors on his own responsibility for all required work. He may, however, contract with the Village to do part or all of the work for him at his expense. Nothing contained herein shall obligate the Village to perform part or all of such work.

(d) EXTRAORDINARY COSTS. The Village shall be responsible for any extraordinary costs for major utility and street improvements

(including right-of-way acquisition) which benefit a much broader area than the subdivision under consideration. These costs (including engineering, bonding, interest, etc.) shall be assessed against future development on the basis of the assessment policy adopted by the Village Board.

(e) UNDEVELOPED PARCELS. Whenever utilities traverse an undeveloped parcel of land, costs will be borne by the subdivider causing installation of such utilities.

(f) INSPECTION BY VILLAGE ENGINEER. The Village Engineer shall inspect all completed work prior to approval of the final plat or release of the sureties at subdivider's expense.

(g) Prior to release or discharge of the bond or surety required by this chapter, upon completion of the work for which bond or surety is offered, the subdivider shall submit to the Village Building Inspector construction plans showing how the construction was actually completed. These plans shall be approved before the bond or surety shall be discharged or release.

(4) STAGE DEVELOPMENT.

Where it shall appear to the satisfaction of the Village Board that the whole of the plat and its subdivision cannot immediately be fully improved with respect to the installation of all storm and sanitary sewers and related facilities, water mains and related facilities and street improvements, by reason of unavoidable delay in the acquisition of land necessary for such improvements, or by reason of an unavoidable delay in obtaining necessary engineering data and the information, for any good reason or cause, the Village Board may authorize the subdivider to proceed with the installation of improvements required under this chapter on a portion or part of such subdivision and in such event, the requirements of this chapter shall apply to that portion or part thereof authorized for immediate improvements.

(5) BUILDING PERMITS; ISSUANCE OF.

No building permits shall be issued for erection of a structure on any lot of record until all the requirements of this chapter have been met.

20.05 DESIGN STANDARDS. (Am. #3-78)

(1) STREETS AND ALLEYS.

(a) General. In any new subdivision the street layout shall conform to the general arrangement, width and location indicated on the official Village map, and Land Use Plan. In areas for which such layouts have not been completed the streets shall be designed and located in proper relation to existing and proposed streets, topography, such natural features as streams and tree growth, public convenience and safety, the proposed use of the land to be served by such streets, and the most advantageous development of adjoining areas. The subdivision shall be such as to provide each lot by means of a public street satisfactory access to any existing public street.

1. Major Streets. Principal and minor arterials and collector streets shall be properly integrated with the existing and proposed system of major streets and highways and insofar as practicable shall be continuous and in alignment with existing, planned and platted streets with which they are to connect.

2. Minor Streets. Local streets and cul-de-sacs shall be designated to conform to the topography, discourage use by through traffic, permit the design of efficient storm and sanitary sewerage systems and require the minimum street area necessary to provide safe and convenient access to abutting property.

3. Buffers. In residential districts a buffer strip of at least 50 ft. in depth in addition to the normal lot depth required shall be provided adjacent to any railroad right-of-way, limited access highway, shopping, highway commercial, and industrial A and B districts. This strip shall be a part of the platted lots, but shall have the following restriction lettered on the face of the plat: "This strip reserved for the planting of trees or shrubs by the owner; the building of structures hereon is prohibited". (Am. 125-88).

4. Cul-de-sacs. Cul-de-sac streets designated to have one end permanently closed shall not exceed 1,000 ft. in length.

5. Alleys. Alleys shall be required in commercial and industrial districts for off-street loading and service access if deemed necessary by the Plan Committee, (but approval is required in residential districts). Dead end alleys shall not be approved; and alleys shall not have their points of connection on a major thoroughfare.

(2) INTERSECTIONS.

(a) Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit.

(b) The number of streets converging at one intersection shall be reduced to a minimum preferably not more than 2.

(c) The number of intersections along major streets shall be held to a minimum. Wherever practicable the distance between such intersections shall not be less than 600 feet.

(3) STREET WIDTHS AND GRADES.

(a) The minimum right-of-way and roadway of all proposed streets and alleys shall be of the width specified by the Land Use Plan or official Village map. If no width is specified thereon the minimum widths shall be as follows:

<u>TYPE OF STREET</u>	<u>MINIMUM* R.O.W. WIDTH</u>	<u>MINIMUM ROADWAY WIDTH* (FACE OF CURB TO FACE OF CURB)</u>
Principal Arterial	100 feet	52 feet
Minor arterial	80 feet	44 feet
Collector Streets	66 feet	36 feet
Local Streets and Cul-de-sacs	60 feet	32 feet
Cul-de-sacs (not over 500' long)**	50 feet	26 feet
Alleys	24 feet	20 feet
Pedestrian Ways	12 feet	

*In Specific cases, as determined by usage, the minimum R.O.W. and Roadway may not be increased by the Plan Committee.

**With limited parking, (Meaning double garages and aprons) also loop streets not exceeding 1000' with limited parking.

1. Cul-de-sac Streets. All Cul-de-sac streets shall terminate in a circular turn around having a minimum right of way diameter of 120 ft. and minimum outside curb diameter of 90 ft.

2. Grades. Unless necessitated by exceptional topography and subject to the approval of the Plan Committee, the maximum street grades shall not exceed the following:

Principal Arterial	6%
Minor Arterial and Collector Streets	8%
Local Streets, Cul-de-sacs and Alleys	10%
Pedestrian Ways	12%

Unless steps of acceptable design are provided.

The grade of any street shall in no case exceed 10% or be less than 0.40%.

3. Radii of Curvature. When a Continuous street center-line deflects at any point by more than 10', a circular curb shall be introduced having a radius of curvature on such centerline of not less than the following:

Principal and Minor Arterials	300 ft.
Collector Streets	200 ft.
Local Streets and Cul-de-sacs	50 ft.

A tangent of at least 100 ft. in length shall be provided between reverse curves on arterial and collector streets.

4. Half Streets. Where an existing dedicated or platted half-street is adjacent to the tract being subdivided, the other half of the street shall be dedicated by the subdivider.

5. Street Names. New street names shall not duplicate or be similar to existing street names in the Village, and existing street names shall be protected wherever possible.

6. Street Lighting. The location of street lights or a reasonable alternative thereto as determined by the Plan Committee shall be shown on the subdivision plans following consultation with the electric utility.

(4) EASEMENTS.

(a) The Plan Committee may require easements of widths deemed adequate by the Committee for the intended purpose on each side of all rear lot lines and on side lot lines or across lots where necessary or advisable for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains or other utility lines.

(b) Where a subdivision is traversed by a watercourse, drainageway, channel or stream, any adequate drainageway or easement shall be provided as required by the Plan Committee. The location, width, alignment and improvement of such drainageway or easement shall be subject to the approval of the Plan Committee and connection therewith. Wherever possible the storm water drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate maximum potential volumes of flow, these sizes and design details to be subject to review and approval by the Village Engineer.

(c) If parkways or drainageways influenced by topographical features such as streams or ponds, ravines, wooded areas or other natural features, are to be provided within the proposed plat, their width and location shall be determined as may be deemed necessary to preserve such features. Such determination shall have a minimum width of 100 ft., but they shall not in any case be less than 50 ft. in width.

(5) BLOCKS

(a) The lengths, widths and shapes of blocks shall be suited to the planned use of the land, zoning requirements, need for convenient access, control and safety of street traffic, and the limitations and opportunities of topography. Block lengths in residential areas shall not as a general rule be less than 600 ft. in length between street lines unless dictated by exceptional topography or other limiting factors of good design.

(b) Blocks shall have sufficient width to provide for 2 tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic.

(c) Pedestrian ways or crosswalks shall be provided near the center and entirely across any block 900 ft. or more in length where deemed essential, in the opinion of the Plan Committee, to provide adequate pedestrian circulation or access to schools, shopping centers, churches or transportation facilities.

(d) All utility lines for electric power and telephone service will be placed in rear lot line easements when carried overhead on poles.

(6) LOTS.

(a) Residential lots fronting or backing on principal and minor arterials shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The lot should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the building contemplated.

(b) Every lot shall front or abut on a public street.

(c) Lot dimensions shall conform to the requirements of the zoning ordinance. Where not served by a public sewer lot dimensions and areas shall, in addition, conform to the requirements of the State Department of Health.

(d) Side lot lines shall be at right angles to straight street lines or tangents or curved street lines on which the lots face.

(e) Corner lots shall have an extra 10 feet in width along the side street to be designated as a buffer strip. This strip shall be part of the platted lots and shall have the following restrictions lettered on the face of the plat:

"This strip reserved as a buffer and the building of structures hereon is prohibited. This buffer strip shall not be used as part of the required side yard." Lots adjacent to pedestrian ways or walkways shall be considered as corner lots.

(f) Excessive lot depth in relation to width shall be avoided and a proportion of 2:1 shall be normally considered as a desirable ratio.

(g) Lot lines shall follow municipal boundary lines rather than across them.

- (h) Double frontage and reverse frontage lots shall be prohibited except where necessary to provide separation of residential development from through traffic or to overcome specified disadvantages or topography and orientation.
- (l) Residential lots fronting or backing on major arterials shall be platted with extra depth to permit generous distances between the buildings and such traffic ways. Lot access along Principal and Minor arterials shall be prohibited, and lot access along collector streets shall be discouraged.
- (j) Depth and width of properties reserved or laid out for commercial or industrial use shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

20.06 PARKS. RECREATION AND OPEN SPACE.

Refer to Parks, Recreation and Open Space (Chapter 21)

20.07 VARIANCE.

- (1) The Village Board upon review and recommendation from the Plan Committee may grant variances from the provisions of this chapter where, in the judgment of the Board, it would be inappropriate to apply literally the provisions of this Chapter because exceptional or undue hardship would result. No variance to the provisions of this chapter shall be granted unless the Board finds that all of the following facts and conditions exist and so indicates in the minutes of its proceedings:

- (a) There are exceptional, extraordinary or unusual circumstances or conditions where a literal enforcement of the requirements of this chapter would result in severe hardship. Such hardships should not apply generally to other properties or be of such a recurrent nature as to suggest that this chapter should be changed.

(2) Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity.

(3) The variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this chapter or the public interest.

20.08 ENFORCEMENT PENALTIES AND REMEDIES.

- (1) The Building Inspector shall have primary responsibility for enforcing this chapter. No building permit shall be issued for construction on any lot until the final plat for the subdivision has been duly recorded, or a certified survey map is recorded as specified in section 236.34, Wis. Stats.

(2) Any person who violates any provision of this chapter shall be subject to a penalty as provided in section 25.04 of this code. In addition, the remedies provided by sections 236.30 and 236.31, Wis. Stats., shall be available to the Village.

20.09 APPLICATION OF CHAPTER TO EXISTING SUBDIVISIONS.

This chapter shall apply not only to the subdivisions and additions hereinabove set forth in the body of this chapter but shall also insofar as payment of costs for improvement of subdivisions is concerned, apply to those subdivisions and additions, or parts thereof, already platted and approved, which are undeveloped, wholly or partially, as of February 1, 1997.

20.10 FEES. (Recr. #5-87).

(1) GENERAL.

The subdivider shall pay the Village all fees as hereinafter required and at the times specified.

(2) PRE-PRELIMINARY PLAT APPLICATION FEE.

The subdivider shall pay a fee of \$25.00 plus \$2.00/parcel for each lot or parcel within the pre-preliminary plat to the Village Clerk at the time of first application of any pre-preliminary plat to assist in defraying the cost of the application. A reapplication fee of \$10.00 shall be paid to the Village Clerk at the time of reapplication for approval of any pre-preliminary plat which has to be reviewed.

(3) PRELIMINARY PLAT APPLICATION FEE.

The subdivider shall pay a fee of \$50.00 plus \$4.00/parcel for each lot or parcel within the preliminary plat to the Village Clerk at the time of first application of any preliminary plat to assist in defraying the cost of the application. A reapplication fee of \$10.00 shall be paid to the Village Clerk at the time of reapplication for approval of any preliminary plat which has been reviewed.

(4) FINAL PLAT APPLICATION FEE.

The subdivider shall pay a fee of \$15.00 plus \$1.00 for each lot or parcel within the final plat to the Village Clerk at the time of first application for approval of any final plat to assist in defraying the cost of review. Reapplication fee of \$5.00 shall be paid to the Village Clerk at the time of reapplication for approval of any final plat which has previously been reviewed.

(5) CERTIFIED SURVEY MAP FEE.

The subdivider shall pay a fee amounting to \$25.00 to the Village Clerk at the time of submission for approval of a certified survey map.

(6) INSPECTION FEE.

The subdivider shall pay a fee equal to the actual cost to the Village for such inspection as the Village Engineer deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances of the Village or any other governmental authority.

(7) ENGINEERING AND LEGAL FEES.

The subdivider shall pay a fee equal to the actual cost to the Village for all engineering and legal work incurred by the Village in connection with the plat. Legal work shall include negotiation and preparation of subdivider's Agreement with Village, review contracts and any enforcement action related to the subdivider's failure to perform. Engineering work shall include the preparation of construction plans and standard specifications. The subdivider may furnish all, some or part of the required construction plans and specifications, in which case no engineering fee shall be levied for such plans and specifications furnished. If the subdivider fails to reimburse the Village for the charges under this subsection within 30 days after invoice, such charges, together with an additional administrative fee of 10% of the cost and interest at 1% per month shall be charged against the real estate included in the plat or certified survey map and shall be extended upon the current or next tax roll as a charge for current services as provided in Section 66.60(16), Wis. Stats.

(8) ADMINISTRATIVE AND REVIEW FEE.

The subdivider shall be responsible for the cost of plan review, legal, administrative or fiscal work which may be undertaken by the Village in connection with the plat. Legal work shall include the drafting of contracts between the Village and the Subdivider. An administration and review fee of \$1,000.00 is required for all plats and \$100.00 on all CSM's at the time of application for pre-preliminary plat. The deposit fee shall be held in a trust fund and cost deducted as incurred. At the end of the review period and determination of costs, any amount remaining in the fund for that application will be refunded.

(9) RECORDING FEES.

The subdivider shall be responsible for all recording fees associated with the plat or certified survey map.

20.11 NOTICE TO ADJOINING PROPERTY OWNERS.

(1) Within ten (10) days of the filing of a proposed certified survey map, pre-preliminary plat, preliminary plat or final plat, the Plan Committee shall send written Notice of Plat Filing to all owners of land within 200 feet of the subject property.

(2) Notice shall be sent by U.S. regular mail to the parcel owner and to the address indicated on the current tax roll maintained by the Village of North Freedom Assessor. Notice requirements of this section shall be fulfilled and completed when the Plan Committee complies with the requirements herein and files his Affidavit of Mailing with the Village. Failure to receive Notice by an adjacent property owner shall not invalidate any action taken by the Village.