

## ARTICLE 2

# CLASSIFICATION OF SUBDIVISIONS

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### SECTION 2.1 Classification

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

### SECTION 2.2 Subdivisions

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. The division of agriculturally zoned land in parcels of more than twenty (20) acres not involving a new street or easement of access shall not require Planning Commission approval. The platting of agricultural tracts of at least twenty (20) acres is voluntary.

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 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**

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“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.”

**SECTION 2.4 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.”