WARRICK COUNTY COMMISSIONERS ORDINANCE NO. 1999- 23

AN ORDINANCE TO AMEND ARTICLE II DEFINITIONS, SECTION 2, TERMS DEFINED, SUBSECTION (42) SUBDIVISION OF LAND AND SUBDIVIDE, OF THE SUBDIVISION CONTROL ORDINANCE FOR WARRICK COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNT, INDIANA, AS FOLLOWS, to wit:

Section 1. That ARTICLE II, DEFINITIONS, SECTION 2, TERMS DEFINED, SUBSECTION (42), SUBDIVISION OF LAND AND SUBDIVIDE, be and the same hereby amended to read as follows:

(42) SUBDIVISION OF LAND AND SUBDIVIDE

The division of a parcel of land into two (2) or more lots, parcels, sites, units, plats or interest, whether for residential or non-residential use, for the purpose of offer, sale, lease or development, provided that the following kinds of divisions of land are herein called "minor subdivisions" and are not subject to the provisions of this Ordinance except as otherwise noted:

(a) A division of land for agricultural purposes with one (1) single family dwelling and accessory buildings into lots or parcels of ten (10) acres or more served by a county or state maintained dedicated right-of-way and not involving a new street or extension of municipal facilities.

(b) A division of land for the sale or exchange of tracts between adjoining land owners, provided that no additional building sites are created.

(c) A division of land containing not more than three (3) new parcels per year which may be two (2) 2 ½ acre parcels with the remaining being at least five (5) acres or more, fronting on an existing street which is an improved right-of-way maintained by the county or other participating jurisdiction, not involving any new street or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Official Map, Zoning Ordinance, or this Ordinance, provided that: (i) if after a pre-application investigation with the Plat Review Committee it is determined that the division qualifies as a "Minor Subdivision" the following procedure applies:

(1) An Minor Subdivision requires the submittal of a plat prepared by a Licensed Land Surveyor/Engineer on reproducible Mylar drawn to a scale no larger than 1 inch equals 200 feet plus 3 copies. The Minor subdivision must be entitled "Minor Subdivision" and refer

to recording data of the deed of the property being divided; Owners of record names and signatures. There shall be parcel descriptions for each parcel along with a Surveyor's report. A fee of fifty dollars ($50.00) if no more than three (3)parcels and a fee of one hundred dollars ($100.00) if more than three parcels to the Area Plan Commission. A check must also be submitted made out to the Warrick County Recorders Office at a dollar amount to be determined for the recording fee.

(2) The following certifications must appear on the plat:

(a) Certificate of the County Highway Engineer/State Highway Representative:

All parcels have Ingress and Egress to each proposed building site to (road name) which is a public county/state maintained roadway.

_____ _____

Signature & Title Date

(b) Sewage Disposal Certificate (if private systems are to be used)

Private waste disposal systems have been approved for this Minor Subdivision; however, the type and size of the onsite sewage disposal system for each parcel in this Exempt Division will be determined by the Warrick County Health Department. These systems will comply with Regulation 410 IAC6-8.1 as set down by the Indiana State Board of Health and Warrick County Ordinance #1985-15. This Ordinance regulates the installation, construction, maintenance and operation of private sewage disposal systems and provides penalties for violations. Diagrams of these systems are available at the Warrick County Health Department, Boonville, Indiana. Only one (1) sewage permit shall be issued per parcel. The approved sites for the private waste disposal systems are as shown on this plat. Any site other than those shown as "approved area" must be approved by Warrick County Health Department, to regulate the placing of these system with designated approved sites and will not be the responsibility of the Warrick County Area Plan Commission.

_____ _____

Warrick Co. Health Dept. Date

(If Sanitary Sewer System)

Sanitary sewer lines are in place and available for connection to all parcels.

_____ _____

Name & sewer Company Date

(c) Water certificate

Water lines are in place and available for connection to all parcels.

_____ _____

Name & Water Company Date

(If water is supplied by wells or cisterns)

Water will be provided to all parcels by wells or cisterns.

_____ _____

Warrick Co. Health Dept. Date

(d) Warrick County Surveyor

I, (name), Warrick County Surveyor, certify that this Minor Subdivision will not effect the drainage in this area nor does it require drainage plan submittal.

_____ _____

Warrick County Surveyor Date

(e) Surveyor/Engineer certificate

I, (name), Registered Land Surveyor/Professional Engineer in the State of Indiana, hereby certify that In have examined the FEMA Flood Hazard Map Community NO. ( ) dated ( ), and have determined that this Minor Subdivision IS/IS NOT in a Flood Hazard Area. Note: If any portion is located within the 100 year flood plain, you must delineate that portion as shown on the flood plain panel.

_____ _____

Surveyor/Engineer's Name Date
& L.S./P.E. Number

(f) Executive Director certificate

I, (name), Executive Director, Warrick County Area Plan Commission, hereby certify after consideration by the Plat Review Committee, this division of land is determined to be an "Minor Subdivision" as defined and is not subject to the provisions of the Subdivision Control Ordinance in effect for Warrick County; however any deviation from said requirements shall cause said property to become a Subdivision and subject to the provisions of said Subdivision Control Ordinance.

The term subdivision includes re-subdivision and, when appropriate to the context, includes the process of subdividing and the land subdivided.

Section 2. This Ordinance shall be in full force and effect from and after its passage by the Board of County Commissioners of Warrick County, State of Indiana.

Approved this 9 Day of August, 1999.

President

Member

Member

Warrick County Board of Commissioners

ATTEST:

Richard J. Kirsmiller
Auditor

Public hearing held by Warrick County Area Plan Commission

July 14, 1999.