

## CHAPTER 35. SUBDIVISIONS

That for the purpose of providing for and controlling future growth and development of the Village of Pesotum and for the promotion of the public health and safety, comfort, morals and welfare of the persons living within the area governed by the Village of Pesotum, the provisions and regulations herein contained shall apply to and govern the subdivision and platting of lands lying within the corporate limits of the Village and shall also govern the subdivision and platting of lands lying within one and one-half miles beyond the corporate limits of the Village of Pesotum, Illinois.

35.01 Meaning of Subdivisions: For the purpose of this article the word “subdivision” shall mean the dividing of a tract of land into two or more lots, parcels or tracts for the purpose either immediate or future of sale or building development including a re-subdivision of any lots or blocks of more than one acre in a recorded subdivision.

35.02 Requirements with Reference to Streets, Alleys and Walks in the Subdividing and Platting of Lands: The following shall be the minimum requirements for streets, alleys and walks in any new subdivision within the Village or within territory which is not more than one and one-half miles beyond the corporate limits of the Village.

### 35.02.01 Location of streets and walks

- A. Each lot or parcel of ground within a new subdivision shall be adjacent to a public street.
- B. The street system in each new subdivision shall continue and extend existing connecting streets in adjoining subdivisions except minor streets across a major intervening street where such continuation or extension is not necessary to protect the interest of the public.
- C. The street system in each new subdivision shall be extended and dedicated to any adjacent unsubdivided property except in those instances in which the adjacent property is not capable of being subdivided.
- D. No street shall be located less than 280 feet nor more than 1,000 feet from any parallel street measured at the center line of the street except in those instances in which the topography of the land being subdivided or the physical situation of that land in the opinion of the Plan Committee of the village of Pesotum Board of Trustees makes such a street arrangement impractical.
- E. Whenever two parallel streets are located more than 750 feet apart, a paved public walk having a right-of-way of not less than 10 feet in width shall be provided for pedestrian travel. Each such paved public walk shall be located approximately equal distance between the two parallel streets.
- F. No private streets will be permitted.

G. Where a proposed subdivision borders on a present or proposed federal, state or limited access highway, traffic service to the proposed subdivision bordering such highways shall be provided by a marginal access street. Access to these types of highways for the marginal access street or proposed subdivision proper shall be at one-half mile intervals, unless the proposed subdivision frontage is less than one-half mile, in which case the proposed subdivision shall have only one access point to the highway at a location approved by the President and Board of Trustees.

The marginal access street shall be approximately parallel to and at a distance suitable for the appropriate use of the intervening land for platted lots facing the marginal access street or for parkway purposes in residential districts, or for parking in commercial or industrial districts. Such distances shall be determined with due regard for the requirements of approach grades and possible future grade separations.

H. Major streets shall be provided no more than 1,300 feet from the closest parallel major street at a location approved by the President and Board of Trustees, to be determined with due regard for requirements of access, approaches from existing development, and nature of the district.

#### 35.02.02 Design of Streets

A. The minimum width of right-of-way for streets shall be as follows:

(1) Major streets -- being those streets used primarily for through traffic including those designated as such by the corporate authorities of the Village of Pesotum -- shall be platted to a width of not less than 80 feet.

(2) All other streets including those designated by the corporate authorities of the Village of Pesotum as secondary or non-arterial streets shall be platted to a width of not less than 60 feet.

B. Whenever a street in a new subdivision is a continuation of an existing street in an adjoining subdivision and the right-of-way of the existing street is less than the applicable width prescribed in subparagraph 1 of the paragraph "B", then the narrower right-of-way may be continued into the new subdivision if the interests of the public are not adversely affected.

C. Whenever a street in a new subdivision is a permanent street and is not and cannot be continued to another street, the street shall be provided with a permanent turnaround, the right-of-way for which shall be not less than 100 feet in diameter.

D. In each instance in which the subdivider owns the land on both sides of a proposed street, the entire right-of-way for the street shall be dedicated by the subdivider.

E. When a new subdivision adjoins a dedicated half-street in an existing subdivision, the subdivider shall dedicate the remainder of the street.

F. In those instances in which the owner or owners of a new subdivision own the land on only one side of an existing street the right-of-way of which is narrower than that required by subparagraph 1 of this paragraph "B", the subdivider shall dedicate additional right-of-way of sufficient width to make that portion of the right-of-way lying between the centerline of the existing right-of-way and the outside edge of the additional right-of-way at least equal to one-half the required right-of-way width.

G. Major streets may be designed with gradual curves having a centerline radius of at least 500 feet except where a lesser radius is deemed safe and adequate to serve the public needs. All other streets may be designed with gradual curves having a centerline radius of at least 150 feet except where a lesser radius is deemed safe and adequate to serve the public needs. No streets shall be laid out with jogs having centerline off-sets of less than 125 feet.

H. Cul-de-sacs shall have a maximum length of 300 feet measured from the centerline of the intersecting street to the center of the turnaround unless the topography of the land being subdivided or physical situation of that land makes such a restriction impractical.

35.02.03 Location and design of alleys:

A. Alleys shall be provided for lots or parcels of ground intended for business, commercial or industrial uses unless the development plan for such eliminates their need.

B. Alleys may be provided for all lots or parcels of ground intended for multiple family residential use.

C. No alleys shall be provided for lots intended for one and two family residential uses.

D. The minimum width of right-of-way for alleys shall be as follows:

- (1) Alleys to serve business, commercial or industrial uses -- 24 feet.

(2) Alleys to serve multiple family residential area only -- 20 feet.

E. No dead-end alleys will be permitted.

F. No private alleys will be permitted.

35.02.04 Names of streets and alleys: Proposed streets which are obviously in alignment with or continuations of existing streets already named shall bear the same name as the existing streets. In no case shall the name of the proposed new street duplicate the name of an existing street in the Village of Pesotum.

35.02.04 Construction of streets, alleys and walks:

A. All streets other than existing streets, all alleys and all public walks for pedestrian travel shall be graded and the surface thereof improved as herein provided (see Figure 1). Street improvements may be bounded by curbs, gutters, or combination curbs and gutters (see Figure 2 and Figure 3).

B. The minimum width of improved areas of streets shall be as follows:

(1) Major streets – 24 feet edge-to-edge of surfacing (see Figure 1) or 36 feet face-to-face of curbs (see Figure 3).

(2) All other streets – 20 feet edge-to-edge of surfacing (see Figure 1) or 28 feet face-to-face of curbs (see Figure 3).

(3) Permanent turnarounds at the end of cul-de-sac. The outside diameter of the surfaced area of the turnaround shall not be less than 80 feet.

C. The minimum width of improved areas of alleys shall be as follows:

(1) Alleys to serve business, commercial and industrial areas or uses – 20 feet.

(2) Alleys to serve multiple family areas or uses – 16 feet.

D. All streets shall be constructed using a minimum of 8 inches aggregate base course with an A-3 surface treatment and 5 foot wide shoulders (see Figure 1). The developer may, at his option, construct streets in accordance with the cross section as shown on Figure 3.

E. All curb corners shall have a radius of not less than 20 feet and at intersections involving major streets, such radius shall be not less than 25 feet.

F. All paved public walks designed for pedestrian travel shall be improved with not less than 4 inches of Portland cement concrete pavement to a width of at least 4 feet (see Figure 1 or Figure 3).

G. The subdivider shall notify the Village Clerk in advance of the date construction of the required improvements will begin.

H. No plat of any subdivision shall be finally approved by the Village President and Board of Trustees until:

(1) A copy of the plans and specifications for the required street, alley and public walk improvements including street drainage has been filed with and approved by the Village President and Board of Trustees. The plans and specifications shall meet any minimum design standards that are on file in the office of the Village Clerk.

(2) The improvements (including the street drainage) have actually been constructed in accordance with such plans and specifications or a surety bond payable to the Village in a penal sum equal to at least twenty dollars per lineal foot of street pavement, conditioned upon the construction of the improvements in full conformity with the plans and specifications within two years from the date thereof, and with surety thereon satisfactory to the President and Board of Trustees, has been filed with the Village Clerk. Any bond so given to guarantee the construction of any such improvement may be released by the President and Board of Trustees only after receiving a written statement from The Village Clerk that the improvement has been constructed and the certificate of a Registered Professional Engineer as required in paragraph E.9 (c) below, has been received.

(3) A certificate of a Registered Professional Engineer employed by the subdivider is filed with the Village Clerk certifying that the required improvements were inspected during actual construction by such Registered Professional Engineer or some competent person acting under his direction and that such improvements have been constructed in accordance with the aforesaid plans and specifications or, in the event the subdivider files a bond as provided in the preceding paragraph E. 9 (b), such bond contains an additional provision guaranteeing such inspection during construction as required herein and the furnishing of the aforesaid Certificate of the Registered Professional Engineer upon completion of construction of the required improvements. In the

event the engineer employed by the subdivider is discharged before completion of the required improvements, an amendment to the existing bond naming the new Registered Professional Engineer shall be filed with the Village and approved before proceeding any further with the construction of the required improvements.

35.02.06 Street Signs: A four-way metal street sign shall be erected at each street intersection. Such signs shall conform to the specifications established by the Village President and Board of Trustees.

35.02.07 Monuments: All lot corners shall be monumented by at least ½ inch diameter round or ½ inch square iron rod or ½ inch iron pipe at least thirty (30) inches long set on the lot corner. All lot corners that may have been disturbed or lost during construction of streets and sewers shall be replaced at the expense of the subdivider. All block corners, beginning and ending of all curves on curved streets or angle points in streets shall be monumented with a permanent monument set in a concrete post, the concrete post having a minimum length of thirty-six (36) inches and a minimum cross-section of a four (4) inch diameter circle. This monument shall be set sufficiently below the surface of the ground to make its disturbance unlikely.

### 35.03 Sanitary Sewers:

No plat of any new subdivision shall be approved by the Village President and Board of Trustees unless the same provides for, and assures the construction by the subdivider of a sanitary sewer system which shall be adequate to serve the needs of the entire subdivision when the same is fully developed. The location and design of the system shall be approved by the Village President and Board of Trustees and the Illinois Environmental Protection Agency.

No plat of any new subdivision shall be approved by the Village President and Board of Trustees unless the same provides for and assures adequate treatment of all sewage for the entire subdivision when the same is fully developed. The location and design of the treatment facilities, if other than the Village operated treatment facilities, shall be approved by the Village President and Board of Trustees and the Illinois Environmental Protection Agency.

If the developer requests waiver of the sanitary sewer requirements and approval of the use of individual septic tanks as a method of treatment, the Village President and Board of Trustees may approve of circumstances render a sewer system prohibitive or it is not reasonable to anticipate availability of connecting collection or treatment facilities; the developer may be required to install a sanitary sewer system subject to the provisions of the first paragraph of this Section, said sanitary sewer system to be plugged until such time as the Village of Pesotum, or other agency, can extend their sewer system to this development, provided sewage treatment and connecting collection facilities are available or contracts have been executed for construction of connecting collection or treatment facilities.

### 35.04 Water Mains.

No plat of any new subdivision shall be approved by the Village President and Board of Trustees unless the same provides for, and assures the construction by the subdivider of a water distribution system which shall be adequate to serve the needs of the entire subdivision when the same is fully developed, and will permit extension of the maximum feasible service beyond the subdivision. The location and design of the system shall be approved by the Village President and Board of Trustees and the Illinois Environmental Protection Agency.

35.05 Plat Requirements.

35.05.01 Procedure

A. File at least 10 days before the regular Village Board of Trustees meeting at which Board action is requested, seven copies of a preliminary plan with the Plat Committee of the Village Board of Trustees for examination and subsequent recommendations of approval or disapproval. The Plat Committee shall, after receiving the preliminary plan, consider the proposed plan of subdivision as represented by such plat and shall thereupon forward the plan to the Village President and Board of Trustees for its consideration, together with the recommendation of approval or disapproval of the plan. If the proposed plan of subdivision is not satisfactory as presented, the Plat Committee or Village President and Board of Trustees may permit the subdivider to make the changes and additions required to meet the requirements of this article. If the plan of subdivision as shown by said preliminary plat is finally disapproved, the original plat shall be returned by the Village President and Board of Trustees to the subdivider, with a written statement of reasons for such disapproval. If the proposed plan of subdivision as shown by said preliminary plat shall finally be approved, the original plat and two copies thereof shall be endorsed by the Village President and Board of Trustees as follows:

“The proposed plan of subdivision as shown on this plat and accompanying documents, has received tentative approval by the President and Board of Trustees of the Village of Pesotum, and the Village Board of Trustees Plat Committee is now ready to receive the final plat for consideration.”

DATED: \_\_\_\_\_

Tentatively Approved by the President and Board of Trustees of THE VILLAGE OF PESOTUM, ILLINOIS

By: \_\_\_\_\_  
President

ATTEST: \_\_\_\_\_  
Clerk

SEAL:

The original copy of the plat so endorsed shall be filed with the Village Clerk. One copy thereof shall be returned to the Plat Committee for its files and the other copy thereof shall be returned to the subdivider.

B. Within 12 months after receiving tentative approval of the preliminary plat by the Village President and Board of Trustees, and at least 10 days before the regular Village Board of Trustees meeting at which Board action is requested, the original and seven copies of the final plat shall be submitted to the Plat Committee of the Village Board of Trustees for examination and subsequent recommendations of approval or disapproval, and forwarding to the President and Board of Trustees for consideration at the next regular meeting. Tentative approval of the preliminary plat shall become null and void unless the final plat is submitted within the 12 months as hereinabove required.

If the final plan of subdivision as shown by said final plat shall finally be approved, the original plat and two copies thereof shall be endorsed by the Village President and Board of Trustees as follows:

“The final plan of subdivision as shown on this plat and accompanying documents has received final approval by the President and Board of Trustees of the Village of Pesotum, and this plat may be recorded within 90 days hereafter, or any longer period authorized by the President and Board of Trustees upon application within said 90 days’ period and noted hereon.”

DATED: \_\_\_\_\_  
FINAL APPROVAL GRANTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PESOTUM, ILLINOIS

By: \_\_\_\_\_  
President

ATTEST: \_\_\_\_\_ SEAL:  
Clerk

C. Following final approval by the President and Board of Trustees, the final plat as approved may be legally recorded in compliance with the laws of the State. Approval of the final plat by the President and Board of Trustees shall be null and void if the plat is not recorded within 90 days after the date of approval, unless application for extension of time is made in writing during said 90 days’ period to the President and Board of Trustees and granted.

The preliminary plat submitted to the Plat Committee shall be drawn to a scale of 100 feet or less to the inch and shall show the following information:

- A. The location of the property with respect to adjacent property and streets. There shall also be included a location map at a suitable scale to show all streets and public ways within the general areas of the subdivider's property.
- B. All pertinent features such as existing structures to remain, streets, railroads, water bodies, streams and wooded areas that may influence the design of the subdivision.
- C. Existing and proposed contours based on the U.S.G.S. datum at intervals of two (2) feet or less, unless waived by the Plat Committee.
- D. The name, location and width of all proposed streets.
- E. The proposed location and width of all alleys, lots, setback lines, utility easements, and areas to be reserved for public use.
- F. Existing sanitary sewers, storm drains, and culverts within the tract and immediately adjacent thereto.
- G. Proposed sites, if any, for multifamily dwellings, shopping centers, churches, industry, or other nonpublic uses exclusive of single-family dwellings.
- H. Proposed provisions for disposal of sanitary waste, and storm water drainage.
- I. The name and address of the owner or owners of land to be subdivided, the name and address of the subdivider, if other than the owner, and the name of the land surveyor and/or registered engineer.
- J. The north point, scale and date.
- K. The proposed name of the subdivision.
- L. Provision shall be made on the face of the plat in the form specified above for preliminary approval of the President and Board of Trustees to be noted.

#### 35.05.03 Final Plat

The final plat shall be clearly and legibly drawn to a scale of 100 feet or less to the inch on tracing cloth with black waterproof ink, or equivalent.

Said final plat and/or accompanying documents shall show the following information:

- A. Name of subdivision.
- B. Approximate true north point, date and scale.
- C. Name and signature of owner, subdivider, and land surveyor. Signature and seal of registered engineer on all engineering drawings.
- D. The legal description of the property subdivided with the surveyor's certificate and seal to the effect that the plat represents a survey made by him and that all monuments are set as shown.
- E. The accurate location and description of all monuments.
- F. All angular and linear data along the exterior boundaries of the subdivision. Boundary bearings for subdivisions over 100,000 square feet in an area shall be measured with reference to the true meridian.
- G. Locations and widths of all streets and sidewalks together with names of streets.
- H. Location, dimensions and status of all easements.
- I. Lot lines with accurate dimensions.
- J. Radii of all curves and lengths of arcs.
- K. Sufficient data to determine readily the location and length of all lines.
- L. All lot and block numbers.
- M. A copy of the plans and specifications for the required streets, alleys, public walk improvements, sanitary sewers and storm sewers.
- N. A certificate from a Registered Professional Engineer employed by the subdivider that all required streets, alleys and public walk improvements have been constructed in accordance with the plans and specifications as submitted or a surety bond as required in Section 2, paragraph E. 9(b), hereof.
- O. Provision shall be made on the face of the plat in the form specified above for final approval of the President and Board of Trustees to be noted.

P. A copy of the Owner's or Developer's Certificate containing the subdivision covenants and restrictions shall accompany the final plat and be filed therewith in the Village Records.

35.06 Penalty.

Any person, firm or corporation found to be violating any provision of this Ordinance shall be served by the Village of Pesotum with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Any person, firm or corporation who shall continue any violation beyond the time limit provided for in this Section 6 shall be guilty of a misdemeanor, and on conviction thereof shall be fined not more than ONE HUNDRED DOLLARS (\$100.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Any person, firm or corporation violating any of the provisions of this Ordinance shall become liable to the Village of Pesotum for any expense, loss or damage occasioned the Village by reason of such violation, including but not limited to all expenses incurred in enforcement of this Ordinance to such violation.