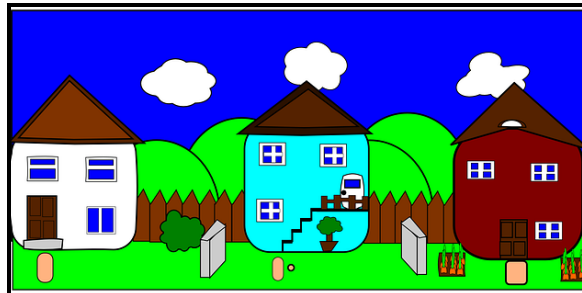


Elkhart County
Planning & Development:
Planning/Building/GIS/Code
Enforcement/Redevelopment

SUBDIVISION PROCESS

*Our Mission at the Planning and Development
Division of Elkhart County, Indiana, is to focus
on a long term commitment to economic vitality and
efficient use of land while reflecting the highest
professional standard with enduring regard for our
customers and the public trust.*



Phone (574) 971-4678
Hours: Monday 8:00am–5:00pm and
Tuesday–Friday 8:00am–4:00pm
dps@elkhartcounty.com
<http://elkhartcountyplanninganddevelopment.com/index.htm>

Elkhart County Planning & Development

What is the purpose of a Subdivision Control Ordinance (SCO)?

The subdivision of land is the first step in the process of development. The arrangement of land parcels for residential, commercial, industrial, recreational, utility, and other public purpose will determine to a large degree the qualities of health, safety, convenience, environment, and general welfare of the County. These regulations are designed, intended, and should be administered to:

- ◆ Guide future development
- ◆ Create uniform standards
- ◆ Have protection for property rights and values
- ◆ Guide public & private policy and action
- ◆ Have accurate records of land subdivision
- ◆ Promote harmonious development
- ◆ Maintain preservation of important natural features, vegetation and views

Why have “Development without Peril?”

Because subdividing land needs to be of such a character that it does not cause peril of health, flood, fire, or other menace.

Subdivided land shall have:

- ◆ Access to available existing public facilities and improvements
- ◆ Proper provisions for drainage, water supply, and sewage disposal

Elkhart County Planning & Development

What are the Conditions for Subdivision Plat Primary Approval?

- ◆ The manner in which public ways shall be laid out, graded and improved
- ◆ A provision for water, sewage, and other utility services
- ◆ A provision for lot size, number, and location
- ◆ A provision for drainage design
- ◆ A provision for other services

Easements:

- ◆ Access Easements 50' or greater in width
- ◆ Drainage & Utility Easements 10' or greater in width on each side of any public street that has a right-of-way width of less than 50'
- ◆ Utility Easements shall be at least 15' in width
- ◆ Drainage Easements shall be at least 15' in width
- ◆ Maintenance Easements may be required
- ◆ Farm Tile Easements shall be at least 20' in width

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"Does 'high-rise' refer to the building or the budget?"



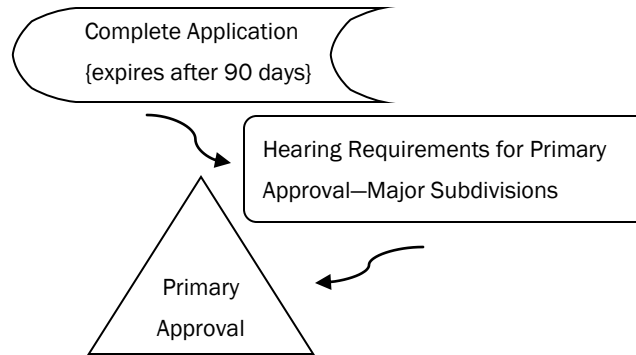
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Important SCO Information:

- ◆ The name of a subdivision shall be determined at the time of primary approval.
- ◆ If the owner intends to develop a subdivision in phases, then that intent must be included with the proposal and must show the remainder of the land with phase numbers of identification at the time of primary approval.
- ◆ Every major or minor subdivision plat approved after the effective date of these regulations shall be recorded within one year after the date of secondary plat approval.
- ◆ Any plat that is not so recorded within the one year period shall, at the expiration of the one year period, become null and void and shall not be entitled to recording without re-approval by the Plan Commission.
- ◆ Any proposed or actual subdivision of land having been granted secondary approval by the Plan Commission under the previous subdivision control ordinance must be recorded within two (2) years of secondary approval, or the secondary approval shall be considered null and void, unless an extension is granted by the Plan Commission.
- ◆ A notice of decision shall be presented to an applicant within ten (10) working days after a hearing.

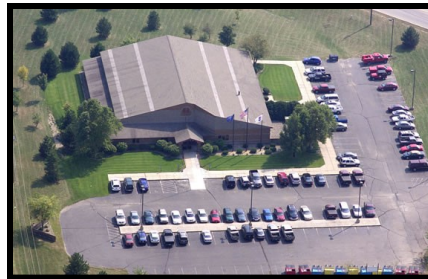
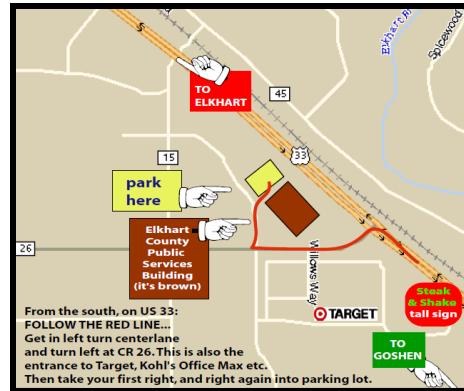
Subdivision Steps:

1. Preliminary Consultation—Prior to submitting any of the material required by the SCO, the applicant is advised to discuss with the Plan Commission Staff the nature of the land division being proposed.
2. Application for Primary Approval
3. Staff Review {complete applications are forwarded to the Technical Review Committee and notification of acceptance should take place within two working days}



4. Written Findings of Fact
5. Review by Certiorari of Plan Commission's Decision
6. Effective date of Primary Approval
7. Application for Secondary Approval
8. Fees
9. Secondary Plat and Improvement Plans
10. Appeal
11. Secondary Approval
12. Notice of Decision
13. Provisions for Completion of Improvements
14. Administration and Enforcement of Performance Guarantees
15. Provisions for Maintenance of Improvements
16. Inspections
17. As Built Drawings
18. Failure to Complete Improvements
19. Recording of Secondary Plat
20. Time Limitation to Record Secondary Plat

Information provided in this brochure either in visual or text form is according to the Subdivision Control Ordinance of Elkhart County, IN effective as of March 2, 2009.



Aerial photograph of the Elkhart County, IN
Department of Public Services

Elkhart County

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