

TITLE XV: LAND USAGE

Chapter

- 150. BUILDING REGULATIONS**
- 151. FLOODPLAIN MANAGEMENT**
- 152. ARTIFICIAL PONDS, DITCHES AND DIKES**
- 153. LAND DIVISION**

Shepherd - Land Usage

CHAPTER 150: BUILDING REGULATIONS

Section

Uniform Building Code

- 150.01 Adoption
- 150.02 References in Code

Dangerous and Dilapidated Buildings

- 150.15 Title
- 150.16 Purpose
- 150.17 Definitions
- 150.18 Prohibition of dangerous buildings

- 150.99 Penalty

UNIFORM BUILDING CODE

' 150.01 ADOPTION.

(A) Pursuant to the provisions of ' 8 of the State Construction Code Act (Public Act 230 of 1972, being M.C.L.A. " 125.1501 et seq.), the Uniform Building Code as published by the International Conference of Building Officials is hereby adopted by reference subject to amendments contained in this subchapter.

(B) Said Code is hereafter referred to as the Uniform Building Code and copies thereof shall be kept on file in the office of the Village Clerk for public inspection.
(1957 Code, ' 22-001) (Ord. 10201, passed 10-21-1974)

' 150.02 REFERENCES IN CODE.

Shepherd - Land Usage

References in the Uniform Building Code to Astate@ and AMichigan@ shall mean the AState of Michigan;@ reference to Amunicipality@ and AShepherd@ shall mean the AVillage of Shepherd;@ references to the AMunicipal Charter@ shall mean the Charter of the village; and references to Alocal ordinances@ shall mean the code of ordinances of the village.
(1957 Code, ' 22-002) (Ord. 10201, passed 10-21-1974)

DANGEROUS AND DILAPIDATED BUILDINGS

' 150.15 TITLE.

This subchapter shall be known and cited as the Village of Shepherd ADangerous and Dilapidated Building Ordinance.@
(Ord. passed 8-15-2011)

' 150.16 PURPOSE.

The purpose of this subchapter is to regulate and prohibit the existence of dangerous and/or dilapidated buildings within the village. Furthermore, it is the intent and purpose of this subchapter to promote the health, safety and welfare of the people of the village by regulating the maintenance, alternation, health, safety and improvement of buildings and structures and to establish remedies and provisions for the enforcement of this subchapter.
(Ord. passed 8-15-2011)

' 150.17 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DANGEROUS BUILDING. Any building or structure, residential or otherwise, that has one or more of the following defects or conditions or is in one or more of the following conditions:

(1) A portion of the building or structure is damaged by fire, wind, flood or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and does not meet the minimum requirements of the Housing Law of the State of Michigan, Public Act 167 of 1917, being M.C.L.A. " 125.401 et seq., or of the County Building Code for a new building or structure, purpose or location;

(2) A part of the building or structure is likely to fall, become detached or dislodged, or

Building Regulations

collapse and injure persons or damage property;

(3) The building or structure, or a part of the building or structures, because of dilapidation, deterioration, decay, faulty construction or the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way;

(4) The building or structure, or a part of the building or structure, is manifestly unsafe for the purpose for which it is used or intended to be used;

(5) The building or structure is damaged by fire, wind or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act;

(6) A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, which because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation, is in a condition that a village official or the health officer of the village or county determines is likely to cause sickness or disease, or is likely to injure the health, safety or general welfare of people living in the dwelling;

(7) A building or structure is vacant, dilapidated and open at the door, wall, roof or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers; and/or

(8) Any portion of a building or structure open to the elements whether such opening occurs due to a broken, missing or dilapidated door, wall, roof or other structural or exterior component of the building.

ENFORCING AGENCY. The village, through the Village Building Official, Zoning Administrator and/or such other officials) or agency as may be designated by the Village Council to enforce this subchapter.

OWNER. Any person, corporation, partnership or entity which owns, co-owns or has an ownership interest in the property at issue.
(Ord. passed 8-15-2011)

' 150.18 PROHIBITION OF DANGEROUS BUILDINGS.

It shall be unlawful for any owner or agent thereof to keep, possess, own or maintain any building or part thereof which is a dangerous building as defined in this subchapter.
(Ord. passed 8-15-2011) Penalty, see ' 150.99

Shepherd - Land Usage

' 150.99 PENALTY.

Fines for violations of this chapter shall be as set forth by the county.
(Ord. passed 8-15-2011)

CHAPTER 151: FLOODPLAIN MANAGEMENT

Section

- 151.01 Agency designated
- 151.02 Code appendix enforced
- 151.03 Designation of regulated floodprone hazard areas

' 151.01 AGENCY DESIGNATED.

Pursuant to the provisions of the state construction code, in accordance with ' 8b(6) of Public Act 230 of 1972, being M.C.L.A. " 125.1501 through 125.1531, as amended, the Building Official of the county is hereby designated as the enforcing agency to discharge the responsibility of the village under Public Act 230 of 1972, as amended, state. The county assumes responsibility for the administration and enforcement of said Act through out the corporate limits of the community adopting this chapter. (Ord. passed 1-6-2014)

' 151.02 CODE APPENDIX ENFORCED.

Pursuant to the provisions of the state construction code, in accordance with ' 8b(6) of Public Act 230 of 1972, being M.C.L.A. " 125.1501 through 125.1531, as amended, Appendix G of the State Building Code shall be enforced by the enforcing agency within the village. (Ord. passed 1-6-2014)

' 151.03 DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS.

The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled AFlood Insurance Study 0 Isabella County Michigan (All Jurisdictions)@ and dated February 5, 2014 and the flood insurance rate map(s) (FIRMS) panel number(s) of 26073C; 035 0D and dated February 5, 2014 are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of ' 1612.3 of the State Building Code, and to provide the content of the AFlood Hazards@ section of Table R301.2(1) of the State Residential Code. (Ord. passed 1-6-2014)

Shepherd - Land Usage

CHAPTER 152: ARTIFICIAL PONDS, DITCHES AND DIKES

Section

- 152.01 Introduction
- 152.02 Definitions
- 152.03 Applicability of regulations
- 152.04 General requirements
- 152.05 Administrations

- 152.99 Penalty

' 152.01 INTRODUCTION.

(A) *Authority.* This chapter is adopted pursuant to authority conferred by the State General Law Village Act, being M.C.L.A. " 61.1 through 75.12.

(B) *Findings.* The Village Council finds that many of the soil types throughout the village have significant limitations for the creation of artificial ponds, ditches and dikes and that artificial ponds, ditches and dikes unregulated as to size, location and design pose safety hazards to persons and property within the village.

(C) *Purpose.* The purpose of this chapter is to promote the public health, safety and general welfare by ensuring proper location, size and design of artificial ponds, ditches and dikes in the village. (Ord. passed 12-2-2002)

' 152.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ARTIFICIAL DIKE. A water body or water course created by constructing an embankment by excavating, dredging or depositing fill which results in the retention or detention of water.

Shepherd - Land Usage

ARTIFICIAL DITCH. A watercourse with a definite channel and banks created by excavating a ditch or diking banks. **ARTIFICIAL DITCH** shall not include any navigable lake, stream or impoundment under the jurisdiction of the State Department of Natural Resources pursuant to state statutes.

ARTIFICIAL POND. An impoundment of water created by excavating a depression in the ground that accumulates diffused surface water or ground water or an impoundment of water created by diking banks on the ground that accumulates diffused surface water or ground water. **ARTIFICIAL PONDS** shall not include any navigable lake, stream or impoundment under the jurisdiction of the State Department of Natural Resources pursuant to state statutes.

ENLARGEMENT. Any increase in the surface area or depth of an artificial pond, ditch or dike or any extension or increase in the cross section of an artificial ditch or dike.
(Ord. passed 12-2-2002)

' 152.03 APPLICABILITY OF REGULATIONS.

(A) No artificial pond, ditch or dike shall hereafter be created except in conformity with the regulations and requirements of this chapter.

(B) No artificial pond, ditch or dike shall hereafter be enlarged or extended except in conformity with the regulations and requirements of this chapter.
(Ord. passed 12-2-2002) Penalty, see ' 152.99

' 152.04 GENERAL REQUIREMENTS.

(A) *Setbacks.*

(1) No part of an artificial pond or dike, including an embankment for the retention of water, shall be created or enlarged within 25 feet of a property line or habitable building or within 50 feet of a public road right-of-way or on-site sewage system.

(2) No part of an artificial pond or dike, including the embankment for the retention of water, exceeding 10,000 cubic feet of water capacity, shall be created or enlarged within 50 feet of a property line, habitable dwelling, on-site sewage disposal system or within 75 feet of a public road right-of-way.

(3) No part of an artificial pond or dike, including the embankment for the retention of water, with an embankment height of 36 inches or more above grade shall be created or enlarged within 50 feet of a property line, habitable structure or on-site sewage system or within 75 feet of a public road right-of-way.

Artificial Ponds, Ditches and Dikes

(B) *Side slopes.* No artificial pond, ditch or dike shall be created, enlarge or extended with embankment side slopes or bottom slopes greater than three to one. The embankment side adjacent to the water surface shall provide a two-foot shelf for every three feet of height.

(C) *Artificial ponds or dikes over 10,000 cubic feet.* The creation of any artificial pond or dike exceeding 10,000 cubic feet of water capacity or the enlargement of any artificial pond or dike to more than 10,000 cubic feet of water capacity shall require plans prepared by a state licensed civil engineer. The plans shall address seepage, subsidence, embankment strength and erosion and be certified by the engineer.

(D) *Diversion of water onto adjacent lands prohibited.* No artificial pond, ditch or dike shall be created or maintained such that water is directed onto or set back upon adjacent properties through seepage or overflow.

(E) *Landscaping.* The perimeter of any artificial pond or dike shall be landscaped and seeded within 90 days after completion of excavation. The full cross-section of any artificial ditch shall be seeded within 90 days after completion of excavation.

(F) *Fencing.* All ponds, existing or retention ponds, covered by this chapter shall be completely enclosed by a six-foot chain link fence or any other type of fencing approved by the Zoning Administrator of the village.

(Ord. passed 12-2-2002) Penalty, see ' 152.99

' 152.05 ADMINISTRATIONS.

(A) *Permits.* No artificial pond, ditch or dike may hereafter be created, enlarged or extended without a permit obtained from the Village Council.

(B) *Permit submittals.* Application for a permit shall be made in writing and shall include the following information:

- (1) Name and address of the property owner;
- (2) A statement of the purpose of the artificial pond, ditch or dike;
- (3) Site topography with two-foot contour intervals and the direction and flow of surface water on the site;
- (4) Cross sections of the pond, ditch or dike every 100 feet showing the embankment, channel and depth along with the estimated volume and flow of water in cubic feet per second for a 25-year return rainfall for a watercourse;

Shepherd - Land Usage

(5) Embankment materials and the methods of construction including erosion and sedimentation control;

(6) A site plan of the property drawn to scale showing the exact location, size and dimensions of the artificial pond, ditch or dike and the location of any buildings and on-site sewage disposal systems on the property with distances between the artificial pond, ditch or dike and right-of-way lines, property lines and building;

(7) For artificial ponds or dikes over 10,000 cubic feet, a certification by a state licensed civil engineer; and

(8) Determination of navigability for any watercourse or water body within 300 feet of the proposed pond, ditch or dike.

(C) *Permit approvals.* The Village Council may approve, conditionally approve or deny a permit. The Village Council shall take action to approve, conditionally approve or deny the application within 60 days of submittal and shall state in writing any condition of approval or reasons for denial. No public notice or hearing is required but Village Council action shall be taken in public session as part of a previously prepared agenda.

(D) *Permit application review fee.* A permit application fee of \$100 shall be paid to the Village Clerk at the time of permit submittal.

(E) *Violations.* It shall be a violation of this chapter to create, enlarge or extend any artificial pond, ditch or dike without a permit. It shall be a violation of this chapter to maintain an artificial pond, ditch or dike such that water is diverted onto or set upon adjacent properties through seepage or overflow.

(F) *Remedies.* Compliance with the provisions of this chapter may be enforced by appropriate fines and penalties or by injunctive suit by the village.

(G) *Appeals.* Any person aggrieved by a decision of the Village Council may within 30 days after the decision, commence an action seeking the remedy available by certiorari.
(Ord. passed 12-2-2002) Penalty, see ' 152.99

' 152.99 PENALTY.

Any person who violates any provision of this chapter, or any order issued hereunder, shall upon conviction, forfeit not more than \$200 together with the costs of prosecution. Each day that a violation exists shall constitute a separate offense.
(Ord. passed 12-2-2002)

CHAPTER 153: LAND DIVISION

Section

- 153.01 Title
- 153.02 Purpose
- 153.03 Definitions
- 153.04 Prior approval requirement for land divisions
- 153.05 Application for land division approval
- 153.06 Procedure for review of applications for land division
- 153.07 Standards for approval of land divisions
- 153.08 Allowance for approval of other land/lot division
- 153.09 Consequences of noncompliance with land division approval requirement

- 153.99 Penalty

' 153.01 TITLE.

This chapter shall be known and cited as the AVillage of Shepherd Land Division Ordinance.@
(Ord. passed 8-18-2008)

' 153.02 PURPOSE.

The purpose of this chapter is to carry out the provisions of the State Land Division Act (Public Act 288 of 1967, being M.C.L.A. " 560.101 through 560.293, as amended) formerly known as the Subdivision Control Act, to prevent the creation of lots, parcels, condominium units or tracts of land or property which do not comply with applicable local ordinances and said Act, to minimize potential boundary disputes, to maintain orderly development of the community, and to otherwise provide for the health, safety and welfare of the residents and property owners of the village by establishing reasonable standards for prior review and approval of land divisions within the village.
(Ord. passed 8-18-2008)

' 153.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICANT. A natural person, firm, association, partnership, corporation or combination of any of them that holds an ownership interest in land whether recorded or not.

CONDOMINIUM UNIT. A portion of a condominium project designed and intended for separate ownership and use, as described in a Condominium Master Deed recorded pursuant to the Condominium Act, M.C.L.A. " 559.101 et seq.

DIVIDED or DIVISION. The partitioning or splitting of a lot, condominium unit, parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors or assigns, for the purpose of sale or lease of more than one year.

EXEMPT SPLIT or EXEMPT DIVISION. The partitioning or splitting of a parcel or tract of land by the proprietor thereof, or by his or her heirs, executors, administrators, legal representatives, successors or assigns, that does not result in one or more parcels of less than 40 acres or the equivalent; provided all resulting parcels are accessible for vehicular travel and utilities from existing public roads through existing adequate roads or easements, or through areas owned by the owner of the parcel that can provide such access.

FORTY ACRES OR THE EQUIVALENT. Either 40 acres, a quarter-quarter section containing not less than 30 acres, or a government lot containing not less than 30 acres.

GOVERNING BODY. The Village Council of Shepherd.

LAND. An existing lot, parcel or tract of land.

LOT. A plat, plot or parcel or land occupied or designated to be occupied by a development or structure and the accessory buildings or uses customarily incidental to it including such open spaces as are arranged and designed to be used in connection with such buildings. A **LOT** may or may not be the land shown on a duly recorded plat. If more than one lot of record is held in common ownership and said lots are contiguous, substandard in size to the minimum lot standard in the zoning district, or needed to be combined in order to receive a zoning permit for development, they shall for the purpose of this chapter, be held as one **LOT** so as to not leave any lot development or structure within a lot substandard to the applicable zoning ordinance.

(Ord. passed 8-18-2008)

' 153.04 PRIOR APPROVAL REQUIREMENT FOR LAND DIVISIONS.

Land in the village shall not be divided, split or combined without the prior review and approval of the Village Zoning Administrator, or other official designated by the governing body or Village Council, in accordance with this chapter and the State Land Division Act; provided that the following shall be exempted from this requirement:

Land Division

(A) A parcel proposed for subdivision through a recorded plat pursuant to village ordinances and the State Land Division Act, being M.C.L.A. " 560.01 through 560.293; and

(B) An exempt split as defined in this chapter.

(Ord. passed 8-18-2008)

' 153.05 APPLICATION FOR LAND DIVISION APPROVAL.

An applicant shall file all of the following with the Village Zoning Administrator or other official designated by the governing body for review and approval of a proposed land division before making any division either or by deed, land contract, lease for more than one year, or for building development:

(A) A completed application form or such form as may be provided by the village;

(B) Proof of fee ownership of the land proposed to be divided, split or combined;

(C) A survey map of the land proposed to be divided, split or combined prepared pursuant to the survey map requirements of Public Act 132 of 1970, being M.C.L.A. ' 54.211, by a land surveyor licensed by the state, and showing the dimensions and legal descriptions of the existing parcel and the parcels proposed to be created by the division(s), the location of all existing structures and other land improvements, and the accessibility of the parcels for vehicular traffic and utilities from existing public roads. In lieu of such survey map, at the applicant=s option, the applicant may waive the 30-day statutory requirement for a decision on the application until such survey map and legal description are filed with the municipality, and submit a tentative preliminary parcel map drawn to scale of not less than that provided for on the application form including an accurate legal description of each proposed division, and showing the boundary lines, dimensions and the accessibility of each division from existing or proposed public roads for automobile traffic and public utilities, for preliminary review, approval and/or denial by the locally designated official prior to a final application under ' 154.05. The Village Council, or its designated agent delegated by the Council, may waive the survey map requirement where the foregoing tentative parcel map is deemed to contain adequate information to approve a proposed land division considering the size, simple nature of the divisions, and the undeveloped character of the territory within which the proposed divisions are located. An accurate legal description of all the proposed divisions, however, shall at all times be required;

(D) Proof that all standards of the State Land Division Act and this chapter have been met;

(E) The history and specifications or any previous divisions of land of which the proposed division was a part sufficient to establish the parcel to be divided was lawfully in existence as of March 31, 1997, the effective date of the State Land Division Act;

(F) Proof that all due and payable taxes or installments of special assessments pertaining to the land proposed to be divided, split or combined are paid in full;

Shepherd - Land Usage

(G) If transfer of division rights is proposed in the land transfer, detailed information about the terms and availability of the proposed division rights transfer;

(H) Unless a division creates a parcel which is acknowledged and declared to be Abuildable@ under ' 153.08, all divisions shall result in Abuildable@ parcels containing sufficient Abuildable@ area outside of unbuildable wetlands, floodplains and other areas where buildings are prohibited therefrom, and with sufficient area to comply with all required setback provisions, minimum floor area, off-street parking spaces, and maximum allowed area coverage of buildings and structures on the site; and

(I) A fee may from time to time be established by resolution of the governing body of the Village Council for land division pursuant to this chapter to cover the costs of review of the application and administration of this chapter and the State Land Division Act.
(Ord. passed 8-18-2008)

' 153.06 PROCEDURE FOR REVIEW OF APPLICATIONS FOR LAND DIVISION.

(A) Upon receipt of a land division application package, the Village Clerk or other official designated by the Village Council shall forthwith submit the same to the Village Zoning Administrator or other designated official for decision. The Village Zoning Administrator or other designee shall approve, approve with reasonable conditions to assure compliance with applicable ordinances and the protection of public health, safety and general welfare, or disapprove the land division applied for within 30 days after receipt of the application package conforming to this chapter=s requirements, and shall promptly notify the applicant of the decisions and the reasons for any denial. If the application package does not conform to this chapter=s requirements and the State Land Division Act being M.C.L.A. " 560.01 through 560.293, the Village Zoning Administrator or other designee shall return the same to the applicant for completion and refilling in accordance with this chapter and the State Land Division Act, being M.C.L.A. " 560.01 through 560.293.

(B) Any person or entity aggrieved by the decision of the village or Zoning Administrator or designee may, within 30 days of said decision, appeal the decision to the Village Council or such other board or person designed by the Village Council which shall consider and resolve such appeal by a majority vote of said Council or by the designee at its next regular meeting or session affording sufficient time for a 20-day written notice to the applicant (and appellant where other than the applicant) of the time and date of said meeting and appellate hearing.

(C) A decision approving a land division is effective for 90 days, after which it shall be considered revoked unless within such a period a document is recorded with the County Register of Deed=s office and filed with the Village Clerk or other designated official accomplishing the approval land division or transfer.

(D) The Village Manager or designee shall maintain an official record of all approved and

Land Division

accomplished land divisions or transfers.
(Ord. passed 8-18-2008)

' 153.07 STANDARDS FOR APPROVAL OF LAND DIVISIONS.

A proposed land division shall be approved if the following criteria are met.

(A) The division of a lot, parcel, condominium unit or tract shall not create any nonconformities in regards to the zoning ordinance. The division shall not create any new violations of the zoning ordinance, including, but not limited to, minimum lot (parcel, unit or tract) frontage or width, minimum road frontage, minimum lot (parcel, unit or tract) area, minimum lot depth to width ratio, and maximum lot (parcel, unit or tract) coverage, minimum setbacks for existing buildings/structures and parking.

(B) The proposed land division(s) comply with all requirements of the State Land Division Act, being M.C.L.A. " 560.01 through 560.293 and this chapter.

(C) All lots, parcels, condominium units and tracts created and remaining shall have adequate accessibility or an area available therefore, to a public road or approved private road for public utilities and emergency and other vehicles not less than the requirements of the applicable zoning ordinance, major thoroughfare plan, road ordinance or this chapter. In determining adequacy of accessibility, any ordinance standards applicable to plats shall also apply as a minimum standard whenever a parcel or tract is proposed to be divided to create four or more parcels.

(D) The ratio of depth to width of any parcel created by the division does not exceed a four to one ratio exclusive of access roads, easements or nonbuildable parcels created under ' 153.08 and parcels added to contiguous parcels that results in all involved parcels complying with said ratio. The permissible depth of a parcel created by a land division shall be measured within the boundaries of each parcel from the abutting road right-of-way to the most remote boundary line point of the parcel from the point of commencement of the measurement. The permissible minimum width of a parcel shall be as defined in the zoning ordinance.

(E) Where accessibility is to be provided by a proposed new dedicated public road, proof that the County Road Commission, State Department of Transportation or Village Council has approved the proposed layout and construction design of the road and of utility easements and drainage facilities connected therewith shall be provided, as applicable.

(F) Where accessibility by vehicle traffic and for utilities is permitted through other than a dedicated and accepted public road or easement, such accessibility shall comply with the village=s private road standard ordinance.

Shepherd - Land Usage

(G) On-site sewage disposal systems and private water wells are prohibited within the corporate limits of the village for new construction on individual lots and proposed subdivisions. The village shall extend public water, sanitary sewer and storm drainage systems to the frontage of an undeveloped lot within the corporate limits of the village for the purpose of providing municipal utilities. The village shall extend public water, sanitary sewer and storm drainage systems to the site of any proposed subdivision within the corporate limits of the village. Beyond the frontage of the closest lot in a proposed subdivision to existing public water, sanitary sewers and storm drains, further extension of said utilities in order to serve all proposed lots in the subdivision will be constructed by and at the expense of the owner/developer of the proposed subdivision unless otherwise provided for by the village. Such utility extensions shall allow for each proposed lot to be tapped into water and sanitary sewer mains within the frontage of said lots. All streets and utilities installed by the owner/developer shall meet village specifications prior to acceptance by the village as municipal streets and utility systems. No individual lots within proposed subdivisions shall be sold prior to said acceptance by the village, unless otherwise provided for by the village.

(Ord. passed 8-18-2008)

' 153.08 ALLOWANCE FOR APPROVAL OF OTHER LAND/LOT DIVISION.

Notwithstanding disqualification from approval pursuant to this chapter, a proposed land division which does not fully comply with the applicable lot, yard, accessibility and area requirements of the applicable zoning ordinance or this chapter may be approved by variance according to the village's zoning ordinance.

(Ord. passed 8-18-2008)

' 153.09 CONSEQUENCES OF NONCOMPLIANCE WITH LAND DIVISION APPROVAL REQUIREMENT.

Any lot, parcel, condominium unit or tract created in violation of this chapter shall not be eligible for any building permits, or zoning approvals, such as special land use approval or site plan approval, and shall not be recognized as a separate parcel on the assessment roll. In addition, violation of this chapter shall subject the violator to the penalties and enforcement actions set forth in ' 154.99, and as may otherwise be provided by law.

(Ord. passed 8-18-2008)

' 153.99 PENALTY.

Fines for violations of this chapter shall be as set forth by the county.

(Ord. passed 8-18-2008)