

157. RESIDENTIAL SUBDIVISION CONTROL**157.01. GENERAL PROVISIONS****157.01.01 Establishment Of Control**

No plat or replat of a subdivision located within the jurisdiction of the Plan Commission shall be recorded until it shall have been approved by the Commission, and such approval shall have been entered in writing on the plat by the President and Secretary of the Commission.

157.01.02 Improvement Credit Procedure

The public utility improvements required under Section 157.02 and 157.03 may benefit other properties in the vicinity of the subdivision. The town and subdivider may enter into an agreement requiring new users of these improvements to pay the town a usage fee, with the subdivider to receive an amount equivalent to the fee if:

- A. The improvement crosses or adjoins the neighboring properties;
- B. The improvement be used by these properties upon installation; and
- C. The users connect to or utilize the improvement within ten (10) years following its installation.

157.01.03 Variances to Subdivision Standards

Where the subdivider can show that a provision of this Section would cause unnecessary hardship if strictly adhered to and where, in the opinion of the Plan Commission, conditions peculiar to the site permit waiver of this Section's requirements without destroying its intent, the Commission may authorize a variance. All variances are required to be entered in writing in the minutes of the Commission and the reasons for the variance set forth.