Land Use Authority

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Procedures for Vacating or Amending a Subdivision Plat

The following requirements shall be met in order for a vacation or amendment to a subdivision to be scheduled for the Kane County Land Use Authority Commission agenda.

1. Applicant must be a title owner of property in the said plat or have power of attorney to act on behalf of owner. *Applicant or legal representative must appear at scheduled Land Use Authority meeting before action can be taken.
2. Provide the names and addresses of all property owners in said plat.
3. Pay the required $300 non-refundable, application fee, plus $10 for each notice mailed out to property owners.
4. Pay the required $500 engineering deposit (shall be paid before engineering review will take place). The engineering deposit will be held in escrow; any unused portion will be refunded. If the escrow account reaches 20% of the original $500 an additional engineering deposit shall be required.
5. Submit the plat to the County Engineer for review. (See attached sheet for requirements).
6. Provide statement from Treasure's office showing taxes are current.
7. See attached sheet for requirements

In accordance with LUDMA a public hearing shall be scheduled before Kane County Land Use Authority Commission.

Any application that is incomplete will not be scheduled for the Kane county Land Use Authority commission agenda.

Fee:_____
Paid: _____
List of Property Owners: _____

REQUEST FOR VACATING OR AMENDING A SUBDIVISION PLAT

Property Owner's Name:_____

Date:_____Address:_____

Phone:_____Cell Phone:_____Fax:_____

City:_____State:_____Zip Code:_____

Location and Legal Description of Subdivision Plat: _____
_____
_____
_____

I (We) certify that the proposed subdivision plat will conform to the Kane County Subdivision Ordinance and that no changes will be made without prior approval.

Signature of Owner: _____

_____

Land Use Action:_____Approve:_____Deny_____

Comments:_____
_____
_____

Land Use Authority Chairman_____Date:_____

PARCEL JOINDER-DRAWING REQUIRMENTS

1. Boundary bearings and distances data outside boundary
2. New Lot number
3. Curve data: radius, angle, tangent, length
4. All streets to be named
5. Bearings and distances of all streets
6. Adjacent streets shown and dimensioned
7. Adjacent fences shown
8. All easements to be labeled and dimensioned; all easements to be abandoned
9. All land with boundaries to be accounted for
10. All dimensions to be to 0.01’ and 0’000’00
11. Name of subdivision
12. North arrow
13. Basis of bearing
14. Name and address of owners of record
15. Total acreage of new lot
16. Legal description of new lot
17. Township, range, section and quarter section
18. Graphic scale
19. Required monuments
20. County Surveyor’s signature block
21. County Attorney’s signature block
22. Land Use Authority’s signature block
23. County Commission’s signature block
24. Signature(s) of owner(s) (notarized) block
25. County Recorder’s recording block
26. Lender’s signature block (or “Consent to Plat” form)
27. Surveyor’s Certificate

5-9 **Vacating or Changing a Subdivision Plat (**Refer to 17-27a-608, 609 and 609.5).

(1) (a) Subject to Section 17-27a-609.5, and provided that notice has been given pursuant to local ordinance and Section 17-27a-209, the Land Use Authority may, with or without a petition, consider and resolve any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any lot contained in a subdivision plat.

(b) If a petition is filed, the Land Use Authority shall hold a public hearing with 45 days after the petition is filed or,

(2), if:

(i) any owner within the plat notifies the county of their objection in writing within ten days of mailed notification; or

(ii) a public hearing is required because all of the owners in the subdivision have not signed the revised plat.

(2)(a) (i) The Land Use Authority shall consider and provide a recommendation for a proposed vacation, alteration, or amendment under Subsection (1) (a) before the Kane County Commission takes final action.

(3) Any fee owner, as shown on the last county assessment rolls, of land within the subdivision that has been laid out and platted as provided in this part may, in writing, petition the county executive to have the plat, any portion of it, or any street or lot contained it, it vacated, altered, or amended as provided in this section, and section 17-27a-609.5

(4) Each petition to vacate, alter, or amend an entire plat, a portion of the plat, or a street or lot contained in a plat shall include:

(a) the name address of all owners of record of the land contained in the entire plat;

(b) the name address of all owners of record of land adjacent to any street that is proposed to be vacated, altered or amended; and

(c) the signature of each of these owners who consents to the petition.

(5) (a) the petitioner shall pay the costs of this notice.

(6) (a) The owners of record of adjacent parcels that are described either a metes and bounds description or a recorded plat may exchange title to portions of those parcels if the exchange of title is approved by the Kane County Commission.

(b) The Kane County Commission shall approve an exchange of title under Subsection

(7) (a) if:(i) the exchange of title will not result in a violation of applicable zoning requirements.