

## **Section 85-010: Purpose and Intent**

All subdivisions of land hereafter submitted for approval shall fully comply in all respects with the regulations set forth herein. It is the purpose of these regulations to:

1. Provide for and guide the orderly, economic and safe development of land, urban services and facilities.
2. Encourage well-planned, efficient and attractive subdivisions by establishing minimum standards for design and construction.
3. Provide for the health, safety and welfare of residents by requiring the necessary services such as properly designed streets and adequate sewer and water service.
4. Place the cost of improvements against those benefitting from their construction.
5. Secure the rights of the public with respect to public lands and waters.
6. Set the minimum requirements necessary to protect the public health, safety and general welfare.

## **Section 85-015: Definitions**

**Boundary Line Realignment:** Any subdivision adding property to an adjacent parcel, not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Land Use Plan or these regulations.

**City:** The City of Nevis

**City Council:** The Nevis City Council.

**Conditional Use:** A land use of development as defined by ordinance that may be allowed only after an in-depth review procedure and with appropriate restrictions or conditions as provided by this zoning ordinance upon a finding that standards and criteria stated in this Ordinance will be satisfied.

**Final Plat:** The final map, drawing or chart, on which the subdivider's plan of subdivision is presented for approval and which, if approved, will be submitted to the county register of deeds. The plat must conform to the requirements of the law.

**Lot of Record:** Any lot which is one (1) unit of a recorded plat designated by auditor's plat, subdivision plat, or other accepted means and separated from other parcels or portions of said description for the purpose of sale, lease or separation thereof that has been recorded in the Office of the County Recorder prior to the effective date of this Ordinance.

**Minor Subdivisions:** Any subdivision containing not more than three (3) lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Land Use Plan or these regulations.

**Plat:** A map or drawing which graphically delineates the boundary of land parcels for the purpose of identification and record of title. The plat is a recorded legal document and must conform to the law.

**Preliminary Plat:** The preliminary map, drawing or chart indicating the proposed layout of the subdivision to be submitted to the Planning Commission for their consideration.

**Setback:** The minimum horizontal distance between a structure, sewage treatment system, or other facilities and an ordinary high-water level, sewage treatment system, top of a bluff, road, highway, property line or other facility.

**Subdivider:** Any person commencing proceedings under the terms of this section to affect a subdivision of land hereunder for himself or for another.

**Subdivision:** The division of a parcel of land into three or more lots or parcels, any of which resultant parcel is less than five acres in area or 300 feet in width, for the purpose of transfer or ownership or building or development or, if a new street is involved any division of a parcel of land; the term includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land subdivided.

**Variance:** Relief from certain provisions of this Ordinance, when due to the particular physical surroundings, shape or topographical condition of the property, compliance would result in practical difficulties upon the property owner. A variance shall not be used to permit a use in a district where it is not allowed under the terms of this Ordinance. Variances shall only be granted in accordance with M.S. 462.

**Zoning Administrator:** The Zoning Administrator of the City of Nevis, or its authorized agent or representative.