

CHAPTER 11

MUNICIPAL PLANNING

ARTICLE 2. SUBDIVISIONS AND ADDITIONS

11-201 SUBDIVISIONS AND ADDITIONS; GENERALLY. The owner of any tract of land within the corporate limits of the Municipality may lay out said land into lots, blocks, streets, avenues and alleys as a suburban development or as an addition to the Municipality upon conformance to and compliance with the conditions herein and with the Statutes of Nebraska. (Ref. 17-405, 17-426, 17-1002, 19-902 RS Neb.)

11-202 SUBDIVISIONS AND ADDITIONS; SURVEY AND PLAT. The owner or proprietor of any tract or parcel of land within the corporate limits or within one (1) mile thereof desiring to subdivide or lay out said tract of land shall cause the same to be accurately surveyed and an accurate map or plat thereof made with reference to known or permanent monuments and said map or plat shall explicitly describe the land so laid out. The map or plat shall designate the tract as " Addition to the Village of Brady, Nebraska," or "Subdivision of the Village of Brady, Nebraska," whichever is appropriate. The lots and blocks shall be designated by numbers and the streets and avenues by names coinciding with the streets and avenues of the Municipality of which they form continuations. The plat shall show the length and depth of the lots and width and course of all streets, avenues and alleys together with an accurate plat of all lots, blocks and streets. (Ref. 17-405, 17-1002, 17-1003, 19-902 RS Neb.)

11-203 SUBDIVISIONS AND ADDITIONS; SURVEYOR'S CERTIFICATE. The map or plat shall be accompanied by a certificate from the surveyor making said survey and plat that he accurately surveyed the said tract and the lots, blocks, streets, avenues and alleys are accurately shown upon the said map or plat. (Ref. 17-405, 17-1003, 19-902 RS Neb.)

11-204 SUBDIVISIONS AND ADDITIONS; DEDICATION. Said map or plat shall have written thereon or attached hereto a dedication to the Municipality for the use of the public, of all streets, avenues, alleys, parks, squares and commons and all land set apart for public use or dedicated to charitable, religious and educational purposes as therein mentioned and described. Such dedication shall be signed by the owner of the tract of land and shall be duly acknowledged as required by law. (Ref. 17-417, 17-1003 RS Neb.)

11-205 SUBDIVISIONS AND ADDITIONS; STREETS AND ALLEYS. Streets and alleys laid out in any addition to or in any suburban development of the Municipality shall be continuous with and correspond in direction and width to the streets and alleys of the Municipality to which they are an addition. (Ref. 17-418, 17-1003 RS Neb.)

11-206 SUBDIVISIONS AND ADDITIONS; APPROVAL OF PLAT. Before any such map or plat shall have any validity, it must first be submitted to and be approved and accepted by the Governing Body of this Municipality and must have such acceptance and approval endorsed thereon; provided, that before any such map or plat shall be considered, approved or accepted, the

owner or proprietor shall pay or cause to be paid, all taxes, special taxes and special assessments due thereon and shall produce a certificate showing that all such taxes and assessments have been paid or canceled. (Ref. 17-1002, 19- 902 RS Neb.)

11-207 SUBDIVISIONS AND ADDITIONS; RECORDING PLAT. If a majority of all members of the Governing Body shall vote in favor of such suburban development or annexation, an ordinance shall be prepared and passed by the Governing Body granting such approval or declaring the annexation of such territory to the corporate limits of this Municipality and extending the limits thereof accordingly, whichever is appropriate. An accurate map or plat of such territory and said dedication as herein described, certified by the engineer or surveyor and acknowledged and approved as provided by law in such cases shall at once be filed and recorded by the owner or proprietor of such land in the office of the Register of Deeds of the County, together with a certified copy of the ordinance granting approval or declaring such annexation under the Seal of said Municipality. (Ref. 19-916 RS Neb.)

11-208 SUBDIVISIONS AND ADDITIONS; ADDITIONS. All additions to this Municipality which have heretofore been approved and accepted or which may hereafter be laid out in accordance with the provisions herein and accepted and approved shall be and become incorporated in this Municipality for all purposes whatsoever and inhabitants of such additions shall be entitled to all the rights and privileges and be subject to all the laws and regulations of said Municipality. (Ref. 19- 916 RS Neb.)

11-209 SUBDIVISIONS AND ADDITIONS; YARD REGULATIONS. In order to promote and develop neighborhoods that are attractive and provide open space and safety from fire the following yard regulations are encouraged: In developing areas where at least 50% of the street frontage, on one side of the street, is developed with structures that have observed greater or smaller front yards than required the following procedure shall be observed. Where a building is to be erected on a parcel of land that is within 100 feet of an existing building on each side, the minimum front yard shall be drawn between the two closest front corners of the adjacent buildings on the two sides. Where a building is to be erected on a parcel of land that is within 100 feet of an existing building on one side only, such building shall be erected as close to the street as the existing adjacent building.