

CHAPTER 1115
Enforcement, Appeals and Amendments

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CROSS REFERENCES

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1115.01 RECORDING OF PLAT.

No plat of any subdivision shall be recorded by the Cuyahoga County Recorder or have any validity until the plat has received final approval in the manner prescribed in these Subdivision Regulations.
(Ord. 58-73. Passed 7-23-73.)

1115.02 REVISION OF PLAT AFTER APPROVAL.

No changes, erasures, modifications or revision shall be made in any plat of a subdivision after approval has been given by the City, Planning Commission and Council, and endorsed in writing on the plat, unless the plat is first resubmitted to the Commission.
(Ord. 58-73. Passed 7-23-73.)

1115.03 SALE OF LAND WITHIN SUBDIVISIONS.

No owner or agent of the owner of any land located within a subdivision shall transfer or sell any land by reference to, exhibition of, or by the use of a plat of the subdivision before such plat has been approved and recorded in the manner prescribed in these Regulations. The description of such lot or parcel by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from the provisions of these Regulations.
(Ord. 58-73. Passed 7-23-73.)

1115.04 SCHEDULE OF FEES, CHARGES AND EXPENSES.

Council shall establish a schedule of fees, charges and expenses, and a collection procedure for same, and other matters pertaining to these Regulations. The schedule of fees shall be posted in the office of the Building Commissioner, and may be altered, or amended only by Council. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal.
(Ord. 58-73. Passed 7-23-73.)

1115.05 PENALTIES.

The following penalties shall apply to the violations of these Subdivision Regulations:

(a) Whoever violates any rule or regulation adopted by Council for the purpose of setting standards and requiring and securing the construction of improvements within a subdivision or fails to comply with any order pursuant thereto is creating a public nuisance and the creation thereof may be enjoined and maintenance thereof may be abated by action at suit of the City or any resident thereof. Whoever violates these Regulations shall forfeit and pay not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each violation. Each day's confirmed violation shall constitute a separate offense. Such sum may be recovered with costs in a civil action brought in the Court of Common Pleas of Cuyahoga County.

(b) A County Recorder who records a plat contrary to the provisions of these Regulations shall forfeit and pay not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) to be recovered with costs in a civil action by the Prosecuting Attorney in the name and for the use of Cuyahoga County.

(c) Whoever, being the owner or agent of the owner of any land within the City, transfers any lot, parcel or tract of such land from or in accordance with a plat of a subdivision before such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for each lot, parcel or tract of land so sold. The description of such lot, parcel or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this Section. Such sum may be recovered in a civil action brought in the Court of Common Pleas of Cuyahoga County by the Law Director of the City in the name of the City.

(d) Any person who disposes of, offers for sale or lease for a time exceeding five (5) years any lot or any part of a lot in a subdivision before provisions of these Regulations are complied with shall forfeit and pay the sum of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for each lot or part of a lot so sold, offered for sale or leased, to be recovered with costs in a civil action, in the name of the City for the use of the same.
(Ord. 58-73. Passed 7-23-73.)

1115.06 VARIANCES.

The following regulations shall govern the granting of variances:

(a) Where the Planning Commission finds that extraordinary and unnecessary hardship may result from strict compliance with these Regulations, due to exceptional topographic or other physical conditions, it may vary the Regulations so as to relieve such hardship, provided such relief may be granted without detriment to the public interest and without impairing the intent and purpose of these Regulations or the desirable development of the neighborhood and community. Such variations shall not have the effect of nullifying the intent and purpose of these Regulations, the Comprehensive Plan, or the Zoning Code, if such exists.

(b) In granting variances or modifications, the Planning Commission may require such conditions as shall, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.

(Ord. 58-73. Passed 7-23-73.)

1115.07 APPEAL.

Any person who believes he has been aggrieved by the Subdivision Regulations or the action of the Planning Commission, or a City employee, has all the rights of appeal as set forth in Chapter 1177 of the Zoning Code.

(Ord. 58-73. Passed 7-23-73.)

1115.08 ADOPTION.

The adoption of and amendments to the Subdivision Regulations may be initiated by the Planning Commission or Council. If initiated by Council, they shall be referred to the Commission for its recommendation. After adoption or amendment to the Subdivision Regulations, a copy thereof shall be certified by the Clerk of Council to the Cuyahoga County Recorder.

(Ord. 58-73. Passed 7-23-73.)