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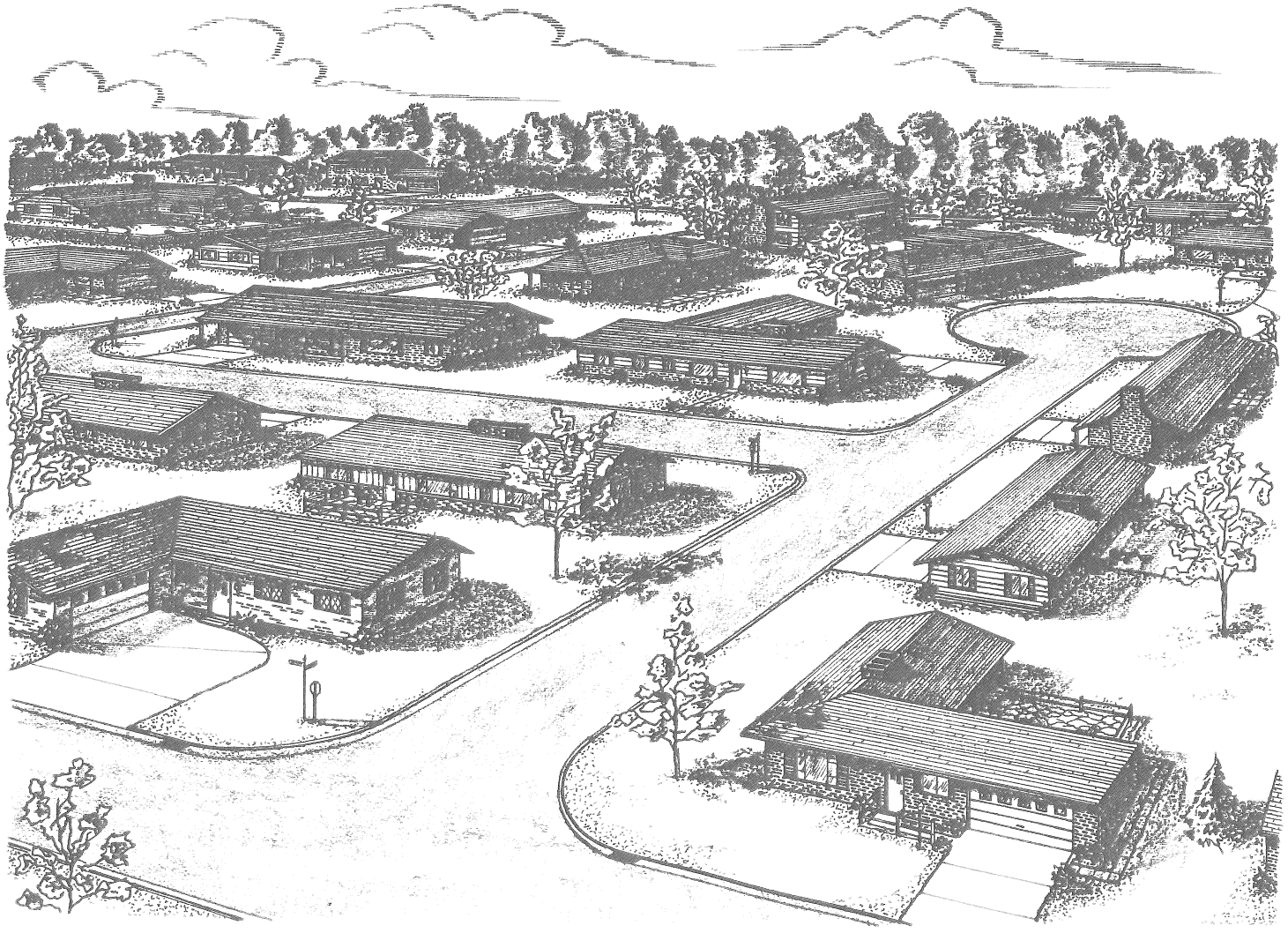
SUBDIVISION REGULATIONS

for Auglaize County Ohio



SUBDIVISION REGULATIONS FOR AUGLAIZE COUNTY OHIO

PUBLIC HEARINGS HELD AND ACCEPTED BY

AUGLAIZE COUNTY REGIONAL PLANNING COMMISSION ..... SEPTEMBER 17, 1973

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introduction

Auglaize County, located in the west central portion of Ohio, lies approximately 150 miles east of Indianapolis, 50 miles north of Dayton, 80 miles south of Toledo, and 100 miles west of Columbus. Auglaize County contributes runoff waters to the Maumee, Miami, Scioto and Wabash river basins.

Auglaize County has an area of approximately 400 square miles. It is bounded on the north by Allen and Van Wert Counties, on the east by Hardin County, on the south by Shelby and Logan Counties and on the west by Mercer County.

The majority of Auglaize County's land area consists of farmland, woodland and waste/vacant land. The County does contain two cities and seven villages which occupy some 5417 acres (about 2.1% of total land area). About two-thirds of the total County population reside within these incorporated cities and villages.

A comprehensive plan for Auglaize County was accepted from consultants in August of 1970. Zoning Regulations are in effect in all of the following townships; Jackson, German, St. Marys, Noble, Union, Salem, Moulton, Clay and parts of Duchouquet. That comprehensive plan has laid the groundwork for the enclosed subdivision regulations.

These subdivision regulations are intended and designed to provide Auglaize County with a means of controlling the laying out and development of land in the unincorporated land areas of the County. The regulations include administrative procedures for filing plats; necessary contents to be shown on both preliminary and final subdivision plats; minimum design and development.

The intent of the subdivision regulation is the following:

a. To protect Auglaize County against having to install necessary public improvements in a new residential subdivision where lots have been sold by the developer and no public improvements or substandard public improvements have been installed.

b. To provide the prospective home buyer the reasonable guarantee that public improvements in his residential subdivision will be properly designed.

c. To ensure that the minimum design of new residential subdivisions in unincorporated land areas will be sufficient to meet the needs of those county residents so as to maintain individual home values and to prolong the economic life of residential homes in the county.

d. To reserve land areas for future school and park sites in advance of their actual development.

e. To allow Auglaize County to coordinate various subdivision plats in accordance with provisions of the Comprehensive Plan.

f. To minimize development costs in the urbanizing portion of Auglaize County.

g. To inhibit awkward, sprawling developments without due regard for existing laws and promulgated rules and regulations.

subdivision regulations
of the
county of auglaize, ohio

preamble

A RESOLUTION OF THE COUNTY OF AUGLAIZE, OHIO, ENACTED IN ACCORDANCE WITH CHAPTER 711. OHIO REVISED CODE, AND FOR THE PURPOSE OF PROTECTING THE PUBLIC HEALTH, SAFETY, COMFORT, CONVENIENCE AND GENERAL WELFARE; AND REGULATING THE DEVELOPMENT OF SUBDIVIDED AREAS; PROMOTING THE PROPER ARRANGEMENT OF STREETS AND LAYOUT OF LOTS; PROVIDING FOR ADEQUATE AND CONVENIENT PROVISION OF OPEN SPACES, UTILITIES, RECREATION, AND ACCESS TO SERVICE AND EMERGENCY VEHICLES; PROVIDING FOR ADEQUATE PROVISION OF WATER, DRAINAGE, SEWER, AND OTHER SANITARY FACILITIES; PROVIDING FOR THE ADMINISTRATION OF THESE REGULATIONS AND DEFINING THE POWERS AND DUTIES OF THE ADMINISTRATIVE OFFICERS; PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS IN THIS RESOLUTION OR ANY AMENDMENT THERETO; AND FOR THE REPEAL THEREOF.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF AUGLAIZE, STATE OF OHIO:

article I

title, scope and jurisdiction

Section 100

Title.
These regulations shall be known and may be cited and referred to as the "Subdivision Regulations of the County of Auglaize, Ohio," and shall hereinafter be referred to as "these regulations."

Section 110

Administration.
These regulations shall be administered by the County Regional Planning Commission.

Section 120

Jurisdiction.
These regulations shall be applicable to all subdivisions of land within the unincorporated area of the County other than land within three miles of a city as provided in Section 711.09 of the Revised Code. The County Regional Planning Commission, with the concurrence of the Board of County Commissioners, shall have the power of final approval of the plats. Whenever a city within Auglaize County has adopted a Major Thoroughfare Plan, Parks and Public Open Space Plan for the territory within the city limits and for the territory within the three mile limit of the city, has adopted subdivision regulations, and is exercising extra-territorial jurisdiction, the City Planning Commission may receive advice from the County Regional Planning Commission upon all subdivision plats located within three miles of the corporate limits. The City Planning Commission shall have the final approval of the plat, except for the provisions in Article 5 of these regulations.

Section 130

Relation to Other Laws.
The provisions of these regulations shall supplement any and all laws of the State of Ohio, resolutions of the County, or any and all rules and regulations promulgated by authority of such law or resolution relating to the purpose and scope of these regulations. Whenever the requirements of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive or that imposing the higher standards shall govern, except as provided in Section 140 of these regulations.

Section 140

Planned Unit Developments Encouraged; Regulations May Be Modified.
The planned unit development approach to development is greatly encouraged. These regulations may be modified by the degree necessary to accomplish the objectives and standards required for the planned unit development of residential, commercial, or industrial subdivisions, or a mixture thereof. Nothing within this section, however, shall exempt the developer from the requirements of subdivision plat approval as specified in Article 3 of these regulations.

Section 150

Amendments.
These regulations may be amended, after public hearings and other requirements as specified in the appropriate sections of the Ohio Revised Code.

Section 160

Separability.
If, for any reason, any clause, sentence, paragraph, section or other part of these regulations should be decided by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of these regulations as a whole, or any part thereof, other than the part so held to be invalid.

article 2

definitions

Interpretation of Terms or Words: For the purpose o these regulations, certain terms or words used herein shall be interpreted as follows:

1. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

3. The word "shall" is mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.

4. The words "used" or "occupied" include the words, "intended, designed, or arranged to be used or occupied."

5. The word "lot" includes the words "plot" or "parcel".

Alley: See Thoroughfare

Building Line: See Setback Line

Commission (County Regional Planning): The Auglaize County Regional Planning Commission established by the Board of County Commissioners through a Resolution of Cooperation dated October 3, 1967. The Commission has been established in accordance with Section 713.21 et Seq. of the Ohio Revised Code. Duties related to subdivision of land is defined in Section IV, Paragraph (c) of the Resolution of Cooperation.

Comprehensive Development Plan: A plan, or any portion thereof, adopted by the planning commission and/or the legislative authority of the County of Auglaize showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major streets, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.

Corner Lot: See Lot Types

Covenant: A written promise of pledge

Cul-de-Sac: See Thoroughfare

Culvert: A transverse drain that channels under a bridge, street, or driveway.

Dead-end Street: See Thoroughfare

Density: A unit of measurement; the number of dwelling units per acre of land.

a. Gross Density - the number of dwelling units per acre of the total land to be developed.

b. Net Density - the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Density, Low Residential: Land to be utilized for residential purposes, including public housing and industrialized units, which does not exceed two (2) dwelling units per gross acre.

Density, Medium-Low Residential: Land to be utilized for residential purposes, including public housing and industrialized units, which does not exceed four (4) dwelling units per gross acre. For the purposes of street design requirements, the medium-low density residential classification shall be considered as medium density.

Density, Medium Residential: Land to be utlized for residential purposes, including public housing and industrialized units, which does not exceed eight (8) dwelling units per gross acre.

Density, Medium-High Residential: Land to be utilized for residential purposes, including public housing and industrialized units, which does not exceed sixteen (16) dwelling units per gross acre. For the purpose of street design requirements, the medium-high density residential classification shall be considered as high density.

Density, High Residential: Land to be utilized for residential purposes, including public housing and industrialized units, which does not exceed thirty-two (32) dwelling units per gross acre.

Developer: Any individual, subdivider, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself or for another.

Dwelling Unit: Space, within a building, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one (1) family and its household employees.

Easement: Authorization by a property owner for the use by another, and for a specified purpose, or any designated part of his property.

Engineer: Any person registered to practice professional engineering by the state board of registration as specified in Section 4733.14 Ohio Revised Code.

Highway Director: The director of the Department of Transportation for the State of Ohio.

Improvements: Street pavement or resurfacing, curbs, gutters, sidewalks, water lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, and other related matters normally associated with the development of raw land into building sites.

Location Map: See Vicinity Map

Lot: For purposes of these regulations, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein

required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

a. A single lot of record;

b. A portion of a lot of record;

c. A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record.

Lot Frontage: The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under Yards in this section.

Lot, Minimum Area of: The area of the lot is computed exclusive of any portion of the right-of-way of any public or private street.

Lot Measurements: A lot shall be measured as follows:

1. Depth of a lot shall be considered to be the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

2. Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line, provided, however, that the width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) percent of the required lot width.

Lot of Record: A lot which is part of a subdivision recorded in the office of the county recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Types: Terminology used in these regulations with reference to corner lots, interior lots and through lots is as follows:

1. A corner lot is defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.

2. An interior lot is a lot other than a corner lot with only one frontage on a street.

3. A through lot is a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

4. A reversed frontage lot is a lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

Major Thoroughfare Plan: The comprehensive plan adopted by the County Regional Planning Commission indicating the general location recommended for arterial, collector, and local thoroughfares within the corporate limits of the City and/or unincorporated areas within three (3) miles thereof.

Minor Subdivision: A division of a parcel of land that does not require a plat to be approved by a planning authority according to Section 711.131, Ohio Revised Code. Also known as Lot Split, or Single Lot Subdivision.

Monuments: Permanent concrete or iron markers, with minimum lengths of thirty (30) inches, used to establish definitely all lines of the plat of a subdivision, including all lot corners, boundary lines corners, and points of change in street alignment. Concrete monuments shall be a minimum of six (6) inch diameter; iron pins shall be a minimum of five-eights (5/8) inch solid diameter.

Open Space: An area open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, swimming pools, tennis courts, any other recreational facilities that the planning commission deems permissive. Streets, structures for habitation, and the like shall not be included.

Out Lot: Property shown on a subdivision plat outside of the boundaries of the land which is to be developed and which is to be excluded from the development of the subdivision.

Pad: A building site prepared by artificial means, including, but not limited to, grading, excavation, or filling, or any combination thereof.

Parking Space, Off-Street: For the purpose of these regulations, all off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

Performance Bond or Surety Bond: An agreement by a subdivider or developer with the County for the amount of the estimated construction cost guaranteeing the completion of physical improvements accord-

ing to plans and specifications within the time prescribed by the subdivider's agreement. This shall include guaranty of construction until one year after acceptance.

Planned Unit Development: An area of land, in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a preplanned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles, and landscaping plans.

Plat: The map, drawing, or chart on which the developer's plan of subdivision (preliminary) is presented to the County Regional Planning Commission for approval and, after such approval, to the county recorder (final) for recording.

Public Way: An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

Right-of-Way: A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities, and may include special features (required by the topograph or treatment) such as grade separation, landscaped areas, viaducts.

Setback Line: A line established by the subdivision regulations and/or zoning ordinance (resolution), generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory building, or structure may be located above ground, except as may be provided in said codes. (See Yards)

Sewers, Central or Group: An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community, or region.

Sewers, On-Site: A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Sidewalk: That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic. See "Walkway".

Subdivider: See Developer.

Subdivision:

1. The division of any parcel of land shown as a unit on the last preceding tax roll, into two (2) or more parcels, sites, or lots any one of which is less than five (5) acres for the purpose, whether immediate or future, or transfer of ownership, provided, however, that the division or partition of land into parcels of more than five (5) acres not involving any new streets or easement of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or

2. The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street or streets except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants, or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities. (See Minor Subdivision.)

Surveyor: Any person registered to practice surveying.

Terrain Classification: Terrain within the entire area of the preliminary plat is classified as level, rolling, hilly, or hillside for street design purposes. The classifications are as follows:

1. "Level" is that land which has a cross slope range of four (4) percent or less;

2. "Rolling" is that land which has a cross slope range of more than (4) percent but not more than eight (8) percent;

3. "Hilly" is that land which has a cross slope range of more than eight (8) percent but not more than fifteen (15) percent;

4. "Hillside" is that land which has a cross slope range of more than fifteen (15) percent.

Thoroughfare, Street, or Road: The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

1. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.

2. Arterial Street: A general term denoting a highway

primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.

3. Collector Street: A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.

4. Cul-de-Sac: A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround.

5. Dead-end Street: A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.

6. Local Street: A street primarily for providing access to residential, commercial, or other abutting property.

7. Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) degree system of turns are not more than one thousand (1000) feet from said arterial or collector street nor normally more than six hundred (600) feet from each other.

8. Marginal Access Street: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street)

Through Lot: See Lot Types.

Variance: A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

Vicinity Map: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within Auglaize County in order to better locate and orient the area in question.

Walkway: A dedicated public way, four (4) feet or more in width, for pedestrian use only, whether along the side of a road or not.

Watershed: The drainage basin in which the subdivision drains or that land whose drainage is affected by the subdivision.

Yard: A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward, provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

1. Yard, Front: A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.

2. Yard, Rear: A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.

3. Yard, Side: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

article 3

procedure for subdivision approval

Section 300

Preapplication Meeting Required.
The subdivider shall meet with the County Regional Planning Commission, or its designated representative prior to submitting the preliminary plat. The purpose of this meeting is to present a preapplication sketch and to discuss early and informally the purpose and effect of these regulations and the criteria and standards contained therein; and to familarize the developer with the Comprehensive Plan, the Major Thoroughfare Plan, the Parks and Public Open Space Plan, any zoning ordinances, resolutions, and the drainage, sewerage, and water systems for the County of Auglaize, Ohio.

Section 301

Preapplication Sketch Content.
The subdivider shall submit to the County Regional Planning Commission a sketch plan, legibly drawn at a suitable scale and containing the following information:

1. The proposed subdivision in relation to existing community facilities, thoroughfares, and other

transportation modes, shopping centers, manufacturing establishments, residential developments and existing natural and man-made features such as soil types, vegetation, contours, and utilities in the neighboring area. A USGA contour map will be helpful in this presentation. Aerial photographs might also be employed.

2. The layout and acreage of streets, lots, and any non-residential sites such as commercial, manufacturing, school or recreational uses within the proposed subdivision.

3. The location of utilities in the proposed subdivision, if available, or the locations of the nearest sources for water and public facilities for the disposal of sewage and storm water.

4. The scale and title of the subdivision, a north arrow, and the date.

5. Name, address and phone number of owners and developer.

Section 310

Preliminary Plat Required.
After the preapplication stage, the subdivider shall submit a preliminary plat of the proposed subdivision which shall conform with the requirements set forth in Section 311 to 319, inclusive. The preliminary plat shall be prepared by a qualified registered engineer or surveyor.

Section 311

Submission to State Highway Director.
Before any plat is approved affecting any land within three-hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the State Highway Director of any land within a radius of five-hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice, by registered or certified mail to the Highway Director. The Commission shall not approve the plat for one hundred twenty (120) days from the date the notice is received by the Highway Director. If the Highway Director notifies the Commission that he shall proceed to acquire the land needed, then the Commission shall refuse to approve the plat. If the Highway director notifies the Commission that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Highway Director and the property owner, the Commission shall, if the plat is in conformance with all provisions of these regulations, approve the plat.

Section 312

Application for Tentative Approval.
An application in writing for the tentative approval of the preliminary plat, together with five (5) copies of the preliminary plat and the supplementary information specified in Sections 313 to 316, inclusive, shall be submitted to the County Regional Planning Commission.

Section 313

Preliminary Plat Form.
The preliminary plat shall be drawn at a scale not less than one hundred (100) feet to the inch and shall be on one or more sheets 24 x 36 inches in size.

Section 314

Preliminary Plat Contents.
The preliminary plat shall contain the following information:

1. Proposed name of the subdivision which shall not duplicate or closely approximate the name of any other subdivision in the County.

2. Location by section, range, township, Virginia Military Surveys, or other surveys.

3. Names, addresses and phone numbers of the owner, subdivider, and professional engineer and/or registered surveyor who prepared the plat, and appropriate registration numbers and seals.

4. Date of survey.

5. Scale of the plat, north point.

6. Boundaries of the subdivision and its acreage.

7. Names of adjacent subdivisions, owners of adjoining parcels of unsubdivided land, and the location of their boundary lines.

8. Locations, widths, and names of existing streets, railroad rights-of-way, easements, parks, permanent buildings, and corporation and township lines; location of wooded areas and other significant topographic and natural features within and adjacent to the plat for a minimum distance of two hundred (200) feet.

9. Zoning classification of the tract and adjoining properties and a description of proposed zoning changes, if any.

10. Existing contours at an interval of not greater than two (2) feet if the slope of the ground is fifteen (15) percent or less; and not greater than five (5) feet where the slope is more than fifteen

(15) percent. Contours and data should extend beyond the limits of the proposed subdivision for a minimum distance of five hundred (500) feet.

11. Existing sewers, water lines, culverts and other underground structures, and power transmission poles and lines, within and adjacent to the tract.

12. Location, names, and widths of proposed streets and easements.

13. Building setback lines with dimensions.

14. Location and dimensions of all proposed utility and sewer lines, showing their connections with the existing system.

15. Layout, numbers, and approximate dimensions of each lot. When a lot is located on a curved street or when side lot lines are not at ninety (90) degree angles, the width at the property line shall be shown.

16. Parcels of land in acres to be reserved for public use or to be reserved by convenant for residents of the subdivision.

17. A vicinity map at a scale of not less than two thousand (2,000) feet to the inch shall be shown on, or accompany, the preliminary plat. This map shall show all existing subdivisions, roads, and tract lines and the nearest existing thoroughfares. It shall also show the most advantageous connections between the roads in the proposed subdivision and those of the neighboring areas.

Section 315

Supplementary Information.
The following information shall be supplied in addition to the requirements in Section 314.

1. Statement of proposed use of lots, giving type and number of dwelling units and type of business or industry.

2. Location and approximate dimensions of all existing buildings.

3. For commercial and industrial development, the location, dimensions, and approximate grade of proposed parking and loading areas, alleys, pedestrian walks, streets, and the points of vehicular ingress and egress to the development.

4. Description of proposed covenants and restrictions.

5. In a letter accompanying the request for approval of the preliminary plat, the subdivider shall state the type of sewage disposal he proposes to use. If other than a treatment plant, it shall be accompanied by a letter from the County Health Department stating what type of sewage disposal will be approved for the soil conditions encountered in the area of the proposed subdivision. A central sewage treatment plant and a central water system shall be constructed by the subdivider when deemed necessary by the County Regional Planning Commission or the appropriate Health Department. If a central plant is to be used, a proposal shall be included discussing the method and cost for the incorporation of said system into the general county or municipal system.

Section 316

Filing.
The preliminary plat shall be considered officially filed on the day it is received by the County Regional Planning Commission and shall be so dated. A filing fee shall be charged, as indicated in Section 803.

Section 317

Public Hearing.
The County Regional Planning Commission on its own initiative or upon petition by a citizen or neighboring property owner may, prior to acting on a preliminary plat of a subdivision, hold a pulbic hearing thereon at such time and upon such notice as the Commission may designate.

Section 318

Approval of Preliminary Plat.
The County Regional Planning Commission shall forward copies of the preliminary plat to such officials and agencies as may be necessary for the purpose of study and recommendation. These shall include at least the County Engineer and the County Health Department and Board of Trustees of the Township in which the subdivision is located. After receipt of reports from such officials and agencies the County Regional Planning Commission shall determine whether the preliminary plat shall be approved, approved with modifications or disapproved. If a plat is disapproved, the reasons for such disapproval shall be stated in writing. The County Regional Planning Commission shall act on the preliminary plat within thirty (30) days after filing unless such time is extended by agreement with the subdivider. Plats involving the conditions covered by Section 311 shall be acted upon within the time limits as applicable. When a preliminary plat has been approved by the County Regional Planning Commission, the chairman shall sign all copies and return one (1) to the subdivider for compliance with final approval requirements. Approval of the preliminary plat shall be conditional upon compliance with all other applicable statutes, resolutions and regulations of the County or Township (zoning).

Section 319

Approval Period.
The approval of the preliminary plat shall be effective for a maximum period of twelve (12) months and shall guarantee that the terms under which the approval was granted will not be affected by changes to these regulations.

Section 320

Final Plat Required.
The subdivider, having received approval of the preliminary plat of the proposed subdivision, shall submit a final plat of the subdivision and drawings and specifications of the improvements required therein. The final plat shall have incorporated all changes in the preliminary plat required by the County Regional Planning Commission. Otherwise it shall conform to the preliminary plat, and it may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time. The final plat and the supplementary information, including field work, shall be prepared by a qualified registered engineer or surveyor.

Section 321

Application for Approval of Final Plat.
An application for approval for the final plat shall be submitted on forms provided by the County Regional Planning Commission, together with five (5) copies of the plat and the supplementary information specified, shall be submitted to the County Regional Planning Commission.

Section 322

Regulations Governing Improvements.
The final plat drawings and specifications of improvements shall be a set of construction and utility plans prepared by a registered professional engineer. The plans shall include typical sections, plans and profile views, construction details and estimates of quantities. All typical sections and major engineering details to be used on any particular street shall be approved by the County Engineer (or director of Public Works) in advance of the final plat. The subdivider shall have installed the minimum required improvements, or shall have furnished a surety or certified check for the amount of the estimated construction cost of the ultimate installation and the initial maintenance of the improvements. Before the surety is accepted, it shall be approved by the proper administrative officials. The terms of the surety shall extend twelve (12) months beyond the completion date of the project. Extension of the surety shall be in the amount of 8% of the total construction cost.

Section 323

Final Plat Form.
The final plat shall be legibly drawn in waterproof ink on tracing cloth or other material of equal permanence acceptable to the County Engineer. It shall be drawn at a scale compatible to the size of the subdivision, said scale to be approved by the County Engineer, and shall be one (1) or more sheets 18 x 24 inches in size. If more than one (1) sheet is needed, each sheet shall be numbered and the relation of one sheet to another clearly shown.

Section 324

Final Plat Contents.
The final plat shall contain the following information:

1. Name of the subdivision, location by section, range, township, Virginia Military Survey, or by other survey number; date, north point, scale and acreage.

2. Name and address of the subdividers, and the professional engineer and/or registered surveyor who prepared the plat and appropriate registration number and seals.

3. Plat boundaries, based on accurate traverse, with angular and linear dimensions. All dimensions, both linear and angular shall be determined by an accurate control survey in the field which must balance and close within the limit of one (1) in ten thousand (10,000).

4. Bearings and distances to nearest established street lines or other recognized permanent monuments.

5. Exact locations, right-of-way, and names of all streets within and adjoining the plat, and building setback lines.

6. Radii, internal angles, points of curvature, tangent bearings, lengths of arcs, and lengths and bearings of chords of all applicable streets within the plat area.

7. All easements and rights-of-way provided for public services or utilities.

8. All lot numbers and lines with accurate dimensions in feet and hundredths. When lots are located on a curve, the lot width at the building setback line shall be shown.

9. Accurate location and description of all monuments.

10. Accurate outlines of areas to be dedicated or reserved for public use, or any area to be reserved for the common use of all property owners. The use and accurate boundary locations shall be shown for each parcel of land to be dedicated.

11. A copy of any restrictions and covenants the subdivider intends to include in the deeds to the lots in the subdivision.

12. Certification by a registered surveyor to the effect that the plat represents a survey made by him and that the monuments shown thereon exist as located and that all dimensional details are correct.

13. Notarized certification by the owner or owners of the adoption of the plat and the dedication of streets and other public areas.

14. Typical sections and complete profiles of streets and other related improvements to be constructed in the proposed subdivision.

15. The location of and a description of all monuments and pins as specified in Section 502.

Section 325

Supplementary Information.
The following information shall be supplied in addition to the requirements in Section 324:

1. If a zoning change is involved, certification from the Township Zoning Inspector shall be required indicating that the change has been approved and is in effect.

2. Certification on the plat by the County Engineer and the Board of County Commissioners shall be required showing that all required improvements have been either installed and approved by the proper officials or agencies, or that a bond or other surety has been furnished assuring installation and initial maintenance of the required improvements. The County Regional Planning Commission shall not under any circumstances approve a plat without the above certifications.

Section 326

Filing.
The final plat shall be filed with the County Regional Planning Commission not later than twelve (12) months after the date of approval of the preliminary plat; otherwise it will be considered void unless an extension is requested by the developer and granted in writing by the County Regional Planning Commission. The final plat shall be considered officially filed on the date it is received by the County Regional Planning Commission and shall be so dated.

Section 327

Approval of Final Plat.
The County Regional Planning Commission shall approve or disapprove the final plat within thirty (30) days after it has been filed. Failure of the Commission to act upon the final plan within such time shall be deemed as approval of the plat. If the plat is disapproved, the ground for disapproval shall be stated in the records of the Commission, and a copy of said record shall be forwarded to the subdivider. The Commission shall not disapprove the final plat if the developer has done everything that he was required to do and has proceeded in accordance with the conditions and standards specified in the approved preliminary plat. If disapproved the subdivider shall make the necessary corrections and resubmit the final plat within thirty (30) days to the Commission for its final approval. If a plat is refused by the Commission the person submitting the plat which the Commission refused to approve may file a petition within ten (10) days after such refusal in the Court of Common Pleas of the county in which the land described in said plat is situated to reconsider the action of the Commission.

Section 328

Transmittal of Original Tracings & Copies.
When the final plat has been approved by the County Regional Planning Commission, the original tracing shall be returned to the subdivider, for filing with the County Recorder, after all necessary certifications are received. A reproducible mylar shall be filed with the County Engineer.

Section 329

Minor Subdivision or Lot Split.
Approval without a plat of a minor subdivision or lot split may be granted by the County Regional Planning Commission (thru their designated representative) if the proposed division of a parcel of land meets all of the following conditions:

1. The proposed subdivision is located along an existing public road and involves no opening, widening, or extension of any street or road;

2. No more than five (5) lots are involved after the original parcel has been completely subdivided;

3. The proposed subdivision is not contrary to applicable subdivision or zoning regulations;

4. A professionally drawn sketch (on 8½" x 14" forms prescribed by the Auglaize County Engineer), drawn to an appropriate scale and professionally balanced on the sheet shall be submitted for stamping approved by the County Engineer and for further recording in the Auglaize County

Recorder's office and shall be based upon one of the following criteria:

a. An actual survey with a metes and bounds description and iron pins (5/8" dia. x 30") set by a Registered Land Surveyor with the surveyed tract shown in a location plan detail;

b. A lot which is already recorded in the records of the Auglaize County Recorder and is identified by a lot number in a particular subdivision;

c. A division of a parcel which has had a survey made by a Registered Land Surveyor where the original survey is made a part of the submittal and the divided (proposed) part is defined by metes and bounds which are related to the original;

d. A division of a lot of a subdivision as in b. - whereby the division can be described by relating division lines to existing lines and corners.

e. Divisions of Outlots shall be by survey only unless a survey of the entire Outlot recently made by a Registered Land Surveyor is submitted with a metes and bounds description and the divided portion is related to that metes and bounds description OR the sketch of the Outlot contains the proper references to the original laying out of the Outlot and all dimensions, angles and references to monuments are documented.

article 4
subdivision design standards

Section 400

General Statement.
The regulations in Sections 401 to 450 inclusive, shall control the manner in which streets, lots, and other elements of a subdivision are arranged on the land. These design controls shall help insure convenient and safe streets, creation of usable lots, provision of space for public utilities, and reservation of land for recreational uses. The planning of attractive and functional neighborhoods shall be promoted, minimizing the undesirable features of unplanned, haphazard growth.

The County Regional Planning Commission has the responsibility for reviewing the design of each future subdivision early in its design development. The Commission shall insure that all of the requirements of Sections 401 to 450, inclusive, are met.

Section 401

Conformity to Development Plans & Zoning.
The arrangement, character, width, and location of all arterial and collector thoroughfares or extensions thereof shall conform with the County's Major Thoroughfare Plan. Thoroughfares not contained in the aforementioned plan shall conform to the recommendation of the County Regional Planning Commission based upon the design standards set forth in Section 402 and 419, inclusive. In addition, no final plat of land within the area in which an existing zoning resolution is in effect shall be approved unless it conforms with such resolution.

Section 402

Suitability of Land.
If the County Regional Planning Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to flooding, bad drainage, topography, inadequate water supply, schools, transportation facilities, and other such conditions which may endanger health, life, or property; and, if from investigations conducted by the public agencies concerned, it is determined that in the best interest of the public the land should not be developed for the purpose proposed, the Commission shall not approve the land for subdivision unless adequate methods are advanced by the subdivider for solving the problems that will be created by the development of the land.

Section 410

Street Design.
The arrangement, character, extent, width, grade construction, and location of all streets shall conform to the Major Thoroughfare Plan of the County of Auglaize, or subsequent amendments thereto, and shall be considered in their relation to existing and planned streets, topograhpical conditions, and public convenience and safety; and in their appropriate relation to the proposed uses of the land to be served by such streets. The street pattern shall discourage through traffic in the interior of a subdivision. The subdivider shall provide within the boundaries of the subdivision plat, the necessary right-of-way for the widening, continuance, or alignment of such streets in conformity with the Major Thoroughfare Plan.

Section 411

Street Design Standards For All Local Streets.
The design and improvement standards contained in the following table are suggested minimums for all local type streets, including cul-de-sacs and loop type streets, in residential subdivisions. All such streets shall be designed and constructed in accordance with the standards as specified in Table 1, on Page 12.

TABLE 1

STREET DESIGN STANDARDS FOR CUL-DE-SACS AND LOOP TYPE LOCAL STREETS

TERRAIN CLASSIFICATION	LEVEL			ROLLING			HILLY		
Development Density	LOW	MED	HIGH	LOW	MED	HIGH	LOW	MED	HIGH
Right-of-way (ft)	*50	*50	60	*50	*50	60	*50	*50	60
Pavement Width (ft)	26	26	36	26	26	36	26	26	36
Sidewalk Width (ft)	4	4	4	4	4	4	4	4	4
Minimum Stopping Sight Distance (ft)	200	200	200	150	150	150	110	110	110
Maximum Grade	4%	4%	4%	8%	8%	8%	15%	15%	15%
Maximum Cul-de-sac Length	700	500	500	600	500	500	500	500	500
Minimum Cul-de-sac Radius (ROW)	50	50	50	50	50	50	50	50	50
Minimum Cul-de-sac Radius (Pavement)	40	40	40	40	40	40	40	40	40
Minimum Center Line Radius of Streets with an Angle of Turn of:									
(1) Between 80 and 100	50	50	50	50	50	50	50	50	50
(2) Less than 80 or More than 100	200	200	200	200	200	200	150	150	150

*A utility easement ten (10) feet in width may be required along each side of the street right-of-way for these streets.

Note: Exceptions to the standards contained in this table are permitted under certain conditions for large lots (Sections 418 and 419; for variance procedures see Section 805). Hillside lots with grades of more than 15% are also subject to exceptions as provided under Article 6, Hillside Regulations.

Section 412

Street Design Standards For All Local Streets Except Cul-De-Sacs & Loop Type Streets.
The design and improvement standards contained in the following table are suggested minimums for all local type streets except cul-de-sacs and loop type streets, in residential subdivisions. All such streets shall be designed and constructed in accordance with the standards as specified in Table 2 on Page 14.

Section 413

Collector Street Design Standards.
The design and improvement standards contained in the following table are suggested minimums for all collector streets. All such streets shall be designed and constructed in accordance with the standards as specified in Table 3, on page 14.

Section 414

Horizontal Alignment.
When there is an angle of deflection of more than ten (10) degrees between two (2) centerline tangent sections of a street, a curve of adequate radius shall connect them, (See Section 411 to 413, inclusive). Between reverse curves, a minimum tangent of one hundred (100) feet shall be introduced.

Section 415

Vertical Alignment.
1. All changes of grade shall be connected by vertical curves of a minimum length in feet equal to twenty (20) times the algebraic difference in the rate of grade for arterials and industrial streets; for collector and local streets, fifteen (15) times.

2. Minimum vertical visibility shall conform to the Ohio Department of Highway's regulations in effect on the date of the approval of the preliminary plat.

3. No street grade shall be less than 0.3 percent and in no case shall a street grade be more than three (3) percent within one hundred (100) feet of an intersection.

Section 416

Intersection Design Standards.
1. The design and improvement standards for intersections are suggested minimums for all street intersections in subdivisions. All such intersections shall be designed and constructed in accordance with the standards as specified in Table 4, on page 15.

2. Multiple intersections involving junctions of more than two (2) streets shall be avoided.

3. Four-way intersections of local streets should be avoided and three-way or T-intersections should be encouraged wherever possible.

Section 417

Special Street Types.
The following requirements shall apply to special street types:

1. Permanent dead-end streets shall not be permitted. Temporary dead-end streets shall be permitted only as part of a continuing street plan, and only if a temporary turnaround satisfactory to the Commission in design, is provided, and provisions for maintenance, and removal are advanced. Temporary dead-end streets longer than two hundred (200) feet shall not be permitted.

2. Dedication of new half-streets shall not be permitted. Where a dedicated or platted half-street exists adjacent to the tract being subdivided, the other half shall be platted.

3. Where a subdivision adjoins an arterial street, a marginal access street shall be designed, if the subdivision design is such that residential lots would require direct vehicular access onto the arterial highway. Points of access to the arterial street shall be spaced at a minimum of thirteen hundred twenty (1320) feet. A planting strip having a minimum width of twenty (20) feet shall be provided between the pavement of the arterial street and the pavement of the marginal access street. The minimum width of the marginal access right-of-way shall be fifty (50) feet.

4. Alleys shall not be approved in residential subdivisions, except where justified by extreme conditions. Alleys may be required in commercial and industrial districts if other provisions cannot be made for adequate service access. The minimum widths for alleys shall be twenty (20) feet for the right-of-way and (18) eighteen feet for the pavement width.

Section 418

Streets for Commercial Subdivisions.
Streets serving business developments and accessory parking areas shall be planned to connect with arterial streets so as not to generate traffic on local streets. The intersections of driveways from parking areas with arterial or collector streets shall be located so as to cause the least possible interference with traffic movement on the streets, and shall be located not less than one hundred (100) feet from the intersection of an arterial or collector street with any other street, and shall be spaced not less than two hundred (200) feet from each other. The Commission may require

TABLE 2

STREET DESIGN STANDARDS FOR ALL LOCAL STREETS

EXCEPT CUL-DE-SACS AND LOOP TYPE STREETS

TERRAIN CLASSIFICATION	LEVEL			ROLLING			HILLY		
Development Density	LOW	MED	HIGH	LOW	MED	HIGH	LOW	MED	HIGH
Right-of-Way Width (ft)	*50	*50	60	*50	60	60	*50	60	60
Pavement Width (ft)	**26	32	36	**26	32	36	**26	32	36
Sidewalk Width (ft)	4	4	4	4	4	4	4	4	4
Minimum Stopping Sight Distance (ft)	200	200	200	150	150	150	110	110	110
Maximum Grade	4%	4%	4%	8%	8%	8%	15%	15%	15%
Minimum Center line Radius of Streets with an Angle of Turn of:									
(1) Between 80 and 100	50	50	50	50	50	50	50	50	50
(2) Less than 80 or More than 100	200	200	200	200	200	200	150	150	150

* A utility easement ten (10) feet in width may be required along each side of the street right-of-way for these streets.

** No curb & gutter required on 26 feet wide pavement; curb & gutter required on other widths.

Note: Exceptions to the standards contained in this table are permitted under certain conditions for large lots (Sections 418 and 419; for variance procedures see Section 805). Hillside lots with grades of more than 15% are also subject to exceptions as provided under Article 6, Hillside Regulations.

TABLE 3

COLLECTOR STREET DESIGN STANDARDS

TERRAIN CLASSIFICATION	LEVEL			ROLLING			HILLY		
Development Density	LOW	MED	HIGH	LOW	MED	HIGH	LOW	MED	HIGH
Right-of-Way Width (ft)	60	60	60	60	60	60	60	60	60
Pavement Width (ft)	32	36	36	32	36	36	32	36	36
Sidewalk Width (ft)	5	5	5	5	5	5	5	5	5
Minimum Stopping Sight Distance (ft)	250	250	250	200	200	200	150	150	150
Maximum Grade	4%	4%	4%	8%	8%	8%	12%	12%	12%
Minimum Spacing when intersecting with an Arterial (ft)	1320	1320	1320	1320	1320	1320	1320	1320	1320
Minimum Centerline Radius	350	350	350	230	230	230	150	150	150

TABLE 4

INTERSECTION DESIGN STANDARDS

TERRAIN CLASSIFICATION	LEVEL	ROLLING	HILLY
Development Density	ALL DENSITIES	ALL DENSITIES	ALL DENSITIES
Maximum Approach Speed (MPH)	25	25	25
Clear Sight Distance (ft) (Length along each approach leg)	90	90	70
Vertical Alignment with Intersection	Flat	2% (max)	4% (max)
Minimum Angle of Intersection Streets shall remain in the angle of intersection for at least 100 feet beyond the point of intersection.	75 degrees (90 degrees preferred)		
Minimum Curb Radius (ft)			
(a) Local-local	20 - all cases		
(b) local-collector	25 - all cases		
(c) Collector-collector	30 - all cases		
(d) Collector, marginal access - arterial	35 - all cases		
Minimum centerline, offset of adjacent intersections (ft)			
(a) Local-local	150 - all cases		
(b) Local-collector	200 - all cases		
(c) Collector-collector	300 - all cases		
(d) Collector, marginal access - arterial	1320 - all cases		

marginal access streets to provide maximum safety and convenience.

Section 419

Streets for Industrial Subdivisions.
Collector streets for industrial subdivisions shall be planned to serve industrial areas exclusively and shall connect with arterial streets so that no industrial traffic will be directed into any residential streets. The intersections of service streets from parking areas with arterial or collector streets shall not be less than one hundred (100) feet from the intersection of the arterial or collector street with any other street. Streets shall be planned to be extended to the boundaries of any adjoining land planned for industry, except for severe physical conditions or if the Commission finds such extension is not in accord with the approved plan of the area.

Section 420

Sidewalks.

1. Sidewalks shall be required on both sides of the street in all residential subdivisions where the predominate lot width is less than one hundred (100) feet and on one side where the predominate lot width is greater than one hundred (100) feet but less than one hundred and fifty (150) feet. No sidewalks will normally be required where the predominate lot width is greater than one hundred and fifty (150) feet.

2. Public sidewalks shall be required for all commercial lots.

3. Public sidewalks may be required for industrial lots, subject to the approval of the County Regional Planning Commission.

Section 430

Blocks.
The following regulations shall govern the design and layout of blocks:

1. The arrangement of blocks shall be such as to conform to the street planning criteria set forth in Sections 410 to 419, inclusive, and shall be arranged to accommodate lots and building sites of the size and character required for the district as set forth in these subdivision regulations or any resolution and to provide for the required community facilities.

2. Irregularly shaped blocks, those intended for cul-de-sacs or loop streets, and those containing interior parks or playgrounds, may be approved by the commission if properly designed and located and if the maintenance of interior public spaces is covered by agreements.

3. No block shall be longer than fifteen hundred (1500) feet and the block width shall accommodate two (2) tiers of lots, except where unusual topography or other exceptional physical circumstances exist.

4. Where blocks are over nine hundred (900) feet in length a crosswalk easement not less than ten (10) feet in width at or near the halfway point may be required, if necessary, to provide proper access to schools, recreational areas, shopping centers, and other facilities.

5. For slope areas where the average topographic slope is fifteen (15) percent or greater, refer to Hillside Regulations, Sections 600 to 612 inclusive.

Section 431

Lots.
The following regulations shall govern the design and layout of lots:

1. The lot arrangement and design shall be such that all lots will provide satisfactory building sites, properly related to topography and the character of surrounding development.

2. All lots shall conform to or exceed the requirements of these subdivision regulations and the zoning district requirements for the district in which they are located and the use for which they are intended.

3. Each lot shall front on a public thoroughfare. The minimum lot sizes, widths, and setbacks shall be as specified in Table 4 on Page 15. For slope areas where the average topographic slope is fifteen (15) percent or greater, refer to Hillside Regulations, Section 600 to 612, inclusive.

4. All side lot lines shall be at right angles to street lines and radial to curved street lines, except where the Commission determines that a variation to this rule would provide a better layout.

5. Lots with double frontage shall be avoided except where the Commission determines that it is essential to provide separation of residential development from arterial streets.

6. No corner lot shall have a width at the building line of less than seventy-five (75) feet.

7. No lot shall have an average depth which is more than three (3) times its average width, nor shall it have a depth of less than one hundred twenty (120) feet except that whenever a lot fronts upon an exterior curved portion of a street, the centerline radius of which is one hundred (100) feet or

less, then the required minimum lot depth may be reduced to not less than one hundred ten feet.

Section 440

Easements.
Easements at least twenty (20) feet in width centered along rear or side lot lines shall be provided where necessary for sanitary sewers, gas mains, water lines, and electric lines. Easements shall also be provided along every water course, storm sewer, drainage channel, or stream within a subdivision, as provided for in Section 441 of these regulations.

TABLE 5

MINIMUM DIMENSIONAL REQUIREMENTS

Development Type	Public Water Available	Central Sewage Treatment Available	Minimum Lot Width (ft)	Lot Area (Per Family)	Minimum Front Setback Requirements (ft)		
					Arterial Streets	Collector Streets	Local Streets and cul-de-sacs
Single or Two Family	Yes	No	90	1 acre	40	35	30
	No	Yes	80	10,800* sq.ft.	40	35	30
	Yes	Yes	70	9,450* sq.ft.	40	35	30
	No	No	90	1 acre	40	35	30
Multi-Family	Yes	No	Prohibited				
	No	Yes	90	2,700 sq.ft.	50	40	35
	Yes	Yes	90	2,500 sq.ft.	50	40	35
	No	No	Prohibited				
Commercial	Yes	No	Prohibited				
	No	Yes	90		50	45	40
	Yes	Yes	90		50	45	40
	No	No	Prohibited				
Industrial	Yes	No	Prohibited				
	No	Yes	100		50	45	40
	Yes	Yes	100				
	No	No	Prohibited		50	45	40

* The minimum required lot depth of 120 feet is assumed.

For slope areas where the average topographic slope is 15 per cent or greater, refer to Hillside Regulations. Sections 600-612, inclusive.

Section 441

Flood Areas and Storm Drain Ditches.

1. In order to protect the health, safety, and general welfare of the people, the County Regional Planning Commission shall reject any proposed subdivision located in an area subject to periodic flooding. If the subdivision is located in an area having poor drainage or other adverse physical characteristics, the Commission may approve the subdivision provided the subdivider agrees to perform such improvements as will render the area safe for the intended use. In lieu of improvements, the subdivider shall furnish a surety or certified check covering the cost of the required improvements.

2. Flood control or storm drainage facilities shall be provided as follows:

   (a) Access to flood control or storm drainage ditches and channels shall be by means of easements. Such easements shall be not less than thirty (30) feet in width, exclusive of the width of the ditch, or channel, and an easement of this type shall be provided on one (1) side of a flood control or storm drainage ditch, channel, or similar type facility;

   (b) Flood control or storm drainage easements containing underground facilities shall have a minimum width of twenty (20) feet;

   (c) Whenever a flood control or storm drainage ditch or channel has a depth of five (5) feet or more, or a bank slope of two (2) feet horizontal to one (1) foot vertical or steeper, a five (5) foot high masonry wall or a five (5) foot high chain link fence may be required by the Commission.

Section 450

Public Sites, Open Space, and Natural Features.
Where a park, playground, school, or public access to water frontage which is shown in the comprehensive development plan is located in whole or in part in the proposed subdivision, the Commission shall request the dedication of such area within the subdivision. The subdivider shall pay for only that portion of the cost of the public site that benefits his subdivision as determined by the Commission. Every subdivider of land for subdivisions not containing public sites shall be requested to provide land or payment in lieu thereof for that portion of benefits from public sites accruing to his land as determined by the Commission. The Commission shall wherever possible, establish the preservation of all natural features which add value to residential developments and to the community, such as large wooded areas, water courses, beaches, areas of historical significance, and similar irreplaceable assets.

article 5

requirements for construction of improvements

Section 500

Guarantee for Installation of Improvements.
All improvements required herein shall be constructed prior to the granting of the final plat approval by the County Regional Planning Commission; or the subdivider shall furnish the County Commissioners with a surety or certified check for the amount of the estimated construction cost for the ultimate installation and initial maintenance of the improvements.

Section 501

Construction Procedure and Materials.
The subdivider shall design and construct improvements not less than the standards outlined in these regulations. The work shall be done under County supervision and inspection and shall be completed within the time fixed or agreed upon by the County Engineer. The minimum requirements for materials shall be in accordance with the standards of the current volume of "Construction and Material Specifications" of the State of Ohio Department of Transportation, and the requirements of the Ohio Department of Health. All inspection costs shall be paid for by the subdivider.

Section 502

Monuments, Markers and Pins.
Permanent concrete monuments shall be accurately set and established at the intersections of all outside boundary lines of the subdivision; at the intersection of those boundary lines with all street lines; at the beginning and end of all curves; at points on curves where the radius or direction changes; and at such other points as are necessary to establish definitely all lines of the plat, including all lot corners. Stone or concrete monuments shall be at least thirty-six (36) inches long and at least six (6) inches in diameter, and shall be provided with an appropriate center point. Solid iron pins at least five-eights (5/8) inch in diameter and at least thirty (30) inches long shall be used at all other points.

Section 503

Street Improvements.
All streets shall be graded to their full width, including side slopes, and improved in conformance with the standards given or referred to in these regulations.

Section 504

Street Width.
Minimum street pavement widths shall conform to the standards given in Section 411 thru 413 inclusive. Where pavement widths greater than those specified in Section 411 thru 413 are deemed necessary by the County Engineer and approved by the Board of County Commissioners, the County shall bear the extra cost of providing a greater than the minimum pavement width required by these regulations.

Section 505

Street Subgrade.
The subgrade shall be free of sod, vegetative or organic matter, soft clay, and other objectional materials for a depth of at least two (2) feet below the finished surface. The subgrade shall be properly rolled, shaped, and compacted, and shall be subject to the approval of the County Engineer.

Section 506

Street Base Course.
The developer has the option of using any of the following base courses, based upon construction standards of Auglaize County as to soil and traffic conditions: aggregate, bituminous aggregate, asphaltic concrete, portland cement concrete, or equally suitable base course. Thickness shall be determined by the County Engineer, based upon soil strength characteristics, soils types and related California Bearing Ration (CBR) values which are universally accepted in pavement design.

Section 507

Street Surface Course.
Upon the expiration of the established maintenance period for the base course, the surface course shall be constructed using either asphaltic concrete, bituminous mix, or portland cement concrete. Specific material and thickness recommendations shall be determined by the County Engineer, based upon predicted traffic conditions.

Section 508

Portland Cement Concrete Pavement.
If the subdivider elects to construct streets totally out of portland cement concrete or if such pavement is required by the County Engineer, thicknesses shall be determined from analysis of soil strength characteristics, soil type and CBR values.

Section 509

Full-Depth Asphalt Pavement.
If the streets are to be constructed out of "full-depth" asphalt, an asphalt pavement in which asphalt-aggregate mixtures are used for all courses above the subgrade, the layer thicknesses shall be determined from analysis of soil strength characteristics, soil types and CBR values.

Section 510

Street Curbs and Gutters.
The requirements for curbs and gutters will vary according to the character of the area and the density of development. In areas of notable flash flooding or heavy rain run-off, curbs shall be required to channel the flow of water. Curbs shall be required on all streets designed for areas where the existing or anticipated residential density of the area surrounding the proposed subdivision equals or exceeds three (3) dwelling units per net acre. In commercial developments, or where other similar intensive urban uses exist or are anticipated, curbs shall be required. Where curbs exist on abutting properties, their extension shall be required throughout the proposed subdivision. Curbs, combined curbs, and gutters shall be constructed in conformance with the current "Construction and Material Specifications" of the State of Ohio, Department of Transportation or the construction standards of Auglaize County.

Section 511

Sidewalks.
All sidewalks shall be constructed of portland cement concrete or other acceptable material to the minimum width specified in Sections 411, 412 and 413 and a minimum depth of four (4) inches.

Section 512

Driveways.
Driveways shall not exceed a maximum grade of ten (10) percent. Driveways and curb cuts shall be located not less than three (3) feet from the side lot line. Curb cuts for straight curbs and the flare for rolled curbs shall be three (3) feet wider than the driveway pavement on each side.

Section 513

Street Name Signs and Street Naming.
1. Street name signs, of a type in use throughout the County shall be erected by the subdivider at all intersections.

2. For purposes of street naming, the following suffixes shall apply:

   a. Avenue shall be used only for streets that run in a generally east-west direction;

   b. Boulevard or Drive shall be used only for a large meandering type street;

   c. Circle or Court shall be used only for cul-de-sac type streets that run in a generally east-west direction;

   d. Lane or Place shall be used only for cul-de-sac type streets that run in a generally north-south direction;

   e. Road or Way shall be used only for streets that run in a diagonal manner, either a generally northwest-southeast direction or a northeast-southwest direction;

   f. Street shall be used only for thoroughfares that run in a generally north-south direction;

   g. The words north, south, east, or west should be avoided as part of a street name whenever possible.

3. Whenever a new street is constructed along the approximate alignment or extension of an existing street, its name shall be the same as that of the existing one.

4. Whenever a street alignment changes direction more than seventy-five (75) degrees without a return to the original alignment within a distance of five hundred (500) feet, then the name of the street shall be changed at the point of curvature.

5. Whenever a cul-de-sac street serves not more than three (3) lots, the name of the intersecting street shall apply to the cul-de-sac.

6. To avoid duplication and confusion, the proposed names of all streets shall be approved by the County Engineer prior to such names being assigned or used.

Section 514

Street and Walkway Lighting.

1. The subdivider shall install street lights in accordance with standards and specifications of the County Engineer in each residential subdivision which contains a majority of lots with an individual lot width of one hundred (100) feet or less at the front property line. Such lights shall be located at each entrance (streets and walkways) to the subdivision and in each street intersection within the subdivision. In addition, whenever the distance between two (2) adjacent street (walkway) lights would exceed three hundred (300) feet, then additional street lights shall be installed in such a manner that proper light intensity shall be provided and maintained.

2. New subdivision street (walkway) lighting shall be installed with all associated wiring underground.

Section 515

Street Trees.

Trees should be provided by the subdivider in all subdivisions where curbs, gutters, and sidewalks are required in accordance with standards and specifications of the County Engineer. The trees shall be species which are resistant to damage and disease and which do not cause interference with underground utilities, street lighting or visibility at street intersections. Existing trees should be retained in new subdivisions wherever possible. Trees and/or ornamentals shall not be planted within the street right-of-way.

Section 520

Water Supply Improvements.

The following requirements shall govern water supply improvements:

1. Where a public water supply is reasonably accessible or required because of pollution problems, in the determination of the County Regional Planning Commission and the Auglaize County Board of Health, the subdivision shall be provided with a complete water distribution system, including a connection for each lot and appropriately spaced fire hydrants. Public water distribution and public wells systems shall meet the requirements of the Ohio Environmental Protection Agency as cited in Sections 3701.18 to 3701.21, inclusive, of the Ohio Revised Code.

2. Where public water supply is not available or not required, the subdivider shall supply acceptable evidence of the availability of water. The subdivider may be required to make one (1) or more test wells in the area to be platted if such evidence is deemed not acceptable. Copies of well logs which are obtained shall include the name and address of the well driller and shall be submitted with the plat to the County Regional Planning Commission.

3. Individual private wells shall be located at least twenty-five (25) feet from property lines; one hundred (100) feet from all septic tanks; one hundred (100) feet from all tile fields and other sewage disposal facilities; forty (40) feet from streams, lakes, ponds, and ditches; twenty (20) feet from

all cast iron sewer lines; and one hundred (100) feet from any vitrified sewer tile lines, and shall not be located within any areas of flooding. As a precaution against seepage, a watertight seal shall be provided around the well casing. Minimum lot sizes shall be in accordance with the requirements of the zoning district in which the subdivision is located. If no zoning is in effect, the minimum requirement of Section 431 (3) of these regulations shall apply. In all cases where it has been determined that individual water supplies from private wells are not feasible, a public water distribution system shall be required.

Section 521

Fire Protection.
Fire hydrants with two and one half (2½) inch outlets and one (1) large pumping connection shall be provided by the subdivider in all subdivisions with public water supplies. The hydrants should be located between property lines and curbs with all outlets facing or parallel to the street. Hydrants shall be placed at the corners of all blocks and at mid-block for blocks exceeding eight hundred (800) feet in length. Hydrants shall also be required at the entrance and end of all cul-de-sacs exceeding four hundred (400) feet in length.

The type of hydrant and control valves and the location of the hydrant shall be approved by the Fire Chief of the nearest contracting fire department. The minimum size of any water line serving any hydrant shall not be less than six (6) inches in diameter and should be circulating water lines. The size and location of water lines should be approved by the County Engineer, the Fire Chief, and the Ohio Inspection Bureau for commercial and industrial subdivisions.

Section 530

Sanitary Sewer Improvements.
The following requirements shall govern sanitary sewer improvements:

1. Where an adequate public sanitary sewer system is reasonably accessible, in the determination of the County Regional Planning Commission and the Auglaize County Board of Health, public sanitary sewers shall be installed to adequately serve all lots, including lateral connections to the public system. Public Sewer System extensions shall meet the requirements of the Ohio Environmental Protection Agency and County standards. Combinations of sanitary sewers and storm sewers shall be prohibited.

2. Where a public sanitary sewer system is not reasonably accessible, the subdivider may provide:

   a. a central treatment plant for the group (not less than five contributing homes per plant) provided that such central treatment plant is installed in accordance with State and County Board of Health requirements; or

   b. lots may be served by individual disposal systems if the provisions of Section 520 (3) are met.

3. a. Where the installation of individual disposal systems is considered the suitability of the soil for individual systems, the absorptive ability of the soil, surface drainage, ground water level, and topography shall be the criteria for determining whether or not the installation of individual systems is permissible. Criteria shall be in accordance with the requirements of the County Board of Health and the requirements of the Ohio Environmental Protection Agency.

   b. Each lot so served shall be of a size and shape to accommodate the necessary length of tile field at a safe distance from and at a lower elevation than the proposed builidings. Such lot size and shape shall conform to the requirements of the zoning district in which they are located. If no zoning is in effect, the standards set forth in Section 431 (3) of these regulations shall be met.

   c. At least one (1) percolation test may be required for each lot area being platted, and each test shall be located in close proximity to the proposed individual sewage disposal unit, be numbered and its location shown on the preliminary plat. All percolation tests shall be performed in accordance with the requirements of the County Regional Planning Commission and the County Board of Health.

   d. Where the installation of individual disposal units is considered and where the average natural ground slope exceeds ten (10) per cent, the installation of a step-up disposal system may be required subject to specification by the County Board of Health.

Section 540

Drainage Improvements.
The subdivider shall construct all necessary facilities including underground pipe, inlets, catch basins, or open drainage ditches, as determined by the County Engineer, to provide for the adequate disposal of subsurface and surface water and maintenance of natural drainage courses. The velocity of flow in an open

ditch shall not exceed four (4) feet per second in soil ditches or six (6) feet per second in turf gutters. Paved gutters will be required if velocities of flow are greater than those specified or if it is otherwise likely that destructive erosion will result. Drainage ditches shall not be permitted to discharge into any sanitary sewer facility.

Section 541

Storm Sewers and Storm Water Drainage.
Where an adequate public storm sewer is available at the plat boundary, the subdivider shall construct a storm sewer system and connect with such storm sewer line. If such a storm sewer system is not accessible, natural drainage channels with easements of adequate width shall be provided, as determined by the County Engineer and approved by the County Regional Planning Commission. Paved gutters or storm sewers shall be required if velocities of flow are greater than specified in Section 540 of these regulations, or cause destructive erosion. Storm drainage, including drain tile around basements, shall not be permitted to discharge into any sanitary sewer facility, but shall connect to an adequate drainage outlet.

Section 542

Culverts and Bridges.
Where natural drainage channels intersect any street right-of-way, it shall be the responsibility of the subdivider to have satisfactory bridges and/or culverts constructed. Where culverts are required, minimum requirements shall be observed as follows:

1. All culverts shall extend across the entire right-of-way width of the proposed street. The cover over the culvert and its capacity shall be determined by the County Engineer. The minimum diameter of a culvert pipe shall be eighteen (18) inches. Depending on existing drainage conditions, head walls may be required.

2. Driveway culverts shall have a minimum length of twenty (20) feet, and a minimum diameter of twelve (12) inches. The driveway culverts shall be laid so as to maintain the flow lines of the ditch or gutter. Head walls may be required.

Section 550

Electric, Gas, Telephone and Cablevision Improvements.
1. Electric service and telephone service shall be provided within each subdivision. Gas service may be required where reasonably accessible. Whenever such facilities are reasonably accessible and available, they may be required to be installed within the area prior to the approval of the final plat. Telephone, electric, and street lighting wires, conduits and cablevision shall be constructed underground except in cases where the County Engineer determines that topographic, bedrock, or underground water conditions would result in excessive costs to the subdivider.

2. Overhead utility lines, where permitted, shall be located at the rear of all lots. The width of the easement per lot shall be not less than eight (8) feet and the total easement width shall be not less than sixteen (16) feet.

3. Whenever a sanitary sewer line and electric and/or telephone line are each placed underground in the same utility easement, the following provisions shall be applicable:

   a) The total easement width shall be not less than twenty (20) feet, and

   b) The sanitary sewer line shall be installed within three (3) feet of one side of the easement, and the electric and/or telephone lines shall be installed within three (3) feet of the opposite side of the easement.

Section 560

Over-Size and Off-Site Improvements.
The utilities, pavements, and other land improvements required for the proposed subdivision shall be designed of over-size and/or with extensions provided to serve nearby land which is an integral part of the neighborhood service or drainage area as determined by the County Engineer.

Section 561

Cost of Over-Size Improvements.
The subdivider shall be required to pay for only that part of the construction costs for the arterial streets, trunk sewers or water lines which are serving the proposed subdivision as determined by the County Engineer. The County shall pay the difference between the cost of required improvements for the proposed subdivision and improvements required to service the surrounding areas specified in Section 560.

Section 562

Extensions To Boundaries.
The subdivider may be required to extend the necessary improvements to the boundary of the proposed subdivision to serve adjoining unsubdivided land, as determined by the County Regional Planning Commission.

Section 563

Off-Site Extensions.
If streets or utilities are not available at the boundary of a proposed subdivision, and if the County Regional Planning Commission finds the extensions across undeveloped areas would not be warranted as a special assessment to the intervening properties or as a municipal expense until some future time, the subdivider may be required, prior to approval of the final plat, to obtain necessary easements or rights-of-way and construct and pay for such extensions. Such improvements shall be available for connections by subdividers of adjoining land.

Section 570

Final Inspection.
Upon completion of all the improvements, the subdivider shall request, in writing, a final inspection by the County Engineer as required under Section 711.091 of the Ohio Revised Code.

article 6
hillside regulations

Section 600

General.
These regulations apply to all hillside areas. A hillside area as referred to herein is defined as one with an average slope of more than fifteen (15) percent. The subdivider shall submit sufficient detailed information as to geologic conditions, soil types, and underground water level in order that a determination can be made by the County Engineer as to the safety of development of the particular location.

Section 601

Determination of Average Slope.
The average slope for any hillside development shall be determined by the County Regional Planning Commission during the time of preliminary subdivision design. Determination will be on an area-by-area basis with each lot sized according to the average topographic change falling within each area.

Section 602

Minimum Lot Requirements For Single Family Homes.
The minimum lot requirements (see chart on the following page) shall be used to determine the minimum lot area for a single family home. The average percent of slope is determined by the County Regional Planning Commission. The lot area in thousands of square feet shall then be determined by charting the average natural ground slope and the minimum lot area. Rounding shall be made to the nearest five (5) foot frontage interval. Deviations from these requirements may be allowed subject to determination by the Planning Commission where exceptional circumstances warrant.

Section 603

Grading Plan and Controls.
The grading plan shall show contour lines at five (5) foot intervals where average slopes exceed fifteen (15) percent and at two (2) foot intervals where slopes are less than fifteen (15) percent but greater than two (2) percent. One (1) foot contour intervals shall be used if the average slope is two (2) percent or less. Elevations are to be based on the sea level datum (USGS). The approximate lot layout and the approximate dimensions shall be shown for each lot and each building site. Where pads are utilized or proposed for building sites, engineering data shall show the existing topography and the approximate finished grades, location and size of each building site, and finished grade of streets prior to consideration of the final plat.

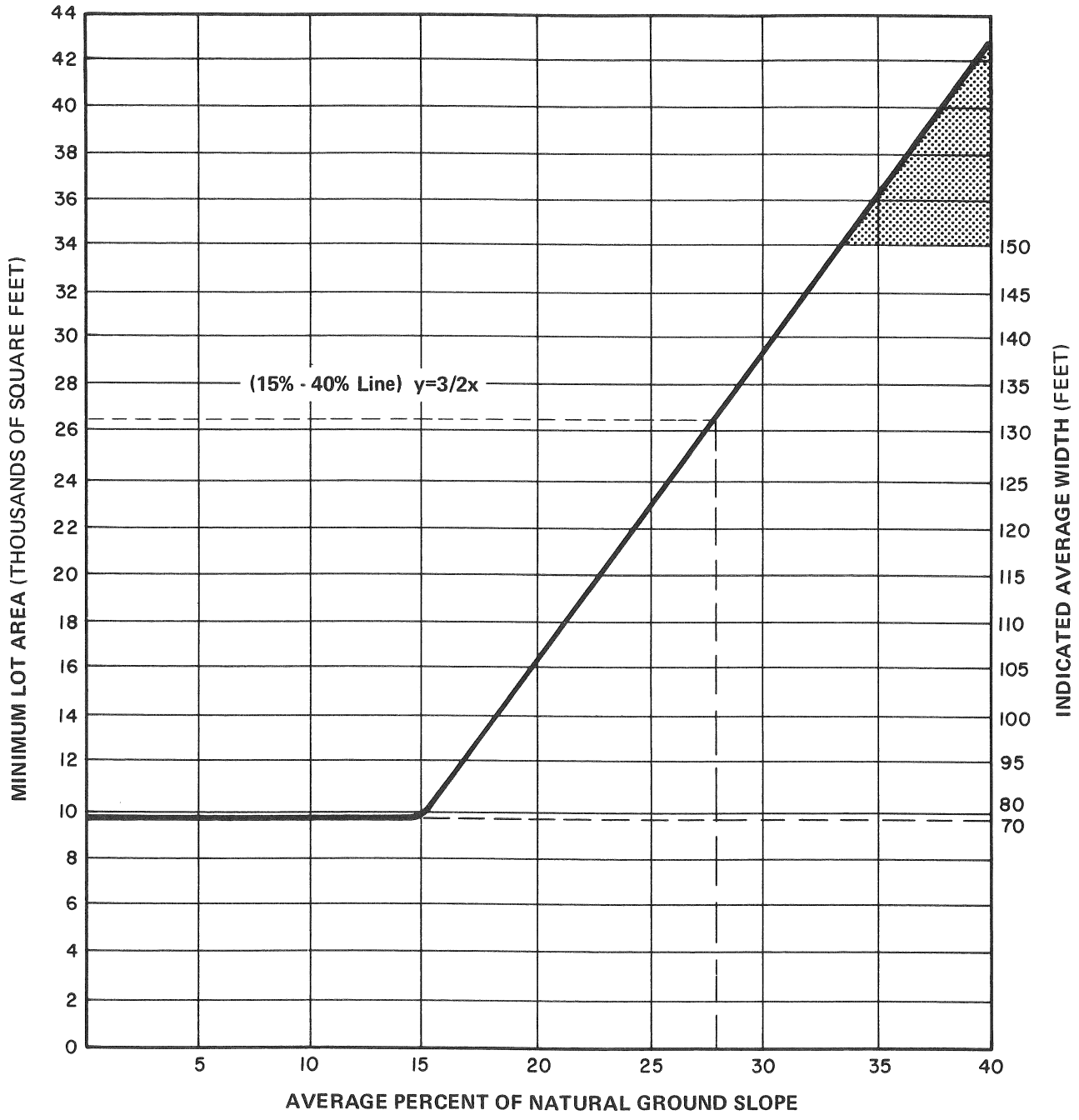
Section 604

Cuts and Fills.
No land shall be graded, cut or filled so as to create a slope exceeding a vertical rise of one (1) foot for each three (3) feet of horizontal distance between abutting lots, unless a retaining wall of sufficient height and thickness is provided to retain the graded bank. Major cuts, excavation, grading, and filling, where the same materially changes the site and its relationship with surrounding areas or materially affects such areas, shall not be permitted if such excavation, grading, and filling will result in a slope exceeding a vertical rise of one (1) foot for each three (3) feet of horizontal distance between abutting lots or between adjoining tracts of land, except where adequate provision is made to prevent slides and erosions by cribbing and retaining walls.

Section 605

Compaction of Fill.
All fill shall be compacted to a density of ninety-seven (97) percent or greater. Inspection of fill shall be conducted by the County Engineer.

MINIMUM LOT SIZE REQUIREMENTS BASED ON SLOPE



EXAMPLE: As indicated above, the minimum lot size for a single-family house on a lot with an average slope of 28 percent is 26,000 sq. ft. The minimum lot width is 130 feet. The resulting lot depth is 200 feet $\left(\frac{26,500}{130} = 200\right)$.

Section 606

Retaining Walls.
Retaining walls may be required whenever topograhic conditions warrant or where necessary to retain fill or cut slopes within the right-of-way. Such improvements shall require the approval of the County Engineer.

Section 607

Minimum Hillside Requirements.
The following regulations shall govern the front yard, side yard, street right-of-way and pavement requirements in hillside subdivisions:

Group	Percent of Slope	Front Yard (ft.)	Side Yard in % of lot width	Right of-Way	Pavement
1	15+-25%	25'	10%	50'	24'
2	26-30%	23'	10%	45'	22'
3	31%-Over	20'	10%	40'	20'

Section 608

Street Alignment.
The following regulations shall govern street alignment:

1. Vertical profile grades shall be connected by vertical curves up to ten (10) percent, but only for short, straight stretches.

2. Waiver of visibility requirements may be given subject to the approval of the County Regional Planning Commission.

3. Waiver of vertical curve requirements may be given subject to the approval of the County Regional Planning Commission.

Section 609

Driveways.
The maximum grade on driveways shall not exceed ten (10) percent. Each drive shall provide sufficient space and distance to turn around prior to entering the street.

Section 610

Sidewalks.
Concrete sidewalks having a minimum width of four (4) feet and having a minimum thickness of four (4) inches shall be installed along the uphill side of Group 1 (15+-25 percent) subdivisions.

Section 611

Sewage Disposal.
Where public sewers are not available or reasonably accessible, a central treatment plant shall be installed by the subdivider in accordance with State and County Board of Health requirements. The use of individual systems shall be prohibited.

Section 612

Undeveloped Land.
Land subject to flooding, land with excessive slope and land deemed by the County Regional Planning Commission to be undesirable for development shall not be platted for residential occupany, nor for such other uses as may involve danger to health, life, or property or to aggravate erosion or flood hazard. Such land shall be set aside for compatible uses.

article 7

required statements and signatures to be affixed on all plats

Section 700

Required Statements.
The following statements shall be affixed on any subdivision plat:

Situated in Section _____ Township, _____ Range, _____ County, _____ Ohio.
Containing _____ acres and being the same tract as conveyed to _____ and described in the deed recorded in Deed Book _____ County, Ohio.

The undersigned _____ hereby certify that the attached plat correctlv represents their _____ , a subdivision of lots _____ to _____ inclusive, do hereby accept this plat of same and dedicate to public use as such all of the roads, boulevards, cul-de-sacs, parks, planting strips, etc., shown herein and not heretofore dedicated.

The undersigned further agrees that any use of improvements made on this land shall be in conformity with all existing valid zoning, platting, health, or other lawful rules and regulations including any applicable off-street parking and loading requirements of Auglaize County, Ohio, for the benefit of himself and all other subsequent owners or assigns taking title from, under, or through the undersigned.

In Witness thereof _____ day of _____ , 19 __ .

Witness _____ Signed _____

_____ _____

STATE OF OHIO
COUNTY OF _____

Before me a Notary Public in and for said County personally came _____ who acknowledged the signing of the foregoing instrument to be their voluntary act and deed for the purposes therein expressed.

In witness whereof I have hereunto set my hand and affixed my official seal this _____ , 19 __ .

By _____

I do hereby certify that I have surveyed the premises and prepared the attached plat and that said plat is correct.

By _____

Section 701
Outside The Three Mile Limit Of A City.

We certify that the road construction plans meet with our approval this _____ day of _____ , 19_____.

_____

_____

_____

Township Trustees

I certify that (improvements are complete, bond has been furnished or surety has been furnished) this _____ day of_____ 19__ .

_____

County Engineer

I certify that rules, regulations and applicable health laws have been adherred to this _____ day of _____, 19 __.

_____

County Board of Health

I certify that rules, regulations and applicable health laws have been adherred to this _____ day of_____ , 19___.

_____

County Sanitary Engineer

Approved this _____ day of _____ 19__. _____

County Regional Planning Commission

We certify that all roads, streets and/or utilities contracts with the developer are legally completed, this_____ day of _____19___ .

_____

_____

_____

County Commissioners

Transferred this _____ , 19 __ . _____

County Auditor

Filed for Record this _____ day of _____19 ___ at _____m.

Recorded this _____ day of _____ , 19___ in Plat Book _____ Page No. _____ .

_____

County Recorder

Notes:

1. If public sewer and water are available, the plat need not be signed by the County Board of Health, but construction plans shall have been sent to the District Environmental Protection Agency for their concurrence and approval.

2. If roads or streets are not to be turned over to the Township Trustees, the Township Trustees need not sign the plat.

Section 702

Within The Three Mile Limit Of A City. (If the city has jurisdiction*)

We certify that the road construction plans meet with our approval this _____ day of _____ 19____.

_____

_____

_____

Township Trustees

I certify that (improvements are complete, bond or surety has been furnished) this _____ day of _____, 19____.

_____

County Engineer

Approved this _____ day of _____, 19__. _____

County Board of Health

Approved this _____ day of _____, 19__. _____

County Sanitary Engineer

Reviewed this _____ day of _____, 19__. _____

County Regional Planning Commission

Approved this _____ day of _____, 19 __(Approval of this plat for recording does not constitute an acceptance of the dedication of any public street, road or highway dedicated on such plat, Section 711.04 and 711.041, Ohio Revised Code.)

_____

(Secy.) City or Village Planning Commission

Transferred this _____ day of _____, 19__. _____

County Auditor

Filed for Record this _____ day of _____19 ____ at _____m.

Recorded this _____ day of _____ 19_____ in Plat Book _____ Page No. _____.

_____

County Recorder

Notes:

1. If public sewer and water are available, the plat need not be signed by the County Board of Health, but construction plans shall have been sent to District Environmental Protection Agency for their concurrence and approval.

2. If roads and streets are not be be turned over to the Township Trustees, the Township Trustees need not sign the plat.

3. The review by the County Regional Planning Commission is optional.

* Wapakoneta has no three mile jurisdiction.

article 8
revisions, enforcements

Section 800

Recording of Plat.
No plat of any subdivision shall be recorded by the County Recorder of Auglaize County or have any validity until said plat has received final approval in the manner prescribed in these regulations.

Section 801

Revision of Plat After Approval.
No changes, erasures, modification, or revisions shall be made in any plat of a subdivision after approval has been given by the County Regional Planning Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Commission.

Section 802

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.

Section 803

Schedule of Fees, Charges and Expenses.
The Board of County Commissioners 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 County Commissioners, and may be altered, or amended only by the Board of County Commissioners. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

Section 804

Penalties.
The following penalties shall apply to the violations of these regulations:

1. Whoever violates any rule or regulation adopted by the Board of County Commissioners 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 maintainance thereof may be abated by action at suit of the County or any citizen thereof. Whoever violates these regulations shall forfeit and pay not less than one hundred (100) dollars nor more than one thousand (1000) dollars for each offense. Such sum may be recovered with costs in a civil action brought in the Court of Common Pleas of Auglaize County.

2. A County Recorder who records a plat contrary to the provisions of these regulations shall forfeit and pay not less than one hundred (100) dollars nor more than five hundred (500) dollars for each offense, to be recovered with costs in a civil action by the Prosecuting Attorney in the name and for the use of Auglaize County.

3. Whoever, being the owner or agent of the owner of any land within or without a municipal corporation, 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 (100) dollars nor more than five hundred (500) dollars 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. If such land is within a municipal corporation, such sum may be recovered in a civil action brought in the Court of Common Pleas of Auglaize County by the legal representative of the City (Village) in the name of the City (Village).

4. 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 (100) dollars not more than five hundred (500) dollars 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 County Treasurer for the use of the County.

Section 805

Variances.
The following regulations shall govern the granting of variances:

1. Where the County Regional 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 ordinance (resolution), if such exists.

2. In granting variances or modifications, the County Regional Planning Commission may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.

Section 806

Appeal.
Any person who believes he has been aggrieved by the regulations or the action of the County Regional Planning Commission, has all the rights of appeal as set forth in Chapter 711 of the Ohio Revised Code or any other applicable section of the Ohio Revised Code.

article 9
enactment

Section 900

Effective Date.
These regulations shall become effective from and after the date of its approval and adoption by the County Regional Planning Commission and Board of County Commissioners after public hearing and certification to the Auglaize County Recorder. Henceforth, any other regulations previously adopted by the Board of County Commissioners or the Regional Planning Commission shall be deemed to be repealed. These regulations shall in no way affect any subdivision having received preliminary approval prior to the effective date provided, however, that no changes to the preliminary plat, as approved, are introduced by the subdivider.

PASSED January 11, 1974
(Date)

Paul F Reinhart
President, Board of County Commissioners

ATTEST Alberta Mapson
Clerk, Board of County Commissioners