

Chapter 151 - Subdivision Regulations

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SECTION 151.00 GENERAL PROVISIONS

151.01 Title

The provisions of this chapter shall be known as the Subdivision Regulations of the Village and shall be referred to hereinafter as these Regulations.

151.02 Intent

These Regulations are adopted to secure and provide for the following:

- A. To establish the minimum requirements for the promotion of the public health, public safety, and general welfare of the residents of the Village.
- B. The proper arrangement of streets or highways in relation to existing or planned streets or highways or to the official Comprehensive Development Plan.
- C. Adequate and convenient open spaces for vehicular and pedestrian traffic, utilities, access of fire-fighting apparatus, and recreation.
- D. The establishment of standards for the construction of any and all improvements as herein required.
- E. Conformance with the existing Zoning Ordinance.
- F. To facilitate the orderly and efficient layout and the appropriate use of the land.
- G. To provide for the accurate surveying of land, preparing and recording of plats, and the equitable handling of all subdivision plats by providing uniform procedures and standards for observance by both the approving authority and subdividers.
- H. Protection against floodplain encroachment and possible future flood damage.
- I. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, and other public requirements and facilities.

151.03 Jurisdiction and Effective Date

- A. Jurisdiction - These Regulations shall apply to all subdivisions of land within the corporation limits of the Village of Jackson Center, Shelby County, Ohio.
- B. Relation to Other Laws - These Regulations shall supplement any and all laws of the State of Ohio, Ordinances of the Village, or any other regulations relating to the purpose and scope of these Regulations. Whenever the requirements of these

Regulations are at variance with requirements of any other laws, ordinances, or regulations, the most restrictive or that imposing the higher standards shall govern, except as provided in Section 151.04B Planned Unit Development.

- C. Effective Date - These Regulations shall take effect at the earliest time prescribed by law following their adoption by the Village Council.
- D. Pre-Existing Subdivisions - Any subdivision that has received final approval by the Village Council prior to the adoption of these Regulations shall be considered an approved final subdivision. If the approved final plat of a proposed subdivision is not recorded within ninety (90) days after the date of the Planning Commission's approval, said approval shall be termed null and void. In the event a plat is considered invalid, said plat shall then be resubmitted as a preliminary plat and shall meet all requirements of these Regulations.

151.04 General Regulations

- A. Floodplain - No subdivision shall be located in an area subject to periodic flooding or high water as determined by the Village Engineer. For those areas located within the floodplain of the Great Miami River, further determination of the actual area subject to periodic flooding or high water may be required from the Miami Conservancy District. If the subdivision is located in an area having poor drainage or other adverse physical characteristics, the Planning Commission may approve the subdivision provided the subdivider agrees to perform such improvements as will render the area safe for the intended use.
- B. Planned Unit Development – Following the official adoption of these Regulations, no land shall be subdivided without complying with the provisions of these Regulations with the exception of certain modifications allowed for Planned Unit Developments. Building setbacks, yard area requirements, and pedestrian walkways may be modified by the Planning Commission to the extent that such Planned Unit Development will contribute to the orderly, efficient, and economical development of the Village.
- C. Sale of Land – No lot, tract, or parcel of land within any subdivision shall be offered for sale, nor shall any sale be completed until such subdivision plats have been reviewed and officially approved by the Planning Commission and recorded by the County Recorder's Office.
- D. Improvements – No improvements, such as sidewalks, water supply, wastewater facilities, stormwater drainage, gas and electric service, lighting, paving, or surfacing of any street, shall be made within any subdivision by any subdivider until the preliminary plat, final plat, and construction drawings for the subdivision have been properly reviewed and approved by the Enforcement Officer, Village Engineer, and the Village Administrator, and officially approved by the Planning

Commission and until all required contracts and performance surety for public improvements have been posted and accepted.

- E. Grading – Preliminary or rough grading may be permitted following review and approval of the preliminary plat in advance of the approval of the final plat and construction drawings, provided that such grading does not impair or alter existing drainage or create an adverse impact on adjacent property.
- F. Frontage – No lot shall be created through the subdivision of land that does not have frontage on a thoroughfare or street that is regularly maintained.

151.05 Conformity to Village Plans and Zoning Ordinance

The arrangement, character, width, and location of all arterial and collector thoroughfares or extensions thereof shall conform to the requirements of the Village of Jackson Center Comprehensive Development Plan or Official Thoroughfare Plan. Lack of a Comprehensive Development Plan or thoroughfares not contained in the aforementioned plan shall conform to the recommendations of the Planning Commission based upon these Regulations. In addition, no final plat shall be approved if in conflict with an existing Zoning Ordinance.

- A. Plans - All proposed subdivisions shall be developed in accordance with the principles, objectives, policies, and proposals specified in the Shelby County Official Thoroughfare Plan, the Village Official Thoroughfare Plan, and the Village Land Use Plan, where applicable.
- B. Zoning – All proposed subdivisions shall meet the requirements set forth in the Zoning Ordinance adopted by the Village as well as the provisions of these Regulations.

151.06 Relation of the Subdivision to the Land

- A. Safety – All proposed subdivisions shall be located and designed as to be safe for building purposes without danger to health or peril from flood, fire, or other similar menace.
- B. Existing Features – Existing physical or cultural features enhancing the value of the proposed subdivision such as trees, watercourses and falls, historic sites, and other irreplaceable assets shall be preserved whenever possible through careful design.
- C. Owner Restrictions – The owner/owners may place further restrictions on any portion of the land to be subdivided which are greater than those required by these Regulations and the Village Zoning Ordinance provided that all such restrictions are indicated on the subdivision plat and are officially recorded.

151.07 Administration

- A. The Village Council shall perform the following functions:
1. Appoint an Enforcement Officer (a.k.a. Zoning Enforcement Officer) who shall be responsible for the administrative enforcement of these Regulations. To this end, the Enforcement Officer shall work closely with the Village Engineer's Office and the Planning Commission.
 2. Elect one (1) member of the Village Council and approve the Mayor's appointment of three (3) individuals to the Planning Commission (a.k.a. Zoning Board of Appeals), who are residents of the Village. The term of appointed members shall be staggered three (3) years with one (1) member being appointed every year for a three-year term.
 3. Unless and until the Village Council acts to appoint a separate Board of Zoning Appeals, the Planning Commission shall have all the powers and duties and act as the Board of Zoning Appeals.
 4. Enter into a Contract, called a Subdivider's Agreement, with the subdivider or developer, specifying what public improvements are to be carried out and providing the legal basis for the posting of the performance surety.
 5. Accept required public improvements which have been inspected and approved by the Village Engineer and the Village Administrator and which are in accordance with the Shelby County Official Thoroughfare Plan, and the Village Official Thoroughfare Plan.
 6. Release the performance surety of the subdivider or developer once the required public improvements have been accepted.
 7. Amend these Regulations following receipt of a formal recommendation from the Planning Commission and following a public hearing with the appropriate public notice.
- B. The Enforcement Officer (a.k.a. Zoning Enforcement Officer) shall have the responsibility of acting on behalf of the Planning Commission in making an initial determination that a particular subdivider has or has not complied with the requirements of these Regulations and shall perform the following functions:
1. Establish that all the requirements of these Regulations have been fully met by the subdivider.
 2. Determine instances of non-compliance with these Regulations on the basis of an interpretation of these Regulations and the review of comments of all the appropriate officials to whom copies of the preliminary plat were sent.

3. Make recommendations to the Planning Commission for action on all preliminary and final plats, certifying those final plats that are in full compliance with the provisions of these Regulations.
 4. Issue Zoning Permits to applicants whose final plat and construction drawings have received the approval of the Village Engineer and the Planning Commission.
 5. Maintain permanent and current records of these Regulations including amendments thereto.
- C. Planning Commission (a.k.a. Zoning Board of Appeals) – In order to administer these Regulations, the Planning Commission shall do the following:
1. The Mayor shall be Chairman. The Planning Commission shall be composed of five (5) members.
 2. Meetings shall be held at the call of the Chairman and at such other times as the Planning Commission may determine. All meetings shall be open to the public and minutes shall be kept of the proceedings. Written applications for appeals or variances shall be made to the Enforcement Officer and the Zoning Board of Appeals.
 3. Review the preliminary plat submitted by a subdivider and either accept, accept with modifications, or reject said preliminary plat.
 4. Evaluate the recommendation of the Enforcement Officer and Village Engineer relative to the preliminary plat and final plat applications.
 5. Review the final plat and construction drawings submitted by the subdivider, check that the final plat is in accordance with the preliminary plat, check that the construction drawings are in accordance with the regulations of the Village Engineer, determine that the requirements in these Regulations have been met, and either accept, accept with modifications, or reject said final plat.
 6. Make recommendations to the Village Council relative to the acceptance of public rights-of-way contained within the particular subdivision.
 7. Recommend amendments to these Regulations to the Village Council following the holding of a public hearing, at such times as such amendments are felt to be appropriate.
 8. Specific Powers Relative to the Administrative Errors -
 - a. The Planning Commission (aka Zoning Board of Appeals) shall hear and decide appeals, where it is alleged that there is an error in any administrative decision made in the enforcement of the Regulations.

- b. The Subdivider shall file a "Notice of Appeal" with the Enforcement Officer and the Planning Commission specifying the grounds thereof. All requested appeals shall be submitted within twenty (20) days of the decision.
- c. The Enforcement Officer shall transmit to the Board all of the papers, constituting the record upon which the action appealed from is taken.
- d. Normally such review by the Board shall be limited to alleged errors in interpretation of these Regulations.

9. Specific Powers Relative to Variances

The Planning Commission shall have the power to authorize upon appeal in specific cases, such variances from the provisions or requirements of these Regulations as will not be contrary to the public interest. No variance from the strict application of any provision of these Regulations shall be granted by the Board unless it finds, beyond reasonable doubt, that all of the following facts and conditions exist:

- a. That special conditions and circumstances exist which are peculiar to the land involved, such as irregular, abnormally narrow, shallow, or steep lots or other unusual physical conditions and which are not applicable to other lands in the immediate vicinity.
- b. That literal interpretation of the provisions of these Regulations would deprive the applicant of rights commonly enjoyed by other property owners in the immediate vicinity under the terms of these Regulations.
- c. That the special conditions and circumstances do not result from the actions of the applicant.
- d. That granting the variance requested will provide the minimum necessary relief to alleviate the hardship and will not confer on the applicant any special privilege that is denied by these Regulations to other lands, structures, or buildings in the same vicinity.
- e. That granting of the variance will be in harmony with the general purpose and intent of these Regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

10. Application Procedure – All submittals made to the Planning Commission shall be in writing and filed with the Village Administrator at least fourteen (14) days prior to the meeting at which they are to be heard. Each submittal shall refer to the specific provisions of these Regulations involved and shall set forth a clear and exact description of land involved, the interpretation of these Regulations that is claimed, and/or the details of the variance proposed to be granted.

- D. The County Recorder shall perform the following functions:

1. Record the final plat of a subdivision once said final plat has been officially approved by the Enforcement Officer, Village Engineer, Village Administrator, Planning Commission, Village Council, and County Engineer.
 2. Transfer property and record deed or leases, where the subdivision of land is involved, only after the subdivider has met all the requirements of these Regulations.
 3. Enter the lots of record from all final plats upon the Shelby County tax list for the purpose of taxation.
- E. The Village Engineer shall perform the following functions:
1. Review preliminary plats as to their basic engineering feasibility.
 2. Review and approve final plats and construction drawings.
 3. Make all necessary inspections of the construction of required public improvements to determine that they meet the requirements of these Regulations.
- F. The Village Administrator shall have the following responsibilities:
1. Review and approve the preliminary plat so as to ensure its compliance with the Administrator's regulations and those of the Ohio Environmental Protection Agency (OEPA).
 2. Review and approve the final plat and construction drawings so as to ensure their compliance with the Administrator's regulations and those of the OEPA.

151.08 Saving Clause

The enactment of these Regulations shall not affect or prevent the prosecution or punishment of any person for any action done or committed in violation of any ordinance or part of provisions of any ordinance of the Village, to the taking effect of these Regulations.

151.09 Relation to Other Laws

The provisions of these Regulations shall supplement any and all laws of the State of Ohio, ordinances of the Village, Village of Jackson Center Design Criteria, and Construction Standards and Drawings, or any and all rules and regulations promulgated by authority of such law or ordinance relating to the intent and scope of

these Regulations. Whenever the requirements of these Regulations are at variance with the requirements of any law, ordinance, regulations of the Board of Health, or OEPA, the most restrictive or that imposing the higher standards shall govern.

151.10 Interpretation and Separability

- A. Interpretation - In their interpretation and application, provisions of these Regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.
- B. Separability - If any part or provision of these Regulations or the application thereof to any person or circumstance is judged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these Regulations or the application thereof to other persons or circumstances. The Council hereby declares that it would have enacted the remainder of these Regulations even without any such part; provision or application.

151.11 Amendment

These Regulations may be amended by the Village Council after public hearings and other requirements as specified in the Ohio Revised Code.

SECTION 151.15 DEFINITIONS

Interpretation of Terms or Words

For the intent of these Regulations, certain terms or words used herein shall be interpreted as follows:

- A. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- B. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- C. The word “shall” is a mandatory requirement, the word “may” is a permissive requirement, and the word “should” is a preferred requirement.
- D. The words “used” or “occupied” include the words “intended, designed, or arranged to be used or occupied”.
- E. The word “lot” includes the words “plot” or “parcel”.
- F. Regardless of capitalization, definitions are standard.

ALLEY (See Thoroughfare)

BLOCK

A unit of property entirely surrounded by public highways and streets, railroad rights-of-way, waterways, or other barriers, or combination thereof.

BUFFER AREA

A strip or parcel of land, privately restricted or publicly dedicated as open space located between a residential development and other incompatible use for the purpose of protecting and enhancing the residential environment.

BUILDING LINE (see SETBACK LINE)

COMMUNITY FACILITIES

Existing, planned, and proposed parks, playgrounds, schools, other public lands and buildings of the Village for which these Regulations are in effect.

COMPREHENSIVE DEVELOPMENT PLAN

A plan, which may consist of several maps, data, policies, and other descriptive matter, for the physical development of the Village which has been adopted by the Village to indicate the general location for proposed physical facilities including housing, industrial and business uses, major streets, parks, schools, public sites, and other similar information.

CONSTRUCTION DRAWINGS

A complete set of engineering drawings drawn to scale containing, but not limited to, grading plans, street plans and profiles, cross-sections, sanitary sewer plans and profiles, water main plans and profiles, storm sewer plans and profiles, a complete topographical layout of all existing appurtenances and structures located within the right-of-way, and any other requirement as outlined in the Village of Jackson Center Design Criteria and Construction Standards and Drawings.

CORNER LOT (See Lot)

CUL-DE-SAC (See Thoroughfare)

DEAD-END STREET (See Thoroughfare)

DEDICATION

The appropriation of land to the Village by its owner for any public use.

DEVELOPER

Any person, subdivider, partnership or corporation, or duly authorized agent who constructs or contracts to construct improvements on subdivided land.

DEVELOPMENT (See Subdivision)

DEVELOPMENT AREA

Any contiguous (abutting) area owned by one person or operated as one development unit and used or being developed for commercial, industrial, residential, or other purposes upon which earth-disturbing activities are planned or underway.

EASEMENT

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

ENGINEER

Any person registered to practice professional engineering by the State Board of Registration as specified in the Ohio Revised Code.

ENGINEER, VILLAGE

Such person designated as the Village Engineer for the Village.

FINAL PLAT (see Plat)

IMPROVEMENTS

Street pavement or resurfacing, curbs, gutters, sidewalks, pedestrian walkway, water lines, sanitary and storm sewers, landscaping, and other related matters normally associated with the development of land into building sites.

INSPECT, INSPECTION

The visual observation of construction to permit the Village or their representative to render his or her professional opinion as to whether the contractor is performing the services in a manner indicating that, when completed, the services will be in accordance with the Village of Jackson Center Subdivision Regulations, Construction Standards and Drawings, and Design Criteria. Such observations shall not be relied upon in any part as acceptance of the services, nor shall they relieve any party from fulfillment of customary and contractual responsibilities and obligations.

LOT

A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and its accessory buildings and uses, and having frontage on an improved public or private street.

- A. Corner - A lot located at the intersection of two (2) or more streets.
- B. Through Frontage - A lot other than a corner lot with frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to as double frontage lots.
- C. Interior - A lot with only one (1) frontage on a street.

LOT AREA

The computed area contained within the lot lines.

LOT LINE

- A. Front - A street right-of-way line forming the boundary of a lot.
- B. Rear -The lot line that is most distant from, and is, or is most parallel with, the front lot line. If a rear lot line is less than 15 feet long, or if the lot comes to a point at the rear, the rear lot line shall be a line at least 15 feet, lying wholly within the lot, parallel to the front lot line.
- C. Side - A lot line which is neither a front lot line nor a rear lot line.

MAINTENANCE SURETY

A surety by a subdivider or developer with the Village for the amount of ten percent (10%) of the performance surety guaranteeing the maintenance of the physical improvements according to the plans and specifications within the time prescribed.

MINOR SUBDIVISION (See Subdivision)

MONUMENTS

Permanent concrete or iron markers used to establish definite lines of the plat of a subdivision, including all lot corners, boundary line corners, and points of change in street alignment and shall comply with the State of Ohio Minimum Standards for Boundary Surveys.

OFFICIAL THOROUGHFARE PLAN

The part of the Comprehensive Development Plan which sets forth the location, alignment, and dimensions of existing and proposed streets and thoroughfares.

PARCEL

A piece of land that cannot be designated by lot number.

PERFORMANCE SURETY

A surety by a subdivider or developer with the Village for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to the plans and specifications within the time prescribed.

PLANNING COMMISSION

The Village of Jackson Center Planning Commission, which also serves as the Zoning Board of Appeals.

PLAT

A map of a tract or parcel of land, made from a survey by a registered surveyor in the State of Ohio.

- A. Preliminary Plat - A plat showing all requisite details of a proposed subdivision submitted to the Planning Commission for purpose of preliminary consideration, prepared in conformance with these Regulations.
- B. Final Plat - A plat of all or part of a subdivision providing substantial conformance to the Preliminary Plat of the subdivision prepared in conformance with these Regulations and suitable for recording by the County Recorder.

PROTECTIVE COVENANT

A restriction on the use of all private property within a subdivision, to be set forth on the plat and/or incorporated in each deed, for the benefit of the property owners, and to provide mutual protection against undesirable aspects of development which would tend to impair stability of values.

PUBLIC RESERVATION

A portion of a subdivision which is set aside for public use and made available for public use or acquisition.

PUBLIC UTILITY

A firm, association, syndicate, corporation, co-partnership, municipal authority or public agency, board or commission, duly authorized to furnish, and furnishing under governmental regulations, to the public: facilities, products, or services such as gas, electricity, sewage disposal, communication, telephone, transportation, water, etc.

PUBLIC WALKWAY

A right-of-way dedicated for the purpose of a pedestrian access through residential, commercial, and industrial areas, and located so as to connect to two or more streets, or a street and a public land parcel.

REPLATS/VACATION PLATS

Alteration, modification or adjustment of existing lots, lot lines, property lines or right-of-way lines, and/or vacation thereof within the Village shall require Planning Commission and Village Council approval.

RIGHT-OF-WAY

Land reserved, used, or to be used for a street, alley, walkway, or other public purpose.

SETBACK LINE

A line established by the Zoning Regulations, generally parallel with and measured from the lot line, defining the limits of a yard in which no portion of any principal structure other than an accessory building may be located, except as may be provided in said Zoning Regulations.

SKETCH PLAN

An informal plan or sketch showing the existing features of a site and its surroundings and the general layout of a proposed subdivision which can be presented to the Planning Commission for informal discussions.

STREET (See Thoroughfare)

SUBDIVIDER (See Developer)

SUBDIVISION

The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites, or lots, any one of which is less than five (5) acres, for the purpose, whether immediate or future, of transfer of ownership, provided however, that (1) the division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access shall be exempted, and (2) 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 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.

- A. Major Subdivision - Division of a lot or parcel of land into more than five (5) lots or parcels, and/or the creation or establishment of new streets or roadways by the division of a lot or parcel of land.
- B. Minor Subdivision - Division of a lot or parcel of land along an existing public thoroughfare into not more than five (5) lots or parcels not establishing a new street or roadway.

SURVEYOR

Any person registered to practice surveying by the State Board of Registration as specified in the Ohio Revised Code.

THOROUGHFARE, STREET, OR ROAD

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

- A. Alley - A right-of-way used primarily for vehicular service access to the back or side of properties abutting on another street.
- B. Arterial Street - A general term denoting a highway primarily for through traffic carrying heavy loads and large volumes of traffic, usually on a continuous route.
- C. 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 or to other collector streets, including the principal entrance and circulation routes within residential subdivisions.
- D. Cul-de-sac - A local street with one end open to traffic and the other end terminating in a vehicular turnaround.
- E. Dead-end Street - A street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.

- F. Local Street - A street designed to provide access to abutting property and to discourage through traffic.
- G. Loop Street - A type of local street, each end of which terminates at an intersection with same arterial or collector street, and whose principal radius points of the 180° system of turns are not more than 1000 feet from said arterial or collector street, nor normally more than 600 feet from each other.

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 development or landmarks and community facilities and services within the Village in order to better locate and orient the area in question.

VILLAGE ADMINISTRATOR

A person appointed by Council to handle the Administration of the Village. The Village Administrator may appoint an authorized representative to administer the Regulations.

ZONING BOARD OF APPEALS

The Village of Jackson Center Zoning Board of Appeals which is the Planning Commission.

ZONING ENFORCEMENT OFFICER

The person designated by the local government to enforce the Zoning Ordinance.

ZONING REGULATIONS

The Zoning Ordinance for the Village which regulates the use of land by districts or zones and as the same may be amended or supplemented.

SECTION 151.20 MINOR SUBDIVISION

151.21 Intent

The purpose of a minor subdivision is that these regulations shall be handled by the Village Administrator and require a survey plat with a legal description, fees, and may include a sketch plat as recommended by the Planning Commission.

151.22 Minor Subdivision Conditions

Approval without a plat of a minor subdivision may be granted by the Village Administrator, as the properly designated representative of the Planning Commission, if the proposed subdivision of the parcel of land meets all of the following conditions:

- A. The proposed subdivision is located along an existing improved public road and involves no opening, widening, or extension of any street or road.
- B. The proposed division of a parcel of land involves no more than five (5) lots, after the original parcel has been completely subdivided, any one of which is under five (5) acres (inclusive of the remaining parcel).
- C. The proposed subdivision is not contrary to applicable Subdivision Regulations, Design Criteria, Construction Standards and Drawings, or Zoning Regulations.
- D. Plat and description of the property are based on a survey completed by a professional surveyor and in compliance with Shelby County Platting Regulations.
- E. The physical characteristics of the property are suitable for building sites.

151.23 Submission for Approval of a Minor Subdivision

The subdivider shall prepare and submit one (1) original and three (3) copies of the minor subdivision plat to the Village Administrator. The minor subdivision plat shall be considered officially filed on the day it is received and properly noted and shall be so dated. However, the minor subdivision plat shall not be considered properly submitted until all applicable fees are paid (see Section 151.94 - Schedule of Fees) and a survey plat and legal description are provided to the Village Administrator.

151.24 Minor Subdivision Plat Contents

The minor subdivision plat shall contain the following information:

- A. Registration number, seal, and signature of the surveyor responsible for the plat.
- B. Name of the subdivider/owner.

- C. Location by section, range, township, or by subdivision name and lot number.
- D. Date, title of plat, north arrow, scale, and acreage to thousandths of acre.
- E. Name of abutting streets including right-of-way width.
- F. Existing buildings, septic facilities, and wells, if applicable.
- G. The Minor Subdivision Plat shall be clearly and legibly drawn. A plat shall indicate the size of the parcel, existing and proposed rights-of-way within 100 feet, existing and proposed ownership, any existing parcel within 100 feet and its owner and size, and the professional surveyor's signature and seal.
- H. Areas within the 100-year floodplain and within floodways, as determined by mapping provided by the Federal Emergency Management Agency (FEMA), shall be delineated.
- I. Name and address of owners of parcel and adjoining parcels.
- J. Survey boundaries and lot lines drawn on an 11" x 17" sheet and at a scale between 1" = 10' and 1" = 100'. All dimensions shall be shown in feet and hundredths of feet.
- K. Location of monuments and their descriptions.
- L. Other items or provisions deemed necessary by the Planning Commission.
- M. The survey shall conform to the minimum standards for boundary surveys in the State of Ohio (ORC 4733-37).
- N. Approval signature and date lines for Village Administrator, Village Engineer, Zoning Enforcement Officer, and County Engineer.

151.25 Supplementary Information

Any of the following information may be required by the Planning Commission or Village Administrator on the basis of the characteristics of the subject property.

- A. Lot grading and drainage plan, illustrating a plan for the handling of surface and subsurface drainage, showing proposed finished grade elevations, the type, size, location, and outlet of all existing and proposed drainage systems, swales, easements, water and sanitary services, and proposed ground cover.
- B. Other information as deemed necessary by the Village Administrator in order to create building sites and promote the public health, safety and welfare.

151.26 Approval of a Minor Subdivision

After the complete submittal is considered officially filed, a copy of the survey plat is then checked by the Village Administrator for its conformity with these Regulations. The authorized representative of the Planning Commission shall stamp and sign the plat "approved no plat required" if the lot in question meets all codes as stipulated above, within seven (7) working days after submission, the plat shall then be taken by the subdivider to the County Auditor for the transfer of property and then to the County Recorder where it will become a legal lot of record. Lot split requests expire if not recorded within one (1) year of initial fee payment. A proposal remaining unapproved by the Planning Commission representative for one (1) year from the date of fee payment shall expire and become void. Incomplete or deficient proposals shall be disapproved and the subdivider notified of issues and reasons for the disapproval. The subdivider shall furnish the Village with a reproducible of the recorded plat.

SECTION 151.30 PRELIMINARY PLAT (Major Subdivision) (Optional)

151.31 Intent

The developer may submit a preliminary plat for review and tentative approval prior to the formulation and submittal of detailed construction drawings. The preliminary plat is conducted for the developer's benefit and at his discretion, its submission does not constitute a formal subdivision review pursuant to ORC Section 711.09. With the submission of the preliminary plat, the applicant waives any rights to an approval under ORC Section 711.09 until such time as application is made for final subdivision plat review and is submitted to the Planning Commission for review and approval as detailed in these regulations.

The purpose of the preliminary plat is to show on a map for all major subdivisions all the facts which may enable the Planning Commission to determine whether the proposed layout of land including street layout, utilities, and stormwater controls is satisfactory from the standpoint of the public interest. The plat shall be prepared by a registered surveyor of the state. Approval of the preliminary plat, in effect, provides a "concept approval" of the subdivision proposal. It may be advisable for the subdivider/owner to meet with the Village Administrator or his representative to become familiar with the Village regulations.

151.32 Submission for Preliminary Plat Approval

The subdivider shall prepare and submit six (6) copies of the preliminary plat of the proposed subdivision and the construction plans along with a completed preliminary plat checklist with remarks to the Village Administrator.

- A. The preliminary plat shall be considered officially filed on the day it is received and properly noted and shall be so dated.
- B. The preliminary plat shall not be considered properly submitted until all applicable fees are paid by the developer (see Section 151.94 Schedule of Fees).
- C. All plats and plans are provided to the Village Administrator.
- D. The subdivider shall provide a copy of the preliminary plat to the local utility companies.

151.33 Preliminary Plat Form

The preliminary plat shall be clearly and legibly drawn. The size of the plat shall not be less than 24" x 36". If the preliminary plat is to be drawn in sections, each section shall be accompanied by a key map, showing the location of the sections. The plat of a subdivision containing five (5) acres or less shall be drawn to a scale of 1" = 50'. All other subdivisions shall be drawn to a scale of 1" = 100'.

151.34 Preliminary Plat Contents

The preliminary plat shall clearly show the following features and information:

A. Items of title

1. Proposed name of subdivision. The name of the subdivision and proposed streets shall not duplicate, or too closely resemble, the name of any other subdivision or street, subject to Planning Commission approval.
2. Location by numerically labeled inlot or outlot.
3. Name and address of property owner/developer.
4. Scale of the plat.
5. North arrow.
6. Name and address of the professional surveyor who prepared the plat. Date of preparation.
7. Location by section, town, range, or by other legal description.
8. Signature and date lines for the Planning Commission Chairman, Village Administrator, and Village Engineer.
9. Stamp and signature of the Professional Surveyor.
10. Location of front building setback lines clearly marked on the lot.

B. Existing site conditions/characteristics

1. Perimeter boundaries of the proposed subdivision indicated by a heavy solid line, and the approximate acreage comprised therein.
2. Location, widths, and names of all existing or platted streets, indicated as to: dedicated, undedicated, constructed or unimproved, official thoroughfares or other public ways, railroad and utility rights-of-way, easements, parks and other open spaces, permanent buildings, section and corporation lines within or adjacent to the subject tract.
3. Location and size of all existing utilities: sewers, water mains, telephone, electric, gas, culverts, or other underground items located within or adjacent to the subject tract.
4. Names of adjacent subdivisions and owners of adjoining parcels.
5. Topographic map of such proposed subdivision shall be submitted with the preliminary plat, showing 1-foot contour intervals for all land within and 50 feet adjacent to the subject site.
6. Current zoning classification of the tract and adjoining properties.
7. The vicinity sketch shown on the preliminary plat.

C. Proposed site conditions/characteristics

1. Street layout, including street names and widths, alleys, cross-walkways and easements and their dimensions.
2. Layout, numbers, and approximate dimensions of lots, including lot area (as measured in acres or square feet).

3. Parcels of land intended to be dedicated or temporarily reserved for public use, and the conditions of such dedication or reservation.
4. Building setback lines, along all streets, with dimensions.
5. Indication of the proposed zoning designation to identify the potential development so as to reveal the nature of the impact the proposal will have on traffic flow, fire hazard, congestion, public utility capacities, and required services.
6. A typewritten copy of the protective covenants or deed restrictions, if any.
7. Indication of any developmental phasing or staged development timing.

D. Construction Plans

The proposed preliminary subdivision plat shall be accompanied by preliminary construction plans consisting of:

1. A centerline profile for each street shown thereon, drawn to a scale of at least 1" = 100' horizontal and 1" = 10' vertical.
2. A preliminary layout, drawn to a scale of at least 1" = 100', including proposed placement of water lines, sanitary sewers, and storm sewers. These may be incorporated in the above preliminary plat.
3. A preliminary drainage plan including proposed storm detention location. This may be incorporated in the above preliminary plat.

151.35 Approval of Preliminary Plat

The Village Administrator shall check for completeness of the preliminary plat as required by these Regulations. When completed, the Village Administrator shall schedule a Planning Commission meeting.

The Planning Commission shall review all details of the proposed subdivision within the framework of the applicable Zoning Regulations, the various elements of these Regulations, the Design Criteria, the Construction Standards and Drawings, and the various elements of the Comprehensive Development Plan.

The Planning Commission shall give careful study to the preliminary plat, taking into consideration the requirements of the community and the best possible use of the land to be subdivided, together with its prospective character, whether residential, commercial, or industrial. Attention shall be given to street widths, arrangement and circulation, surface drainage, lot sizes and arrangements, and to such neighborhood and community requirements as park, school, and playground sites and main thoroughfare widths and locations.

The 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. This shall include at least the Village Engineer.

After receipt of such reports from such officials and agencies, the Planning Commission shall determine whether the preliminary plat shall be approved, approved with modifications, or

disapproved. If a plat is disapproved, the reasons for disapproval shall be stated in writing and recorded in the minutes of the Planning Commission meeting.

The Planning Commission shall act on the preliminary plat within 30 days after filing unless such time is extended by agreement with the subdivider. When a preliminary plat has been approved by the Planning Commission; the chairman, Village Administrator, and Village Engineer shall sign and date all copies and return one to the subdivider.

151.36 Preliminary Plat Approval Period

The approval of the preliminary plat shall be effective for a maximum period of twelve (12) months unless the first section has been filed for final approval. If no subsequent sections are filed within three (3) years from the recording of the previous sections, the approval of the remainder of the preliminary plat is no longer effective. The terms under which the approval is granted will not be affected by changes to these Regulations during the maximum period of twelve (12) months.

151.37 PRELIMINARY PLAT CHECKLIST

SUBDIVISION _____

DATE _____

This list is not all inclusive, but is to be used as a guideline for submittals and reviews.

√	DESCRIPTION	REMARKS
	1 Received fees.	
	2 Six copies of plat (at a scale of not more than 1" = 100').	
	3 Name of Subdivision.	
	4 Location of property with respect to surrounding property and streets.	
	5 Location by township, section, town, and range.	
	6 Names of all adjoining property owners, or names of adjoining developers.	
	7 Name of adjoining subdivisions.	
	8 Location and names of adjoining streets.	
	9 Location of corporation line, if applicable.	
	10 Location and dimensions of all boundary lines of the property in feet and decimals of a foot.	
	11 Vicinity sketch.	
	12 Indication of zoning.	
	13 Location of existing easements.	
	14 Location of existing water bodies, streams, and other pertinent features such as railroads, buildings, parks, cemeteries, drainage ditches, bridges, etc.	
	15 Locations, dimensions, and areas of all proposed or existing lots.	
	16 Location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.	
	17 Date of plat.	
	18 Scale of plat.	
	19 North arrow.	

√	DESCRIPTION	REMARKS
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	20	Data from which the location, bearing, and length of all lines can be determined and reproduced on the ground.	
	21	Names of new streets as approved by the Planning Commission.	
	22	Indication of the use of any lot and all uses other than residential.	
	23	Lots consecutively numbered.	
	24	Approximate dimensions of lots, including lot area.	
	25	Front building setback lines.	
	26	Profiles showing existing and proposed elevations along centerline of all streets.	
	27	Approximate stationing on all streets.	
	28	Location, size, and invert elevations of all existing and proposed sanitary sewers and stormwater sewers and structures.	
	29	Preliminary drainage plan including proposed stormwater detention location.	
	30	Location and size of all water lines.	
	31	Topography at the same scale with contour interval of 1'.	
	32	Other specifications and references required by the local government. Construction standards and specifications, including a site grading plan for the entire subdivision.	
	33	Title of property, name and address of owner, and signature of surveyor.	
	34	Date, including revision dates.	
	35	Notation of approval, signature line for Planning Commission Chairman.	
	36	Name and address of subdivider and/or developer.	
	37	Copy of protective covenants, if applicable.	
	38	Indication of any developmental phasing or staged development timing.	
	39	Meets zoning requirements (i.e. minimum frontage, setbacks, area, etc.)	

√	DESCRIPTION	REMARKS
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SECTION 151.40 FINAL PLAT (Major Subdivision)

151.41 Final Plat Required

Having received the approval of the preliminary plat, if applicable, the subdivider shall submit a final plat containing all changes required by the Planning Commission in the preliminary plat. The final plat and the supplementary information shall be certified by a professional surveyor. Construction plans, drawings, and specifications shall be certified by a professional engineer licensed to practice in the State of Ohio.

151.42 Submission for Approval of Final Plat

The Subdivider shall prepare and submit the following:

- A. Six (6) copies of the final plat of the proposed subdivision.
- B. Three (3) copies of construction drawings related to the improvements to be constructed in the proposed subdivision.
- C. Two (2) copies of an itemized engineer's estimate with quantities for all proposed improvements including the estimate of cost for each item.
- D. A copy of the storm sewer and storm detention calculations and other applicable calculations for design.
- E. Completed final plat checklist with remarks.
- F. Completed final construction plan checklist with remarks (see Design Criteria for list.)

All final plats, construction drawings, and supporting documents shall meet all Design Criteria and Construction Standards and Drawings established by the Village, the Zoning Regulations of the Village, or requirements established by other governmental organizations having jurisdiction over the improvements. The most restrictive requirements shall apply.

The final plat shall be considered officially filed on the day it is received and properly noted and shall be so dated. However, the final plat shall not be considered properly submitted until all applicable fees are paid by the developer (see Section 151.94 Schedule of Fees) and until all plans, supporting documents, and materials are provided to the Village Administrator.

151.43 Final Plat Form

The final plat shall be clearly legibly drawn on reproducible mylar. The size of the plat shall be 24" x 36". The plat of a subdivision containing five (5) acres or less, shall be drawn to a scale of 1" = 50'. All other subdivisions shall be drawn to a scale of 1" = 100'. The minimum lettering height shall be 3/32" and all lot dimensions shall be 1/8" or larger. Lot number lettering shall be 1/4" or larger and underlined or circled.

If the final plat is drawn in two or more sections, each section shall be accompanied by a key map showing the location of the sections. All final plat sections shall either totally include or totally exclude intersections and all lots fronting such intersections.

Construction drawings shall be submitted in the form stated in the Village of Jackson Center Design Criteria. The plans shall consist of the required improvements stated in these Regulations.

151.44 Final Plat Contents

The final plat shall contain the following information:

- A. Name of the subdivision (which shall not duplicate or closely resemble the name of any other subdivision in the County), location by section, town, range and township, or by other survey number, date, north arrow and basis of bearing, acreage to thousandths of an acre (total lot acreage and total street acreage) and deed book and page reference.
- B. Name and address of the subdividers, the professional engineer, and registered surveyor who prepared the plat and appropriate registration numbers and seals.
- C. The total area being platted shall include all perimeter courses and be outlined by a heavy-line border. Courses are to be listed in a clockwise direction. All dimensions, both lineal and angular, shall be determined by an accurate control survey in the field. The error of closure shall conform to the Ohio Administrative Code.
- D. Bearings and distances to the nearest centerline of intersecting roads or the intersection of right-of-way lines; lot corners of recorded plat with plat reference; or section corner or quarter section corner.
- E. Names, exact location, dimensions, and right-of-way width of all streets and railroads within and adjoining the plat and building setback lines. Street names shall be approved by the Planning Commission.

- F. Radii, internal angles, points of curvature, tangent bearings, lengths of arcs, and chord length bearing of all applicable streets within the plat area shall be illustrated on the plat.
- G. The exact locations, dimensions, and uses of easements shall be illustrated on the plat.
- H. All lots accurately dimensioned in feet and hundredths with lot numbers and acreage. The lot numbers shall be consecutive for each platted section and shall be placed in the center of the lot with acreage under the lot number. Replatted lots shall illustrate existing lot numbers, lot lines dashed, and utility easements on the plat.
- I. Accurate location and a description of all monuments as to type, size, and whether the monument was found or set. If a monument has been omitted or offset, a notation shall appear on the plat indicating the reason for the omission; or if it has been offset, its true location in relation to the property corner or lot corner shall be noted.
- J. 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.
- K. Any restrictions and covenants shall be shown on the final plat.
- L. Certification shall contain the following:
 - 1. The total acres being subdivided.
 - 2. Current ownership.
 - 3. Deed reference.
- M. Acknowledgment dedication statement of the owner or owners to the plat and restrictions, including dedications to public use of all public streets, alleys, parks or other open spaces shown thereon and the granting of the required easements, as shall be indicated by the following statement on the plat tracing: "Easements shown on this plat are for the construction, operation, maintenance, repair, replacement, or removal of water, gas, sewer, electric, telephone, or other utilities or services, and for the express privilege of removing any and all trees or other obstructions to the free use of said utilities and for providing of ingress and egress to the property for said purposes, and are to be maintained as such indefinitely."

A statement of intention and request for the vacation of lot lines and easements on previously platted properties, and the signature of authorized representatives of local utility companies (electric, telephone, cable television, etc.) acknowledging the abandonment of easements.

- N. The names of record of all abutting parcels with deed reference, acreage, and survey record reference, if applicable. Platted land shall show the name of the subdivision, lot numbers, plat book, and page reference.
- O. Any section lines, corporation limits, township, and county lines shall be accurately documented and located on the plat and their names lettered thereon.
- P. Location of permanent facilities and easements used for drainage control such as detention ponds, retention ponds, infiltration beds, etc., and statement of the provisions for the maintenance of these facilities.
- Q. Approval signature and date lines shall be provided for Mayor, Clerk of Council, Planning Commission Chairman, County Engineer, Zoning Enforcement Officer, Village Engineer, Village Administrator, and Shelby County Engineer.

151.45 Supplementary Information

The following information shall be supplied in addition to the above requirements:

- A. If a zoning change is involved, certification from the Village Administrator shall be required indicating that the change has been approved and is in effect.
- B. Certification shall be required showing that all required improvements have been either installed and approved by the proper officials or agencies, or that a surety has been furnished assuring installation and initial maintenance of the required improvements.
- C. In flood prone areas the subdivider shall provide information detailing how the structures will be protected from flood hazard.
- D. The Planning Commission may require the applicant to submit additional topographic information, detailed plans for proposed uses, and other information to determine possible flood or erosion hazards, the effect of the subdivision use upon flood flows, and the adequacy of proposed flood protection measures. The Planning Commission may consult with expert persons or agencies for technical assistance and advice.
- E. These construction plans shall be submitted to the OEPA for approvals as required. Certification of OEPA approval shall be provided on the plans where applicable. Construction shall not commence until such approvals are granted.
- F. The Village Engineer's signature shall be provided on the approved construction plans to verify compliance with the applicable specifications and the requirements of these Regulations.

151.46 Approval of Final Plat

The Planning Commission shall approve or disapprove the final plat within thirty (30) days after it has been officially and properly filed with the Planning Commission and so noted in the minutes. Failure of the Planning Commission to act upon the final plat within such time shall be deemed as approval of the plat. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Planning Commission, and a copy of said record shall be forwarded to the subdivider. If disapproved, the subdivider shall make the necessary corrections and resubmit the final plat within thirty (30) days to the Planning Commission for final approval. When the final plat has been approved by the Planning Commission, the original shall be forwarded to the Village Council for their approval and endorsement. The original shall be returned to the subdivider.

151.47 Recording of Final Plat

After the final plat has been approved by the Planning Commission, dedications accepted by the Council, and the necessary approval endorsed in writing thereon, the subdivider shall record the plat in the office of the County Recorder. The final plat shall be recorded in the office of the County Recorder as required by law within sixty (60) days after the date of final approval. The subdivider shall furnish the Village with a reproducible of the recorded plat.

151.48 FINAL PLAT CHECKLIST

SUBDIVISION _____

DATE _____

This list is not all inclusive, but is to be used as a guideline for submittals and reviews.

√	DESCRIPTION	REMARKS
1	Received fees.	
2	Six copies of the final plat.	
3	Three copies of construction drawings.	
4	Two copies of engineer's estimate.	
5	One copy of storm sewer calculations, storm detention calculations, and other necessary design calculations.	
6	Performance surety.	
7	Name of subdivision.	
8	Location by section, town, range, and township.	
9	Date of plat.	
10	North arrow and basis of bearing.	
11	Acreage to thousandths of an acre.	
12	Deed book and reference page. (Plat book, if available.)	
13	Name and address of the subdividers.	
14	Name and address of professional engineer who prepared plans, including registration number and seal.	
15	Name and address of professional surveyor who prepared plat, including registration number and seal.	
16	Perimeter of subdivision to be outlined by a heavy border.	
17	All dimensions.	
18	Bearings and distances to the nearest centerline of intersecting roads.	
19	Names, exact location, dimensions, and right-of-way width of all streets.	
20	Radii, internal angles, points of curvature, tangent bearings, chord length and bearings, lengths of arcs of all applicable streets within the plat area.	

√	DESCRIPTION	REMARKS
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	21	The exact locations, dimensions, and uses of easements shall be illustrated on the plat.	
	22	All lots accurately dimensioned in feet and hundredths with lot numbers and acreage.	
	23	Replatted lots shall illustrate old lot numbers and lot lines dotted on the plat.	
	24	Accurate location and a description of all monuments as to type, size, and whether the monument was found or set.	
	25	Any restrictions and covenants shall be shown on the final plat.	
	26	Acknowledgment dedication statement of the owner or owners to the plat.	
	27	A statement of intention and request for the vacation of lot lines and easements.	
	28	The signature of authorized representatives of local utility companies acknowledging the abandonment of easements.	
	29	Names of record of all abutting parcels with deed reference, acreage, and survey record reference.	
	30	Any section lines, corporation limits, township, and county lines.	
	31	Location of permanent facilities and easements for same used for drainage control such as detention basin, retention ponds, infiltration beds, etc., and statement of the provisions for the maintenance of these facilities.	
	32	Construction plans submitted to the OEPA for approvals as required.	
	33	Submitted within 12 months of preliminary approval.	
	34	Conforms to preliminary plat and incorporates suggested changes.	

√	DESCRIPTION	REMARKS
	35 Street names.	

VILLAGE OF JACKSON CENTER
Adopted February 2000

	36	Size of lots meet minimum requirement.	
	37	Setback lines meet minimum requirement.	
	38	Corner lot size appropriate.	
	39	Sufficient easements for utilities or open drainage.	
	40	Approval signature and date lines.	

**SECTION 151.50 ASSURANCE FOR COMPLETION AND MAINTENANCE
OF IMPROVEMENTS**

151.51 Improvements and Performance Surety

In order that the Village has the assurance that the construction and installation of such improvements such as street surfacing, curbs, gutters, storm sewers and appurtenances, sanitary sewer, waterlines, sidewalks, and other required improvements will be constructed, the subdivider shall provide a performance surety.

- A. Performance Surety - To get a final plat signed by the Mayor and Clerk before improvements, the subdivider shall furnish either a bond, executed by a surety company, cash deposit (certified check), or Irrevocable Letter of Credit (form must be approved by the Village Solicitor) equal to the cost of construction of such improvements as shown on the plans, and based on an estimate approved by the Village Engineer.

The performance surety, cash deposit (certified check), or Irrevocable Letter of Credit to the Village shall run for a period of one (1) year and be extendable for two (2) years from the date of execution and shall provide that the subdivider, their heirs, successors, assigns, and agent or servants will comply with all applicable terms, conditions, provisions, and requirements of these Regulations, and will faithfully perform and complete the work of constructing and installing such facilities or improvements in accordance with such laws and these Regulations. Before said surety is accepted it shall be approved by the Village Solicitor. Whenever a cash deposit (certified check) is made, the same shall be made out to the Village.

- B. Extension of Time - If the construction or installation of any improvement or facility, for which guarantee has been made by the developer in the form of a surety, is not completed within two (2) years from the date of final approval of the record plat, the developer may request the Village to grant an extension, provided he can show reasonable cause for inability to complete said improvements within the required two (2) years.
- C. Acceptance of Dedication Offers - Acceptance of formal offers of dedication of streets, public areas, easements, and parks shall be by ordinance of the Village Council. The approval by the Planning Commission of a subdivision plat shall not be deemed to constitute or imply the acceptance by the local government of any street, easement, or park shown on said plat.

151.52 Inspection of Improvements

Periodic inspections during the installation of improvements shall be made by the Village to ensure conformity with the approved plans and specifications as required by these Regulations.

The subdivider shall notify proper Village officials at least 24 hours before each phase of the improvements is ready for inspection. The presence and/or absence of an inspector during construction shall not relieve the subdivider from full responsibility of required improvements to the Village of Jackson Center Construction Standards and Drawings and to the satisfaction of the Village. See Village of Jackson Center Design Criteria for inspection requirements. The Village will require improvement inspection fees (see Section 151.94 Schedule of Fees).

151.53 Maintenance of Improvements and Maintenance Surety

The applicant shall be required to maintain all improvements, if required, until approval of said improvements. Once the required public improvements have been constructed and approved in the subdivision by the Village Administrator, and prior to the release of the performance surety, the subdivider shall post with the Village a maintenance surety in the amount of ten percent (10%) of the performance surety and in a form as approved by the Village Solicitor.

No public improvements shall be approved until the subdivider has posted an approved maintenance surety, and this maintenance surety will extend for one (1) year from the actual date that the final punch list has been completed and approved by the Village.

Acceptance by the Village of the public improvements will not take place until the Village releases the maintenance surety and the Village receives record drawings as outlined in the Village of Jackson Center Design Criteria. Record drawings shall be stamped by a registered professional engineer or surveyor verifying the accuracy of the drawings.

Prior to release of the maintenance surety by the Village, the developer shall have paid all public improvement fees required by these Regulations and have completed all maintenance punch list items.

151.54 Deferral or Waiver of Required Improvements

The Planning Commission may defer or waive at the time of final approval, subject to appropriate conditions, the provision of any or all such improvements as, in its judgment, are not requisite in the interests of the public health, public safety, and general welfare, or which are inappropriate because of inadequacy or lack of connecting facilities.

Whenever it is deemed necessary by the Planning Commission to defer the construction of any improvement required herein because of incompatible grades, future planning, inadequate or lack of connecting facilities, or for other reasons, the applicant shall pay his share of the costs of the future improvements as approved by the Village Engineer and Village Council to the Village prior to the signing of the final subdivision plat.

151.55 Procedure in Case of Failure to Complete Improvement

The subdivider shall be in default of this performance surety when one of the following conditions exist:

- A. The installation of all required public improvements as called for in these Regulations has not taken within the two (2) year time period agreed upon in the subdivider's contract with the Village, and the subdivider has failed to establish reasonable cause for such delay to the satisfaction of the Planning Commission and thereby to receive a time extension.
- B. The subdivider has not constructed the required public improvements in accordance with the minimum standards specified in these Regulations, and the subdivider is unwilling to modify and to upgrade said public improvements within a six (6) month time period so as to be in compliance with the provisions of these Regulations.

151.56 Procedure in Case of Default

The subdivider shall be in default of his maintenance surety when the required public improvements have not been properly maintained over the one (1) year period as established in Section 151.51 Improvements and Performance Surety or when the required public improvements are not in accordance with the "as-built" plans submitted by the subdivider to the Village. The same shall apply whenever construction of improvements is not performed in accordance with applicable standards and specifications. In such cases of default, the Village of Jackson Center shall proceed to utilize the performance surety and/or maintenance surety to construct the required public improvements to the minimum design standards as required in these Regulations.

151.57 Issuance of Zoning Permits

As determined by the Village Administrator, Zoning Permits will be issued when the extent of the street improvements are completed with curb and asphalt being installed. However, the subdivider is responsible for any damage to improvements.

**SECTION 151.60 - .80 REQUIREMENTS FOR CONSTRUCTION
IMPROVEMENTS AND DESIGN**

151.61 General Statement

The Regulations contained in this section and the Village of Jackson Center Design Criteria and Construction Standards and Drawings shall control the manner in which streets, lots, and other elements of a subdivision are arranged on the land. These design controls shall help ensure 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 Planning Commission has the responsibility of reviewing the design of each future subdivision early in its design development. The Planning Commission shall ensure that all the requirements of this section and the Village of Jackson Center Design Criteria and Construction Standards and Drawings are met.

151.62 Conformity to Development Plans and Zoning

The arrangements, character, width, and location of all arterial and collector thoroughfares or extensions thereof shall conform with the adopted Village of Jackson Center Comprehensive Development Plan. Lack of a Comprehensive Development Plan and thoroughfares not contained in the aforementioned plan shall conform to the recommendation of the Planning Commission, based upon these Regulations. In addition, no final plat shall be approved if in conflict with an existing ordinance.

151.63 Street Improvements

The arrangements, character, extent, width, grade, construction, and location of all streets shall conform to the Comprehensive Development Plan of the Village, and shall conform to the Village of Jackson Center Design Criteria and Construction Standards and Drawings. Street design shall take into consideration their relationship to existing and planned streets, topographical conditions, and public convenience and safety; and in their appropriate relation to the proposed uses of 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 plat, the necessary right-of-way for the widening, continuance, or alignment of such streets in conformity with the Comprehensive Development Plan.

The subdivider shall improve all streets that are part of the subdivision, including that portion of the subdivision located on existing streets. The required improvements shall be such that all items of work are in accordance with the Village of Jackson Center Design Criteria and Construction Standards and Drawings. Existing streets shall be improved so that they meet the above standards including storm drainage.

Curbs and gutters shall be required for all streets including existing streets.

If one side of the subdivision abuts an existing street, the developer shall pay for the total cost of one side for additional width of excavation, curb and sidewalk including cost to bring the storm sewer system up to standards.

Appropriate access to and from any subdivision in the form of a standard Village street with required improvements must be provided by a developer in instances where development is not located contiguously along an improved public street right-of-way. No subdivision shall be approved where a parcel, tract, or lot has frontage only on the “stub end” of a discontinued or dead-end street. Such street must first be extended or reconstructed as a cul-de-sac in accordance with these Regulations. No subdivision showing reserved strips controlling the access to public ways will be approved.

All street widths shall conform to the Village of Jackson Center Design Criteria and Construction Standards and Drawings. In cases where the designation of the street is in question, the Planning Commission shall determine the type of street designation.

The subdivider shall prepare the street for the asphalt paving, which includes excavation and backfill, Item 203 Subgrade Compaction and the placing and compaction of Item 304 Aggregate Base.

The Village will pay for the installation of Item 404 Asphalt Concrete, Subsurface Course; Item 402 Asphalt Concrete, Leveling Course; Item 408 Bituminous Prime Coat; and Item 301 Bituminous Aggregate Base, if required.

151.64 Street Signs and Street Names

- A. Street name signs and other traffic control signs shall be erected by the Village.
- B. For purposes of street naming, the following is recommended:
 - 1. Circle, Place, or Court should be used only for cul-de-sac type streets.
 - 2. The words north, south, east, or west should be avoided as part of a street name whenever possible.
- C. 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.
- D. To avoid duplication and confusion, the proposed names of all streets shall be approved by the Planning Commission prior to such names being assigned or used.

- E. House numbers shall be assigned in accordance with the current house numbering system in effect in the Village.

151.65 Special Street Types

The following requirements shall apply to special street types:

- A. 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 Planning Commission in design is provided.
- B. 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.
- C. Alleys shall not be approved.

151.66 Streets for Commercial Subdivisions

Streets serving commercial developments and accessory parking areas shall be planned to connect with arterial streets or marginal access drives so as not to generate traffic problems. 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. The location of streets and driveways for business developments shall conform to the Village of Jackson Center Design Criteria and Construction Standards and Drawings.

151.67 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 street. Streets shall be planned to be extended to the boundaries or any adjoining land planned for industry, except when severe physical conditions exist or if the Planning Commission finds such extension is not in accordance with the approved plan of the area. The location of streets and driveways for industrial developments shall conform to the Village of Jackson Center Design Criteria and Construction Standards and Drawings.

151.68 Easements

- A. Utility Easements - Public utility easements at least 10 feet in total width may be required along the rear, front, and sides of lots where needed for the accommodation of a public utility, drainage, sanitary structures, or any combination of the foregoing. Where deemed necessary by the Planning Commission, an additional easement width shall be provided.
- B. Watercourses - The subdivider shall dedicate rights-of-way or provide easements for storm drainage purposes which conform substantially with the lines of any natural watercourses, channels, streams, or creeks which traverse the subdivision or for any new channel which is established to substitute for a natural watercourse, channel, stream, or creek. Such rights-of-way or easements shall be of a width that will provide for the maintenance needs of the channel and incidental structures as determined by the Planning Commission. Easements shall be provided for the entire area of detention basins/retention ponds, along with a 20-foot access easement.

151.69 Sidewalks

Sidewalks shall be required on both sides of all streets except in Industrial.

All sidewalks shall be constructed in accordance with the Village of Jackson Center Design Criteria and Construction Standards and Drawings. The developer who constructs a sidewalk is responsible for curb ramps at intersections. Homeowners will be required to install sidewalks on individual properties within six (6) months of finalized building construction (occupation of the building). Two (2) years after that particular phase of the subdivision is accepted, sidewalks must be installed on all lots by whoever owns the properties. If the sidewalks are not installed, the Village will perform the installation and assess the property owner for all cost incurred.

151.70 Blocks

The following Regulations shall govern the design and layout of blocks:

- A. The arrangement of blocks shall be such as to conform to the street planning criteria set forth in this section and to the street design criteria established in the Village of Jackson Center Design Criteria and Construction Standards and Drawings, and shall be arranged to accommodate lots and building sites of the size and character required for the zoning district as set forth in the Zoning Regulations and to provide for the required community facilities.
- B. The Planning Commission may require that the characteristics of blocks bear close relation to the use of the land.
- C. Irregularly shaped blocks, those intended for cul-de-sacs or loop streets, and those containing interior parks or playgrounds, may be approved by the Planning

- Commission if properly designed and located and if the maintenance of interior public spaces is covered by an agreement.
- D. No block shall be longer than 1400 feet nor less than 300 feet and the block width shall accommodate two (2) tiers of lots, except where unusual topography or other exceptional physical circumstances exist.
 - E. Where blocks are over 900 feet in length, a public walkway easement not less than 10 feet in width at or near the halfway point may be required, if necessary, to provide proper access to schools, recreational areas, and other facilities. The Planning Commission has the authority to require an easement of 10 feet, 5 feet from each lot through the tier of two (2) lots for pedestrian access to school, playgrounds, or other facilities. A sidewalk shall be constructed. The width for a sidewalk shall conform to the Village of Jackson Center Design Criteria and Construction Standards and Drawings.
 - F. All block corners at street intersections shall be rounded with a radius of not less than 25 feet measured at the back of the curb.

151.71 Lots

The following Regulations shall govern the design and layout of lots:

- A. The lot arrangement and design shall be such that all lots will provide satisfactory building sites, properly related topography, and the character of surrounding development.
- B. All lots shall conform to or exceed the requirements for the zoning district in which they are located and the use for which they are intended.
- C. All lots shall abut by their full frontage on a publicly dedicated street or a street that has received the legal status of such. The minimum lot size, widths, and setbacks, shall be as specified in the Zoning Regulations.
- D. All side lot lines shall be as close to right angles as possible to the street line and radial to curved street lines, except where the Planning Commission determines that a variation to this rule would provide a better layout.
- E. Lots with double frontage shall be avoided except where the Planning Commission determines it is essential to provide separation of residential development from arterial streets.
- F. All corner lots shall have front yard setbacks on both streets and lots shall be of an area sufficient to permit adequate building sites.

- G. 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 110 feet or as stated in the Zoning Regulations except that, whenever a lot fronts upon an exterior curved portion of a street, lot depth may be reduced to not less than 100 feet.
- H. In the case of vacation of lots, or parts of lots, in the Village previously recorded in the Office of the Recorder of Shelby County, Ohio, the same procedure, rules and regulations shall apply as for a new plat, except that a preliminary plat may not be required. The title of the vacation plat shall indicate what is being vacated, and the final plat shall include enough of the surrounding plat or plats to show its relations to adjoining areas.
- I. Whenever a subdivider or developer proposes a re-subdivision of a plat previously recorded in the Office of the Recorder of Shelby County, Ohio he shall follow the same procedures as for a new plat, except that a preliminary plat may not be required if changes in street alignment or similar changes are not included in the proposal. The lots in the re-subdivision shall conform as to size and arrangement with the requirements of these Regulations and the appropriate requirements of the Zoning Regulations of the Village.
- J. When a preliminary plat is submitted, all lots shall have the front building setback lines clearly marked on them.

151.72 Survey Monuments

A survey shall be made by a registered surveyor and shall conform to the “Minimum Standards for Boundary Surveys in the State of Ohio”.

Iron pins shall be set at all exterior subdivision boundary corners, lot corners, and intersections of change, at the point of curvature, and the point of tangent of all curves and where the radius of direction changes. The intent is to identify and establish all lines of the plat. All monuments or iron pins shall be placed prior to Village acceptance of improvements.

Monument boxes with permanent markers shall be set at all street intersections and center point of cul-de-sac. Railroad spikes shall be set at all other point of intersections. If the point of intersections are not in the paved area of the street, the railroad spikes shall be placed at the point of curvature and point of tangent of all curves. In the instances of concrete pavement, monument boxes shall be used where all railroad spikes are specified above.

All monuments and iron pins shall be set as shown on the final plat. The size, location, and type of material used shall also be shown. A professional surveyor’s affidavit shall be filed in the plat volume and page and cross-referenced with the original plat when, for any reason, a monument or permanent marker must be offset from the original location or the type of iron pin is changed.

Boundary lines shall be monumented at all points where there is a change of direction and at all lot corners by suitable monuments as specified in the “Minimum Standards for Boundary Surveys in the State of Ohio.”

151.73 Street and Walkway Lighting

The Village is responsible for all equipment, labor, and materials for all standard street lights to be installed. If the subdivider wants to upgrade the street lighting, the subdivider will be responsible for all additional costs.

151.74 Water Supply Improvements

The subdivider shall install a public water system, if applicable, to adequately serve all lots, including lateral connections to the public system. Public water system extensions shall meet the requirements and approval of the OEPA and conform to the standards and specifications established in the Village of Jackson Center Design Criteria and Construction Standards and Drawings.

151.75 Sanitary Sewer Improvements

The subdivider shall install public sanitary sewers to adequately serve all lots, including lateral connections to the public system. Public sewer system extensions shall meet the requirements and approval of the OEPA and conform with the standards and specifications of the Village of Jackson Center Design Criteria and Construction Standards and Drawings.

No individual septic system or combined sanitary and storm sewer shall be allowed.

151.76 Drainage Improvements

The subdivider shall construct all necessary facilities including underground pipe, inlets, catch basins, open drainage ditches, and detention basins or retention ponds as approved by the Village Engineer, to provide for adequate disposal of subsurface and surface water and maintenance of natural drainage course. The developer shall also provide all necessary soil sediment pollution control. Design and construction shall be in accordance with the Design Criteria and Construction Standards and Drawings of the Village. Adequate provisions shall be included in design and construction to accommodate all upstream and downstream drainage and, where necessary, extend all drainage improvements to plat limits. It shall state on the final plat that all natural watercourses, detention basins, retention ponds, and appurtenances shall be maintained by the property owner. An easement shall be provided to ensure that there will not be any building within the drainage facility and to provide for major maintenance and inspection. See the Village of Jackson Center Design Criteria for inspection and ownership of detention basins.

All lots shall be laid out and graded to provide positive drainage away from buildings and shall be designed to assure adequate protection from the concentration of stormwater run-off on adjacent property. No storm drainage, including drain tile around basements, shall be permitted to discharge into any sanitary facility.

151.77 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:

- A. All culverts and bridges shall extend, at a minimum, across the entire right-of-way width of the proposed street. The cover over the culvert and its capacity shall be approved by the Village Engineer. Headwalls are required.
- B. All culverts and bridges shall conform to the Village of Jackson Center Design Criteria and Construction Standards and Drawings.

151.78 Electric, Gas, Cable Television, and Telephone Improvements

- A. Electric, cable television, 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, street lighting wires, conduits, and cables shall be constructed underground unless otherwise approved by the Village.
- B. Whenever a sanitary sewer, water main, or storm sewer, and electric and/or telephone line are each placed underground in the same utility easement, the following provision shall be applicable:
 - 1. The total easement width shall not be less than 20 feet.
 - 2. The sanitary sewer, water main, or storm sewer shall be installed on one side of the easement.
 - 3. Electric, gas, cable television, and telephone shall not be installed within 5 feet of either sanitary sewer, water main, or storm sewer.

151.79 Over-Sized, Over-Depth, and Off-Site Improvements

The utilities, pavements, and other land improvements required for the proposed subdivision shall be designed to incorporate any required over-sizing and any extensions needed to provide service to nearby adjoining lands as determined by the Village.

151.80 Cost of Over-Sized and Over-Depth Improvements

The subdivider shall be required to pay for all of the construction costs for the installation of utilities that are serving the proposed subdivision as determined by the Village and the subdivider's estimates. The Village may elect to have the utilities over-sized to service the surrounding areas, providing the improvement is beneficial to the Village. The Village shall pay the difference between the cost of the requirements of the subdivision and required over-sizing improvements as follows:

- A. Water Mains - A subdivider shall install water mains according to the Village's specifications. The material's cost difference between the minimum required size of pipe and appurtenances, and over-sized pipe required by the Village, will be paid by the Village.
- B. Sanitary Sewers - A subdivider shall install sanitary sewers according to the Village's specifications. The material's cost difference between the minimum required size of pipe and appurtenances, and over-sized pipe required by the Village, will be paid by the Village. The construction cost difference as determined by the Village Engineer for the minimum depth needed for installation, and the greater depth of installation required by the Village, will be paid by the Village.
- C. Storm Sewers - A subdivider shall install storm sewers according to the Village's specifications. The material's cost difference between the minimum required size of pipe and appurtenances, and over-sized pipe required by the Village, will be paid by the Village. The construction cost difference as determined by the Village Engineer for the minimum depth needed for installation, and the greater depth of installation required by the Village, will be paid by the Village.
- D. Streets - The type and composition of street paving and surfacing shall be installed as per current Village specifications, or County Engineering specifications where applicable, and shall be commensurate with the volume, street classification, character, and general circulation requirements, as determined by the Village. The cost of materials for the paved surface and its sub-base of an existing street, and any over-sizing cost in excess of the owner's required responsibility needed to meet the dimensional standards for roadways, as shown on the Village of Jackson Center Comprehensive Development Plan, shall be at the Village's expense. The costs for the minimum street width, as required by these Regulations, including curb, gutter, and sidewalks, shall be the developer's responsibility and at his or her expense.

151.81 Extension to Boundaries

The subdivider shall be required to extend the necessary improvements to the boundary of the proposed subdivision to serve adjoining un-subdivided land.

151.82 Off-Site Extensions

If streets or utilities are not available at the boundary of a proposed subdivision, the subdivider will be responsible for extending those streets or utilities, obtaining necessary easements or rights-of-way, and to construct and pay for such extensions to serve the proposed subdivision. Such improvements shall be available for connection by subdividers of adjoining land and become the property of the Village.

151.83 Non-Annexed Subdivisions

Any subdivision that lies outside the corporation limits of the Village but, is connected to any of the Village's utilities, must install all utilities to meet these Regulations and the Village of Jackson Center Design Criteria and Construction Standards and Drawings.

If a subdivision is connected to any one of the Village utilities, the residents of that subdivision, at the time annexation is determined to be possible by the Village, must not oppose annexation. A statement to this effect must be included with each property deed and recorded in the Office of the Shelby County Recorder.

151.84 Record Drawings

Record drawings shall be furnished to the Village before a final maintenance inspection. The submittal of record drawings is outlined in the Village of Jackson Center Design Criteria.

SECTION 151.90 MISCELLANEOUS PROVISIONS

151.91 Recording of Plat

No plat of any subdivision shall be recorded or have any validity until said plat has received final approval in the matter prescribed in these Regulations.

151.92 Revision of Plat After Approval

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

151.93 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.

151.94 Schedule of Fees

The Village Council establishes the following schedule of fees:

Minor Subdivision plats	\$ 25.00
Vacation/Dedication plats	\$ 25.00
Replats	\$ 25.00
Preliminary plats	\$ 50.00
Preliminary plat reapproval	\$ 25.00
Final plats	\$100.00

The schedule of fees shall be posted in the office of the Village Administrator and may be altered, or amended only by the Village Council. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

151.95 Penalties

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

- A. Whoever violates any rule or regulation adopted by the Village Council for the purpose of setting standards and requiring and securing the construction of improvements within a subdivision or fails to comply with any order pursuant thereto is creating a public nuisance and the creation thereof may be enjoined and maintenance thereof may be abated by action at suit of the Village or any citizen thereof. Whoever violates these Regulations shall forfeit and pay not less than \$100.00 or more than \$1,000.00 for each offense. Each day such violation continues shall be considered a separate offense. Such sum may be recovered with costs in a civil action suit brought in the Court of Common Pleas of Shelby County.
- B. Whoever, being the owner or agent of owner of any land within the Village 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 \$100.00 or more than \$500.00 for each lot parcel, or tract of land so sold. The description of such lot, parcel, or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section.

151.96 Variances

The following Regulations shall govern the granting of variances:

- A. When a subdivider can show that a provision of these Regulations would cause unnecessary hardship if strictly adhered to because of topographical or other conditions peculiar to the site, a variation may be allowed without destroying the intent of such provision. The subdivider shall apply in writing to the Planning Commission stating the reasoning on which the departure is justified and this application shall be processed by the Planning Commission. Any variance authorized by the Zoning Board of Appeals shall be made by formal vote and a copy thereof shall be attached to, and made a part of, the final plat.
- B. Any variance authorized by the Planning Commission shall be made by a formal vote and a copy, thereof, shall be attached to and made a part of the final plat.
- C. In granting variances or modifications, the Planning Commission may require such conditions as will, in its judgement, secure substantially the object of the standards or requirements so varied or modified.

151.97 Appeal

Any person, who believes he has been aggrieved by these Regulations or the action of the Planning Commission, has all the rights of appeal as set forth in the Ohio Revised Code.

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