

SUBDIVISION REGULATIONS



SANDUSKY COUNTY

AUGUST 1, 1975

FOREWORD

The subdivision of large tracts of land into small parcels for sale to the public is the traditional method of providing the necessary building lots to accommodate community growth. The care with which this growth is shaped will have far reaching effects on the health, welfare and safety of the residents living in the newly developed areas and also those living in the remainder of Sandusky County.

The Sandusky County Regional Planning Commission has the responsibility of requiring that subdividers comply with reasonable standards for development of the unincorporated areas and insuring that all proposed developments are coordinated with the Regional Development Plan of Sandusky County. To this end, the Planning Commission had developed Subdivision Regulations in 1966, which are intended to provide a common ground of understanding and sound working relationships between the Planning Commission and its staff representing the county government on the one hand, and the land subdivider on the other. These Regulations were revised in 1975 to insure that modern subdivision regulation standards are being enforced.

Regulations for control of land subdivision call for understanding and cooperation between the land owner and the government concerned. The subdivision of land not only affects the immediate return to the investor and the value of the land on which he may wish to build, but it also involves the interests of adjacent land owners as well as the public. Technical aspects emphasized in these regulations are necessary to help the county government fulfill its role as protector of the interests of the public while simultaneously helping the subdivider to receive full consideration of his interests and responsibilities.

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ARTICLE ONE – GENERAL PROVISIONS

Section 1: AREAS OF JURISDICTION

The following provisions, as provided in these Articles of this Resolution, shall be applicable to all division of land within the unincorporated area of Sandusky County except for the extraterritorial jurisdiction exercised by any City in Sandusky County in accordance with the provisions of Section 711.09 of the Ohio Revised Code. This Section 711.09 governs the approval of plats by a city. The city may receive advice from the Regional Planning Commission on all subdivision plats located within three miles of their corporate limits. The provisions of Article IV, Minimum Required Improvements, shall apply to improvements to be constructed in any plat within the extraterritorial jurisdiction of the City administering subdivision regulations.

Section 2: SHORT TITLE

The Resolution shall be known and may be cited as the “Subdivision Regulations for Sandusky County, Ohio” and shall hereinafter be referred to as “These Regulations”.

Section 3: PURPOSE AND INTERPRETATION

The purpose of These Regulations and rules shall be to guide and regulate the planning, subdividing and development of land in order to promote and protect the public health, safety and general welfare of the residents of Sandusky County. The provisions of These Regulations shall be the minimum requirements. Whenever these provisions are different from the requirements of other lawfully adopted regulations or private deed restrictions, the more restrictive rule or higher standard shall govern. It is intended that the provisions of These Regulations shall be applied to achieve the following objectives:

- (a) Secure and provide well-planned subdivisions in order to preserve the public health and safety, thereby providing orderly, efficient, integrated development in accordance with established county policies and plans. This includes the proper arrangement of streets or other highways in relation to existing or planned streets or highways, the Sandusky County Regional Development Plan, or the general plans of the various townships of the county.
- (b) Establish minimum uniform standards for subdivision design; provide requirements for planned unit developments; establish minimum engineering criteria and performance guarantees, as well as providing for environmental factors.
- (c) Give reasonable assurance that 1) adequate water supplies, storm drainage, and sewerage facilities can be provided; 2) convenient open spaces to permit access for utilities, traffic to include fire fighting and other emergency vehicles, light, air, and for the avoidance of congestion of population.

- (d) Preserve the natural beauty of the land; protect the vegetative cover of natural areas; prevent surface water, subsurface water, air, noise, and visual pollution; regulate development in areas of geological and topographical hazards (including but not limited to flood plains, shorelines, areas of unstable or expansive soils and excessive slopes or slope areas); protect against loss or injury from inappropriate use of the land; and otherwise help preserve and enhance both the safety and the quality of the environment.

Section 4: EFFECTIVE DATE

These Regulations shall be effective following adoption by the Board of County Commissioners and the Sandusky County Regional Planning Commission and certification to the Recorder of Sandusky County, Ohio. Henceforth, any other regulations previously adopted by the Board of County Commissioners or the Sandusky County Regional Planning Commission shall be deemed to be repealed. These Regulations shall in no way affect any subdivision having received preliminary approval by the Commission prior to the effective date provided, however, that no changes to the preliminary plan, as approved, are introduced by the subdivider.

Section 5: SCOPE AND VALIDITY

These Regulations shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of These Regulations. Nor is it intended by These Regulations to repeal, abrogate, annul or in any way impair or interfere with any existing provisions of other laws, or regulations, except those specifically repealed by these Regulations. If any section, clause, phrase, word, provision, or portion of this Resolution shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such holding or decision shall not affect the validity of These Regulations as a whole, or any part other than the section, clause, phrase, word, provision or portion that is ruled invalid. Where These Regulations impose a greater restriction upon land than that is imposed or required by such existing provisions of law, These Regulations shall control.

Section 6: AUTHORITY AND ADMINISTRATION

- (a) The Board of County Commissioners and the Regional Planning Commission (by virtue of provisions of Chapter 711 of the Ohio Revised Code) are authorized to adopt rules and regulations covering plats for subdivisions of land. They are required to hold the necessary public hearings and to approve, conditionally approve, or disapprove plats or subdivisions of land falling within their jurisdiction.
- (b) The Regional Planning Commission is authorized to administer these regulations, except where specific authority is delegated to some other county office as established by These Regulations.

The Regional Planning Commission, together when required with the appropriated Sandusky County Department or office, is authorized to enforce These Regulations within all areas under the jurisdiction of the Commission.

- (c) The Regional Planning Commission and an appropriate Sandusky County Department or office may serve a written notice, or order by personal service or certified mail, upon the person responsible whenever evidence reflects that work is being done or any transaction being made in violation of a submitted and approved detailed statement or plan. Such notice shall direct the discontinuance of any illegal action and the remedying of the condition that is in violation of the provisions and requirements of these Regulations.

The person served the written notice may request an appearance and/or hearing before the Director of Regional Planning Commission. The decision of the Director may be appealed by either the person served the written notice or the department or office involved. This appeal must be made before the Regional Planning Commission which is authorized to administer These Regulations.

In case such notice or order is not promptly complied with, the enforcement officer of the appropriate department or office shall notify the other public offices and other officials concerned therewith and shall request the same to withhold their approval and issue a stop work order.

The enforcement officer of the appropriate agency, in any case, may also request the County Prosecutor to institute the appropriate legal proceedings.

Section 7: JURISDICTION

- (a) Whenever a city within Sandusky County has adopted a major street plan and subdivision regulations, the Regional Planning Commission will confer with the Planning Commission of this city on all subdivision plats located within three miles of its corporate limits. This City Planning Commission shall have final approval of the plat except the provisions noted in the Minimum Required Improvements Article, which shall remain the jurisdiction of the County Engineer.
- (b) Except as provided in subsection a, Section 7 of Article I, it shall be unlawful for any person to subdivide or lay out into lots any land within the unincorporated areas of Sandusky County unless it be by complying with These Regulations and no plat shall be recorded and no lot or land shall be sold from any such plat until this plat has been approved via These Regulations.
- (c) Whenever a proposed subdivision is located in an area that is zoned under the County or a township zoning plan (by virtues of the provisions of the Ohio Revised Code) it shall conform to the requirements of the applicable zoning resolution.

- (d) The design and lay out of all subdivisions shall conform with the requirements noted in the Subdivision Design Standards Article. The subdivider shall make improvements and shall submit preliminary and final plans, all in accordance with the Procedure and Minimum Required Improvements Articles of These Regulations.

Section 8: DEED TRANSFER

- (a) The division of parcels, with the exception of sub-section C of Section 9, Article I, requires the approval of the Regional Planning Commission before it can be recorded. Such approval may be accomplished in the manner described in paragraph b, of this section.
- (b) Whenever any division is to be made by recording of a deed rather than a plat, the party or parties desiring to make the transfer shall submit a sketch of said parcel (showing geographic location, point of beginning, boundary distances, direction, deed volume and page and date of immediate previous transfer), application and deed, to the Director of the Regional Planning Commission, or designate. The Director of the Regional Planning Commission shall submit a copy of the sketch and application to the appropriate agencies who may stamp "Approved, No Plat Required", and attach their signatures, if the division conforms to appropriate standards. The decision must be made on this application within ten (10) working days after submittal of a completed application. After all appropriate approvals, the Director shall stamp the deed "Approved for Transfer", attach his signature and the transfer may then be recorded. However, in the event of disapproval by the Director, the property owner may then appeal to the Regional Planning Commission for approval for recording, and this approval must be obtained before the transfer can be recorded. The Regional Planning Commission's decisions shall be final, subject only to appeal to the Court. No preliminary or final plan other than the sketch of the transfer and none of the improvements described in the Minimum Required Improvements Section shall be required for the transfer.

Section 9: VARIANCES AND EXCEPTIONS

- (a) Where the Commission finds that extraordinary hardship or injustice may result from strict compliance with These Regulations, it may vary or modify the Regulations to the extent deemed necessary and proper to grant relief from such extraordinary hardship or injustice, provided that the variation or modification, if granted, is not detrimental to the public interest and is in keeping with the general intent and spirit of These Regulations. The Regional Planning Commission shall be the sole judge of the need for, and the extent of, any such deviations. Their decisions shall be final, subject only to appeal to the courts.
- (b) The requirements of These Regulations may also be modified and varied whenever a plat is for a complete community or neighborhood, but any such variance shall insure that adequate public

spaces, circulation, recreation, light and air will be provided and the needs of the entire community when fully developed and occupied will be fully met.

- (c) The following three classes of land splits are exempt from the requirements of platting:
1. The division or partition of land into parcels of more than five (5) acres each not involving any new streets or easements of access.
 2. The sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites as defined by zoning or These Regulations, or reduce the original tract below the requirements of zoning or These Regulations.
 3. The Division or partition of land into five parcels or less fronting upon an existing street.

Section 10: AMENDMENTS

The Board of County Commissioners and the Sandusky County Regional Planning Commission may, after public hearing, amend, supplement or change These Regulations. Notice shall be given of the time and place of such public hearing by publication in at least one (1) newspaper of general circulation published in Sandusky County, Ohio thirty (30) days prior to holding of said hearing. The amendment or amendments shall be on file in the office of the Regional Planning Commission for public examination during said thirty (30) days.

Section 11: PUBLIC HEARING

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

ARTICLE TWO – DEFINITIONS

BLOCK - A piece or parcel of land entirely surrounded by public highways, public streets, railroad right-of-way, parks, streams, lakes or bodies of water, or a combination of these bounds.

BOARD OF HEALTH - The Board of Health of the Sandusky County General Health District, Sandusky County, Ohio.

BUILDING LINE - A line established by a zoning resolution, generally parallel to a street delineating the minimum allowable distance between the street right-of-way and the front of a structure.

CITY PLANNING COMMISSION - The Commission which controls the platting of land within the corporate limits of the city and many control it within a distance of three miles of its corporate limits,

CLERK OF THE BOARD OF COUNTY COMMISSIONERS - The Clerk of the Board of County Commissioners of Sandusky County, Ohio.

COMMISSION - The Sandusky County Regional Planning Commission.

COMPREHENSIVE DEVELOPMENT PLAN - The plan made and adopted by the Regional Planning Commission and hereafter amended and supplemented, showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major streets, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of Sandusky County, Ohio and in the office of the Commission.

COUNTY - Sandusky County, State of Ohio.

COUNTY ENGINEER - The County Engineer of Sandusky County, Ohio

COVENANT - A written promise or pledge.

CROSSWALK - A right-of-way, ten (10) feet or more in width, which cuts across a block to facilitate pedestrian access to adjacent streets and properties.

CULVERT – A transverse drain which channels under a street or driveway.

DEVELOPER - Any person, partnership, or corporation, or duly authorized agent who constructs or contracts improvements on subdivided land.

DIRECTOR - The Director of the Sandusky County Regional Planning Commission.

DWELLING UNIT - A prescribed area within a building comprising living, dining, sleeping room or rooms, storage closets as well as space and equipment for cooking, bathing and toilet facilities all used by one family and its household employees.

EASEMENT - Authorization by a property owner for the use by another, for a specific purpose, of any designated part of his property.

O.E.P.A. - Ohio Environmental Protection Agency.

FINAL PLAT - The final map, drawing or chart on which the subdivider's plan of subdivision is presented.

FLOOD PLAIN - The areas adjoining a water course which are expected to be flooded as a result of a severe combination of hydrological conditions.

FLOODWAY - The channel of the watercourse and those portions of the adjoining flood plains which are reasonably required to carry any discharge of the regional flood.

FLOODWAY FRINGE - That portion of the regulatory flood plain outside of the floodway.

HEALTH COMMISSIONER - The person occupying the office of Health Commissioner within the Sandusky County General Health District or his authorized representative.

HIGHWAY DIRECTOR - The Director for the Ohio Department of Transportation.

HIGHWAYS, STREETS AND ALLEYS - (1) "Highway" or "street" - a way for public travel, whether designated as a street, highway, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.

- (2) "Arterial Highway" or "Arterial Street" or "Major Street" - a principal or heavy traffic street of considerable continuity and used primarily as a traffic artery for inter-communication among large areas.
- (3) "Collector Street" - a street which carries traffic from minor streets to arterial or major streets, including the principal entrance streets of a residential development and streets for circulation within such a development.
- (4) "Secondary Rural Road" - is a road which is used for intra-county travel.
- (5) "Local Rural Road" - is a minor road in a rural area which is used for travel within a township or from farm to farm.
- (6) "Cul-de-Sac" - a short minor street with only one outlet and terminating in a vehicular turn around.
- (7) "Marginal Access Street" - a minor street which is parallel and adjacent to arterial streets and which provides access to abutting properties and protection to through traffic.
- (8) "Minor Street" - a street used primarily for access to the abutting properties.

- (9) "Alley" - a minor way which is used primarily for public travel and service access to the back or the side of properties otherwise abutting on a street.
- (10) "Street Width" - the shortest distance between the lines delineating the right-of-way of a street.

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

KEY (LOCATION) MAP - A drawing at a reduced scale located on the Plat which shows legibly, by dimension and/or other means, enough area beyond the bounds of the proposed subdivision to locate and orient the subdivision within Sandusky County and the relationship of the site to the community facilities which serve or influence the area.

LOT - For purposes of these regulations, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are required. A lot shall have frontage on an improved public street, or on approved private street, and may consist of:

- (1) A single lot of record;
- (2) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

OFFICIAL THOROUGHFARE PLAN - The system of primary and secondary streets for Sandusky County as adopted by the Commission, on file in the office of the Sandusky County Engineer and in the office of the Commission, together with all amendments thereto subsequently adopted.

OPEN SPACE - An area included with the natural lot and a building. The area may include, along with the natural environmental features, swimming pools, tennis courts, and/or any other recreational facilities that the Planning Commission deems permissive. Streets, structures for habitation, and the like shall not be included.

OWNER - Any individual, firm, association, syndicate, co-partnership, corporation, trust, or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under the Resolution.

PERFORMANCE BOND OR SURETY BOND - An agreement by and between a subdivider or developer and a bonding company in favor of the Board of County Commissioners of Sandusky County for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement.

PARCEL - Any area or tract of land as defined in a recorded deed description and shown on a tax duplicate.

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

PLAT - The map, drawing or chart on which the developer's plan of subdivision is presented to the Regional Planning Commission and which he submits for approval and intends to record in the final form.

PRELIMINARY PLAN - The preliminary plan, drawing or chart indicating the proposed layout of the subdivision.

PROSECUTOR - The Prosecutor of Sandusky County, Ohio.

REGULATIONS - Subdivision Regulations for Sandusky County, Ohio

RESERVES - Parcels of land within a subdivision that are intended for future use.

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

SOILS REPORT - A statement of soil conditions by a qualified source.

SUBDIVISION - (1) The division of any parcel of land shown as a unit or as contiguous units on the tax roll preceding the January 5, 1967 adoption of These Regulations into two or more parcels, sites or lots, for the purposes - whether immediate or future of transfer of ownership.

(2) The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the 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 maintenance of public sewer, water storm drainage or other public facilities.

SUBDIVIDERS AGREEMENT - An agreement by and between a subdivider and/or developer and the Board of County Commissioners of Sandusky County that set forth the manner in which the subdivider and/or developer agrees to proceed with the construction of public improvements and the disposition of lots in the subject subdivision.

SURVEYOR - A registered surveyor, as defined by the Registration Act of the State of Ohio.

TRACING - A translucent drawing on linen, mylar, cronaflex or equal, from which a print can be taken directly.

ARTICLE THREE – PROCEDURE

Section 1: SUBMISSION OF PRELIMINARY PLAN

(a) PREAPPLICATION PHASE

Prior to the preparation of the preliminary plan, the subdivider should meet with the Regional Planning Commission or its designated representative. The purpose of this meeting is to discuss early and informally the purpose and effect of These Regulations and familiarize the developer with the Comprehensive Plan, the Official Highway Plan for Sandusky County, the Parks and Public Open Space Plan, zoning regulations, and the appropriate drainage, sewerage, and water systems regulations.

(b) APPLICATION PHASE

After the preapplication meeting the subdivider shall prepare and file a preliminary plan for approval with the Regional Planning Commission. This plan must be submitted with as many copies as may be required by the Regional Planning Commission, according to the standards and other requirements of These Regulations. The preliminary plan must be prepared by a registered professional engineer, and/or a registered surveyor as prescribed by Chapter 4733 of the Ohio Revised Code. The preliminary plan shall be considered officially filed on the day accepted by the Regional Planning Commission and shall be so dated. The submission shall precede the monthly meeting of the Regional Planning Commission by ten (10) days to be considered at the meeting. In addition to the preliminary plan, a preliminary plan application form must be completed. This application form is available from the Regional Planning Commission and acts as both a descriptive and informative tool of the Commission.

(c) GENERAL PROVISIONS

1. Whenever a City within Sandusky County has adopted a major street plan and subdivision regulations, the Regional Planning Commission will confer with the Planning Commission of this city upon all subdivision plats located within three miles of its corporate limits. This City Planning Commission shall have the final approval of the plat (if it chooses to accept the authority) except the provisions in Article IV - Minimum Required Improvements which shall be the jurisdiction of the County Engineer.
2. Before any plat is approved affecting any land within:
 - (1) three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in a certification to the Regional Planning Commission (Ohio Revised Code Section 511.01) by the State Director of Transportation, or,
 - (2) a radius of five hundred (500) feet from the point of intersection of this centerline with any public road or highway, the Regional Planning Commission shall give written notice (by either registered or certified mail) to the State Director of Transportation.

The Commission shall not approve the plat for one hundred twenty (120) days from the date the notice is received by the Director. If the Director notifies the Commission that he shall proceed to acquire the land needed, then the Commission shall refuse to approve the plat. If the Director notifies the Commission that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director and the property owner, the Commission shall (if the plat is in conformance with all provisions of the regulations) approve the plat.

Section 2: PRELIMINARY PLAN CONTENT AND SUPPLEMENTARY INFORMATION

(a) FORM

The preliminary plan shall be clearly and legibly drawn. The size of the map shall be on one (1) or more sheets twenty-four (24) inches by thirty-six (36) inches. The map of a subdivision containing six (6) acres or less shall be drawn at a scale of one (1) inch equals fifty (50) feet. All other subdivisions shall be drawn at a scale of one (1) inch equals one hundred (100) feet, unless otherwise required by the Regional Planning Commission. Where the required data cannot be clearly shown on one plan sheet, additional plan sheets are to be utilized, and an index sheet of the same dimension must be filed showing the entire subdivision on one sheet.

(b) PLAN CONTENTS

The Preliminary Plan shall contain the following information:

- (1) Proposed name of the subdivision. The name shall not duplicate, be the same spelling, or alike in pronunciation with any other recorded subdivision in Sandusky County. A register of subdivision names will be maintained in the Regional Planning Commission's office.
- (2) Location by Section, Range, and Township.
- (3) Names and addresses of the Subdivider, Owners, and registered professional engineer and registered surveyor who prepared the preliminary plan.
- (4) Scale of the plan, north point and date.
- (5) Boundaries of the subdivision indicated by a heavy line and approximate acreage.
- (6) Location, widths and names of existing streets, railroad rights-of-way, easements, parks, permanent buildings, and corporation and township lines; location of wooded areas significant topographic and natural features within and adjacent to the planned subdivision for a minimum distance of two hundred (200) feet.
- (7) Names of adjacent subdivisions, owners of record of adjoining parcels of unsubdivided land.
- (8) Zoning districts, if any.
- (9) Existing contours with intervals of not more than (5) feet where slope exceeds ten (10) percent and not more than two (2) feet where slope is ten (10) percent or less. Elevations are to be based on sea level datum, if available. Reference Bench Marks used shall be indicated.
- (10) Drainage channels, lakes, ponds, swamps, and other permanent water courses and basins, wooded areas, power transmission poles and lines, water lines, sewer lines, and any other

significant items should be shown.

- (11) Building setback lines with dimensions.
- (12) When lots are located on a curve or when side lot lines are at angles other than ninety (90) degrees, the width at the building line shall be shown.
- (13) Parcels of land, within the subdivision, that are intended to be reserved for public uses or to be reserved by covenant for residents inhabiting the subdivision shall be indicated. Such reservations shall include a designation of the persons or agencies responsible for maintenance and care of those parcels and indication of acceptance of such responsibility.
- (14) A vicinity map at a scale of not less than one inch per two thousand (2,000) feet shall be shown on, or accompanying, the preliminary plan. This plan shall show all existing subdivisions, thoroughfares and tract lines. It shall also show the most advantageous connections between the thoroughfares in the proposed subdivision and those of the neighboring areas.
- (15) Road names and the locations and scaled dimensions for all proposed roads, alleys, easements (with purpose stated), and areas to be reserved for parks, schools or other public uses.

(c) SUPPLEMENTARY INFORMATION

- (1) Statement of the proposed use of lots, stating type of residential buildings with number of proposed dwelling units; type of business or industry; so as to reveal the effect of the development of traffic, fire hazards, or congestion of population.
- (2) Description of proposed covenants and restrictions.
- (3) Location and approximate dimensions of all existing buildings.
- (4) Statement explaining adequate source of water supply.
- (5) If any zoning changes are contemplated by the Subdivider, the proposed zoning should be outlined.
- (6) For commercial and industrial development, the location, dimensions and approximate grade of proposed parking and loading areas, all thoroughfares, pedestrian walks and the points of vehicular ingress and egress to the development.
- (7) Statement outlining method to be used and provisions to be made for flood control and drainage.
- (8) In a letter accompanying the request for approval of the preliminary plan, the subdivider shall state the type of sewage disposal that the subdivider proposes to use. A central sewage treatment plant and a central water system shall be required by the subdivider when deemed necessary by the Regional Planning Commission, the appropriate Health Officer, or the Ohio EPA. If central waste treatment plants are to be proposed, a detailed account shall be included discussing the method and cost for the installation, operation and maintenance of said system.

Section 3: APPROVAL OF PRELIMINARY PLAN

- (a) The Commission shall forward copies of the preliminary plan to such officials and agencies as may be necessary for the purpose of study and recommendation. These shall include at least the County Engineer, County Health Department, County Commissioners, Sanitary Engineer, and the City or Village Planning Commission involved. After receipt or reports from such officials and agencies, the Commission shall determine whether the preliminary plan shall be approved, approved with modification or disapproved. Notice of such action shall be supplied to the subdivider. If a plan is disapproved, the reasons for such disapproval shall be stated in writing.
- (b) The Commission shall act on the preliminary plan within thirty (30) days after filing unless such time is extended by agreement with the subdivider or his agent. When a preliminary plan has been approved by the Commission, the President or Director of the Commission shall sign all copies of the plan and attach a notation thereto that the plan has received approval and return one (1) to the subdivider for compliance with final approval requirements. Approval of the preliminary plan shall be conditional upon compliance with final approval requirements. Approval of the preliminary plan shall be conditional upon compliance with all other applicable statutes, regulations and resolutions of Sandusky County.
- (c) The Commission on its own initiative (or petition by a citizen or neighboring property owner) may, prior to acting on a preliminary plan of a subdivision, hold a public hearing thereon at such time and upon such notice as the Commission may designate.
- (d) Approval of the preliminary plan shall confer upon the subdivider for one (1) calendar year from the date of approval the guarantee that the general terms and conditions under which the approval was granted will not be affected by any changes and/or amendments as to These Regulations.
- (e) After receiving notice of the approval of the preliminary plan and prior to the filing of the final plat, the subdivider shall present to the Commission complete construction plans of all improvements to be constructed in the proposed subdivision. The Commission shall within five (5) working days after the filing of the above construction plans transmit copies of these documents to the County Engineer, Sanitary Engineer and the County Health Commissioner for study and final recommendations. These three agencies shall report to the Commission within forty-five (45) working days. The Commission shall notify the subdivider of any recommended changes or suggestions so that the subdivider may prepare the final improvement plans and the final plat.

Section 4: PREAPPROVAL OF THE FINAL PLAT

- (a) **GENERAL**

The final plat will have incorporated all changes and/or modifications required by the Regional Planning Commission. Otherwise, it shall conform to the preliminary plan. It may constitute only that portion of the approved preliminary plan which the subdividers proposed to record and develop at the time; provided that this portion conforms with all requirements of these Regulations.

(b) APPLICATION FOR APPROVAL

An application for approval for the final plat shall be submitted on forms provided by the Commission, together with five (5) copies of the plat and the supplementary information specified, to the Regional Planning Commission. The final plat shall be prepared by a qualified registered engineer or a "qualified registered" surveyor.

(c) FILING

The final plat shall be filed not later than twelve (12) months after the date of approval of the preliminary plan; otherwise, it will be considered void unless a written extension is requested by the developer and granted by the Regional Planning Commission.

The final plat shall be considered officially filed after it is examined by the County Engineer and is found to be in full compliance with the formal provisions of These Regulations. The final plat shall be filed at least ten (10) working days prior to the meeting of the Regional Planning Commission at which it is to be considered.

(d) APPROVAL PROCESS

The Regional Planning Commission shall take action on the final plat within forty-five (45) days after the plat has been officially filed. If the plat has not been acted upon within the forty-five (45) days by the Regional Planning Commission, it shall be deemed to have been approved. The certificate of the Commission as to the date of the final plat for approval, and the failure to take action within that time period, shall be sufficient in lieu of the written endorsement of the Regional Planning Commission.

If the final plat is disapproved, the reasons for this disapproval shall be stated in writing and a copy of the Commission's record will be forwarded to the subdivider. The subdivider shall make the necessary corrections and resubmit the final approval.

The subdivider shall be notified of the final approval of the plat by the Regional Planning Commission. The subdivider shall then present the plat to the Sandusky County Commissioners for approval.

(e) PLAT CONTENTS

The final plat shall be legibly drawn in a waterproof ink on tracing cloth or other material of equal permanence. It shall be drawn at a scale not less than one inch per one hundred (100) feet, and shall be one (1) or more sheets 24 x 36 inches in size. If more than one (1) sheet is needed, each sheet shall be numbered and the relation of one sheet to another shall be clearly shown.

The final plat shall contain the following information:

- (1) Name of the subdivision; location by section, range and township; date, north point, graphic and fractional scale;

- (2) All plat boundaries with length of courses in feet and hundredths, bearings to not more than half-minutes.
- (3) Bearings and distances to the nearest established street lines or other recognized permanent monuments, which shall be accurately described on the plat.
- (4) Lines of adjoining streets and alleys with their width and names plus building setback lines.
- (5) The radii, arcs, chords and chord bearings, points of tangency and central angles for all curvilinear streets and radii for rounded corners.
- (6) All easements and rights-of-way provided for public services or utilities, and any limitations, of such rights-of-way or easement.
- (7) All lot numbers and lines, with accurate dimensions in feet and hundredths, and bearings. The basis of bearings shall be stated on plat.
- (8) Accurate location of all monuments.
- (9) Names and addresses of the subdivider and the registered engineer who prepared the plan.
- (10) Accurate outlines of any areas to be dedicated or temporarily reserved for public use with the purpose indicated thereon.
- (11) A list of all restrictions and covenants, if any, the developer intends to include in the deeds to the lots in the subdivision.
- (12) Certification by a registered surveyor that the plan represents a survey made by him and that all monuments shown thereon actually exist and that their location is correctly shown.
- (13) An acknowledgement by the owner or owners of his or their adoption of the plat, and dedication of streets and other public areas.

(f) SUPPLEMENTARY INFORMATION

- (1) The final plat shall be accompanied by certificates showing the following:
 - (a) That all improvements have either been installed and approved by the proper officials or agencies or that a bond or other security has been furnished assuring installation of the required improvements.
 - (b) That all legally due taxes have been paid.
- (2) The developer shall submit a statement that the proposed use of the land conforms with the preliminary plan.

(g) RECORDING OF FINAL PLAT

After the final plat has been approved by the County Engineer, County Sanitary Engineer, the Regional Planning Commission, the County Commissioners, the County Health Commissioner, and where necessary - by a City Planning Commission - and the necessary approvals endorsed in writing thereon, together with evidence of title, it may then be filed for recording in the Office of the Recorder of Sandusky County, Ohio, as required by law.

ARTICLE FOUR – MINIMUM REQUIRED IMPROVEMENTS

Section 1: GENERAL

Prior to the granting of final approval, the subdivider shall have installed or shall have furnished adequate bond for the ultimate installation of the improvements listed and described in the Sections of this Article. All of the required improvements shall be made in full compliance with the specifications for each of the various units of work, as required by the County Engineer, County Sanitary Engineer, and/or the County Board of Health, according to the nature of the improvements.

Section 2: STREET IMPROVEMENTS

All street and thoroughfares shall be graded to their full width, including side slopes and improved in accordance with the standards outlined or referred to in these Regulations.

(a) SUBGRADE

The subgrade shall be free of sod, vegetation matter, or other similar material. Where poor sub-surface drainage conditions exist, adequate drainage shall be installed. The subgrade shall be rolled with a roller of not less than ten (10) tons in weight. Sub-base grade tolerance shall be not more than one-half (½) inch in sixteen (16) feet. Sub-base construction shall be subject to the approval of the County Engineer.

(b) WIDTH OF PAVEMENT

The width of pavement will vary, depending upon the character of the development served and the amount of traffic expected to utilize the street. The following are the minimum street pavement widths:

Type of Street	Width of Pavement
Major Streets & Highways	Variable (1) see below
Local Streets serving medium to high density Suburban Development	24'
All other Roads	22'
Alleys	16'

(1) As determined by Regional Planning Commission.

In certain instances, especially where a commercial area is involved and no offstreet parking facilities are provided and parking is permitted on the street at any time, a parking lane at least eight (8) feet wide on each side of the street and paved to the satisfaction of and in accordance with the specifications approved by the County Engineer may be required in addition to the necessary number of lanes for moving traffic. Where pavement widths greater than those specified above are necessary, provision of same shall be discussed with the public officials having jurisdiction over the planning and construction of public ways to

determine whether or not public expenditures for such additional width can or should be made simultaneously with the subdivider's improvement program.

(c) PAVEMENT DESIGN

Pavement design calculations shall be submitted with the soils report, typical section and any alternates considered for the County Engineer's approval, by the developer's source.

(d) TIME OF CONSTRUCTION

The County Engineer reserves the right to determine the proper time for the application of the surface course; but in no event will the subdivider be required to defer the construction of the surface course for a period in excess of that specified by the County Engineer for the completion of the required improvements as provided in Section 10 of this Article. The subdivider shall give prior notice to the County Engineer as to the time when the construction of the base and surface courses is to be started so that the work may be performed under the supervision of the County Engineer or his duly authorized agents.

(e) CURBS AND GUTTERS

- (1) The requirement of curbs or curbs and gutters will vary in accordance with the character of the area and the density of development involved. In urban or suburban areas, curbs are necessary to control storm water run-off and to clearly define driving and parking areas.
- (2) Where residential lot frontages are less than 85' in commercial developments or where other similar intensive urban uses exist or are anticipated, curbs shall be ordinarily required. The installation of curbs may be required on major, secondary, and minor highways if such construction is deemed necessary for public safety.
- (3) Where curbs exist on abutting properties, their extension will ordinarily be required throughout the proposed subdivision.
- (4) Where curbs are not required, adequate gutters shall be graded and protected by seeding or appropriate surfacing.
- (5) Curbs may be of the wall type or may be combined with gutters built of concrete. Curbs shall be constructed in conformance with the current "Construction and Material Specifications" of the Department of Highways, State of Ohio, as they may pertain to this type of improvement.

Section 3: SIDEWALKS

Concrete sidewalks having a minimum width of four (4) feet and having minimum thickness of four (4) inches shall be installed along both sides of major streets and along both sides of other streets, whenever the lots fronting thereon have an average area of less than 8,000 square feet. In other instances, the Regional Planning Commission may require such sidewalks as it deems necessary to provide for safety of pedestrians in walking to schools or similar major destinations. Concrete sidewalks shall be constructed in conformance with the current

“Construction and Material Specifications” of the Department of Highways, State of Ohio, as they may pertain to this type of improvement. Location of sidewalks shall be approved by the County Engineer.

Section 4: DRAINAGE

All necessary facilities, including underground pipe, inlets, catch basins, or open drainage ditches, as determined by the County Engineer, shall be installed to provide for the adequate disposal of sub-surface and surface water and maintenance of natural drainage courses. All storm drainage facilities within the subdivision shall connect to an adequate drainage outlet. A drainage plan shall be submitted simultaneously with the plat of any subdivision, showing the proposed scheme of surface drainage and when approval has been given, the drainage system shall be constructed in conformance with the approved plan. Construction shall be subject to inspection and approval by the County Engineer.

Approval of the drainage system does not constitute acceptance by the County of that system for maintenance purposes. These systems may become public watercourses under Chapter 6131 of Ohio Revised Code.

(a) **STORM SEWERS AND STORM WATER DRAINAGE:**

A drainage system adequate to serve the needs of the entire subdivision will be required in the new subdivisions. Where an adequate public storm sewer main is available at the plat boundary, the subdivider shall construct a storm sewer system and connect with such storm sewer main. If such storm sewer systems are not accessible, adequate storm water drainage shall be provided by drainage channels with easements of adequate width as determined by the County Engineer.

(b) **CULVERTS & BRIDGES**

When drainage channels intersect any street right-of-way, it shall be the responsibility of the subdivider to have satisfactory bridges and culverts designed and constructed. Where culverts are required, the following minimum requirements shall be observed.

- (1) All culverts shall extend across the entire right-of-way width of the proposed road. The minimum diameter of a culvert pipe shall be 18". Head walls depending on existing drainage conditions may be required.
- (2) Driveway culverts shall have a minimum length of twenty (20) feet. The minimum diameter of driveway culverts shall be twelve (12) inches. The driveway culverts shall be laid so as to maintain the flow line of the ditch or gutter. Head walls may be required.

Section 5: MONUMENTS

Permanent monuments shall be accurately set and established at the intersections of all outside boundary lines of the plat; at intersections of these boundary lines with all street lines; at diagonally opposite corners of each street intersection; at the beginning and end of all curves; at points on curves where the radius or direction changes; and at such other points as are necessary to establish definitely all lines of the plat, except those

outlining individual lots. In general, permanent monuments shall be placed at all critical points necessary to correctly lay out any lot in the subdivision. Monuments on the perimeter survey shall consist of 6" round or square concrete posts at least 4 feet long, flush with surface and carrying a point marker in the top surface.

Section 6: STREET NAME SIGNS

Street name signs, of a type similar to those in use throughout the County, shall be erected at all intersections. The location of signs shall be approved by the County Engineer.

Section 7: WATERLINES

(a) PUBLIC WATER SUPPLY

The location of any waterlines within the right-of-way shall be approved by the County Engineer. Where public water supply is available as determined by the Regional Planning Commission, the subdivider or developer shall construct a system of water mains and connect with this public water supply and provide a connection for each subplot. Plans for public water supplies shall be submitted to and approved by the Ohio Environmental Protection Agency as required by Section 6111.44 of the Ohio Revised Code and the local authority having this jurisdiction.

(b) PUBLIC WATER DISTRIBUTION SYSTEMS

Public wells and other public water distribution systems shall meet the requirements of the State Department of Health as cited in Sections 3701.18 to 3701.21, inclusive, of the Revised Code, Title XXXVII, Health-Safety-Morals of the State of Ohio.

Public wells and other public water distribution systems may be accepted for maintenance and operation by the County Sanitary Engineer if the ownership vested in the County and if the water distribution system has been constructed according to specifications, and if it has been approved by the Sanitary Engineer.

(c) LOCATION AND CONSTRUCTION OF INDIVIDUAL PRIVATE WELLS

Individual private water wells may be used within a subdivision in lieu of a public water supply distribution system when it can be reasonably shown that such wells will be properly installed, located, and properly isolated from all possible sources of contamination. In determining such factors, the regulations and/or laws in effect by the Ohio Department of Health, Ohio Environmental Protection Agency, Ohio Department of Natural Resources or the local Board of Health shall be employed by the subdivider or developer. No individual water wells shall be provided within a subdivision without the expressed written approval of the regulatory agency having jurisdiction.

Section 8: SANITARY SEWERS

- (a) Location of sanitary sewers within a right-of-way shall be approved by the County Engineer. If a subdivision can be reasonably served by the extension of an existing public sanitary sewer, as determined by the Commission, the subdivider or developer shall provide a system of sanitary sewer mains and shall provide lateral connections for each. Whenever main lines are installed, sewer taps shall be extended to right-of-way lines and properly plugged. Connections to public sanitary sewer lines shall be subject to the approval of and according to the specifications of the County Sanitary Engineer and the Ohio Environmental Protection Agency as required by Section 6111.44 of the Ohio Revised Code.

- (b) INDIVIDUAL SEWAGE DISPOSAL FACILITIES
 - (1) Residential Subdivisions - In the event individual sewage disposal systems are proposed, they shall not be approved for subdivisions unless the provisions of Regulation HE 29-03 of the Ohio Sanitary Code can be met regarding such systems as determined by the Sandusky County Board of Health as stipulated in Regulation HE 29-03 of the Ohio Sanitary Code.
 - (2) Commercial or Industrial Subdivisions - No individual sewage disposal system shall be installed in any proposed commercial or industrial subdivision unless plans have been submitted to and approved by the County Engineer, County Sanitary Engineer, and the Ohio Environmental Protection Agency as provided in Section 6111.44 of the Ohio Revised Code.

Section 9: OTHER IMPROVEMENTS

- (a) Electrical service, gas mains and other utilities should be provided within each subdivision. 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. Trees may be planted along the streets outside the right-of-way. The location of utilities shall be approved by the County Engineer.

- (b) The subdivider will contact the Soil and Water Conservation District and submit the subdivision plan for review and comments. The Soil and Water Conservation District will review the plans in regards to preventing erosion and sedimentation and will make written comments to the subdivider and the Regional Planning Commission.

Section 10: IMPROVEMENTS BOND

The improvements and standards therefore described in this Article have been adopted by the County Commissioners of Sandusky County at a meeting on November 15, 1966, and no final or official submittal of any subdivision shall be approved unless (a) the improvements listed in the sections of this Article have been satisfactorily

completed prior to such approval or (b) the subdivider shall file with the County Commissioners a surety bond, cashier's or certified check, the amount and character of which shall be approved by the County Engineer, for improvements under Sections 2 through 6, and by the County Sanitary Engineer or acting Sanitary Engineer, for Sections 7 through 8 of this Article. This bond guaranteeing to the County that such improvements will be constructed and completed in a satisfactory manner and within a period specified by the County Engineer, but such period shall not exceed two (2) years, Said bond or checks shall be approved by the County Prosecutor and shall be made payable to, and enforceable by, Board of County Commissioners, Sandusky County, Ohio. Upon satisfactory completion of the improvements and approval of the same in writing by the County Engineer and the County Sanitary Engineer, and with the presentation of letters of certification of payment in full of all contractors, subcontractors, suppliers of materials, engineers, surveyors and all inspection fees or other fees incurred by the installation of the improvements by the subdivider, the bonds may be released in writing by the Clerk of the County Commissioners, or the cashier's or certified check may be returned to the developer.

Section 11: PROVISIONS FOR MAINTENANCE AND OPERATION

Where the subdivision contains sewers, sewage treatment plants, drainage systems, water supply systems, park areas, or other physical facilities, necessary or desirable for the welfare of the area and which are of common use or benefit and which are of such character that the County or other public agency does not desire to maintain them, then provisions shall be made by trust agreements, which are a part of the deed restrictions and which are acceptable to the County Planning Commission and the County Sanitary Engineer or acting Sanitary Engineer for the proper and continuous maintenance and supervision of such facilities by the lot owners in the subdivisions.

Section 12: VARIANCES

Where topography and other physical conditions make full compliance with the minimum required improvements of Article IV an undue hardship upon the owner, the Commission may refer the problem of compliance to the County Engineer for recommendations as to permissible variances.

ARTICLE FIVE – SUBDIVISION DESIGN STANDARDS

Section 1: GENERAL

The arrangement, character, extent, width and location of major, secondary and minor streets or highways shall conform with the Provisions of These Regulations. Other streets shall conform to the recommendation of the Regional Planning Commission based on existing and planned streets, topography, public safety and convenience and proposed uses of land.

Section 2: STREETS

(a) DESIGN AND ARRANGEMENT

- (1) The arrangement of streets in new subdivisions shall make provision for the continuation of the principal existing streets in adjoining area (or their proper projection where adjoining land is not subdivided) insofar as they may be deemed necessary for public requirements. Every subdivision shall have access to a public right-of-way, as required by Section 5553.02 of Ohio Revised Code.
- (2) The street and alley arrangement shall be such as not to cause hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it. Residential streets shall be so designed as to discourage through traffic, but offset streets should be avoided.
- (3) The angle of intersection between minor streets and major streets should not vary by more than ten degrees from a right angle. All other streets should intersect each other as near to a right angle as possible and no intersection of streets at angles of less than seventy (70^o) degrees shall be permitted.
- (4) Residential streets shall be designed to discourage through traffic which may otherwise use secondary or major highways, and whose origin and destination are not within the subdivision. Residential streets extending for considerable distance, parallel to any secondary or major street, should be avoided.

(b) ALIGNMENT

- (1) Vertical - for main thoroughfares profile grades shall be connected by vertical curves of a minimum length equivalent to twenty (20) times the algebraic difference between the rates of grade, expressed in feet per hundred; for secondary and minor streets and alleys, fifteen (15) times.
- (2) Minimum Horizontal - radii of centerline curvature:

Main thoroughfares	12 ^o	475 ft.
Secondary thoroughfares	19 ^o	300 ft.
Minor Streets	28 ^o	200 ft.

A minimum 50' tangent shall be introduced between reverse curves.

(3) Visibility Requirements.

- (1) Minimum vertical visibility (measured 4½ ft. eye level to tail light 18" above ground level).
 - 1000 ft. on main thoroughfares
 - 500 ft. on secondary thoroughfares
 - 200 ft. on minor streets
- (2) Minimum horizontal visibility shall be:
 - 500 ft. on main thoroughfare measured on centerline
 - 300 ft. on secondary thoroughfare measured on centerline.
 - 200 ft. on all other streets, measured on centerline.

(c) STREET AND ALLEY WIDTH

- (1) The width of all major thoroughfares shall conform to the widths designated by the Regional Planning Commission.
- (2) The minimum right-of-way widths of all other streets shall be sixty (60) feet.
- (3) The minimum width of streets in single and two-family districts shall be sixty (60) feet and the pavement width shall be twenty-two (22) feet, except where there are unusual topographical or other physical conditions, the Regional Planning Commission may require a greater width for a minor street. The width of minor streets serving multiple dwellings shall be sixty (60) feet and the pavement width shall be twenty-eight (28) feet.
- (4) Half-streets: Dedication of half-streets shall not be permitted. Where a dedicated or platted half-street or alley exists adjacent to the tract being subdivided, the other half shall be platted, if deemed necessary by the Commission.
- (5) Alleys: Alleys shall not be permitted in single or two-family districts. They may, however, be required in multiple dwelling developments where they should have a minimum width of 20 feet. Alleys are required in the rear of all commercial and industrial lots, if no other provisions are made for adequate service access or for parking. The rights-of-way of such alleys shall not be less than twenty (20) feet and dead-end alleys shall not be permitted.

(d) CUL-DE-SACS

Each cul-de-sac shall be provided with a turn-around having a minimum right-of-way radius of sixty (60) feet. The outside of the road surface within the turn-around right-of-way shall have a minimum radius of fifty (50) feet. The maximum length for a cul-de-sac shall be 600 feet.

(e) DEAD-END STREETS

Dead-end streets, designated to be so permanently, shall not be permitted. Any dead-end street of a temporary nature, if longer than two-hundred (200) feet or fronted by existing lots, shall have a surface turning area equal in diameter to the width of said street at its termination. Attention is invited to the requirements of O.R.C. Section 5553.02.

(f) STREET GRADES

No street grade shall be less than one-tenth (1/10) of one (1) percent and shall not exceed the following with due allowances for reasonable vertical curves.

Main or arterial highway	5%
Secondary thoroughfares	6%
Minor Streets and Alleys	8%

(g) EASEMENTS

Easements of at least ten (10) feet in width shall be provided on each side of all rear lot lines and along side lot lines, where necessary, for poles, wires, conduits, and gas mains. Additional width may be required for necessary access to the utility involved. Easements may also be required along or across lots where engineering design or special conditions may necessitate the installation of water and sewer lines outside public rights-of-way. A five (5) foot easement shall be required on one side of an alley to accommodate pole lines. For lots facing on curvilinear streets, the rear easement should consist of straight lines with a minimum number of points of deflection.

(h) BLOCK

(1) No block shall be longer than 800 feet nor less than 400 feet, except in unusual circumstances. Where a subdivision adjoins a major highway, the greater dimension of the block shall front along such major highway to minimize the number of points of ingress or egress.

(i) LOTS

- (1) The lot arrangement and design shall be such that sublots will provide satisfactory and desirable building sites, properly related to topography and the character of surrounding development.
- (2) All side lines of lots shall be at right angles to street lines and radial to curved street lines except where a variation to this rule will provide a better street and subplot layout. Lots with double frontage shall be avoided.
- (3) No lot shall have less area or width than is required by the Board of Health and Zoning Regulation applying to the area in which it is located.
- (4) Lots which cannot reasonably be served by a public or private sanitary sewer and are not within reasonable distance of a public or private water supply main, shall have a minimum width of 100 feet, measured at the building line and a minimum area of 20,000 square feet, or as may be required by regulations of the Board of Health.
- (5) In case of soil conditions or other physical factors which may impair the health, welfare and safety of the neighborhood in which subdivision may be located, upon recommendation of the Sandusky County Board of Health or County Engineer, the Commission may require large lot widths and lot areas as deemed necessary.
- (6) No corner lot shall have a width at the building line of less than seventy-five (75) feet. Either of the two (2) sides of a corner lot fronting on a street may be designated the front of

a subplot, provided the rear yard shall always be opposite the frontage so designated.

- (7) All corner lots, be they at the intersection of the right-of-ways of two streets or of an alley and a street, shall have a curve with a minimum radius of twenty (20) feet joining the two (2) sidelines of said rights-of-ways.

(j) **STREET NAMES**

Where new names are required for new streets in unincorporated areas, the names shall meet with the approval of the County Regional Planning Commission. Continuations of existing streets shall carry the identical name as the existing street.

(k) **ACCEPTANCE OF STREETS**

- (1) The approval of a plat by the Board of County Commissioners shall not be deemed to be an acceptance of the dedication of any public street, road or highway dedicated in such plat, O.R.C. Section 711.041.
- (2) The County Engineer shall, upon written request by the owner of the land upon which the street has been constructed, check the construction and if the County Engineer finds that such street has been constructed in accordance with the specifications set forth on the approved plat, and that such street is in good repair, then such finding, endorsed on the approved plat, shall constitute an acceptance of the street for public use by the County, (O.R.C. Section 711.091).

Section 3: BUILDING LINES AND EASEMENTS

(a) **BUILDING LINES**

Where the subdivided area is not under zoning control and is to be used for residential purposes, the building lines shall be established at a minimum of 35 feet from the road or street right-of-way.

Restrictions requiring greater setbacks than the above may be required for commercial and industrial uses as determined by the Regional Planning Commission.

(b) **EASEMENTS**

Easements of at least ten (10) feet in width shall be provided on each side of all rear lot lines and along side lot lines, where necessary, for poles, wires, conduits and gas mains. Easements may also be required along or across lots where engineering design or special conditions may necessitate the installation of water and sewer lines outside public rights-of-way. A five (5) foot easement shall be required on one side of an alley to accommodate pole lines. For lots facing on curvilinear streets, the rear easement should consist of straight lines with a minimum number of points of deflection.

Section 4: PUBLIC SITES AND OPEN SPACES

(a) EASEMENT ALONG STREAMS

Whenever any stream or important surface drainage course is located within the area being subdivided, the subdivider shall provide a permanent easement dedicated to the proper authority for the purpose of widening, deepening, relocating, improving or protecting the stream for drainage of public use. The width of such easement shall be as determined by the County Engineer.

(b) LAND SUBJECT TO FLOODING OR CONTAINING POOR DRAINAGE FACILITIES

The right is reserved to disapprove any subdivision which is subject to periodic flooding or which contains extremely poor drainage facilities. However, if the subdivider agrees to make such improvements as will make the area completely safe for residential occupancy, the subdivision may be approved, subject, however, to the approval of the County Board of Health and the County Engineer.

(c) PARKS AND OPEN SPACES

- (1) Due regard shall be shown for preserving outstanding scenic, historic and cultural features as determined by the Regional Planning Commission.
- (2) If a subdivider divides ten (10) or more acres in a subdivision, he shall have the option to:
 - (i) Dedicate a minimum of five (5) per cent of the net area of the subdivision as open space;
 - (ii) Donate a fee equivalent to twenty-five (\$25.00) dollars per lot to the Sandusky County Park District for the acquisition of open spaces and recreational land.
 - (iii) Provide an average of 20,000 square feet per lot in the intended subdivision for on lot disposal.
 - (iv) Provide a minimum to 12,000 square feet per lot with sanitary sewer and water facilities;
 - (v) Provide a minimum of either 16,000 square feet with either sanitary sewer without water facilities or water facilities without sanitary sewer in the intended subdivision.
- (3) If adjacent land is subdivided, the sum of all areas subdivided after adoption of the revisions to the Subdivision Regulations, will form the total acreage of the subdivision.
- (4) Any lands that have been dedicated to open space purposes through this program may be transferred to suitable public park agencies, non-profit home owners' and renters' associations or the Sandusky County Board of Park Commissioners, at the discretion of the Sandusky County Regional Planning Commission, subject to acceptance by the respective agency, with the provision that the recipient agency shall be responsible for the maintenance appropriate to the designated lands.

ARTICLE SIX – ENFORCEMENT

Section 1: RECORDING OF A PLAT

No plat of any subdivision shall be entitled to be recorded in the Office of the Recorder of the County or have any validity until it shall have been approved in the manner prescribed in These Regulations. In the event any such unapproved plat is recorded, it shall be considered invalid and the Commission shall institute proceedings to have the plat stricken from the records of Sandusky County, State of Ohio.

Section 2: SALE OF LAND WITHIN SUBDIVISIONS

No owner or agent of the owner of any land located within a subdivision shall transfer, sell, agree to sell, or negotiate to sell any land by reference to, exhibition of, or by the use of a plan or plat of a subdivision before such plan or plat has been approved and recorded in the manner prescribed in These Regulations. Any sale or transfer contrary to the provisions of this section is void. The description of such lot or parcel by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from the provisions of These Regulations.

Section 3: PERMITS

- (a) Building or repair permits shall not be issued for any structure on a lot in a subdivision for which a plat has not been approved and recorded in the manner prescribed in These Regulations.
- (b) No owner or agent of the owner of any land shall be entitled to a permit for the installation of wells and septic tanks upon any lots in a subdivision for which a plat has not been approved and recorded in the manner prescribed in These Regulations.

Section 4: REVISION OF PLAT AFTER APPROVAL

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

Section 5: FEES

- (a) At the time of submitting a preliminary plan, the subdivider shall pay a filing fee. The Board of County Commissioners shall establish a schedule of fees, charges and expenses, and a collection procedure for these fees. The schedule of fees shall be posted in the office of the County Comm-

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

- (b) The filing fee shall be paid in legal tender or by check or money order made payable to the Board of County Commissioners, Sandusky County, Ohio, and deposited with the Clerk of the Board of County Commissioners.
- (c) In the event that a preliminary plan is disapproved by the Planning Commission before any physical inspection has been made of the site, then the Commission may - at its discretion - order that the developer be refunded an amount not to exceed one-half (½) of the filing fee paid to the Clerk of Board of County Commissioners.

Section 6: PENALTIES

- (a) Whoever violates any rule or regulation adopted by the legislative authority of a municipal corporation or the Board of County Commissioners of Sandusky County for the purpose of setting standards and requiring and securing the construction of improvements with a subdivision, or fails to comply with any order, pursuant thereto, shall forfeit and pay not less than One Hundred (100) Dollars nor more than One Thousand (1,000) Dollars. Such sum may be recovered with costs in a civil action brought in the Court of Common Pleas of the County in which the land lies relative to which such violation occurred, by legal representative of the village, city or county, in the name of such village, city or county and for the use thereof.
- (b) A County Recorder who records a plat contrary to the provisions of these Regulations shall forfeit and pay not less than One Hundred (100) Dollars nor more than Five Hundred (500) Dollars to be recovered with costs in a civil action by the Prosecuting Attorney in the name and for the use of the County.
- (c) Whoever, being the owner or agent of the owner of any land within or without a municipal corporation, transfers any lot, parcel or tract of such land from or in accordance with a plat of a subdivision before such plat has been recorded in the Office of the County Recorder, shall forfeit and pay the sum of not less than One Hundred (100) Dollars nor more than Five Hundred (500) Dollars for each lot, parcel or tract of land sold, to be recovered with costs in a civil action by the Prosecuting Attorney in the name for the use of the County. 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.
- (d) Any person who disposes of, offers for sale or leases for a time exceeding five (5) years any lot or any part of a lot in a subdivision before provisions of These Regulations are complied with, shall forfeit and pay the sum of not less than One Hundred (100) Dollars nor more than Five Hundred (500) Dollars for each lot or part of a lot so sold, offered for sale or leased, to be recovered with costs in a civil action by the Prosecuting Attorney in the name and for the use of the County.

Section 7: VALIDITY

If any section, subsection, sentence, clause, or phrase of this Resolution is for any reason held to be unconstitutional or invalid by a duly constituted court of the State of Ohio, such decisions shall not affect the validity of the remaining portions of These Regulations.