

**Subdivision
Regulations
for
MONROE COUNTY, OH
(Unincorporated Area)**

**Monroe County Regional
Planning Commission**

**Board of County Commissioners
Monroe County
Woodsfield, Ohio 43793**

Adopted April 17, 1978
Amended May 8, 1991

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CERTIFICATE

The undersigned, Clerk of the Board of Commissioners of Monroe County, Ohio, hereby certifies that the foregoing is a true and complete copy of the Subdivision Regulations of Monroe County, Ohio, adopted April 17, 1978 and amended on May 8, 1991, by the Board of Commissioners of Monroe County, Ohio. Recorded in Volume 24, on Pages 366 through 377 and in Volume 28, on Page 535 of the Monroe County Commissioners Journal of proceedings.

Recorded in Deed Volume 205, Pages 328 through 355, on September 23, 1991.


CLERK, BOARD OF COMMISSIONERS

DATED: June 7, 1991

CERTIFICATE

The undersigned, President of the Monroe County Regional Planning Commission hereby certifies that the foregoing is a true and complete copy of the Subdivision Regulations of Monroe County, Ohio, adopted May 4, 1978 and amended May 2, 1991 by the Monroe County Regional Planning Commission.


PRESIDENT, MONROE COUNTY
REGIONAL PLANNING COMMISSION

DATED: June 11, 1991

SUBDIVISION REGULATIONS
Monroe County, Ohio

A RESOLUTION PRESCRIBING MINIMUM REQUIREMENTS FOR THE DESIGN AND DEVELOPMENT OF NEW SUBDIVISION AND OF RESUBDIVISION WITHIN UNINCORPORATED AREAS IN MONROE COUNTY: PROVIDING FOR THE PRELIMINARY AND FINAL APPROVAL OF ALL SUBDIVISION PLATS: PROVIDING FOR THE ENFORCEMENT OF THESE REGULATIONS AND PROVIDING FOR CHANGES AND AMENDMENTS.

ARTICLE I - INTRODUCTION

SECTION 1 - AUTHORITY

The authority for the preparation, adoption and implementation of these regulations by the Board of County Commissioners and by the Monroe County Regional Planning Commission, is derived from Chapter 711, or more specifically, Section 711-10 and 711-101, of the Ohio Revised Code, which enables the two governmental bodies to adopt uniform rules and regulations governing plats and subdivisions of land falling within their legal authority.

SECTION 2 - PURPOSE

The foregoing rules and regulations are adopted to secure and provide for:

1. The proper arrangement of streets or highways in relation to existing or planned streets or highways, or to official thoroughfare plans.
2. Adequate and convenient open spaces for traffic, utilities, access of fire fighting apparatus, recreation, light and air.
3. The avoidance of congestion of population.
4. The establishment of standards for the construction of any and all improvements as herein required.

SECTION 3 - OFFICIAL NAME

The name of these regulations shall be "Subdivision Rules and Regulations for Monroe County, Ohio", and whenever referring to same the aforementioned name shall be considered officially correct.

SECTION 4 - EFFECTIVE DATE

These regulations shall be effective following adoption by the Board of County Commissioners and the Monroe County Regional Planning Commission and Certification to the Recorder of Monroe County, Ohio. Henceforth, any other subdivision regulations previously adopted by the Board of County Commissioners or the Monroe 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 - INTERPRETATION

The provisions of these regulations shall be held to be minimum requirements adopted for the promotion of health, safety and welfare of the people of Monroe County, Ohio. The regulations are not intended to repeal, abrogate, annul, or in any manner interfere with any existing laws, covenants or rules provided. However, where these regulations impose a greater restriction than is required by such existing laws, covenants or rules, the provisions of these regulations shall govern.

SECTION 6 - JURISDICTION

These regulations shall be applicable to all subdivisions hereinafter made of land located in the unincorporated territory of Monroe County, Ohio.

SECTION 7 - CO-OPERATION

The Monroe County Commissioners and Monroe County Regional Planning Commission shall cooperate with any city or village in the review of subdivision occurring next to their corporation line or within a reasonable or proper distance of same.

SECTION 8 - AMENDMENTS

The Monroe County Commissioners and Monroe 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 Monroe County, Ohio thirty (30) days prior to holding said hearing. The amendment or amendments shall be on file in the office of the Planning Commission for public examination during said thirty (30) days.

SECTION 9 - ZONED AREAS

Whenever a township or part thereof has adopted a county or township zoning plan, proposed subdivisions located in the zoned area submitted for approval of the County Commissioners and County Planning Commission shall conform to the requirements as specified in the zoning plan for the township or part thereof, excepting as specified in Article I, Section 5.

SECTION 10 - PUBLIC HEARING

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

SECTION 11 - RE-SUBDIVISION

When a subdivision which received final approval prior to the effective date of these regulations is re-subdivided, and the width, lot lines or the area of one or more lots or the direction and location of any street is altered or modified, the resubdivision shall be submitted to the Commission for approval to its recording.

SECTION 12 - VARIANCES

Where the Commissioners find in specific cases, due to unusual topography or other exceptional conditions not common to other areas similarly situated, that extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such variation will not have the effect of nullifying the intent and purpose of these regulations, or jeopardize the safety or health of the community.

ARTICLE II - SUBDIVISION STANDARDS

SECTION 1 - DEFINITIONS

A - ALLEY A strip of land, dedicated to public use, less than thirty feet wide between property lines, which provides access to adjacent properties.

B - BUFFER LOT A lot on a plat across the end of a street proposed to be extended by future platting or a lot along the length of a street where only part of the width has been dedicated, retained by the owner but conditionally dedicated on the plat for street purpose when the street is extended or widened.

C - BUILDING A combination of materials to form a structure adopted to permanent or continuous occupancy for public, institutional, residence, business or storage purpose. The term (Building) shall be construed as if followed by the words, (or part thereof).

D - BUILDING AND/OR SETBACK LINE A line established on a parcel for the purpose of prohibiting construction of a building between such line and as easement, right-of-way or other public area in the interest of protecting the general welfare.

E - CROSSWALK A right-of-way, dedicated to public use, six (6) feet or more in width, which cuts across a block to facilitate pedestrian access to adjacent streets and properties.

F - CUL-DE-SAC A short street having one end open to traffic and Courts being permanently terminated by a vehicle turnaround.

G - EASEMENT A grant by the property owner(s) of the use of a strip of land by the public, a corporation, or persons for specific purposes.

H - IMPROVEMENTS Any one or more of the following: Street pavements, with or without curb or gutters. Sidewalks, cross-walk-ways, water main, sanitary and/or storm sewers, street trees and other appropriate items.

I - LOTS A designated parcel of land in a plat intended as a unit for transfer of ownership or to be occupied by a building and its accessory building together with such open spaces as are required by law, and having its principal frontage upon a public street.

J - MAJOR STREET A street which serves or is intended to serve as the principal traffic way between areas or districts. For terms which identify streets and their required right-of-way widths, See Article III, Section 2 of these regulations.

K - MINOR STREET A street supplementary to a secondary street and of limited continuity which serves or is intended to serve the local needs of a neighborhood.

L - PARCEL A unit of land under one ownership.

M - PLAT A map of a tract or parcel of land.

N - STREET A right-of-way, dedicated to public use, which provides vehicular and pedestrian access to abutting properties.

O - STRUCTURE Anything constructed or erected, the use, which requires a more or less permanent location on the soil, or attached to something having a permanent location on the soil.

P - SUBDIVISION

1. The division of any parcel of land shown as a unit or as contiguous units of the last preceding tax roll, into two or more parcels, sites or lots, any of which is less than five acres for the purpose, whether immediate or future, for transfer of ownership, provided, however, that the division or partition of land into parcels of more than five acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or the improvement of one or more parcels of land for residential, commercial or industrial structures, or group 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 sewers, water, storm drainage or other public facilities.

2. Division of land not subject to these Regulations:

a. Any sale, lease or conveyance of land where the owner is selling or conveying his entire holding without retaining title to contiguous parcels of land.

b. A sale or exchange to the owner of any adjoining parcel of land, which does not create an additional building site.

c. Any sale or conveyance of a part of a lot when the part sold or conveyed and the part retained are each five (5) acres or more, if such division does not involve new streets, public or private, or any easement for access.

d. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, when the divided parcels are at least one (1) acre in size and do not exceed four (4) in number and have access to a public highway.

e. The division of any parcel of land shown as a unit or contiguous units on the last preceding tax roll, when the divided parcels are to be used for non-residential, non-commercial and non-industrial purposes, including but not limited to recreation and camping, and no street or sewer improvement is to be made.

f. Any exception allowed by Title 711 of the Ohio Revised Code.

Q - SUPER BLOCK A block of exceptional large size in both dimensions with access to interior lots by cul-de-sac branching in from surrounding streets and providing one or more spaces.

R - WRITING Includes printing and typewriting.

ARTICLE III - GENERAL PROVISIONS

A. MISCELLANEOUS PLAT APPROVAL - "NO PLAT REQUIRED" (See Section 711.131).

1. Notwithstanding the provisions herein set forth, a proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and involving no more than five lots after the original tract has been completely subdivided, may be submitted to the Commissioners with out plat. The Commissioners acting through the County Engineer, as its designated representative, may approve the proposed conveyance if the Engineer is satisfied that such division is not contrary to any applicable platting, sub-dividing or zoning regulations, which shall include the County Street Plan, or any rule or regulation which the Commissioners may have adopted for the processing of such divisions or the conduct of its business.

The applicant shall submit a sketch plat or plat map showing the division of such land in graphic dimensional form. This map shall be certified by a registered surveyor as to its correctness and shall contain information as is pertinent to its determination hereunder. When the County Engineer is satisfied with the information submitted for his determination, he shall in seven working days after such submission approve such proposed subdivision. Evidence of approval by the County Engineer will be indicated by a stamp reading, "No Plat Required", Board of Commissioners of Monroe County, Ohio,

(Signature)

(Date)

Either a plat of the division or the deed of transfer, which has been thus stamped, shall constitute approval under this section.

If such conveyance is not submitted for recording in the office of the County Recorder within 30 days of such approval, the approval as provided herein shall be null and void.

B. RESPONSIBILITY OF PUBLIC AGENCIES TO PROVIDE SERVICE

If the County Engineer or County Health Commissioner find upon inspection that any of the improvements being installed and

constructed, or upon completion are not in accordance with the plans, specifications or plat in the form in which they were approved, the responsibility of the County and/or Township to provide services and utilities shall cease.

C. SALE AND LEASE OF LOTS -- MAY BE WITHHELD (See Section 711.101 ORC)

When the improvements within a proposed public street or within an existing public street do not conform to the standards and specifications as adopted by the Board of County Commissioners for the construction of public street, curb, gutters, sidewalks, street lights, water mains, storm sewer, sanitary sewers, and other utility mains, piping and other facilities, the Commissioners may require complete or partial installation of such improvements, and may make such installations a condition precedent to the sale or lease of lots in such subdivisions or the issuance of a building permit for the improvement of such lot or lots thereon: and further may require in lieu of actual construction a performance agreement and the furnishing of a performance bond or other guarantee of security for the purpose of assuring the installation of such improvements deemed necessary or appropriate in the public interest.

ARTICLE IV - SUBDIVISION REQUIREMENTS

SECTION 1 - GENERAL

A. The subdivision layout shall conform to the rules and regulations as adopted by the Regional Planning Commission.

B. The proposed subdivision and its ultimate use shall be in the best interests of the public welfare and the neighborhood development of the area and the sub-divider shall present evidence to this effect when requested by the Commissioners and Planning Commission. The tract to be subdivided should not be part of an encroachment upon an area or areas needed for future public modification.

C. The Commissioners and Planning Commission will consider plats designed for special development of rental units or new concepts of solar orientation or other methods of platting with modification or adjustments of these subdivision requirements, providing that such plats are self-contained and so not to encroach unfavorably on or interfere with normal development of abutting properties.

SECTION 2 - LAYOUT

A. RIGHT-OF-WAY

Public right of way widths shall conform to the following minimum

<u>CLASSIFICATION</u>	<u>MINIMUM FEET</u>
1. Primary or major street	60
2. Secondary street	50
3. Minor street and/or township road	40
4. Service roads	30
5. Alley	20
6. Crosswalkway	06
7. Utility easement (on each side of property line)	08
8. Ditch easement (on each side of ditch measured from tip of slope)	15

B. CUL-DE-SAC (Or Turnaround)

The minimum right-of-way provided for the turnaround shall be a circular area with a minimum diameter of 80 feet dedication and minimum road surface of 60 feet outside diameter.

C. STREET AND NAMES

1. As near as possible street intersections shall be at right angles.

2. Approved street name signs shall be provided and erected by the subdivider and street names proposed shall not duplicate street names in Monroe County, including rural routes out of Woodsfield, Ohio.

3. Dead end street designed to be so permanently shall not be permitted.

4. Dedication of half streets shall not be permitted.

D. SERVICE ROADS

Whenever a subdivision adjoins a major highway, the developer shall provide a service road with minimum of 30 feet in width and located parallel to said major highway. If there be only one outlet from said service road to the highway then it shall be necessary for the subdivider to provide a Cul-De-Sac at the opposite end of such service road in order to eliminate a dead end.

E. EXISTING PRIVATE ROADWAYS

Private streets existing prior to the effective date of these reg-

ulations and which have existed as easements of access and are so recorded in the records of Monroe County may remain as private roadways. However, when a subdivision is proposed along an existing private street, the subdivider shall construct such private street or portion thereof in accordance with these regulations even though the street may be designated for private use only.

F. BLOCKS

1. The maximum length of block shall generally be 1400 feet. Any block exceeding 1400 feet, shall, as required by the Board of County Commissioners and the Planning Commission, have a cross-walk at approximately the center of the block and minimum lengths of block shall be 600 feet.

2. The width of blocks shall be sufficient to provide for an ultimate development of two tiers of lots between street and eliminate double frontage lots.

3. Blocks designated for business and industrial use may be designed specifically for such purposes with adequate space set aside for off street parking and delivery facilities.

4. Where frontage is on a major thoroughfare, the long dimension of the block should parallel the thoroughfare.

G. LOTS

1. So to conform to sound and acceptable community practices and standards, it is recommended that the minimum lot size not be less than those specified in the following table.

Type of Development	Sewer & Water Available	Public Water or Sewer Available	Public Water & Sewer not Available
Single Family	14,400 sq. ft.	37,500 sq. ft.	43,560 sq. ft.
Two-Family	14,400 sq. ft.	43,560 sq. ft.	43,560 sq. ft.
Multi-Family	24,400 sq. ft.	50,000 sq. ft.	87,120 sq. ft.
Multi-Family (In excess of 4 families)	43,560 sq. ft.	87,120 sq. ft.	To be established by Commissioners on basis of population density

2. The general depth-to-width ratio shall not exceed 3 1/2 to 1.

3. All lots shall abut on and have full frontage access to a street or other public right-of-way, and have a minimum building setback line of at least 35 feet in residential areas and 50 feet on major thoroughfares to be measured from the property lines. If required by zoning resolutions, plat restrictions or other existing covenants or laws, a subdivision may be required to be established with larger set backs.

4. Corner residential lots shall have sufficient width so as to permit approximate building setback from and orientation to both streets.

5. Side lines or lots shall be approximately at right angles or radial to the street line, except when natural or cultural features suggest other suitable and appropriate locations.

6. Utility easements should generally follow the rear lot lines and provide continuous easement to public ways.

7. Minimum side space of 8 feet from building lines to side of lot shall be required.

H. PUBLIC SPACES

The Planning Commission may specify to the extent required, the allocation of playfields, parks and other open public spaces that may be essential to a proper development of the areas of the county being subdivided.

SECTION 3 - IMPROVEMENTS

A. MINIMUM INSTALLATIONS

The following minimum improvements shall be installed within the subdivision prior to the recording of Final Plat or assurance given to the Monroe County Engineer that such improvements will be installed in accordance with sub-section B of this section.

1. PLANS AND PROFILES

A center line profile shall be prepared by a registered engineer or surveyor of all proposed streets or roads with typical cross sections indicating proposed crowns and slopes anticipated in meeting required street improvements, shall be a part of, or accompany the preliminary plan. All Drainage plans and drainage structures shall be submitted to the County Commissioners for approval before construction begins.

2. STREETS

All grading, surfacing, drainage structures or other improvements required or involved in the opening, widening or extension of any street, road or public way shall be of such size, width, thick-

ness, character and type deemed by the Commissioners, upon the recommendations of the County Engineer, to be suitable and appropriate to the intended use and development, and consistent with the standards and specifications set forth in these rules and regulations, (See typical section of allotment streets attached hereto, Page 20).

All items of work shall be in accordance with the current standards and specifications of the Ohio Highway Department and shall be subject to the approval of the County Engineer of Monroe County, Ohio.

3. CURBS AND GUTTERS

A. The requirements 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.

b. Curbs shall be required on all streets designed to serve where the existing or anticipated net residential density of the area surrounding the proposed subdivision equals or exceeds 3 families per acre.

c. Where residential lot frontages are less than 85 feet in commercial developments or where other similar intensive urban uses exist or are anticipated, curbs shall ordinarily be required. The installation of curbs may be required on major, secondary, and minor highways if such construction is deemed necessary for public safety.

d. Where curbs exist on abutting properties, their extension will ordinarily be required throughout the proposed subdivision.

e. Where curbs are not required, adequate gutters shall be graded and protected by seeding, or a hard surface may be required where the grade is such as may be deemed necessary by the County Engineer.

f. Curbs may be of the wall type or may be combined with gutters built of concrete. Curbs, combined curbs and gutters, and graded gutters shall be constructed in conformance with the current "Construction and Material Specifications" of the Department of Highways, State of Ohio as they pertain to this type of improvement and shall not be less than 4 feet in width.

4. ACCEPTANCE FOR MAINTENANCE After the work of this section is properly completed, the County Engineer shall notify, in writing, the sponsor or developer and the County Commissioners recommending approval.

5. SIDEWALKS In some instances, the Planning Commission may require such sidewalks as it deems necessary to provide for the safety of pedestrians in walking to school 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 pertain to this type of improvement and shall be not less than 4 feet in width.

6. WATER SUPPLY Where an adequate available public water main is within approximately 500 feet of the subdivision, such main shall be extended by the subdivider so that each lot is served by the water supply and will extend to the outermost edge of the furthest lot on the line. Such water system shall conform to appropriate specifications of and shall be subject to approval by the County Sanitary Engineer.

7. INDIVIDUAL WATER SUPPLY Where public water is not available, the subdivider shall supply acceptable evidence of the availability of water. If such evidence is deemed not acceptable, the subdivider shall be required to make one or more test wells in the area to be platted, in accordance with State and County Boards of Health Requirements. Copies of well logs to be submitted as evidence of the availability of water in the area to be platted shall include the name and address of the well driller and shall be submitted to the Monroe County Planning Commission.

8. LOCATION AND CONSTRUCTION OF INDIVIDUAL PRIVATE WELLS Individual private wells shall be located at least 25 feet from property lines, 50 feet from all septic tanks, approximately 100 feet from all tile, disposal fields and other sewerage disposal facilities, 10 feet from all cast iron sewer lines, 30 feet from all vitrified sewer tile lines, and shall not be located within any flood plain.

To prevent seepage, a water-tight seal shall be provided around pump mount. All abandoned wells shall be sealed so as to render them water-tight. In all cases where it has been determined that individual water supplies from private wells is not feasible, a public water distribution system shall be required.

9. SANITARY SEWER IMPROVEMENTS

A. Where an adequate public sanitary sewer system is reasonably accessible, in the determination of the Monroe County Regional Planning Commission, public sanitary sewers shall be installed to adequately serve all lots, including lateral connections to the public system. Public sewer system extensions shall meet the requirements of the Ohio Department of Health and Monroe County Health Board Standards. Combinations of sanitary sewers and storm sewers is prohibited.

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

1. A central treatment plant for the group, provided that such central treatment plant is installed in accordance with the State and County Board of Health requirements: or

2. Lots may be served by individual disposal systems if the provisions of Section 9-C are met.

C. Where the installation of individual disposal systems is considered, the suitability of the soil for individual systems will be based upon absorptive ability of the soil, surface drainage, ground water level, and topography. These shall be the criteria for determining whether or not the installation of individual systems is permissible. Criteria shall be in accordance with the requirements of the County Board of Health and the Ohio Department of Health.

D. Each lot so served shall be of a size and shape to accommodate the necessary length of tile field at a safe distance from and at a lower elevation than the proposed building(s). Such lot size and shape shall conform to the requirements of the zoning district in which the lots are located. If no zoning is in effect, the standards set forth in Section 2-G of these regulations shall be met.

E. At least one (1) percolation test shall be made for each lot area being platted, it deemed necessary by the County Board of Health, and each test shall be located in close proximity to the proposed individual sewerage disposal unit, be numbered, and its location shown on the preliminary plat. All percolation tests shall be performed in accordance with, and under the supervision of the County Board of Health.

F. Where the installation of individual disposal units is considered and where the average natural ground slope exceeds ten (10) per cent, the installation of a stepup disposal system may be required subject to the specifications of the County Board of Health.

10. STORM WATER DRAINAGE

A. Lots shall be graded so that all storm water will drain therefrom. Sealed joint pipe drain on each side of each street with adequate inlets or catch basins shall be provided. Adequate provisions shall be made to provide a drainage outlet a minimum of three (3) feet below the main ground level for each lot. Disposal of storm water from the entire subdivision shall conform to the requirements of the County Engineer and shall be subject to his approval.

B. Whenever the construction of streets and the required storm drainage is such that the direction of the storm water flow is diverted to affect surrounding property, the subdivider shall obtain adequate drainage easements to provide for efficient disposal of surface water.

C. Storm sewer lines shall be located within the right-of-way.

B. BOND FOR INSTALLATION OR IMPROVEMENT

In order that the county has assurance that the construction and installation of such improvements as street, surfacing, curbs, gutters, sidewalks, public sanitary sewers, public water supply and street signs will be constructed, the sub-divider shall enter into one of the following agreements.

1. Construct all improvements directly affecting the subdivision, as required by the Planning Commission, prior to the final approval of the plat, it being specifically understood that immediately upon completion of improvements and prior to securing acceptance and approval of FINAL PLAT by the County, the subdivider shall convey all rights and title to all water and sewer lines.

2. In lieu of the completion of the improvements, furnish bond executed by a surety company equal to the cost of construction or such improvements as shown on plans, and based on an estimate furnished by the County Engineer or County Sanitary engineer, as the case may be.

3. In lieu of the completion of improvements, deposit cash, check or satisfactory securities, sufficient or equal to the cost of construction of such improvements as shown on plans and based on an estimate furnished by the County Engineer or County Sanitary Engineer, as the case may be.

C. INSTALLMENT AGREEMENT

When a cash deposit or performance bond are made pursuant to the preceding sections, Monroe County and the subdivider shall have the authority to enter into a written agreement itemizing the several phases of construction or installation in sequence with an amount opposite each phase, provided that each amount so listed may be repaid to the subdivider upon completion and approval after inspection of the particular phase of such work represented by said amount. However, 10% of the cash deposit or the performance bond shall not be released to the subdivider until all construction and installation covered by the deposit or bond as outlines in the subdivider's contract is completed, inspected and accepted by the respective government authorities.

D. INSPECTIONS

Inspections during the installation of improvements shall be made by the proper administrative officials to insure conformity with approved plans and specifications as contained in the subdivider's contract. The subdivider shall notify the proper administrative officials twenty-four (24) hours prior to commencing work. Upon acceptable completion of installation of the required improvements, the County Planning Commission shall issue a letter to the subdivider or his agent and such letter shall be sufficient evidence for the release by Monroe County of the portion of the surety bond or cash deposit as designated in the subdivider's contract for the completed improvement. The cost of county inspection shall be paid for by the builder, subdivider, or developer in the amount of

which shall not exceed \$50.00 which shall be deposited in agreement and bond requirements as hereinafter mentioned.

E. ACCEPTANCE

When the proper administrative officials, following final inspection of a subdivision, certify to the Board of County Commissioners that all improvements have been constructed in accordance with county specifications, the County Commissioners may proceed to accept the facilities. In the case of a township road, the Township may proceed to accept the facilities. In case of township road, the Trustees shall be notified.

F. FLOOD CONTROL

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 Commissioners. No deed for newly surveyed property located in the flood plain shall be accepted for transfer by the County Auditor unless it bears the following stamp: "Subject to Flood Plain Regulations".

G. EASEMENTS

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 or public use. (See Article IV, Section 2, A-7).

H. PUBLIC SITES AND OPEN SPACES

Where the subdivision contains a park, school or other public area which is shown upon the master plan for the county, such area shall either be dedicated to the proper public agency or it shall be reserved for acquisition thereby, within a specified period by a purchase or other means and agreement shall be entered into between the subdivider and the proper public agency regarding the time and method of acquisition and the cost thereof.

I. HISTORICAL

Due regard shall be shown for preserving outstanding scenic, cultural or historic areas.

ARTICLE V - DOCUMENTS REQUIRED
SECTION 1 - SKETCH DRAWING

A sketch drawing may be submitted in duplicate to the County Planning Commission. The drawing may be a simple free hand sketch drawn to scale by the developer or his agent. Prints of the Township Section Maps are obtainable at the county court house as base maps for sketching purposes. The SKETCH DRAWING may be submitted to the Planning Commission at any time for their review and recommendations.

SECTION 2 - PRELIMINARY DRAWING

A - FILING PROCEDURE

1. Any person may contact the Planning Commission office to discuss possible subdivision development prior to the submission of a plat in an effort to work out a proper solution (See SKETCH DRAWING above).

2. A PRELIMINARY DRAWING shall be submitted to the Planning Commission Office for all subdivisions within Monroe County, Ohio. The board will process and refer the drawing to conformance with the Planning Commission policy. Subdivisions within 3 miles of cities and villages in Monroe County having Planning Commissions fully authorized and working in accordance with Section 711 of the Revised Code of Ohio, must be approved by them.

3. The PRELIMINARY DRAWING shall be filed with and acknowledged by the Secretary or Director of the Planning Commission, a minimum of 7 days prior to a scheduled meeting of the Planning Commission to assure action thereon at said meeting.

4. Six prints of the PRELIMINARY DRAWING of the proposed subdivision shall be submitted to the Planning Commission office accompanied by one key map to adequately locate the property.

5. The PRELIMINARY DRAWING will not be accepted for processing unless all the data listed under "Contents" are provided to the Planning Commission.

B - CONTENTS OF THE PRELIMINARY DRAWING

1. Identification noted as follows:

- a - Proposed name of the subdivision.
- b - Location by Township, Section, Town and Range & other legal description.
- c - Names and addresses of developers & persons who designed the subdivision.
- d - Scale of drawing (1" = 100') shown graphically.
- e - Date northpoint.
- f - Approximate acreage.

2. Delineation shall include but is not limited to the following:

- a - Boundary line of proposed subdivision indicated by solid heavy line.
- b - Location, widths and names of all existing or prior platted

streets, or other public ways, railroads and utility right-of-ways, parks, and other open spaces, permanent buildings and structures, and section and corporation lines, within or adjacent to the tract.

c - Existing sewers, water mains, culverts, or other underground facilities and open drainage ditches in and within close proximity to the tract, indicating size, depth, flow and location.

d - Boundary lines of adjacent tracts of unsubdivided land, showing owners of tracts greater than one acre.

e - Indication of ground forms, preferably sufficient to determine contours of land.

f - Layout of proposed streets their proposed names and widths and also the widths of proposed alleys, cross walkways and easements.

g - Layout, numbers and dimensions of lots or parcels with appropriate designations.

h - Diagram of proposed drainage development including streets and lots with indication of their outlet into existing facilities.

i - Diagram of the layout of the proposed sewer and water facilities, if any.

j - Street tree planting plan, if any.

k - Proposed building setback lines, showing dimensions.

C - APPROVAL OR DISAPPROVAL

1. The Planning Commission may introduce such changes or revisions to PRELIMINARY DRAWING as are deemed necessary to the interests and need of the community.

2. Approval by the proper county officials of the engineering requirements for the proposed streets, sewer and water systems and other proposed public facilities, as outlines under "Contents", will be required prior to the approval of the PRELIMINARY DRAWING by the County Commissioners.

3. Report of action taken on the PRELIMINARY DRAWING will be given in writing to the subdivider or his designated agent and notification of this action will also be given to the proper public officials.

4. If approved, one copy of the PRELIMINARY DRAWING will be signed by the Planning Commission as the approved PRELIMINARY DRAWING. Any changes required by the Planning Commission will be marked on this copy.

5. If disapproved, reason for such disapproval will be given in writing and/or upon drawing.

6. After approval of the PRELIMINARY DRAWING, the subdivider may proceed with the development of the plat and submit a FINAL PLAT for approval and recording.

7. Approval shall be effective for a maximum period of twelve (12) months unless upon application of the developer, the Planning Commission grants an extension. If the FINAL PLAT has not been approved within this time limit, a PRELIMINARY DRAWING must again be submitted to the Planning Commission for approval in conformance with these rules and regulations under Article IV, Section 2.

SECTION 3 - THE FINAL PLAT

A - FILING PROCEDURE

1. After approval of the data required for a PRELIMINARY DRAWING by the Planning Commission, and the fulfillment of the requirements of these rules and regulations as specified by the Planning Commission, one original Mylark or similar tracing of the FINAL PLAT of the subdivision, 20 x 20 inches in size, shall be submitted to the Planning Commission for approval.

2. The FINAL PLAT shall be officially filed with and acknowledged by the Planning Commission within thirty (30) days after the date of filing.

3. The FINAL PLAT must conform to an approved PRELIMINARY DRAWING previously submitted or must provide adequate data to permit proper review of any proposal which has not been approved in a PRELIMINARY DRAWING.

4. The FINAL PLAT may be recorded after proper approval and signature with the original tracing being filed in the office of the County Engineer of Monroe County, Ohio, unless the PLAT is located within three (3) miles of the City or Village with a properly adopted comprehensive plan in which case a duplicate tracing shall be filed with said City's Engineering Department.

B - CONTENTS OF THE FINAL PLAT

1. IDENTIFICATION

a - Name of Subdivision.

b - Location by township, Section, Town, and Range, and other legal description as necessary.

c - Names of owners, signature and seal of registered surveyor to be lettered and signed in black opaque ink.

d - Scale shown graphically.

e - Date

f - Northpoint

2. DELINEATION

a - All delineation to be in black opaque ink on tracing Mylark (including signatures).

b - Boundary of Plat, based on an accurate traverse, with angular and linal dimensions in conformance with the legal description, shall be superimposed with a heavy dashed line to indicate the limits of the plat.

c - True angles and distances to at least three of the nearest established street lines or official monuments which shall be accurately described on the plat.

d - Municipal, Township, County and/or section lines accurately tied to the lines of the subdivision by distances and angles.

e - Accurate location of all monuments will be required with permanent rod cased in the center, in conformance with the Ohio Revised Code.

f - Exact location, width and name of all streets within and adjoining the plat, and the exact location and width of all alleys and cross walkways.

g - The name of a street shall not duplicate that of any existing street.

h - Proposed street names shall be checked with proper city and county officials.

i - Exact location and width of all easements for right-of-way provided for public services or utilities.

j - All lot or parcel numbers and lines, with accurate dimensions in feet and hundredths.

k - Accurate designation of any area to be dedicated or reserved for public use, with the purpose indicated thereon.

l - Raddi, internal angles, points or curvature, tangent bearings and lengths of all arcs.

m - Building set-back lines accurately shown with dimensions.

n - Certification by registered surveyor to the effect that the plat represents a survey made by him and that the monuments shown thereon exist as located and that all dimensional and geodetic details are correct. Signature to be in black opaque ink.

o - A complete survey shall be made by a registered surveyor. The traverse of the exterior boundaries of the tract and of each block, when computed from field measurements of the ground, shall close within a limit of error of one (1) foot to five thousand (5000) of the perimeter before balancing the survey.

SECTION 4 - STANDARD FORMS

All plats in the unincorporated portion of Monroe County not within 3 miles of a city with a comprehensive plan shall provide space for the approval of signature of owner, county officials, in accordance with the following.

A. CERTIFICATE OF ENGINEER OR SURVEYOR

The within plat is a subdivision of _____ acres conveyed to _____ by deed as recorded in Deed Book _____, Page _____ in the deed records of Monroe County, Ohio.

The above mentioned tract of land was conveyed by (Name of Grantor)

Acreeage contained in dedicated roads is. _____ acres.

Acreeage contained in lots. _____ acres.

Acreeage contained in public park. _____ acres.

Total acreeage is. _____ acres.

I, hereby, certify that this map is a true and correct survey made by me on _____ (Date) _____, that all monuments are set as shown.

(See item "e" previous page).

(Signature in black opaque ink)
Registered Surveyor No.

B. OWNER CERTIFICATION

I, (we), the undersigned, owners of the property hereon described, so hereby adopted this subdivision into lots as shown, establish setback lines as shown, and dedicate to public use the ways hereon shown except buffer lot, which is dedicated on condition the abutting right-of-way dedication is extended or widened beyond said buffer lot.

I, (we), further certify that I, (we), will improve this subdivision with the following installations:
(Statement of the specific sewer, water pavement and other improvements to be installed).

Witnesses:

Owner

C. NOTARY:
STATE OF OHIO
MONROE COUNTY as:

Be it remembered that on this _____ day of _____, 19__ before me the undersigned, a notary public in and for said county and state, personally came _____ and acknowledged the signing of this plat and that the same is their free act and deed.

In testimony whereof, I have set my hand and notary seal on this day and date above written.

Notary Public in and for
Monroe County, Ohio

D. COUNTY HEALTH DEPARTMENT

Approved for record _____
Monroe County Health Commissioner

Date _____, 19____..

E. COUNTY ENGINEER

Approved for record _____
Monroe County Engineer

Date _____, 19____..

F. COUNTY AUDITOR

Transferred by Monroe County Auditor.

Date _____, 19____.

G. COUNTY COMMISSIONERS

Approved for record, subject to the rules and regulations governing the platting of subdivisions of land.

MONROE
COUNTY
COMMISSIONERS

Date _____, 19____.

H. COUNTY RECORDER

No. _____
Received for record _____, 19____, at ____ o'clock ____ M.
Recorded _____, 19____.
In Monroe County Record of Plats:

Volume _____, Page _____.

Recorder

I. SURVEYOR

I hereby certify this is a true and complete map of survey made by either me or under my supervision on _____ Date _____, 19____, and that all monuments are set as shown.

Registered Surveyor # _____

Transferred this _____ day of _____, 19____.

SECTION 5 - APPROVAL OR DISAPPROVAL OF FINAL PLAT

a. Approval or disapproval of the Final Plat will be given within 30 days after filing in conformance to Article V, Section 3, A-2.

b. Prior to approval, the County Commissioners will obtain certification from the proper county Officials that the required improvements have been made or assured in conformance with PRELIMINARY DRAWING.

c. Upon approval by the Planning Commission, County Health Department, County Engineer and County Commissioners, the FINAL PLAT shall be recorded with the County Recorder within 6 months. If not recorded within this time, the approval of the County Commissioners and the Planning Commission will be null and void.

SECTION 6 - BUILDING PERMITS

a. The FINAL PLAT shall have been duly approved and recorded in the office of the Recorder of Monroe County, Ohio before issuance of a building permit for lots in a plat.

b. Requests for building permits shall be submitted to the County Auditor. Building permits shall be issued by the County Auditor if all applicable provisions have been complied with and FINAL PLAT duly approved and recorded.

c. Total cost of a building permit shall not exceed \$5.00 and deposited in advance with the County Treasurer.

MONROE COUNTY BUILDING PERMIT

TO COUNTY COMMISSIONERS:

Application for building permit:

We, the undersigned, make application to erect a _____ story _____ roof construction building. Size _____, Located _____ Twp. Rd. # _____ R.F.D. # _____ County Rd. # _____ R.F.D. # _____ Lot # _____ Addition _____ Said building to be used for _____

Fee \$ _____.

Granted by County Commissioners ___ day of _____, 19____. Recorded in Register of Permits to Build.

Estimated total Cost of Construction \$ _____.

County Auditor

SECTION 7

a. All newly surveyed tracts of less than one (i) acre outside a municipality must be approved by the Monroe County Health Department prior to being accepted for transfer by the County Auditor or must be stamped "Not Acceptable for Sewage System".

b. The County Auditor shall not accept for transfer any newly surveyed tracts where the same owner has sold previously four (4) tracts out of the same parcel, without the approval of the Monroe County Subdivision Administrator.

ARTICLE VI - VIOLATIONS AND PENALTIES

In as much as the citizens of Monroe County, Ohio, are not generally informed as to laws regulating the platting and subdivision of land, the following sections of the Revised Code of Ohio concerning matters of violations and penalties are quoted below:

O.R.C. SECTION 711.102 Violations of Rules and Regulations

Whoever willfully violates any rule or regulation adopted by the legislative authority of a municipal corporation or a Board of County Commissioners pursuant to Section 711.101 of the revised code or fails to comply with any order issued pursuant thereto, shall forfeit and pay not less than Ten or more than One Thousand 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 the legal representative of the village, city or county, in the name of such village, city or county for the use thereof.

O.R.C. SECTION 711.03 Cornerstone: Permanent Markers

At the time of surveying and laying out a village, or subdivision or addition to a municipal corporation, the proprietor of such a village, or subdivision or addition, shall plant at the corner of the public ground or lot, if there is such, and if there is none, then at the corner of one of the in-lots and at the corner of each out-lot, a good sufficient stone, of such size and dimensions and in such a manner as the surveyor provided for under Section 711.01 of the Revised Code directs, for a corner from which to make future surveys, and the point at which it may be found shall be designated on the plat.

Such proprietor shall also set at least four permanent markers in each plat of ten lots or less. In a village or subdivision, addition or allotment having more than ten lots, whether within or without a municipal corporation, the proprietor shall cause to be placed as many additional markers as the surveyor deems necessary to properly control his original survey.

Such markers shall be made of either stone or concrete at least four inches in diameter, or four inches square, and properly marked. The markings on such markers shall consist of a cross cut with the legs of the cross at least three inches long and at least one-eighth inch deep. Solid iron pins of at least one inch diameter may also be used as permanent markers. All stones, concrete or iron pin markers shall be at least thirty inches long and the bottom of such

markers shall be set at least thirty inches between finished grade.

If the location for a permanent marker is originally determined to be in an area of solid rock it may be relocated and offset from its original position. Such relevation must be noted on the plat. These and all other markers shall be designated on the plat before it is presented for record, but setting of such markers shall not be required prior to completion of construction necessary to the improvement of the land.

O.R.C. SECTION 711.02 Planning Commission or Legislative Authority to approve Plat.

The Approval of the Planning Commission, Platting Commissioner, or the Legislative authority of a village, required by this section, or the refusal to approve, shall be endorsed on the plat within thirty days after the submission of the plat for approval or within such further time as the applying party may agree to; otherwise such plat is deemed approved, and the certificate of the Planning Commission, Platting Commissioner or the clerk of such legislative authority, as to the date of the submission of the plat for approval and the failure to take action thereon within such time, shall be issued on demand and shall be sufficient in lieu of the written endorsement or other evidence or approval required by this section. The ground or refusal or approval of any plat submitted, including citation of, or reference to the rule or regulation violated by the plat, shall be stated upon the record of the Commission, Commissioners or Legislative Authority.

O.R.C. SECTION 711.12 Forfeiture for Wrongfully Recording Plats

A county recorder who records a plat contrary to Sections 711.01 to 711.38, inclusive, of the Revised Code, shall forfeit and pay not less than One Hundred nor more than Five Hundred Dollars to be recovered, with costs in a civil action by the Prosecuting Attorney in the name and for the use of the County.

O.R.C. SECTION 711.13 Transfer of Land Before Recording: Forfeiture.

Whoever, being the owner or agent of the owner of any land within or without a municipal corporation, willfully transfers any lot, parcel, or tract of such land from or in accordance with a plat of a subdivision as specifically defined in this chapter, before such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than Ten nor more than Five Hundred Dollars for each lot, parcel, or tract of land so sold. The description of such lot, parcel or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from forfeiture provided in this section.

If the land is situated outside a municipal corporation, such sum

may be recovered in a civil action, brought by the Prosecuting Attorney, other corresponding official, or planning commission of the county in which the land is situated, in the name of the county and for the use of the road repair fund thereof.

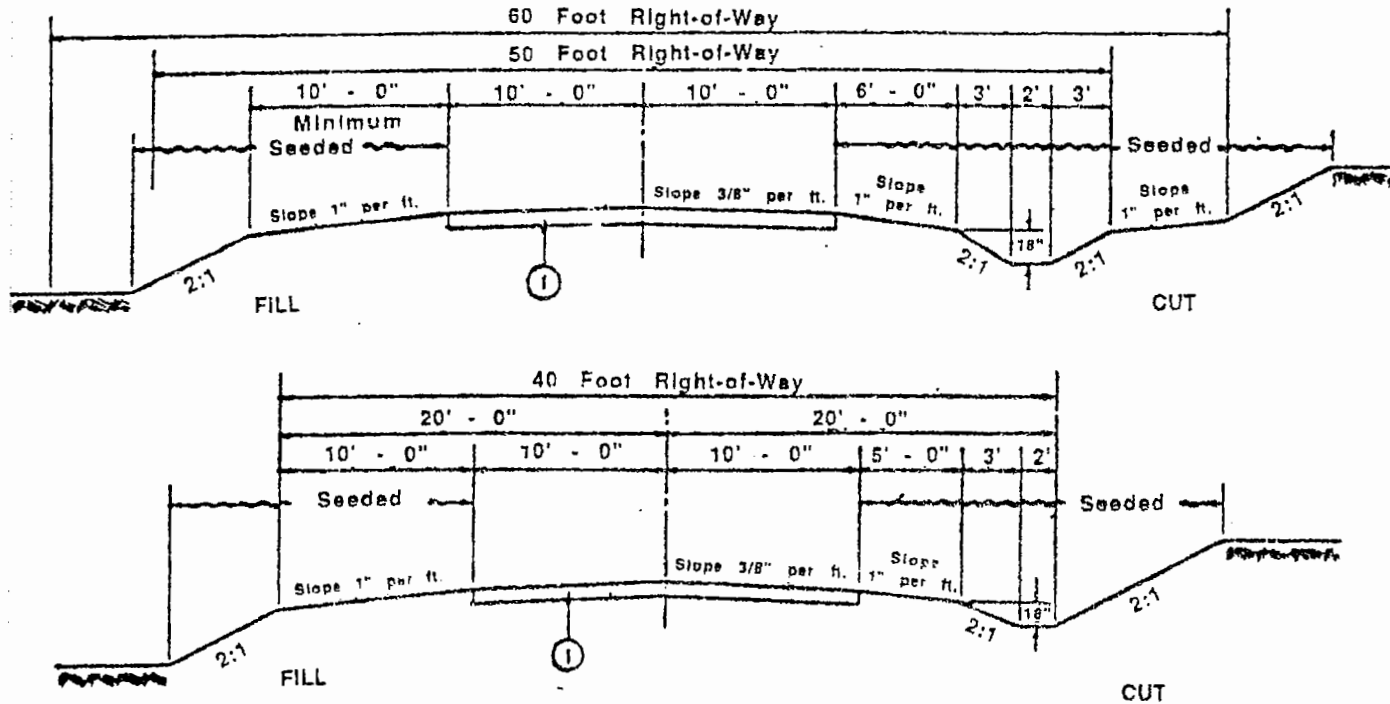
O.R.C. SECTION 711.121 Conveyances Contrary To Plat Law.

The County Auditor and the County Recorder shall not transfer property or record deeds or leases which attempt to convey property contrary to the provisions of Chapter 711 of the Revised Code. In case of doubt, the County Auditor or County Recorder may require the person presenting such deed or lease to give evidence of the legality of a conveyance by metes and bounds by an affidavit as to the facts which exempt such conveyance from the provisions of Chapter 711, of the Revised Code.

ARTICLE VII - VALIDITY

If any article, section, subsection, paragraph, sentence or phrase of these regulations is for any reason held to be invalid by a Court of Competent Jurisdiction, such decision shall not affect the validity of the remaining portions of these regulations.

EXHIBIT "A"
TYPICAL SECTION ALLOTMENT STREETS



- ① 6" (Compacted) Bank or Crusher Run Aggregate. Item T-10. (Or equal as determined by the County Engineer and approved by the County Commissioners.)

The specifications of the State of Ohio, Department of Highways, for construction and materials, shall govern the building of said street.

NOTE-Seeding is recommended but not required.