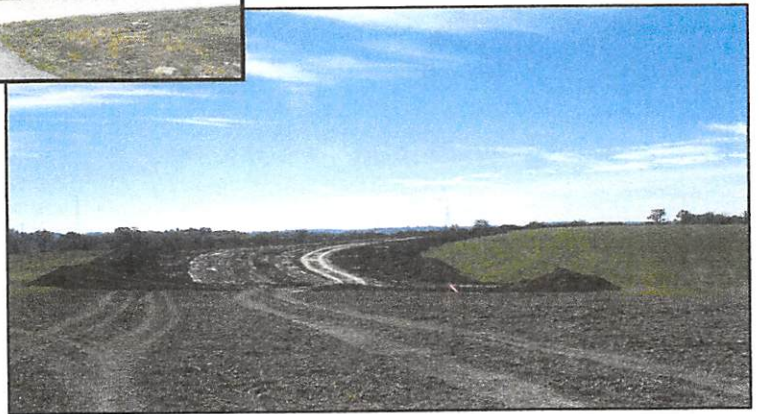


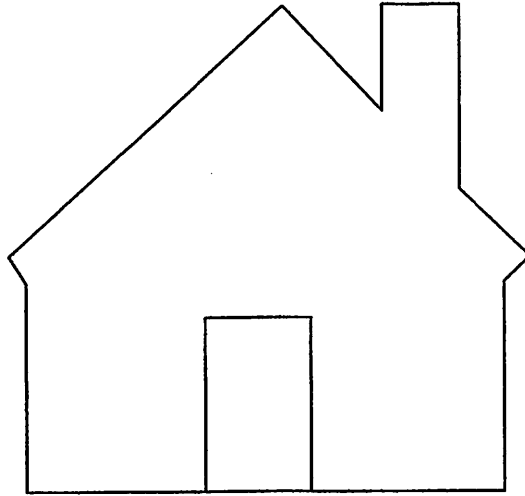
JACKSON COUNTY, OHIO



JACKSON COUNTY SUBDIVISION REGULATIONS

JACKSON COUNTY PLANNING COMMISSION
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PART I



*These regulations shall be administered by
the Jackson County Planning
Commission...*

SUBDIVISION REGULATIONS

SUBDIVISION REGULATIONS

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INTRODUCTION

The regulation of residential subdivision activity is widely recognized as a method of insuring sound community growth and serves as a means for safeguarding the interests of the homeowner, subdivider and local government. Regulations controlling land subdivision are perhaps the most important guiding instrument and undoubtedly require the greatest amount of cooperation between the local government and the developer. These regulations are intended to provide standards and specifications along with a sound working relationship for both governmental officials responsible for community design and the developer.

The subdivision regulations are divided into three main sections. Part I contains subdivision regulations. It is a technical, legal document. It includes definitions, provisions for enforcement and administration; plat approval procedures; and design and improvement standards.

Part II is a commentary section which, verbally and graphically, explains specific articles and sections of the regulations. The comments and illustrations attempt to clarify or explain difficult or involved sections of the regulations. To facilitate the use of the regulations, appropriate references to sections of the Ohio Revised Code are also included.

Part III contains a series of forms to assist in the establishment of proper administration of the subdivision regulations. Each form embodies a procedure to expedite or facilitate a specific requirement of the regulations.

PREAMBLE

A Resolution of the County of Jackson, Ohio, enacted in accordance with Chapter 711, Ohio Revised Code, and for the purpose of protecting the public health, safety, comfort, convenience and general welfare: and regulating the development of subdivided areas: promoting the proper arrangement of streets and layout of lots: providing for adequate and convenient provision of open spaces, utilities, recreation, and access to service and emergency vehicles: providing for adequate provision of water, drainage, sewer, and other sanitary facilities: providing for the administration of these regulations and defining the powers and duties of the administrative officers: prescribing penalties for the violation of the provisions in this Resolution or any amendment thereto:

Now therefore be it resolved by the Planning Commission of the County of Jackson and the Board of Commissioners of the County of Jackson, State of Ohio.

Article I

Title, Scope, and Jurisdiction

SECTION 100

Title

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

SECTION 110

Administration

These regulations shall be administered by the Jackson County Planning Commission.

SECTION 120

Jurisdiction

These regulations shall be applicable to all subdivisions of land within the unincorporated area of the County other than land within three miles of a city as provided in Section 711.09 of the Revised Code. The County Planning Commission shall have the power of final approval of all plats. Whenever a city within Jackson County has adopted a Major Thoroughfare Plan, Parks and Public Open Space Plan for the territory within the city limits and for the territory within the three mile limit of the city, has adopted subdivision regulations, and is exercising extra-territorial jurisdiction, the City Planning Commission may receive advice from the County Planning Commission upon all subdivision plats located within three miles of the corporate limits. The City Planning Commission shall have the final approval of the plat, except for the provisions in Article 5, beginning on page 39 of these regulations.

SECTION 130

Relation to Other Laws

The provisions of these regulations shall supplement any and all laws of the State of Ohio, resolutions of the County, or any and all rules and regulations promulgated by authority of such law or resolution relating to the purpose and

scope of these regulations. Whenever the requirements of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolution, the most restrictive or that imposing the higher standards shall govern.

SECTION 140

Amendments

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

SECTION 150

Separability

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

Article 2

Definitions

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

1. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
3. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
4. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied".
5. The word "lot" includes the words "plot" or "parcel".

Alley: See Thoroughfare.

Building Line: See Setback Line.

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

Corner Lot: See Lot Types

Covenant: A written promise or pledge.

Cul-de-Sac: See Thoroughfare

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

Dead-end Street: See Thoroughfare

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

- a. Gross Density – the number of dwelling units per acre of the total land to be developed.
- b. Net Density – the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

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

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

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

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

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

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

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

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

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

Highway Director: The director of the Ohio Department of Highways.

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.

Location Map: See Vicinity Map.

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

Lot Frontage: The front of a lot shall be construed to be the portion nearest the street.

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

Lot Measurements: A lot shall be measured as follows:

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

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

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

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

2. An interior lot is a lot other than a corner lot with only one frontage on a street.
3. A through lot is a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
4. A reversed frontage lot is a lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

Major Thoroughfare Plan: The comprehensive plan adopted by the County Planning Commission indicating the general location recommended for arterial, collector, and local thoroughfares within the unincorporated areas of Jackson County.

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

Monuments: Permanent concrete or iron markers used to establish definitely all lines of the plat of a subdivision, including all lot corners, boundary lines corners, and points of change in street alignment.

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

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

Performance Bond or Surety Bond: An agreement by a subdivider or developer with the County for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement.

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

Public Way: An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk,

street, subway, tunnel, viaduct, walk or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

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

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

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

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

Subdivider: See Developer.

Subdivision:

1. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites, or lots any one of which is less than five (5) acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five (5) acres not involving any new streets or 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
2. The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street or streets except private streets serving industrial structures, the division or allocation of land as open spaces for common use by owners, occupants, or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities. (See Minor Subdivision).

Surveyor: Any person registered to practice surveying.

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

1. "Level" is that land which has a cross slope range of four (4) percent or less:
2. "Rolling" is that land which has a cross slope range or more than (4) percent but not more than eight (8) percent;
3. "Hilly" is that land which has a cross slope range of more than eight (8) percent but not more than fifteen (15) percent.
4. "Hillside" is that land which has a cross slope range of more than fifteen (15) percent.

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

1. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
2. Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic usually on a continuous route.
3. Collector Street: A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivision.
4. Cul-de-Sac: A local street or relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround.
5. Dead-end Street: A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
6. Local Street: A street primarily for providing access to residential, commercial, or other abutting property.

7. Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street.
A U-shaped street.
8. Marginal Access Street: A local or collector street, parallel and adjacent of an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets.
(Also called Frontage Street.)

Through Lot: See Lot Types

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

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

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

Article 3

Procedure for Subdivision Approval

SECTION 300

Preapplication Meeting Required

The subdivider shall meet with the County Planning Commission or its designated representative prior to submitting the preliminary plat. The purpose of this meeting is to discuss early and informally the purpose and effect of these regulations and the criteria and standards contained therein; and to familiarize the developer with the Comprehensive Plan, the Major Thoroughfare Plan, the Parks and Public Open Space Plan, and the drainage, sewerage, and water systems for the County of Jackson, Ohio.

SECTION 301

Preapplication Sketch Content

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

1. A vicinity map showing the location of the proposed subdivision in relation to existing thoroughfares, landmarks, and other developments.
2. The layout and acreage of streets, lots, and any non-residential sites such as commercial, manufacturing, school or recreational uses within the proposed subdivision.
3. The location of utilities in the proposed subdivision, if available, or the locations of the nearest sources for water and public facilities for the disposal of sewage and storm water.
4. A soils map prepared by the U.S. Soil Conservation Service or other qualified soil scientist if on lot sewage disposal systems are to be used.
5. The scale and title of the subdivision, a north arrow, and the date.
6. Name, address, and phone number of owners and developer.

SECTION 310

Preliminary Plat Required

After the preapplication stage, the subdivider shall submit a preliminary plat of the proposed subdivision, which shall conform with the requirements set forth in Section 311 to 318, inclusive. The preliminary plat shall be prepared by a qualified registered engineer or surveyor.

SECTION 311

Submission to the Ohio Department of Transportation

Before any plat of a subdivision, which is adjacent to a state highway, is approved, a copy shall be forwarded by the County Planning Commission to the appropriate district office of the Ohio Department of Transportation. O.D.O.T. shall review the plat to determine the preferred location and specifications for the intersections of subdivision streets and driveways with the state highway.

SECTION 312

Application for Tentative Approval

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

SECTION 313

Preliminary Plat Form

The preliminary plat shall be drawn at a scale not less than one hundred (100) feet to the inch and shall be on one of more sheets of the size currently required by the Jackson County Recorder.

SECTION 314

Preliminary Plat Contents

The preliminary plat shall contain the following information:

1. Proposed name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the County.
2. Location by section, range, and township or other surveys.

3. Names, addresses and phone numbers of the owner, subdivider, and professional engineer or registered surveyor who prepared the plat, and appropriate registration numbers and seals.
4. Date of survey.
5. Scale of the plat, north point.
6. Boundaries of the subdivision and its acreage.
7. Names of adjacent subdivision, owners of adjoining parcels of unsubdivided land, and the location of their boundary lines.
8. Locations, widths, and names of existing streets, railroad rights-of-way, easement, parks, permanent buildings and corporation and township lines; location of wooded areas and other significant topographic and natural features within and adjacent to the plat for a minimum distance of two-hundred (200) feet.
9. If the tract to be subdivided contains twenty acres or more, a contour map of the area embraced. Existing contours at an interval of not greater than two (2) feet if the slope of the ground is fifteen (15) percent or less; and not greater than five (5) feet where the slope is more than fifteen (15) percent.
10. Existing sewers, water lines, culverts, and other underground structures, and power transmission poles and lines, within and adjacent to the tract.
11. Location, names, and widths of proposed streets and easements.
12. Building setback lines with dimensions.
13. Location and dimensions of all proposed utility and sewer lines, showing their connections with the existing system.
14. Layout, numbers and approximate dimensions of each lot. When a lot is located on a curved street or when side lot lines are not at ninety (90) degree angles, the width at the property lines shall be shown.
15. Parcels of land in acres to be reserved for public use or to be reserved by covenant for residents of the subdivision.
16. A vicinity map at a scale of not more than four hundred (400) feet to the inch shall be shown on, or accompany, the preliminary plat. This map shall show all existing subdivisions roads, and tract lines and the

nearest existing thoroughfares. It shall also show the most advantageous connections between the roads in the proposed subdivision and those of the neighboring areas.

SECTION 315

Supplementary Information

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

1. Statement of proposed use of lots, giving type and number of dwelling units and type of business or industry.
2. Location and approximate dimensions of all existing buildings.
3. For commercial and industrial development, the location, dimensions, and approximate grade of proposed parking and loading areas, alleys, pedestrian walks, streets, and the points of vehicular ingress and egress to the development.
4. Description of proposed covenants and restrictions.
5. In a letter accompanying the request for approval of the preliminary plat, the subdivider shall state the type of sewage disposal he proposes to use. In other than a treatment plant, it shall be accompanied by a letter from the County Health Department stating what type of sewage disposal will be approved for the soil conditions encountered in the proposed subdivision. A central sewage treatment plant and a central water system shall be constructed by the subdivider when deemed necessary by the Jackson County Health Department and the Ohio Environmental Protection Agency.
6. A preliminary drainage plan for areas of improvements within the proposed subdivision that are to be cut or filled.

SECTION 316

Filing

The preliminary plat shall be considered officially filed on the day it is received by the County Planning Commission and shall be so dated.

SECTION 317

Approval of Preliminary Plat

The Planning Commission shall forward copies of the preliminary plat to such officials and agencies as may be necessary for the purpose of study and recommendation. These shall include at least the County Engineer and the County Health Department. After receipt of reports from such officials and agencies, the Planning Commission shall determine whether the preliminary plat shall be approved, approved with modification or disapproved. If a plat is disapproved, the reasons for such disapproval shall be stated in writing. The Planning Commission shall act on the preliminary plat within thirty-five (35) days after filing unless such time is extended by agreement with the subdivider.

SECTION 318

Approval Period

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

SECTION 319

Final Plat Required

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

SECTION 320

Application for Approval of Final Plat

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

SECTION 321

Regulations Governing Improvements

The final plat drawings and specifications of improvements shall be a set of construction and utility plans prepared by a registered professional engineer or surveyor. The plans shall include typical sections, plans and profile views, construction details and estimates of quantities. The subdivider has the option of constructing new streets and roads in accordance with the standards prescribed in Article 5 of these regulations before approval of the final plat, or he may post a performance bond guaranteeing the construction of the roads within two years of the approval of the final plat by the County Planning Commission and County Commissioners. (Section 711.101 O.R.C.).

SECTION 322

Final Plat Form

The final plat shall be legibly drawn in waterproof ink on Mylar or other material of equal permanence. It shall be drawn at a scale not less than one hundred (100) feet to the inch, and shall be one (1) or more sheets of a size required by the Jackson County Recorder. If more than one (1) sheet is needed, each sheet shall be numbered and the relation of one sheet to another clearly shown.

SECTION 323

Final Plat Contents

The final plat shall contain the following information:

1. Name of the subdivision, location by section, range and township, or by other survey number; date, north point, scale, and acreage.
2. Name and address of the subdividers, and the professional engineer and/or registered surveyor who prepared the plat and appropriate registration numbers and seals.
3. Plat boundaries, based on accurate traverse, with angular and lineal dimensions. All dimensions, both linear and angular shall be determined by an accurate control survey in the field which must balance and close within the limit of one (1) in five thousand (5000).
4. Bearings and distances to nearest established street lines or other recognized permanent monuments.

5. Exact locations, right-of-way, and names of all streets within and adjoining the plat, and building setback lines.
6. Radii, internal angles, points of curvature, tangent bearings, lengths of arcs, and lengths and bearings of chords of all applicable streets within the plat area.
7. All easements and rights-of-way provided for public services or utilities.
8. All lot numbers and lines with accurate dimensions in feet and hundredths. When lots are located on a curve, the lot width at the building setback line shall be shown.
9. A table showing the total acreage in the subdivision, in lots and in streets. When the subdivision is in two or more sections or SSR lots, then the above mentioned acreage shall be shown for each section or SSR lot.
10. Accurate outlines of areas to be dedicated or reserved for public use, or any area to be reserved for the common use of all property owners. The use and accurate boundary locations shall be shown for each parcel of land to be dedicated.
11. A copy of any restrictions and covenants the subdivider intends to include in the deeds to the lots in the subdivision.
12. Certification by a registered surveyor to the effect that the plat represents a survey made by him and that the monuments shown thereon exist as located and that all dimensional details are correct.
13. Notarized certification by the owner or owners of the adoption of the plat and the dedication of streets and other public areas.
14. Typical sections and complete profiles of streets and other related improvements to be constructed in the proposed subdivision.
15. The location of and a description of all monuments and pins as specified in Section 502.

SECTION 324

Supplementary Information

The following information shall be supplied in addition to the requirements in Section 323.

1. Certification shall be required showing that all required improvements have been either installed and approved by the proper officials or agencies, or that a bond or other surety has been furnished assuring installation of the required improvements.

SECTION 325

Filing

The final plat shall be filed with the County Planning Commission not later than twelve (12) months after the date of approval of the preliminary plat; otherwise it will be considered void unless an extension is requested by the developer and granted in writing by the County Planning Commission. A filing fee shall be charged as indicated in Section 803.

SECTION 326

Approval of Final Plat

The Planning Commission shall approve or disapprove the final plat within thirty (30) days after it has been filed. Failure of the Planning Commission to act upon the final plat within such time shall be deemed as approval of the plat. If the plat is disapproved, the grounds of disapproval shall be stated in the records of the Planning Commission, and a copy of such record shall be forwarded to the subdivider. The Planning Commission shall not disapprove the final plat if the developer has done everything that he/she was required to do and has proceeded in accordance with the conditions and standards specified in the approved preliminary plat. If disapproved the subdivider shall make the necessary corrections and resubmit the final plat within sixty (60) days to the Planning Commission for its final approval. If the Planning Commission refuses a plat, the person submitting the plat may file a petition within ten (10) days after such refusal, in the Court of Common Pleas to reconsider the action of the Planning Commission.

SECTION 327

Transmittal of Copies

After the Planning Commission has approved the final plat, the original Mylar sheets shall be returned to the subdivider. The subdivider shall obtain all other required signatures and file the plat with the Jackson County Recorder within six (6) months from the date of approval by the Planning Commission. If not recorded within this time, the approval shall be null and void unless, the Planning Commission grants an extension. The subdivider shall provide a Mylar copy of the approved final plat to the Jackson County Engineer.

SECTION 328

Lot Splits and Minor Subdivisions

Approval without a plat of a lot split or a minor subdivision may be granted by the County Planning Commission or its authorized representative if the proposed division of a parcel of land meets all of the following conditions:

1. The proposed subdivision is along an existing public road and involves no opening, widening or extension of any street.
2. No more than five (5) lots are involved after the original parcel has been completely subdivided.
3. The subdivision is not contrary to applicable platting, subdividing, zoning, health, sanitary or access management regulations or regulations adopted under division (B) (3) of section 307.37 of the Revised Code including, but not limited to, rules governing household sewage disposal systems. A variance can only be requested before the entire Planning Commission.
4. The survey submitted meets the requirements set forth by the Jackson County Auditor.
5. Approval is granted, where applicable by the Health Department, County Engineer, Planning Commission and Ohio Department of Transportation.
6. A fee as listed in SECTION 803, page 57 of these regulations, is paid.

(See pages 13 and 69 for definition of a minor subdivision and other pertinent information.)

Article 4

Subdivision Design Standards

SECTION 400

General Statement

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

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

SECTION 401

Conformity to Development Plans

The arrangement, character, width, and location of all arterial and collector thoroughfares or extensions, thereof shall conform with the County's Major Thoroughfare Plan. Thoroughfares not contained in the aforementioned plan shall conform to the recommendation of the County Planning Commission based upon the design standards set forth in Section 402 to 419, inclusive.

SECTION 402

Suitability of Land

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

SECTION 410

Street Design

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

SECTION 411

Street Design Standards For Cul-de-Sacs and Loop Type Local Streets

The design and improvement standards contained in the following table are suggested minimums for cul-de-sacs and loop type local streets in residential subdivisions. All such streets shall be designed and constructed in accordance with standards as specified in Table 1 on Page 30.

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

SECTION 412

Street Design Standards for All Local Streets Except Cul-de-sacs and Loop Type Streets

The design and improvement standards contained in the following table are suggested minimums for all local type streets, except cul-de-sacs and loop type streets, in residential subdivisions. All such streets shall be designed and constructed in accordance with the standards as specified in Table 2 on page 31.

SECTION 413

Collector Street Design Standards

The design and improvement standards contained in the following table are suggested minimums for all collector streets. All such streets shall be designed and constructed in accordance with the standards as specified in Table 3 on page 32.

SECTION 414

Horizontal Alignment

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

SECTION 415

Vertical Alignment

1. All changes of grade shall be connected by vertical curves of a minimum length in feet equal to twenty (20) times the algebraic difference in the rate of grade for arterials and industrial streets; for collector and local streets, fifteen (15) times.
2. Minimum vertical visibility shall conform to the Ohio Department of Highway's regulations in effect on the date of the approval of the preliminary plat.
3. No street grade shall be less than 0.6 percent and in no case shall a street grade be more than three (3) percent within one hundred (100) feet of an intersection.

SECTION 416

Intersection Design Standards

1. The design and improvement standards for intersections are suggested minimums for all street intersections in subdivisions. All such intersections shall be designed and constructed in accordance with the standards as specified in Table 4 on page 33.
2. Multiple intersections involving junctions of more than two (2) streets shall be avoided.
3. Four-way intersections of local streets should be avoided and three-way or T-intersections should be encouraged wherever possible.

SECTION 417

Special Street Types

The following requirements shall apply to special street types:

1. Permanent dead-end streets shall not be permitted. Temporary dead-end streets shall be permitted only as part of a continuing street plan, and only if a temporary turnaround satisfactory to the Commission in design, is provided, and provisions for maintenance, and removal are advanced. Temporary dead-end streets longer than two hundred (200) feet shall not be permitted.
2. Where a subdivision adjoins an arterial street, a marginal access street shall be designed, if the subdivision design is such that residential lots would require direct vehicular access onto the arterial highway. Points of access to the arterial street shall be spaced at a minimum of thirteen hundred twenty (1320) feet. A planting strip having a minimum width of twenty (20) feet shall be provided between the pavement of the arterial street and the pavement of the marginal access street. The minimum width of the marginal access right-of-way shall be fifty (50) feet.
3. Alleys shall not be approved in residential subdivisions, except where justified by extreme conditions. Alleys may be required in commercial and industrial districts if other provisions cannot be made for adequate service access. The minimum widths for alleys shall be twenty (20) feet for the right-of-way and sixteen (16) feet for the pavement width.

TABLE 1

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

TERRAIN CLASSIFICATION	LEVEL			ROLLING			HILLY		
	Development Density	LOW	MED	HIGH	LOW	MED	HIGH	LOW	MED
Right-of-way (ft)	50	50	60	50	50	60	50	50	60
Pavement Width (ft)*	20	24	34	20	24	34	20	24	34
Sidewalk Width (ft)	4	4	4	4	4	4	4	4	4
Minimum Stopping Sight Distance (ft)	200	200	200	150	150	150	110	110	110
Maximum Grade	4%	4%	4%	8%	8%	8%	15%	15%	15%
Maximum Cul-de-sac Length	700	500	500	600	500	500	500	500	500
Minimum Cul-de-sac Radius (Row)	50	50	50	50	50	50	50	50	50
Minimum Cul-de-sac Radius (Pavement)	30	30	30	30	30	30	30	30	30
Minimum Center Line Radius of Streets with an Angel of Turn of:									
	1. Between 80 & 100	50	50	50	50	50	50	50	50
2. Less than 80 Or more Than 100	200	200	200	200	200	200	150	150	150

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

** Additional pavement width may be required by the County Engineer if on street parking is permitted. This requirement also applies to pavement widths in Table 2 and 3.*

TABLE 2

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

TERRIAN CLASSIFICATION	LEVEL			ROLLING			HILLY		
Development Density	LOW	MED	HIGH	LOW	MED	HIGH	LOW	MED	HIGH
Right-of-way (ft)	50	50	60	50	60	60	50	60	60
Pavement Width (ft)*	20	24	34	20	24	34	20	24	34
Sidewalk Width (ft)	4	4	4	4	4	4	4	4	4
Minimum Stopping Sight Distance (ft)	200	200	200	150	150	150	110	110	110
Maximum Grade	4%	4%	4%	8%	8%	8%	15%	15%	15%
Minimum Center Line Radius of Streets with an Angle of Turn of:									
	1, Between 80 & 100	50	50	50	50	50	50	50	50
2. Less than 80 or more than 100	200	200	200	2000	200	200	150	150	150

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

TABLE 3

COLLECTOR STREET DESIGN STANDARDS

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

TABLE 4
INTERSECTION DESIGN STANDARDS

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

SECTION 418

Streets for Commercial Subdivisions

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

SECTION 419

Streets for Industrial Subdivisions

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

SECTION 420

Sidewalks

1. Sidewalks may be required on both sides of the street in all residential subdivisions where the predominate lot width is less than one hundred (100) feet and on one side where the predominate lot width is greater than one hundred (100) feet but less than one hundred and fifty (150) feet. No sidewalks will normally be required where the predominate lot width is greater than one hundred and fifty (150) feet.
2. Public sidewalks may be required for commercial and industrial lots regardless of lot size if determined to be necessary by the County Planning Commission.

SECTION 430

Blocks

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

1. The arrangement of blocks shall be such as to conform to the street planning criteria set forth in Section 410 to 420, inclusive, and shall be arranged to accommodate lots and building sites of the size and character required for the district as set forth in these subdivision regulations and to provide for the required community facilities.
2. Irregularly shaped blocks, those intended for cul-de-sacs or loop streets, and those containing interior parks or playgrounds, may be approved by the Commission if properly designed and located and if the maintenance of interior public spaces is covered by agreements.
3. No block shall be longer than fifteen hundred (1500) feet and the block width shall accommodate two (2) tiers of lots, except where unusual topography or other exceptional physical circumstances exist.
4. Where blocks are over nine hundred (900) feet in length a crosswalk easement not less than ten (10) feet in width at or near the halfway point may be required, if necessary, to provide proper access to schools, recreational areas, shopping centers, and other facilities.
5. For slope areas where the average topographic slope is fifteen (15) percent or greater, refer to Hillside Regulations, Section 600 or 612, inclusive.

SECTION 431

Lots

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

1. The lot arrangement and design shall be such that all lots will provide satisfactory building sites, properly related to topography and the character of surrounding development
2. All lots shall conform to or exceed the requirements of these regulations and the use for which they are intended.
3. Each lot shall front on a public thoroughfare. The minimum lot sizes,

widths, and setbacks shall be as specified in Table 5 on page 38 and are intended to accommodate one structure of the type indicated. With the exception of accessory structures such as garages and storage buildings, no more than one structure may be placed on a lot unless the additional minimum square footage is provided.

4. All side lot lines shall be at right angles to street lines and radial to curved street lines, except where the Planning Commission determines that a variance to this rule would provide a better layout.
5. Lots with double frontage shall be avoided except where the Planning Commission determines that it is essential to provide separation of residential development from arterial streets.
6. No corner lot shall have a width at the building line of less than seventy-five (75) feet.
7. No lot shall have an average depth that is more than three (3) times its average width, nor shall it have a depth of less than one hundred twenty (120) feet except that whenever a lot fronts upon an exterior curved portion of a street, the centerline radius of which is one hundred (100) feet or less then the required minimum lot depth may be reduced to not less than one hundred (100) feet.

SECTION 440

Easements

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

SECTION 441

Flood Areas and Storm Drain Ditches

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

shall furnish a surety or certified check covering the cost of the required improvements.

2. Flood control or storm drainage facilities shall be provided as follows:
 - a. Access to flood control or storm drainage ditches and channels shall be by means of easements. Such easements shall be not less than thirty (30) feet in width, exclusive of the width of the ditch, or channel, and an easement of this type shall be provided on one (1) side of a flood control or storm drainage ditch, channel, or similar type facility;
 - b. Flood control or storm drainage easements containing underground facilities shall have a minimum width of ten (10) feet.
 - c. Whenever a flood control or storm drainage ditch or channel has a depth of five (5) feet or more, or a bank slope of two (2) feet horizontal to one (1) foot vertical or steeper, a five (5) foot high masonry wall or a five (5) foot high chain link fence may be required by the Commission.

SECTION 450

Public Sites, Open Space and Natural Features

Where a school, park or recreation area, shown on the Jackson County Comprehensive Plan is located in whole or in part in the proposed subdivision, it shall be reserved on the plat for acquisition by a public agency for a period of three years from the date the final plat is approved.

The Commission shall wherever possible, establish the preservation of all natural features which add value to residential developments and to the community, such as large wooded areas, water courses, beaches, areas of historical significance, and similar irreplaceable assets.

TABLE 5

MINIMUM DIMENSIONAL REQUIREMENTS

DEVELOPMENT TYPE	PUBLIC WATER AVAILABLE	PUBLIC SEWER AVAILABLE	MINIMUM LOT WIDTH (FT)	LOT AREA (Square Feet)	MINIMUM FRONT SETBACK REQUIREMENTS (FT)		
					Arterial Streets	Collector Streets	Local Streets And Cul de sacs
Single-Family	Yes	No	85	20,000 Sq. Ft.	40	35	30
	No	Yes	80	9,600 Sq. Ft.	40	35	30
	Yes	Yes	70	8,400 Sq. Ft.	40	35	30
	No	No	100	40,000 Sq. Ft.	40	35	30
Two-Family	Yes	No	120	40,000 Sq. Ft.	40	35	30
	No	Yes	90	10,800 Sq. Ft.	40	35	30
	Yes	Yes	90	10,000 Sq. Ft.	40	35	30
	No	No	Prohibited				
Three-Family	Yes	No	200	60,000 Sq. Ft.	40	35	30
	No	Yes	110	17,000 Sq. Ft.	40	35	30
	Yes	Yes	100	15,000 Sq. Ft.	40	35	30
	No	No	Prohibited				
Multi-Family (4 Family or More)	Yes	No	Prohibited				
	No	Yes	90	5,000 Sq. Ft.*	50	40	35
	Yes	Yes	90	4,500 Sq. Ft.*	50	40	35
	No	No	Prohibited				
Commercial	Yes	No	150	30,000 Sq. Ft	50	40	35
	No	Yes	125	25,000 Sq. Ft	50	40	35
	Yes	Yes	100	20,000 Sq. Ft.	50	40	35
	No	No	200	1 Acre	50	40	35
Industrial	Yes	No	150	1 Acre	50	40	35
	No	Yes	125	30,000 Sq. Ft	50	40	35
	Yes	Yes	100	24,000 Sq. Ft	50	40	35
	No	No	300	2 Acres	50	40	35

* Per Dwelling Unit.

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

Article 5

Requirements for Construction of Improvements

Section 500

Guarantee for Installation of Improvements

All improvements required herein shall be constructed prior to the granting of the final plat approval by the County Planning Commission and County Commissioners; or the subdivider shall furnish the County Commissioners with a performance or surety bond or certified check for the amount of the estimated construction cost for the ultimate installation as determined by the Jackson County Engineer. A maintenance bond or certified check in the amount of five (5) percent of the final construction cost shall be provided for a maintenance period of one (1) year beginning with the date of acceptance of the street improvements by the County Commissioners. Normal and expected wear as determined by the County Engineer shall be excluded for the items to be covered by this bond.

SECTION 501

Construction Procedure and Materials

The subdivider shall design and construct improvements not less than the standards outlined in these regulations. The work shall be done under County supervision and inspection and shall be completed within the time fixed or agreed upon by the County Engineer. However, this time period shall not be longer than two years from the date of approval of the final plat. The minimum requirements for materials shall be in accordance with the standards of the current volume of "Construction and Material Specifications" of the State of Ohio Department of Highways, and the requirements of the Ohio Environmental Protection Agency. All inspection costs if any, shall be paid for by the subdivider.

SECTION 502

Monuments, Markers, and Pins

Permanent concrete monuments shall be accurately set and established at the intersections of all outside boundary lines of the subdivision; at the intersections of those boundary lines with all street lines; at the beginning and end of all curves, at points on curves where the radius or direction changes; and at such other points as are necessary to establish definitely all lines of the plat. Stone or concrete monuments shall be at least thirty six (36) inches long and at least six (6) inches in diameter, and shall be provided with an appropriate center point.

Solid iron pins or iron pin monuments at least one (1) inch in diameter and at least thirty (30) inches long may be used at all other points including lot corners.

SECTION 503

Street Improvements

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

SECTION 504

Street Width

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

SECTION 505

Street Subgrade

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

SECTION 506

Street Base Course

Based upon soil and traffic conditions, and with the approval of the County Engineer, the developer has the option of using any of the following base courses: aggregate, bituminous aggregate, asphaltic concrete, Portland cement concrete, or equally suitable base course. Thickness shall be subject to approval of the County Engineer, based upon the physical properties of the base course used and the physical properties of the roadbed. The County Engineer may require that the developer employ the services of a qualified engineer, consultant, and/or testing laboratory to determine the bearing value and desired pavement thickness.

SECTION 507

Street Surface Course

Upon the expiration of the established maintenance period for the base course, the surface course shall be constructed using asphaltic concrete, bituminous mix, or Portland cement concrete. Specific material and thickness shall be based upon traffic conditions and shall be subject to approval by the County Engineer.

SECTION 508

Portland Cement Concrete Pavement

If the subdivider elects to construct streets totally out of Portland cement concrete or if such pavement is required by the County Engineer, thicknesses of six (6) inches for local and collector streets and seven (7) inches for arterial, commercial, and industrial streets shall be required as a minimum. The County Engineer may require pavement of greater thickness based upon his evaluation of the subgrade, traffic, and wheel load conditions.

SECTION 509

Full-Depth Asphalt Pavement

If streets are to be constructed out of "full-depth" asphalt, an asphalt pavement in which asphalt-aggregate mixtures are used for all courses above the subgrade, careful inspection of the subgrade may be necessary, to determine pavement thicknesses. For local streets pavements may vary from four (4) to six (6) inches depending upon subgrade conditions. For collector streets, pavements shall vary from five (5) to nine (9) inches, and for arterial and industrial streets from six (6) to eleven (11) inches.

SECTION 510

Street Curbs and Gutters

The requirements for curbs and gutters will vary according to the character of the area and the density of development. In areas of notable flash flooding or heavy rain run-off, curbs shall be required to channel the flow of water. Curbs shall be required on all streets designed for areas where the existing or anticipated residential density of the area surrounding the proposed subdivision equals or exceeds three (3) dwelling units per net acre. In commercial developments, or where other similar intensive urban uses exist or are anticipated, curbs shall be required. Where curbs exist on abutting properties, their extension shall be required throughout the proposed subdivision. Curbs, combined curbs, and

gutters shall be constructed in conformance with the current "Construction and Material Specifications" of the State of Ohio Department of Highways.

SECTION 511

Sidewalks

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

SECTION 512

Driveways

Driveways shall have a maximum grade of ten (10) percent. Driveways and curb cuts shall be located not less than three (3) feet from the side lot line.

SECTION 513

Street Name Signs and Street Naming

1. Street name signs, of a type in use throughout the County shall be erected by the subdivider at all intersections.
2. To avoid duplication and confusion, the proposed names of all streets shall be approved by the County Engineer prior to such names being assigned or used.
3. Whenever a new street is constructed along the approximate alignment or extension of an existing street, its name shall be the same as that of the existing one.
4. Whenever a street alignment changes direction more than seventy-five (75) degrees without a return to the original alignment within a distance of five hundred (500) feet, then the name of the street shall be changed at the point of curvature.
5. Whenever a cul-de-sac street serves not more than three (3) lots, the name of the intersecting street shall apply to the cul-de-sac.

SECTION 514

Street and Walkway Lighting

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

SECTION 515

Street Trees

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

SECTION 520

Water Supply Improvements

The following requirement shall govern water supply improvements:

1. Where a public water supply is reasonable accessible or required because of pollution problems, in the determination of the County Planning Commission, the subdivision shall be provided with a complete water distribution system, including a connection for each lot and where determined to be necessary and feasible by the County Planning Commission, appropriately spaced fire hydrants. Public water supply systems shall meet the requirements of the Ohio Environmental Protection Agency and the state and county health departments.
2. Where public water supply is not available or not required, the subdivider shall supply acceptable evidence of the availability of water. The subdivider may be required to make one (1) or more test wells in the area to be platted if such evidence is deemed not acceptable.

Copies of well logs, which are obtained, shall include the name and address of the well driller and shall be submitted with the plat to the County Planning Commission.

3. Individual private wells shall be located at least five (5) feet from property lines; fifty (50) feet from all septic tanks, fifty (50) feet from all tile fields and other sewage disposal facilities, except as otherwise specified by state and county health department regulations; (25) feet from streams, lakes, ponds, and ditches; ten (10) feet from all watertight sewers and drains, and shall not be located within any areas of flooding. Minimum lot sizes shall be in accordance with Section 431 (3) of these regulations. In all cases where it has been determined that individual water supplies from private wells are not feasible, a public water distribution system shall be required.

SECTION 521

Fire Protection

Fire hydrants with two and one half (2 1/2) inch outlets and one (1) large pumping connection shall be provided by the subdivider in all subdivisions with public water supplies which are required to have fire hydrants. The hydrants should be located between property lines and curbs with all outlets facing or parallel to the street. Hydrants shall be placed at the corners of all blocks and at mid-block for blocks exceeding eight hundred (800) feet in length. Hydrants shall also be required at the entrance and end of all cul-de-sacs exceeding four hundred (400) feet in length.

The type of hydrant and control valves and the location of the hydrant shall be approved by the Fire Chief. The minimum size of any water line serving any hydrant shall not be less than six (6) inches in diameter.

SECTION 530

Sanitary Sewer Improvements

The following requirements shall govern sanitary sewer improvements:

1. Where an adequate public sanitary sewer system is reasonably accessible, in the determination of the County 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 Environmental Protection Agency. Combinations of sanitary sewers and storm sewers shall be prohibited.

2. Where a public sanitary sewer system is not reasonably accessible, the subdivider may provide;
 - a. a central treatment plant, provided that such central treatment plant is installed in accordance with Ohio Environmental Protection Agency and Board of County Commissioners requirements.
 - b. lots may be served by individual disposal systems if the provisions of Section 431 (3) are met and the County Health Department and the Ohio Environmental Protection Agency consider it to be advisable to utilize individual systems.
3.
 - a. Where the installation of individual disposal systems is considered, the absorptive ability of the soil, depth to bedrock, surface drainage, ground water level, and topography shall be the criteria for determining whether or not the installation of individual systems are permissible. Criteria shall be in accordance with the requirements of the County Board of Health and the requirements of the Ohio Department Of Health and Ohio Environmental Protection Agency.
 - b. Each lot so served shall be of a size and shape to accommodate the necessary length of tile field at a safe distance from and at lower elevation than the proposed building(s).

SECTION 540

Drainage Improvements

The subdivider shall construct all necessary facilities including underground pipe, inlets, catch basins, or open drainage ditches, as determined by the County Engineer, to provide for the adequate disposal of subsurface and surface water and maintenance of natural drainage courses. Drainage ditches shall not be permitted to discharge into any sanitary sewer facility.

SECTION 541

Storm Sewers and Storm Water Drainage

Where an adequate public storm sewer is available at the plat boundary, the subdivider shall construct a storm sewer system and connect with such storm sewer line. If such a storm sewer system is not accessible, natural drainage channels with easements of adequate width shall be provided, as determined by the County Engineer and approved by the County Planning Commission. Paved gutters or storm sewers shall be required if velocities of flow are great enough to

cause destructive erosion. Storm drainage, including drain tile around basements, shall not be permitted to discharge into any sanitary sewer facility, but shall connect to an adequate drainage outlet.

SECTION 542

Culverts and Bridges

Where natural drainage channels intersect any street right-of-way, it shall be the responsibility of the subdivider to have satisfactory bridges and/or culverts constructed in accordance with the requirements of the County Engineer.

SECTION 550

Final Inspection

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

Article 6

Hillside Regulations

SECTION 600

General

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

SECTION 601

Determination of Average Slope

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

SECTION 602

Minimum Lot Requirements For Single Family Homes

The minimum lot requirements (see chart on page 50) shall be used to determine the minimum lot area for a single-family home. The average percent of slope is determined by the County Planning Commission. The lot area in thousands of square feet shall then be determined by charting the average natural ground slope and the minimum lot area. Rounding shall be made to the nearest five (5) foot frontage interval. Deviations from these requirements may be allowed subject to determination by the Planning Commission where exceptional circumstances warrant.

SECTION 603

Grading Plan and Controls

The grading plan shall show contour lines at five (5) foot intervals where average slopes exceed fifteen (15) percent and at two (2) foot intervals where slopes are less than fifteen (15) percent.

Elevations are to be based on the sea level datum (USGS), if available. The approximate lot layout and the approximate dimensions shall be shown for each lot and each building site. Where pads are utilized or proposed for building sites, engineering data shall show the existing topography and the approximate finished grades, location and size of each building site, and finished grade of streets prior to consideration of the final plat.

SECTION 604

Cuts and Fills

No land shall be graded, cut, or filled so as to create a slope exceeding a vertical rise of one (1) foot for each two and one half (2 1/2) feet of horizontal distance between abutting lots, unless a retaining wall of sufficient height and thickness is provided to retain the graded bank. Major cuts, excavation, grading and filling, where the same materially changes the site and its relationship with surrounding areas or materially affects such areas, shall not be permitted in such excavation, grading, and filling will result in a slope exceeding a vertical rise of one (1) foot for each two and one half (2 1/2) feet of horizontal distance between abutting lots or between adjoining tracts of land, except where adequate provision is made to prevent slides and erosion by cribbing and retaining walls.

SECTION 605

Compaction of Fill

All fill shall be compacted to a density of ninety (90) percent or greater. Inspection of fill shall be conducted by the County Engineer.

SECTION 606

Retaining Walls

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

SECTION 607

Minimum Hillside Requirements

The following regulations shall govern the set back, side yard, street right-of-way and pavement requirements in hillside subdivisions:

GROUP	PERCENT OF SLOPE	SETBACK (FEET)	SIDE YARD IN % OF LOT WIDTH	RIGHT – OF-WAY	PAVEMENT
1	15+ - 25%	30'	10%	50'	20'
2	26 - 30%	30"	10%	40'	20'
3	31% - Over	30'	10%	40'	18'

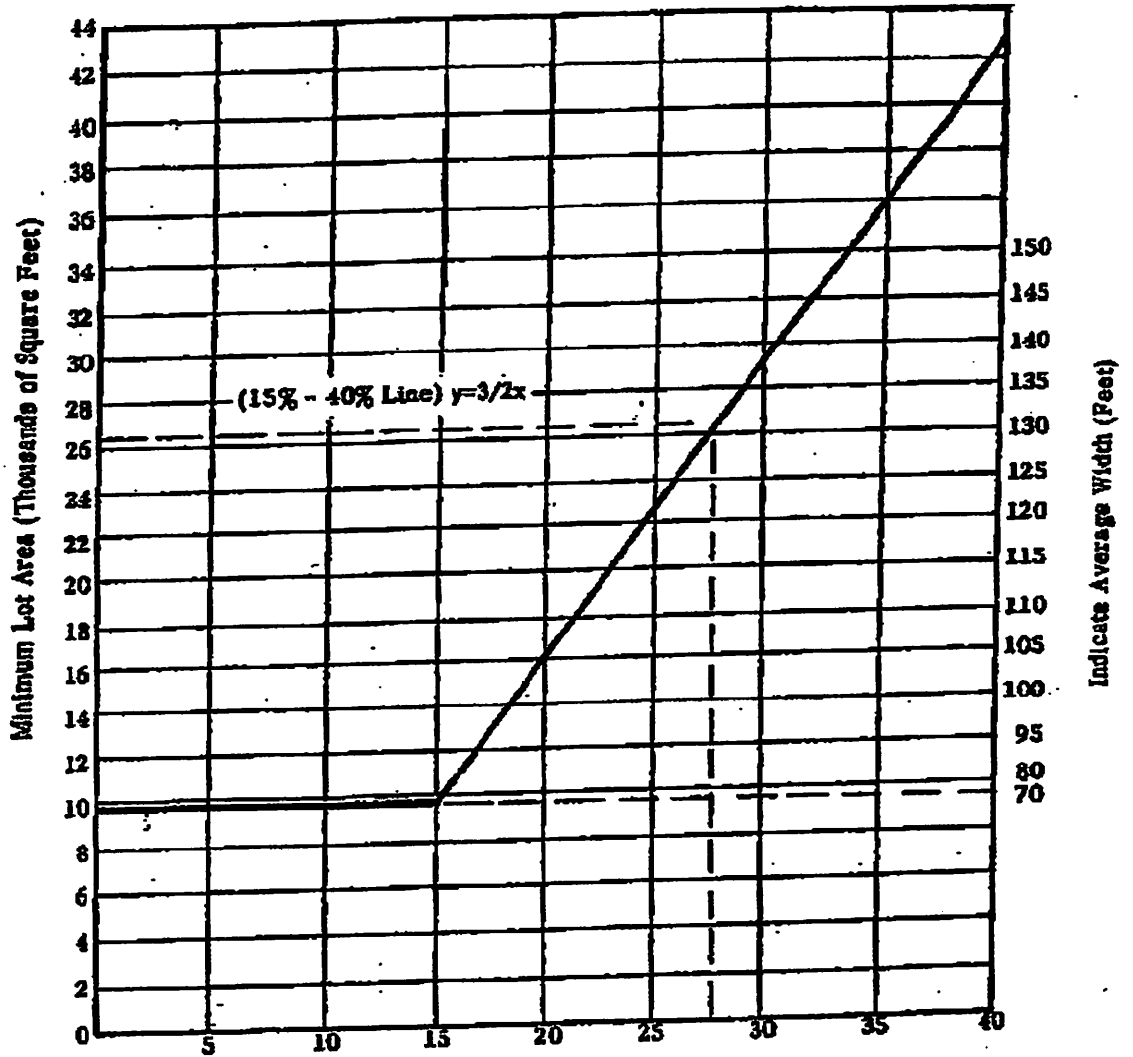
SECTION 608

Street Alignment

The following regulations shall govern street alignment:

1. Vertical profile grades shall be connected by vertical curves up to twenty (20) percent, but only for short, straight stretches.
2. Waiver of visibility requirements may be given subject to the approval of the County Planning Commission.
3. Waiver of vertical curve requirements may be given subject to the approval of the County Planning Commission.

MINIMUM LOT SIZE REQUIREMENTS BASED ON SLOPE



AVERAGE PERCENT OF NATURAL GROUND SLOPE

Example: as indicated above, the minimum lot size for a single-family house on a lot with an average slope of 28 percent is 26,000 sq. ft. The minimum lot width is 130 feet. The resulting lot depth is 200 feet.

$$\frac{26,000}{130} = 200$$

SECTION 609

Driveways

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

SECTION 610

Sidewalks

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

SECTION 611

Sewage Disposal

Where public sewers are not available or reasonably accessible a central treatment plant may be required by the Ohio Environmental Protection Agency and the County Board of Health. Severe slope is a limiting factor in the installation of individual sewage disposal systems.

SECTION 612

Undeveloped Land

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

ARTICLE 7

Required Statements and Signatures To be Affixed on the Plat

SECTION 700

Required Statements

The following statements shall be affixed on the subdivision plat:

Situated in the County of Jackson, State of Ohio, and being a part of Section _____, Township of _____, Range _____, containing _____ acres and being the same tract as conveyed to _____ and described in the deed recorded in Deed Book _____, Page _____, Recorder's Office, Jackson County, Ohio.

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

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

In witness thereof, _____ have hereunder set their hands this _____ day of _____, 20_____.

Witness

Signed

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

By _____ Registered Surveyor # _____

STATE OF OHIO
COUNTY OF _____

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

In witness whereof I have hereunto set my hand and affixed my official seal this _____ day of _____, 20_____.

By _____

SECTION 701

Outside the Three Mile Limit of a City

Approved this ____ day of _____, 20 ____, _____
Jackson County Engineer

Approved this ____ day of _____, 20 ____, _____
Jackson County
Health Commissioner

Approved this ____ day of _____, 20 ____, _____
Jackson County
Planning Commission
Chairman

Approved this ____ day of _____, 20 ____, (Approval of this plat for recording does not constitute an acceptance of the dedication of any public street, road or highway dedicated on such plat, Section 711.10 Ohio Revised Code.)

Jackson County
Commissioners

Transferred this _____, 20 ____, _____
Jackson County
Auditor

Filed for Record this _____ day of _____ 20 ____. At _____ m.

Recorded this ____ day of _____, 20 ____ in Plat Book ____ Page No ____

Jackson County
Recorder

Note: If public sewer and water are available, the plat need not be signed by the Jackson County Health Commissioner.

SECTION 702

Within the Three Mile Limit of a City

Approved this _____ day of _____, 20____. _____
Jackson County Engineer

Approved this _____ day of _____, 20____. _____
Jackson County
Health Commissioner

Approved this _____ day of _____, 20____. _____
Jackson County
Planning Commission
Chairman

Approved this _____ day of _____, 20____. _____
_____ City
Planning Commission
Chairman

Approved this _____ day of _____, 20____. _____
Mayor City of _____

Approved this _____ day of _____, 20____. (Approval of this plat for recording does not constitute an acceptance of the dedication of any public street, road or highway dedicated on such plat, Section 711.04 and 711.041, Ohio Revised Code.)

Jackson County
Commissioners

Transferred this _____ day of _____, 20____. _____
Jackson County
Auditor

Filed for Record this ____ day of _____, 20 ____, At _____ m.

Recorded this ____ day of _____, 20 ____, in Plat Book ____ Page No ____

Jackson County
Recorder

Note: If public sewer and water are available, this plat need not be signed by the Jackson County Health Commissioner.

If a city is exercising extra-territorial jurisdiction, the signature of the Jackson County Planning Commission Chairman shall be required only when requested by the city having jurisdiction.

ARTICLE 8

Revisions, Enforcement

SECTION 800

Recording of Plat

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

SECTION 801

Revision of Plat After Approval

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

SECTION 802

Sale of Land Within Subdivisions

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

SECTION 803

Schedule of Review Fees

The subdivider shall pay a review fee according to the following schedule. Fees are due upon approval of the plat.

Number of Lots in Subdivision	Amount of Fee
2 – 5 Lots (major subdivision only)	\$ 100.00
6 – 20 Lots	\$ 250.00
21 – 35 Lots	\$ 500.00
36 and over	\$500.00 plus \$5.00 for each lot in excess of 36

SECTION 804

Penalties

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

1. Whoever violates any rule or regulations adopted by the Board of County Commissioners for the purpose of setting standards and requiring and securing the construction of improvements within a subdivision or fails to comply with any order pursuant thereto is creating a public nuisance and the creation thereof may be enjoined and maintenance thereof may be abated by action at suit of the County or any citizen thereof. Whoever violated these regulations shall forfeit and pay not less than one hundred (100) dollars nor more than one thousand (1000) dollars. Such sum may be recovered with costs in a civil action brought in the Court of Common Pleas of Jackson County.
2. A County Recorder who records a plat contrary to the provisions of these regulations shall forfeit and pay not less than one hundred (100) dollars nor more than five hundred (500) dollars, to be recovered with costs in a civil action by the Prosecuting Attorney in the name and for the use of the county.
3. Whoever, being the owner or agent of the owner of any land within or without a municipal corporation, transfers any lot, parcel or tract of such land from or in accordance with a plat of a subdivision before such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than one hundred (100) dollars nor more than five hundred (500) dollars for each lot, parcel, or tract of

land so sold. The description of such lot, parcel, or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section.

4. Any person who disposes of, offers for sale or lease for a time exceeding five (5) years any lot or any part of a lot in a subdivision before provisions of these regulations are complied with shall forfeit and pay the sum of not less than one hundred (100) dollars 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, in the name of the County Treasurer for the use of the county.

SECTION 805

Variances

The following regulations shall govern the granting of variances:

1. Where the County Planning Commission finds that extraordinary and unnecessary hardship may result from strict compliance with these regulations, due to exceptional topographic or other physical conditions, it may vary the regulations so as to relieve such hardship, provided such relief may be granted without detriment to the public interest and without impairing the intent and purpose of these regulations or the desirable development of the neighborhood and community. Such variations shall not have the effect of nullifying the intent and purpose of these regulations, the comprehensive plan, or the zoning ordinance (resolution), if such exists.
2. In granting variances or modifications, the County Planning Commission may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.
3. The person to whom a variance is granted shall comply with the terms and conditions set by the Planning Commission within six months of the date of the granting of the variance. The Building and Subdivision Coordinator may grant an additional six-month extension upon request. The variance shall become null and void if conditions are not met within the specified time period.

SECTION 806

Appeal

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

ARTICLE 9
Enactment

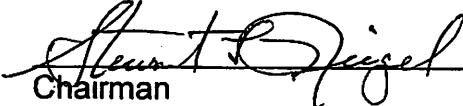
SECTION 900

Effective Date

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

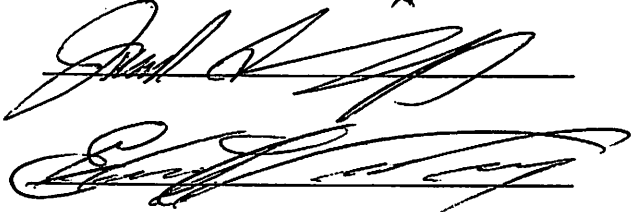
These subdivision regulations for Jackson County, Ohio, are hereby adopted this 2nd day of June, 2005.

JACKSON COUNTY
PLANNING COMMISSION

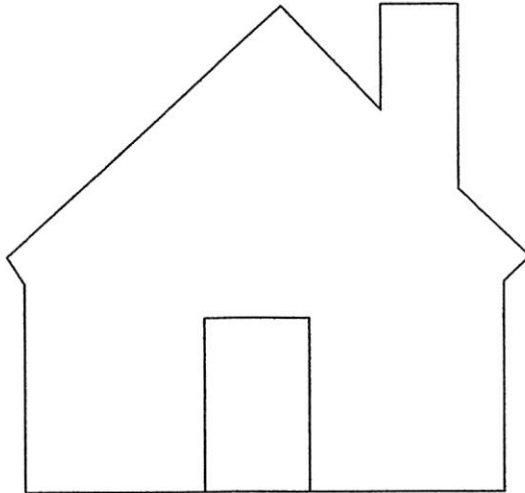

Chairman

JACKSON COUNTY
COMMISSIONERS

Rick A. McNelly (Absent)
President



Part II



*City, village, county and regional
planning commissions are given
subdivision plat approval
authority as follows.....*

COMMENTARY

ARTICLE 1

Title, Scope and Jurisdiction

SECTION 120

Revised Code 711.09, 711.10, 711.101

City, village, county, and regional planning commissions are given subdivision plat approval authority as follows:

City: A city planning commission has plat approval authority within the city and within three (3) miles of its corporation limits. Before this authority may be exercised, however, the city must formulate and adopt a major thoroughfare plan and a park and other open public grounds plan. Before any city planning commission may require the actual construction of any improvements, as a requirement for plat approval, the improvement regulations must first be approved by the city council for the city and the three (3) mile extraterritorial jurisdiction area. However, the board of county commissioners also approves the improvement regulations for land outside the city but within the three (3) mile limits. If such land lies within three (3) miles of more than one (1) city, then approval shall rest with the planning commission of the city whose boundary is nearest to the land.

Village: A village planning commission, after the formulation and adoption of the same plans required of a city, has plat approval authority of all lands within the corporation limits only. Before a village may require the actual construction of any improvement as a requirement for plat approval, the improvement regulations must first be approved by the village council.

County or Regional: A county or regional planning commission has approval authority for all subdivisions in the unincorporated area of each member county after the formulation and adoption of a major thoroughfare plan. Technically a county or regional planning commission has no approval authority for subdivisions within the three (3) mile jurisdiction of any city that enforces extraterritorial jurisdiction. Section 711.10, Ohio Revised Code, however, states that a city and county or regional planning commission, "may cooperate and agree by written agreement that the approval of a plat by the city planning commission shall be conditioned upon receiving advice from or approval by the county or regional planning commission."

A county or regional planning commission should also be the general clearinghouse for all plats. The plats should be filed with the planning commission, and from there distributed for comments to the interested agencies.

These agencies should be furnished with the Preliminary Plat Checklist (Form No. 1), Final Plat checklist (Form No. 2), and the Technical Design and Improvements checklist (Form No. 3) to help in their review of all plats.

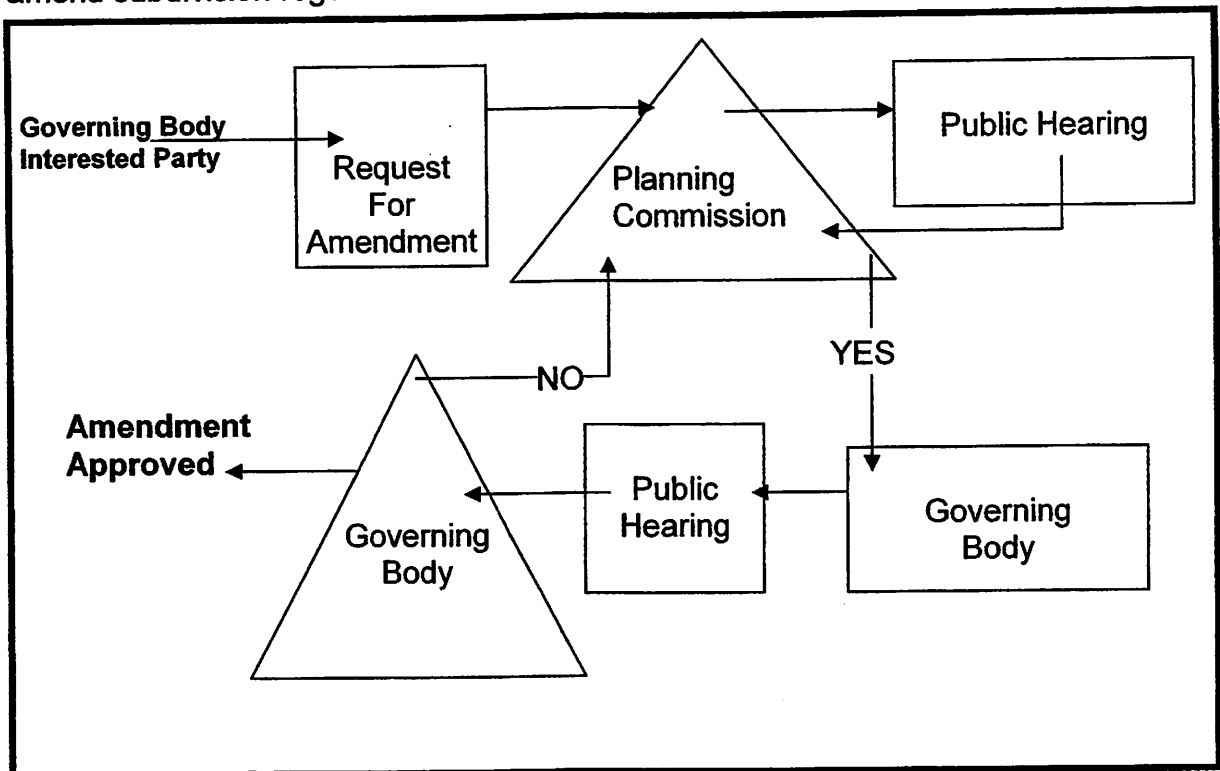
SECTION 130

This section specifies that the regulations supplement all other state and local regulations. Where the regulations are at variance with other rules, regulations, ordinances, or resolution, the most restrictive regulations shall apply.

SECTION 140

Revised Code Section 711.09, 711.10

The following illustration shows the steps generally required or recommended to amend subdivision regulations.

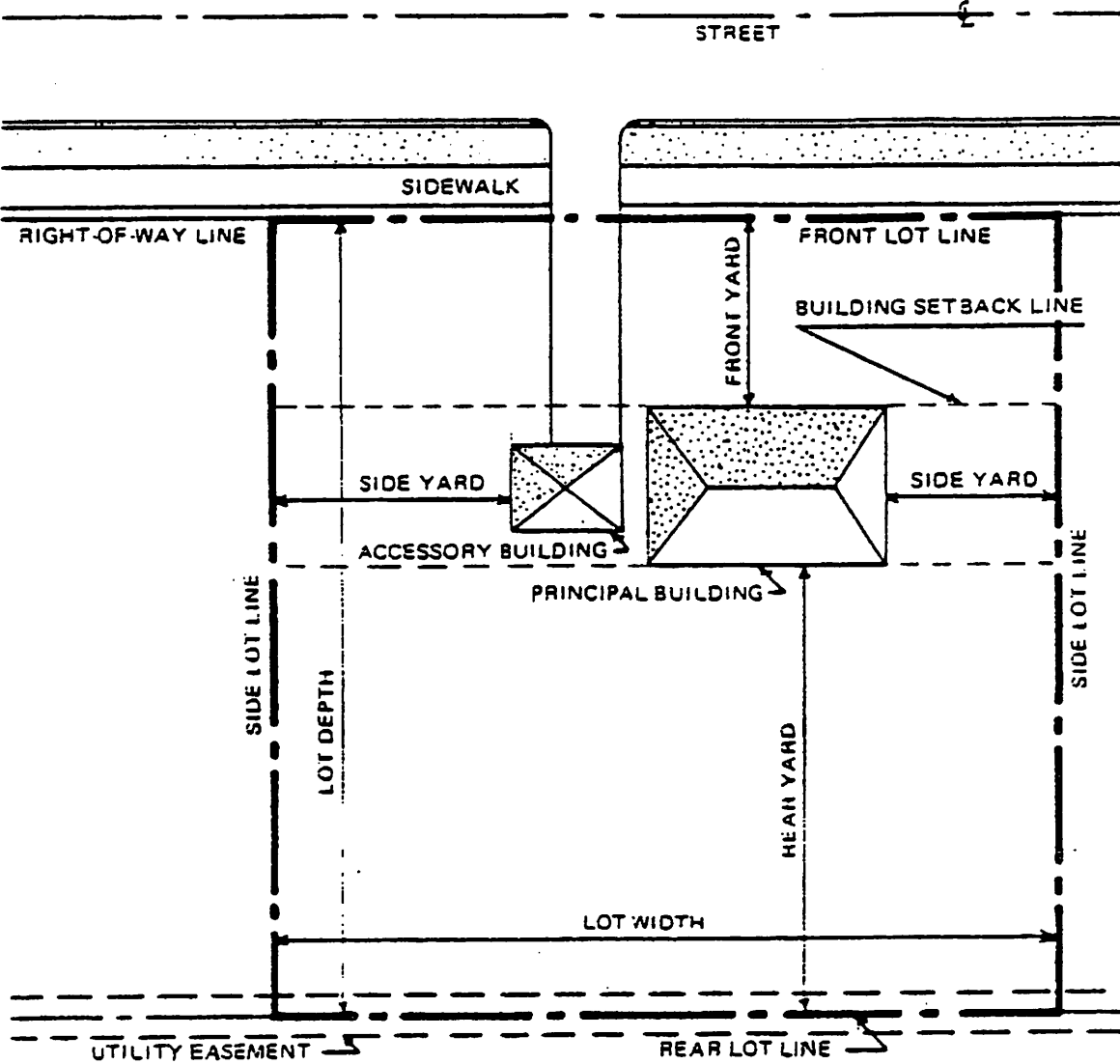


ARTICLE 2

Definitions

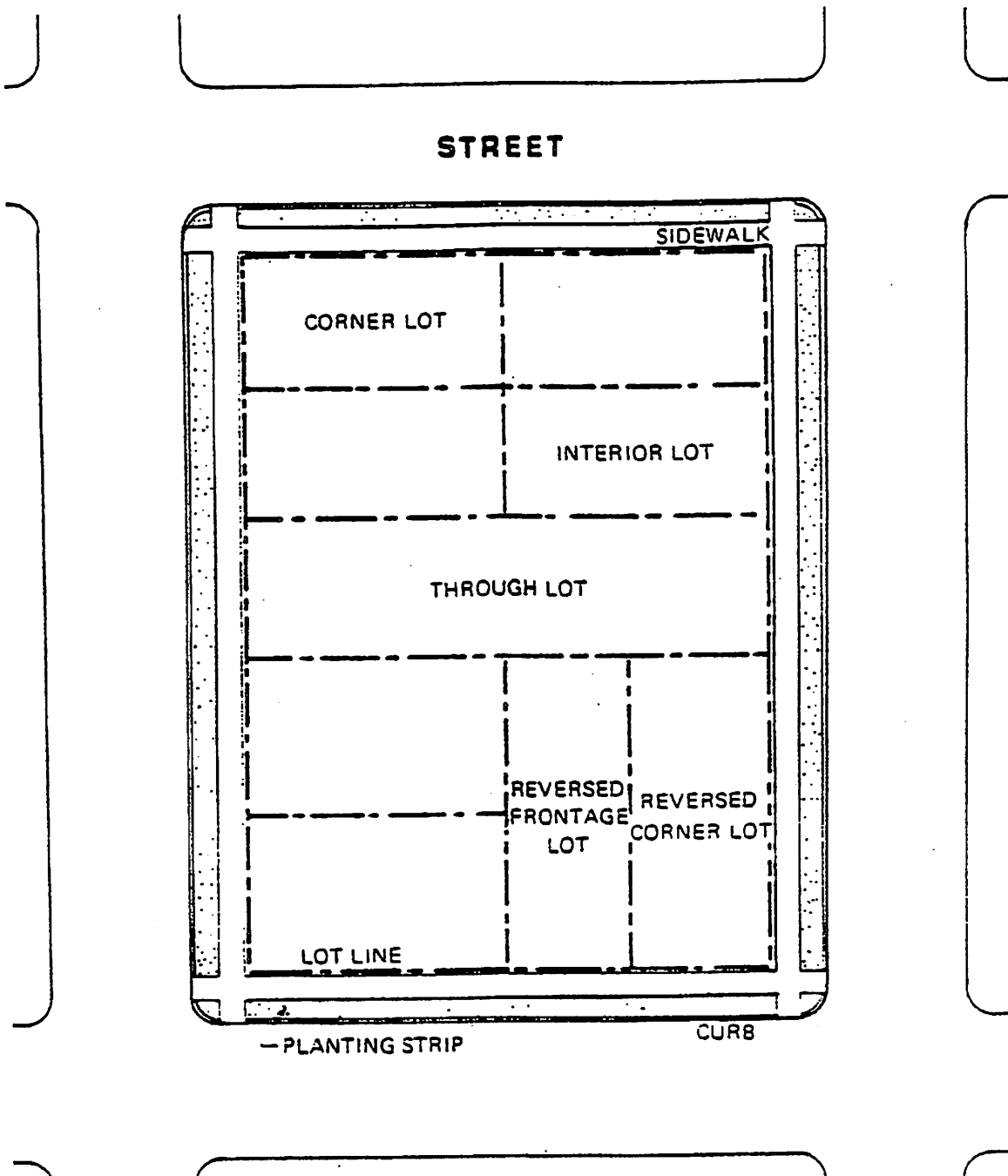
The following illustrations clarify and explain selected definitions from Article 2.

LOT TERMS

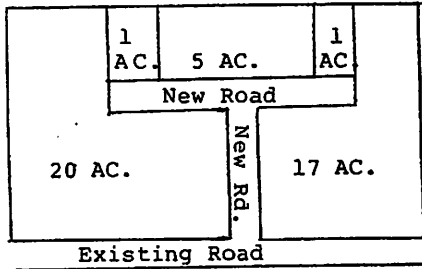


Lot Area = Total Horizontal Area

Lot Coverage = Percent of Lot Occupied by Building
TYPES OF LOTS

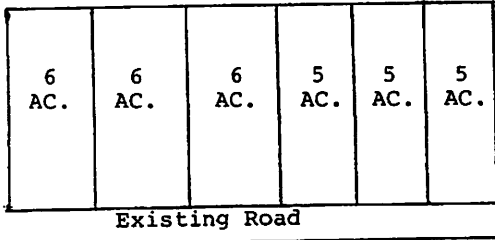
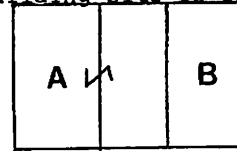


SUBDIVISION DIAGRAMS & EXAMPLES

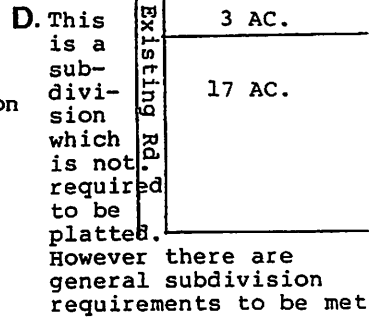


A. This subdivision is required to be platted.

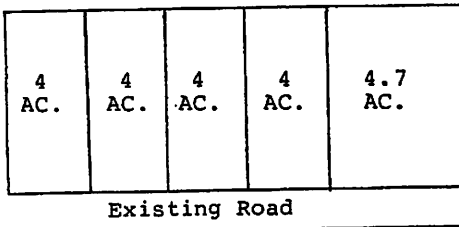
B. No plat is necessary when owner sells land to adjoining property owner where no new building site is created



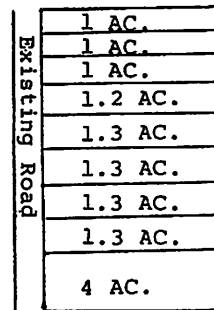
C. This division of land is not subject to subdivision regulations.



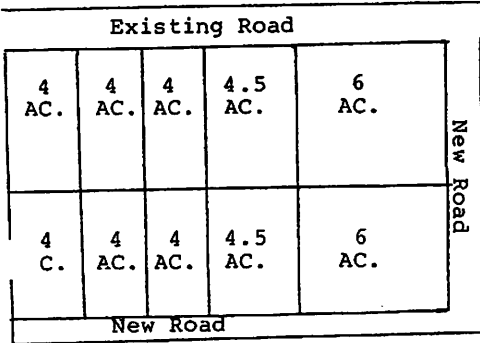
D. This is a subdivision which is not required to be platted. However there are general subdivision requirements to be met



E. This is a subdivision which is not required to be platted. However, there are general subdivision requirements to be met.

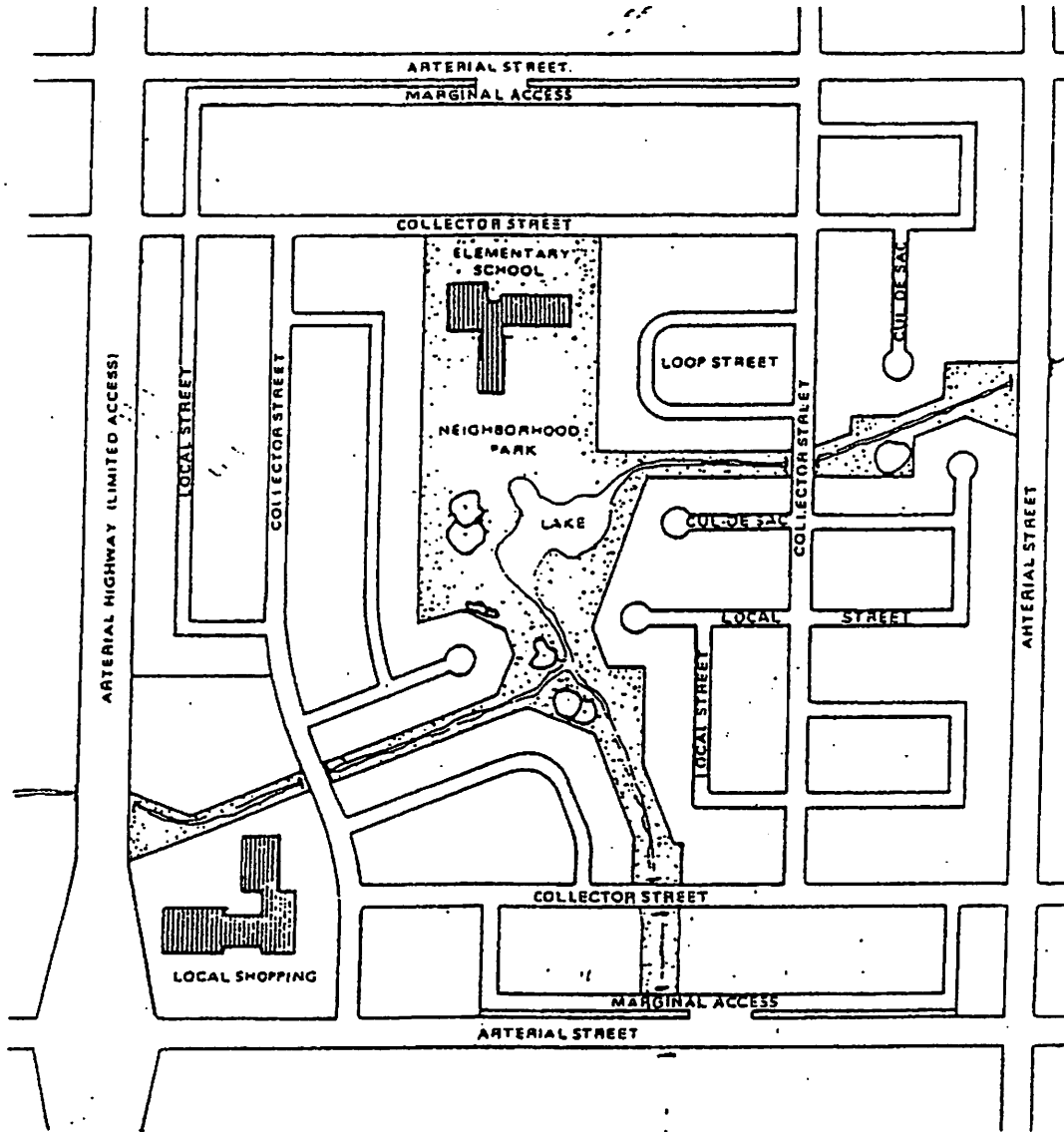


F. This is a subdivision which is required to be platted.



G. This is a subdivision which is required to be platted.

CLASSIFICATION OF THE THOROUGHFARE SYSTEM



ARTICLE 3

Procedure for Subdivision Approval

SECTION 300

The purpose of the preapplication meeting is to familiarize the developer with local planning regulations and known future plans. It may not be necessary to have such a meeting with the same developer for each subdivision. He may be aware of or familiar with the plans and regulations.

SECTION 301

A sample preapplication sketch is illustrated on the following pages.

SECTION 310

A sample preliminary plat is illustrated on the following pages. The purpose of the preliminary plat is to provide the Planning Commission with the information needed to decide if the proposed subdivision will be in accord with the public interest.

SECTION 318

The final plat must be submitted to the Planning Commission within twelve (12) months from the date of approval of the preliminary plat. The final plat must be in general conformance with the approved preliminary plat, and must incorporate all changes required by the Planning Commission. A final plat may only comprise part of a previously approved preliminary plat.

SECTION 319

A sample final plat is on the following pages. The final plat is also commonly referred to as the record plat because it will be recorded in the office of the County Recorder.

SECTION 320

Form No. 5 is a sample application for approval of a final plat.

SECTION 326

Revised Code Section 711.10

This section requires that the planning commission approve the final plat if the developer has proceeded according to the preliminary plat and other applicable or specified requirements.

Following is a summary of approval procedures as specified in this article:

1. Hold preapplication meeting between subdivider and Planning Commission to discuss the criteria and standards of the regulations, the comprehensive plan, major thoroughfare plan, parks and public open space plan, and utility service.
2. Developer submits a preapplication sketch plan containing the information as required by Section 301 of these regulations.
3. Building and Subdivision Coordinator reviews preapplication sketch and advises developer.
4. Developer submits an Application for tentative Approval of Preliminary Plat (Form No. 4) and the Preliminary Plat as specified in Section 310 to 318 of these regulations.
5. Planning Commission refers Preliminary Plat to interested governmental agencies.
6. Governmental agencies review the Preliminary Plat using the Preliminary Plat Checklist (Form No. 1) and submit their comments to the Planning Commission.
7. Planning Commission acts on Preliminary Plat within thirty (35) days of submission.
8. Developer modifies plat, prepares final improvement plans, installs improvements, or executes acceptable performance agreement.
9. Developer submits an Application for Final Plat Approval (Form No. 5) and the Final Plat as specified in Section 319-327 of these regulations.
10. Planning Commission refers final plat to interested governmental agencies.
11. Governmental agencies review the Final Plat Checklist (Form No. 2) and Technical Design and Improvement Checklist (Form No. 3) and submit their comments to the Planning Commission.

12. Planning Commission acts on Final Plat within thirty (30) days of submission.
13. Developer records plat.

SECTION 328

Revised Code Section 711.131. Ohio Attorney Generals Opinion No. 1044

Approval of minor subdivision without a record plat may be granted if the following conditions are met.

8. The proposed subdivision is along (fronts upon) an existing public road.
9. The subdivision involves no opening, widening, or extension of any road.
10. No more than five (5) lots are involved after the original tract has been completely subdivided.

The Attorney General, In Opinion No. 1044, May 14, 1964, defined the terms "original tract" and "completely subdivided" as follows:

- a. An "original tract" within the meaning of Section 711.131, Revised Code, is a contiguous quantity of land held in common ownership, which has not been platted, by the existing owner or owners.
 - b. The term "completely subdivided" as used in Section 711.131, Revised Code, means a tract, which is divided into as many lots as the subdivider intends for that tract.
11. The subdivision is not contrary to applicable subdivision regulations. Administrative approval may not be granted if any variance from subdivision regulations is requested. Variance of subdivision regulations may only be granted by the entire Planning Commission and not the Commission's authorized representative.

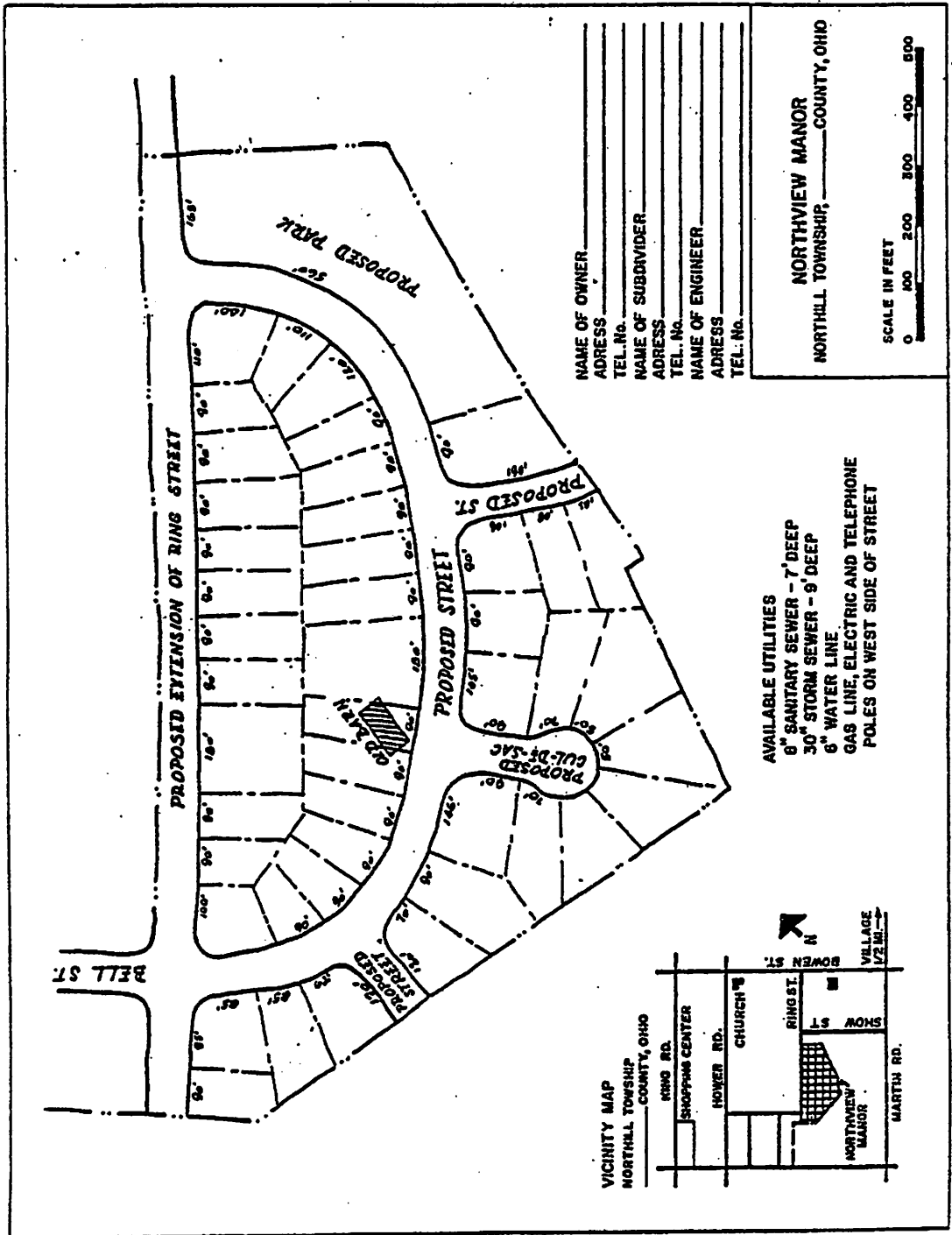
Further, Section 711.001 of the Ohio Revised Code defines Subdivision to specifically exclude two types of development.

1. Parcels more than five (5) acres in area that do not involve new streets or easements of access.

2. Transfer of parcels of land between adjoining property owners where additional building sites are not created. Under these conditions, since technically there is no subdividing taking place, no approval is needed and the parcels may be transferred and recorded.

For the approval of minor subdivisions, it is recommended that Form No. 6 – Application for Minor Subdivision Approval, be used. This form suggests that comments be received from the same agencies that review major subdivisions before the Building and Subdivision Coordinator grants final approval. The Building and Subdivision Coordinator may be reached at the Jackson County Planning Commission, 200 East Main Street, Jackson, Ohio. Telephone (740) 286-5630.

TYPICAL PREAPPLICATION SKETCH

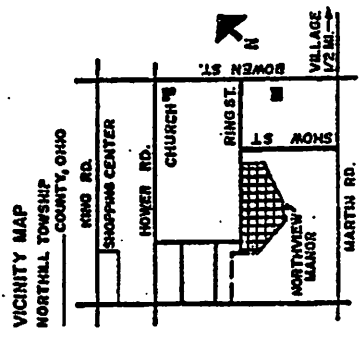


NAME OF OWNER _____
 ADDRESS _____
 TEL. No. _____
 NAME OF SUBDIVIDER _____
 ADDRESS _____
 TEL. No. _____
 NAME OF ENGINEER _____
 ADDRESS _____
 TEL. No. _____

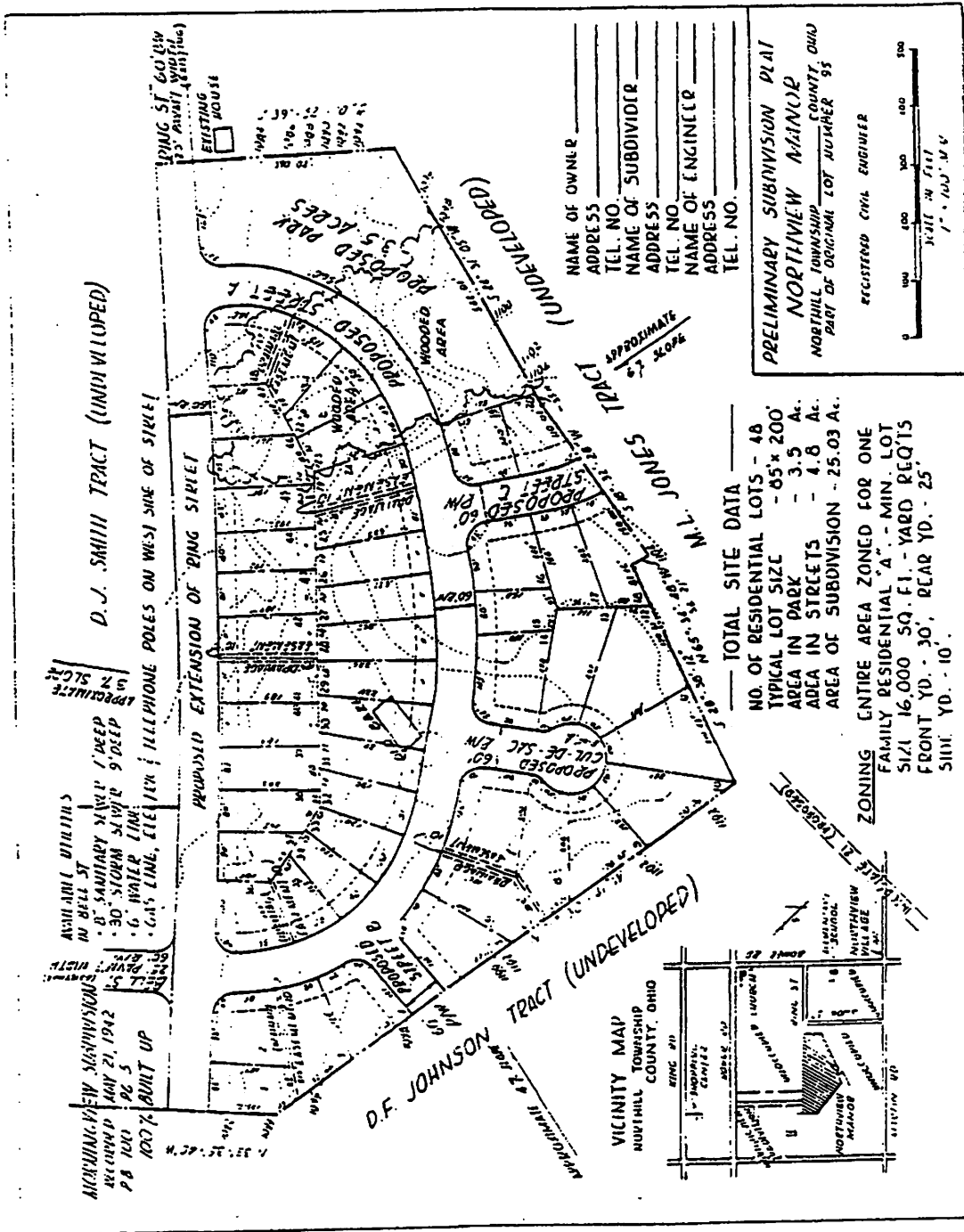
NORTHVIEW MANOR
 NORTH HALL TOWNSHIP, _____ COUNTY, OHIO

SCALE IN FEET
 0 100 200 300 400 500

AVAILABLE UTILITIES
 6" SANITARY SEWER - 7' DEEP
 30" STORM SEWER - 9' DEEP
 6" WATER LINE
 GAS LINE, ELECTRIC AND TELEPHONE
 POLES ON WEST SIDE OF STREET

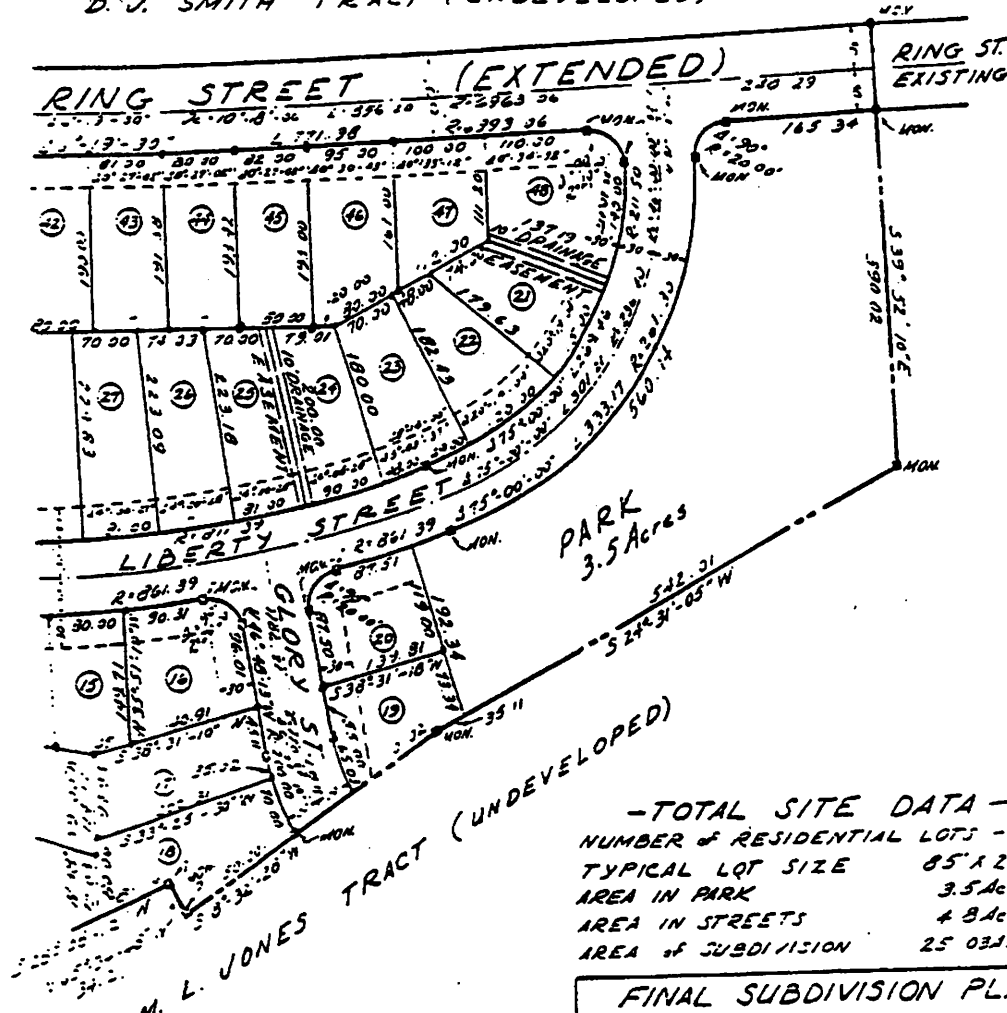


TYPICAL PRELIMINARY SUBDIVISION PLAT



TYPICAL FINAL SUBDIVISION PLAT

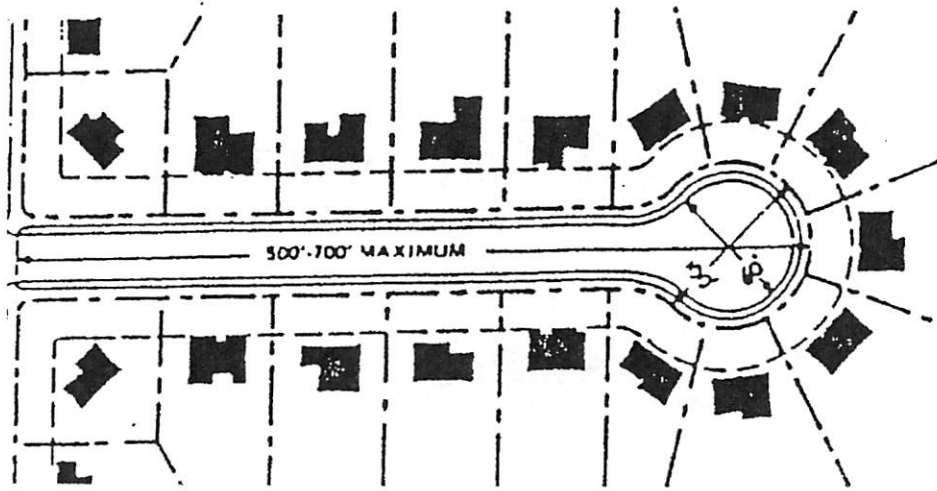
D. J. SMITH TRACT (UNDEVELOPED)



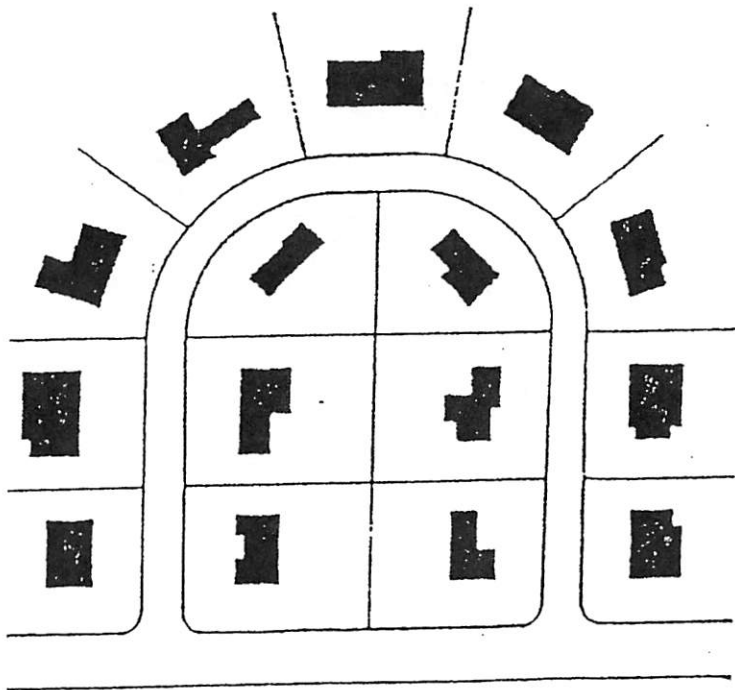
-TOTAL SITE DATA -
 NUMBER OF RESIDENTIAL LOTS - 48
 TYPICAL LOT SIZE 85' X 200'
 AREA IN PARK 3.5 Acres
 AREA IN STREETS 4.8 Acres
 AREA OF SUBDIVISION 25.032 Acres

FINAL SUBDIVISION PLAT
 NORTHVIEW MANOR
 TWP. _____ COUNTY OHIO
 LOT No. _____
 REGISTERED CIVIL ENGINEER
 DATE: _____
 SCALE 1" = 100'

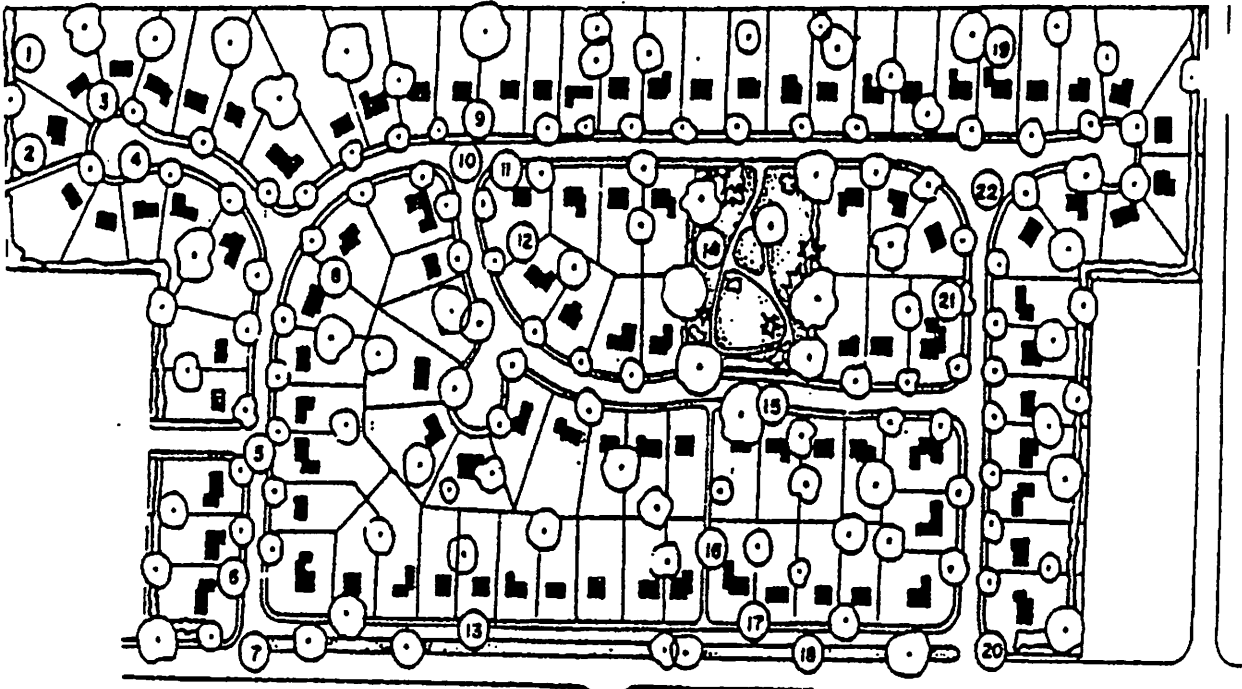
CUL DE SAC



LOOP STREET



EXAMPLE OF A SUBDIVISION



1. 15-foot easement for planting screen to provide protection from non-residential use.
2. 10-foot walk easement gives access to school.
3. Cul-de-sac utilizes odd parcel of land to advantage.
4. Turn-around right-of-way 100 feet in diameter.
5. Street trees planted approximately 50' apart where no trees exist.
6. Additional building setback improves subdivision entrance.
7. Street intersections of right angles reduce hazards.
8. Lot sideline centered on street end to avoid car lights shining into residence.
9. Residences opposite street end set back farther to reduce glare from car lights.
10. Three-way intersections reduce hazards.
11. Property lines on 30' radii at corners.
12. Lot sidelines perpendicular to street right-of-way lines.
13. Secondary roadway eliminates hazard of entering major thoroughfare from individual driveways.
14. Neighborhood park located near center of tract. Adjacent lots wider to allow for 15-foot protective side line setback.
15. Pavement shifted within right-of-way to preserve existing trees.
16. 10-foot walk easement provides access to park. Adjacent lots wider to allow for 15-foot protective side line setback.
17. Variation of building line along straight street creates interest.
18. Screen planting gives protection from noise and lights on thoroughfare.
19. Lots backing to uncontrolled land given greater depth for additional protection.
20. Low planting at street intersections permits clear vision.
21. Wide corner lot permits equal building setback on each street.
22. Platting of block end to avoid siding properties to residences across street.

ARTICLE 4

Subdivision Design Standards

SECTION 400

See example of a subdivision on the previous page.

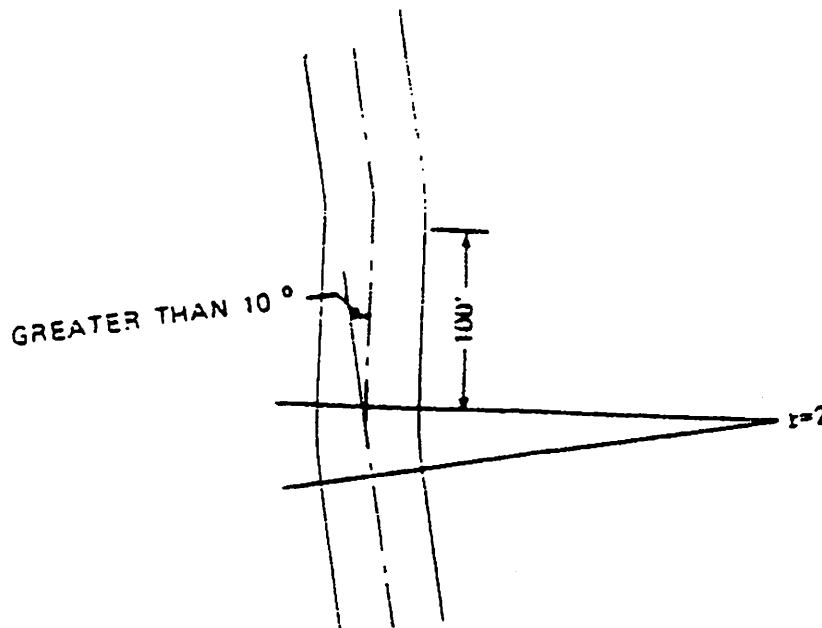
SECTION 402

In making a determination as to the suitability of land for subdivision development, the County Planning Commission may refer to flood plain maps published by the Federal Emergency Management Agency and/or the Soil Conservation Service, topographic maps published by the U.S. Geological Survey, water resources maps published by the Ohio Department of Natural Resources, the Soil Survey of Jackson County published by the Soil Conservation Service, and such other publications as may be available. The Planning Commission may consult with other local, county, state and federal agencies when necessary.

SECTION 414

Sketch on Horizontal Alignment

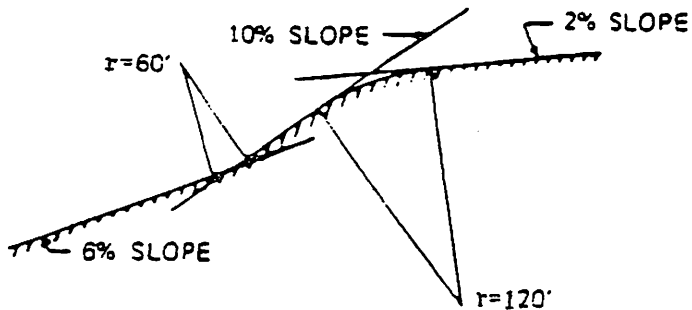
HORIZONTAL ALIGNMENT



SECTION 415

Sketch on Vertical Alignment

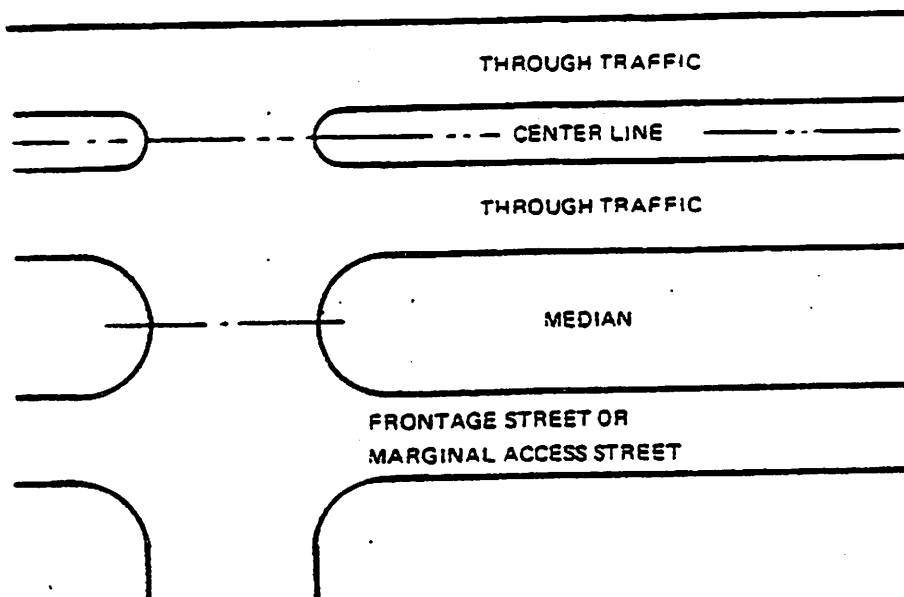
VERTICAL ALIGNMENT



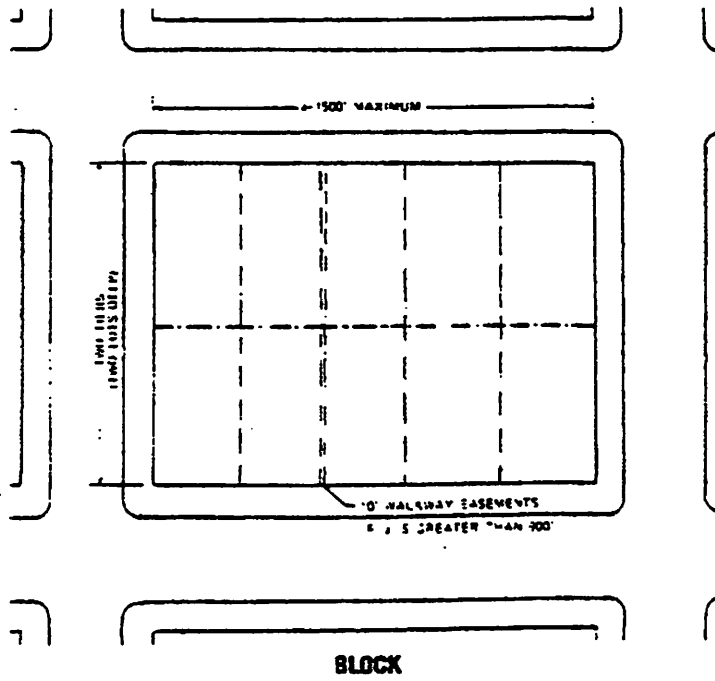
SECTION 417

Access to arterial streets is controlled in the interest of public safety by eliminating scattered turning movements and to maintain the design capacity of the road system.

MARGINAL ACCESS STREET



SECTION 430



SECTION 450

Ohio Attorney General's Opinion No. 71133

ARTICLE 5

Requirements for Construction of Improvements

SECTION 510

Revised Code Section 711.03

Ohio Department of Highways, Construction and Material Specifications, Section 200. Detailed specifications can be found in the department of highways' manual as referred to in the following sections. These standards are considered minimum and are subject to change where deemed necessary. American Association of State Highway Officials publications may also be used as a reference.

SECTION 505

Department of Highways, Construction and Material Specifications, Section 203.13.

SECTION 506

Department of Highways, Construction and Material Specifications, Section 300-305.

SECTION 507

Department of Highways, Construction and Material Specifications, Sections 400-499.

SECTION 508

Department of Highways, Construction and Material Specifications, Sections 450-499.06.

SECTION 509

Department of Highways, Construction and Material Specifications, Section 400.

SECTION 510

Department of Highways, Construction and Material Specifications, Section 609.01-08; 601.09.

The county is largely concerned with three general subdivision development areas: 1) streets, 2) engineering details, and 3) storm drainage. The following is a summary listing of areas of concern for the county engineer:

1. Topography;
2. Names, design, and dedication of streets;
3. Right-of-way and pavement widths;
4. Radius of curvature, horizontal and vertical alignment, and visibility;
5. Cul-de-sacs;
6. Grading plan;
7. Intersection alignment;
8. Length of blocks;
9. Crosswalks;
10. Pavement repair;
11. Materials to be used, improvement cross sections and profiles, and estimates of cost;
12. Curbs, gutters, sidewalks, manholes, and catch basins;
13. Fire hydrants;
14. Street signs and house numbers;
15. Driveway culverts;
16. Setback lines;
17. Size of easements for open drainage channels;
18. Survey monuments, and;
19. Accuracy and adequacy of the survey, locational description, and closure.
20. Utility locations.

SECTION 514

The enforcement of this section in small subdivisions in rural areas may prove rather difficult. Special provisions may have to be made for such areas.

SECTION 515

The species of trees suggested are Red Maple, Norway Maple, Sugar Maple, Sycamore Maple, Red Oak, Thornless Honey Locust, London Plant Tree, Amur Cork Tree, and Sweet Gum, Buckeye, Ruby Red Horse Chestnut, European Hornbeam, American-Hop Hornbeam, Chinese Hackberry, Maidenhair Tree, and European Linden.

Trees which have undesirable characteristics such as fruit, low branches, unpleasant odors, excessively thick foliage, susceptibility to disease or attack by insects, or large root system such as Poplar, Willow, Cottonwood, American Elm, Ailanthus, Mountain Ash, Silver Maple, Ash Leaved Maple, and Oregon Maple should be prohibited in the planting strip. Poplar Willow, or Cottonwood trees, if planted on private property, should be located not less than one hundred (100) feet from any public sewer.

SECTION 520/530

The county board of health is largely concerned with approving non-public water and sewer facilities for new subdivisions. Where the subdivision will connect with a public water or sewer system, approval is required by the Ohio Environmental Protection Agency.

The county board of health should consider the following information or conditions before granting subdivision plat approval:

1. Location of nearest public water or sewer system.
2. Well logs of the area.
3. Test well results.
4. Soil types as determined by the Soil Conservation Service.
5. Location of wells and individual sewage systems.
6. Types of materials to be used.
7. Location of flood plain (if any), high water levels, and bodies of water.
8. Topography.
9. Lot sizes for on-lot treatment systems.

Jackson County Planning Commission

One function of the Jackson County Planning Commission is the approval, inspection, and maintenance of group sewage disposal facilities (package treatment plants) for residential subdivisions, when completed, these plants become the property of the county, which must maintain the plant and charge the maintenance costs to the owners of lots served by such facilities.

SECTION 570

Construction Inspection

The county engineer shall be responsible for the inspection of all street improvements including storm sewers.

ARTICLE 6

Hillside Regulations

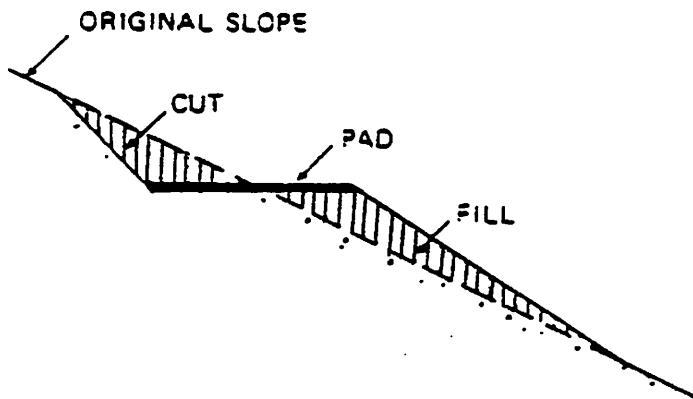
SECTION 602

A "lot slope policy" for an entire hillside adopted by the planning commission would be a more appropriate approach to hillside developments than on a lot-by-lot basis. Such a policy would be a form of "lot size averaging" which would allow for flexible and economical design. Special consideration would have to be given to the establishing of a basis for improvements, requirements and allowable deviations.

SECTION 603

Sketch illustrating the use of pads.

PAD



ARTICLE 8

Revisions, Enforcement

SECTION 800

Revised Code Section 711.04

SECTION 804

Revised Code Section 711.102, 711.12, 711.13, 711.15

This section goes beyond the Revised Code by stating that a violation of the regulations is a public nuisance. Such a provision would give a citizen, and not only a governmental unit, the opportunity to initiate appropriate legal proceedings to abate such a nuisance.

SECTION 805

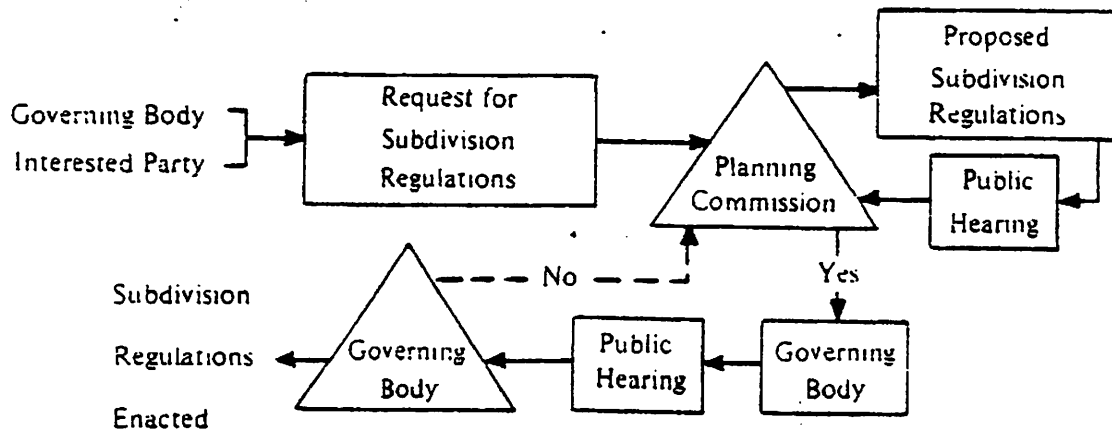
Form No. 7 is a sample application for subdivision variance form.

ARTICLE 9 Enactment

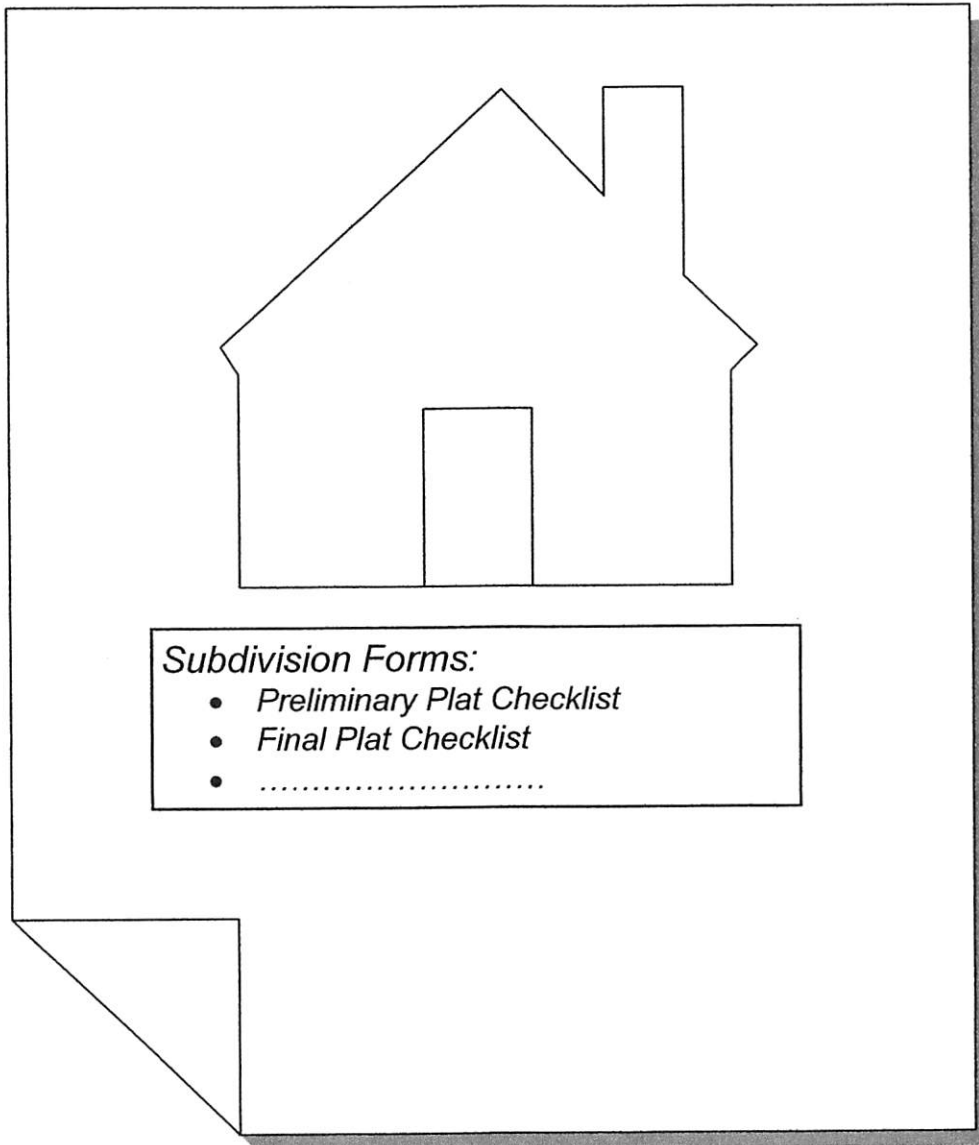
SECTION 900

Revised Code Section 711.09, 711.10

The procedure for enactment of subdivision regulations is as follows:



Part III



FORMS

SUBDIVISION FORMS

Form No.

1. Preliminary Plat Checklist
2. Final Plat Checklist
3. Technical Design & Improvement Checklist
4. Application For Tentative Approval of Preliminary Plat
5. Application For Final Plat Approval
6. Application For Minor Subdivision Approval
7. Application For Subdivision Variance

FORM NO. 1

PRELIMINARY PLAT CHECKLIST

JACKSON COUNTY PLANNING COMMISSION
JACKSON, OHIO

Date _____

SUBDIVISION _____

The following items(s) (does, does not) conform with the requirements of the Jackson County Subdivision Regulations. Those items not conforming are explained on the final page:

	<u>DOES</u>	<u>DOES NOT</u>	<u>ITEM</u>
1.	_____	_____	Name of Subdivision (no duplication permitted).
2.	_____	_____	Locational Description.
3.	_____	_____	Name and address of owner, subdivider, surveyor and engineer.
4.	_____	_____	Sheet size in accordance with the requirements of the County Recorder.
5.	_____	_____	Proper Scale.
6.	_____	_____	Date and North Point.
7.	_____	_____	Vicinity Map
8.	_____	_____	Names of adjacent subdivisions and owners.
9.	_____	_____	If tract to be subdivided contains twenty (20) acres or more, a contour map showing topography at 2' intervals (5' intervals in Hillside Development).
10.	_____	_____	Location, width, and names of existing streets, right-of-ways, easements.

- | | | | |
|-----|-------|-------|---|
| 11. | _____ | _____ | Location and dimensions of existing building and parks. |
| 12. | _____ | _____ | Corporation, township, range, section lines. |
| 13. | _____ | _____ | Location of existing utilities including sewers, water lines, and communication lines and poles. |
| 14. | _____ | _____ | Layout, names and widths of proposed streets or easements and proper dedications. |
| 15. | _____ | _____ | Layout and approximate dimensions of all lots. |
| 16. | _____ | _____ | Building setback lines. |
| 17. | _____ | _____ | Survey monuments of adjacent properties. |
| 18. | _____ | _____ | Parks and open spaces and proper dedications. |
| 19. | _____ | _____ | Proposed use of lots. |
| 20. | _____ | _____ | Copy of proposed deed restrictions, if any. |
| 21. | _____ | _____ | Letter from County Health Department stating what type of sewage disposal they will approve for the type of soil conditions encountered in the subdivision. |
| 22. | _____ | _____ | Adequate preliminary improvements plans (roads, utilities, etc.). |
| 23. | _____ | _____ | Construction estimates. |
| 24. | _____ | _____ | Required certifications. |

DATE: _____

Signature

Title

FORM NO. 2

FINAL PLAT CHECKLIST

JACKSON COUNTY PLANNING COMMISSION
JACKSON, OHIO

Date _____

SUBDIVISION _____

The following item(s) (does, does not) conform with the requirements of the Jackson County Subdivision Regulations. Those items not conforming are explained on the final page.

	<u>DOES</u>	<u>DOES NOT</u>	<u>ITEM</u>
1.	_____	_____	Submitted within 12 months of preliminary plat.
2.	_____	_____	Conforms to preliminary plat and incorporates suggested changes.
3.	_____	_____	Name of subdivision.
4.	_____	_____	Proper scale.
5.	_____	_____	Date and North point.
6.	_____	_____	Locational description.
7.	_____	_____	Sheet size conforms to the requirements of the Jackson County Recorder.
8.	_____	_____	Name and address of owner, surveyor, and engineer.
9.	_____	_____	Accurate survey data seconds, lineal dimensions to hundredths of feet; radii; internal angles, points of curvature; tangent bearing; lengths of arcs, lengths of cords.
10.	_____	_____	Closure.
11.	_____	_____	Bearings and distances to permanent monuments.

- 12. _____ _____ Name, location, width, & centerline of street.
- 13. _____ _____ Lot numbers and dimensions.
- 14. _____ _____ Location and description of monuments.
- 15. _____ _____ Building setback lines.
- 16. _____ _____ Parks and open spaces and proper dedications.
- 17. _____ _____ Final deed restriction.
- 18. _____ _____ Final improvement plans.
- 19. _____ _____ Installation or guarantee of installation of improvements.
- 20. _____ _____ Required final certifications (See Article 7).

DATE: _____

Signature

Title

FORM NO. 3

TECHNICAL DESIGN AND IMPROVEMENT CHECKLIST

JACKSON COUNTY PLANNING COMMISSION
JACKSON, OHIO

The following items (s) (does, does not) conform with or does not apply (NA) to the requirements of Article 5 and 6 of the Jackson County Subdivision Regulations. Those items not conforming are explained on the final page.

	<u>DOES</u>	<u>DOES NOT</u>	<u>NA</u>	<u>ITEM</u>
				<u>GENERAL:</u>
1.	_____	_____	_____	Conformance with major street plan.
2.	_____	_____	_____	Conformance with Section 431 (3).
3.	_____	_____	_____	No flood hazards.
4.	_____	_____	_____	Acceptable natural drainage and erosion control.
5.	_____	_____	_____	Steep slopes not limiting factor.
6.	_____	_____	_____	Large trees and other significant natural features.
7.	_____	_____	_____	Areas of historical or cultural significance.
				<u>STREETS:</u>
8.	_____	_____	_____	Right-of-way widths.
9.	_____	_____	_____	Pavement widths.
10.	_____	_____	_____	Radius of curvature.
11.	_____	_____	_____	Horizontal visibility.
12.	_____	_____	_____	Vertical alignment and visibility.

13.	_____	_____	_____	Grades.
14.	_____	_____	_____	Cul-de-sacs.
15.	_____	_____	_____	Turn around radius – Row and Pavement.
16.	_____	_____	_____	Dead-end streets.
17.	_____	_____	_____	Dedication and addition of half streets.
18.	_____	_____	_____	Marginal access streets, points of access and planting strips.
19.	_____	_____	_____	Alleys.
20.	_____	_____	_____	Alignment of intersections.
21.	_____	_____	_____	Spacing of intersection relative to different road classifications.
22.	_____	_____	_____	Avoidance of multiple intersections.
23.	_____	_____	_____	Avoidance of 4-way intersections.
24.	_____	_____	_____	Pavement and row of intersections.
25.	_____	_____	_____	Streets for commercial subdivisions (Section 418).
26.	_____	_____	_____	Repair of pavement.
27.	_____	_____	_____	Streets for industrial subdivisions (Section 419).
28.	_____	_____	_____	Length of blocks.
29.	_____	_____	_____	Crosswalks.
30.	_____	_____	_____	Street monuments.
31.	_____	_____	_____	Subgrade.

- | | | | | |
|-----|-------|-------|-------|------------------------------------|
| 32. | _____ | _____ | _____ | Base course. |
| 33. | _____ | _____ | _____ | Surface course. |
| 34. | _____ | _____ | _____ | Curbs and gutters. |
| 35. | _____ | _____ | _____ | Bridges. |
| 36. | _____ | _____ | _____ | Sidewalks. |
| 37. | _____ | _____ | _____ | Street names & numbers, signs. |
| | | | | <u>LOTS:</u> |
| 38. | _____ | _____ | _____ | Size. |
| 39. | _____ | _____ | _____ | Setback lines. |
| 40. | _____ | _____ | _____ | Corner lot size. |
| 41. | _____ | _____ | _____ | Avoidance of double frontage lots. |
| 42. | _____ | _____ | _____ | Driveway culverts and grade. |
| 43. | _____ | _____ | _____ | Monuments. |
| 44. | _____ | _____ | _____ | Grading plan. |
| | | | | <u>OTHERS:</u> |
| 45. | _____ | _____ | _____ | Parks and open spaces. |
| 46. | _____ | _____ | _____ | Type of water supply. |
| 47. | _____ | _____ | _____ | Test wells. |
| 48. | _____ | _____ | _____ | Type of sewage treatment. |
| 49. | _____ | _____ | _____ | Soil survey results. |
| 50. | _____ | _____ | _____ | Storm drainage system type. |
| 51. | _____ | _____ | _____ | Manholes. |
| 52. | _____ | _____ | _____ | Catch basins. |

53. _____

Headwalls.

54. _____

Sufficient easements for utilities or open drainage.

55. _____

Other utilities.

56. _____

Underground utilities.

DATE: _____

Signature

Title

FORM NO. 4

APPLICATION FOR TENTATIVE APPROVAL
OF PRELIMINARY PLAT

JACKSON COUNTY PLANNING COMMISSION
JACKSON, OHIO

Date _____

1. Name of Applicant _____

Address _____

Phone _____

2. Name of Surveyor or Engineer _____

Address _____

Phone _____

3. Name of Subdivision _____

4. Location Description Section _____ Township _____

Range _____ Other _____

(In addition, please attach copy of legal description.)

5. Proposed Use _____

6. Number of Lots _____ Area of Parcel _____

7. Do you propose deed restrictions? Yes _____ No _____
(If YES, please attach a copy.)

8. What type of sewage disposal do you propose? _____

If an "on lot" type of sewage disposal is proposed include a letter from the
County Board of Health approving a specific type of sewage disposal.

9. List all proposed improvements and utilities and state your intention to
install or post a guarantee prior to actual installation.

	Improvement	Installation	Guarantee
a.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____
d.	_____	_____	_____
e.	_____	_____	_____
f.	_____	_____	_____

10. List other materials submitted with this application.

	Item	No.
a.	_____	_____
b.	_____	_____
c.	_____	_____
d.	_____	_____
e.	_____	_____
f.	_____	_____

FOR OFFICIAL USE ONLY

Date Received _____	Date of Planning Commission Meeting _____
Action by Planning Commission _____	
If plat rejected, reason (s) for rejection _____	

Date _____	Chairman _____

FORM NO. 5

APPLICATION FOR
FINAL PLAT APPROVAL

JACKSON COUNTY PLANNING COMMISSION
JACKSON, OHIO

Date _____

1. Name of Applicant _____

Address _____

Phone _____

2. Name of Surveyor or Engineer _____

Address _____

Phone _____

3. Name of Subdivision _____

4. Date Preliminary Plat Approved _____

5. Have all required improvements been installed? Yes _____ No _____
If no, include detailed estimates of cost and a statement relative to the method of improvement guarantee. All estimates must be approved by the county engineer.

6. Do you propose deed restrictions? Yes _____ No _____
(If YES, please attach a final copy.)

7. List other materials submitted with this application.

	Item	No.
a.	_____	_____
b.	_____	_____
c.	_____	_____

- d. _____
- e. _____
- f. _____
- g. _____

FOR OFFICIAL USE ONLY

Date Received _____	Date of Planning Commission Meeting _____
Plat Fee \$ _____	
Action by Planning Commission _____	
If plat rejected, reason (s) for rejection _____	

Date _____	Chairman _____

FORM NO. 6

APPLICATION FOR
LOT SPLIT OR MINOR SUBDIVISION APPROVAL

JACKSON COUNTY PLANNING COMMISSION
JACKSON, OHIO

Date _____

The undersigned applies for lot split or minor subdivision approval under Section 711.131 Ohio Revised Code, and certifies all material submitted with this application is true and correct. Action will be taken within seven (7) business days.

Signature _____

Address _____

Phone and/or Fax _____

E-mail Address (optional) _____

Application Fee \$ _____

Minor Subdivision approval may be granted only under the following conditions:

1. The proposed subdivision is along an existing public road and involves no opening, widening or extension of any street.
2. No more than five (5) lots are involved after the original parcel has been completely subdivided.
3. The subdivision is not contrary to applicable platting, subdividing, zoning, health, sanitary or access management regulations or regulations adopted under division (B) (3) of section 307.37 of the Revised Code including, but not limited to, rules governing household sewage disposal systems. A variance can only be requested before the entire Planning Commission.
4. The survey submitted meets the requirements set forth by the Jackson County Auditor.
5. Approval is granted, where applicable by the agencies listed on the reverse.
6. A fee as listed in SECTION 803, page 57 of these regulations, is paid.

NOTICE TO OWNERS OF PROPERTY TO BE ACCESSED FROM STATE HIGHWAYS

The access management regulations referred to in Item #3 above are applicable to new driveways on state highways. The Ohio Department of Transportation (ODOT) will not issue a permit unless the proposed driveway location is in compliance with their Access Management Program. You could be denied a permit. Therefore it is important to contact ODOT at 1-888-819-8501 even if you do not plan to construct a driveway until a later date.

**THIS PAGE FOR OFFICIAL USE ONLY
COUNTY HEALTH DEPARTMENT**

Date Received _____

Action _____

Comments _____

Signature

COUNTY ENGINEER

Date Received _____

Action _____

Comments _____

Signature

COUNTY PLANNING COMMISSION

Date Received _____

Action _____

Comments _____

Signature

FORM NO. 7

APPLICATION FOR SUBDIVISION VARIANCE

JACKSON COUNTY PLANNING COMMISSION
JACKSON, OHIO

Date _____

Name _____

Address _____

Phone _____

1. Locational Description _____

2. Natural of Variance Requested: Describe generally the nature of the variance

3. Justification of Variance: On a separate sheet, please attach a statement relative to why the variance from requirements of the subdivision regulations is requested. Include such items as:

1. exceptional topographical or other conditions peculiar to this particular parcel of land;
2. why a literal interpretation of the regulations would deprive the applicant of rights enjoyed by other property owners;
3. that the peculiar conditions do not result from previous actions of the applicant;
4. that the requested variance is the minimum variance that will allow a reasonable division of the land;
5. a sketch of the area showing the location and characteristics of the requested variance.

I certify that all information contained in this application and its supplements is true and correct.

Signature

FOR OFFICIAL USE ONLY

Date Filed	_____
Action	_____

Chairman	_____