

Subdivision Regulations of Williams County, Ohio

Prepared by:

The Williams County
Regional Planning Commission

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PREAMBLE

A RESOLUTION OF WILLIAMS COUNTY, OHIO, ENAC IN ACCORDANCE WITH CHAPTER 711, OF THE 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 LAYOUTS 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 ADMINISTRATIVE OFFICERS; PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS RESOLUTION OR ANY AMENDMENT THERETO; AND FOR THE REPEAL THEREOF.

ARTICLE I - TITLE, SCOPE, AND PURPOSES

Section 100. Title

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

Section 101. Purpose

The purpose for these Regulations is to provide for the orderly growth and harmonious development of the County as well as to secure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions, and public facilities. They should also be used to achieve individual property lots of maximum utility and livability and to secure adequate provisions for water supply, drainage and sanitary sewage, and other health requirements. When needed, these Regulations can also be used to secure adequate provisions for recreational areas, school sites, and other public facilities, and to provide logical procedures for the achievement of these purposes.

Section 102. Administration

These regulations shall be administered by the Williams County Regional Planning Commission and/or their representatives.

Section 103. Jurisdiction

These regulations shall be applied to all subdivisions of land within the non-incorporated area of the County other than land within three miles of a city which -has adopted and is administering a comprehensive plan pursuant to Section 711.09 of the Ohio Revised Code. The Regional Planning Commission shall have the power of final approval on all of the plats subject to its jurisdiction. Whenever a municipality within Williams County has adopted a major streets plan, parks and public open space plan and subdivision regulations, and is exercising extra-territorial jurisdiction, the municipality planning commission shall receive advice from the Regional Planning Commission upon all subdivision plats located within three miles of the corporate limits. Within the territory governed by a municipal planning commission it shall have the final approval of the plat, except for the provisions in Articles V and VI, which shall be the jurisdiction of the County Engineer.

Section 104. 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, resolutions, or ordinance, the most restrictive or that imposing the higher standards, shall govern.

Section 105. Amendments

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

Section 106. 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 judgement shall not affect the validity of these regulations, or any part thereof, other than the part so held to be invalid.

ARTICLE II - DEFINITIONS

Section 200. Definitions

The following definitions shall supply in the interpretation and enforcement of these Regulations:

Accessory Building: Accessory building means an object or structure constructed or installed on, or below the surface of a parcel which is located on the same lot as a principal object or structure, and which is subordinate to or serves the principal use, object, or structure, is subordinate in area to the principal use, object, or structure.

Administrative Approval (5 lots or less): Administrative approval (approval delegated by the Commission to an administrator) can be given when all the following conditions are met:

1. When all subdivision regulations are satisfied.
2. When the division results in no more than five (5) lots of the original tract owned by the person subdividing.
3. When the proposed division of land lies on an existing public road and does not involve the opening, widening, or extension of a street, public or private.

It shall be the policy of the Commission staff to require the following for approval under normal circumstances:

1. A survey showing the entire property from which a parcel is being subdivided showing the proposed buildings, ditches, roads, lanes and physical features.
2. A legal description of the property to be conveyed.
3. Such other information as requested by the Health Department, County Engineer, Soil & Water Conservation Service or Regional Planning Commission staff as is necessary to determine compliance with the Williams County Subdivision Regulations.

Alley: A dedicated public way affording a secondary means of access to abutting property and not intended for the general traffic circulation.

Applicant: A developer submitting an application for development.

Application for Development: The application form and all accompanying documents

required by ordinance for approval of a subdivision plat or site plan.

Block: The property abutting one side of a street and lying between the two nearest intersecting streets, or between the nearest such street and railroad right of way, unsubdivided acreage, river or live stream; or between any of the foregoing and any other barrier to the continuity of development.

Building Line: See Setback Line

Commission: The Williams County Regional Planning Commission.

Common Open Space: Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development. It may include complementary structures and improvements.

Community Facilities: Existing, planned and proposed parks, playgrounds, schools, other public lands and buildings of the municipality of county for which the regulations are in effect.

Comprehensive Development Plan: A plan, or any portion thereof, adopted by the legislative authority of the County of Williams, 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 established the goals, objectives, and policies of the community.

Cul-de-Sac: (See Street)

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

Dedication: An act transmitting property or interest thereto.

Design Standards: Standards that set forth specific improvement requirements.

Detention Basin: A man made or natural water collector facility designed to collect surface and sub-surfaced water in order to impede its flow and to release the same gradually at a rate not greater than that prior to the development of the property, into natural or man-made outlets.

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

Development: A planning or construction project involving substantial property

improvement and, usually, a change of land-use character within the site; the act of using land for building or extractive purposes.

Drainage: The removal of surface water or groundwater from land by drains, grading, or other means.

Drainage Facility: Any component of the drainage system.

Drainage System: The system through which water flows from the land, including all watercourses, water-bodies and wetlands.

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 family and its household employees.

Excepted: Any parcel of land that is contiguous to a proposed subdivision and is excluded from the same.

Easement: A specific area of land over which a liberty, privilege, or advantages is granted by the owner to the public, a corporation, or some particular person or part of the public for specific uses and purposes, and which shall be designated a "public" or "private" easement, depending on the nature of the user.

Engineer: Any person registered to practice professional engineering by the State Board of Registration as specified in Section 4733.14 of the Ohio Revised Code.

Environmental Constraints: Features, natural resources, or land characteristics that are sensitive to improvements and may require conservation measures or the application of creative development techniques to prevent degradation of the environment, or may require limited development , or in certain instances may preclude development.

Escrow: A deed, a bond, money, or a piece of property delivered to a third person to be delivered by him to the grantee only upon fulfillment of a condition.

Extra-Territorial Jurisdiction: Jurisdiction exercised by a municipal planning commission over all subdivisions proposed for the territory lying within one and one-half miles of the corporate limits of any village or within three miles of the corporate limits of any city provided that the municipality has an adopted comprehensive plan.

Fence: An artificially constructed barrier of wood, masonry, stone, wire, metal, or any other manufactured material or combination of materials.

Final Approval: The official action of the planning board taken on a preliminary

approved major subdivision or site plan, after all conditions, engineering plans, and other requirements have been completed or fulfilled and the required improvements have been installed or guarantees properly posted for their completion, or approval conditioned upon the posting of such guarantee.

Final Plat: The final map of all or a portion of a subdivision which is presented for final approval.

Frontage: See lot frontage.

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

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

Lot: For purposes of these regulations, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or an approved private street, and must meet all requirements of the Williams County Board of Health. This area may consist of:

1. A single lot of record.
2. A portion of a lot of record.
3. A combination of complete lots of record, of complete lots record and portions of lots of record, or of portions of lots of record.

Lot Area: The size of a lot measured within the lot lines and expressed in terms of area or square feet.

Lot Frontage: That portion of a lot extending along a street line.

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

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. (see diagram in appendix)

Interior Lot: Is a lot other than a corner lot with only one frontage on a street.

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.

Refer to Table I.

Maintenance Guarantee: Any security which may be required and accepted by a governmental agency to ensure that necessary improvements will function as required for a specific period of time.

Major Thoroughfare Plan: The part of the Comprehensive development Plan which sets forth the location, alignment and dimensions of existing and proposed streets and thoroughfares.

Minor Subdivision: A division of a parcel of land that requires a plat to be approved by a planning authority according to Section 711.131 of the Ohio Revised Code and Section 304 of these Regulations. Also known as "Lot Split."

Manufactured Home Park: A tract of land which is subdivided for contract of the individual lots.

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.

Multi-Family Dwelling: 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, that coexist separately for each family in the dwelling.

On-Tract: Located on the property that is the subject of a development application or on a contiguous portion of a street of right-of-way.

Open Space: Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for the public or private use of enjoyment of for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

Original Tract: The Original Tract shall be defined as the tract of land as it appeared on the owner's deed of record as shown on the Williams County Auditors tax maps as of January 1, 1977.

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

Plat: A map or chart of a subdivision of land.

Final Plat: A map of all or part of a subdivision providing substantial conformance to the preliminary Plat of the subdivision prepared in conformance with these regulations and suitable for recording by the County Recorder.

Preliminary Plat Approval: The conferral of certain rights prior to final approval after specific elements of a development plan have been agreed upon by the planning board and the applicant.

Preliminary Plat: A map showing all requisite details of a proposed subdivision submitted to the Commission for purpose of preliminary consideration, prepared in conformance with these Regulations.

Pre-Application Conference: An initial meeting between developers and municipal representatives which affords developers the opportunity to present their proposals informally.

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

Public Utility: Any individual firm, association, syndicate, corporation, partnership, municipal department, board of commission, duly authorized to furnish, and furnishing under governmental regulations, to the public: facilities, products or services, such as gas, steam, electricity, sewage disposal, communication, telegraph, transportation, water, etc.

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

Remainder (Remnant) Tract: The property remaining from the original tract, as shown on the tax list of real and public utility property, after the rest of the parcel has been divided into smaller tracts/lots of land.

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

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

Major Thoroughfare: An arterial street of extended continuity which is intended to serve as a large volume trafficway for both the immediate area and region beyond, and may be designated on the County Major Thoroughfare Plan as a Federal Aid Primary, Urban Area Loop, Federal Aid Secondary, or equivalent term to identify those streets comprising the basic structure of the Thoroughfare Plan.

Collector Street: A thoroughfare, whether within a residential, industrial, commercial, or other type of development, used to carry traffic from minor streets to major thoroughfares. Such streets are designated on the Major Thoroughfare Plan as Major Local Routes.

Minor. Street: A street of limited continuity used primarily for access to abutting residential properties and protection from through traffic.

Marginal Access Street: A minor street parallel and adjacent to a major thoroughfare which provides access to abutting properties and protection from through traffic.

Boulevard Streets: A street developed to two multi-lane, one-way pavements, separated by a median.

Turn-Around: A short boulevard street permanently terminated by a vehicular turnaround.

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

Loop Street: A minor street of short length, with two opening to traffic beginning from the same street, and projecting parallel to each other and connecting at their termination by a loop.

Subdivider: Any individual, developer, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under these regulations to effect a subdivision of land here under for himself or for another.

Subdivision: The division of a lot, tract, or parcel into two (2) or more lots, tracts, or parcels or other divisions of land for sale, development, or lease. The following is the statutory definition of a subdivision in Section 711.001 of the Ohio Revised Code.

A.Minor Subdivision: 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 acres for the purpose whether immediate or future, of transfer of ownership, providing, 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.

- B. **Major Subdivision:** The improvements 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.
- C. **Resubdivision:** Means the alternation or modification of the lot layout or street design in an existing approved major or minor subdivision; such resubdivision or replating shall be subject to the approval of the Williams County Planning Commission.

Surveyor: Any person registered to practice surveying by the State Board of Registration as specified in Section 4733.14 of the Ohio Revised Code.

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 were owing to conditions peculiar to the property, and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

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

ARTICLE III - SUBDIVISION PROCEDURE

Section 300. Submission to State Highway Director

Before Submitting to the Commission any plat affecting land within three hundred (300) feet of the centerline of a proposed new highway, or a highway for which changes are proposed by the State Highway Director, or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Subdivider shall give notice, by registered or certified mail, to the Highway Director. The Subdivider shall not submit the plat to the Commission for one hundred (120) days from the date the notice is received by the Highway Director. If the Highway Director notifies the Subdivider that acquisition at this time is not in the public interest or upon the expiration of the (120) day period or any extension thereof agreed upon by the Highway Director and the property owner, the Subdivider may submit the plat to the Commission for review.

Section 301. Initial Plat Investigation

It is recommended that the Subdivider meet with the Regional Planning Commission or its designated representative prior to submitting the preliminary plat. This meeting is to discuss early and informally the purpose and effect of these Regulations, and the criteria and standards contained therein. It is an attempt to familiarize the Subdivider with the laws, regulations, and plans as exemplified by the Comprehensive Plan, the Major Thoroughfare Plan, the Parks and Public Open Space Plan, applicable zoning standards, and the drainage, sewage, and water systems for the County of Williams and the State of Ohio.

It is recommended that the Subdivider provide a sketch to the Regional Planning Commission or its designated representative at the time of the informal meeting that contains the following information:

- A. The proposed subdivision in relation to existing community facilities, thoroughfares, and other transportation modes, shopping centers, manufacturing establishments, residential developments and existing natural and man-made features such as soil types, drainage, vegetation, contours, and utilities in the neighboring area.
- B. The layout and acreage of streets, lots, any nonresidential sites such as commercial, manufacturing, school, or recreational uses within the proposed subdivision.
- C. The sketch plan should also contain the location of all public 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.
- D. The scale and title of the subdivision, a north arrow, and the date.

- E. Name, address, and phone number of owners and developers.

The Subdivider is required to pick up an application for each proposed subdivision to be completed and submitted with the Preliminary or Final Plat (See Appendix III).

Section 302. Preliminary Plat Required

After the preapplication stage, the Subdivider shall submit a preliminary plat of the proposed subdivision which shall conform to the requirements set forth in this Section. The preliminary plat shall be prepared by an Engineer or Surveyor.

The procedure for preparation and submittal of a preliminary plat of the land area to be subdivided shall be as follows:

A. Filing:

1. The appropriate application received at the initial plat investigation must be submitted.
2. Six (6) copies of the preliminary plat of the proposed subdivision, together with written application in triplicate, shall be submitted to the Williams County Regional Planning Commission.
3. Submittal with the Commission shall be at least ten (10) days prior to the regular Commission meeting, at which the Subdivider or his agent will be scheduled to appear. The Regional Planning Commission's Major Subdivision Committee will meet and make changes and recommendations to the preliminary plat prior to the regularly scheduled meeting of the Regional Planning Commission. Should any of the data in Section 301 of this Resolution be omitted, the Major Subdivision Committee and Commission Staff shall notify the Subdivider of the additional data required, and request that the subdivider sign a waiver of the right to a thirty day approval period. The Commission shall act on the preliminary and final plat within thirty (30) days after the date of filing unless the Subdivider agrees to an extension in writing.

B. Identification and Description: The preliminary plat shall include:

1. Proposed name of the subdivision.
2. Location by section, town and range, or by other legal description.
3. Names and addresses of the subdivider, owner subdivider, and the planner, designer, engineer, or surveyor who designed the subdivision layout. The subdivider

shall also indicate his interest in the land.

4. Scale of plat, 1"= 100' as minimum acceptable scale, and shall be presented on one or more sheets of 24" x 36" in size.
5. Date, north point.

C. Existing Conditions: The preliminary plat shall include:

1. A vicinity map at a scale of not less than 1" = 1000' shall be provided showing the relationship of the subdivision to its surroundings within one-half (1/2) mile.
2. Boundary line of the proposed subdivisions owners, of adjoining parcels of unsubdivided land, and the location of those located across abutting roads.
3. Names of all adjacent subdivisions, owners, of adjoining parcels of unsubdivided land and the location of their boundary lines.
4. Location, widths and names of existing or prior platted streets and public easements within or adjacent to the tract being proposed for subdivision, including those located across abutting roads.
5. Location of existing sewers, water mains, storm drains, and other underground facilities within and adjacent to the tract proposed for subdivision.
6. Topography drawn as contours with an interval of not less than two (2) feet. Topography to be based on U.S.G.S. datum when requested by Planning Commission or Williams County Combined Health District.

D. Proposed Conditions: The preliminary plat shall include:

1. Layout of streets indicating proposed street names, right-of-way widths and connections with adjoining platted streets and also the widths and location of alleys, easements and public walkways.
2. The layout, numbers and approximate dimensions of lots, including building setback lines, showing dimensions.
3. Indication of parcels of land intended to be dedicated or set aside for public use, or for the use of property owners in the subdivision.
4. An indication of the ownership, and existing and proposed use of any parcels identified as "excepted" on the preliminary plat. If the Subdivider has an interest in

or owns any parcel so identified as "excepted," the preliminary plat shall indicate how this property could be developed in accordance with the requirements of the existing zoning district in which it is located and with an acceptable relationship to the layout of the proposed preliminary plat.

5. The preliminary plat should also include an indication of the proposed systems for water supply. Sewage disposal, and storm drainage and soil erosion and sedimentation according to standards established by the Williams County Combined Health District, the Board of County Commissioners and the County Engineer, and any applicable Sewer and Water District.
6. In the case where the Subdivider wishes to subdivide a given area, but wishes to begin with only a portion of the total area, the preliminary plat shall include the proposed general layout for the entire area. The part which is proposed to be subdivided first, shall be clearly superimposed upon the overall plan in order to illustrate clearly the method of development which the Subdivider intends to follow. Each subsequent plat shall follow the same procedure until the entire area controlled by the Subdivider is subdivided.
7. Along with this, it should also include a statement of proposed use of lots, giving type and number of dwelling units, and type of business or industry.
8. The location and approximate dimensions of all existing buildings.
9. For commercial and industrial development, the preliminary plat shall include 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.
10. And last, the preliminary plat should include a description of proposed covenants and restrictions.

E. Preliminary Plat Review by Planning Commission:

1. The Regional Planning Commission's Major Subdivision Committee and Staff receives and checks for completeness of the preliminary plat as required under Section 302 of this resolution. When complete and basically in conformance with applicable requirements, the staff shall place the proposal on the agenda of the next regular Commission meeting.
2. The Commission's Major Subdivision Committee and Staff shall review all details of the proposed subdivision within the framework of applicable zoning regulations, within the various elements of the Comprehensive Development Plan,

and within the standards of these Regulations.

3. The Commission's Major Subdivision Committee and Staff shall approve conditionally, disapprove, or approve the preliminary plat.
 - a. Should the approval be a conditional approval, said conditions shall be satisfied by the Subdivider within a time set by the Commission or the plat shall be rejected.
 - b. Should the Commission disapprove the preliminary plat, it shall record the reasons in the minutes of the regular meeting. A copy of the minutes shall be sent to the Subdivider.
 - c. Should the Commission find that all conditions have been satisfactorily met, it may give approval to the preliminary plat. On approval, the Chairman shall make a notation to the effect on six (6) copies of the preliminary plat and distribute copies of the same as follows:
 - Return one (1) copy to the subdivider
 - Return one (1) copy which shall become a matter of record in the Commission files
 - Forward one (1) copy to the School Board having jurisdiction in the area concerned
 - Forward one (1) copy to the Williams County Combined Health District
 - Forward one (1) copy to the Williams County Engineer
 - Forward one (1) copy to the Williams County Commissioners

F. 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 during that period. Approval of the preliminary plat cannot be granted until the plat has received the signature of the Williams County Combined Health District.

Section 303. Public Hearing

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

Section 304. 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 drawing specializations of the improvements required therein. The final plat shall have incorporated all changes in the preliminary plat required by the preliminary plat, and it may constitute only that portion of the approved preliminary plat which the subdivision proposes to record and develop at the time. The final plat supplementary information shall bear the seal and signature of an Engineer.

All final plats, shall meet all requirements established by the Williams County Board of Commissioners (See Appendix IV).

A. Preparation:

1. Final Plat Form:

The final Plat shall be legibly drawn in waterproof ink on tracing cloth 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 24" x 36" in size. If more than one (1) sheet is needed, each sheet shall be numbered, and the relation of one sheet to another clearly shown. The signatures of all approval authorities shall be in waterproof, permanent ink.

2. Regulations Governing Improvements:

The final plat drawings and specifications of improvements shall be a set of construction and utility plans including typical sections, plans and profile views, construction details and estimates of quantities. All typical sections and major engineering details to be used on any particular street shall be approved in advance by the County Engineer before completion of the plans. Prior to the granting of approval of the final plat, the subdivider shall have installed the minimum required improvements, or shall have furnished a surety or certified check for one third (1/3) of the amount of the estimated construction cost of the ultimate installation and the initial maintenance of the improvements. Before the surety is accepted, it shall be approved by the proper administrative officials. The term of the surety shall extend twelve (12) months beyond the completion date of the project.

3. Final Plat Contents:

The final plat shall contain the following information:

- a. Name of the subdivision, location by section, range and township, or by other survey number; date north point, scale, and acreage; acreage shall be indicated by section and/or corporation boundaries.
- b. Name and address of the subdivider, and the Engineer/Surveyor who prepared the plat and appropriate registration number and seal.
- c. 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 ten thousand (10,000).
- d. Bearings and distances to nearest established street lines or other recognized permanent monuments.
- e. Exact locations, rights-of-way, names of all streets within and adjoining the plat, and building setback lines.
- f. 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.
- g. All easements and right-of-way provided for public services of utilities.
- h. 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 set back line shall be shown.
- i. Accurate location and description of all monuments as specified in Section 704 of these regulations.
- j. Accurate outlines of Public Reservation, or any area to be reserved for the common use of all property owners. The use and accurate boundary locations shall be shown for each parcel of land to be dedicated.
- k. A copy of any restrictions and covenants the subdivider intends to include in the deeds to the lots in the subdivision.
- l. Certification by a Surveyor to the effect that the plat represents a survey made by them and that the monuments shown thereon exist as

located and that all dimensional and geodetic details are correct. (Section 711.04, ORC)

- m. Notarized certification by the owner or owners of the adoption of the plat, and the dedication of streets and other public areas.
- n. Typical sections and complete profiles of streets and other related improvements to be constructed in the proposed subdivision shall accompany the final plat.

4. Final Plat Review:

a. Application for Approval of Final Plat:

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

b. Approval of the Final Plat:

Following review by the Regional Planning Commission, they shall approve or disapprove the final plat within thirty (30) days after the preliminary plat has been filed. Failure of the Commission to act upon the final plat within such time shall be deemed as approval of the plat. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Commission, and a copy of said record shall be forwarded to the Subdivider. The Commission shall not disapprove the final plat if the developer has done everything that was required and has proceeded in accordance with the conditions and standards specified in the approved preliminary plat. If disapproved, the Subdivider shall make necessary corrections and submit the final plat within thirty (30) days to the Commission for its final approval. If a plat is refused by the Commission, the person submitting the plat which the Commission refused to approve may file a petition within ten (10) days after such refusal in the Court of Common Pleas of the County in which the land described in said plat is situated to reconsider the action of the Commission. When the final plat has been approved by the Regional Planning Commission, the original tracing shall be returned to the Subdivider for filing with the County Recorder after approval by the County Commissioners and all necessary certifications are obtained. A duplicate original should be filed with the Williams County Engineers Office.

- c. Submission of final plats to the County Auditor and County Recorder shall conform to the Deed Transfer requirements established by the Williams

Section 305. Supplementary Information

The following information shall be supplied in addition to the requirements in Section 304:

- A. If a zoning change is involved, certification from the Zoning Inspector with jurisdiction shall be required indicating that the change has been approved and is in effect.
- B. Certification shall be required showing that all required improvements have been either installed and approved by the proper officials or agencies, and that a bond or other surety has been furnished assuring installation and initial maintenance of the required improvements.

Section 306. Floodplains

Proposed subdivision developments that have been determined to be located in a one-hundred (100) year flood plain shall be under the Williams County Flood Plain Regulations.

Section 307. Suitability

If it has been determined by the public agencies in the review process that the subdivision development will be detrimental to the surrounding area because of water supply, increased flood, or excessive density which may endanger the health, life, or property, the Planning Commission shall not approve the land for subdivision development unless adequate methods or means are developed by the subdivider for solving the problems that will be created by further development of property.

Section 308. Wetlands

Wetland systems, which may seasonally appear to be dry, function as a vital part of the waters of Williams County, and constitute a productive and valuable public resource. The benefits of wetlands are the following:

- A. Helps control flooding;
- B. Filters polluted surface waters;
- C. Replenishes subsurface water;
- D. Acts as holding tanks for excessive storm water;

- E. Can be used as parks and recreation areas;
- F. Provides breeding and feeding sites for waterfowl and game fish.

In order to achieve the goals of wetland protection, the Regional Planning Commission will not approve any request that involves dredging, filling, or construction in a delineated wetland area without proof of acquisition of valid state and federal wetland development permits.

Section 309. Woodlands

It will be the policy of the Commission to protect woodlands of Williams County. In cases where the literal interpretation of the regulations would inhibit the protection of woodland areas the Commission may grant a variance.

ARTICLE IV - NO PLAT APPROVAL SUBDIVISION PROCEDURES AND REQUIREMENTS

Section 400. Purpose

The purpose of these No Plat Approval Subdivision Procedures and Requirements is to provide for the orderly growth and harmonious development of the County of Williams, Ohio.

Section 401. Interpretation

There are two types of subdivision procedures under the No Plat Approval Procedure: The No Plat Approval Procedure (Minor Subdivision) is for lots less than 4.99 acres. All proposed subdivisions must abut to an existing street or road, which does not involve the opening, widening or extension of any street or road, and which involves no more than five lots (four lots and the original parcel remaining) after the original tract has been completely subdivided. (Sections 402) and the No Plat Approval Procedure for Large Lot Divisions (Section 403). The No Plat Approval Procedure for Large Lot Divisions may be used to request a proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and involving the establishment of any lot ranging in size from not less than five (5) acres to not more than 20 acres. A proposed division of land under and in compliance with the No Plat Approval Procedure for Large Lot Divisions shall not be considered a subdivision for the purposes of ORC Section 711.001 (B)(1) and need only be approved under the provisions of Section s 403.

Such a subdivision may be submitted to the Planning Commission for approval without the requirement of a record plat. If the County Engineer, County Health Department, Planning Commission, Township Zoning Board and County Auditor are satisfied that such proposed subdivision of land is not contrary to applicable platting, subdivision or zoning regulations, it shall be approved by the Williams County Regional Planning Commission or authorized staff within seven (7) working days from its submission.

Section 402. No Plat Approval Procedure for Minor Subdivision Criteria

1. The submission of a proposed deed with a description following a survey by a person licensed to make surveys in the State of Ohio showing the property to be deeded, the tract designation or other description according to the real estate records of the Auditor's Office, the boundary line of the tract to be deeded, accurate in scale, the drainage of the property and any water courses on the property, and the location and names of all existing or proposed roads or other ways within or adjacent to the tract, and the name and address the engineer or surveyor.

2. If the plot is to be used as a building site, evidence must be submitted showing the approval of the county health department of any proposed sewage treatment facilities to be located on the premises. If the approval is denied, the reasons for the denial will be provided in writing within five (5) working days after the seven (7) day review period. .
3. Original tract for any parcel of land shall be defined by the plot as shown by the Williams County Auditors tax maps as of January 1, 1977, a copy of which shall be maintained in the Office of the Williams County Regional Planning Commission and are also available on the website of the Williams County Engineer at www.wmscoengineer.

Section 402.1. Application Process

Application for subdivision approval shall be made on the form supplied by the Williams County Regional Planning Commission. The following information is requested:

1. Name, address and phone number of applicants.
2. Name, address and phone number of the property owner.
3. Location of the property shall be indicated by township, section number and directional description within the section and the township and range designation.
4. The proposed number of lots 4.99 acres or under to be created.
5. The acreage of each lot.
6. The applicant must sign and date the application.

Section 402.2. Minor Subdivision Design Requirements

Proposed minor subdivision lots shall conform to the following standards:

1. Lot Sizes and Shapes:

At a minimum, minor subdivision lots shall be one acre with frontage of 200 feet and a setback of 90 feet from the center line of a dedicated public road and agrees to grant a 40-foot easement for highway purposes to the Williams County Commissioners. The lot size, width, depth and shape shall be in accord with all applicable township or county zoning requirements, whichever is more restrictive, and all other applicable state, county and local rules, regulations, ordinances and laws.

2. Remainder of parcel:

For the purpose of these Regulations, the "original tract" shall be defined, pursuant to Section II, as the tract of land as it appeared on the owner's deed of record as shown on the Williams County Auditors tax maps as of January 1, 1977. The quantity of lots must include the remnant, if any, of the original parcel (ORC §711.131). Each lot or parcel not served by public water and/or wastewater service, including the remnant tract, shall have, at a minimum, 200 feet of continuous lot width and road frontage. All other tracts served by public water and wastewater service shall comply with Table 1 or Township Zoning Minimums whichever is more restrictive. Minimum Lot Areas and Width Requirements in Section IV. Each lot or parcel shall including the remnant tract shall have a lot depth not to exceed three (3) times the lot width, which shall be maintained at required minimum road frontage of 200 feet. Exempted from this ratio shall be the remnant tract if that parcel is over five (5) acres. Remnant tracts of less than five (5) acres must have at least 200 feet of continuous road frontage along one publicly-maintained road or street and a minimum of 2 acres excluding the right of way. All remnant tracts shall be reviewed by the Planning Office.

3. Width to Depth Ratio (3 to 1):

Excessive lot depth in relation to width shall be invalid and avoided. A depth to width ratio of three (3) to one (1) shall be the maximum. Width shall be measured at both the road right-of-way line and the building set back line and shall be a minimum of 200 feet wide of continuous lot width and road frontage, or the minimum required by any township or county zoning ordinance, if greater than 200 feet..

4. Front or Abut Rule:

Every lot shall front or abut on an existing public street.

5. Five-Lot Rule:

A maximum of five (5) adjoining lots shall constitute minor subdivisions after the original tract has been completely subdivided. (Four plus the original).

6. Compliance with Other Regulations Rule:

The proposed division is not contrary to these Regulations and any applicable platting, subdividing, township zoning, health, sanitary or regulations adopted under Division (B) (3) of ORC §307.37 regarding existing surface or subsurface drainage, including, but not limited to, rules governing, household sewage disposal systems. Any minor subdivision requiring a variance from these Regulations shall require formal presentation to the Commission for action on said variance prior to approval. Issues such as, but not limited to, a deviation from the road frontage or lot depth to lot width requirement or the inclusion of an easement of access shall require the submission of a Variance application and review and action by the Commission. The proposed subdivision shall be approved and/or accepted by Williams County Health Department, zoning inspector (if applicable), Staff, County Engineer, and other governmental agencies as deemed necessary by Staff. The Williams County Health will review proposed septic sites to include minimum standards for drainage outlets and gradients to receiving streams. Upon final approval and recordation of the lot(s), the Sub divider shall obtain a street address for each lot from the Williams County Engineer's Office. In

addition, all residences should have a green and white house-numbering sign and display the sign.

Section 402.3. Administrative Approval of Minor Subdivision

If the WCRPC staff finds that a proposed division of a qualifying original tract as defined herein is not contrary to applicable platting, subdividing, zoning, health, sanitary or access management regulations, regulations adopted under ORC §307.37(B)(3) regarding existing surface or subsurface drainage, or household sewage treatment rules adopted under ORC §3718.02 including, but not limited to, rules governing household sewage disposal systems, it shall approve the proposed division within seven (7) business days after its submission and, on presentation of a conveyance of the parcel, shall stamp the conveyance “Approved by Williams County Regional Planning Commission; No Plat Required,” and have it signed and dated by the Director or his designated representative. The burden is upon the subdivider to demonstrate compliance with these Regulations. Incomplete or deficient proposals shall be disapproved and the subdivider notified of issues and reasons for disapproval. NPA deeds must be recorded within 180 days of approval or the approval expires.

The Director or Deputy Director of the Williams County Regional Planning Commission upon receipt of an acceptable application shall consider such application filed. Within seven (7) working days of said filing, the Director or his/her designee shall approve or disapprove the subdivision (administrative approval). Approval shall be made only if applicable drainage, zoning, subdivision, and health requirements are met. Disapproval and the reasons therefore shall be made on the records of the Commission.

Section 402.4 Adjacent Property Transfer

The transfer of a portion of a parcel to an adjacent landowner may be handled by the Adjacent Property Transfer process when the deed for the acreage being transferred does not create an additional building site. Endorsement by zoning and health authorities may be required to ensure the parcel being reduced in size will remain compliant with applicable standards. If the Adjacent Property Transfer results in a remaining parcel of 19.99 acres or less, then said remaining parcel shall be subject to all requirements of these Regulations, and the transfer of the property may be approved only if the remaining parcel complies with these Regulations. An NPR subdivision and applicable fees may be required. The Grantee’s name on the deed shall match the ownership of the adjacent parcel to which the transferred acreage is to be associated. Deeds for adjacent property transfers shall include the following covenant notation prior to approval:

“The herein described 19.99 acres shall not constitute an independent building site separate from the Grantees’ adjacent parcel unless approved by the WCRPC as such in accordance with applicable Subdivision Regulations.”

Section 403. No Plat Approval Procedure for Large Lot Divisions

The purpose of this Sections 403 is to establish the procedure for review and approval of large lot divisions as authorized under ORC §711.133.

The No Plat Approval Procedure for Large Lot Divisions may be used to request a proposed

division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and involving the establishment of any lot ranging in size from not less than five (5) acres to not more than twenty (20) acres. A proposed division of land under and in compliance with this Section shall not be considered a subdivision for purposes of ORC §711.001(B)(1) and need only be approved under the provisions of this Section.

A Large Lot Divisions application shall be filed by the landowner or designated representative. In addition to the submittal requirements set forth below, the application shall include the proposed deed(s) for the new lots identifying Grantor and Grantee (if known) with survey drawing and legal description, the signed and completed application form, and required fee.

403.1.Pre-Application Conference

Prior to filing a formal Large Lot Divisions application, an applicant is encouraged to request an informal discussion with RPC staff to discuss the procedure for approval and to familiarize the applicant with applicable requirements. It is suggested that the applicant submit a scale drawing that includes the following information;

- 1) Location map;
- 2) Ownership of property;
- 3) Existing and proposed public roads and easements;
- 4) Existing structures;
- 5) North arrow;
- 6) Outline of areas to be divided;
- 7) Approximation of proposed lot lines and dimension;
- 8) Important natural features and drainage ways; and
- 9) Information concerning storm drainage, sewage treatment, water supply, and other facilities that impact on the development.

403.2 Survey Requirement

No division of land involving a metes and bounds description shall be approved or exempted unless it is accompanied by a survey and legal description certified by a Professional Surveyor licensed in the State of Ohio. The survey must meet the Minimum Standard For Boundary Surveys, Administrative Code 4733-37, and the survey and description must be approved by the County Engineer's Map Department.

403.3 Application Submittal Requirements

A Large Lot Divisions application shall include the following information and materials:

- 1) Existing and proposed topographic contours at 1-foot intervals for the envelope of disturbed areas of lots utilizing household sewage treatment systems; or 2-foot intervals for lots utilizing central sewer system.
- 2) Show extent of grading and clearing.
- 3) Drainage plan with review and written endorsement by the Williams County Engineer;
- 4) Existing/proposed buildings; well; location/type of household sewage treatment system;
- 5) Soil type delineation;
- 6) Additional width for right-of-way and/or utility easements must be conveyed and recorded by a separate instrument prior to the recording of the Large Lot Divisions;
- 7) Appropriate floodplain status information showing areas within the 100-year floodplain/floodway;
- 8) Access points in accord with adopted access management standards or Ohio Department of Transportation driveway approval if access is to a state highway;
- 9) Drainage improvements and other applicable requirements of the Williams County Engineering and Surveying Standards for Subdivision;
- 10) Written endorsement of the Large Lot Divisions from health and zoning authorities;
- 11) The sub-divider shall mark proposed lot corners with stakes and colored flagging;
- 12) Boundary survey by a professional surveyor;
- 13) An approved survey and legal description prepared by a professional surveyor (approved by the Williams County Map Department);
- 14) An approved form of conveyance meeting the requirements for property transfer by the Williams County Auditor and Engineer; and
- 15) All applicable fees.

403.4 Review and Approval

If the Commission, acting through the Executive Director or the Executive Director's designee(s), finds that the proposed division is not contrary to any applicable zoning, health, sanitary, or access management regulations, regulations adopted under ORC §307.37(B)(3) regarding existing surface or subsurface drainage, including, but not limited to, rules governing household sewage treatment systems or the regulations set forth in this Section 208 it shall be approved in accordance with the following schedule:

- 1) For proposed divisions into not more than six (6) separate parcels, approval shall be within seven (7) calendar days after its submission;
- 2) For proposed divisions into more than six separate parcels but less than fifteen (15) parcels, approval shall be within fourteen (14) calendar days after its submission;
- 3) For proposed divisions into fifteen (15) parcels or more, approval shall be within twenty-one (21) calendar days after its submission.

The burden is upon the applicant to demonstrate compliance with these Regulations. Incomplete or deficient proposals shall be disapproved and the applicant notified of issues and reasons for disapproval.

Upon presentation of an approved conveyance of said parcel, the conveyance shall be stamped "Approved by Williams County Regional Planning Commission; No Plat Required under ORC §711.133," and signed and dated by the Executive Director or his designated representative.

Large Lot Division deeds shall be recorded within one hundred eighty (180) days from the date of approval, or the approval expires. Upon the expiration of the approval, any proposed division of the subject tract shall be filed and processed as a new application under Section 403.

403.5 Agricultural and Personal Recreational Purposes Exemption

A proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and which meets the acreage requirements set forth in Section 208.01 but which is to be used primarily for agricultural or personal recreational purposes (as hereinafter defined) shall be exempt from the Large Lot Division approval requirements. Upon presentation of a conveyance of such a parcel, the conveyance shall be stamped "Approved by Delaware County Regional Planning Commission; No Approval or Plat Required under ORC §711.133; FOR AGRICULTURAL AND PERSONAL RECREATIONAL USE ONLY," and signed and dated by the Executive Director or his designated representative. The conveyance shall include a statement "No change in use shall occur unless approved by the WCRPC in accordance with applicable subdivision regulations".

Nothing in this Section 403 shall be construed as excluding parcels that are exempt under this procedure that are currently being used only for agricultural or personal recreational purposes from the provisions of these Regulations for any future division or partitions of those parcels.

When parcels that are exempt from the approval requirements under this Section 403.5 are subsequently to be used for other than agricultural or personal recreational purposes, the Executive Director or his designated representative shall first determine that such a parcel complies with the regulations set forth in Section 403.

An exemption under this Section 403.5 shall require a statement, signed by the land owner, that certifies that the proposed parcel will only be used for agricultural or personal recreational purposes, and that any subsequent change in use shall require that the Executive Director first determine that the parcel complies with the then current provisions of Section 403. (A copy of the required Certification for Agricultural and Personal Recreation Exemption form is attached hereto as Appendix B and made a part of these regulations by this reference.)

For purposes of Section 403.5 the terms “agricultural purposes” and “personal recreational purposes” shall be defined as follows:

Agricultural Purposes - a parcel or parcels that are devoted exclusively to -animal or poultry husbandry, aquaculture, apiculture, the production for a use of field crops, tobacco, fruits, vegetables, nursery stock, ornamental trees, sod, or flowers or other similar agricultural uses.

Personal Recreational Purposes - a parcel or parcels that are devoted exclusively to personal recreational use of a private type and nature that is conducted by the owner(s) of such parcel(s) or the individual(s) entitled to exclusive use and possession of such parcel(s), without fee or consideration of any kind. Any commercial or membership use that charges a fee, whether for profit or not for profit, is not permitted within a personal recreational exemption.

- 1) A plan illustrating all No Plat Application subdivisions and/or lot splits of adjacent parcels within the past year, and recording date of each;
- 2) The subdivider shall mark proposed lot corners with stakes and colored flagging; and
- 3) Boundary survey by a professional surveyor.

Section 404. Replats

When a proposed act of subdivision abstracts land from an existing parcel to an adjacent lot of 20 acres or under, the purchaser or applicant must furnish the following information for both parcels in addition to the required material in this Section of these regulations.

1. A full legal description of each of the new parcels being created.
2. A plat of survey, drawn to scale by a registered, certified surveyor indicating, in dashed lines, the original acreage of each parcel of land before the proposed subdivision.
3. The new boundaries and acreage of the proposed subdivision and the adjacent lot(s) shall be indicated in bold lines.

4. All existing and proposed building and their dimensions shall be cited in relation to new boundary lines.
5. The dimensions of all buildings and monuments in relation to new boundary lines.
6. Existing or proposed septic systems, leach fields, tiles and/or proposed private well system must be drawn to scale.

Section 405. Sewage Systems

The Williams County Planning Commission requires all subdivisions and lot-splits to be reviewed by the Health Department for approval of any private sewage disposal systems. The following regulations shall apply:

1. All components of the system serving a dwelling must be on the same property as the dwelling.
2. Adequate land must be available to replace the sewage treatment system should it become necessary.
3. The system must be adequate to handle the wastes from the home without causing a nuisance.

Section 406. Floodplain

Proposed parcel splits that have been determined to be located in a one-hundred (100) year flood plain shall be under the Williams County Flood Plain Regulations. (See Article VIII)

Section 407. Suitability

If it has been determined by the public agencies in the review process that the proposed parcel split will be “detrimental to the surrounding area because of water supply, increasing flood, or excessive density which may endanger the health, life, or property,” the Planning Commission shall not approve the land for subdivision unless adequate methods or means are developed by the subdivider for solving the problems that will be created by further splitting of property.

Section 408. Wetlands

Wetland systems, which may seasonally appear to be dry, function as a vital part of the waters of Williams County, and constitute a productive and valuable public resource. The benefits of wetlands are the following:

- Help control flooding;
- Filters polluted surface waters;
- Replenishes subsurface water;

- Acts as holding tanks for excessive storm water,
- May be used as parks and recreation areas;
- Provides breeding and feeding sites for waterfowl and game fish.

As a result, the development on areas declaimed to be wetlands shall be prohibited under County, State and Federal Wetland protection laws and regulations.

Section 409. Woodlands

It will be the policy of the Commission to protect woodlands of Williams County. In cases where the literal interpretation of the regulations would inhibit the protection of woodland areas the Commission may grant a variance.

Section 411. Variance Procedure

If an applicant feels that an unnecessary hardship may result from strict compliance with these regulations, they may apply to the Regional Planning Commission for a variance.

Requests for variances must include the following:

1. Application form, as provided by the Williams County Regional Planning Commission, submitted not less than ten working days prior to the next regularly scheduled meeting of the Commission or its Executive Committee.
2. Map or survey of property provided to the Williams County Regional Planning Commission.
3. Justification of the variance.
4. Application fee as set by the Board of Williams County Commissioners.

The following provision shall govern the granting of a variance:

1. When the Regional Planning Commission finds that extraordinary and unnecessary hardship would result from strict compliance of these regulations, due to exceptional topographic or other physical conditions, and not caused by action of the applicant, it may vary the regulations so as to relieve such hardship provided that 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 resolutions that may exist.
2. In granting variances or modifications, the Regional Planning Commission may require special conditions that will, in its judgment, secure substantially the objective of the

standards or requirements so varied or modified.

3. The applicant or his or her representative shall be present at the meeting at which the variance request is being addressed. If there is no representative present, the commission or its executive committee may either table the request until such time that a representative can attend or reject the request.
4. The variance once approved must be acted upon within 12 months from the date of approval. This action shall be in the form of the completion of the property transfer at the Williams County Auditor's Office. Failure to complete this action will render the variance null and void.

Section 412. Appeal by Applicant

An applicant who has been denied administrative approval of a lot split or variance request may, within thirty (30) days, file an appeal with the Court of Common Pleas.

Section 413. Aggrieved Party Appeal

Any person who believes he or she has been aggrieved by the action of the Regional Planning Commission, has the rights of appeal to the Court of Common Pleas of Williams County, Ohio within thirty (30) days. This appeal is guaranteed as set forth in Chapter 711 of the Ohio Revised Code or any other applicable section of the Ohio Revised Code.

ARTICLE V. SUBDIVISION PLANNING AND DESIGN STANDARDS

Section 500. General Statement

The following regulations, Section 500 to 512 inclusive, shall guide and control the planning of a proposed subdivision and the design of its facilities. They shall control the manner in which streets, lots and other easements of subdivision are arranged within its boundaries. These planning 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. These regulations will also insure that the arrangement, character, extent and location of all streets shall conform to the Transportation Plan of the County of Williams, or subsequent amendments thereto, and shall be considered in their relation to existing and planned streets, topographical conditions, and public convenience and safety.

The Commission has the responsibility for reviewing the design of each future subdivision early in its design to insure that the requirements of Article V are met.

Section 501. Conformity to Development Plans and Zoning

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

Section 502. Suitability of Land

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

Section 503. Resubdivision

Whenever a subdivision which received approval prior to the effective date of these regulations is resubdivided, the resubdivision shall be submitted to the Williams County Regional Planning Commission for approval prior to its recording.

Section 504. Public Streets and Common Access Drives

(Private Streets) Section 504.1. General

Final engineering plans for public or private streets shall be in accordance with the “Williams County Engineering and Surveying Standards for Subdivision Development,” administered by the County Engineer, the current Williams County Thoroughfare Plan, the current Williams County Access Management Plan, and these Regulations. Design standards, plan approval, and construction inspection requirements shall be the same for private streets as for public streets, unless allowed otherwise by the Williams County Engineer. Streets shall be considered in relation to existing and planned streets, topography, access, safety, and proposed use of lands to be served. The County Engineer’s Map Department shall determine the acceptability of street names and subdivision plat names. Streets not identified on the Final Plat as “private street” shall be public, with dedication of land as public right-of-way. Acreage for private streets shall be separate from the lots they serve. Plat wording shall specify ownership and maintenance responsibilities for private streets.

Section 504.2. Non-Standard Items

Street and right-of-way features not covered by these Regulations or regulations of the County Commissioners shall be resolved to the satisfaction of the Director and Commissioners.

Section 504.3. Public Streets

A. County Engineer Requirements:

The proposed subdivision shall conform to all regulations and standards established by the County Engineer, regarding street layouts and arrangements, that are not included in this Article.

B. Location and Arrangement:

1. The proposed subdivision shall conform to the various elements of the Williams County Comprehensive Plan, and shall be considered in relation to the existing and planned Major Thoroughfares and collector streets shall be platted in the location and width indicated on such plan.
2. The street layout shall provide for continuation of collector thoroughfares in the adjoining subdivisions, or the proper projection of streets when adjoining property is not subdivided.
3. The street layout shall include minor streets so laid out that their use by through traffic shall be discouraged.
4. Should a proposed subdivision border on, or contain an existing or proposed Major Thoroughfares as defined in these Regulations, the

Commission shall require marginal access streets, reverse frontage, or such other treatment as may be necessary for adequate protection of residential properties, and to afford separation and reduction of traffic hazards.

5. Should a proposed subdivision border on, or contain a railroad, expressway, or other limited access highway right-of-way, the Commission may require the location of a street approximately parallel to, and on each side of such right-of-way at a distance suitable for the development of any use of the intervening land. Such distances shall be determined with due consideration of the minimum distance required for approach grades to future grade separation.
6. Half streets shall be prohibited, except where absolutely essential to the reasonable development of the subdivision in conformity with the other requirements of these Regulations, and where the Commission finds it will be practicable to require the dedication of the other half when the adjoining property is developed. Whenever there exists adjacent to the tract to be subdivided, a dedicated or platted and recorded half street, the other half shall be plated.
7. Permanent dead-end streets shall not be permitted.
8. Temporary dead-end streets shall be permitted only as part of a continuing street plan, and only if a temporary turn-around satisfactory to the Commission in design is provided, and provision for maintenance and removal are advanced.

C. Right-of-Way Widths

Street right-of-way widths shall conform to at least the following minimum requirements.

STREET TYPE	RIGHT-OF-WAY
Major Thoroughfares	120' minimum
Collector Street	80' minimum
Industrial Service Streets	60' minimum
Multiple-Family Residential	60' minimum
Minor (Single Family) Streets	60' minimum
Marginal Access Streets	50' minimum
Turn-Around (loop) Streets	110' minimum
Alley	30' minimum

D. Cul-de-sac Dimensions

Turnarounds shall have the following radius:

Industrial	75' minimum
Residential	60' minimum

NOTE: The length of cul-de-sac streets shall not exceed six hundred (600) feet.

E. Street Geometries

Standards for maximum and minimum street grades, vertical and horizontal street curves, and sight distances shall be approved by the County Engineer and approved by Resolution of the Board of County Commissioners.

F. Street Intersections

Streets shall be laid out so as to intersect as nearly as possible to ninety (90) degrees. Curved Streets, intersecting with Major Thoroughfares and Collector Thoroughfares, shall do so with a tangent section of centerline fifty (50) feet in length measured from the right-of-way line of the Major or Collector Thoroughfare.

G. Street Jogs

Street Jogs with centerline offsets of less than one-hundred twenty- five (125) feet shall be avoided.

H. Acceleration\Deceleration Lanes

Streets which intersect with Major Thoroughfare shall be provided with paved acceleration and deceleration lanes and passing lanes on both sides of the thoroughfare. Such lanes shall be provided in keeping with the standards approved by the County Engineer for this type of improvement. In the event no good purpose would be served by the provision of such acceleration or deceleration lanes, this requirement may be waived by the mutual consent of the Planning Commission and the Board of County Commissioners.

I. Street Design

The Pavement design of any street constructed within a subdivision must be approved by the Williams County Engineer.

Any new pavement design shall be in accordance with the current edition of the Ohio Department of Transportation, Location and Design Manual, based on projected traffic characteristics twenty years after the acceptance of the new pavement by the County Commissioners.

Section 504.4. Common Access Driveway (CAD) Subdivisions

(Private Streets) 504.4.1. General

Common Access Driveways (CAD) provide an alternative to construction of public streets to access not more than three lots, except as provided in Section 504.4.7, in a recorded subdivision plat. CADs may be allowed or required by the Commission, based upon a case-by-case evaluation of site and project specific characteristics such as, but not limited to: access management and traffic safety, slopes, watercourses, preservation of environmentally sensitive areas, access and maneuvering room for fire-fighting vehicles, and compliance with local zoning

codes. The Common Access Driveway is not intended, nor shall it be used as a development tool.

504.4.2. CAD Restrictions

The CAD shall connect directly onto a public roadway. The CAD and utility easement acreage shall be incorporated into one or more of the lots it serves. Acreage not included in a subdivision plat and CAD Maintenance Agreement shall not be accessed by the CAD. The CAD shall be labeled on the plat as "Common Access Drive (CAD) - Ingress/Egress and Utility Easement."

504.4.3. Fire-Fighting Plan

After receiving preliminary CAD plans from the subdivider, the Commission shall provide preliminary CAD plans to the Fire Chief having local jurisdiction in the area of the CAD with a request for his attendance at the Technical Review meeting. Lot addresses and other information relative to fire-fighting practices shall be included on the final CAD construction drawings.

504.4.4. Design and Construction Certification

The developer shall contract with a professional engineer to review the CAD construction and to certify that the design and construction complies with all CAD standards and requirements. CADs shall be completed to the satisfaction of the certifying engineer. The certification shall be signed and stamped with the contracted engineer's professional seal. This certification shall be received and reviewed by the Commission prior to the Director signing the plat.

504.4.5. CAD Standards and Requirements

CAD design shall be consistent with sound engineering practices and principles necessary to provide for the public health, safety, and welfare, which would include but not be limited to, safe and adequate storm water management, access, maneuvering and use by fire and safety vehicles, and meet the following standards. Additional or more restrictive standards may be required for the promotion and protection of the public health, safety, and welfare, by the project engineer, zoning inspector, Director, County Engineer, or City Engineer (as applicable):

- a) Distance between passing, staging and maneuvering areas and/or from the centerline of the public road (which the CAD accesses) to the first passing, staging, and maneuvering area shall not exceed 350 feet;
- b) Maximum gradient: 10%;
- c) Minimum width of CAD ingress / egress and utility easement: 60 feet
- d) Tree and shrub removal within 16' of CAD centerline;
- e) Approval of all design and construction activities within county or township road right-of-way by County Engineer, and within state route right-of-way by ODOT;
- f) Approval by the County Engineer of the 100-year flood storm water management practices;
- g) The maximum length of a CAD shall be 750 lineal feet as measured along the centerline of the 60 feet easement. If a property owner requests a CAD desires a CAD longer than 750 lineal feet, special approval shall be required from the fire official having jurisdiction in the area of the CAD.

- h) The CAD shall have provisions for turning around emergency equipment and/or vehicles as shown below. Reference Section D101 of the Ohio Fire Code.

Length	Turnaround Required
0-150 feet	None Required
151-500 feet	120 feet Hammerhead, 60 feet Y or 96 feet diameter cul-de-sac
501-750	120 feet Hammerhead, 60 feet Y or 96 feet diameter cul-de-sac
Over 750 feet	Special Approval Required

- i) Minimum specifications in the following table and templates for CADs:

Item Description	Minimum
Compacted Aggregate Base Depth	10"
Surface Width, excluding berms	12'

Item Description	Minimum
Passing Lane Surface Width, excluding berms	6'
Passing Lane Length, excluding berms	45'

504.4.6. CAD Maintenance Agreement

Prior to the plat being signed by the Director, an approved and recorded Maintenance Agreement shall be submitted to the Commission. The Maintenance Agreement shall contain the official record book number and page number. The plat shall contain a cross-reference of the Maintenance Agreement's official record book number and page number.

504.4.7. Lots Contiguous at Road

In addition to the three lots allowed in Section 306.01, two lots contiguous to the CAD at the point of access to the public road by the CAD may, at the discretion of the Commission, be accessed by the CAD for access management purposes on defined roadways in the County's Access Management Plan.

Section 505. Lots

Lots within subdivisions shall conform to the following standards:

A. Sizes and Shapes

1. The lot size, width, depth, and shape in any subdivision proposed for residential uses shall be appropriate for the location and the type of development contemplated.
2. When a subdivision is to be connected to public sanitary sewer facilities or to a community sewage disposal plant, and when lots in such subdivision are intended for single-family residential use, all lots shall have a minimum width or one

hundred (100) feet at the building line and a minimum area of fifteen thousand (15,000) square feet.

3. When a subdivision is intended for two-family residential use, and is located in an area where public sanitary sewer facilities are to be connected with, or which may be served by a community sewage disposal plant, lots shall have a minimum width at the building line of one-hundred and fifty (150) feet and a minimum area of fifteen thousand (15,000) square feet. The area of each lot shall be increased by five thousand (5,000) square feet for every dwelling unit in excess of two (2).
4. No person shall install household sewage disposal systems in new subdivisions, unless it is considered to be impracticable or inadvisable by the County Board of Health and/or the Ohio Environmental Protection Agency to install a central system (Ohio Administrative Code Section 371-29-03). If sanitary waste disposal problems exist within a one (1) mile radius, the Regional Planning Commission will be notified.
5. Whenever either public or community sewage disposal facilities are not available, lots intended for single-family residential use shall have a minimum width of one hundred and fifty (150) feet, and a minimum area of forty-three thousand five hundred and sixty (43,560) feet, or one (1) acre. Whenever sanitary sewer facilities are not reasonably accessible, lots shall be increased by twenty thousand feet (20,000). Reasonably accessible lots shall be increased by twenty thousand (20,000) square feet for each dwelling unit in excess of one (1).
6. In areas where either Township or County zoning regulations are in effect the lot width and lot area requirements of such zoning regulations shall control.
7. Unless otherwise controlled by Township or County zoning regulations, the minimum front yard setback shall be thirty five (35) feet. In the case of a rear yard abutting, a street shall not be less than the minimum front yard setback required herein, and all regulations applicable to a front yard shall apply.
8. Corner lots in residential subdivisions shall be platted at least ten (10) feet wider than the minimum width permitted by these regulations or any applicable zoning regulations.
9. Excessive lot depth in relation to width shall be avoided. A depth-to-width ratio of three (3) to one (1) shall normally be considered a maximum.
10. Lots intended for purposes other than residential use shall be specifically designed for such purposes, and shall have adequate provision for off-street parking, setbacks, and loading and unloading areas.
11. Lots may not be created by dividing land at the ends of stub streets in adjacent

subdivisions, such stub streets being intended to provide continuity of street systems in adjoining subdivisions.

12. All parcels created by any division of land shall have frontage on an existing public road, and such frontage shall be at least fifty (50) feet in width. Access by means of private roads or easements of access shall be permitted only within the context of a recorded plat.

B. Arrangement

1. Every lot shall front or abut a public street, except that private streets existing prior to the effective date of these regulations, and which have existed as easements of access and are so recorded in the records of Williams County, may remain as private roadways. However, the Subdivider shall construct such private street or portion thereof in accordance with these regulations even though the street may be designated for private use only.
2. Side lot lines shall be at right angles or radial to the street lines.
3. Residential lots abutting Major Thoroughfares, as platted defined herein, where marginal access streets are not desirable or possible to attain shall be platted with reverse frontage lots, or with side lot lines parallel to the major traffic streets. The requirement may be waived by mutual consent of the Planning Commission and County Engineer.
4. Lots shall have a front-to-front relationship across all streets where possible.

Section 506. Natural Features

To the greatest extent possible, the natural features and character of land must be preserved. Due regard must be shown for all natural features such as large trees, natural groves, and similar community assets that will add attractiveness and value to the property, if preserved. The preservation of drainage and natural stream channels must be considered by the Subdivider.

Section 507. Storm Water Management Facilities

- 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 corporation surety, certified check, or assigned certificate of deposit covering the cost of the required improvement.
- Storm water management facilities shall be provided and may include the following:
 - Surface drainage systems;
 - Storm sewers and tile systems;

- Storm water runoff control structures;
- Open ditches and diversion channels; and
- Retention/Detention Facilities

Access to storm water management facilities shall be by means of easement. Such easements along existing open ditches, and existing or proposed surface drains, or diversion channel shall be not less than thirty (30) feet along each side of the ditch drain or channel measured from the top of the bank of the open ditch or channel. Easements for storm sewers and tile systems shall be a minimum of thirty (30) feet in width centered on the centerline of the storm sewer or tile drain.

Storm water control structures shall have an easement width sufficient to insure access for proper maintenance of the particular control structure provided.

Whenever a storm water management facility 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, a five (5) foot high chain link fence and/or guardrail may be required by the Commission. .

The subdivider shall construct all necessary facilities, including underground pipe, inlets, catch basins, or drainage ditches, as determined by the County Engineer, to provide for the adequate disposal of sub surface and surface water and maintenance of natural drainage courses. The velocity of flow in an open ditch shall not exceed four (4) feet per second in soil ditches or six (6) feet per second in turf gutters. Paved gutters will be required if velocities of flow are greater than those specified or if it is otherwise likely that destructive erosion will result. Drainage ditches shall not be permitted to be discharged into any sanitary sewer facility. 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 easement of adequate width shall be provided, as determined by the County Engineer and approved by the Planning Commission. Storm drainage, including drain tile around basement, shall not be permitted to discharge into any sanitary sewer facility, but shall connect to an adequate drainage outlet.

Section 508. Grading Plan

A grading plan shall be required of the entire subdivision for the purpose of providing good drainage. It is the intent of this Section to provide surface drainage to all areas to prevent property damage, inconvenience and deterioration caused by ponding water to the owner and/or residents.

Within each residential lot storm drainage shall be provided in accordance with the following requirements:

- A. Area around a residence shall be graded away from the residence in such a manner as to allow surface runoff to escape from the immediate area around a residence.
- B. New open drainage ditches other than normal roadway gutters and those necessary to satisfy flood control and storm drainage (Sections 519 and 520) will be prohibited. All drainage systems shall be reviewed by and subject to the approval of the County Engineer.

Section 509. Bridge and Culverts

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

- A. All bridges and culverts shall be designed according to Ohio Department of Transportation, Location and Design Manual, and Bridge Design Manual. The structural loading design shall be HS-25 and Alternate Military Loading.
- B. Driveway culverts shall have a minimum length of twenty (20) feet and a minimum diameter of eight (8) inches. The driveway culverts shall be laid so as to maintain the flow lines of the ditch or gutter. Head walls will not be permitted.

Section 510. Extension To Boundaries

The subdivider may be required to extend the necessary improvements to the boundary of the proposed subdivision to serve adjoining subdivided land, as determined by the Planning Commission.

Section 511. Off-Site Extensions

If streets or utilities are not available at the boundary of a proposed subdivision, and if the Commission finds the extensions across undeveloped areas would not be warranted as a special assessment to the intervening properties or as a county expense until some future time, the subdivider may be required, prior to approval of the final plat, to obtain necessary easements of right-of-way and construct and pay for such extension.

Section 512. Subdivision Open Space Plan and Planned Unit Development (P.U.D.)

The following requirements apply where a preliminary plat is filed for approval under a Subdivision Open Space Plan of Planned Unit Development section of an applicable Zoning Resolution.

A. Statement of Principles

Consideration by the Commission of proposed optional use of Subdivision Open Space or Planned Unit Developments shall reflect the following basic principals:

- 1. The Subdivision Open Space and Planned Unit Development Section of the Zoning Resolutions provide an optional method of subdividing property, and approval method of any such development is subject to the discretion of the legislative body of the governmental with exercising zoning control.

2. Particular attention shall be given to the affect of a Subdivision Open Space Plan or Planned Unit of Development upon the immediate area, where the character of the area has been established by previous development. Major attention shall be given by the Commission to benefits to be derived by the residents of the proposed subdivision and the local community because of the proposed development with minor consideration to be given to the subdivider.
 3. The following objectives shall govern the approval or disapproval of the proposed Subdivision Open Space-Plan or Planned Unit Development. The Subdivision Open Space Plan or Planned Unit Development shall:
 - a. Provide a more desirable living environment by preserving the natural character of open fields, stands of trees, brooks, hills and similar natural assets.
 - b. Encourage developers to use a more creative approach in the development of residential areas.
 - c. Encourage a more efficient, aesthetic and desirable use of the land while recognizing a reduction in development costs, and by allowing the developer to bypass natural obstacles on the site.
 - d. Encourage the provision of open space within reasonable distance of all lot development, so benefits may accrue to the subdivision, and to further encourage the development of recreational facilities and areas.
- B. The application for approval of the Subdivision Open Space Plan or Planned Unit Development shall contain the following, in addition to the information required by the sections of these Regulations.
1. A complete description of the land proposed to be dedicated to common use (herein called open) and shall be provided, including the following as a minimum:
 - a. Legal description of open land.
 - b. Topographical survey of open land.
 - c. Type of soil in open land.
 - d. Description of natural features on open land (stands of trees or other vegetation, streams or other bodies of water, etc.).
 - e. Other relevant factors.
 2. The proposed plan of development of the open land shall be contained in the application, and shall include the following, as a minimum:
 - a. How legal title is to be held.
 - b. How said property shall be regulated.
 - c. Provisions for the payment of taxes.

- d. Persons or corporations to be responsible for maintenance.
 - e. How maintenance is to be guaranteed.
 - f. How maintenance and development are to be financed.
 - g. Proposed uses of open land.
 - h. What improvements are to be constructed by the developer, and an estimate of the cost thereof prepared by a consulting Engineer.
 - i. Other relevant facts related to the proposed uses of open land.
3. The application shall contain a statement of the benefits to be realized by the residents of the proposed subdivision and the local community by approval of the proposed development with particular reference to the objectives of this section.
- C. If the Commission is satisfied that the proposed Subdivision Open Space Plan or Planned Unit Development meets the letter and spirit of this section, and the applicable Zoning Resolution should be approved, it shall give preliminary approval to the plat with conditions upon which such approval should be based.
- D. If the Commission is not satisfied that the proposed Subdivision Open Space Plan or Planned Unit Development meets the letter and spirit of the applicable regulations, or finds that the Subdivision Open Space Plan or Planned Unit Development will be detrimental to existing development in the general area and should not be approved, it shall communicate such disapproval to the Subdivider with the reasons therefor
- E. At the time of application for final approval, the Subdivider shall deposit a cash or corporate surety bond in the amount of the estimated cost of the proposed improvements to the open land guaranteeing the completion of such improvements within the time to be set by the Commission.

ARTICLE VI - SUBDIVISION UTILITY PLANNING STANDARDS

Section 600. General Statement

The following regulations, Section 600 to 607 inclusive, shall guide and control the planning of utilities and their placement for the proposed subdivision.

Section 601. Sanitary Sewer

The following requirements shall govern sanitary sewer improvements:

- A. Where an adequate public sanitary sewer system is reasonably accessible, in the determination of the 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.
- B. Where a public sanitary sewer system is not reasonably accessible, the subdivider may provide;
 - 1. Lots which may be served by individual disposal systems within the provisions of the standards set forth by the Williams County Combined Board of Health. A letter certifying approval shall accompany the application.
 - 2. Any development that exceeds four lots shall install a central sewerage treatment system. Such sewerage systems must be installed in accordance with the requirements of the Sanitary Engineer and the Ohio Environmental Protection Agency.
- C. Where the installation of individual disposal systems is considered, the suitability of the soil for individual systems, the absorptive ability of the soil, surface drainage, ground water level, and topography shall be the criteria for determining whether or not the installation of individual systems is permissible. Criteria shall be in accordance with the requirements of the County Board of Health and the requirements of the Ohio Department of Health.

Each lot so served shall be of a size and shape to accommodate the necessary length of tile field at a safe distance from and at a lower elevation than the proposed building(s). Such lot size and shape shall conform to the requirements of the zoning district in which they are located. If no zoning is in effect, the standards set forth in Article 5, Section 505 of these regulations shall be met.

Section 602. Water Supply

The following requirements shall govern water supply improvements:

- A. Where public water supply is reasonably accessible or required because of pollution problems, in the determination of the Planning Commission, the subdivision shall be provided with a complete water distribution system, including a connection for each lot and fire hydrants where permitted or required. Public water distribution and public well systems shall meet the requirements of Williams County, the Department of Health, and the Ohio Environmental Protection Agency.
- B. Where public water supply is not available or not required, the subdivider may 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 Planning Commission.
- C. 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; twenty-five (25) feet from streams, lakes, ponds, and ditches; twenty (20) feet from all cast iron sewer lines; and twenty (20) feet from any vitrified sewer tile lines, and shall not be located within any areas of flooding.

Minimum lot sizes shall be in accordance with the requirements of the zoning district in which the subdivision is located. If no zoning is in effect, the minimum requirement of Table 2 of Article 3 of these regulations shall apply. In all cases where it has been determined that individual water supplies from private wells are not feasible, a public water distribution system shall be required.

Section 603. 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. The hydrant 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 having jurisdiction. The minimum size of any water line serving any hydrant shall not be less than six (6) inches in diameter and should be circulating water lines. The size and location of water lines should be approved by the Ohio Environmental Protection Agency, County Engineer.

Section 604. Electric, Gas, Telephone, and Cable TV Facilities

- A. Electric service and telephone service shall be provided within each subdivision. Gas service may be required where reasonably accessible. Whenever such facilities are reasonably accessible and available, they may be required to be installed within the area prior to the approval of the final plat.
- B. Overhead utility lines, where permitted, shall be located at the rear of all lots. The width-of the easement per lot shall be not less than ten (10) feet and the total easement width shall be not less than twenty (20) feet.
- C. Whenever a sanitary sewer line and electric and/or telephone line are each placed underground in the same utility easement, the following provisions shall be applicable:
 - 1. The total easement width shall be not less than twenty (20) feet; and
 - 2. The sanitary sewer line shall be installed within five (5) feet of one side of the easement, and the electric and/or telephone lines shall be installed within three (3) feet of the opposite side of the easement.
- D. All utilities located in the street right-of-way shall submit the proposed construction drawings to the County Engineer for approval before installation of the facilities.

Section 605. Easements

Easements at least twenty (20) feet in width centered along rear or side lot lines shall be provided where necessary for sanitary sewers, gas mains, water lines, and electric lines. Easements shall also be provided along every water course, storm sewer, drainage channel, or stream within a subdivision, as provided for in Section 507 of these regulations.

Section 606. Over Size and Off-Site Improvements

The utilities, pavements, and other land improvements required for the proposed subdivision may be required to be oversized or extended to serve nearby land which is an integral part of the neighborhood service or drainage area when determined by the appropriate agency.

Section 607. Cost Of Over Size Improvements

The subdivider shall be required to pay for only that part of the construction cost for the arterial streets, trunk sewers, or water lines which are serving the proposed subdivision as determined by the appropriate agency and approval by the Commission. The county or other public jurisdiction may pay the difference between the cost of improvement required for the proposed subdivision and improvements required to service the surrounding areas specified in Section 606 of these regulations.

ARTICLE VII - MINIMUM STANDARDS FOR BOUNDARY SURVEYS AND MONUMENTATION

Section 700. Introduction

- A. These standards are intended to be the basis of all surveys relating to the establishment or retracement of property boundaries in the State of Ohio.
- B. Where local or other prescribed regulations exist which are more restrictive than these standards, the more restrictive regulations shall prevail.
- C. When a client desires only a portion of his property surveyed, and this portion can be clearly isolated from the remainder of the property without affecting the interest of adjoining owners, these standards shall apply to the survey of only the desired portion.

Section 701. Definitions

The manual, Definitions of Surveying and Associated Terms, 1978, prepared by a Joint Committee of the American Congress on Surveying and Mapping and the American Society of Civil Engineers, is hereby adopted as authoritative for defining all technical terminology used in these standards.

Section 702. Research and Investigation

- A. Every land survey shall conform to the apparent intent of the deed description of the property being surveyed, and shall also be reconciled with the apparent intent of the deed descriptions of adjoining properties.
- B. When the deed description of the subject property and the deed descriptions of adjoining properties do not resolve the unique locations of the corners and lines of the property being surveyed, the surveyor shall consult other sources of information in order to assemble the best possible set of written evidence of every corner and line of the property being surveyed. These sources include, but are not limited to: records of previous surveys, deed descriptions of adjacent properties, records of adjacent highways, railroads, and public utility lines; also, subdivision plats, tax maps, topographic maps, aerial photographs, and other sources as may be appropriate.
- C. After all necessary written documents have been analyzed, the survey shall be based on a field investigation of the property. The survey shall:

1. Make a thorough search for physical monuments;
2. Analyze evidence of occupation;
3. Confer with the owner(s) of the property being surveyed. In addition, the surveyor shall, when necessary:
4. Confer with the owner(s) of the adjoining property;
5. Take testimony.

Section 703. Monumentation

- A. When control stations or boundary monuments called for in the deed description of the property cannot be found and it can be stated with certainty that they are lost, or when establishing new boundaries, the surveyor shall set boundary monuments in accordance with established legal principals, so that, upon completion of the survey, each corner of the property and each referenced control station will be physically monumented.
- B. When it is impossible or impracticable to set a boundary monument on a corner, the surveyor shall set a reference monument, similar in character to the boundary monument and preferably along one of the property lines which intersect at that corner. When such reference monument is used, it shall be clearly identified as a reference monument on the plat of the property and in any new deed description which may be written for the property.
- C. Every boundary monument and/or reference monument set by the surveyor shall, when practicable:
 1. Be composed of durable material;
 2. Have a minimum length of thirty (30) inches;
 3. Have a minimum cross-sectional area of material of 0.2 square inches;
 4. Be identified with a durable marker bearing the Surveyor's Ohio Registration Number and/or name or company name;

5. Be detectable with conventional instruments for finding ferrous or magnetic objects.
- D. When a case arises, due to physical obstructions such as pavements, large rocks, large roots, utility cables, etc., so that neither a boundary monument or a reference monument can be conveniently or practicably set in accordance with Section 704 b of these Standards, then alternative monumentation, which is essentially as durable and identifiable (e.g., chiseled "X" in concrete, drill hole, etc.) shall be established for the particular situation.

Section 704. Measurement Specifications

All measurements shall be made in accord with the following specifications:

- A. The surveyor shall keep his/her equipment in such repair and adjustment as to conform to the requirements of Section 4733.24 of the Ohio Revised Code.
- B. Every measurement of distance shall be made either directly or indirectly in such manner that the linear error in the distance between any two (2) points shall not exceed one in ten thousand.
- C. In all new deed descriptions and plats of survey, the lengths and directions of the lines shall be specified so that the mathematical error in closure of the property boundary does not exceed one in ten thousand.

Section 705. Plat of Survey

- A. The surveyor shall prepare a scale drawing of every survey in which they retrace previously established property lines or establishes new boundaries.
- B. A copy of this drawing shall be given to the client. Another copy shall be filed with the proper agency.
- C. The surveyor shall include the following details:
 1. A title such that the general location on the survey can be identified.
 2. A north arrow with a clear statement as to the basis of the reference direction used;
 3. The control station(s) or line cited in the deed description and the relationship of the property to this control;
 4. A notation at each corner of the property stating that the boundary monument specified in the deed description was found, or that a boundary monument was set.

In addition, there shall be a statement describing the material, size, position and condition of every monument found and/or set;

5. A general notation describing the evidence of occupation that may be found along every boundary line and/or occupation line;
6. The length and direction of each line as specified in the deed description of the property or as determination the actual survey if this differs from what is stated in the deed description by more than the tolerance specified in Section 705 of these regulations;
7. A citation of documentation and sources of data or testimony used as a basis for carrying out the work;
8. The written and graphical scale of the drawing;
9. The date of the survey;
10. The surveyor's printed name and registration number, signature and seal.

Section 706. Descriptions

- A. When a surveyor is called upon to prepare a new description, either to replace an existing description which is inadequate or to create a new piece, of property, said description shall include the following items:
 1. Sufficient caption so that the property can be adequately identified;
 2. A relationship between the property in question and clearly defined control station(s);
 3. The basis of the bearings;
 4. A citation to the public record of the appropriate prior deed (s) ;
 5. The surveyor's name, Ohio Registration Number and date of writing.

- B. A metes and bounds description shall include, in addition to standards set forth in Section 704 D of these regulations:

A description of the boundary monument used as the initial point of the description;

2. A series of calls for successive lines bounding the parcel, each of which specifies:
 - a. The intent in regards to adjoiners or other existing features;
 - b. The direction of the boundary monument used as the direction of the basis of bearing;
 - c. The length of the line;
 - d. The description of the boundary monument (or reference monument) and whether found or set to identify the end of the particular line; end of the particular line;
 - e. Sufficient mathematical data shall be given for each curved line so that the curve can be reproduced without ambiguity;
 - f. The reported boundary data shall meet the closure requirements of Section 705 of these regulations.
- C. Descriptions other than the metes and bounds form shall include sufficient and adequate legal and technical wording so that the property can be definitely located and defined.
- D. A statement shall appear indicating that either:
1. The description was made in accordance with a recent survey and date thereof; or
 2. The description was made based on a previous survey; of a certain date, and date of description; or
 3. The description was not based on a survey.
- E. When the surveyor knows a new description is to be used for a fee transfer, the surveyor shall base the description on current survey of the property.

Section 707. Subdivision Plats

When a subdivision is created from a piece of property, or several adjoining pieces, the surveyor shall prepare a scale drawing showing all of the details specified in Article 3 of these regulations. In addition, the drawing will show all of these details of each new lot, street, easement, etc., including the length and direction of each new line. Sufficient mathematical data shall be given for each curved line so that the curve can be reproduced without ambiguity.

ARTICLE VIII - SUBDIVISION FACILITIES CONSTRUCTION

Section 800. General Statement

The subdivider shall be responsible for the design and construction improvements, which must not be 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 in accordance with the standards of the current volume of Construction and Material Specifications of the State of Ohio Department of Transportation and the requirements of the Ohio Environmental Protection Agency. All inspection costs shall be paid by the subdivider.

Section 801. Guarantee For Installation, of Improvements

All improvements required herein shall be constructed prior to the granting of the final plat approval by the Regional Planning Commission, or the subdivider shall furnish the Commission with a corporate bond, surety, certified check or assigned certificate of deposit for the estimated construction cost for the ultimate installation and initial maintenance of the improvements.

Section 802. Erosion Control

Erosion shall be controlled during construction and until seeding is established. Erosion control methods shall be used to prevent siltation of pipes, drains, ditches, culverts and catch basins. Erosion of ditch banks must be repaired and siltation removed from drains, etc..., before acceptance of the project.

Section 803. Fertilizing, Seeding, and Mulching

All soil areas within the right-of-way shall be fertilized, seeded, and mulched as soon as possible following grading operations. Work shall be done in accordance with Ohio Department of Transportation's Construction and Material Specifications Manual. Plan gutter grades shall be maintained to prevent localized ponding of water.

Section 804. Survey Monumentation

Reference is hereby made to Article VII. Subdivision boundaries and property lines shall be monumented as described. In addition, reference shall be indicated at the beginning and end of all curves and all points of curves where the radius or direction changes and at such other points as are necessary to establish definition of all lines of the plat. (See Article VII)

Section 805. Final Inspection

Upon completion of all the improvements, the subdivider shall request, in writing, a final inspection by the County Engineer as required under Section 711.090 of the ORC.

ARTICLE IX - INTERPRETATION

The provision of these Regulations shall be held to be the minimum requirements adopted for the promotion and preservation of public health, safety, and general welfare, and to improve, protect and preserve the environment of Williams County. These regulations are not intended to repeal, abrogate, annul or in any manner interfere with existing Regulations or laws of the county, nor conflict with any laws of the State of Ohio, except that unless otherwise noted herein these regulations shall prevail in cases where these Regulations impose a greater restriction than in provided by existing laws or regulations.

ARTICLE X - VIOLATIONS AND PENALTIES

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

- A. Whoever violates any rule or regulation adopted by the Board of County Commissioners for the purpose of setting standards, 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 violates these Regulations shall forfeit and pay not less than ten (10) dollars nor more than one thousand (1,000) dollars. Such sum may be recovered with costs in a civil action in the Court of Common Pleas of Williams County. Each day that a violation is permitted to exist shall constitute a separate violation.
- B. Whoever, being the owner or agent of the owner of any land within the jurisdiction of these Regulations, 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 ten (10) dollars nor more than five hundred (500) dollars for each lot, parcel, or tract by metes and bounds in the deed of transfer shall not serve to exempt the seller from the forfeiture provided in this Section.
- C. Violations and Penalties are in compliance with the Ohio Revised Code Chanter 711.102 and 711.13

ARTICLE XI - REPEAL

All resolutions and amendments thereto enacted or adopted by the Board of County Commissioners, inconsistent with the provisions of these Regulations are hereby repealed, as of the effective date of these Regulations. The repeal of the above Resolutions and their amendments do not affect or impair any act done, offense committed, or right accruing, accrued or acquired or liability, penalty, forfeiture or punishment incurred prior to the time enforced, prosecuted, or inflicted.

ARTICLE XII - VARIANCE

The following regulations shall govern the granting of variances:

- A. Where the Regional Planning Commission finds that extraordinary and unnecessary hardship may result from strict compliance with these Regulations, due to exceptional topographic or other physical conditions, it may vary the regulations 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 variance shall not have the effect of nullifying the intent and purpose of these regulations, the Comprehensive Plan, or the Zoning Resolution, if such exist.
- B. In granting variances or modifications, the Regional Planning Commission may require such conditions as will, in its judgement, secure substantially the objective of the standards or requirements so varied or modified.
- C. All variances, shall be valid for a 12 month period from the date of approval, failure to go forward with the transfer of property within this period will render the variance null and void.

ARTICLE XIII - APPEAL

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

ARTICLE XIV - SCHEDULE OF FEES, CHARGES, AND EXPENSES

The Board of County Commissioners shall establish a schedule of fees, charges, expenses and a collection procedure for same, and other matters pertaining to these regulations. The schedule of fees shall be filed in the Office of the County Commissioners, and may be altered, or amended only by the Board of County Commissioners. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

ARTICLE XV - ENACTMENT

These regulations shall become effective from, and after the date of its approval and adoption by the Williams County Planning Commission and the Board of County Commissioners after a public hearing and certification by the Williams County Recorder.

ADOPTED:

(Commissioner)

Date: _____

(Commissioner)

(Commissioner)

(County Clerk)

APPENDIX

All Appendix information available on Williams County Engineer website:

<https://www.williamscountyoh.gov/380/Regional-Planning-Commission>