

Subdivision Regulations

Village of West Liberty, Ohio

September 8, 2021

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SUBDIVISION REGULATIONS, VILLAGE OF WEST LIBERTY, OHIO

ORDINANCE NO. 2021-17

AN ORDINANCE OF THE VILLAGE OF WEST LIBERTY, OHIO, ENACTED IN ACCORDANCE WITH OHIO REVISED CODE CHAPTER 711 FOR THE PURPOSE OF PROTECTING THE PUBLIC HEALTH, SAFETY, COMFORT, CONVENIENCE AND GENERAL WELFARE; AND REGULATING THE DEVELOPMENT OF SUBDIVIDED AREAS; PROMOTING THE PROPER ARRANGEMENT OF STREETS AND LAYOUT OF LOTS; PROVIDING FOR ADEQUATE AND CONVENIENT PROVISION OF OPEN SPACES, UTILITIES, RECREATION AND ACCESS TO SERVICE AND EMERGENCY VEHICLES; PROVIDING FOR ADEQUATE PROVISION OF WATER, DRAINAGE, SEWER AND OTHER SANITARY FACILITIES; PROVIDING FOR THE ADMINISTRATION OF THIS ORDINANCE AND DEFINING THE POWERS AND DUTIES OF THE ADMINISTARTING OFFICERS AS PROVIDED HEREINAFTER AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS IN THIS ORDINANCE OR ANY AMENDMENT THERETO; AND FOR ITS REPEAL OF ANY FORMER SUBDIVISION REGULATIONS.

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WEST LIBERTY, COUNTY OF LOGAN, STATE OF OHIO, THAT THESE REGULATIONS ARE HEREBY ENACTED.

ARTICLE I TITLE OF REGULATIONS

Section 100 TITLE. These regulations shall be known and may be cited and referred to as the "Subdivision Regulations of the Village of West Liberty," and shall hereinafter be referred to as "these regulations."

ARTICLE II SCOPE AND JURISDICTION

Section 200 ADMINISTRATION. These regulations shall be administered by the Village of West Liberty Planning Commission.

Section 210 JURISDICTION. These regulations shall be applicable to all subdivisions of land within the Village of West Liberty. The Village Council shall have the power of final approval of the plats.

Section 215 TECHNICAL DESIGN STANDARDS. The Village Engineer shall prepare Technical Design Standards which shall serve as an engineering supplement to these regulations. The Village Engineer shall revise the Technical Design Standards from time to time as needed.

Section 220 RELATION TO OTHER LAWS. The provision of these regulations shall supplement any and all laws of the State of Ohio, Ordinances of the Village of West Liberty or any and all rules and regulations promulgated by authority of such law or ordinance 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, or ordinances, the most restrictive or that imposing the higher standards, shall govern. Any subdivision regulation enacted by the Village prior to this ordinance is hereby repealed.

Section 240 AMENDMENTS. The Village Council, may, after public hearing, amend, or supplement these regulations. Notice shall be given of the time and place of such hearing by publication in at least one (1) newspaper of general circulation published in the area or county, three (3) days prior to holding of said hearing. The amendment or amendments shall be on file in the office of the Village Clerk/Treasurer for public examination during the said three (3) days.

Section 250 SEPARABILITY. If, for any reason, any clause, sentence, paragraph, section or other part of these regulations should be decided by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of these regulations as a whole, or any part thereof, other than the part so held to be invalid.

ARTICLE III PROCEDURE FOR SUBDIVISION APPROVAL

Section 300 PRE-APPLICATION MEETING REQUIRED. The subdivider shall submit a Pre-application Sketch of the proposed subdivision which shall conform with the requirements of Section 301. A filing fee may be charged as indicated in Section 803.

Section 301 PRE-APPLICATION SKETCH CONTENT. The subdivider shall submit to the designated representative of the Planning Commission a sketch plan, legibly drawn at a suitable scale and containing proposed name of subdivision, location, north point, vicinity map, boundaries of the subdivision and its acreage, existing and proposed streets, lot lay-out and existing natural and man-made features such as soil types, vegetation, contours and service facilities. The Planning Commission's designated representative shall forward copies of the Sketch Plan to a sketch plan review committee for the purpose of study and recommendation.

Section 302 PRE-APPLICATION SKETCH MEETING REQUIRED. The subdivider shall meet with the Village Planning Commission or its designated representative and other officials and agencies as may be necessary prior to submitting the preliminary plat. The purpose of this meeting is to discuss early and informally the Preapplication Sketch; the purpose and effect of these regulations and the criteria and standards contained therein; and to familiarize the subdivider with the comprehensive plan, the major thoroughfare or streets plan, and the parks and public open space systems, the zoning regulations, and the drainage, sewerage and water systems for the Village of West Liberty, Ohio.

Section 310 PRELIMINARY PLAT REQUIRED. After the pre-application sketch meeting is held, the subdivider shall submit a preliminary plat of the proposed subdivision which shall conform with the requirements set forth in *Sections 311 to 317*, inclusive. The Preliminary Plat shall include all the property which the subdivider ultimately plans to subdivide.

Section 311 APPLICATION FOR TENTATIVE APPROVAL. An application for the tentative approval of the preliminary plat on forms provided by the Village, together with a minimum of ten (10) copies of the preliminary plat and the supplementary information specified in *Section 312 to 317*, inclusive, shall be submitted to the Village Planning Commission's designated representative at least fourteen (14) days and not more than thirty (30) days prior to the meeting of the Commission at which action is requested. The preliminary plat shall be prepared by an Ohio registered professional engineer.

Section 312 PRELIMINARY PLAT FORM. The preliminary plat shall be drawn at a scale of not less than one (1) inch equals one hundred (100) feet, and shall be one (1) or more sheets twenty-four (24) by thirty-six (36) inches in size.

Section 313 PLAT CONTENTS.

The preliminary plat shall conform with the Technical Design Standards as required.

The preliminary plat shall contain the following information:

1. Proposed name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the County.

2. Location by section, range, and township.
3. Names, addresses, and telephone numbers of the owner, subdivider, professional surveyor who prepared the plat and the name, address, and telephone number of the engineer who supplied the supplementary information.
4. Date of survey.
5. Scale of the plat, north point, and date.
6. Boundaries of the subdivision and its acreage.
7. Names of adjacent subdivisions, owners of record of adjoining parcels of unsubdivided land, and the location of their boundary lines.
8. Locations, widths, and names of existing streets, railroad right-of-ways, easements, permanent buildings, and corporation and township lines; location of wooded areas and other significant natural items, soil types and soil limits, limits of Flood Hazard zones.
9. Zoning classification of the tract and adjoining properties.
10. Existing contours (USGS datum) at an interval of not greater than two (2) feet if the slope of the ground is fifteen (15) percent or less; and not greater than five (5) feet where the slope is more than fifteen (15) percent.
11. Existing sewers, water and gas mains, culverts and other underground structures, and electric and telephone poles and lines and other above ground structure within and adjacent to the tract.
12. Layout, names and widths of proposed streets and easements.
13. Building setback lines with dimensions.
14. Layout and dimension of all proposed water and sewer lines, showing their connections with existing systems, and all proposed easements for utility, water, and sewer lines.
15. Layout, numbers and approximate dimensions of each lot. When lots are located on a curve or when side lot lines are not at ninety (90) degree angles, the width at the building line shall be shown, if it is less than the frontage width. Location of access from the lots to the proposed streets shall be shown.
16. Parcels of land to be reserved for public use or to be reserved by covenant for residents of the subdivision.
17. The limits of all Flood Hazard Areas (zone A, AE, B, and X) as determined by the Federal Emergency Management Agency (show the FEMA map number and date). The

Base Flood Elevation shall be determined and shown. Minimum first floor elevations shall be shown for all lots located within Flood Hazard Areas.

Section 314 SUPPLEMENTARY INFORMATION. The following information shall be supplied in addition to the requirements in *Section 313*. All drawings shall be 24 by 36 inches in size and at scales suitable for review as determined by the Village Engineer.

1. Statement of proposed use of lots, giving type and number of dwelling units; and type of business or industry if use is not residential.
2. Description of proposed covenants and restrictions.
3. Description of proposed zoning changes.
4. Typical street sections and tentative profiles of streets and other related improvements. Calculations as required to justify horizontal and vertical curves, pipes sizes, etc. The Village Engineer shall have approved the layout and design of the lots, streets and other improvements prior to the preliminary plat approval.
5. A preliminary drainage plan which shall identify adequate drainage outlets and shall contain adequate measures for control of erosion and siltation and for surface water management. The Village Engineer shall have approved the preliminary drainage plan prior to the preliminary plat approval.
6. Letters from utility companies, as required, indicating approval of easement locations and widths prior to the preliminary plat approval.
7. A vicinity map at a scale of not more than six thousand (6000) feet to an inch shall be shown on, or shall accompany, the preliminary plat. This map shall show all existing subdivisions, road and tract lines, together with the names of the owners of land immediately adjoining the proposed subdivision and between it and the nearest existing thoroughfares. It shall also show the most advantageous connections between the roads in the proposed subdivisions and between it and the nearest existing thoroughfares.

Section 315 FILING. The preliminary plat shall be considered officially filed on the day which it is accepted for processing by the Village Planning Commission's designated representative and shall be so dated. A filing fee shall be charged, as indicated in *Section 803*.

Section 316 APPROVAL OF PRELIMINARY PLAT. The Village Planning Commission's designated representative shall forward copies of the preliminary plat to such officials and agencies as may be necessary for the purpose of study and recommendation. These shall include at least the Village Engineer, Fire Department, Village Street Superintendent, Soil and Water Conservation District, and the Village Water and Sewer Departments. After receipt of reports from such officials and agencies, the Planning Commission shall determine whether the preliminary plat shall be approved, approved with modifications, or disapproved. If a plat is disapproved, the reasons for such disapproval shall be stated in writing. The Planning Commission shall act on the preliminary plat within thirty (30) days after filing unless such time is extended by agreement with the subdivider. When a preliminary plat has been approved by the Village Planning Commission, the chairperson

shall sign one (1) copy for the file and one (1) copy for the developer. Approval of the preliminary plat shall not constitute approval of the final plat.

Section 317 CONSTRUCTION AND UTILITY PLAN REQUIREMENTS. Based on the approved preliminary plat and the required modifications relating thereto, if any, the subdivider shall cause to be prepared by an Ohio registered professional engineer a complete set of drawings and specifications of the proposed improvements. The plans shall include typical sections, plan and profile views, construction details, estimate of quantities, estimate of costs, etc. The Village Engineer shall not approve the plans until the plans have been approved by the appropriate water and sanitary sewer service provider, and the appropriate utility companies. The plans shall be approved in advance by the Village Engineer before commencement of construction. The plans shall be prepared in accordance with the Technical Design Standards and other applicable standards. The plans shall be reviewed and approved in 30 days by the Village Engineer before commencement of construction.

Section 318 APPROVAL PERIOD. The approval of the preliminary plat shall be effective for a maximum period of twenty-four (24) months unless an extension is requested in writing by the subdivider and granted in writing by the Village Planning Commission and shall guarantee that the terms under which the approval was granted will not be affected during the approval period by changes to these regulations.

Section 319 SUBDIVIDER'S AGREEMENT. Prior to the approval by the Village Engineer of the construction and utility plans for the subdivision as required in Section 317, the subdivider shall enter into an agreement with the Village Council providing for the construction and maintenance of the public facilities and improvements necessary for the development of the subdivision. The agreement shall be the standard agreement used by the Village for similar subdivisions. The agreement may be amended by the Village from time to time.

Section 320 FINAL PLAT REQUIRED. The subdivider, having received approval of the preliminary plat of the proposed subdivision, shall submit a final plat of the subdivision. The final plat will have incorporated all changes in the preliminary plat required by the Planning Commission. Otherwise, it shall conform to the preliminary plat. The final plat may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time.

Section 321 APPLICATION FOR FINAL PLAT APPROVAL. An application for approval of the final plat on forms provided by the Village Planning Commission, together with a minimum of ten (10) copies of the plat and the supplementary information specified, shall be submitted to the Village Planning Commission's designated representative at least fourteen (14) days and not more than thirty (30) days prior to the meeting of the Commission at which action is requested. The final plat shall be prepared by an Ohio registered professional surveyor.

Section 322 FINAL PLAT FORM. The final plat shall be legibly drawn in India ink or photographically reproduced on Mylar or other materials of equal permanence. It shall be drawn at a scale of not less than one (1) inch equals one hundred (100) feet, and shall be one (1) or more sheets twenty-four (24) by thirty-six (36) inches in size. If more than one (1) sheet is needed, each sheet shall be numbered and the relation of one sheet to another clearly shown. The Final Plat shall be provided to the Village Engineer in an acceptable digital format, if available.

Section 323 FINAL PLAT CONTENTS.

The final plat shall conform with the Technical Design Standards as required.

The final plat shall contain the following information:

1. Name of the subdivision, location by section, range and township; date, north point, written and graphic scale and acreage.
2. Names and addresses of the subdivider, and the professional surveyor who prepared the final plat.
3. Plat boundaries, based on accurate traverse, with directional and lineal dimensions.
4. Bearings and distances to nearest established street lines or other recognized permanent monuments.
5. Exact locations, right-of-way, and names of all streets within and adjoining the plat to be verified with the Map Room.
6. Radii, internal angles, points of curvature, tangent bearings, lengths of arcs, and lengths and bearings of chords.
7. All easements and right-of-ways provided for public services or utilities. All plats shall contain a restriction that no permanent structures, plantings, or landscaping etc. shall be permitted in the easement area.
8. All lot numbers and lines with accurate dimensions in feet and hundredths. House numbers may be required to be shown.
9. Accurate location and description of all monuments. The plat shall clearly indicate which monuments are in place at the time of certification of the Final Plat by the surveyor. The plat shall also clearly indicate which monuments will be placed, if any, after construction of the improvements and before the completion date.
10. Accurate outlines of areas to be dedicated or reserved for public use, or any area to be reserved for common uses of all property owners.
11. The limits of all Flood Hazard Areas (show the FEMA map number and date). Base Flood Elevations and minimum first floor elevations shall be shown for all lots located within Flood Hazard Areas.
12. Restrictions and covenants the subdivider intends to include in the deeds to the lots in the subdivision.
13. Certification by a registered surveyor to the effect that the plat represents a survey performed by him or her; that all dimensional details are correct; and that the

monuments shown thereon were or will be placed by the established completion date or prior to the sale of each lot, whichever occurs first (See Section 322).

14. Notarized certification by the owner or owners of the authorization of the plat and dedication of streets and other public areas.
15. An overlay map including the names of adjacent subdivisions, owners of record of adjoining parcels of unsubdivided land, and the location of their boundary lines.
16. A vicinity map at a scale generally not more than six thousand feet to an inch shall be shown on, or shall accompany, the final plat.
17. A written legal description of the boundaries of the subdivision.

Section 324 SUPPLEMENTARY INFORMATION. The following information shall be supplied in addition to the requirements in *Section 323*:

1. If a zoning change is involved, certification from the Zoning Officer shall be required indicating that the change has been approved and is in effect.
2. A letter from the Village Engineer shall be required stating that all required improvements have been either installed and approved by the proper officials or agencies, or that a bond or other surety has been furnished assuring installation of the required improvements.

Section 325 FILING. The final plat shall be filed with the Village Planning Commission not later than twenty-four (24) months after the date of approval or extension of the preliminary plat; otherwise it will be considered void.

Section 326 GUARANTEE FOR INSTALLATION OF IMPROVEMENTS. Prior to the granting of approval of the final plat the subdivider shall have installed the required improvements, or shall have furnished a performance bond or certified check to the Village for the amount of the estimated construction cost of the installation of the improvements as approved by the Village Engineer. The Village has the right to determine the kind of surety that will be accepted. Before the bond, certified check is accepted, it shall be approved by the Village Council and their legal counsel. The term of the bond or certified check shall extend twelve (12) months beyond the completion date of the project unless released prior thereto by the Village Council. A completion date shall be established by the subdivider and approved by the Village Council. The period of time stipulated shall not exceed two (2) years from the date of the final plat approval unless an extension is requested in writing by the subdivider and granted in writing by the Village Council. The completion date shall be stated in the bond, certified check or letter of credit.

Section 327 APPROVAL OF FINAL PLAT. The Planning Commission shall approve or disapprove the final plat within thirty (30) days after it has been filed. Failure of the Planning commission to act upon the final plat within such time shall be deemed as approval of the plat. If the plat is disapproved, the grounds for such disapproval shall be stated in the records of the Commission. A letter stating the reason for disapproval shall be forwarded to the subdivider.

Section 328 TRANSMITTAL OF ORIGINAL TRACINGS AND COPIES. When the final plat has been approved by the Village Planning Commission, the original tracings shall be returned to the subdivider for filing with the County Recorder. After filing, the tracings shall become the property of the County Engineer.

Section 329 MINOR SUBDIVISIONS (LOT SPLITS). Approval without a plat of a minor subdivision may be granted by the designated representative of the Village Planning Commission without following the above procedures if the proposed division of a parcel of land meets all of the following conditions:

1. The proposed subdivision is located along an existing public street or road and involves no opening, widening, or extension of any street or road.
2. No more than five (5) lots are involved after the original parcel has been completely subdivided.
3. The proposed subdivision is not contrary to applicable subdivision or zoning regulations.
4. The property has been surveyed and a sketch and legal description along with the conveyance or other legal instrument is submitted.

If approval is given under these provisions, the designated representative of the Village Planning Commission shall, within seven (7) working days after submission, approve such proposed division and, upon presentation of a conveyance for such parcel, shall stamp "Approved by West Liberty Village Planning Commission, no plat required," and the designated representative of the Commission shall sign the conveyance.

Section 330 PERFORMANCE AND MAINTENANCE BONDS OR OTHER SURETY. A performance bond or other surety such as certified check, shall be required as stated in Section 326, to assure the proper authorities that completion of the required improvements will be made and that the improvements will be in conformance with the standards established in these regulations. The Village Council shall secure approval as to the form, sufficiency, and execution of the surety from their appropriate legal counsel. The performance surety shall not be released until the Village Engineer has certified satisfactory completion of all the required improvements and the dedication of land and facilities for public use has been submitted to the Village Council as set forth in Section 900. The amount of surety may be reduced on a prorated basis, for completed portions of the required improvements as approved by the Village Engineer if those required improvements have been dedicated for public use. In no event shall a surety be reduced below twenty (20) percent of the principal amount. If the improvements are not completed on or before the completion date as established in Section 326, then the Village Council may exercise the conditions of the bond or other surety and secure the completion of the improvements through the bonding company or the person, association, organization, partnership, trust, company, corporation or institution which provided the letter of credit or other surety guarantee.

Maintenance bonds or other surety shall be required by the Village to assure maintenance of all improvements in the subdivision by the subdivider, until final acceptance of the required improvements occurs at the end of the guarantee period. The amount of the surety shall be determined by the Village Engineer. The surety shall be submitted and approved in the same manner

as performance bonds or other sureties. Prior to formal acceptance of dedication, the subdivider shall provide for the upkeep and maintenance of all improvements, including snow removal. The maintenance surety shall be submitted for the guarantee period of at least one (1) year after the date of satisfactory completion of the improvements and offer of dedication for public use is made, whichever occurs later, and shall not be required for longer than two (2) years. The final acceptance of the requirement improvements shall occur only after:

1. Written request by the subdivider made no sooner than 2 months before the end of the guarantee period.
2. Certification by the Village Engineer that the improvements were completed in accordance with approved construction and utility plans and that the improvements are in good repair; and,
3. Passage by the Village Council.

Section 340 SUBDIVISIONS WITH PRIVATE STREETS. Subdivisions which propose the construction of private streets shall comply with all sections of this Article.

ARTICLE IV SUBDIVISION DESIGN STANDARDS

Section 400 GENERAL STATEMENT. The regulations in Article IV shall control the manner in which streets, lots and other elements of a subdivision are arranged on the land. These design controls shall help ensure convenient and safe streets, creation of usable lots, provision of space for public utilities, reservation of land for recreational uses or open space, etc. The planning of attractive and functional neighborhoods shall be promoted, minimizing the undesirable features of unplanned, haphazard growth.

The Village Planning Commission has the responsibility for reviewing the design of each proposed subdivision early in its design development. The Village Planning Commission shall ensure that all of the requirements of this Article are met.

The standards contained in this Article shall be supplemented by the Technical Design Standards of the Village Engineer.

Plans and specifications shall be prepared by an Ohio registered professional engineer in accordance with these regulations. Plans and specifications shall be submitted and approved in advance in accordance with Section 317 prior to commencement of construction.

Section 401 CONFORMITY TO DEVELOPMENT PLANS AND ZONING. The arrangement, character, width, and location of all roads shall conform with the Comprehensive Plan, Major Roads or Thoroughfare Plan or other planning documents. Roads not contained in the aforementioned plan shall conform to the recommendation of the Village Planning Commission, based upon the design standards set forth in this Article. The location of all roads and drives shall conform with these regulations and with the requirements of any Access Management Plan or of ODOT. Similarly, the arrangement, size, and location of all sanitary sewer and water facilities shall conform with the Comprehensive Plan, Master Plan for Water and Sewer, or other planning documents. In addition, no final plat of land within the area in which an existing Zoning Ordinance is in effect shall be approved unless it conforms with such Ordinance.

Section 402 SUITABILITY OF LAND. If the Village Planning Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to flooding, bad drainage, steep slopes, inadequate water supply, transportation facilities and other such conditions which may endanger health, life or property; or, if from investigations conducted by the public agencies concerned, it is determined that in the best interests of the public, the land should not be developed for the purpose proposed, the Village Planning 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 403 STREET DESIGN. The arrangement, character, extent, width, grade, and location of all streets shall conform with Section 401 and shall be considered in their relation to existing and planned streets, topographical conditions, and public convenience and safety; and in their appropriate relation to the proposed uses of the land to be served by such streets.

Section 404 STREET IMPROVEMENTS.

The arrangements, character, extent, width, grade, construction, and location of all streets shall conform to the Comprehensive Development Plan of the Village, and shall conform to the Village Design Criteria and Construction Standards and Drawings. Street design shall take into consideration their relationship to existing and planned streets, topographical conditions, and public convenience and safety; and in their appropriate relation to the proposed uses of land to be served by such streets. The street pattern shall discourage through traffic in the interior of a subdivision. The subdivider shall provide within the boundaries of the plat, the necessary right-of-way for the widening, continuance, or alignment of such streets in conformity with the Comprehensive Development Plan.

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

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

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

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

The Village shall reimburse the subdivider based on cost in the engineer’s estimate for the top 1 inch of asphalt, resulting in a minimum of 3 inches of asphalt by the subdivider and 1 inch by the Village for a minimum total of 4 inches.

Section 405 OFF-SITE ROAD AND STREET IMPROVEMENTS. If required by the Village Engineer, the Subdivider shall cause to be prepared a traffic study to determine the effect of the traffic generated by the subdivision on the existing surrounding public roads and intersections. The Subdivider may be required to widen or improve existing roads, streets, or intersections due to increased traffic caused by the subdivision.

Section 406 STREET SIGNS AND STREET NAMES.

- A. Street name signs and other traffic control signs shall be erected by the Subdivider.
- B. For purposes of street naming, the following is recommended:
 - 1. Circle, Place, or Court should be used only for cul-de-sac type streets.
 - 2. The words north, south, east, or west should be avoided as part of a street name whenever possible.

- C. Whenever a new street is constructed along the approximate alignment or extension of an existing street, its name shall be the same as that of the existing one.
- D. To avoid duplication and confusion, the proposed names of all streets shall be approved by the Planning Commission prior to such names being assigned or used.
- E. House numbers shall be assigned in accordance with the current house numbering system in effect in the Village.

Section 408 STREETS FOR COMMERCIAL SUBDIVISIONS.

Streets serving business developments and accessory parking areas shall be planned to connect with arterial streets or marginal access drives so as not to generate traffic problems. The intersections of driveways from parking areas with arterial or collector streets shall be located so as to cause the least possible interference with traffic movement on the streets. The location of streets and driveways for business developments shall conform to the Village Design Criteria and Construction Standards and Drawings.

Section 409 STREETS FOR INDUSTRIAL SUBDIVISIONS.

Collector streets for industrial subdivisions shall be planned to serve industrial areas exclusively and shall connect with arterial streets so that no industrial traffic will be directed into any residential street. Streets shall be planned to be extended to the boundaries or any adjoining land planned for industry, except when severe physical conditions exist or if the Planning Commission finds such extension is not in accordance with the approved plan of the area. The location of streets and driveways for industrial developments shall conform to the Village Design Criteria and Construction Standards and Drawings.

Section 412 BLOCKS.

1. The arrangement of blocks shall be such as to conform to the street planning criteria set forth in this Article and shall be arranged to accommodate lots and building sites of the size and character required for the district as set forth in the zoning regulations and to provide for the required community facilities.
2. Irregularly shaped blocks, those intended for cul-de-sacs or loop streets, and those containing interior parks or playgrounds, shall be approved by the Village Planning Commission when properly designed and located and when the maintenance of interior public spaces is covered by agreements.
3. No block shall be longer than one-thousand four-hundred (1,400) feet nor less than three hundred (300) feet.
4. Where blocks are over 900 feet in length, a public walkway easement not less than 10 feet in width at or near the halfway point may be required, if necessary, to provide proper access to schools, recreational areas, and other facilities. The Planning Commission has the authority to require an easement of 10 feet, 5 feet from each lot through the tier of

two (2) lots for pedestrian access to school, playgrounds, or other facilities. A sidewalk shall be constructed. The width for a sidewalk shall conform to the Village Design Criteria and Construction Standards and Drawings.

5. All block corners shall be rounded with a radius of not less than 25 feet measured at the back of the curb.

Section 413 LOTS.

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

- A. The lot arrangement and design shall be such that all lots will provide satisfactory building sites, properly related topography, and the character of surrounding development.
- B. All lots shall conform to or exceed the requirements for the zoning district in which they are located and the use for which they are intended.
- C. All lots shall abut by their full frontage on a publicly dedicated street or a street that has received the legal status of such. The minimum lot size, widths, and setbacks, shall be as specified in the Zoning Code.
- D. All side lot lines shall be as close to right angles as possible to the street line and radial to curved street lines, except where the Planning Commission determines that a variation to this rule would provide a better layout.
- E. Lots with double frontage shall be avoided except where the Planning Commission determines it is essential to provide separation of residential development from arterial streets.
- F. All corner lots shall have front yard setbacks on both streets and lots shall be of an area sufficient to permit adequate building site.
- G. No lot shall have an average depth which is more than three (3) times its average width, nor shall it have a depth of less than 110 feet except that, whenever a lot fronts upon an exterior curved portion of a street, lot depth may be reduced to not less than 100 feet.
- H. In the case of vacation of lots, or parts of lots, in the Village previously recorded in the Office of the Recorder of Logan County, Ohio, the same procedure, rules and regulations shall apply as for a new plat, except that a preliminary plat may not be required. The title of the vacation plat shall indicate what is being vacated, and the final plat shall include enough of the surrounding plat or plats to show its relations to adjoining areas.
- I. Whenever a subdivider or developer proposes a re-subdivision of a plat previously recorded in the Office of the Recorder of Logan County, Ohio he shall follow the same procedures as for a new plat, except that a preliminary plat may not be required if changes in street alignment or similar changes are not included in the proposal. The lots in the re-subdivision shall conform as to size and arrangement with the requirements of these Regulations and the appropriate requirements of the Zoning Code of the Village.

J. When a preliminary plat is submitted, all lots shall have the front setback lines clearly marked on them.

Section 414 EASEMENTS. Easements provided for utility lines shall be at least 20 feet in width for sanitary sewers and water lines and at least 10 feet for other utilities.

Watercourses - The subdivider shall dedicate rights-of-way or provide easements for storm drainage purposes which conform substantially with the lines of any natural watercourses, channels, streams, or creeks which traverse the subdivision or for any new channel which is established to substitute for a natural watercourse, channel, stream, or creek. Such rights-of-way or easements shall be of a width which will provide for the maintenance needs of the channel and incidental structures as determined by the Planning Commission. Easements shall be provided for the entire area of detention basins/retention ponds.

Section 415 PUBLIC SITES, OPEN SPACE, AND NATURAL FEATURES. Where a park, playground, school, or an access to public property is shown on the Comprehensive Plan or an official map or in a plan for such future use or is deemed essential by the Planning Commission and is located in whole or in part in the proposed subdivision, the Planning Commission shall require the dedication of such area within the subdivision. The subdivider shall pay for only that portion of the cost of the public site that benefits his or her subdivision as determined by the Planning Commission. Subdividers of land for subdivision not containing public sites shall be required to provide land or payment in lieu thereof for that portion which benefits from public sites as determined by the Planning Commission. The Planning Commission shall, wherever possible, encourage the preservation of all natural features which add value to residential developments and to the community, such trees or groves, water courses, beaches, areas of historical significance, vistas, and similar irreplaceable assets.

Section 416 FLOOD HAZARD AREAS OR AREAS WITH POOR DRAINAGE. In order to protect the health, safety, and general welfare of the public, the Village Planning Commission may reject any proposed subdivision located in an area subject to periodic flooding as determined and illustrated in studies or publications by the Federal Emergency Management Agency, the Ohio department of Natural Resources or other recognized documents or authorities or located in Algiers, Eel, Genesee, Henshaw, Muskego muck, Ross, Shoals, or Sloan soils. If the subdivision is located in an area having poor drainage, unacceptable drainage outlets or other adverse physical characteristics, or is located in Brookston, Lippincott, Montgomery, Paulding, Pewamo, Westland, or Wetzels soils, the Village Planning Commission may approve the subdivision provided the subdivider agrees to perform such improvements as will render the building sites acceptable for the intended use. Flood Hazard Permits are required for all construction located within Flood Hazard Areas.

Section 417 SIDEWALKS.

The Planning Commission will determine if sidewalks are required with approval of the Village Council.

All sidewalks shall be constructed in accordance with the Village Design Criteria and Construction Standards and Drawings. The Developer who constructs a sidewalk is responsible for curb-ramps at intersections and any sidewalk located on a public access that may be dedicated to the Village at a later time. Homeowners will be required to install sidewalks on individual properties within six (6)

months of finalized building construction (occupation of the building). Two (2) years after that particular phase of the subdivision is accepted and once 50% of the lots within that particular phase of the subdivision are developed, sidewalks must be installed on all lots by whomever owns the properties. If the sidewalks are not installed, the Village will perform the installation and assess the property owner for all costs incurred.

Section 418 SURVEY MONUMENTS.

A survey shall be made by a registered surveyor and shall conform to the “minimum standards for boundary surveys in the State of Ohio”.

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

Monument boxes with permanent markers shall be set at all street intersections and on all points of intersections. If the point of intersections are not in the paved area of the street, the monument boxes with permanent marks shall be placed at the point of curvature and point of tangent of all curves.

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

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

Section 419 STREET AND WALKWAY LIGHTING.

The subdivider is responsible for all equipment, labor, and materials for trenching, backfilling and conduit, where necessary for all street lights to be installed. Such lights shall be located at each street intersection within the subdivision. Street and walkway lighting (standard street light) shall be installed at a distance of no more than 250 feet apart. New subdivision street (walkway) lighting, trenching and backfilling shall be performed by the subdivider with all associated wiring underground. The subdivider shall place the layout of street lighting on the construction plans for Village review and approval.

Section 420 WATER SUPPLY IMPROVEMENTS.

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

Section 421 SANITARY SEWER IMPROVEMENTS.

The subdivider shall install public sanitary sewers to adequately serve all lots, including lateral connections to the public system. Public sewer system extensions shall meet the requirements and approval of the Ohio Environmental Protection Agency and conform to the standards and specifications of the Village Design Criteria, Construction Standards and Drawings, and StormWater Management Plan.

No individual septic systems or combined sanitary and storm sewers shall be allowed.

Section 422 DRAINAGE IMPROVEMENTS.

The subdivider shall construct all necessary facilities including underground pipe, inlets, catch basins, open drainage ditches, and detention basins as approved by the Village Engineer, to provide for adequate disposal of subsurface and surface water and maintenance of natural drainage course. The developer shall also provide all necessary soil sediment pollution control. Design and construction shall be in accordance with the Design Criteria, Construction Standards and Drawings, and Storm Water Management Plan of the Village. Adequate provisions shall be included in design and construction to accommodate all upstream drainage and, where necessary, extend all drainage improvements to plat limits.

It shall state on the final plat that all natural watercourses, detention basins, retention ponds, and appurtenances shall be maintained by the property owner. An easement shall be provided to ensure that there will not be any building within the drainage area and to provide for major maintenance and inspection. See the Design Criteria for inspection and ownership of detention basin requirements for placement of statements on deeds.

Section 423 CULVERTS AND BRIDGES.

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

A. All culverts and bridges shall extend, at a minimum, across the entire right-of-way width of the proposed street. The cover over the culvert and its capacity shall be approved by the Village Engineer. Headwalls are required.

B. Driveway culverts shall be as approved in accordance with the Village Design Criteria and Construction Standards and Drawings. The driveway culverts shall be laid so as to maintain the flow lines of the ditch or gutter. Headwalls are required.

C. All culverts and bridges shall conform to the Village Design Criteria and Construction Standards and Drawings.

Section 424 ELECTRIC, GAS, CABLE TELEVISION, AND TELEPHONE IMPROVEMENTS.

A. Electric, cable television, and telephone service shall be provided within each subdivision. Gas service may be required where reasonably accessible. Whenever such facilities are reasonably accessible and available, they may be required to be installed within the area prior to the approval of the final plat. Telephone, electric, street lighting wires, conduits, and cables shall be constructed underground except in cases where the Village determines that topographic, bedrock, or underground water conditions would result in excessive cost to the subdivider.

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 10 feet and the total easement shall be not less than 20 feet.

C. Whenever a sanitary sewer, water main or storm sewer, and electric and/or telephone line are each placed underground in the same utility easement, the following provision shall be applicable:

1. The total easement width shall not be less than 20 feet.
2. The sanitary sewer, water main or storm sewer shall be installed on one side of the easement.
3. Electric, gas, cable television, and telephone shall not be installed within 5 feet of either sanitary sewer, water main, or storm sewer.

Section 425 OVER-SIZED, OVER-DEPTH AND OFF-SITE IMPROVEMENTS.

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

Section 426 COST OF OVER-SIZED AND OVER-DEPTH IMPROVEMENTS.

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

A. Water Mains - A subdivider shall install water mains according to the Village's specifications. The material's cost difference between the minimum required size of pipe and appurtenances, and over-sized pipe required by the Village, will be paid by the Village.

B. Sanitary Sewers - A subdivider shall install sanitary sewers according to the Village's specifications. The material's cost difference between the minimum required size of pipe and appurtenances, and over-sized pipe required by the Village, will be paid by the Village. The construction cost difference as determined by the Village Engineer for the minimum depth needed for installation, and the greater depth of installation required by the Village, will be paid by the Village.

C. Storm Sewers - A subdivider shall install storm sewers according to the Village's specifications. The material's cost difference between the minimum required size of pipe and appurtenances, and over-sized pipe required by the Village, will be paid by the Village. The

construction cost difference as determined by the Village Engineer for the minimum depth needed for installation, and the greater depth of installation required by the Village, will be paid by the Village.

D. Streets - The type and composition of street paving and surfacing shall be installed as per current Village specifications, or County Engineering specifications where applicable, and shall be commensurate with the volume, street classification, character, and general circulation requirements, as determined by the Village. The cost of materials for the paved surface and its sub-base of an existing street, and any over-sizing cost in excess of the owner's required responsibility needed to meet the dimensional standards for roadways, as shown on the Village Comprehensive Development Plan, shall be at the Village's expense. The costs for the minimum street width, as required by these Regulations, including curb, gutter, and sidewalks, shall be the developer's responsibility and at his or her expense.

Section 427 EXTENSION TO BOUNDARIES.

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

Section 428 OFF-SITE EXTENSIONS.

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

Section 429 NON-ANNEXED SUBDIVISIONS.

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

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

Section 430 RECORD DRAWINGS.

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

ARTICLE VI (This Article reserved for future use)

ARTICLE VIII ENFORCEMENT

Section 800 RECORDING OF PLAT. No plat, deed, or other instrument creating a subdivision shall be recorded by the County Recorder or have any validity until said plat, deed, or other instrument has received final approval in the manner prescribed in these regulations.

Section 801 REVISION OF PLAT AFTER APPROVAL. No changes, erasures, modifications or revisions shall be made in any plat of a subdivision after approval has been given by the Planning Commission, and endorsed in writing on the plat, unless the said plat is first resubmitted to the Planning Commission.

Section 802 SALE OF LAND WITHIN SUBDIVISIONS. No owner or agent of the owner of any land located within a subdivision shall transfer or sell any land by reference to, exhibition of, or by the use of a plat of the subdivision before such plat has been approved and recorded in the manner prescribed in these regulations. Any sale or transfer contrary to the provisions of this section is void. The description of such lot or parcel by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from the provisions of these regulations.

Section 803 SCHEDULE OF FEES, CHARGES AND EXPENSES. The Village Council shall establish a schedule of fees, charges, and expenses and a collection procedure for the same, and other matters pertaining to these regulations. The schedule of fees shall be posted in the Village Town Hall, and may be altered or amended only by the Village Council. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal.

Section 804 PENALTIES. Any individual, firm, association, syndicate, partnership, corporation, trust, or other legal entity which violates any rule, regulation, requirement, standard, or action of the Village Council or the Planning Commission shall be subject to the penalties contained in Chapter 711 of the Ohio Revised Code and any other remedy of the law.

Section 805 VARIANCES. The following regulations shall govern the granting of variances:

1. The existence of exceptional topographic or other physical conditions.
2. Strict application of these regulations would result in extraordinary and unnecessary hardship, or
3. The purpose and intent of these regulations can be equally or better served.

In granting variances or exceptions, the Planning Commission may require such conditions as it deems necessary to substantially satisfy the purpose and intent of these regulations. A variance or exception may be denied if the variance or exception is merely for the subdivider's convenience, such as when land is not useable or to correct an error or poor judgement of the subdivider, or in instances where the only justification is that compliance with these regulations would add to the development costs.

Section 806 APPEAL. Any person who believes they have been aggrieved by these regulations or the action of the Planning Commission, has all the rights of appeal as set forth in Chapter 711 of the Ohio Revised Code or any other applicable section of the Ohio Revised Code.

**ARTICLE IX REQUIRED STATEMENTS AND SIGNATURES TO BE AFFIXED ON
THE PLAT**

Section 900 REQUIRED STATEMENTS. The following statements shall be affixed on the subdivision plat:

DEDICATION

Know all men by these presents that _____ and _____, owners of the land indicated on the accompanying plat, have authorized the platting thereof and do hereby dedicate the (streets, roads, parks, easements, etc.) to the (Public or Private) use forever.

Witnesses

Owners

STATE OF OHIO
COUNTY OF _____

Before me a Notary Public in and for said County personally came _____ who acknowledged the signing of the foregoing instrument to be their voluntary act and deed for the uses and purposes therein expressed. In witness whereof, I have hereunto set my hand and affixed my official seal this _____ day of _____ (year).

By _____
Notary Public

SURVEYOR'S CERTIFICATE

The accompanying plat represents a subdivision of land in (S.T.R. or V.M.S. No.), _____ Township, _____ County, Ohio. The tract has an area of _____ acres in streets, _____ in open space reserves, and _____ acres in lots making a total of _____ acres.

The property is located in Zone (Zone) per FEMA Community Panel No. (Number) dated (Date).

All measurements are in feet and decimals of a foot. All measurements on curves are (Chord or Arc) distances.

Monuments shown thereon were or will be placed by the established completion date or prior to the sale of each lot, whichever occurs first.

I hereby certify that the accompanying plat is a correct representation of (Subdivision Name) as survey (Date).

Professional Surveyor # _____

Date

Section 901 WITHIN THE CORPORATE LIMITS OF WEST LIBERTY.

Approved this _____ day of _____ (year): _____.
Zoning Inspector
Village of West Liberty

Approved this _____ day of _____ (year): _____.
Village Engineer
Village of West Liberty

Approved this _____ day of _____ (year): _____.
Chair, Planning Commission
Village of West Liberty

Approved this _____ day of _____ (year): _____.
Board of Health, Logan County

Approved this _____ day of _____ (year): _____.
Mayor,
Village of West Liberty

Approval of this plat does not constitute an acceptance of the dedication of any public street, highway, or other way or open space shown upon the plat (Section 711.09 and 711.10 of the Ohio Revised Code).

Transferred this _____ day of _____ (year): _____.
Auditor, Logan County

Filed for record this _____ day of _____ (year), at _____ AM/PM in

Plat Cabinet _____, Slide _____

Recorder, Logan County

ARTICLE X DEFINITIONS

Section 1000 INTERPRETATION OF TERMS OR WORDS. Words in these regulations are used in their ordinary English usage. Certain terms or works used herein shall be interpreted and defined as follows and wherever used in these regulations shall have the meaning indicated in this section. The word "shall" is to be interpreted as mandatory and shall be complied with unless waived; "may" is to be interpreted as having permission or being allowed to carry out a provision; "should" is to be interpreted as expressing that the application of said criteria or standard is desired and essential unless commensurate criteria or standards are achieved. All words used in the singular shall include the plural, and all words used in the present tense shall include the future tense, unless the context clearly indicates the contrary.

BLOCK. A piece or parcel of land entirely surrounded by public streets or highways, railroad rights-of-way, parks, streams and other bodies of water, or a combination thereof.

COMMUNITY FACILITIES. Existing, planned and proposed parks, playgrounds, schools and other public lands and buildings.

COMPREHENSIVE PLAN. The master plan, or any portion thereof, adopted by the Planning Commission of the Village of West Liberty which shows the general location and extent of physical facilities including major streets and main thoroughfares, parks, schools and other public open spaces and public building sites.

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

ENGINEER. Any person licensed to practice engineering in the State of Ohio, specifically a civil engineer as referred to in these regulations.

FLOOD PLAIN. The portion of a river or creek valley adjacent to the drainage channel which is periodically covered with water when the river or creek overflows its banks during flood stage as defined by the Federal Emergency Management Agency (FEMA).

IMPROVEMENTS. Any additions to the natural state of the land which increases its value or utility, including pavements, curbs, gutters, sidewalks, crosswalks, water mains, sanitary and storm sewers, landscaping and other appropriate facilities or plantings.

LOT. A portion of a subdivision or other parcel of land intended as a unit for transfer of ownership and/or for building purposes or development. Such lot shall have frontage on a dedicated public street.

LOT, INTERIOR. Any lot other than a corner lot.

LOT, THROUGH. Any interior lot having frontage on two, more or less, parallel streets as distinguished from a corner lot. All yards of such lots adjacent to streets shall be considered frontal, and front yard setbacks shall be provided as required.

LOT DEPTH. The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

LOT FRONTAGE. The portion of a lot at the street or road right-of-way line. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to street or road right-of-way lines shall be considered frontage.

LOT WIDTH. The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the street or road right-of-way line, except on cul-de-sac streets where it is measured at the setback line.

MAINTENANCE BOND. An agreement in the form of a bond or other surety by a subdivider with the Village of West Liberty for the amount so determined by the Village Engineer to assure that public roads and facilities are maintained between time of completion by the subdivider and formal acceptance of dedication by the Village of West Liberty.

MAJOR STREETS PLAN. The comprehensive plan adopted by the Planning Commission indicating the general location recommended for freeways, arterials, collectors, and local streets within the corporate limits of the municipality and/or unincorporated areas within three miles thereof.

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

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

PERFORMANCE BOND OR OTHER SURETY. An agreement by a subdivider or developer in the form of a bond, certified check, or letter of credit with the Village for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed in the subdivider's or developer's agreement.

PLAT. The map, drawing, or chart on which the developer's plan of subdivision is presented to the Village Planning Commission for approval and, after such approval, to the County Recorder for recording.

PLAT, FINAL. The final map, drawing or chart and supplementary information, based upon the approved preliminary plat, in which the subdivider's plan is presented to the Village Planning Commission for approval and which, if approved, will be certified and submitted to the County Recorder.

PLAT, PRELIMINARY. The preliminary map, drawing, or chart, and supplementary information, on which the layout and design of a proposed subdivision is submitted to the Village Planning Commission for consideration and approval.

RIGHT-OF-WAY. A strip of land taken or dedicated for use as a public or private way. In addition to the roadway or pavement, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities.

SETBACK. A line established by the Subdivision Regulations and/or Zoning Ordinance (Resolution), generally parallel with and measured from the front lot line, defining the limits of a front yard in which no building or structure may be located above ground, except as may be provided in said Codes.

STREET OR ROAD. The paved portion within a right-of-way which is used for vehicular traffic and designated as follows:

1. *Arterial Street.* A general term denoting a highway primarily for through traffic, usually on a continuous route.
2. *Collector Street.* A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial highways or major streets, including the principal entrance streets of residential developments and primary circulation routes within such development.
3. *Local Street.* A street within a residential, industrial, commercial, or other type of development which primarily provides access to residential, commercial, or other abutting property.
4. *Cul-de-Sac.* A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround.
5. *Marginal Access Street.* A local street parallel and adjacent to a higher classification street or road, providing access to abutting properties and preserving the capacity and safety of the higher classification street or road.
6. *Alley.* Minor ways used primarily for vehicular service access to the back or side of properties abutting on other streets.

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 hereunder for him/herself or for another.

SUBDIVISION.

1. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites or lots, any one of which is less than five (5) acres for the purposes, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels or 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, which such sale does not create additional building sites, shall be exempted; or,

2. The improvement of one (1) 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 street 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 for public sewer, water, storm drainage or other public facilities.

SUBDIVISION, MINOR. A subdivision approved by the Village Planning Commission or its designated representative which does not require a plat and which is in conformance with the provisions of Section 329.

SURVEYOR. Any person licensed to practice surveying in the State of Ohio.

ZONING REGULATIONS. The Zoning Ordinance of the Village of West Liberty.

ARTICLE XI ENACTMENT

Section 1100 EFFECTIVE DATE. These regulations shall become effective on and after the date of their approval and adoption by the Planning Commission and Village Council after public hearing and certification to the County Recorder. Henceforth, any other regulations previously adopted by the Planning Commission or the Village Council shall be deemed to be repealed. These regulations shall in no way affect any subdivision having received preliminary approval prior to the effective date provided, however, that no changes to the preliminary plan, as approved, are introduced by the subdivider.

PASSED this _____ day of _____ (year): _____.
President, Village Council
Village of West Liberty

ADOPTED this _____ day of _____ (year): _____.
Mayor
Village of West Liberty

ATTEST: _____
Clerk/Treasurer
Village of West Liberty

Village Solicitor
Village of West Liberty

ORDINANCE NUMBER: _____

PRELIMINARY PLAT CHECKLIST

SUBDIVISION: _____

DATE: _____

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

| <input checked="" type="checkbox"/> | DESCRIPTION | REMARKS |
|-------------------------------------|---|---------|
| | Received fees. | |
| | Ten copies of plat to usable and readable scale One digital copy of plat. | |
| 1. | Proposed name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the County. | |
| 2. | Location by section, range, and township. | |
| 3. | Names, addresses, and telephone numbers of the owner, subdivider, professional engineer who prepared the plat, and professional surveyor who performed the boundary survey; and the name, address, and telephone number of the engineer who supplied the supplementary information. | |
| 4. | Date of survey. | |
| 5. | Scale of the plat, north point, and date. | |
| 6. | Boundaries of the subdivision and its acreage. | |
| 7. | Names of adjacent subdivisions, owners of record of adjoining parcels of unsubdivided land, and the location of their boundary lines. | |
| 8. | Locations, widths, and names of existing streets, railroad right-of-ways, easements, permanent buildings, and corporation and township lines; location of wooded areas and other significant natural items, soil types and soil limits, limits of Flood Hazard zones. | |
| 9. | Zoning classification of the tract and adjoining properties. | |
| 10. | Existing contours (USGS datum) at an interval of not greater than two (2) feet if the slope of the ground is fifteen (15) percent or less; and not greater than five (5) feet where the slope is more than fifteen (15) percent. | |
| 11. | Existing sewers, water and gas mains, culverts and other underground structures, and electric and telephone poles and lines and other above ground structure within and adjacent to the tract. | |
| 12. | Layout, names and widths of proposed streets and easements. | |
| 13. | Building setback lines with dimensions. | |
| 14. | Layout and dimension of all proposed water and sewer lines, showing their connections with existing systems, | |

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| | | and all proposed easements for utility, water, and sewer lines. | |
| | 15. | Layout, numbers and approximate dimensions of each lot. When lots are located on a curve or when side lot lines are not at ninety (90) degree angles, the width at the building line shall be shown, if it is less than the frontage width. Location of access from the lots to the proposed streets shall be shown. | |
| | 16. | Parcels of land to be reserved for public use or to be reserved by covenant for residents of the subdivision. | |
| | 17. | The limits of all Flood Hazard Areas (zone A, AE, B, and X) as determined by the Federal Emergency Management Agency (show the FEMA map number and date). The Base Flood Elevation shall be determined and shown. Minimum first floor elevations shall be shown for all lots located within Flood Hazard Areas. | |
| | S1. | Statement of proposed use of lots, giving type and number of dwelling units; and type of business or industry if use is not residential. | |
| | S2. | Description of proposed covenants and restrictions. | |
| | S3. | Description of proposed zoning changes. | |
| | S4. | Typical street sections and tentative profiles of streets and other related improvements. Calculations as required to justify horizontal and vertical curves, pipes sizes, etc. The Village Engineer shall have approved the layout and design of the lots, streets and other improvements prior to the preliminary plat approval. | |
| | S5. | A preliminary drainage plan which shall identify adequate drainage outlets and shall contain adequate measures for control of erosion and siltation and for surface water management. The Village Engineer shall have approved the preliminary drainage plan prior to the preliminary plat approval. | |
| | S6. | Letters from utility companies, as required, indicating approval of easement locations and widths prior to the preliminary plat approval. | |
| | S7. | A vicinity map at a scale of not more than six thousand (6000) feet to an inch shall be shown on, or shall accompany, the preliminary plat. This map shall show all existing subdivisions, road and tract lines, together with the names of the owners of land immediately adjoining the proposed subdivision and between it and the nearest existing thoroughfares. It shall also show the most advantageous connections between the roads in the proposed subdivisions and between it and the nearest existing thoroughfares. | |

FINAL PLAT CHECKLIST

SUBDIVISION: _____

DATE: _____

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

| <input checked="" type="checkbox"/> | DESCRIPTION | REMARKS |
|-------------------------------------|---|---------|
| | Received fees. | |
| | Ten copies of plat to usable and readable scale One digital copy of plat. | |
| | 1. Name of the subdivision, location by section, range and township; date, north point, written and graphic scale and acreage. | |
| | 2. Names and addresses of the subdivider, and the professional surveyor who prepared the final plat. | |
| | 3. Plat boundaries, based on accurate traverse, with directional and lineal dimensions. | |
| | 4. Bearings and distances to nearest established street lines or other recognized permanent monuments. | |
| | 5. Exact locations, right-of-way, and names of all streets within and adjoining the plat. | |
| | 6. Radii, internal angles, points of curvature, tangent bearings, lengths of arcs, and lengths and bearings of chords. | |
| | 7. All easements and right-of-ways provided for public services or utilities. All plats shall contain a restriction that no permanent structures, plantings, or landscaping etc. shall be permitted in the easement area. | |
| | 8. All lot numbers and lines with accurate dimensions in feet and hundredths. House numbers may be required to be shown. | |
| | 9. Accurate location and description of all monuments. The plat shall clearly indicate which monuments are in place at the time of certification of the Final Plat by the surveyor. The plat shall also clearly indicate which monuments will be placed, if any, after construction of the improvements and before the completion date. | |
| | 10. Accurate outlines of areas to be dedicated or reserved for public use, or any area to be reserved for common uses of all property owners. | |
| | 11. The limits of all Flood Hazard Areas (show the FEMA map number and date). Base Flood Elevations and minimum first floor elevations shall be shown for all lots located within Flood Hazard Areas. | |

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| | 12. | Restrictions and covenants the subdivider intends to include in the deeds to the lots in the subdivision. | |
| | 13. | Certification by a registered surveyor to the effect that the plat represents a survey performed by him or her; that all dimensional details are correct; and that the monuments shown thereon were or will be placed by the established completion date or prior to the sale of each lot, whichever occurs first (See Section 322. | |
| | 14. | Notarized certification by the owner or owners of the authorization of the plat and dedication of streets and other public areas. | |
| | 15. | An overlay map including the names of adjacent subdivisions, owners of record of adjoining parcels of unsubdivided land, and the location of their boundary lines. | |
| | 16. | A vicinity map at a scale generally not more than six thousand feet to an inch shall be shown on, or shall accompany, the final plat. | |
| | 17. | A written legal description of the boundaries of the subdivision. | |
| | S1. | If a zoning change is involved, certification from the Zoning Officer shall be required indicating that the change has been approved and is in effect. | |
| | S2. | A letter from the Village Engineer shall be required stating that all required improvements have been either installed and approved by the proper officials or agencies, or that a bond or other surety has been furnished assuring installation of the required improvements. | |

SUBDIVISION FILING FEES

Preliminary Plat

Base Filing Fee \$600

Plus

Per Lot or Acre \$65

(whichever is larger)

Final Plat

Base Filing Fee \$600

Plus

Per Lot or Acre \$65

(whichever is larger)

Plat Extension

Filing Fee \$300

Plat Tabling

Filing Fee \$300