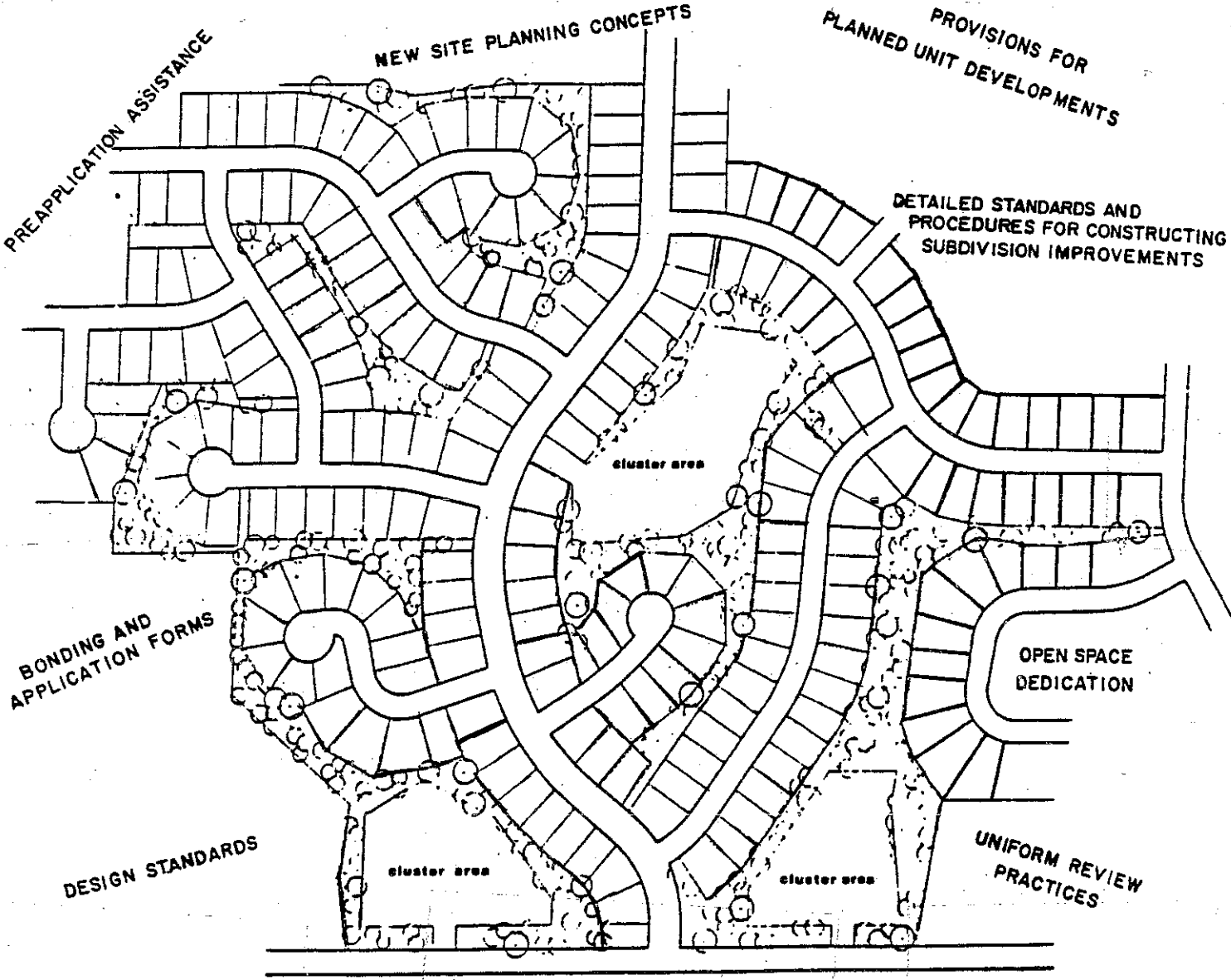


# PORTAGE COUNTY SUBDIVISION REGULATIONS



For The Unincorporated Areas of  
**PORTAGE COUNTY**

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PREAMBLE

A RESOLUTION OF THE COUNTY OF PORTAGE, OHIO, ENACTED IN ACCORDANCE WITH CHAPTER 711, OHIO REVISED CODE, AND FOR THE PURPOSE OF PROTECTING THE PUBLIC HEALTH, SAFETY, COMFORT, CONVENIENCE AND GENERAL WELFARE: AND REGULATING THE DEVELOPMENT OF SUBDIVIDED AREAS: PROMOTING THE PROPER ARRANGEMENT OF STREETS AND LAYOUT OF LOTS: PROVIDING FOR ADEQUATE AND CONVENIENT PROVISION OF OPEN SPACES, UTILITIES, RECREATION, AND ACCESS TO SERVICE AND EMERGENCY VEHICLES: PROVIDING FOR ADEQUATE PROVISION OF WATER, DRAINAGE, SEWER AND OTHER SANITARY FACILITIES: PROVIDING FOR THE ADMINISTRATION OF THESE REGULATIONS AND DEFINING THE POWERS AND DUTIES OF THE ADMINISTRATIVE OFFICERS: PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS IN THE RESOLUTION OR ANY AMENDMENT THERETO: AND FOR THE REPEAL THEREOF.

NOW THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF THE COUNTY OF PORTAGE, STATE OF OHIO:

*Regional Planning*

**CERTIFICATION**

RECEIVED FOR RECORD  
AT 8:15:42 AM/PM

9615454 #248

G.R. # 127 43-55

PORTAGE COUNTY RECORDER

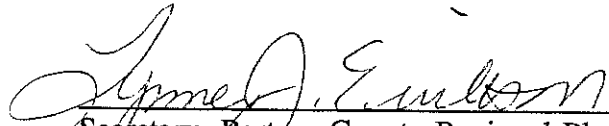
FEE 58.00

TO: Linda Fankhauser  
Portage County Recorder  
Portage County Administration Building  
449 South Meridian Street  
Ravenna, Ohio 44266

**INDEXED**

RE: Portage County Subdivision Regulation Amendments

I, Lynne J. Erickson, Secretary of the Portage County Regional Planning Commission do hereby certify the attached is a true and correct copy of the Portage County Subdivision Regulation Amendments that were approved by the Portage County Regional Planning Commission on June 9, 1994, and which were adopted by the Portage County Commissioners by Resolution No. 95-474, on August 3, 1995.

  
Secretary, Portage County Regional Planning Commission

5/20/96  
Date

RESOLUTION

NO. 95-474

RE: ADOPTION OF AMENDMENTS TO THE PORTAGE COUNTY SUBDIVISION REGULATIONS REGARDING - STORM WATER POLLUTION.

It was moved by Charles W. Keiper II, seconded by Christopher Smeiles that the following resolution be adopted:

WHEREAS, a committee was established by the Portage County Regional Planning Commission to revise the County Subdivision Regulations to make them consistent with the new Ohio EPA requirements for storm water discharges from construction sites; and

WHEREAS, as required by Ohio Revised Code, Section 711.10, the Board of Commissioners held a public hearing on July 7, 1994 to receive public comment on the proposed amendments to the Portage County Subdivision Regulations; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby adopt the revised modifications to the Portage County Subdivision Regulations regarding storm water pollution as proposed by the Portage County Regional Planning Commission; and be it further

RESOLVED, that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Upon call of the roll, vote was as follows:


Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Jack R. Groselle, Abstain;

\* \* \*

I, Clerk of the Board of County Commissioners do hereby certify that the foregoing is a true and correct copy of a resolution of the Board of County Commissioners of Portage County duly adopted August 3, 1995 and appearing upon the official records of said Board, Volume 46, page \_\_\_\_\_

  
Clerk

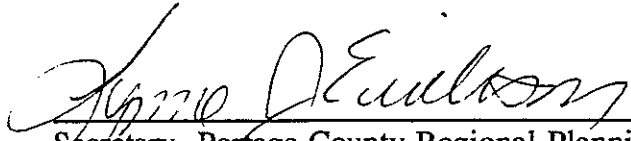
VOL 0127 PAGE 044

CERTIFICATION

TO: Linda Fankhauser  
Portage County Recorder  
Portage County Administration Building  
449 South Meridian Street  
Ravenna, Ohio 44266

RE: Portage County Subdivision Regulation Amendments

I, Lynne J. Erickson, Secretary of the Portage County Regional Planning Commission do hereby certify the attached is a true and correct copy of the Portage County Subdivision Regulation Amendments that were adopted by the Portage County Regional Planning Commission by Resolution No. 95-01, on January 12, 1995, and which were approved by the Portage County Commissioners by Resolution No. 94-757, on December 20, 1994.



Secretary, Portage County Regional Planning Commission

May 3, 1995

LJE/eb

RP

9507352

RECEIVED FOR RECORD

5-3 1995

At 4:33 PM o'clock

In Portage County Records 4

Of OK

Vol. 22 Page 655-658

LINDA K. FANKHAUSER

PORTAGE COUNTY RECORDER

- Fee 2000

INDEXED

VOL 0002 P.04 0000



**RESOLUTION**

**No. 95-01**

RE: SUBDIVISION REGULATIONS AMENDMENT TO SECTION 411  
ADOPTED January 12, 1995

WHEREAS: The Board of the Portage County Commissioners have held a public hearing and adopted an amendment to the Portage County Subdivision Regulations, Section 411 as follows:

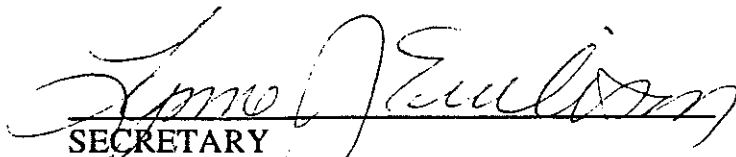
**Note: Service roads and easements of access leading to and providing access to parcels of land on which public utilities are located (e.g., standpipes, lift stations, substations, etc.) are exempt from the requirements of this section. Service roads and easements of access exempted from the requirements of this section shall not be used for access to any other parcel of land.**


WHEREAS: The Portage County Regional Planning Commission is the administering authority for such regulations and may adopt amendments to the Portage County Subdivision Regulations in accordance with proper procedures specified in the ORC Chapter 711, NOW THEREFORE BE IT

RESOLVED: That the Portage County Regional Planning Commission does hereby adopt the above amendment to be added to the Portage County Subdivision Regulations Section 411.

UPON CALL FOR VOTE BY R.T. MANSFIELD THE VOTE WAS AS FOLLOWS:

YEAS 13 NAYS 0 ABSTENTIONS 0

  
SECRETARY

  
CHAIRMAN, RPC

RESOLUTION

NO. 94-757

RE: SUBDIVISION REGULATIONS AMENDMENT TO SECTION 411 ADOPTED.

It was moved by Charles W. Keiper II, seconded by Janet Esposito that the following resolution be adopted:

**RESOLVED**, that the Board of Portage County Commissioners does hereby accept the following amendment to be added to the Portage County Subdivision Regulations-Section 411 as follows:

**Note: Service roads and easements of access leading to and providing access to parcels of land on which public utilities are located (e.g., standpipes, lift stations, substations, etc.) are exempt from the requirements of this section. Service roads and easements of access exempted from the requirements of this section shall not be used for access to any other parcel of land.**

and be it further

**RESOLVED**, that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Upon call of the roll, vote was as follows:

Charles W. Keiper II, Yea;

Janet Esposito, Yea;

Christopher Smeiles, Yea;

\*

\*

\*

I, Clerk of the Board of County Commissioners do hereby certify that the foregoing is a true and correct copy of a resolution of the Board of County Commissioners of Portage County duly adopted December 20, 1994 and appearing upon the official records of said Board, Volume 46, page\_\_\_\_\_.

Marjorie A. Schmiedel  
Clerk

1994 DEC 20 7:00 PM

RESOLUTION

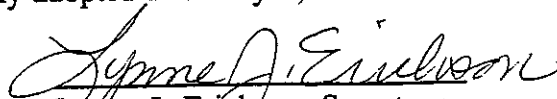
No. 92-01

RE: ADOPTION OF AMENDMENTS TO PORTAGE COUNTY SUBDIVISION  
REGULATIONS/RE-EXERCISE SUBDIVISION APPROVAL AUTHORITY  
FOR ALL UNINCORPORATED AREAS OF PORTAGE COUNTY

It was moved by S. Bird and seconded by D. Lipstreu  
that the following resolution be adopted:

- WHEREAS: Pursuant to Ohio Revised Code Section 711.10, the Portage County Regional Planning Commission held a public hearing on December 16, 1991, to receive public comments on proposed amendments to the Portage County Subdivision Regulations; and
- WHEREAS: The Portage County Regional Planning Commission has reviewed and discussed all proposed amendments to the Portage County Subdivision Regulations and received no objections to said amendments; and
- WHEREAS: The Portage County Commissioners held a public hearing on the amendments to the Portage County Subdivision Regulations on January 23, 1992 and subsequently adopted such amendments by Resolution No. 92-40; Now therefore be it
- RESOLVED: That the Portage County Regional Planning Commission does hereby repeal existing sections to be amended to give the amendments full force and effect and does hereby also adopt all amendments to the Portage County Subdivision Regulations such amendments to be effective on February 3, 1992; and be it further
- RESOLVED: That this resolution shall also serve to meet the requirements of ORC 711.09 for the Portage County Regional Planning Commission to re-exercise Subdivision Review and Approval Authority for all unincorporated areas of Portage County under the authority granted to it under O.R.C. Sec. 711.10.

I, Lynne J. Erickson, Secretary of the Portage County Regional Planning Commission, do hereby certify the foregoing is a true and correct copy of the motion and subsequent Resolution of the Portage County Regional Planning Commission, duly adopted February 3, 1992.

  
Lynne J. Erickson, Secretary

R E S O L U T I O N

NO. 92-40

RE: ADOPT SUBDIVISION REGULATION AMENDMENTS

It was moved by Janet Esposito, seconded by John D. Thomas that the following resolution be adopted:

WHEREAS, public hearings concerning amendments to the Portage County Subdivision Regulations which dealt with deferring authority of subdivision approval of subdivisions within 3 miles of the corporate limits of a municipality who properly exercised their authority to do so, and the Regional Planning Commission taking such authority away as now allowed under the Ohio Revised Code since there are 5 cities in Portage County, were held by the Regional Planning Commission and the Board of Portage County Commissioners; and

WHEREAS, public comment was determined to be of a positive nature only, concerning said amendments; now therefore be it

RESOLVED, that the Board of Commissioners does hereby approve the adoption of said amendments to sections 120, 302, 312, 316, and 320 to the Portage County Subdivision Regulations, to rescind deferral of subdivision review to municipalities of subdivisions occurring in unincorporated areas of Portage County as per O.R.C. 711.09, but to provide municipalities the opportunity for review and comment of subdivisions occurring in unincorporated areas surrounding the affected municipality(ies).

Upon call of the roll, vote was as follows:

Janet Esposito, Yea;

John D. Thomas, Yea;

Christopher Smeiles, Abstain;

\*

\*

\*

I, Clerk of the Board of County Commissioners do hereby certify that the foregoing is a true and correct copy of a resolution of the Board of County Commissioners of Portage County duly adopted January 23, 1992 and appearing upon the official records of said Board, Volume 45, page\_\_\_\_\_.

\_\_\_\_\_  
Clerk

**PORTAGE COUNTY SUBDIVISION REGULATION AMENDMENTS**

Adopted by Resolution No. 82-27 of the Portage County Commissioners, dated February 1, 1982,  
and Resolution No. 82-2 of the Portage County Regional Planning Commission, dated April 8, 1982.

Approved by Resolution No. 82-155 of the Portage County Commissioners, dated June 7, 1982.

Effective June 21, 1982.

Portage County Commissioners

Thomas J. Freeman

Irene A. Roth

Joseph M. Sorboro

RE: Approving New Portage County Subdivision Regulations that were adopted by the Portage County Planning Commission on April 8, 1982.

It was moved by Irene A. Roth, seconded by Joseph M. Sorboro, that the following resolution be adopted:

WHEREAS, on March 16, 1981, this Board held a public hearing for the purpose of receiving public comment on Articles 5 and 6 and Appendices I, J and N of the proposed new Portage County Subdivision Regulations. Such hearing was held pursuant to O.R.C. §711.10 and §711.101.

WHEREAS, such Articles and Appendices require the actual construction of streets and other improvements or facilities or assurances of such construction as a condition precedent to the approval of a plat of a subdivision by the Portage County Planning Commission.

WHEREAS, pursuant to O.R.C. §711.10, the Portage County Planning Commission could not adopt such Articles and Appendices as part of the new subdivision regulations unless such Articles and Appendices were first adopted by this Board after public hearing.

WHEREAS, subsequent to such hearing, this Board made certain revisions to Articles 5 and 6.

WHEREAS, as a result of such revisions, another public hearing was held on February 1, 1982, to receive public comment on such revisions.

WHEREAS, on February 1, 1982, this Board, by Resolution No. 82-27, adopted Articles 5 and 6 and Appendices I, J and N of the new subdivision regulations, which were contained in the December , 1980 draft as revised by changes dated January 21, 1982.

WHEREAS, pursuant to Ohio Revised Code section 711.10, on April 6, 1982, the Portage County Planning Commission held a public hearing on the entire set of proposed new subdivision regulations, which was the December, 1980 draft incorporating therein changes dated January 21, 1982.

WHEREAS, on April 8, 1982, the Portage County Planning Commission, by resolution No. 82-2, adopted the entire set of new subdivision regulations, which was the December, 1980 draft <sup>therein</sup> incorporating changes dated January 21, 1982.

WHEREAS, pursuant to O.R.C. § 711.132, no such regulations adopted by the Portage County Planning Commission could become effective until the same shall have been approved, after public hearing, by this Board.

WHEREAS, on May 24, 1982, this Board held a public hearing to receive public comment on the entire set of new subdivision regulations as adopted by the Portage County Planning Commission on April 8, 1982.

RESOLVED, that the entire set of new subdivision regulations, as adopted by the Portage County Planning Commission on April 8, 1982, are hereby approved effective June 21, 1982.

RESOLVED, that the Rules and Regulations Governing the Platting of Subdivisions of Land Under The Jurisdiction Of The Portage County Commissioners, as adopted by this Board on December 27, 1962, by Resolution No. 62-215, effective February 15, 1963, be and are hereby repealed, effective June 21, 1982.

The foregoing Motion having been put to a vote, the result of the roll call was as follows:

Irene A. Both, Yeas

Joseph M. Sorboro, Yeas

Thomas J. Freeman, Yeas

I, Clerk of the Board of County Commissioners, do hereby certify that the foregoing is a true and correct copy of a resolution of the Board of County Commissioners of Portage County, duly adopted June 7, 1982 and appearing upon the official records of said Board, Volume 40, page \_\_\_\_\_.

Edith Herchel  
Asst. Clerk

BOARD OF  
COUNTY COMMISSIONERS  
PORTAGE COUNTY  
VERONA, OHIO



CERTIFICATION

TO: Helen M. Frederick,  
Portage County Recorder  
Portage County Administration Bldg.  
449 S. Meridian St.  
Ravenna, Ohio 44266

IN RE: Portage County Subdivision Regulations

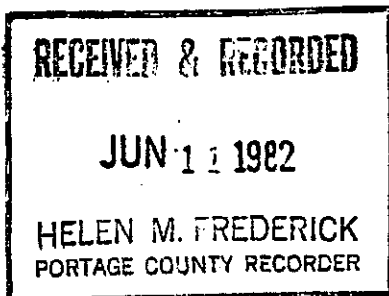
Dear Mrs. Frederick:

I, Donald Craig, Chairman of the Portage County Planning Commission, do hereby certify that the attached is a true and correct copy of the Portage County Subdivision Regulations that were duly adopted by the Portage County Planning Commission by Resolution No. 82-2, on April 8th, 1982, and which were approved by the Portage County Commissioners by Resolution No. 82-155, on June 7th, 1982.

Donald Craig  
CHAIRMAN, PORTAGE COUNTY  
PLANNING COMMISSION

June 11, 1982

DATE



**PORTAGE COUNTY SUBDIVISION REGULATION AMENDMENTS**

Adopted by Resolution No. 84-141 of the Portage County Commissioners, dated May 21, 1984, and Resolution No. 84-2 of the Portage County Regional Planning Commission, dated February 9, 1984.

Effective June 26, 1984.

Portage County Commissioners

Joseph M. Sorboro

Donald D. Sprott

Irene A. Roth

C E R T I F I C A T I O N

TO: Helen M. Frederick  
Portage County Recorder  
Portage County Administration Building  
449 South Meridian St.  
Ravenna, Ohio 44266

RE: Portage County Subdivision Regulation Amendments

I, William Schultz (Acting), Chairman of the Portage County Regional Planning Commission, do hereby certify that the attached is a true and correct copy of the Portage County Subdivision Regulation Amendments that were adopted by the Portage County Planning Commission by Resolution No. 84-2, on February 9, 1984, and which were approved by the Portage County Commissioners by Resolution No. 84-141, on May 21, 1984.

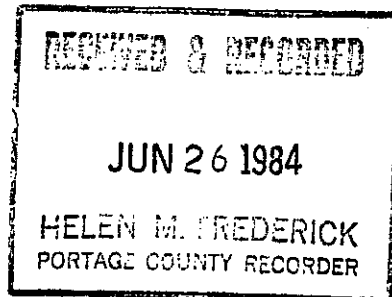
*William Schultz*

\_\_\_\_\_  
Chairman, Portage County Regional  
Planning Commission

June 22, 1984

\_\_\_\_\_  
Date

LJE:sh



RE: ADOPTION BY THE BOARD OF PORTAGE COUNTY  
COMMISSIONERS OF AMENDMENTS TO THE  
PORTAGE COUNTY SUBDIVISION REGULATIONS

It was moved by Donald D. Sprott seconded by Joseph M.

Sorboro that the following resolution be adopted:

- WHEREAS certain amendments have been proposed to the Portage County Subdivision Regulations, and
- WHEREAS said amendments were placed on display for the purpose of informing the public thereof on the 13th day of March, 1984, and remained on display until this date, and
- WHEREAS a public hearing was scheduled and held on the 23rd day of April, 1984, in the office of the Portage County Commissioners at 11:00 A. for the purpose of soliciting comment on the proposed amendments, a
- WHEREAS said public hearing was advertised in the Record Courier on March 16, 1984; now therefore be it
- RESOLVED that the Portage County Subdivision Regulations be amended as contained in the attached document, which effect Article 1, Section 110 and Section 120; Article 2, Definitions; Article 3 - 7 and Appendices; Article 3, section 304, 316, 317, 321, 322, 323; Article 4, section 422; Article 6, section 602, 620.

Upon call of the roll, vote was as follows:

Donald D. Sprott, Yea;

Joseph M. Sorboro, Yea;

\*

\*

I, Clerk of the Board of County Commissioners, do hereby certify that the foregoing is a true and correct copy of a resolution of the Board of County Commissioners of Portage County, duly adopted May 21, 1984 and appearing upon the official records of said Board, Volume 41, page 504.

*Delores Reed*

Clerk

RE: ADOPTION OF AMENDMENTS TO PORTAGE COUNTY  
SUBDIVISION REGULATIONS

It was moved by Bill Rudlosky and seconded by J. J. Leet that the following resolution be adopted:

- WHEREAS, pursuant to O.R.C. 711.10, the Portage County Planning Commission held a public hearing on February 6, 1984, to receive public comments on proposed amendments to the Portage County Subdivision Regulations; and,
- WHEREAS, the Portage County Planning Commission received one comment at said public hearing and considered said comment at the Portage County Planning Commission Meeting of February 9, 1984; and,
- WHEREAS, the Portage County Planning Commission has reviewed and discussed all proposed amendments to the Portage County Subdivision Regulations and there were no objections to said amendments. Now therefore, be it
- RESOLVED, that the Portage County Planning Commission does hereby repeal existing sections to be amended, such repeal to be effective on the effective date of these amendments, which date is to be established by the Board of Portage County Commissioners after adoption by the Board of all amendments; and, be it further
- RESOLVED, that the Portage County Planning Commission does hereby adopt all amendments proposed to the Portage County Subdivision Regulations including amendments to Article 6, adopted by the Portage County Commissioners on July 7, 1983.

I, Donald Craig, Chairman of the Portage County Planning Commission, do hereby certify that the foregoing is a true and correct copy of a resolution of the Portage County Planning Commission, duly adopted February 9, 1984.

  
Donald Craig, Chairman

## ARTICLE 1

### TITLE, SCOPE AND JURISDICTION

#### Section 100

##### Title

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

#### Section 110

##### Administration

These regulations shall be administered by the Portage County Regional Planning Commission, hereinafter usually called "Commission" or "Planning Commission", or "Regional Planning Commission", subject to and in accordance with Section 711.10 of the Ohio Revised Code. (Amended June 26, 1984)

#### Section 120

##### Jurisdiction

These rules and regulations shall apply to all subdivisions, plats, replats and exceptional replats of land in Portage County outside the corporate limits of a city or village, including subdivisions that are exempt from platting under Section 711.131 of the Ohio Revised Code and Section 330 of these regulations.

In those townships having zoning, a plat must be approved by the respective township's Zoning Inspector or the Township Trustees' designated representative.

#### Section 130

##### General

- A. All subdivisions other than those exempt under Section 711.131 of the Ohio Revised Code and Section 330 of these regulations must be platted.
- B. The development of the land shall be such as to meet the minimum general requirements of these regulations, including the construction of, or the securing (Performance Bond) of, certain improvements before a plat will receive the endorsement of the Planning Commission. (Section 711.10 of the Ohio Revised Code)

## Section 140

### Relation To Other Laws

The provisions of these regulations shall supplement any and all laws of the State of Ohio, resolutions of the County, or any and all rules and regulations promulgated by authority of such law or resolution relating to the purpose and scope of these regulations. Whenever the requirements of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolution; the most restrictive or that imposing the higher standards shall govern except as provided in Section 150 of these regulations.

## Section 150

### Planned Unit Developments Encouraged; Regulations May Be Modified

The planned unit development approach to development is greatly encouraged. These regulations may be modified by the degree necessary to accomplish the objectives and standards required for the planned unit development of residential, commercial, or industrial subdivisions, or a mixture thereof, in accordance with provisions of township zoning resolutions. Nothing within this section, however, shall exempt the developer from the requirements of subdivision plat approval as specified in Article 3 of these regulations.

## Section 160

### Amendments

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

## Section 170

### 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 as a whole, or any part thereof, other than the part so held to be invalid.

## ARTICLE 2

## DEFINITIONS

Interpretation of Terms or Words:

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

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

Alley: See Thoroughfare

Board: Board of County Commissioners of Portage County, Ohio.

Building:

Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels or property.

Building, Accessory:

A subordinate building detached from but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

Building, Principal:

A building in which is conducted the main or principal use of the lot on which said building is situated.

Building Line: See Setback Line

Commission: Portage County Regional Planning Commission (Amended June 26, 1984)

Commissioners:

Board of County Commissioners of Portage County, Ohio.



Comprehensive Development Plan:

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

Contractor:

The contractor is the developer or any person, firm, or corporation undertaking the construction of any or all phases of the work contained in these regulations.

Contours:

Lines of equal elevation on maps, plats, and engineering designs.

Corner Lot: See Lot Types.

County: Portage County, Ohio.

County Highway Plan:

A map showing existing and recommended major thoroughfares within Portage County, and that designates each thoroughfare as a freeway, arterial or collector street. (See Appendix L)

County Planning Commission:

Portage County Regional Planning Commission (Amended June 26, 1984).

Covenant: A written promise or pledge.

Cul-de-Sac: See Thoroughfare.

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

Dead-end- Street: See Thoroughfares.

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

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

Design Storm:

A selected rainfall pattern of specified amount, intensity, duration, and frequency that is used as a basis for design.

Detention Basin:

Constructed for the purpose of temporary storage of stream flow or surface runoff for releasing the stored water at controlled rates.

Developer:

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

Dwelling Unit:

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

Easement:

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

Earth Diversion Dikes:

A ridge of compacted soil constructed at the top or base of a sloping disturbed area.

Easement of Access:

A legal right, granted by the owner of a strip of land, to any person by which such person is afforded the right to use such strip for pedestrian and/or vehicular access to any subdivision, or part thereof. Such legal right may be granted by the conveyance of an easement, an undivided fractional interest in fee, or any other form of conveyance which conveys such a right. Such legal right may also be granted by a license.

Erosion:

The movement of soil particles, where not wanted, by water and wind.

Exceptional Replat:

A map of the plan for the division of land within or involving a previously platted subdivision where there is a sale or exchange of parcels between adjoining lot owners and no new building sites are created. (Amended June 26, 1984)

Engineer:

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

The Engineer: The Portage County Engineer or one of his duly authorized deputies or assistants.

Flood Plain:

Riparian area along a river, stream, or lake. Characterized by seasonal flooding or wetness and hydrophytic vegetation.

Highway Plan: See County Highway Plan.

Improvements:

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

Inspector:

The inspector is the authorized representative of the County Engineer and/or County Sanitary Engineer, assigned to make a detailed inspection of any or all portions of the work or materials thereof.

Location Map: See Vicinity Map.

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 on an approved private street.

Lot Frontage:

The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under Yards in this section.

Lot, Minimum Area of:

The area of lot computed exclusive of any portion of the right-of-way of any public or private street.

Lot Measurements: A lot shall be measured as follows:

1. Depth of a lot shall be considered to be the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
2. Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line.

Lot of Record:

A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Types:

Terminology used in these regulations with reference to corner lots, interior lots and through lots is as follows: (See Illustration No. 1)

1. A corner lot is defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
2. An interior lot is a lot other than a corner lot with only one frontage on a street.
3. A through lot is a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
4. A reversed frontage lot is a lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

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.

Mulching:

Application of plant residue or other suitable materials to the soil surface.

Natural Depression:

In the landscape, any depression created by natural occurrence such as glaciation.

Open Space:

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

Original Tract:

A parcel as shown on the Portage County Tax Map Records in 1959.

Out Lot:

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

Pad:

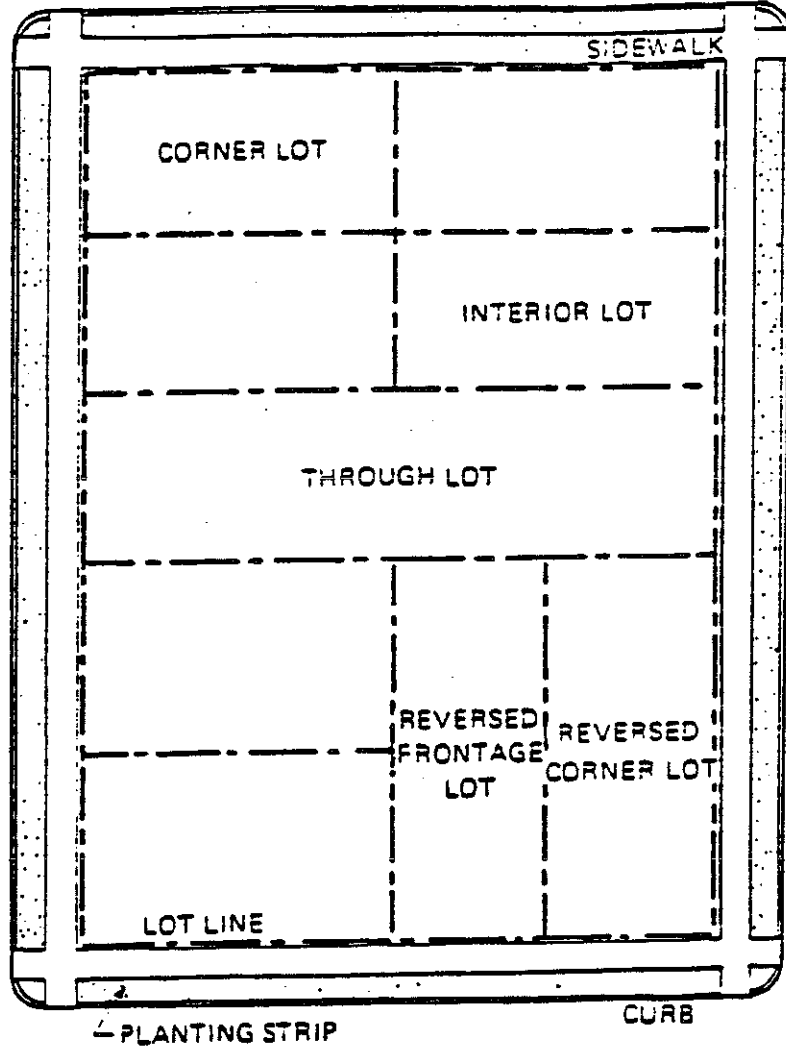
A building site prepared by artificial means, including, but not limited to, grading, excavation, or filling, or any combination thereof.

Parking Space, Off Street:

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

Illustration No. 1

**STREET**



**TYPES OF LOTS**

Performance Bond or Surety Bond:

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

Permanent Seeding:

The establishment of perennial vegetative cover on disturbed areas by planting seed.

Phasing:

Disturbing only the area of development that will be developed immediately.

Planned Unit Development:

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

Planning Commission:

Portage County Regional Planning Commission. (Amended June 26, 1984)

Plat:

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

Public Way:

An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

Replat:

A map of the developer's plan for changing the lots, streets and alleys of a previously platted subdivision. (Amended June 26, 1984)

Retention Ponds:

A natural or artificial basin that functions similar to a detention structure except that it maintains a permanent water supply.

Right-of-Way:

A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include

special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts, and bridges.

Rip-Rap:

A permanent erosion resistant groundcover of large, loose, angular stone with filter fabric or compacted granular underlining.

Road: See Thoroughfare.

Rock or Check Dams:

Small, temporary stone dams constructed across a swale or drainage ditch.

Scour:

Water erosion of the bottom of waterways, ditches, streams, or rivers.

Sediment Basin:

A temporary barrier or dam with a controlled stormwater release structure formed by constructing an embankment or compacted soil across the drainage way.

Setback Line:

A line established by the subdivision regulations and/or zoning resolution, 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. (See Yards)

Sewers, Central or Group:

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

Sewers, On-Site:

A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Sidewalk:

That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic. See "Walkway."

Silt Fence:

A temporary sediment barrier consisting of a filter fabric stretched across and attached to a post and entrenched.

Silting: Deposition of soil particles.

Sodding:

Stabilizing fine-graded, disturbed areas by establishing permanent grass stands with sod.

Soil Stabilization Blankets and Matting:

The installation of a protective covering (blanket) or a soil stabilization mat on a prepared planting area of steep slope, channel, or shoreline.

Storm Drain Inlet Protection:

A sediment filter or an excavated impounding area around a storm drain drop inlet or a curb inlet.

Straw Bale Barrier:

A temporary sediment barrier consisting of a row of entrenched and anchored straw bales.

Street: See Thoroughfare.

Subdivider: See Developer.

Subdivision:

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

Surveyor:

A person registered to practice surveying by the state board of registration as specified in Section 4733.14 of the Ohio Revised Code.

Temporary Seeding:

The establishment of a temporary vegetative cover on disturbed areas by seeding with appropriate, rapidly growing annual plants.



Thoroughfare, Street, or Road:

The full width between property lines bounding every public or private way of whatever nature, including an easement of access, with a part thereof to be used for vehicular traffic and designated as follows: (See Illustration No. 2)

1. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
2. Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.
3. Collector Street: A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
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. Dead-end Street: A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
6. Local Street: A street primarily for providing access to residential, commercial, or other abutting property.
7. Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the hundred and eighty (180) degree system of turns are not more than one thousand (1,000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
8. Marginal Access Street: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street)

Through Lot: See Lot Types.

TR-55 Software:

The Soil Conservation Service method of calculating runoff from developing areas.

Transportation Plan: See County Highway Plan.

Variance:

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

Vegetative Buffer Strip:

Established area of grass, sod, or trees between a waterway, river, stream, ditch, lake or pond.

Vicinity Map:

A drawing located on the preliminary plan and/or plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within Portage County in order to better locate and orient the area in question.

Walkway:

A dedicated public way, four (4) feet or more in width, for pedestrian use only, whether along the side of a road or not.

Watershed:

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

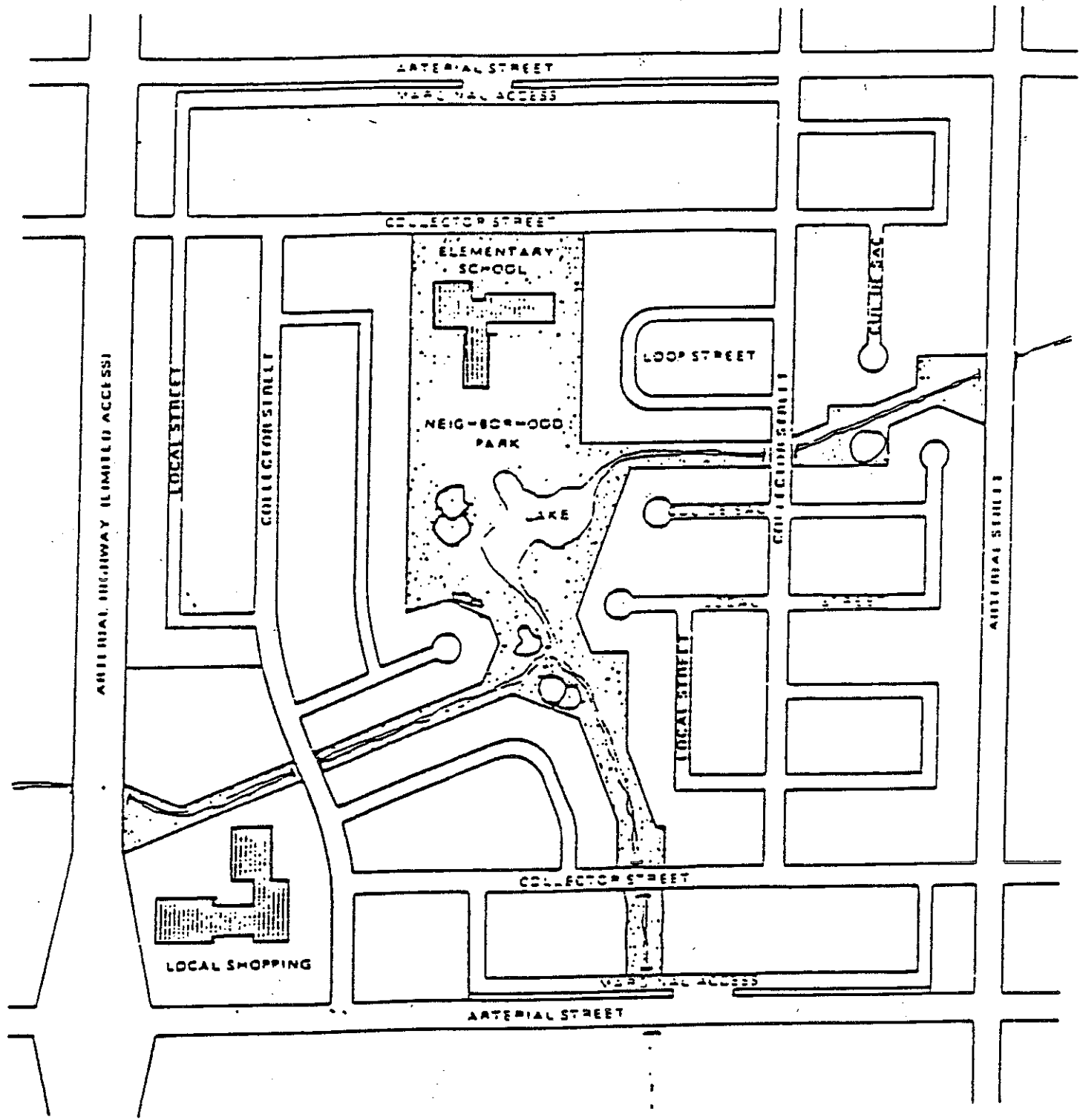
Wetlands:

Areas in the landscape that have hydric soils, hydrophytic vegetation, and have water at or near the surface part or most of the year.

Work, The:

The work is all work specified herein or indicated on the plans of the contemplated improvement covered by these regulations and supplemental agreements thereto.

Illustration No. 2



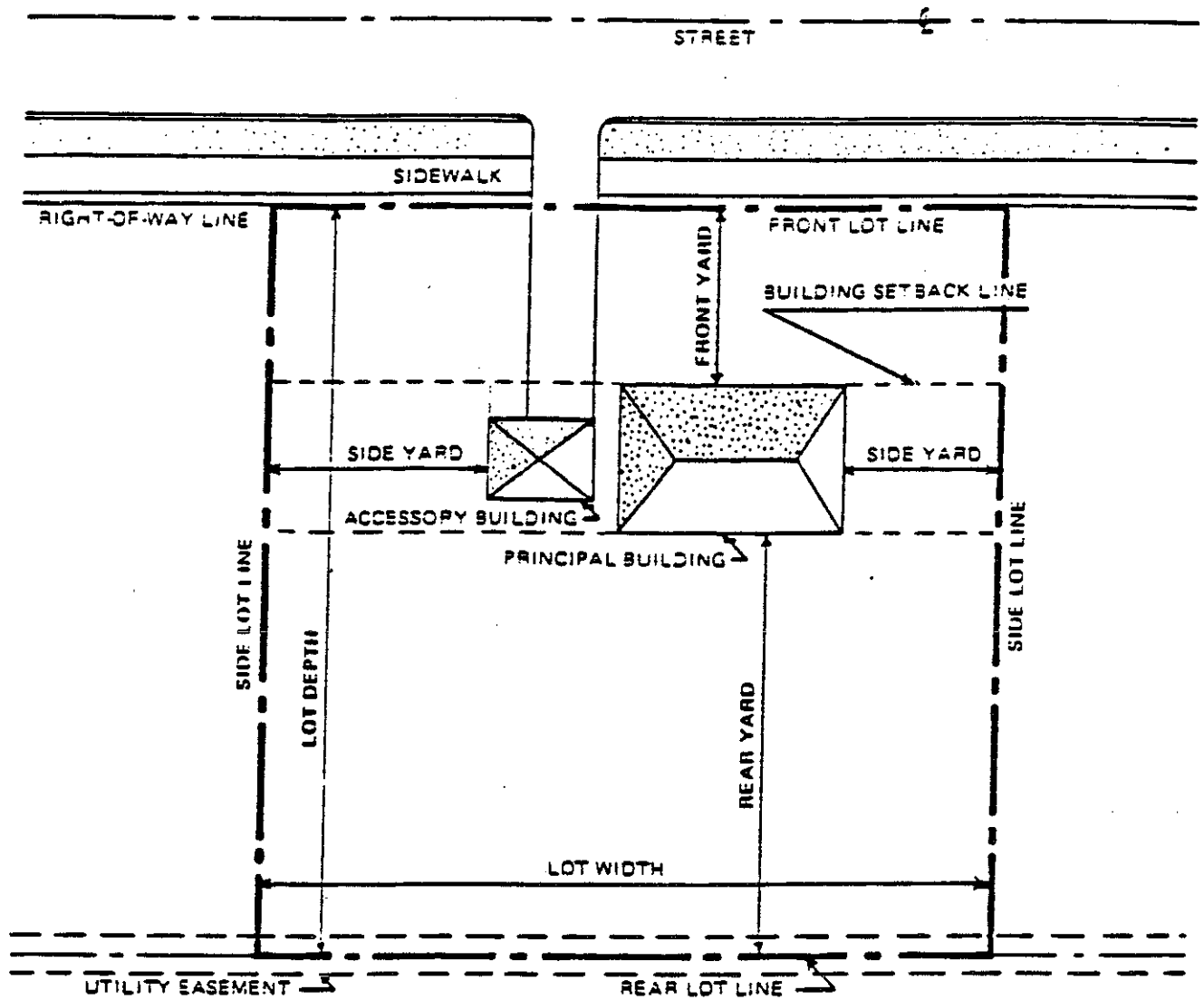
CLASSIFICATION OF THE THOROUGHFARE SYSTEM

**Yard:**

A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward; provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility. (See Illustration No. 3)

1. **Yard, Front:** A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
2. **Yard, Rear:** A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear lot line to the rear of the principal building.
3. **Yard, Side:** A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

Illustration No. 3



**LOT AREA= TOTAL HORIZONTAL AREA**

**LOT COVERAGE= PER CENT OF LOT OCCUPIED  
BY BUILDING**

**LOT TERMS**

## ARTICLE 3

### PROCEDURE FOR SUBDIVISION APPROVAL

#### Section 300

##### Pre-application Meeting Encouraged

The subdivider is encouraged to meet with the Regional Planning Commission or its designated representative prior to submitting a plat. The purpose of this meeting is to discuss early and informally the purpose and effect of these regulations and the criteria and standards contained therein; and to familiarize the developer with the Comprehensive Plan, the County Highway Plan, the Parks and Public Open Space Plan, the zoning regulations, and the drainage, sewage, and water systems of Portage County. (Amended June 26, 1984)

#### Section 301

##### Pre-application Sketch Content

The subdivider is encouraged to submit to the Regional Planning Commission a sketch plan, legibly drawn at a suitable scale and containing the following information:  
(Amended June 26, 1984)

1. The proposed subdivision in relation to existing community facilities, thoroughfares, and other transportation modes, shopping centers, manufacturing establishments, residential developments, and natural and man-made features such as soil types, vegetation, contours, and utilities in the neighboring area.
2. The layout and acreage of streets, lots, and any non-residential sites such as commercial, manufacturing, school or recreational uses within the proposed subdivision.
3. The location of utilities in the proposed subdivision, if available, or the locations of the nearest sources for water and public facilities for the disposal of sewage and storm water.
4. The scale and title of the subdivision, a north arrow, and the date.
5. Name, address and phone number of the owners and the developer.

#### Section 302

##### Optional Preliminary Plan

The subdivider is encouraged to submit to the Regional Planning Commission a preliminary plan of the proposed subdivision. However, the submission of a preliminary plan is optional. The submission of a preliminary plan shall not be considered as the filing of a plat and shall not begin the running of time within which the Commission must act on a plat. The failure of a subdivider to submit a preliminary plan shall in no way affect the Commission's decision to approve or reject the plat. (Amended June 26, 1984)

### Submission of Preliminary Plan

Eight (8) copies of the preliminary plan shall be prepared by a professional engineer and/or surveyor and shall be submitted to the Planning Commission at least fourteen (14) days before the meeting of the Planning Commission's Land Use and Environment Committee, at which time the plan will be reviewed.

### Transmission of Preliminary Plan

The Regional Planning Commission in review of the preliminary plan shall send copies to the following officials and agencies for their information, review, and recommendations:

1. County Engineer
2. County Sanitary Engineer
3. County Board of Health
4. Township Trustees of the Township that the subdivision lies in.
5. Soil and Water Conservation District
6. Tax Map Office
7. Municipality adjacent to the township that the proposed subdivision lies in.

### Submission

Upon the proper submission of the preliminary plan, the plan shall be placed on the agenda of the next regular meeting of the Zoning and Subdivision Review Committee at which time the Committee shall take one of the following action:

1. Accept the plan for review purposes.
2. Not accept the plan for review purposes. In this case, the subdivider shall be notified in writing of all the reasons for refusal.

### Action

Within thirty (30) days following acceptance of the preliminary plan for review and action by the Zoning and Subdivision Committee, the Planning Commission shall do one of the following:

1. Approve the preliminary plan and notify the developer in writing.
2. Conditionally approve the preliminary plan and notify the developer in writing of the conditions of approval.
3. Disapprove the preliminary plan and notify the developer in writing of all the reasons for disapproval.

### Effect of Approval

Approval of a preliminary plan is not approval of the subdivision for record. It is an approval of a general plan as a guide for the preparation of improvement plans and a subdivision plat for final approval and recording upon fulfillment of all requirements of these regulations. Approval of a preliminary plan shall be effective for a period of three (3) years following the date of approval unless an extension of time is granted. Construction shall not begin until the improvement plans have been approved by the County Engineer and the County Sanitary Engineer where applicable.

### Changes in the Preliminary Plan

If, after having received preliminary plan approval, the developer desires substantial changes in the plan, he should resubmit a revised preliminary plan to the Commission for reapproval.

### Section 303

#### Preliminary Plan Form

The preliminary plan shall be drawn at a scale not less than one hundred (100) feet to the inch and shall be on one or more sheets 24 X 36 inches in size.

### Section 304

#### Preliminary Plan Contents

The preliminary plan 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, town, and township or other surveys.
3. Name, addresses and phone numbers of the owners, subdivider, and professional engineer and registered surveyor who prepared the plan and appropriate registration numbers and seals.
4. Date of survey.
5. Scale of the plan, north point.
6. Boundaries of the subdivision and its acreage.
7. Names of adjacent subdivisions, owners of adjoining parcels of unsubdivided land, and the location of their boundary lines.
8. Locations, widths, and names of existing streets, railroad rights-of-way, easements, parks, permanent buildings, and corporation and township lines, location of wooded areas and other significant topographic and natural features within and adjacent to the plan for a minimum distance of fifty (50) feet.
9. Zoning classification of the tract and adjoining properties and a description of proposed zoning changes, if any.



10. A contour map of the area shall be submitted. This contour map shall show existing contours at an interval of not greater than two (2) feet if the slope of the ground is fifteen (15) percent or less; and not greater than five (5) feet where the slope is more than fifteen (15) percent. (Amended June 26, 1984)
11. Existing sewers, water lines, culverts and other underground structures, and power transmission poles and lines, within and adjacent to the tract.
12. Location, names, and widths of proposed streets and easements.
13. Building setback lines and dimensions.
14. Location and dimensions of all proposed utility and sewer lines, showing their connections with the existing system.
15. Layout, numbers, and approximate dimensions of each lot. When a lot is located on a curved street or when side lot lines are not ninety (90) degree angles, the width at the property line shall be shown.
16. Parcels of land in acres to be reserved for public use or to be reserved for residents of the subdivision.
17. A vicinity map at a scale of not less than two thousand (2,000) feet to the inch shall be shown on, or accompany, the preliminary plan. This map shall show all existing subdivisions, roads, and tract lines and the connections between the roads in the proposed subdivision and those of the neighboring areas.

#### Section 305

##### Supplementary Information

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

1. Statement of proposed use of lots, giving type and number of dwelling units and type of business or industry.
2. Location and approximate dimensions of all existing buildings.
3. For commercial and industrial development, the location, dimensions, and approximate grade of proposed parking and loading areas, alleys, pedestrian walks, streets, and the points of vehicular ingress and egress to the development.
4. Description of proposed covenants and restrictions.
5. In a letter accompanying the request for approval of the preliminary plan the subdivider shall state the type of sewage disposal he proposes to use. If other than a treatment plant, it shall be accompanied by a letter from the County Health Department stating what type of sewage disposal will be approved for the soil conditions encountered in the area of the proposed subdivision.

### Section 310

#### Plat Required

After the pre-application and preliminary plan stages, which are both optional, the subdivider shall submit a plat of the proposed subdivision which shall conform with the requirements set forth in Section 311 to 319, inclusive. The plat shall be prepared by a qualified surveyor.

### Section 311

#### Application for Approval of Plat

An application for approval of the plat shall be submitted on forms provided by the Regional Planning Commission, together with the subdivision plat, seven (7) copies of the plat and the supplementary information specified, and all these items shall be submitted to the Regional Planning Commission. (Amended June 26, 1984)

### Section 312

#### Filing and Transmission

The plat shall be considered officially filed on the day it is received by the Regional Planning Commission and shall be so dated. A review fee shall be charged, as indicated in Section 703.

The Regional Planning Commission may transmit the plat to those agencies and departments referenced in Section 302 B for review, comment and recommendations.

### Section 313

#### 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 plat of a subdivision, hold a public hearing thereon at such time and upon such notice as the Commission may designate. (Amended June 26, 1984)

### Section 314

#### Submission to State Director of Transportation (See Section 5511.01 of O.R.C.)

Before any plat is approved affecting any land within three hundred (300) feet of the center line of a proposed new highway or a highway for which changes are proposed as described in the certification of local officials by the State Transportation Director of any land within a radius of five hundred (500) feet from the point of intersection of said center line with any public road or highway, the Commission shall give notice, by registered or certified mail to the Transportation Director. The Commission shall not approve the plat for one hundred twenty (120) days from the date the notice is received by the Transportation Director. If the Transportation Director notifies the Commission that he shall proceed to acquire the land needed, then the Commission shall refuse to approve the plat. If the Transportation Director notifies the Commission that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Transportation Director and the property owner, the Commission shall, if the plat is in conformance with all provisions of these regulations, approve the plat.

### Section 315

#### Plat Form

The subdivision plat shall be clearly and legibly drawn in India ink on tracing cloth of good quality or on mylar, .003 inch minimum thick. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. The size of the sheets shall be 24" X 36". Marginal lines shall be drawn around the entire sheet, leaving a margin of 1" from the binding edge and 1/2" from the other edges. If more than one sheet is needed, each shall be numbered, the relation of one sheet to another clearly shown, and the number of sheets used shall be set forth in title of the plat.

The subdivision shall be drawn at a scale not less than one hundred (100) feet to the inch.

### Section 316

#### Plat Contents

The plat shall contain the following:

1. Name of subdivision by township and township lot, plus the date.
2. North point and scale of the plat.
3. Name and address of the subdividers and the professional engineer and/or registered surveyor who prepared the plat and appropriate registration seals and numbers.
4. Boundary of plat, based on an accurate traverse with angular and lineal dimensions. The survey must close, within the limit of one (1) in ten thousand (10,000).
5. A table showing the total acreage contained in the subdivision, the acreage in lots and the acreage in roads. If the subdivision is in two lots, then the above mentioned acreage shall be shown for each lot.
6. Exact location, width, and name of all roads within and adjoining the plat, and the exact location, width and name of all alleys, public walkways, parks, railroad rights-of-way, and drainage courses within and adjoining the plat. (Amended June 26, 1984)
7. True angles and distances to the nearest established road lines or official monuments which shall be accurately described on the plat.
8. Municipal, township, county or lot lines accurately tied to the lines of the subdivisions by distances and angles.
9. Radii, internal angles, points of curvature, tangent bearings, lengths of all arcs, and lengths and bearings of all chords.
10. All easements providing right-of-way for storm water drainage (pipe or conduits) and sanitary sewers.
11. All lot numbers and lines with accurate dimensions in feet and hundredths.

12. Iron pipe not less than three-fourths (3/4) inch in diameter and not less than thirty (30) inches long shall be set as follows:
  - A. At all lot corners.
  - B. At center line intersection of all roads.
  - C. At the point of curvature and the point of tangent of all curves on the center line of the road and on all lot lines.
  - D. At all angle points.

13. Monument boxes at intersections and at all points of curvature and points of tangent.

NOTE: The County Engineer will not approve a road for public use (Sec. 711.091, O.R.C.) unless pipes have been set at the points indicated above.

14. The plat shall show any or all easements of right-of-way when provided or owned by public utilities and any areas to be dedicated or reserved for public use, or any area to be dedicated or reserved for public use, or any area to be reserved for common uses of all property owners.
15. Building set-back lines accurately shown with dimensions.
16. Certification by registered surveyor to the effect that the plat represents a survey made by him and that the monuments shown thereon exist as located and that all dimensional and geodetic details are correct. (Sec. 711.04 O.R.C.)
17. A copy of any restriction and covenants the subdivider intends to include in the deeds to the lots in the subdivision.
18. Notarized certification by the owner or owners of the adoption of the plat and the dedication of streets and other public areas. (Sec. 711.04 O.R.C.)
19. Approval of plat by Portage County Regional Planning Commission. (See Section 320) (Amended June 26, 1984)
20. Approval of plat by Portage County Engineer. (See Section 320)
21. Approval of roads by Portage County Engineer. (See Section 320)
22. Approval of Township Zoning Inspector or the Township Trustees' designated representative in those townships having zoning. (See Section 320)
23. Proper notations for transfer and recording by the County Auditor and the County Recorder. (See Section 320)
24. Approval of plat by County Tax Map Office. (See Section 320)

Section 317Supplementary Information

The following information shall be supplied in addition to the requirements in Section 316.

1. If a zoning change is involved, certification from the Township Zoning Inspector shall be required indicating that the change has been approved and is in effect.
2. Certification shall be required showing that all required improvements have been either installed and approved by the proper officials or agencies, or that a bond or other surety has been furnished assuring installation and initial maintenance of the required improvements.
3. If no preliminary plan is filed in accordance with the provisions in Section 304 a topographic map shall be submitted on a separate plat sheet using the same scale as the plat showing the location and dimensions of each lot and the existing topographic contours of the subdivision 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.

Locations of all existing buildings shall be shown on the topographic map or on a separate plat sheet at the same scale as the plat. (Amended June 26, 1984)

4. A vicinity map at a scale of one inch equals one thousand feet, or a scale of one inch equals two thousand feet with a north arrow shall accompany the plat. This map shall show all existing subdivisions, roads, and tract lines, and the nearest existing thoroughfares.
5. One (1) copy of any approved improvement plans, (including Storm Water Pollution Prevention Plans) submitted to the County Engineer and/or Sanitary Engineer for proposed roads, storm sewers, storm water retention ponds/detention basins, sanitary sewers, water lines and sewage treatment plants.
6. In areas where wetlands, as defined by the U.S. Army Corps of Engineers, will be affected, a copy of the application permit must be submitted. The permit number shall be shown on the final plat prior to filing, as well as a copy of any restrictions that may apply to the site.
7. A statement of proposed use of the lots giving type and number of dwelling units and/or type of business or industry proposed. (Amended June 26, 1984)
8. In a letter accompanying the application for plat approval, the subdivider shall indicate type of sewage disposal system proposed. If other than a treatment plant or public sanitary sewer, it shall be accompanied by a letter from the County Health Department stating what type of sewage disposal will be approved for the soil conditions encountered in the area of the proposed subdivision.

If any of the supplementary information has been submitted with preliminary plans, and this information has not changed, then re-submission of this same information is not necessary. (Amended June 26, 1984)

Section 318Approval of Plat

Within five days of the submission of plat for approval, the Regional Planning Commission shall schedule a meeting to consider the plat and send a written notice by certified mail, return receipt requested, to the clerk of the board of township trustees of the township in which the proposed plat is located. (Amended June 26, 1984)

The notice shall inform the trustees of the submission of the proposed plat and of the date, time, and location of any meeting at which the Regional Planning Commission will consider or act upon the proposed plat. The meeting shall take place within thirty days of submission of the plat and no meeting shall be held until at least seven days have passed from the date the notice was sent by the Planning Commission. The approval of the Planning Commission or the refusal to approve shall be endorsed on the plat within thirty days after the submission of the plat for approval, or within such further time as the applying party may agree in writing; otherwise such plat is deemed approved and the certificate of the Planning Commission as to the date of the submission of the plat for approval and the failure to take action thereon within such time shall be sufficient in lieu of the written endorsement or evidence of approval required by this section. The ground of refusal of approval of any plat submitted, including citation of or reference to the rule violated by the plat, shall be stated upon the record of the Commission and copy of said record shall be forwarded to the subdivider. Within sixty days after such refusal the person submitting any plat which the County Planning Commission refuses to approve may file a petition in the Court of Common Pleas of Portage County and the proceedings thereon shall be governed by section 711.09 of the Ohio Revised Code as in the case of the refusal of a planning authority to approve a plat. (Amended June 26, 1984)

Section 319Recording of Plat

Upon approval by the Planning Commission, the developer shall record the plat with the County Recorder within three (3) months. If not recorded within this time, the approval of the Planning Commission shall be null and void.

Section 320Required Statements on Plat

The following statements shall be affixed on all subdivision plats:

1. Surveyor's Certificate

I hereby certify that I have surveyed the accompanying tract of land and that the plat is a correct representation of the same. Iron pipes have been set at all places prescribed by the Portage County Subdivision Regulations.

(SEAL)

\_\_\_\_\_  
Registered Surveyor No. \_\_\_\_\_

2. Dedication

I or we the undersigned \_\_\_\_\_ owner/owners of the land shown on this plat do hereby certify that the attached plat correctly represents

\_\_\_\_\_ (name of subdivision) a subdivision of lots \_\_\_\_\_ to \_\_\_\_\_ inclusive, do hereby accept this plat of same, authorize recording of same, and dedicate to the use of the adjoining property owners and the public forever, all parts of the roads, boulevards, cul-de-sacs, parks, planting strips, etc., shown herein and not heretofore dedicated.

The undersigned further agrees that any use of improvements made on this land shall be in conformity with all existing valid zoning, platting, health, or other lawful rules and regulations including the applicable off-street parking and loading requirements of \_\_\_\_\_ (Portage County), Ohio, for the benefit of himself and all other subsequent owners or assigns taking title from, under, or through the undersigned.

In Witness thereof \_\_\_\_\_ day \_\_\_\_\_, 19 \_\_\_\_\_.

Witness \_\_\_\_\_ Signed \_\_\_\_\_  
\_\_\_\_\_

3. Notarial Acknowledgement

STATE OF OHIO, PORTAGE COUNTY

Before me, a Notary Public in and for said county and state, personally appeared the above-named \_\_\_\_\_ who acknowledged the signing of the foregoing instrument and that the same is \_\_\_\_\_ free act and deed.

In TESTIMONY WHEREOF I have set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Notary Public

4. Approved this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
Township Zoning Inspector

5. Approved this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
County Engineer

6. Approved this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
County Board of Health

7. Approved this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
County Sanitary Engineer

8. Approved this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

(Amended June 26, 1984)

\_\_\_\_\_  
Regional Planning Commission

9. Received for record this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
Assistant Tax Map Draftsman

10. Transferred this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
County Auditor

11. Filed for Record this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
at \_\_\_\_\_ m.

Recorded this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_ in Plat  
Book \_\_\_\_\_, Page No. \_\_\_\_\_.

\_\_\_\_\_  
County Recorder

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

12. The following statement shall be affixed (in addition to provisions 1 - 3 of this section) to all subdivision plats involving the construction of new roads;

Roads APPROVED in Accordance with Section 711.091, Ohio Revised Code.

Date \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_  
Portage County Engineer

13. The following statement shall be affixed (in addition to provisions 1 - 3 of this section) to all subdivision plats involving the dedication to townships of parks and open space;

Parks and Open Space accepted in accordance with Section 505.10, Ohio Revised Code.

Date \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
Township Trustees



## Section 321

### Replats

Any person who has legal title to land that has been platted may change any of the lots, streets or alleys by having a new plat made, referred to as a replat or exceptional replat.

No change shall be approved if it injuriously affects any lots on the streets or alleys, or within the plat that is changed unless all the owners of the lots affected are parties joining in making this change, or such owners give their consent in writing on the new plat, which is recorded therewith. (Ohio Revised Code Section 711.24). (Amended June 26, 1984)

## Section 322

### Procedures for Replatting

All replats and exceptional replats must be filed with the Regional Planning Commission. (Amended June 26, 1984)

## Section 323

### Exceptional Replat

Any division of land where there is a sale of exchange or parcels between adjoining lot owners and no new building sites are created, is exempt from subdivision regulations unless this type of land division is within or involves a platted subdivision, then an exceptional replat must be filed with the Regional Planning Commission. (Ohio Revised Code Section 711.001 and 711.24)

All subdivision regulations applicable to platting apply to exceptional replats with the following exceptions:

1. Plat Form:

The size of the mylar plat sheets for exceptional replats only, shall be 8 1/2" X 14", 18" X 24", 24" X 30", or 24" X 36".

2. Plat Contents

Topographic map is not necessary for exceptional replat.

3. Required Statements on Plat

Sanitary Engineer's signature is not required on an exceptional replat.

## Section 330

### Subdivisions Exempt From Platting

The following subdivision does not require a plat, and shall be known as a subdivision exempt from platting:

1. The proposed subdivision is located along an existing public road and involves no opening, widening, or extension of any street or road, public or private.

2. The proposed subdivision involves no more than five (5) lots after the original tract has been completely subdivided.

A subdivision exempt from platting must still be approved by the Portage County Regional Planning Commission, and shall only be approved if it meets all of the following conditions:

1. The proposed subdivision is not contrary to applicable zoning regulations.
2. All subdivision regulations are satisfied, including Section 630.
3. The property has been surveyed, and the survey drawing, township zoning approval, subdivision fee, and legal description of the property are submitted with the application for administrative approval form (See Appendix A).

If the Regional Planning Commission is satisfied that the proposed subdivision meets all the above conditions it shall, within seven (7) working days after submission of an application for approval as subdivision exempt from platting, approve such proposed subdivision and, on presentation of a conveyance of said subdivision, stamp the same "Approved by Portage County Regional Planning Commission; No Plat Required" and the authorized representative of the Commission shall sign the conveyance.

Lots along existing private easements or streets, dedicated to the use of owners (not public roads) do not qualify as a subdivision exempt from platting. All subdividing situations that do not come under this section shall require record plats. Actions of the Administrator on an application for approval of a subdivision exempt from platting may be appealed to the full Regional Planning Commission when submitted to them in writing. (See Application for Subdivision Variance Form).

## ARTICLE 4

### SUBDIVISION DESIGN STANDARDS

#### Section 400

##### General Statement

The regulations in Article 4 shall control the manner in which streets, lots, and other elements of a subdivision are arranged on the land. These design controls shall help insure convenient and safe streets, creation of usable lots, provision of space for public utilities, and reservation of land for recreational uses. The planning of attractive and functional neighborhoods shall be promoted, minimizing the undesirable features for unplanned, haphazard growth.

The Commission has the responsibility for reviewing the design of each future subdivision early in its design development. The Commission shall insure that all of the requirements of Article 4 are met.

#### Section 401

##### 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 Portage County Highway Plan. Thoroughfares not contained in the aforementioned plan shall conform to the recommendation of the Commission based upon the design standards set forth in Section 410 to 419, inclusive. In addition, no plat of land within the area in which an existing zoning resolution is in effect shall be approved unless it conforms with such resolution.

#### Section 410

##### Road and Street Design

The road layout shall be designed for the most advantageous development of the entire neighboring area. All proposed roads shall be in alignment with existing planned or platted roads with which they are to connect.

1. The layout shall be such as to keep interference with main traffic flows to a minimum.
2. Wherever the proposed subdivision contains or is adjacent to a railroad right-of-way or limited access highway, provision shall be made for a road approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the land between such road and railroad or limited access highway. Such distance shall be determined with due consideration of the minimum distance required for approaches to future or existing grade separations.
3. Proposed roads shall be adjusted to the contour of the land so as to produce useable lots, streets of reasonable gradient, and economy in cost of improvements.

4. Certain proposed roads shall be extended to the boundary line of the tract to be subdivided sufficiently to provide for normal circulation of traffic within the neighboring area. No reserved strips blocking extension of improvements of adjacent property will be permitted.
5. Wherever there exists a dedicated or platted half-road adjacent to the tract to be subdivided and approved by the Planning Commission, the other half shall be platted.
6. Alleys may be required in all business and industrial districts.
7. Residential roads shall be so laid out as to discourage their use as primary roads and to provide adequate protection from nearby traffic hazards.
8. A turnaround shall be provided at all dead-end roads where two or more lots face such dead-end road, or where two lots are adjacent, or where the road is more than 250 feet in length.
9. Street Jogs (T-intersections) with center line offsets of less than one hundred sixty (160) feet shall be prohibited. If deemed necessary by the Commission, the minimum distance between center line offsets may be increased or adjusted.

#### Section 411

##### Private Streets

There shall be no private streets, lanes, or ways, nor any private easements used for the purpose of access to any subdivision including subdivisions exempt from platting under O.R.C. 711.131 and Section 330 of these regulations, unless constructed and maintained to County road specifications and standards as set forth in these regulations. The cost of maintenance of such private streets, lanes, ways, and easements shall be borne equitably by benefiting property owners. Proper legal steps shall be taken to guarantee the continuing maintenance of such streets, lanes, ways and easements.

Service roads and easements of access leading to and providing access to parcels of land on which public utilities are located (e.g., standpipes, lift stations, substations, etc.) are exempt from the requirements of this section. Service roads and easements of access exempted from the requirements of this section shall not be used for access to any other parcel of land.

#### Section 412

##### Minimum Road and Alley Widths

1. Primary roads not less than 100 feet of right-of-way; roadway minimum 50 feet.
2. Secondary roads not less than 80 feet of right-of-way; roadway minimum 36 feet.
3. Minor roads not less than 50 feet of right-of-way; pavement section with curbs must be used. (See Attached Typical Section) Alternate: Minimum right-of-way width 60 feet. The developer may use a 22 foot pavement with proper ditching.
4. Cul-de-sac or Turnaround. The terminal shall be a circular area in which a 22 foot pavement is carried around an island. The inner radius of the pavement, measured from the center line of the road extended, shall be 28 feet. The minimum right-of-way provided for the turnaround shall be 120 feet.

Proper drainage shall be provided. The area encompassed in the segments of the turnaround lying outside the right-of-way of the road shall be in the nature of an easement for road purposes and revert to the abutting property owners when the road is legally extended. An acceptable alternative design for cul-de-sacs would be to pave the entire turnaround area with a minimum cul-de-sac radius pavement of 50 feet.

5. Alleys, 30 feet of right-of-way; 22 foot pavement.

### Section 413

#### Intersections

1. At road and alley intersections, property line corners shall be rounded by an arc, the radius of which shall be 25 feet. In business districts a chord may be substituted for such an arc.
2. Street curb intersections shall be rounded by radii of at least 30 feet.
3. The foregoing minimum radii shall be increased when the smallest angle of intersection is less than 60 degrees.

### Section 420

#### Blocks

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

1. Blocks may average 1200 feet in length, but in no case exceed 1500 feet. Cul-de-sacs shall not exceed 900 feet in length.
2. Block width shall normally be sufficient to provide for two rows of lots with utility lines in rear-lot easements, where these are desired by the subdivider.
  - a. Irregularly shaped blocks, those intended for cul-de-sacs or loop streets, and those containing interior parks or playgrounds, may be approved by the Commission if properly designed and located and if the maintenance of interior public spaces is covered by agreements.
  - b. Blocks shall be as large as is practicable for the efficient utilization of land, economy in construction and maintenance of the streets and utilities, and reduction of intersectional traffic hazards; but each block must not exceed 1500 feet.
  - c. In areas zoned for commercial or industrial uses, blocks shall be designed specifically for the kind of non-residential occupancy intended, with adequate space set aside for off-street parking and delivery facilities.

### Section 421

#### Lots

The size, shape, and orientation of lots shall be appropriate for the location of the proposed subdivision and for the type of development contemplated, and shall conform to any existing township zoning regulations and to the regulations of the Portage County Board of Health.

1. Where no township zoning exists, and where public sewer and water is available, lots for

residential use shall be at least 60 feet wide at the building line, 150 feet in depth and contain 9,000 square feet in area.

2. Where no public sewer and water is available, lots for residential use shall contain 1-1/2 acres in area. The area may be reduced if the Portage County Board of Health states in writing that soil and topographical conditions of the site are such that a private water supply and sewage disposal can be safely provided within the lot area.
3. The subdivider of land shall provide each lot with a minimum frontage on a public or private street, of sixty (60) feet in width or an access strip to a road approved by the County Engineer. Such access strip must be at least sixty (60) feet in width for entire length of said strip and must provide access to only one (1) parcel of land. A strip of land providing access to more than one (1) parcel of land shall be dedicated as a public or private street and shall be improved by the developer or subdivider in accordance with these regulations.

The above frontage standard may be reduced by the Planning Commission for lots fronting on a permanent cul-de-sac, or a loop street.

4. Side lot lines shall be approximately at right angles to the center line of the road. On curved roads the side lot lines shall be radial lines if practicable.
5. Where the tract is subdivided into larger parcels than normal building lots, such parcels shall be arranged so as to allow for the logical resubdivision of such parcels and for the planned opening of future streets and extensions of existing streets.
6. Corner lots shall have extra width sufficient for maintenance of building lines on both streets.

#### Section 422

##### Buildings

Every single and two family building hereafter erected or structurally altered shall be located on a lot of record and in no case shall there be more than one principal building and the customary accessory buildings on one lot except as otherwise provided, in conformity with the provisions of these regulations.

No new buildings shall be constructed or placed on the site of the proposed subdivision once the proposed subdivision map has been submitted to the Regional Planning Commission for approval until the subdivision has been approved. For additional restrictions on building after approval see Article 6, Section 602. (Amended June 26, 1984)

#### Section 423

##### Building Lines

Building lines shall be established in conformity with existing zoning regulations. If no zoning exists or if applicable zoning does not establish a minimum set-back line, then the Planning Commission may establish minimum front-yard set-backs. They shall be designed with due regard for the size and shape of the lots, the width of the road, the topography, and character of the subdivision. They may be varied along a single block front or road for greater attractiveness, if the consent of the Planning Commission is given.

## Section 430

### Easements

1. Sewer and water easements to Portage County shall be provided, where necessary. The location and width of these easements shall be determined by the County Sanitary Engineer where applicable, after discussion with the developer on said easement locations. Generally, sewer and/or water easements shall be thirty (30) feet in width. Where deemed necessary, the County Sanitary Engineer may require additional easement width.
2. Drainage Easement - Where a subdivision is transversed by a drainage way, a storm water or drainage easement dedicated to the public and conforming substantially with the lines of such drainage way shall be provided. The easement shall be a minimum of thirty (30) feet wide, plus four (4) feet in width for every foot of depth of the channel over two feet of depth, and shall generally follow, but need not be centered upon, rear and side lot lines.

When the drainage system is outside of the road right-of-way, the developer shall petition the County Commissioners to set up a county established ditch to provide for the future maintenance of said system by assessment of the benefited owners within the subdivision. (This system shall be so designed to incorporate only the watershed affecting the allotment and to an adequate outlet).

Easements for drainage purposes shall be constructed or defined by the developer before plat and/or improvement is accepted. In instances where the ditch is not presently channeled or visible, the developer shall be required to define such ditch by excavating or grading. The purpose of this procedure is to prevent future owners from attempting to block said water course on the pretext that they had no knowledge of such drainage easement.

## Section 440

### Open Space

In the interest of public welfare, at least 5% of the area of every subdivision 20 acres or over, exclusive of roads, shall be set aside as open space for recreational purposes. Such land set aside shall be suitable for use as parks or playgrounds. Such land shall be dedicated for public use, or reserved for the common use of all property owners or tenants within the proposed subdivision.

If the area set aside is dedicated for public use, it shall be dedicated and accepted either by the Township where the proposed subdivision is located, or by Portage County, or by another appropriate governmental entity, if any. Such dedication and acceptance shall be endorsed on the plat. If the appropriate governmental entity refuses to accept such dedication, then such areas shall be reserved for the common use of all property owners or tenants within the proposed subdivision.

Reservation of open space for common use may be accomplished by conveyance of such area to a property owners' association or the developer may employ any other legal device by which such area is effectively reserved for the common use of all property owners. Such legal device shall provide for the management and control of such area.

Where such area is reserved for the common use of all property owners within the subdivision, covenants that run with the land shall be endorsed on the plat and inserted in the deed to every purchaser of property within the subdivision requiring each property owner to pay a proportionate share of the maintenance costs of such open space.

If the subdivision, or part thereof, consists of central units, the developer shall set aside such open space for the use of all tenants within the development and shall provide for the maintenance.

#### Section 441

##### Preservation of Natural Features

Due consideration shall be given by the developer and the Planning Commission to preserving outstanding natural features such as scenic spots, water bodies or exceptionally fine stands of trees.

#### Section 450

##### Names

The proposed name of the subdivision and proposed road names shall not duplicate nor too closely resemble the name of any other subdivisions or roads in Portage County or in the cities and villages thereof.



## ARTICLE 5

## IMPROVEMENT PLANS

Section 501Filing

All necessary improvement plans for proposed roads, storm sewers, sanitary sewers, water lines, sewage treatment plants and other proposed public facilities shall be filed with the County Engineer and/or Sanitary Engineer and shall be approved by the County Engineer and/or County Sanitary Engineer prior to approval of the plat. Improvement Plans shall include Storm Water Pollution Prevention Plans (See Section 601 - 3D) when five (5) acres or more of the development will be disturbed (Unless the EPA lowers the disturbed acreage requirements). Determination of potential acreage to be disturbed will be made by the Portage SWCD. For platted subdivisions less than five (5) acres, a topographic map (Per Section 317.3) and a final grading plan shall be submitted.

Section 502Format for Improvement Plans

1. All drawings shall be India ink on linen or mylar or approved equal.
2. Drawing sheet size shall be 23" X 36". Marginal lines shall be drawn around the entire sheet leaving a margin of 1 1/2 inches on the binding edge and 1/2 inch margin on the other edges. Plan and profile, Plate 4; and cross section sheets, Plate 3, shall be standard federal aid sheets. Sewage treatment plant plans may be drawn on 18" X 24" sheets using the above described margins.
3. All construction drawings shall include both plan and profile and cross sections.
4. Scale to be used:
 

a. General Plans	1" = 100'
b. Plan and Profile	1" = 50' Horizontal, 1" = 5' Vertical
or	
	1" = 20' Horizontal, 1" = 2' Vertical
c. Cross Sections	1" = 5' Horizontal, 1" = 5' Vertical
5. Each plan shall have a title sheet (23" X 36") with the following:
  - a. General plan or key map
  - b. Title (project and location)
  - c. Place for necessary approvals
  - d. Index of sheets
6. Each plan shall include a general summary showing all the quantities necessary to construct the improvement. (This may be placed on the title sheet if room is available) A detailed estimate of cost based on the quantities shown in the General Summary shall be presented with the improvement plans.

7. An appropriate title block, indication of scale, north arrow, and sheet number shall be placed on each drawing.
8. Show all street center line data, right-of-way, and pavement widths. Label each type of pavement. Stationing shall begin at south or west end of the improvement.
9. All existing and proposed underground structures located in the street or easement shall be shown on the construction (plan and profile) drawings. Such underground structures are gas lines, electric and telephone conduits, sanitary and storm sewers, water mains, culverts, etc.
10. All above ground structures, which are located in such proximity to the proposed work as may be a factor affecting the construction, shall be shown on the plan. These will include trees, fences, buildings, poles, hydrants, bridges, driveways, drive culverts, etc.
11. Draw to scale all sub-lots or acreage abutting the streets where improvements are to be located. Include the front foot dimensions, property owners' names, sub-lot numbers (if area is subdivided) or total acreage owned by each acreage owner for property abutting on the streets.
12. Profile plan shall show existing center line, ground elevations and proposed finished center line grade elevations. Vertical curves (finished grade) shall be stationed at 25 foot intervals.
13. Include the location, description, and the exact elevation of a sufficient number of bench marks on the drawings. These bench marks shall be used for construction and inspection purposes. Each plan and profile sheet shall show at least one bench mark.
14. All elevations used on drawings shall be based on sea level datum as determined by the United States Coast and Geodetic Survey.
15. Show corporation lines, subdivision names, plat volume and pages when subdivision plat is recorded, and original lot lines and numbers on the drawings.
16. Show all easements including exact location and width.
17. All pipe, aggregates, and other materials shall be noted or described as to weight, class, pressure rating, gauge; or other notation to clearly define the intention of the designer.
18. All plans shall bear the seal of a registered engineer.

### Section 503

#### Modifications

Approval of final plans shall not prevent the County Engineer and/or Sanitary Engineer from ordering needed changes that are due to unforeseen circumstances and that the Engineer and/or Sanitary Engineer deems necessary in the field as work progresses.

This extra work shall be at the developer's expense, but will be limited to the intent of these regulations and the project scope as originally approved by the County Engineer and/or Sanitary Engineer. (See section 505)

#### Section 504

##### Design Data

All design data involving drainage, profile, etc., will be submitted with the design drawings bound in a neat and orderly manner on standard size paper.

#### Section 505

##### Intent of Regulations, Project Scope, and Plans

The intent of these regulations, project scope and the improvement plans is to prescribe a complete workable improvement at no cost to Portage County, which the subdivider undertakes to do, in full compliance with the approved plans, standard drawings and specifications of the Portage County Engineer and/or Portage County Sanitary Engineer. They are to be cooperative and what is called for by either is as binding as if called for by both. Should any misunderstanding arise as to the intent or meaning of said plans, specifications or standard drawings or any discrepancy appear in either, the decision of the Portage County Engineer and/or Portage County Sanitary Engineer in such case shall be final and conclusive.

#### Section 506

##### Change Orders

If during the prosecution of the work, it becomes necessary to modify the approved plans or specifications due to unforeseen circumstances, the subdivider's engineer shall revise the plans, specifications and estimate of cost and recommend approval of the required change to the Portage County Engineer and/or Sanitary Engineer. If the County Engineer and/or Sanitary Engineer approves such a revision, a written change order shall be prepared by the subdivider's engineer and signed by the appropriate county authority.

## ARTICLE 6

### REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS

#### Section 600

##### Construction Procedure and Materials

The subdivider shall design and construct improvements not less than the standards outlined in these regulations. The work shall be done under County supervision and inspection and shall be completed within the time fixed or agreed upon by the County Engineer and/or Sanitary Engineer. The minimum requirements for materials shall be in accordance with the standards of the current volume of "Construction and Material Specifications" of the State of Ohio Department of Transportation, and the requirements of the Ohio Department of Health. All inspection costs shall be paid for by the subdivider.

#### Section 601

##### Construction, Improvement Plans and Specifications

Drawings showing cross sections, profiles, elevations, construction details, and specifications for all required improvements shall be prepared by a professional engineer. The improvement plans shall be prepared in accordance with the standards, provisions, and terms set forth in Articles 5 and 6 of these regulations.

If it becomes necessary to modify the improvements as approved due to unforeseen circumstances, the subdivider shall inform the County Engineer and/or the County Sanitary Engineer in writing of the conditions requiring the modifications. Written authorization and approval by the County Engineer and/or the County Sanitary Engineer, to make the required modifications must be received before proceeding with the construction of the improvement.

Before construction begins, and before acceptance, the subdivider shall notify, in writing, the County Engineer and County Sanitary Engineer a set of reproducible drawings (excluding sepia) for permanent record, showing the locations, sizes, and elevations of all improvements as to be constructed.

##### Pre-construction Meeting and Work Schedules

Prior to the commencement of any construction the subdivider shall notify, in writing, the County Engineer and County Sanitary Engineer of the date of commencement of construction. A pre-construction meeting may be required with regard to procedure, materials, and inspection of the project.

##### Construction Inspections

#### 1. Responsible Official:

The County Engineer shall be responsible for inspection of all street improvements including storm sewers. The County Sanitary Engineer shall be responsible for the inspection of all sanitary sewers, sanitary treatment plants, and appurtenances as well as central water supply and treatment facilities, and appurtenances.

2. Authority and Duties of Inspectors:

Inspectors employed by the County shall be authorized to inspect all work done and all materials furnished. Such inspection may extend to all or any part of the work and to the preparation, fabrication, or manufacture of the materials to be used. The Inspector shall not be authorized to revoke, alter or waive any requirements of the specifications or plans. He shall be authorized to call the attention of the contractor to any failure of the work or materials to conform to the specifications and contract in writing. He shall be authorized to call the attention of the contractor to any failure of the work or materials to conform to the specifications and contract in writing. He shall have the authority to reject in writing materials which do not meet specification requirements or suspend the portion of the work involved until any question at issue can be referred to and decided by the County Engineer or Sanitary Engineer.

3. Final Inspection:

Upon completion of all the improvements, the subdivider shall request in writing a final inspection by the County. The County Engineer shall make a final inspection of all streets and storm sewers. The County Sanitary Engineer shall make a final inspection of all sanitary sewers and central water supply systems. All inspections shall be made promptly and approval or rejection shall be submitted in writing.

Before any roads developed as part of a subdivision become public, the County Engineer shall first inspect such roads and certify his approval of them to the Board of Portage County Commissioners.

The developer should have his representative present at the time of all inspections.

Construction Responsibilities

1. Cooperation of Subdivider and/or Contractor:

The subdivider and/or contractor shall have available on the project, at all times, a clearly readable copy of all required plans and specifications. He shall cooperate with the inspector and with other contractors in every way possible. The subdivider and/or contractor shall have a competent representative acting as his agent on the project.

The representative shall be capable of reading and thoroughly understanding the plans and specifications, and he shall receive instructions from the Inspector. The representative shall have full authority to execute the orders or directions of the Inspector and to promptly supply such materials, tools, plans, equipment and labor as may be required. The Inspector's orders should be executed without delay. A representative shall be furnished irrespective of the amount of work sublet.

2. Grade Stakes:

Pavement and pipe grade stakes shall be set at twenty-five (25) foot intervals on horizontal and vertical curves and for all grades less than one (1) percent. Tangent pavement grades and pipe grades over one (1) percent may be set at a maximum interval of fifty (50) feet. The Inspector may ask for additional grade stakes if it is deemed necessary. Other means of line and grade may be used as approved by the County Engineer and/or Sanitary Engineer.

### 3. Repair of Damage:

Any damage done to the improvements by construction traffic, local traffic, or by any other means shall be repaired or the damaged materials replaced in a satisfactory condition.

### 4. Storm Water Pollution Prevention Plans (Erosion Control):

As part of submitting Improvement Plans, the subdivider shall prepare a Storm Water Pollution Prevention Plan (SWPPP) according to the format and principles described in the Ohio Environmental Protection Agency's general permit for storm water discharges associated with construction activity under the National Pollutant Discharge Elimination System (NPDES) (The above Ohio EPA Regulations became effective October 26, 1992). Such plan shall be submitted to the Portage County Soil and Water Conservation District Office and at the same time provided to the County Engineer as part of the Improvement Plans.

The following items provide a checklist for what shall be included in the Storm Water Pollution Prevention Plan (SWPPP):

#### A. Site Description

- a. A description of the nature and type of the construction activity;
- b. Total area of the site and area of the site that is expected to undergo excavation, filling or grading;
- c. Calculation of the runoff coefficients for both pre and post construction conditions;
- d. Describe the soil and quality of any discharge from the site;
- e. Schedule of construction operations;
- f. The name and/or location of the immediate receiving stream or surface water(s);
- g. Site map showing: Limits of earthmoving, existing contours, proposed contours, future drainage patterns, surface water locations (wetlands, streams, etc.), existing locations of buildings, proposed buildings locations and dimensions, erosion and sediment control practices, permanent storm water management practices.

#### B. Erosion and Sediment Controls

##### a. Vegetative Practices

A description of control practices designed to preserve existing vegetation where attainable and revegetate disturbed areas as soon as practicable after grading or construction shall be provided. Appropriate vegetative practices shall be initiated on all disturbed areas within (7) days if the area(s) are to remain dormant (undisturbed) for more than forty-five (45) days. Such vegetative practices may include: temporary seeding, permanent seeding, sodding, mulching, phasing and protection of trees, and vegetative buffer strips.

When seasonal conditions prohibit the application of temporary or permanent seeding, non-vegetative soil stabilization practices such as mulching and matting shall be used.

b. Structural Practices

A description of structural practices that shall store runoff allowing sediments to settle and/or divert flows from exposed soils or otherwise limit runoff from eroding exposed areas of the site shall be provided. Structural practices shall be used to control erosion and trap sediment from all sites remaining disturbed for more than fourteen (14) days. Such practices may include: Sediment traps, sediment basins, silt fences, earth diversion dikes, check dams, storm drain inlet protection.

Timing

Sediment control structures shall be functional throughout earth disturbing activity. Sediment ponds and perimeter sediment barriers shall be implemented as the first step of grading and within seven days from the start of grubbing. They shall continue to function until the upslope development area is restabilized.

- c. Before any land disturbing activities begin, the County Engineer and the Portage Soil and Water Conservation District shall have approved and signed the Storm Water Pollution Prevention Plan (SWPPP). The Portage Soil and Water Conservation District will review the erosion control provisions of the plan and the County Engineer will review the stormwater management aspect of the SWPPP. The County Engineer and the Portage Soil and Water Conservation District will work jointly to inspect the work, to ensure that the developer has installed the vegetative and structural practices as indicated on the approved Storm Water Pollution Prevention Plan. The subdivider and/or contractor shall take necessary procedures to prevent soil erosion and downwash of grits and sediments onto adjoining properties or into existing drainage facilities. The County Engineer may require stoppage of work during construction if proper controls for soil erosion, siltation and sedimentation are not being provided by the developer or contractor. The County Engineer may take the necessary steps to provide corrective measures, and the cost of such services will be charged to the developer. This does not relieve the developer or contractor of downstream liabilities. No project will be released from bond for failure to comply with this regulation and without cleanup and repair of damages. Final inspection requires all drainage facilities to be free of depositions from erosion, siltation and construction debris.

C. Final Cleaning Up:

Upon completion of the work and before acceptance, the subdivider and/or contractor shall clean all ground occupied or affected by him/her in connection with the work. The entire area shall be left in a neat and presentable condition.

## Section 602

### Construction Schedule

The storm sewers, sanitary sewers and roadway sub-grade shall be installed prior to the construction of buildings within a subdivision. No lot shall be sold or leased, nor shall any building permits be issued for any building unless required improvements are first constructed as specified by these regulations. It is imperative that traffic be contained on the pavement and driveway areas since stronger pipe is to be provided at these areas. This case will aid in preventing damage to the storm and sanitary sewer systems. In addition, all items constructed shall be completely protected. Damaged items shall be replaced or repaired as directed by the inspector and at the contractor's expense. The curbing and road base will follow when ordered by the inspector upon an approved sub-grade. Upon completion and approval of all other items, the pavement surface-course will be applied. (Amended June 26, 1984)

## Section 603

### Performance Guarantee for Installation of Street, Storm Sewer, and Drainage Improvements

All improvements required herein shall be constructed prior to the granting of the plat approval by the Planning Commission, or the subdivider shall furnish the Board with the following performance guarantees which shall be deposited and remain at all times with the Clerk of the Board of County Commissioners.

#### 1. Type of Guarantee

As consideration for the approval of a plat by the Planning Commission in lieu of the actual installation or completion of the required improvements required by these regulations and with the approval of the County Commissioners, the subdivider or land developer may execute and file a financial guarantee with the County providing for the completion of the required improvements. Such guarantee shall be in the form of a construction loan, cash escrow account, savings account or other financial arrangement which binds the developer to completion of the improvements and from which the County Engineer has the authority to release funds as the work progresses.

The work performed under the jurisdiction of the Portage County Engineer's Office shall be a separate guarantee from the work performed under the jurisdiction of the County Sanitary Engineer.

#### 2. Term of Guarantee

The guarantee for the completion of the required improvements shall be for a period of not longer than eighteen (18) months except that the Board may extend the time period by resolution where circumstances and conditions warrant such extension.

#### 3. Amount of Guarantee

The Guarantee shall be determined by:

- A. The Portage County Engineer shall review the construction plans and the project engineer's estimate.
- B. The developer shall present firm bids, for construction of the project, from the contractors.



- C. An amount of 10% of the total project cost shall be added to the guarantee to assure completion of improvements. This amount shall be released when all improvements have final approval and acceptance.
- D. The developer shall be responsible for payment of any contingencies or added costs that do not appear on the estimates and are not included in the construction account. In no case shall a payout exceed the amount of the guaranteed account.

4. Reduction of Performance Guarantee

The County Engineer shall upon receiving invoices, make payouts from the account. An amount of 10% shall be retained from each invoice until the improvement has been completed. Upon completion of the improvement the retainer may be released.

5. Release of Performance Guarantee

The County Engineer shall make the inspection required for the release of the performance guarantee upon demand of the Subdivider or the Developer; and if said improvements specified in these regulations have been completed shall promptly certify and report to the Board as to the acceptance of said improvements and the release of said performance bond.

6. Engineer's Guarantee

After construction of said improvements, the subdivider's engineer, or his successor in interest, shall file with the Board and County Engineer, an affidavit setting forth that all the required improvements have been constructed in accordance with the plans and specifications approved under the provisions of these regulations, including such modifications or variances granted by the County Engineer.

Section 604

Guarantee for Maintenance of Street, Storm Sewer, and Drainage Improvements

The subdivider shall be responsible for the maintenance of the improvements installed and for providing the services necessary to guarantee access to all the occupied lots, for a period of one (1) year after the Board has accepted the required improvements. Such acceptance by the Board shall be made upon the recommendation by the County Engineer. The subdivider shall provide a maintenance guarantee to the County providing for the care and maintenance of the physical improvements as specified herein, which shall be deposited and remain at all time with the Clerk of the Board. The subdivider shall also maintain the improvements prior to their acceptance by the Board.

1. Type of Guarantee

As consideration for the approval of a plat by the Planning Commission, the subdivider shall execute and file a financial guarantee with the Clerk of the Board providing for the care and maintenance of the physical improvements provided for in these Subdivision Regulations for a period of one (1) year from the date of the acceptance of the improvements by the Board.

Such guarantee shall be in the form of a performance or surety bond unless the Board shall approve another form of financial guarantee by resolution in a specific case.

2. Amount of Guarantee

The financial guarantee for maintenance shall be in addition to the performance bond for the completion of the required improvements as specified in Section 603 of these regulations and may be included with the performance bond.

The amount of the maintenance guarantee shall be three percent (3%) of the total of the performance guarantee, approved by the Board, and shall not be for less than one thousand dollars. (\$1,000)

3. Term of Guarantee

The subdivider shall be responsible for routine maintenance of all improvements and shall repair all failures due to faulty construction as soon as they become apparent. Said subdivider shall also make repairs due to erosion or abuse by utility companies installing utilities and shall repair all failure, for all other reasons during the one (1) year period. He shall restore the improvements at the end of the maintenance period.

4. Release of Maintenance Guarantee

The County Engineer shall promptly make the inspection required for the release of the maintenance guarantee at the end of the one (1) year period and shall certify his report to the Board for their action. The Board shall release the maintenance guarantee if said maintenance of the required improvements has been approved by the County Engineer.

Section 610

Construction Requirements and Specifications for Street Improvements

1. Road Design Criteria:

Design speed - 35 m.p.h. minimum

Minimum stopping sight distance - 250 feet

Maximum grade through an intersection - 2% desirable, 3% absolute

Maximum degree of curvature - 20 degrees

Maximum gradient - 6% desirable, 8% absolute

(All changes of grade shall be connected by vertical curves of appropriate lengths.)

2. Grading:

Item 203, Roadway Excavation and Embankment O.D.O.T. Specifications: The road shall be graded the entire width of the right-of-way in accordance with the attached typical cross section, and approved before any pavement is placed or any other improvements are made.

No trees shall be allowed to remain standing within the limits of the right-of-way. After grading is completed, no trees shall be planted within the limits of the right-of-way.

3. Roadway and Pavement Construction:

Roadway, pavement and sidewalk construction shall be constructed in accordance with Appendix I.

Section 618Storm Water Management Requirements

1. The design and construction of Storm Water Management Facilities shall require the review and approval of the County Engineer in accordance with the technical criteria described herein. Include storm water runoff estimations and calculations for pre and post development peak discharges, using the U.S. Soil Conservation Services TR-55 method, or other method approved by the County Engineer. (A copy of the TR-55 software can be obtained by contacting the Cuyahoga County SWCD Office at (216) 524-6580). All calculations and design specifications will be prepared by a registered engineer.
2. In order to control water pollution by soil sediment from accelerated stream channel erosion and flood plain erosion caused by accelerated storm water runoff from development areas, the peak rates of runoff from an area after development may be no greater than the peak rates of runoff from the same area before development for all twenty-four hour storms from one to one hundred year frequency. Design and development to match the peak rate of runoff for the one-, two-, five-, ten-, twenty-five-, fifty- and one hundred year storms may be considered adequate to meet this requirement.

If an increase in volume is expected after development, peak rates of runoff must be reduced. Reduce rates of critical storm and all more frequent storms to one year 24 hour frequency. Less frequent storms shall have peak runoff rates no greater than pre-development peak runoff rates.

3. The critical storm for a specific development area is determined as follows:
  - A. Determine the total volume of runoff from a one-year frequency, twenty-four hour storm, occurring on the development area before and after development.
  - B. From the volumes in paragraphs 2 and 3 above, determine the percent of increase in volume of runoff due to development and using this percentage, select the critical storm from Table 1.

TABLE 1

If the Percentage Increase in Volume of Runoff is		
Equal To or Greater Than	And Less Than	The 24 Hour "Critical Storm" For Discharge Limitation Will Be
0	10	1 Year
10	20	2 Year
20	50	5 Year
50	100	10 Year
100	250	25 Year
250	500	50 Year
500	-----	100 Year

- C. Drainage shall be kept to the most natural state feasible, allowable types of storm water management facilities include but are not limited to:
- Retention ponds
  - Detention basins
  - Rooftop storage areas
  - Parking lot storage areas
  - Swales/buffer strips
  - Natural depressions
- D. Clear provision must be made for who will be responsible for the long term maintenance of any permanent storm water facilities on the final plat.

### Section 619

#### Wetlands

Wetlands will be identified on the improvement drawings. If they are going to be changed in any manner, the developer is responsible for contacting the U.S. Army Corps of Engineers. If a U.S. Army Corps of Engineers permit is required, the permit number shall be shown on the final plat.

### Section 620

#### Drainage Design

No subdivision will be approved unless there is an outlet for all storm water. Provisions shall be made to accommodate effectively the increase runoff caused by changed soil and surface conditions during and after development. It may be necessary to direct surface water to a drainage ditch, stream, or an existing storm system which has the capacity to carry the flow. No natural drainage course shall be altered and no fill, buildings, nor structures shall be placed in, on, or over it unless provision is made for the flow of water in a manner satisfactory to the County Engineer. An easement shall be provided on both sides of an existing improvement surface drainage course for the purpose of maintaining, protecting, widening, deepening, enclosing, or otherwise improving such stream for drainage purposes.

#### Drainage System Requirements

The design criteria for the drainage system shall be based on the State of Ohio Department of Transportation design policy. This criteria shall apply to development along existing roads as well as those requiring new roads to be constructed.

##### 1. Road Drainage System

The road storm drainage system shall serve as the local drainage system. It shall be designed to carry roadway, adjacent land, and house storm water drainage. To prevent excessive pipe sizes, storm sewers shall drain into natural waterways as soon as possible.

##### 2. Off-Road Drainage System

The design of the off-road drainage system shall include the watershed affecting the subdivision and shall be extended to a watercourse or ditch adequate to receive the storm drainage.

## Section 621

### Drainage System Design and Protection

#### 1. Flood Hazard

If any portion of the land within the subdivision falls within the 100 year flood plain areas as indicated on the Federal Emergency Management Agency Flood Insurance Rate Maps or other approved technical documentation, the flood plain must be shown on the Improvement Plans and Plat, and must comply with all the provisions in the Portage County Flood Damage Prevention Regulations.

#### 2. Dams or Basins Embankments

Three (3) copies of detailed drawings of proposed dams or basins and all calculations shall be submitted to the County Engineer for approval. The developer or his engineer shall apply for a permit from the State of Ohio, Department of Natural Resources, Division of Water, if applicable, and any other applicable agencies.

#### 3. Protection of Drainage Systems

The subdivider shall adequately protect all ditches (roadways and watercourses) to the satisfaction of the County Engineer as shown by calculations made in accordance with the policy of the State of Ohio, Department of Transportation.

In all cases, any drainage facilities within the subdivision shall be in a stable condition, free from either excessive erosion or sedimentation and/or other debris. Any damage resulting from erosion, scour, silting of drainage ways, or blockage of storm drainage systems, on and off the development caused by the construction, shall be corrected at the developer's expense.

#### 4. Drainage Outlets

Where the County Engineer finds it necessary to clean, alter, or reconstruct a natural drainage course or storm sewer system outside the development boundary to provide a storm water outlet, or to prevent damage to other properties due to an increased or accelerated flow, the outlet shall be provided and constructed at the expense of the developer and in accordance with plans and specifications approved by the County Engineer.

#### 5. Drainage Drawings

The developer's engineer shall make a complete study of the drainage area contributing to the subdivision. He/she will then prepare a plan of the entire subdivision showing the following:

- A. Existing and proposed contours at two (2) foot intervals.
- B. Proposed streets and lots.
- C. Proposed drainage system showing the area contributing to each pipe or drainage structure.

The developer's engineer shall submit copies of all data and calculation sheets to the County Engineer for his/her review and approval.

## Section 625

### Seeding and Sodding

Item 659 and Item 660, O.D.O.T. Specifications. The entire area within the right-of-way shall be seeded, sodded or otherwise protected from erosion. All areas outside the limits of the right-of-way and adjoining land of the project where the vegetation has been injured or destroyed or in need of protection (due to the fact that erosion of these unprotected areas will result in having dirt, etc., deposited in the drainage structures and other improvements within the project and/or create an unsightly condition) shall be restored and protected as directed by the County Engineer, with the recommendation of the Portage Soil and Water Conservation District.

Areas to be seeded under Item 659 or sodded under Item 600 shall have commercial fertilizer (12-12-12) applied at the rate of 20 pounds per 1000 square feet.

The seed shall be thoroughly mixed and then evenly sown over the prepared areas at the rate of 3 pounds per 1000 square feet. Seed shall be sown dry or hydraulically.

All areas to be seeded which are considered to be urban in character, and any area immediately in front of a residence, shall be seeded with the following mixture: (Percentages by weight)

40 percent Kentucky Bluegrass (*Poa pratensis*)  
 40 percent Creeping Red Fescue (*Festuca rubra*)  
 20 percent Annual Ryegrass (*Lolium multiflorum*)

Areas to be sodded under Item 660 shall be loosened to a depth of two (2) inches just prior to laying the sod.

## Section 630

### Sewage Disposal and Sanitary Sewer Improvements

The following requirements shall govern sewage disposal improvements for all subdivisions:

#### 1. Extension of Public Sanitary Sewer System

Where an adequate public sanitary sewer system is reasonably accessible in determination of the County Sanitary Engineer, public sanitary sewer shall be installed to adequately serve all lots, connecting to the public system. Extensions shall meet the requirements of the Ohio Environmental Protection Agency and the County Sanitary Engineer. Combination of sanitary sewer and storm sewers shall be prohibited.

#### 2. Where Public Sanitary Sewer System Not Available

Where a public sanitary sewer system is not reasonably accessible the subdivider shall provide either:

##### A. A Central Treatment Plant:

A central treatment plant for the lots provided that such central treatment plant be installed in accordance with the Ohio Environmental Protection Agency and the Portage County Sanitary Engineer's requirements; or

**B. Individual Sewage Disposal Systems:**

Lots may be served by individual sewage disposal systems only when extension of a public sanitary sewerage system is not reasonably accessible and the installation of a central treatment facility has been found unnecessary by the Planning Commission.

- a. Where the installation of an individual sewage disposal system is considered, the suitability of the soil for individual sewage disposal 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 an individual sewage disposal system is permissible and the type of individual sewage disposal system to be used.
- b. A soil scientist, or technician, provided by the Portage Soil and Water Conservation District, shall make an on-site inspection and a study of the area being platted and a copy of the soils review shall be submitted to the Portage County Health Department and the Portage County Planning Commission.
- c. Criteria shall be in accordance with the Portage County Board of Health requirements governing the installation of individual sewage disposal systems.
- d. Any person proposing to create a subdivision shall submit to the Board of Health, for approval, plans clearly showing that the provisions of the rules for Household Sewage Disposal Systems (3701-29-01 to 3701-29-21 of the Ohio Sanitary Code) can be adequately met, before any of the lots in the subdivision are sold or offered for sale, whether or not such sale entails a transfer of title or deed.

**Section 631**

**Water Supply**

The following requirements shall govern water supply improvements for all subdivisions:

**1. Extension of Public Water System**

Where an adequate public water system is reasonably accessible in the determination of the Portage County Sanitary Engineer, such water system shall be extended to adequately serve all lots. Such extensions shall meet all requirements of the Ohio Environmental Protection Agency, the Portage County Sanitary Engineer and all other governmental agencies having jurisdiction.

Where no public water system is reasonably accessible to the subdivision, individual wells for each subplot may be approved according to the requirements of the Ohio Environmental Protection Agency, the Portage County Health Department and all other agencies having jurisdiction.

**Section 632**

**Performance Guarantee for the Installation of Sanitary Sewer and/or Water Improvements**

Prior to plat approval, all sanitary sewer or water facility improvements required herein shall be constructed by the subdivider and inspected and approved by the Sanitary Engineer prior to the granting of plat approval by the Planning Commission in accordance with all other sections of these Regulations and the following:

1. Detailed construction plans, estimates of cost and specifications shall be prepared by the subdivider's engineer and presented by him to be approved by the Sanitary Engineer.
2. A Performance Bond shall be executed by the subdivider and secured by a cash escrow account established with a solvent financial institution from which all construction costs will be paid to assure that adequate financial reserves have been dedicated to the construction of the project, and only acceptable work will be paid for, and to assure payment of all engineering, administrative and inspection costs incurred by the Sanitary Engineering Department.
3. Payments to the subdivider's contractor shall be made upon the recommendation of the subdivider's engineer and the approval of the subdivider and the Portage County Sanitary Engineer. A retainage of ten percent (10%) shall be withheld until completion and acceptance of the project, provided that the cash balance remaining in the construction escrow account shall at all times be adequate to complete construction.

### Section 633

#### Performance Guarantee for the Installation of Sanitary Sewer and/or Water Improvements with Plat Approval

As consideration for the plat approval by the Commission, and in lieu of the actual installation, completion and acceptance of the required improvements prior to said plat approval, the subdivider may execute a cash performance bond obligating the subdivider to the completion of the required improvements and the payment of all costs incurred in such construction. Such performance bond shall be secured by a construction loan account established with a solvent building and loan institution or a cash escrow account established with a solvent financial institution.

### Section 634

#### Term of Sewer and/or Water Improvement Guarantee

The guarantee for the completion of the required improvements shall be for a period of not longer than eighteen (18) months except that the Board may extend the time period by resolution where circumstances and conditions warrant such extension.

### Section 635

#### Amount of Sewer and/or Water Guarantee

The amount of guarantee shall be determined by:

1. The subdivider's project engineer shall prepare an estimate of cost based upon the rules, regulations, standard, standard specifications and standard bidding documents of the Sanitary Engineering Department.
2. The subdivider shall acquire bids from reputable and competent contractors proposing to furnish all labor and materials for the completion of the requirement improvements. The subdivider shall then enter into a construction contract with the bidder of his choice. Such construction contract shall be in accordance with the standard bidding documents of the Sanitary Engineering Department and conditioned upon approval of the subdivision plat.



3. The Sanitary Engineer shall review the construction plans, project engineers estimate, construction bids and, if necessary, estimate the cost of construction to arrive at the amount of cash bond required. Such cash bond shall also include an amount not less than 12% of the Sanitary Engineer's direction construction cost estimate for payment of contingency items which is required to complete the improvement, and a sum representing the Sanitary Engineer's estimate of the costs to be incurred by the Sanitary Engineering Department including costs of engineering, inspection, administrative and supervisory costs. The subdivider shall be responsible for payment of any contingencies, omitted items or extra costs that are in excess of the amount of the Performance Bond.

#### Section 636

##### Reduction of Performance Guarantee

The Performance Guarantee Bond may, periodically be partially reduced by authorizing the release of construction estimates to pay the subdivider or the contractor for materials and/or labor furnished to the satisfaction of the Sanitary Engineer. All such payments shall be made according to the following general procedures:

1. The subdivider's project engineer shall prepare the estimate on forms prescribed by the Portage County Sanitary Engineer and shall certify to the Sanitary Engineer that the work has been done according to the plans and specifications of the Sanitary Engineering Department; the sum to be paid represents an increase in the value of the project at least equivalent to amount to be paid; and, upon payment of the estimate, sufficient funds will remain to complete the project.
2. A retainage in the amount of 10% of each estimate will be withheld to assure completion and acceptance of the improvement.
3. The Sanitary Engineer shall add to the estimate all costs incurred by his department including the costs of engineering, inspection, administrative and supervisory costs, including overhead. When deemed necessary the Sanitary Engineer reserves the right to draw from and receive in hand all monies due to the Sanitary Engineering Department before approving any construction estimates for payment.
4. Upon the approval of the subdivider and the Portage County Sanitary Engineer, the estimate will be forwarded to the financial institution for payment.

#### Section 637

##### Guarantee of Workmanship and Materials

Prior to release of the retainage and final acceptance of the completed improvements, the subdivider shall provide a one year cash or surety bond guaranteeing all workmanship and materials involved in the construction. Such guarantee shall be in the amount of 5% of the cost of the improvement provided that the amount of guarantee shall not be less than One Thousand Dollars and No/Cents. (\$1,000.00)

Section 638Proof of Carriage of Contractors Insurance

The subdivider's contractor shall furnish the owner with certificates showing the type, amount, class of operations covered, effective dates and date of expiration policies. Such certificates shall also contain the following statement: "The insurance covered by this certificate will not be cancelled or materially altered, except after ten days written notice has been received by the Portage County Sanitary Engineer". Forms for this purpose are available from the Portage County Sanitary Engineer.

The amounts of such insurances shall be as follows:

BODILY INJURY LIABILITY

Each Person	\$500,000.00
Each Accident	\$1,000,000.00

PROPERTY DAMAGE LIABILITY

Each Accident	\$500,000.00
All Accidents	\$1,000,000.00

Section 639Construction Schedule

The subdivider's contractor shall submit a written work schedule in accordance with Section 108.03 of the Standard Specifications of the Portage County Sanitary Engineering Department. If satisfactory progress is not made in the construction of the required improvements, the Sanitary Engineer may revoke any sewer or water permits issued and refuse to issue any further permits until satisfactory progress is achieved.

Section 640Road Name Signs

Road name signs shall be erected by the subdivider at all road intersections. These signs shall be constructed in accordance with the attached standards. (See Appendix J) Road numbers will be assigned by the Portage County Engineer.

Section 650Inspector's Salary

The developer shall pay the salary of the inspector. All work (highway, storm and sanitary sewers and sewage disposal plants) will be inspected. The rate per hour will be the inspector's regular rate per hour as paid by the Portage County Engineer, plus 25%. If the inspector is employed by the County Sanitary Engineer, the inspection costs will be the inspector's regular rate per hour, plus the prevailing overhead rate (which in October of 1980 was 100%). The developer is held responsible for all inspection fees which will be payable monthly. The construction bond posted by the developer guarantees the payment of all inspection fees and no bonds will be released until all inspection fees have been paid in full.

Section 660Samples and Tests

In order to assure the use of suitable materials, the County Engineer and/or County Sanitary Engineer may require certain tests to be made, such as compressive strength of concrete, etc. The developer shall pay for all tests whether performed by the County Engineer, or an independent testing firm.

## ARTICLE 7

### REVISIONS, ENFORCEMENT

#### Section 700

##### Recording of Plats and/or Conveyances

No plat of any subdivision shall be recorded by the County Recorder of Portage County or have any validity until said plat has received approval in the manner prescribed in these regulations. No conveyance of any parcel by metes and bounds, not previously a lot of record, shall not be recorded by the County Recorder of Portage County unless such subdivision has been approved in the manner prescribed by these regulations.

#### Section 701

##### 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 Regional Planning Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Commission. (Amended June 26, 1984)

#### Section 702

##### Sale of Land Within Subdivisions

No owner or agent of the owner of any land located within a subdivision shall transfer or sell any land by reference to, exhibition of, or by the use of a plat of the subdivision before such plat has been approved and recorded in the manner prescribed in these regulations. The description of such lot or parcel by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from the provisions of these regulations. (Ohio Revised Code, Section 711.13)

#### Section 703

##### Schedule of Fees, Charges, and Expenses

The Portage County Regional Planning Commission shall establish a schedule of fees, charges and expenses, and a collection procedure for same, and other matters pertaining to these regulations. The schedule of fees shall be posted in the office of the County Clerk, and the Regional Planning Commission office, and may be altered, or amended only by the Planning Commission. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal. (Amended June 26, 1984)

#### Section 704

##### Penalties

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

1. Whoever violates any rule or regulations adopted by the Board of County Commissioners and/or Planning Commission for the purpose of setting standards and requiring and securing the construction of improvements within a subdivision or fails to comply with any order pursuant thereto is creating a public nuisance and the creation thereof may be enjoined and maintenance thereof may be abated by action at suit of the County or any citizen thereof.

Whoever violates these regulations shall forfeit and pay not less than one hundred (\$100) dollars nor more than one thousand (\$1,000) dollars. Such sum may be recovered with costs in a civil action brought in the Court of Common Pleas of Portage County. (Ohio Revised Code, Section 711.102)

2. A County Recorder who records a plat contrary to the provision of these regulations shall forfeit and pay not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, to be recovered with costs in a civil action by the Prosecuting Attorney in the name and for the use of the County. (Ohio Revised Code, Section 711.12)
3. Whoever, being the owner or agent of the owner of any land within or without a municipal corporation, transfers any lot, parcel or tract of such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars for each lot, parcel, or tract of land so sold. The description of such lot, parcel, or tract of land by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section. (Ohio Revised Code, Section 711.13)

The sale of lots, parcels, or tracts from a plat of a subdivision on which any and all areas indicated as streets or open grounds are expressly indicated as for the exclusive use of the abutting or other owners in such subdivision and not as public streets, ways, or grounds shall not serve to exempt the seller from the requirements of these regulations or from the requirements of these regulations or from the forfeiture provided in this section. (Ohio Revised Code, Section 711.13)

4. Any person who disposes of, offers for sale or lease for a time exceeding five (5) years any lot or any part of a lot in a subdivision before provisions of these regulations are complied with shall forfeit and pay the sum of not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars for each lot or part of a lot so sold, offered for sale or leased, to be recovered with costs in a civil action, in the name of the County Treasurer for the use of the County. (Ohio Revised Code, Section 711.15)

## Section 705

### Variances

The following regulations shall govern the granting of variances:

1. Where the Regional Planning Commission finds that undue and extraordinary hardship may result from the strict compliance with these regulations, due to exceptional topographic or other physical conditions, it may vary the regulations so as to relieve such hardship, provided such relief may be granted without detriment to the public interest and without impairing the intent and purpose of these regulations or the desirable development of the neighborhood and community. Such variations shall not have the effect of nullifying the intent and purpose of these regulations, the comprehensive plan, or the zoning resolution, if such exists. (Amended June 26, 1984)

2. In granting variances, the Portage County 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. (Amended June 26, 1984)

#### Section 706

#### Appeal

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

## APPENDICES

**APPLICATION FOR ADMINISTRATIVE SUBDIVISION APPROVAL  
PORTAGE COUNTY, OHIO**

Date: \_\_\_\_\_

Application No.: \_\_\_\_\_

The undersigned applies for Administrative Subdivision Approval under Section 711.131 of the Ohio Revised Code, and certifies all material submitted with the application is true and correct. Action must be taken by the Portage County Regional Planning Commission within seven (7) working days from the date of receipt.

NAME OF APPLICANT: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CONTACT PERSON &amp; PHONE: \_\_\_\_\_

TOWNSHIP, ROAD, &amp; LOT NUMBER: \_\_\_\_\_

NAME OF GRANTOR (SELLER): \_\_\_\_\_

NAME OF GRANTEE (BUYER): \_\_\_\_\_

INTENDED USE OF SUBDIVISION: \_\_\_\_\_ RESIDENTIAL: \_\_\_\_\_

COMMERCIAL: \_\_\_\_\_ INDUSTRIAL: \_\_\_\_\_ OTHER (PLEASE SPECIFY): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Administrative Subdivision Approval may be granted only under the following conditions:

1. The proposed subdivision is along an existing public road and involves no opening, widening or extension of any street or road; public or private.
2. No more than five (5) lots are involved after the original tract has been completely subdivided.
3. The subdivision is not contrary to applicable platting, subdividing, or zoning regulations. Variance can only be requested before the entire commission.
4. The property has been surveyed and the survey drawing, township zoning approval, subdivision fee, and legal description are submitted with the application.
5. Approval is granted, where applicable, by the agencies listed below.

**Lot Split Procedures:**

1. Zoning Inspector from applicable township must sign survey drawing.
2. Portage County Regional Planning Commission for application.
3. Contact Health Department or Sanitary Engineers for signature on second page of application (whichever is appropriate).
4. Portage County Regional Planning Commission to return completed application and payment of fee.
5. Applicant contacted by Portage County Planning Commission when application is approved or disapproved.



**TAX MAP OFFICE (6TH FLOOR)**

Date Reviewed: \_\_\_\_\_ Action: Approval \_\_\_\_\_

Disapproval: \_\_\_\_\_ Closure: Okay? \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_

Title

-----

**COUNTY SANITARY ENGINEER (3RD FLOOR)**

Date Reviewed: \_\_\_\_\_

Sewer Available: \_\_\_\_\_ Sewer Not Available: \_\_\_\_\_

Date Arrangements for Tie-In Were Made: \_\_\_\_\_

Parcel (s) Cannot Be Served: \_\_\_\_\_ Reason (s): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_

Title

-----

**COUNTY BOARD OF HEALTH(3RD FLOOR)**

Date Reviewed: \_\_\_\_\_ Action: Approval \_\_\_\_\_

Disapproval: \_\_\_\_\_ Date of Backhoe: \_\_\_\_\_

Backhoe Results: \_\_\_\_\_ Number of Lots Tested: \_\_\_\_\_

Amount of Acreage Required for Septic System & Replacement Area?: \_\_\_\_\_

Existing Dwelling? Yes \_\_\_\_\_ No \_\_\_\_\_ Date of Site Visit: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_

Title

PORTAGE COUNTY REGIONAL PLANNING COMMISSION

Date Received: \_\_\_\_\_ Fee Paid: \_\_\_\_\_

STAFF CHECK LIST

- |   | <u>YES</u> | <u>NO</u> |
|---|------------|-----------|
| 1. Application Fully Completed  | _____      | _____     |
| 2. Survey Drawing Submitted   | _____      | _____     |
| 3. Legal Description Submitted  | _____      | _____     |
| 4. Fee Paid   | _____      | _____     |
| 5. Name of adjoining dedicated public right-of-way(s) _____                             |            |           |
| 6. Area of lot split _____  |            |           |
| 7. Frontage of lot split _____  |            |           |
| 8. Intended use of lot split _____  |            |           |
| 9. Zoning of area _____   |            |           |
| 10. Lot exceed maximum depth? _____   |            |           |
| 11. Do lot split and remaining parcel meet zoning requirements? _____                   |            |           |
| _____   |            |           |
| _____   |            |           |
| 12. Will split involve the opening, widening, or extending of any street or road? _____ |            |           |
| _____   |            |           |
| 13. Does lot split create a land-locked parcel? _____                                   |            |           |
| 14. Number of lots previously split from parcel _____                                   |            |           |
| 15. Area of remaining parcel _____  |            |           |
| (Exclusive of R.O.W.)   |            |           |
| 16. Frontage of remaining parcel _____  |            |           |

ADDITIONAL COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Approval: \_\_\_\_\_ Disapproval: \_\_\_\_\_

Conditional Approval: \_\_\_\_\_

Signature \_\_\_\_\_



**APPLICATION FOR TENTATIVE APPROVAL OF PRELIMINARY PLAN**

\_\_\_\_\_, Ohio

Date: \_\_\_\_\_ Application No.: \_\_\_\_\_

1. Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

2. Name of Surveyor or Engineer \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

3. Name of Subdivision: \_\_\_\_\_

4. Locational Description: Section \_\_\_\_\_ Township \_\_\_\_\_

Range \_\_\_\_\_ Other \_\_\_\_\_

(In addition, please attach copy of legal description)

5. Proposed Use \_\_\_\_\_

6. Present Zoning District \_\_\_\_\_

7. Proposed Zoning Changes \_\_\_\_\_

8. Number of Lots \_\_\_\_\_ Area of Parcel \_\_\_\_\_

9. Do you propose deed restrictions? Yes \_\_\_\_\_ No \_\_\_\_\_

10. What type of sewage disposal do you propose? \_\_\_\_\_

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

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

**Improvement**

**Installation**

**Guarantee**

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

d. \_\_\_\_\_

e. \_\_\_\_\_

f. \_\_\_\_\_

12. List other materials submitted with this application.

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

AFFIDAVIT

I, \_\_\_\_\_, the applicant herein, do hereby apply for Preliminary Plan approval for \_\_\_\_\_ subdivision. I fully understand that the purpose of a Preliminary Plan Review is to examine the basic design factors of a subdivision in order to ascertain whether the proposed design is acceptable and complies with applicable subdivision rules and regulations. I further understand that said Preliminary Plan Review is conducted solely for the applicant's benefit to enable the applicant to receive comments and information concerning the subdivision's proposed design before detailed engineering and construction plans are submitted for formal approval. I understand that the submission of a Preliminary Plan for approval does not constitute the submission of a plat for approval pursuant to Section 711.10 of the Ohio Revised Code, and I specifically waive any rights to an approval under said statute until such time as an application for Plat Approval is submitted to the Commission. I certify that I have read the foregoing documents and have answered all questions fully and frankly. The answers are complete and true of my own knowledge.

State of Ohio  
 County of \_\_\_\_\_

SS

\_\_\_\_\_  
 Signature of Applicant

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19 \_\_\_\_\_

\_\_\_\_\_  
 Notary Public

-----  
 For Official Use

Date Received \_\_\_\_\_

Date of Meeting of Planning Commission \_\_\_\_\_

Action of Planning Commission \_\_\_\_\_

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Chairperson

**APPLICATION FOR PLAT APPROVAL**

\_\_\_\_\_, Ohio

Date \_\_\_\_\_

Application No. \_\_\_\_\_

1. Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

2. Name of Surveyor or Engineer \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

3. Name of Subdivision \_\_\_\_\_

4. Date Preliminary Plan Approved \_\_\_\_\_

5. Was a zoning change requested? Yes \_\_\_\_\_ No \_\_\_\_\_

6. If yes, the plat may not be approved until it conforms with the local zoning. Include a certification of zoning compliance if a change was requested.

Has all required improvements been installed? Yes \_\_\_\_\_ No \_\_\_\_\_

If no, include detailed estimates of cost and a statement relative to the method of improvement guarantee. All estimates must be approved by the responsible county official/

7. Do you propose deed restrictions? Yes \_\_\_\_\_ No \_\_\_\_\_  
(If yes please attach a final copy)

8. Purpose of Plat: \_\_\_\_\_

9. List other materials submitted with this application:

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

FOR OFFICIAL USE

Date Received \_\_\_\_\_

Date of Meeting of Planning Commission \_\_\_\_\_

Plat Fee \$ \_\_\_\_\_

Inspection Fee \$ \_\_\_\_\_

Action by Planning Commission \_\_\_\_\_

If plat rejected, reason for rejection \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Chairperson

**VARIANCE REVIEW FORM**

Date \_\_\_\_\_

Application No. \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

HOME PHONE \_\_\_\_\_ BUSINESS PHONE \_\_\_\_\_

1. LOCATION (COMMUNITY AND TRACT): \_\_\_\_\_

\_\_\_\_\_

2. NATURE AND DESCRIPTION OF VARIANCE REQUEST:  
(Please indicate Section of County Subdivision Regulations for which you are applying.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. JUSTIFICATION OF VARIANCE:  
(On space provided, please give a statement relative to why the variance from requirements of the subdivision regulations is requested. If not applicable, please indicate.)

A. Exceptional topographical or other conditions peculiar to this particular parcel of land:

\_\_\_\_\_

\_\_\_\_\_

B. Why a literal interpretation of the regulations would deprive the application of rights enjoyed by other property owners:

\_\_\_\_\_

\_\_\_\_\_

C. That the peculiar conditions do not result from previous actions of the applicant:

\_\_\_\_\_

\_\_\_\_\_

D. That the requested variance is the minimum variance that will allow a reasonable division of the land:

\_\_\_\_\_

\_\_\_\_\_



E. Plat or sketch must be provided:

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4. ADDITIONAL REQUIREMENTS:

A. Requirements must be met from the County Engineer's Office. This must be provided to the Portage County Regional Planning Commission staff.

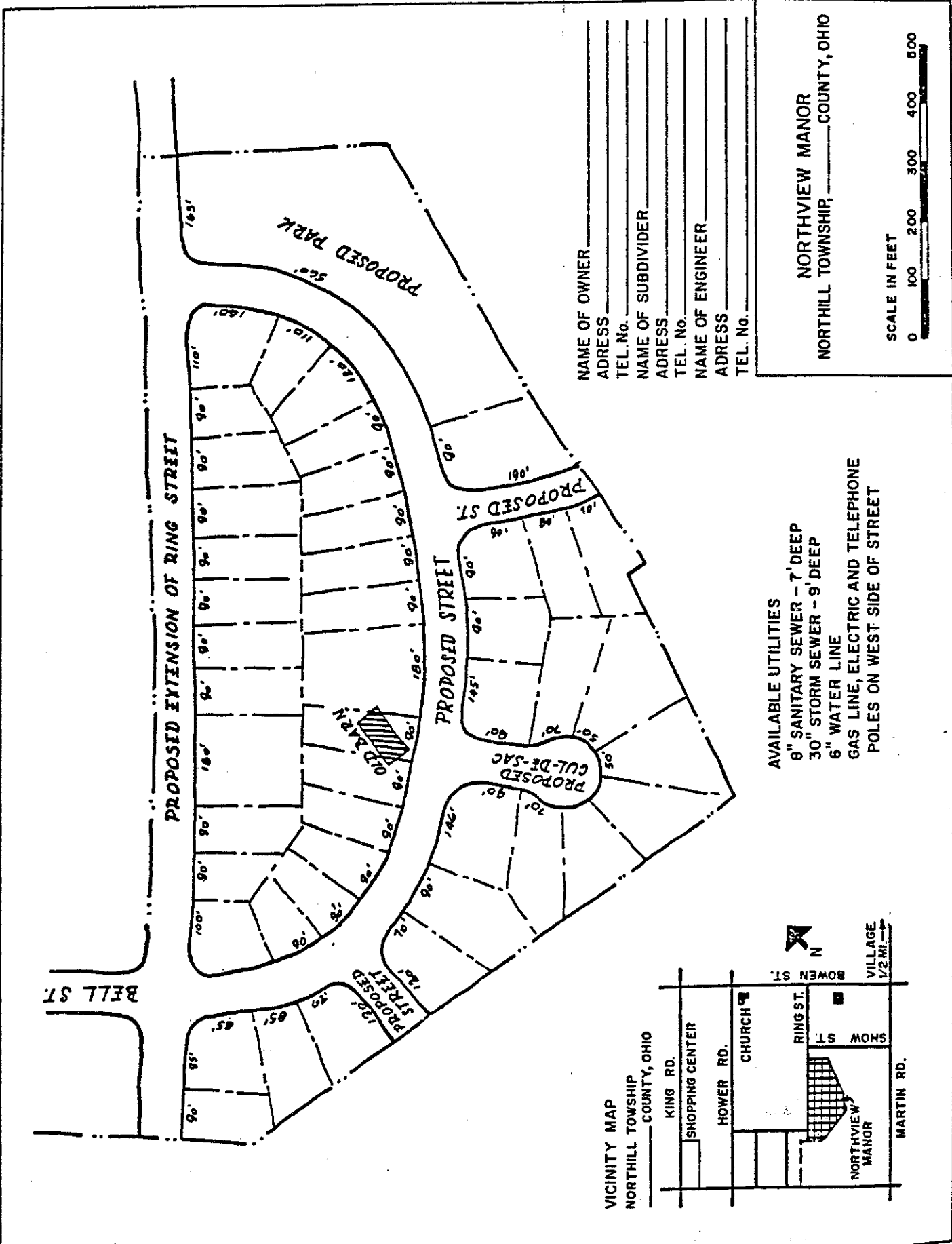
B. Township zoning requirements. This must be provided to the Regional Planning Commission staff.

5. ALL MATERIAL MUST BE SUBMITTED TO THE REGIONAL PLANNING COMMISSION SEVEN (7) WORKING DAYS PRIOR TO THE REGIONAL PLANNING COMMISSION'S SCHEDULED MEETING DATE.

\_\_\_\_\_  
Applicant's Signature

IF YOU HAVE TROUBLE ANSWERING THE ABOVE REQUIREMENTS, PLEASE CONTACT THE PORTAGE COUNTY REGIONAL PLANNING COMMISSION AT 297-3613.

TYPICAL  
PREAPPLICATION SKETCH



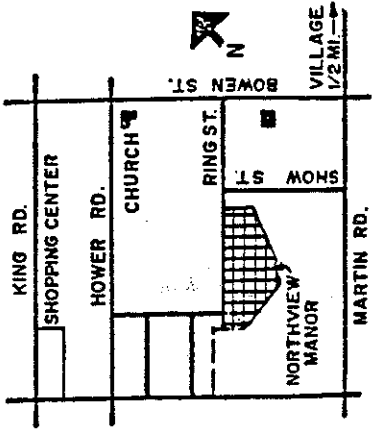
NAME OF OWNER \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 TEL. No. \_\_\_\_\_  
 NAME OF SUBDIVIDER \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 TEL. No. \_\_\_\_\_  
 NAME OF ENGINEER \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 TEL. No. \_\_\_\_\_

NORTHVIEW MANOR  
 NORTHILL TOWNSHIP, \_\_\_\_\_ COUNTY, OHIO

SCALE IN FEET  
 0 100 200 300 400 500

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

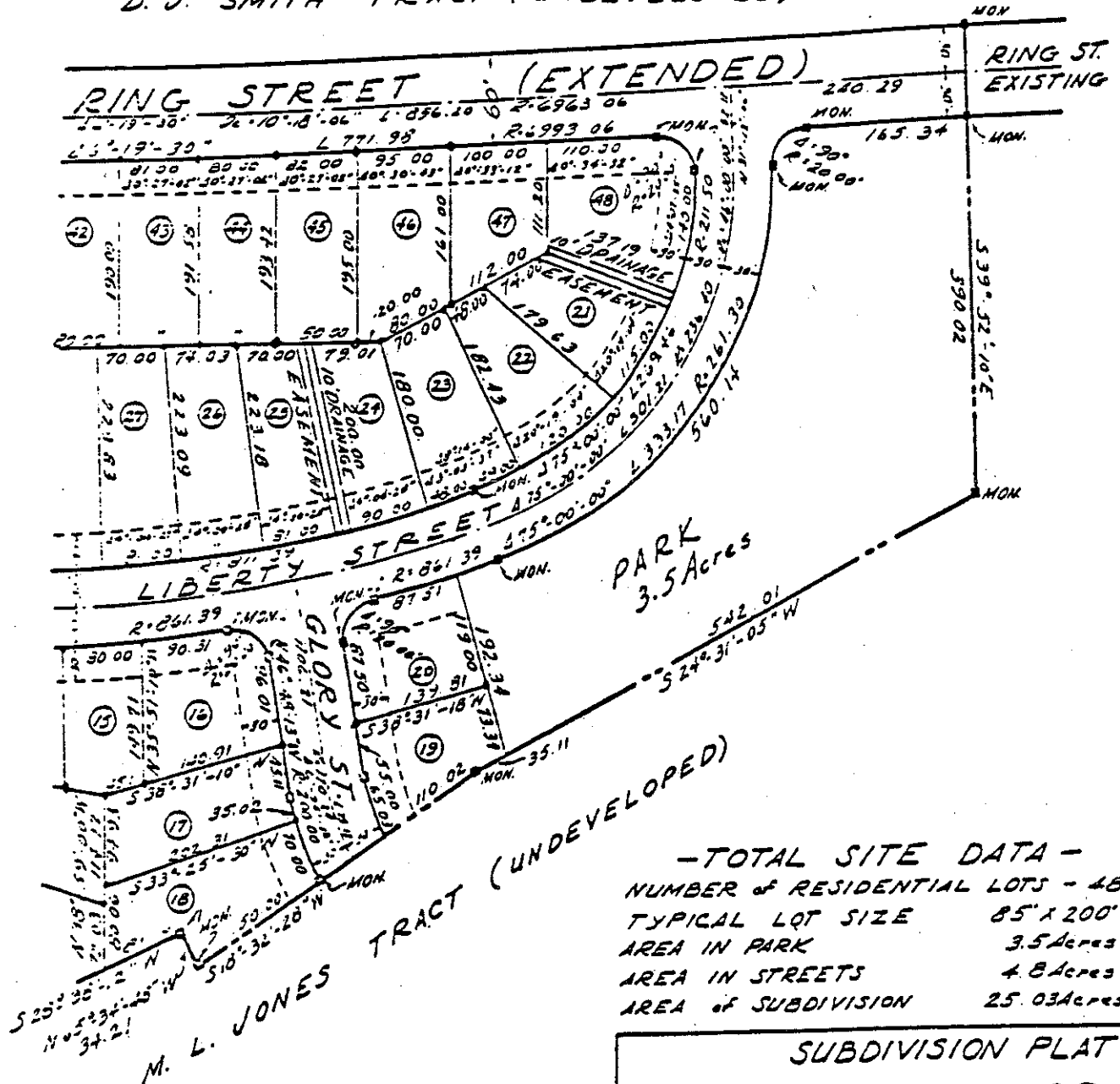
VICINITY MAP  
 NORTHILL TOWNSHIP  
 \_\_\_\_\_ COUNTY, OHIO





TYPICAL  
SUBDIVISION PLAT

D. J. SMITH TRACT (UNDEVELOPED)



-TOTAL SITE DATA -

NUMBER OF RESIDENTIAL LOTS	48
TYPICAL LOT SIZE	85' X 200'
AREA IN PARK	3.5 Acres
AREA IN STREETS	4.8 Acres
AREA OF SUBDIVISION	25.03 Acres

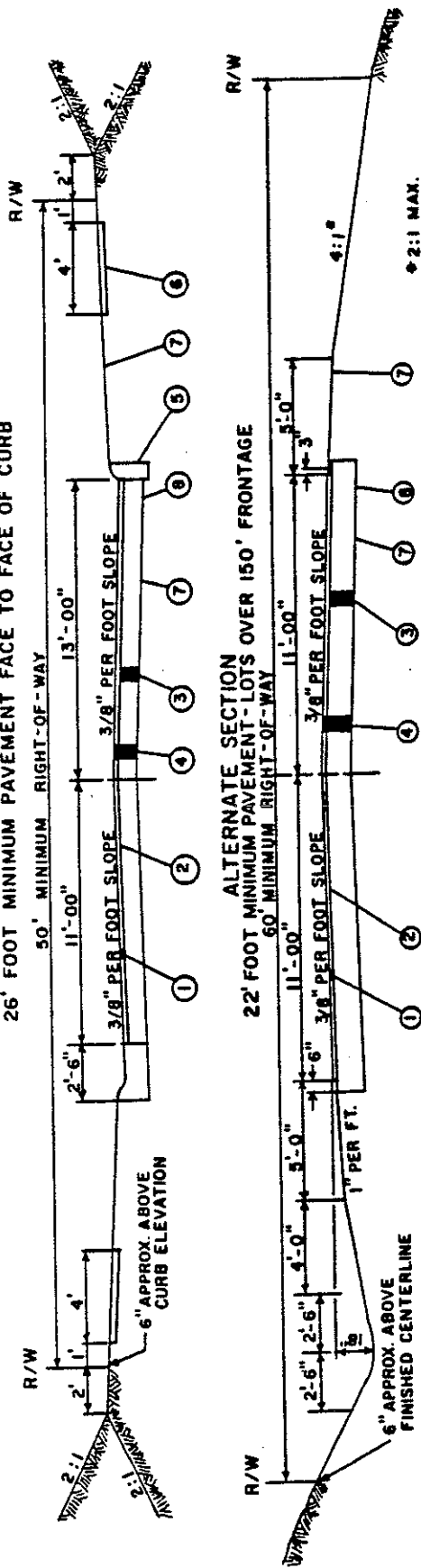
SUBDIVISION PLAT  
NORTHVIEW MANOR  
TWP, \_\_\_\_\_ COUNTY OHIO  
LOT No. \_\_\_\_\_

REGISTERED CIVIL ENGINEER  
DATE: \_\_\_\_\_

SCALE 1" = 100'

# TYPICAL SECTION FOR PORTAGE COUNTY ALLOTMENT ROADS

26' FOOT MINIMUM PAVEMENT FACE TO FACE OF CURB



- 1. Item 404: Asphaltic Concrete Surface Course: 1 1/4" minimum thickness.
- 2. Item 407: Bituminous Tack Coat: Minimum application 0.10 gallon per square yard, when required.
- 3. Item 301: Bituminous Aggreg. Base Course: Two (2) 3" courses.
- 4. Item 453: Reinforced Concrete Pavement: To be used in lieu of above base and surface courses.
- 5. Item 452: Non-reinforced Concrete.
- 6. Item 609: Concrete Curb: Curb type #3 or #6, shown on the Ohio Dept. of Transportation Std. Drawing SP-7, subject to the approval of the County Engineer.
- 7. Item 608: Concrete Sidewalk: A 4" concrete sidewalk, four (4) ft. wide, shall be installed as shown on the above typical section for lots under 90 ft. frontage. Sidewalks shall be used on all approach roads to shopping centers or schools.
- 8. Item 203: Subgrade Compaction: The road shall be graded the full width of the right-of-way as shown on the above typical section. The elevation of the finished grade at the right-of-way line shall be six (6) inches higher than the curb elevation at the corresponding station. All back sloping shall be on the property of the subdivider. The road shall be graded to the limits of the above typical section prior to the installation of the sidewalks, curbs, pavement or other improvements. No trees shall remain standing within the limits of the right-of-way. After paving is completed, no trees shall be planted within the limits of the right-of-way.
- 9. Item 408: Bituminous Prime Coat: Minimum application 0.30 gal. per s.y.
- 10. Monument Boxes Item 604: Monument boxes shall be set at the intersection of the center lines of all roads, all center line angle points, and at the P.C. and P.T. of all curves.

**Pipe Underdrains** Item 605: When unstable or wet subgrade is encountered the County Engineer may order 6" underdrains installed.

**Turnaround Circle:** A turnaround circle shall be provided at each dead-end road where two or more lots face such dead-end road, or where the road is more than 250.00 feet in length. See County Engineer's standard drawing.

**Control of Material** Item 106: The County Engineer and/or Sanitary Engineer shall be notified in advance of the type of materials to be used, and the proposed source of the materials. All materials must meet the specifications described herein, and must be approved before delivery is started.

**Delivery Slips:** The County Engineer shall be furnished delivery slips to substantiate the quantity and type of all materials used.

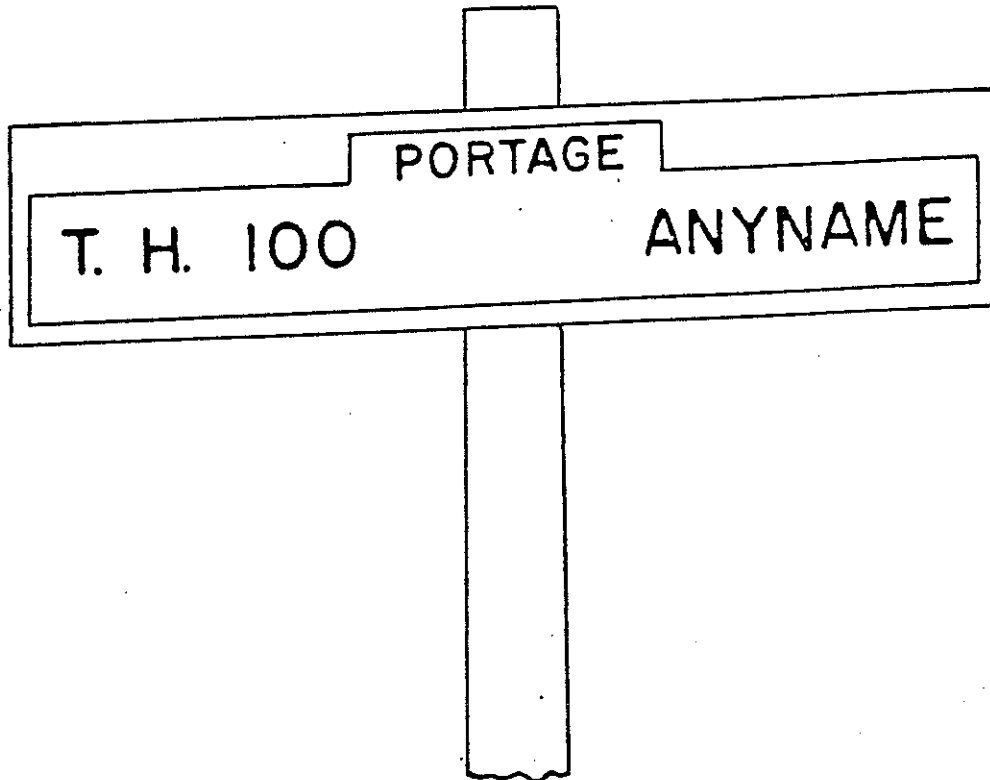
**Inspection:** The developer and/or contractor shall submit weekly work schedules on forms provided by the County Engineer. The County Engineer shall be notified a minimum of 48 hours in advance of the intention to begin work. No work shall be performed unless an inspector is present.

**Construction Sequence:** The construction of the improvements shall follow an orderly sequence, and each item of construction shall be satisfactorily completed and approved by the County Engineer before the next item is begun. The road shall be closed to traffic until the 301 base course is completed or until the 453 concrete is completed.

Any damage done to the improvements by construction traffic, local traffic, or by any other means shall be repaired, or the damaged materials replaced, before the next item of construction is begun.

**Specifications:** The current Specifications of the Ohio Dept. of Transportation (ODOT), for Construction and Materials, including supplemental specifications, and The Portage County Typical Sections & Specifications for Allotment Roads in effect at the time of approval of the plat and improvement plans shall govern all construction.

STANDARDS FOR  
ROAD-NAME SIGNS



Board	-	1" x 9" x variable length, painted three coats of white
Border	-	3/8"
Letters	-	3/4" x 4-1/2"
Posts	-	4" x 4" x 8' treated timber

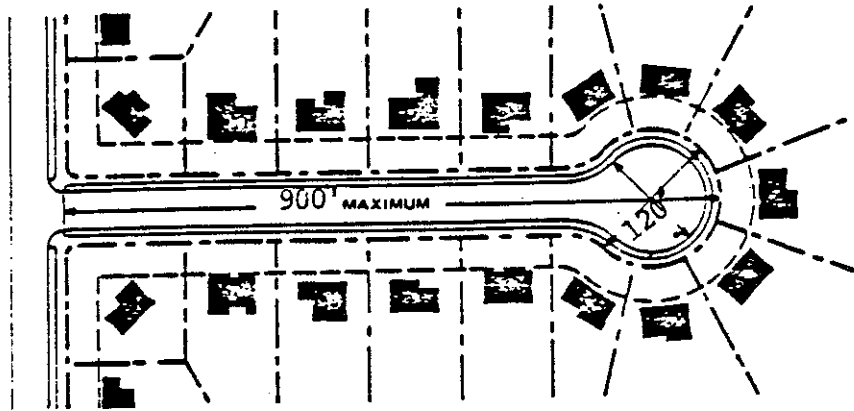
This sign shall be used to indicate a road name in the unincorporated areas of the County as in the same manner as street-name signs are used in cities. The sign will be maintained by township authorities. An alternate reflective sign of green and white may be used on inside roads with the engineer's permission.

The signs shall be erected on the far right-hand corner of the intersection, facing traffic approaching the intersection on the through highway. In no case shall they be erected in advance of the intersection. The signs shall be mounted on 4" x 4" wood posts or appropriate steel posts. The posts shall be set at the right-of-way line, and the sign shall be so mounted that the bottom of the sign will be 4 feet 6 inches above the crown of the pavement.

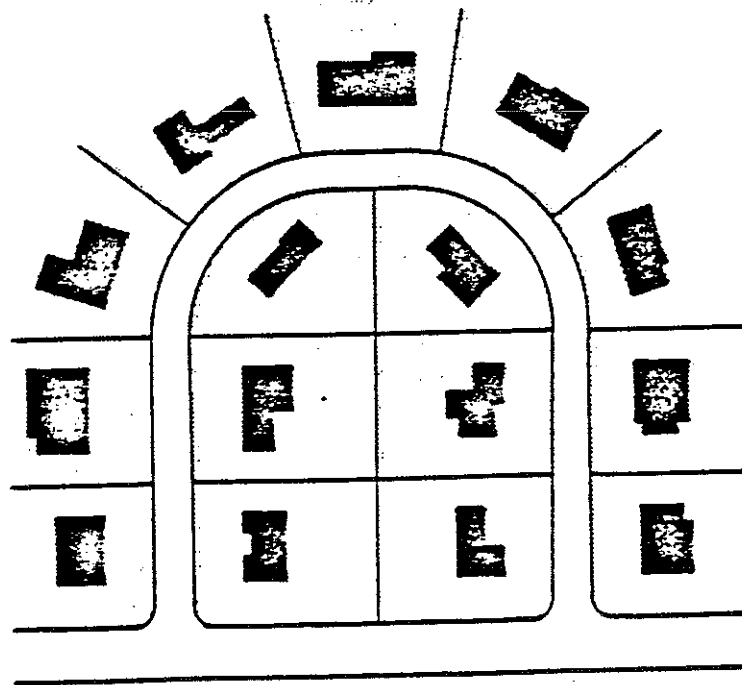
--OHIO MANUAL OF TRAFFIC CONTROL  
DEVICES FOR STREETS AND HIGHWAYS

The county engineer will make and erect signs at cost, plus 25%.

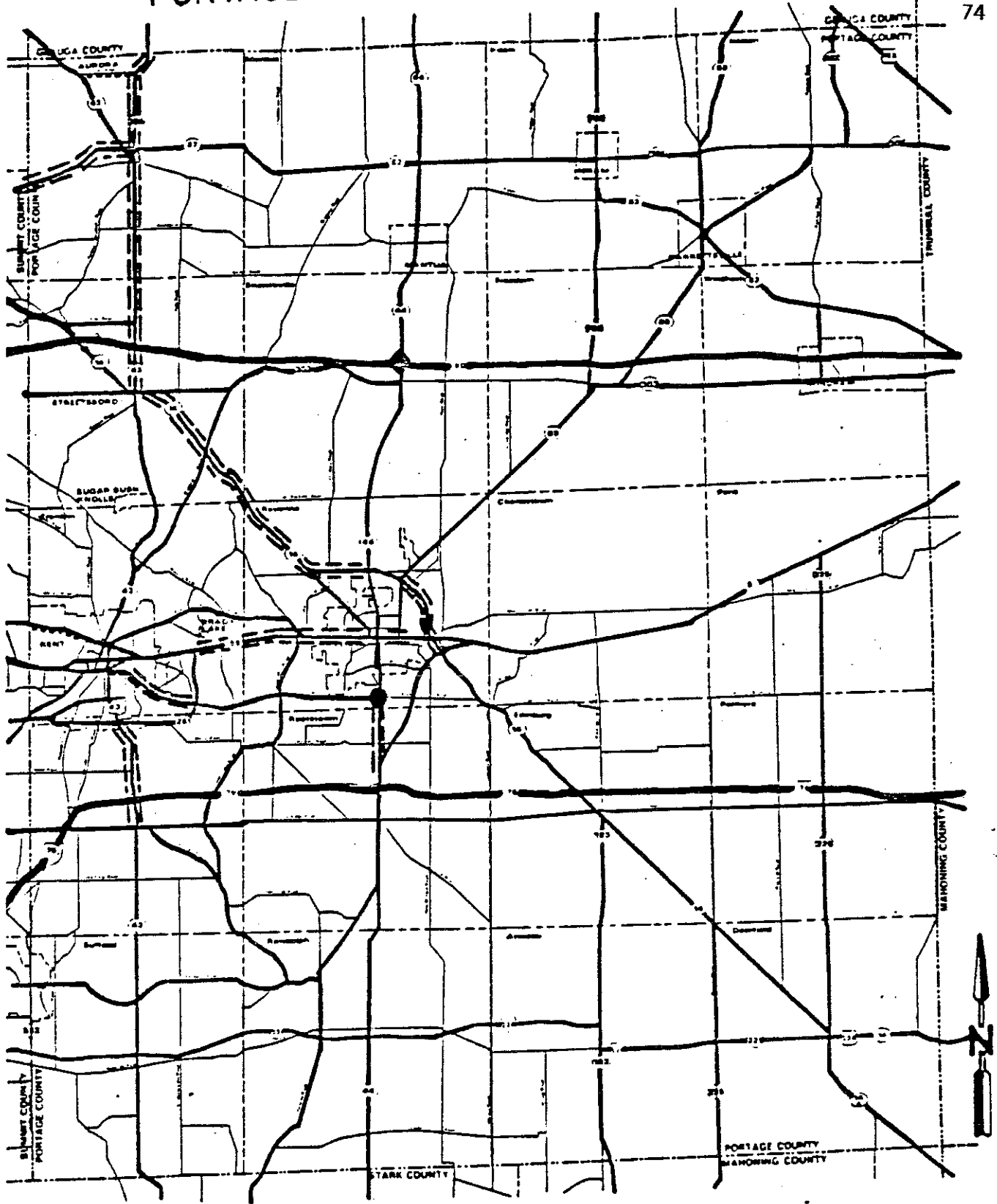
LOCAL STREET TYPES



CUL DE SAC



LOOP STREET



EXISTING NETWORK

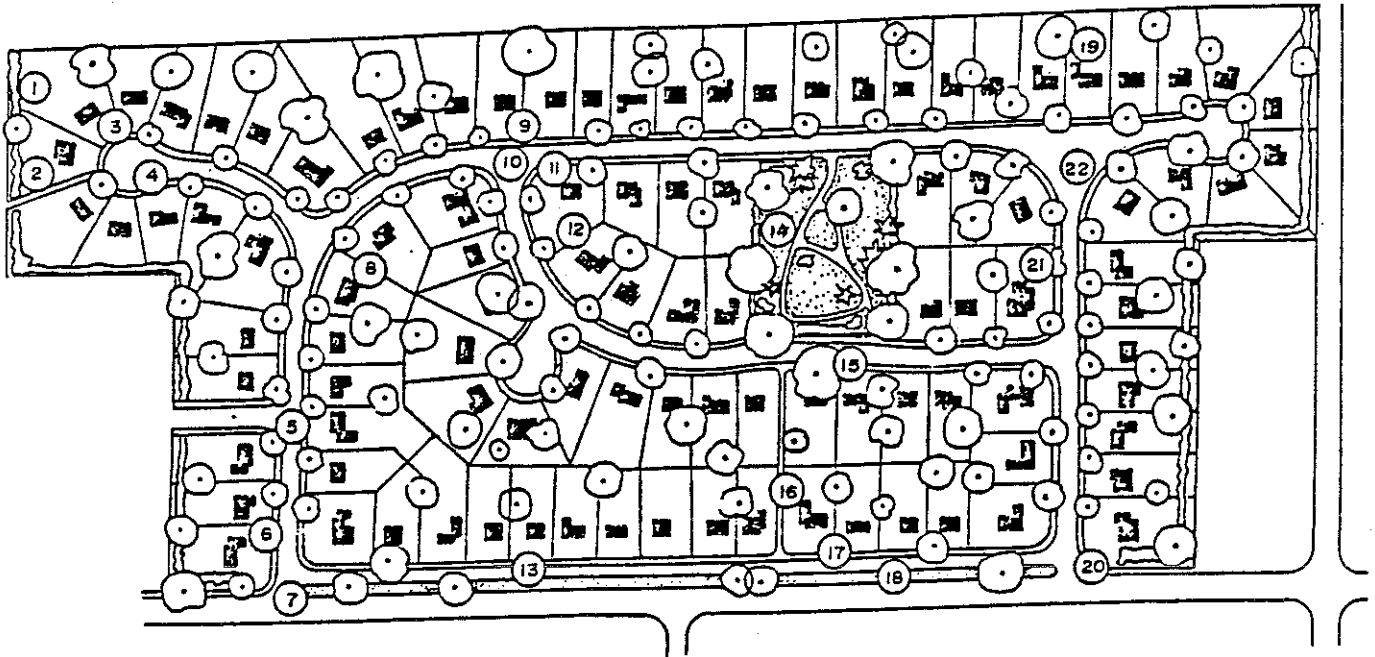
- Freeways
- Arterials
- Collectors

PROPOSED IMPROVEMENTS

- 2 Lane
- 4 Lane
- New Interchange
- Grade Separation



## SUGGESTED SITE PLANNING CONCEPTS FOR SUBDIVISIONS



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

NOTE: The following Bonding Forms are examples of typical forms.  
These forms are subject to change at any time by the Portage  
County Engineer and the Portage County Sanitary Engineer.

\_\_\_\_\_  
Name of Allotment

ESCROW AGREEMENT

THIS AGREEMENT entered into by and between \_\_\_\_\_

\_\_\_\_\_, and \_\_\_\_\_  
(Owner/Developer)

\_\_\_\_\_, for the benefit of the Board of County Commissioners, Portage  
(Name of Bank)

County, Ohio, concerning construction of Street, Storm Sewer and Drainage Improvements in

Lot \_\_\_\_\_ Township \_\_\_\_\_, Portage County, Ohio.

WITNESSETH:

WHEREAS, the Portage County Engineer has given his final approval, subject to completion  
of all conditions precedent as prescribed by the Portage County Subdivision Regulations and the  
Rules, Regulations and Specifications of the Portage County Engineer of the aforementioned  
improvements; and

WHEREAS, \_\_\_\_\_ has agreed to fulfill the requirements of  
(Owner/Developer)  
the conditions precedent as described above, and has a land development loan with \_\_\_\_\_  
\_\_\_\_\_ and has executed certain performance agreement forms in  
(Name of Bank)

connection with construction of improvements; and

WHEREAS, the \_\_\_\_\_ has granted a land  
(Name of Bank)  
development loan to \_\_\_\_\_ and has on hand certain funds  
(Owner/Developer)

payable upon satisfactory completion of the improvements on order of \_\_\_\_\_  
(Owner)

and the Portage County Engineer, said land development loan being assigned Account No. \_\_\_\_\_  
\_\_\_\_\_.

NOW, THEREFORE, it is agreed by and between the parties hereto that the sum of  
\_\_\_\_\_ (\$ \_\_\_\_\_ ) shall be reserved and held in  
(Same as Performance Agreement Amount)

Account No. \_\_\_\_\_ by the \_\_\_\_\_  
(Name of Bank)

for the purpose of guaranteeing performance of the agreement required by the Portage County  
Subdivision Regulations and signed by \_\_\_\_\_  
(Owner/Developer)

in connection with the aforementioned improvements, in conjunction with the construction and  
installation of improvements.

The above funds held in Account No. \_\_\_\_\_ will be released by  
\_\_\_\_\_ according to one or more of the following procedures:  
(Name of Bank)

1. On approval of invoices by the Developer and the Portage County Engineer, funds  
shall be disbursed direct to contractors or suppliers furnishing material and labor for matters  
necessary to complete the improvements and comply with the performance agreement and for all  
related services rendered.

2. Funds may be disbursed to the Developer on approval of orders by the Portage County  
Engineer provided a statement is attached to said orders that all suppliers of labor and material in  
connection therewith have been paid, or secured to be paid.

3. In the event of default by the Developer on or after \_\_\_\_\_  
\_\_\_\_\_ agreement as aforesaid and not completed to the full  
(Completion Date, 18 months after start)  
satisfaction of the Portage County Engineer, said Engineer may order said work to be done and  
completed, and said Engineer may authorize the release of funds to the extent of funds remaining in  
Account No. \_\_\_\_\_ will pay necessary invoices therefore.

4. Upon release by the Board of County Commissioners of the obligations expressed in the  
aforesaid performance agreement, any remaining funds in Account No. \_\_\_\_\_

shall be disbursed upon order of the Portage County Engineer and this Agreement shall cease and become void.

5. It is understood by the parties that payments during the progress of the development work need not be approved by the office of the Portage County Engineer more frequently than once each week, and that an amount of 10% shall be retained from each invoice paid, until all the improvements have been satisfactorily installed and maintained and until such time as the County has accepted the improvements.

6. It is understood by the parties that the amount of money established in Account No. \_\_\_\_\_ is based upon fixed quantities, unit or items that may have been omitted or deleted or any overages will not be approved for payment until conclusion of project referred to in the agreement and then only if monies are remaining in said Account No. \_\_\_\_\_.

7. All payments required herein by the \_\_\_\_\_  
(Owner/Developer)  
shall be in compliance with the statutes of the State of Ohio pertaining to land development loans.

8. The bank agrees to submit, monthly, to the Portage County Engineer, an accounting of the funds in Account No. \_\_\_\_\_.

The mutual promises contained herein are consideration for the Agreement and Acceptance hereof by the Board of County Commissioners shall act as consideration from them obligating the parties hereto to said Board of County Commissioners as recited herein.

IN WITNESS WHEREOF, the parties have affixed their hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

BY \_\_\_\_\_  
(Owner/Developer)

BY \_\_\_\_\_  
(Owner/Developer)

BY \_\_\_\_\_  
(Bank)

Accepted in Ravenna, Ohio this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_,  
by the Board of County Commissioners in connection with and as part of usual performance  
agreement forms as aforementioned.

BOARD OF COUNTY COMMISSIONERS  
PORTAGE COUNTY, OHIO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Assistant Portage County Prosecutor

APPROVED:

\_\_\_\_\_  
County Engineer

**PERFORMANCE AGREEMENT**

**CONSTRUCTION OF STREET, STORM SEWER AND DRAINAGE IMPROVEMENTS**

KNOW ALL MEN BY THESE PRESENTS, that \_\_\_\_\_  
(Owner/Developer)

agrees to be held and firmly bond unto the County Commissioners of Portage County, Ohio in the full and just sum of \_\_\_\_\_  
(Project Cost + 10% + Inspection + Maintenance Guarantee)

good and lawful money of United States of America, for the payment of which said sum of money well and truly to be made, he does hereby jointly and severally bind himself, his successors, heirs, executors and administrators and assigns to the faithful performance and construction of Street, Storm Sewer and Drainage Improvements for \_\_\_\_\_  
(Name of Allotment)

Said plans and specifications to be prescribed and approved by the Portage County Engineer and subject to a later agreement between the Owner/Developer and the Board of County Commissioners of Portage County for the construction of said Street, Storm Sewer and Drainage Improvements for \_\_\_\_\_  
(Name of Allotment)

The faithful performance of this Agreement is secured by an account in \_\_\_\_\_  
\_\_\_\_\_, held in escrow to be disbursed in accordance with an  
(Name of Bank)

agreement between \_\_\_\_\_, and \_\_\_\_\_  
(Owner/Developer) (Name of Bank)

for the benefit of the Board of County Commissioners of Portage County, dated \_\_\_\_\_,  
19 \_\_\_\_\_.

The conditions of this obligation are such, that whereas, the Owner/Developer has or will construct Street, Storm Sewer and Drainage Improvements in \_\_\_\_\_  
(Name of Subdivision)

in Lot \_\_\_\_\_, \_\_\_\_\_, in accordance with an Agreement with  
(Name of Twp.)

the County Commissioners of Portage County, Ohio, and with plans and specifications on file with the Portage County Engineer, and

WHEREAS, the Owner/Developer shall bear the entire costs and expenses of the construction of the Street, Storm Sewer, and Drainage Improvements until they are accepted by Portage County.

NOW THEREFORE, if said Owner/Developer, until one year after Portage County accepts said improvements, shall maintain the improvements subject to the final approval of all duly authorized Portage County authorities and if the said Owner/Developer shall save harmless Obligee and/or said Portage County abovementioned against any and all claims, demands or suits by reason of the construction of the improvements and will identify the Obligee against any and all expenses incurred in the defense of any such suits or any damages, judgements, or decrees, which might be awarded against the Obligee because of such suit, and if said Owner/ Developer constructs the improvements in full accordance with the plans and specifications approved by the Portage County Engineer, then this obligation shall be void; otherwise, it shall remain in full force and effect.

IN WITNESS WHEREOF, the Owner/Developer has signed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

SIGNED AND SEALED IN PRESENCE OF:

\_\_\_\_\_  
Witness

BY: \_\_\_\_\_  
(Owner/Developer)

\_\_\_\_\_  
Witness

STATE OF OHIO                    )  
  ) ss.:  
\_\_\_\_\_ County                 )

Before me, a \_\_\_\_\_ in and for said County and State, personally appeared the above named \_\_\_\_\_ who acknowledged that \_\_\_\_\_ he \_\_\_\_\_ did sign the foregoing instrument and that the same is \_\_\_\_\_ free act and deed.

IN TESTIMONY WHEREOF I have hereunto set my hand and  
official seal at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_,  
A.D. 19 \_\_\_\_\_.

My Commission expires \_\_\_\_\_, 19 \_\_\_\_\_.

APPROVED AS TO FORM BY:

\_\_\_\_\_  
PORTAGE COUNTY PROSECUTOR



Project Name \_\_\_\_\_

Project No. \_\_\_\_\_

**CONSTRUCTION LOAN ACCOUNT AGREEMENT****"SANITARY SEWERAGE AND WATER FACILITIES"**

THIS AGREEMENT entered into by and between \_\_\_\_\_ hereinafter referred to as the "OWNER", and \_\_\_\_\_ hereinafter referred to as the "BANK", for the benefit of the Board of County Commissioners, Portage County, Ohio, hereinafter referred to as the "COMMISSIONERS", concerning construction of sanitary sewer and water lines in \_\_\_\_\_ Township, Portage County, Ohio, for a sewer and water project known as \_\_\_\_\_ Project No. \_\_\_\_\_.

**WITNESSETH:**

WHEREAS, the Commissioners, and the Portage County Sanitary Engineer, hereinafter referred to as the Sanitary Engineer, have given their final approval subject to completion of all conditions precedent as prescribed by the Portage County Subdivision Regulations and the Rules, Regulations, and Specifications of COMMISSIONERS and the Sanitary Engineer of the aforementioned sanitary sewer and water line construction; and

WHEREAS, the OWNER has agreed to fulfill the requirements of the conditions precedent as described above, and has a land development loan with the Bank and has executed certain performance bond forms in connection with construction of sanitary sewer and water lines; and

WHEREAS, the Bank has granted a land development loan to the OWNER and has on hand certain funds payable upon satisfactory completion of the Improvements on order by the OWNER, said land development loan being assigned Account No. \_\_\_\_\_.

NOW, THEREFORE, it is agreed by and between the parties hereto that the sum of \_\_\_\_\_ (\$ \_\_\_\_\_) shall be reserved and held in said land development loan account by the BANK for the express purpose of guaranteeing performance of the bond required by the Portage County Subdivision Regulations and signed by the OWNER in connection with the aforementioned improvements, in conjunction with the construction and installation of sanitary and water improvements.

The above funds held in said land development loan account will be released by the BANK according to one or more of the following procedures:

1. On approval of invoices by the OWNER and the Sanitary Engineer, funds shall be disbursed direct to contractors or suppliers furnishing material and labor for matters necessary to complete the Improvements and comply with the bonds and for all related services rendered by the Sanitary Engineer and/or his department or designated agents.
2. Funds may be disbursed to the OWNER on approval of orders by the Sanitary Engineer provided a statement is attached to said orders that all suppliers of labor and material in connection therewith have been paid, or secured to be paid.

3. In the event of default by the OWNER on or after \_\_\_\_\_, any items called for in the bonds as aforesaid and are not completed to the full satisfaction of the Sanitary Engineer, the Sanitary Engineer may order said work to be done and completed, and the BANK to the extent of funds remaining in said land development loan account will pay necessary invoices therefore.
4. Upon release by the COMMISSIONERS of the obligations expressed in the aforesaid bonds, any remaining funds in said land development loan account shall be disbursed upon order of the OWNER without the requirement of further approval by the Sanitary Engineer and this Agreement shall cease and become void.
5. It is understood by the parties that payments during the progress of the development work need not be approved by the office of the Sanitary Engineer more frequently than once each week.
6. It is understood by the parties that the amount of money established in said land development loan account is based upon fixed quantities, unit prices and for County services (estimated): therefore, payment for any item or items that may have been omitted or deleted or any overages will not be approved for payment until conclusion of project referred to in the agreement and then only if monies are remaining in said land development loan account.
7. No payments will be made from the construction loan account for materials supplied until such materials have been installed to the satisfaction of the Portage County Sanitary Engineer.
8. All payments required herein by the BANK shall be in compliance with the statutes of the State of Ohio pertaining to land development loans.
9. The bank agrees to submit, monthly, the Sanitary Engineer, an accounting of the funds in said land development loan account.

The mutual promises contained herein are consideration for the Agreement and acceptance hereof by the COMMISSIONERS shall act as consideration from them obligating the parties hereto to said COMMISSIONERS as recited herein.

IN WITNESS WHEREOF, the parties have affixed their hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

BANK:  
 BY: \_\_\_\_\_  
 TITLE: \_\_\_\_\_

OWNER:  
 BY: \_\_\_\_\_  
 BY: \_\_\_\_\_

Accepted in Ravenna, Ohio, this \_\_\_\_\_ day of \_\_\_\_\_,  
19 \_\_\_\_\_, by the Board of County Commissioners in connection with and as part of usual  
performance and maintenance bond forms as aforementioned.

BOARD OF COUNTY COMMISSIONERS  
PORTAGE COUNTY, OHIO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Assistant Portage County Prosecutor

Date: \_\_\_\_\_

Project Name \_\_\_\_\_

Project No. \_\_\_\_\_

**PERFORMANCE BOND****CONSTRUCTION OF "SANITARY SEWAGE AND WATER FACILITIES"**

KNOW ALL MEN BY THESE PRESENTS, that \_\_\_\_\_

\_\_\_\_\_ hereinafter called the OWNER, agrees to be held and firmly bound unto the County Commissioners of Portage County, Ohio, in the full and just sum of \_\_\_\_\_ (\$ \_\_\_\_\_) good and lawful money of United States of America, for the payment of which said sum of money well and truly to be made, he does hereby jointly and severally bind himself, his successors, heirs, executors and administrators and assigns to the faithful performance and construction of "Sanitary Sewage and Water Facilities" for \_\_\_\_\_

\_\_\_\_\_ hereinafter called the "Development". Said plans and specifications to be prescribed and approved by the Portage County Sanitary Engineer and subject to a later agreement between the OWNER and the Board of County Commissioners of Portage County for the construction of said "Sanitary Sewage and Water Facilities" for the "Development".

The faithful performance of this Bond is secured by an account in \_\_\_\_\_

\_\_\_\_\_ hereinafter referred to as the BANK, held in escrow to be disbursed in accordance with the terms of a later agreement between the OWNER and the BANK for the benefit of the Board of County Commissioners of Portage County.

The conditions of this obligation are such, that whereas, the OWNER has or will construct "Sanitary Sewage and Water Facilities" in \_\_\_\_\_ Sanitary Sewer District to be connected to and service homes proposed for construction in the "Development" in accordance with an Agreement with the County Commissioners of Portage County, Ohio, and with plans and specifications on file with the Portage County Sanitary Engineer, and

WHEREAS, the OWNER shall bear the entire costs and expense of the construction of this sewage and water system until it is accepted for operation by Portage County.

NOW THEREFORE, said OWNER, until Portage County accepts said facilities shall maintain the entire operation in accordance with the State of Ohio Environmental Protection Agency rules and regulations and subject to the final approval of all dully authorized Portage County authorities, and if the said OWNER shall save harmless Obligee and/or said Sanitary Sewer District and Portage County above mentioned against any and all claims, demands or suits by reason of the construction of the sewage and water system and will indemnify the Obligee against any and all expenses incurred in the defense of any such suits or damages, judgements, or decrees, which might be awarded against the Obligee because of such suit and if the OWNER constructs said facilities in full accordance with the approved plans and specifications on file with the Portage County Sanitary Engineer, then this obligation shall be void; otherwise, it shall remain in full force and effect.

IN WITNESS WHEREOF, the OWNER has signed this instrument this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

SIGNED AND SEALED IN PRESENCE OF:

\_\_\_\_\_  
BY: \_\_\_\_\_  
\_\_\_\_\_  
BY: \_\_\_\_\_

STATE OF OHIO                    )  
  ) ss.:  
\_\_\_\_\_ County                    )

Before me, a \_\_\_\_\_ in and for said County and State, personally appeared the above named \_\_\_\_\_ who acknowledged that \_\_\_\_\_ he \_\_\_\_\_ did sign the foregoing instrument and that the same is \_\_\_\_\_ free act and deed.

IN TESTIMONY WHEREOF I hereunto set my hand and official seal at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19 \_\_\_\_\_.

My Commission expires \_\_\_\_\_ 19 \_\_\_\_\_.