

Defiance County

SUBDIVISION REGULATIONS

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DEFIANCE COUNTY

SUBDIVISION REGULATIONS

TABLE OF CONTENTS

INTRODUCTION		6
PREABLE		8
TITLE, SCOPE AND JURISDICTION		
Section 100	- Title	9
Section 101	- Purpose	9
Section 110	- Administration	9
Section 120	- Jurisdiction	9
Section 130	- Relation to Other Laws	9
Section 140	- Planned Unit Development	10
Section 150	- Amendments	10
Section 160	- Separability	10
DEFINITIONS		
Section 200		11-20
PROCEDURE FOR SUBDIVISION APPROVAL		
Section 300	- Preapplication Meeting	21
Section 301	- Preapplication Sketch Content	21
Section 310	- Preliminary Plat Required	21
Section 311	- Submission to State Highway Director	22
Section 312	- Surveys	22
Section 313	- Application for Tentative Approval	22
Section 314	- Preliminary Plat Form	22
Section 315	- Preliminary Plat Contents	23
Section 316	- Supplementary Information	24
Section 317	- Filing	25
Section 318	- Public Hearing	25
Section 319	- Approval of Preliminary Plat	25
Section 320	- Approval Period	25
Section 321	- Final Plat Required	25
Section 322	- Application for Approval of Final Plat	26
Section 323	- Regulations Governing Improvements	26
Section 324	- Final Plat Form	26
Section 325	- Final Plat Contents	26
Section 326	- Supplementary Information	27
Section 327	- Filing	28

Section 328	-	Approval of Final Plat	28
Section 329	-	Transmittal of Copies	28
Section 330	-	No Plat Approval Subdivision Procedures and Requirements	28
330.1	-	Minor Subdivisions	28
330.2	-	Large Lot Subdivisions	29
330.2.1	-	Application Submittal Requirements	30
330.2.2	-	Review and Approval	30
330.2.3	-	Agricultural and Personal Recreational Purposes Exemption	30
Section 331	-	Site Considerations for Minor and Large Subdivisions	32
Section 332	-	Flood Plains	33
Section 333	-	Suitability	33
Section 334	-	Wetlands	33
Section 335	-	Woodlands	34

SUBDIVISION DESIGN STANDARDS

Section 400	-	General Statement	35
Section 401	-	Conformity to Development Plans and Zoning	35
Section 402	-	Suitability of Land	35
Section 403	-	Access	35
Section 410	-	Street Design	36
Section 411	-	Table 1 - Street Design Standards	36
Section 412	-	Horizontal Alignment	37
Section 413	-	Vertical Alignment	38
Section 414	-	Table 2 - Intersection Design Standards	38
Section 415	-	Special Street Types	38
Section 416	-	Streets for Commercial Subdivision	39
Section 417	-	Street for Industrial Subdivision	39
Section 418	-	Sidewalks	39
Section 419	-	Blocks	39
Intersection Design Standards			41
Section 420	-	Lots	42
Section 421	-	Easements	42
Section 422	-	Flood Areas & Storm Drain Ditches and Stormwater Detention	42
Section 423	-	Public Sites, Open Space, and Natural Resources	43
		Table 3 - Minimum Lot Requirements	44

REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS

Section 500	-	Guarantee for Installation for Improvements	45
Section 501	-	Construction Procedure	45
Section 502	-	Monuments, Markers & Pins	45

Section 503	-	Street Improvements	45
Section 504	-	Street Width	45
Section 505	-	Streets, Curbs & Gutters	46
Section 506	-	Sidewalks	46
Section 507	-	Driveways	46
Section 508	-	Street Name Sign & Naming	47
Section 509	-	Street & Walkway Lighting	47
Section 520	-	Water Supply Improvements	47
Section 521	-	Fire Protection	48
Section 530	-	Sanitary Sewer Improvements	48
Section 540	-	Drainage Improvements	49
Section 541	-	Culverts and Bridges	49
Section 542	-	Stormwater Management Facilities	50
Section 550	-	Electric, Gas & Telephone Improvements	51
Section 560	-	Oversize Improvements	51
Section 561	-	Extensions to Boundaries	51
Section 562	-	Off-Site Extensions	51
Section 570	-	Final Inspection	51

REQUIRED STATEMENTS & SIGNS ON PLAT

Section 600	-	Required Statements	52
Section 601	-	Outside 3 Mile Limit of City	54
Section 602	-	Within 3 Mile Limit of City	55

REVISIONS, ENFORCEMENT

Section 700	-	Recording of Plat	56
Section 701	-	Revision of Plat after Approval	56
Section 702	-	Sale of Land within Subdivision	56
Section 703	-	Schedule of Fees	56
Section 704	-	Penalties	56
Section 705	-	Variances	57
Section 706	-	Appeal	57

ENACTMENT

Section 800	-	Effective Date	58
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APPENDICES

Appendix 1	59
Appendix 2	61
Appendix 3	63
Appendix 4	66
Appendix 5	69
Appendix 6	72

Preparation of these Subdivision Regulations
was by the
Defiance County Regional Planning Commission and Staff

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INTRODUCTION

For a better understanding of the meaning and intent of these subdivision regulations the following paragraphs of explanation are given. Subdivision regulations should be written to fit the needs and desires of the locale and people they regulate. Sections 711.001 through 711.38 inclusive of the Ohio Revised Code, and especially those Sections appropriate to county Subdivision Regulations have been the basis for the writing of these Regulations. Many hours of study and discussion in meetings with Realtors, Lawyers, Land Surveyors, and the Subdivision Committee have gone into the preparation of this draft. As a result the meaning and intent of a word or section is better understood and agreed upon by those who were consulted. Also certain goals and objectives of the Defiance County Planning Commission will be implemented by these regulations.

The following definitions, terms, and policies are explained by the ensuing paragraphs, and identified as to their appearance in the body of the Subdivision Regulations:

Section 7711.001 of the Revised Code of Ohio – Definition of Subdivision (page 17).

It has generally been agreed that the definition of Subdivision is basic to the writing and administration of Subdivision Regulations. For better understanding, the definition has been broken down into its parts, the following on which there is general agreement:

The Act of Subdivision

1. The creation of a new parcel or parcels less than five (5) acres.
2. The creation of a new parcel or parcels over five (5) acres requiring new streets or easements of access.
3. Includes improvement of residential, commercial or industrial parcels.
4. Includes the lease holders.
5. Includes easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

All of the above are bound by these Subdivision Regulations and subject to the provisions herein.

Surveys

A policy on surveys has been established, and all subdividing will be subject to the provisions in Section 312 of these Regulations.

Lot Size

Lot size minimums, length to depth ratio are covered on pages 44. When the land in question will permit, a ratio of not more than 2-1/2 to 1 depth to width will be required. Any departure from this will be a variance for which appeal must be made. Five (5) acre parcels that fall under subdivision regulations are included. It shall be the purpose of these subdivision

regulations to discourage any number of contiguous twenty acre parcels, using an existing public road, which does not have a frontage of 300 feet or more.

Access

A policy on access to public roads and highways is being implemented by these Subdivision Regulations on page 33. The interest of the Defiance County Planning Commission is that roads important to movement of people be not further impeded with residential strip development with its frustrations and safety hazards. The implementation measure, is limited access to certain roads and highways designated on the Defiance County Comprehensive Transportation Plan.

PREAMBLE

A RESOLUTION OF THE COUNTY OF DEFIANCE, 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 LAYOUTS OF LOTS; PROVIDING FOR ADEQUATE AND CONVENIENT PROVISION OF OPEN SPACES, UTILITIES, RECREATION, AND ACCESS TO SERVICE AND EMERGENCY VEHICLES; PROVIDING FOR ADEQUATE PROVISION OF WATER, DRAINAGE, SEWER, AND OTHER SANITARY FACILITIES; PROVIDING FOR THE ADMINISTRATION OF THESE REGULATIONS AND DEFINING THE POWERS AND DUTIES OF THE ADMINISTRATIVE OFFICERS; PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS SIN THIS RESOLUTION OF ANY AMENDMENT THERETO; AND FOR THE REPEAL THEREOF.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DEFIANCE, STATE OF OHIO.

ARTICLE 1

TITLE, SCOPE AND JURISDICTION

Section 101 – Purpose

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

Section 110 – Administration

These regulations shall be administered by the Defiance County Planning Commission, and/or their representatives, hereinafter usually called "Commission" or "Planning Commission."

Section 120 – Jurisdiction

These regulations shall be applicable to all subdivisions of land within the unincorporated area of the County, where the Planning Commission shall have the power of final approval, other than lands within the three miles of the City of Defiance as provided in Section 711.09 of the Ohio Revised Code. Whenever a city has adopted a Major Thoroughfare Plan, Parks and Open Space Plan for the territory within the city limits and for the territory within the three mile limit of the city has adopted subdivision regulations and is exercising extra territorial jurisdiction, the City Planning Commission may receive advice from the Planning Commission on all subdivision plats located within three miles of the corporate limits. The City Planning Commission shall have final approval of the plat with such provisions for coordination and cooperation as may be further provided in these regulations.

Section 130 – Relation to Other Laws

The provisions of these regulations shall supplement any and all laws of the State of Ohio, resolutions of the County, or any and all rules and regulations promulgated by authority of such law or ordinance (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 resolutions, the most restrictive or that imposing the higher standards shall govern except as provided in Section 140 of these regulations.

Section 140 – Planned Unit Developments Encouraged; Regulations May Be Modified

The planned unit development approach to development is encouraged. These regulations may be modified by the degree necessary to accomplish the objectives and standards required for planned unit development of residential, commercial, or industrial subdivisions, or a mixture thereof, in accordance with appropriate zoning regulations. 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 150 – Amendments

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

Section 160 – Separability

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

ARTICLE 2

INTERPRETATIONS OF TERMS OR WORDS

Section 200 – Definitions

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 “plots” or “parcel.”

Alley: See Thoroughfare

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

Buffer: An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences, and/or beams, designed to limit continuously the view of and/or sound from the site to adjacent sites or properties.

Commercial Development: Development that is for the purpose of or connected with commerce or trade as defined by the appropriate zoning regulations. The lot shall be zoned for commercial use by the appropriate local government or deed restrictions, shall require Commission approval of any subsequent change in land use or any other method shall be employed as to retain the property for commercial purposes.

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

Article 2 (cont'd)

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

Comprehensive Development Plan: A plan, or any portion thereof, adopted by the Planning Commission and/or the legislative authority of the County of Defiance 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.

Commission: Defiance County Planning Commission

Conditional Approval: Approval by the authorized representative of the Planning Commission of the dimensions and area of the proposed lot split. However, other conditions and improvements are necessary before the lot can become a building site. The conveyance shall not be approved until such time as the stipulated conditions have been completed.

Corner Lot: See Lot Types

Covenant: A written promise or pledge.

Cul-de-Sac: See Thoroughfare

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

Dead-end-Street: See Thoroughfare

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

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

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

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

Article 2 (cont'd)

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

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

Density, High Residential: Land to be utilized for residential purposes, including public housing and industrialized units, which exceeds sixteen dwelling units per gross acre.

Design Standards: Standards that set forth specific improvement requirements.

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

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.

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

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

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

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

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

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

Article 2 (cont'd)

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

Final Approval: The official action of the planning board taken on a preliminary approved major subdivision or site plan, after all conditions, engineering plans, and other requirements have been completed or fulfilled and the required improvements have been installed or guarantees have properly posted for their completion, or approval conditioned upon the posting of such guarantees.

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

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

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

Industrial Development: Development that is for the purpose of or connected with industry as defined by the appropriate zoning regulations. The lot shall be zoned for industrial use by the appropriate local government or deed restrictions shall require Commission approval prior to a change in land use or any other method may be employed so as to retain the property for industrial purposes.

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, and may consist of:

- a) A single lot of record.
- b) A portion of a lot of record.
- c) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

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.

Article 2 (cont'd)

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

1. Depth of a lot shall be considered to be the distance between the mid-points of the straight lines connecting the foremost points of the side lot lines in the front and the rearmost points of the side lines in the rear.
2. Width of a lot shall be considered to be the distance between straight lines connecting front or rear lot lines at each side of the lot measured at the lot frontage; except in the case of lots fronting on the dead end of a cul-de-sac and/or exterior angle of loop streets where the width of a lot is 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 recorded.

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

1. A corner lot is defined as a lot located at the intersection of two or more streets.
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.

Manufactured Home Park: Any site, or tract of land under single ownership, upon which three (3) or more manufactured homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

Manufactured Housing: A factory-built, single-family structure that is manufactured under the authority of 42 U.S.C. Section 5401, The National Manufactured Home Construction and Safety Standards Act, is transportable in one (1) or more sections, is built on a permanent chassis, and is used as a place of human habitation; but which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site, and which does not have wheels or axles permanently attached to its body or frame.

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

Article 2 (cont'd)

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

Multi-family Housing Development: Development consisting of three (3) or more dwelling units within a building. The lot shall be zoned for multi-family residential use.

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

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

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 side, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

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

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 preplanned 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 a building design principles, and landscaping plans.

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

Article 2 (cont'd)

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

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

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.

Retention Basin: A pond, pool, or basin used for the permanent, or temporary, storage of water runoff.

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

Setback Line: A line established by a zoning resolution, generally parallel to a street delineating the minimum allowable distance between the street right-of-way and the front of a structure.

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 provides 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."

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, site, or lots any one of which is less

Article 2 (cont'd)

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 easement 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: Any person registered to practice surveying.

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

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

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

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 term denoting a highway primarily for thorough traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.
3. Collector Street: A thoroughfare which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation route 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.

Article 2 (cont'd)

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 loop street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) degree system of turns are not more than one thousand (1000) 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 to and adjacent to an arterial or collector street, providing access to an abutting properties and protection from arterial or collector streets. (Also called Frontage Street).

Through Lot: See Lot Types

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

Vicinity Map: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within Defiance 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.

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

Wetlands: Wetlands are defined as those areas that are inundated or saturated by surface or groundwater at a frequent duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetland generally include swamps, marshes, bogs, and similar areas.

Yard: A required open space other than a court occupied and unobstructed by any structure or portion of 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.

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 of the principal building, corner lots excepted.
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.

ARTICLE 3

PROCEDURE FOR SUBDIVISION APPROVAL

Section 300 – Preapplication Meeting

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

Section 301 – Preapplication Sketch Content

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

1. The proposed subdivision in relation to existing community facilities, thoroughfares, and other transportation modes, shopping centers, manufacturing establishments, residential developments and existing 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 nonresidential 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 of 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 owners and developer.
6. The preapplication sketch should be accompanied by appropriate approval of the Ohio Environmental Protection Agency, the Soil Conservation Service and the Defiance County General Health District stating what type of sewage disposal will be approved or the soil conditions encountered in the area of the proposed subdivision.

Section 310 – Preliminary Plat Required

After the preapplication stage, the subdivider shall submit a preliminary plat of the proposed subdivision which shall conform with the requirements set forth in Sections 311 to 319, inclusive. The preliminary plat shall be prepared by a registered engineer or surveyor.

Article 3 (cont'd)

Section 311 – Submission to State Highway Director

Before any plat is approved affecting any land within (1): three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in a certification to the planning commission (ORC 5511.01) by the State Director of Transportation, or (2): any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice, by registered or certified mail to the State Director of Transportation. The commission shall not approve the plat for one hundred twenty (120) days from the date the notice is received by the Director. If the Director notifies the Commission that he shall proceed to acquire the land needed, then the Commission that he shall proceed to acquire the land needed, then the Commission shall refuse to approve the plat. If the 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 Director and the property owner, the Commission shall, if the plat is in conformance with all provisions of the regulations, approve the plat.

Section 312 – Surveys

1. A single parcel being subdivided must comply with the requirements of HB 231 and subsequent county requirements as prepared by the Defiance County Engineer and County Auditor.
2. The second parcel being transferred from an original parcel by the same person must be surveyed.
3. All plats must be based on a land survey.
4. The survey must be made and certified by an Ohio registered surveyor.

Section 313 – Application for Tentative Approval

An application in writing for the tentative approval of the preliminary plat, together with five (5) copies of the preliminary plat and the supplemental information specified in Sections 313 to 316, inclusive, shall be submitted to the Commission. The submission shall precede the bi-monthly meeting of the Planning Commission by ten (10) days to be considered at the meeting.

Section 314 – Preliminary Plat Form

The preliminary plat shall be drawn at a scale not less than one hundred (100) feet to the inch and shall be on one or more sheets 18' x 24' in size.

Article 3 (cont'd)

Section 315 – Preliminary Plat Contents

The preliminary plat shall contain the following information:

1. Proposed name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the County. A register of subdivision names will be maintained in the Planning Commission Office.
2. Location be section, range and township or other surveys.
3. Names, addresses and phone numbers of the owner, subdivider, and professional engineer and registered surveyor who prepared the plat, and appropriate registration numbers and seals.
4. Date of survey.
5. Scale of the plat (not more than one hundred (100) feet to the inch) and 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 line.
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 plat for a minimum distance of two hundred (200) feet.
9. Zoning classification of the tract and adjoining properties and a description of proposed zoning changes, if any.
10. Existing contours at an interval of not greater than two (2) feet.
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. Street names will not duplicate or closely approximate the names of any other street in the county. A register of street names will be maintained in the Planning Commission Office.
13. Building setback lines with dimensions.

Article 3 (cont'd)

14. Location and dimensions of all proposed utility and sewer lines, showing their connections with existing systems.
15. Layout, numbers, approximate dimensions of each lot. When a lot is located on a curved street or when side lot lines are not at ninety (90) degree angles, the width at the property line shall be shown.
16. Parcels of land in acres to be reserved for public use or to be reserved by covenant for residents of the subdivision.
17. A vicinity map at a scale of not less than two thousand (2000) feet to the inch shall be shown on, or accompany, the preliminary plat. This map shall show all existing subdivisions, roads, and tract lines and the nearest existing thoroughfares. It shall also show the most advantages connections between the roads in the proposed subdivision and those of the neighboring areas.

Section 316 – Supplementary Information

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

1. Statement of proposed use of lots, giving type and number of dwelling units and type of business or industry.
2. Location and approximate dimensions of all existing buildings.
3. For commercial and industrial development, the location, dimensions, and approximate grade of proposed parking and loading areas, alleys, pedestrian walks, streets, and the points of vehicular ingress and egress to the development.
4. Description of proposed covenants and restrictions.
5. In a letter accompanying the request for approval of the preliminary plat, the subdivider shall state the type of sewage disposal he proposes to use. If other than a treatment plant, it shall be accompanied by a letter from the County Health Department stating what type or sewage disposal will be approved for the soil conditions encountered in the area of the proposed subdivision. A central sewage treatment plant and a central water system shall be constructed by the subdivider when deemed necessary by the Commission, the appropriate Health Officer, or the Ohio EPA. If a central plant is to be used, a proposal shall be included discussing the method and cost of the incorporation of said system into the general county or municipal system.
6. The preliminary plat should also include an indication of the proposed systems for water supply.

Article 3 (cont'd)

Section 317 – Filing

The preliminary plat shall be considered officially filed on the day it is received by the Commission and shall be so dated. A filing fee shall be charged, as indicated in Section 703, and payment shall be necessary before further consideration of the plat.

Section 318 – Public Hearing

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

Section 319 – Approval of Preliminary Plat

The Commission shall forward copies of the preliminary plat to such officials and agencies as may be necessary for the purpose of study and recommendations. These shall include at least the County Engineer and the County General Health District. After receipt of reports from such officials and agencies, the Commission shall determine whether the preliminary plat shall be approved, approved with modifications or disapproved. If a plat is disapproved the reasons for such disapproval shall be stated in writing. The Commission shall act on the preliminary plat within forty-five (45) days after filing unless such time is extended by agreement with the subdivider. When a preliminary plat has been approved by the Commission, the chairman shall sign all copies and return one (1) to the subdivider for compliance with final approval requirements. Approval of the preliminary plat shall be conditional upon compliance with all other applicable statutes, resolutions and regulations of the County.

Section 320 – Approval Period

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

Section 321 – Final Plat

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

Article 3 (cont'd)

Section 322 – Application for Approval of Final Plat

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

Section 323 – Regulations Governing Improvements

The final drawings and specifications of improvements shall be a set of construction and utility plans prepared by a registered professional engineer. The plans shall include typical sections, plans and profile views, construction details and estimates of quantities. All typical sections and major engineering details to be used on any particular street shall be approved in advance by the County Engineer before completion of the plans. Prior to the granting of the approval of the final plat the subdivider shall have installed the minimum required improvements, or shall have furnished a performance bond, certified check or irrevocable letter of credit for the amount of the estimated construction cost of the ultimate installation and the initial maintenance of the improvements. Before the surety is accepted, it shall be approved by proper administrative officials, County Engineer or County Sanitary Engineer. The completion date for the final plat project shall be no later than twelve (12) months after approval of said final plat. The Commission will release ninety percent (90%) of the security after the completion of the project. Ten percent (10%) shall be held for twelve (12) months to guarantee workmanship and initial maintenance.

Section 324 – Final Plat Form

The final plat shall be legibly drawn in waterproof ink on mylar or other material of equal permanence. It shall be drawn at a scale not less than one hundred (100) feet to the inch, and shall be one (1) or more sheets of 18 x 24 inches in size. If more than one (1) sheet is needed, each sheet shall be numbered and the relation of one sheet to another clearly shown. If more than five (5) sheets are required a master composite sheet at a smaller scale as an index shall be provided.

Section 325 – Final Plat Contents

The final plat shall contain the following applicable information:

1. Name of the subdivision, location by section, range and township, date, north point, scale, and acreage.
2. Name and address of the subdividers, and the professional engineer and/or registered surveyor who prepared the plat and appropriate registration numbers and seals.

Article 3 (cont'd)

3. Plat boundaries, based on accurate traverse, with angular and linear dimensions. All dimensions, both linear and angular shall be determined by an accurate control survey in the field which must balance and close within the limit of one (1) in ten thousand (10,000).
4. Bearings and distances to recognized permanent monuments.
5. Exact locations, right-of-way, and names of all streets within and adjoining the plat, and building setback lines.
6. Radii, internal angles, points of curvature, tangent bearings, length of arcs, and lengths and bearings of chords of all applicable streets within the plat area.
7. All easements and rights-of-way provided for public services or utilities.
8. All lot numbers and lines with accurate dimensions in feet and hundredths. When lots are located on a curve, the lot width at the building setback line shall be shown.
9. Accurate location and description of all monuments.
10. Accurate outlines of areas to be dedicated or reserved for public use, or any area to be reserved for the common use of all property owners. The use and accurate boundary locations shall be shown for each parcel of land to be dedicated.
11. A copy of any restrictions and covenants the subdivider intends to include in the deeds to the lots in the subdivision.
12. Certification by a registered surveyor to the effect that the plat represents a survey made by him and that the monuments shown thereon exist as located and that all dimensional details are correct.
13. The location of and a description of all monuments and pins as specified in Section 502.

Section 326 – Supplementary Information

The following information shall be supplied in addition to the requirements in Section 324:

1. If a zoning change is involved, certification from the 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.

Article 3 (cont'd)

3. Evidence that a petition that includes all subdivision drainage in a ditch district has been processed by the developer.

Section 327 – Filing

The final plat shall be filed with the Commission not later than twelve (12) months after the date of approval of the preliminary plat; otherwise it will be considered void unless an extension is requested by the developer and granted in writing by the Commission. Filing shall be at least ten (10) days preceding the monthly meeting of the Planning Commission to be considered at that meeting.

Section 328 – Approval of Final Plat

The Commission shall approve or disapprove the final plat within thirty (30) days after it has been filed. Failure of the Commission to act upon the final plat within such time shall be deemed as approval of the plat. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Commission, and a copy of said record shall be forwarded to the subdivider. The Commission shall not disapprove the final plat if the developer has done everything that he was required to do and has proceeded in accordance with the conditions and standards specified in the approved preliminary plat.

If disapproved the subdivider shall make the necessary corrections and resubmit the final plat within thirty (30) days to the Commission for its final approval. If a plat is refused by the Commission the person submitting the plat which the Commission refused to approve may file a petition within ten (10) days after such refusal in the Court of Common Pleas to reconsider the action of the Commission.

Section 329 – Transmittal of Copies

When the final plat has been approved by the Commission, the original tracing shall be returned to the subdivider, for filing with the County Recorder after all necessary certifications are received.

Section 330 – No Plat Approval Subdivision Procedures and Requirements

330.1 – Minor Subdivisions

Approval without a plat of a minor subdivision may be granted by the Commission if the proposed division of a parcel of land meets all of the following conditions:

1. The proposed subdivision is located along an existing public road, not having limited access, and involves no opening, widening, or extension of any street or road; provided however,

Article 3 (cont'd)

that a proposed conveyance of parcel on which a dwelling unit erected before October 7, 1996 and connected to an existing public road by a private lane of not less than thirty (30) feet in width shall be permitted. Such a private lane must be owned exclusively in fee simple by the owner of the parcel proposed to be conveyed, may not serve as access to, or be used by the owner or occupant of any other parcel, and not be considered for the purpose of determining the frontage, depth, width, and area of the parcel proposed to be conveyed. (Refer to page 6, Lot Size).

2. No more than five (5) lots are involved after the original parcel has been completely subdivided.
3. The proposed subdivision is not contrary to applicable subdivision or zoning regulations.
4. The property has been surveyed and a sketch and legal description of the property is submitted with the application.

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

330.2 – Large Lot Subdivisions

The purpose of Section 330.2 is to establish the procedure for review and approval of large lot subdivisions as authorized under ORC §711.133. Approval without a plat of a large lot subdivision may be granted by the Commission if the proposed division of land meets all of the following conditions:

1. The proposed subdivision is located along an existing public street and does not involve the opening, widening or extension of any street or road, and involves the establishment of any lot ranging in size from not less than five (5) acres to not more than twenty (20) acres. A proposed division of land under and in compliance with this Section 330 shall not be considered a subdivision for purposes of ORC §711.001 (B)(1) and need only be approved under the provisions of this Section 330.2.
2. Where there is no applicable zoning regulations for lot frontage, no lot shall have lot frontage of less than two hundred fifty (250) feet of continuous frontage on an existing and improved public road.
3. Where there is not applicable zoning regulations for lot width to depth ratios, no lot shall have an average depth which is more than three (3) times its average width.

Article 3 (cont'd)

330.2.1 – Application Submittal Requirements

Application for approval shall be made to the Defiance County Planning Commission for the establishment of a lot in accordance with this Section. The application must be accompanied by a legal description and a survey pursuant to Section 312 of the Defiance County Subdivision Regulations. A filing fee shall also be submitted with the application.

The proposed subdivision shall not be contrary to any applicable zoning regulations, health regulations pertaining to water and sewage systems, access management regulations and existing surface and subsurface drainage requirements as adopted by the Defiance County Planning Commission to assess compliance of the proposed subdivision with any and all applicable regulations.

330.2.2 – Review and Approval

Large lot subdivisions shall be approved in accordance with the following schedule:

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

The burden is upon the applicant to demonstrate compliance with these Regulations. Incomplete or deficient proposals shall be disapproved and the applicant notified of issues and reasons for disapproval. Upon presentation of an approved conveyance of said parcel, the conveyance shall be stamped "Approved by Defiance County Planning Commission; No Plat Required under ORC §711.133," and signed and dated by the Executive Director. Deeds shall be recorded within one (1) year from the date of approval, or the approval expires. Upon the expiration of the approval, any proposed division of the subject tract shall be filed and processed as a new application.

330.2.3 – Agricultural and Personal Recreational Purposes Exemption

A proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and which ranges in size from not less than five (5) acres to not more than twenty (20) acres, but which is to be used only for agricultural or personal recreational purposes, (as hereinafter defined) shall be exempt from the approval requirements for large lot subdivisions.

Article 3 (cont'd)

A lot split application must be filed along with a Certification of Exemption form that certifies that the proposed parcel will only be used for agricultural or personal recreational purposes, and that any subsequent change in use shall require further review by the Defiance County Planning Commission.

Upon presentation of a conveyance of such parcel, the conveyance shall be stamped "No Approval or Plat Required per ORC §711.133; **FOR AGRICULTURAL AND/OR PERSONAL RECREATIONAL USE ONLY**, and signed and dated by the Executive Director. The conveyance shall include a statement "No change in use shall occur unless approved by the Defiance County Planning Commission in accordance with applicable subdivision regulations".

Nothing in this Section 330 shall be construed as excluding parcels that are exempt under this procedure that are currently being used only for agricultural or personal recreational purposes from the provisions of these Regulations for any future division or partitions of those parcels.

Any further subdivision of an exempted parcel or change in use of an exempted parcel shall not be automatically exempted. Said parcels must be reviewed for compliance with all applicable regulations.

For purposes of this Section, the terms "agricultural purposes" and "personal recreational purposes" shall be defined as follows:

- Agricultural Purposes – a parcel or parcels that are developed exclusively to animal or poultry husbandry, aquaculture, apiculture, the production for a use of field crops, tobacco, fruits, vegetables, nursery stock, ornamental trees, sod, or flowers or other similar agricultural uses.
- Personal Recreational Purposes – a parcel or parcels that are devoted exclusively to personal recreational use of a private type and nature that is conducted by the owner(s) of such parcel(s) or the individual(s) entitled to exclusive use and possession of such parcel(s), without fee or consideration of any kind. Any commercial or membership use that charges a fee, whether for profit or not for profit, is not permitted within a personal recreational exemption.

CERTIFICATION FOR EXEMPTION OF PARCELS TO BE USED ONLY FOR AGRICULTURAL OR PERSONAL RECREATIONAL PURPOSES PURSUANT TO OHIO REVISED CODE SECTION 711.133

The undersigned Grantor(s) and Grantee(s), make the following statements for the express purpose of inducing the Defiance County Planning Commission to exempt for the approval requirements of Section 330 of the Defiance County Subdivision Regulations the following described property and to stamp the conveyance of the Property "No Approval or Plat Required per ORC §711.133; **FOR AGRICULTURAL AND PERSONAL RECREATIONAL USE ONLY**:"

1. The Grantor(s) and Grantee(s) certify that the Property proposed for exemption is described as follows:

2. The Grantor(s) and Grantee(s) certify that the subject Property is to and shall be used **ONLY** for agricultural or personal purposes as defined in Section 303 of the Defiance County Subdivision Regulations.

3. The Grantor(s) and Grantee(s) acknowledge and understand that if the subject Property is subsequently changed in use from agricultural or personal recreational purposes, no such change in use shall be made by the Grantor(s) or Grantee(s) or their successors and assigns until further review by the Defiance County Planning Commission.

The undersigned Grantor(s) and Grantee(s) have signed this Certification on the date(s) set forth below.

GRANTOR(S):

Name

Date

Name

Date

GRANTEE(S):

Name

Date

Name

Date

The Defiance County Subdivision Regulations require that all subdivisions and lot splits be reviewed by the Health Department for approval of the private sewage disposal system to be used. The following regulations shall apply:

Article 3 (cont'd)

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

Section 332 – Flood Plains

Proposed parcel splits that have been determined to be located in a one-hundred (100) year flood plain shall comply with the administrative requirements of the Defiance County Flood Plain Regulations.

Section 333 – Suitability

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

Section 334 – Wetlands

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

1. Helps control flooding;
2. Filters polluted surface water;
3. Replenishes subsurface water;
4. Acts as holding tanks for excessive storm water;
5. Can be used as parks and recreations areas;

6. Provides breeding and feeding sites for waterfowl and gamefish.

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

Section 335 – Woodlands

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

ARTICLE 4

SUBDIVISION DESIGN STANDARDS

Section 400 – General Statement

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

The Commission has responsibility for reviewing the design of each future subdivision early in its design development. The Commission shall insure that all of the requirements of Sections 401 to 450, inclusive, 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 to appropriate Major Thoroughfare Plans. Thoroughfares not contained in the aforementioned plans shall conform to the recommendation of the Commission based upon design standards set forth in Section 402 to 419, inclusive. No final plat of land within the area in which existing zoning regulations are in effect shall be approved unless it conforms with such regulations.

Section 402 – Suitability of Land

The developer and/or his representative shall contact the Defiance County Health Department for a determination of the method of waste water treatment to be used within the proposed subdivision. If the Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to flooding, poor drainage, topography, inadequate water supply, schools, transportation facilities, and other such conditions which may endanger health, life, or property; and, if from investigations conducted by public agencies concerned, it is determined that in the best interest of the public the land should not be developed for the purpose proposed, the Commission shall not approve the land for subdivision unless adequate methods are advanced by the subdivider for solving problems that will be created by development of the land.

Section 403 – Access

There shall be limited access to most public highways from any parcel created by subdivision. Hereafter there shall be a limit to the access points to Federal, State and County highways, and certain other roads designated on the Defiance County Comprehensive Transportation Plan. The conditions shall be:

Article 4 (cont'd)

1. The access interval shall be a minimum of three hundred (300) feet centerline to centerline.
2. Access points shall not be nearer than one hundred fifty (150) feet to intersections of the above described roads.
3. No original parcel as of October 7, 1996, shall be denied access.
4. Driveways for agricultural operations and temporary driveways are exempted.

Section 410 – Street Design

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

Section 411 – Street Design Standards

The design and improvement standards contained in Table 1 are suggested minimums. All streets shall be designed and constructed in accordance with standards as specified.

Article 4 (cont'd)

Table 1

STREET DESIGN STANDARDS

Development Density	Cul-de-sacs and Loop Streets			Local Streets			Collector Streets		
	Low	Med	High	Low	Med	High	Low	Med	High
Right-of-way (ft)	60*	60*	60	60	60	60	60	60	60
Pavement Width (ft)	22	22	22	20	20	20	24	24	24
Sidewalk Width (ft)	4	4	4	4	4	4	4	4	4
Maximum Cul-de-Sac Length	700	500	500	--	--	--	--	--	--
Minimum Cul-de-Sac Radius (right-of-way)	50	50	50	--	--	--	--	--	--
Minimum Cul-de-Sac Radius (Pavement)	40	40	40	--	--	--	--	--	--

*A utility easement ten (10) feet in width may be required along each side of street right-of-way.

Note: Exceptions to the standards contained in this table are permitted under certain conditions for large lots (Section 418 and 419; for variance procedures see Section 805). Minimum Design Standards for Rural Highways shall govern Gradient Percent, Sight Distance, Degree at Curve for horizontal and vertical curves of the Location and Design Manual. – See Typical Section Page Appendix 6.

Section 412 – Horizontal Alignment

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

Article 4 (cont'd)

Section 413 – Vertical Alignment

1. All changes of grade shall be connected by vertical curves of a minimum length in feet equal to twenty (20) times the algebraic difference in the rate of grade for arterial and industrial streets for collector and local streets, fifteen (15) times.
2. Minimum vertical visibility shall conform to Ohio Department of Transportation regulations in effect on the date of the approval of the preliminary plat.
3. No street grade shall be less than 0.5 percent and in no case shall a street grade be more than three (3) percent within one hundred (100) feet of an intersection.

Section 414 – Intersection Design Standards

1. Design and improvement standards for intersections are suggested minimums for all street intersections in subdivisions. All such intersections shall be designed and constructed in accordance with the standards as specified in Table 2.
2. Multiple intersections involving junctions of more than two (2) streets shall be avoided.

Section 415 – Special Street Types

The following requirements shall apply to special street types:

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

Article 4 (cont'd)

cannot be made for adequate service access. The minimum width for alleys shall be twenty-five (25) feet for the right-of-way and twenty (20) feet for the pavement width.

Section 416 – Streets for Commercial Subdivision

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

Section 417 – Streets for Industrial Subdivisions

Collector streets for industrial subdivisions shall be planned to serve industrial areas exclusively and shall connect with arterial streets so that no industrial traffic will be directed into any residential streets. The intersections of service streets from parking areas with arterial or collector streets shall not be less than one hundred fifty (150) feet from the intersection of the arterial or collector street with any other street.

Streets shall be planned to be extended to the boundaries of any adjoining land planned for industry, except for severe physical conditions or if the Commission finds such extension is not in accord with the approved plan of the area.

Section 418 – Sidewalks

1. Sidewalks shall be required on both sides of the street in all residential subdivisions where the predominate lot width is less than one hundred (100) feet and may be required in other instances by the Commission. No sidewalks will normally be required where the predominate lot width is greater than one hundred fifty (150) feet.
2. Public sidewalks shall be required for all commercial lots.
3. Public Sidewalks may be required for industrial lots, subject to the approval of the Commission.

Section 419 - Blocks

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

1. The arrangement of blocks shall be such as to conform to the street planning criteria set forth in Sections 410 and 418, inclusive, and shall be arranged to accommodate lots and building

Article 4 (cont'd)

sites of the size and character required for the district as set forth in these subdivision regulations or zoning regulations and to provide for the required community facilities.

2. Irregularly shaped blocks, those intended for cul-de-sacs or loop streets, and those containing interior parks or playgrounds, may be approved by the Commission if properly designed and located and if the maintenance of interior public spaces is covered by agreements.
3. No block shall be longer than thirteen hundred twenty (1320) feet and the block width shall accommodate two (2) tiers of lots, except where unusual topography or other exceptional physical circumstances exist.
4. Where blocks are over nine hundred (900) feet in length a crosswalk easement not less than ten (10) feet in width at or near the halfway point may be required, by the Commission, if necessary to provide proper access to schools, recreational areas, shopping centers, and other facilities.

Table 2

INTERSECTION DESIGN STANDARDS

<u>Design Element</u>	<u>All Densities</u>
Maximum Approach Speed (MPH)	25
Clear Sight Distance (ft) (Length along each approach leg)	90
Vertical Alignment with Intersection	Flat
Minimum Angle of Intersection	
Streets shall remain in the angle of intersection	75°
For at least 100 feet beyond the point of intersection	(90° preferred)
Minimum Curb Radius (ft)	
(a) Local-local	25 – all cases
(b) Local-collector	25 – all cases
(c) Collector-collector	30 – all cases
(d) Collector, marginal access – arterial	35 – all cases
Minimum Centerline, offset of adjacent intersections (ft)	
(a) Local-local	150 – all cases
(b) Local-collector	200 – all cases
(c) Collector-collector	300 – all cases
(d) Collector, marginal access – arterial	1320 – all cases

Article 4 (cont'd)

Section 420 – Lots

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

1. The lot arrangement and design shall be such that all lots will provide satisfactory building sites, properly related to topography and the character of surrounding development.
2. All lots shall conform to or exceed the requirements of these subdivision regulations and the zoning district requirements for the district in which they are located and the use for which they are intended.
3. Each lot shall front on a public thoroughfare. The minimum lot sizes, widths, and setbacks shall be in accordance with zoning regulations, or minimums set by the Planning Commission in Table 3.
4. All side lot lines shall be at right angles to street lines and radial to curved street line, except where the Commission determines that a variation too this rule would provide a better layout.
5. Lots with double frontage shall be provided except where the Commission determines that it is essential to provide separation of residential development from arterial streets.
6. No corner lot shall have a width at the building line of less than seventy-five (75) feet.
7. No lot shall have an average depth which is more than two and one-half (2-1/2) times its average width, nor shall it have a depth of less than one hundred twenty (120) feet.

Section 421 – Easements

Easements at least twenty (20) feet in width centered along a rear or side lot lines shall be provided where necessary for sanitary sewers, gas mains, water lines, and electric lines. Easements shall be provided along every water course, storm sewer, drainage channel, or stream within a subdivision, as provided for in Section 422 of these regulations.

Section 422 – Flood Areas and Storm Drain Ditches and Storm Water Detention Facilities

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

Article 4 (cont'd)

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

Section 423 – Public Site, Open Space, and Natural Features

When a park, playground, school, or public access to water frontage which is shown in the comprehensive development plan is located in whole or in part in the proposed subdivision, the Commission shall request the dedication of such area within the subdivision. The Subdivider shall pay for only that portion of the cost of the public site that benefits his subdivision as determined by the Commission. The owner of each new subdivision as a prerequisite to the approval of the final plat thereof, shall pay a park and playground fee into the County Park and Playground Fund. Said fees shall be computed as follows: The sum of Forty Dollars (\$40.00) for each dwelling unit permitted to be constructed thereon under applicable zoning regulations. For each lot or parcel intended for commercial, office or other use, an amount computed at the rate of Four Hundred Dollars (\$400.00) for each acre of such lot or parcel.

The Park and Playground Fund shall be used for acquisition or improvements of parks and playground exclusively, and for no other purpose. In lieu of payment of the above park and playground fee, the Board of County Commissioners on recommendation of the Commission may accept the dedication for public park and playground use, open spaces constituting not less than fifteen (15) percent of the gross acreage of the subdivision, suitably located and of adequate size; provided, however, that in no event shall the aggregate value of such dedicated land be less than the equivalent park and playground fee otherwise payable and computed in accordance with the above established formula. The Commission shall whenever possible, establish the preservation of all natural features which add value to residential developments and to the community, such as large wooded areas, water courses, areas of historical significance, and similar irreplaceable assets. In lieu of payment of the park and playground fee, or dedication for public park and playground use the Commission may accept or recommend a Planned Unit Development. Under this option common open space is provided for the semi-private use of the residents of the subdivision. Legal agreements must be filed and recorded with the subdivision plan which spell out the purpose, use and ownership of the common areas and provides for an organization to be set up to finance, manage, and maintain the common areas.

Table 3

MINIMUM REQUIREMENTS (Based on Health District Standard)

Development Type	Public Water Available	Central Sewage Treatment Available	Minimum Lot Width (ft)*	Lot Areas (per family)	Minimum Front Setback Requirements (ft)		
					Streets, Streets & Cul-de-sacs	Arterial Collector	Local Streets
Single, Two or Three Family**	Yes	No	85	10,000 S.F.	40	40	40
	No	Yes	85	10,000 S.F.	40	40	40
	No	No	150	20,000 S.F.	40	40	40
Multi-Family***	Yes	No	Prohibited				
	No	Yes	90	2,700 S.F.	50	40	40
	Yes	Yes	90	2,500 S.F.	50	40	40
	No	No	Prohibited				
Commercial***	Yes	No	Prohibited				
	No	Yes	90		50	50	50
	Yes	Yes	90		50	50	50
	No	No	Prohibited				
Industrial***	Yes	No	Prohibited				
	No	Yes	100		50	50	50
	Yes	Yes	100		50	50	50
	No	No	Prohibited				

*The minimum required lot depth of 120 feet is assumed.

**Present Defiance County General Health District Standards, which are subject to change. Presently, individual on-lot sewage treatment may be allowed up to a maximum of nine (9) lots.

***Controlled by Ohio Environmental Protection Agency.

ARTICLE 5

REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS

Section 500 – Guarantee for Installation of Improvements

All improvements required herein shall be constructed prior to the granting of the final plat approval by the Commission; or the subdivider shall furnish the Commission with a surety, (See Section 322) for the amount of the estimated construction cost for the ultimate installation and initial maintenance of the improvements.

Section 501 – Construction Procedure and Materials

The subdivider shall design and construct improvements not less than the standards outlined in these regulations. The work shall be done under County supervision and inspection and shall be completed within the time fixed or agreed upon by the County Engineer. 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, and Ohio E.P.A. standards. All inspection costs shall be paid for by the subdivider. Design of all improvements shall conform to standards and specifications of the County Engineer, or County Sanitary Engineer, and these regulations.

Section 502 – Monuments, Markers and Pins

Permanent concrete monuments shall be accurately set and established at the intersections of all outside boundary lines of the subdivision; at the intersection of those boundary lines with all street lines; at the beginning and end of all curves; at points on curves where the radius or direction changes; and at such other points as necessary to establish definitely all lines of the plat. Stone or concrete monuments shall be at least thirty-six (36) inches long and at least six (6) inches in diameter, and shall be provided with an appropriate center point. Solid iron pins 5/8" x 30" or iron pipe monuments at least one (1) inch in diameter and at least thirty (30) inches long may be used at all other points including lot corners.

Section 503 – Street Improvements

All streets shall be graded to their full width, including side slopes, and improved in conformance with standards of the County Engineer.

Section 504 – Street Width

Minimum street pavement widths shall conform to the standards given in Table 1. Where pavement widths greater than those specified in Table 1 are deemed necessary by the County Engineer and

Article 5 (cont'd)

approved by the Board of County Commissioners, the County shall bear the extra cost of providing a greater than the minimum pavement width required by these regulations.

Section 505 – Street Curbs and Gutters

Curbs and gutters shall be at the discretion of the County Engineer according to the following conditions:

1. Curbs will be required where the normal drainage cannot be properly handled by side ditches or were requested by the subdivider with the majority approval of the lot owners in the said subdivision.
2. Curbs shall be required on all streets designed to serve areas where the existing or anticipated residential density of the area surrounding the proposed subdivision equals or exceeds three (3) families per acre, exclusive of streets and public properties.
3. In commercial developments or where other similar intensive urban exist or are anticipated, curbs shall be required.
4. Where curbs exist on abutting properties, their extension will be required throughout the proposed subdivision.
5. Curbs shall not be constructed where pavements are less than twenty-four (24) feet in width. Where curbs are not required, adequate gutters shall be graded and protected by seeding or appropriate surfacing.

Section 506 – Sidewalks

All sidewalks shall be constructed of Portland cement, concrete, other acceptable material to the minimum width specified in Table 1 and to a minimum depth of four (4) inches.

Section 507 – Driveways

Driveways shall be constructed to the minimum design standards as approved by the Defiance County Engineer. Driveways and curb cuts shall be located not less than three (3) feet from the side lot line. Curb cuts for straight curbs and the flare for rolled curbs shall be three (3) feet wider than the driveway pavement on each side.

Section 508 – Street Name Signs and Street Naming

1. Street Name signs, or a type in use throughout the County, shall be erected and paid for by the subdivider at all intersections.

Article 5 (cont'd)

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

Section 509 – Street and Walkway Lighting

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

Section 520 – Water Supply Improvements

The following requirements shall govern water supply improvements:

1. Where a public water supply is reasonably accessible or required because of pollution problems, in the determination of the Commission upon recommendation of the County Engineer, the subdivision shall be provided with a complete water distribution system, including a connection for each lot and appropriately spaced fire hydrants. Public water distribution and public wells systems shall meet the requirements of the Ohio Department of Health as cited in Sections 3701.18 to 3701.21, inclusive, of the Ohio Revised Code.
2. Where public water supply is not available or not required, the subdivider shall supply acceptable evidence of the availability of water. The subdivider may be required to make one (1) or more test wells to be platted if such evidence is deemed not acceptable. Copies of well logs which are obtained shall include the name and address of the well driller and shall be submitted with the plat to the Commission.

Article 5 (cont'd)

3. Individual private wells shall be located as per the regulations of the Defiance County Health District.

Section 521 – Fire Protection

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

The type of hydrant and control valves and the location of the hydrant shall be approved by the County Engineer. The minimum size of any water line serving any hydrant shall not be less than six (6) inches in diameter and should be circulating water lines. The size and location of waterlines should be approved by the County Engineer, and the Ohio Department of Health for commercial and industrial subdivisions.

Section 530 – Sanitary Sewer Improvements

The following requirements shall govern sanitary sewer improvements:

1. Where an adequate public sanitary sewer system is reasonably accessible, in the determination of the Commission and the Board of Commissioners, public sanitary sewers shall be installed to adequately serve all lots, including lateral connections to the public system. Public sewer system extensions shall meet the requirements of the Ohio Environmental Protection Agency and County "Rules, Regulations, Procedures and General Specifications Governing Sanitary Sewerage in Defiance County, Ohio". Combinations of sanitary sewers and storm sewers shall be prohibited.
2. Where a public sanitary sewer system is not reasonably accessible, the subdivider may provide:
 - a. A temporary sewerage system for the group, provided that such temporary sanitary sewerage system is installed in accordance with the Ohio Environmental Protection Agency, the County General Health District regulations and the County Sanitary Engineer. The Defiance County Board of Commissioners should be consulted early for the standard procedure for County authorization by signed Agreement.
 - b. Lots may be served by individual disposal systems if the provisions of Section 530 (3) are met.
3. Where installation of individual disposal systems is considered, the suitability of the soil for individual systems, the absorptive ability of the soil, surface drainage, groundwater level, and topography shall be the criteria for determining whether or not the installation of individual systems is permissible. Criteria shall be in accordance with the requirements of the County General Health District and the requirements of the Ohio Environmental Protection Agency.

Article 5 (cont'd)

- a. Each lot so served shall be the size and shape to accommodate the necessary length of tile field at a safe distance from and at a lower elevation than the proposed building(s). Such lot size and shape shall conform to the requirements of the zoning district in which they are located. If no zoning is in effect, the standards set forth in Section 420(3) of these regulations shall be met.
- b. At least one (1) percolation test shall be made for each lot area being platted, and each test shall be located in close proximity to the proposed individual sewage disposal plat. All percolation tests shall be performed in accordance with the requirements of the Commission and the County General Health District.
- c. Where the installation of individual disposal units is considered and where the average natural ground slope exceeds ten (10) percent, the installation of a set-up disposal system may be required subject to specification by the County General Health District.

Section 540 – Drainage Improvements

The subdivider shall construct all necessary facilities including underground pipe, inlets, catch basins, or open drainage ditches, as determined by the County Engineer, to provide for adequate disposal of subsurface and surface water and maintenance of natural drainage courses. The velocity of flow in an open ditch shall not exceed four (4) feet per second in soil ditches or six (6) feet per second for turf gutters. Paved gutters will be required if velocities of flow are greater than those specified or if it is otherwise likely that destructive erosion will result. Drainage ditches shall not be permitted to discharge into any sanitary sewer facility. Residential building lots shall be so located or graded to provide surface drainage away from the building to a suitable water disposal system.

All drainage improvements shall be petitioned by the developer to be included in a petition district in accordance with Section 6131 ORC or Section 1515 ORC.

Section 541 – Culverts and Bridges

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

All drainage improvements, including open ditches, subsurface drainage structures, waterways, retention/detention basins, etc... shall be petitioned by the developer to be included in a petition district in accordance with Section 6131 ORC or Section 1515 ORC.

Article 5 (cont'd)

Section 542 – Stormwater Management and Detention Facilities

If the proposed subdivision is located in an area having poor drainage or other adverse physical characteristics, the Planning Commission may approve the subdivision provided the subdivider agrees to perform such improvements as will render the area safe for the intended use. In lieu of improvements, the subdivider shall furnish a corporation surety, certified check, or assigned certificate deposit covering the cost of the required on-site stormwater management and detention improvement(s).

Stormwater management facilities shall be provided and may include the following:

- a. Surface drainage systems.
- b. Storm sewers and tile systems.
- c. Storm water runoff control structures.
- d. Open ditches and diversion channels.
- e. Storm water runoff shall be limited to the amount that occurred prior to development.
- f. Access to stormwater management facilities shall be by means of easement. Such easements along existing open ditches, and existing or proposed surface drains, or diversion channel shall not be less than thirty (30) feet long each side of the ditch drain or channel measured from the top of the back of the open ditch or channel.
- g. Adequate measures for the protection of open and closed drainage channels shall be provided. Easements for storm sewers and tile systems shall be a minimum of twenty (20) feet in width centered on the centerline of the storm sewer or tile drain.
- h. The preferred runoff pattern shall be towards the street. The design of streets and grading shall be such that runoff from roofs, driveways, and other impervious surfaces will be collected in ditches and/or gutters in short runs three hundred (300) feet to four hundred (400) feet in length. The runoff shall then be diverted from the surface into storm sewers or the natural water course. Streets shall be located away from water courses unless storm sewers are to be installed.
- i. Property lines shall be so designed as to follow drainage easements, except that such easements may cross lots larger than one (1) acre.
- j. No water course shall be altered in such a way as to change the flow characteristics. No fill, building, or structure shall be situated in natural water course.

Article 5 (cont'd)

Section 550 – Electric, Gas and Telephone Improvements

1. Electric service and telephone service shall be provided within each subdivision. Gas service may be required where reasonably accessible. Whenever such facilities are reasonably accessible and available, they may be required to be installed within the area prior to the approval of the final plat. Telephone, electric and street lighting wires, conduits and cables are encouraged to be constructed underground.
2. Whenever a sanitary sewer line and electric and/or telephone lines are each placed underground in the same utility easement, the following provisions shall be applicable.
 - a. The total easement width shall be not less than twenty (20) feet, and
 - b. The sanitary sewer line shall be installed within three (3) feet on one side of the easement, and the electric and/or telephone lines shall be installed within three (3) feet of the opposite side of the easement.

Section 560 – Over-Size and Off-Side Improvements

The utilities, pavements, and other land improvements required for the proposed subdivision shall be designed of over-size and/or with extensions provided to serve nearby land which is an integral part of the neighborhood service or drainage areas as determined by the County Engineer.

Section 561 – Extensions to Boundaries

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

Section 562 – Off-Site Extensions

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

Section 570 – Final Inspection

The County Engineer shall conduct on-site inspections during the construction of subdivision improvements. Upon completion of all improvements, the subdivider shall request in writing, a final inspection by the County Engineer as required under Section 711.091 of the Ohio Revised Code.

ARTICLE 6

REQUIRED STATEMENTS AND SIGNATURES TO BE AFFIXED ON THE PLAT

Section 600 – Required Statements

The following statements shall be affixed on the subdivision plat:

Situated in section __, Township __, Range __, __ County,
__ Ohio, containing __ acres and being the same tract as
conveyed to __ Described in the deed recorded in Deed
Book __, Page __, Defiance County, Ohio.

The undersigned __ hereby certify that the attached plat
correctly represents their __, a subdivision of lot __ to __
inclusive, do here accept this plat of same and dedicate to public (private) use as such all or parts of
the roads, boulevards, cul-de-sacs, parks, planting strips, etc..., show herein and not heretofore
dedicated.

The undersigned further agrees that any use of improvements made on this land shall be in
conformity with existing valid zoning, platting, health, or other lawful rules and regulations
including the applicable off-street parking and loading requirements of Defiance 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 of __, 20__.

Witness _____ Signed _____

STATE OF OHIO
COUNTY OF DEFIANCE

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

In witness whereof I have hereunto set my hand and affixed my official seal this
__, 20__,

By: _____

I do hereby certify that I have surveyed the premises and prepared the attached plat and that said plat is correct, and that the monuments have been set as shown.

By: _____

Article 6 (cont'd)

Section 601 – Outside the Three Mile Limit of a City

Reviewed this _____ day of _____, 20 _____

Township Trustees

Approved this _____ day of _____, 20 _____

County Engineer

Approved this _____ day of _____, 20 _____

County General Health District

Approved this _____ day of _____, 20 _____

Planning Commission

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

County Commissioners

Transferred this _____, 20 _____

County Auditor

Filed for Record this _____ day of _____, 20 _____, at _____ m.

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

County Recorder

Article 6 (cont'd)

Section 602 – Within the Three Mile Limit of a City

Reviewed this ____ day of _____, 20____.

Township Trustees

Approved this ____ day of _____, 20____.

County Engineer

Approved this ____ day of _____, 20____.

County General Health District

Approved this ____ day of _____, 20____.

Planning Commission

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

City Planning Commission

City Engineer

County Commissioners

Transferred this ____ day of _____, 20____.

County Auditor

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

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

County Recorder

ARTICLE 7

REVISIONS, ENFORCEMENT

Section 700 – Recording of Plat

No plat of any subdivision shall be recorded by the County Recorder or have any validity until said plat has received final approval in the manner prescribed in 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 Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Commission.

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.

Section 703 – Schedule of Fees, Charges, and Expenses

The Board of County Commissioners 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 Commissioners, and may be altered, or amended only by the Board of County Commissioners. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

Section 704 – Penalties

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

1. Whoever willfully violates any rule or regulation adopted by the Board of County Commissioners for the purposes 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 any pay not less than Ten Dollars (\$10.00) nor more than One Thousand Dollars (\$1,000.00). Such sum may be recovered with costs in a civil action brought in the Court of Common Pleas in Defiance County.

Article 7 (cont'd)

2. Whoever, being the owner or agent of the owner of any land within or without a municipal corporation, willfully transfers any lot, parcel or tract of such land from or in accordance with a plat of a subdivision before such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than Ten Dollars (\$10.00) nor more than Five Hundred Dollars (\$500.00) for each lot, parcel, or tract of land so sold. The description of such lot, parcel, or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section.
3. 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 with intent to violate these regulations, shall forfeit and pay the sum of not less than Ten Dollars (\$10.00) nor more than Five Hundred Dollars (\$500.00) for each lot or part of a lot so sold, offered for sale or leased, to be recovered with costs in a civil action, in the name of the County Treasurer for the use of the County.

Section 705 – Variances

The following regulations shall govern the granting of variances:

1. Where the Commission finds that extraordinary and unnecessary hardship may result from strict compliance with these regulations, due to exceptional topographic or other physical conditions, it may vary the regulations so as to relieve such hardship, provided such relief may be granted without detriment to the public interest and without impairing the intent and purpose of these regulations or the desirable development of the neighborhood and community. Such variations shall not have the effect of nullifying the intent and purpose of these regulations, the comprehensive plan, or applicable zoning regulations, if such exists.
2. In granting variances or modifications, the Commission may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied and modified.

Section 706 – Appeal

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

ARTICLE 8

ENACTMENT

Section 800 – Effective Date

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

ADOPTED October 7, 1996

Darrell E. Jones
Chairman, Board of County Commissioners

ATTEST Alison Grimes
County Commissioners' Clerk

APPENDIX 1

PRELIMINARY PLAT CHECKLIST

Date _____ Application Number _____

Subdivision _____

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

	Does	Does Not	Item
1.	_____	_____	Name of Subdivision (no duplication permitted)
2.	_____	_____	Locational description
3.	_____	_____	Name and address of owner, subdivider, surveyor and engineer
4.	_____	_____	Sheet size no larger than 18" X 24" (index sheet, or more than 1 sheet)
5.	_____	_____	Proper Scale
6.	_____	_____	Date and North point
7.	_____	_____	Vicinity Map
8.	_____	_____	Names of adjacent subdivisions and owners
9.	_____	_____	Zoning classifications of all major parcels and proposed change
10.	_____	_____	Topography at 2" intervals (5' intervals in Hillside Development)
11.	_____	_____	Location, width, and names of existing streets, rights-of-way, easements
12.	_____	_____	Location and dimensions of existing building and parks
13.	_____	_____	Corporation, township, range, section line
14.	_____	_____	Location of existing utilities including sewers, waterlines, and Communication lines or poles

Appendix 1 (cont'd)

	Does	Does Not	Item
15.	_____	_____	Layout names and widths of proposed streets, or easements and Proper dedications
16.	_____	_____	Layout and approximate dimensions of all lots
17.	_____	_____	Building setback lines
18.	_____	_____	Survey monument of adjacent properties
19.	_____	_____	Parks and open spaces and proper dedications
20.	_____	_____	Proposed use of lots
21.	_____	_____	Copy of proposed deed restrictions, if any
22.	_____	_____	Sewage treatment and percolation test results
23.	_____	_____	Adequate preliminary improvement plans
24.	_____	_____	Construction Estimates
25.	_____	_____	Required Certification

Date _____

_____ Title of Position

Signature

Appendix 2

FINAL PLAT CHECKLIST

Date _____ Application Number _____

Subdivision _____

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

	Does	Does Not	Item
1.	_____	_____	Submitted within 12 months of preliminary approval
2.	_____	_____	Conforms to preliminary plan and incorporates suggested changes
3.	_____	_____	Name of Subdivision
4.	_____	_____	Proper Scale
5.	_____	_____	Date and North point
6.	_____	_____	Locational Description
7.	_____	_____	Sheet size not larger than 18" x 24"
8.	_____	_____	Name and address of owner and engineer
9.	_____	_____	Accurate survey data-seconds; lineal dimensions to hundredths of Feet; internal angles; points of curvature; tangent bearding; lengths of arcs; lengths of chords
10.	_____	_____	Closure
11.	_____	_____	Bearings and distances to permanent monuments
12.	_____	_____	Lot numbers and dimensions
13.	_____	_____	Location and description of monuments, section lines, etc...
14.	_____	_____	Building setback lines
15.	_____	_____	Parks and open spaces and proper dedications

Appendix 2 (cont'd)

	Does	Does Not	Item
16.	_____	_____	Final deed restriction
17.	_____	_____	Final improvement plans
18.	_____	_____	Installation or guarantee of installation of improvements
19.	_____	_____	Required final certifications

Date _____ Title of Position _____

Signature

Appendix 3

TECHNICAL DESIGN AND IMPROVEMENT CHECKLIST

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

	Does	Does Not	NA	Item
1.	_____	_____	_____	Conformance with major street plan
2.	_____	_____	_____	Conformance with zoning regulations, or if not zoning, Section 420(3)
3.	_____	_____	_____	No flood hazards
4.	_____	_____	_____	Acceptable natural drainage and erosion control
5.	_____	_____	_____	Steep slopes not limiting factor
6.	_____	_____	_____	Large trees and other significant natural features
7.	_____	_____	_____	Areas of historical or cultural significance

Streets

8.	_____	_____	_____	Right-of-way widths
9.	_____	_____	_____	Pavement widths
10.	_____	_____	_____	Radius of curvature
11.	_____	_____	_____	Horizontal visibility
12.	_____	_____	_____	Vertical alignment and visibility
13.	_____	_____	_____	Grades
14.	_____	_____	_____	Cul-de-sacs
15.	_____	_____	_____	Turnaround radius – ROW – and pavement
16.	_____	_____	_____	Dead-end streets

Appendix 3 (cont'd)

	Does	Does Not	NA	Item
17.	___	___	___	Dedication and addition of half streets
18.	___	___	___	Marginal access streets, points of access and planting strips
19.	___	___	___	Alleys
20.	___	___	___	Alignment of intersections
21.	___	___	___	Spacing of intersection relative to different road classifications
22.	___	___	___	Avoidance of multiple intersections
23.	___	___	___	Avoidance of 4-way intersections
24.	___	___	___	Pavement and ROW of intersections
25.	___	___	___	Streets for commercial subdivisions (Section 418)
26.	___	___	___	Repair of Pavement
27.	___	___	___	Streets for industrial subdivisions (Section 419)
28.	___	___	___	Length of blocks
29.	___	___	___	Crosswalks
30.	___	___	___	Street Monuments
31.	___	___	___	Subgrade
32.	___	___	___	Base Course
33.	___	___	___	Surface Course
34.	___	___	___	Curbs and gutters
35.	___	___	___	Bridges
36.	___	___	___	Sidewalks
37.	___	___	___	Street names and numbers, signs

Appendix 3 (cont'd)

	Does	Does Not	NA	Item
<i>Lots</i>				
38.	_____	_____	_____	Size
39.	_____	_____	_____	Setback lines
40.	_____	_____	_____	Corner lot size
41.	_____	_____	_____	Avoidance of double frontage lots
42.	_____	_____	_____	Driveway culverts and grade
43.	_____	_____	_____	Monuments
44.	_____	_____	_____	Grading Plan
45.	_____	_____	_____	Parks and open spaces
46.	_____	_____	_____	Type of water supply
47.	_____	_____	_____	Test wells
48.	_____	_____	_____	Type of sewage
49.	_____	_____	_____	Percolation test results
50.	_____	_____	_____	Storm drainage system type
51.	_____	_____	_____	Manholes
52.	_____	_____	_____	Catch basins
53.	_____	_____	_____	Headwalls
54.	_____	_____	_____	Sufficient easements for utilities or open drainage
55.	_____	_____	_____	Underground utilities

Date _____ Tile _____

Signature _____

Appendix 4

APPLICATION FOR TENTATIVE APPROVAL OF PRELIMINARY PLAT Defiance County, Ohio

Date _____ Application Number _____

1. Name of Applicant _____

Address _____

Phone _____

2. Name of Surveyor _____

Address _____

Phone _____

3. Name of Subdivision _____

4. Location Description: Section _____ Township _____

Range _____ Other _____

(In addition, please attach copy of legal description)

5. Proposed Use _____

6. 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 _____

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

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

Article 4 (cont'd)

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. _____	_____

_____ Applicant	_____ Surveyor
--------------------	-------------------

Article 4 (cont'd)

For Office Use

Date Received _____

Date of Meeting of Planning Commission _____

Action by Planning Commission _____

If plat rejected, reason(s) for rejection _____

Date _____ Chairman _____

Appendix 5

APPLICATION FOR FINAL PLAT APPROVAL Defiance County, Ohio

Date _____ Application Number _____

1. Name of Applicant _____

Address _____

Phone _____

2. Name of Surveyor _____

Address _____

Phone _____

3. Name of Subdivision _____

4. Date Preliminary Plat Approved _____

5. Was a zoning change requested? 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 (municipal, county) official.

6. Do you propose deed restrictions? Yes ___ No ___

7. List other materials submitted with this application.

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

Appendix 5 (cont'd)

COUNTY ENGINEER

Date Received _____

Action _____

Comments _____

Signature

COUNTY SANITARIAN

Date Received _____

Action _____

Comments _____

Signature

ZONING COMMISSION
(If Applicable)

Date Received _____

Action _____

Comments _____

Signature

Appendix 5 (cont'd)

PLANNING COMMISSION

Date Received _____

Action _____

Fees Paid _____

Comments _____

Signature

Note: This form must be submitted to the County Auditor for transfer and the County Recorder for recording.

Appendix 6

Illustrations

Types of Lots

Thoroughfare Classifications

Typical Street Cross Sections

Typical Cul-de-sac Layout

TYPICAL STREET CROSS SECTION

RESOLUTION: IN THE MATTER OF REGULATIONS AND STANDARDS PERTAINING TO ROADS PETITIONED
INTO COUNTY OR TOWNSHIP SYSTEMS:

County Commissioners; Office
Defiance County, Ohio
August 18th, 1986

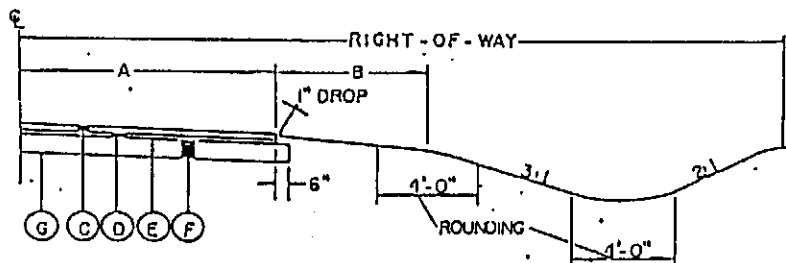
The Board of County Commissioners, Defiance County, Ohio, met in regular session on this 18th day of August, 1986, at the office of the Board with the following members present:

Ned A. Speiser, yes R. E. Switzer, yes J. F. Wagner, yes
Mr. J. F. Wagner moved the adoption of the following Resolution:

WHEREAS, it is deemed that the following chart of regulations and standards are the criteria to be met by person or persons who do hereby wish to submit for consideration by the Board of Defiance County Commissioners, a road to be accepted into the Defiance County Township and/or County Road System, and

WHEREAS, ALL ROADS ACCEPTED INTO THE DEFIANCE COUNTY ROAD SYSTEM SHALL MEET THE FOLLOWING REGULATIONS AND STANDARDS:

FOR ROADS PETITIONED INTO COUNTY OR TOWNSHIP SYSTEMS



- A WIDTH OF PAVEMENT (ONE LANE)
- B WIDTH OF SHOULDER
- C THICKNESS OF ITEM 404, ASPHALT CONCRETE, AC-20
- D THICKNESS OF ITEM 402, ASPHALT CONCRETE, AC-20
- E BITUMINOUS PRIME COAT (0.40 GAL/SQ. YD.)
- F THICKNESS OF ITEM 304, AGGREGATE BASE
- G COMPACTED SUBBASE TO WRITTEN SATISFACTION OF ENGINEER

TYPE	RIGHT-OF-WAY	A	B		C	D	F
			(WITH GUARDRAIL)	(WITHOUT GUARDRAIL)			
COUNTY ROADS	30'	11'	6'	4'	1 1/4"	1 1/4"	10"
TOWNSHIP ROADS	30'	10'	6'	4'	1 1/2"	1"	10"

THE ABOVE SPECIFICATIONS SHALL BE CONSIDERED MINIMUM. TRAFFIC STUDIES AND SOILS INFORMATION SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR INCREASED PAVEMENT DESIGN. PAVEMENT DESIGN, ROADWAY SECTION, GRADIENT PERCENT, SIGHT DISTANCE, DEGREE OF CURVE FOR HORIZONTAL AND VERTICAL CURVES SHALL BE IN ACCORDANCE WITH THE OHIO DEPARTMENT OF TRANSPORTATION'S LATEST UPDATE OF THE LOCATION AND DESIGN MANUAL AND CONSTRUCTION AND MATERIALS SPECIFICATIONS.

ALTERNATE DRAINAGE

STANDARD TYPE 2, OR TYPE 3 CONCRETE CURB AND GUTTER MAY BE SUBSTITUTED FOR DITCH DRAINAGE. CATCH BASINS, TILE GRADE, SIZE, AND OUTLET SHALL BE APPROVED BY THE COUNTY ENGINEER. DRAINAGE SHALL BE IN ACCORDANCE WITH THE OHIO DEPARTMENT OF TRANSPORTATION LOCATION AND DESIGN MANUAL.

APPROVED BY:

ENGINEER: [Signature]

COMMISSIONERS: Ned A. Speiser

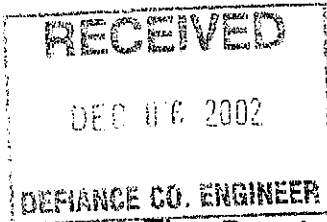
R. E. Switzer

J. F. Wagner

RESOLUTION: Vol 61, Page 170 Date 8/18/86

BOARD OF DEFIANCE COUNTY COMMISSIONERS

RESOLUTION: IN THE MATTER OF: APPROVE COUNTY COMPREHENSIVE
AND THOROUGHFARE PLANS AND
AMENDED TYPICAL SECTION TO
COUNTY SUBDIVISION REGULATIONS



DATE: THURSDAY, DECEMBER 5, 2002
AMENDED FROM SEPTEMBER 24, 2001

The Board of Commissioners, County of Defiance, Ohio, met in regular session on Thursday, December 5, 2002 in the Conference Room of the Board with the following members present:

Otto L Nicely: YES Thomas L. Kime: YES Richard L Cromwell: YES

Mr. Richard L. Cromwell moved the adoption of the following Resolution:

WHEREAS, per the Ohio Revised Code, Section 713.23, the County or Regional Commission has the authority to make studies, plans, recommendations and reports pertaining to all aspects of the region or county, including its physical, environmental, social, economic, and governmental characteristics and functions. The regional or County Planning Commission's duties also include reviewing, evaluating, and making recommendations on proposed land use, transportation, and public facilities, plans and other projects of local government; and

WHEREAS, to that end, the Board of Defiance County Commissioners has caused to be created a Comprehensive Plan to benefit the county regarding land use; and

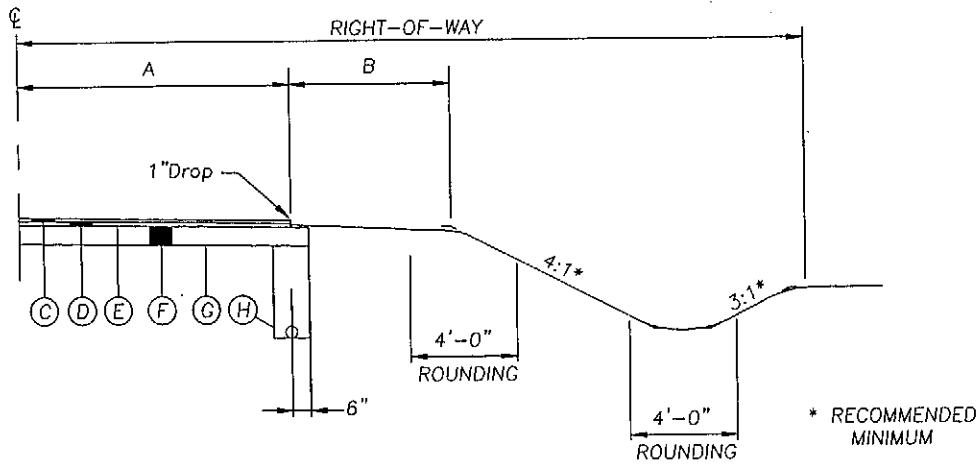
WHEREAS, the County Engineer has caused to be created a Thoroughfare Plan and Typical Sections as shown in the drawing attached which was established on existing and predicted traffic volumes, administrative jurisdiction, the City of Defiance's Thoroughfare Plan and anticipated development patterns of the next twenty-five years; and

WHEREAS, a Public Hearing was held on April 23, 2001 whereby residents could voice any questions or concerns and a meeting was held on Thursday, August 30 with all Defiance County Township Trustees, Clerks and Zoning Officials to request final input regarding the proposed plans; several data and / or map corrections were discovered and have been corrected.

THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Defiance County does hereby approve the Defiance County Comprehensive and Thoroughfare Plans and Typical Sections Drawing which shall supercede the drawing adopted August 18, 1986 by Resolution found in Volume 61 Page 170 of the Commissioners Official Record of Resolutions and serve as an Appendix to the County Subdivision Regulations, pending any and all necessary corrections to data and / or maps contained therein.

THEREFORE, BE IT FURTHER RESOLVED, that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were so adopted in an open meeting of this Board and that all deliberations of this Board and any of

TYPICAL SECTIONS



- A WIDTH OF PAVEMENT (ONE LANE)
- B WIDTH OF SHOULDER
- C ITEM 404, ASPHALT CONCRETE, AC-20
- D ITEM 402, ASPHALT CONCRETE, AC-20
- E ITEM 408, BITUMINOUS PRIME COAT (0.40 GAL/SQ. YS.)
- F ITEM 304, AGGREGATE BASE
- G ITEM 203, SUBGRADE COMPACTION
- H ITEM 605 SHALLOW PIPE UNDERDRAIN

TYPE	RIGHT-OF-WAY	A	B		C	D	F
			(WITH GUARDRAIL)	(WITHOUT GUARDRAIL)			
COUNTY ROADS	30'	11'	6'	4'	1 1/2"	4 1/2"	12"
TOWNSHIP ROADS	30'	11'	6'	4'	1 1/2"	3 1/2"	12"

THE ABOVE SPECIFICATIONS SHALL BE CONSIDERED MINIMUM WITHOUT FURTHER DOCUMENTATION. DEVIATIONS FROM THE ABOVE MINIMUM SPECIFICATIONS SHALL ONLY BE CONSIDERED BY THE COUNTY ENGINEER WITH AN ENGINEER'S EVALUATION AND RECOMMENDATION BASED ON TRAFFIC AND SOILS ANALYSIS. DESIGN PLANS SHALL BE PREPARED BASED ON CRITERIA APPROVED BY THE COUNTY ENGINEER. ALL PLANS MUST BE PREPARED BY AN OHIO REGISTERED PROFESSIONAL ENGINEER.

ALTERNATE DRAINAGE

STANDARD TYPE 2, OR TYPE 3 CONCRETE CURB AND GUTTER MAY BE SUBSTITUTED FOR DITCH DRAINAGE. CATCH BASINS, TILE GRADE, SIZE, AND OUTLET SHALL BE APPROVED BY THE COUNTY ENGINEER. DRAINAGE SHALL BE IN ACCORDANCE WITH THE OHIO DEPARTMENT OF TRANSPORTATION LOCATION AND DESIGN MANUAL AND THE COUNTY ENGINEER'S SPECIFICATIONS.