

VILLAGE OF SOUTH RUSSELL

SUBDIVISION RULES

Revised 7-2-96

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PREAMBLE

ORDINANCE 1981-42

ORDINANCE APPROVING SUBDIVISION RULES FOR THE VILLAGE OF SOUTH RUSSELL.

WHEREAS, the Planning Commission of the Village of South Russell Ohio, after public hearing on June 18, 1981, has prepared and adopted Subdivision Rules in accordance with Chapter 711 of the Ohio Revised Code for the purpose of protecting the public health, safety and general welfare; regulating the development of subdivided areas; promoting the proper arrangement of streets and layout of lots; providing for adequate and convenient open spaces, utilities, recreating and access to service and emergency vehicles; providing for adequate provision of water, drainage, sewer and other sanitary facilities, providing for the administration of the rules and defining the power and duties of the administrative officers; and prescribing penalties for the violation of the provisions of this Ordinance or amendment thereto;

WHEREAS, the Council of the Village of South Russell has held a public hearing on October 19, 1981, regarding approval of the Subdivision Rules adopted by the Planning Commission on August 17, 1981;

BE IT ORDAINED by the Council of the Village of South Russell, County of Geauga and State of Ohio, that:

SECTION 1. From the effective date of this Ordinance, in the interest of promoting the health, safety and general welfare of the Village of South Russell, the following Subdivision Rules, consisting of the table of contents, five Chapters, and all references, appendices, forms, figures, and other attachments thereto, are hereby enacted into law.

SECTION 2. Any ordinance, code or rule previously adopted by the Village of South Russell which is inconsistent or in conflict with this Ordinance shall be and the same is hereby repealed, except in the event any part or the whole of these rules are invalidated by a court of competent jurisdiction, then such rule previously adopted shall become effective.

SECTION 3. This Ordinance shall take effect and be in full force immediately upon its passage and certification to the Geauga County Recorder by the Planning Commission.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees on or after December 2, 1975, that resulted in formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 Ohio Revised Code.

PASSED this 19th day of October, 1981.

NOTE:

These Rules contain all subsequent amendments through July 2, 1996. The user of these Subdivision Rules is advised to consult the Clerk of the Village of South Russell or the Secretary of the Planning Commission to obtain subsequent amendments, if any, to these Subdivision Rules.

CHAPTER 1

TITLE & SCOPE

1.00 **TITLE** – These Rules shall be known and referred to as the “Subdivision Rules of South Russell, Ohio”.

1.01 **JURISDICTION** – These Rules shall be applicable to all subdivisions of land within the Village of South Russell, Ohio and other territory prescribed in Section 711 of the Ohio Revised Code.

1.02 **OBJECTIVES** – The purpose of these Rules is to guide and control the subdivision of land within the Municipality in order to promote and protect the public health, safety and general welfare, and to achieve the following objectives:

- (a) To encourage the orderly development of land to obtain harmonious and stable neighborhoods; to prevent soil erosion; and to manage storm water runoff and minimize development in flood prone areas and environmentally sensitive lands.
- (b) To provide for the reservation and dedication of land for safe and convenient pedestrian and vehicular circulation, and open space for recreation and other public purposes;
- (c) To provide for the construction of streets and utilities which will be adequate and economical to maintain;
- (d) To assure the accurate surveying of land and preparing and recording of plats; and
- (e) To provide for the coordination of land development with the objectives of the Zoning Code of the Municipality.

1.03 **INTERPRETATION** – The provisions of these Rules shall supplement any and all Municipal, County and State law, and any and all rules and regulations promulgated by authority of such law relating to the objectives of the Rules. In interpreting and applying the provisions of these Rules such provisions shall be held to be minimum requirements; and except as specifically provided herein, it is not the intent of the Rules to repeal, abrogate or annul more restrictive provisions of any law which is related to the planning or subdivision of land or improvements thereon.

1.04 **SEPARABILITY** – Should any provision of these Rules be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Rules other than the provision declared to be invalid; nor shall such decision affect the application of any provision to different facts or circumstances. In the event these Rules are declared invalid in part, or in whole, then it is the intent that any prior rule, even if repealed, shall become effective, in order that the Village of South Russell have enforceable Subdivision Rules in existence.

CHAPTER 2

DEFINITIONS

2.00 **INTENT** – Words in these Rules are normally used in their ordinary English usage. Certain terms, however, are herein defined for specific understanding.

2.01 **GENERAL TERMS** – The word “shall” is to be interpreted as mandatory. The word “may” shall be interpreted as permissive. Words used in the singular shall include the future tense, unless the context clearly indicates the contrary.

- (a) **Building Inspector:** The Building Inspector of the Municipality.
- (b) **Clerk:** The Clerk of Council.
- (c) **Commission:** The Planning Commission of the Municipality.
- (d) **Council:** The legislative body of the Municipality.
- (e) **County:** Geauga County, Ohio.
- (f) **Developer:** Any person, firm, association, corporation, trust or other legal entity, including contractors and agent of the foregoing, commencing proceedings under these Rules.
- (g) **Easement:** Any recorded right of a public authority, homeowners’ association, or any private right to land within a subdivision.
- (h) **Engineer:** The Engineer of the Municipality.
- (i) **Health Department:** The County Health Department (amended by Ord. No. 1990-47, passed 11-12-90)
- (j) **Improvements:** Grading, storm sewers and other drainage facilities, streets, spur roads, street pavement and curbs, sidewalks, landscaping, street signs, sanitary sewer and water systems, other public or private utility services and any other facility or appurtenance which may be required by these Rules or other Municipal, County or State law. (Amended by Ord. No. 1992-19, passed 3-23-92)
- (k) **Municipality:** The Village of South Russell, Ohio.
- (l) **Planning Consultant:** The Planning Consultant for the Municipality.
- (m) **Professional Engineer:** Any person licensed to practice engineering in the State.
- (n) **Professional Surveyor:** Any person licensed to practice surveying in the State.
- (o) **Recorder:** The County Recorder.
- (p) **Rules:** The Subdivision Rules of the Municipality.
- (q) **Sanitary Engineer:** The County or State Sanitary Engineer.
- (r) **Secretary:** The Secretary of the Commission.
- (s) **Solicitor:** Legal counsel for the Municipality.
- (t) **State:** The State of Ohio.

- (u) Treasurer: The Treasurer of the Municipality.
- (v) Zoning Code: The Zoning Code of the Municipality.
- (w) Zoning Inspector: The Zoning Inspector of the Municipality.
- (x) District: The Geauga Soil and Water Conservation District.

2.02 GRADES –

- (a) Finished Grade: The surface elevation after all improvement work has been completed.
- (b) Natural Grade: The elevation of the grade prior to any excavation or fill.
- (c) Street Grade: The elevation approved by the Engineer at the centerline of a right-of-way.

2.03 LAND -

- (a) Development Area: Any area proposed for development requiring Commission approval according to the Zoning Code or these rules.
- (b) Common Land: Land in a subdivision designated in covenants or other conditions running with the land for permanent common use by the owners or occupants of private land therein.
- (c) Homes Association: An unincorporated or incorporated, non-profit, organization operating under recorded land agreements or deed restrictions and/or by-laws through which each lot owner in a subdivision is a member, and each lot is subject to charges for a proportionate share of the expenses for the organization's activities such as maintaining common land, and may include an owners association.
- (d) Open Space: Public or common land in a subdivision which is dedicated or permanently assigned to park or recreation use, excluding areas covered by streets, right-of-ways and easements where the use of the easement is detrimental to the health, safety or welfare of potential users of open space.
- (e) Owners Association: An organization of all owners in a condominium property provided for by Chapter 5311 of the Ohio Revised Code.
- (f) Private Land: Land in a subdivision which is attached and permanently assigned to a privately owned structure or use, including common land.
- (g) Public Land: Land in a subdivision which is offered by a developer and accepted by the Municipality or other public body for any public use.

2.04 LOT – A tract of land abutting a street and having direct access to a street occupied or intended to be occupied by a use, building or group of buildings and their accessory uses and buildings as a unit, together with open spaces required by these Rules. A lot may or may not coincide with a lot of record, and may comprise more than one contiguous parcel. In a private cluster residential development, an Envelope, as defined in the Zoning Code, shall be equivalent to a lot. (Amended by Ord. No. 1992-19, passed 3-23-92)

- (a) **Corner Lot:** A lot abutting two (2) streets at their intersection where the interior angle of intersection is not more than 135 degrees.
- (b) **Interior Lot:** A lot other than a corner lot.
- (c) **Lot Area:** The total horizontal area within lot lines, excluding water area and/or common land, and excluding areas subject to restrictive easements or covenants not permitting any further development of the land. Where land is used for residential condominiums, lot area shall mean the total horizontal area within lot lines, excluding water area, and excluding areas subject to restrictive easements or covenants not permitting further development of the land.
- (d) **Lot Line:** The boundary of a lot separating it from a street, easement or another lot.
 - 1. **Front Lot Line:** The lot line separating an interior lot from the street upon which it abuts, or the shortest lot line of a corner lot which abuts a street, except that when lot lines abutting streets are of equal length, the front lot line shall be considered on the street having the longest frontage within the same block. Unless the context clearly indicates the contrary, the term front lot line is synonymous with street right-of-way line.
 - 2. **Rear Lot Line:** A lot line parallel or within 45 degrees of being parallel to the front lot line.
 - 3. **Side Lot Line:** A lot line which is neither a front nor rear lot line.
- (e) **Lot Depth:** The mean horizontal distance of a lot measured between the front and rear lot lines.
- (f) **Lot Width:** The horizontal distance of a lot measured along the building setback (determined by Zoning Code) line at a right angle to the mean lot depth line.
- (g) **Lot of Record:** Land designated as a separate parcel on a plat or by a legal description in a deed lawfully recorded with the Recorder.

2.05 PLANS & PLATS –

(a) Comprehensive Plan: (deleted by Ord. No. 1990-47, passed 11-12-90).

(b) Improvement Plan: A plan prepared by a Professional Engineer showing all improvements required by these Rules or by Village Ordinance.

(c) Sketch Plan: A simple sketch of the proposed layout voluntarily submitted by a developer of streets, lots and other features of a proposed subdivision in relation to existing conditions, including topography, prepared by the developer and submitted to the Planning Commission for the purpose of obtaining the Commission's advice and assistance before preparation of the preliminary plat.

(d) Preliminary Plat: A drawing of a subdivision voluntarily submitted by a developer and prepared by a Professional Engineer or Surveyor showing the lines of each element by accurate distances and bearings, based on available record data, which may include explanatory exhibits and text, which, if approved by the Planning Commission, provides the basis for proceeding with the preparation of the final plat and improvement plans for the subdivision.

(e) Final Plat: The final drawing of a subdivision prepared by a Professional Engineer or Surveyor showing the lines of each element by distances and bearings based on available record data which consists of detailed drawings, specifications and agreements for the construction of site improvements, along with required deed restrictions and other data as more fully set forth in other portions of these Rules, of a proposed subdivision, which is presented to the Planning Commission for final approval and to Council for acceptance of dedications, and thereafter to the County Recorder for recording.

(f) Informational Plat: A drawing of a subdivision prepared by a Professional Engineer or Surveyor, submitted with a final plat where no preliminary plat has been submitted, and containing data of existing and proposed conditions affecting the area to be subdivided.

2.06 STREETS & WAYS –

(a) Cul-de-Sac: A local street with one end connected to another street and the other permanently terminated to allow for turning of vehicles.

(b) Marginal Access Street: A local street providing access to property which is adjacent to a limited-access arterial or collector street.

(c) Pedestrian Way: Land dedicated, reserved by deed, or granted by easement for pedestrian circulation.

(d) Right-of-Way: Land dedicated, reserved by deed, or granted by easement for street purposes.

(e) Street: A public way for vehicular circulation including the entire right-of-way. The term includes, but is not limited to avenue, alley, boulevard, drive, highway, road, and private streets serving more than one condominium structure for residential, recreational, commercial and industrial purposes.

1. **Arterial Street:** A street which is primarily for moving fast or heavy traffic between large or intensely developed areas.
2. **Collector Street:** A street supplementary to and connecting arterial and local streets.
3. **Local Street:** A street primarily for access to abutting property and serving local needs.
4. **Roadway:** That portion of a street available for vehicular circulation, including parking lanes, paved or similarly improved.
5. **Sidewalk:** That portion of a tree lawn which is paved for pedestrian circulation, within the right-of-way.
6. **Tree Lawn:** That portion of a street between the roadway and right-of-way lines, improved with trees, shrubs, grass or similar vegetation.
7. **Access Drive:** A private way used to serve one dwelling, one condominium structure, one business or industrial establishment, or one public or semi-public use.

(f) Private Street: A private way used to serve more than one dwelling, business or industrial establishment, or public or semi-public use. Private streets shall be prohibited in the development of subdivisions.

(g) Spur Road: A private way used to serve more than one condominium structure or single family detached dwelling in a private cluster residential development, wholly contained within the lot area of one lot set aside for either residential condominium development or wholly contained within the private cluster residential development. The spur road shall have access to a dedicated street to be constructed within the confines of the lot areas set aside for residential condominium development or for private cluster residential development. The spur road shall be constructed in compliance with all of the Improvement Standards and Specifications for local streets except curbs will not be required. Design and construction of the standards for spur roads are set forth in Figure 2C. No spur road shall have access to or from another spur road nor shall any spur road exceed 500 feet in length, nor shall the spur road serve more than 50 residential condominium units or detached single family dwellings in a private cluster residential development. (Amended by Ord. No. 1992-19, passed 3-23-92)

2.07 SUBDIVISION - The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll into two (2) or more parcels, sites or lots, any one of which is less than five (5) acres, for immediate or future transfer of ownership. Subdivision also includes the improvement of one or more parcels of land for recreational, residential, commercial, or industrial purposes, involving the division or allocation of land for the opening, widening or extension of any street or streets, open space, or as easements for the extension and maintenance of public sewers, drainage, water supply or other public facilities or the allocation of land for condominium development for recreational, residential, commercial or industrial purposes or for private cluster residential development. (Amended by Ord. No. 1992-19, passed 3-23-92)

The sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted from subdivision rules. The Zoning Inspector and Engineer shall review any request for a lot split and determine if there is no need to subdivide. If no subdivision is necessary, such transfer shall be deemed a lot split and the Planning Commission Secretary shall stamp any such deed for a lot split as a "lot split not subject to Planning Commission action" prior to the recording of said deed with the County Recorder. The fee for a lot split shall be in an amount fixed by Council and shall be paid upon application for approval of a lot split. When determining if the lot split should be permitted, the Zoning Inspector shall insure that each lot, after split, would still comply with the minimum zoning requirements of the Village of South Russell.

(a) Minor Subdivision: The subdivision of a parcel which abuts an existing public street, which does not involve the opening, widening or extension of any street or does not include more than five (5) lots after the original parcel has been completely subdivided.

(b) Major Subdivision: Any subdivision which is not a minor subdivision.

2.08 FILING DATE: - The filing date of any application required by these Rules shall be the day at which the Planning Commission first holds a public meeting after the application is submitted. The application shall be submitted to the Secretary of the Planning Commission and if there is no public meeting scheduled within thirty days of the date the application shall be considered received thirty days after submission to the Secretary. No application will be accepted unless accompanied by the requisite fee as established by these Rules or Ordinance of Council.

CHAPTER 3

ADMINISTRATION

3.00. APPROVAL OF SUBDIVISIONS REQUIRED – Whenever any subdivision is proposed to be made, and before any contract for the sale of, or any offer to sell any lot in such subdivision has been made, any improvements to the land, including grading shall be made, or any zoning or building permit for the erection of any structure n such proposed subdivision shall be granted, the developer or his duly authorized agent shall apply in writing for the approval of such proposed subdivision by the Commission according to the following procedures.

3.01 MINOR SUBDIVISIONS – No minor subdivision shall be recorded prior to certification by the Commission of approval thereof. Procedure for such approval shall be as follows:

(a) Application: Application for minor subdivision approval shall include:

1. Two copies of Form S-1 completed by the developer, and either the Health Department or County Sanitary Engineer. The Commission may require the Health Department to review and comment on a plat before the Planning Commission acts upon it. (Amended by Ord. No. 1990-47, passed 11-12-90.)
2. Two copies of required data specified on Form S-1.

(b) Referral: Upon receipt of a complete application the Secretary shall:

1. Forward one copy to the Engineer, and
2. Place it on the agenda of the next regular Commission meeting.

(c) Engineer's Report: Prior to Commission action, the Engineer shall certify his findings on Form S-1 and return it to the Secretary.

(d) Commission Action: Following a review of the application and Engineer's report, the Commission shall within seven working days after the filing date, approve, conditionally approve or disapprove the application. If approved, the Secretary shall certify the action on Form S-1 "Approved, South Russell Planning Commission" and the date approved, and return it to the developer. Approval shall be granted if:

1. The parcel to be subdivided abuts a public street and does not involve opening, widening, or extension of any street
2. No more than five lots will be included after the original parcel has been completely subdivided, and
3. The subdivision conforms to these Rules and other applicable Municipal, County and State law.

(e) Certification: Following Commission approval of a Minor Subdivision the developer shall submit a plat thereof to the Engineer. If the Engineer finds that the plat conforms to the approved subdivision he shall certify the approval on Form S-1 and the original

tracing of the plat. Following recording, the developer shall furnish the Engineer with a duplicate mylar tracing at no cost to the Municipality. Commission approval of a Minor Subdivision shall become void after 120 days if the approved plat has not been recorded by the Recorder.

3.02 **MAJOR SUBDIVISIONS** – No Major Subdivision shall be recorded prior to certification by the Commission of approval. Approval may be obtained by either voluntarily submitting to an informal discussion and/or preliminary plat prior to the filing of a final plat, or by filing a final plat only, in accordance with the requirements hereinafter established.

3.03 **INFORMAL DISCUSSION** – Following the submission of a sketch plan for a major subdivision and prior to applying for a preliminary plat, the developer shall consult with the Secretary of the Commission, the Engineer and applicable Health Departments and Sanitary Engineers to become familiar with the plans and rules affecting his subdivision. The Secretary shall make available to the developer, at a cost determined by the Council, copies of these Rules and other applicable codes and ordinances of the Municipality.

The developer or his representative shall appear at a regular Commission meeting to discuss his proposed subdivision, the Commission shall determine whether the subdivision is in keeping with the intent of these Rules and consistent with these Rules, Village Ordinances and other plans of the Municipality. If necessary, the Commission shall make recommendations which should be incorporated in the preliminary plat of the subdivision. If the developer contemplates dividing the proposed subdivision into two or more phases, such phasing together with a time schedule therefore, shall be submitted with the sketch plan.

3.04 **PRELIMINARY PLAT** – Upon compliance with the provisions of Section 3.03, the developer may thereafter make application for approval of a preliminary plat, or if no sketch plan is submitted, the developer shall do the following in submitting a preliminary plat:

(a) Application: Application for preliminary plat approval shall include:

1. Six copies of Form S-2 completed by the developer, Health Department or Sanitary Engineer. The Commission may require the Health Department to review and comment on a plat before the Planning Commission acts upon it (Amended by Ord. No. 1990-47, passed 11-12-90)

2. Six (6) copies of required data specified on Form S-2, and
 3. Preliminary Plat fee.
- (b) Referral: Upon receipt of a completed application the Secretary shall:
1. Forward one (1) copy to the Clerk for distribution to Council, and
 2. Forward three (3) copies to the Engineer, and
 3. Place it on the agenda of the next regular Commission meeting.
- (c) Engineer's Report: Prior to Commission Action the Engineer shall certify his findings on Form S-2 and return one (1) copy to the Secretary and one (1) copy to the Clerk.
- (d) Council Review: Following a review of the application and Engineer's report the Council at its next regularly scheduled meeting, shall recommend approval, conditional approval or disapproval of the application. The Council shall certify the recommendation on Form S-2 and send it to the Secretary for distribution to the Commission.
- (e) Commission Action: Following a review of the application, Engineer's report and Council Recommendation, the Commission shall within thirty (30) days after the filing date approve, conditionally approve or disapprove the application. The Secretary shall certify the action on Form S-2 and return it to the developer. Approval shall be granted if the application conforms to these Rules and other applicable Municipal, County and State law and the adopted plans of the Municipality. Commission approval of a preliminary plat shall not indicate acceptance of dedication or entitle the developer to record the plat. Such approval shall become void after one (1) year if a final plat of the entire subdivision or a portion of the entire subdivision has not been approved as a final plat.
- (f) Effect of Approval: Approval of the preliminary plat shall not imply the acceptance of the plat for record purposes. If the developer desires to phase the development of the subdivision, the preliminary plat shall indicate the sections of the entire subdivision to be phased. Approval of the preliminary plat authorizes the developer to proceed with the preparation of a final plat if within one (2) year he submits a final plat and improvement plans for the entire subdivision or portion of the entire subdivision complying with a phase of the subdivision approved on the preliminary plat, and otherwise complies with these Rules. The general layout of streets, lots and other features of the preliminary plat shall serve as a basis for the preparation of the final plat, and any preliminary conditions under which the approval of the preliminary was granted shall not be changed.

3.05 IMPROVEMENT PLANS – No improvement of a major subdivision shall commence, and no final plat of the subdivision shall be approved, prior to certification by the Engineer of approval of improvement plans. Procedure for such approval shall be as follows:

(a) Application: Applications for improvement plan approval shall include:

1. Two (2) COPIES OF Form S-3 completed by the developer, and
2. Five (5) copies of required data specified on Form S-3.

(b) Engineer Action: Upon receipt of a complete application the Engineer shall approve the application if it conforms to the approved preliminary plat or approved final plat if no preliminary plat is filed, all provisions of these Rules and other applicable Municipal, County and State law. The Engineer shall not grant variances and shall not approve an application which requires a variance until it has been granted by the Board of Zoning Appeals if a variance is requested from the requirements of the Village Zoning Code, or until granted by the Planning Commission if a variance is requested from the requirements of these Rules or the improvement standards adopted by the Commission or Council. If improvement plans are approved by the Engineer, he shall certify his findings on Form S-3 and forward it to the Solicitor.

(c) Solicitor Action: Upon receipt of Form S-3 the Solicitor may approve the application if all provisions specified on Form S-3 have been met. The Solicitor shall certify his approval on Form S-3 and return it to the Engineer.

(d) Certification: Following approval by the Solicitor, the Engineer shall certify approval on the original tracings of the improvement plans. The developer shall furnish the Engineer with a set of duplicate mylar tracings at no cost to the Municipality.

(e) Modification: If a modification to the approved improvement plans is requested by the developer, written authority by the Engineer therefore shall be received by the developer before the modification is made.

(f) Acceptance: Acceptance of completed improvements shall be certified by the Engineer on the original tracings of the improvement plans. If any modification to the originally approved plans was granted by the Engineer, the developer shall furnish the Engineer with a duplicate mylar tracing of any modified tracing of all plans modified by changes granted by the Engineer and revised to reflect record (as-built) measurements as required by the Engineer at no cost to the Municipality.

3.06 FINAL PLAT – Following approval of a preliminary plat and improvement plans, the developer may within the time and phasing limits specified, make application to the Commission for final plat approval. Where no preliminary plat has been submitted, the final plat shall conform to the data and informational plat submitted on Form S-4(A). The final plat submitted shall substantially conform to the approved preliminary plat, if

one is submitted. Where the approved preliminary plat or the informational plat encompasses phasing, final plats may be submitted in sections. Such sections shall be numbered consecutively as successive subdivisions as they are submitted, each phase shall independently comply with open space, utility and improvement requirements, and each phase shall independently comply with all provisions of the Rules.

(a) Application: Applications for final plat approval shall include:

1. Two (2) copies of Form S-4 completed by the developer, Engineer and Secretary, where a preliminary plat has been submitted and approved, and
2. Two (2) copies of Form S-4(A) with required documents completed by the developer, Health Department or Sanitary Engineer, Secretary and Engineer when no preliminary plat has been submitted and
3. The original tracing of the final plat, and
4. Final plat fee.

(b) Referral: Upon receipt of a complete application the Secretary shall place it on the agenda of the next regular Commission meeting.

(c) Commission Action: Following a review of the application for final plat approval, the Commission shall within thirty (30) days after the filing date, approve or disapprove the application, and certify its action on the plat. The Commission shall not approve a final plat showing any variance to the Zoning Code unless a variance has been granted by the Board of Zoning Appeals, or approve a final plat showing any variance to these Rules or improvement standards unless a variance has been granted by the Commission. The secretary shall certify the action on Form S-4 or Form S-4(A) and return it to the developer. Commission approval of a final plat shall be certified by the Secretary and Chairman of the Commission on the original tracing of the plat and shall be for record purposes only, and shall not indicate acceptance of dedication. Such approval shall become void after sixty (60) days if the final plat has not been recorded by the Recorder. If the final plat is changed in any manner after Commission approval, a new application shall be required and the final plat process and review period shall be utilized prior to Commission approval.

3.07 DEDICATION – No zoning permit or building permit in a major subdivision shall be issued by the zoning inspector or building inspector prior to acceptance by Council of all public land shown in the final plat for dedication. Procedure for such acceptance shall be as follows:

(a) Application: Application for acceptance of dedication shall include:

1. One (1) copy of Form S-5 completed by the developer, Engineer and Solicitor, and
2. The original tracing of the final plat approved by the Engineer and Commission, and
3. Certification by the Engineer that all improvements in the area to be dedicated have been installed in accordance with approved improvement plans and that an approved maintenance bond has been filed with the Solicitor.

(b) Referral: Upon receipt of complete application the Clerk shall place it on the agenda of the next regular Council meeting. The filing date of the application shall be the date of this meeting.

3.08 FEES, DEPOSITS, AND GUARANTEES – The following fees, deposits and guarantees shall be provided by the developer prior to any applicable action.

(a) Filing Fees: Filing fees in an amount fixed by Council shall be paid to the Municipality and certified by the Secretary before acceptance of applications for minor subdivisions approval or variances.

Upon application for approval of a major subdivision, a fee for such approval shall be deposited with the Clerk of the Planning Commission for the Village of South Russell in the amount of \$14.00 for each lot, envelope or condominium unit contemplated to be included within the major subdivision, which amount shall cover the fee for review of the preliminary plat and upon submission of a final plat, the developer shall submit a fee of \$10.00 for each lot, envelope or condominium proposed in the subdivision, when a preliminary plat has been reviewed and approved; or in the event that no preliminary plat has been submitted, the developer shall submit a fee of \$15.00 for each lot, envelope or condominium to be included in the major subdivision. The minimum fee for review of any preliminary or final plat shall be \$100.00 in the event that the number of lots, envelopes or condominiums would not otherwise require a fee in the amount of \$100.00. An additional fee of \$5.00 for each lot, envelope or condominium proposed to be included in the subdivision shall be paid at the time of each resubmission of a preliminary plat. (Amended by Ord. No. 1992-21, passed 4-13-92)

(b) Review Deposits: Prior to making application for approval of a preliminary plat or final plat, if no preliminary plat is submitted, the developer shall deposit \$5,000.00 with the Clerk of the Planning Commission for the Village of South Russell to cover costs incurred by the Engineer, Solicitor or Planning Consultants in reviewing the preliminary and/or final plat, improvement plans or any other matter necessary for review of a major subdivision. After the Secretary places the deposit with the Treasurer, who shall deposit said amount in a fund in the name of the developer, the Secretary of the Planning Commission shall certify to the Planning Commission at its next meeting that

said deposit has been received. If, during the review of the Preliminary or final plat or improvement plans, the balance of the fund is reduced to less than \$2,500.00, the Zoning Inspector shall notify the developer in writing that the developer provide additional funds to return the balance to \$5,000.00. If such funds are not provided within seven (7) working days thereafter, the Zoning Inspector shall then direct the Planning Commission, Engineer, other Planning Consultants and any other appropriate officials of the Village to stay review and processing of such application until the funds are provided to the Village and

In the event the funds are not provided within 30 days after the Zoning Inspector sends notice to the developer to restore the review deposit fund back to \$5,000.00, the Planning Commission shall deny approval of any preliminary or final plat, the Engineer shall refuse to approve the improvement plans, and the application review process shall be dismissed unless an extension of time is requested by the developer and granted by the Planning Commission. The final plat approval shall not be certified by the Planning Commission until all actual review costs are reimbursed by the developer to the Village and the Solicitor shall take all legal steps necessary to prohibit recording of the final plat until all actual costs of review are reimbursed by the developer to the Village. (Amended by Ord. No. 1992-21, passed 4-13-92)

(c) Inspection Deposits: Prior to beginning any approved improvement the developer shall deposit three percent of the Engineer's estimated cost of all approved improvements in the subdivision with the Treasurer to cover expenses incurred by the Municipality for inspection of such improvements; including inspections and other legal or engineering costs undertaken by the Village in connection with any performance or maintenance bonds posted by the developer pursuant to these rules. Such costs may include, but are not limited to, inspections by the Village Engineer or legal work performed by the Solicitor for the purpose of determining whether or not the Village should permit the release of any performance and/or maintenance bond, or to take action thereon prior to the expiration of any such bonds. After placing the deposit in a fund in the name of the developer, the Treasurer shall notify the Solicitor and Engineer in writing. If during the inspection of the improvements the balance of the fund is reduced to less than the amount the Engineer determines is necessary to complete the inspections, the Treasurer shall request in writing that the developer provide additional funds to return the balance to an amount not exceeding 3% approved by the Engineer. If such funds are not provided within seven (7) working days thereafter, the Treasurer shall notify the Solicitor who shall initiate proceedings to stop all work on the improvements. The Village Clerk shall itemize the list of charges incurred under this Section and submit such itemization to the developer. (Amended by Ord. 1990-20, passed 4-4-90)

(d) Variance Deposit: That upon application for variance from the requirements of the rules of the Subdivision Rules or the Improvement Standards for the Village of South Russell, that a fee for such variance be deposited with the Clerk of the Planning Commission for the Village of South Russell in the amount of \$500.00. In the event that the actual cost of the

Variance procedure exceeds the deposit, the applicant shall submit the remaining costs. In the event that the actual costs do not exceed the deposit, the portion of the deposit in excess of actual costs shall be refunded except that a minimum fee of \$50.00 will be charged in the event that costs do not actually exceed \$50.00. When and if a variance is granted, it shall not become effective until all fees are paid. (Added by Ord. No. 1982-37, passed 11-22-82)

(e) Resubdivision Deposit: Upon request for a Resubdivision of a subdivision already approved and recorded with the Geauga County Recorder, the sum of \$500.00 shall be deposited with the Clerk of the Planning Commission of the Village of South Russell. Upon completion of the Resubdivision proceedings, if the deposit is insufficient to cover the actual cost of the proceeding, the applicant shall submit any additional costs incurred and no Resubdivision shall be recorded until such costs are paid. In the event the actual costs do not exceed the deposit, the portion of the deposit in excess of actual costs shall be refunded except that a minimum fee of \$100.00 will be charged in the event that costs do not actually exceed \$100.00. Upon approval of a Resubdivision, the Planning Commission shall not endorse such approval on the plat until all fees and costs are paid. (Amended by Ord. No. 1992-51, passed 4-13-92)

(f) Other Application Deposits: Any other application requiring administrative review or other costs incurred by the Village which do not have a specific fee stated in this ordinance or in the Subdivision Rules shall require a cost deposit of \$500.00 and upon completion of said review, the actual costs incurred by the Village of South Russell shall be paid to the Village upon presentation of a written statement of the actual costs incurred. In the event that the actual costs do not exceed the deposit, the portion of the deposit in excess of actual costs shall be refunded except that a minimum fee of \$100.00 will be charged in the event that costs do not actually exceed \$100.00. No approvals required as a result of such reviews shall become effective until all fees are paid. (Amended by Ord. No. 1992-21, passed 4-13-92)

(g) Minor Subdivision Deposit: Upon application for approval of a minor subdivision, which will not result in any additional lots, the applicant shall submit the sum of \$200.00 as a deposit with the Clerk of the Planning Commission for the Village of South Russell. In the event that the actual costs of the review exceed the deposit, the applicant shall submit the remaining cost. In the event that the actual costs do not exceed the deposit, the portion of the deposit in excess of actual costs shall be refunded except that a

minimum fee of \$100.00 will be charged in the event that costs do not actually exceed \$100.00. No approvals shall be certified by the Planning Commission until all fees are paid to the Village of South Russell.

Upon application for approval of a minor subdivision which results in the creation of one or more additional lots, the applicant shall submit the sum of \$500.00 as a deposit with the Clerk of the Planning Commission for the Village of South Russell. In the event that the actual costs of the review exceed the deposit, the applicant shall submit the remaining cost. In the event the actual costs do not exceed the deposit, the portion of the deposit in excess of actual costs shall be refunded except that a minimum fee of \$100.00 will be charged in the event that costs do not actually exceed \$100.00. In addition, the applicant shall submit a deposit of \$400.00 for the purpose of covering the cost of engineering and legal fees to review the minor subdivision. In the event the actual engineering and legal fees exceed the deposit, the applicant shall submit the additional costs incurred and in the event the actual costs do not exceed the deposit, the portion of the deposit in excess of actual costs shall be refunded to the applicant. No approvals shall be certified by the Planning Commission until all fees and all costs of engineering and legal review are paid to the Village of South Russell. (Amended by Ord. No. 1992-21, passed 4-13-92)

(h) Actual Costs Defined: The actual costs of review shall include, but not be limited to, costs incurred by the Village for review and supervision of proceedings by the Village Engineer, Village Solicitor, or Planning consultants as well as costs of notification, advertising, court reporting, recording of proceedings, and direct and indirect overhead costs of the Village of South Russell in administering proceedings under the Subdivision Rules. (Added by Ord. No. 1982-37, passed 11-22-82)

(i) Repeal of Other Fee Sections: This Section 3.08 shall repeal all other fee provision sections in conflict with this section unless the result would be to eliminate a fee for review of any matters coming within the purpose and scope of the Subdivision Rules and in that event it is the intent of this Council that there be no repeal of any section of any ordinance or rule of this Village which would result in the elimination of a fee for such reviews. (Added by Ord. No. 1982-37, passed 11-22-82)

(j) Insurance: The developer shall save the Municipality harmless from all claims of any nature for damages arising from the provision of improvements required by these Rules. Prior to beginning any approved improvement the developer shall furnish the Solicitor with evidence of insurance for the protection of himself and the Municipality. The Solicitor shall certify on Form S-3 that such insurance is in an adequate amount and satisfactory form.

(k) Performance Bonds: Prior to approval of improvement plans, the developer shall file with the Solicitor a construction performance bond in an amount approved by the

Engineer and form approved by the Solicitor. The guarantee shall be for a period covering the satisfactory completion of all improvements, and at least six (5) months longer than the time which the developer agrees to complete the improvements, and shall provide that no extension granted by the Council shall act as a release of the bond. The bond, when issued, shall guarantee payment for all improvements until they are installed, approved by the Engineer, and accepted by the Village for dedication. If the improvements are not completed within the time agreed to by the developer or extension granted by Council, the performance bond shall be forfeited and funds therefrom shall be collected by the Municipality to complete the improvements. If completed by the Municipality, it shall charge an additional 10 percent of the cost of such work for administrative overhead. Any funds remaining after completion of the improvements shall be returned to the developer and the surety, provided an approved maintenance bond has been filed with the Solicitor.

(I) Maintenance Bonds: Prior to acceptance of improvements by the Engineer, the developer shall file with the Solicitor a maintenance bond in an amount approved by the Engineer and in a form approved by the Solicitor. The maintenance bond shall either be issued by an insurance company authorized to write maintenance bonds in the State of Ohio, which company must be acceptable to the Solicitor, or in the form of a Letter of Credit issued by a financial institution authorized to do business in the State of Ohio, from an institution whose solvency is acceptable to the Solicitor. In lieu thereof, the developer may deposit cash or negotiable U.S. Treasury Certificates which shall be received by the Treasurer of the Municipality. The guarantee shall be for a period of (48) months after the date of acceptance of the improvements by the Engineer and acceptance of dedication by the Council for Village of South Russell, and the additional period of time necessitated by the developer's application for inspection of the improvements, review by Engineer, and until such time as the Engineer finds that all improvements are acceptable. In the event a Surety Bond or Letter of Credit is issued as a maintenance bond, the Surety Bond or Letter of Credit shall therefore be for a period of time required by the Solicitor but no less than (54) months, in order to cover the review time by the Engineer after the developer requests the Engineer to determine all improvements are acceptable. During this period, the developer shall be responsible for maintenance and the correction of any failures due to any cause whatsoever, including, but not limited to fault or unauthorized construction, erosion, wear and tear, abuse, construction vehicles or natural causes. All improvements shall be in a condition acceptable to the Engineer at the end of the maintenance period. If the developer fails to perform adequate maintenance to the satisfaction of the Engineer, during the maintenance bond period, the maintenance bond shall be forfeited, and demand for payment thereon shall be made by the Municipality and the Municipality may use the

maintenance bond to complete the required improvements. If completed by the Municipality, it shall charge an additional 10% of the cost of such work for administrative overhead. At the end of the (48) month maintenance period, the developer shall apply for an inspection of the improvements on Form S-6. Upon receipt of Form S-6, and all supporting data specified thereon, the Engineer shall inspect the improvements. Any necessary corrections found by the Engineer at this time shall be made by the developer, or the maintenance bond shall be forfeited and used by the Municipality to make such corrections. If corrected by the Municipality, it shall charge an additional 10% of the cost of such work for administration overhead. In the event that the maintenance bond is a Letter of Credit and the Village has drawn the entire amount on the Letter of Credit, it shall refund to the developer any amounts not used to cover the actual cost of the repair plus 10% overhead charge. When the Engineer finds that all improvements are acceptable and that all other obligations of the developer to the Municipality have been met, he shall so notify the developer and the Solicitor and the Bond or Letter of Credit may thereafter be released. (Amended by Ord. No. 1992-21, passed 4-13-92)

(m) Combined Bonds: Guarantees for performance and maintenance may be combined into a single instrument, provided it is in an amount approved by the Engineer and form approved by the Solicitor. At any time during the existence of approved performance and/or maintenance bonds, the developer may exchange one form or guarantee for another, provided the substitution is approved by the Solicitor.

3.09 MAPPED STREET PLANS – The Commission may prepare and adopt mapped street plans according to the following procedure:

(a) Public Hearing: Upon adoption of a Commission resolution proposing a mapped street plan, the Commission shall schedule a public hearing not less than thirty (30) days thereafter. Notice of the hearing shall be given in at least one publication of a newspaper of general circulation in the Municipality at least twenty (20) days before the hearing. Notice shall also be mailed by the Secretary to all property owners within, contiguous to, and across the street from the area involved.

(b) Commission Action: The Commission shall within thirty (30) days after the public hearing approve, conditionally approve or disapprove the proposed mapped street plan. Commission approval shall be certified by the Secretary and Chairman of the Commission on the original tracing of the mapped street plan. Following certification, the plan shall be recorded by the Recorder and filed with the Engineer. Thereafter, no subdivision within the area shown on the mapped street plan shall be approved unless it

substantially conforms to the plan; and no building permit involving a structure proposed within the right-of-way of any street shown thereon shall be issued by the Building Inspector 120 days after the filing date of the building permit application to permit appropriation proceedings to be initiated.

3.10 **EFFECTIVE DATE OF AMENDMENTS** – Upon the effective date of these rules, or any amendment, alteration or re-enactment hereto, all subdivisions shall comply with said rules or amendments, and any final plat and all required documents and fees submitted prior to the effective date of these rules or any amendment, alteration or re-enactment hereto, shall be approved in accordance with the rules in effect on the date of submission of said final plat along with all required documents and fees. When it is contemplated that subdivisions will be completed in phases, each new final plat must comply with the rules in effect upon submission of the final plat unless the Planning Commission, in accordance with the procedures established in Section 3.12 of these rules, finds that an unnecessary hardship has been created, in which case the Planning Commission may grant a variance and permit development under the rules in effect prior to submission to the phase of the development for which the variance is sought.

3.11 **RESUBDIVISION:** - Application for Resubdivision or amendment of subdivisions shall be made by the developer to the Commission according to the same procedures as for an original subdivision, and concurrently petition the Common Pleas Court pursuant to the Revised Code Section 711.17 at seq., if the plat has been recorded. The original lots shall be shown by dotted lines, lot number and other references made on the previously recorded subdivision. Any Resubdivision shall contain an abandonment of any claim, right, title or interest in the original subdivision.

3.12 **VARIANCES** – The following rules shall govern the granting of variances.
(a) Hardship: Whenever the Commission finds that because of unusual topographical or other exceptional conditions, unnecessary hardship may result from strict compliance with these rules, it may vary the applicable provisions so as to relieve such hardship provided such a variance shall in no way impair the objectives of the rules or zoning code. The Commission shall not grant any variance to zoning requirements, and any variance to the improvement standards shall require the concurrence of four members of the Planning Commission and any variance granted shall be the minimum necessary to grant necessary relief. (Amended by Ord. No. 1990-47, Section 5, dated 11-12-90)

(b) Neighborhood Development: These Rules may be modified by the Commission in the case of a plan for a complete neighborhood with a building and development program which in the judgment of the Commission provides and dedicates adequate open space and improvements for the circulation, recreation, education and service needs of the area when fully developed and populated. The Commission shall ascertain that the proposed project will constitute desirable and stable development, and that it will be in harmony with the development of adjacent areas. The plans for such proposed development shall include covenants, restrictions, financial guarantees and other legal assurances approved by the Solicitor which will guarantee that the plan will be followed and fully achieved.

(c) Procedure:

1. Application for a variance shall be filed with the Secretary of the Commission, by filing three (3) copies of Form S-7 and the deposit required by ordinance of Council.
2. Upon receipt of a completed application and the required deposit, the Secretary shall notify the Chairman of the Planning Commission who shall schedule a public hearing on the requested variance. The public hearing shall be scheduled to be held at least 30 days after public notice of the hearing is given in at least one newspaper of general circulation in the Municipality. The Secretary shall submit said notice to a newspaper of general circulation within 15 days of receipt of the application and deposit. A copy of the notice of public hearing shall be sent at least 30 days prior to the hearing to the applicant and property owners contiguous to and across the street from the subdivision seeking a variance. The applicant shall supply the Secretary with the names and addresses of the property owners to receive notice, based on the most recent tax map available. Failure to deliver notice to any property owner shall not invalidate any Commission action.

3.13 AMENDMENTS – Amendments to these Rules may be initiated by the Commission and approved by Council. Procedure for amendments shall follow the procedure for adoption of subdivision rules contained in the Ohio Revised Code.

3.14 APPEALS – Any person aggrieved by an action caused by these Rules may appeal to the appropriate court in accordance with Chapter 711 of the Ohio Revised Code.

3.15 PENALTIES – The following penalties shall apply to violations of these Rules.

(a) General: Whoever violates any provision of the rules or fails to comply with any order issued pursuant thereto shall forfeit and pay not less than \$100 nor more than \$1,000 to the Municipality.

(b) Transfer of Land: Whoever transfers a lot, parcel or tract of land within the jurisdiction of these rules before the subdivision in which it is located has been duly approved and recorded, shall forfeit and pay a sum of not less than \$100 nor more than \$500 for each lot, parcel or tract by metes and bounds, and the deed of transfer shall not serve to exempt the seller from such forfeit. The Municipality may enjoin such sale or agreement by a civil action in any court of competent jurisdiction. Any transfer in violation of this Section shall be null and void.

(c) The Municipality may seek any other penalty available under the Ohio Revised Code for a violation of these Rules or improvement standards; or seek any other legal relief, whether legal or equitable. Resort to any remedy shall not be considered exclusive, and all such remedies shall be considered cumulative.

CHAPTER 4

PLANNING COMMISSION

4.00 **INTENT** – Planning standards are herein established to achieve the objectives of these Rules.

4.01 **ZONING AND IMPROVEMENT STANDARDS** – The arrangement and character of subdivisions shall conform to all provisions of the zoning code, rules for improvement standards and these rules.

4.02 **NATURAL FEATURES** – Subdivisions shall be planned to take advantage of natural features which will result in an attractive environment and minimize required construction of drainage facilities and utilities, grading and removal of trees and topsoil.

(a) Topography: Subdivisions on land which is relatively flat shall be planned so that streets follow natural drainage courses. On more irregular topography, streets shall parallel contours to avoid extensive cut and fill. Insofar as possible, lots shall be above street grade. Other standards for grading are given in Appendix A.

(b) Natural Drainage: Subdivisions shall be designed to take advantage of natural contours so that all the land can be drained with a minimum of reshaping. Unless water courses are enclosed, rear lot lines shall be parallel to drainage courses. Insofar as possible open drainage courses shall not parallel side lot lines. Drainage courses, marshes and areas which are subject to flooding shall not be utilized as building sites. Other grading and drainage standards are given in Appendix A.

Where a proposed subdivision includes a natural lake or pond, or a lake or pond will be created in such subdivision, the Commission may require the installation of hydrant connections to such body of water where, in the opinion of the Commission, such connection shall substantially benefit the health or safety of the inhabitants of such division. (Added by Ord. No. 1990-47, passed 11-12-90)

(c) Flood Areas: Due consideration shall be given to any portion of land within a proposed subdivision which is subject to flooding. Such land shall not be platted for development which may increase danger to health, life or property or aggravate flooding.

(d) Other Natural Features: Natural features, such as substantial tree cover, water ways, lakes, hills and open space within a proposed subdivision or related thereto shall

be integrated into its design to obtain natural variety and interest in each neighborhood and the most attractive views possible. Whenever possible, natural conditions such as ponds, lakes, marshes, or wetlands shall be preserved. (Amended by Ord. No. 1990-47, passed 11-12-90)

(e) Topsoil: Topsoil removal or disturbance is regulated by South Russell Village Ord. No. 1974-18 (See, also, Appendix A).

(f) The developer shall consult with the Geauga Soil and Water Conservation District and plan the development of the subdivision in accordance with the recommendations of the District. The Planning Commission will seek the input of the District, and may disapprove a preliminary or final plat not planned to minimize soil erosion, storm water runoff or sediment discharge as requested by the District.

(g) Wetlands: Where property proposed to be subdivided is indicated to be wetland on an official wetland map prepared or approved by the Environmental Protection Agency of the State or Federal Government, the U.S. Army Corp. of Engineers, or is located in an apparent wetland area according to federal or state standards or regulations, then the Commission may require adequate proof of probable compliance by the developer with federal or state wetland laws, rules, and regulations, including as such proof the opinion of an expert certified by such U.S. Army Corp. of Engineers to render expert advice and reports in wetland matters. (Added by Ord. No. 1990-47, passed 11-12-90)

4.03 STREETS – Unless waived by the Commission, all streets (other than spur roads) proposed to be constructed in a subdivision shall be offered by the developer to the Village for dedication for public highway use. Streets shall be designed to comply with the following standards: (Amended by Ord. No. 1992-19, passed 3-23-92)

(a) Arterial Streets: The arrangement, size and location of arterial streets shall be planned for continuity and interconnection at the same width, or at a greater width in accordance with Municipal, County and State standards. Access to arterial streets shall be controlled in the interest of public safety and to maintain traffic flow. No intersection shall contain more than four streets or be located less than 1500 feet from any other arterial street intersection. Access drives between intersections shall be regulated insofar as possible at intervals of not less than 200 feet. Wherever a subdivision abuts an arterial street, the following may be required:

1. Marginal access streets parallel to the arterial street;
2. Double-frontage lots between arterial and parallel streets with landscaping located in a non-access reserve strip along the right-of-way line of the arterial street;
3. The fronting of lots with extra width on perpendicular streets; or

4. Lots with extra width on arterial streets and combined access drives.

(b) Collector Streets: Collector streets shall be oriented to one or more focal points of traffic generation and be planned for continuity and interconnection with arterial streets or other collector streets. No intersection shall contain more than four streets or be located less than 800 feet from any other collector street intersection. Other collector street standards are given in Appendix B.

(c) Local Streets: The primary function of local streets is to provide direct access to lots and development. Local streets shall be designed to minimize through traffic movements but provide convenient access within and between subdivisions. Where a proposed subdivision adjoins undeveloped land provision shall be made for the interconnection of streets. The local street pattern shall be related to topography and natural features as well as the arrangement of blocks, lots and development. Traffic generators such as schools and playgrounds shall serve as focal points in the pattern and there shall be a minimum number of intersecting local streets. No intersection shall contain more than four streets or be located less than 400 feet from any other local street intersection. Local streets extended to the boundary of a subdivision shall be coterminous with existing streets or provided with a temporary turn-around. Cul-de-sac streets and access drives for condominium unit(s) shall be terminated with a permanent turn-around(s) off the access point on a through street not to exceed 2500 feet nor serve more than a total of fifty dwelling or condominium units on the cul-de-sac street(s) or access drive(s). Other local street standards are given in Appendix B.

(d) Temporary Turn-Around: Streets which are extended over 500 feet from a street intersection to the boundary of a proposed subdivision which adjoins undeveloped land, or no through road, shall be provided with a temporary turn-around. Turn-around design standards are given in Appendix B. Provision shall also be made in the final plat for the future extension of such streets and, for the conveyance of excess right-of-way to abutting properties upon completion of all the subdivision improvements in all phases and release of the maintenance bond(s).

(e) Nonconforming Streets: Whenever land abuts an existing street which does not conform to the width required by these Rules or County or State Standards, the additional width shall be provided when such land is subdivided.

(f) Reserve Strips: A division of land to prevent access or the extension of improvements or utilities to another property shall not be permitted except where the control and provisions for disposal of such a division have been assigned to the Municipality.

(g) Access Drives: The centerline of access drives shall be located at least 60 feet from the intersection of right-of-way lines of the nearest intersecting streets.

(h) Street Names: Names shall be selected which will not duplicate or be confused with the names of existing streets in the Municipality or surrounding area. Streets that are or will eventually be connected to existing or platted streets shall be named the same.

4.04 **BLOCKS** – The arrangement, size and location of blocks shall be designed to conform to topography and natural features as well as street planning standards to accommodate lots, development and open space of a size and character specified or required by the Zoning Code.

(a) Block Size: The length of blocks shall be planned to average 1500 feet, and shall not exceed 2,000 feet or be less than 800 feet. The width of blocks shall be planned to accommodate two tiers of lots. A single tier of lots may, however, be required to separate development from arterial streets, adjoining development or open space.

(b) Coordinated Development: If the subdivision of a single parcel would result in fractional or odd-shaped lots, lack of street frontage or otherwise not conform to these Rules or the Zoning Code, the developer may be required to submit a plan for adjoining undeveloped or partially developed land to assure eventual coordinated development thereof. The Commission may prepare an adopted Mapped Street Plan for such areas and require the reservation of rights-of-way.

4.05 **LOTS** - Other than Envelopes in a private cluster residential development, each lot shall be designed to form a functional site for the type of development proposed, and its ancillary open space and lot lines shall not merely be considered as a geometric shape enclosing minimum requirements. Generally, lots shall be rectangular in shape. Triangular, elongated or other shapes that restrict development or the utilization of yards shall be avoided. (Amended by Ord. No. 1992-19, passed 3-23-92)

(a) Lot area and width: The area and width of lot shall conform to the provisions of the Zoning Code. Such provisions, however, shall be construed as minimum standards and not as optimum dimensions. In any case where a lot which is non-conforming as to Zoning Code provisions is nevertheless required to be approved by the Commission, such approval by the Commission shall not vest any right in the developer for obtaining a zoning permit. No acceptance of dedication of improvements may occur unless all lots in a subdivision conform to zoning. Each lot shall have adequate and safe access to a public street. (Amended by Ord. No. 1990-47, passed 11-12-90)

(b) Lot Depth: The depth of lots shall not exceed three and one-half times their width. This ratio may be increased by requesting a variance when the rear lot line abuts an arterial street, intensive development or unusual topography or natural features.

(c) Corner Lots: Corner lots shall have extra width and depth to obtain required side yards, building lines and appropriate orientation to both sides.

(d) Side Lot Lines: Side lot lines shall be designed to be at right angles to front lot lines, or radial to curved front lot lines. Side lot lines opposite street intersections shall be planned to be located approximately on the projected center line of the terminating street.

(e) Envelopes: Envelopes in a private cluster residential development shall not be required to be any particular geometric shape but shall instead be designed to assure any detached single-family dwelling located thereon would meet the formula for arrangement found in the Zoning Code for private cluster residential developments without the necessity for any variances. No boundaries or lot lines for Envelopes may overlap with any other Envelope. The arrangement and size of proposed Envelopes, or clusters of Envelopes, shall be subject to Planning Commission approval to insure adequate accessibility to spur roads or public streets, accessibility for emergency services, traffic flow, open space, circulation, and to insure an integrated and harmonious design of buildings and structures and contiguous placement of common areas. (Added by Ord. No. 1992-19, passed 3-23-92)

4.06 OPEN SPACE – The following percentages of the gross area of a subdivision shall be devoted to open space, dedicated to public use or duly recorded as common land.

1. One-acre zoning or less districts – 10%
2. One and one-half acre zoning districts – 6.6%
3. Two are zoning districts – 5%
4. Two and one-half acre zoning or more districts – 4%

The location and configuration of such open space shall be subject to Commission approval.

Gross area shall mean all land including right-of-ways and land subject to easements, within a development area. Where common land is proposed as open space, restrictions and covenants providing for its development and continued maintenance shall be subject to Commission approval. All such open space shall ultimately be conveyed by the developer to either a homeowner's association or to the Village as the Commission may direct (subject to acceptance, however, by Village Council). In addition, the developer shall include deed restrictions obligating each lot owner to pay their proportionate share of costs to operate the homeowner's association and to maintain the common areas. Such open space shall be located at least 25 feet from any dwelling and include at least 20,000 square feet of usable area, and shall be developed according to plans approved by the Commission. The deed restrictions shall be

approved by the Commission prior to final plat approval. (Amended by Ord. No. 1990-47, passed 11-12-90)

When a subdivision is completed in phases, each phase shall have sufficient open space set aside for the gross area of each phase by either conveyance of land in that phase to a homeowner's association or by deed or plat restriction approved by the Commission by conveyance to the Municipality, if accepted by the Village Council.

4.07 EASEMENTS – Easements shall be designed to implement compliance with the following standards.

(a) Pedestrian Ways: Pedestrian easements at least 12 feet wide may be required across blocks or at the end of cul-de-sac streets to provide access to business areas, schools, open space or other public facilities where convenient pedestrian circulation has not been provided by the street pattern. The landscaping, fencing and screening of pedestrian ways shall be approved by the Commission.

(b) Utility Easements: Where utilities are not located in a street, easements at least 12 feet wide, but desirably wider shall be located on the center of rear lot lines, or on side lot lines where necessary.

(c) Drainage Ways: Where a subdivision is traversed by a drainage way, channel or stream, a drainage easement which includes such a water course shall be provided. Such easements shall be at least 20 feet wide excluding required lot area, or of an additional width determined by the Engineer to adequately contain the top of banks on either side. Insofar as possible rear lot lines shall be planned along such drainage ways. Other drainage standards are given in Appendix A.

4.08 ANNEXATION – Where any portion of a proposed subdivision is to be located in an adjoining township or municipality, the developer shall be required to pursue and successfully obtain the annexation of such portion of the subdivision to the Village prior to approval by the Commission of the final plat of such Subdivision, unless waived by the Commission. (Added by Ord. No. 1990-47, passed 11-12-90)

CHAPTER 5

IMPROVEMENTS

5.00 INTENT – Improvements shall be provided in subdivisions according to the provisions herein established to achieve the objectives of these Rules.

5.01 REQUIRED IMPROVEMENTS – The developer shall provide the improvements specified in Section 5.02 within his proposed subdivision, and off-site and oversized improvements required to serve the proposed subdivision or to facilitate the orderly development of adjacent land which is a part of the same service or drainage area. The developer shall pay for all improvements necessary to serve his proposed subdivision as determined by the Engineer. The developer may contract with adjacent property owners for reimbursement of required off-site and oversize improvements. Such improvements shall be available to serve adjoining land.

5.02 STANDARDS Improvements shall be furnished, constructed and installed according to Improvement Plans approved by the Engineer which are based on standards included in the following appendices. (Amended by Ord. No. 1993-36, passed 8-6-93)

<u>Required Improvements</u>	<u>Standards (Refer to Appendix)</u>
Grading & Drainage	A
Streets:	B
Pavement	B
Curb & Gutters	B
Street Name Signs	B
Street Trees & Screening	C
Communications & Street Lights	D
Gas Fuel Service	E
Sanitary Sewer & Water Systems	F
Monuments	G
Construction	H
Earthwork Compaction Standards	I

5.03 **CONSTRUCTION RULES** – Improvements shall be furnished, constructed and installed according to rules specified in Appendix H.

APPENDIX A
GRADING & DRAINAGE STANDARDS

A.00 **INTENT** – A grading and drainage system shall be designed and constructed by the subdivider to provide for the proper drainage of the surface water of the subdivision and the drainage area of which it is a part. To this end the following requirements and methods shall be followed:

A.01 **GRADING PLAN** – The developer shall submit a Grading Plan as specified in Chapter 5 of these Rules to the Engineer. This Plan shall be approved by the Engineer prior to any construction.

A.02 **GRADING REQUIREMENTS** - The subdivider shall grade the subdivision in order to establish street, block and lot grades in proper relation to each other as follows:

(a) Streets: The grading of streets shall extend the full width of the right-of-way. Planting strips shall be graded at a gradient of not less than two percent or more than three percent upward from the curb to the sidewalk or property line unless otherwise approved by the Engineer.

(b) Blocks: Grading shall be designed to divert water from buildings, prevent standing water and soil saturation detrimental to structures and the use of the lot, and to preserve desirable site features and grades for safe and convenient access to and around structures.

(c) Lots: The floor elevation of each building shall be established in proper relation to surrounding grades, the driveway and the street. There shall be a minimum grade of two percent around each structure so that water drains to lower areas or drainage swales which shall have minimum grade of 1.0 percent. The lot drainage system shall be designed so that surface water will drain onto the driveway, a drainage structure on the lot, a street gutter and storm sewer, or a natural drainage way. Minimum and maximum grades of driveways shall be 0.5 percent and 12% respectively. Grading shall be adjusted so there will be no abrupt grades in front yards and alongside lot lines. Earth terraces shall have a maximum side slope ratio of 2.5:1. If a masonry retaining wall exceeds three feet in height, a hedge, fence or railing shall be provided on it.

(d) Top Soil: If grading results in the stripping of top soil, the top soil shall not be removed from the site or used as fill, but shall be saved and uniformly spread over the lots as grading is finished. Top soil removal or disturbance is regulated by South Russell, Village Ord. No. 1974-18.

(e) Trees: As many trees as can be reasonably utilized shall be retained and the grading adjusted to the existing grade at the trees.

A.03 DRINAGE REQUIREMENTS – Grading of the entire area of the subdivision shall be done with regard to the natural drainage of the entire area involved. Open ditches, conduits, catch basins, inlets and manholes of adequate size shall be constructed to provide for such drainage. The design criteria for the drainage systems shall be as approved by the Engineer. The following minimum design frequencies shall be used:

	Residential, Low, Moderate-High Density <u>Commercial, Industrial, Etc.</u>
Storm Sewers	10 years
Water Courses	10 years
Culverts Across Roadways	25 years

(a) Street Drainage: The street drainage system shall serve as the prime drainage system. It shall be designed to carry roadway and adjacent storm water drainage. Surface inlet spacing shall be based on a 10-year frequency with a 15-minute time of concentration to the highest inlet on any branch of the system. Ponding of water on the pavement will not be permitted. In addition, standard manholes, or combination manhole inlets for cleaning purposes shall be placed no further than 300 feet apart on storm sewer 33-inches and smaller. On larger sizes, spacing of manholes may be increased at the discretion of the Engineer.

- 1.** All or portions of water courses or ditches with a design capacity not exceeding the capacity of a 54-inch concrete pipe may require enclosure at the discretion of the Village Engineer. Existing creeks or ditches constructed by the subdivider which exceed the above limit shall be constructed with a maximum 15-foot wide continuous earth roadway along the top of one bank to provide access for maintenance equipment to all sections of the ditch. The ditch easement shall be wide enough to contain said ditch slopes and roadway with ample clearance for the operation of maintenance equipment. Open ditches shall have a side slope ratio of 2:1 and a minimum bottom width of 2 feet. The actual ditch section shall be calculated to provide design capacity at 80 percent of critical depth.
- 2.** No open ditch shall be constructed within one hundred (100) feet of the rear of a house, as measured from the house to the edge of the ditch easement.
- 3.** All storm drainage courses carried alongside lot lines shall be enclosed, regardless of previously noted criteria.

(b) Drainage Easements: Easements for drainage purposes shall be a minimum of 20 feet in width. Where the watercourse is large, easement widths shall be increased as determined by the Engineer. Where watercourses cross plotted lots diagonally, the subdivider shall straighten such courses where practicable and shall substantially follow subplot lines where practicable. Easements shall be shown on the record plat and deeds and shall cover all existing or reconstructed watercourses.

(c) Material and Construction Standards:

1. Typical standard drainage system details and notes are shown graphically elsewhere in these rules and are on file in the office of the Engineer. Where conditions necessitate the inclusion of items not shown on the standards, they will be subject to the approval of the Engineer.
2. Material and construction specifications are on file in the office of the Engineer.

(d) Requirements of Storm Water Retention Plan: Where, in the opinion of the Engineer, any proposed subdivision may result in significant diversion or exacerbation of storm water runoff for the property to be developed, or adjoining properties, then the Engineer shall notify the developer of the necessity to submit a Plan for approval by the Engineer setting forth a manner for storm water retention to be utilized for said subdivision.

Said Plan shall include the following information:

- a. An overall drainage plan of the proposed development area showing existing and proposed runoff flow paths and drainage facilities, contributing areas draining to the drainage system, and the predominant soil types with runoff coefficients.
- b. Plan view, typical cross-sections and pertinent details of the proposed retention basin and its primary and emergency outlet control structure(s).
- c. Retention basin reservoir capacity versus reservoir water surface elevation calculations.
- d. Outlet control structure discharge versus reservoir water surface elevation hydraulic calculations, including the assumptions or calculations made to determine the existing drainage system hydraulic gradient or water surface elevation at the outlet control structure discharge point.
- e. Inflow-outflow hydrographs, both in tabular and graphical form for the one year storm, for the Critical Storm and for all storms exceeding the Critical Storm. The required inflow hydrographs shall include both pre-development and post-development conditions.
- f. The assumptions and/or calculations utilized in determining the inflow hydrographs in accordance with the accepted hydrologic method.

g. Hydraulic gradient calculations for the proposed storm drainage system emptying into the retention basin based on the Critical Storm. Design year and other storm design year frequencies may be required by the Village Engineer for the storm drainage system hydraulic grading calculations, should the Engineer deem necessary.

After the information required in paragraphs (a) thru (g) have been provided to the Village Engineer, the Engineer may approve the Storm Water Retention Plan for the development, provided the following standards have been met by such proposed Storm Water Retention Plan:

- a.** The peak flow rate or runoff generated from the critical storm and all more frequent storms occurring on the proposed development area does not exceed the peak flow rate or runoff from a one year frequency, 24 hour storm occurring on the same area under pre-development conditions.
- b.** Storms of less frequent occurrence (longer return periods) than the Critical Storm up to the 100 year storm have peak flow runoff rates no greater than the peak flow runoff rates from the equivalent size storms under pre-development conditions. Consideration of the one (1), two (2), five (5), ten (10), twenty-five (25), fifty (50), and one hundred (100) year storms will be considered adequate in designing and developing drainage facilities to meet this standard.

The Critical Storm for a specific development area shall be determined as follows:

- a.** The total volume of storm water runoff from a one (1) year frequency 24 hour storm occurring on the development area before and after development shall be determined. The total runoff volume shall be determined by a “Peak Discharge” of calculation peak rate and total volume of runoff as described in the U.S. Soil Conservation Service’s Urban Hydrology for Small Watersheds”, Technical Release No. 55 and its latest editions, including all applicable supplements or other accepted methods as approved by the Village Engineer. This hydrologic method shall also be utilized for all retention basin inflow design calculations.
- b.** Based upon the volumes calculated in paragraph (a) above, determine the percent increase in volume of runoff due to the development and using this percentage, select the 24 hour Critical Storm from the following table.

IF THE PERCENTAGE OF INCREASE
IN VOLUME OF RUNOFF IS:

<u>EQUAL TO OR GREATER THAN</u>	<u>AND LESS THAN</u>	<u>THE CRITICAL STORM FOR DISCHARGE LIMITATION WILL BE</u>
----	10	1 Year
10	20	2 Year
20	50	5 Year
50	100	10 Year
100	250	25 Year
250	500	50 Year
500	----	100 Year

(Amended by Ord. No. 1990-18, passed 2-26-90)

APPENDIX B
STREET STANDARDS

B.00 INTENT – The developer shall design and construct pavements, curbs, gutters, and shall install street name signs according to the following standards.

B.01 DESIGN – The design of streets or street sections in a subdivision shall be based on the following standards:

	Arterial <u>Street</u>	Collector <u>Street</u>	Local <u>Street</u>
<u>Minimum Right-of-Way</u>	80'	60'	60'
<u>Minimum Center Line Radius</u>	500'	300'	200'
<u>Grade:</u>			
Minimum	0.7%	0.7%	0.7%
Maximum	5%	7%	8%
<u>Intersections:</u>			
Minimum Perpendicular Distance From Intersecting Centerlines	300'	200'	100'
Minimum Radius of Turn-out on Right-of-Way	30'	30'	30'

Cul-de-Sacs: The minimum right-of-way and roadway radius of cul-de-sac turn-around shall be 60 feet and 50 feet, respectively.

Temporary Turn-Around: The minimum right-of-way radius of a temporary turn-around shall be 60 feet. The type and arrangement of pavement shall be determined by the Engineer.

B.02 PAVEMENT – Typical pavement details and notes are shown graphically elsewhere in these rules and are on file in the office of the Engineer.

B.03 CURBS & GUTTERS – Concrete curbs and gutters shall be provided according to the details and notes shown graphically elsewhere in these rules and are on file in the office of the Engineer.

B.04 **STREET NAME SIGNS** – The developer shall install a street sign showing the names of all streets at all street intersections. The design and location of signs shall conform to Municipal standards.

B.05 **SEEDING** - All unpaved areas within the right-of-way shall be fertilized, seeded and mulched in accordance with Ohio Department of Transportation, Construction and Material Specification, Item 659. Seed mixture shall be that specified for areas considered to be urban in character.

APPENDIX C
STREET TREES & SCREENING

C.00 **INTENT** – Street trees and screening shall be provided by the developer in accordance with the following standards:

C.01 **PROGRAM** – A tree-planting and screening program based on the approved Preliminary Plat or Final Plat if no Preliminary Plat is submitted shall be prepared as part of the required Improvement Plans by a qualified Landscape Architect for trees and screening along streets and in public areas, including the species to be used on specific street, spacing, the distance from curbs, street intersections, private driveways and street lights; and minimum size and height to lower branch. The program shall be in accordance with the objectives of Policy No. 29 (January, 1964) of the American Society of Landscape Architects, as amended.

C.02 **TREE STANDARDS** – The selection and spacing of trees shall be according to Improvement Plans approved by the Engineer. Trees shall be planted along new streets at intervals of 50 feet. Tree species shall be selected that will fill the space desired within a reasonable time and producing a pleasing effect in scale with adjacent developments. Miniature tree species shall not be used except for special design considerations of scale, such as in pedestrian ways, and not used merely as a means of reducing maintenance. Trees of untried species, unknown endurance or requiring frequent spraying shall not be used. Trees generally recommended are Red Maple, Norway Maple, Sugar Maple, Red Oak, White Oak, Thornless Honey Locust, London Plane, Amur Cork and Sweet Gum. Trees which have undesirable characteristics such as, excessively thick foliage, low branches, unpleasant odors, susceptibility to disease or attack by insects or large root systems such as Poplar, Willow, Cottonwood, American Elm, various nut and fruit trees, Ailanthus, Mountain Ash and Oregon Maple shall not be planted in any tree lawn.

C.03 **SCREENING** – The Commission may require and permit planting screens or fences where reverse frontage lots abut arterial streets or between arterial and collector streets, provided such screening does not constitute a safety hazard. Proposed screening shall be submitted for approval with the Preliminary Plat or Final Plat if no Preliminary Plat is submitted.

APPENDIX D
COMMUNICATIONS & STREET LIGHTS

D.00 **INTENT** – The following requirements and rules shall apply to all new subdivisions and development proposed in development areas:

(a) Preliminary plans with respect to any new subdivision or development area shall be submitted to all utility companies serving the proposed subdivision or development area as well as the Engineer for the review and recommendations.

(b) Utility easements at least 10 feet in width for communication and electric power and street lighting facilities shall be provided on all front lot lines and along certain side and rear lot lines.

(c) Prior to final approval by the Engineer, the developer shall have installed or shall have furnished adequate bond for the ultimate installation, in accordance with these standards, the following:

1. Underground communication cables,
2. Underground distribution cables for power and street lighting from a common distribution system, and all equipment necessary in the operation of the system.
3. Adequate provision for street lights according to Improvement Plans approved by the Engineer.

(d) The developer shall bear the increase in costs, if any, over the normal mode of construction of communication or electrical lines and facilities, as determined by the telephone or electric company involved according to their rules and regulations.

(e) The Engineer may waive the above rules when undue hardship may result from strict compliance. In such cases, the Engineer shall prescribe only conditions that he sees necessary or desirable for the public interest and finds that there are special circumstances or conditions which would deprive the applicant of the reasonable use of his land.

D.01 **STANDARDS** - The following standards shall apply to all proposed subdivisions and development areas:

(a) All communication, electric power and street lighting wires, conduits or cables to serve lots in the subdivision or development area shall be constructed underground and upon easements provided for utilities, except that wires, conduits or cables owned by or serving individual customers and located wholly on the customer's property, need not be located upon easements.

(b) All underground communication, electric power and street lighting wires, conduits or cables shall be constructed in accordance with the standards required in Administrative Order No. 72 of the Public Utilities Commission of Ohio or of other rules of the Public Utilities Commission of Ohio.

(c) Provision shall be made for the ultimate installation of street lighting standards on minor streets by the electric utility serving the subdivision or development area at a minimum mounting height for luminaries of 15 feet and spaced no farther apart than every fourth lot. Provisions shall be made for the ultimate installation of street lighting standards on arterial and collector streets by the electric utility serving the subdivision or development area to provide light intensity meeting the minimum recommendations of American Standard Practice for Roadway Lighting. Until used the wiring so provided shall be safely insulated and de-energized.

APPENDIX E

GAS FUEL SERVICE

E.00 **INTENT & STANDARDS** – The developer shall submit plans for a gas fuel distribution system for the proposed subdivision with his Improvement Plans. The gas system shall be designed and constructed in accordance with the rules and standards of the East Ohio Gas Company as approved by the Municipality. Lines shall be installed before the improvements are accepted for dedication by the Village. (Amended Ord.1982-11, passed 4-26-82)

APPENDIX F
SANITARY SEWER AND WATER SYSTEM STANDARDS

F.00 **INTENT** – The developer shall construct a sanitary sewage system which discharges into a municipality or county operated waste water treatment facility. Where on-site systems are permitted, a copy of the on-site system plan shall be submitted to the Village Engineer; said plan shall be on file permanently with the Village Clerk. While not mandatory, public water supply systems will in general be preferred over individual private wells.

F.01 **SEWER STANDARDS** – Collection systems shall be designed and constructed in accordance with the rules and standards of the Geauga County Sanitary Engineer Department and the Ohio Environmental Protection Agency. Approval by both of these agencies will be required prior to commencement of construction if both agencies have jurisdiction.

Where a governmental or central sanitary sewer system is reasonably accessible, the subdivision shall be connected with such system. (Added by Ord. No. 1990-45, passed 11-12-90)

F.02 **WATER SUPPLY STANDARDS** – Where a governmental or a central water supply system is reasonably accessible, in the determination of the Commission, 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 well systems shall meet the requirements of the Ohio Environmental Protection Agency. Where the water supply system is designed for use solely by residents of the subdivision and not tied into a municipal or county system, the developer shall convey the system to the homeowner’s association, if there is one created, or in individual equal shares to all lot owners if no homeowner’s association is created, upon completion of construction of the system and shall, upon tie-in convey all additional lines and mains constructed after conveyance of the system.

Where a governmental water supply is not available, the developer shall supply acceptable evidence of the availability of water for each lot or unit within the subdivision. The developer may be required to make one (1) or more test wells in the area to be platted if such evidence is deemed not acceptable. Copies of well logs which are obtained shall include the name and address of the well driller and shall be submitted to the Commission. If the Commission finds there is insufficient potable

ground water for the number of lots or units within the subdivision, the final plan may be rejected.

Individual private wells shall be located and maintained in accordance with the requirements of the County Health Department.

APPENDIX G
MONUMENT STANDARDS

G.00 **INTENT** – Permanently installed monuments which are adequate for a resurvey of the subdivision shall be provided by the developer at all principal survey points shown on the record plat.

G.01 **STANDARDS** – Permanent monuments shall be made of solid iron pins at least five-eighths inches (5/8”) in diameter and at least twenty-four inches (24”) long, driven flush to finished grade in unpaved areas. In paved areas, monuments shall be set in monument boxes as shown graphically elsewhere in these rules and on the standard construction drawings on file in the office of the Engineer.

Iron pins shall also be set at all corners of each lot. Such pins shall be at least one-half inch (1/2”) in diameter, twenty-four inches (24”) long, driven flush to finished grade. Evidence of the existence of all such corner monuments shall be demonstrated as a prerequisite to the occupancy of the lot.

APPENDIX H
CONSTRUCTION RULES

H.00 **INTENT & RULES** – Upon certification of approval by the Engineer of Improvement Plans, all improvements shall be installed in accord with rules available from the Engineer, these subdivision rules and the improvement standards.

APPENDIX I
EARTHWORK COMPACTION STANDARDS

I.00 **INTENT** – The following standards apply to all new subdivisions and repair by contract projects within proposed and existing easements, and right-of-ways of the Municipality. These standards apply to all pipelines, catch basins, manholes, other structures necessitating earth compaction, embankment construction, and over-excavations and under-cuttings which may become necessary due to soil conditions and/or as directed by the Village Engineer.

I.01 **INSPECTION** – An appointed inspector by the Municipality must be present during all earthwork compaction activities regardless of any inspectors which may be provided by Geauga County or any other governmental agency.

I.02 **GENERAL BACKFILL REQUIREMENTS** –

(a) Frozen material, stumps, stones greater than 6 inches, organic soils, vegetation, debris, or other materials deemed unacceptable for trench backfilling, or embankment construction by the Village Engineer or inspector is prohibited.

(b) All trench bracing or sheeting shall be removed prior to backfilling unless authorized by the Village Engineer.

(c) The use of slag is strictly prohibited for any permanent use as fill or bedding material.

(d) Embankment construction shall conform to the requirements of ODOT Item 203. The requirements of the Municipality, as stated herein, shall have precedence over ODOT Item 203 requirements.

(e) Backfilling under pavements and driveways and within 3 feet of any edge of pavement shall be done with granular material with aggregates well graded from fine to coarse, free of dirt, and with aggregates conforming to ODOT Item 304 or Number 10 screenings.

(f) All backfilling within the Municipality right-of-way, whether in or out of pavement limits, shall be accomplished in lifts and shall not exceed incremental depths as required to achieve a minimum compaction of 100 percent maximum dry density per ASTM D698, and shall be achieved with mechanical tampers or other Village Engineer approved means.

(g) No flooding, jetting or puddling of backfill is permitted to achieve compaction requirements.

(h) Upon completion of backfill or embankments to specified finished grades, should any settling occur, additional compacted filling and reseeding and sodding, if necessary, shall be provided. Re-excavation and backfilling of trenches and embankments, where ordered by the Village Engineer, shall be provided.

(i) Pipeline bedding material shall be compacted to 95 percent maximum dry density. Bedding shall be placed to 12 inches over the top of all pipelines.

(Added by Ord. No. 1993-36, passed 8-16-93)

VILLAGE OF SOUTH RUSSELL

5025 CHILLICOTHE ROAD
SOUTH RUSSELL, OH10 44022
(440)338-7843 FAX: 338-8776

MINOR SUBDIVISION APPROVAL

APPLICATION NO.:
FORM S-1
Page 1 of 2

APPLICANT hereby certifies that this application and all data submitted herewith as specified on page 3 are true and correct.

_____	_____	_____
Permanent Parcel Number(s)	Location/Address	Acreage
_____	_____	_____
Property Owners Name	Applicant's Signature	Date

GEAUGA COUNTY HEALTH DEPARTMENT hereby recommends the following action if a septic system will be utilized.

_____	_____	_____
ACTION (Note if report is attached)	Signature	Date

GEAUGA COUNTY DEPARTMENT OF WATER RESOURCES ENGINEER hereby recommends the following action if central sewer systems will be utilized.

_____	_____	_____
ACTION (Note if report is attached)	Signature	Date

PLANNING COMMISSION SECRETARY, finding the application complete and the required fee paid, schedules the following filing date:

_____	_____
Filing Date (Next regular commission meeting)	Signature

NOTE: The Planning Commission shall act within seven working days after the filing date.

VILLAGE ENGINEER hereby recommends the following action:

_____	_____	_____
ACTION (Note if report is attached)	Signature	Date

PLANNING COMMISSION SECRETARY hereby certifies the following Commission action:

_____	_____	_____
ACTION (Note if report is attached)	Signature	Date

GEAUGA COUNTY RECORDER hereby certifies the following recording of the Plat of the subdivision.

_____	_____	_____
Volume & page	Signature	Date

VILLAGE OF SOUTH RUSSELL

MINOR SUBDIVISION APPROVAL

5205 CHILLICOTHE ROAD

APPLICATION NO.:

SOUTH RUSSELL, OH10 44022

FORM S-1

(440)338-7843 FAX: 338-8776

Page 2 of 2

The following data shall be included with Applications for Minor Subdivision Approval:

- A. Two (2) copies of Form S-1 completed by Applicant, Geauga County Health or Water Resources Departments:
- B. The required deposit: See Subdivision Regulations Book, page 18, Section 308 (g).
- C. Eight (8) copies of a Plat at a scale of 1" = 50' (on a sheet size as required by the Geauga County Recorder) drawn by a Professional surveyor or Engineer showing:
 - a. Original Township, lot and parcel number(s).
 - b. Names, address and telephone numbers of owner(s), subdivider and professional surveyor or engineer.
 - c. Boundary line survey of parcel(s) proposed to be subdivided showing bearings and distance as surveyed by a professional surveyor and all contiguous parcels of land of same ownership and parcels of land within 100' therefrom.
 - d. Existing streets, utilities, easements and other conditions on or within 100' of proposed subdivision such as watercourses, marshes, structures or other significant features.
 - e. Statement and sketch of how sewage disposal and water supply will be provided.
 - f. Existing zoning districts, lot size and yard requirements and proof of any variances or special exceptions which may have been granted, or deed restrictions.

NOTE: Upon approval by Planning Commission, Applicant shall submit the following:

- 1. Township, original lot and parcel number.
- 2. Property line survey and control points showing all dimensions, angles and bearings to control points.
- 3. Building set back lines accurately shown with dimensions.
- 4. Total acreage of parcel(s) subdivided.
- 5. Monuments: Location and description of those found, set or to be set.
- 6. Protective covenants, restrictions or agreements containing references thereto.
- 7. The following notations and certifications:

Certification of Planning Commission Secretary:

This plat has been approved by the Planning Commission of the Village of South Russell, Ohio on _____, 20____.

Signature: Planning Commission Secretary

County Records:

Filed for record this _____ day of _____, 20____.

Recorded in Plat Book Volume _____, Page _____.

This _____ day of _____, 20____.

Signature: Geauga County Recorder

APPLICATION FOR
MINOR SUBDIVISION
APPROVAL

VILLAGE OF SOUTH RUSSELL, OHIO

APPLICATION NO.

FORM S-1

Page 1 of 4

APPLICANT hereby certifies that this application and all data submitted herewith as specified on page 3 is true and correct.

ADDRESS:

SIGNATURE:

GEAUGA COUNTY HEALTH DEPARTMENT hereby recommends the following action if central sewer systems will not be utilized.

ACTION (Note if conditions are attached)

SIGNATURE:

GEAUGA COUNTY SANITARY ENGINEER hereby recommends the following action if central sewer systems will be utilized.

ACTION (Note if report is attached)

SIGNATURE:

PLANNING COMMISSION SECRETARY, finding the application complete and the required fee paid, hereby schedules the following filing date:

Filing Date:

SIGNATURE:

APPLICATION FOR
MINOR SUBDIVISION
APPROVAL

APPLICATION NO.

FORM S-1

Page 2 of 4

VILLAGE ENGINEER hereby recommends the following action:

ACTION:

SIGNATURE:

PLANNING COMMISSION SECRETARY hereby certifies the following Commission action:

ACTION (Note if conditions are attached)

SIGNATURE:

NOTE: Commission approval shall become void after 120 days if plat is not recorded.

VILLAGE ENGINEER, finding the Plat true and correct, hereby certifies approval:

SIGNATURE:

DATE:

GEAUGA COUNTY RECORDER hereby certifies the following recording of the Plat of the subdivision.

VOLUME & PAGE:

SIGNATURE:

NOTE: Commission shall act within 7 working days after filing date.

APPLICATION FOR
MINOR SUBDIVISION
APPROVAL

APPLICATION NO.

FORM S-1

Page 3 of 4

VILLAGE OF SOUTH RUSSELL, OHIO

The following data shall be included with Applications for Minor Subdivision Approval:

- A. Two (2) copies of Form S-1 completed by Applicant, County Health Department or Sanitary Engineer.
- B. Required fee.
- C. Two (2) copies of a Plat at a scale of 1"= 50' drawn by a Professional Surveyor or Engineer showing (on a sheet size as required by Geauga County Recorder)
 - a. Township, original lot and parcel number.
 - b. Names, addresses and telephone numbers of owners, subdivider and Professional Surveyor or Engineer.
 - c. Boundary line survey of parcel(s) proposed to be subdivided showing bearings and distance as surveyed by a Professional Surveyor and all contiguous parcels of land of same ownership and parcels of land within 100' there from.
 - d. Existing streets, utilities, easements and other conditions on or within 100' of proposed subdivision such as water courses, marshes, structures or other significant features.
 - e. Statement and sketch of how sewage disposal and water supply will be provided.
 - f. Existing zoning districts, lot size and yard requirements and proof of any variances or special exceptions which may have been granted, or deed restrictions.

NOTE: Upon approval by Planning Commission, Applicant shall submit the following:

- 1. Township, original lot and parcel number.
- 2. Property line survey and control points showing all dimensions, angles and bearings to control points.
- 3. Building set back lines accurately shown with dimensions.
- 4. Total acreage of parcel(s) subdivided.
- 5. Monuments: Location and description of those found, set or to be set.
- 6. Protective covenants, restrictions or agreements containing references thereto.
- 7. The following notations and certifications:

APPLICATION FOR
MINOR SUBDIVISION
APPROVAL

APPLICATION NO. FORM S-1 Page 4 of 4
--

VILLAGE OF SOUTH RUSSELL, OHIO

a. Certification of Planning Secretary:

This Plat has been approved by the Planning Commission of the Village of South Russell, Ohio, on _____, 20__.

Planning Commission Secretary

b. County Records:

Filed for record this ____ day of _____, 20__.

Recorded in Plat Book Vol. _____, Page _____

This ____ day of _____, 20__.

Geauga County Recorder

VILLAGE OF SOUTH RUSSELL

PRELIMINARY PLAT APPROVAL

5025 CHILLICOTHE ROAD
SOUTH RUSSELL, OH10 44022
(440)338-7843 FAX: 338-8776

APPLICATION NO.:

FORM S-2

Page 1 of 3

APPLICANT hereby certifies that this application and all data submitted herewith as specified on page 3 are true and correct, and waives the right to acceptance or denial of the final plat within 30 days as would otherwise be required by the Revised Code Section 711.09, and further agrees, unless otherwise notifying the Commission to the contrary, to submit to procedure for Filing of preliminary plats, and the time required to review said preliminary plat.

_____	_____	_____
Permanent Parcel Number(s)	Location/Address	Acreage
_____	_____	_____
Property Owners Name	Applicant's Signature	Date

GEAUGA COUNTY HEALTH DEPARTMENT hereby recommends the following action if a septic system will be utilized.

_____	_____	_____
ACTION (Note if report is attached)	Signature	Date

GEAUGA COUNTY DEPARTMENT OF WATER RESOURCES ENGINEER hereby recommends the following action if central sewer systems will be utilized.

_____	_____	_____
ACTION (Note if report is attached)	Signature	Date

PLANNING COMMISSION SECRETARY, finding the application complete and the required fee paid, schedules the following filing date:

_____	_____
Filing Date (Next regular commission meeting)	Signature

VILLAGE ENGINEER hereby recommends the following action:

_____	_____	_____
ACTION (Note if report is attached)	Signature	Date

CLERK OF COUNCIL hereby certifies the following Council recommendation:

_____	_____	_____
ACTION (Note if report is attached)	Signature	Date

NOTE: Commission approval does not authorize recording of subdivision or indicate acceptance of dedication, and shall become void after one (1) year if final plat is not approved by Commission and recorded.

VILLAGE OF SOUTH RUSSELL

5025 CHILLICOTHE ROAD
SOUTH RUSSELL, OH10 44022
(440)338-7843 FAX: 338-8776

PRELIMINARY PLAT APPROVAL

APPLICATION NO.:
FORM S-2
Page 2 of 3

The following data shall be included with Applications for Preliminary Plat Approval:

Six (6) copies of Form S-2 completed by Applicant, County Health or Water Resources Department.

Required deposit. (See page 16 of the Subdivision Regulations, Section 3.08 (a) + (b).)

Six (6) copies of the following

1. Vicinity Map at a scale of 1" = 1000' showing relationship of proposed subdivision to Surrounding vicinity; and
 - a. Subdivision name, original township, original lot(s) and parcel number(s).
 - b. Existing and proposed arterial and collector streets, shopping facilities, open space and community facilities.
2. Preliminary Plat at a scale of 1" = 100' (sheet size 24" x 36" drawn by professional surveyor or engineer showing:
 - a. Subdivision name, township, original lot and parcel number.
 - b. Names, address and telephone numbers of owners, subdivider, and professional survey or engineer.
 - c. Existing Data:
 - (1) Boundary line survey showing bearings and distances as surveyed by a professional surveyor
 - (2) Easements: Location, width and purpose.
 - (3) Streets on and adjacent to subdivision: names, location, right-of-way and roadway width and planned high-ways or other major improvements planned by public authorities for future construction on or near the subdivision; including journalized routs for highways.
 - (4) Utilities on and adjacent to subdivision: location, size and invert elevations of sanitary and storm sewers, location and size of water mains and fire hydrants. If water mains and sewer culverts are not on adjacent to the tract, indicate direction and distance to and size of nearest ones, showing invert elevation of sewers and culverts.
 - (5) Ground elevations on the subdivision and contours with an interval of not more than five (5) feet if slope is in excess of four (4) percent and two (2) feet if ground slope is less than four (4) percent.
 - (6) Conditions on the subdivision such as sub-surface conditions, watercourses and areas subject to flooding, marshes, rock outcroppings, wooded areas, preservable trees one (1) foot or more in diameter, unless there are 25 trees or more on any subplot in which event only trees two (2) foot or more in diameter need be shown on any subplot, and any structures or other significant features.
 - (7) Conditions on adjacent land within 200 feet of subdivision boundaries such as approximate direction and gradient of ground slope including any embankments or retaining walls, location and type of structures and tree lines, power lines and towers, other nearby residential land uses and owners of adjacent unplatted land (for adjacent platted land refer to subdivision plat by name, plat book and pages).
 - (8) Existing Zoning districts, lot size and yard requirements and proof of any variances or special exceptions which may have been granted, or deed restrictions.

Proposals:

Proposed streets (indicate each street by a letter except where the street is a continuation of an existing street), right-of-way widths; approximate grades and improvements.

Other rights-of-way and easements: location, width and purpose.

Lot numbers and dimensions and area of irregular lots in square feet. (Final lot numbers will be assigned by the Village Engineer prior to recording.)

Minimum building setback lines.

Land parcels within subdivisions not to be divided into lots.

Public sites reserved or dedicated for open space or other public uses.

VILLAGE OF SOUTH RUSSELL

PRELIMINARY PLAT APPROVAL

5205 CHILLICOTHE ROAD

APPLICATION NO.:

SOUTH RUSSELL, OHIO 44022

FORM S-2

(440)338-7843 FAX: 338-8776

Page 3 of 3

- (1) Sites for uses other than one-family lots such as open space, churches and shopping facilities.
 - (2) Total site data including acreage, number of residential lots, typical lot size and acreage of open space and other public uses.
 - (3) When extensive changes of topography are contemplated a plan showing proposed topography.
 - (4) Location, configuration, height, number of units, and square footage of condominium structures, recreational, commercial and industrial structures.
- d. Open space development showing proposed development of all open space.
- e. Other information deemed necessary by Planning Commission or Village Engineer in order to ensure compliance with these regulations and other municipal, county or state law.

APPLICATION FOR
IMPROVEMENT PLAN
APPROVAL

VILLAGE OF SOUTH RUSSELL, OHIO

APPLICATION NO.

FORM S-3

Page 1 of 4

APPLICANT hereby certifies that this application and all data submitted herewith as specified on page 3 is true and correct.

ADDRESS:

SIGNATURE:

GEAUGA COUNTY HEALTH DEPARTMENT hereby recommends the following action if central sewer systems will not be utilized.

ACTION (Note if conditions are attached)

SIGNATURE:

GEAUGA COUNTY SANITARY ENGINEER hereby recommends the following action if central sewer systems will be utilized.

ACTION (Note if report is attached)

SIGNATURE:

VILLAGE ENGINEER, finding the application complete and the required deposit paid, hereby certifies the following filing date:

Filing Date:

SIGNATURE:

APPLICATION FOR
IMPROVEMENT PLAN
APPROVAL

APPLICATION NO.

FORM S-3

Page 2 of 4

VILLAGE ENGINEER, FINDING THE Improvement Plans comply with the Subdivision Regulations of South Russell, Ohio, hereby approves said Plans and determines that the following guarantees are required:

Performance Bond guaranteeing

Completion of improvements by:

:

Amount \$

Maintenance Bond guaranteeing maintenance of completed for: months, and the additional period of time to inspect and accept improvements: Amount \$

Deposit for inspection of improvements:

Amount \$

Other (Specify):

SIGNATURE:

DATE:

SOLICITOR, Finding all guarantees determined by the Village Engineer and insurance to be deposited in proper legal form, hereby approves the application:

SIGNATURE:

Date:

VILLAGE ENGINEER hereby certifies approval of the Improvement Plans

SIGNATURE:

Date:

NOTE: Upon certification by Engineer on Improvement Plans, Improvement may commence.

APPLICATION FOR
IMPROVEMENT PLAN
APPROVAL

APPLICATION NO.

FORM S-3

Page 3 of 4

The following data shall be included with Applications for Improvement Plan Approval:

- A. Two (2) copies of Form S-3 completed by Applicant, County Health Department and Sanitary Engineer.
- B. Required deposit.
- C. Improvement Plans drawn in ink on tracing cloth or mylar by Professional Engineer with two (2) sets of identical prints showing:
 - 1. Subdivision name, township, original lot and parcel number.
 - 2. Names, addresses and telephone numbers of owners, subdivider and Professional Engineer (and Seal).
 - 3. The following certification:

Certification of Approval of Improvements: I hereby certify that the required Improvements shown hereon have been designed in accordance with the regulations and standards in effect. _____, 20__.

Village Engineer

4. Drainage Plans: A complete drainage study shall be made using the rational method with the variable adjusted to suit the particular locality which shall be subject to approval of the Village Engineer. A complete computation sheet shall be submitted showing pipe or sewer sizes selected. Consideration shall be given to the theory of critical flow and the grades of storm sewer and culverts shall not be arbitrarily increased in order to reduce required pipe size. Methods used in calculating sizes of pipe and structures and the design and location shall be acceptable to the Village Engineer. On the topographic to be included with the plans, shall be shown the area in acres draining to each inlet. Each area shall be numbered or lettered with its outline clearly shown. Should a structure larger than standard pipe size be required within the subdivision, a bridge or sectional plate culvert may be designed, subject to approval by the Village Engineer. Separate sheets for such structure shall be included in the plans, completely detailed and indicating the highway loading for which it is designed.

APPLICATION FOR
IMPROVEMENT PLAN
APPROVAL

APPLICATION NO.

FORM S-3

Page 4 of 4

5. Plans and Profiles: Plans and profiles of all streets shall be prepared on half-plan and half-profile cloth, with the street plan at the top of the sheet and the profile at the bottom. Horizontal scale shall not be less than 1"=50'. Vertical scale not less than 1"-5" or one-tenth (1/10) of the horizontal scale. Plan sheets shall show the street centerline sectioning, street names or letter designation, subplot numbers, right-of-way lines, pavement lines, storm and sanitary sewer lines, inlets, manholes, culverts, gutter lines, guard rail, monuments, P.C. and P.T. of all horizontal curves together with curve data, appropriate notes covering construction, a title block and north point. Sheets shall be numbered in an orderly, consecutive manner so that each sheet is numbered so as to follow the preceding sheet in a logical sequence. The Profile portion of the sheet shall show the setback lines and the proposed profile grade with all vertical curve data including the calculated non-passing sight distance for all convex curves.

6. Stationing: Stationing, corresponding to plan stationing, shall be shown on the profile, and sea level elevations shall be indicated thereon. Location and description of the U.S.G.S. bench mark used shall be shown in a box, either on the plan or profile portion of the sheet.

7. Typical Sections: The typical section of the proposed roadway selected from these regulations shall be included preferably on the sheet with other details of construction. The typical section shall be half-width and shall show the right-of-way width, pavement width, berm width, location of gutters, storm sewers, sanitary sewers, water mains, inlets, guard rails, etc. The vertical scale may be exaggerated to show the thickness of each layer of roadway material, its kind and covering specifications. Appropriate notes for each type of material proposed to be used shall be placed directly below the section.

8. Construction Details: Construction details for all special types of construction proposed, shall be included, preferably on the separate sheets with the typical section. Included shall be special ditch checks, headwalls, concrete aprons, unusual size inlets and manholes, guardrails, barricades, cut-off walls, cradles, etc.

9. Landscaping plans showing proposed and existing trees and screening along streets and open spaces.

APPLICATION FOR
MAJOR SUBDIVISION
FINAL PLAT APPROVAL

APPLICATION NO.

FORM S-4

Page 1 of 5

WHEN A PRELIMINARY PLAT HAS BEEN APPROVED

VILLAGE OF SOUTH RUSSELL, OHIO

APPLICANT hereby certifies that this application and all data submitted herewith as specified on page 3, 4, and 5 are true and correct.

ADDRESS:

PHONE:

SIGNATURE:

DATE:

VILLAGE ENGINEER AND SOLICITOR finding that the Final Plat complies with the Subdivision Regulations of South Russell, Ohio, hereby approves said Plat.

SIGNATURE, ENGINEER: _____ DATE: _____

SIGNATURE, SOLICITOR: _____ DATE: _____

PLANNING COMMISSION SECRETARY, finding the application complete, hereby schedules the following filing date:

Filing Date (Next regular Commission meeting):

SIGNATURE: _____

NOTE: Commission shall act within thirty (30) days after filing date.

APPLICATION FOR
MAJOR SUBDIVISION
FINAL PLAT APPROVAL

APPLICATION NO.

FORM S-4

Page 2 of 5

WHEN A PRELIMINARY PLAT HAS BEEN APPROVED

VILLAGE OF SOUTH RUSSELL, OHIO

PLANNING COMMISSION SECRETARY hereby certifies the following Commission action:

Action

Date

Signature:

NOTE: Commission approval for record purposes only shall be certified by Chairman and Secretary on Final Plat, and shall become void after sixty (60) days if Plat is not recorded.

GEAUGA COUNTY RECORDER hereby certifies the following recording of the Final Plat:

Volume & Page

Date:

Signature:

APPLICATION FOR
MAJOR SUBDIVISION
FINAL PLAT APPROVAL
VILLAGE OF SOUTH RUSSELL

APPLICATION NO.

FORM S-4

Page 3 of 5

The following data shall be included with Applications for Final Plat Approval:

- A. Two (2) copies of Form S-4 completed by Applicant, Village Engineer and Solicitor.
- B. Final Plat drawn in ink on tracing cloth or mylar at a scale of 1":100' (sheet size 21 ½ x 29 ½" with a 1 ½" margin) by a Professional Surveyor or Engineer showing:
 1. Subdivision name, township, original lot and parcel number.
 2. Property line survey and control points showing all dimensions, angles and bearings are to be referred to control points.
 3. Lines and Boundaries: center lines and right-of-way lines of streets, easements and other rights-of-way, natural and artificial water courses, streams, shorelines, corporation lines and property lines of all lots and parcels with distances, radii, arcs, chords and tangents of all curves (nearest one hundredth of a foot), bearings or deflection angles (nearest second).
 4. Street: names and right-of-way width of each street within proposed subdivision and those adjoining.
 5. Building setback lines accurately shown with dimensions.
 6. Lot numbers assigned by Village Engineer prior to recording of plat.
 7. Total site data including acreage, number of residential lots, typical lot size and acres of open space and public uses.
 8. Land for public use showing boundaries and use of all parcels which are to be dedicated or reserved for public use or easements.
 9. Monuments: location and description of those found, set or to be set.

APPLICATION FOR
MAJOR SUBDIVISION
FINAL PLAT APPROVAL
VILLAGE OF SOUTH RUSSELL

APPLICATION NO.
FORM S-4
Page 4 of 5

10. Existing and proposed covenants, restrictions or agreements containing references thereto and adequate assurances that sufficient open space will be set aside, by restriction, when phasing occurs.

11. The following notations and certifications:

a. CERTIFICATION BY OWNERS:

We, the undersigned owners of the lands embraced within this subdivision hereby acknowledge this plat and subdivision to be our free act and deed, and do hereby dedicate to public use forever the streets, easements, parks, and other public sites for all improvements therein as shown upon this plat

Witness

Owner

Witness

Owner

State of Ohio)
Geauga County)

Before me, a Notary Public in and for said County and State personally appeared the above named _____, who acknowledged the making of the foregoing instrument and the signing of this plat to be their free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal at _____, Ohio, this _____ date of _____, 2____.

Notary Public

(Seal)

b. CERTIFICATION OF SURVEYOR:

I hereby certify that I have surveyed the land shown on this plat, and this plat is a correct representation of the land surveyed and the subdivision thereof, and that I have found or set the pins and monuments shown.

(Seal)

Registered Surveyor

APPLICATION FOR
MAJOR SUBDIVISION
FINAL PLAT APPROVAL
VILLAGE OF SOUTH RUSSELL

APPLICATION NO. FORM S-4 Page 5 of 5
--

c. APPROVAL BY PLANNING COMMISSION:

This plat has been approved by the Planning Commission of the Village of South Russell, Ohio for RECORD PURPOSES ONLY on _____, 2___. Such approval does not constitute acceptance of the dedication of the rights-of-ways, easements and other public sites shown thereon for public use nor does such approval constitute acceptance for maintenance of the improvements contained in those right-of-ways, easements and other public sites by the Village of South Russell. Acceptance for dedication and maintenance will occur upon subsequent adoption of an Ordinance by the Council of the Village of South Russell upon fulfillment by the subdivider of the requirements of the subdivision regulations and improvement standards of the Village of South Russell.

Chairman

Secretary

d. COUNTY RECORDS:

Transferred this ____ day of _____, 2__.

Geauga County Auditor

Recorded in Plat Book _____, Page _____ this ____ day of _____, 2__.

Geauga County Recorder

APPLICATION FOR
MAJOR SUBDIVISION
FINAL PLAT APPROVAL

APPLICATION NO.

FORM S-4

Page 1 of 8

VILLAGE OF SOUTH RUSSELL, OHIO

APPLICANT hereby certifies that this application and all data submitted herewith as specified on page 3, 4, 6, 7 and 8 are true and correct.

ADDRESS:

PHONE:

SIGNATURE:

DATE:

VILLAGE ENGINEER AND SOLICITOR finding that the Final Plat complies with the Subdivision Regulations of South Russell, Ohio, hereby approves said Plat.

SIGNATURE, ENGINEER: _____ DATE: _____

SIGNATURE, SOLICITOR: _____ DATE: _____

PLANNING COMMISSION SECRETARY, finding the application complete, hereby schedules the following filing date:

Filing Date (Next regular Commission meeting):

SIGNATURE: _____

NOTE: Commission shall act within thirty (30) days after filing date.

APPLICATION FOR
MAJOR SUBDIVISION
FINAL PLAT APPROVAL

APPLICATION NO.

FORM S-4

Page 2 of 8

WHEN A PRELIMINARY PLAT HAS BEEN APPROVED

VILLAGE OF SOUTH RUSSELL, OHIO

PLANNING COMMISSION SECRETARY hereby certifies the following Commission action:

Action

Date

Signature:

NOTE: Commission approval for record purposes only shall be certified by Chairman and Secretary on Final Plat, and shall become void after sixty (60) days if Plat is not recorded.

GEAUGA COUNTY RECORDER hereby certifies the following recording of the Final Plat:

Volume & Page

Date:

Signature:

APPLICATION FOR
MAJOR SUBDIVISION
FINAL PLAT APPROVAL
VILLAGE OF SOUTH RUSSELL

APPLICATION NO.

FORM S-4

Page 3 of 8

The following data shall be included with Applications for Final Plat Approval:

- A. Two (2) copies of Form S-4 completed by Applicant, Village Engineer and Solicitor.
- B. Final Plat drawn in ink on tracing cloth or mylar at a scale of 1":100' (sheet size 21 ½ x 29 ½" with a 1 ½" margin) by a Professional Surveyor or Engineer showing:
 1. Subdivision name, township, original lot and parcel number.
 2. Property line survey and control points showing all dimensions, angles and bearings are to be referred to control points.
 3. Lines and Boundaries: center lines and right-of-way lines of streets, easements and other rights-of-way, natural and artificial water courses, streams, shorelines, corporation lines and property lines of all lots and parcels with distances, radii, arcs, chords and tangents of all curves (nearest one hundredth of a foot), bearings or deflection angles (nearest second).
 4. Street: names and right-of-way width of each street within proposed subdivision and those adjoining.
 5. Building setback lines accurately shown with dimensions.
 6. Lot numbers assigned by Village Engineer prior to recording of plat.
 7. Total site data including acreage, number of residential lots, typical lot size and acres of open space and public uses.
 8. Land for public use showing boundaries and use of all parcels which are to be dedicated or reserved for public use or easements.
 9. Monuments: location and description of those found, set or to be set.

APPLICATION FOR
MAJOR SUBDIVISION
FINAL PLAT APPROVAL
VILLAGE OF SOUTH RUSSELL

APPLICATION NO.
FORM S-4
Page 4 of 8

10. Existing and proposed covenants, restrictions or agreements containing references thereto and adequate assurances that sufficient open space will be set aside, by restriction, when phasing occurs.

11. The following notations and certifications:

a. CERTIFICATION BY OWNERS:

We, the undersigned owners of the lands embraced within this subdivision hereby acknowledge this plat and subdivision to be our free act and deed, and do hereby dedicate to public use forever the streets, easements, parks, and other public sites for all improvements therein as shown upon this plat

Witness

Owner

Witness

Owner

State of Ohio)
Geauga County)

Before me, a Notary Public in and for said County and State personally appeared the above named _____, who acknowledged the making of the foregoing instrument and the signing of this plat to be their free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal at _____, Ohio, this _____ date of _____, 2____.

Notary Public

(Seal)

b. CERTIFICATION OF SURVEYOR:

I hereby certify that I have surveyed the land shown on this plat, and this plat is a correct representation of the land surveyed and the subdivision thereof, and that I have found or set the pins and monuments shown.

(Seal)

Registered Surveyor

APPLICATION FOR
MAJOR SUBDIVISION
FINAL PLAT APPROVAL
VILLAGE OF SOUTH RUSSELL

APPLICATION NO. FORM S-4 Page 5 of 8
--

c. APPROVAL BY PLANNING COMMISSION:

This plat has been approved by the Planning Commission of the Village of South Russell, Ohio for RECORD PURPOSES ONLY on _____, 2___. Such approval does not constitute acceptance of the dedication of the rights-of-ways, easements and other public sites shown thereon for public use nor does such approval constitute acceptance for maintenance of the improvements contained in those right-of-ways, easements and other public sites by the Village of South Russell. Acceptance for dedication and maintenance will occur upon subsequent adoption of an Ordinance by the Council of the Village of South Russell upon fulfillment by the subdivider of the requirements of the subdivision regulations and improvement standards of the Village of South Russell.

Chairman

Secretary

d. COUNTY RECORDS:

Transferred this ____ day of _____, 2__.

Geauga County Auditor

Recorded in Plat Book _____, Page _____ this ____ day of _____, 2__.

Geauga County Recorder

APPLICATION FOR
MAJOR SUBDIVISION
PRELIMINARY PLAT APPROVAL
VILLAGE OF SOUTH RUSSELL

APPLICATION NO.

FORM S-4 (A)

Page 6 of 8

C. INFORMATION PLAT – Six (6) copies of the following:

1. Vicinity Map at a scale of 1" = 1000' showing relationship of proposed subdivision to Surrounding vicinity; and

- a. Subdivision name, original township, original lot(s) and parcel number(s).
- b. Existing and proposed arterial and collector streets, shopping facilities, open space and community facilities.

2. Informational Plat at a scale of 1" = 100' (sheet size 24" x 36" drawn by professional surveyor or engineer showing:

- a. Subdivision name, township, original lot and parcel number
- b. Names, addresses and telephone numbers of owners, subdivider and Professional Surveyor or Engineer.

c. Existing Date:

1. Boundary line survey showing bearings and distances as surveyed by a Professional Surveyor.

2. Easements: location, width and purpose.

3. Streets on and adjacent to subdivision, names, location, right-of-way and roadway width and planned highways or other major improvement planned by public authorities for future construction on or near the subdivision; including journalized routes for highway.

4. Utilities on and adjacent to subdivision: location, size and invert elevations of sanitary and storm sewers, location and size of water mains and fire hydrants. If water mains and sewers, culverts are not on or adjacent to the tract, indicate direction and distance to and size of nearest ones, showing invert elevation of sewers and culverts.

APPLICATION FOR
MAJOR SUBDIVISION
FINAL PLAT APPROVAL
VILLAGE OF SOUTH RUSSELL

APPLICATION NO.

FORM S-4 (A)

Page 7 of 8

5. Ground elevations on the subdivision and contours with an interval of not more than five (5) feet if ground slope is in excess of four (4) percent and two (2) feet if ground slope is less than four (4) percent.

6. Conditions on the subdivision such as sub—surface conditions, watercourses and areas subject to the flooding, marshes, rock outcroppings, wooded areas, preservable trees one (1) foot in diameter, unless there are 25 trees or more on any subplot in which event only trees two (2) foot or more in diameter need by shown on any subplot and any structures or other significant features.

7. Conditions on adjacent land within 200 feet of subdivision boundaries such as approximate direction and gradient of ground slope including any embankments or retaining walls, location and type of structures and tree lines, power lines and towers, other nearby non-residential land uses and owners of adjacent unplatted land (for adjacent platted land refer to subdivision plat by name, plat book and pages).

8. Existing Zoning districts, lot size and yard requirements and proof of any variances or special exceptions which may have been granted, or deed restrictions.

d. Proposals: (Include all phases of subdivision)

1. Proposed streets (indicate each street by a letter except where the street is a continuation of an existing street), right-of-way widths, approximate grades and improvements.

2. Other rights-of-way and easements: location, width and purpose.

3. Lot numbers and dimensions and area of irregular lots in square feet. (Final lot numbers will be assigned by the Village Engineer prior to recording).

4. Minimum building setback lines.

APPLICATION FOR
MAJOR SUBDIVISION
FINAL PLAT APPROVAL
VILLAGE OF SOUTH RUSSELL

APPLICATION NO.

FORM S-4 (A)

Page 8 of 8

5. Land parcels within subdivisions not to be divided into lots.
 6. Public sites reserved or dedicated for open space or other public uses.
 7. Sites for uses other than one-family lots such as open space, churches and shopping facilities.
 8. Total site data including acreage, number of residential lots, typical lot size and acreage of open space and other public uses.
 9. When extensive changes of topography are contemplated, a plan showing proposed topography.
 10. Location, configuration, height and square footage of condominium structures, recreational, commercial and industrial structures.
- e. Open space development showing proposed development of all open space.
 - f. Other information deemed necessary by Planning Commission or Village Engineer in order to ensure compliance with these regulations and other municipal, county and state law.

APPLICATION FOR
ACCEPTANCE OF DEDICATION
VILLAGE OF SOUTH RUSSELL

APPLICATION NO.
FORM S-5
Page 1 of 4

APPLICANT hereby certifies that this application and all data submitted herewith as Submitted on Page 2 are true and correct.

ADDRESS:

PHONE:

SIGNATURE:

DATE:

When all improvements are installed:

VILLAGE ENGINEER finding all improvements have been provided according to approved Improvement Plans and that said improvements are in good repair, hereby recommends dedication of public land shown on the Final Plat.

SIGNATURE: _____ DATE: _____

SOLICITOR, finding no financial or legal encumbrances and the required maintenance bond in an amount approved by the Village Engineer to be deposited in proper legal form, hereby recommends dedication of public land shown on the Final Plat.

SIGNATURE: _____ DATE: _____

APPLICATION FOR
ACCEPTANCE OF DEDICATION
VILLAGE OF SOUTH RUSSELL

APPLICATION NO.
FORM S-5
Page 2 of 4

COUNCIL CLERK, finding the application complete hereby schedules the following filing data:

Filing Date Next Regular Council Meeting:

SIGNATURE:

COUNCIL CLERK hereby certifies the following Council action:

Action: (Give Ord. No. and Date)

SIGNATURE:

Si

GEAUGA COUNTY RECORDER hereby certifies the following recording of the Final Plat:

Date:

SIGNATURE:

Volume & Page

REQUIRED DATA:

1. One (1) copy of Form S-5 completed by developers, Engineer and Solicitor.
2. Original tracing of Final Plat approved by Engineer and Planning Commission.

APPLICATION FOR
ACCEPTANCE OF PUBLIC LAND DEDICATION
VILLAGE OF SOUTH RUSSELL

APPLICATION NO.
FORM S-5
Page 3 of 4

WHEREAS, the Developer _____ heretofore on the ____ day of _____, 2____, applied to the Planning Commission of the Village of South Russell, Ohio for approval of a Preliminary Plat and/or Final Plat of a subdivision located in _____ and submitted supporting data according to the Subdivision Regulations of the Village of South Russell, Ohio;

WHEREAS, the Planning Commission reviewed said proposed subdivision and found it complied with Subdivision Regulations, and thereafter on the ____ day of _____, 2____, approved said Preliminary Plat or Final Plat, (on condition that _____);

WHEREAS, the Developer has complied with each of the conditions of approval as established by the Planning Commission;

WHEREAS, the Developer has filed on the ____ day of _____, 2____, a Final Plat designated _____ and Improvement Plans required by the Subdivision Regulations of the Village of South Russell, Ohio;

WHEREAS the Village Engineer has reviewed and approved said Final Plat and Improvement Plans relating to the improvements of land within said Plat, each of which are designated as follows:

<u>FINAL PLAT</u>	<u>PREPARED BY</u>	<u>DATE</u>
-------------------	--------------------	-------------

<u>DRAWINGS</u>	<u>PREPARED BY</u>	<u>DATE</u>
-----------------	--------------------	-------------

<u>SPECIFICATIONS</u>	<u>PREPARED BY</u>	<u>DATE</u>
-----------------------	--------------------	-------------

APPLICATION FOR
ACCEPTANCE OF DEDICATION
VILLAGE OF SOUTH RUSSELL

APPLICATION NO.

FORM S-5

Page 4 of 4

WHEREAS, the Solicitor has reported that a performance bond guaranteeing the installation of all improvements according to plans approved by the Village Engineer and in the amount of \$_____ as estimated by the Village Engineer, has been filed and is in such form as the Solicitor has approved; and the Village Engineer has reported that all of the improvements to the land as shown on said Final Plat and Improvement Plans have been satisfactorily completed and the Developer has filed a maintenance bond guaranteeing the maintenance of said improvements as estimated by the Village Engineer and in such form as has been approved by the Solicitor, and

WHEREAS, the Developer by said Final Plat has offered for dedication for public use certain land all as shown and described on said Final Plat;

BE IT RESOLVED by the Council of the Village of South Russell, Ohio, that:

1. The Final Plat of said subdivision be and the same is hereby accepted and that the dedication for public use of public land shown thereon be and the same is hereby accepted and confirmed.

2. The Clerk of Council be and is hereby authorized to cause said Final Plat to be recorded with the Recorder of Geauga County as provided by law upon the receipt by said Clerk from the Developer of the fees to be paid to effect said recording and upon the delivery to said Clerk of a statement of title guarantee in an amount of \$_____ issued by a title company approved by the Village Solicitor showing title to the public land shown on said Final Plat to be good in the Village of South Russell, Ohio, free and clear of all encumbrances whatsoever as of the date and hour of the filing of said Final Plat for record.

(Complete using enacting clauses)

APPLICATION FOR RELEASE OF
MAINTENANCE BOND

VILLAGE OF SOUTH RUSSELL, OHIO

APPLICATION NO: FORM S-6

APPLICANT hereby applies for an inspection of the improvements in _____ subdivision, certifying that ___ months have elapsed since acceptance of the improvements by the Village of South Russell	
ADDRESS:	SIGNATURE:
PHONE:	DATE:

PLANNING COMMISSION SECRETARY hereby certifies that this application was received on _____, 2___, and requested the Village Engineer to inspect the improvements.	
SIGNATURE:	DATE:

VILLAGE ENGINEER, finding all improvements have been provided according to approved Improvement Plans, that said improvements are in good repair, that all improvements are acceptable and that all other obligations of the developer to the municipality have been met, hereby authorizes the release of the maintenance bond.	
SIGNATURE:	DATE:

APPLICATION FOR
SUBDIVISION VARIANCE
VILLAGE OF SOUTH RUSSELL, OHIO

APPLICATION NO: FORM S-7

VILLAGE OF SOUTH RUSSELL, OHIO

APPLICANT hereby certifies that this application and all data submitted herewith are true and correct.

ADDRESS: PHONE:

SIGNATURE: DATE:

Description of Requested Variances:

NOTE: Hearing data shall be within thirty (30) days of filing date.

VILLAGE ENGINEER hereby recommends the following action:

ACTION (Note if report is attached)

SIGNATURE:

PLANNING COMMISSION SECRETARY hereby certifies the following recommended Commission action:

Action (Note if report is attached)	SIGNATURE:
	DATE: