

SUBDIVISION REGULATIONS OF THE  
VILLAGE OF STRASBURG, OHIO

SUBDIVISION REGULATIONS  
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## SUBDIVISION REGULATIONS for THE VILLAGE OF STRASBURG, OHIO

An ordinance prescribing minimum requirements for the design and development of new subdivision and of re-subdivisions within the Village of Strasburg corporate limits; providing for preliminary and final approval of all subdivision plats, the enforcement of these regulations and for changes and amendments. (Ohio enabling legislation for subdivision of land is given in Chapter 711 of the Ohio Revised Code.)

Be it hereby ordained by the Village Council of Strasburg, Ohio:

### Short Title

This Ordinance shall be known and may be cited as the "Subdivision Regulations for Strasburg, Ohio" and shall hereinafter be referred to as "These Regulations".

### Interpretation

In their interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements adopted for the protection of the public health, safety and welfare.

## **SECTION 1. PURPOSE**

- 1.1. **Purpose** - The purpose of these regulations is to regulate and control the subdivision of land within the village. These regulations are intended to:
  - 1.1.1. Promote the proper arrangement of streets and lots, safe and convenient vehicular traffic and pedestrian circulation, and adequate access for service and emergency vehicles;
  - 1.1.2. Plan for the provision of adequate and convenient recreational and open space areas, school sites, and other public facilities;
  - 1.1.3. Insure the adequate provision of water, drainage, and sanitary sewer facilities, and other health requirements;
  - 1.1.4. Provide the orderly development of land to obtain an overall harmonious and stable community environment;
  - 1.1.5. Coordinate land development in accordance with the Zoning Code, the Major Thoroughfare Plan, where possible, and other regulations of the village;
  - 1.1.6. Manage the natural resource base for present and future use on a sustained basis.
- 1.2. **Scope** - These Regulations shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of these Regulations. Nor is it intended by these Regulations to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or regulations, except those specifically repealed by these Regulations, or with private restrictions placed upon property by deed, covenant, or other private agreement, or with restrictive covenants running with the land to which the village is party. Where these Regulations impose a greater restriction upon land than is imposed or required by such existing provisions of law, resolution, contract or deed, the provisions of these Regulations shall control.
- 1.3. **Commercial and Industrial** - Developers of shopping centers and other commercial as well as



industrial uses must comply with the same requirements as residential developers. Plans or written and signed statements regarding highway access points and planted areas and buffer strips may be required where applicable.

- 1.4. Administration and Authority - The Council by virtue of the provisions of Chapter 711 of the Revised Code of the State of Ohio is authorized, subject to the holding of required public hearings, to adopt rules and regulations covering plats for subdivisions of land, and to approve, conditionally approve, or disapprove plats or subdivisions of land falling within its jurisdiction. Administration of the rules and regulations contained herein shall be the responsibility of the Planning Commission.
- 1.5. Jurisdiction - The provisions of this Ordinance shall apply to all plats, subdivisions and conveyances of land in the municipality as described in Sections 711.09 and 711.101 of the Ohio Revised Code. The Planning Commission shall have the power of final approval of the plats.
  - 1.5.1. It shall be unlawful for any person to subdivide or lay out into lots any land within the municipality unless it is by a plat complying with the regulations herein contained, and no plat shall be recorded and no lot or land shall be sold from any such plat until said plat has been approved as herein required.
  - 1.5.2. The design and layout of all subdivisions shall conform to the requirements hereof. The developer shall make improvements and shall submit preliminary and final plans, all in accordance with these Regulations.
  - 1.5.3. The division of a tract into five parcels or less, fronting upon an existing street, and where the transfer is to be accomplished by the recording of a deed rather than a plat, requires the approval of the Planning Commission before it can be recorded. Such approval may be accomplished in the manner provided in these Regulations.
- 1.6. Relation to Other Laws - The provisions of these Regulations shall supplement any and all laws of the state, resolutions by the village, or any and all rules and Regulations promulgated by authority of such law or resolution relating to the purpose and scope of these Regulations. Whenever the requirements of these Regulations are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive or that imposing the highest standard shall govern. These Regulations shall be interpreted as minimum requirements.
- 1.7. Public Hearing - The Commission on its own initiative or upon petition by a citizen or neighboring property owner may, prior to acting on a preliminary map of a subdivision, hold a hearing thereon at such time and upon such notice as the Commission may designate.
- 1.8. Effective Date - These Regulations shall be effective following adoption by the Planning Commission and the Village Council, after public hearing and certification to the Recorder as provided by law. Henceforth, any other regulations previously adopted by the Council or the Planning Commission shall be deemed to be repealed. These Regulations shall in no way affect any subdivision having received preliminary approval by the Commission prior to the effective date provided, however, that no changes to the preliminary plan, as approved, are introduced by the developer.
- 1.9. Amendments - The Council may, after public hearing, amend, supplement, or change these Regulations. Notice shall be given of the time and place of such public hearing by publication in at least one (1) newspaper of general circulation in the local area thirty (30) days prior to holding of said hearing. The amendment or amendments shall be on file in the office of the Planning Commission for public examination during the said thirty (30) days.



## **SECTION 2. DEFINITIONS**

- 2.1. **Block:** A piece or parcel of land entirely surrounded by public highways, public streets, railroad right-of-ways, parks, streams, lakes or bodies of water, or a combination of aforesaid bounds.
- 2.2. **Building Lot:** That portion of the subdivision or other parcel of land intended as a unit for transfer of ownership upon which the building structure and appurtenance are to be placed, or already exist, including areas for water well, sewage disposal, setbacks, proper surface water drain ways and appropriate easements.
- 2.3. **Building Permit:** A permit allowing resumption of construction or placement of a structure on a specific building lot.
- 2.4. **Building Site:** That portion of the lot or parcel of land upon which the building and appurtenance are to be placed, or area already existing, including adequate areas for sewage disposal, clearance, proper drainage and appropriate easements.
- 2.5. **Clerk of the Board of County Commissioners:** The Clerk of the Board of County Commissioners of Tuscarawas County.
- 2.6. **Comprehensive Plan:** The master plan (which may consist of several maps, data, etc.) or any portion thereof, made and adopted by the Strasburg Planning Commission or by the Village Council and which shows the general location and extent of physical facilities including major streets and main thoroughfares, parks, schools, and other public open spaces, and public building sites.
- 2.7. **Contractor:** Any person, partnership or corporation or duly authorized agent who constructs or contracts to construct improvements on subdivided land.
- 2.8. **Council:** Elected 6 members of Village Council.
- 2.9. **County:** Tuscarawas County, State of Ohio.
- 2.10. **County Engineer:** The County Engineer of Tuscarawas County, Ohio
- 2.11. **Crosswalk:** An easement or a public right-of-way which cuts across a block to facilitate access to adjacent streets and properties.
- 2.12. **Developer:** Any person, partnership or corporation or duly authorized agent who subdivides and/or improves land for the purpose of establishing site(s) intended for the placement of residential, commercial, industrial, or institutional structures, or other private and public betterments.
- 2.13. **Drainage Facility:** Any ditch, gutter, pipe, culvert, storm sewer or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public right-of-way, parks, recreational areas, or any part of any subdivision or contiguous land areas.
- 2.14. **Drainage Plan:** A plan showing all present and existing surface and subsurface drainage conditions as described by grades, contours, and topography with proposed methods and facilities to collect and convey said drainage.
- 2.15. **Driveway:** A minor vehicular right-of-way providing access between a street and a parking area or garage within a lot or property.
- 2.16. **Easement:** A grant by the property owner for specified use of said land to a corporation, partnership, person or persons, or to the public.
- 2.17. **Engineer, Municipal Engineer:** The Engineer representing the Village of Strasburg, Ohio.
- 2.18. **Final Plat:** The final map, drawing or chart on which the developer's plan is presented to the Strasburg Planning Commission for approval and which, if approved will be submitted to the



Recorder of Tuscarawas County.

- 2.19. Flood Plain: That portion of a river or creek valley adjacent to the drainage channel which is periodically covered with water when the river or creek overflows its bank during flood stage.
- 2.20. Future Right-of-Way: (a) The right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads; (b) a right-of-way established to provide future access to or through undeveloped land.
- 2.21. Health Department: The Tuscarawas County Board of Health.
- 2.22. Hillside Area: A hillside area as referred to herein is defined as one with an average slope of fifteen (15) percent or more.
- 2.23. Improvements: Street improvements, with or without curb or gutter, sidewalks, crosswalks, water mains, sanitary and storm sewers, street trees and other appropriate items.
- 2.24. Location Map: A drawing at a reduced scale which shows legibly, by dimension and/or other means, enough area beyond the bounds of the proposed subdivision to locate and orient the subdivision within Strasburg and vicinity and the relationship of the site to the community facilities which serve or influence the property.
- 2.25. Lot: A parcel of land intended for transfer of ownership or building development, having its principal frontage on a public street, except for those lots on private lands, accessible by a private drive, as allowed by the commission in cluster subdivisions.
- 2.26. Lot Area: The area contained within the property lines of the individual parcels of land as shown on a major subdivision plan, excluding any area within a street right-of-way, but including the area of any easement.
- 2.27. Lot Depth: The mean horizontal distance from the front street line to the rear lot line.
- 2.28. Lot Split: The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into at least 2 two, but no more than 5 five, parcels, sites or lots, any one of which is less than five (5) acres for the purposes, whether immediate or future, of transfer of ownership, provided, however that the division or partition of land does not involve any new construction or modification of current streets or easements of access.
- 2.29. Monument: A permanent concrete or iron marker used to establish definitely all lot lines of the plat of a subdivision, including all lot corners, boundary line corners, and points of change in street alignment, and as set forth in the Ohio Revised Code, Section 711.03.
- 2.30. Neighborhood Unit: An area of sufficient size to permit the design and development of an integrated urban unit containing in addition to a variety of residential types and groupings its own elementary school, local business district, churches, clubs, recreation area and bounded by arterial highways, major streets, and/or natural physical barriers.
- 2.31. Net Acre: Land acreage within a subdivision or other delineated area which excluded all street, utility and railroad rights-of-way, and waterways.
- 2.32. Official Highway Plan: A plan designating a system of principal or major streets and highways for traffic intercommunication.
- 2.33. Official Map: The map established by the Planning Commission showing streets, highways and/or parks theretofore laid out, adopted and established by law and any amendments thereto adopted by the Tuscarawas County Commissioners and the Planning Commission or additions thereto.
- 2.34. Owner: Any individual, firm, association, syndicate, co-partnership, corporation, trust, or any other



legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these regulations.

- 2.35. Parcel: Any piece of land described by a current deed.
- 2.36. Performance Bond or Surety Bond: An agreement by the developer with the Village of Strasburg for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the agreement.
- 2.37. Planning Commission or Commission: The Village Planning Commission of Strasburg, Ohio.
- 2.38. Plat: A map upon which the developer's plan of the subdivision is presented and which he submits for approval and intends to record in the final form.
- 2.39. Preliminary Plat: The preliminary plat, drawing or chart indicating the proposed layout of the subdivision.
- 2.40. Prosecutor, County Prosecutor: The Prosecutor of Tuscarawas County, Ohio.
- 2.41. Regulation: Subdivision Regulations for Strasburg, Ohio.
- 2.42. Reserves: Parcels of land within a subdivision that are intended for future use.
- 2.43. Setback Line: A line indicating the minimum horizontal distance between the street easement or right-of-way line and buildings or any projection thereof, unless otherwise specifically defined.
- 2.44. Sewage Facility: Any sewer, sewerage system, sewage treatment works on part thereof, designed, intended or constructed for the collection, treatment or disposal of liquid waste including industrial waste.
- 2.45. Sewage Installation Permit: A permit issued by the Health Department giving the applicant the right to install, maintain, and operate a private sewerage treatment system.
- 2.46. Sketch (Preapplication): An informal drawing which shows how a developer proposes to subdivide a property and which gives sufficient site information for the planning commission representatives to offer suggestions for site development.
- 2.47. Solicitor: The Solicitor and/or legal counsel of the Village of Strasburg, Ohio.
- 2.48. Street: Shall mean a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, freeway, road, boulevard, avenue, lane, place, or however otherwise designated.
  - 2.48.1. Intercommunity Thoroughfares:
    - 2.48.1.1. Interstate or expressway which possesses extra-wide right-of-way carrying high traffic volumes of unobstructed, limited-access vehicular movement.
    - 2.48.1.2. Limited access highways which intercept several major streets and may or may not have separated intersections. This is a principal or heavy-traffic street of considerable continuity and is used primarily as an artery for intercommunication between large areas.
  - 2.48.2. Intracommunity Streets:
    - 2.48.2.1. Major streets are those local thoroughfares which carry cross-town traffic from several neighborhoods, thereby servicing several residential collector streets.
    - 2.48.2.2. Collector streets are primary streets serving industrial and commercial areas on the principal street, which carries traffic from minor streets to major streets, including the principal entrance streets of residential developments and primary circulation routes within such developments.



- 2.48.2.3. Local streets are used primarily for access to abutting properties.
- 2.48.2.4. Marginal access streets are minor streets which are parallel and adjacent to an arterial street and provided access to abutting properties and protection from major streets or thoroughfares.
- 2.48.2.5. Cul-de-sac or dead-end streets are minor streets with only one outlet.
- 2.48.2.6. Alleys are minor ways which are used primarily for vehicular service access to the back or the side of properties otherwise abutting on another street.
- 2.48.3. Intervillage Street: A Primary thoroughfare is a road which is used for intercommunity travel.
- 2.48.4. Intravillage Street: Secondary thoroughfares are minor roads in a rural area which is used for travel within a township or farm to farm.
- 2.48.5. Street Width: The shortest distance between the lines delineating the right-of-way of a street.
- 2.49. Subdivision: For the purpose of these regulations, either of the following shall be considered Subdivisions as regulated herein;
  - 2.49.1. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into more than 5 five parcels, sites or lots, any one of which is less than five (5) acres for the purposes, whether immediate or future, of transfer of ownership. The sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted.
  - 2.49.2. The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.
- 2.50. Zoning Regulations: The zoning resolution of any public entity in the County of Tuscarawas, Ohio.

### **SECTION 3. APPLICATION AND APPROVAL PROCEDURES**

- 3.1. Pre-application: Previous to the filing for tentative approval of the preliminary plat the developer shall submit to the Planning Commission a sketch plan. The purpose of this stage is to discuss early and informally the purpose and effect of these Regulations and to familiarize the developer with the comprehensive plan, official highway plan for Strasburg, Ohio, zoning and other municipal and village planning engineering projects, drainage, sewerage, water systems and similar standards, requirements, and plans.

If the Planning Commission determines that the proposed subdivision is feasible and acceptable from these standpoints, the preparation of a preliminary plat for submission to the Planning Commission for formal consideration can occur. No comments or statements made during the pre-application discussions shall be construed as a final acceptance of the preliminary plat until the formal approval of the Planning Commission is granted.

The sketch plan shall be clearly and legibly drawn. It shall be drawn at a scale of one (1) inch equals approximately one hundred (100) feet.

- 3.2. Submission for Conditional Approval of Preliminary Plat – The following items should be addressed when a developer submits a Preliminary Plat;



- 3.2.1. Sewage Disposal: The developer in a letter accompanying the request for preliminary approval of a subdivision shall state the kind and type of sewage disposal treatment he proposes to use. If other than a sewage treatment plant, it shall be accompanied by a letter from County Health Department stating what type of sewage disposal will be approved for the soil conditions encountered in the area of the proposed subdivision. A central sewage treatment plant and a central water system must be constructed by the developer when deemed necessary by the Ohio Environmental Protection Agency. Content and supplementary information.
- 3.2.2. Form: The preliminary plat shall be clearly and legibly drawn. The size of the map shall be on one (1) or more sheets twenty-four (24) inches by thirty-six (36) inches. All subdivisions shall be drawn at a scale of one (1) inch equals fifty (50) feet, unless otherwise required by the Commission.
- 3.2.3. Plat Contents: The preliminary plat shall contain the following information:
- 3.2.3.1. Proposed name of the subdivision. The name shall not duplicate, be the same in spelling, or alike in pronunciation with an other recorded subdivision in the village.
  - 3.2.3.2. Names and addresses of the developer, owner and professional individual responsible for the preparation of the preliminary plan.
  - 3.2.3.3. Date of survey if applicable.
  - 3.2.3.4. Scale of the plan both graphically and numerically, north point and date.
  - 3.2.3.5. Boundaries of the subdivision indicated by the heavy line and its acreage indicated.
  - 3.2.3.6. Total acreage included in the subdivision.
  - 3.2.3.7. Location, widths and names of existing, platted streets, utility and railroad right-of-way, easements, parks, permanent buildings, corporation lines, and township.
  - 3.2.3.8. Names of adjacent subdivisions, owners of record (as of the last preceding tax roll) of adjoining parcels of unsubdivided land and the location of their boundary lines.
  - 3.2.3.9. Zoning districts, if any.
  - 3.2.3.10. Existing contours with intervals of not more than five (5) feet where slope exceeds ten (10) percent and not more than two (2) feet where slope is ten (10) percent or less. Elevations are to be based on sea level datum (USGS). Reference Bench Mark used shall be indicated. When the slope is less than ten (10) percent and involves ten (10) lots or less and no new streets are involved or old streets widened contours may be omitted.
  - 3.2.3.11. Existing drainage channels, underground facilities, wooded area, power transmission poles and lines, and any other significant items should be shown. High water marks are to be shown in vicinities of streams or lakes.
  - 3.2.3.12. Layout, names, and widths of proposed streets, alleys, crosswalks, and other easements.
  - 3.2.3.13. All lot numbers and building setback lines with dimensions.
  - 3.2.3.14. When lots are located on a curve or when side lot lines are at angles other than ninety (90) degrees, the width at the property line shall be shown.
  - 3.2.3.15. Parcels of land intended to be reserved for public uses or to be reserved by covenant for residents inhabiting the subdivision must be identified as such.
  - 3.2.3.16. A vicinity map at a scale of not more than eight hundred (800) to the inch shall be shown on, or accompany, the preliminary plat. This map shall show all existing subdivisions, road, and tract lines with the names of the owners of land immediately



adjoining the proposed subdivision and between it and the nearest existing thoroughfare. It shall also show how roads in the proposed subdivision may connect with existing and proposed roads in neighboring subdivisions or undeveloped property to produce the most advantageous development of the entire neighboring area.

- 3.3. Supplementary Information: The following information must also be submitted with a preliminary plat.
- 3.3.1. Statement of the proposed use of lots, stating type of residential buildings with number of proposed dwelling units; type of business or industry; so as to reveal the effect of the development on traffic, fire hazards, or congestion of population.
  - 3.3.2. Proposed covenants and restrictions.
  - 3.3.3. Evidence of an adequate source of water supply. (See Section 4.)
  - 3.3.4. Statement outlining method to be used and provisions to be made for sewage disposal, drainage and flood control. (See Section 4.)
  - 3.3.5. If any zoning changes are contemplated by the developer, the proposed zoning should be outlined and described.
  - 3.3.6. Parking and loading areas, pedestrian walkways, and ingress/regress points must be shown.
- 3.4. Filing: The developer shall prepare and file a preliminary plan for approval with the Commission, and five (5) copies shall be required by the Commission according to the standards and other requirements of these Regulations. The preliminary plan shall be considered officially filed on the day accepted by the Commission and shall be so dated. The preliminary plan shall then be examined by the Municipal Engineer and/or designated person in behalf of the Commission. The applicant pays the fee at this point, before a lot review is done.
- 3.5. Suitability of Land: If the Planning Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to flooding, bad drainage, steep slopes, inadequate water supply, schools, transportation facilities, inadequate fire protection or safety service access and other such conditions which may endanger health, life, or property; and, if from investigations conducted by the public agencies concerned, it is determined that in the best interests of the public the land should not be developed for the purpose proposed, the Commission shall not approve the land for subdivision unless adequate methods are advanced by the developer for meeting the problems that will be created by the development of the land.
- 3.6. Approval: The Planning Commission shall forward copies of the preliminary plan to other officials, and agencies as may be properly interested for the purpose of study and recommendation. After receipt of reports from such officials and agencies, the Planning Commission shall determine whether the preliminary map shall be approved, approved with modifications or disapproved. Notice of such action shall be supplied to the developer. If no comment is received within thirty (30) days, then the consulted group has no objection.

The Commission shall act on the preliminary plan within thirty (30) days after filing unless such time is extended by agreement with the developer or his agent. When a preliminary plan has been approved by the Commission, the Chairman or Secretary of the Commission shall affix his signature to the plan and return one (1) copy to the developer for compliance with final approval requirements. Approval of the preliminary plan by the Commission shall not constitute approval of the final plan by the Commission.

Approval of the preliminary plan shall confer upon the developer for one (1) calendar year from date



of approval the guarantee that the general terms and conditions under which the approval was granted will not be affected by any changes and/or amendments to these Regulations.

After receiving notice of the approval of the preliminary plat and prior to the filing of the final plat the developer shall present to the Commission typical sections and complete profiles of streets and other related improvements to be constructed in the proposed subdivision prepared by a registered engineer.

The Commission shall, within five (5) working days after the filing of the above typical sections and complete profiles, transmit copies of same to the municipal Engineer and the Village Administrator for study and final recommendations. The Commission, after receiving a report from the aforementioned officials, shall notify the developer of any recommended changes or suggestions so that the developer may prepare the final improvement plans and final plat.

- 3.7. Submission for Approval of Final Plat - The final plat will have incorporated all changes or modifications required by the Planning Commission and Municipal Engineer, otherwise it shall conform to the preliminary plat, and it may constitute only that portion of the approved preliminary plat which the developer proposed to record and develop at the time, provided that such portion conforms with all requirements of these Regulations.

The final plat shall be prepared by a registered surveyor if any new parcels and/or lots have been created and shall be clearly and legibly drawn with permanent ink. The size of the plat shall be on one or more sheets twenty (20) inches by twenty (20) inches. Scale shall be one (1) inch equals fifty (50) feet. If more than two sheets are required, an index sheet must be filed showing the entire subdivision on one sheet with all areas shown on other sheets indicated thereon.

- 3.7.1. The final plat shall contain the following information:

- 3.7.1.1. Name of the subdivision; location, date, north point, graphic and numerical scale and total acreage.
- 3.7.1.2. All plat boundaries with length of courses in feet and hundredths, bearings to not more than half minutes. All surveys must be done to State minimum standards.
- 3.7.1.3. Bearings and distances to the nearest established street lines or other recognized permanent monuments, which shall be accurately described on the plat.
- 3.7.1.4. Exact locations of adjoining and proposed streets and alleys with their widths and names plus building setback lines.
- 3.7.1.5. All easements and rights-of-way provided for public services or utilities, and any limitations of such rights-of-way or easement.
- 3.7.1.6. All lot numbers and lines, with accurate dimensions in feet and hundredths, and with bearings. The basis of bearings shall be stated on plat. The acreage of all lots over one (1) acre in size shall be indicated.
- 3.7.1.7. Names and addresses of the developer and the qualified surveyor who prepared the final plan.
- 3.7.1.8. Accurate outlines of any areas to be dedicated or temporarily reserved for public use or any area to be reserved for common uses of all property owners.
- 3.7.1.9. A list of all restrictions and covenants the developer intends to include in the deeds to the lots in the subdivision shall accompany the final plat and shall be recorded prior to final plat approval. Reference to their recording shall be made on the final plat.
- 3.7.1.10. Certification by a registered surveyor to the effect that the plat represents a survey made by him and that all monuments shown thereon exist as located and that that all dimensional



details are correct.

3.7.1.11. An acknowledgment by the owner or owners of his or their adoption of the plat, and dedication of streets and other public areas.

3.7.1.12. Vicinity map of area within one-half (1/2) mile radius except that this requirement may be waived where the area is located in a mapped area within the municipality or section contiguous thereto.

3.7.1.13. Lot numbers and corresponding house numbers.

3.8. Supplementary Information:

3.8.1. If a zoning change is involved, certification from the Zoning Inspector by review of official zoning map shall be required indicating that the change has been approved and is in effect.

3.8.2. The final plat shall be accompanied by certificates showing that all improvements have either been installed and approved by the proper officials or agencies or that a bond or other security has been furnished assuring installation of the required improvements. A copy of the final plat on permanent reproducible material shall be submitted.

3.9. Plan and Profile, Utility Plans. A plan view of the streets shall be drawn to scale of one (1) inch equals fifty (50) feet. The plan view shall show the proposed road, street or alley alignments, right-of-way and pavement widths, centerlines, bearings, stationing, curve or radius data, existing and proposed drainage and utilities. Any other significant feature or factor shall also be shown on the plan. The centerline of road, street or alley construction shall coincide with the centerline of the right-of-way. Any changes from same shall be at the discretion of the municipal Engineer or his representative.

3.10. Filing - The final map shall be filed with the Commission not later than twelve (12) months after the date of approval of the preliminary plan; otherwise it will be considered void unless an extension is requested by the developer and granted by the Commission in writing. The final plat shall be considered officially filed after it is examined by the municipal Engineer and is found to be in full compliance with the formal provisions of these Regulations. The final plat shall be filed at least ten (10) working days prior to the meeting at which it is to be considered.

The developer shall submit a statement of the proposed use of lots, staging type of residential building with number of proposed dwelling units; type of business or industry, so that the effect of the development on traffic, fire hazards, or congestion of population can be determined; source of water supply, provisions for sewage disposal, drainage, and flood control.

3.11. Approval - The Commission shall take action on the final plat within thirty (30) days after the same has been officially filed as stated in State Code 711.05; otherwise said plat shall be deemed to have been approved. The certificate of the Commission as to the date of the submission of the plat for approval, and the failure to take action within such time, shall be sufficient in lieu of the written endorsement or evidence of approval herein required. If disapproved, the grounds for disapproval of the final plat shall be stated on the record of the Commission, including the reference to the regulation violated by the plat, and a copy of said record of the Commission shall be forwarded to the developer. Developer shall make necessary correction and resubmit the final plat within thirty (30) days to the Commission for its final approval.

The developer shall be notified of the final approval of the plat by the Commission and shall then present the plat to the Council for approval.

3.12. Recording of Final Plat - After the final plat has been approved by the Planning Commission



the Municipal Engineer, and where necessary by the Village Council, and the necessary approvals endorsed in writing thereon, together with evidence of title, and evidence of prepayment of property taxes for all land to be dedicated to public use, it may then be filed for recording in the Office of the Recorder of Tuscarawas County, Ohio, as required by law.

- 3.13. Lot Split Deed Transfers - Whenever any transfer is to be made of parcels as described in paragraph 1.5.3, the party or parties desiring to make the transfer shall submit a sketch thereof to the Planning Commission. If the division conforms to appropriate standards, the responsible official may stamp same "Approved, No Plat Required", and attach his signature, and the appropriate transfer may then be recorded. However, if the owner of the property does not agree with any of the requirements specified by the Planning Commission, he may then appeal to the Council for approval for recording and such approval must be obtained before the transfer can be recorded. No preliminary or final plat other than the rough sketch of the division shall be required and none of the improvements described in Section 4 shall be required for the transfer.

## **SECTION 4. SUBDIVISION DESIGN STANDARDS**

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

The arrangement, character, extent, width and location of major, secondary, and minor streets or highways shall conform to the recommendations of the Commission, based on existing and planned streets, topography, public safety and convenience, proposed land uses, and such specifications as the Village Council may adopt or the Village Engineer may require.

The Planning Commission and appropriate village officials have the responsibility for reviewing the design of each future subdivision early in its design development. The Planning Commission shall ensure that all the requirements of this Section are met.

### **4.2. STREET DESIGN AND ARRANGEMENT**

- 4.2.1. The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining areas where applicable (or their proper projection where adjoining land is not subdivided) insofar as they may be deemed necessary for public requirements. Every subdivision shall have access to a public right-of-way.
- 4.2.2. Street and alley arrangements shall be such as to not cause hardship to owners of adjoining property when they plat their own land and seek to provide convenient access to it. Residential streets shall be so designed as to discourage through traffic, but offset streets should be avoided.
- 4.2.3. The angle of intersection between minor streets and major streets should not vary by more than ten (10) degrees from a right angle. All other streets should intersect each other as near to a right angle as possible.
- 4.2.4. The minimum curb radius at intersections, subject to the approval of the Village Engineer, shall be twenty (20) feet. Curbs shall be required for all areas. The curb and gutter shall be poured so as to be combined.
- 4.2.5. Residential streets shall be designed to discourage through traffic which may otherwise use



secondary or major highways, and whose origin and destination are not within the subdivision. Residential streets extending for considerable distances, parallel to any secondary or major street, should be avoided unless otherwise deemed appropriate by the Commission, giving consideration to the overall traffic flow.

#### 4.3. STREET ALIGNMENT

4.3.1. VERTICAL: For main thoroughfares, profile grades shall be connected by vertical curves of a minimum length in multiples of fifty (50) feet, approximately equivalent to twenty (20) times the algebraic difference between the rates of grade, expressed in feet per hundred; for secondary and minor streets and alleys, fifteen (15) times.

4.3.2. DESIGN STANDARDS FOR VISIBILITY: The normal subdivision street shall be designed for a speed of 35 mph (through streets) or 25 mph (no outlet residential streets). The standards for the design speed shall be in accordance with the Ohio Department of Transportation "Location and Design Manual" latest edition, in regard to the following design conditions:

- 4.3.2.1. Maximum degree of curvature
- 4.3.2.2. Minimum horizontal visibility
- 4.3.2.3. Minimum vertical visibility
- 4.3.2.4. Minimum intersection sight distance. Note that the minimum intersection sight distance shall apply to the road being entered, where speeds may be as high as 55 mph.

#### 4.4. STREET TYPE AND WIDTH

The road right-of-way widths shall be not less than the following:

Street Classification	Right-of-way Method	Pavement Width Excluding Curb and Gutter
Freeway	200-300 Feet	Varies: 12ft./Lane
Expressway	200-250 Feet	Varies: 12 ft./Lane
Major Thoroughfare	1000 Feet	Varies: 12 ft./Lane
Collector	60 Feet	12ft Lane + 9ft. Parking Lane
<u>Local Street</u>		
Low Density ( 1-2 units/acre)	50 Feet	10ft. Lane + 7ft. Parking Lane
Medium Density (3-4 units/acre)	60 Feet	10ft. Lane + 8ft. Parking Lane
High Density (more than 4 units/acre)	60 Feet	11ft. Lane + 8ft. Parking Lane

At least one parking lane shall be constructed on all streets unless otherwise approved by the Planning Commission. Variations from the above street widths will be only as approved by the Commission. Streets shall be constructed in the center of the right-of- way.

4.5. SPECIAL STREET TYPES. The following requirements shall apply to special types of streets:

- 4.5.1. Cul-de-sac streets shall not exceed 200 ft. in length. The closed end shall be a paved turnaround having a minimum radius of forty (40) feet to the outward pavement edge, and a



radius of fifty (50) feet to the right-of-way line. The minimum frontage or lot width shall be measured at the required building setback line on any cul-de-sac.

- 4.5.2. Dead-End Streets. Permanent dead-end streets shall not be permitted. Temporary dead-end streets shall be permitted only as part of a continuing street plan, and only if a temporary turnaround satisfactory to the Commission in design, maintenance, and removal is provided, and the temporary street has a surfaced turning area equal in diameter to two (2) times the width of said street at its termination. Dead-end streets longer than two hundred (200) feet shall be permitted only after approval by the Commission.
- 4.5.3. Dedication of half-streets shall not be permitted. Where a dedicated half-street exists adjacent to the tract being subdivided, both halves shall be platted.
- 4.5.4. Access Streets. Where a subdivision adjoins a major thoroughfare, a marginal access street shall be designed to control access to the thoroughfare from lots fronting on it. Access is controlled in the interest of public safety and to maintain the design capacity of the street system. Points of access to the thoroughfare shall be spaced at a minimum interval of 1,320 feet. A planting strip having a minimum width of twenty (20) feet shall be provided between the pavement of the thoroughfare and the pavement of the marginal access street. The minimum width of the marginal access right-of-way shall be twenty-eight (28) feet.
- 4.5.5. State Highways. Before any subdivision plat is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed, as described in the certification to local officials by the State Transportation Director, or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Planning Commission shall give notice, by registered or certified mail, to the transportation director. The Planning Commission shall not give final approval of the subdivision plat for one hundred twenty (120) days from the date the notice is received by the transportation director. If the transportation director notifies the Planning Commission that he shall proceed to acquire the land needed, then the Planning Commission shall refuse to approve the subdivision plat. If the transportation director notifies the Planning Commission that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty day period or any extension thereof agreed upon by the highway director and the property owner, the Planning Commission may if the application is in conformance with all provisions of this regulation, approve the subdivision plat.
- 4.6. STREET GRADES. Street grade shall be in conformance with Table 203-1 of the ODOT "Location and Design Manual" or the latest update thereof, except that the 2% steeper grade as provided for in Footnote "B" shall not be permitted.
- No street grade shall be less than 0.4 percent (0.4%), and in no case shall a street grade be more than three (3) percent within one hundred (100) feet of an intersection, except under unusual topographical conditions which shall be subject to the approval of the Village Engineer and the Village Street Superintendent.
- 4.7. STREET NAMES. New names are required for new streets; the names shall meet with the approval of the Planning Commission. No name shall be similar in spelling or pronunciation to that of any existing street in a postal zone.
- 4.8. ACCEPTANCE OF STREETS - The approval of a plat by the Village Council shall NOT be deemed to be an acceptance of any public street, road or highway dedicated in such plat until



accepted in the manner provided herein.

The Village Engineer shall check the construction by stages, and when the Engineer finds that such street is constructed in accordance with the specifications set forth in the approved plat and that such street is in good repair, then such finding, endorsed on the approved plat plan, shall constitute an acceptance of the street for public use by the Village.

Appropriate language in accordance with the provisions of this subsection is required to be included on all plats presented to the Planning Commission and Village Council for approval, acceptance and subsequent recording.

4.9. **STREET INTERSECTIONS** - The following regulations shall govern the design and layout of street intersections.

Streets shall be designed to intersect at 90 degrees, more or less. Streets shall remain in the right angle of intersections for no less than 50 feet beyond the point of intersection.

Sight distance is a direct function of the design speed which greatly influence the level of distance must always be provided as a safety requirement. Passing and decision sight distances influence the operational capability which provides the selected level of service. Provision for adequate sight distance on rural thoroughfares where both high speeds and high volumes can be factors is complex. The developer shall comply with the Ohio Department of Transportation design standards.

Multiple intersections involving junctions of more than town streets shall be avoided.

The minimum pavement radius at intersections shall be thirty (30) feet; the minimum right-of-way radius shall be twenty (20) feet.

4.10. **ALLEYS**. Alleys shall be avoided in single-family and two-family districts. They may, however, be required in multiple dwelling developments where they shall have a minimum width of twenty (20) feet. Alleys are required in the rear of all commercial and industrial lots, if no other provisions are made for adequate service access or parking. The right-of-way in such alleys shall be not less than forty-five (45) feet, and dead-end alleys shall not be permitted.

4.11. **EASEMENTS**. Easements of at least twenty (20) feet in width, centered along rear or side lot lines shall be provided where necessary for sanitary sewers, as mains, water mains, television cables, electric lines and storm sewers. Easements shall also be provided, as required by the Planning Commission, along every public water course, drainage channel, or stream within a subdivision. In general, for any open ditches, easements shall be at least thirty (30) feet wide. The establishment of these easements does not, in itself, provide for public maintenance of these facilities.

4.12. **BLOCKS** - The following regulations shall govern the design and layout of blocks:

4.12.1. No block shall be longer than one thousand three hundred and twenty (1,320) feet, nor less than five hundred (500) feet, except in unusual circumstances. Where a subdivision adjoins a major highway, the greater dimension of the block shall front along such major highway to minimize the number of points of ingress and egress.

4.12.2. Irregularly shaped blocks, those indented for cul-de-sacs or loop streets, and those containing interior parks or playgrounds, shall be approved by the Commission when properly designed and located.

4.12.3. Where blocks are over nine hundred (900) feet in length, a crosswalk easement not less than ten (10) feet in width, at or near the midpoint of the block, shall be required, if necessary, to



provide proper access to schools, recreation areas, shopping centers or other facilities.

4.13. LOTS

- 4.13.1. The lot arrangement and design shall be such that all sub lots will provide satisfactory and desirable building sites, properly related to topography and the character of surrounding developments.
- 4.13.2. All side lines of lots shall be at right angles to street lines and radial to curved street lines, except where a variation to this rule will provide a better street and lot layout. Lots with double frontage, except when paralleling major highways shall be avoided.
- 4.13.3. No lot shall have less area or width than is required by the Village Zoning Ordinance for the area in which the lot is located.
- 4.13.4. No lot shall be subdivided after acceptance of the original plat, except as provided in these Regulations.
- 4.13.5. A larger than minimum lot size may be required when less than ideal topography or soil conditions exist for a building site. The larger than minimum building lot size judgment will be made by the Planning Commission, based on input from the Village Engineer and others who are familiar with the soil types.
- 4.13.6. No corner lot shall have a width at the building line of less than seventy-five (75) feet. Either of the two sides of a corner lot may be designated the front of the lot, provided the rear yard shall always be opposite the front so designated.
- 4.13.7. The corners of lots at street intersections shall have a curve with a minimum radius of twenty (20) feet to the intersection of the property line.
- 4.13.8. Every lot or tract shall be along, front on, or abut an existing public road. That portion of the lot extending to the public road shall have a minimum width of twenty-five (25) feet, and shall be located on a road frontage that can be developed for access by a conventional automobile. A Dedicated Private Driveway may provide legal access to a tract or lot if the Dedicated Private Driveway fronts on or abuts an existing public road.

4.14. PUBLIC SITES AND OPEN SPACES - Consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds, school sites, parks and other outdoor recreational facilities as indicated in the Comprehensive Plan, and to be made available by one or more of the following methods:

- 4.14.1.1. Dedication to public uses;
- 4.14.1.2. Reservation of land for the use of property owners by deeds or covenants;
- 4.14.1.3. Reservation for acquisition by public agency within a period of three (3) years. Said reservation shall be made in such a manner as to provide for release of the land to the developer in the event no public agency proceeds with the purchase.

Due regard shall be shown for preserving outstanding cultural, historical or natural features such as scenic spots, water courses or exceptionally fine groves of trees. Dedication to and acceptance by a public agency is usually the best means of assuring their preservation. At least ten percent (10%) of the subdivision, exclusive of streets, shall ordinarily be allocated to open space.

4.15. Easements along Streams. Whenever any stream or important surface drainage course is located within the area being subdivided, the developer shall provide a permanent easement of



sufficient width dedicated to the proper authority for the purpose of widening, deepening, relocating, improving or protecting the stream for drainage or public use.

- 4.16. Flood Prone Areas. The Planning Commission will scrutinize proposed subdivisions which are located in flood prone areas, such as, but not limited to:
  - 4.16.1. Flood plain areas which are identified on the Flood Insurance Rate Maps. A Flood Plain Development Permit is required to develop within flood plain limits, and development may be prohibited in some areas.
  - 4.16.2. Areas located in the U. S. Army Corps of Engineers Flowage Easement. The developer must provide a letter of review and comment from the Army Corps which explains their position on the proposed subdivision.
  - 4.16.3. Flood prone areas outside the FIRM regulatory areas will be reviewed based on local engineering studies or approval of the U. S. Army Corps of Engineers. If the subdivision is located in an area having poor drainage or other adverse physical characteristics, the Commission may approve the subdivision provided the developer agrees to perform such improvements as will render the area safe for the intended use. In lieu of the improvements, the developer shall furnish a surety bond or certified check covering the cost of the required improvements, subject, however, to the approval of the Village Engineer and such other authorities as the Engineer may designate.
- 4.17. MANUFACTURED HOME SUBDIVISION
  - 4.17.1. A manufactured home subdivision shall contain a minimum of four (4) acres and shall be developed in the same manner as required for any subdivision.
  - 4.17.2. The development standards for a manufactured home subdivision shall be the same as the requirements for single-family dwelling subdivisions, providing that all requirements set forth in the Strasburg Village Zoning Ordinance must be met.
- 4.18. TREES
  - 4.18.1. Street trees, when planted, shall be located outside of the street right-of-way, of any sewer or water easements that may be adjacent to the street right-of-way, and planted in such a manner as not to impair visibility at any street intersection or driveway and not to hinder the maintenance and plowing of the street. Developers should retain existing trees wherever possible and plant additional trees at strategic locations throughout the subdivision. A list of trees recommended for street planting can be obtained from the Tuscarawas County Soil and Water Conservation office.
- 4.19. SOILS STATEMENT
  - 4.19.1. Soil conditions are an important concern when reviewing a proposed subdivision. The Tuscarawas County Soil and Water Conservation District may be asked their opinion on the ramifications of soil conditions for a proposed subdivision. Their input is presented at a subdivision review meeting with the Commission. Soil and water related problems can be averted if the developer and the Commission apply precautionary development standards to the project in response to the Soil and Water District recommendations.

## **SECTION 5. MINIMUM REQUIRED IMPROVEMENTS**

- 5.1. General. These minimum required improvements shall be required in all areas except where special provisions are made for hillside areas in excess of fifteen (15) percent of slope. Any exceptions to the



provisions in this section which are made for hillside development are specified in Section 6.

Prior to the granting of final approval the developer shall have installed or shall have furnished a performance bond for the amount of the estimated construction cost of the ultimate installation of improvements listed and described herein. The performance bond or case deposit submitted to the appropriate officer will assure the municipality that the developer, his heirs, successors and assigns, their agent or servants will comply with all applicable terms, conditions, provisions and requirements of these Regulations; will faithfully perform and complete the work of constructing and installing such facilities or improvements in accordance with such laws and regulations. Before said bond is accepted it shall be approved by the proper administrative officials. The term of this bond shall extend twelve (12) months beyond completion date of project.

The developer shall submit a set of construction plans for the improvement of the road, street or alley, and utility plans, prepared by a registered professional engineer, where applicable. The construction plans shall include title of plan, typical sections, plan and profile view, miscellaneous engineering details and estimate of quantities. Cross sections will be submitted upon request by the Municipal Engineer. All typical sections and major engineering details to be used on any particular road, street, or alley shall be approved in advance by the Municipal Engineer or his representative before completion of the plans. When the developer submits for approval a construction plan for street improvements for a part of a proposed subdivision area, preliminary street grades, proposed drainage facilities and proposed utility extensions for the entire subdivision area shall also be presented.

When deemed desirable the Municipal Engineer or his representative may require the construction or vacation of part or all of any intersecting roads, streets, or alleys in order to assure that no hardship or added expense be endured by abutting property owners, the Township or Municipality at some future date.

All of the required improvements shall be made in full compliance with the specifications for each of the various units of work as required by the Municipal Engineer or the County Board of Health, according to the nature of the improvements. Upon final approval of the construction plans, a copy on permanent reproducible material, and five (5) sets of all construction and utility plans shall be submitted to the municipality.

- 5.2. INSPECTION. During construction and after completion of the required improvements, the developer shall request, in writing, the inspection of improvements by the responsible officials. Upon completion of all improvements, the developer shall request, in writing, a final inspection by the appropriate agency. All inspection fees and costs are charged to the developer.
- 5.3. FEES AND PRECONSTRUCTION NOTIFICATION. The Developer shall pay to the appropriate agency a fee as prescribed by such agency to defray the costs of inspection, engineering services, or other services in connection with inspection and supervision of the improvements required herein. The developer shall notify the responsible agency at least one week in advance of the start of construction work and the department inspection fee shall be paid prior to the start of such construction.
- 5.4. Materials and Construction Procedure. Unless otherwise indicated on the plans, with advance approval of the Municipal Engineer or his representative, materials shall meet the requirement and shall be in accordance with the "Material Details" of the current volume of the "Construction and Material Specifications," State of Ohio, Department of Highways. The materials will be referred to by material grade or section number of the same current volume.

The specifications of the municipality shall in all respects govern all construction work. The work



shall be done under municipal supervision and inspection. It shall be completed within the time fixed or agreed upon by the Municipal Engineer.

It shall be the responsibility of the Municipal Engineer to inform the person or persons making improvements, to the effect that, whenever the required improvements are properly made or otherwise secured as hereinafter mentioned, said Engineer will pass upon and recommend to the Planning Commission that said plat, if otherwise conforming to these platting rules and regulations, be approved.

#### 5.5. Utility and Street Improvements:

##### 5.5.1. Water Supply:

5.5.1.1. Public Water Supply. Where public water supply is available as determined by the Commission, developer shall construct a system of water mains and connect with such public water supply and provide a connection for each lot. Any area or subdivision of twenty (20) or more single-family housing units which are not hooked up to public water and sewer must have a central water system and central sewerage system, approved by the Ohio Department of Health and the municipality.

5.5.1.2. Test Wells. Where public water supply is not required by the Ohio Department of Health or Ohio EPA, at least one (1) test well shall be made in the area being platted for each one hundred (100) lots or each twenty-five (25) acres of area, whichever is the smaller. In cases where copies of the logs of existing wells located within the area being platted are available, this may be submitted in lieu of making test wells.

5.5.1.3. Location and Construction of Individual Private Wells. Test wells shall be at least twenty-five (25) feet in depth and shall produce safe potable drinking water at a rate of not less than five (5) gallons per minute per family.

5.5.1.4. A copy of the well log, which shall include the name and address of the well driller, shall be submitted with the plat to the Planning Commission. Individual private wells shall meet the minimum standards of the State and County Board of Health. All abandoned wells shall be sealed in a manner that will render them watertight as prescribed by the County Health Department. In all cases where it has been determined that individual water supplies from private wells are not feasible, a public water distribution system will be required.

5.5.2. Sanitary Sewers. If a subdivision can be reasonably served by the extension of an existing public sanitary sewer, as determined by the Commission, developer shall provide a system of sanitary sewer mains and shall provide lateral connections for each lot. Any area of subdivision of twenty (20) or more housing units must have a central sewerage system, approved by the Ohio Department of Health and accepted by the Village Council. Where a public sanitary sewer is not reasonably accessible, the owner or the developer may provide a package plat for the group, or septic tanks for each lot, provided that such package plants or septic tanks are installed in accordance with state and village or local Board of Health requirements. Whenever main lines are installed, sewer and water shall be extended to property lines. Connections to public sanitary sewer lines shall be subject to the approval of and according to the specifications of the Municipal Engineer.

Eight (8) inch sewer lines will normally be required, but the Planning Commission may at its discretion require larger lines where necessary or desirable, in which case, the excess cost of the larger lines shall be borne by the municipality.



Individual Sewage Disposal Facilities. In the event the installation of individual disposal systems shall be considered, the absorption ability of the soil, surface drainage and topography shall be the criteria for determining whether or not the installation of individual septic tank disposal systems is permissible. Group sewage disposal systems shall meet the requirements of the State Department of Health as prescribed by the laws of Ohio.

- 5.5.3. Drainage. All necessary facilities, including underground pipe, inlets, catch basins or open drainage ditches shall be installed to provide for the adequate disposal of subsurface and surface water and maintenance of natural drainage courses. All storm drainage facilities within the subdivision shall connect to an adequate drainage outlet. A drainage plan shall be submitted simultaneously with the plat of any subdivision, showing the proposed scheme of surface drainage.

All drainage improvements shall be designed and constructed to current ODOT standards; existing downstream drainage structures shall be evaluated as to adequacy and replaced when necessary. If new point drainage sources are created or the amount of drainage is increases, a drainage easement for downstream properties for a length of 500 feet will be required. The best available technology shall be used to minimize off-site storm water runoff. If retention basins or similar measures are necessary and utilized, provision for maintenance shall be the developer's responsibility. Storm water management shall follow the standards established in Water Management and Sediment Control for Urbanized Areas.

- 5.5.3.1. Culverts and Bridges. When natural drainage channels intersect any street right-of-way it shall be the responsibility of the developer to have satisfactory bridges and culverts designed and constructed. Where culverts are required the following requirements shall be observed.

5.5.3.1.1. Where drainage ditches are permitted they must have at least 0.20 of a foot grade per hundred feet, or otherwise approved.

5.5.3.1.2. If the permitted roadway ditch is in excess of two (2) percent, an approved type gutter using concrete, stone, sod or underground drainage must be used, with sufficient inlets spaced so as to keep the volume of water at a low level. All culverts shall extend across the entire right-of-way width of the proposed road. The cover over the culvert and its capacity shall be approved by the Municipal Engineer. The minimum diameter of a culvert pipe shall be twelve (12) inches. Head walls, depending on existing drainage conditions, may be required.

5.5.3.1.3. Driveway culverts shall have a minimum length of twenty (20) feet. Driveway culverts shall be double strength vitrified pipe of equal, with sealed joints having a diameter of not less than twelve (12) inches. When special drainage designs are necessary, such as masonry or concrete structures, etc., such designs in detail must be submitted to the Municipal Engineer for approval in advance of the completion of the construction plans. The driveway culverts shall be laid so as to maintain the flow line of the ditch or gutter. Head walls may be required.

5.5.3.1.4. All trenches for water lines, sewers, utilities, etc., within the pavement or driveway areas shall be backfilled with grit to a point within a minimum of six (6) inches of the sub grade and to a point three (3) feet outside the pavement edge or three (3) feet back of curb, if curb is used.

- 5.5.4. Street Improvements. All streets and thoroughfares shall be graded to their full width,



including side slopes, and improved in accordance with the standards outlined or referred to in these Regulations.

5.5.4.1.1. In certain instances, especially where a commercial area is involved and no off-street parking facilities are provided and no parking is permitted on the street at any time, a parking lane at least eight (8) feet wide on each side of the street and paved to the satisfaction of and in accordance with the specifications approved by the Municipal Engineer may be required in addition to the necessary number of lanes for moving traffic. Where pavement widths greater than those specified above are necessary, provision of same shall be discussed with the public officials having jurisdiction over the planning and construction of public ways to determine whether or not public expenditures for such additional width can or should be made simultaneously with the developer's improvement program. The Planning Commission has the authority to approve streets to be narrower in a cluster development.

5.5.4.2. Sub grade. The sub grade shall be free of sod, vegetation matter or other similar material. Where poor subsurface drainage conditions exist adequate drainage shall be installed. The sub grade shall be rolled with a roller of not less than seven (7) tons in weight. Sub-base grade tolerance shall be not more than one (1) inch in sixteen (16) feet. Sub-base construction shall be subject to the approval of the Municipal Engineer.

5.5.4.3. Street Base and Surface Courses. Local residential streets shall be constructed with one of the following typical sections:

- 5.5.4.3.1. 6" Plain Portland Cement Concrete – ODOT Item 452
- 5.5.4.3.2. 3" Aggregate Base – ODOT Item 304
- 5.5.4.3.3. 1-1/2" Asphalt Concrete Surface Course – ODOT Item 404
- 5.5.4.3.4. 3-1/2" Asphalt Concrete Base Course – ODOT Item 301
- 5.5.4.3.5. Prime Coat at 0.4 gal./sq.yd. – ODOT Item 408
- 5.5.4.3.6. 5" Aggregate Base – ODOT Item 304
- 5.5.4.3.7. 1-1/2" Asphalt Concrete Surface Course – ODOT Item 404
- 5.5.4.3.8. 5" Asphalt Concrete Base Course – ODOT Item 301
- 5.5.4.3.9. Prime Coat at 0.4 gal./sq.yd/ - ODOT Item 408
- 5.5.4.3.10. 3" Aggregate Base – ODOT Item 304

5.5.4.3.11. Pavement design and construction shall be approved by the Municipal Engineer. The above pavement compositions are intended to be typical and may be varied only with the approval of the Municipal Engineer.

5.5.5. Curbs and Gutters. The requirement of curbs or curbs and gutters will vary in accordance with the character of the area and the density of development involved as determined by the Planning Commission. In urban or suburban areas curbs are necessary to control storm water runoff and to clearly define driving and parking areas.

Curbs shall be required on all streets designed to serve areas where the existing or anticipated net residential density of the area surrounding the proposed subdivision equals or exceeds three (3) families per not acre.

Where residential lot frontages are less than eighty-five (85) feet in commercial developments or



where other similar intensive urban uses exist or are anticipated, curbs shall ordinarily be required. The installation of curbs may be required on major highways if such construction is deemed necessary for public safety.

Where curbs exist on abutting properties their extension will ordinarily be required throughout the proposed subdivision. Where curbs are not required adequate gutters shall be graded and protected by seeding or appropriate surfacing.

Curbs shall be combined with gutters built of concrete. Curbs, combined curbs and gutters and graded gutters shall be constructed in conformance with the current Construction and Material Specifications of the Department of Highways, State of Ohio, as they pertain to this type of improvement.

- 5.5.6. Driveways. The maximum grade on driveways shall not exceed ten (10) percent. Driveway pipe shall be concrete pipe except that other than gutter may be extra strength vitrified pipe or equal with minimum diameter of twelve (12) inches and a minimum length of twenty (20) feet. The developer shall place approved drainage structures under intersecting roads, drives, lanes or property entrances and at other locations where required.
- 5.6. Utilities and other Improvements. Electrical service, gas mains and other utilities should be provided within each subdivision. Whenever such facilities are reasonably accessible and available they may be required to be installed within the area as required. Trees may be planted along the streets outside the right-of-way. Telephone, electric power, and street lighting wires, conduits or cables may be required to be constructed underground.
- 5.6.1. Sidewalks. Concrete sidewalks having a minimum width of four (4) feet and having minimum thickness of four (4) inches shall be installed on both sides of all new streets, provided, however, that the Planning Commission may waive this requirement and allow sidewalks along only one side of any new street where in its sole and absolute discretion it determines that sidewalks on both sides of such new street are not necessary. In areas where the predominant lot width is one hundred (100) feet or more, the Planning Commission at its discretion may waive the requirement for any sidewalks.
- 5.6.2. Street Name Signs. Street name signs as well as traffic signs, of a type similar to those in use throughout the municipality, shall be erected by the municipality at all intersections at the cost of the developer.
- 5.6.3. Street Lighting. Plans for street lights shall be submitted to the Municipal Engineer for approval.
- 5.6.4. Trench Backfilling. All trenches for water lines, sewers, utilities, etc., within the pavement or driveway areas shall be backfilled with granular material to a point within a minimum of six (6) inches of the sub grade and to a point three (3) feet outside the pavement edge or three (3) feet back of curb, if curb is used.
- 5.6.5. All electric, telephone and other utility lines shall be buried a minimum of three (3) feet below the finished grade of each lot in the subdivision.
- 5.6.6. All main water lines should be located a minimum of nine (9) feet from the inside of the curb.
- 5.6.7. All sewer lines should be located in the center of the street or thoroughfare servicing each lot in said subdivision.
- 5.6.8. All water, sewers and gas service lines to each lot shall be installed at the same time as the mains are so installed.



- 5.6.9. Provisions for Maintenance and Operation. Where the subdivision contains sewers, sewage treatment plants, water supply systems, park areas, street trees or other physical facilities necessary or desirable for the welfare of the area and which are of common use of benefit and which are of such character that the municipality or other public agency does not desire to maintain them, provisions shall be made by trust agreements, which are a part of the deed restrictions and which are acceptable to the Planning Commission for the proper and continuous maintenance and supervision of such facilities by the lot owners in the subdivisions.
- 5.7. Improvements Bond. The improvements and standards therefore described in Sections 3 and 4 have been adopted by the Council, and no final subdivision shall be approved unless the improvements listed in the sections of these Regulations have been satisfactorily completed prior to such approval and the developer shall file with the Village Administrator a surety bond, cashier's or certified check for the estimated amount of construction cost which shall be approved by the Municipal Engineer, guaranteeing to the municipality that such improvements will be constructed and completed in a satisfactory manner and within a period specified by the Municipal Engineer, but such period shall not exceed one (1) year beyond completion. Said bond or checks shall be approved by the Legal Counsel and shall be made payable to and enforceable by the municipality. Upon satisfactory completion of the improvements and approval of the same in writing by the Municipal Engineer and with the presentation of letters of certification of payment in full of all contractors, subcontractors, suppliers of materials, engineers, surveyors and all inspection fees or other fees incurred by the installation of the improvements by the developer the bonds may be released in writing by the Clerk of the Municipality or the cashier's or certified check may be returned to the developer.
- 5.8. Guidelines for Water and Sewer Lines:
- 5.8.1. All water lines and service lines shall be of a minimum depth of 4-1/2 feet below the finished grade of each street or lot within said subdivision;
  - 5.8.2. sizes of pipe shall be as determined by the Village Administrator of Strasburg;
  - 5.8.3. all pipe shall be Claw ductile pipe, or the equivalent thereof, with two wedges in each joint;
  - 5.8.4. all service lines from the main line to the curb box shall be copper;
  - 5.8.5. corporation stops and curb stops shall be Mueller, or the equivalent thereof;
  - 5.8.6. fire hydrants and valves shall be Eddy hydrants and valves, or the equivalent thereof;
  - 5.8.7. there shall be a valve on each hydrant;
  - 5.8.8. all hydrants shall be break-away pumper hydrants, or the equivalent thereof;
  - 5.8.9. all valve boxes shall be of cast iron;
  - 5.8.10. all taps shall be from 1/2 inch to 2/3 inch from the bottom of each line. No top-tapping will be permitted; (Amended 0-9-84, passed June 5, 1984)
  - 5.8.11. there shall be no tapping on the top of each line;
  - 5.8.12. all main line valves shall be at the end of the street;
  - 5.8.13. all meters in residences and businesses shall be Rockwell magnetic meters with outside meter readers, or the equivalent thereof;
  - 5.8.14. the amount of fire hydrants shall be determined by the Commission, with the advice and consent of the Village Administrator;
  - 5.8.15. sewer line pipe shall be vitrified pipe bell or slip joint, or the equivalent thereof;
  - 5.8.16. all sewer lines shall be air tested for leaks according to specifications;



- 5.8.17. all manholes shall be cement-casted;
- 5.8.18. no waste unsuitable for the existing sewer plant shall be discharged into sewer lines;
- 5.8.19. all industries that have, or expect to have, grease waste shall have a grease trap.

## SECTION 6. HILLSIDE DESIGN STANDARDS AND MINIMUM REQUIRED IMPROVEMENTS

- 6.1. General. A hillside area as referred to herein be defined as one with an average slope of fifteen (15) percent or more. These regulations apply to all hillside areas with an added limitation that areas with a slope forty (40) percent or greater are considered extremely rugged and development limited to lots of two (2) acres or more, and require the approval of the Planning Commission.
- 6.2. Determination of Average Slope. The average slope for any hillside development shall be determined by the Planning Commission during the time of preliminary subdivision design. Determination will be on an area-by-area basis with each lot sized according to the average topographic change falling within each area.
- 6.3. Minimum Lot Regulations per Family. The minimum lot regulations per family (graph on following page) shall be used to determine minimum lot area in thousand square feet once the average percent of slope is determined by the Planning commission. Example for the use of this table is for a lot whose natural ground slope is eighteen (18) percent, the indicated lot area is twelve thousand (12,000) square feet, and the indicated average width is eighty-five (85) feet. Rounding should be made to the nearest five-foot (5') intervals.
- 6.4. Minimum Slope Regulations Requirements

Percent of Slope Pavement	Set-back	Side Yard	Straight Curb and Gutter	Type of Walkway	Streets R/W (one side only)
Group 1 31%-over	20'	10% of lot width	Yes	3' Graded area	40' 20'
Group 2 27%-30%	25'	10% of lot width	Yes	3' Graded area	40' 20'
Group 3 15%-26%	25'	10% of lot width	Yes	Walkway on uphill side	50' 24'

- 6.5. Grading Plan. - Grading Plan shall show contour lines at five-foot (5') intervals where average slopes exceed fifteen (15) percent and at two-foot (2') intervals where the average slope is less than fifteen (15) percent. Elevations are to be based on sea level datum (USGS), if available. Datum for contours shall be indicated on the map.
- 6.6. Grading Controls. The approximate lot layout and the approximate dimensions shall be shown for each lot and each building site. Where pads are utilized or proposed for building sites, engineering data shall show the existing topography and the approximate finish grades, location and size of each building site and finish grades of streets prior to consideration of the final record of survey map.
- 6.7. Cuts and Fills. No land shall be graded, cut or filled so as to create a slope exceeding a vertical rise of one (1) foot for each two (2) feet or horizontal distance between abutting lots, unless a retaining wall

of sufficient height and thickness is provided to retain the graded bank.

Major cuts, excavation, grading and filling, where the same materially changes the site and its relationship with surrounding areas or materially affects such areas, shall not be permitted if such excavation, grading, and filling will result in a slope exceeding a vertical rise of one (1) foot for each two (2) feet of horizontal distance between abutting lots or between adjoining tracts of land, except where adequate provision is made to prevent slides and erosion by cribbing and retaining walls.

- 6.8. Compaction of Fill. All fill shall be compacted to a density of ninety (90) percent or greater. Inspection of fill shall be done by the Municipal Engineer.

6.9. Streets

- 6.9.1. Design and Arrangement. Excessive rights-of-way may be avoided to encourage aesthetics in road design and to avoid wide streets from destroying trees and natural land formations.

- 6.9.2. Street Type and Width. The minimum right-of-way width for minor streets may be forty (40) feet in class 1 and 2; and fifty (50) feet in class 3, respectively.

- 6.9.2.1.1. The Planning Commission reserves the right to require a greater width for local streets. The minimum width of local streets serving multiple dwellings shall be sixty (60) feet, and the pavement width shall be thirty-six (36) feet.

6.9.3. Alignment:

- 6.9.3.1. Vertical profile grades shall be connected by vertical curves up to twenty (20) percent, but only for short, straight stretches.

- 6.9.3.2. Minimum horizontal. The radii of centerline curvatures shall be no less than seventy-five (75) feet.

- 6.9.3.3. Visibility Requirement. Waiver of visibility requirements (Section 4.3.2) shall be given subject to the approval of the Planning Commission.

- 6.9.3.4. Street Grades. Waiver of vertical curve requirements (Section 4.3.1) shall be given subject to the approval of the Planning Commission.

- 6.10. Building Lines and Easements. Where the subdivision areas are to be used for residential purposes the building line shall be established according to the following table.

Minimum Building Setbacks

Group 1	20 feet from the right-of-way
Group 2	25 feet from the right-of-way
Group 3	25 feet from the right-of-way

- 6.11. Lots. Eighty (80) percent or more of the lots in any given subdivision shall conform to the minimum required lot area. The average size of all lots will conform to the minimum lot regulations. Lot area in thousands of square feet shall be determined by charting the average natural ground slope on the minimum regulation per family. Rounding should be made to the nearest five-foot (5') of frontage interval.

- 6.12. Undevelopable Land. Land subject to flooding, land with excessive slope, and land deemed by the Planning Commission to be undesirable for development shall not be platted for residential occupancy, nor for such other uses as may involve danger to health, life, or property or to aggravate the erosion or flood hazard. Such land shall be set aside for compatible uses.

- 6.13. Utility and Street Improvement.



- 6.13.1. Sewage Disposal. Where public sewers are not available and where private sewage disposal systems will be utilized, the results of a percolation test shall be submitted in accordance with the recommendation of the County Health Officer.
- 6.13.2. Street Improvements.
- 6.13.2.1. Width of pavement. The minimum pavement width for minor streets may be twenty (20) feet in group 1; twenty-two (22) feet in class 2; twenty-four (24) feet in class 3 type subdivision areas.
- 6.13.2.2. Curbs and Gutters. Curbs shall be required on all streets designed to serve residential areas. Curbs shall be combined with gutters and be the straight side variety and shall have a radius of twenty (20) feet to width of property line.
- 6.13.2.3. Driveways. The maximum grade on driveways shall not exceed ten (10) percent. Each drive shall provide sufficient space and distance to turn around prior to entering the street.
- 6.13.3. Sidewalks. Concrete sidewalks having a minimum width of four (4) feet and having a minimum thickness of four (4) inches shall be installed along the uphill side of group 3 (15-26 percent) subdivisions.
- 6.13.3.1.1. All subdivisions with an average natural ground slope of twenty-seven (27) percent and over shall provide a three-foot (3') graded area on the uphill side of the right-of-way.
- 6.13.4. Retaining Walls. Retaining walls may be required wherever topographic conditions warrant or where necessary to retain fill or cut slopes within the right-of-way. Such improvements shall require the approval of the Municipal Engineer.

## 7. SECTION 7. ENFORCEMENT

- 7.1. Recording of Plat. No plat of any subdivision shall be entitled to record in the Office of the Recorder of the Village or have any validity until it shall have been approved in the manner prescribed herein. In the event any such unapproved plat is recorded, it shall be considered invalid, and the Commission shall institute proceedings to have the plat stricken from the records of Tuscarawas County, State of Ohio.
- 7.2. Revision of Plat after Approval. No changes, erasures, modification or revisions shall be made in any plat of a subdivision after approval has been given by the Commission, and endorsed in writing on the plat, unless the said plat is first resubmitted to the Commission.
- 7.3. Fees.

Number of Lots in Plat	Amount of Fee
2-5	\$ 55.00
6-10	75.00
11-15	85.00
16-20	95.00
21-25	105.00
26-30	115.00
31-35	125.00

36 and over

150.00 plus \$5.00 for each lot in excess of 35

At the time of submitting a preliminary plan the developer shall pay a filing fee, and the amount of such fee shall be determined from the schedule as follows:

7.3.1. The filing fee shall be paid in legal tender or by check or money order made payable to the municipality.

7.3.2. In the event that a plat is disapproved by the Planning Commission before any physical inspection has been made of the site, the Commission may, at its discretion, order that the developer be refunded the fee paid to the municipality.

7.3.3. In addition to the above filing fee, the developer shall be charged a fee by the municipality for the cost of all determinations and inspections of all improvements, including water and sewer line inspection costs. The developer shall be responsible for the cost of any inspector deemed necessary and chosen by the Village Administrator.

7.4. Sale of Land in Subdivision. No owner or agent of the owner of any land located within a subdivision shall transfer; sell, agree to sell any land by reference to, exhibition of or by the use of a plan or plat of a subdivision before such plan or plat has been approved and recorded in the manner prescribed herein. Any sale or transfer contrary to the provision of this section is void. The description of such lot or parcel by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from the provisions of these Regulations.

#### 7.5. Permits

7.5.1. Building or repair permits shall not be issued for any structure on a lot in a subdivision for which a plat has not been approved and recorded in the manner prescribed herein.

7.5.2. No owner or agent of the owner of any land shall be entitled to a permit for the installation of wells and septic tanks upon any lots in a subdivision for which a plat has not been approved and recorded in the manner prescribed herein.

#### 7.6. Penalties

7.6.1. Whoever violates any rule or regulation adopted by the legislative authority of the municipality for the purpose of setting standards and requiring and securing the construction of improvements with a subdivision or fails to comply with any order pursuant thereto shall forfeit and pay not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1000.00). Such sum may be recovered with costs in a civil action brought in the Court of Common Pleas of the county in which the land lies relative to which such violation occurred, by legal representative of the municipality or county, in the name of such municipality or county and for the use thereof. (Ohio Revised Code 711.102.)

7.6.2. A county recorder who records a plat contrary to the provisions of these Regulations shall forfeit and pay not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), to be recovered with the costs in a civil action by the Prosecuting Attorney in the name and for use of the county. (Ohio Revised Code 711.12.)

7.6.3. Whoever, being the owner or agent of the owner of any land within or without a municipal corporation, transfers any lot, parcel or tract of such land from or in accordance with a plat of a subdivision before such plat has been recorded in the office of the County Recorder, shall forfeit any pay the sum of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each lot, parcel or tract of land so sold. The description of such lot, parcel, or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the



forfeiture provided in this section. (Ohio Revised Code 711.13.)

- 7.6.4. Any person who disposes of, offers for sale or leases for a time exceeding five (5) years any lot or any part of a lot in a subdivision before provisions of these Regulations are complied with shall forfeit and pay the sum of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each lot or part of a lot so sold, offered for sale or lease, to be recovered with costs in a civil action. (Ohio Revised Code 711.15.)
- 7.6.5. Any person who believes he/she has been aggrieved by these regulations or the action of the Planning Commission has all the rights of appeal as set forth in Chapter 711 of the Revised Code or any other applicable section of the Revised Code.
- 7.7. Validity. If any section, subsection, sentence, clause or phrase of these regulations is for any reason held to be unconstitutional or void, such decisions shall not affect the validity of the remaining portions of these Regulations.

## **8. SECTION 8. VARIANCES**

- 8.1. Hardship. Whenever the tract to be subdivided is of such unusual size or shape, or is surrounded by such development or unusual conditions that the strict application of the requirements of these Regulations would result in real difficulties, substantial hardship, or injustice, the Planning Commission may vary or modify these Regulations so that the developer may subdivide his property in a reasonable manner; but, at the same time, the public welfare and interest of the municipality and the surrounding area are thoroughly protected and the general intent and spirit of these Regulations are enforced.
- 8.2. Large Scale Development. The standards and requirements of these Regulations may be modified by the Planning Commission in the case of a plan or program for a new town, a complete community, or a neighborhood unit, which in the judgment of the Planning Commission provides adequate public space and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the plan.
- 8.3. Conditions. In granting variances and modifications, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.
- 8.4. Lot Designs. When the square foot requirements provided by the Strasburg Subdivision Regulations and Strasburg Zoning Ordinance are met, and the lots under consideration provide satisfactory building sites, innovative lot designs may be approved for lot splits by the Planning Commission. However, in no case shall the front set-backs for said lot be less than that specified in either the Subdivision Regulations or the Zoning Ordinances of the Village of Strasburg, and it is specifically understood that all proposed lots must meet or exceed the lot width for their zoning district at the minimum building set-back line required in that zoning district by the provisions of either the Strasburg Subdivision Regulations or the Strasburg Zoning Ordinance.

## **SECTION 9. ADOPTION**

These subdivision regulations for Strasburg, Ohio are hereby passed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.