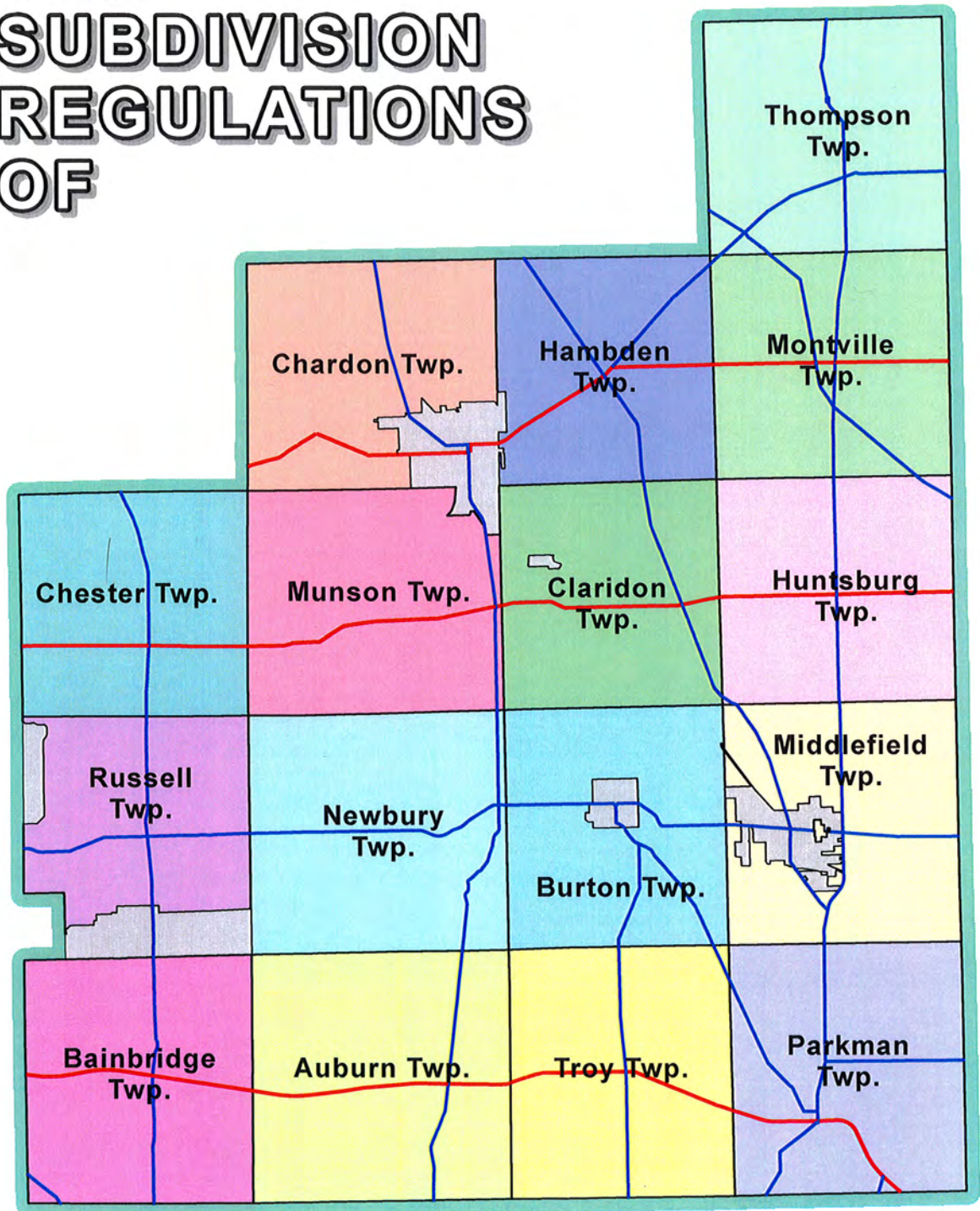


THE SUBDIVISION REGULATIONS OF



GEAUGA COUNTY, OHIO

\$9.00 PER COPY

TITLE: The Subdivision Regulations of Geauga County, Ohio
As Amended to March 31, 2010

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ACKNOWLEDGEMENTS

We wish to acknowledge the helpful comments and suggestions made by the following county offices in the preparation of this document:

Board of County Commissioners

County Engineer

County Water Resources Department

County Prosecutor

County General Health District

Replacement Page 7/13/07

**RESOLUTION ADOPTING AN AMENDMENT TO THE
SUBDIVISION REGULATIONS OF GEAUGA COUNTY, OHIO**

WHEREAS, section 711.10 of the Ohio Revised Code authorizes the County Planning Commission to adopt general rules, of uniform application, governing plats and subdivisions of land falling within its jurisdiction, to secure and provide for the proper arrangement of streets or other highways in relation to existing or planned streets or highways or to the county or regional plan, for adequate and convenient open spaces for traffic, utilities, access of fire fighting apparatus, recreation, light, air, and for the avoidance of congestion of population; and to provide for the modification thereof by the Planning Commission in specific cases where unusual topographical and other exceptional conditions require such modification; and

WHEREAS, such rules shall be known as "The Subdivision Regulations of Geauga County, Ohio"; and

WHEREAS, said regulations provide for the administration thereof and define the powers and duties of the administrative officers; and

WHEREAS, said regulations prescribe the penalties for the violation thereof; and

WHEREAS, said regulations are for the purpose of promoting the public health, safety, comfort, convenience, and general welfare; and

WHEREAS, on the 12th day of January, 2010 the Geauga County Planning Commission held a public hearing to consider an amendment to the County Subdivision Regulations pursuant to section 711.10 of the Ohio Revised Code;

NOW THEREFORE, BE IT RESOLVED this 12th day of January, 2010 by the Planning Commission of the County of Geauga, State of Ohio that an amendment to the Subdivision Regulations of Geauga County, Ohio marked Exhibit "B" and attached hereto and incorporated herein as fully rewritten be and is hereby adopted and approved.

Mr. Huntsberger moved the adoption of the foregoing resolution, which motion was seconded by Mrs. Hrabak.

Upon the roll being called, the vote of the members of the Planning Commission was as follows:

<u>Member</u>	<u>Aye or Nay</u>
	<u>Aye</u>
	<u>Aye</u>
	<u>Aye</u>
	<u>Aye</u>
<u>James Schafer</u>	<u>Absent</u>
<u>Charles Lausin</u>	<u>Absent</u>
<u>Tracy Engle</u>	<u>Absent</u>
<u>William Young</u>	<u>Absent</u>

Attested to by: Margaret Muehling Chairman
Margaret Muehling

Date: January 12, 2010

Replacement Page 3/31/10

Board of County Commissioners, Geauga County, Ohio

Date: March 4, 2010
Resolution: 10-032

**RESOLUTION ADOPTING AN AMENDMENT
TO THE
SUBDIVISION REGULATIONS
OF
GEAUGA COUNTY, OHIO**

WHEREAS, on the 13TH Day of January, 2010 the Board of County Commissioners of Geauga County, Ohio received an amendment to the Subdivision Regulations of said county from the County Planning Commission; and

WHEREAS, on the 4th day of March, 2010 the Board of County Commissioners held a public hearing to consider said amendment pursuant to chapter 711 of the Ohio Revised Code; and

NOW THEREFORE, BE IT RESOLVED this 4th day of March, 2010 by the Board of County Commissioners of the County of Geauga, State of Ohio that an amendment to the Subdivision Regulations of Geauga County, Ohio marked exhibit "A" and attached hereto and incorporated herein as fully rewritten be and is hereby adopted and approved.

Voting thereon:

Vote:



William S. Young

yes



Tracy A. Jemison

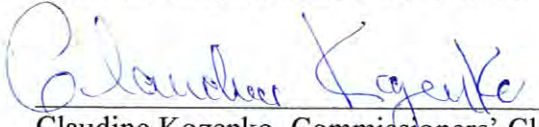
yes



Mary E. Samide

yes

I, Claudine Kozenko, Clerk to the Board of County Commissioners, Geauga County, Ohio certify that the foregoing is a true and correct copy of a resolution adopted at a legally convened Board meeting held on March 4, 2010.



Claudine Kozenko, Commissioners' Clerk

**CERTIFICATION OF AMENDMENT TO THE
SUBDIVISION REGULATIONS OF GEAUGA COUNTY, OHIO
TO COUNTY RECORDER**

Pursuant to section 711.10 of the Ohio Revised Code, the undersigned does hereby certify that the attached document marked Exhibit "A" represents an amendment to the Subdivision Regulations of Geauga County, Ohio as adopted and approved by the Geauga County Planning Commission on January 12, 2010 and the Geauga County Board of Commissioners on March 4, 2010.

By: Margaret Muehlenberg
Chairman
Gauga County Planning Commission

Date: March 31, 2010

Received and filed for record this 31st day of March, 2010 at 8:04 AM

By: Sharon C. Gingerich ^{cm}
Sharon C. Gingerich, Geauga County Recorder

Replacement Page 3/31/10

TABLE OF CONTENTS

ARTICLE I:	GENERAL PROVISIONS	I-1
Section 100:	Title.....	I-1
Section 101:	Administration.....	I-1
Section 102:	Jurisdiction.....	I-1
Section 103:	Policies.....	I-1
ARTICLE II:	DEFINITIONS	II-1
Section 200:	Interpretation of Terms and Words.....	II-1
Section 201:	Words and Terms Defined.....	II-1
ARTICLE III:	PROCEDURE FOR SUBDIVISION REVIEW	III-1
Section 300:	Classification of Subdivisions.....	III-1
Section 301:	Procedure for Review of Minor Subdivisions.....	III-1
Section 302:	Action by Planning Director on Minor Subdivisions.....	III-3
Section 303:	Review Fee for Minor Subdivisions.....	III-3
Section 304:	Procedure for Review of Major Subdivisions.....	III-3
Section 305:	Procedure for Review of Large Lot Subdivisions.....	III-12
Section 306:	Action by Planning Director on Large Lot Subdivisions.....	III-14
Section 307:	Review Fee for Large Lot Subdivisions.....	III-15
Section 308:	Exemptions from Large Lot Subdivision Regulations.....	III-15
Section 309:	Divisions of Land Not Classified as Subdivisions.....	III-15
Section 310:	Action by Planning Director on Divisions of Land Not Classified as Subdivisions.....	III-16
Section 311:	Consolidation of Lots.....	III-17
Section 312:	Recording of Instrument of Conveyance.....	III-18
ARTICLE IV:	SPECIFICATIONS FOR REQUIRED PRELIMINARY PLAN AND FINAL PLAT SUBMISSIONS	IV-1
Section 400:	Purpose.....	IV-1
Section 401:	Required Preliminary Plan Contents.....	IV-1
Section 402:	Required Final Plat Contents.....	IV-5
ARTICLE V:	GENERAL SUBDIVISION DESIGN CRITERIA	V-1
Section 500:	Purpose.....	V-1
Section 501:	Roads.....	V-1
Section 502:	Design of Lots.....	V-5
Section 503:	Standards for Utility Easements.....	V-7
Section 504:	Central Sanitary Sewer and/or Water Improvements.....	V-8
Section 505:	Review of Easements.....	V-8
ARTICLE VI:	ADMINISTRATIVE PROVISIONS	VI-1
Section 600:	Authority.....	VI-1
Section 601:	Recording of Plat.....	VI-1
Section 602:	Sale of Land in Subdivisions.....	VI-1
Section 603:	Penalties.....	VI-1
Section 604:	Appeals.....	VI-1
Section 605:	Variances.....	VI-1
Section 606:	Revision of Plan or Plat.....	VI-5
Section 607:	Fees.....	VI-5
Section 608:	Amendments.....	VI-8
Section 609:	Effective Date.....	VI-8
Section 610:	Severability.....	VI-8
Section 611:	Regulations Declared to be Minimum Requirements.....	VI-8
Section 612:	Specific Regulations Prevails Over General.....	VI-8
Section 613:	Irreconcilable Amendments.....	VI-8
APPENDIX:	FORMS AND FLOW CHARTS	A-1

ARTICLE I: GENERAL PROVISIONS

Section 100: Title

This resolution shall be known and may be cited and referred to as "The Subdivision Regulations of Geauga County, Ohio" and may also be hereinafter referred to as "these regulations."

Section 101: Administration

These regulations shall be administered by the Geauga County Planning Commission and its staff.

Section 102: Jurisdiction

These regulations shall be applicable to all of the land within the unincorporated area of Geauga County, Ohio.

Section 103: Policies

- A. These regulations are established in order to guide the planning, subdivision, and improvement of land and to provide procedures by which the planning commission and its staff shall administer these regulations in order to promote and protect the public health, safety, and general welfare, and to provide the following:
 - 1. All proposed divisions of real property should be so designed and of such size as to be in harmony with the development pattern of the area in which located and compatible with existing soil conditions and the availability and feasibility of sewage facilities and water resources.
 - 2. Proposed streets and roads:
 - a. Should comprise a convenient and efficient system and traffic circulation pattern in conformity with the Geauga County Thoroughfare Plan and these regulations; and
 - b. Should be properly related to any comprehensive or land use plans for the area in which located; and
 - c. Should be of such width, grade, construction, and location as to accommodate the prospective traffic generated and to facilitate access by police, safety, and firefighting apparatus.
 - 3. Proper provisions should be made for drainage, water supply, sewage disposal, public utilities, and other improvements.
 - 4. Consideration should be given to the preservation of historical sites, archaeological sites, wetlands, flood plains, and water courses.
 - 5. Earth-disturbing activities should be managed in such a way that there is a minimum of erosion and sedimentation.

6. Subdivision plats shall be accurately surveyed and prepared by a registered surveyor.
7. Pursuant to 44 CFR 60.3 (d)(3), within the adopted regulatory flood plain, encroachments, including fill, new construction, substantial improvements, and other development that would result in any increase in flood levels within the unincorporated areas of the county during the occurrence of the base flood discharge, should be discouraged.

ARTICLE II: DEFINITIONS

Section 200: Interpretation of Terms and Words

- A. For the purpose of these regulations, the following rules of interpretation for terms and words shall apply:
1. The word “person” includes an individual, association, organization, partnership, trust, company, corporation, or any other legal entity.
 2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular, unless the context clearly indicates to the contrary.
 3. The word “shall” is a mandatory requirement.
 4. The word “may” is a permissive requirement.
 5. The word “should” is a preferred requirement.
 6. The words “used” or “occupied” include the words intended, designed, or arranged to be used or occupied at a future point in time.
 7. The word “lot” includes the terms plot or parcel.
 8. The word “herein” means in these regulations.
 9. The word “regulations” means these regulations unless specifically indicated as the regulations of another department, agency, or jurisdiction.
 10. A “building” includes a structure and a “building” or “structure” includes any part thereof.
 11. Words, if not specifically defined herein, shall have their ordinary English meanings.

Section 201: Words and Terms Defined

Agriculture: means, pursuant to section 519.02 of the Ohio Revised Code, farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Base Flood: means the flood having a one percent (1%) chance of being equaled or exceeded in any given year. The base flood may also be referred to as the one percent (1%) chance annual flood or one-hundred (100) year flood.

Base (100-Year) Flood Elevation (BFE): means the water surface elevation of the base flood in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in Feet Mean Sea Level (MSL).

Block: means a piece or parcel of land in a major subdivision that is not to be used as a buildable subplot, or is reserved for future development, or is entirely surrounded by public or private roads, railroad rights-of-way, streams, lakes, or other bodies of water or a combination of the aforesaid boundaries.

Building: shall be as defined in the applicable township zoning resolution. If there is no township zoning resolution in effect, "building" shall mean a temporary or permanent structure, other than a mobile home, affixed to or resting on the ground and designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

Building Line: see setback line.

Business Day: means a day of the week excluding Saturday, Sunday, or a legal holiday as defined in section 1.14 of the Ohio Revised Code.

Common Land: means a block of land set aside in a major subdivision or development area created for common usage by residents within the major subdivision or development area and controlled by a private corporation or by an association with restrictions, easements, covenants, or other conditions running with the land.

Comprehensive Land Use or General Plan: means the plan and statement of the planning objectives and recommendations prepared by or for a city, village, township, or county and adopted by it, indicating the general location and extent of desirable future land development, community facilities, capital improvements, and transportation facilities for said city, village, township, or county.

County: means Geauga County, Ohio.

County Auditor: means the Auditor of Geauga County.

County Building Department: means the Building Department of Geauga County.

County Commissioners: means the Board of County Commissioners of Geauga County.

County Engineer: means the County Engineer of Geauga County.

County Department of Health: means the Geauga County General Health District, Department of Health.

County Prosecutor: means the County Prosecutor of Geauga County.

County Recorder: means the County Recorder of Geauga County.

County Sanitary Engineer: means the County Sanitary Engineer of Geauga County.

County Soil and Water Conservation District: means the Soil and Water Conservation District of Geauga County.

Designated Watercourse: means a river or stream within a township that is in conformity with the criteria set forth in these regulations.

Developer or Subdivider: means any person, partnership, firm, syndicate, trust, corporation, or other legal entity commencing proceedings under these regulations to effect the subdivision and improvement of land.

Development: means the subdivision of land with the intent to erect structures thereon.

Development Area: means any contiguous area owned by a developer to be developed in accordance with these regulations.

Driveway: means a privately maintained area having a paved or aggregate surface which provides ingress and/or egress for vehicles from a road to a dwelling, building, structure, parking space or loading/unloading space.

Earth-Disturbing Activity: means any grading, excavating, filling, or other alteration of the earth's surface where natural or man-made ground cover is destroyed and which may result in or contribute to erosion and sediment pollution.

Easement: means the right of a person, government agency, or public utility company to use public or private land owned by another for a specific purpose.

Engineer: means a professional civil engineer authorized to practice engineering by virtue of registration under the statutes of the State of Ohio.

Final Plat: means the final map of a proposed subdivision prepared by a registered surveyor for a developer which is presented to the planning commission for review and action in accordance with these regulations and Chapter 711 of the Ohio Revised Code.

Flood or Flooding: means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of inland waters, and/or
- b. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM): means an official map on which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has delineated the areas of special flood hazard.

Floodplain: means the designated areas shown on the flood insurance rate maps of the county, prepared by the United States Department of Housing and Urban Development and the Federal Emergency Management Agency, which are subject to periodic flooding from a 100 year frequency storm or having a one percent (1%) or greater chance of flooding in any given year. See also "Special Flood Hazard Area."

Home Owners Association: means a non-profit organization operating under a recorded land agreement or declaration of covenants and restrictions through which each lot owner in a subdivision or development is a member and/or each lot is subject to charges for a proportionate share of the expenses for the organization's activities, such as maintenance of common land or roads.

Household Sewage Disposal System: means, pursuant to section 3709.091 of the Ohio Revised Code, any sewage treatment system, or part of such a system for a single family, two-family, or three-family dwelling that receives sewage.

Hydrologic and Hydraulic Engineering Analysis: means an analysis performed by a professional engineer, registered in the state of Ohio, in accordance with standard engineering practices as accepted by the Federal Emergency Management Agency (FEMA), used to determine flood elevations and/or flooding boundaries.

Improvements: means the construction of facilities for roads and placement of iron pins and monuments in accordance with the specifications of the county engineer, the installation of sewer and water facilities in accordance with the county sanitary engineer's specifications, the installation of permanent erosion and stormwater control devices in accordance with the specifications of the Geauga Soil and Water Conservation District, and the extension of public utilities.

Lot: means a parcel of land, including a subplot in a major subdivision, for the purpose of sale, lease, separate use, or ownership either existing or proposed and described on a subdivision plat, survey map, or by metes and bounds on a deed. Such lots shall meet current applicable minimum zoning requirements for use, coverage, area, yards, frontage, width, depth, and open space. Such lots shall have frontage on an existing or proposed public or private road in accordance with the applicable zoning resolution and these regulations.

Lot, Area: means the total horizontal area included within the boundary lines of a lot computed exclusive of any portion of the right-of-way of any public or private road unless otherwise specified by the applicable township zoning resolution.

Lot, Coverage: means the percentage of total lot area that is occupied by the horizontal area of all buildings or structures on a lot.

Lot Line: means the boundary of a lot which separates it from adjoining lots; public land; private land; common, public, or private open space; and public or private roads.

Lot Line, Front (Frontage): means the boundary of a lot which abuts a public or private road. In the case of a corner lot it shall be the shortest dimension on that road or, if the dimensions of a corner lot are equal on both roads, then the front lot line shall be designated by the lot owner.

Lot Line, Rear: means the boundary of a lot which is parallel or within forty-five (45) degrees of being parallel to the front lot line. If the rear lot line forms a point at the rear, then the rear lot line shall be a line ten (10) feet in length within the lot, drawn parallel to and the maximum distance from the front lot line.

Lot Line, Side: means any boundary of a lot which is not a front lot line or is a rear lot line.

Lot, Measurements: a lot shall be measured as follows:

- a. **Depth:** means the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
- b. **Width:** means the distance between straight lines connecting the front and rear lot lines at each side of the lot and measured continuously at all points along said straight lines between the front lot line and the minimum building setback line inclusive, unless otherwise specified by the applicable township zoning resolution or these regulations.

Lot of Record: means a lot under one ownership shown as a separate unit on the last preceding general tax list and duplicate of real and public utility property of the county, and either as a separate lot on a subdivision plat recorded in the office of the county recorder or a lot described by metes and bounds on a deed or instrument or conveyance, the description of which has been so recorded.

Lot, Types: lots shall be classified as follows:

- a. **Corner Lot:** means a lot located at the intersection of two (2) or more roads.
- b. **Double Frontage Lot:** means a lot other than a corner lot with frontage or front lot lines on more than one (1) road. A double frontage lot may also be referred to as a through lot.
- c. **Interior Lot:** means a lot other than a corner lot with only one (1) front lot line on a road.

Major Thoroughfare Plan: means the plan and recommendations prepared and adopted by the county indicating the general location and extent of existing and planned streets, roads, and other transportation facilities for the county. The major thoroughfare plan may be adopted separately or as a part of a comprehensive plan.

Map: means a drawing showing the boundaries of a lot or subdivision, streets, and roads, and other information as required in these regulations.

Monument: means a permanent marker which may be an iron pin and/or a cast iron monument box with an iron pin therein used to define subdivision boundaries, lot lines, street or road intersections and centerlines.

Ordinary High Water Mark: means the point of the bank to which the presence and action of surface water is so continuous as to leave an area marked by erosion, destruction or prevention of woody terrestrial vegetation; a predominance of aquatic vegetation; or other easily recognized characteristic. The ordinary high water mark defines the bed and bank of a watercourse.

Original Tract: means a contiguous quantity of land held in common ownership shown as a unit or as contiguous units on the last preceding general tax list and duplicate of real and public utility property of the county and which has not been platted as of the effective date of the applicable amendment to these regulations, said date being September 30, 2005.

Personal Recreation: means a lot or lots that are devoted exclusively to personal recreational use of a private type and nature that is conducted by the owner(s) of such lot(s) or the individual(s) entitled to exclusive use and possession of such lot(s), without fee or consideration of any kind, excluding any commercial or membership recreational type of use whether or not for fee or profit.

Plan: means a drawing or a proposed design of a development, subdivision or of work to be performed.

Planning Commission: means the Geauga County Planning Commission.

Planning Director: means the chief staff officer of the county planning commission.

Plat: means a map of a tract or parcel of land drawn by a registered surveyor in accordance with these regulations, Ohio Administrative Code Chapter 4733-37, and Chapter 711 of the Ohio Revised Code.

Preliminary Plan: means a map of a proposed subdivision prepared by a registered surveyor in accordance with these regulations, which may include other explanatory exhibits and text, and submitted to the planning commission for its review and comment. Said preliminary plan, if approved or conditionally approved by the planning commission, shall provide the basis for proceeding with the preparation of the final plat of the proposed subdivision.

Private Street or Road: means a street or road, including a new easement of access, subject to platting in accordance with these regulations and held in private ownership for which the state, county, or township shall not assume any maintenance responsibility. The construction of a private street or road shall conform with the rules, standards, and specifications for road improvements adopted by the board of county commissioners pursuant to R.C. 711.101.

Public Street or Road: means a street or road, subject to platting in accordance with these regulations, and dedicated to public use for which the state, county, or township shall assume maintenance responsibility upon completion of the street or road and after acceptance for dedication. The construction of a public street or road shall conform with the rules, standards, and specifications for road improvements adopted by the board of county commissioners pursuant to R.C. 711.101.

Right-of-Way: means all land included within an area dedicated to public use as a road or street, or land reserved as an easement for private use as a road or street for ingress and egress. In addition, a right-of-way may also include within its boundaries drainage facilities, public utilities, sewer lines, water lines, and pavement.

Riparian Area: means naturally vegetated land adjacent to designated watercourses that, if appropriately sized, helps to stabilize streambanks, limit erosion, reduce flood size flows and/or filter and settle out runoff pollutants or performs other functions consistent with the purposes of these regulations.

Riparian Setback: means the real property adjacent to a designated watercourse located within the area defined by the criteria set forth in these regulations.

Setback Line (Building Line): means a line established by the applicable zoning resolution or these regulations parallel to and measured from the front lot line and representing the area in which no building or structure shall be located.

Sketch Plan: means a map of a proposed subdivision prepared in accordance with these regulations, which may include other explanatory exhibits and text, and submitted to the planning commission for its review and comment.

Slope: means the degree of deviation of the earth's surface from the horizontal which is usually expressed in percent or degree.

Special Flood Hazard Area (also known as “Areas of Special Flood Hazard”): means the land in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency on Flood Insurance Rate Maps.

Street or Road: means the entire width between the boundary lines of every way open to the public at large for the purpose of vehicular traffic without distinction, discrimination or restriction. A street or road may be classified as follows:

- a. **Alley:** means a minor street used primarily for vehicular service access to the back or side of properties whose principal frontage is on another street.
- b. **Arterial:** means a street for through traffic, typically carrying heavy traffic volumes and loads, usually on a continuous route.
- c. **Collector:** means a street supplementary to and connecting arterial streets to local streets.

- d. **Cul-de-sac:** means a local street one end of which connects with another street and the other end of which terminates in a vehicular turnaround the construction of which conforms with the rules, regulations, and standard specifications for road improvements adopted by the board of county commissioners pursuant to R.C. 711.101.
- e. **Local:** means a street used primarily for access to residential or other abutting property and to serve local needs.
- f. **Loop:** means a type of local street each end of which terminates at an intersection with the same arterial, collector, or local street.
- g. **Marginal:** means a local or collector street providing access to abutting properties and protection from arterial or collector streets.

Street or Road Line: means the street or road right-of-way line or margin.

Structure: shall be as defined in the applicable township zoning resolution. If there is no township zoning resolution in effect, "structure" shall mean anything constructed or erected that requires location on the ground or is attached to something having location on the ground.

Subdivision: means either of the following:

- a. The division of any parcel of land shown as a unit or as contiguous units on the last preceding general tax list and duplicate of real and public utility property, into two or more parcels, sites, or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the following are exempt:
 - (1) A division or partition of land into parcels of more than twenty (20) acres not involving any new streets or easements of access;
 - (2) The sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites;
 - (3) The division or partition of land into parcels of more than five (5) acres and up to and including twenty (20) acres not involving any new streets or easements of access, provided it is determined pursuant to these regulations that such parcels are to be used only for agricultural or personal recreational purposes.
- b. 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 public or private street or streets, except private streets serving industrial structures, or involving the division or allocation of land as open spaces for common use by owners, occupants, or leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage, or other similar facilities.

Subdivision, Large Lot: notwithstanding anything to the contrary in sections 711.001 to 711.13 of the Ohio Revised Code and pursuant to section 711.133 of said Code, a proposed division of a parcel of land along an existing public street, not involving the opening, widening, or extension of any street or road and involving the establishment of a lot that contains more than five acres and up to and including twenty (20) acres shall be submitted to the planning commission for approval without plat in accordance with these regulations. Provided, however,

that lots containing more than five (5) acres and up to and including twenty (20) acres shall be exempt from the approval requirements contained herein, if it is determined pursuant to these regulations that such lots are to be used only for agricultural or personal recreational purposes.

Subdivision, Major: means any division of real property other than a minor subdivision pursuant to R.C. section 711.131 or a large lot subdivision pursuant to R.C. section 711.133, unless such division is specifically exempted from these regulations, which requires the submission of a plat to the planning commission in accordance with these regulations.

Subdivision, Minor (Lot Split): notwithstanding sections 711.001 to 711.13 of the Ohio Revised Code and pursuant to section 711.131 of said Code, a proposed division of a parcel of land along an existing public street or road, not involving the opening, widening, or extension of any street or road, and involving no more than five (5) lots, any one of which contains five (5) acres or less, from an original tract as that original tract exists on the effective date of the applicable amendment to these regulations shall be submitted to the planning commission for approval without plat in accordance with these regulations.

Surveyor: means a professional surveyor authorized to practice surveying by virtue of registration under the statutes of the State of Ohio.

Utilities: means the facilities, lines, plants, appurtenances, and easements associated with wastewater treatment, water supply, storm water management, telephone service, electric service, natural gas service, and cable television service.

Variance: means a modification of the strict terms of the relevant provisions of these regulations in specific cases where unusual topographical and other exceptional conditions require such modification, where such modification will not be contrary to the public interest, and where owing to conditions peculiar to the property and not the result of any actions of the appellant the enforcement of these regulations would result in an unnecessary and undue hardship.

Watercourse: means any brook, channel, creek, river, or stream having banks, a defined bed, and definite direction of flow, either continuously or intermittently flowing.

Wetlands: means an area of land which is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. For an area to be considered a wetland it must possess hydrophytic vegetation, hydric soils, and wetland hydrology. The U.S. Department of the Army, Corps of Engineers, has jurisdiction over wetlands pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Section 404 of the Clean Water Act requires a U.S. Department of the Army, Corps of Engineers, permit for the discharge of dredged or fill material into waters of the United States, including wetlands. Wetlands may be classified as Category 1, 2 or 3 as defined in Ohio Administrative Code Rule 3745-1-54(C) of the Ohio Environmental Protection Agency.

ARTICLE III: PROCEDURE FOR SUBDIVISION REVIEW

Section 300: Classification of Subdivisions

Upon the submission of a proposed division of property and an application therefor to the planning director or his authorized representative, the director or his authorized representative shall classify the proposed division as a major subdivision, a minor subdivision, a large lot subdivision, or as exempt from the provisions of Section 711.001(B) of the Ohio Revised Code, and shall review it in accordance with these regulations and Chapter 711 of the Ohio Revised Code. No division or subdivision of property shall be conveyed and recorded unless it is in compliance with these regulations.

The planning director, or his authorized representative, shall determine the applicable provisions of these regulations.

Section 301: Procedure for Review of Minor Subdivisions

Whenever approval of a division of real property classified as a minor subdivision is sought by an applicant, the following items shall be submitted to the planning director or his authorized representative and shall be stamped, "Received, Geauga County Planning Commission" and the date affixed thereon. The proposed minor subdivision shall conform with Chapter 4733-37 of the Ohio Administrative Code, captioned "Minimum Standards For Boundary Surveys in the State of Ohio," in all respects including, in particular, the items specified in paragraphs B and C below.

- A. One (1) copy of a completed minor subdivision application signed and dated by the applicant (see appendix form no. 5).
- B. An accurate legal description of the proposed minor subdivision based upon a survey prepared in accordance with Chapter 4733-37 of the Ohio Administrative Code by a professional surveyor registered with the State of Ohio. The distance and bearing of each lot line shall be provided. Distances shall be to the nearest one-hundredth of a foot and bearings to the nearest second. The dimensions of all curves shall include the following information: radius, arc length, tangent, delta, chord, chord bearing, and direction of deflection of the curve. The area in acres shall be provided for the lot. The area in the lot shall be calculated to the third decimal place. The surveyor's name, registration number, and date of survey shall be provided. The legal description shall be initialized or signed and dated by the County Engineer's Tax Map Department bearing the stamp "Survey Plat and Legal Description Approved per R.C. 315.251."
- C. Two (2) copies of a survey map prepared in accordance with Chapter 4733-37 of the Ohio Administrative Code, signed, and dated by a professional surveyor registered with the State of Ohio (including registration number and seal) of the proposed minor subdivision. The surveyor shall certify that he has surveyed the premises and prepared the survey map in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code. In accordance with and in addition to the Ohio Administrative Code requirements, the survey map shall show the following:
 - 1. Scale, north arrow, township, county, state, tract, lot or section number; and current (at the date of survey) owner(s) of record, volume and page number of deed(s) of record, and permanent parcel number(s) for the affected lot and all adjacent lots.

2. All lot boundaries showing the distances, bearings and curve data (if any), and the total area of the lot (in acres) as well as the remainder of the original tract.
 3. All easements with distances and bearings, both existing and proposed, within and/or adjacent to the lot.
 4. All roads identified with distances and bearings, both existing and proposed, within and/or adjacent to the lot.
 5. The location, type, dimensions, and distances to property lines of any existing ponds, buildings or structures on the lot and adjacent thereto including any driveways, parking areas, and/or loading/unloading spaces serving said buildings or structures.
 6. All minimum building setback lines (minimum front yard, side yard, and rear yard) shall be shown with dimensions, including watercourses with any minimum riparian setback line(s), in accordance with current township zoning regulations.
 7. Unless found, iron pins shall be set at all lot corners and angle points or as otherwise may be required.
 8. The location, dimensions and distances from property lines of any existing or proposed household or other on-site sewage treatment system with a citation as to the source of such information.
- D. Written proof of compliance consisting of a copy of an approved lot evaluation form from the County General Health District, Department of Health, that the lot is in compliance with applicable rules governing household sewage treatment systems or such other systems under their jurisdiction; or, if the lot is to be used for multi-family residential (more than 3 units per dwelling) or nonresidential purposes, then Ohio Environmental Protection Agency (EPA) preliminary written acceptance shall be required as proof that the lot is in compliance with applicable state rules governing on-site sewage treatment systems. If the lot is to be used for permanent open space, agriculture, or some other use not requiring an on-site sewage treatment system and the approval of the County General Health District or the acceptance of the Ohio EPA, then the applicant shall submit an affidavit as to the facts pertaining to the use of the lot and the instrument of conveyance shall include a restrictive covenant running with the land specifying the use of the lot. If the lot is to be served by an existing central sanitary sewer line, then written approval by the County Department of Water Resources for a connection to such sewer line shall be provided.
- E. Proof of compliance with any applicable township zoning resolution shall be a prerequisite to action on an application by the planning director or his authorized representative and shall consist of the following statement on the survey map, signed and dated by the township zoning inspector: "This division of land complies with the applicable _____ Township Zoning Resolution. This _____ day of _____, 20____. By: (signature of Township Zoning Inspector), _____ Township Zoning Inspector." If a variance has been granted, then the foregoing statement shall include: "Based upon variance number _____ granted by the board of zoning appeals."
- F. The name(s) of the owner(s), volume and page number(s), permanent parcel number(s), and area in acres of any lot(s) previously divided out of the original tract.

- G. Such other information as may be necessary in order to ensure compliance with the applicable township zoning resolution and these regulations.

Section 302: Action by Planning Director on Minor Subdivisions

If the planning director or his authorized representative finds that a proposed division and the remainder, if any, of the original tract are not contrary to the applicable platting, subdividing, zoning, health, sanitary, or access management regulations or regulations adopted under division (B) (3) of section 307.37 of the Ohio Revised Code regarding existing surface or subsurface drainage, including, but not limited to, rules governing household sewage systems, he shall approve or conditionally approve the proposed division within seven (7) business days after the submission of all of the items specified in Article III, Section 301 and provide the applicant with a written notice of his action. On presentation of an executed instrument of conveyance of the parcel, the legal description of which has been stamped, initialized or signed, and dated by the office of the county engineer "Survey Plat and Legal Description Approved per R.C. 315.251" signifying review and approval of the legal description pursuant to the rules adopted in accordance with R.C. 319.203, the planning director or his authorized representative shall stamp the conveyance "Approved by Geauga County Planning Commission; No Plat Required Under R.C. Section 711.131" and sign and date it. A copy of the approved instrument of conveyance and the survey map shall be transmitted to the applicable township zoning inspector by the planning director.

However, if the planning director, or his authorized representative, does not approve the proposed division then he shall within seven (7) business days after submission of the items specified in Article III, Section 301 notify the applicant in writing, stating that the proposed division has been disapproved and the reasons therefor. A copy of the written notice of disapproval shall be transmitted to the applicable township zoning inspector.

Section 303: Review Fee for Minor Subdivisions

The applicable review fee in accordance with Article VI, Section 607(A) of these regulations shall be collected at the time the application is submitted for a minor subdivision.

Section 304: Procedure for Review of Major Subdivisions

A. Introductory Meeting: Sketch Plan

The developer or his representative is encouraged to voluntarily meet with the planning commission staff prior to the submission of a preliminary plan and a final plat for review. The purpose of the meeting is to informally discuss these regulations and the criteria and standards contained herein, the county thoroughfare plan, applicable township zoning regulations, and other matters relative to the platting process in order to provide direction to the developer or his representative in the preparation of the preliminary plan and the final plat.

The developer or his representative may also voluntarily submit a sketch plan (20 copies) to the planning commission (at least five (5) more copies of the plan shall be required if the subdivision is in two or more townships), legibly drawn and at a suitable scale, with the topography for the site for discussion purposes at a regular meeting. The sketch plan may also be provided in electronic format, either on a compact disc or e-mailed to the planning commission. The preferred digital format is AutoCAD DXF and the coordinate system is State Plane NAD 1983 Ohio North (feet). The sketch plan shall be submitted not less than twenty (20) days prior to a regular planning commission meeting. Notice of the date, time, and location of the meeting at

which the sketch plan is to be considered by the planning commission and copies thereof shall be sent by certified mail, return receipt requested, to those agencies and officials listed under Article III, Section 304, Paragraph D herein by the planning director or his authorized representative within five (5) calendar days after submission of the plan. The meeting shall take place within thirty (30) calendar days after submission of the sketch plan, and no meeting shall be held until at least seven (7) calendar days have passed from the date the notice was sent by the planning director, or his authorized representative.

No review fee shall be imposed for a sketch plan. Following the introductory sketch plan stage, the developer or subdivider may proceed to submit a preliminary plan and a final plat of the proposed subdivision in accordance with these regulations. Said plan and plat should reflect the comments and recommendations offered by the planning commission on the sketch plan.

B. Preliminary Plan and Final Plat Required.

A preliminary plan and a final plat for a major subdivision shall be required and shall be submitted separately for review by the developer or applicant. Provided, however, if only utility easements are being granted or dedicated, then the planning director may determine that no preliminary plan is required.

For land to be subdivided, recorded as one parcel or as contiguous parcels under the same ownership, the developer shall prepare a preliminary plan of the entire parcel of land or contiguous parcels of land under the same ownership for review and consideration by the planning commission.

The approval or conditional approval of a preliminary plan shall be a condition precedent to the submission of a final plat for review in accordance with these regulations, except as otherwise provided herein.

No final plat representing the subdivision of land within the unincorporated area of Geauga County shall be recorded until it is approved by the county planning commission and the final or unconditional approval is endorsed on the plat by the chairman, or in his absence the vice-chairman, of the planning commission. Prior to the time of submission of the final plat and after the approval or conditional approval of the preliminary plan by the planning commission, the developer shall submit the improvement plans (roadway construction drawings, central sanitary sewer drawings, and central water drawings), the individual on-site sewage treatment system site plans and the evaluation conducted for each lot, and the water management and sediment control plan, if required, to the applicable reviewing agencies. Approval of the improvement plans by the board of county commissioners, the individual on-site sewage disposal system site plans and the lot evaluation conducted for each lot by the county general health district indicating that all lots comply with household sewage treatment rules or the Ohio Environmental Protection Agency for non-residential subdivisions with on-site sewage treatment systems proposed for each lot, and the water management and sediment control plan by the Geauga Soil and Water Conservation District shall be a condition precedent to final plat approval by the planning commission. No construction of the improvements (roads, central sanitary sewer, and central water) within a subdivision shall commence until the final plat has been approved by the county planning commission.

C. Required Submissions for a Preliminary Plan

Not less than twenty (20) calendar days prior to the regular planning commission meeting at which the preliminary plan is to be considered the developer or applicant shall submit the following documents to the planning director or his authorized representative during ordinary office hours:

1. One (1) copy of a completed preliminary plan application, signed and dated by the applicant or his authorized representative (see appendix form no. 6).
2. Twenty (20) copies of the preliminary plan. At least five (5) more copies of the plan shall be required if the subdivision is in two or more townships.
3. The preliminary plan review fee as specified in Article VI, Section 607, Paragraph B(1) of these regulations.
4. If a variance from these regulations is requested, one (1) copy of a completed application therefor, signed and dated by the appellant or his authorized representative (see appendix form no. 1). Each variance request shall be on a separate application form. See Section 605 of these regulations for additional information.
5. For the purpose of promoting and protecting public safety and to provide for the proper arrangement of roads in relation to existing or planned roads, the planning commission may require a Traffic Impact Evaluation (TIE) to be prepared by a traffic engineering consultant retained by the developer. A TIE shall be prepared in accordance with the latest version of the Ohio Department of Transportation's "Location and Design Manual" and the "State Highway Access Management Manual" as well as the latest version of "The Standard Specifications and Procedures for the Design and Construction of Subdivision Roads in Geauga County, Ohio" adopted by the board of county commissioners. One copy of the TIE shall be forwarded with the preliminary plan to the county engineer for review and comment.
6. One copy of the detailed soils report for the area included within the subdivision.
7. One copy of the wetlands delineation report for the area included within the subdivision.
8. If the proposed subdivision is within an area of expected low groundwater yields (3 gallons per minute or less) pursuant to the map entitled "Groundwater Resources of Geauga County, Ohio" (Alfred C. Walker, Ohio Department of Natural Resources, 1978) the developer shall submit groundwater availability data to the planning commission to ensure that an adequate water supply exists to serve the subdivision. The data may include, for example, test well results from wells drilled within the subdivision, copies of water well logs on file with the county general health district or the Ohio Department of Natural Resources for the affected area, or a written analysis by a hydrologist or a well driller.
9. The deed(s) of record and the executed purchase option agreement (if applicable) indicating a legal interest by the developer in the real property for the area included within the subdivision.

The planning director, or his authorized representative, shall stamp all of the documents required by this section upon receipt with the following: "Received, Geauga County Planning Commission" and affix the date thereon.

The submission of corrections or modifications to a proposed preliminary subdivision plan as well as any additional information or documentation required by the Geauga County Subdivision Regulations shall be made no later than the Friday prior to a regularly scheduled county planning commission meeting during ordinary office hours. See Article III, Section 304 (E).

D. Submission of Preliminary Plan to Other Agencies and Officials for Review

Within five (5) calendar days after the submission of the preliminary plan for approval, the planning director, or his authorized representative, shall schedule a meeting to consider the plan and send a written notice informing the officials and agencies listed in this section of the submission of the proposed plan and of the date, time, and location of any meeting at which the county planning commission will consider or act upon the proposed plan. The written notice shall be sent certified mail, return receipt requested, to the fiscal officer of the board of township trustees of the township in which the proposed plan is located. The meeting shall take place within thirty-five (35) business days after submission of the preliminary plan, and no meeting shall be held until at least seven (7) calendar days have passed from the date the notice was sent by the planning director, or his authorized representative.

The planning director, or his authorized representative, shall forward one (1) copy of the preliminary plan and the written notice as required by this section to each of the following officials and agencies:

1. Township fiscal officer of the board of township trustees of the township in which the proposed plan is located.
2. Township zoning commission secretary, or if there is no secretary, the chairman of the zoning commission of the township in which the proposed plan is located.
3. Township zoning inspector of the township in which the proposed plan is located.
4. Fire department servicing the township in which the proposed plan is located.
5. County engineer.
6. County sanitary engineer, if central sewage treatment and/or central water supply is proposed.
7. County general health district, if individual on-site sewage treatment systems and/or individual water wells are proposed for residential use; or, the Ohio EPA if multi-family uses (more than 3 units per dwelling) or nonresidential uses are proposed.
8. County prosecutor.
9. Geauga Soil and Water Conservation District.
10. Local board of education for the school district in which the proposed plan is located.
11. All public utility companies.
12. U.S. Department of the Army, Corps of Engineers, if jurisdictional wetlands exist in the subdivision.
13. Ohio Department of Transportation, if the proposed road in the subdivision intersects a state route.

E. Comments by Officials and Agencies on the Preliminary Plan

Comments by officials and agencies that have received a copy of the preliminary plan as provided for in these regulations should be made in writing to the planning director, or his authorized representative, prior to the meeting date of the planning commission at which the preliminary plan is to be considered. If on-site household sewage treatment or other such systems are proposed, the planning commission shall require the Geauga County General Health District, Department of Health, to review and comment in written form on the preliminary plan before the planning commission acts upon it. If the subdivision will include non-residential or multi-family uses (more than 3 units per dwelling) with on-site sewage treatment systems, then the planning commission shall require that the Ohio EPA review and comment in written form on the preliminary plan before the planning commission acts upon it. Additional oral comments may be made at the meeting at which the plan is to be considered. During the twenty (20) day review period specified herein, the planning director, or his authorized representative, shall also review the preliminary plan in accordance with these regulations and may forward any comments to the developer or his representative for consideration prior to the planning commission meeting at which the plan is to be acted upon.

The developer or his representative may make the appropriate corrections or modifications to the preliminary plan prior to the planning commission meeting and resubmit the plan for consideration by the planning commission. A minimum of three (3) corrected or modified copies and an electronic version of the preliminary plan shall be submitted. The preferred digital format is AutoCAD DXF and the coordinate system is State Plane NAD 1983 Ohio North (feet). Additional copies may be requested at the discretion of the planning director. The submission of corrections or modifications to a proposed preliminary subdivision plan as well as any additional information or documentation required by the Geauga County Subdivision Regulations shall be made no later than the Friday prior to a regularly scheduled county planning commission meeting during ordinary office hours. If Friday is a holiday, then said corrected plan or additional information or documentation shall be submitted on the Thursday prior to a regularly scheduled county planning commission meeting during ordinary office hours. Corrections to a proposed plan or additional information or documentation submitted after the day specified herein shall be considered at the regularly scheduled county planning commission meeting for the following month.

F. Action by the Planning Commission on the Preliminary Plan

The approval or conditional approval of the planning commission or the disapproval shall be endorsed on the preliminary plan by the secretary of the planning commission, or in his absence the chairman, within thirty-five (35) business days after the submission of the plan or within such further time as the applying party may agree to in writing; otherwise the preliminary plan is deemed approved, and the certificate of the secretary of the planning commission, or in his absence the chairman, as to the date of submission of the plan for consideration and the failure to take action on it within that time shall be sufficient in lieu of the written endorsement or evidence of approval required by this section.

The planning commission shall not require a person submitting a preliminary plan to alter the plan or any part of it as a condition for approval, as long as the plan is in accordance with the county subdivision regulations in effect at the time the plan was submitted.

The approval, approval with conditions, or reasons for disapproval of any preliminary plan, including citation of or reference to the rule violated by the plan shall be stated upon the record of the planning commission. The approval of the preliminary plan as well as any conditions for approval made by the planning commission to be considered in the preparation of the final plat shall be forwarded in writing by the planning director, under the signature of the secretary of the commission, to the developer or his authorized representative. The disapproval of a preliminary plan as well as the reasons for the disapproval and the rule violated by the plan shall be forwarded in writing by the planning director, under the signature of the secretary of the planning commission, to the developer, or his authorized representative, along with a copy of the plan with the refusal to approve endorsed thereon as provided for in this section.

Within sixty (60) days after the refusal, the person submitting any preliminary plan which the county planning commission refuses to approve may file a petition in the Court of Common Pleas of Geauga County and the proceedings on the petition shall be governed by section 711.09 of the Ohio Revised Code as in the case of the refusal of a planning authority to approve a plat. A board of township trustees is not entitled to appeal a decision of the county planning commission under this section.

G. Effect of Approval of the Preliminary Plan

The approval or conditional approval of a preliminary plan by the planning commission shall neither constitute the approval of the final plat, nor shall the approval or conditional approval of a preliminary plan by the planning commission be an acceptance by the public of the dedication of any street, highway, improvement(s) or other way or open space shown upon the plan.

The purpose of the review and consideration of a preliminary plan is to provide guidance to the developer in the preparation of a final plat in accordance with these regulations.

Approval or conditional approval of the preliminary plan by the planning commission shall not constitute a basis for the approval of a zoning certificate by the township zoning inspector for any lot or lots shown thereon.

H. Required Submissions for a Final Plat

Not less than twenty (20) calendar days prior to the regular planning commission meeting at which the final plat is to be considered the developer or applicant shall submit the following documents to the planning director or his authorized representative during ordinary office hours:

1. One (1) copy of a completed final plat application, signed and dated by the applicant or his authorized representative (see appendix form no. 7).
2. Twenty (20) copies of the final plat. At least five (5) more copies of the plat shall be required if the subdivision is in two or more townships.
3. One (1) copy of any covenants or restrictions, both existing and proposed. If a homeowners' association is formed, proof of its creation shall be provided.
4. One (1) copy of a current title examination on the land included in the subdivision.
5. The final plat review fee as specified in Article VI, Section 607, Paragraph B(2) of these regulations.

6. If a variance from these regulations is requested, one (1) copy of a completed application therefor, signed and dated by the appellant or his authorized representative (see appendix form no. 1).

Each variance request shall be on a separate application form. See Section 605 of these regulations for additional information.

7. A copy of the written confirmation from the Ohio EPA regarding the wetland categorization and a copy of the jurisdictional determination letter from the U.S. Army Corps of Engineers for the subdivision, if applicable.

The planning director, or his authorized representative, shall stamp all of the documents required by this section upon receipt with the following: "Received, Geauga County Planning Commission" and affix the date thereon.

The submission of corrections or modifications to a proposed final subdivision plat as well as any additional information or documentation required by the Geauga County Subdivision Regulations shall be made no later than the Friday prior to a regularly scheduled county planning commission meeting during ordinary office hours. See Article III, Section 304 (J).

I. Submission of Final Plat to Other Agencies and Officials for Review

Within five (5) calendar days after the submission of the final plat for approval, the planning director, or his authorized representative, shall schedule a meeting to consider the plat and send a written notice informing the officials and agencies listed in this section of the submission of the proposed plat and the date, time, and location of any meeting at which the county planning commission will consider or act upon the proposed plat. The written notice shall be sent certified mail, return receipt requested, to the fiscal officer of the board of township trustees of the township in which the proposed plat is located. The meeting shall take place within thirty (30) calendar days after submission of the final plat, and no meeting shall be held until at least seven (7) calendar days have passed from the date the notice was sent by the planning director, or his authorized representative.

The planning director or his authorized representative shall forward copies of the final plat and the written notice as required by this section to the following officials and agencies:

1. Township fiscal officer of the board of township trustees of the township in which the proposed plat is located.
2. Township zoning commission secretary, or if there is no secretary, the chairman of the zoning commission, of the township in which the proposed plat is located.
3. Township zoning inspector of the township in which the proposed plat is located.
4. Fire department servicing the township in which the proposed plat is located.
5. County engineer.
6. County sanitary engineer, if central sewage treatment and/or central water supply is proposed.

7. County general health district, if individual on-site septic systems and/or individual water wells are proposed; or, the Ohio EPA if multi-family uses (more than 3 units per dwelling) or nonresidential uses are proposed.
8. County prosecutor.
9. Geauga Soil and Water Conservation District.
10. Local board of education for the school district in which the proposed plat is located.
11. All public utility companies.
12. U.S. Department of the Army, Corps of Engineers, if jurisdictional wetlands exist in the subdivision.
13. County tax map office.
14. Ohio Department of Transportation, if the proposed road in the subdivision intersects a state route.

J. Comments by Officials and Agencies on the Final Plat

Comments by officials and agencies that have received a copy of the final plat as provided for in these regulations should be made in writing to the planning director, or his authorized representative, prior to the meeting date of the planning commission at which the final plat is to be considered. If on-site household sewage treatment systems are proposed, the planning commission shall require the Geauga County General Health District, Department of Health, to review and approve all of the sublots included in the final plat for the installation of household sewage treatment systems or such other systems under their jurisdiction before the planning commission acts upon it. If the subdivision will include non-residential or multi-family uses (more than 3 units per dwelling) with on-site sewage treatment systems, then the planning commission shall require that the Ohio EPA review, and preliminarily accept in written form, the final plat before the planning commission acts upon it. Additional oral comments may be made at the meeting at which the plat is to be considered. During the twenty (20) day review period specified herein, the planning director, or his authorized representative, shall also review the final plat in accordance with these regulations and may forward any comments to the developer or his representative for consideration prior to the planning commission meeting at which the plat is to be acted upon.

The developer or his representative may make the appropriate corrections or modifications to the final plat prior to the planning commission meeting and resubmit the plat for consideration by the planning commission. A minimum of three (3) corrected or modified copies, the original executed mylar, and electronic version of the final plat shall be submitted. All signatures shall be in permanent black ink on the mylar. The original mylar shall remain in the possession of the planning commission until such time as it is fully executed and ready to be released for recording. The preferred digital format is AutoCAD DXF and the coordinate system is State Plane NAD 1983 Ohio North (feet). Additional copies may be requested at the discretion of the planning director. The submission of corrections or modifications to a proposed final subdivision plat as well as any additional information or documentation required by the Geauga County Subdivision Regulations shall be made no later than the Friday prior to a regularly scheduled county planning commission meeting during ordinary office hours. If Friday is a holiday, then said corrected plat or additional information or documentation shall be submitted on the

Thursday prior to a regularly scheduled county planning commission meeting during ordinary office hours. Corrections to a proposed plat or additional information or documentation submitted after the day specified herein shall be considered at the regularly scheduled county planning commission meeting for the following month.

K. Action by the Planning Commission on the Final Plat

The approval of the planning commission, its final or unconditional approval, or the refusal of the commission to approve shall be endorsed on the final plat by the chairman of the planning commission, or in his absence the vice-chairman, within thirty (30) calendar days after the submission of the plat for approval or within such further time as the applying party may agree to in writing; otherwise the final plat is deemed approved, and the certificate of the chairman of the planning commission, or in his absence the vice-chairman, as to the date of submission of the plat for approval and the failure to take action on it within that time shall be sufficient in lieu of the written endorsement or evidence of approval required by this section. The planning commission may grant conditional approval to a plat by requiring a person submitting the plat to alter the plat or any part of it, within a specified time period after the end of the thirty (30) calendar days, as a condition for final approval. Once all of the conditions have been met within the specified time period, the commission shall cause its final approval to be endorsed on the plat. No plat shall be recorded until it is endorsed, as provided herein, with the commission's final or unconditional approval.

The planning commission shall not require a person submitting a final plat to alter the plat or any part of it, as long as the plat is in accordance with the county subdivision regulations in effect at the time the plat is submitted.

The approval of or grounds of refusal of approval of any final plat, including citation of or reference to the rule violated by the plat shall be stated upon the record of the planning commission. The approval of the plat or the refusal to approve as well as the grounds for refusal and the rule violated by the plat shall be forwarded in writing by the planning director, or his authorized representative, to the developer or his authorized representative along with the original mylar of the plat with the refusal to approve endorsed thereon as provided for in this section.

Within sixty (60) calendar days after the refusal, the person submitting any final plat which the county planning commission refuses to approve may file a petition in the Court of Common Pleas of Geauga County and the proceedings on the petition shall be governed by section 711.09 of the Ohio Revised Code as in the case of the refusal of a planning authority to approve a plat. A board of township trustees is not entitled to appeal a decision of the county planning commission under this section.

L. Effect of Approval of the Final Plat

The approval of the final plat by the planning commission shall not be deemed an acceptance by the public of the dedication of any street, highway, improvement(s) or other way or open space shown upon the plat, until such time as the improvements have been inspected and approved in accordance with the regulations adopted by the board of county commissioners pursuant to section 711.101 of the Ohio Revised Code.

No lots in the subdivision shall be sold or ownership transferred until the final plat of the subdivision has been recorded with the county recorder.

Approval of the final plat by the planning commission shall not constitute a basis for the approval of a zoning certificate by the township zoning inspector for any lot or lots shown thereon.

M. Phasing of Subdivision

At his option, the developer may phase his proposed subdivision.

For land to be subdivided, recorded as one parcel or as contiguous parcels under the same ownership, the developer shall prepare a preliminary plan of the entire parcel of land or contiguous parcels of land under the same ownership for review and consideration by the planning commission. The preliminary plan shall show the boundaries of each phase of the subdivision and the progressive order of each phase. The final plat shall then be submitted in phases (in progressive order) and shall show the boundary of each phase as indicated on the preliminary plan approved by the planning commission. Each phase shall be progressively numbered as shown on the preliminary plan.

As an alternative to the foregoing regulation, the developer may prepare and submit a sketch plan of the entire parcel of land or contiguous parcels of land under the same ownership for review and consideration by the planning commission. The sketch plan shall show the boundaries of each phase of the subdivision and the progressive order of each phase. The preliminary plans and final plats shall be subsequently submitted in phases as depicted on the sketch plan. Each phase shall be progressively numbered and the preliminary plans and final plats shall be submitted in progressive order.

The planning commission may require a modification to the proposed boundaries of a subdivision phase or the phasing sequence proposed by the developer or may permit a modification to the proposed boundaries of a subdivision phase or the phasing sequence upon the request of the developer and the resubmission of the sketch plan or preliminary plan in accordance with these regulations.

The improvements in a subdivision shall be constructed in accordance with the progressive order of each phase as depicted on the sketch plan or preliminary plan approved by the planning commission.

The board of county commissioners shall, upon the recommendation of the county engineer (for roads) and the county water resources department (for central sanitary sewer and/or water facilities), accept the improvements in a subdivision for public use provided the improvements have been constructed in accordance with the progressive order of each phase as shown on the sketch plan or preliminary plan approved by the planning commission.

Each phase of the subdivision shall be recorded with the county recorder in accordance with the progressive order depicted on the sketch plan or preliminary plan accepted by the planning commission.

Section 305: Procedure for Review of Large Lot Subdivisions

Whenever approval of a division of real property classified as a large lot subdivision is sought by an applicant, the following items shall be submitted to the planning director or his authorized representative and shall be stamped, "Received, Geauga County Planning Commission" and the date affixed thereon. The proposed large lot subdivision shall conform with Chapter 4733-37 of the Ohio Administrative Code, captioned "Minimum Standards For Boundary Surveys in the State of Ohio," in all respects including, in particular, the items specified in paragraphs B and C below.

- A. One (1) copy of a completed large lot subdivision application signed and dated by the applicant (see appendix form no. 19).
- B. An accurate legal description of the proposed large lot subdivision based upon a survey prepared in accordance with Chapter 4733-37 of the Ohio Administrative Code by a professional surveyor registered with the State of Ohio. The distance and bearing of each lot line shall be provided. Distances shall be to the nearest one-hundredth of a foot and bearings to the nearest second. The dimensions of all curves shall include the following information: radius, arc length, tangent, delta, chord, chord bearing, and direction of deflection of the curve. The area in acres shall be provided for the lot. The area in the lot shall be calculated to the third decimal place. The surveyor's name, registration number, and date of survey shall be provided. The legal description shall be initialized or signed and dated by the County Engineer's Tax Map Department bearing the stamp "Survey Plat and Legal Description Approved per R.C. 315.251."
- C. Two (2) copies of a survey map prepared in accordance with Chapter 4733-37 of the Ohio Administrative Code, signed, and dated by a professional surveyor registered with the State of Ohio (including registration number and seal) of the proposed large lot subdivision. The surveyor shall certify that he has surveyed the premises and prepared the survey map in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code. In accordance with and in addition to the Ohio Administrative Code requirements, the survey map shall show the following:
 - 1. Scale, north arrow, township, county, state, tract, lot or section number; and current (at the date of survey) owner(s) of record, volume and page number of deed(s) of record, and permanent parcel number(s) for the affected lot and all adjacent lots.
 - 2. All lot boundaries showing the distances, bearings and curve data (if any), and the total area of the lot (in acres) as well as the remainder of the original tract.
 - 3. All easements with distances and bearings, both existing and proposed, within and/or adjacent to the lot.
 - 4. All roads identified with distances and bearings, both existing and proposed, within and/or adjacent to the lot.
 - 5. The location, type, dimensions, and distances to property lines of any existing ponds, buildings or structures on the lot and adjacent thereto including any driveways, parking areas, and/or loading/unloading spaces serving said buildings or structures.
 - 6. All minimum building setback lines (minimum front yard, side yard, and rear yard) shall be shown with dimensions, including watercourses with any minimum riparian setback line(s), in accordance with current township zoning regulations.
 - 7. Unless found, iron pins shall be set at all lot corners and angle points or as otherwise may be required.
 - 8. The location, dimensions and distances from property lines of any existing or proposed household or other on-site sewage treatment system with a citation as to the source of such information.

- D. Written proof of compliance consisting of a copy of an approved lot evaluation form from the County General Health District, Department of Health, that the lot is in compliance with applicable rules governing household sewage treatment systems or such other systems under their jurisdiction; or, if the lot is to be used for multi-family residential (more than 3 units per dwelling) or nonresidential purposes, then Ohio Environmental Protection Agency (EPA) preliminary written acceptance shall be required as proof that the lot is in compliance with applicable state rules governing on-site sewage treatment systems. If the lot is to be used for permanent open space, agriculture, or some other use not requiring an on-site sewage treatment system and the approval of the County General Health District or the acceptance Ohio EPA, then the applicant shall submit an affidavit as to the facts pertaining to the use of the lot and the instrument of conveyance shall include a restrictive covenant running with the land specifying the use of the lot. If the lot is to be served by an existing central sanitary sewer line, then written approval by the County Department of Water Resources for a connection to such sewer line shall be provided.
- E. Proof of compliance with any applicable township zoning resolution shall be a prerequisite to action by the planning director or his authorized representative and shall consist of the following statement on the survey map, signed and dated by the township zoning inspector: "This division of land complies with the applicable _____ Township Zoning Resolution. This _____ day of _____, 20____. By: (signature of Township Zoning Inspector), _____ Township Zoning Inspector." If a variance has been granted, then the foregoing statement shall include: "Based upon variance number _____ granted by the board of zoning appeals."
- F. The name(s) of the owner(s), volume and page number(s), permanent parcel number(s), and area in acres of any lot(s) previously divided out of the original tract.
- G. Such other information as may be necessary in order to ensure compliance with the applicable township zoning resolution and these regulations.

Section 306: Action by Planning Director on Large Lot Subdivisions

If the planning director or his authorized representative finds that a proposed division and the remainder, if any, of the original tract are not contrary to the applicable subdivision, zoning, health, sanitary, or access management regulations, regulations adopted under division (B)(3) of section 307.37 of the Ohio Revised Code regarding existing surface or subsurface drainage, including, but not limited to, rules governing household sewage systems, he shall approve or conditionally approve the proposed division within the following applicable time frame after the submission of all of the items specified in Article III, Section 305 and provide the applicant with a written notice of his action.

Number of Lots

1-6
7-14
15 or more

Up to the Number of Days

7 calendar days
14 calendar days
21 calendar days

On presentation of an executed instrument of conveyance of the parcel, the legal description of which has been stamped, initialized or signed and dated by the office of the county engineer "Survey Plat And Legal Description Approved Per R.C. 315.251" signifying review and approval of the legal description pursuant to the rules adopted in accordance with R.C. 319.203, the planning director or his authorized representative shall stamp the conveyance "Approved by

Geauga County Planning Commission; No Plat Required Under R.C. Section 711.133" and sign and date it. A copy of the approved instrument of conveyance and the survey map shall be transmitted to the applicable township zoning inspector by the planning director.

However, if the planning director, or his authorized representative, does not approve the proposed division then he shall, after submission of the items specified in Article III, Section 305 and within the applicable time frame specified herein, notify the applicant in writing, stating that the proposed division has been disapproved and the reasons therefor. A copy of the written notice of disapproval shall be transmitted to the applicable township zoning inspector.

Section 307: Review Fee for Large Lot Subdivisions

The applicable review fee in accordance with Article VI, Section 607(A) of these regulations shall be collected at the time the application is submitted for a large lot subdivision.

Section 308: Exemptions From Large Lot Subdivision Regulations

- A. Parcels of land to be used only for agricultural or personal recreational purposes as such terms are defined in these regulations shall be exempt from the approval requirements set forth in Article III, Sections 305 and 306. Upon the submission of a completed and executed affidavit (see appendix form no. 20) setting forth the pertinent exemption as it applies to the subject parcel and an executed instrument of conveyance that contains a restrictive covenant running with the land that the parcel described therein shall be used solely for agricultural or personal recreational purposes, the planning director or his authorized representative shall, within seven (7) calendar days, act to authorize the instrument of conveyance to be stamped "No Approval or Plat Required by Geauga County Planning Commission Under R.C. 711.133; For Agricultural Use Only" or "No Approval or Plat Required by Geauga County Planning Commission Under R.C. 711.133; For Personal Recreational Use Only." There shall be no review fee for a parcel reviewed under this section.
- B. Nothing herein excludes, or shall be construed as excluding, parcels that are exempt under this section as being used only for agricultural or personal recreational purposes, from the provisions of these regulations for any future divisions or partitions of those parcels.
- C. When parcels of land that are exempt under this section from the approval requirements specified herein are subsequently to be used for other than agricultural or personal recreational purposes, the planning commission shall first determine that such parcels comply with the regulations adopted herein pertaining to large lot subdivisions.
- D. The planning director or his authorized representative may require such other information as may be necessary to ensure compliance with the applicable township zoning resolution and these regulations with respect to the remainder of the original tract. Such information may include the items set forth in Article III, Section 305 (B), (C), and (D).

Section 309: Divisions of Land Not Classified as Subdivisions

- A. A proposed division of a parcel of land not classified as a subdivision, pursuant to R.C. Section 711.001 (B) and these regulations, shall be reviewed by the planning director, or his authorized representative, prior to its transfer and recording. Said divisions include:

1. A sale or exchange between adjoining lot owners where that sale or exchange does not create additional building sites;
 2. A division of land into parcels of more than 20 acres in size not involving any new streets or easements of access; and
 3. The improvement of one or more parcels of land involving the division or allocation of land for the opening, widening, or extension of private streets serving industrial structures.
- B. The applicant shall submit the following to the planning director, or his authorized representative, and all such items shall be stamped "Received, Geauga County Planning Commission" with the date of submission affixed thereon:
1. One (1) copy of a completed application form signed and dated by the applicant (see appendix form no. 23).
 2. One (1) copy of the legal description as set forth in Article III, Section 301 (B).
 3. Two (2) copies of the survey map and all of the applicable items as set forth in Article III, Section 301 (C) (1-8) and (E).
 4. Such other information as may be necessary in order to ensure compliance with the applicable township zoning resolution and these regulations.

There shall be no fee for the review of the proposed divisions of land under this section.

Section 310: Action by Planning Director on Divisions of Land Not Classified as Subdivisions

- A. If the planning director, or his authorized representative, finds that the proposed division is not classified as a subdivision pursuant to R.C. Section 711.001 (B) and these regulations and the remainder, if any, of the original tract are not contrary to the applicable zoning and subdivision regulations he shall within seven (7) business days after submission of all of the items specified in Article III, Section 309 provide the applicant with a written notice of such finding.
- B. In the case of a division of land involving the sale or exchange of a parcel between adjoining lot owners, where that sale or exchange does not create additional building sites, the grantee's name on the instrument of conveyance shall match the name of the owner of record of the affected adjacent lot.
- C. Upon presentation of an executed instrument of conveyance of the affected parcel, the legal description of which has been stamped, initialized or signed and dated by the office of the county engineer "Survey Plat And Legal Description Approved Per R.C. 315.251" signifying review and approval of the legal description pursuant to the rules adopted in accordance with R.C. 319.203, the planning director, or his authorized representative, shall apply the following appropriate stamp to the instrument of conveyance and sign and date it:
 1. "Reviewed by Geauga County Planning Commission; exempt conveyance per R.C. Section 711.001 (B), division is a sale or exchange between adjoining lot owners and does not create additional building sites. The parcel described herein shall not be used as a separate building site."

2. "Reviewed by Geauga County Planning Commission; exempt conveyance per R.C. Section 711.001 (B), division is a parcel more than 20 acres and does not involve any new streets or easements of access."
3. "Reviewed by Geauga County Planning Commission; exempt conveyance per R.C. Section 711.001 (B), improvement involving the division or allocation of land for the opening, widening, or extension of private streets serving industrial structures."

A copy of the instrument of conveyance and the survey map that has been reviewed shall be transmitted to the applicable township zoning inspector by the planning director.

- D. If the planning director, or his authorized representative, does not find the proposed division to be in compliance with R.C. Section 711.001 (B) and these regulations, then he shall within seven (7) business days after submission of the items specified hereinabove, notify the applicant in writing stating that the proposed division is not in compliance and the reason(s) therefor. A copy of this written notice shall be transmitted to the applicable township zoning inspector.

Section 311: Consolidation of Lots

- A. The planning director, or his authorized representative, may require the consolidation of lots of record as a prerequisite to the approval of a minor subdivision, a large lot subdivision or a division of land not classified as a subdivision submitted for review in order to comply with applicable zoning and subdivision regulations.
- B. The county auditor shall refer a proposed consolidation of lots of record to the county planning commission for review in accordance with these regulations and applicable township zoning regulations prior to recording. Provided, however, if such lots are vacant, then no referral to the planning commission is required. The planning director, or his authorized representative, shall review the proposed consolidation within seven (7) business days after submission of all of the items required herein. If the consolidation is in compliance, the planning director, or his authorized representative, shall complete and stamp the appropriate conveyance description check list form supplied by the county auditor and return it to the auditor along with a copy thereof to the applicable township zoning inspector. If the consolidation is not in compliance, the planning director, or his authorized representative, shall provide the reason(s) therefor on the appropriate conveyance description check list form supplied by the county auditor and return it to the auditor along with a copy thereof to the applicable township zoning inspector. There shall be no fee for the review of proposed consolidations under this section. As a part of the review, the planning director, or his authorized representative, shall require a legal description, a survey map showing all existing buildings and structures, or other supplemental information relating to the proposed consolidation of lots of record in order to ensure compliance with the applicable township zoning resolution and these regulations. The planning director, or his authorized representative, shall also refer the proposed consolidation of lots to the applicable township zoning inspector for review of compliance with the township zoning resolution prior to action thereon. The township zoning inspector shall sign and date the following statement to be shown on the survey map: "This consolidation of lots of record complies with the applicable _____ Township Zoning Resolution. This _____ of _____, 20____. By (signature of Zoning Inspector), _____ Township Zoning Inspector." If a variance has been granted, then the foregoing statement shall include: "Based upon variance number _____ granted by the board of zoning appeals."

Section 312: Recording of Instrument of Conveyance

An approved instrument of conveyance for a minor subdivision, a large lot subdivision, an exempt large lot subdivision, or a division of land not classified as a subdivision shall be recorded with the county recorder's office within ninety (90) days after the date of approval as provided thereon by the county planning director or his authorized representative. Failure to record the instrument of conveyance within said time period shall require resubmission of the appropriate application for review to the planning commission.

ARTICLE IV: SPECIFICATIONS FOR REQUIRED PRELIMINARY PLAN AND FINAL PLAT SUBMISSIONS

Section 400: Purpose

The purpose of this article is to inform the developer, or his authorized representative, of the specific information he must provide in order to permit adequate review and consideration of plans and plats by the planning commission.

Section 401: Required Preliminary Plan Contents

- A. The preliminary plan shall be prepared and legibly drawn by a professional surveyor registered with the state of Ohio. The preliminary plan shall, at a minimum, contain the following information:
1. The plan shall be labeled "preliminary plan."
 2. No minimum sheet size is required. Each sheet shall be numbered (eg. 1 of 2, 2 of 2). If the subdivision is on more than one sheet, match lines and page references shall be provided.
 3. The proposed name of the subdivision, which shall not duplicate the name of any other subdivision already recorded in the county.
 4. Township, county, state, tract, and original lot or section number, permanent parcel number, and deed volume and page in which the subdivision is located.
 5. Scale of 1"=100', or at the option of the applicant, the scale may be larger if the size of the subdivision so warrants.
 6. North arrow and date of plan.
 7. The name, address, and telephone number of the owner and/or developer.
 8. If the subdivision boundary has been surveyed, the name, address, and telephone number of the registered surveyor who surveyed it and prepared the plan. The name, address, and telephone number of the registered surveyor who surveyed the boundary of the subdivision, if different from the surveyor who prepared the plan.
 9. The subdivision boundary dimensions may be based upon a survey of the premises or upon existing deed records, as recorded in the county recorder's office, provided such records are adequate. Certification, signature, and seal of the registered surveyor who surveyed the subdivision and prepared the plan, that the plan represents a boundary survey made by him in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code, that he has prepared the plan, and that the dimensions shown thereon are correct to the best of his knowledge and belief. If the surveyor who surveyed the subdivision did not prepare the plan, then he also should sign the plan and place his seal thereon and certify that he has surveyed the boundary of the subdivision in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code and that the survey is correct to the best of his knowledge and belief. If the subdivision boundary dimensions are from existing deed

records, then the surveyor who prepared the plan shall indicate the same thereon. He shall also state that he has prepared the plan, sign and date the plan, and place his seal thereon.

10. A vicinity map with a north arrow showing the boundaries of the subdivision in relationship to existing roads.
11. A statement outlining the proposed method of sewage disposal and water supply to service the subdivision.
12. A statement outlining the following township zoning requirements in effect at the time the plan is submitted for the township in which the subdivision is located:
 - a. Zoning district;
 - b. Minimum lot area;
 - c. Minimum lot frontage and/or width;
 - d. Minimum front, side, and rear yards.
13. The location and distances to lot lines of any existing and proposed ponds, (including fire protection and stormwater retention ponds or basins), water wells, sewage treatment systems and replacement fields, buildings or structures in the subdivision and within three hundred (300) feet of its boundaries; including any driveways, parking spaces, and/or loading/unloading spaces serving said buildings or structures.
14. The names of all adjacent lot owners with volume and page number of owner's deed and permanent parcel number or the adjacent subdivision name(s) with the plat book volume and page number of the subdivision as recorded with the county recorder.
15. The names of all existing and proposed roads adjacent to or within the subdivision.
16. The location, right-of-way width, and dimensions both at the right-of-way margin and centerline for all existing and proposed roads both adjacent to and within the subdivision. The dimensions may be approximate according to scaled measurements.
17. The purpose, location, width, and dimensions of all existing and proposed easements, including utility and oil and gas easements, both adjacent to and within the subdivision pursuant to existing deed records or other available information. Existing and proposed utility lines; drainage pipe and structures; oil and gas pipelines, wells, and tank batteries; pipe, pipelines, cable, or any other appurtenant structure(s) and the like, whether for public or private use, shall be within specifically delineated easements on the plan. Such easement rights may include the right to install, construct, reconstruct, maintain, and remove such facilities and related appurtenances within said easement as well as the right of ingress and egress. The dimensions of easements may be approximate according to scaled measurements. Any existing blanket easement(s) of record shall be released either on the final plat or by recording a separate instrument for same. Existing easements which interfere with the installation of road or other public improvements may be required to be relocated. (See also section 503 of these regulations).

18. The location, boundaries, owner's name, and volume and page number of the recorded deed and permanent parcel number of any lot(s) not platted and already divided out of the original tract. Such lot(s) shall be labeled "not a part of this subdivision." Such lot(s) shall not be numbered.
19. Existing ground elevations and watercourses in the subdivision and within three hundred (300) feet of its boundaries showing contours at an interval of not more than two (2) feet. The source of information concerning ground elevations shall be provided. At its discretion, the planning commission may request that current ground elevations be provided, if, for example, the affected area has been substantially disturbed by surface mining or other activities which may alter the contours of the ground.
20. The base flood elevation data and the boundary of the special flood hazard area shall be delineated on the plan. The developer is encouraged to place special flood hazard areas in common open space or to delineate an easement generally around such areas and to devise and record covenants and restrictions running with the land to preserve and protect them. If there are no special flood hazard areas in the subdivision pursuant to the Flood Insurance Rate Map(s), then a statement shall be provided on the preliminary plan indicating same. The map number and effective date of the applicable Flood Insurance Rate Map(s) shall be provided. See Article V, Section 502 (E), Floodplain Regulations in Major Subdivisions.
21. The detailed soils in the subdivision shall be identified and the boundaries thereof shall be delineated on the plan. Any wetland area(s) under the purview of the U.S. Army Corps of Engineers and the Ohio EPA shall be identified by category (1, 2, or 3) and the boundaries and acreage thereof shall be shown on the plan based upon a wetlands delineation. The source(s) of information pertaining to detailed soils and wetlands (if any) within the subdivision shall be documented on the plan. Such information pertaining to detailed soils shall be based upon an on-site investigation conducted by a qualified professional soils scientist or professional geotechnical engineer; and, in the case of wetlands, a qualified wetlands professional using current delineation protocol accepted by the U.S. Army Corps of Engineers. If wetlands exist within the subdivision, it shall be the responsibility of the developer to consult with the U.S. Army Corps of Engineers and the Ohio EPA, regarding applicable regulations. In addition, the planning commission shall forward a copy of the plan to the U.S. Army Corps of Engineers. The developer is encouraged to place wetlands in common open space or to delineate an easement generally around such wetlands, to be granted to an entity such as a land trust, and to devise and record covenants and restrictions running with the land to preserve and protect them. If no wetlands exist within the subdivision, a statement on the plan shall be provided indicating same. The developer shall be responsible for following applicable federal and state regulations for wetlands, regardless of the statement on the plan.
22. The boundary lines of the subdivision showing the bearings and dimensions as surveyed by a registered surveyor or pursuant to existing deed records, as recorded in the county recorder's office.
23. The boundary lines of each lot or block in the subdivision with dimensions. The dimensions may be approximate according to scaled measurements.

24. Lots in the subdivision shall be numbered progressively. If the subdivision is phased, lots shall be numbered in progressive order as each phase is submitted. Blocks shall be labeled alphabetically. If the subdivision is phased, blocks shall be labeled in progressive alphabetical order as each phase is submitted.
25. The area in acres shall be given for each lot or block. The area may be rounded to the nearest tenth of an acre.
26. The dimensions and location of the minimum building setback line(s), including any riparian setback line(s), in accordance with the applicable and current township zoning resolution requirements for the township and zoning district in which the subdivision is located.
27. The purpose, location, boundaries, dimensions, and acreage of any blocks used for, including but not limited to, open space areas, recreation areas, common areas, water and sewage treatment sites, storm water retention or detention sites, and any other public or private sites or lots. The dimensions may be approximate according to scaled measurements.
28. A tabulation of the total subdivision data including:
 - a. Area in sublots (in acres).
 - b. Area in existing and proposed road right-of-way(s) (in acres).
 - c. Area in any blocks (in acres).
 - d. Total area in the subdivision (in acres).
 - e. Total length of roads (lineal feet).
 - f. Total number of sublots.
 - g. If two family dwelling units or multiple family dwelling units are proposed, a statement regarding the number of buildings and dwelling units contained therein for each proposed lot and the total number of buildings and dwelling units for the entire subdivision.
29. The planning commission shall require proof of compliance with any applicable zoning resolutions as a basis for the approval of a preliminary plan. Said proof of compliance shall consist of the following statement on the plan, signed and dated by the township zoning inspector at the time of submission of the plan to the planning commission: "This plan complies with the applicable _____ Township Zoning Resolution. This _____ day of _____, 20____. By: _____ (Signature of Township Zoning Inspector), _____ Township Zoning Inspector." If revisions to a preliminary plan are made subsequent to the date that the zoning inspector has signed it, and such revisions affect any of the sublots shown thereon, then the zoning inspector shall re-sign and date the plan. If a variance has been granted, then the foregoing statement shall include: "Based upon variance number _____ granted by the board of zoning appeals."

30. A notation on the plan shall be shown as follows: "This plan is hereby (approved) or (conditionally approved) by the Geauga County Planning Commission this _____ day of _____, 20____. By: _____ (Signature of County Planning Commission Secretary) _____, Secretary, Geauga County Planning Commission."

Section 402: Required Final Plat Contents

- A. The final plat shall be prepared and legibly drawn by a professional surveyor, registered with the state of Ohio, based upon his survey of the premises in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code. The final plat shall be drawn in black ink on mylar and shall contain at a minimum the following information:
1. The sheet size shall be 24 inches x 36 inches with a border of 0.5 of an inch. Each sheet shall be numbered (eg. 1 of 2, 2 of 2). If the subdivision is on more than one sheet, match lines and page references shall be provided.
 2. The proposed name of the subdivision, which shall not duplicate the name of any other subdivision already recorded in the county.
 3. Township, county, state, tract, original lot or section number, permanent parcel number, and deed volume and page in which the subdivision is located.
 4. Scale of 1"=100', or at the option of the applicant, the scale may be larger if the size of the subdivision so warrants.
 5. North arrow and date of plat.
 6. A vicinity map with a north arrow showing the boundaries of the subdivision in relationship to existing roads.
 7. All dimensions, angles, and bearings are to be referred to the nearest established road lines; recognized permanent monuments; township tract, lot, or section lines; and other established control points.
 8. The names of all adjacent lot owners with the volume and page number of each owner's deed and permanent parcel number or the adjacent subdivision name(s) with the plat book volume and page number of the subdivision as recorded with the county recorder.
 9. The road name of each road within the subdivision and those adjacent to its boundaries. See Article V, Section 501 (A).
 10. The location, right-of-way width, bearings, and dimensions of all existing and proposed roads both adjacent to and within the subdivision both at the right-of-way margin and centerline. The bearings shall be to the nearest second and dimensions to the nearest one-hundredth of a foot. The dimensions of all curves shall include the following information: radii, arcs, chords, chord bearings, deltas, and tangents. Any road right-of-way to be dedicated for public use shall be free of any easements, encroachments, liens, mortgages or other encumbrances.

11. The purpose, location, width, bearings and dimensions of all existing and proposed easements, including but not limited to the drainage maintenance district, utility, and oil and gas easements, both adjacent to and within the subdivision. The volume and page number from the County Recorder's office shall be provided for existing easements of record. Proposed easements shall either be granted on the plat and accepted by the appropriate entity or recorded prior to the submission of the final plat. Existing and proposed towers; utility lines; drainage pipe and structures; oil and gas pipelines, wells, and tank batteries; pipe, pipelines, cable, or any other appurtenant structure(s) and the like, whether for public or private use, shall be within specifically delineated easements on the plat. Such easement rights may include the right to install, construct, reconstruct, maintain, and remove such facilities and related appurtenances within said easement as well as the right of ingress and egress. Any existing blanket easement(s) of record shall be released either on the final plat or by recording a separate instrument for same, before the final plat is submitted for approval. Existing easements which interfere with the installation of road or other public improvements may be required to be relocated or extinguished. See also section 503 of these regulations.
12. The location, boundaries, owner's name and volume and page number of the recorded deed and permanent parcel number of any outlot(s) not platted and already divided out of the original tract. Such lot(s) shall be labeled "not a part of this subdivision." Such lot(s) shall not be numbered.
13. The boundary lines of the subdivision showing the bearings and dimensions as surveyed by a registered surveyor. The bearings shall be to the nearest second and dimensions to the nearest one hundredth of a foot. The dimensions of all curves shall include the following information: radii, arcs, chords, chord bearings, central angles, and tangents.
14. The boundary lines of each lot or block in the subdivision with bearings and dimensions. The bearings shall be to the nearest second and dimensions to the nearest one hundredth of a foot. The dimensions of all curves shall include the following information: radii, arcs, chords, chord bearings, central angles, and tangents.
15. Lots in the subdivision shall be numbered progressively. If the subdivision is phased, lots shall be numbered in progressive order as each phase is submitted. Blocks shall be labeled alphabetically. If the subdivision is phased, blocks shall be labeled in progressive alphabetical order as each phase is submitted.
16. The area in acres shall be given for each lot or block. Said areas shall be calculated to the third decimal place.
17. The dimensions and location of the minimum building setback line(s), including any minimum riparian setback line(s), in accordance with the applicable and current township zoning resolution requirements for the township and zoning district in which the subdivision is located.
18. The location and description of all existing monuments and iron pipes or pins found and those set in the subdivision shall be shown. If new, monuments encased in concrete shall be set in place at all subdivision corners, iron pins in boxless monuments shall be set at all appropriate road centerline locations and all road

intersections, and iron pins shall be set at all subplot corners, the termination of curves, and angle points in accordance with the rules, regulations, and standard specifications for road improvements adopted by the board of county commissioners pursuant to R.C. 711.101.

19. The purpose, location, boundaries, bearings and dimensions and acreage of any blocks used for, including but not limited to, open space areas, recreation areas, common areas, water and sewage treatment sites, storm water management facilities, and any other public or private sites or lots. The dimensions shall be to the nearest one-hundredth of a foot and the bearings to the nearest second. Acreages shall be to the third decimal place. Such sites shall be given a block designation on the plat (eg. block "A"). Storm water management facilities, ponds, and fire protection ponds not included within a block or easement shall be identified and shown on the plat with dimensions and the distance to the nearest lot line.
20. The base flood elevation data and the boundary of the special flood hazard area shall be delineated on the plat. The developer is encouraged to place special flood hazard areas in common open space or to delineate an easement generally around such areas and to devise and record covenants and restrictions running with the land to preserve and protect them. See Article V, Section 502 (E), Floodplain Regulations in Major Subdivisions.
21. Any wetland area(s) under the purview of the U.S. Army Corps of Engineers and the Ohio EPA shall be identified by category (1, 2, or 3), if applicable. Boundaries and acreage thereof shall be shown on the plat based upon the wetlands delineation. Pursuant to Article IV, Section 401 (A) (21) of these regulations, if wetlands exist within the subdivision, it shall be the responsibility of the developer to consult with the U.S. Army Corps of Engineers and the Ohio EPA. In addition, the planning commission shall transmit a copy of the final plat to the U.S. Army Corps of Engineers. The developer should place wetlands in common open space or delineate an easement, with its dimensions and area, generally around such wetlands and devise and record covenants and restrictions running with the land to preserve and protect them. The easement should be granted to an entity that will provide ongoing monitoring of the wetlands, such as a land trust. Granting the easement to a homeowners' association is strongly discouraged.
22. A tabulation of the total subdivision data including:
 - a. Area in sublots (in acres).
 - b. Area in existing and proposed road right-of-way(s) (in acres).
 - c. Area in any blocks (in acres).
 - d. Total area in the subdivision (in acres).
 - e. Total length of roads (lineal feet).
 - f. Total number of sublots.

- g. If two family dwelling units or multiple family dwelling units are proposed, a statement regarding the number of buildings and dwelling units contained therein for each proposed lot and the total number of buildings and dwelling units for the entire subdivision.
23. The plat shall be superimposed on a survey of the lands of the dedicators from which such plat is drawn, and shall contain an accurate background drawing of any metes and bounds descriptions of the lands of the dedicators from which such plat is drawn.
24. At the time of submission of the final plat the following certifications shall appear on the plat (see appendix for appropriate language):
- a. Certification, signature, seal, and date by a registered surveyor that he has surveyed the premises and prepared the plat in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code and that the plat is correct to the best of his knowledge and belief. If the surveyor who surveyed the subdivision did not prepare the plat, then he shall also sign the plat and place his seal thereon and certify that he has surveyed the subdivision in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code and the survey is correct to the best of his knowledge and belief. The subdivision boundary and all of the sublots therein shall close within the minimum standards for surveying as set forth in Ohio Administrative Code Chapter 4733-37.
 - b. Notarized certification by the owner of the subdivision, signature, and date that the plat represents his subdivision of land and that he has offered for dedication to public use those roads, improvements, and other areas shown thereon that will be used for public purposes and granted any easement(s) shown on the plat to the appropriate entity. The grantee of any easement shall sign the plat, indicating its acceptance.
 - c. A notarized mortgage release statement (if applicable) by the financial institution that it has released its lien on the roads or other areas shown on the plat to be dedicated to public use. The statement shall be signed and dated by the appropriate official of the financial institution.
 - d. The planning commission shall require proof of compliance with any applicable zoning resolutions as a basis for the approval of a final plat. Said proof of compliance shall consist of the following statement on the final plat, signed and dated by the township zoning inspector, that the plat complies with the applicable township zoning resolution: "This plat complies with the applicable _____ Township Zoning Resolution. This _____ day of _____, 20____. By: (signature of Township Zoning Inspector), _____ Township Zoning Inspector." If a variance has been granted, then the foregoing statement shall include: "Based upon variance number _____ granted by the board of zoning appeals." If revisions to a final plat are made subsequent to the date that the zoning inspector has signed it, and such revisions affect any of the sublots shown thereon, then the zoning inspector shall re-sign and date the plat.
 - e. The planning commission shall require proof of compliance with applicable household sewage treatment rules adopted under section 3718.02 of the Ohio Revised Code by the Geauga County General Health District, Department of

Health. Said proof of compliance shall consist of a statement on the final plat, signed and dated by the county health commissioner, that the plat complies with the applicable household sewage treatment rules. If revisions to a final plat are made subsequent to the date that the county health commissioner has signed it, and such revisions affect any of the sublots shown thereon, then the county health commissioner shall re-sign and date the plat.

25. At the time of submission of the final plat the following notations for approval shall appear on the plat (see appendix for appropriate language):
 - a. For approval of the plat by the chairman of the planning commission.
 - b. For acceptance of the utility easement by all of the public utility companies and the acceptance by the appropriate entity of any other easement(s) granted by the owner of the subdivision and shown on the plat.
 - c. For approval of the plat by the county sanitary engineer (if central sewer and/or water supply facilities are proposed).
 - d. For certification by the county engineer that he has inspected the construction of the road and related improvements on the premises and that the road has been constructed in accordance with the specifications set forth on the approved plat and plans and that the road is in good repair; and, that the plat has been reviewed and meets the minimum standards for boundary surveys codified in Chapter 4733-37 of the Ohio Administrative Code.
 - e. For acceptance of any roads or other improvements for dedication and approval of the plat by the board of county commissioners.
 - f. For approval as to legal form by the county prosecutor.
 - g. For transfer by the county auditor.
 - h. For recording by the county recorder.
26. A notation for the volume and page number assigned by the county recorder for the covenants and restrictions (if any) shall be provided for on the plat.

ARTICLE V: GENERAL SUBDIVISION DESIGN CRITERIA

Section 500: Purpose

The purpose of this article is to provide for general design criteria to be applied on a uniform basis to all subdivisions.

Section 501: Roads

The arrangement, character, extent, width, and location of all roads shall conform to the provisions of these regulations and the county's major thoroughfare plan. Roads shall be established in order to secure and provide for the proper arrangement of streets or other highways in relation to existing or planned streets or highways or to the County General Plan for adequate and convenient open spaces for traffic, utilities, access of fire fighting apparatus, recreation, light, and air, and for the avoidance of congestion of population. The planning commission shall consider the recommendations of the county engineer and the Ohio Department of Transportation as well as the results of a Traffic Impact Evaluation (TIE), if required, when reviewing the design of roads.

A. Road Names

Road names shall not duplicate or be similar to any other existing road names recorded in the county irrespective of the use of the suffix street, road, avenue, boulevard, circle, place, court, lane, and/or drive. If an existing road is to be continued, such continuation shall have the same name as the existing road. The planning commission shall approve all road names.

B. Dedication of Roads to Public Use

The developer shall dedicate to public use all land within the right-of-way of all public roads within a subdivision.

C. Road Design

1. Residential Subdivisions: The road design should encourage appropriate traffic circulation and provide adequate access by fire fighting apparatus and emergency vehicles. Provision shall be made by the developer for continuance of the road pattern where required by the planning commission in accordance with these regulations.
2. Commercial Subdivisions: The road pattern within commercial subdivisions should be planned to connect with arterial or collector roads so as not to generate traffic on local roads or near residential areas. Roads from commercial subdivisions should intersect arterial or collector roads so as to cause the least possible interference with traffic movement on such roads.
3. Industrial Subdivisions: The road pattern within industrial subdivisions should be planned to connect with arterial or collector roads so as not to generate traffic on local roads. Roads from industrial subdivisions should intersect arterial or collector roads so as to cause the least possible interference with traffic movement on such roads. Roads from industrial subdivisions shall not directly connect with local roads within a residential subdivision.

D. Classification of Roads

1. Roads shall be classified as follows:

- a. Arterial Road: means a road as indicated on the Geauga County Thoroughfare Plan Map for through traffic movement, typically carrying heavy traffic volumes, usually on a continuous route. A secondary function is providing access to abutting property.
- b. Collector Road: means a road as indicated on the Geauga County Thoroughfare Plan Map for through traffic movement, which intercepts traffic from intersecting local roads and directs traffic movement to the nearest arterial road, typically carrying medium traffic volumes. A secondary function is providing access to abutting property.
- c. Local Road: means a road as indicated on the Geauga County Thoroughfare Plan Map used primarily for direct access to abutting property and to serve localized needs, typically carrying light traffic volumes.

E. Road Construction Standards

The establishment and construction of all proposed roads within platted subdivisions, whether such roads are public or private, shall conform with the county specifications for road improvements, as set forth in the "Rules, Regulations And Standard Specifications Adopted By The Geauga County Board Of Commissioners For The Construction Of Streets, Curbs, Gutters, Sidewalks, Street Lights, Storm Sewers, And Other Utilities And Facilities," adopted pursuant to R.C. Section 711.101.

F. Future Road Reservation

1. Where the frontage along an existing road is being platted, the planning commission may require that an opening for future road right-of-way purposes, in accordance with the county specifications for road improvements, be reserved for access in order to facilitate future development of the remaining acreage and to avoid landlocking of any parcel of land.
2. If an existing road, a stub or an easement, which has been reserved for road purposes abuts the boundary of a proposed subdivision, a proposed road within such a subdivision shall be extended to connect with the existing road, stub, or easement to form a continuous road pattern. If the planning commission determines that a developer or subdivider must extend or connect such roads, road right-of-way stubs, or easements pursuant to R.C. 711.10 and these regulations, then it shall be the responsibility of said developer or subdivider to construct the improvements therein in accordance with the county road improvement specifications.
3. Developers or subdividers are encouraged to consult with the county engineer concerning the potential widening of an existing road right-of-way, which is contiguous with a proposed subdivision. If, according to the county engineer, the road right-of-way contiguous to the intended subdivision must be widened, such right-of-way shall be identified on the plat in the form of a permanent easement for road purposes with the appropriate dimensions therefor. Said easement shall be offered for dedication (if the existing road is public) on the plat by the developer or subdivider to the appropriate

township board of trustees (in the case of a township road) or to the board of county commissioners (in the case of a county road) or the State of Ohio if the existing road is a state highway. Building setback lines shown on the plat shall be based upon the proposed road right-of-way width and not on the existing road right-of-way width.

G. Construction of Permanent and Temporary Turnarounds

1. The county road improvement specifications adopted pursuant to R.C. Section 711.101 for the construction of permanent and temporary turnarounds within a platted subdivision shall apply.
2. A road within a platted subdivision which terminates at the subdivision boundary without a temporary cul-de-sac in accordance with the county road improvement specifications shall be prohibited, unless such a road serves no more than four (4) sublots and does not exceed seven hundred (700) feet in length and a temporary turnaround easement pursuant to the county road improvement specifications for subdivisions and the recommendation of the county engineer is shown on the plat.
3. A road within a platted subdivision which terminates in a permanent "T" turnaround shall be prohibited.

H. Half Roads

The creation of half roads within a platted subdivision, or a road right-of-way of less than sixty (60) feet in width, shall be prohibited.

I. Alleys

The creation of alleys within a platted subdivision shall be prohibited.

J. Reserve Strips Adjoining Roads

Reserve strips or any division of land designed or intended to prevent access to existing or proposed public roads by adjacent landowners shall be prohibited.

K. Private Roads

A private road may be permitted by the planning commission, however, a private road must be established in accordance with the platting procedure as provided for in these regulations. A proposed division of land involving a new easement of access shall be equivalent to a private road and shall be subject to platting in accordance with these regulations. A new easement of access shall be equivalent to a private road in instances where the purpose, whether immediate or future, is to serve or create a building site. With respect to the construction of a private road, the county specifications for road improvements, adopted pursuant to R.C. 711.101, shall be applied and said road shall be subject to platting in accordance with these regulations.

Language shall be shown on the final plat indicating that an association has been formed to maintain a private road and that the individual lot or unit owners shall acknowledge in their respective deeds that they understand the road is private and no governmental body is responsible for the care and maintenance of the road. [See Appendix of these regulations for appropriate language].

L. Criteria For A Road With A Permanent Cul-de-sac Or No Other Outlet

Within a proposed subdivision subject to platting, the road(s) therein may be terminated in a permanent cul-de-sac and does not have to be extended to the boundary thereof, nor is another outlet necessary, provided the following applicable criteria are met. If one (1) or more roads in the subdivision go to the boundary thereof or connect with another existing road, the criteria herein shall not apply to such roads. The planning commission shall have the final authority to determine if a road shall be extended to the boundary of a subdivision or connect with another existing road.

1. The maximum length of a proposed road, including other stub roads branching therefrom which terminate in permanent cul-de-sacs, shall not exceed the following standards. Road length is to be measured along the centerline of a proposed road from the centerline of the intersecting road right-of-way to the center of the cul-de-sac.

<u>Minimum Lot Size</u>	<u>Minimum Lot Width</u>	<u>Maximum Road Length</u>
Up to 1.9 acres	up to 199 feet	2,640 lineal feet (1/2 mile)
2-3.9 acres	200-299 feet	3,960 lineal feet (3/4 mile)
4 acres and above	300 feet and above	5,280 lineal feet (1 mile)

In the event that the subdivision consists of a Planned Unit Development or some other type of development that does not involve the subdivision of land into sublots, then the maximum length of a proposed road, including other stub roads branching therefrom which terminate in permanent cul-de-sacs, shall be 3,960 lineal feet (3/4 mile).

If there is a mix of lot sizes and frontages within the subdivision, an average thereof shall be taken to determine the applicable maximum road length.

2. The proposed road does not extend into two (2) or more townships.
3. The proposed road does not extend into two (2) or more school districts.
4. The tract of land to be subdivided does not have frontage on two (2) or more existing roads to enable an interconnection of such roads.
5. Severe natural topographic barriers exist (the existing grade is greater than 10 percent) or a designated flood hazard or a wetlands area would be substantially impacted if the proposed road were extended.
6. The proposed subdivision is surrounded by previously platted subdivisions, or the adjacent area has been divided into parcels, with no outlet.
7. The proposed subdivision is residential in nature and abuts an existing or planned industrial area. Interconnecting an industrial road with a residential road is prohibited due to expected traffic flow and conflicting road design standards.
8. The contiguous undeveloped land is held by an entity which will not develop it, including but not limited to: a governmental entity, a public utility or a legally existing private nonprofit conservation organization or a land trust.

9. The proposed subdivision is adjacent to a type of land use which will not be developed or represents an obstacle to development, including but not limited to: a park, a railroad right-of-way, a transmission line easement, a limited access highway, or an airstrip.
10. The proposed road is being offered for dedication and, if extended, would interconnect with an existing private road or vice versa.
11. The area within the proposed subdivision contains a total of forty (40) interior sublots (sublots exclusive of those with frontage along an existing road) or less.
12. The establishment of the proposed road would secure and provide for the proper arrangement of it in relation to existing or planned roads or to the county thoroughfare plan for adequate and convenient open spaces for traffic, utilities, access of fire fighting apparatus, recreation, light, air, and for the avoidance of congestion of population.

M. Criteria For A Road Which Must Extend To The Subdivision Boundary Or Provide Another Outlet

If the applicable criteria set forth in paragraph (L) herein cannot be met, then provision shall be made within a subdivision subject to platting for at least one (1) of the roads therein to extend to the boundary thereof or another outlet to an existing road shall be shown as determined by the planning commission. If the road is extended to the subdivision boundary, it shall be located adjacent to an undeveloped tract of land, or such location as specified by the planning commission, and the alignment of such road shall comply with all of the county road improvement specifications. Further, such road shall terminate in a temporary cul-de-sac or turnaround in accordance with the county road improvement specifications.

N. Road in More Than One Township

A proposed road in a subdivision subject to platting shall not begin in one township and terminate in a permanent or temporary cul-de-sac or turnaround in another township. Another outlet shall be provided.

Section 502: Design of Lots

A. Access to Roads

Each lot, block, or parcel of land whether a minor subdivision, a large lot subdivision or a part of a major subdivision shall have frontage upon a road dedicated to public use or a private road established in accordance with these regulations. The minimum lot frontage shall be in accordance with the applicable zoning resolution. However, if there is no such regulation in effect, then the minimum lot frontage shall be thirty (30) feet and any strip of land serving the lot for ingress/egress shall be: in fee simple, under the same ownership, attached to and a part of the lot, totally unobstructed by any buildings and structures, and consistently a minimum width of thirty (30) feet. Any driveway(s) serving the lot shall be in accordance with the applicable zoning resolution. No driveway shall encroach upon or cross an existing lot line of record or a proposed lot line. Prior to recording, a new easement of access shall be reviewed by the planning commission in accordance with the applicable zoning resolution and these regulations. The planning commission may review the location of existing or proposed driveways on a lot, and may specify the location of such driveways taking into consideration public safety issues, including sight distance and access by firefighting and emergency vehicles. A restrictive covenant running with the affected real property may be required by the planning commission to be recorded by the owner to ensure that a driveway is located or relocated to intersect with the appropriate road right-of-way.

B. Depth of Lots

1. The depth of a lot five acres in area or less shall not be more than five (5) times the width of the lot, subject to any applicable township zoning regulations in effect.
2. For the purposes of this section, the following shall apply:
 - a. For a regularly shaped lot (a square or a rectangle), lot width shall be the distance between straight lines connecting the front and rear lot lines at each side of the lot measured at the front lot line.
 - b. For an irregularly shaped lot (other than a square or a rectangle), lot width shall be the distance between straight lines connecting the front and rear lot lines at each side of the lot measured at the minimum building setback line as specified in the applicable township zoning resolution for the township in which the lot is located.
 - c. For a regularly shaped lot (a square or a rectangle), lot depth shall be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
 - d. For an irregularly shaped lot (other than a square or a rectangle), lot depth shall be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines at the minimum building setback line and the rearmost points of the side lot lines in the rear. The minimum building setback line shall be as specified in the applicable township zoning resolution for the township in which the lot is located.
 - e. In the event that the township has no zoning resolution in effect, then the minimum building setback line shall be a line parallel to and fifty (50) feet in depth from the front lot line for a regularly shaped lot (a square or a rectangle); or, for an irregularly shaped lot (other than a square or a rectangle) the minimum building setback line shall be a line parallel to and fifty (50) feet from the lot line which is parallel with and nearest to the road right-of-way upon which the lot has frontage.

C. Encroachments

No building, structure or part thereof shall encroach upon or straddle an existing lot line of record or a proposed lot line.

D. Rear Lots

A rear lot, also known as a back or flag lot, is a lot located to the rear or back of another lot and connected to an existing road by a fee simple access strip which is a part of said rear lot. A rear lot shall conform with the minimum lot area, frontage, and width requirements for the zoning district in which it is located, or if there are no zoning regulations in effect, then the minimum lot frontage shall be 30 feet as provided in Section 502(A) of these regulations. The access strip to a rear lot shall not be included in calculating the minimum lot area and shall be unobstructed by any buildings or structures. There shall be no more than one (1) rear lot to the rear of another existing or proposed lot. A common driveway easement or easement of access for ingress and egress shall not be permitted over the access strips serving rear lots.

E. Floodplain Regulations in Major Subdivisions

The following regulations shall apply to all proposed major subdivisions wholly within, partially within, or in contact with any special flood hazard area. Major subdivision proposals shall be consistent with the need to minimize flood damage and are subject to all applicable provisions of these regulations.

1. Major subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
2. Major subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
3. In all areas of special flood hazard where base flood elevation data are not available (approximate "A" Zone on Flood Insurance Rate Map), the developer shall provide, at the time of submission of a preliminary plan, a written hydrologic and hydraulic engineering analysis by a professional engineer that generates base flood elevations. The developer shall provide technical data to FEMA within six (6) months of the date when a hydrologic and hydraulic analysis is completed and submitted to the county planning commission that generates base flood elevations as required herein.
4. The special flood hazard area boundary shall be delineated on preliminary plans for major subdivisions and the base flood elevation(s) shall be provided. See Article IV, Section 401 (A) (20).
5. The special flood hazard area boundary shall be delineated on final plats for major subdivisions and the base flood elevation(s) shall be provided. See Article IV, Section 402 (A) (20).
6. All road pavement surfaces shall be located and constructed at or above the base flood elevation within major subdivisions.

F. Drainage Maintenance District (DMD)

The establishment of a Drainage Maintenance District (DMD) pursuant to R.C. Section 6131.63 may be required by the board of county commissioners, upon the recommendation of the county engineer, in a major subdivision. Easements for drainage, with dimensions as required by these regulations shall be shown on the preliminary plan and the final plat. Such easements shall be granted to the board of county commissioners by the owner on the final plat (see Appendix for sample language). The declaration of covenants and restrictions for the major subdivision shall contain appropriate language as required by the county engineer and the Geauga SWCD regarding maintenance of the drainage easements; and, shall be subject to review by the county prosecutor's office. If no declaration is proposed for the major subdivision, such language shall be included on the final plat, subject to review as provided herein.

Section 503: Standards for Utility Easements

For utility lines serving a subdivision, easements as set forth hereunder shall be provided. Such easements may be considered as part of the lot adjoining it in computing the lot area, but shall be kept clear of structures, trees or other improvements which would interfere with installation or maintenance of utility lines or related appurtenances.

- A. Sanitary sewer, storm sewer, and water lines may be located within the road right-of-way, but shall be outside of the pavement.

In the alternative, easements may be shown on the preliminary plan and final plat parallel and contiguous to the road right-of-way. Such easements shall have a minimum width of twelve (12) feet. Easements may also be shown on the preliminary plan and final plat parallel and contiguous to side and rear lot lines, whenever feasible. Such easements shall have a minimum width of twenty (20) feet.

- B. Electric power, natural gas, cable television, and telephone lines for public utilities shall be located outside of the road right-of-way.

Easements for public utility purposes shall be shown on the preliminary plan and final plat parallel and contiguous to the road right-of-way. Such easements shall have a minimum width of twelve (12) feet. Easements may also be shown on the preliminary plan and final plat parallel and contiguous to side and rear lot lines. Such easements shall have a minimum width of twenty (20) feet. Utility lines should be placed underground.

Section 504: Central Sanitary Sewer and/or Water Improvements

The establishment and construction of all proposed central sanitary sewer and/or water lines or mains and related appurtenances within platted subdivisions shall conform with the county specifications for such improvements as set forth in the "Rules and Regulations of the Geauga County Department of Water Resources."

Section 505: Review of Easements

The county auditor shall refer proposed new easements to the county planning commission for review in accordance with these regulations and applicable township zoning regulations prior to recording. The planning director, or his authorized representative, shall review the proposed easement instrument within seven (7) business days after submission. If the easement is approved, the planning director, or his authorized representative, shall complete and stamp the appropriate conveyance description check list form supplied by the county auditor and return it to the applicant or the auditor. If the easement is denied, the planning director, or his authorized representative, shall provide the reason(s) therefor on the appropriate conveyance description check list form supplied by the county auditor and return it to the applicant or the auditor. There shall be no fee for the review of proposed easements under this section. As a part of the review, the planning director, or his authorized representative, may require a map or other supplemental information relating to the proposed easement.

ARTICLE VI: ADMINISTRATIVE PROVISIONS

Section 600: Authority

Pursuant to the adoption of a county major thoroughfare plan and these regulations in accordance with Section 711.10 of the Ohio Revised Code, the planning commission does hereby exercise its power and authority to review, consider, and act upon major subdivisions, minor subdivisions, and large lot subdivisions. Major subdivisions shall be subject to platting in accordance with these regulations.

Section 601: Recording of Plat

No plat of any subdivision falling within the jurisdiction of these regulations shall be entitled to be recorded in the office of the county recorder or have any validity until it has been approved in the manner prescribed herein.

Prior to recording a plat the developer or his authorized representative shall provide the planning director or his authorized representative a time stamped recorded copy of the declaration of covenants and restrictions, if applicable.

Section 602: Sale of Land in Subdivisions

No owner or agent of the owner of any land located within a proposed subdivision shall transfer or sell any land by reference to, exhibition of, or by the use of a plat of such a subdivision before a plat has been approved and recorded in the manner prescribed herein. The description of such subplot or parcel by metes and bounds in an instrument of conveyance shall not exempt the transaction from the provisions of these regulations.

Section 603: Penalties

Any person who shall willfully violate any of the provisions of these regulations before a plat of a subdivision has been recorded in the office of the county recorder; or disposes of, offers for sale or lease from a time exceeding five (5) years any lot or any part of a lot in a subdivision before the provisions of the regulations are complied with shall be subject to the penalties prescribed in Chapter 711 of the Ohio Revised Code.

Section 604: Appeals

The right of appeal by a person aggrieved by any action taken by the planning commission shall be as set forth in Chapter 711 of the Ohio Revised Code.

Section 605: Variances

A. Application Procedure

1. A notice of appeal requesting a variance to the Geauga County Subdivision Regulations shall be made in writing by the appellant or his authorized representative utilizing the application form (form number 1) contained in the appendix of said regulations and shall be submitted not less than twenty (20) days prior to a regularly scheduled county planning commission meeting. Each request for a variance shall be on a separate application form. The variance request application form shall be completed in its entirety

and shall include the specific regulation to which a variance is being sought and the specific reason(s) for the request for a variance. The planning director may return an incomplete application form pertaining to a notice of an appeal for a variance to the appellant and request additional information as required. No application shall be processed by the planning director until the review and filing fee has been paid in accordance with Article VI, Section 607, Paragraph C.

2. The appellant or his authorized representative shall provide the following information on the notice of appeal for a variance application form.
 - a. The specific subdivision regulation shall be cited from which a variance is requested.
 - b. Written justification for a variance shall be made by the appellant to the planning commission and the factors to be considered by the commission include, but are not limited to, the following:
 1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
 2. Whether the variance is substantial.
 3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
 4. Whether exceptional topographic or other physical conditions exist which are peculiar to the particular parcel of land.
 5. Whether the peculiar conditions specified in subparagraph number 4 herein did or did not result from previous actions by the appellant.
 6. Whether the variance would adversely affect the delivery of governmental services, including but not limited to, access by fire fighting apparatus, law enforcement vehicles and personnel, ambulance and emergency vehicles, township or county road maintenance and equipment, school buses, mail service, and similar services relative to ingress and egress to the affected site and adjacent land. If the appellant's variance request relates to Article V, Section 501 (F) or (L) of these regulations, then it shall be demonstrated that the provisions of Article V, Section 501 of these regulations shall not be adversely affected.
 7. Whether the subdivision regulation was in effect at the time of acquisition of the property by the appellant and whether the appellant purchased the property with the knowledge of the regulation.
 8. Whether the appellant's predicament feasibly can be obviated through some method other than a variance.
 9. Why the variance from the terms of the subdivision regulations will not be contrary to the public interest.

10. Because of what special conditions will an unnecessary hardship result from a literal enforcement of the subdivision regulation.
11. What the unnecessary hardship is which will result from a literal enforcement of the subdivision regulation owing to the special conditions set forth in subparagraph 10 herein.
12. How the spirit of the subdivision regulations will be observed if the variance is granted.
13. Why substantial justice will be done if the variance is granted.
14. That the requested variance is the minimum variance to the subdivision regulations that will allow for a reasonable division of land.
15. Such other criteria that the planning commission believes relate to determining whether the subdivision regulation is equitable.

B. Hearing Procedure

1. Notice of hearing

- a. The planning commission shall fix a reasonable date and time for a hearing on the appeal which shall be held at a regularly scheduled meeting of the commission and shall commence within thirty (30) days from the date the notice of appeal has been filed with the commission. The hearing on the appeal may be continued for good cause shown.
- b. The planning commission shall give at least seven (7) days notice in writing to the appellant and publish such notice in a newspaper of general circulation in the county. Notice of any continued hearing shall be given in writing to the appellant at least twenty-four (24) hours prior to the date of such hearing. Written notice to the appellant may be provided by personal delivery or ordinary mail.

2. Conduct of hearing

Hearings before the planning commission shall be conducted in accordance with the following:

- a. An appellant may appear in person or by attorney.
- b. All testimony and evidence received by the planning commission shall be given under oath or affirmation administered by the chairman or in his absence the acting chairman of the planning commission.
- c. An appellant or his attorney shall be allowed:
 1. To present his positions, arguments, and contentions.
 2. To offer and examine witnesses and present evidence in support thereof.

3. To cross-examine witnesses purporting to refute his position, arguments, and contentions.
 4. To offer evidence to refute evidence and testimony offered in opposition to his position, arguments, and contentions.
 5. To offer any such evidence into the record, if admission thereof is denied by the planning commission.
- d. The planning commission shall be provided with the originals of all exhibits submitted by the appellant. All exhibits submitted shall be marked for identification by the planning commission and safely kept and preserved in the records of the commission.

C. Decisions

Decisions of the planning commission shall be in accordance with the following:

1. All decisions shall include findings of fact by the planning commission in support of the decision.
2. The planning commission, in deciding any appeal for a variance, may provide such supplementary conditions which are reasonably related to the requested variance and are not in conflict with these regulations and which the commission deems necessary to protect the public health and safety as well as the policies and purposes set forth herein. Any such supplementary conditions shall be made a part of the planning commission's proceedings and shall be incorporated into the final decision by the commission approving a variance. Violation of such supplementary conditions, which are made a part of the written decision of the commission, shall be deemed a violation of these regulations.
3. A decision of the planning commission and the adoption of findings of fact shall be made at a public meeting of the commission. The decision and the conclusions of fact of the commission shall be in writing and signed at a public meeting of the commission by all members voting thereon no later than sixty (60) days from the last date of the public hearing.
4. The original written decision and findings of fact of the planning commission and all applications, documents, exhibits, and evidence relating to the proceeding shall be filed in the permanent records of the commission.
5. Copies of the written and signed decision of the planning commission shall be sent by ordinary mail within ten (10) days of the signing of the written decision to the appellant.
6. The date of the signing of the written decision of the planning commission shall be the date of entry as provided in R.C. 2505.07 for purposes of appeal to the court of common pleas pursuant to R.C. Chapter 2506.

Section 606: Revision of Plan or Plat

- A. After a preliminary plan of a subdivision has been approved or approved with conditions by the planning commission and the same has been endorsed in writing on the plan; no change, erasure, modification, amendment or revision, except to correct minor typographical, drafting or clerical errors, shall be made to said preliminary plan unless it is first resubmitted to the planning commission for consideration in accordance with Article III, Section 304 of these regulations and the applicable review fee shall be paid. The subdivider shall request that the original approval of the preliminary plan granted by the planning commission be withdrawn in order for the commission to consider the resubmitted plan. If a preliminary plan has been approved by the planning commission with conditions, and such conditions are incorporated into the final plat, then the approved preliminary plan does not have to be resubmitted to the planning commission for consideration in accordance with Article III, Section 304 of these regulations.
- B. A final plat submitted for review in accordance with these regulations shall be in substantial conformity with the preliminary plan as approved or conditionally approved by the planning commission. If the planning commission finds that a final plat submitted for review is not in substantial conformity with the approved or conditionally approved preliminary plan, then the preliminary plan shall be resubmitted in accordance with these regulations and the review fee shall be paid pursuant to Section 607. For the purposes of this section, "substantial conformity" shall include major modifications not authorized, suggested, or recommended by the planning commission in its approval or conditional approval of the preliminary plan, including the addition or deletion of proposed: roads, sublots, open spaces, blocks, or other parcels of land. After a final plat of a subdivision has been approved by the planning commission and the same has been endorsed in writing on the plat; no change, erasure, modification, amendment or revision, except to correct minor typographical, drafting or clerical errors, shall be made to said final plat, including a change of ownership, before it is recorded unless it is first resubmitted to the planning commission for consideration in accordance with Article III, Section 304 of these regulations. The subdivider shall request that the original approval of the final plat granted by the planning commission be withdrawn in order for the commission to consider the resubmitted plat. The planning commission may require the resubmission of the preliminary plan and the applicable review fee shall be paid.
- C. After an approved final plat of a subdivision has been recorded with the county recorder, no changes, erasures, modifications, or amendments may be made thereto except in accordance with R.C. 711.24 or R.C. 711.25 and these regulations. If the owner elects to plat the affected area in accordance with R.C. 711.24 and these regulations, a preliminary plan may not be required by the planning commission; however, a final plat for the affected area to be changed, erased, modified or amended shall be required by the planning commission in accordance with Article III, Section 304 of these regulations and the applicable review fee shall be paid.

Section 607: Fees

A. Minor Subdivision or Large Lot Subdivision

At the time of submission of an application to the planning commission for a minor subdivision pursuant to Article III, Section 302 or a large lot subdivision pursuant to Article III, Section 305, a fee in the amount of one hundred and fifty dollars (\$150.00) per lot shall be collected. No review fee shall be required if the large lot subdivision is determined to be exempt from these regulations in accordance with Article III, Section 308.

The fee shall be paid in cash, or by check or money order made payable to the "Geauga County Planning Commission" and shall be received by the planning director or his authorized representative and deposited in the county general fund. Under no circumstances shall the fee or any portion thereof be refunded. If an application is disapproved, and subsequently resubmitted, no fee shall be charged.

B. Major Subdivision

1. **Preliminary Plan:** At the time of submission of a preliminary plan, the subdivider shall pay a review and filing fee and the amount of such fee shall be determined from the following schedule:

<u>Number of Sublots, Blocks or Parcels in Plan</u>	<u>Amount of Fees</u>
1 - 5	\$2,500.00
6 - 10	\$3,000.00
over 10	\$3,000.00 plus \$250.00 for each additional lot

The review and filing fee for a preliminary plan, which has been resubmitted pursuant to Section 606 Paragraph A of these regulations, shall be \$500.00.

The review and filing fee shall be paid in cash, or by check or money order made payable to the Geauga County Planning Commission and shall be received by the planning director or his authorized representative and deposited in the county general fund. Under no circumstances shall the fee or any portion thereof be refunded.

If the preliminary plan has not been submitted and the review and filing fee paid at least twenty (20) days prior to a regularly scheduled planning commission meeting (see Article III, Section 304, Paragraph C) then a late submission fee shall be imposed representing ten percent (10%) of the total fee as specified herein.

2. **Final Plat:** At the time of submission of a final plat, the subdivider shall pay a review and filing fee and the amount of such fee shall be determined from the following schedule:

<u>Number of Sublots, Blocks or Parcels in Plat</u>	<u>Amount of Fees</u>
1 - 5	\$2,500.00
6 - 10	\$3,000.00
over 10	\$3,000.00 plus \$250.00 for each additional lot

The review and filing fee for a final plat, which has been resubmitted pursuant to Section 606 Paragraph B of these regulations due to a change of ownership only or any other change, erasure, modification, or amendment shall be \$500.00.

The review and filing fee shall be paid in cash, or by check or money order made payable to the Geauga County Planning Commission and shall be received by the planning director or his authorized representative and deposited in the county general fund. Under no circumstances shall the fee or any portion thereof be refunded.

If the final plat has not been submitted and the review and filing fee paid at least twenty (20) days prior to a regularly scheduled planning commission meeting (see Article III, Section 304, Paragraph H) then a late submission fee shall be imposed representing ten percent (10%) of the total fee as specified herein.

- 3. Preliminary Plan and/or Final Plat Showing Only New Roads or Easements:** At the time of submission of a preliminary plan and/or final plat showing only new roads and/or easements, the subdivider shall pay a review and filing fee and the amount of such fee shall be determined as follows:

Preliminary Plan

\$2,000.00

Final Plat

\$2,000.00

The review and filing fee for a preliminary plan, which has been resubmitted pursuant to Section 606, Paragraph A of these regulations shall be \$500.00.

The review and filing fee for a final plat, which has been resubmitted pursuant to Section 606, Paragraph B of these regulations due to a change of ownership only or any other change, erasure, modification, or amendment shall be \$500.00.

The review and filing fee shall be paid in cash, or by check or money order made payable to the Geauga County Planning Commission and shall be received by the planning director or his authorized representative and deposited in the county general fund. Under no circumstances shall the fee or any portion thereof be refunded.

If the preliminary plan and/or final plat has not been submitted and the review and filing fee paid at least twenty (20) days prior to a regularly scheduled planning commission meeting (see Article III, Section 304, Paragraphs C and H) then a late submission fee shall be imposed representing ten percent (10%) of the total fee as specified herein.

C. Application for Variance

Upon the submittal of an application for a notice of appeal requesting a variance to these regulations, a review and filing fee in the amount of \$300.00 shall be paid.

The review and filing fee shall be paid in cash, or by check or money order made payable to the Geauga County Planning Commission and shall be received by the planning director or his authorized representative and deposited in the county general fund. Under no circumstances shall the fee or any portion thereof be refunded.

If the review and filing fee has not been paid at least twenty (20) days prior to the regularly scheduled planning commission meeting at which it is to be considered, then a late submission fee shall be imposed representing ten percent (10%) of the total fee as specified herein.

Section 608: Amendments

The planning commission and the board of county commissioners may, after each has conducted a public hearing, amend or supplement 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 published in the county at least thirty (30) days prior to said hearings. Notice of the public hearing shall also be sent to all townships in the county by regular mail or electronic mail at least thirty (30) days before the hearing held by the planning commission and the board of county commissioners. The amendment or supplement shall be on file in the office of the planning commission and the clerk of the board of county commissioners for public examination during each thirty (30) day period.

Section 609: Effective Date

These regulations shall be effective following adoption by the planning commission and the board of county commissioners and certification to the county recorder.

These regulations shall be applied prospectively and shall not be applied to any subdivision having received preliminary plan approval or final plat approval by the planning commission prior to their effective date provided however, that no changes to the preliminary plan or final plat are introduced by the subdivider.

Section 610: Severability

If any provisions of these regulations are declared to be invalid by a decision of any court of competent jurisdiction, the effect of such decision shall be limited to that provision or provisions which are expressly stated in the decision to be invalid.

Such decision shall not affect, impair, or nullify the balance of these regulations as a whole or any part thereof, and the rest of these regulations shall continue in full force and effect.

Section 611: Regulations Declared to be Minimum Requirements

In their interpretation and application, the regulations shall be held to be minimum requirements unless otherwise provided herein.

Section 612: Specific Regulations Prevails Over General

If a general regulation conflicts with a specific regulation, they shall be construed, if possible, so that effect is given to both. If the conflict between the regulations is irreconcilable, the specific regulation shall prevail as an exception to the general regulation, unless the general regulation has been enacted thereafter and the manifest intent is that the general regulation prevails.

Section 613: Irreconcilable Amendments

If amendments are enacted at the same or different times, one amendment without reference to another, the amendments are to be harmonized, if possible, so that effect may be given to each. If the amendments are substantially irreconcilable, the latest in date of enactment prevails. The fact that a later amendment restates language deleted by an earlier amendment, or fails to include language inserted by an earlier amendment, does not of itself make the amendments irreconcilable. Amendments are irreconcilable only when changes made by each cannot reasonably be put into simultaneous operation.

APPENDIX

FORMS

PAGE NO.

1.	Notice of Appeal Requesting a Variance.....	A-2
2.	Notice of Action on Appeal Requesting a Variance.....	A-6
3.	Findings of Fact Relating to Appeal for Variance.....	A-7
4.	Decision Relating to Appeal for Variance.....	A-9
5.	Application for Minor Subdivision Review.....	A-10
6.	Preliminary Plan Application.....	A-11
7.	Final Plat Application.....	A-12
8.	Preliminary Plan Checklist.....	A-13
9.	Final Plat Checklist.....	A-14
10.	Final Plat Language with a Dedicated Road.....	A-15
11.	Final Plat Language with No New Roads.....	A-21
12.	Final Plat Language with a Private Road.....	A-26
13.	Application for Withdrawal of a Preliminary Plan.....	A-32
14.	Application for Withdrawal of a Final Plat.....	A-33
15.	Application for an Extension of Review Time on a Preliminary Plan.....	A-34
16.	Application for an Extension of Review Time on a Final Plat.....	A-35
17.	Application for the Withdrawal of the Approval of a Preliminary Plan.....	A-36
18.	Application for the Withdrawal of the Approval of a Final Plat.....	A-37
19.	Application for Large Lot Subdivision Review.....	A-38
20.	Affidavit for Exemption from Large Lot Subdivision Regulations.....	A-39
21.	Minor Subdivision Checklist.....	A-41
22.	Large Lot Subdivision Checklist.....	A-42
23.	Application for Division of Land Not Classified as a Subdivision.....	A-43
24.	Lots Not Classified as a Subdivision Checklist.....	A-44
25.	Application for Lot Consolidation.....	A-45
26.	Lot Consolidation Checklist.....	A-46

FLOW CHARTS

1.	Minor Subdivision Review Procedure.....	A-47
2.	Large Lot Subdivision Review Procedure.....	A-48
3.	Proposed Lots Not Classified as a Subdivision Review Procedure.....	A-49
4.	Lot Consolidation Review Procedure.....	A-50
5.	Major Subdivision Platting Process.....	A-51

Replacement Page 5/28/13

**NOTICE OF APPEAL REQUESTING A VARIANCE TO THE
GEAUGA COUNTY SUBDIVISION REGULATIONS**

THIS APPLICATION SHALL BE COMPLETED BY THE APPELLANT. THE PLANNING DIRECTOR MAY RETURN AN INCOMPLETE APPLICATION AND REQUEST ADDITIONAL INFORMATION AS REQUIRED. THE APPLICATION MUST BE SUBMITTED NOT LESS THAN TWENTY (20) DAYS PRIOR TO A REGULARLY SCHEDULED COUNTY PLANNING COMMISSION MEETING.

A. Name of Appellant: _____

Address of Appellant: _____

Telephone Number of Appellant: _____

Fax Number of Appellant: _____

E-mail Address of Appellant: _____

B. Name of Owner of Record: _____

Address of Owner of Record: _____

Telephone Number of Owner of Record: _____

Fax Number of Owner of Record: _____

E-mail Address of Owner of Record: _____

C. Address and PPN of the Property: _____
(if different from Appellant's current address)

D. Attach documentation as to authority to file notice of appeal (e.g. deed or purchase agreement).

E. Attach a legal description of the property, as recorded with the Geauga County Recorder.

F. Provide the specific subdivision regulation from which a variance is requested:

Article _____, Section _____, Paragraph _____

G. Written justification for the requested variance shall be made. Responses to the following questions shall be provided:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.

2. Whether the variance is substantial: _____

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

4. Whether exceptional topographic or other physical conditions exist which are peculiar to the particular parcel of land.

5. Whether the peculiar conditions specified in subparagraph number 4 herein did or did not result from previous actions by the appellant.

6. Whether the variance would adversely affect the delivery of governmental services, including but not limited to, access by fire fighting apparatus, law enforcement vehicles and personnel, ambulance and emergency vehicles, township or county road maintenance and equipment, school buses, mail service, and similar services relative to ingress and egress to the affected site and adjacent land. If the appellant's variance request relates to Article V, Section 501 (F) or (L) of these regulations, then it shall be demonstrated that the provisions of Article V, Section 501 of these regulations shall not be adversely affected.

7. Whether the subdivision regulation was in effect at the time of acquisition of the property by the appellant and whether the appellant purchased the property with the knowledge of the regulation.

8. Whether the appellant's predicament feasibly can be obviated through some method other than a variance.

9. Why the variance from the terms of the subdivision regulations will not be contrary to the public interest.

10. Because of what special conditions will an unnecessary hardship result from a literal enforcement of the subdivision regulation.

11. What the unnecessary hardship is which will result from a literal enforcement of the subdivision regulation owing to the special conditions set forth in subparagraph 10 herein.

12. How the spirit of the subdivision regulations will be observed if the variance is granted.

13. Why substantial justice will be done if the variance is granted.

14. That the requested variance is the minimum variance to the subdivision regulations that will allow for a reasonable division of land.

15. Such other criteria that the planning commission believes relate to determining whether the subdivision regulation is equitable.

I hereby certify that all of the information contained in this application is true and correct to the best of my knowledge.

Appellant's Signature
or Authorized Representative

Date

FOR OFFICIAL USE ONLY

APPLICATION NO.: _____

DATE RECEIVED: _____

REVIEW AND FILING FEE PAID ON: _____

DATE OF HEARING OF PLANNING COMMISSION: _____

ACTION BY PLANNING COMMISSION: _____

Planning Director

Date

Replacement Page 3/31/10

**NOTICE OF ACTION ON APPEAL
REQUESTING A VARIANCE
BY THE GEAUGA COUNTY PLANNING COMMISSION**

RE: Application for Appeal No. _____

Dear _____:

Please be advised that the Geauga County Planning Commission voted to (approve) (deny) the appeal number _____ for a variance to the Geauga County Subdivision Regulations decided on _____, 20____.

The decision of the Planning Commission may be appealed to the Geauga County Court of Common Pleas within thirty (30) days from the date of the approval of the minutes by the Commission.

Sincerely,

Chairman, Geauga County Planning Commission

Date

6. Appellant (has) (has not) demonstrated justification for the requested variance pursuant to Article VI, Section 605 of the Geauga County Subdivision Regulations.

Upon a call of the roll, the vote of the Geauga County Planning Commission was as follows:

	<u>Aye or Nay</u>
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____

The motion carried.

Attested to by: _____
Chairman, Geauga County Planning Commission

Date

GEAUGA COUNTY PLANNING COMMISSION
DECISION RELATING TO APPEAL FOR VARIANCE
 NO. _____ - _____
 (Year)

At a public meeting held by the Geauga County Planning Commission on _____, 20____, _____ moved and _____ seconded the motion to (grant) (deny) the appeal for a variance number _____ - _____ for the real property located at _____ in _____ Township, Geauga County, Ohio filed by _____, appellant.

Upon a call of the roll, the vote of the Geauga County Planning Commission was as follows:

	<u>Aye or Nay</u>
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____
_____ Member, Geauga County Planning Commission	_____

The motion carried.

Attested to by: _____
 Chairman, Geauga County Planning Commission

 Date

Replacement Page 6/1/00

**APPLICATION FOR MINOR SUBDIVISION REVIEW IN
ACCORDANCE WITH THE GEAUGA COUNTY SUBDIVISION REGULATIONS**

1. NAME OF APPLICANT: _____
 - a. ADDRESS: _____
 - b. TELEPHONE NUMBER: _____
 - c. FAX NUMBER: _____
 - d. E-MAIL ADDRESS: _____
2. MINOR SUBDIVISION LOCATION:
 - a. TOWNSHIP: _____
 - b. TRACT: _____ LOT OR SECTION NO: _____
3. ATTACH A COPY OF THE LEGAL DESCRIPTION (STAMPED APPROVED BY THE COUNTY TAX MAP DEPARTMENT), A SURVEY MAP, AND THE COUNTY HEALTH DEPARTMENT APPROVAL, OHIO EPA ACCEPTANCE, OR COUNTY WATER RESOURCES DEPARTMENT APPROVAL PURSUANT TO ARTICLE III SECTION 301 OF THE SUBDIVISION REGULATIONS HERETO. A REVIEW FEE OF \$150.00 PER LOT IS REQUIRED.

The undersigned applies for minor subdivision review under Section 711.131 of the Ohio Revised Code and the Geauga County Subdivision Regulations and certifies that all of the information contained in this application is true and correct to the best of my knowledge. I understand that minor subdivision approval may be granted only under the following conditions:

- a. The proposed division is along an existing public street or road, and does not involve the opening, widening, or extension of any street or road.
- b. The proposed division does not involve more than five (5) lots five (5) acres or less in area after the original tract has been completely subdivided.
- c. The proposed division is not contrary to any applicable platting, subdividing, zoning, health, sanitary, access management regulations; building codes pertaining to existing surface and subsurface drainage, and household sewage treatment regulations.

Applicant's Signature
or Authorized Representative

Date

FOR OFFICIAL USE ONLY

APPLICATION NO: _____
 DATE RECEIVED: _____
 DATE APPROVED: _____
 DATE DISAPPROVED: _____
 IF DISAPPROVED, REASONS GIVEN: _____

Planning Director

Date

Replacement Page 3/2/15

**PRELIMINARY PLAN APPLICATION IN ACCORDANCE WITH THE
GEAUGA COUNTY SUBDIVISION REGULATIONS**

1. NAME OF APPLICANT: _____
 - a. ADDRESS: _____
 - b. TELEPHONE NUMBER: _____
 - c. FAX NUMBER: _____
 - d. E-MAIL ADDRESS: _____
2. NAME OF SURVEYOR: _____
 - a. ADDRESS: _____
 - b. TELEPHONE NUMBER: _____
 - c. FAX NUMBER: _____
 - d. E-MAIL ADDRESS: _____
3. SUBDIVISION NAME: _____
4. SUBDIVISION LOCATION: _____
 - a. TOWNSHIP: _____
 - b. TRACT: _____ LOT OR SECTION NO: _____
 - c. GENERAL SUBDIVISION LOCATION: _____

I hereby certify that I have submitted all of the required information for preliminary plan review pursuant to the Geauga County Subdivision Regulations, Article III, Section 304 (C) and that all of the information is true and correct to the best of my knowledge.

I also hereby acknowledge that I understand I cannot transfer or sell any land by reference to, exhibition of, or by the use of a plat of the subdivision before a plat has been approved and recorded in the manner prescribed in the Geauga County Subdivision Regulations. The description of sublots or parcels by metes and bounds in an instrument of conveyance shall not exempt the transaction from the provisions of these regulations. I also hereby acknowledge that I understand that if any of the provisions of the Geauga County Subdivision Regulations are willfully violated before a plat of a subdivision is recorded in the office of the county recorder; or if I dispose of, offer for sale or lease from a time exceeding five (5) years any lot or any part of a lot in a subdivision before the provisions of the regulations are complied with, I shall be subject to the penalties prescribed in Chapter 711 of the Ohio Revised Code.

Applicant's Signature or Authorized Representative

Date

FOR OFFICIAL USE ONLY

APPLICATION NO.: _____
 DATE RECEIVED: _____
 DATE OF MEETING OF PLANNING COMMISSION: _____
 ACTION BY PLANNING COMMISSION: _____

Planning Director

Date

**FINAL PLAT APPLICATION IN ACCORDANCE WITH THE GEAUGA
COUNTY SUBDIVISION REGULATIONS**

1. NAME OF APPLICANT: _____
 - a. ADDRESS: _____
 - b. TELEPHONE NUMBER: _____
 - c. FAX NUMBER: _____
 - d. E-MAIL ADDRESS: _____
2. NAME OF SURVEYOR: _____
 - a. ADDRESS: _____
 - b. TELEPHONE NUMBER: _____
 - c. FAX NUMBER: _____
 - d. E-MAIL ADDRESS: _____
3. SUBDIVISION NAME: _____
4. SUBDIVISION LOCATION: _____
 - a. TOWNSHIP: _____
 - b. TRACT: _____ LOT OR SECTION NO.: _____
 - c. GENERAL SUBDIVISION LOCATION: _____

I hereby certify that I have submitted all of the required information for final plat review pursuant to the Geauga County Subdivision Regulations, Article III, Section 304 (H) and that all of the information is true and correct to the best of my knowledge.

I also hereby acknowledge that I understand I cannot transfer or sell any land by reference to, exhibition of, or by the use of a plat of the subdivision before a plat has been approved and recorded in the manner prescribed in the Geauga County Subdivision Regulations. The description of sublots or parcels by metes and bounds in an instrument of conveyance shall not exempt the transaction from the provisions of these regulations. I also hereby acknowledge that I understand that if any of the provisions of the Geauga County Subdivision Regulations are willfully violated before a plat of a subdivision is recorded in the office of the county recorder; or if I dispose of, offer for sale or lease from a time exceeding five (5) years any lot or any part of a lot in a subdivision before the provisions of the regulations are complied with, I shall be subject to the penalties prescribed in Chapter 711 of the Ohio Revised Code.

Applicant's Signature or Authorized Representative

Date

FOR OFFICIAL USE ONLY

APPLICATION NO.: _____
 DATE RECEIVED: _____
 DATE OF MEETING OF PLANNING COMMISSION: _____
 ACTION BY PLANNING COMMISSION: _____

Planning Director

Date

Replacement Page 3/31/10

PRELIMINARY PLAN CHECKLIST

SUBDIVISION NAME: _____
 TOWNSHIP: _____
 TRACT: _____ LOT OR SECTION NO.: _____
 DATE PRELIMINARY PLAN RECEIVED: _____
 DATE OF PLANNING COMMISSION MEETING: _____

The following items have been reviewed for conformity with the requirements of the Geauga County Subdivision Regulations.

	<u>CONFORMS</u>	<u>DOES NOT</u> <u>CONFORM</u>	<u>NOT</u> <u>APPLICABLE</u>	<u>ITEM</u>
1.	_____	_____	_____	Plan labeled "Preliminary Plan"
2.	_____	_____	_____	Sheet Numbering
3.	_____	_____	_____	Proposed Subdivision Name
4.	_____	_____	_____	Township, Tract, Lot, or Section No.
5.	_____	_____	_____	Proper Scale
6.	_____	_____	_____	North Arrow & Date
7.	_____	_____	_____	Owner's Name, Address & Phone No.
8.	_____	_____	_____	Surveyor's Name, Address & Phone No.
9.	_____	_____	_____	Surveyor's Certification, Signature, and Seal
10.	_____	_____	_____	Vicinity Map
11.	_____	_____	_____	Method of Sewage Disposal & Water Supply
12.	_____	_____	_____	Township Zoning Requirements
13.	_____	_____	_____	Location & Type of Existing/Proposed Buildings, Structures, Ponds, Stormwater Basins, Sewage Systems, Wells & Driveways
14.	_____	_____	_____	Identification of Adjacent Owners, Vol./Pg. & PPN
15.	_____	_____	_____	Road Names
16.	_____	_____	_____	Road Dimensions
17.	_____	_____	_____	Easement Dimensions (Existing and Proposed)
18.	_____	_____	_____	Lots Already Divided & Recorded from Original Tract
19.	_____	_____	_____	2' Contour Lines and Watercourses
20.	_____	_____	_____	Base Flood Elevation & Special Flood Hazard Areas
21.	_____	_____	_____	Boundaries of Wetlands/Detailed Soils with Sources
22.	_____	_____	_____	Subdivision Boundary Line Dimensions
23.	_____	_____	_____	Sublot and Block Dimensions
24.	_____	_____	_____	Sublot Numbers and Block Labels
25.	_____	_____	_____	Sublot and Block Area
26.	_____	_____	_____	Building and Riparian Setback Lines
27.	_____	_____	_____	Purpose, Dimensions & Area in Blocks
28.	_____	_____	_____	Subdivision Tabulation
29.	_____	_____	_____	Zoning Compliance, Statement by Zoning Inspector
30.	_____	_____	_____	Planning Commission Approval Notation
31.	_____	_____	_____	Application Form
32.	_____	_____	_____	Twenty (20) Copies of Plan
33.	_____	_____	_____	Plan Review Fee
34.	_____	_____	_____	Traffic Impact Evaluation
35.	_____	_____	_____	Detailed Soils Report
36.	_____	_____	_____	Wetlands Delineation Report
37.	_____	_____	_____	Groundwater Data
38.	_____	_____	_____	Deed of Record or Purchase Agreement

 Planning Director

 Date

Replacement Page 5/28/13

FINAL PLAT CHECKLIST

SUBDIVISION NAME: _____
 TOWNSHIP: _____
 TRACT: _____ LOT OR SECTION NO.: _____
 DATE FINAL PLAT RECEIVED: _____
 DATE OF PLANNING COMMISSION MEETING: _____

The following items have been reviewed for conformity with the requirements of the Geauga County Subdivision Regulations.

	<u>CONFORMS</u>	<u>DOES NOT CONFORM</u>	<u>NOT APPLICABLE</u>	<u>ITEM</u>
1.	_____	_____	_____	Sheet Size (24"x 36")
2.	_____	_____	_____	Subdivision Name
3.	_____	_____	_____	Township, Tract, Lot, or Section No., PPN. & Vol/Pg.
4.	_____	_____	_____	Proper Scale
5.	_____	_____	_____	North Arrow & Date
6.	_____	_____	_____	Vicinity Map
7.	_____	_____	_____	Dimensions & Bearings to Established Reference Points
8.	_____	_____	_____	Identification of Adjacent Owners, PPN. & Vol/Pg.
9.	_____	_____	_____	Road Names
10.	_____	_____	_____	Road Dimensions
11.	_____	_____	_____	Easement Dimensions (Existing and Proposed)
12.	_____	_____	_____	Lots Already Divided & Recorded from Original Tract
13.	_____	_____	_____	Subdivision Boundary Line Dimensions
14.	_____	_____	_____	Sublot and Block Dimensions
15.	_____	_____	_____	Sublot Numbers and Block Labels
16.	_____	_____	_____	Sublot and Block Area
17.	_____	_____	_____	Building and Riparian Setback Lines
18.	_____	_____	_____	Monuments/Pins
19.	_____	_____	_____	Purpose, Dimensions and Area in Blocks
20.	_____	_____	_____	Base Flood Elevation & Special Flood Hazard Area
21.	_____	_____	_____	Boundaries, Acreage and Category of Wetlands
22.	_____	_____	_____	Subdivision Tabulation
23.	_____	_____	_____	Background Drawing
24.	_____	_____	_____	Certifications
25.	_____	_____	_____	Notations for Approval
26.	_____	_____	_____	Covenants and Restrictions Notation
27.	_____	_____	_____	Application Form
28.	_____	_____	_____	Original Mylar
29.	_____	_____	_____	Twenty (20) Copies of Plat
30.	_____	_____	_____	One (1) Copy of Any Covenants or Restrictions
31.	_____	_____	_____	Certification of Title
32.	_____	_____	_____	Plat Review Fee
33.	_____	_____	_____	Approval of WMSC Plan
34.	_____	_____	_____	Approval of Improvement Plans
35.	_____	_____	_____	Approval of Health Commissioner or Ohio EPA
36.	_____	_____	_____	Ohio EPA Wetland Categorization Confirmation
37.	_____	_____	_____	U.S. Army Corps of Engineers Jurisdictional Determination

 Planning Director

 Date

Replacement Page 5/28/13

LANGUAGE FOR A FINAL PLAT WITH A DEDICATED ROAD

SUBDIVISION NAME

Situated in the Township of _____, County of Geauga, State of Ohio and known as being a part of Tract _____ and Original Lot (or Section No.) _____ and containing _____ acres being (all or part) of the land as conveyed to _____ in the deed recorded in volume _____ page _____ of the Geauga County Deed Records and representing permanent parcel number(s) _____.

SURVEYOR'S CERTIFICATION

I (we) do hereby certify that I (we) have surveyed the premises and prepared the attached plat in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code and the dimensions of the lots and road(s) are in feet and decimal parts thereof, all of which are correct to the best of my (our) knowledge and belief. Iron monuments or pins as indicated hereon shall be set in place before final inspection and acceptance of the improvements by the Geauga County Engineer.

(Signature)

(Print Name) Registered Surveyor

SEAL

Date

ACCEPTANCE CERTIFICATION AND DEDICATION

I (we), the undersigned owner(s) _____ of the land shown herein, hereby certify that this plat correctly represents my (our) "_____" subdivision containing sublots _____ through _____ both inclusive, and do hereby accept this plat of same and dedicate to public use the area designated as _____ Road. The undersigned further agree(s) that any use or improvements made on this land shall be made in accordance with all existing valid zoning, platting, health and other lawful rules and regulations for the benefit of himself (themselves) and all other subsequent owners or assigns taking title from, under, or through the undersigned. Easements are reserved where indicated on the plat for public utility purposes above and beneath the surface of the ground. In witness whereof the undersigned hereunto set his (their) hand(s) this _____ day of _____, 20____.

(Signature)

(Print Name) Owner

(Signature)

(Print Name) Witness

(Signature)

(Print Name) Witness

STATE OF OHIO, COUNTY OF _____

Before me, a notary public in and for said county and state personally appeared the above named _____ who acknowledged that he (they) did sign the foregoing instrument and that the same is his (their) free act and deed for the purposes therein expressed. In witness whereof I have hereunto set my hand and affixed my official seal at _____, Ohio this _____ day of _____, 20____.

(Print Name) (Signature)
Notary Public

My Commission Expires _____.

[Note: Use the following language only if sanitary sewer and/or water facilities are to be installed. This language is subject to change depending on the specific project.]

Under owner's acceptance, certification, and dedication provide the following:

I (we) hereby dedicate, give, grant, convey, and release to the Geauga County Board of County Commissioners, its successors and assigns forever, a perpetual easement for constructing, reconstructing, using, operating, maintaining, repairing, replacing, and renewing of sanitary sewers and/or water lines and all appurtenances within, over, through, under, and upon the land within said easement included in this plat and as described herein. Said easement shall remain unobstructed and shall include the right of ingress and egress. Said easement rights shall include the right without liability therefor to remove trees and landscaping including lawns and/or the right to prohibit such landscaping except lawns from being installed.

[Note: If sanitary sewer and/or water lines are installed within the existing and/or proposed road right-of-way(s) add the following language]

I (we) hereby dedicate, give, grant, convey, and release to the Geauga County Board of Commissioners, its successors and assigns forever, the sanitary sewer and/or water lines and all appurtenances within, over, through, under, and upon the land included within the road right-of-way(s) shown hereon and included in this plat and as described herein for the purpose of constructing, reconstructing, using, operating, maintaining, repairing, replacing, and renewing of said lines and appurtenances.

[Note: Text to be used only if a drainage maintenance district agreement is signed between the owner and the Board of County Commissioners.]

Under owner's acceptance, certification, and dedication provide the following:

Easements as shown herein for drainage facilities including retention basins, detention basins, ditches, vegetative buffers, swales, pipes, and any appurtenances related thereto including the right of ingress and egress for the maintenance repair, and replacement of said facilities are hereby granted and conveyed in perpetuity to the Geauga County Board of Commissioners this _____ day of _____, 20____.

UTILITY EASEMENT

I, (we) _____, the undersigned owner(s) of the within platted land, do hereby grant unto the _____ (electric) _____, _____ (telephone) _____, _____ (natural gas) _____, _____ (cable television) _____, their successors and assigns (hereinafter referred to as the grantees) a permanent right-of-way and easement twelve (12) feet in width under, over, and through all sublots and all lands shown hereon and parallel with and contiguous to all road lines to construct, place, operate, maintain, repair, reconstruct, or relocate such underground electric, gas, and communications cables, ducts, conduits, pipes, gas pipe lines, surface or below ground mounted transformers and pedestals, concrete pads and other facilities as are deemed necessary or convenient by the grantees for distributing, transporting, and transmitting electricity, gas, and communication signals, for public and private use at such locations as the grantees may determine upon, within, and across the easement premises. Said easement rights shall include the right without liability therefor to remove any and all facilities not contemplated in the rights conveyed to grantees by this easement grant within said easement premises, including, but not limited to, irrigation systems, electronic animal fencing, trees and landscaping including lawns, flowers or shrubbery and landscape lighting within and without said easement premises which may interfere with the installation, maintenance, repair, or operation of said electric, gas and communications facilities, the right to install, repair, augment and maintain service cables and pipe lines outside the above described easement premises and with the right of access, ingress and egress to and from any of the within described premises for exercising any of the purposes of this right-of-way and easement grant. All sublots and all lands shall be restricted to underground utility service. In witness whereof the undersigned hereunto set his (their) hand(s) this _____ day of _____, 20_____. [Note: This language may be subject to modification if additional easements are provided along or between subplot lines].

(Signature)
(Print Name) Owner

(Signature)
(Print Name) Witness

(Signature)
(Print Name) Witness

STATE OF OHIO, COUNTY OF _____

Before me, a Notary Public in and for said county and state personally appeared the above named _____, who acknowledged that he (they) did sign the foregoing instrument and that the same is his (their) free act and deed for the purposes therein expressed. In witness whereof I have hereunto set my hand and affixed my official seal at _____, Ohio this _____ day of _____, 20_____.

(Signature)
(Print Name) Notary Public

My Commission expires _____.

MORTGAGE RELEASE

The undersigned mortgagee of the land included in this plat and subdivision does hereby join with the owner(s) of this subdivision in the dedication to public use of the area designated as _____ Road and hereby releases from lien of our mortgage and waives any right which we might otherwise have in said Road. This _____ day of _____, 20_____.

(Signature)
(Print Name) Bank, Savings & Loan Official

(Signature)
(Print Name) Witness

(Signature)
(Print Name) Witness

Replacement Page 3/31/10

STATE OF OHIO, COUNTY OF _____

Before me, a notary public in and for said county and state personally appeared the above named _____ of _____, who acknowledged that he (they) did sign the foregoing instrument and that the same is his (their) free act and deed and the free corporate act and deed of _____ for the purposes therein expressed. In witness whereof I have hereunto set my hand and affixed my official seal at _____, Ohio this _____ day of _____, 20____.

(Signature)
(Print Name) Notary Public

My Commission Expires _____.

UTILITY EASEMENT ACCEPTED BY THE FOLLOWING:

(Signature)
(Print Name) Electric Company Date

(Signature)
(Print Name) Telephone Company Date

(Signature)
(Print Name) Gas Company Date

(Signature)
(Print Name) Cable Television Company Date

APPROVALS

Approved as to legal form this _____ day of _____, 20____.

(Signature)
(Print Name) Geauga County Prosecutor

Approved this _____ day of _____, 20____.

(Signature)
(Print Name) Chairman, Geauga County
Planning Commission

This plat complies with the applicable _____ Township Zoning Resolution.
This _____ day of _____, 20____.

[Note: If a variance has been granted, add: "Based upon variance number _____ granted by the board of zoning appeals."]

(Signature)
(Print Name) _____ Township Zoning Inspector

This plat complies with the applicable household sewage treatment rules adopted under section 3718.02 of the Revised Code by the Geauga County General Health District, Department of Health. This _____ day of _____, 20____.

(Signature)
(Print Name) Geauga County Health Commissioner

Replacement Page 3/31/10

Pursuant to Section 711.091 of the Ohio Revised Code, I have checked the construction of roadway improvements contained within the road right-of-ways dedicated to public use herein, and do hereby find that the same have been constructed; are in accordance with the approved plat, specifications, and construction drawings; and are in good repair. This plat has been reviewed and meets the minimum standards for boundary surveys codified in Chapter 4733-37 of the Ohio Administrative Code.

This _____ day of _____, 20_____.

(Signature)
(Print Name) Geauga County Engineer

[Note: Use the following language only if sanitary sewer and/or water facilities are to be installed. This language is subject to change depending on the specific project.]

For county sanitary engineer provide the following:

I have examined the plans and specifications for the sanitary sewer and/or water facilities and appurtenances for conformity to the rules adopted by the Geauga County Board of County Commissioners pursuant to R.C. 6117.01, R.C. 6103.02, and R.C. 711.101 and hereby certify that all sanitary sewer and/or water facilities and appurtenances shown on this plat have been constructed, are in accordance with the approved plans and specifications, are in good repair, are in conformity with said rules, and have met all bonding requirements for maintenance. This _____ day of _____, 20_____.

(Signature)
(Print Name) Geauga County Sanitary Engineer

Approved this _____ day of _____, 20_____, constituting an acceptance of the dedication of any road right-of-way(s) shown hereon for public use. [Note: This language may be subject to modification if a temporary cul-de-sac or turnaround is shown on the plat.]

(Signature)
(Print Name) Geauga County
Commissioner

(Signature)
(Print Name) Geauga County
Commissioner

(Signature)
(Print Name) Geauga County
Commissioner

[Note: Use the following language only if sanitary sewer and/or water facilities are to be installed. This language is subject to change depending on the specific project. Add to Board of County Commissioners approval text above.]

Upon the recommendation of the Geauga County Sanitary Engineer, the Geauga County Board of County Commissioners hereby approves the sanitary sewer and/or water facilities and all appurtenances thereto as constructed and as shown on this plat and the plans and specifications for such improvements, in conformity with the rules adopted by the Geauga County Board of County Commissioners pursuant to R.C. 6117.01, R.C. 6103.02, and R.C. 711.101. Further, this plat is hereby approved constituting an acceptance of the dedication of the easement(s) for sanitary sewer and/or water lines and appurtenances as shown hereon for public use and benefit and the acceptance for maintenance of such improvements contained within said easement(s). Said approval and acceptance shall include all sanitary sewer and/or water lines and appurtenances contained within the existing and/or proposed road right-of-way(s) as shown hereon and shall include the acceptance for maintenance of such improvements contained within the right-of-way(s).

Replacement Page 3/31/10

[Note: Text to be used only if a drainage maintenance district has been formed for the subdivision. Add to Board of County Commissioners approval text above.]

An agreement pertaining to the formation of a drainage maintenance district by and between the _____ (owner) and the Geauga County Board of Commissioners was approved by the Board on _____, 20____. The perpetual easements for storm water facilities including retention basins, detention basins, ditches, vegetative berms, vegetative buffers, swales, pipes, and any appurtenances related thereto including the right of ingress and egress for the maintenance, repair, and replacement of said facilities are hereby accepted.

Transferred this _____ day of _____, 20_____.

(Signature)
(Print Name) Geauga County Auditor
Filed for record this _____ day of _____, 20_____ at _____ M.

Recorded this _____ day of _____, 20_____ in plat book volume
_____ page _____.

(Signature)
(Print Name) Geauga County Recorder

The declaration of covenants and restrictions for _____ Subdivision is recorded in Volume _____, Page _____ of the Geauga County Deed Records.

[Note: Add the following text to the foregoing declaration text reference if a drainage maintenance district has been formed for the subdivision.]

The declaration of covenants and restrictions contains provisions relating to the drainage facilities shown herein.

[Note: If a drainage maintenance district agreement is signed between the owner and the Geauga County Board of Commissioners then the drainage facility provisions contained in such declaration shall not be amended or vacated without the prior approval of the Geauga County Board of Commissioners.]

LANGUAGE FOR A FINAL PLAT WITH NO NEW ROADS**SUBDIVISION NAME**

Situated in the Township of _____, County of Geauga, State of Ohio and known as being part of Tract _____ and Original Lot (or Section No.) _____ in said Township and containing _____ acres being (all or part) of the land as conveyed to _____ in the deed recorded in volume _____ page _____ of the Geauga County Deed Records and representing permanent parcel number(s) _____.

SURVEYOR'S CERTIFICATION

I (we) do hereby certify that I (we) have surveyed the premises and prepared the attached plat in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code and the dimensions of the lots and road(s) are in feet and decimal parts thereof, all of which are correct to the best of my (our) knowledge and belief. Iron monuments or pins as indicated hereon shall be set in place before final inspection and acceptance by the Geauga County Engineer.

(Signature)
(Print Name) Registered Surveyor

SEAL

Date

ACCEPTANCE AND CERTIFICATION

I (we), the undersigned owner(s) _____ of the land shown herein, hereby certify that this plat correctly represents my (our) "_____" subdivision, a subdivision containing sublots _____ through _____ both inclusive, and do hereby accept this plat of same. The undersigned further agree(s) that any use or improvements made on this land shall be made in accordance with all existing valid zoning, platting, health or other lawful rules and regulations for the benefit of himself (themselves) and all other subsequent owners or assigns taking title from, under, or through the undersigned. Easements are reserved where indicated on the plat for public utility purposes above and beneath the surface of the ground. In witness whereof the undersigned hereunto set his (their) hand(s) this _____ day of _____, 20____.

(Signature)
(Print Name) Owner

(Signature)
(Print Name) Witness

(Signature)
(Print Name) Witness

STATE OF OHIO, COUNTY OF _____

Before me, a notary public in and for said county and state personally appeared the above named _____ who acknowledged that he (they) did sign the foregoing instrument and that the same is his (their) free act and deed for the purposes therein expressed. In witness whereof I have hereunto set my hand and affixed my official seal at _____, Ohio this _____ day of _____, 20_____.

(Signature)
(Print Name) Notary Public

My Commission Expires _____.

Replacement Page 3/31/10

[Note: Use the following language only if sanitary sewer and/or water facilities are to be installed. This language is subject to change depending on the specific project.]

Under owner's acceptance, certification, and dedication provide the following:

I (we) hereby dedicate, give, grant, convey, and release to the Geauga County Board of County Commissioners, its successors and assigns forever, a perpetual easement for constructing, reconstructing, using, operating, maintaining, repairing, replacing, and renewing of sanitary sewers and/or water lines and all appurtenances within, over, through, under, and upon the land within said easement included in this plat and as described herein. Said easement shall remain unobstructed and shall include the right of ingress and egress. Said easement rights shall include the right without liability therefor to remove trees and landscaping including lawns and/or the right to prohibit such landscaping except lawns from being installed.

[Note: If sanitary sewer and/or water lines are installed within the existing road right-of-way(s) add the following language]

I (we) hereby dedicate, give, grant, convey, and release to the Geauga County Board of Commissioners, its successors and assigns forever, the sanitary sewer and/or water lines and all appurtenances within, over, through, under, and upon the land included within the existing road right-of-way(s) shown hereon and included in this plat and as described herein for the purpose of constructing, reconstructing, using, operating, maintaining, repairing, replacing, and renewing of said lines and appurtenances.

[Note: Text to be used only if a drainage maintenance district agreement is signed between the owner and the Board of County Commissioners.]

Under owner's acceptance, certification, and dedication provide the following:

Easements as shown herein for drainage facilities including retention basins, detention basins, ditches, vegetative buffers, swales, pipes, and any appurtenances related thereto including the right of ingress and egress for the maintenance repair, and replacement of said facilities are hereby granted and conveyed in perpetuity to the Geauga County Board of Commissioners this _____ day of _____, 2____.

UTILITY EASEMENT

I, (we) _____, the undersigned owner(s) of the within platted land, do hereby grant unto the _____ (electric) _____, _____ (telephone) _____, _____ (natural gas) _____, _____ (cable television) _____, their successors and assigns (hereinafter referred to as the grantees) a permanent right-of-way and easement twelve (12) feet in width under, over, and through all sublots and all lands shown hereon and parallel with and contiguous to all road lines to construct, place, operate, maintain, repair, reconstruct, or relocate such underground electric, gas, and communications cables, ducts, conduits, pipes, gas pipe lines, surface or below ground mounted transformers and pedestals, concrete pads and other facilities as are deemed necessary or convenient by the grantees for distributing, transporting, and transmitting electricity, gas, and communication signals, for public and private use at such locations as the grantees may determine upon, within, and across the easement premises. Said easement rights shall include the right without liability therefor to remove any and all facilities not contemplated in the rights conveyed to grantees by this easement grant within said easement premises, including, but not limited to, irrigation systems, electronic animal fencing, trees and landscaping including lawns, flowers or shrubbery and landscape lighting within and without said easement premises which may interfere with the installation, maintenance, repair, or operation of said electric, gas and communications facilities, the right to install, repair, augment and maintain service cables and pipe lines outside the above described easement premises and with the right of access, ingress and egress to and from any of the within described premises for exercising any of the purposes of this right-of-way and easement grant. All sublots and all lands shall be restricted to underground utility service. In witness whereof the undersigned hereunto set his (their) hand(s) this _____ day of _____, 20____. [Note: This language may be subject to modification if additional easements are provided along or between subplot lines].

Replacement Page 3/31/10

(Signature)
(Print Name) Owner

(Signature)
(Print Name) Witness

(Signature)
(Print Name) Witness

STATE OF OHIO, COUNTY OF _____

Before me, a Notary Public in and for said county and state personally appeared the above named _____, who acknowledged that he (they) did sign the foregoing instrument and that the same is his (their) free act and deed for the purposes therein expressed. In witness whereof I have hereunto set my hand and affixed my official seal at _____, Ohio this _____ day of _____, 20_____.

(Signature)
(Print Name) Notary Public

My Commission Expires _____.

UTILITY EASEMENT ACCEPTED BY:

(Signature)
(Print Name) Electric Company Date

(Signature)
(Print Name) Telephone Company Date

(Signature)
(Print Name) Gas Company Date

(Signature)
(Print Name) Cable Television Company Date

APPROVALS

Approved as to legal form this _____ day of _____, 20_____.

(Signature)
(Print Name) Geauga County Prosecutor

Approved this _____ day of _____, 20_____.

(Signature)
(Print Name) Chairman, Geauga County
Planning Commission

This plat complies with the applicable _____ Township Zoning Resolution.
This _____ day of _____, 20_____.

[Note: If a variance has been granted, add "Based upon variance number _____ granted by the board of zoning appeals."]

(Signature)
(Print Name) _____ Township Zoning Inspector

This plat complies with the applicable household sewage treatment rules adopted under section 3718.02 of the Revised Code by the Geauga County General Health District, Department of Health. This _____ day of _____, 20_____.

(Signature)
(Print Name) Geauga County Health Commissioner

This plat has been reviewed and meets the minimum standards for boundary surveys codified in Chapter 4733-37 of the Ohio Administrative Code.

This _____ day of _____, 20_____.

(Signature)
(Print Name) Geauga County Engineer

[Note: Use the following language only if sanitary sewer and/or water facilities are to be installed. This language is subject to change depending on the specific project.]

For county sanitary engineer provide the following:

I have examined the plans and specifications for the sanitary sewer and/or water facilities and appurtenances for conformity to the rules adopted by the Geauga County Board of County Commissioners pursuant to R.C. 6117.01, R.C. 6103.02, and R.C. 711.101 and hereby certify that all sanitary sewer and/or water facilities and appurtenances shown on this plat have been constructed, are in accordance with the approved plans and specifications, are in good repair, are in conformity with said rules, and have met all bonding requirements for maintenance. This _____ day of _____, 20_____.

(Signature)
(Print Name) Geauga County Sanitary Engineer

Approved this _____ day of _____, 20_____.

(Signature)
(Print Name) Geauga County Commissioner

(Signature)
(Print Name) Geauga County Commissioner

(Signature)
(Print Name) Geauga County Commissioner

[Note: Use the following language only if sanitary sewer and/or water facilities are to be installed. This language is subject to change depending on the specific project. Add to Board of County Commissioners approval text above.]

Upon the recommendation of the Geauga County Sanitary Engineer, the Geauga County Board of County Commissioners hereby approves the sanitary sewer and/or water facilities and all appurtenances thereto as constructed and as shown on this plat and the plans and specifications for such improvements, in conformity with the rules adopted by the Geauga County Board of County Commissioners pursuant to R.C. 6117.01, R.C. 6103.02, and R.C. 711.101. Further, this plat is hereby approved constituting an acceptance of the dedication of the easement(s) for sanitary sewer and/or water lines and appurtenances as shown hereon for public use and benefit and the acceptance for maintenance of such improvements contained within said easement(s). Said approval and acceptance shall include all sanitary sewer and/or water lines and appurtenances contained within the existing road right-of-way(s) as shown hereon and shall include the acceptance for maintenance of such improvements contained within the right-of-way(s).

Replacement Page 3/31/10

[Note: Text to be used only if a drainage maintenance district has been formed for the subdivision. Add to Board of County Commissioners approval text above.]

An agreement pertaining to the formation of a drainage maintenance district by and between the _____ (owner) and the Geauga County Board of Commissioners was approved by the Board on _____, 20____. The perpetual easements for storm water facilities including retention basins, detention basins, ditches, vegetative berms, vegetative buffers, swales, pipes, and any appurtenances related thereto including the right of ingress and egress for the maintenance, repair, and replacement of said facilities are hereby accepted.

Transferred this _____ day of _____, 20_____.

(Signature)
(Print Name) Geauga County Auditor

Filed for record this _____ day of _____, 20_____ at _____ M.
Recorded this _____ day of _____, 20_____ in plat book volume _____ page _____.

(Signature)
(Print Name) Geauga County Recorder

The declaration of covenants and restrictions for _____ Subdivision is recorded in Volume _____, Page _____ of the Geauga County Deed Records.

[Note: Add the following text to the foregoing declaration text reference if a drainage maintenance district has been formed for the subdivision.]

The declaration of covenants and restrictions contains provisions relating to the drainage facilities shown herein.

[Note: If a drainage maintenance district agreement is signed between the owner and the Geauga County Board of Commissioners then the drainage facility provisions contained in such declaration shall not be amended or vacated without the prior approval of the Geauga County Board of Commissioners.]

LANGUAGE FOR A FINAL PLAT WITH A PRIVATE ROAD**SUBDIVISION NAME**

Situated in the Township of _____, County of Geauga, State of Ohio and known as being part of Tract _____ and Original Lot (or Section No.) _____ in said Township and containing _____ acres being (all or part) of the land as conveyed to _____ in the deed recorded in volume _____ page _____ of the Geauga County Deed Records and representing permanent parcel number(s) _____.

SURVEYOR'S CERTIFICATION

I (we) do hereby certify that I (we) have surveyed the premises and prepared the attached plat in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code and the dimensions of the lots and road(s) are in feet and decimal parts thereof, all of which are correct to the best of my (our) knowledge and belief. Iron monuments or pins as indicated hereon shall be set in place before final inspection and acceptance by the Geauga County Engineer.

(Signature)
(Print Name) Registered Surveyor

SEAL

Date

ACCEPTANCE AND CERTIFICATION

I (we), the undersigned owner(s) _____ of the land shown herein, hereby certify that this plat correctly represents my (our) "_____" subdivision, a subdivision containing sublots _____ through _____ both inclusive, and do hereby accept this plat of same. The _____ homeowner's association, a non-profit corporation has been formed under the laws of the State of Ohio and shall be solely responsible for the area designated as _____ Road. I (we) hereby acknowledge and the grantees shall acknowledge in their respective deeds that they understand that the premises described herein is located upon a non-dedicated (private) right-of-way and they shall further acknowledge that the premises described herein is located upon a non-dedicated (private) right-of-way. I (we) hereby acknowledge and the grantees shall further acknowledge that they understand that no governmental body is responsible for care and maintenance of said right-of-way. The undersigned further agree(s) that any use or improvements made on this land shall be made in accordance with all existing valid zoning, platting, health or other lawful rules and regulations for the benefit of himself (themselves) and all other subsequent owners or assigns taking title from, under, or through the undersigned. Easements are reserved where indicated on the plat for public utility purposes above and beneath the surface of the ground. In witness whereof the undersigned hereunto set his (their) hand(s) this _____ day of _____, 20_____.

(Signature)
(Print Name) Owner

(Signature)
(Print Name) Witness

(Signature)
(Print Name) Witness

Replacement Page 3/31/10

STATE OF OHIO, COUNTY OF _____

Before me, a notary public in and for said county and state personally appeared the above named _____ who acknowledged that he (they) did sign the foregoing instrument and that the same is his (their) free act and deed for the purposes therein expressed. In witness whereof I have hereunto set my hand and affixed my official seal at _____, Ohio this _____ day of _____, 20____.

(Signature)
(Print Name) Notary Public

My Commission Expires _____.

[Note: Use the following language only if sanitary sewer and/or water facilities are to be installed. This language is subject to change depending on the specific project.]

Under owner's acceptance, certification, and dedication provide the following:

I (we) hereby dedicate, give, grant, convey, and release to the Geauga County Board of County Commissioners, its successors and assigns forever, a perpetual easement for constructing, reconstructing, using, operating, maintaining, repairing, replacing, and renewing of sanitary sewers and/or water lines and all appurtenances within, over, through, under, and upon the land within said easement included in this plat and as described herein. Said easement shall remain unobstructed and shall include the right of ingress and egress. Said easement rights shall include the right without liability therefor to remove trees and landscaping including lawns and/or the right to prohibit such landscaping except lawns from being installed.

[Note: If sanitary sewer and/or water lines are installed within the existing and/or proposed road right-of-way(s) add the following language]

I (we) hereby dedicate, give, grant, convey, and release to the Geauga County Board of Commissioners, its successors and assigns forever, the sanitary sewer and/or water lines and all appurtenances within, over, through, under, and upon the land included within the road right-of-way(s) shown hereon and included in this plat and as described herein for the purpose of constructing, reconstructing, using, operating, maintaining, repairing, replacing, and renewing of said lines and appurtenances.

[Note: Text to be used only if a drainage maintenance district agreement is signed between the owner and the Board of County Commissioners.]

Under owner's acceptance, certification, and dedication provide the following:

Easements as shown herein for drainage facilities including retention basins, detention basins, ditches, vegetative buffers, swales, pipes, and any appurtenances related thereto including the right of ingress and egress for the maintenance repair, and replacement of said facilities are hereby granted and conveyed in perpetuity to the Geauga County Board of Commissioners this _____ day of _____, 20____.

UTILITY EASEMENT

I, (we) _____, the undersigned owner(s) of the within platted land, do hereby grant unto the _____ (electric), _____ (telephone), _____ (natural gas), _____ (cable television), their successors and assigns (hereinafter referred to as the grantees) a permanent right-of-way and easement twelve (12) feet in width under, over, and through all sublots and all lands shown hereon and parallel with and contiguous to all road lines to construct, place, operate, maintain, repair, reconstruct, or relocate such underground electric, gas, and communications cables, ducts, conduits, pipes, gas pipe lines, surface or below ground mounted transformers and pedestals, concrete pads and other facilities as are deemed necessary or convenient by the grantees for distributing, transporting, and transmitting electricity, gas, and communication signals, for public and private use at such locations as the grantees may determine upon, within, and across the easement premises. Said easement rights shall include the right without liability therefor to remove any and all facilities not contemplated in the rights conveyed to grantees by this easement grant within said easement premises, including, but not limited to, irrigation systems, electronic animal fencing, trees and landscaping including lawns, flowers or shrubbery and landscape lighting within and without said easement premises which may interfere with the installation, maintenance, repair, or operation of said electric, gas and communications facilities, the right to install, repair, augment and maintain service cables and pipe lines outside the above described easement premises and with the right of access, ingress and egress to and from any of the within described premises for exercising any of the purposes of this right-of-way and easement grant. All sublots and all lands shall be restricted to underground utility service. In witness whereof the undersigned hereunto set his (their) hand(s) this _____ day of _____, 20_____. [Note: This language may be subject to modification if additional easements are provided along or between subplot lines].

(Signature)
(Print Name) Owner

(Signature)
(Print Name) Witness

(Signature)
(Print Name) Witness

STATE OF OHIO, COUNTY OF _____

Before me, a Notary Public in and for said county and state personally appeared the above named _____, who acknowledged that he (they) did sign the foregoing instrument and that the same is his (their) free act and deed for the purposes therein expressed. In witness whereof I have hereunto set my hand and affixed my official seal at _____, Ohio, this _____ day of _____, 20_____.

(Signature)
(Print Name) Notary Public

My Commission Expires _____.

UTILITY EASEMENT ACCEPTED BY:

(Signature)
(Print Name) Electric Company Date

(Signature)
(Print Name) Telephone Company Date

(Signature)
(Print Name) Gas Company Date

(Signature)
(Print Name) Cable Television Company Date

Replacement Page 3/31/10

APPROVALS

Approved as to legal form this _____ day of _____, 20____.

(Signature)
(Print Name) Geauga County Prosecutor

Approved this _____ day of _____, 20____.

(Signature)
(Print Name) Chairman, Geauga County Planning Commission

This plat complies with the applicable _____ Township Zoning Resolution.
This _____ day of _____, 20____.

[Note: If a variance has been granted, add: "Based upon variance number _____ granted by the board of zoning appeals."]

(Signature)
(Print Name) _____ Township Zoning Inspector

This plat complies with the applicable household sewage treatment rules adopted under section 3718.02 of the Revised Code by the Geauga County General Health District, Department of Health. This _____ day of _____, 20____.

(Signature)
(Print Name) Geauga County Health Commissioner

I have checked the construction of roadway improvements of the road(s) shown hereon, and do hereby find that the same have been constructed, are in accordance with the approved plat, specifications, and construction drawings, and are in good repair. This plat has been reviewed and meets the minimum standards for boundary surveys codified in Chapter 4733-37 of the Ohio Administrative Code.

This _____ day of _____, 20____.

(Signature)
(Print Name) Geauga County Engineer

[Note: Use the following language only if sanitary sewer and/or water facilities are to be installed. This language is subject to change depending on the specific project.]

For county sanitary engineer provide the following:

I have examined the plans and specifications for the sanitary sewer and/or water facilities and appurtenances for conformity to the rules adopted by the Geauga County Board of County Commissioners pursuant to R.C. 6117.01, R.C. 6103.02, and R.C. 711.101 and hereby certify that all sanitary sewer and/or water facilities and appurtenances shown on this plat have been constructed, are in accordance with the approved plans and specifications, are in good repair, are in conformity with said rules, and have met all bonding requirements for maintenance. This _____ day of _____, 20____.

(Signature)
(Print Name) Geauga County Sanitary Engineer

Replacement Page 3/31/10

Approved this _____ day of _____, 20_____.

(Signature)
(Print Name) Geauga County
Commissioner

(Signature)
(Print Name) Geauga County
Commissioner

(Signature)
(Print Name) Geauga County
Commissioner

[Note: Use the following language only if sanitary sewer and/or water facilities are to be installed. This language is subject to change depending on the specific project.]

Upon the recommendation of the Geauga County Sanitary Engineer, the Geauga County Board of County Commissioners hereby approves the sanitary sewer and/or water facilities and all appurtenances thereto as constructed and as shown on this plat and the plans and specifications for such improvements, in conformity with the rules adopted by the Geauga County Board of County Commissioners pursuant to R.C. 6117.01, R.C. 6103.02, and R.C. 711.101. Further, this plat is hereby approved constituting an acceptance of the dedication of the easement(s) for sanitary sewer and/or water lines and appurtenances as shown hereon for public use and benefit and the acceptance for maintenance of such improvements contained within said easement(s). Said approval and acceptance shall include all sanitary sewer and/or water lines and appurtenances contained within the existing and/or proposed road right-of-way(s) as shown hereon and shall include the acceptance for maintenance of such improvements contained within the right-of-way(s).

[Note: Text to be used only if a drainage maintenance district has been formed for the subdivision.]

An agreement pertaining to the formation of a drainage maintenance district by and between the _____ (owner) and the Geauga County Board of Commissioners was approved by the Board on _____, 20____. The perpetual easements for drainage facilities including retention basins, detention basins, ditches, vegetative berms, vegetative buffers, swales, pipes, and any appurtenances related thereto including the right of ingress and egress for the maintenance, repair, and replacement of said facilities are hereby accepted.

Transferred this _____ day of _____, 20_____.

(Signature)
(Print Name) Geauga County Auditor

Filed for record this _____ day of _____, 20_____ at _____ M.
Recorded this _____ day of _____, 20_____ in plat book volume
_____ page _____.

(Signature)
(Print Name) Geauga County Recorder

Replacement Page 12/21/17

The declaration of covenants and restrictions for _____ Subdivision is recorded in Volume _____, Page _____ of the Geauga County Deed Records.

[Note: Add the following text to the foregoing declaration text reference if a drainage maintenance district has been formed for the subdivision.]

The declaration of covenants and restrictions contains provisions relating to the drainage facilities shown herein.

[Note: If a drainage maintenance district agreement is signed between the owner and the Geauga County Board of Commissioners then the drainage facility provisions contained in such declaration shall not be amended or vacated without the prior approval of the Geauga County Board of Commissioners.]

**APPLICATION FOR WITHDRAWAL OF A PRELIMINARY PLAN
FROM REVIEW AND ACTION BY THE PLANNING COMMISSION**

I _____, hereby withdraw from review and action the Preliminary Plan of the "_____" Subdivision by the Geauga County Planning Commission.

I understand that I must resubmit all of the materials required by the Geauga County Subdivision Regulations in order for the Planning Commission to review the Preliminary Plan at a subsequent meeting.

Owner or Authorized Representative

Date

FOR OFFICIAL USE ONLY

APPLICATION NO.: _____

DATE PRELIMINARY PLAN RECEIVED: _____

ACTION BY PLANNING COMMISSION: _____

Planning Director

Date

**APPLICATION FOR WITHDRAWAL OF A FINAL PLAT
FROM REVIEW AND ACTION BY THE PLANNING COMMISSION**

I _____, hereby withdraw from review and action the Final Plat of the "_____" Subdivision by the Geauga County Planning Commission.

I understand that I must resubmit all of the materials required by the Geauga County Subdivision Regulations in order for the Planning Commission to review the Final Plat at a subsequent meeting.

Owner or Authorized Representative

Date

FOR OFFICIAL USE ONLY

APPLICATION NO.: _____
DATE FINAL PLAT RECEIVED: _____
ACTION BY PLANNING COMMISSION: _____

Planning Director

Date

**APPLICATION FOR EXTENSION OF REVIEW TIME FOR ACTION
ON A PRELIMINARY PLAN BY THE PLANNING COMMISSION**

I _____, hereby request an extension of _____ days to
_____, 20____ for the review and action on the Preliminary
Plan of the " _____ " Subdivision by the Geauga County Planning Commission.

Owner or Authorized Representative

Date

FOR OFFICIAL USE ONLY

APPLICATION NO.: _____
DATE PRELIMINARY PLAN RECEIVED: _____
ACTION BY PLANNING COMMISSION: _____

Planning Director

Date

**APPLICATION FOR EXTENSION OF REVIEW TIME FOR ACTION
ON A FINAL PLAT BY THE PLANNING COMMISSION**

I _____, hereby request an extension of _____ days to
_____, 20____ for the review and action on the Final Plat of the
"_____" Subdivision by the Geauga County Planning Commission.

Owner or Authorized Representative

Date

FOR OFFICIAL USE ONLY

APPLICATION NO.: _____
DATE FINAL PLAT RECEIVED: _____
ACTION BY PLANNING COMMISSION: _____

Planning Director

Date

**APPLICATION FOR WITHDRAWAL OF THE APPROVAL OF A PRELIMINARY PLAN
BY THE PLANNING COMMISSION**

I, _____, hereby request the withdrawal of the approval of the preliminary plan of the "_____" Subdivision by the Geauga County Planning Commission. Said approval was made at the _____, 20____ county planning commission meeting.

I understand that I must resubmit all of the materials required by the Geauga County Subdivision Regulations in order for the planning commission to review the preliminary plan at a subsequent meeting.

Owner or Authorized Representative

Date

FOR OFFICIAL USE ONLY

APPLICATION NO.: _____

DATE PRELIMINARY PLAN RECEIVED: _____

ACTION BY PLANNING COMMISSION: _____

Planning Director

Date

Replacement Page 9/30/05

**APPLICATION FOR WITHDRAWAL OF THE APPROVAL OF A FINAL PLAT
BY THE PLANNING COMMISSION**

I _____, hereby request the withdrawal of the approval of the final plat of the "_____" Subdivision by the Geauga County Planning Commission. Said approval was made at the _____, 20____ County Planning Commission meeting.

I understand that I must resubmit all of the materials required by the Geauga County Subdivision Regulations in order for the planning commission to review the final plat at a subsequent meeting.

Owner or Authorized Representative

Date

FOR OFFICIAL USE ONLY

APPLICATION NO.: _____
 DATE FINAL PLAT RECEIVED: _____
 ACTION BY PLANNING COMMISSION: _____

Planning Director

Date

**APPLICATION FOR LARGE LOT SUBDIVISION REVIEW IN
ACCORDANCE WITH THE GEAUGA COUNTY SUBDIVISION REGULATIONS**

1. NAME OF APPLICANT: _____
 a. ADDRESS: _____
 b. TELEPHONE NUMBER: _____
 c. FAX NUMBER: _____
 d. E-MAIL ADDRESS: _____
2. LARGE LOT SUBDIVISION LOCATION:
 a. TOWNSHIP: _____
 b. TRACT: _____ LOT OR SECTION NO: _____
3. ATTACH A COPY OF THE LEGAL DESCRIPTION (STAMPED APPROVED BY THE COUNTY TAX MAP DEPARTMENT), A SURVEY MAP, AND THE COUNTY HEALTH DEPARTMENT APPROVAL, OHIO EPA ACCEPTANCE, OR COUNTY WATER RESOURCES DEPARTMENT APPROVAL PURSUANT TO ARTICLE III SECTION 305 OF THE SUBDIVISION REGULATIONS HERETO. A REVIEW FEE OF \$150.00 PER LOT IS REQUIRED.

The undersigned applies for large lot subdivision review under Section 711.133 of the Ohio Revised Code and the Geauga County Subdivision Regulations and certifies that all of the information contained in this application is true and correct to the best of my knowledge. I understand that large lot subdivision approval may be granted only under the following conditions:

- a. The proposed division is along an existing public street or road, and does not involve the opening, widening, or extension of any street or road.
- b. The proposed division involves a lot in the range from 5.01 up to and including 20 acres.
- c. The proposed division is not contrary to any applicable subdivision, zoning, health, sanitary, access management regulations; building codes pertaining to existing surface and subsurface drainage, and household sewage treatment regulations.

 Applicant's Signature
 or Authorized Representative

 Date

FOR OFFICIAL USE ONLY

APPLICATION NO: _____
 DATE RECEIVED: _____
 DATE APPROVED: _____
 DATE DISAPPROVED: _____
 IF DISAPPROVED, REASONS GIVEN: _____

 Planning Director

 Date

Replacement Page 3/2/15

**AFFIDAVIT FOR EXEMPTION FROM LARGE LOT SUBDIVISION REGULATIONS
GEAUGA COUNTY, OHIO**

STATE OF OHIO

SS

COUNTY OF _____

I, _____, being first duly sworn, deposes and says:
(Grantee)

I am presenting an instrument of conveyance from _____ to
(Grantor)
_____ for the real property located in _____ Township,
(Grantee)
Geauga County, Ohio, Tract _____, Lot or Section No. _____, which was executed on
the _____ day of _____, 20____.

1. The parcel described in said instrument of conveyance is being divided from a parcel of land recorded in volume _____, page _____ of the Geauga County Deed Records.
2. The parcel described in said instrument of conveyance contains _____ acres and has frontage along an existing public road.
3. Pursuant to R.C. Section 711.133(C), this conveyance is exempt from the provisions of the "Subdivision Regulations of Geauga County, Ohio" for the following reason (check applicable line):

_____ The division of land is a parcel to be used only for agricultural purposes as defined in the "Subdivision Regulations of Geauga County, Ohio."

_____ The division of land is a parcel to be used only for personal recreational purposes as defined in the "Subdivision Regulations of Geauga County, Ohio."
4. I acknowledge that the proposed instrument of conveyance shall contain a restrictive covenant running with the land that the parcel described therein shall be used solely for _____ purposes.
(Agricultural) (Personal Recreational)
5. I acknowledge that I understand that the subject parcel shall not be excluded from regulations adopted under Chapter 711 of the Revised Code for any future divisions or partitions thereof.
6. I acknowledge that I understand that if the subject parcel is subsequently to be used for other than agricultural or personal recreational purposes as noted hereinabove, the Geauga County Planning Director, or his authorized representative, shall first determine that such parcel complies with the applicable provisions of the "Subdivision Regulations of Geauga County, Ohio."
7. I acknowledge that I understand that the Planning Director, or his authorized representative, shall apply the applicable stamp to the executed instrument of conveyance: "No Approval or Plat Required by Geauga County Planning Commission Under R.C. Section 711.133; for Agricultural Use Only" or "No approval or Plat Required by Geauga County Planning Commission Under R.C. Section 711.133; for Personal Recreational Use Only."
8. Further affiant sayeth naught.

Replacement Page 9/30/05

Signature of Affiant (Grantee)

Signature of Witness

Print Name

Print Name

Street Address

Signature of Witness

City, State, Zip Code

Print Name

Sworn to and subscribed before me this _____ day of _____, 20_____.

Notary Public

My commission expires: _____, 20_____.

This affidavit was prepared by:

Name

Street Address

City, State, Zip Code

FOR COUNTY PLANNING COMMISSION USE ONLY

Date affidavit received: _____

Date approved: _____

Date disapproved: _____

If disapproved, reason(s) provided: _____

Planning Director (or authorized representative): _____

Date: _____

Replacement Page 9/30/05

MINOR SUBDIVISION CHECKLIST
(Lots 5 Acres or Under)

APPLICANT NAME: _____
 TOWNSHIP: _____ APPLICATION NUMBER: _____
 TRACT: _____ LOT OR SECTION NO.: _____
 ACRES: _____ DATE RECEIVED: _____

The following items have been reviewed for conformity with the requirements of the Geauga County Subdivision Regulations Article III, Sections 301, 302, and 303.

	<u>CONFORMS</u>	<u>DOES NOT CONFORM</u>	<u>NOT APPLICABLE</u>	<u>ITEM</u>
1.	_____	_____	_____	Application Completed
2.	_____	_____	_____	Accurate Legal Description
				Prepared in Accordance with Chapter 4733-37 of the Ohio Administrative Code
3.	_____	_____	_____	Survey Map Prepared in Accordance with Chapter 4733-37 of the Ohio Administrative Code
4.	_____	_____	_____	Surveyor's Certification, Seal and Signature
5.	_____	_____	_____	Scale, North Arrow, Township, Tract, Lot or Section Number; Owner, Vol./Pg., and PPN
6.	_____	_____	_____	Iron Pins Set at All Lot Corners and Angle Points
7.	_____	_____	_____	All Lot Boundaries with Distances and Dimensions
8.	_____	_____	_____	All Easements with Distances and Dimensions
9.	_____	_____	_____	All Roads Identified with Distances and Dimensions
10.	_____	_____	_____	Lot Area in Acres
11.	_____	_____	_____	All Minimum Building Setback Lines
12.	_____	_____	_____	The Location, Type, Dimensions, and Distances to Property Lines of any Existing Ponds, Buildings or Structures Including Driveways, Parking Areas, and Loading/Unloading Spaces
13.	_____	_____	_____	The Location, Dimensions and Distances from Property Lines of any Existing and Proposed Household Sewage Areas
14.	_____	_____	_____	County Tax Map Department Approval
15.	_____	_____	_____	Written Proof of Compliance from the Geauga County General Health District
16.	_____	_____	_____	Written Proof of Compliance from the Ohio EPA
17.	_____	_____	_____	Written Proof of Compliance from the Geauga County Water Resources Department
18.	_____	_____	_____	Review Fee
19.	_____	_____	_____	Affidavit Completed
20.	_____	_____	_____	Consolidation of Parcels Completed
21.	_____	_____	_____	Lots Previously Divided Out of Original Tract
22.	_____	_____	_____	Compliance with Zoning per the Zoning Inspector

 Planning Director or Authorized Representative

 Date

Replacement Page 3/2/15

LARGE LOT SUBDIVISION CHECKLIST **(Lots more than 5 acres – 20 acres)**

APPLICANT NAME: _____
 TOWNSHIP: _____ APPLICATION NUMBER: _____
 TRACT: _____ LOT OR SECTION NO.: _____
 ACRES: _____ DATE RECEIVED: _____

The following items have been reviewed for conformity with the requirements of the Geauga County Subdivision Regulations Article III, Sections 305, 306, 307, and 308.

	<u>CONFORMS</u>	<u>DOES NOT CONFORM</u>	<u>NOT APPLICABLE</u>	<u>ITEM</u>
1.	_____	_____	_____	Application Completed
2.	_____	_____	_____	Accurate Legal Description Prepared in Accordance with Chapter 4733-37 of the Ohio Administrative Code
3.	_____	_____	_____	Survey Map Prepared in Accordance with Chapter 4733-37 of the Ohio Administrative Code
4.	_____	_____	_____	Surveyor's Certification, Seal and Signature
5.	_____	_____	_____	Scale, North Arrow, Township, Tract, Lot or Section Number; Owner, Vol./Pg., and PPN
6.	_____	_____	_____	Iron Pins Set at All Lot Corners and Angle Points
7.	_____	_____	_____	All Lot Boundaries with Distances and Dimensions
8.	_____	_____	_____	All Easements with Distances and Dimensions
9.	_____	_____	_____	All Roads Identified with Distances and Dimensions
10.	_____	_____	_____	Lot Area in Acres
11.	_____	_____	_____	All Minimum Building Setback Lines
12.	_____	_____	_____	The Location, Type, Dimensions, and Distances to Property Lines of any Existing Ponds, Buildings or Structures Including Driveways, Parking Areas, and Loading/Unloading Spaces
13.	_____	_____	_____	The Location, Dimensions and Distances from Property Lines of any Existing and Proposed Household Sewage Areas
14.	_____	_____	_____	County Tax Map Department Approval
15.	_____	_____	_____	Written Proof of Compliance from the Geauga County General Health District
16.	_____	_____	_____	Written Proof of Compliance from the Ohio EPA
17.	_____	_____	_____	Written Proof of Compliance from the Geauga County Water Resources Department
18.	_____	_____	_____	Review Fee
19.	_____	_____	_____	Affidavit Completed
20.	_____	_____	_____	Consolidation of Parcels Completed
21.	_____	_____	_____	Lots Previously Divided Out of Original Tract
22.	_____	_____	_____	Compliance with Zoning per the Zoning Inspector

 Planning Director or Authorized Representative

 Date

Replacement Page 3/2/15

**APPLICATION FOR REVIEW IN
ACCORDANCE WITH THE GEAUGA COUNTY SUBDIVISION REGULATIONS
DIVISION OF LAND NOT CLASSIFIED AS A SUBDIVISION**

1. NAME OF APPLICANT: _____
 a. ADDRESS: _____
 b. TELEPHONE NUMBER: _____
 c. FAX NUMBER: _____
 d. E-MAIL ADDRESS: _____
2. MINOR SUBDIVISION LOCATION:
 a. TOWNSHIP: _____
 b. TRACT: _____ LOT OR SECTION NO: _____
3. ATTACH A COPY OF THE LEGAL DESCRIPTION (STAMPED APPROVED BY THE COUNTY TAX MAP DEPARTMENT) AND A SURVEY MAP.

The undersigned applies for review under Article III, Section 309 of the Geauga County Subdivision Regulations and certifies that all of the information contained in this application is true and correct to the best of my knowledge. I understand that this review involves the following:

- a. The proposed division is not contrary to any applicable township zoning resolution and county subdivision regulations.
- b. The proposed division represents an exempt conveyance pursuant to R.C. Section 711.001 (B) and the county subdivision regulations.

Applicant's Signature
or Authorized Representative

Date

FOR OFFICIAL USE ONLY

APPLICATION NO: _____
 DATE RECEIVED: _____
 DATE REVIEWED AND FOUND IN COMPLIANCE: _____
 DATE REVIEWED AND FOUND NOT IN COMPLIANCE: _____
 IF NOT IN COMPLIANCE, REASONS GIVEN: _____

Planning Director or Authorized Representative

Date

Replacement Page 3/2/15

**CHECKLIST FOR LOTS NOT CLASSIFIED AS A SUBDIVISION
(Lots Greater Than 20 Acres or Transfer to Adjacent Owner)**

APPLICANT NAME: _____
 TOWNSHIP: _____ APPLICATION NUMBER: _____
 TRACT: _____ LOT OR SECTION NO.: _____
 ACRES: _____ DATE RECEIVED: _____

The following items have been reviewed for conformity with the requirements of the Geauga County Subdivision Regulations Article III, Sections 309, 310, and 311.

	<u>CONFORMS</u>	<u>DOES NOT CONFORM</u>	<u>NOT APPLICABLE</u>	<u>ITEM</u>
1.	_____	_____	_____	Application Completed
2.	_____	_____	_____	Accurate Legal Description Prepared in Accordance with Chapter 4733-37 of the Ohio Administrative Code
3.	_____	_____	_____	Survey Map Prepared in Accordance with Chapter 4733-37 of the Ohio Administrative Code
4.	_____	_____	_____	Surveyor's Certification, Seal and Signature
5.	_____	_____	_____	Scale, North Arrow, Township, Tract, Lot or Section Number; Owner, Vol./Pg., and PPN
6.	_____	_____	_____	Iron Pins Set at All Lot Corners and Angle Points
7.	_____	_____	_____	All Lot Boundaries with Distances/Bearings
8.	_____	_____	_____	All Easements with Distances/Bearings
9.	_____	_____	_____	All Roads Identified with Distances/Bearings
10.	_____	_____	_____	Lot Area in Acres
11.	_____	_____	_____	All Minimum Building Setback Lines, Including Riparian Setback
12.	_____	_____	_____	The Location, Type, Dimensions, and Distances to Property Lines of any Existing Ponds, Buildings or Structures Including Driveways, Parking Areas, and Loading/Unloading Spaces
13.	_____	_____	_____	County Tax Map Department Approval
14.	_____	_____	_____	Consolidation of Parcels Completed
15.	_____	_____	_____	Compliance with Zoning per the Zoning Inspector

 Planning Director or Authorized Representative

 Date

**APPLICATION FOR REVIEW IN
ACCORDANCE WITH THE GEAUGA COUNTY SUBDIVISION REGULATIONS
LOT CONSOLIDATION**

1. NAME OF APPLICANT: _____
 a. ADDRESS: _____
 b. TELEPHONE NUMBER: _____
 c. FAX NUMBER: _____
 d. E-MAIL ADDRESS: _____
2. LOT CONSOLIDATION LOCATION:
 a. TOWNSHIP: _____
 b. TRACT: _____ LOT OR SECTION NO: _____
3. ATTACH A COPY OF THE LEGAL DESCRIPTION (STAMPED APPROVED BY THE COUNTY TAX MAP DEPARTMENT) AND A SURVEY MAP.

The undersigned applies for review under Article III, Section 311 of the Geauga County Subdivision Regulations and certifies that all of the information contained in this application is true and correct to the best of my knowledge. I understand that this review involves the following:

- a. The proposed lot consolidation is not contrary to any applicable township zoning resolution.
- b. The proposed lot consolidation is not contrary to any applicable county subdivision regulation.

Applicant's Signature
or Authorized Representative

Date

FOR OFFICIAL USE ONLY

APPLICATION NO: _____
 DATE RECEIVED: _____
 DATE REVIEWED AND FOUND IN COMPLIANCE: _____
 DATE REVIEWED AND FOUND NOT IN COMPLIANCE: _____
 IF NOT IN COMPLIANCE, REASONS GIVEN: _____

Planning Director or Authorized Representative

Date

CHECKLIST FOR LOT CONSOLIDATION

APPLICANT NAME: _____
 TOWNSHIP: _____ APPLICATION NUMBER: _____
 TRACT: _____ LOT OR SECTION NO.: _____
 ACRES: _____ DATE RECEIVED: _____

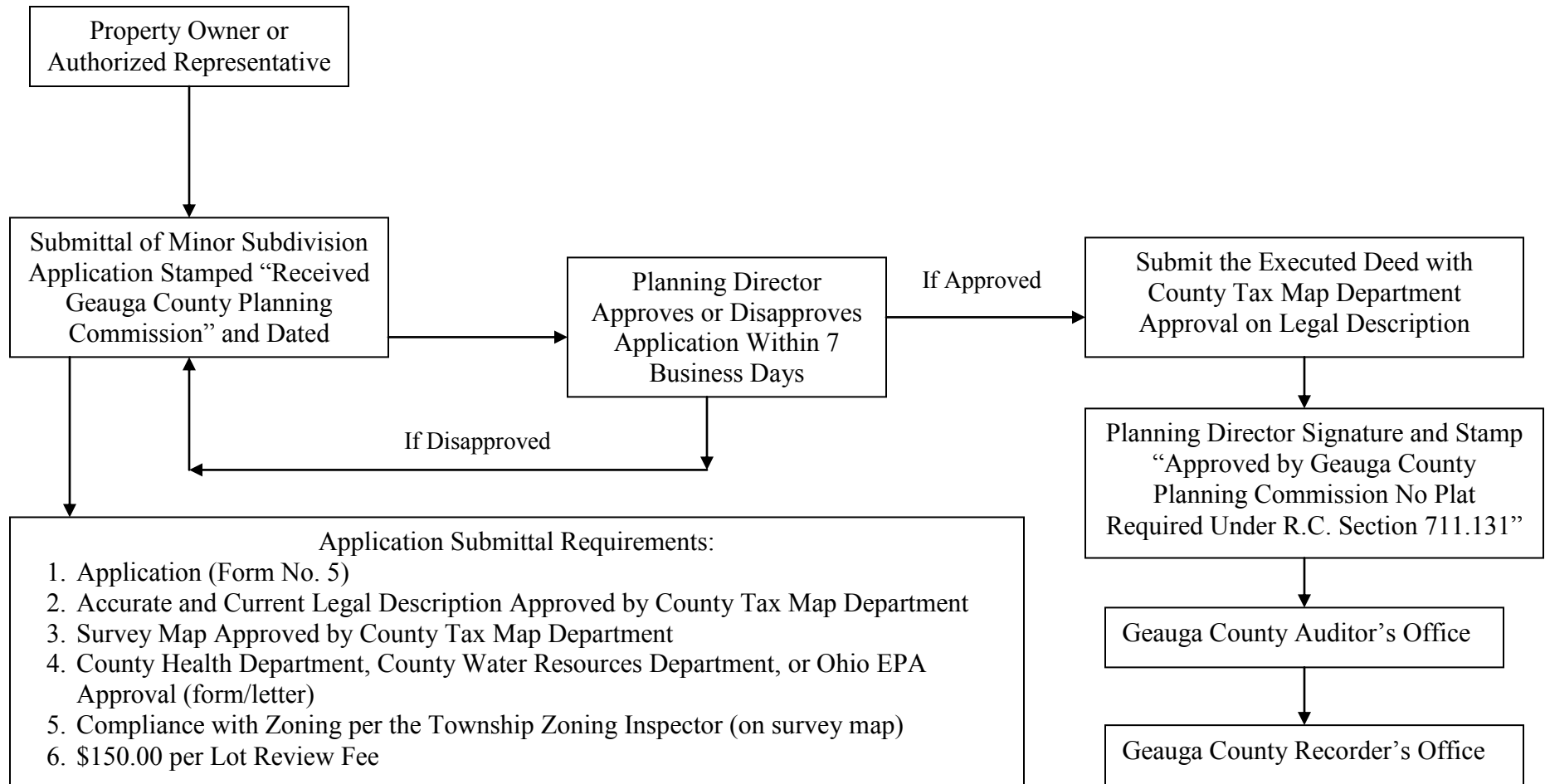
The following items have been reviewed for conformity with the requirements of the Geauga County Subdivision Regulations Article III, Section 311.

	<u>CONFORMS</u>	<u>DOES NOT CONFORM</u>	<u>NOT APPLICABLE</u>	<u>ITEM</u>
1.	_____	_____	_____	Application Completed
2.	_____	_____	_____	Accurate Legal Description Prepared in Accordance with Chapter 4733-37 of the Ohio Administrative Code
3.	_____	_____	_____	Survey Map Prepared in Accordance with Chapter 4733-37 of the Ohio Administrative Code
4.	_____	_____	_____	Surveyor's Certification, Seal and Signature
5.	_____	_____	_____	Scale, North Arrow, Township, Tract, Lot or Section Number; Owner, Vol./Pg., and PPN
6.	_____	_____	_____	Iron Pins Set at All Lot Corners and Angle Points
7.	_____	_____	_____	All Lot Boundaries with Distances/Bearings
8.	_____	_____	_____	All Easements with Distances/Bearings
9.	_____	_____	_____	All Roads Identified with Distances/Bearings
10.	_____	_____	_____	Lot Area in Acres
11.	_____	_____	_____	The Location of any Existing Buildings or Structures Including Driveways
12.	_____	_____	_____	County Tax Map Department Approval
13.	_____	_____	_____	Compliance with Zoning per the Zoning Inspector

Planning Director or Authorized Representative

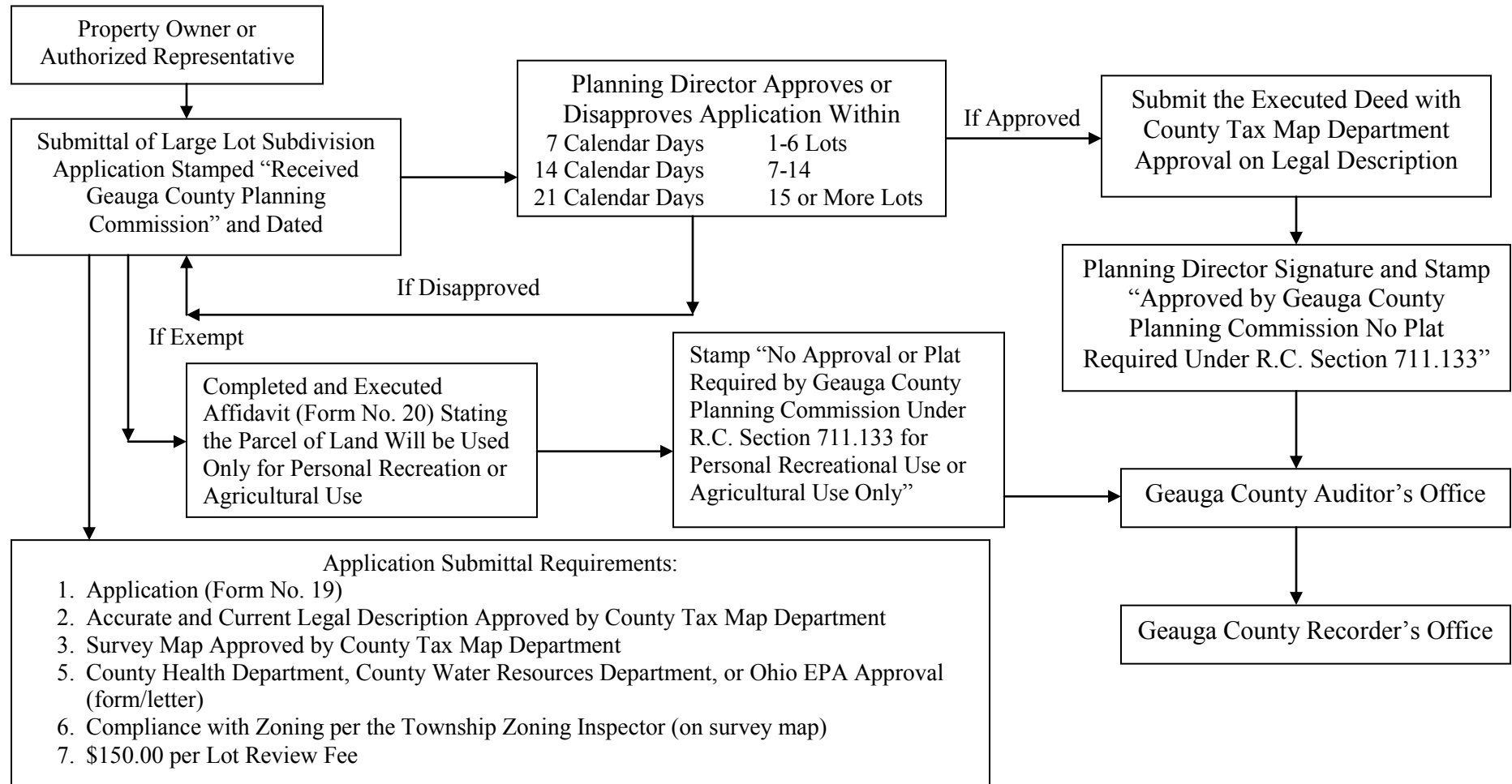
Date

**GEAUGA COUNTY PLANNING COMMISSION
MINOR SUBDIVISION REVIEW PROCEDURE
PROPOSED LOTS 5 ACRES OR LESS IN SIZE**



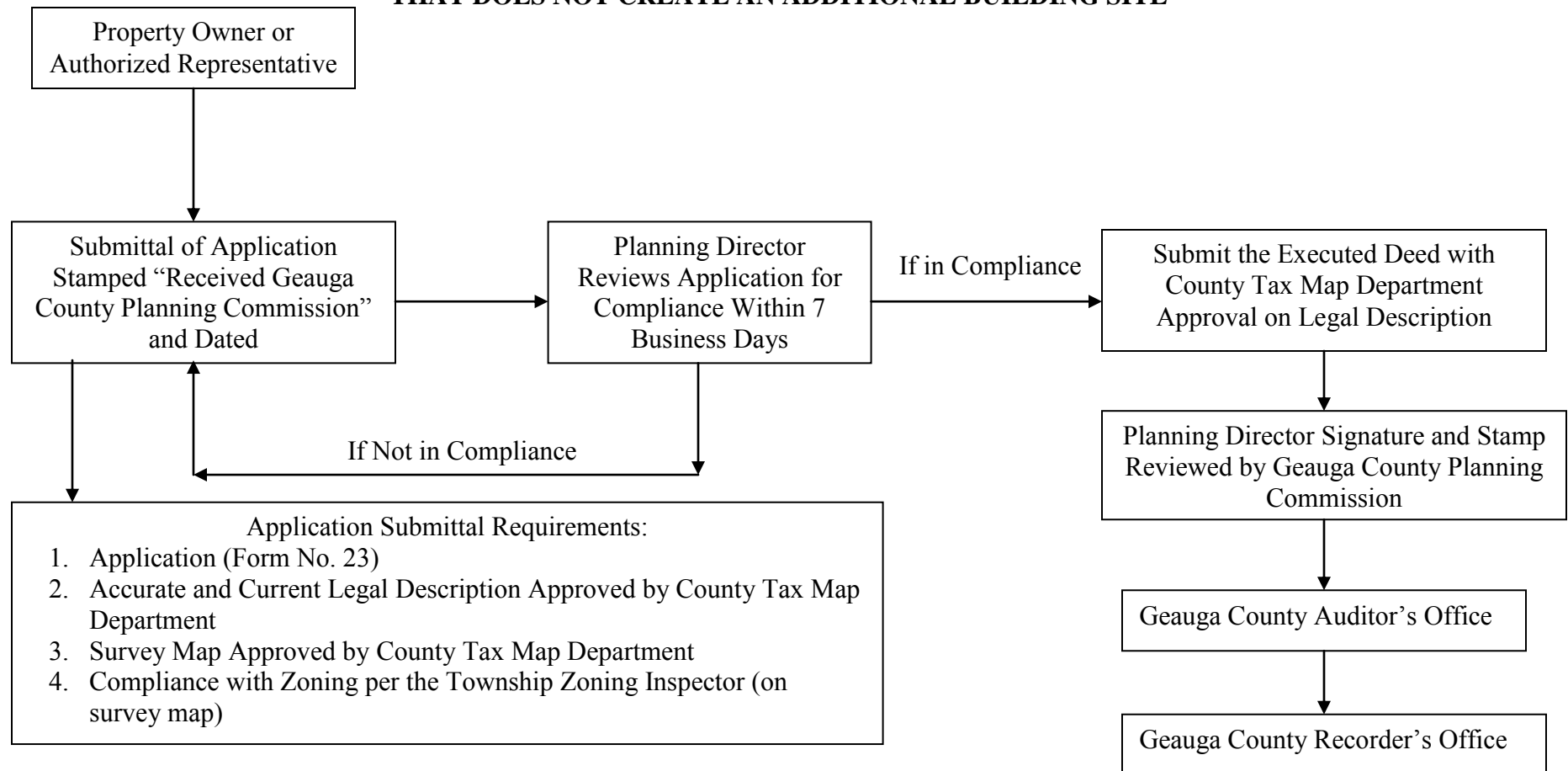
Note: This flow chart is for reference only. See Article III, Sections 301 and 303 of the Geauga County Subdivision Regulations.

**GEAUGA COUNTY PLANNING COMMISSION
LARGE LOT SUBDIVISION REVIEW PROCEDURE
PROPOSED LOTS MORE THAN 5 ACRES AND UP TO 20 ACRES IN SIZE**



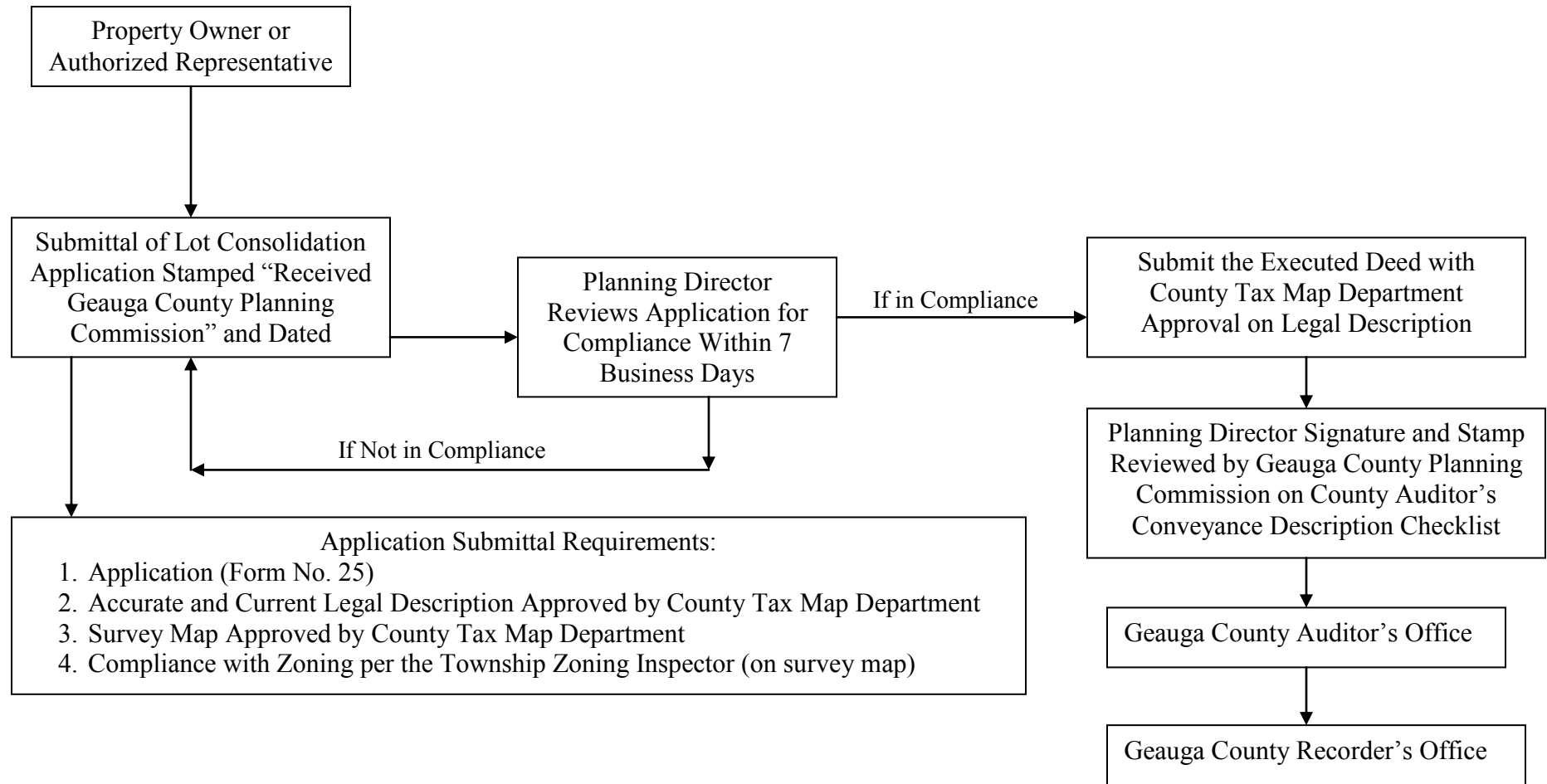
Note: This flow chart is for reference only. See Article III, Section 305 of the Geauga County Subdivision Regulations.

**GEAUGA COUNTY PLANNING COMMISSION
REVIEW PROCEDURE
PROPOSED LOTS NOT CLASSIFIED AS A SUBDIVISION
OVER 20 ACRES IN SIZE OR TRANSFER TO ADJACENT OWNER
THAT DOES NOT CREATE AN ADDITIONAL BUILDING SITE**



Note: This flow chart is for reference only. See Article III, Sections 309 and 310 of the Geauga County Subdivision Regulations.

**GEAUGA COUNTY PLANNING COMMISSION
REVIEW PROCEDURE
PROPOSED LOT CONSOLIDATION**



Note: This flow chart is for reference only. See Article III, Section 311 of the Geauga County Subdivision Regulations.

Flow Chart No. 5

