



Village of Jeffersonville

Subdivision Regulations

Ordinance # _____

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ARTICLE 1 GENERAL PROVISIONS

101 Title

The provisions of this chapter shall be known as the Subdivision Regulations of the Village and shall be referred to hereinafter as these Regulations.

102 Intent

These Regulations are adopted to secure and provide for the following:

- A. To establish the minimum requirements for the promotion of the public health, public safety, and general welfare of the residents of the Village.
- B. The proper arrangement of streets or highways in relation to existing or planned streets or highways or to the official Comprehensive Development Plan, if applicable.
- C. Adequate and convenient open spaces for vehicular and pedestrian traffic, utilities, access of fire-fighting apparatus, and recreation.
- D. The establishment of standards for the construction of any and all improvements as herein required.
- E. Conformance with the existing Zoning Ordinance.
- F. To facilitate the orderly and efficient layout and the appropriate use of the land.
- G. To provide for the accurate surveying of land, preparing and recording of plats, and the equitable handling of all subdivision plats by providing uniform procedures and standards for observance by both the approving authority and subdividers.
- H. Protection against floodplain encroachment and possible future flood damage.
- I. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, and other public requirements and facilities.

103 Jurisdiction and Effective Date

- A. Jurisdiction - These Regulations shall apply to all subdivisions of land within the corporation limits of the Village of Jeffersonville, Fayette County, Ohio.
- B. Relation to Other Laws - These Regulations shall supplement any and all laws of the State of Ohio, Ordinances of the Village, or any other regulations relating to the purpose and scope of these Regulations. Whenever the requirements of these Regulations are at variance with requirements of any other laws, ordinances, or regulations, the most restrictive or that imposing the higher standards shall govern, except as provided in Article 17 Planned Unit Development.
- C. Effective Date - These Regulations shall take effect at the earliest time prescribed by law following their adoption by the Village Council.
- D. Pre-Existing Subdivisions - Any subdivision that has received final approval by the Village Council prior to the adoption of these Regulations shall be considered an approved final subdivision. If

the approved final plat of a proposed subdivision is not recorded within ninety (90) days after the date of the Planning Commission's approval, said approval shall be termed null and void. In the event a plat is considered invalid, said plat shall then be resubmitted as a preliminary plat and shall meet all requirements of these Regulations.

104 General Regulations

- A. Floodplain - No subdivision shall be located in an area subject to periodic flooding or high water as determined by the Village. If the subdivision is located in an area having poor drainage or other adverse physical characteristics, the Planning Commission may approve the subdivision provided the subdivider agrees to perform such improvements as will render the area safe for the intended use.
- B. Planned Unit Development – Following the official adoption of these Regulations, no land shall be subdivided without complying with the provisions of these Regulations with the exception of certain modifications allowed for Planned Unit Developments. Building setbacks, yard area requirements, and pedestrian walkways may be modified by the Planning Commission to the extent that such Planned Unit Development will contribute to the orderly, efficient, and economical development of the Village.
- C. Sale of Land – No lot, tract, or parcel of land within any subdivision shall be offered for sale, nor shall any sale be completed until such subdivision plats have been reviewed and officially approved by the Planning Commission and recorded by the County Recorder's Office.
- D. Improvements – No improvements, such as sidewalks, water supply, wastewater facilities, stormwater drainage, gas and electric service, lighting, paving, or surfacing of any street, shall be made within any subdivision by any subdivider until the preliminary plat, final plat, and construction drawings for the subdivision have been properly reviewed and approved by the Village Council and the Village Administrator, and officially approved by the Planning Commission and until all required contracts and performance surety for public improvements have been posted and accepted.
- E. Grading – Preliminary or rough grading may be permitted following review and approval of the preliminary plat in advance of the approval of the final plat and construction drawings, provided that such grading does not impair or alter existing drainage or create an adverse impact on adjacent property.
- F. Frontage – No lot shall be created through the subdivision of land that does not have frontage on a thoroughfare or street that is regularly maintained.

105 Conformity to Municipal Plans and Zoning Ordinance

The arrangement, character, width, and location of all arterial and collector thoroughfares or extensions thereof shall conform to the requirements of the Village of Jeffersonville Comprehensive Development Plan or Official Thoroughfare Plan, if applicable. Lack of a Comprehensive Development Plan or thoroughfares not contained in the aforementioned plan shall conform to the recommendations of the Planning Commission based upon these Regulations. In addition, no final plat shall be approved if in conflict with an existing Zoning Ordinance.

- A. Plans - All proposed subdivisions shall be developed in accordance with the principles, objectives, policies, and proposals specified in the Village Official Thoroughfare Plan and the Village Land Use Plan, where applicable.
- B. Zoning – All proposed subdivisions shall meet the requirements set forth in the Zoning Ordinance adopted by the Village as well as the provisions of these Regulations.

106 Relation of the Subdivision to the Land

- A. Safety – All proposed subdivisions shall be located and designed as to be safe for building purposes without danger to health or peril from flood, fire, or other similar menace.
- B. Existing Features – Existing physical or cultural features enhancing the value of the proposed subdivision such as trees, watercourses and falls, historic sites, and other irreplaceable assets shall be preserved whenever possible through careful design.
- C. Owner Restrictions – The owner/owners may place further restrictions on any portion of the land to be subdivided which are greater than those required by these Regulations and the Village Zoning Ordinance provided that all such restrictions are indicated on the subdivision plat and are officially recorded.

107 Administration

- A. The Village Council shall perform the following functions:
 - 1. Appoint an Enforcement Officer (a.k.a. Village Administrator) who shall be responsible for the administrative enforcement of these Regulations. To this end, the Enforcement Officer shall work closely with the Village Council and the Planning Commission.
 - 2. Elect one (1) member of the Village Council and approve the Mayor's appointment of three (3) individuals to the Planning Commission (a.k.a. Zoning Board of Appeals), who are residents of the Village. The term of appointed members shall be staggered three (3) years with one (1) member being appointed every year for a three-year term.
 - 3. Unless and until the Village Council acts to appoint a separate Board of Zoning Appeals, the Planning Commission shall have all the powers and duties and act as the Board of Zoning Appeals.
 - 4. Enter into a Contract, called a Subdivider's Agreement, with the subdivider or developer, specifying what public improvements are to be carried out and providing the legal basis for the posting of the performance surety.
 - 5. Accept required public improvements which have been inspected and approved by the Village Administrator and which are in accordance with the Village Official Thoroughfare Plan.
 - 6. Release the performance surety of the subdivider or developer once the required public improvements have been accepted.
 - 7. Amend these Regulations following receipt of a formal recommendation from the Planning Commission and following a public hearing with the appropriate public notice.

- B. The Enforcement Officer (a.k.a. Village Administrator) shall have the responsibility of acting on behalf of the Planning Commission in making an initial determination that a particular subdivider has or has not complied with the requirements of these Regulations and shall perform the following functions:
1. Establish that all the requirements of these Regulations have been fully met by the subdivider.
 2. Distribute, where appropriate, copies of the preliminary plat to the Village Administrator, Planning Commission, Village Council, and other Village officials for their study and review comments.
 3. Determine instances of non-compliance with these Regulations on the basis of an interpretation of these Regulations and the review of comments of all the appropriate officials to whom copies of the preliminary plat were sent.
 4. Make recommendations to the Planning Commission for action on all preliminary and final plats, certifying those final plats that are in full compliance with the provisions of these Regulations.
 5. Issue Zoning Permits to applicants whose final plat and construction drawings have received the approval of the Village Administrator and Planning Commission.
 6. Maintain permanent and current records of these Regulations including amendments thereto.
- C. Planning Commission (a.k.a. Zoning Board of Appeals) – In order to administer these Regulations, the Planning Commission shall do the following:
1. An appointed Council Member shall be Chairman. The Planning Commission shall be composed of five (5) members. The Commission shall be composed of the Village Administrator, two (2) appointed Council Members, and two (2) appointed Village residents.
 2. Meetings shall be held at the call of the Chairman and at such other times as the Planning Commission may determine. All meetings shall be open to the public and minutes shall be kept of the proceedings. Written applications for appeals or variances shall be made to the Village Administrator and the Zoning Board of Appeals.
 3. Review the preliminary plat submitted by a subdivider and either accept, accept with modifications, or reject said preliminary plat.
 4. Evaluate the recommendation of the and Village Administrator relative to the preliminary plat and final plat applications.
 5. Review the final plat and construction drawings submitted by the subdivider, check that the final plat is in accordance with the preliminary plat, check that the construction drawings are in accordance with the regulations of the Village, determine that the requirements in these Regulations have been met, and either accept, accept with modifications, or reject said final plat.

6. Make recommendations to the Village Council relative to the acceptance of public rights-of-way contained within the particular subdivision.
7. Recommend amendments to these Regulations to the Village Council following the holding of a public hearing, at such times as such amendments are felt to be appropriate.
8. Specific Powers Relative to the Administrative Errors –
 - a. The Planning Commission (aka Zoning Board of Appeals) shall hear and decide appeals, where it is alleged that there is an error in any administrative decision made in the enforcement of the Regulations.
 - b. The Subdivider shall file a “Notice of Appeal” with the Enforcement Officer and the Planning Commission specifying the grounds thereof. All requested appeals shall be submitted within twenty (20) days of the decision.
 - c. The Village Administrator shall transmit to the Board all of the papers, constituting the record upon which the action appealed from is taken.
 - d. Normally such review by the Board shall be limited to alleged errors in interpretation of these Regulations.

9. Specific Powers Relative to Variances

The Planning Commission shall have the power to authorize upon appeal in specific cases, such variances from the provisions or requirements of these Regulations as will not be contrary to the public interest. No variance from the strict application of any provision of these Regulations shall be granted by the Board unless it finds, beyond reasonable doubt, that all of the following facts and conditions exist:

- a. That special conditions and circumstances exist which are peculiar to the land involved, such as irregular, abnormally narrow, shallow, or steep lots or other unusual physical conditions and which are not applicable to other lands in the immediate vicinity.
- b. That literal interpretation of the provisions of these Regulations would deprive the applicant of rights commonly enjoyed by other property owners in the immediate vicinity under the terms of these Regulations.
- c. That the special conditions and circumstances do not result from the actions of the applicant.
- d. That granting the variance requested will provide the minimum necessary relief to alleviate the hardship and will not confer on the applicant any special privilege that is denied by these Regulations to other lands, structures, or buildings in the same vicinity.
- e. That granting of the variance will be in harmony with the general purpose and intent of these Regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

10. Submittal Procedure – All submittals made to the Planning Commission shall be in writing and filed with the Village Administrator at least fourteen (14) days prior to the meeting at which they are to be heard. Each submittal shall refer to the specific

provisions of these Regulations involved and shall set forth a clear and exact description of land involved, the interpretation of these Regulations that is claimed, and/or the details of the variance proposed to be granted.

D. The County Recorder shall perform the following functions:

1. Record the final plat of a subdivision once said final plat has been officially approved by the Village Administrator, Planning Commission, and Village Council.
2. Transfer property and record deed or leases, where the subdivision of land is involved, only after the subdivider has met all the requirements of these Regulations.
3. Enter the lots of record from all final plats upon the Fayette County tax list for the purpose of taxation.

E. The Village Administrator shall perform the following functions:

1. Review preliminary plats as to their basic engineering feasibility.
2. Review and approve final plats and construction drawings.
3. Make all necessary inspections of the construction of required public improvements to determine that they meet the requirements of these Regulations.

F. The Village Administrator shall have the following responsibilities:

1. Review and approve the preliminary plat so as to ensure its compliance with the Administrator's regulations and those of the Ohio Environmental Protection Agency (OEPA).
2. Review and approve the final plat and construction drawings so as to ensure their compliance with the Administrator's regulations and those of the OEPA.

108 Saving Clause

The enactment of these Regulations shall not affect or prevent the prosecution or punishment of any person for any action done or committed in violation of any ordinance or part of provisions of any ordinance of the Village, to the taking effect of these Regulations.

109 Relation to Other Laws

The provisions of these Regulations shall supplement any and all laws of the State of Ohio, ordinances of the Village, Village of Jeffersonville Design Criteria, and Construction Standards and Drawings, or any and all rules and regulations promulgated by authority of such law or ordinance relating to the intent and scope of these Regulations. Whenever the requirements of these Regulations are at variance with the requirements of any law, ordinance, regulations of the Board of Health, or OEPA, the most restrictive or that imposing the higher standards shall govern.

110 Interpretation and Separability

- A. Interpretation** - In their interpretation and application, provisions of these Regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

- B. Separability - If any part or provision of these Regulations or the application thereof to any person or circumstance is judged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these Regulations or the application thereof to other persons or circumstances. The Council hereby declares that it would have enacted the remainder of these Regulations even without any such part; provision or application.**

111 Amendment

These Regulations may be amended by the Village Council after public hearings and other requirements as specified in the Ohio Revised Code.

ARTICLE 2 DEFINITIONS 8

201 INTERPRETATION OF TERMS OR WORDS 8

202 DEFINITIONS 8

ARTICLE 2 DEFINITIONS

201 Interpretation of Terms or Words

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

- A. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- B. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- C. The word “shall” is a mandatory requirement, the word “may” is a permissive requirement, and the word “should” is a preferred requirement.
- D. The words “used” or “occupied” include the words “intended, designed, or arranged to be used or occupied”.
- E. The word “lot” includes the words “plot” or “parcel”.
- F. Regardless of capitalization, definitions are standard.

202 Definitions

ALLEY (See Thoroughfare)

BLOCK

A unit of property entirely surrounded by public highways and streets, railroad rights-of-way, waterways, or other barriers, or combination thereof.

BUFFER AREA

A strip or parcel of land, privately restricted or publicly dedicated as open space located between a residential development and other incompatible use for the purpose of protecting and enhancing the residential environment.

BUILDING LINE (See Setback Line)

COMMUNITY FACILITIES

Existing, planned, and proposed parks, playgrounds, schools, other public lands and buildings of the Village for which these Regulations are in effect.

COMPREHENSIVE DEVELOPMENT PLAN

A plan, which may consist of several maps, data, policies, and other descriptive matter, for the physical development of the Village which has been adopted by the Village to indicate the general location for proposed physical facilities including housing, industrial and business uses, major streets, parks, schools, public sites, and other similar information.

CONSTRUCTION DRAWINGS

A complete set of engineering drawings drawn to scale containing, but not limited to, grading plans, street plans and profiles, cross-sections, sanitary sewer plans and profiles, water main plans and profiles, storm sewer plans and profiles, a complete topographical layout of all existing appurtenances and structures located within the right-of-way, and any other requirement as outlined in the Village of Jeffersonville Design Criteria and Construction Standards and Drawings.

CORNER LOT (See Lot)**CUL-DE-SAC (See Thoroughfare)****DEAD-END STREET (See Thoroughfare)****DEDICATION**

The appropriation of land to the Village by its owner for any public use.

DEVELOPER

Any person, subdivider, partnership or corporation, or duly authorized agent who constructs or contracts to construct improvements on subdivided land.

DEVELOPMENT (See Subdivision)**DEVELOPMENT AREA**

Any contiguous (abutting) area owned by one person or operated as one development unit and used or being developed for commercial, industrial, residential, or other purposes upon which earth-disturbing activities are planned or underway.

EASEMENT

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

ENGINEER

Any person registered to practice professional engineering by the State Board of Registration as specified in the Ohio Revised Code.

FINAL PLAT (See Plat)**IMPROVEMENTS**

Street pavement or resurfacing, curbs, gutters, sidewalks, pedestrian walkway, water lines, sanitary and storm sewers, landscaping, and other related matters normally associated with the development of land into building sites.

INSPECT, INSPECTION

The visual observation of construction to permit the Village or their representative to render his or her professional opinion as to whether the contractor is performing the services in a manner indicating that, when completed, the services will be in accordance with the Village of Jeffersonville Subdivision Regulations, Construction Standards and Drawings, and Design Criteria. Such observations shall not be

relied upon in any part as acceptance of the services, nor shall they relieve any party from fulfillment of customary and contractual responsibilities and obligations.

LOT

A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and its accessory buildings and uses, and having frontage on an improved public or private street.

- A. Corner - A lot located at the intersection of two (2) or more streets.
- B. Through Frontage - A lot other than a corner lot with frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to as double frontage lots.
- C. Interior - A lot with only one (1) frontage on a street.

LOT AREA

The computed area contained within the lot lines.

LOT LINE

- A. Front - A street right-of-way line forming the boundary of a lot.
- B. Rear - The lot line that is most distant from, and is, or is most parallel with, the front lot line. If a rear lot line is less than 15 feet long, or if the lot comes to a point at the rear, the rear lot line shall be a line at least 15 feet, lying wholly within the lot, parallel to the front lot line.
- C. Side - A lot line which is neither a front lot line nor a rear lot line.

MAINTENANCE SURETY

A surety by a subdivider or developer with the Village for the amount of ten percent (10%) of the performance surety guaranteeing the maintenance of the physical improvements according to the plans and specifications within the time prescribed.

MINOR SUBDIVISION (See Subdivision)

MONUMENTS

Permanent concrete or iron markers used to establish definite lines of the plat of a subdivision, including all lot corners, boundary line corners, and points of change in street alignment and shall comply with the State of Ohio Minimum Standards for Boundary Surveys.

OFFICIAL THOROUGHFARE PLAN

The part of the Comprehensive Development Plan which sets forth the location, alignment, and dimensions of existing and proposed streets and thoroughfares.

PARCEL

A piece of land that cannot be designated by lot number.

PERFORMANCE SURETY

A surety by a subdivider or developer with the Village for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to the plans and specifications within the time prescribed.

PLANNING COMMISSION

The Village of Jeffersonville Planning Commission, which also serves as the Zoning Board of Appeals.

PLAT

A map of a tract or parcel of land, made from a survey by a registered surveyor in the State of Ohio.

- A. Preliminary Plat - A plat showing all requisite details of a proposed subdivision submitted to the Planning Commission for purpose of preliminary consideration, prepared in conformance with these Regulations.
- B. Final Plat - A plat of all or part of a subdivision providing substantial conformance to the Preliminary Plat of the subdivision prepared in conformance with these Regulations and suitable for recording by the County Recorder.

PROTECTIVE COVENANT

A restriction on the use of all private property within a subdivision, to be set forth on the plat and/or incorporated in each deed, for the benefit of the property owners, and to provide mutual protection against undesirable aspects of development which would tend to impair stability of values.

PUBLIC RESERVATION

A portion of a subdivision which is set aside for public use and made available for public use or acquisition.

PUBLIC UTILITY

A firm, association, syndicate, corporation, co-partnership, municipal authority or public agency, board or commission, duly authorized to furnish, and furnishing under governmental regulations, to the public: facilities, products, or services such as gas, electricity, sewage disposal, communication, telephone, transportation, water, etc.

PUBLIC WALKWAY

A right-of-way dedicated for the purpose of a pedestrian access through residential, commercial, and industrial areas, and located so as to connect to two or more streets, or a street and a public land parcel.

REPLATS/VACATION PLATS

Alteration, modification or adjustment of existing lots, lot lines, property lines or right-of-way lines, and/or vacation thereof within the Village shall require Planning Commission and Village Council approval.

RIGHT-OF-WAY

Land reserved, used, or to be used for a street, alley, walkway, or other public purpose.

SETBACK LINE

A line established by the Zoning Regulations, generally parallel with and measured from the lot line, defining the limits of a yard in which no portion of any principal structure other than an accessory building may be located, except as may be provided in said Zoning Regulations.

SKETCH PLAN

An informal plan or sketch showing the existing features of a site and its surroundings and the general layout of a proposed subdivision which can be presented to the Planning Commission for informal discussions.

STREET (See Thoroughfare)**SUBDIVIDER (See Developer)****SUBDIVISION**

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

- A. Major Subdivision - Division of a lot or parcel of land into more than five (5) lots or parcels, and/or the creation or establishment of new streets or roadways by the division of a lot or parcel of land.
- B. Minor Subdivision - Division of a lot or parcel of land along an existing public thoroughfare into not more than five (5) lots or parcels not establishing a new street or roadway.

SURVEYOR

Any person registered to practice surveying by the State Board of Registration as specified in the Ohio Revised Code.

THOROUGHFARE, STREET, OR ROAD

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

- A. Alley - A right-of-way used primarily for vehicular service access to the back or side of properties abutting on another street.
- B. Arterial Street - A general term denoting a highway primarily for through traffic carrying heavy loads and large volumes of traffic, usually on a continuous route.

- C. Collector Street - A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets or to other collector streets, including the principal entrance and circulation routes within residential subdivisions.
- D. Cul-de-sac - A local street with one end open to traffic and the other end terminating in a vehicular turnaround.
- E. Dead-end Street - A street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.
- F. Local Street - A street designed to provide access to abutting property and to discourage through traffic.
- G. Loop Street - A type of local street, each end of which terminates at an intersection with same arterial or collector street, and whose principal radius points of the 180° system of turns are not more than 1000 feet from said arterial or collector street, nor normally more than 600 feet from each other.

VARIANCE

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

VICINITY MAP

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

VILLAGE ADMINISTRATOR

A person appointed by Council to handle the Administration of the Village. The Village Administrator may appoint an authorized representative to administer the Regulations.

ZONING BOARD OF APPEALS

The Village of Jeffersonville Zoning Board of Appeals which is the Planning Commission.

ZONING ENFORCEMENT OFFICER

The person designated by the local government to enforce the Zoning Ordinance.

ZONING REGULATIONS

The Zoning Ordinance for the Village which regulates the use of land by districts or zones and as the same may be amended or supplemented.

ARTICLE 3 MINOR SUBDIVISION 14

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ARTICLE 3 MINOR SUBDIVISION

301 Intent

The purpose of a minor subdivision is that these regulations shall be handled by the Village Administrator and require a survey plat with a legal description, fees, and may include a sketch plat as recommended by the Planning Commission.

302 Minor Subdivision Conditions

Approval without a plat of a minor subdivision may be granted by the Village Administrator, as the properly designated representative of the Planning Commission, if the proposed subdivision of the parcel of land meets all of the following conditions:

- A. The proposed subdivision is located along an existing improved public road and involves no opening, widening, or extension of any street or road.
- B. The proposed division of a parcel of land involves no more than five (5) lots, after the original parcel has been completely subdivided, any one of which is under five (5) acres (inclusive of the remaining parcel).
- C. The proposed subdivision is not contrary to applicable Subdivision Regulations, Design Criteria, Construction Standards and Drawings, or Zoning Regulations.
- D. Plat and description of the property are based on a survey completed by a professional surveyor and in compliance with Fayette County Platting Regulations.
- E. The physical characteristics of the property are suitable for building sites.

303 Submission for Approval of a Minor Subdivision

The subdivider shall prepare and submit one (1) original and three (3) copies of the minor subdivision plat to the Village Administrator. The minor subdivision plat shall be considered officially filed on the day it is received and properly noted and shall be so dated. However, the minor subdivision plat shall not be considered properly submitted until all applicable fees are paid (see Section 804 - Schedule of Fees) and a survey plat and legal description are provided to the Village Administrator.

304 Minor Subdivision Plat Contents

The minor subdivision plat shall contain the following information:

- A. Registration number, seal, and signature of the surveyor responsible for the plat.
- B. Name of the subdivider/owner.
- C. Location by section, range, township, or by subdivision name and lot number.
- D. Date, title of plat, north arrow, scale, and acreage to thousandths of acre.
- E. Name of abutting streets including right-of-way width.
- F. Existing buildings, septic facilities, and wells, if applicable.
- G. The Minor Subdivision Plat shall be clearly and legibly drawn. A plat shall indicate the size of the parcel, existing and proposed rights-of-way within 100 feet, existing and proposed ownership,

any existing parcel within 100 feet and its owner and size, and the professional surveyor's signature and seal.

- H. Areas within the 100-year floodplain and within floodways, as determined by mapping provided by the Federal Emergency Management Agency (FEMA), shall be delineated.
- I. Name and address of owners of parcel and adjoining parcels.
- J. Survey boundaries and lot lines drawn on an 11" x 17" sheet and at a scale between 1" = 10' and 1" = 100'. All dimensions shall be shown in feet and hundredths of feet.
- K. Location of monuments and their descriptions.
- L. Other items or provisions deemed necessary by the Planning Commission.
- M. The survey shall conform to the minimum standards for boundary surveys in the State of Ohio (ORC 4733-37).
- N. Approval signature and date lines for Village Administrator, Village Mayor, and President of Council.

305 Supplementary Information

Any of the following information may be required by the Planning Commission or Village Administrator on the basis of the characteristics of the subject property.

- A. Lot grading and drainage plan, illustrating a plan for the handling of surface and subsurface drainage, showing proposed finished grade elevations, the type, size, location, and outlet of all existing and proposed drainage systems, swales, easements, water and sanitary services, and proposed ground cover.
- B. Other information as deemed necessary by the Village Administrator in order to create building sites and promote the public health, safety and welfare.

306 Approval of a Minor Subdivision

After the complete submittal is considered officially filed, a copy of the survey plat is then checked by the Village Administrator for its conformity with these Regulations. The authorized representative of the Planning Commission shall stamp and sign the plat "APPROVED, NO PLAT REQUIRED UNDER ORC 711.131" if the lot in question meets all codes as stipulated above, within seven (7) working days after submission, the plat shall then be taken by the subdivider to the County Auditor for the transfer of property and then to the County Recorder where it will become a legal lot of record. Lot split requests expire if not recorded within one (1) year of initial fee payment. A proposal remaining unapproved by the Planning Commission representative for one (1) year from the date of fee payment shall expire and become void. Incomplete or deficient proposals shall be disapproved, and the subdivider notified of issues and reasons for the disapproval. The subdivider shall furnish the Village with a reproducible of the recorded plat.

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ARTICLE 4 PRELIMINARY PLAT (Major Subdivision)

401 Intent

The developer shall submit a preliminary plat for review and tentative approval prior to the formulation and submittal of detailed construction drawings. The preliminary plat is conducted for the developer's benefit, and its submission does not constitute a formal subdivision review pursuant to ORC Section 711.09. With the submission of the preliminary plat, the applicant waives any rights to an approval under ORC Section 711.09 until such time as application is made for final subdivision plat review and is submitted to the Planning Commission for review and approval as detailed in these regulations.

The purpose of the preliminary plat is to show on a map for all major subdivisions all the facts which may enable the Planning Commission to determine whether the proposed layout of land including street layout, utilities, and stormwater controls is satisfactory from the standpoint of the public interest. The plat shall be prepared by a registered surveyor of the state. Approval of the preliminary plat, in effect, provides a "concept approval" of the subdivision proposal. It may be advisable for the subdivider/owner to meet with the Village Administrator or his representative to become familiar with the Village regulations.

402 Submission for Preliminary Plat Approval

The subdivider shall prepare and submit six (6) copies of the preliminary plat of the proposed subdivision and the construction plans along with a completed preliminary plat checklist with remarks to the Village Administrator.

- A. The preliminary plat shall be considered officially filed on the day it is received and properly noted and shall be so dated.
- B. The preliminary plat shall not be considered properly submitted until all applicable fees are paid by the developer (see Section 804 Schedule of Fees).
- C. All plats and plans are provided to the Village Administrator.
- D. The subdivider shall provide a copy of the preliminary plat to the local utility companies.

403 Preliminary Plat Form

The preliminary plat shall be clearly and legibly drawn. The size of the plat shall not be less than 24" x 36". If the preliminary plat is to be drawn in sections, each section shall be accompanied by a key map, showing the location of the sections. The plat of a subdivision containing five (5) acres or less shall be drawn to a scale of 1" = 50'. All other subdivisions shall be drawn to a scale of 1" = 100'.

404 Preliminary Plat Contents

The preliminary plat shall clearly show the following features and information:

- A. Items of title
 - 1. Proposed name of subdivision. The name of the subdivision and proposed streets shall not duplicate, or too closely resemble, the name of any other subdivision or street, subject to Planning Commission approval.
 - 2. Location by numerically labeled inlot or outlot.

3. Name and address of property owner/developer.
4. Scale of the plat.
5. North arrow.
6. Name and address of the professional surveyor who prepared the plat. Date of preparation.
7. Location by section, town, range, or by other legal description.
8. Signature and date lines for the Planning Commission Chairman, Village Administrator, and Village Mayor.
9. Stamp and signature of the Professional Surveyor.
10. Location of front building setback lines clearly marked on the lot.

B. Existing site conditions/characteristics

1. Perimeter boundaries of the proposed subdivision indicated by a heavy solid line, and the approximate acreage comprised therein.
2. Location, widths, and names of all existing or platted streets, indicated as to: dedicated, undedicated, constructed or unimproved, official thoroughfares or other public ways, railroad and utility rights-of-way, easements, parks and other open spaces, permanent buildings, section and corporation lines within or adjacent to the subject tract.
3. Location and size of all existing utilities: sewers, water mains, telephone, electric, gas, culverts, or other underground items located within or adjacent to the subject tract.
4. Location of existing wetland areas or areas within the 100-year floodplain.
5. Names of adjacent subdivisions and owners of adjoining parcels.
6. Topographic map of such proposed subdivision shall be submitted with the preliminary plat, showing 1-foot contour intervals for all land within and 50 feet adjacent to the subject site.
7. Current zoning classification of the tract and adjoining properties.
8. The vicinity sketch shown on the preliminary plat.

C. Proposed site conditions/characteristics

1. Street layout, including street names and widths, alleys, cross-walkways and easements and their dimensions.
2. Layout, numbers, and approximate dimensions of lots, including lot area (as measured in acres or square feet).
3. Parcels of land intended to be dedicated or temporarily reserved for public use, and the conditions of such dedication or reservation.
4. Building setback lines, along all streets, with dimensions.
5. Indication of the proposed zoning designation to identify the potential development so as to reveal the nature of the impact the proposal will have on traffic flow, fire hazard, congestion, public utility capacities, and required services.

6. A typewritten copy of the protective covenants or deed restrictions, if any.
7. Indication of any developmental phasing or staged development timing.

D. Construction Plans

The proposed preliminary subdivision plat shall be accompanied by preliminary construction plans consisting of:

1. A centerline profile for each street shown thereon, drawn to a scale of at least 1" = 100' horizontal and 1" = 10' vertical.
2. A preliminary layout, drawn to a scale of at least 1" = 100', including proposed placement of water lines, sanitary sewers, and storm sewers. These may be incorporated in the above preliminary plat.
3. A preliminary drainage plan including proposed storm detention location. This may be incorporated in the above preliminary plat.

405 Approval of Preliminary Plat

The Village Administrator shall check for completeness of the preliminary plat as required by these Regulations. When completed, the Village Administrator shall schedule a Planning Commission meeting.

The Planning Commission shall review all details of the proposed subdivision within the framework of the applicable Zoning Regulations, the various elements of these Regulations, the Design Criteria, the Construction Standards and Drawings, and the various elements of the Comprehensive Development Plan.

The Planning Commission shall give careful study to the preliminary plat, taking into consideration the requirements of the community and the best possible use of the land to be subdivided, together with its prospective character, whether residential, commercial, or industrial. Attention shall be given to street widths, arrangement and circulation, surface drainage, lot sizes and arrangements, and to such neighborhood and community requirements as park, school, and playground sites and main thoroughfare widths and locations.

The Planning Commission shall forward copies of the preliminary plat to such officials and agencies as may be necessary for the purpose of study and recommendation.

After receipt of such reports from such officials and agencies, the Planning Commission shall determine whether the preliminary plat shall be approved, approved with modifications, or disapproved. If a plat is disapproved, the reasons for disapproval shall be stated in writing and recorded in the minutes of the Planning Commission meeting.

The Planning Commission shall act on the preliminary plat within 30 days after filing unless such time is extended by agreement with the subdivider. When a preliminary plat has been approved by the Planning Commission; the chairman and Village Administrator shall sign and date all copies and return one to the subdivider.

406 Preliminary Plat Approval Period

The approval of the preliminary plat shall be effective for a maximum period of twelve (12) months unless the first section has been filed for final approval. If no subsequent sections are filed within three

(3) years from the recording of the previous sections, the approval of the remainder of the preliminary plat is no longer effective. The terms under which the approval is granted will not be affected by changes to these Regulations during the maximum period of twelve (12) months

407 Preliminary Plat Checklist

SUBDIVISION _____

DATE _____

This list is not all inclusive but is to be used as a guideline for submittals and reviews.

✓		DESCRIPTION	REMARKS
	1	Received fees.	
	2	Six copies of plat (at a scale of not more than 1" = 100').	
	3	Name of Subdivision.	
	4	Location of property with respect to surrounding property and streets.	
	5	Location by township, section, town, and range.	
	6	Names of all adjoining property owners, or names of adjoining developers.	
	7	Name of adjoining subdivisions.	
	8	Location and names of adjoining streets.	
	9	Location of corporation line, if applicable.	
	10	Location and dimensions of all boundary lines of the property in feet and decimals of a foot.	
	11	Vicinity sketch.	
	12	Indication of zoning.	
	13	Location of existing easements.	
	14	Location of existing water bodies, streams, and other pertinent features such as railroads, buildings, parks, cemeteries, drainage ditches, bridges, etc.	
	15	Locations, dimensions, and areas of all proposed or existing lots.	
	16	Location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.	
	17	Date of plat.	
	18	Scale of plat.	
	19	North arrow.	
	20	Data from which the location, bearing, and length of all lines can be determined and reproduced on the ground.	
	21	Names of new streets as approved by the Planning Commission.	
	22	Indication of the use of any lot and all uses other than residential.	
	23	Lots consecutively numbered.	

✓		DESCRIPTION	REMARKS
	24	Approximate dimensions of lots, including lot area.	
	25	Front building setback lines.	
	26	Profiles showing existing and proposed elevations along centerline of all streets.	
	27	Approximate stationing on all streets.	
	28	Location, size, and invert elevations of all existing and proposed sanitary sewers and stormwater sewers and structures.	
	29	Preliminary drainage plan including proposed stormwater detention location.	
	30	Location and size of all water lines.	
	31	Topography at the same scale with contour interval of 1'.	
	32	Other specifications and references required by the local government. Construction standards and specifications, including a site grading plan for the entire subdivision.	
	33	Title of property, name and address of owner, and signature of surveyor.	
	34	Date, including revision dates.	
	35	Notation of approval, signature line for Planning Commission Chairman.	
	36	Name and address of subdivider and/or developer.	
	37	Copy of protective covenants, if applicable.	
	38	Indication of any developmental phasing or staged development timing.	
	39	Meets zoning requirements (i.e. minimum frontage, setbacks, area, etc.)	
	40	Conformance with major street plan.	
	41	No flood hazards.	
	42	Right-of-way widths, meets minimum criteria.	
	43	Avoidance of multiple intersections.	
	44	Lengths of blocks, meets minimum criteria.	