

LIMA-ALLEN COUNTY REGIONAL PLANNING COMMISSION

VARIANCE PETITION

CASE NO.: JA-V01-21

**DATE OF REVIEW BY THE
DEVELOPMENTAL CONTROLS
COMMITTEE:** 03-02-2021

PETITIONER(S): The Allen East Local School District
9105 Harding Highway
Harrod, Ohio 45850

REASON FOR VARIANCE: **Inadequate lot size**

DESCRIPTION OF PARCEL: 38-3400-03-008.002

LOCATION OF PARCEL: SW 1/4 of Section 34 T3S, R8E, Jackson Township

COMMENTS:

The subject parcel is owned by Allen East Local School District of Harrod, Ohio. The 60.1-acre parcel has access along Napoleon Road as well as Harding Highway. The owner is interested in splitting off a 0.322-acre parcel to the Allen Water District in order to facilitate infrastructure development for an ongoing water line extension along Napoleon Road. This land division would leave a remainder of approximately 59.778 acres. This parcel is undersized for both Jackson Township and Allen County minimum land requirements, 2.5-acres and 0.5 acres respectively.

Staff cannot approve this land division while it is not in compliance with township or county regulations. Staff discussed the non-compliance as it relates to both Allen County and Jackson Township and concluded the land division could not be completed until the issuance of a variance. Normally, in cases where the proposed parcel would violate both township and county zoning standards a variance at both levels of government would be necessary, but because this division is serving the best interests of the public it only requires a county variance. Based on the stipulations described in HB 22, the variance will need to be issued by Lima Allen County Regional Planning Commission.

STAFF RECOMMENDATION:

Staff recommends approval. This decision is based on the fact that the Allen County Water District is using the parcel for a purpose that is in the interest of the public safety, health, and wellbeing. and its compliance with section 109 of the Allen County Subdivision Regulations. Allen County is able to issue a variance despite the fact it is also a township violation.

DCC RESPONSIBILITIES:

The Developmental Controls Committee has the responsibility to: (1) approve the variance petition as submitted; (2) approve the variance petition on conditions as specified; (3) deny the variance petition as submitted based on cause; or, (4) at the request of the petitioner table a decision until certain issues can be resolved.

DATA SOURCES:

- 1) ALLEN COUNTY DEED RECORDS, TAX MAPS, GIS, ROAD & SURVEY RECORDS.
- 2) FIELD SURVEYS CONDUCTED BY PRIME CM&S, INC. BETWEEN SEPTEMBER 2019 AND MARCH 2020.

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED UPON THE STATE PLANE GRID COORDINATE SYSTEM, OHIO NORTH ZONE, NAD 83 (2011).

0.322 ACRE PLAT OF SURVEY FOR LOT SPLIT SITUATED IN THE STATE OF OHIO, COUNTY OF ALLEN, TOWNSHIP OF JACKSON, SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 8 EAST, AND BEING PART OF PARCEL #38340003008002.

PRIME
CM & S, INC.
3115 PARK PLACE, SUITE 100
FALLS CHURCH, VA 22024
P: 703.261.1000 F: 703.261.1001

ALLEN WATER DISTRICT
3230 NORTH COLE STREET
LIMA, OHIO 45801

LOT SPLIT
NAPOLEON ROAD
JACKSON TOWNSHIP
ALLEN COUNTY, OHIO

21 OCT., 2020

1" = 60'

LOT SPLIT

1/1

SHALOM CHRISTIAN
FOUNDATION
DB 592, PG 528
38340003001000
S NAPOLEON RD
HARROD OH 45850

VIRGINIA LEE HILL, AKA
VIRGINIA L. HILL
OR 2018, PG 1957
OR 2015, PG 8558
38340002009003
N PHILLIPS RD
HARROD OH 45850

W. BRENT WINEGARDNER
DB 906, PG 838
38340004003000
9551 HARDING HWY
HARROD OH 45850

Reviewed by:
Allen Co. Engineer/Tax Map Office

10/22/20
Date



SCALE: 1" = 60'



S 89°51'05" W 387.13'
MARK EKLEBERRY
OR 2009, PG 6975
38340003007000
9333 HARDING HWY
HARROD OH 45850

CERTIFICATION:

I, THE UNDERSIGNED HEREBY CERTIFY THAT PRIME CM & S, INC. SURVEYED THE PREMISES SHOWN HEREON, PREPARED THIS PLAT AND THAT SAID PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

Dwight Tills
Dwight A. Tills, P.S. #7807

S 89°51'05" W 1454.82'

N 00°08'55" W
283.07'

5/8" I.R.F.
S 89°46'21" W 363.96'
PHILLIP PORTER AND
BETTY A. PHILLIP
DB 598, PG 87
38340003006000
9011 HARDING HWY
HARROD OH 45850

THE ALLEN EAST LOCAL SCHOOL
DISTRICT BOARD OF EDUCATION
DB 914, PG 445
38340003006001
HARDING HWY
HARROD OH 45850

THE ALLEN EAST LOCAL SCHOOL
DISTRICT BOARD OF EDUCATION
DB 906, PG 641
DB 943, PG 168
38340003008002
9105 HARDING HWY
HARROD OH 45850

LEGEND

- P/L --- PROPERTY LINE
- R/W --- RIGHT-OF-WAY LINE
- CENTER LINE OF ROAD
- I.P. FOUND (AS NOTED)
- I.P. SET (5/8" REBAR, 30" LONG W/ STAINLESS STEEL CAP STAMPED "PRIME CMS, INC.")
- MAG NAIL SET
- M MONUMENT BOX FOUND
- LOT SPLIT BOUNDARY

HIGH STREET RD
S 21°45'39" E
2829.92'

PHILLIPS RD
KENNETH METZGER AND JANET METZGER
OR 2008, PG 2309
38340003007002
501 S NAPOLEON RD
HARROD OH 45850

TRUE P.O.B.
MAG SET
N 22°03'22" W 105.16'
1/2" I.R.F.
PROPOSED LOT SPLIT
0.322 AC.
INCLUDING 0.073 AC. IN EX. R/W
S 86°56'53" W 140.26'

105.16'
S 22°03'22" E
I.P. SET

140.26'
I.P. SET
NAPOLEON RD (R/W)

N 00°14'10" W 407.16'
N 87°21'07" E 527.70'

N 89°40'56" E 1896.16'

S 00°08'55" E 1097.33'