#### **PROCEDURES**

In order to pursue any real estate transaction in Allen County, Ohio, the property owner(s) are encouraged and/or required to undertake the following:

- Preliminary meeting with the respective political subdivision or a representative of the LACRPC to determine the following:
  - Zoning Designation
  - Minimum Lot Size
  - Minimum Road Frontage
  - Floodplain Designation
  - Need for a Site Plan
  - o Future Development
- Approved Plat and legal description as prepared by a Licensed Professional Surveyor.
- Deed for property.
- Letter of approval, if proposed parcel is less than 5 acres and is not serviced with a public sewer, from the Allen County Public Health Department.



The LACRPC staff is available Monday through Friday from 8:00 am to 5:00 pm. Should you have questions, please call 419-228-1836. LACRPC staff can also assist you with personnel at other state, county, city, village, or township agencies to answer specific questions or handle inquiries in their areas of specialization and/or jurisdiction.

#### CONTACTLIST

CONTACT LIST		Т	NOTES
Zoning Regulations & Driveway Permits			
	City of Delphos	419-695-4010	
	City of Lima		-
	County Engineer	419-228-3196	
	Village of Beaverdam		
	Village of Bluffton		
	Village of Cairo		
	Village of Elida		
	Village of Spencerville		
	Amanda Township		
	American Township	419-331-8651	
	Auglaize Township		
	Bath Township		
	Jackson Township		
	Marion Township		
	Monroe Township		
	Perry Township		-
	Richland Township		
	Shawnee Township		·
	Spencer Township		
	Sugar Creek Township		
	LAČRPC		
	ODOT		
Floodplain & Subdivision Regulations			
	County Engineer		
	City of Delphos		
	City of Lima		
	Village of Bluffton		-
	Village of Elida		
	Village of Spencerville		
	LACRPC		
Sewer and Water		110 220 1000	
	City of Delphos	<i>4</i> 19-695- <i>4</i> 010	
	City of Lima		-
	Village of Beaverdam	110-613-1231	
	Village of Bluffton		
	Village of Cairo		
	Village of Elida		
	Village of Spencerville		
	Sanitary Engineer		
	Allen Water District		-
	County Health Dept		-
Drainage and Stormwater			
	County Engineer	/10-228-3106	
	City of Lima		
	City of Delphos		
	Allen Soil & Water District.		
	Sanitary Engineer		
	ODOT		
_	0001	110 222 0000	

# LAND DIVISION PROCESSES



What You should know about the......
Lot Split and Land Transfer Approval Process as well as other required procedures in Allen County

Lima-Allen County
Regional Planning Commission
130 West North Street
Lima, Ohio 45801-4311
Telephone: 419-228-1836
Fax: 419-228-3891
www.lacrpc.com

June 2017 (Rev. P)

#### THE LAND DIVISION PROCESS

The land division process in Allen County is authorized under specific statutes of the State of Ohio and can be complicated based on the nature and/or type of development proposed, as well as the location of such development. Legal jurisdiction is largely determined by the Ohio Revised Code (ORC) and lies with the various political subdivisions. Parties are urged to be aware of the appropriate entities holding jurisdiction and their respective approval processes. The land division process outlined in this brochure provides a succinct overview of current practice and reflects the concerns and commitment of area governments to further orderly development locally.

#### **ENABLING AUTHORITY**

The various political subdivisions and their respective authorities have been established under, and are subject to, the rules and regulations of the State of Ohio as codified in the Ohio Revised Code (ORC) and the Ohio Administrative Code (OAC). Local rules and regulations, adopted to better facilitate the land division process, were established subject to these codes as well. Section 711 of the ORC establishes the parameters of the land division process including the minor and major subdivision processes. Driveway permits are controlled under sections 519, 711, 713 and 5501 of the ORC. Sections 519 and 713 of the ORC empower local political subdivisions to adopt zoning regulations. Floodplain regulations and water management practice rules have been adopted pursuant to section 307, 1541 and 6117 of the ORC. Sections 3701 and 3717 of the OAC and sections 6106 and 6117 of the ORC collectively address the permitting of water and wastewater and municipal water and sanitary sewer systems. Section 5552 of the ORC allows for the regulation of access on all roadways in Allen County.

The land division process is often times complicated by the overlapping nature of the various political subdivisions and the respective rules and regulations of each authority. Interested parties are strongly encouraged to educate themselves regarding the land division process or to retain the services of a qualified firm to assist them.

#### **TYPES OF LAND DIVISIONS**

There are four basic types of land divisions identified under existing codes including the: (1) Minor Subdivision (Lot Split); (2) Exempted Land Divisions; (3) Major Subdivisions; and, (4) Replats. This brochure attempts to identify issues relative to the Minor Subdivision and Exempted Land Division procedures. For information regarding Major Subdivisions and Re-platting, please contact the Lima-Allen County Regional Planning Commission (LACRPC).

## **Minor Subdivision (Lot Split)**

A lot split is the division of a parcel of land whereby a new buildable lot of 5 acres or less created that does not involve the opening, widening, or extension of any public street or road. A property owner is permitted to split an original parcel of land no more than four (4) times. This process requires interested parties to obtain approvals from the various applicable agencies.

#### **Exempted Land Divisions**

Exempted land divisions have inherent restrictions associated with their status under Section 711 of the ORC. The various exempted land divisions are as follows:

#### Land Transfer -

A land transfer is a deeded conveyance of land between adjoining property owners and requires approvals from the various authorized agencies.

### Large Lot Exemption -

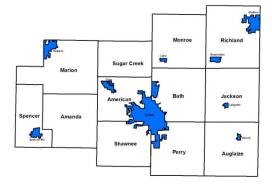
A large lot land division is the creation of a new buildable lot greater than five (5) acres in size which does not involve the opening, widening, or extension of any public street or road. This action requires the parties involved to obtain approvals from the various agencies authorized to issue such.

## Agricultural Exemption -

The creation of agricultural parcels may qualify as exempt land divisions when they are greater than 5 acres in size, are restricted exclusively to agricultural uses, do not have the required road frontage and are not contrary to other applicable regulations.

#### **JURISDICTION**

In the unincorporated area of Allen County, the LACRPC is responsible for the review and approval of Lot Split(s), Land Transfer(s) and other Exempted Land Divisions. Officials in the respective municipalities of Delphos, Lima, Spencerville, Bluffton, Beaverdam, Cairo, Lafayette, Harrod and Elida will review and approve any proposed land divisions located within their respective jurisdictions.



#### **REVIEW PROCESS**

Regardless of the respective political subdivision, applications for Lot Split, Land Transfer or other Exempted Land Divisions must include as a minimum: (1) Survey and legal description prepared by a Registered Professional Surveyor and approved by the Allen County Engineer's Tax Map Office, (2) Original deed of the proposed parcel(s); (3) Drive/Access authorization for higher order roadways; and, (4) Allen County Public Health Department approval. Township or county variances may also be required.

Review processes differ by jurisdiction in the unincorporated areas of Allen County. Applications are reviewed by the LACRPC and typically available in 2 working days from their receipt. The ORC Section 711 establishes a review period of 7 working days. Limitations and/or problems of site(s) are identified during the review process and recommendations made or requirements necessary to overcome limitations. If approved, the original deed of the proposed minor subdivision receives the required stamp and signature. If denied, supporting documentation explaining the reason for denial shall accompany the application and be returned to the acting agent.

## **NOTES**