



# Subdivision Review for Planning Commission Frequently Asked Questions

## What kind of land divisions are subject to action by the Planning Commission?

- Broadly speaking, if a division of less than 20 acres of land lays within the boundaries of unincorporated Township lands, and unless the split falls within an exemption to the Regulations, approval by the County Planning Commission is necessary prior to the transfer of that land.
- Many lot split applications to Planning Commission are initiated by a surveyor or attorney familiar with the review process for land divisions.
- Staff is happy to discuss these procedures with registered surveyors, attorneys and property owners prior to their submission of legal descriptions to other departments such as the County Engineer, Auditor and Recorder, who are involved with the approval and recording of a new division of land.
- By looking at the map of survey and the legal description, staff is often able to informally advise as to whether the split is within the scope of the Regulations or not, and what documents are necessary for Planning Commission approval.
- Staff can also advise as to whether a lot split or Record Plan application has been submitted and approved by the Commission.

## What rules govern the Planning Commission's actions?

- The Planning Commission operates under the rules of the County Subdivision Regulations. The Subdivision Regulations stipulate whether any given split of property falls within the scope of the regulations, and what the requirements are for Planning Commission approval.
- If Planning Commission approval is necessary, evidence of compliance with Health Department and sanitary regulations, zoning and well water service requirements must be provided prior to the Commission's approval. It is the applicant's responsibility to provide documentation of that compliance.

## **More Detail on the Processing of Subdivision Applications**

### **WHAT IS A SUBDIVISION?**

A. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax list and duplicate of real and public utility property, into two (2) or more parcels, sites, or lots any one of which is less than twenty (20) 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 20 acres not involving any new streets or easements of access,
2. The sale or exchange of parcels between adjoining lot owners, where that sale or exchange does not create additional building sites,
3. Parcels of land to be used only for agricultural or personal recreational purposes. On the presentation of a conveyance of such a parcel, the Planning Commissions designated representative shall stamp the conveyance as no approval of plat required under R.C. 711.133; for agricultural or personal recreational use only.

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 lease holders, or as easements for the extension and maintenance of public or private sewer, water, storm drainage or other similar facilities.

### **A subdivision is processed as either a MINOR SUBDIVISION or a PLAT**

#### **A MINOR SUBDIVISION IS A....**

division of a parcel of land that does not require a plat to be approved by a planning authority according to Section 711.131, of the Ohio Revised Code and of Section 410 of these regulations. Also known as Lot Split.

#### **A PLAT IS THE....**

map, drawing, or chart on which the developer's plan of subdivision is presented to the Planning Commission for approval and, after such approval, to the County Recorder for final recording.

## **WHAT ARE THE DETAILS OF THE APPLICATION AND REVIEW PROCESS FOR PLANNING REVIEW OF SUBDIVISIONS?**

### **Minor Subdivision (Lot Splits) Application to consist of:**

1. A two (2) page application that can be downloaded from the Planning Commission Web site, or can be obtained from staff at the office.
  - a. Requires signature of engineer/ representative/ property owner (any one, or all of those).
2. Documentation of necessary approvals from the Township, Combined Health and the well log, if applicable (see criteria below for applicability). Planning Commission does not initiate any of these reviews – the applicant is responsible for obtaining all necessary reviews and documentation.
3. Map of survey, which is the map of the lot split. The map must be drawn and sealed by a professional registered surveyor.
4. Fee of \$50 per new lot

### **CRITERIA FOR APPROVAL (APPLIES TO ALL NEW LOTS AND REMAINDER LOTS PROPOSED BY ANY LOT SPLIT APPLICATION)**

#### **Water and Sanitary Requirements**

- Must have “Will Serve” letter from water and sewer authority or,
- Have written approval from Combined Health Department for on site septic
- Have test well on each new lot, well must test out at 5gpm for six hours, and well log from well driller must be submitted to Planning staff.
- Lots not served by public sewer must have minimum areas of one acre, and have minimum of 200 feet of frontage.

#### **Township Zoning Department Approval**

Must be approved by the zoning inspector/planner at the Township to assure consistency with the zoning of the property, prior to County approval., as documented by:

- Official approval from the inspector or planner.
- Applicant may also submit a letter or approval from the zoning department or from the Township Zoning Commission or Board of Zoning Appeals.

Upon completion of all requirements and criteria, Planning Commission staff will affix an approval stamp to the legal description of the parcel.

**WHAT ARE THE DETAILS OF THE APPLICATION AND REVIEW PROCESS FOR PLANNING REVIEW OF SUBDIVISIONS?** *(continued from previous page)*

**Major Subdivisions – Record Plans/Plats**

A subdivision that does not meet the criteria for approval as a Minor Lot Split can be submitted to the Planning Commission for approval as a Plat. A Record Plan for the Plat must be approved by the Planning Commission. Many of the requirements precedent to approval of a Minor Lot Split are also required for final approval of a Plat via a Record Plan. But, a Plat cannot be approved at staff level. Approval for a plat can only be granted by the Planning Commission during a regular public meeting.

Final approval of a Plat often requires the installation of public infrastructure such as water and sewer lines, roads, and storm water runoff controls. The construction plans and any necessary sureties must be provided by the applicant.

The Subdivision Regulations contain the engineering and construction standards that must be met by those construction plans.

**APPLICATION REQUIRED**

A Record Plan Plat application consists of:

1. A two (2) page form
2. \$420 filing fee
3. \$200/acre review fee
4. 16 copies of the Record Plan (plat map)
5. 8 copies of the Construction Plans
6. 3 copies drainage map and calculations