



Richland County Regional Planning Commission  
**Zoning, Subdivision and Land Use Review Committee (ZSL)**  
**MINUTES**  
 February 12, 2019

**Attendance**

Members Name			
ADAM GOVE	Present	SARAH HOWARD	Present
JONATHON ELGIN	Present	ADAM GONGWER	Present
PAT DROPSEY		LARRY WEIRICH	Present
ELAINE KIEFER	Present	DEBRA M JONES	Present
JOE HARROD		KEVIN PAYNE	Present
ANDY SMALLSTEY	Present	MARC MILLIRON	Present
KARA RUSSEL	Present		
VACANT			
JOE GIES	Present		
BOB MCCAULEY	Present		
Staff			
JOTIKA SHETTY	Present		

Chair Sarah Howard called the meeting to order.

The minutes for the September 27, 2018 meeting was distributed for review by email. Joe made a motion to accept the minutes as submitted with an amendment to show that Marc Milliron was present at the meeting and Elaine Kieffer seconded. The motion passed by voice vote.

**Variance for a minor subdivision/lot split - Applicant City of Shelby/  
Schumacher Farms**

RCRPC staff Jotika, presented the variance application submitted by the City of Shelby on behalf of Schumacher Farms for a lot split intended for the installation of a lift station by the City for the West Main Sewer extension. The lot split would need variance from the minimum 60' frontage requirement and the 60' minimum width requirement. Due to the fact that the subdivision is the minimum required to provide a public utility and will not be a buildable site and is not detrimental to the public interest, the staff

recommended the variance be granted with the clause and it be recorded that the parcel is not buildable.

Jonathon made a motion to accept the staff recommendation to grant a variance with the survey and conveyance documents stating that the subdivision is not a buildable lot.

### **Proposed Subdivision Amendments Discussion**

Proposed subdivision amendments were distributed to all members. Staff reviewed proposed amendments and discussion followed on each of the proposals with recommended modifications. The purpose of the amendments was to accommodate the Richland County Health Department's review request on all minor subdivisions being approved under the County Subdivision regulations. Some of the other amendments were to address administrative recommendations or Ohio Revised Code updates. Members were encouraged to review and come prepared for further discussion at a follow up meeting to be scheduled within three weeks.

There being no other business to discuss, the meeting was adjourned at 9.45pm

Submitted by:  
Jotika Shetty

APPENDIX 10A

APPLICATION FOR SUBDIVISION VARIANCE

RICHLAND COUNTY REGIONAL PLANNING COMMISSION

MANSFIELD, OHIO

Date 2/1/19 Application No. \_\_\_\_\_

Name CITY OF SHELBY / SCHUMACHER FARMS

Address 43 WEST MAIN ST, SHELBY, OH 44875

Phone 419-347-5131

1. Locational Description: RICHLAND COUNTY PARCEL 644-47-026-10-000

2. Natures of Variance requested: Describe generally the nature of variance PROPERTY NEEDED FOR MUNICIPAL UTILITIES

3. Justification of Variance: On a separate sheet, please attach a statement relative to why the variance from requirements of the subdivision regulations is requested. Include such items as:

- a. exceptional topographical or other conditions peculiar to this particular parcel of land;
- b. why a literal interpretation of the regulations would deprive the applicant of rights enjoyed by other property owners;
- c. that the peculiar conditions do not result from previous actions of the applicant;
- d. that the requested variance is the minimum variance that will allow a reasonable division of the land;
- e. a sketch of the area showing the location and characteristics of the requested variance.

I certify that all information contained in this application and its supplements is true and correct.

APPENDIX 10B

*Steven J. Schag, Mayor*

Signature

\_\_\_\_\_



For Official Use

Date of Meeting of Zoning, Subdivision and Land Use Committee \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Action by Committee \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

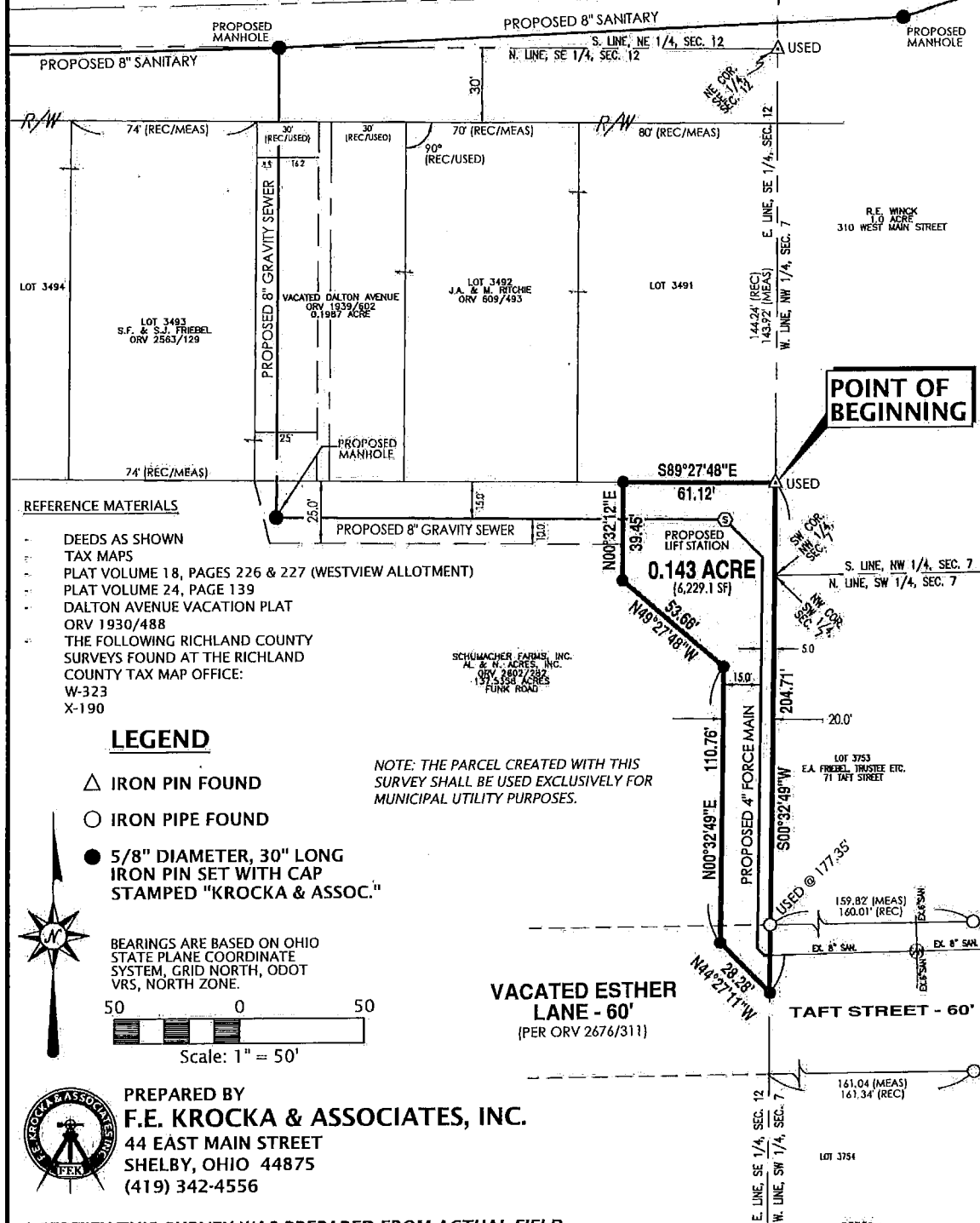
Chairman

PLAT OF BOUNDARY SURVEY  
**PART OF THE SOUTHEAST QUARTER OF SECTION TWELVE (12)  
 & PART OF VACATED ESTHER LANE**  
**TOWNSHIP TWENTY-ONE NORTH (21 N), RANGE TWENTY EAST (20E)**  
**SHARON TOWNSHIP, RICHLAND COUNTY, OHIO**

ACREAGE BREAKDOWN

PART OF VACATED ESTHER LANE	0.008 ACRE (348.1 SF)
PART OF THE SE 1/4, SEC. 12	0.135 ACRE (5,881 SF)
<b>TOTAL</b>	<b>0.143 ACRE (6,229.1 SF)</b>

**WEST MAIN STREET (S.R. 39 & 96)**



**REFERENCE MATERIALS**

- DEEDS AS SHOWN
- TAX MAPS
- PLAT VOLUME 18, PAGES 226 & 227 (WESTVIEW ALLOTMENT)
- PLAT VOLUME 24, PAGE 139
- DALTON AVENUE VACATION PLAT ORV 1930/488
- THE FOLLOWING RICHLAND COUNTY SURVEYS FOUND AT THE RICHLAND COUNTY TAX MAP OFFICE:  
 W-323  
 X-190

**LEGEND**

- △ IRON PIN FOUND
- IRON PIPE FOUND
- 5/8" DIAMETER, 30" LONG IRON PIN SET WITH CAP STAMPED "KROCKA & ASSOC."



BEARINGS ARE BASED ON OHIO STATE PLANE COORDINATE SYSTEM, GRID NORTH, ODOT VRS, NORTH ZONE.

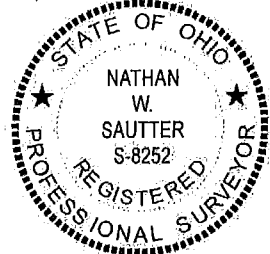
NOTE: THE PARCEL CREATED WITH THIS SURVEY SHALL BE USED EXCLUSIVELY FOR MUNICIPAL UTILITY PURPOSES.



PREPARED BY  
**F.E. KROCKA & ASSOCIATES, INC.**  
 44 EAST MAIN STREET  
 SHELBY, OHIO 44875  
 (419) 342-4556

I CERTIFY THIS SURVEY WAS PREPARED FROM ACTUAL FIELD MEASUREMENTS IN ACCORDANCE WITH CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE AND THAT ALL MONUMENTS WERE FOUND OR SET AS INDICATED.

*Nathan W. Sautter*  
**NATHAN W. SAUTTER**  
 OHIO REGISTERED SURVEYOR NO. 8252  
 DATE: JANUARY 25, 2019





**F.E. Krocka & Associates, Inc.**  
Engineering and Surveying  
44 East Main Street  
Shelby, Ohio 44875  
Phone: (419) 342-4556  
Fax: (419) 347-8885

**DESCRIPTION**  
**PART OF THE SOUTHEAST QUARTER, SECTION TWELVE (12)**  
**& PART OF VACATED ESTHER LANE**  
**TOWNSHIP TWENTY-ONE NORTH (21N), RANGE TWENTY EAST (20E)**  
**SHARON TOWNSHIP, RICHLAND COUNTY, OHIO**

DESCRIPTION: Being part of the Southeast Quarter of Section Twelve (12) and part of vacated Esther Lane, Township Twenty-One North (21N), Range Twenty East (20E), Sharon Township, Richland County, Ohio, and being more particularly described as follows:

The real point of beginning being an iron pin found at the southeast corner of Lot 3491 in Westview Allotment, Plat Volume 18, Pages 226 and 227, said point also being on the east line of the Southeast Quarter of Section 12;

1. thence S00°32'49"W, along the east line of the Southeast Quarter of Section 12 and passing for reference an iron pipe found at 177.35 feet on the north right-of-way line of Taft Street (60 feet in width), a total distance of 204.71 feet to an iron pin set;
2. thence N44°27'11"W, a distance of 28.28 feet to an iron pin set;
3. thence N00°32'49"E, a distance of 110.76 feet to an iron pin set;
4. thence N49°27'48"W, a distance of 53.66 feet to an iron pin set;
5. thence N00°32'12"E, a distance of 39.45 feet to an iron pin set on the south line of Lot 3491;
6. thence S89°27'48"E, along the south line of Lot 3491, a distance of 61.12 feet to the real point of beginning,

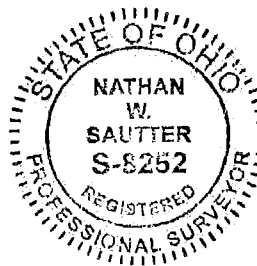
and containing 0.143 acre (6,229.1 square feet) {0.008 acre (348.1 square feet) in part of vacated Esther Lane and 0.135 acre (5,881 square feet) in part of the Southeast Quarter of Section 12}, more or less, but subject to all legal easements and public rights-of-way now on record. Bearings are based on Ohio State Plane Coordinate System, Grid North, ODOT VRS, North Zone.

Note: The parcel created in this instrument shall be used exclusively for municipal utility purposes.

CERTIFICATION: I certify this survey was prepared from actual field measurements in accordance with Chapter 4733-37 of the Ohio Administrative Code and that all monuments were found or set as indicated.

F. E. KROCKA & ASSOCIATES, INC.

Nathan W. Sautter  
Ohio Registered Surveyor No. 8252  
Date: January 25, 2019



## **PROPOSED AMENDMENTS TO THE SUBDIVISION REGULATIONS**

It should be noted that S.B. 115, effective 4-15-05, amends ORC 711.131 to make parcels subject to review for conformance with health and sanitary rules, including rules governing household sewage treatment systems. Lot splits can be denied if it can not comply with the county health department's household sewage disposal regulations. The Richland Public health as per administrative code 3701-29-08 has requested review authority for any minor lot split in an unincorporated area that does not have an associated sewer plan.

This would require amendments to the subdivision regulations. It may be appropriate at this time to consider any other updates we may want to consider so they can be accomplished at the same time.

Some of the proposed changes is language from the Ohio Revised Code

UNDERLINING = Adjustments to existing text and/or new language that were proposed as administrative updates

DOUBLE UNDERNLINING= New adjustments suggested to add health and household sewage review as requirements for a minor subdivision.

STRUCK THROUGH TYPE = Deleted text within existing regulations

Some are just sections we want to consider if they require more clarification

SECTION:

100.2 JURISDICTION WITHIN 3 MILES OF CITIES, 1.5 MILES OF VILLAGES. (H.B. 22 effective 10-21-97)

After the enactment of HB 22, city and villages may exert their extra -territorial jurisdiction only if there was no township zoning in the township. The City of Shelby is the only city where the 3-mile extraterritorial limit is applicable. This area is the three-mile radius within Plymouth and Cass Townships. A new draft map is attached.

SECTION 200.1 DEFINITION

8 A. “Frontage” or “lot frontage” means the distance of that portion of a lot or parcel that directly abuts the street or roadway, and has direct access thereto.

34. SUBDIVISION:

1) For the purposes of these regulations, subdivision shall mean:

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, for the purpose, whether immediate or future, of transfer of ownership, when:.....(as per ORC)

B. The improvement of any one or more parcels of land for residential, and 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.

C. A division or allocation of land as open spaces for common use to owners, occupants, or leaseholders, or as easements for the extension and maintenance of public sewer, water, storm drainage, or other public or private sewer, water, storm drainage or other ~~public~~ similar facilities.

(ORC 711.001)

2) The following, although within the definition of a subdivision hereunder, shall be exempt from the subdivision requirements of these regulations:

(A) The division or partition of land into one or more parcels of five acres or more each not involving any new streets (public or private) or easements of access to an existing public dedicated street. Such divisions must meet the requirements of the zoning resolution, have not less than 60 feet public road frontage ( whichever is greater )

(C ) Right of way takes, parcels created by public utilities for placement of utility lines, transfer station etc. (boundary survey required) (Huron)

3) A division of land deemed to be a subdivision hereunder shall meet the requirements of a major or minor subdivision, all as set forth in these regulations, unless specifically exempted therefrom by these regulations or subjected to a variance after application and approval and is so stated in the legal description.

**200.1 34. Subdivision**

For discussion..

( C ) Building site....In the absence of such zoning regulations, a parcel shall be considered a building site if it has at least 25 feet fronting on a public dedicated street



and an average width of atleast 25 feet. We require min 60 feet width according the subdivision regulations should this also be standard for buildable lot ?

18- 19      ARTICLE III

SECTION 300 PURPOSE

SUBDIVISION PROCEDURES

The purpose of this Article is to specify the steps that a subdivider shall follow to subdivide land in the jurisdictional boundaries of Richland County, Ohio, as set forth in Article I, Section 100.2 of these Regulations.

SECTION 300.1 MINOR SUBDIVISION

I.

A...B...

C. The proposed subdivision is not contrary to applicable platting, subdividing, zoning, health, sanitary, or ~~or subdivision~~ household sewage treatment rules adopted under section 3718.02 of the revised code.

II. Any person proposing to create a subdivision which meets all of the foregoing conditions shall submit the following information to the Tax Map Department of the Richland County, Ohio Engineer's Office for approval without a plat.

A. The conveyance documents, all copies thereof, together with two copies of a survey drawing and legal description of the parcel or parcels involved, prepared by a professional surveyor. The survey shall meet the Minimum Standards for Boundary Surveys in the State of Ohio (ORC 4733.37) and ~~include the following:~~ the Richland County Standards for Approval of Real Property Transfer.

~~1. Location of the proposed subdivision: tract, boundaries, township, section number, north arrow and a scale.~~

~~2. Location of all existing streets on or abutting the parcel to be subdivided, existing buildings, individual water supply and sewage disposal system, and pertinent easements of record.~~

~~3. Lot lines with width and depth dimensions in feet and the areas of all parcels being created by the division in acres.~~

~~4. The location and dimensions of the original tract.~~

~~5. The location, widths and other dimensions of proposed easements, parks and other open spaces.~~

~~6. Names of recorded owners of the parcel to be subdivided, date of survey, and certification and seal of the professional surveyor to the effect that the survey made by him balances and closes and that all dimensions and geodetic details are accurate and correct.~~

B. Evidence of compliance that the proposed subdivision has been reviewed and approved by the Richland County Public Health regarding suitability for on-lot well and sewage disposal system.

B.C. Affidavit of Compliance provided by the approving authority. (See Appendix Form 3)

III. After the Tax Map Department of the Richland County, Ohio, Engineer's Office is satisfied that such proposed subdivision is not contrary to Section 300.1, Paragraph I A through D, of these Regulations, the same shall be approved upon presentation of an instrument of conveyance of said parcel or parcels and the same shall be stamped "Approved according to orc 711.131; No Plat Required". In the event the approving authority is not satisfied that the proposed subdivision complies with these Regulations, then the person proposing the same shall submit the above information to the Director-Secretary of the Richland County Regional Planning Commission. The Richland County Regional Planning Commission, ~~acting through its Zoning, Subdivision and Land Use Committee~~, shall, within seven (7) working days after submission of the information required in Section 300.1, Paragraph I and II, review such information and if the proposed subdivision is in accordance with these Regulations, as are specifically applicable, they shall approve the same as a minor subdivision and upon presentation of an instrument of conveyance for the parcel or parcels, shall stamp thereon, "Approved by the Richland County Regional Planning Commission; No Plat Required" and have it signed by its Clerk, Secretary, or other official as may be designated by it. In its consideration of the proposed subdivision, the Richland County Regional Planning Commission may require such other information as is pertinent to its determination hereunder.

300.3 , 300.4 Submission requirements

The requirement of having a mylar, tracing cloth or reproducible tracing is no longer needed as new technology has allowed the reproduction or any legible paper drawing to be reproduced by modern scanner / printer

hardware. This requirement is for old "blueprint" machines. I recommend this be removed from these sections and anywhere else it is mentioned to help simplify the regulations.

#### 400.3 I Required Improvements

The Table 1 Schedule of Required Improvements was missing .I have located this and attached.

#### Access to Streets

The subdivision of land shall be such as to provide each lot with frontage and access on a public street or private street as required in ~~these regulations~~ the zoning resolution, or have a minimum of sixty (60) feet (whichever is greater)

#### Minimum Lot Size

The minimum lot size shall be as required by Township zoning or as required and/or the Richland public health whichever is greater

#### 400.3 VIII B3 Sanitary Sewers

Public "truck" sewers is a typo should be "trunk".

#### 500.4 I Fees

Do these fees actually come close to covering the time required to process a major subdivision? We do not have any means to compare inhouse because we have not processed one in 15 years? [Here is a comparable list](#)

#### Article V

#### 500.6 II County Recorder Penalties

This section needs removed. The enabling legislation was repealed. (ORC 711.12, repeal effective 1/30/2014)

#### 500.6 Generally

Would fees for a variance be appropriate to defray costs associated with the submittal of the variance?

Other ...

Appendix 2A Division of Land Not a Subdivision --- d.

Maybe this needs to be rewritten (formatted) to clarify it a little better for the public

Appendix 2B updated

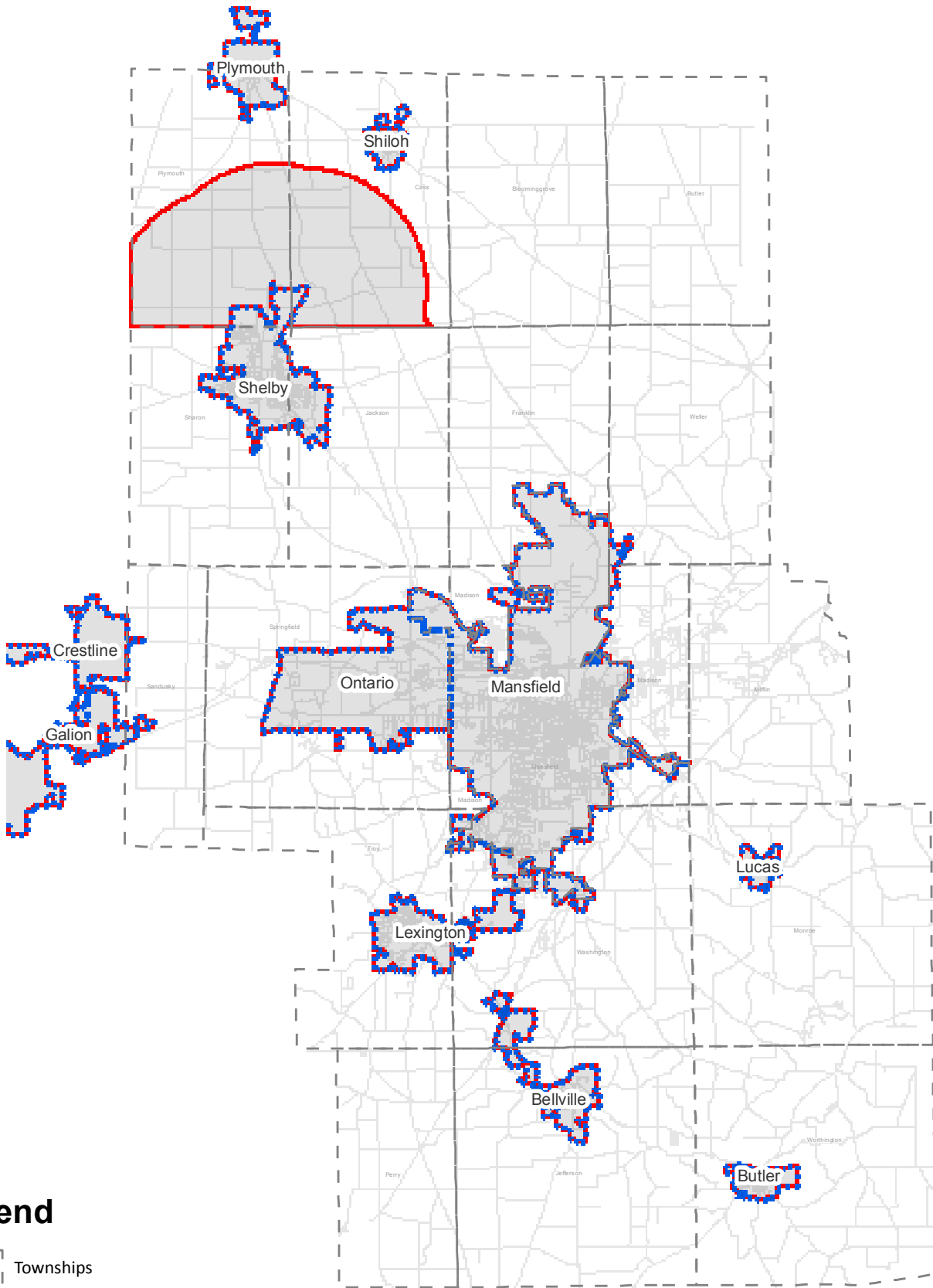
Appendix 3 should be updated

Appendix 10 A should be updated





Appendix Forms:

The dates need updated to remove 19\_\_ and either left blank or 20\_\_ inserted.

# Area Exempt from Richland County Subdivision Regulations: Municipal Corporation or 3 Mile Radius from a City with No Zoning in Surrounding Township



## Legend

-  Townships
-  Roads
-  Municipal Boundaries
-  Land Exempt from County Subdivision Regulations

