

## 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 process. 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 under sections 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, wastewater, municipal water, and sanitary sewer systems. Section 5552 of the ORC allows for the regulation of access on all roadways in Allen County.

## JURISDICTION

In the unincorporated areas 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, Elida, and Ft. Shawnee will review and approve any proposed land divisions located within their respective jurisdictions.

## TYPES OF LAND DIVISIONS

There are four basic types of land divisions identified under existing codes all of which require the landowner to obtain approvals from the various authorized agencies. This brochure attempts to identify issues relative to these procedures. For more information, please contact the LACRPC.

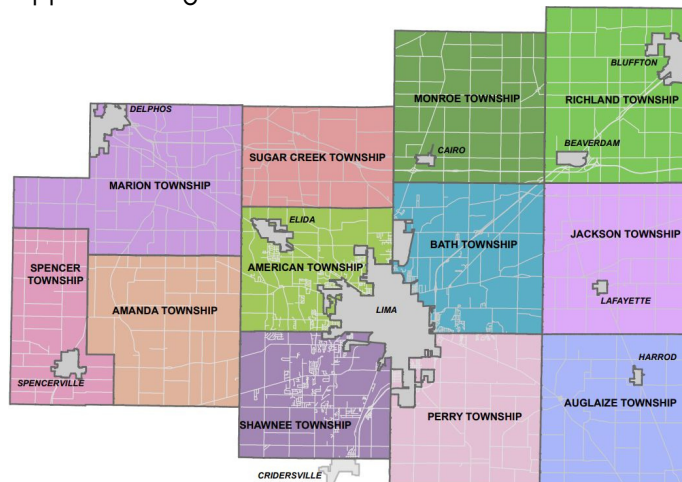
A **Minor Subdivision/Lot Split** is the division of a parcel of land whereby a new buildable lot of less than five (5) acres is created, either directly by the division or indirectly by the division of another parcel, and does not involve the opening, widening, or extension of any public street or road. A property owner is permitted to split an original parcel of land no more than four (4) times.

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

A **land transfer** is a conveyance of land between adjoining property owners. A parcel of ground less than five (5) acres is deeded to an adjacent landowner.

A **large lot land division** is the creation of a new buildable lot greater than five (5) acres in size, either directly by the division or indirectly by the division of another parcel, and which does not involve the opening, widening, or extension of any public street or road.

**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 road frontage, and are not contrary to other applicable regulations.



## REVIEW

Regardless of the respective political subdivision, applications for Lot Split, Land Transfer, or other Exempted Land Divisions must include (1) a Survey and legal description approved by the Allen County Engineer's Tax Map Office, certified by a registered professional surveyor; and, (2) Original deed of the proposed parcel(s); and, (3) Drive/Access Permits issued for purposes of access management.

Review processes differ by jurisdiction in the unincorporated areas of Allen County. The ORC Section 711 establishes a review period of seven (7) working days. Limitations and/or problems of the site(s) are reidentified during the review process and recommendations are 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.

## PROCEDURES

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

Preliminary meeting with the respective political subdivision or a representative of the LACRPC to determine the following:

- o Zoning Designation
- o Minimum Lot Size
- o Minimum Frontage
- o Floodplain Status
- o Soil Type
- o Address of Property
- o Need for a Site Plan
- o Future Development

Approved Plat and legal description as prepared by a licensed surveyor.

Deed for property.

Letter of approval from the Allen County Health Department regarding current sewage system or sizing new system, and roadside tap permit from either the County Engineer, Township Trustees or ODOT for septic outlet.

or  
A letter from the respective authority attesting to the accessibility of public sewers.

# .....CONTACT LIST.....

## **ZONING REGULATIONS & DRIVEWAY PERMITS**

CITY OF DELPHOS 419-695-4010  
CITY OF LIMA 419-228-5462  
COUNTY ENGINEER 419-228-3196  
VILLAGE OF BEAVERDAM 419-643-4231  
VILLAGE OF BLUFFTON 419-358-2066  
VILLAGE OF CAIRO 419-641-5735  
VILLAGE OF ELIDA 419-339-2811  
VILLAGE OF SPENCERVILLE 419-647-6263  
AMANDA TOWNSHIP 419-647-6259  
AMERICAN TOWNSHIP 419-331-8651  
AUGLAIZE TOWNSHIP 419-648-4352  
BATH TOWNSHIP 419-221-1797  
JACKSON TOWNSHIP 419-649-6482  
MARION TOWNSHIP 419-692-8846  
MONROE TOWNSHIP 419-641-5430  
PERRY TOWNSHIP 419-221-2412  
RICHLAND TOWNSHIP 419-358-4897  
SHAWNEE TOWNSHIP 419-991-8706  
SPENCER TOWNSHIP 419-647-6172  
SUGAR CREEK TOWNSHIP 419-642-7390  
LACRPC 419-228-1836  
ODOT 419-999-6893

## **FLOODPLAIN & SUBDIVISION REGULATIONS**

CITY OF DELPHOS 419-695-4010  
CITY OF LIMA 419-228-5462  
VILLAGE OF BLUFFTON 419-358-2066  
VILLAGE OF ELIDA 419-339-2811  
VILLAGE OF SPENCERVILLE 419-647-6263  
LACRPC 419-228-1836

## **SEWER AND WATER**

CITY OF DELPHOS 419-695-4010  
CITY OF LIMA 419-228-5462  
VILLAGE OF BEAVERDAM 419-643-4231  
VILLAGE OF BLUFFTON 419-358-2066  
VILLAGE OF CAIRO 419-641-5735  
VILLAGE OF ELIDA 419-339-2811  
VILLAGE OF SPENCERVILLE 419-647-4853  
SANITARY ENGINEER 419-331-6080  
ALLEN WATER DISTRICT 419-221-2500  
COUNTY HEALTH DEPT 419-228-4457

## **DRAINAGE AND STORMWATER**

COUNTY ENGINEER 419-228-3196  
CITY OF LIMA 419-228-5462  
CITY OF DELPHOS 419-695-4010  
ALLEN SOIL & WATER DISTRICT 419-223-0040  
SANITARY ENGINEER 419-331-6080  
ODOT 419-999-6893

## **LACRPC CONTACT:**

8:00 a.m. - 5:00 p.m.  
Monday - Friday  
130 W. North Street  
Lima, OH 45801  
419-228-1836

## **ALLEN COUNTY LAND DIVISION PROCESS**



**What you need to 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**