

Section 305 : Approval Procedures for Large Lot Divisions

Section 305.01 General.

The purpose of this Section 305 is to establish the procedure for review and approval of large lot divisions as authorized under O.R.C. 711.133.

The No Plat Approval Procedure for Large Lot Divisions (NPA-LL) may be used to request a proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and involving the establishment of any lot ranging in size from not less than five (5) acres to not more than twenty (20) acres. A proposed division of land under and in compliance with this Section 305 shall not be considered a subdivision for purposes of O.R.C. 711.110(B)(1) and need only be approved under the provisions of this Section 305.

A NPA-LL application shall be filed by the landowner or designated representative. In addition to the submittal requirements set forth below, the application shall include the survey drawing and legal description, the signed and completed application form and the required fee(s).

305.02 Pre-Application Meeting.

Prior to filing a formal NPA-LL application, an applicant is required to attend a pre-application meeting (within a 30 day time period) with the HCPC advisory committee to discuss the procedure for approval and to familiarize the applicant with applicable requirements. The applicant shall submit a scale drawing that includes the following information:

- a. Location Map;
- b. Existing and proposed public roads and easements;
- c. Ownership of property;
- d. Existing structures;
- e. North arrow;
- f. Outline of areas to be divided;
- g. Approximation of proposed lot lines and dimensions;
- h. Important natural features and drainage ways; and
- i. Information concerning storm drainage, sewage disposal, water supply, and other facilities that impact on the development.

305.03 Survey Requirement.

No division of lands involving a metes and bounds description shall be approved or exempted unless it is accompanied by a survey and legal description certified by a Professional Surveyor licensed in the State of Ohio. The survey must meet the Minimum Standards for Boundary Surveys, Administrative Code 4733-37, and the survey must have been approved by the Huron County Engineer and/or the Huron County Tax Map Department.

305.04 Lot Frontage Requirement.

Unless the applicable zoning regulations specifically provide otherwise, all lots created under this Section 305 shall have a minimum of two hundred fifty (250) feet of continuous frontage on an existing and improved public road as measured at the roadway right-of-way line.

305.05 Lot Width to Depth Ratio.

Unless the applicable zoning regulations specifically provide otherwise, the maximum depth of a lot measured at the building setback line shall not exceed three (3) times the width of the lot. For the purposes of determining these lot measurements, the lot shall be measured as follows:

- a. Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting to the foremost points of the side lot lines at the front yard setback and the rearmost points of the side lot lines in the rear.
- b. Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the front building setback line as established by the applicable zoning regulations, or where no zoning exists, forty (40) feet back from the edge of the current or proposed road right-of-way.

305.06 Application Submittal Requirements.

A NPA-LL application shall include the following information and materials:

- a. Existing and proposed topographic contours at 1-foot intervals for the envelope of disturbed areas of lots utilizing on-site sewage treatment systems; or 2-foot intervals for lots utilizing central sewer system (5-foot interval over 12% slope);
- b. Grading and drainage plan with review and written endorsement by the Huron County Soil & Water Conservation District;

- c. Existing or proposed building, well and sewage system locations and type;
- d. Soil type delineation;
- e. New or additional roadway easements and/or utility easements: easements must be conveyed and recorded by a separate instrument prior to the recording of the NPA-LL Subdivision;
- f. Appropriate floodplain status information showing areas within the 100-year floodplain/floodway;
- g. Access points in accord with adopted Huron County access management standards or Ohio Department of Transportation driveway approval if access is to a state highway;
- h. Recording data for NPA subdivision deeds previously approved from the original tract parcel;
- i. Drainage improvements and other applicable requirements of the Huron County Engineering and Surveying Standards for Subdivisions;
- j. Written endorsement of the NPA subdivision from health and zoning authorities;
- k. A plan illustrating all NPA subdivisions and/or lot splits of adjacent parcels within the past year, and the recording date of each;
- l. The developer shall mark proposed lot corners with stakes and colored flagging;
- m. Boundary survey by a professional land surveyor;
- n. A survey drawing and legal description (pre-approved by the Huron County Map Department) that has been prepared by a professional land surveyor.
- o. An approved form of conveyance meeting the requirements for property transfer by the Huron County Engineer and Auditor;
- p. All applicable fees;

305.07 Review and Approval.

If the Commission, acting through the HCPC advisory committee, finds that the proposed division is not contrary to any applicable zoning, health, sanitary, or access management regulations, regulations adopted under O.R.C. 307.37(B)(3) regarding existing surface or subsurface drainage, including but not limited to, rules governing household sewage disposal systems or the regulations set forth in this Section 305, it shall be approved in accordance with the following schedule:

- a. For proposed divisions into not more than six (6) separate parcels, approval shall be within seven (7) calendar days after the division is submitted at the next HCPC meeting;
- b. For proposed divisions into more than six (6) separate parcels but less than fifteen (15) parcels, approval shall be within fourteen (14) calendar days after the division is submitted at the next HCPC meeting;
- c.. For proposed divisions into more than fifteen (15) parcels, approval shall be within twenty-one (21) calendar days after the division is submitted at the next HCPC meeting;

The burden is upon the applicant to demonstrate compliance with these regulations. Incomplete or deficient proposals shall be disapproved and the applicant notified of the issues and reasons for disapproval.

Upon presentation of an approved conveyance of said parcel, the conveyance shall be stamped “Approved by Huron County Planning Commission; **No Plat Required under ORC 711.133**” and signed and dated.

NPA-LL deeds shall be recorded within one hundred eighty (180) days from the date of approval, or the approval expires. Upon the expiration of the approval, any proposed division of the subject tract shall be filed and processed as a new application under Section 305

Section 305.08 Agricultural and Personal Recreational Purposes Exemption.

A proposed division of a parcel of land along an existing public street, not involving the opening, widening, or extension of any street or road, and which meets the acreage requirements set forth in Section 305.01 but which is to be used only for agricultural or personal recreational purposes (as hereinafter defined) shall be exempt from the NPA-LL approval requirements. Upon presentation of a conveyance of such a parcel, the conveyance shall be stamped “Approved by Huron County Planning Commission; **No Plat Required under ORC 711.133; FOR AGRICULTURAL AND PERSONAL RECREATIONAL USE ONLY**” and signed and dated.

The conveyance shall include a statement “No change in use shall occur unless approved by the HCPC in accordance with applicable subdivision regulations.

Nothing in this Section 305 shall be construed as excluding parcels that are exempt under this procedure that are currently being used only for agricultural or personal recreational purposes from the provisions of these regulations for any future division or partitions of those parcels.

When parcels that are exempt from the approval requirements under this Section 305.06 are subsequently to be used for other than agricultural or personal recreational purposes, the advisory committee shall first determine that such a parcel complies with the regulations set forth in Section 305.

An exemption under this Section 305 shall require a statement, signed by the landowner, that certifies that the proposed parcel will only be used for agricultural or personal recreational purposes, and that any subsequent change in use shall require that the advisory committee first determine that the parcel complies with the then current provisions of Section 305.

For purposes of Section 305.06 the terms “agricultural purposes “and Personal recreational purposes” shall be defined as follows:

- *Agricultural purposes- a parcel or parcels that are devoted exclusively to –animal or poultry husbandry, aquaculture, apiculture, the production for use of field crops, tobacco, fruits, vegetables, nursery stock, ornamental trees, sod, or flowers or other similar agricultural uses.*
- *Personal Recreational Purposes- a parcel or parcels that are devoted exclusively to personal recreational use of a private type and nature that is conducted by the owner(s) of such parcel(s) or the individuals entitled to exclusive use and possession of such parcel(s), without fee or consideration of any kind, excluding commercial or membership recreational type of use whether or not for fee or profit.*

305.09 Original Tract Defined.

This section is to provide that no more than 5 lots, including the original tract, may be approved without going through the major subdivision process. The original tract will be defined as any parcel that exists at the time this new county legislation becomes effective.

**CERTIFICATION FOR EXEMPTION OF PARCELS TO BE USED ONLY FOR
AGRICULTURAL OR PERSONAL RECREATIONAL PURPOSES PURSUANT
TO OHIO REVISED CODE SECTION 711.133**

The undersigned Grantor(s) and Grantee(s) make the following statements for the express purpose of inducing the Huron County Planning Commission (the “Commission”) to exempt from the approval requirements of Section 305 of the Huron County Subdivision Regulations (the “Regulations”) the following described property (the “Property”) and to stamp the conveyance of the Property “No Approval Required under O.R.C. 711.133; **FOR AGRICULTURAL AND PERSONAL RECREATIONAL USE ONLY**”:

1. The Grantor(s) and Grantee(s) certify that the Property proposed for exemption is described as follows:

2. The Grantor(s) and Grantee(s) certify that the Property is to and shall be used **ONLY** for agricultural or personal recreational purposes as defined Section 305 of the Regulations.

3. The Grantor(s) and Grantee(s) acknowledge and understand that if the Property is subsequently changed in use from agricultural or personal recreational purposes, no such change in use shall be made by the Grantor(s) or Grantee(s) or their successors and assigns unless and until the HCPC advisory committee first determines that the Property complies with the then current provisions of Section 305 of the Regulations.

The undersigned Grantor(s) and Grantee(s) have signed this Certification on the date(s) set forth below.

GRANTOR(S):

GRANTEE(S):

(Name)

(Name)

Date: _____

Date: _____

(Name)

(Name)

Date: _____

Date: _____

