

### **1115.03 LOT SPLITS.**

(a) A tract which fronts upon an existing public street may be divided into five or fewer parcels by the recording of a deed rather than a plat if and only if the applicant complies with the provisions of this section.

(b) The party or parties desiring to make the transfer provided by this section shall submit a sketch thereof to the Planning Commission. After review, and if the proposed division conforms to all applicable standards, the Planning Commission may approve the lot split. The Planning Commission may condition such approval upon any conditions which it deems necessary.

(c) If the proposed lot split is approved by the Planning Commission, the applicant shall submit for each new parcel being created or left in residue, an accurate and current survey description that shall be prepared by a professional surveyor registered with the State of Ohio and in accordance with the following.

(1) Professional Land Surveyors of Ohio publication "Minimum Standards for Boundary Surveys in the State of Ohio"

(2) The Conveyance Standards for Geauga County

(3) The requirements of the "MUNICIPAL STANDARDS FOR PLAN CONTENT" along with a deed to the Village Engineer, setting forth the division of the tract into parcels. If the Village Engineer determines that the deed is in conformance with the transfer approved by the Planning Commission, he shall forward it to the Chairman of the Planning Commission. The Chairman of the Planning Commission shall stamp the deed "Approved, No Plat Required" and attach his signature, and the deed may then be recorded.

(d) In the event the applicant has proposed a split of one lot for the purpose of consolidating or combining one of the newly-created lots with an adjacent existing lot, in addition to the foregoing, the applicant shall also prepare a deed consolidating the newly- created lot with the adjacent existing lot and submit that deed to the Village Engineer for approval. The Planning Commission may condition the approval of a lot split upon the requirement that the applicant record both the deed dividing the lot and the consolidation deed described in this subsection.

(e) No lot split shall be approved where any of the parcels remaining does not meet the requirements of the Village of Middlefield Design Regulations or Section [1155.01](#) of the Codified Ordinances, or any other applicable section of the Subdivision or Zoning Codes.

(f) No lot split shall be approved where any of the parcels remaining does not have frontage on an existing public street.

(g) No lot split shall be approved where, in the discretion of the Planning Commission, it appears that the purpose of the lot split is to reduce the size of the parcel in order to circumvent requirements applicable to large lot/multiple unit developments in the R- PUD and R-3 residential districts.

(h) Prior to approving the recording of any deed effecting a lot split, the Planning Commission shall verify that each lot involved in the lot split has iron pins placed at its corners. Such verification shall be made in the same manner as required by Section [1140.01\(c\)\(2\)](#).

(i) Provided that the applicant otherwise complies with the requirements of this section, the applicant shall not be required to submit preliminary or final subdivision plans or documents other than those described in this section, and none of the improvements described in Chapter [1119](#) shall be required prior to transfer.

(j) Notwithstanding the foregoing, lot splits are prohibited in the C-PUD Planned Unit Commercial Development District unless such lot splits are approved by the Planning Commission and Council as part of a Development Plan or an amendment thereto, as provided by Section [1153.097](#).

(Ord. 10-114. Passed 7-1-10.)