



2880 Ada Rd.
Lima, Ohio 45801

www.bathtwp.com

bathtownshiptrustees@yahoo.com

419/221-1797
Fax 419/222-3606

Trustees: William F. Degen • Brad A. Baxter • Robert E. Sielschott
Fiscal Officer: Lisa Cogley

Bath Township
Board of Trustees

Notice of Public Hearing: Case #110

The Bath Township Board of Trustees will hold a public hearing for Case #110 on Tuesday September 21, 2021, at 6:30 pm in the Social Hall of the Bath Township House at 2880 Ada Road, Lima, Ohio 45801.

This public hearing is for the purpose of considering an Application for Zoning Amendment, regarding a specific portion of one (1) parcel from RU Rural District to R-1 Residential District. The subject property is located at 2409 Lost Creek Blvd., Lima, Ohio 45804. Parcel No. 37-3300-03-001.000. The application has been submitted by Lost Creek Country Club, LLC, Lima, OH 45801.

The rezoning application documents can be reviewed prior to the public hearing at the Bath Township website: <https://bathtwp.com/>, or the Bath Township office during normal business hours. Upon conclusion of this hearing, the Board of Trustees will either adopt or deny the amendment within 20 days of the conclusion of the public hearing.

Brad A. Baxter, Chairman
William F. Degen
Robert E. Sielschott
Bath Township Board of Trustees

Thank you!

Please feel free to email or call me if you have any questions or need confirmation of any information.

Scott Campbell, Clerk
Bath Township Zoning Commission
2880 Ada Road
Lima, Ohio 45801
419-221-1797 - office
bathzoning@midohio.twcbc.com

Bath Township, Allen County, Ohio
BOARD OF TRUSTEES
Public Hearing

AGENDA for CASE #110

Tuesday, September 21, 2021
6:30 p.m.

Board of Trustees:

Brad A. Baxter	present/absent
William F. Degen	present/absent
Robert E. Sielschott	present/absent

Fiscal Officer:	Lisa Cogley	present/absent
Board Clerk:	Scott Campbell	present/absent
Zoning Inspector:	Ken Meyer	present/absent

Purpose for Public Hearing:

1. Introduce and discuss rezoning Case #110
2. Receive and discuss applicant statement & public input.

Public Hearing Agenda Items:

- Board Member Introductions
- Reading of the Legal Notice
- Accepting of the RPC Recommendation
- Accepting of the Zoning Commission Recommendation
- Reading of Correspondence
- Comments from the Board of Trustees.
- Hearing of the Public
- Follow up questions & comments from the Board of Trustees
- Statement/reminder that a decision will be made outside of the public hearing, within 20 days of this public hearing being adjourned.

Action Items:

- Motion to recess public hearing:
Motion by: _____ 2nd by: _____
Vote: Baxter: Y/N Degen: Y/N Sielschott: Y/N
Time: _____ Date: _____
- Motion to reconvene public hearing:
Motion by: _____ 2nd by: _____
Vote: Baxter: Y/N Degen: Y/N Sielschott: Y/N
Time: _____ Date: _____
- Motion to adjourn public hearing:
Motion by: _____ 2nd by: _____
Vote: Baxter: Y/N Degen: Y/N Sielschott: Y/N
Time: _____ Date: _____

Lisa Cogley, FISCAL OFFICER
Bath Township

or

Scott Campbell, CLERK
Bath Township, Zoning Commission



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Trustees: William E. Degen • Brad A. Baxter • Robert E. Sielschott
Fiscal Officer: Lisa Cogley

APPLICATION FOR ZONING AMENDMENT

CASE NUMBER: 110 DATE FILED: _____

APPLICANT'S NAME AND ADDRESS: Last Creek Country Club, LLC

TELEPHONE NUMBER 419-231-6120

Application is herein and hereby made and filed with the Zoning Commission Board in accordance with Section 519.12 of the Ohio Revised Code, for the purpose of securing a change of the established Zoning District of the following described real estate, situated in the Township of Bath, Allen County, Ohio, to wit:

FROM EXISTING ZONING: R2 TO PROPOSED DISTRICT CHANGE: R-1

For the purpose of: Building single family homes facing
Lost Creek Boulevard.

*REFERENCE: BACOW & ASSOCIATES LCCC NO. 1 ZONING PLAN
SC.

The following documents are attached:

1. Legal description of the parcel(s) sought to be rezoned (Exhibit A)
2. A list of the owners of property within, contiguous to, and directly across the street from the land sought to be rezoned, showing their addresses as they appear on the County Treasurer's mailing list (Exhibit B)
3. A sketch of the land, with accurate dimensions, sought to be rezoned showing the surrounding properties (Exhibit C)
4. Other exhibits (list other documents submitted as requested by the Township Zoning Commission for the purpose of providing the fullest practicable presentation of facts)

I/we, the applicant(s) affirm that the proposed rezoning will not be detrimental to the general public and that the requested zoning is the best use of the property. I/we further certify that the above facts and information are true and correct to the best of my/our knowledge.

SIGNATURE OF APPLICANT(S): 

SIGNATURE OF LEGAL REPRESENTATIVE (if any): _____

REZONING APPLICATION
LOST CREEK COUNTRY CLUB

1. The individual to contact for any questions, information, or other resources is Lost Creek's President and owner, Anthony Collins. Mr. Collins can be contacted at 121 West High Street, 12th Floor, Lima, Ohio 45801, or by office phone at 419-225-7116, or by cell phone at 419-231-6120.

This project will not be detrimental to the area and in fact will be a major asset to the area due to the fact that for the last several years this has been an unused golf course that has been allowed to grow over to the point of being a public nuisance. With this rezoning the area will be home to 15 middle class single family homes, thereby both providing needed residential housing in Bath Township and greatly improving the value of the area while leaving major acreage available for a planned 9 hole golf course.



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Trustees: William F. Degen • Brad A. Baxter • Robert E. Sielschott
Fiscal Officer: Lisa Cogley

ZONING COMMISSION - ORDER

August 18, 2021

Bath Township Zoning Commission
Case # 110

An Application for Zoning Amendment was filed with Bath Township for the purpose of rezoning a specific portion of one (1) parcel from RU Rural District to R-1 Residential District. The subject property is located at 2409 Lost Creek Blvd., Lima, Ohio 45804. Parcel No. 37-3300-03-001.000. The application was submitted by Lost Creek Country Club, Lima, OH 45804.

The Zoning Commission Chair & Clerk found that said application was properly filed and a date was set for a public hearing. It was therefore ordered that a notice be placed in a publication of circulation throughout the Township. Said notice was indeed published in The Lima News on August 8th, 2021.

The application & supporting documents were forwarded to the Lima/Allen County Regional Planning Commission (LACRPC) for review and presentation to the Developmental Controls Committee (DCC). The DCC met on July 20, 2021, to review the case and their staff recommendation. On August 4, 2021, the LACRPC forwarded their recommendation to the Bath Township Zoning Commission. The recommendation was to APPROVE the proposed zoning amendment.

Thereupon, on the 18th day of August 2021, at 6:30 pm, a public hearing of the Bath Township Zoning Commission was held in the Bath Township Social Hall at 2880 Ada Road, Lima, Ohio 45801.

The following Zoning Commission members were present at the public hearing:

Chris Fultz
William Perrin
Steve Walsh
Clarence Roller, Vice Chair
Ian Kohli, Chair

The Commission conducted the public hearing as per their normal procedure, reviewed the recommendation of the RPC, discussed the case in open, received input from the applicant (represented by Mr. Anthony Collins), and those in attendance. There were approximately 10 other members of the public present at the hearing.



ORDER
Zoning Commission
Case # 110
August 18, 2021
Page 2 of 3

Ian Kohli made a motion to recommend to the Board of Trustees that the rezoning application be approved, the motion was seconded by William Perrin.

A roll call vote was conducted by the Clerk. A 'YES' vote was in support of the motion to recommend that the Trustees approve the zoning change; a 'NO' vote is not in support of the motion. The roll call vote was taken verbally, the results are as follows:

Chris Fultz	Yes
William Perrin	Yes
Steve Walsh	Yes
Clarence Roller, Vice Chair	Yes
Ian Kohli, Chair	Yes

The motion carried to recommend approval of the proposed zoning amendment.

Therefore: The recommendation of the Bath Township Zoning Commission is that the Bath Township Board of Trustees accordingly ADOPT the proposed zoning amendment for Case #110.

Notice of this ORDER shall be forwarded to the Bath Township Board of Trustees at the Trustees regular meeting on September 7, 2021, so that a public hearing of the Trustees can be scheduled. The Trustees are required to hold a public hearing within 30 days of receiving this ORDER. Tuesday September 21, 2021, and Tuesday October 5, 2021, are the only dates of a regularly scheduled Trustees meeting that fall in the 30-day window, unless a special meeting date is chosen for the purposes of the Board of Trustees public hearing.

Upon the selection of a public hearing date, the case documents will be updated to reflect the date of the Trustees public hearing and the recommendation of the Zoning Commission; those documents will then be forwarded to the Board of Trustees, the applicant, the list of affected property owners as provided by the applicant and made available for the public to review.



ORDER
Zoning Commission
Case # 110
August 18, 2021
Page 3 of 3

A copy of this order will be retained for the permanent files of the Bath Township Zoning Commission.

Adopted:

Ian Kohli, Chair
Bath Township Zoning Commission

Scott Campbell, Clerk
Bath Township Zoning Commission



Lima/Allen County
**REGIONAL PLANNING
COMMISSION**

130 W. North Street
Lima, OH 45801
419-228-1836 Fax: 419-228-3891
www.lacrpc.com

BATH TOWNSHIP

AUG 09 2021

TAMMY JAY

Steve Ewing
President

Howard Elstro
President-Elect

Dave Belton
Treasurer

Robert Sielschott
Secretary

Shane A. Coleman
Executive Director

August 4, 2021

Mr. Scott Campbell
Bath Township Zoning Board Clerk
2880 Ada Road
Lima, OH 45801

RE: Township Zoning Petition – BA-01-21

Dear Mr. Campbell,

Following review of all materials submitted to us, The Staff of the Lima Allen County Regional Planning Commission, (LACRPC), recommend approval of the proposed BA-01-21 township zoning petition. During the 8-3-21 meeting of The Developmental Controls Committee, the committee voted to accept the recommendation put forward by LACRPC staff and accept the petition as proposed. If you have any questions, please feel free to contact Adam Haunhorst at (419) 228-1836.

Respectfully,

Adam Haunhorst
Planning Engineer

AFH:irs

**LIMA-ALLEN COUNTY REGIONAL PLANNING COMMISSION
ZONING AMENDMENT**

CASE NO. : BA-01-21

DATE OF REVIEW BY THE
DEVELOPMENTAL
CONTROLS COMMITTEE : August 03, 2021

PETITIONER(S) : Lost Creek Country Club, LLC
2409 Lost Creek BLVD.
Lima, Ohio 45804

REASON FOR PETITION : Rezone to R-1 Residential District form RU Rural District.

PURPOSE FOR REZONING: The petitioner would like to rezone a portion of their property to facilitate the development of a residential subdivision.

DATE OF PUBLIC HEARING : TBD

DESCRIPTION OF PARCEL(S) : 37-3300-03-001.000

LOCATION OF PARCEL(S): SE ¼ SECTION 32 T3S R7E

COMMENTS:

The applicant is requesting to rezone a portion of one (1) parcel located in Bath Township from RU Rural District to R-1 Residential to facilitate the development of the proposed Lost Creek Subdivision. Both public sewer and municipal water are present throughout the site. No wetlands, historical, or archaeological factors were found compromising the site. A FEMA identified special flood hazard area is present within the site's boundary. Still, all construction activities should be outside of that area. Soil data reflects several different parts, including Glynwood-Urban Land Complex, Glynwood Clay Loam, Shawtown Loam, and Shoals Silt Loam, some of which are hydric.

The area proposed to be rezoned totals approximately 5.960 acres. The frontage is approximately 1500.0" for the rezoned area; this area would comprise the proposed Lost Creek Subdivision. The property fronts on Lost Creek Boulevard, which is federally classified as a local roadway. This roadway has experienced three (3) traffic crash over the 2016-2020 period. The roadway is not listed on the access management plan and therefore is not subject to its restrictions. Furthermore, with the proposed change from RU to R-1 there should be little to no impact on local traffic as the site is already adjacent to a residential area.

This proposed re-zone is in contradiction with the Bath township 2040 Comprehensive Plan. With this in mind, the township has shown a large amount of support for the project. Additionally, the proposed re-zone would not create a spot zone, nor would it seem out of place with the surrounding neighborhood. This proposed rezoning would help to utilize an otherwise vacant golf course and provide more housing to local residents.

STAFF'S RECOMMENDATIONS:

Staff recommends approval of the BA-01-21 rezoning request. This rezoned parcel would facilitate the development of the proposed Lost Creek Subdivision. While this does contradict the township's 2040 comprehensive plan, the township has expressed its interest in this project. Additionally, this rezone does not create and other conflicts with the surrounding area.

DCC RESPONSIBILITIES:

The Developmental Controls Committee has the responsibility to (1) approve the zoning amendment as submitted; (2) approve the zoning amendment on conditions as specified; (3) deny the zoning amendment as submitted based on the cause; or (4) at the request of the petitioner table a decision until specific issues can be resolved.

Print

Property Information		
Property Number	37-3300-03-001.000	Property Address:
Owner Name	LOST CREEK COUNTRY CLUB LLC	2409 LOST CREEK BLVD
Owner Address	2409 LOST CREEK BLVD LIMA OH 45804	LIMA OH 45804
Tax Set	H27 BATH L. S. D.	
School District	202 BATH LSD	
Neighborhood	00900 Bath Twp	Tax Payer Address:
Use Code	463 Golf courses	LOST CREEK COUNTRY CLUB LLC
Acres	111.05000	121 W HIGH ST 12TH FLOOR LIMA OH 45801 USA
Description		
PT SW1/4 SEC 33 & PT SE1/4 SEC 32 RTS 07-03-33		

		Current Value		Recent Transfer	
Deferred Ag Charges	N	Mkt Land Value	\$319,800	Valid Sale	Y
Homestead/Disability	N	CAUV	\$0	# Parcels	1
2.5% Reduction	N	Mkt Impr Value	\$549,000	Deed Type	W-WARRANTY DEED
Divided Property	N	Total	\$868,800	Amount	\$600,000
New Construction	N	Current Tax		Sale Date	9/25/2020
Foreclosure	N	Annual Tax	\$18,449.95	Conveyance	1678
Other Assessments	Y	Paid To Date	\$9,224.98		
Tax Lien Pending/Sold	N	Total Due	\$9,224.97		

<< Previous Card Card 1 of 3 Next Card >>

463 Golf courses Building Section 001 Occupancy 001			
Year Built	1960	Year Remodel	1979
# Stories	1	Story Height	8
Section Area	7604	Perim/Shape	4
		Occupancy	314 Country Club

Land								
Land Type	Acres	Square Ft.	Actual Frontage	Eff. Frontage	Depth	No Of Units	Adjusted Rate	Value
A0Row	0.61	0	0.00	0.00	0.00	0	\$0	\$0
A3Residual	107.44	0	0.00	0.00	0.00	0	\$7,700	\$206,820
A1Primary Site	3.00	0	0.00	0.00	0.00	0	\$37,650	\$112,950

CAUV Land Lines
This Parcel Not Qualified For CAUV.

Card - 1 Card - 2 Card - 3

Improvements			
IMPR Type	Description	Area	Value
Addition	632 Superstructure	56 SQ FT	\$0
Addition	632 Superstructure	100 SQ FT	\$0
Addition	632 Superstructure	400 SQ FT	\$0
Addition	632 Superstructure	1030 SQ FT	\$0
Other Improvement	647 Golf Crse Avg Qual Per Hole	1 SQ FT	\$269,300

Card - 1 Card - 2 Card - 3

Property Sketch and Photos -- Card 1

LOST CREEK COUNTRY CLUB No. 1 ZONING CHANGE PLAN SE 1/4, SECTION 32 & SW 1/4, SECTION 33, T3S, R7E BATH TOWNSHIP, ALLEN COUNTY, OHIO



REFERENCES
 LOST CREEK SUBDIVISION PLAT, P.B. 3, PG. 411
 111.4556 ACRE BOUNDARY SURVEY FOR LOST CREEK
 MAP, 2002, FILED ALLEN COUNTY RECORDS SP#1-179.
 2007 1/25 P/W PLANS, MARCH 25, 2011, SHEETS
 %-%-No. FILED ALLEN COUNTY RECORD 44-75-2.5.3.

CURVE	LENGTH	RADIUS	DIRECTION	CHORD LENGTH	DELTA
C1	730.11'	423.02'	S80D00L33W	584.76'	102.427305
C2	130.82'	395.00'	S89.3617W	132.25'	19.26544'
C3	278.50'	255.00'	S45D50E37W	270.53'	1.038106

SURVEY CONTROL
 HORIZONTAL CONTROL IS OHIO STATE PLAIN NORTH COORDINATE SYSTEM.
 VERTICAL CONTROL ELEVATION DATUM IS NAVD 83



LEGEND
 C - EXISTING PAVEMENT
 D - EXISTING DIRT PAVEMENT
 E - EXISTING GRADE CONTOUR
 S - SANITARY SEWER
 W - WATER MAIN
 WH - WATER HYDRANT
 CB - CATCH BASIN

SUMMARY
 THIS PLAN IS SUBMITTED ON THE NORTH SIDE AND ADJACENT TO LOST CREEK BLVD. WITH THE PROPOSED SUBDIVISION WILL UTILIZE THE EXISTING SANITARY SEWER INFRASTRUCTURE TO SERVE THE PROPOSED SUBDIVISION LOTS.

OWNER/DEVELOPER
 LOST CREEK COUNTRY CLUB, LLC
 127M FLOOR
 127M ST. 127M FLOOR
 LIMA, OH 45801
 PH: 614.233.1111
 EMAIL: TOLLANS@LIMACOUNTRYCLUB.COM

ENGINEER & SURVEYOR
 BACON & ASSOCIATES, LLC
 750 N. BUSHMAN RD., SUITE 100
 CHAS. R. TOLLARD, P.E., P.S.
 MARIETTA, OH 45750
 MARIETTA@BACONASSOCIATES.COM

DATE 08/24/2011
LOCATION S33, SEC. 32, T3S, R7E
AREA 100.00 AC.
NO. OF RESIDENTIAL LOTS 15
PHYSICAL LOT SIZE 100' W x 180' D
AREA OF SUBDIVISION 5,560 ACRES

ZONING R1, RURAL
PROPOSED R1
NEAR SETBACK 35 FT.
SIDE VARD SETBACK 7.5 FT.

FLOOD PLAIN INFORMATION
 THE PROPOSED SUBDIVISION IS LOCATED OUTSIDE OF THE FLOOD PLAIN.
 SUBJECT PROPERTY ZONE: "AE"
 FEMA 100-YR FLOOD PLAIN LOCATED NORTH OF PROPOSED SUBDIVISION LOCATED OUTSIDE OF THE FLOOD PLAIN

AVAILABLE UTILITIES
 21" SANITARY SEWER ON S. SIDE OF LOST CREEK BLVD.
 21" SANITARY NORTH OF SITE IN GOLF COURSE
 12" WATER MAIN ON S. SIDE OF LOST CREEK BLVD.

THE PROPOSED SOURCE OF SANITARY SEWER SERVICE IS THE EXISTING SANITARY SEWER LOCATED ON THE SOUTH SIDE OF LOST CREEK BLVD. THE PROPOSED LATERALS WILL BE BORIED UNDER LOST CREEK BLVD. AND CONNECTED TO THE EXISTING SANITARY SEWER.

WATER SERVICE WATER LINE IS LOCATED ON THE SOUTH SIDE OF LOST CREEK BLVD. THE WATER MAIN IS MAINTAINED BY THE CITY OF LIMA.

THE PROPOSED LOTS WILL ACQUIRE SERVICE BY BORING THE EXISTING WATER MAIN.

STORM WATER
 STORM WATER WILL BE MANAGED BY CONVEYING RUNOFF ON THE NORTH SIDE OF THE PROPOSED LOTS TO A PROPOSED DETENTION BASIN LOCATED AS SHOWN ON THE PLAN.

THE PROPOSED DETENTION BASIN WILL BE LOCATED OUTSIDE OF THE PROPOSED SUBDIVISION. IT WILL OUTLET TO LOST CREEK TO THE NORTH.

PAVING
 PAVING FOR THE PROPOSED SUBDIVISION LOTS WILL BE ON THE SOUTH SIDE OF THE PROPOSED LOTS. PAVING WILL BE ALONG THE WEST AND NORTH SIDES OF LOST CREEK BLVD. WITHIN THE LIMITS OF THE PROPOSED SUBDIVISION.

LOST CREEK COUNTRY CLUB No. 1 ZONING CHANGE PLAN
 SE 1/4, SEC. 32 & SW 1/4, SEC. 33
 BATH TWP., ALLEN CO., OHIO

Prepared By:
BACON & ASSOCIATES, LLC
 750 N. Bushman Rd., Suite 100
 Marietta, Ohio 45750
 Office: (614) 999-3756 - Fax: (614) 999-2573

Scale: 1" = 100'
 Date: 08/24/2011

Sheet No. 1 of 1

Drawn By: [Signature]

Checked By: [Signature]

Approved By: [Signature]

Professional Seal: [Seal]

Professional Seal: [Seal]

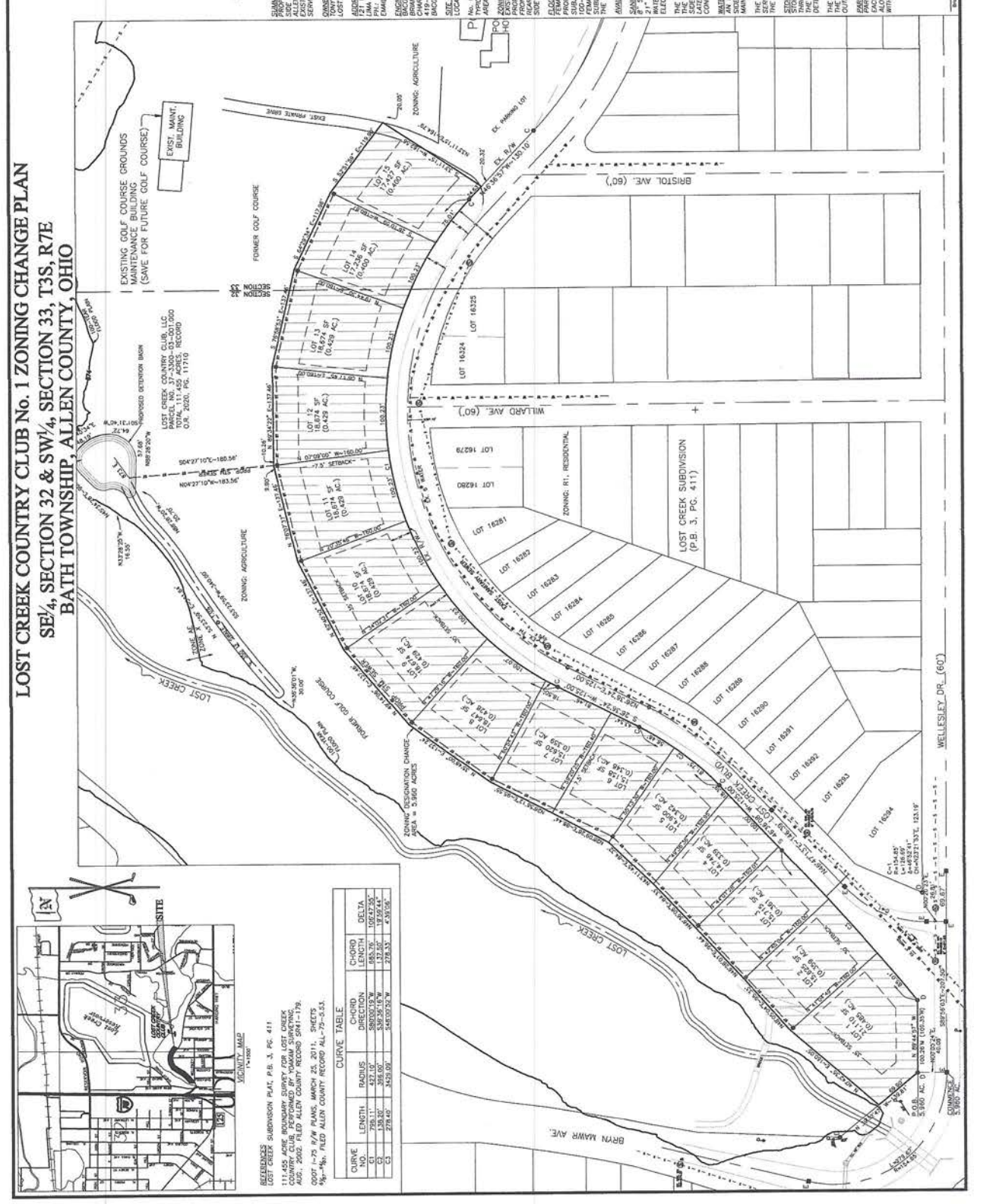
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BACON & ASSOCIATES, LLC

Engineering and Surveying

750 N. Eastown Road

Phone: (419) 999-3756

Elida, Ohio 45807

FAX: (419) 999-2523

DESCRIPTION

(5.960 Acres for Re-Zoning)

Being a parcel of land for an application of a zoning designation change, situated in the SE $\frac{1}{4}$, Section 32 and the SW $\frac{1}{4}$, Section 33, T3S, R7E, Bath Township, Allen County, Ohio, more particularly described as follows:

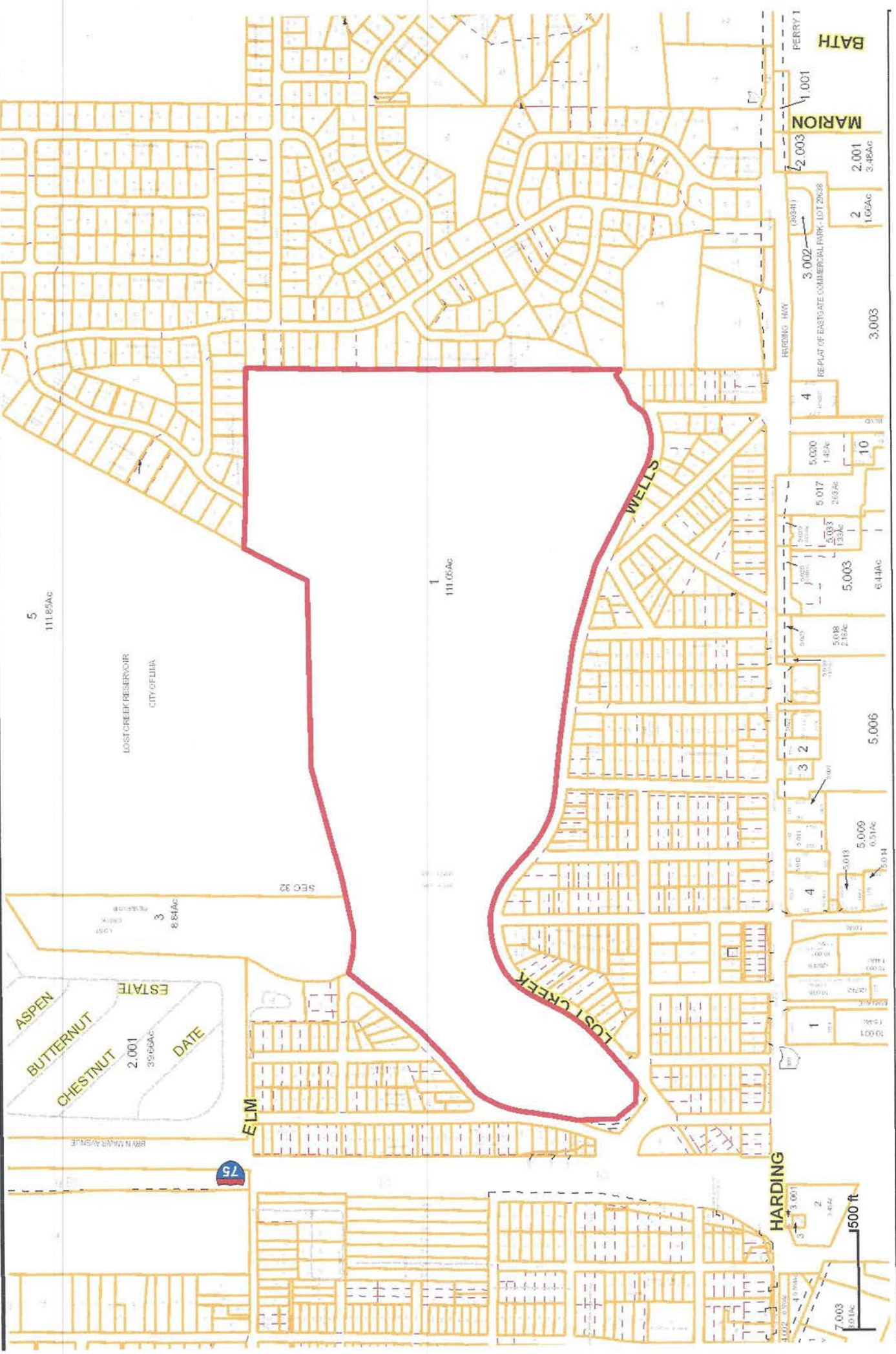
Commencing for reference at an iron pin in a monument box located in the centerline of Bryn Mawr Ave., said monument box is referenced in the Ohio Department of Transportation, ALL-75-5.53, Right Of Way Boundary Sheet No. 62/87 at PT Sta. 10+75.53 of the centerline of R/W & Construction for Bryn Mawr Ave., thence N.00°-05'-24"E., 40.08' to an existing #5 rebar with ODOT plastic cap on the north line of Bryn Mawr Ave. at the POINT OF BEGINNING of the parcel to be described; thence the following courses;

1. N.39°-32'-47"W. on the north line of Bryn Mawr Ave., 69.90';
2. N.40°-42'-35"E., 160.05';
3. N.48°-05'-04"E., 95.33';
4. N.46°-28'-01"E., 96.44';
5. N.46°-36'-08"E., 84.33';
6. N.43°-11'-45"E., 84.32';
7. N.28°-09'-28"E., 88.44';
8. N.26°-56'-12"E., 95.55';
9. N.35°-48'-00"E., 137.24';
10. N.49°-14'-06"E., 137.46';
11. N.62°-40'-52"E., 137.46';
12. N.76°-07'-37"E., 137.46';
13. N.89°-34'-22"E., 137.46';
14. S.76°-58'-53"E., 137.46';
15. S.64°-29'-34"E., 117.96';

16. S.52°-51'-59"E., 119.90';
17. S.33°-11'-15"W., 162.56' to the north right-of-way line of Lost Creek Blvd.;
18. N.46°-36'-57"W., 24.63' to an existing #5 rebar at the P.C. of a curve in the R/W to the left;
19. Northwesterly 796.11' on said curve concave to the south, having a radius of 427.10', a central angle of 106°-47'-55" and a chord of S.80°-00'-19"W., 685.76' to an existing #5 rebar at the P.T.;
20. S.26°-36'-24"W., 125.00' to an existing #5 rebar at the P.C. of a curve in the R/W to the right;
21. Southwesterly 138.20' on said curve concave to the northwest, having a radius of 396.00', a central angle of 19°-59'-44" and a chord of S.36°-36'-16"W., 137.50' to an existing #5 rebar at the P.T.;
22. S.46°-36'-08"W., 125.00' to an existing #5 rebar at the P.C. of a curve in the R/W to the right;
23. Southwesterly 278.40' on said curve concave to the northwest, having a radius of 3429.09', a central angle of 04°-39'-06" and a chord of S.48°-00'-52"W., 278.33' to an existing #5 rebar at a non-tangential bend in the R/W;
24. N.89°-44'-57"W., 100.26' to the POINT OF BEGINNING.

The above-described parcel for a zoning designation change contains 5.960 acres.

The basis of bearings is the Ohio State Plane North coordinate system.

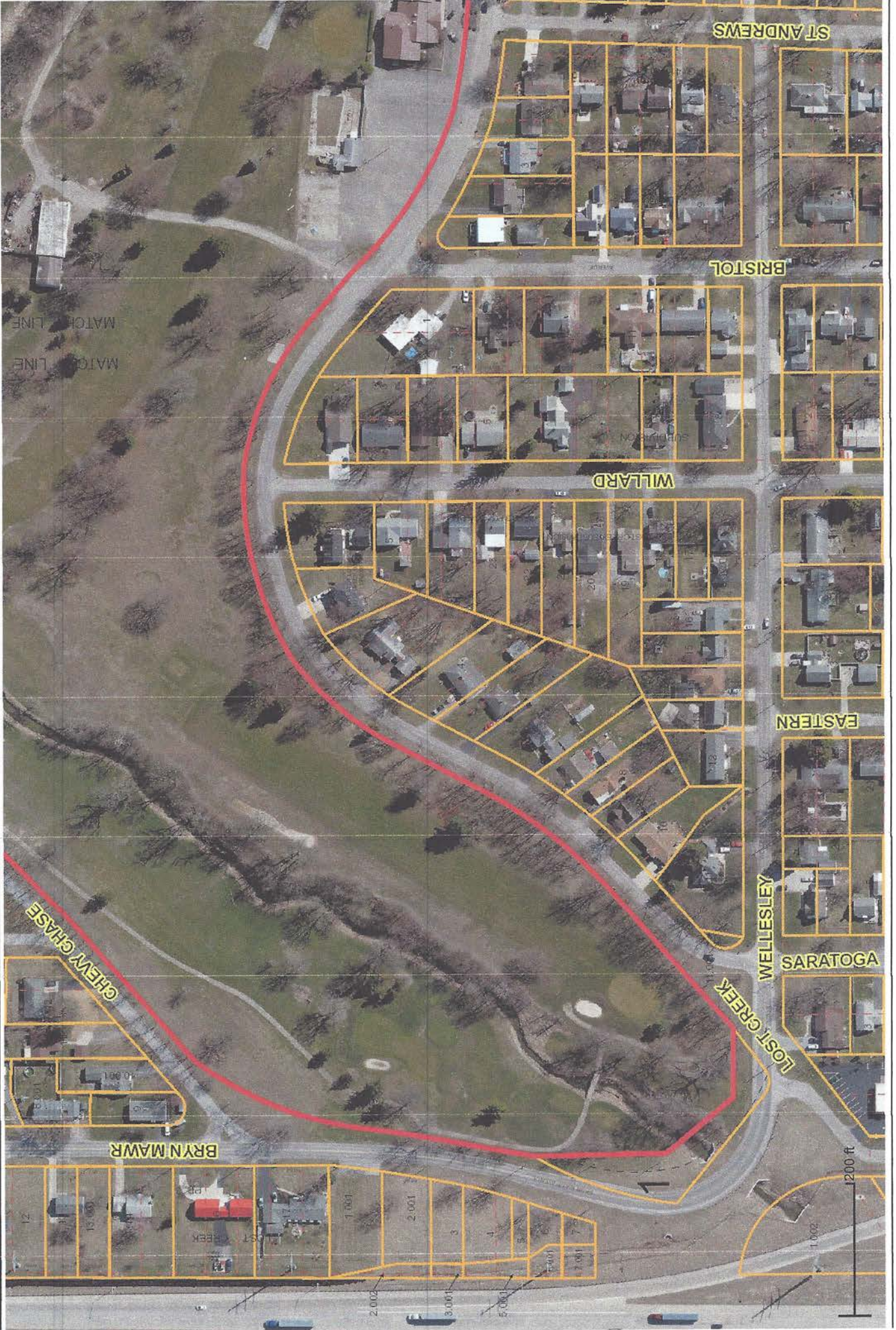




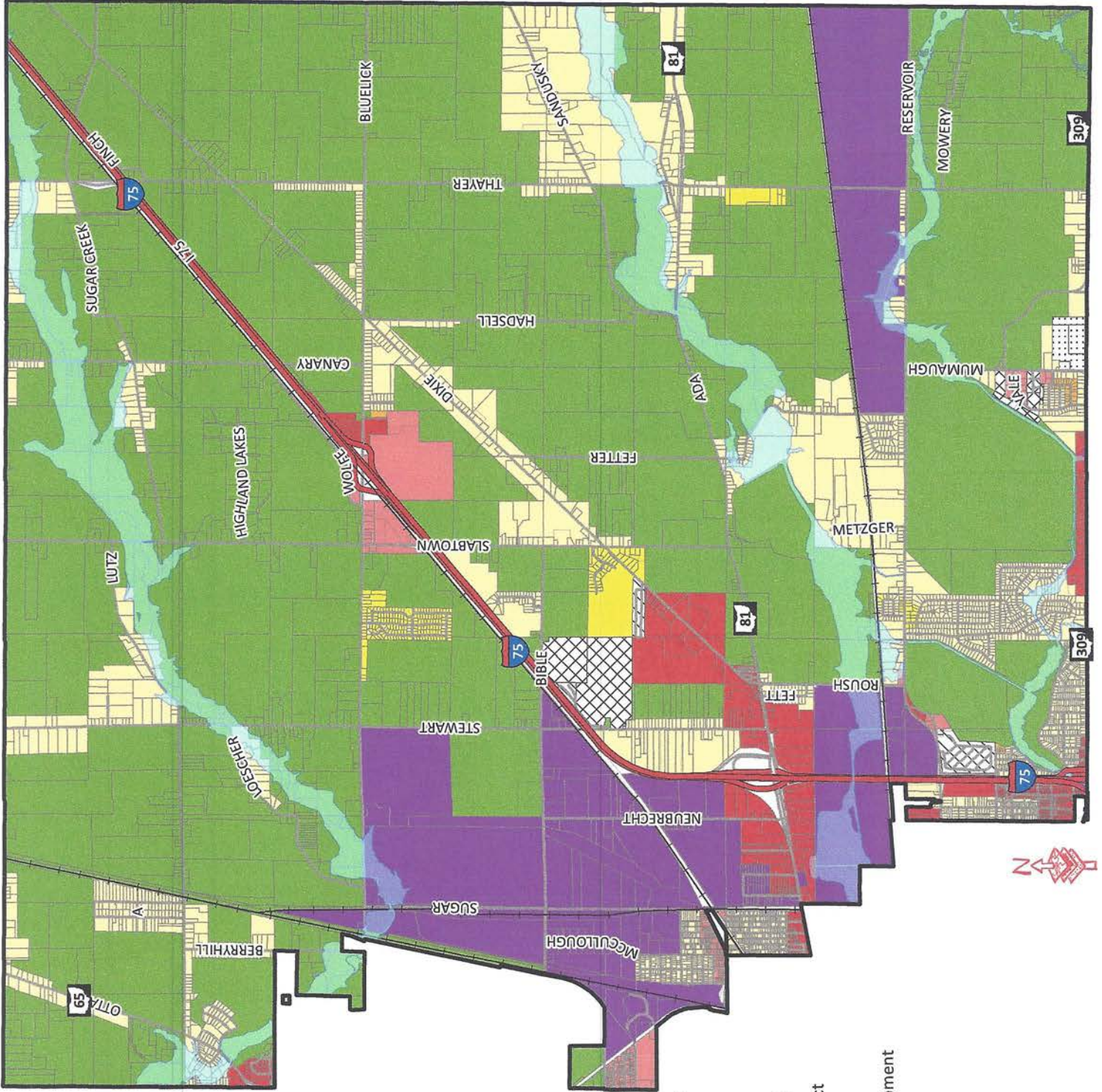


ALLEN COUNTY[®]
REAL AMERICAN STRENGTH™













Allen County GIS



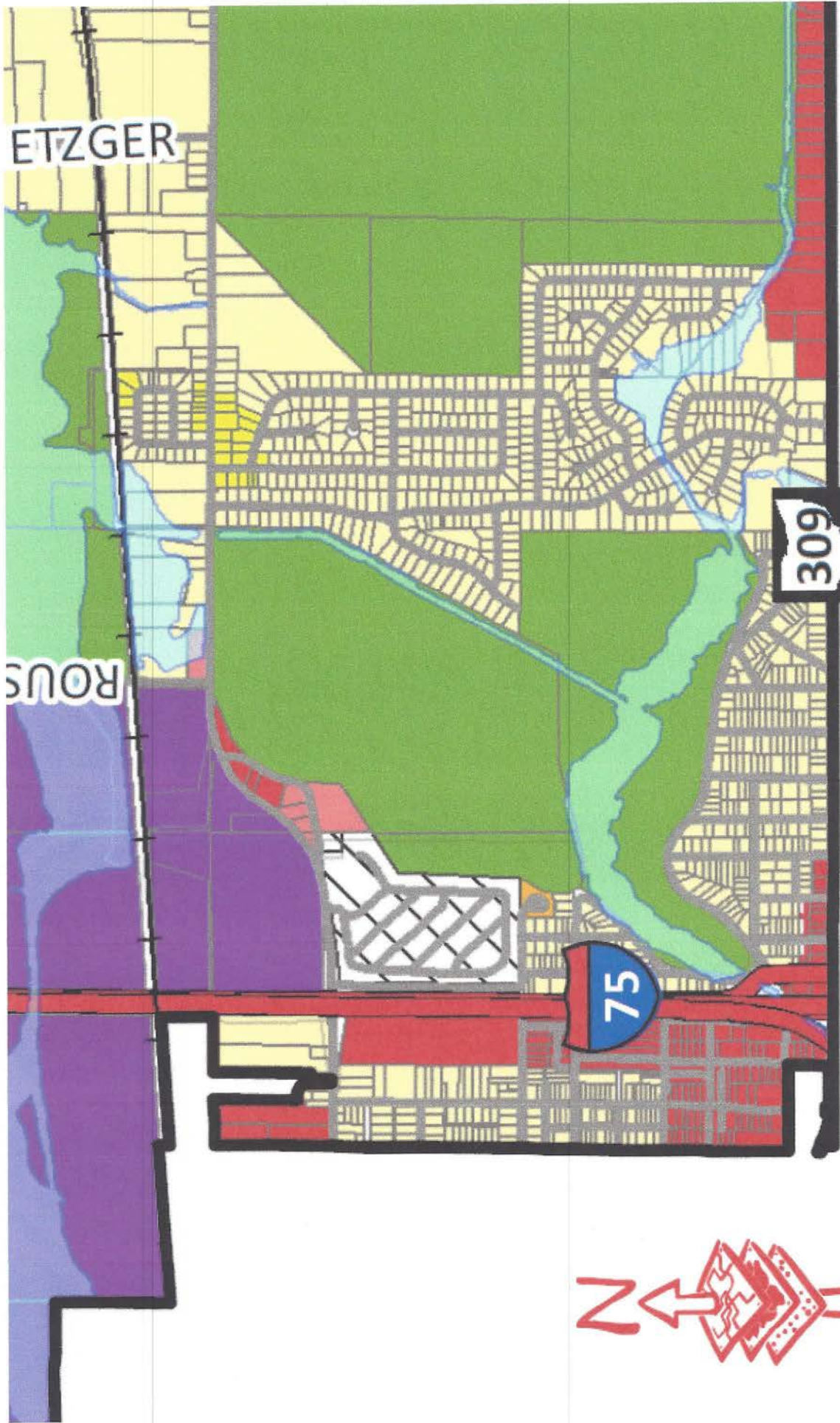
BATH TOWNSHIP ZONING MAP



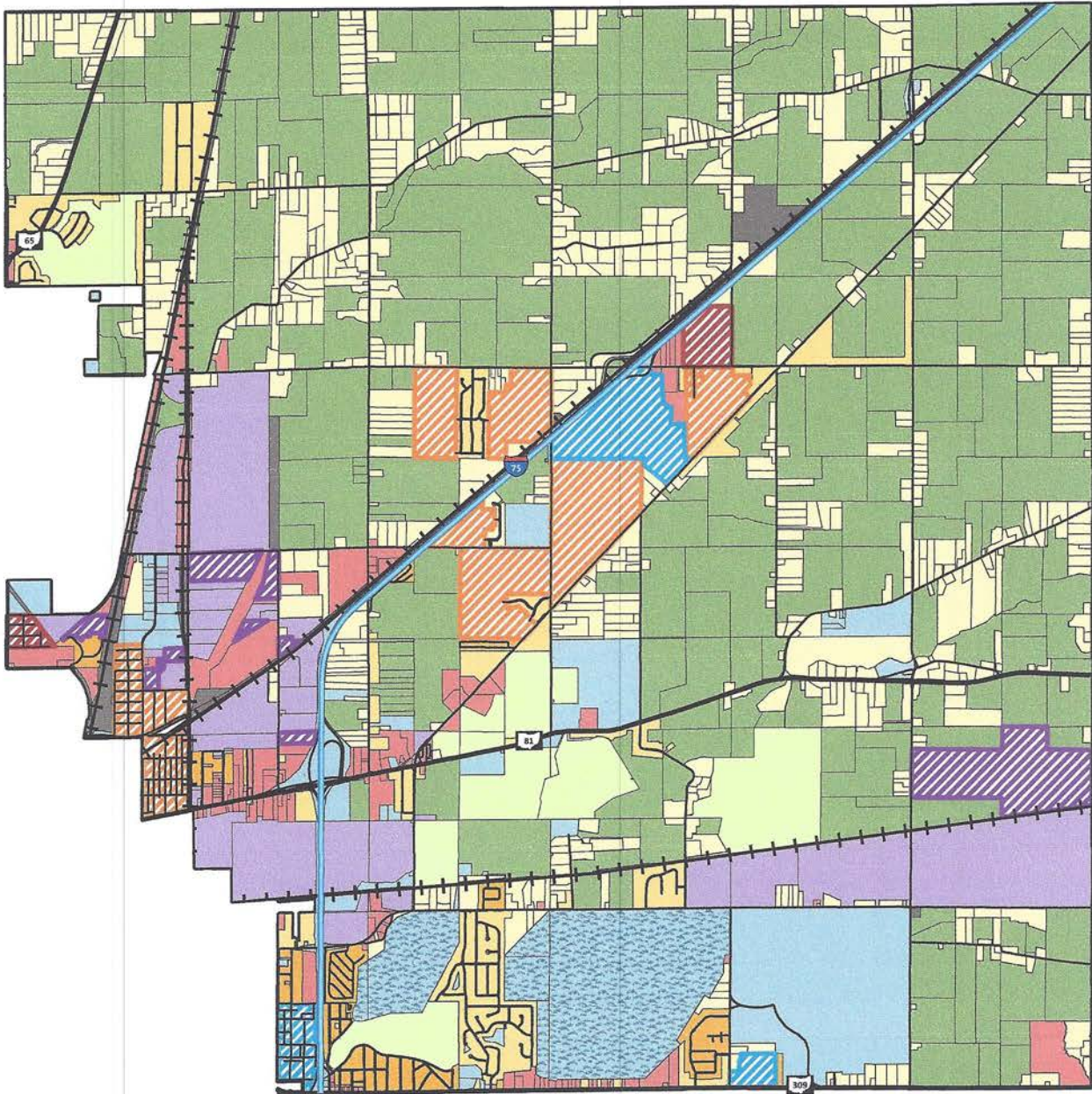
ZONING

















-  RU: Rural District
-  R1: Residential District
-  R2: General Residential District
-  R3: Multi-Family Residential District
-  B1: Local Business District
-  B2: General Business District
-  M1: General Manufacturing District
-  PBO: Planned Business Office District
-  PUD: Planned Unit Development
-  SPUD: Special Planned Unit Development
-  MHP: Mobile Home Park
-  Floodplain

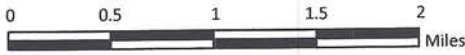




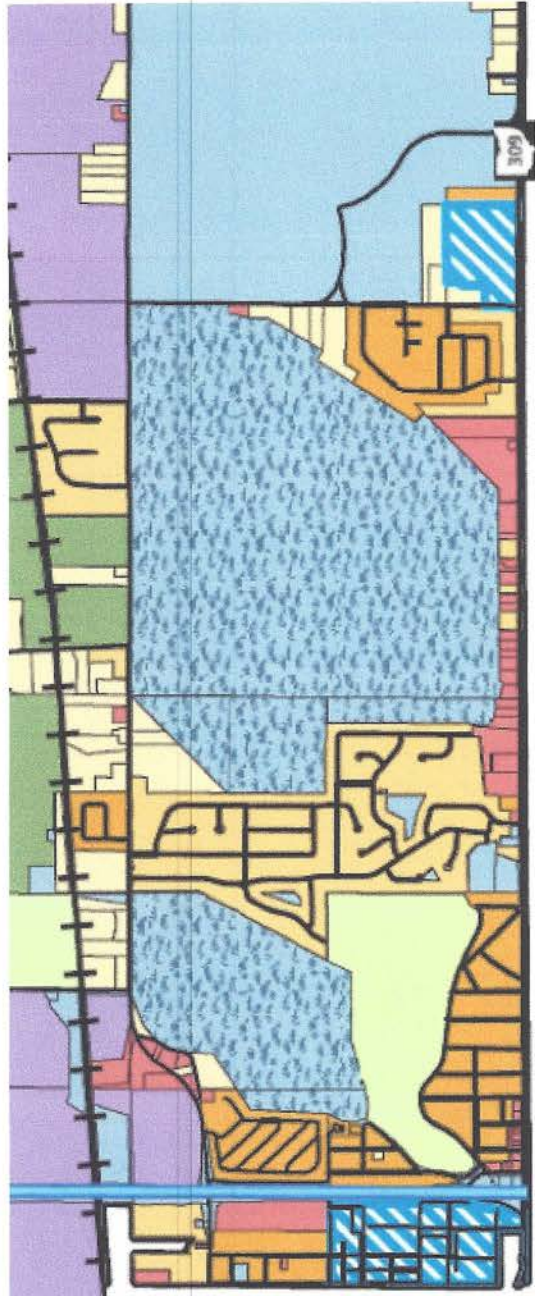
**MAP 7-5
BATH TOWNSHIP
2040 GENERALIZED LAND USE**



	Agriculture		Residential Development/Re-Development
	Recreation		Commercial Development/Re-Development
	Residential - Low Density		Industrial & Warehousing Development/Re-Development
	Residential - Medium Density		Mixed Use Activity Centers
	Residential - High Density		Railroads
	Commercial		Roadways
	Industrial & Warehousing		
	Quasi-Public		
	Reservoir		
	Utility		



May, 2017



Agriculture

Recreation

Residential - Low Density

Residential - Medium Density

Residential - High Density

Commercial

Industrial & Warehousing

Quasi-Public

Reservoir

Residential Development/Re-Development

Commercial Development/Re-Development

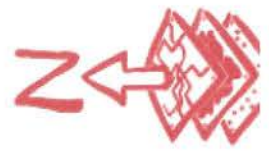
Industrial & Warehousing Development/R

Mixed Use Activity Centers

Railroads

Roadways

0 0.5 1 1.5 2



Adjacent property owners to area of rezoning at 2409 Lost Creek Blvd – as provided by applicant for Rezoning Case #110. List consolidated from Auditor cards (on file).

1. Jaye & Susan Bumbaugh. 2214 Wellesley Dr.
2. David & Catherine Fisher. 2226 Wellesley Dr.
3. Allen County Board of Commissioners.
4. Donnie & Carol Miolen. 2112 Lost Creek Blvd.
5. Lost Creek Country Club, LLC. 2409 Lost Creek Blvd.
6. Christina Jones. 2408 Lost Creek Blvd.
7. Michael Pahl. 2200 Lost Creek Blvd.
8. Steven Goff. 2202 Lost Creek Blvd.
9. Jeffrey & Phillis Cowan. 2204 Lost Creek Blvd.
10. Lisa Hooker. 2206 Lost Creek Blvd.
11. Brandon Young & Danielle Clay. 2208 Lost Creek Blvd.
12. Molly & Steven Coleman. 2210 Lost Creek Blvd.
13. Cynthia Ricker. 2214 Lost Creek Blvd.
14. Thomas Kiracofe. 2218 Lost Creek Blvd.
15. Jeffrey & Debra Glazer. 2222 Lost Creek Blvd.
16. Angela Cheney. 2226 Lost Creek Blvd.
17. Robert & Mary Stone. 2228 Lost Creek Blvd. (mailing) 5735 Bowland Pl. Dublin, 43016.
18. Joseph & Wanda Mosley. 2300 Lost Creek Blvd.
19. Robert Dean Smith. 2306 Lost Creek Blvd. (mailing) 570 S Cool Road, 45801.



ALLEN COUNTY[®]

REAL AMERICAN STRENGTH™
Allen County GIS



This Conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code.

Fee \$ 1,800.00

Exempt _____

Transferred 9-25-2020

Fee 500.00

Rachael S. Gilroy Allen County Auditor



Instr: 202009250011710 9/25/2020
 P: 1 of 5 F:\$58.00 10:27 AM
 Mona S Losh T20200013597
 Allen County V:2020 P:11710

DESCRIPTION APPROVED
ALLEN COUNTY ENGINEER
TAX MAP OFFICE

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, THAT, HOLTSBERRY PROPERTIES, LLC, an Ohio limited liability company, the Grantor, who claims title by or through instrument recorded in Deed Volume 900, Page 38 and Deed Volume 911, Page 31, of the Official Records of Allen County, Ohio, for the consideration of One Dollar (\$1.00) and other good and valuable consideration received which is hereby acknowledged to its full satisfaction of **LOST CREEK COUNTRY CLUB, LLC, an Ohio limited liability company,** the Grantee, whose **TAX MAILING ADDRESS** will be 121 West High Street, Suite 1200, Lima, Ohio 45801, does **GIVE, GRANT, BARGAIN, SELL** and **CONVEY** unto the said Grantee, its heirs and assigns, the following described premises, situated in the Township of Bath, County of Allen and State of Ohio:

SEE ATTACHED "EXHIBIT A"

The above-described premises are being conveyed subject to all legal highways, easements, right-of-ways, restrictions, reservations, covenants, set-back lines, platting and zoning regulations and conditions of record or in use on said premises.

It is agreed by and between Grantor and Grantee that all real property taxes, assessments and charges with respect to the above-described premises shall be prorated as of closing and Grantee herein assumes and agrees to pay all real property taxes, assessments and charges thereafter with respect to the above-described premises.

The above-described premises, including, but not limited to, any and all improvements thereon and therein, are being conveyed by Grantor and accepted by Grantee in its present physical condition "AS IS" and "WHERE IS", and no warranties of any nature, express, implied or otherwise, are given by Grantor to Grantee with respect to the above-described premises, its condition, value, character, use, size or any other matters, except as otherwise set forth in this Deed.

TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto the said Grantee, its heirs and assigns forever. And, it, the said Grantor does for itself and its heirs, executors and administrators, covenant with the said Grantee, its heirs and assigns, that at and until the ensembling of these presents it was well seized of the above-described premises, as a good and indefeasible estate in **FEE SIMPLE**, and have good right to bargain and sell the same in manner and form as above written, and that the same are free from all encumbrances whatsoever, except as hereinbefore noted and except for taxes, assessments and charges that are a lien on said described premises but are not yet due and payable, and that it will **WARRANT AND DEFEND** said premises, with

the appurtenances thereunto belonging, to the said Grantee, its heirs and assigns, against all lawful claims and demands whatsoever.

IN WITNESS WHEREOF I have hereunto set my hand this 24 day of September, in the year of our Lord two thousand twenty.

HOLTSBERRY PROPERTIES, LLC, an Ohio limited liability company

Thomas R. Holtsberry Mgr.
Thomas R. Holtsberry, Member/Manager

STATE OF OHIO :

COUNTY OF ALLEN : ss

ACKNOWLEDGEMENT :

Before me, a Notary Public in and for said County and State, personally appeared the above-named, **Holtsberry Properties, LLC, an Ohio limited liability company, by Thomas R. Holtsberry, Member/Manager**, Grantor who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Allen County, Ohio this 24 day of September, 2020.

James F. Blair
James F. Blair, Notary Public, State of Ohio,
Attorney. My commission has no expiration date.



Note: No oath or affirmation was administered to the signer as part of the notarial act.

THIS INSTRUMENT PREPARED BY: JAMES F. BLAIR, ATTORNEY AT LAW
7227 HARDING HIGHWAY, LIMA, OHIO 45801, TELEPHONE: (567) 940-9518; JBlair.law@gmail.com
This instrument was drafted upon information provided by client. By preparation, the preparer certifies neither title nor accuracy of the legal description beyond that furnished the preparer and has been prepared without the benefit of a title examination.

ARTICLE 31

AMENDMENTS TO THE ZONING RESOLUTION AND/OR THE ZONING MAP

31.0 GENERAL

This Resolution and the Zoning Map may be amended by utilizing the procedures specified in Sections 31.1 through 31.13 inclusive of this Resolution.

31.1 PURPOSE

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board of Township Trustees may, by resolution, after receipt of recommendation thereon from the Zoning Commission and subject to the procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, boundaries, or classification of property.

31.2 INITIATION OF ZONING AMENDMENTS

Amendments to this Resolution may be initiated in one of the following ways:

- 31.2.1 Adoption of a motion by the Zoning Commission;
- 31.2.2 Adoption of a resolution by the Board of Township Trustees; or,
- 31.2.3 Filing of an application by at least one (1) owner or lessee of property within the area proposed to be changed or affected by said amendment.

31.3 CONTENTS OF APPLICATION FOR ZONING MAP AMENDMENT

Applications for amendments to the official Zoning Map adopted as part of this Resolution by **Article 6 and Articles 10 through 19** shall contain at least the following information:

- 31.3.1 The name, address, and telephone number of applicant;
- 31.3.2 A statement of the reason(s) for the proposed amendment;
- 31.3.3 Present use;
- 31.3.4 Present zoning district;
- 31.3.5 Proposed use;
- 31.3.6 Proposed zoning district;

- 31.3.7 A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Inspector may require;
- 31.3.8 A list of all property owners, their telephone numbers, and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case, except that telephone numbers and addresses need not be included where more than ten (10) parcels are to be rezoned;
- 31.3.9 A statement on the ways in which the proposed amendment relates to the comprehensive plan; and,
- 31.3.10 A fee as established by resolution of the Board of Township Trustees.

31.4 CONTENTS OF APPLICATION FOR ZONING TEXT AMENDMENT

Application for amendments proposing to change, supplement, amend, or repeal any portion(s) of this Resolution, other than the official Zoning Map, shall contain at least the following information:

- 31.4.1 The name, address, and telephone number of the applicant;
- 31.4.2 The proposed amending resolution;
- 31.4.3 A statement of the reason(s) for the proposed amendment;
- 31.4.4 A statement explaining the ways in which the proposed amendment relates to the comprehensive plan; and,
- 31.4.5 A fee as established by resolution of the Board of Township Trustees.

31.5 TRANSMITTAL TO ZONING COMMISSION

Immediately after the adoption of a resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner or lessee of property, said resolution or application shall be transmitted to the Zoning Commission.

31.6 SUBMISSION TO LIMA-ALLEN COUNTY REGIONAL PLANNING COMMISSION

Pursuant to 519.12 of the Ohio Revised Code or as in such statute as may hereafter be amended, within five (5) days after the adoption of a motion by the Zoning Commission, transmittal of a resolution by the Board of Township Trustees, or the filing of an application by at least one (1) owner or lessee, the Zoning Commission

shall transmit a copy of such motion, resolution, or application, together with the text and map pertaining to the case in question, to the Lima-Allen County Regional Planning Commission. The Lima-Allen County Regional Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

31.7 PUBLIC HEARING BY ZONING COMMISSION

Pursuant to 519.12 of the Ohio Revised Code or as in such statute as it may hereafter be amended, the Zoning Commission shall schedule a public hearing after the adoption of their motion, the transmittal of a resolution from the Board of Township Trustees, or the filing of an application for zoning amendment. Said hearing shall be not less than twenty (20) nor more than forty (40) days from the date of adoption of such motion, transmittal of such resolution, or filing of such application.

31.8 NOTICE OF PUBLIC HEARING IN NEWSPAPER

Before holding the public hearing as required in Section 31.7, notice of such hearing shall be given by the Zoning Commission by at least one (1) publication in one (1) or more newspapers of general circulation in Bath Township at least ten (10) days before the date of said hearing. This notice shall set forth the time and place of the public hearing, the nature of the proposed amendment, and a statement that after the conclusion of such public hearing the matter will be referred to the Board of Township Trustees for further determination.

31.9 NOTICES TO PROPERTY OWNERS BY ZONING COMMISSION

If the proposed amendment intends to rezone or redistrict ten (10) or less parcels of land as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least ten (10) days before the date of the public hearing, to all owners of property within, contiguous to, and directly across the thoroughfare from such area proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Board of Township Trustees. The notice shall contain the same information as required of notices published in newspapers as specified in Section 31.8. The failure to deliver the notice to property owners, as provided herein, shall not invalidate any such amendment.

31.10 RECOMMENDATION BY ZONING COMMISSION

Within thirty (30) days after the public hearing required by Section 31.7, the Zoning Commission shall recommend to the Board of Township Trustees that the

amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be not granted. The written decision of the Zoning Commission shall indicate the specific reason(s) upon which the recommendation is based to include the basis for their determination that the proposed amendment is or is not consistent with the comprehensive plan.

31.11 PUBLIC HEARING BY BOARD OF TOWNSHIP TRUSTEES

Within thirty (30) days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing. Notice of such public hearing in a newspaper of general circulation shall be given by the Board of Township Trustees as specified in Section 31.8.

31.12 ACTION BY BOARD OF TOWNSHIP TRUSTEES

Within twenty (20) days after the public hearing required by Section 31.11, the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Board of Township Trustees denies or modifies the recommendation of the Commission, a majority vote of the Board of Township Trustees is required.

31.13 EFFECTIVE DATE AND REFERENDUM

Such amendment adopted by the Board of Township Trustees shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment there is presented to the Board of Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the Township or part thereof included in the unincorporated area of Bath Township equal to not less than eight percent (8%) of the total vote cast for all candidates for Governor in such area at the last preceding general election at which a Governor was elected, requesting the Board of Township Trustees to submit the amendment to the electorate of such area, for approval or rejection, at the next primary or general election.

Bath Township, Allen County Ohio

Zoning Commission

CHANGE IN ZONING DISTRICT & ZONING MAP

Petition Instructions

All petitions for a Change in Zoning District & Zoning Map shall be addressed to the Bath Township Zoning Commission. The application and information required shall be filed with the Clerk of the Zoning Commission by the parties requesting such action; or if applicable, their legal representatives, and must include an affidavit of consent from the property owners if the subject properties are not in the applying parties' names.

Petition packet shall contain ALL the following to be accepted by the Clerk and processed:

1. Petition for Zoning Amendment (on Bath Township letterhead).
2. Parcel numbers of ALL properties owned by the petitioners which are adjacent to, contiguous to and across the street from the subject parcels.
3. All necessary contact information for the applicants, property owners and/or representatives.
4. Names and mailing addresses of ALL property owners adjacent to, contiguous to and across the street from the subject parcels. Information must be current and sourced from the County Auditor or Treasurer.
5. Current legal property descriptions or deeds which have been filed with the County Recorder.
6. GIS maps and property cards from the County Auditor website of the subject properties.
7. Accurate maps, diagrams and/or sketches illustrating the areas to be re-zoned and surrounding affected parcels.
8. Statement of facts indicating how the proposed changes will not be detrimental to the general public interest, the purposes for which the properties shall be used and any other information to support the requested changes.

Submit the petition packet of ALL the information listed above along with a paid fee of \$650.00 in the form of cash, check, money order, or cashier's check. Make checks payable to: Bath Township Board of Trustees. The non-refundable petition fee covers the costs involved with the administration of the case, seating the Zoning Commission and the public hearing notices of both the Commission and the Board of Trustees. This fee has been set by the Board of Trustees by order of Resolution No. 4-18-06-1.

Bath Township, Allen County Ohio
Zoning Commission
Ian Kohli, Chairman