



RPC# 27-25 ZON

For Office Use Only

Application#: HTZC _____

Date Received: _____

Hearing Date: _____

Harlem Township Zoning Commission
3883 S St. Rt. 605, Galena, Ohio, 43021

www.harlemtwp.com

Application for Amendment of Township Zoning Map

Note: All information on Page 1 shall be completed by the applicant. Information is to be typed or printed with black ink.

Application will be received only at the regular monthly meeting of the Harlem Township Zoning Commission – held on the first Monday of every month – or as advertised in the Delaware Gazette or posted on the Harlem Township website.

Name of Owner(s): RS8 Properties LLC

Mailing Address: 2831 Sunbury Rd.

City, State, Zip: Galena, OH 43021

Telephone (Home): (614) 309 5493

Telephone (Work): _____

Subdivision Name if applicable: n/a

Parcel ID: 31624001014000

Current Zoning District: AR-1

Proposed Zoning District: FR-1

Current Use: residential

Proposed Use: residential

Gross Acreage to be Rezoned: 4.995 ac

Net Acreage to be Rezoned: 4.995 ac.

Property Legal Description: Applicant shall include a complete legal description and matching surveyor's rendition of the property. Such LEGAL DESCRIPTION shall include a copy of the deed and if the landowner(s) are not present a power of attorney for rezoning of said land. This data shall be submitted on additional sheets and attached to this application.

Property Owners: Names and addresses of all property owners on file at the Delaware County Treasurer or Auditor's Office that are ADJACENT, ADJOINING, CONTIGUOUS TO, OR ACROSS FROM the property that is to be rezoned. Use Neighboring Properties Worksheet if it is necessary to include more than four property owners.

1. Name: Sherrie T Martin Trustee
Address: 3528 Miller-Paul Rd
City, State, Zip: Galena, OH 43021
Parcel ID: 31624002005000

3. Name: Randall O Hartman
Address: 3741 Miller-Paul Rd.
City, State, Zip: Galena, OH 43021
Parcel ID: 31624001016000

2. Name: John Brooks Gabriel
Address: 100 Arrowhead Court
City, State, Zip: Carlisle, KY 40311
Parcel ID: 31623001017000

4. Name: Jacalyn Lee Hartman
Address: 3741 Miller-Paul Rd.
City, State, Zip: Galena, OH 43021
Parcel ID: 31624001016000

The undersigned certifies that this application and attachments thereto contain all information required by the Zoning Commission Procedural Guidelines and that all information contained herein is true and accurate and is submitted to induce the amendment of the zoning map. Applicant agrees to be bound by the provisions of Harlem Township Zoning Resolution, Delaware County.

Applicant Signature: Ross Applicant Signature: _____

NOTE: A Rezoning Application shall include all applicable fees required at time of submittal. A nonrefundable Application Base Fee is \$1,200.00, and the Acreage Fee is based on the actual acreage proposed for rezoning. The Acreage Fee is \$165.00 per acre, with a prorated amount of \$165.00 on any fraction of an acre thereof. For example, the acreage fee for 2.25 acres is \$330.00 + \$41.25 = \$371.25. When the applicant submits payment by check, two checks are required. One check will cover the Application Base Fee; the second check will cover the Application Acreage Fee.



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Neighboring Properties Worksheet

Use this page only if there are more than 4 property owners listed on the application.

Property Owners: Names and addresses of all property owners on file at the Delaware County Treasurer or Auditor's Office that are ADJACENT, ADJOINING, CONTIGUOUS TO, OR ACROSS FROM the property that is to be rezoned. Use this worksheet to continue listing the property owners from the application.

5. Name: RSB Properties LLC
Address: 3767 Miller-Paul Rd
City, State, Zip: Galena, OH 43021
Parcel ID: 31624001017000

6. Name: Thomas Saner
Address: 3805 Miller-Paul Rd.
City, State, Zip: Galena, OH 43021
Parcel ID: 31624001019001

7. Name: Nathaniel R Chaffan
Address: 3805 Miller-Paul Rd.
City, State, Zip: Galena, OH 43021
Parcel ID: 31624001019000

8. Name: Stacy Chalfant
Address: 3805 Miller-Paul Rd.
City, State, Zip: Galena, OH 43021
Parcel ID: 31624001019000

9. Name: Christopher M Pieroni
Address: 3575 Miller-Paul Rd.
City, State, Zip: Galena, OH 43021
Parcel ID: 31624001013005

10. Name: Nicole L Lusch Pieroni
Address: 3575 Miller-Paul Rd.
City, State, Zip: Galena, OH 43021
Parcel ID: 31624001013005

11. Name: Craig Berg
Address: 3571 Miller-Paul Rd.
City, State, Zip: Galena, OH 43021
Parcel ID: 31624001013004

12. Name: Reynold Edward Klages III Trustee
Address: 3567 Miller-Paul Rd.
City, State, Zip: Galena, OH 43021
Parcel ID: 31624001013002

13. Name: Joshua Marvin Mason
Address: 3559 Miller-Paul Rd.
City, State, Zip: Galena, OH 43021
Parcel ID: 31624001013001

14. Name: _____
Address: _____
City, State, Zip: _____
Parcel ID: _____

15. Name: _____
Address: _____
City, State, Zip: _____
Parcel ID: _____

16. Name: _____
Address: _____
City, State, Zip: _____
Parcel ID: _____

17. Name: _____
Address: _____
City, State, Zip: _____
Parcel ID: _____

18. Name: _____
Address: _____
City, State, Zip: _____
Parcel ID: _____

19. Name: _____
Address: _____
City, State, Zip: _____
Parcel ID: _____

20. Name: _____
Address: _____
City, State, Zip: _____
Parcel ID: _____

21. Name: _____
Address: _____
City, State, Zip: _____
Parcel ID: _____

22. Name: _____
Address: _____
City, State, Zip: _____
Parcel ID: _____

23. Name: _____
Address: _____
City, State, Zip: _____
Parcel ID: _____

24. Name: _____
Address: _____
City, State, Zip: _____
Parcel ID: _____



Korda/Nemeth Engineering, Inc - Consulting Engineers
1650 Watermark Drive, Suite 200 - Columbus, Ohio 43215-7010
TEL: 614-487-1650 FAX: 614-487-8981 WEB: www.korda.com

DESCRIPTION OF A 4.995 ACRE RE-ZONING

Situated in Farm Lot 8, Section 2, Township 3, Range 16, United States Military Lands, Harlem Township, Delaware County, State of Ohio and being part of an original 13.576-acre tract of land conveyed to RS8 Properties, LLC by deed of record in O.R. 2052, Pg. 2407 in the Delaware County Recorders Office and being more particularly described as follows;

COMMENCING at a survey nail set at the intersection of the centerline of Miller-Paul Road (County Road 18) (60 feet wide per Road Record 1, Page 135) with the common line between Farm Lot 7 and Farm Lot 8:

Thence along the centerline of Miller-Paul Road North $09^{\circ} 11' 36''$ West for a distance of 689.49 feet to a survey nail found at the southwesterly corner of the hereinafter described parcel and the **POINT OF BEGINNING**;

Thence continuing along the centerline of Miller-Paul Road, the grantor's westerly line and the easterly line of a 21.907-acre tract of land conveyed to Sherrie T. Martin, Trustee by deed of record in O.R. 1390, Pg. 1572, **North $00^{\circ} 06' 54''$ West** for a distance of **270.12 feet** to a survey nail set;

Thence **South $89^{\circ} 59' 31''$ East** for a distance of **805.49 feet** to a point;

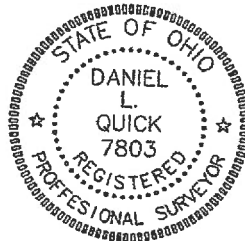
Thence **South $00^{\circ} 06' 54''$ West** for a distance of **270.13 feet** to a point in the northerly line of a 13.005-acre tract of land conveyed to RS8 Properties, LLC by deed of record in O.R. 1800, Pg. 1203;

Thence along the northerly line of said 13.002-acre tract and the northerly line of a 5.907-acre tract of land conveyed to Randall O. Hartman and Jacalyn Lee Hartman by deed of record in D.V.604, Pg. 237, **North $89^{\circ} 59' 28''$ West** for a distance of **805.49 feet** to the **POINT OF BEGINNING** and containing **4.995-Acres**, more or less, and subject to all legal easements, agreements, and rights-of-way of record.

This description was prepared by Daniel L. Quick, Ohio Professional Surveyor Number 7803 from an actual field survey performed by Korda/Nemeth Engineering Inc. in May 2024.

The bearings in this description are based on the centerline of Miller-Paul Road being N $00^{\circ} 06' 54''$ West as shown on the plat of Miller's Brook CAD recorded in O.R. 1923, Pg. 2023-2026.

Daniel L. Quick, P.S.7803



July 10, 2025
Date

LIMITED POWER OF ATTORNEY

I, Ross K. Smith, Sole Member of RS8 Properties, LLC, an Ohio limited liability company and the owner of the property located at 3655 Miller Paul Road, Galena, Ohio (the "Property"), do hereby appoint Tony Eyerman, my true and lawful attorney-in-fact, with full power of substitution to act in my name, place and on my behalf to do and perform all and every act whatsoever, requisite, necessary and proper to pursue a rezoning and lot split for the Property with the smaller portion on which the dwelling is located being rezoned to FR-1 zoning. Furthermore, my attorney-in-fact shall be authorized to take whatever action is necessary to make application for rezoning and split of the Property.

I have here unto set my hand this 1 day of August, 2025.



Ross K. Smith

STATE OF OHIO

COUNTY OF Delaware, ss:

BE IT REMEMBERED, that before me, the subscriber, a notary public in and for said County and State, personally came Ross K. Smith, who acknowledged the signing of the foregoing instrument and that the same is his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 1 day of August, 2025.



Notary Public



Michael A. Smith
Attorney At Law
Notary Public, State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.



Doc ID: 014896290003 Type: OFF
 Kind: DEED
 Recorded: 09/12/2023 at 08:19:04 AM
 Fee Amt: \$42.00 Page 1 of 3
 Workflow# 0000337434-0001
 Delaware County, OH
 Melissa Jordan County Recorder
 File# 2023-00019425

BK 2052 PG 2407-2409

Delaware County
 The Grantor Has Complied With
 Section 319.202 Of The R.C. *homestead*
 DATE *9-8-23* Transfer Tax Paid *800.00*
 TRANSFERRED OR TRANSFER NOT NECESSARY
 Delaware County Auditor By *SC*

Crown - TTA - A

Order Number: 23888148-UAR

DEED OF EXECUTOR, ADMINISTRATOR, TRUSTEE GUARDIAN, RECEIVER OR COMMISSIONER*

Norman L. Fountain and Kathryn A. Fountain, Trustees of the Kathryn A. Fountain Revocable Living Trust dated May 19, 2005, by the power conferred by the Trust Agreement and every other power, for valuable consideration paid, grants, with fiduciary covenants, to **RS8 Properties, LLC**, an Ohio limited liability company whose tax mailing address is 2831 Sunbury Road, Galena, Ohio 43021 the following real property:

"See Exhibit "A" attached hereto and made a part hereof...."

Parcel Number: 316-240-01-014-000

Property Address: 3655 Miller-Paul Road, Galena, Ohio 43021

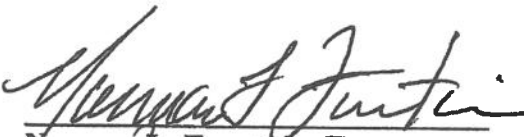
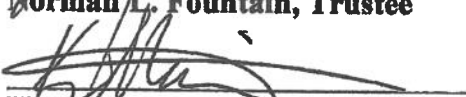
Except for the following and subject to all of which this conveyance is made: legal highways; zoning ordinances; real estate taxes and assessments which are now or may hereafter become a lien on said premises; covenants, conditions, restrictions and easements of record; and all coal, oil, gas, and other mineral rights and interests previously transferred or reserved of record.

Prior Instrument Reference: Volume 0652, Page 0275, Recorder's Office, Delaware County, Ohio.

CROWN SEARCH BOX

GW- 3655 Miller Paul Road

Executed this 30th day of August, 2023.


Norman L. Fountain, Trustee

Kathryn A. Fountain, Trustee

State of OHIO
County of DELAWARE ss:

The foregoing instrument was acknowledged before me by Norman L. Fountain and Kathryn A. Fountain, Trustees of the Kathryn A. Fountain Revocable Living Trust dated May 19, 2005, this 30th day of August, 2023.


Notary Public



MATTHEW J. RODA, ATTORNEY AT LAW
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.

*See Section 5302.09 Ohio Revised Code

This instrument prepared by Magnuson & Barone, Attorneys at Law

GW- 3655 Miller Paul Road



File No : 23888148-UAR

EXHIBIT A

Situated in the State of Ohio, County of Delaware, and Township of Harlem:

Being a tract of land situated in Lot eight (8) of Section two (2), Township three (3) Range sixteen (16) of the United States Military Lands, Harlem Township, Delaware County, State of Ohio, said tract being part of that land deeded to Hazel L. Burnett and recorded in Deed Volume 383, page 138, in the Delaware County Recorder's Office, and being more particularly described as follows:

Beginning at an iron pin in the southerly boundary of Lot 8 being South 89° 39' 00" West a distance of 897.39 feet from the southeast corner of Lot 8;

thence from said place of beginning South 89°39' 00" West along the southerly boundary of Lot 8 a distance of 150.00 feet to an iron pin;

thence North 0°00' 25" East a distance of 673.46 feet to an iron pin;

thence North 90°00' 00" West along Harry Young's Northerly boundary a distance of 1324.36 feet (passing over an iron pin at 1300.06 feet) to a point in the centerline of Miller-Paul Road (County Road 18);

thence North 0° 08' 15" West along the centerline of Miller-Paul Road a distance of 330.00 feet to a spike;

thence North 89° 59' 15" East a distance of 503.11 feet (passing over an iron pin at 30.00 feet) to an iron pin;

thence North 0°00' 45" West a distance of 25.00 feet to an iron pin;

thence North 89°59' 15" East a distance of 140.00 feet to an iron pin;

thence South 0°00' 45" East a distance of 25.00 feet to an iron pin;

thence North 89°59' 15" East a distance of 832.09 feet to an iron pin;

thence South 0° 00' 25" West a distance of 1002.88 feet to the place of beginning, containing 13.576 acres, more or less.

For Informational Purposes only:

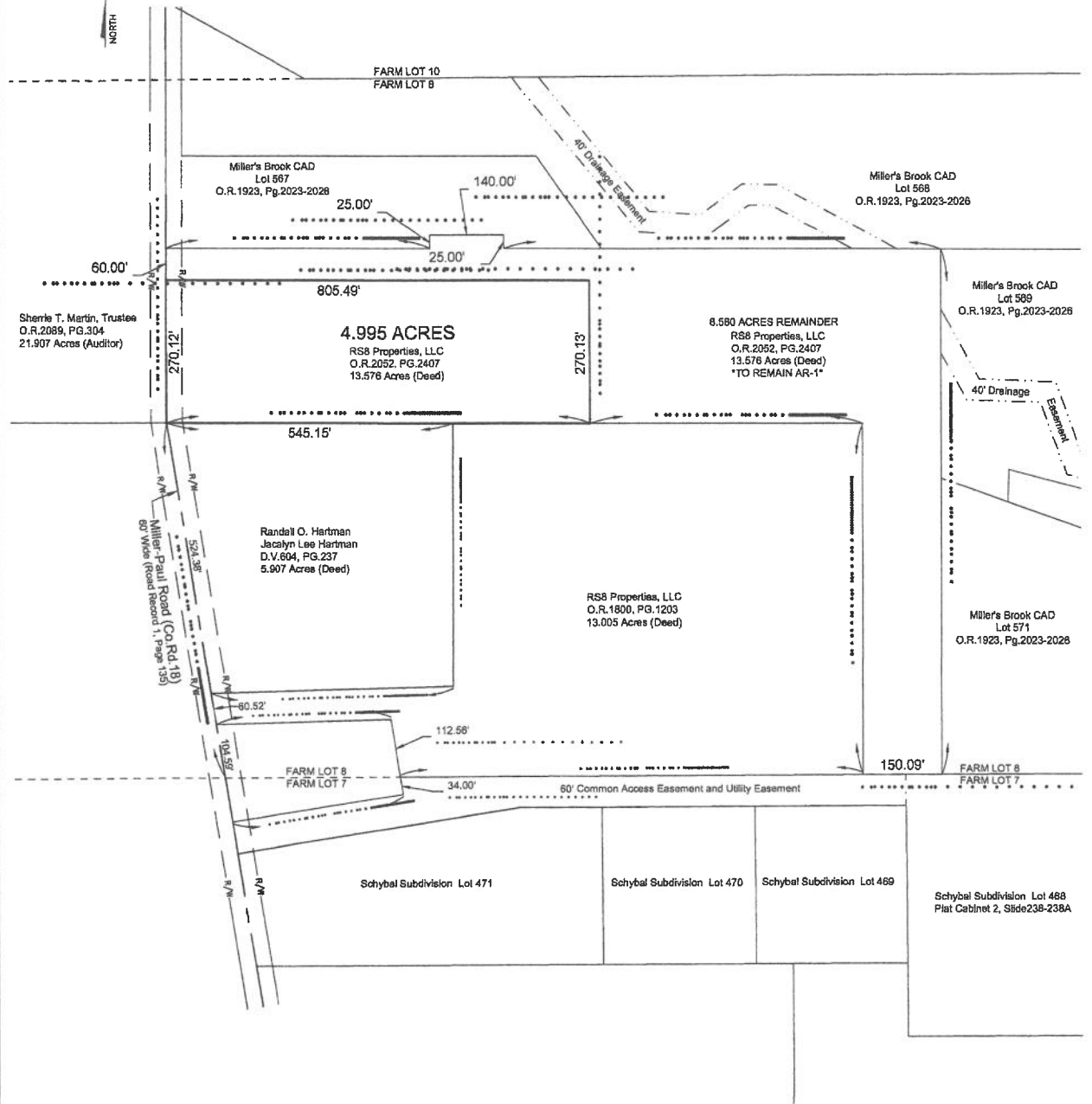
Commonly Known As: 3655 Miller-Paul Road, Galena, OH 43021

Tax Parcel ID: 316-240-01-014-000

4.995 ACRES RE-ZONING EXHIBIT
 BEING PART OF FARM LOT 8, SECTION 2, TOWNSHIP 3, RANGE 16,
 U.S.M.L., HARLEM TOWNSHIP, DELAWARE COUNTY, STATE OF OHIO.

Basis of Bearings: The bearings shown upon this plat are based on the Ohio State
 Plane Coordinate System, South Zone per NAD83 (1988 Adjustment).

CURRENT ZONING: AR-1
PROPOSED ZONING: FR-1



FLOOD DATA:

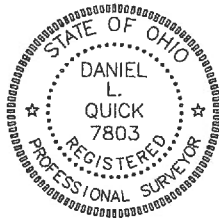
All lots delineated on this plat are located in flood Zone "X"
 per F.E.M.A. Community Panel No. 39041C0287L dated December 21, 2023.

Survey requested by: Michael Smith

CERTIFICATION:

I hereby certify that this plat is a true and correct representation of a
 proposed lot split. This exhibit is strictly for the purpose of obtaining
 a township zoning variance.

Daniel L. Quick July 9, 2025
 REGISTERED SURVEYOR NO. 7803 DATE



REFERENCES:

- 1) D.V. 573, PG. 633
- 2) D.V. 517, PG. 492
- 3) SURVEY BY EM-HAT DATED 7/26/90
- 4) PLAT OF SCHYBAL SUBDIVISION
- 5) PLAT OF MILLER'S BROOK CAD O.R. 1923, PG. 2023
- 6) DEEDS AS NOTED

Scale 1" = 200 feet
 0 50 100 200 400

LEGEND:

- ⊗ - Post found
- - 3/4" Sq. Iron bar frd.
- - 5/8"x30" Iron pin set
- ⊙ - 5/8" Iron pin found
- △ - Railroad spike found
- ▲ - Railroad spike set
- - Survey nail found
- - Survey nail set
- - Stone found
- [M] - Monument box assembly found

RE-ZONING EXHIBIT

KORDA

Korda/Nemeth Engineering, Inc. - Consulting Engineers
 1850 Watermark Drive, Suite 200 - Columbus, Ohio 43215-7010
 TEL 614-487-1850 FAX 614-487-8861 WEB www.korda.com

DATE	7/9/24	JOB#	2024-7412
REVISED		DRAWN	
DWG		CHECKED	
		OKS	



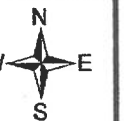


3655 Miller Paul Rd./ 200' Buffer

Information contained within this map may be used to generally locate, identify and inventory land parcels within Delaware County.
 Delaware County cannot warrant or guarantee the information contained herein, including, but not limited to its accuracy or completeness. The map parcel lines shown are approximate and this information cannot be construed or used as a "legal description" of a parcel.
 Flood Plain Information is obtained from FEMA and is administered by the Delaware County Building Department (740-933-2201).
 Please report any errors or omissions to the Delaware County Auditor's office at delcogis@co.delaware.pa.us.
 Prepared by: Delaware County Auditor's GIS Office



Delaware County Auditor
 George Kallsa



0 335 670 1,340
 ft

Printed on 6/10/2025