

Agenda

Basics of Ohio Land Use Law Ohio constitution, home rule and enabling legislation Powers and responsibilities of state and local governments Counties, cities, villages Landowner rights and responsibilities Conservation of woodlands and agricultural lands	<i>D. Holthus</i>
Comprehensive Land Use Planning in Ohio Planning commissions, departments and committees Powers and duties of local governments and planning bodies When a comprehensive plan is required Components of comprehensive plans Plan adoption and enforcement	<i>D. Holthus</i>
Understanding Utility Facilities, Easements and Rights of Way Current law on utility equipment and rights of way - Federal laws and regulations - State laws and regulations Types of utilities, facilities and rights-of-way/easements - Electric, water, natural gas, telecommunications, satellite communications Basis for and definition of the right-of-way/easement Encroachments and interferences Maintenance Condemnation law	<i>R. Sherman</i>
Local Land Use Ordinances and Enforcement in Ohio Comprehensive planning Zoning Traffic/parking	<i>E. Pempus</i> Subdivision platting Restrictive covenants/deed restrictions Nuisance
Obtaining and Objecting to Land Use Determinations Land use determinations and procedures - Plats - Variances - Interpretations/appeal of staff decisions Administrative appeals	<i>E. Pempus</i> Litigation
Eminent Domain Law Understanding eminent domain powers - Source of eminent domain powers - History of the exercise of eminent domain powers	<i>J. Young</i>
Participating in the Condemnation Process Condemnation process for government use Hearing and right of appeal Condemnation process for utility and other quasi-public use	<i>J. Young</i> Valuing the property taken

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Ohio Land Use Law and Eminent Domain for Building Professionals

Live, Interactive Webinar - Thursday, February 24, 2022

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Learning Objectives

- You'll be able to:**
- Identify** the source of land use regulatory powers in Ohio.
 - Explore** comprehensive land use planning, including required components for comprehensive plans.
 - Discuss** local land use ordinances, including subdivision plats and restrictive covenants.
 - Investigate** laws regulating utility facilities, easements and rights-of-way.
 - Obtain** and **object** to land use determinations, including plats, re-zoning and variances.
 - Understand** the origin of eminent domain powers, and get tips on participating in the condemnation process.



HalfMoon Education Live Webinars

Ohio Land Use Law and Eminent Domain for Building Professionals

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- Understand** comprehensive land use planning in Ohio
- Understand** utility facilities, easements and rights of way
- Comply** with local land use ordinances in Ohio
- Explore** land use determinations and procedures
- Understand** eminent domain powers
- Value** property taken in the condemnation process

Continuing Education Credits

- | | |
|--|---------------------------------------|
| Professional Engineers
6.5 PDHs | Architects
6.5 HSW CE Hours |
| Professional Land Surveyors
6.5 PDHs | 6.5 AIA LU HSW |
| | Certified Planners
CM 6.5 |



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Faculty

Douglas Holthus *Mazanec, Raskin & Ryder Co., L.P.A.*
Mr. Holthus's primary areas of focus are the defense of construction, governmental liability, and employment and general liability claims. He has tried, advocated and arbitrated nearly one hundred cases before civil juries, administrative licensing and other boards and arbitration panels throughout Ohio, as well as Illinois and California, in both state and federal courts. Among his other professional and civic positions, Mr. Holthus is past chair of the Columbus Bar Association's Professionalism Committee and is a member of the Professional Liability Defense Federation.

Ryan P. Sherman *Porter Wright Morris & Arthur, LLP, Columbus*
Mr. Sherman is a partner in Porter Wright's litigation department, and he co-chairs the firm's construction practice group. He concentrates his practice on complex commercial disputes, with a particular focus on construction matters. Mr. Sherman regularly represents owners, contractors, subcontractors, suppliers, and architects/engineers in contract matters, disputes, and litigation. He has been recognized by Chambers USA as a "Leader in the Field" for general commercial litigation, which described him as "one of the next generation of leading Ohio litigators." Mr. Sherman has also been recognized as a Super Lawyers Rising Star every year since 2009. He received a B.A. degree from The Ohio State University and a J.D. degree from The Ohio State University Michael E. Moritz College of Law. Mr. Sherman is a member of the American Bar Association's Forum on Construction Law, the Columbus Bar Association's Construction Law Committee, and the Builders Exchange of Central Ohio.

Eric O. Pempus *DesignPro Insurance Group, A Wichert Insurance Agency*
Mr. O. Pempus is a risk manager with DesignPro Insurance Group, A Wichert Insurance Agency. For the last 15 years, his risk management focus has been in professional liability insurance, and construction and land use law for the design professions and the building industry. He combines this background with his 25 years of previous experience in the

practice of architecture, engineering and construction management. Mr. Pempus is a professional practice adjunct professor who has taught graduate level courses for the last 33 years at Kent State University's College of Architecture & Environmental Design, including Leadership, Ethics & Office Management; Contract & Planning Law; and Construction Management. Mr. Pempus is a Fellow of the American Institute of Architects and the chair of the AIA National Ethics Council. He has presented numerous risk management and loss prevention continuing educational-programs to design professionals across the United States and Canada. He is a construction law attorney, a licensed architect and a licensed property and casualty insurance professional.

Jeremy S. Young *Shareholder in the law firm of Roetzel & Andress, in Columbus*
Mr. Young's statewide practice is based out of the Columbus office. A member of the firm's Business Litigation Group, Mr. Young has a broad litigation background, with expertise litigating all manner of business, contract, commercial, corporate, shareholder, securities, and trust/fiduciary issues and disputes. He focuses his practice primarily on real estate-related issues and disputes, particularly those involving easements and eminent domain. Mr. Young helps utility and energy companies looking to expand their infrastructure obtain the necessary property rights with a minimum of expense and delay. He also defends such property rights in disputes with property owners. Additionally, Mr. Young defends businesses affected by road construction projects on a regional and national basis, seeking to prevent the taking of his clients' property and/or to maximize his clients' monetary recovery from the government. He also has considerable expertise in the areas of zoning and land use, property tax appeals, and commercial foreclosures. Mr. Young regularly serves as faculty in continuing legal education seminars on eminent domain and easement issues and is consistently voted by his peers as an Ohio Super Lawyers-Rising Star. He also holds an AV® Preeminent™ rating from Martindale-Hubbell Law Directory, which is the publication's highest peer review rating for legal ability and ethical conduct.

Webinar Information

Log into Webinar 8:00 - 8:30 am EST	Break 11:45 am - 12:15 pm EST
Morning Session 8:30 - 11:45 am EST	Afternoon Session 12:15 - 4:00 pm EST

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Continuing Education Credit Information
This webinar is open to the public and offers 6.5 PDHs to professional engineers and land surveyors, and 6.5 HSW continuing education hours to architects in Ohio. Ohio's State Board of Registration for Professional Engineers and Surveyors does not pre-approve continuing education providers or activities.

The American Institute of Architects Continuing Education System has approved this course for 6.5 LU | HSW (Sponsor No. J885). Only full participation is reportable to the AIA/CES.

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Completion certificates will be awarded to participants who complete this event, respond to prompts, and earn a passing score (80%) on the quiz that follows the presentation (multiple attempts allowed).

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Additional Learning

- Current Issues for Land Surveyors**
- Mon, Jan 24, 2022 | 8:30 am - 3:30 pm CST
- Erosion and Sediment Control**
- Tues, Jan 25, 2022 | 8:30 am - 5:00 pm CST
- Using the U.S. Public Land Survey System**
- Wed, Jan 26, 2022 | 9:00 am - 1:30 pm CST
- Stormwater Best Management Practices**
- Thurs, Jan 27, 2022 | 8:30 am - 5:00 pm CST
- Introduction to HEC-HMS Modeling**
- Mon, Jan 31, 2022 | 8:30 am - 5:00 pm CST
- 2021 International Property Maintenance Code**
- Wed, Feb 2, 2022 | 9:00 am - 4:00 pm CST
- Estimating the Cost of Sitework**
- Wed, Feb 9, 2022 | 7:30 am - 3:30 pm CST
- Construction Contract Workshop**
- Thurs, Feb 10, 2022 | 9:00 am - 5:00 pm CST
- Foundation Damage and Repair: Science, Materials and Techniques**
- Tues, Feb 15, 2022 | 9:30 am - 5:00 pm CST

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Registration

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