

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 3887

Passed March 9, 2011

CLEARCREEK TOWNSHIP WARREN COUNTY, OHIO

A RESOLUTION Approving THE PRELIMINARY SITE PLAN,
STAGE 2 "R-1PUD" REQUEST OF CHRIS BRIAN AGENT FOR BRIAN
MANOR LLC.

WHEREAS the properties are identified as 129 West State Route 122. The parcel identification numbers are 08-03-400-026, 08-03-400-0841 and 08-03-400-0842. The properties are located in Section 3, Town 3 and Range 4 in Clearcreek Township. The total acreage is 7.785 acres; and,

WHEREAS the Warren County Regional Planning Commission reviewed and approved the Stage 2 "R-1PUD" Preliminary Site Plan, subject to fifteen (15) conditions; and,

WHEREAS on December 7, 2010 the Clearcreek Township Zoning Commission reviewed and approved the Stage 2 "R-1PUD" Preliminary Site Plan, subject to sixteen (16) conditions; and,

WHEREAS on January 26, 2011 the Clearcreek Township Board of Trustees reviewed the Stage 2 "R-1PUD" Preliminary Site Plan. Based upon public discussion, the Trustees postponed the request until March 9, 2011 in order to give the applicant time to refine the application and meet with residents; and,

NOW THEREFORE, BE IT RESOLVED by the Board of Clearcreek Township Trustees ~~that the~~ "R-1PUD" Preliminary Site Plan for the above referenced properties be Approved subject to the following conditions:

1. Adherence to Clearcreek Township Trustees Resolution 3370 conditions granting the planned unit development overlay and compliance with all requirements of Chapter 13 (Planned Unit Development Regulations) of the Clearcreek Township Zoning Resolution and requirements specified for plan approval of the uses allowed.
2. The following facility improvements are approved in concept form with the outlined specifications. The Clearcreek Township Zoning Inspector will verify applicant's compliance with the imposed standards at the time of applicant's submittal for a zoning permit.
 - a. All construction projects shall have a continuity of design and building materials with the existing materials themed on the property.
 - b. Existing barn will be restored to original footprint and used for residential storage.
 - c. Maintenance garage to be a maximum of 1,500 sq ft.
 - d. Northern façade refinement to single family dwelling:
 - i. Dormer windows to be established above art gallery space.
 - ii. Low brick wall to be constructed north of concrete pad.
 - e. Western addition to single family dwelling:
 - i. Garage at first level.
 - ii. Living space at second level.
 - iii. Maximum size 1,500 sq ft.
3. Acquiring building and electrical permits for all approved use buildings, structures, lighting and signage that requires such permit from the Warren County Building Department.
4. Driveway access intersection of State Route 122 per permitting requirements of the Ohio Department of Transportation (ODOT).

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5. Driveway circulation and building access to the satisfaction of the Clearcreek Township Fire District.
6. Parking and loading provisions in accordance with applicable requirements of Clearcreek Township Zoning Resolution Chapter 16 with the following clarifications:
 - a. Parking area to be located for the B&B, and home occupations: south of barn and west of house.
 - b. Gravel is an acceptable material for parking area.
 - c. Fence located west of barn shall serve as buffer to parking area.
 - i. Comprised of wood stockade style fence.
 - ii. Maintained in good repair.
7. Existing vegetation to serve as perimeter buffer, parking lot buffer and streetscape buffers for the property.
8. A 24 sq ft ground sign shall be located on the property. The sign shall be located west of the driveway, outside of the clear sight distance triangle, outside of all road right-of-way a minimum of five (5) feet.
9. Outdoor lighting in accordance with applicable requirements of the Clearcreek Township Zoning Resolution.
10. Onsite sewage treatment and disposal according to permit requirements of the Ohio Environmental Protection Agency (OEPA), as determined by the Warren County Combined Health District.
11. Water supply provided in accordance with Warren County service requirements.
12. Earth-disturbing activities involved with installation of the PUD approved uses subject to compliance with the Warren County Erosion and Sediment Control Regulations as determined to the satisfaction of the Warren County Soil & Water Conservation District.
13. Stormwater drainage in compliance with the Rules and Regulations for the Design of Stormwater Management Systems as determined by the Warren County Engineer.
14. Combine all individual parcels of the PUD into one parcel to the satisfaction of the Warren County Tax Map Department.
15. Committing the un-built balance of the PUD site to stay as open space (approximately 5.125 acres) unless otherwise later proposed for additional development that is found acceptable to approve per a revised preliminary site plan submitted and processed in accordance with Clearcreek Township Zoning Resolution Chapter 13.
16. Stage 2 Preliminary Site Plan received October 14, 2010 and modified by oral representations and modified at meeting with applicant's signature and date of March 9, 2011 shall serve as reference for the location of uses for this approval.
17. Fourth bedroom is included in the Bed and Breakfast use of the property.
18. Art studio to be located in and operated out of the the principal structure and conform to home occupation definition in Clearcreek Township Zoning Resolution.
 - a. Court yard acceptable location for use.
 - b. Arboriteum acceptable location for use.
19. Holistic healing to be located in and operated out of the the principal structure and conform to home occupation definition in Clearcreek Township Zoning Resolution.
 - a. Court yard acceptable location for use.
 - b. Arboriteum acceptable location for use.

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M R. Lamb moved to adopt the foregoing Resolution.

M S. Anspach seconded the motion and upon the call of the roll the following vote resulted:

Mr. Wade- YEA
Ms. Anspach- YEA
Mr. Lamb- YEA

Resolution adopted at a regular public meeting conducted March 9, 2011.

THE BOARD OF CLEARCREEK
TOWNSHIP TRUSTEES

E. L. Wade
T. Anspach
R. Dale J. G.



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