



Variance Request

Application to the Board of Zoning Appeals
Clearcreek Township, Warren County

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JUL 10 2024

CLEARCREEK TOWNSHIP
ZONING DEPT.

Case #: 24-BZA-005

Note: This application must be typewritten or computer generated and filed with the Clearcreek Township Zoning Inspector for presentation to the Board of Zoning Appeals. The following information must be filled out in its entirety and accompanied by a fee of \$550.00 to validate the application. The application must be received prior to the monthly scheduled cutoff date in order to be heard at the following monthly meeting. Application consents to a site visit from the Board of Zoning Appeals Members and Zoning Staff. The application also consents to a temporary sign being erected on the property to identify a pending appeal to the Board of Zoning Appeals. This sign shall be erected at least ten (10) days prior to the public hearing and removed after the public hearing. Attach additional computer generated or typewritten sheets as needed. Applicant is notified of the current board membership and the Rules and Regulations for the Board of Zoning Appeals, which outline the procedures by which the Board shall operate, are found on the website www.clearcreektownship.com or can be requested from staff.

Name of Applicant:

Matthew Steinke

Mailing address of Applicant:

4104 Springboro Rd

Identify the Legal Description of Property to be Considered or Attach Metes and Bounds Description:

Property fronts on the following road(s):

Springboro Road

The legal title to said property recorded in the name(s) of:

STEINKE LIVING TRUST DATED OCTOBER 4, 2023 JENA RAE STEINKE & MATTHEW JAME

Tax mailing address of individual(s) with whom the legal title to said property is recorded:

4104 Springboro Road, Lebanon, Ohio 45036

The property is presently zoned:

R-1

The current use of the property:

Residential

Reason(s) for the application:

To request a variance from the 10 foot minimum offset from the property line for a pole barn to be built. The current distance from property line to proposed location is roughly 3 feet. The purpose of this structure is a place to store a vehicle and lawn equipment along with a place for my children to play and reduce the amount of screen time they experience. This pole barn would provide a fun, safe, and secure location for my children and their friends to enjoy.

The standard for approval of a variance is "Unnecessary Hardship". In determining whether or not unnecessary hardship exists, the Board of Zoning Appeals will consider the following factors. Please indicate below how this variance meets each standard.

1. The hardship must remove all profitable use from the land. It is not a sufficient hardship if the land would be more valuable with the variance, or less valuable without the variance. Instead, there must be evidence that the property is unsuitable to any of the permitted uses as zoned:

I am not requesting a zoning usage change but rather minimum setback variance based on how the original owner laid out the plot.

2. The hardship must result from circumstances affecting a particular and unique piece of land, and not from a general condition throughout the neighborhood:

I am requesting a variance for my property located on Springboro Road, situated uniquely between Pekin and State Route 122. My property stands out due to its irregular shape, which combines elements of both square and long skinny rectangle plots, making it distinct from neighboring properties. This unique layout along with how the original owner laid the plot presents several challenges that necessitate your consideration for a variance. With this layout the original property owner built the house towards the back of the property and placed the leach field in the front yard (southwest corner). The septic tank is located on the south side of the house where the grass does not grow on the areal picture of the property. The backup leach field is set to be on the south east corner of the property where the kids play set is sitting. The original builder also placed the propane tank in between the house and the driveway which causes limitations on the width of a potential building. With the way the plot was originally laid out, the only spaces for the pole barn is off of the drive way to the north east corner or the front yard.

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3. A variance must not alter the essential character of the neighborhood:

Based on the plot layout, there are really only 2 feasible locations for the pole barn base on what was discussed in #2. Directly off of the driveway to the northeast corner where the variance is being requested or in the front yard, just south of the driveway before the leach field starts. I believe that if putting the pole barn in the front yard, that would alter the essential character of the neighborhood as all of the properties on Springboro Road have buildings/barns behind their houses rather than in front. Also to keep the character of the neighborhood, I am using the same builder that 2 of my neighbors directly to the south used. This ensures continuity in architectural style and construction quality, contributing positively to the overall neighborhood appeal. The exterior color of my proposed pole barn will match the color scheme of my house to ensure continuity of the property.

4. It is not enough to show that the effects of a variance would be harmless. Real, unnecessary hardship must still be established by the applicant:

Coming directly off the driveway would currently give me roughly 3 feet to the property line. My mower deck is smaller than that so I would be able to maintain the property without infringing on the other property owner. As I will note in #6 I knew my property line did not extend to the driveway to the north, but since owning the property, I have been maintaining the property to the north and to the east beyond my property lines to keep everything looking nice.

5. Any hardship must result from the requirements of the zoning resolution and not from the applicant's own actions:

The original layout of the property positioned the driveway along the edge, which now limits the feasible locations for a pole barn. If the house and driveway had been situated just 7 feet to the south during the initial planning stages, this issue would not have arisen, and compliance with current zoning requirements would have been straightforward. Upon first assessing the property for construction, I consulted the county auditor's website to approximate the location of property lines relative to neighboring structures. However, to ensure accuracy, I hired a professional surveyor to precisely stake out my property lines. This survey confirmed that the proposed pole barn location, directly off the driveway, falls outside current zoning requirements.

I am committed to complying with all other zoning regulations and ensuring that the construction of the pole barn enhances rather than detracts from the neighborhood's character. By positioning the structure off the driveway, I aim to maintain visual harmony and preserve the integrity of our community.

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6. Whether the property owner purchased or acquired the property with the knowledge of the zoning restriction:

Upon purchasing the property, my understanding was that the property lines extended to the fields to the East and South and the tree line to the north. I have consistently maintained the property with this understanding. This maintenance was done to upkeep the entire property and ensure its overall aesthetic appeal. Initially, using the Warren County Auditor's property website and its measuring tool, it appeared that the driveway was approximately 8.6 feet from the property line. However, upon hiring a professional surveyor to accurately determine the property boundaries, it was revealed that the driveway is actually approximately 2 feet 8 inches from the property line. This unexpected discrepancy has created challenges in adhering to current zoning requirements for the placement of structures on the property. I have diligently maintained the property to ensure it contributes positively to the neighborhood's overall appearance and character. I am committed to continuing this level of care and ensuring that any construction or modification on my property aligns with the neighborhood's standards and expectations.

7. A variance must not be contrary to the public interest, even if a hardship can be established:

The proposed building would not be contrary to public interest as it would be placed at the back of the property and would not be significantly noticeable from any roadway. Roughly 50% (11/24) of the properties on the East side of Springboro Road have an out building detached from the residential property.

8. Other factors that the applicant considers important to the judgment of the case:

The proposed location of the pole barn directly off the driveway is essential for practical reasons. Strict adherence to the 10-foot setback requirement would necessitate placing the barn further south, causing the overhead door of the barn to misalign with the driveway. This misalignment would require widening the driveway, which is hindered by the presence of a propane tank nearby. The proximity of the tank poses a safety risk if vehicles were to come too close during maneuvering.

The primary purpose of constructing this pole barn is to provide a space for my children to engage in sports and outdoor activities, especially during winter. This initiative aims to reduce their screen time and foster a healthy, active lifestyle. Additionally, the barn will serve as a gathering place for their friends, allowing me to supervise their activities closely and ensure their safety and well-being.

During this process I have tried to solve the issue without coming to you and requesting a variance. I hired a surveyor to get the exact property line and I have spoken with the property owner that is at the north boarder of my property asking if they would be willing to sell the additional 7 feet so I would not need to request a variance. There was not an interest to sell.

To aid the Board of Zoning Appeals processing of the request, please submit the following documentation with your application:

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1. A plot plan of the subject property which includes the following:
 - A. North arrow and scale
 - B. Name of the applicant/owner
 - C. Information to locate the site: Street Name(s), Physical Address, Section, Town and Range Information, Parcel Number and Subdivision Lot Number
 - D. The exact boundaries and dimension of subject property
 - E. Identification of right-of-way dimensions
 - F. Identification of all recorded easements
 - G. Identification of area dedicated to the leach field as well as area dedicated to the replacement leach field
 - H. Identification of location of well, cistern or spring
 - I. The dimension(s) and location(s) of all existing structure(s), including setback(s) to all property lines
 - J. The dimension(s) and location(s) of all proposed structure(s), including setback(s) to all property lines

Of which:

One (1) set of plot plans shall be submitted on paper measuring 24" by 36" for display during the public hearing

One (1) set of plot plans shall be submitted on paper measuring 11" by 17" for the Board of Zoning Appeal Member packets

2. A set of architectural/construction drawings which include the following:
 - A. Scale
 - B. Name of the applicant/owner
 - C. Side elevations of existing structure, if request is an addition
 - D. Side elevations of proposed structure
 - E. Floor plan of proposed structure
 - F. Illustration of existing sign face
 - G. Illustration of proposed sign face
 - H. Any other relevant renderings

Of which:

One (1) set of architectural/construction drawings shall be submitted on paper measuring 24" by 36" for display during the public hearing

One (1) set of architectural/construction drawings shall be submitted on paper measuring 11" by 17" for the Board of Zoning Appeal Member packets

3. Tax Mailing Address Information shall be filled out below:

It is the responsibility of the applicant to also supply the tax mailing addresses of all owners of property located contiguous to, directly across the street from and within five hundred (500) feet of any part of the subject property being considered for a Variance. This information is found at the Warren County Auditor's Office, Warren County Engineer's Map Room and at https://www.wcauditor.org/Property_Search/.

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- 1. Parcel#: 0804300043 Acres/Lot#: 23.929 ACRES
Tax Name: ALEXANDER ANNA E
Address, City, State, Zip: 4116 SPRINGBORO RD LEBANON OH 45036
- 2. Parcel#: 0803105001 Acres/Lot#: DOVER'S RUN 1 LOT: 1 1.4124 ACRES
Tax Name: ROLSEN TIMOTHY T & LUCINDA L
Address, City, State, Zip: 4000 SPRINGBORO RD LEBANON OH 45036
- 3. Parcel#: 0809200003 Acres/Lot#: 4.21 ACRES
Tax Name: RASEY WILLIAM A III & ELAINE W
Address, City, State, Zip: 3995 SPRINGBORO RD LEBANON OH 45036
- 4. Parcel#: 0810400002 Acres/Lot#: 104.259 ACRES
Tax Name: FRANKLIN REGIONAL WWT CORP
Address, City, State, Zip: 8401 CLAUDE THOMAS NO 21J FRANKLIN OH 45005
- 5. Parcel#: 0804300038 Acres/Lot#: 1.5 ACRES
Tax Name: SIEFER GERALD E & GRACE
Address, City, State, Zip: 4182 SPRINGBORO RD LEBANON OH 45036
- 6. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
- 7. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
- 8. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
- 9. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____

10. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

11. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

12. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
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13. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

14. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

15. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
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16. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

17. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

18. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

19. Parcel#: _____ Acres/Lot#: _____
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20. Parcel#: _____ Acres/Lot#: _____
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4. If the applicant is not the property owner, an agent letter from the property owner(s) outlining the length and terms of the agent status must be submitted with this application.

The undersigned certifies that information herein along with all submitted exhibits are factual and correct.

Matthew Steinke

Digitally signed by Matthew Steinke
Date: 2024.07.08 20:54:51 -04'00'



Applicant Signature

Date

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WARREN COUNTY

Property Search

Property Summary

[Printable Property Report](#)

Parcel ID	0804300042	Current Owner	STEINKE LIVING TRUST DATED OCTOBER 4,2023 JENA RAE STEINKE & MATTHEW JAMES TRUSTEES	Account Number	0641415
Property Address	4104 SPRINGBORO RD LEBANON 45036	Legal Description	1.5 ACRES	State Use Code	510 - SINGLE FAMILY DWG (PLATTED)
Tax District	6 - CLEARCREK TWP- SPRBORO CSD-FLD	Neighborhood ID	089001	Ohio Public School District Number	8302
School District	SPRINGBORO CSD				

Summary

Summary

Building Details

Tax Info

Payments/Refunds

Tax Bill

Sales History

Value History

Land Records

Outbuildings

Yard Items

Memos

Recorder Data

No Photo Available



Residential Building 1



Click on sketch to view details



Click image to link to map

Last Sale Amount	\$0	Bedrooms	5
Last Sale Date	10/18/2023	Exterior	VINYL / ALUM
Owner Occupied	Y	Above Grade Living Area	2,860 sq. ft.
Homestead Exemption	N	Finished Basement/Attic	0 sq. ft.
Year Built	1998	Total Living Area	2,860 sq. ft.

Value Summary

Valuation	True Value	Assessed Value
Land	\$44,280	\$15,500
Building	\$353,510	\$123,730
Total	\$397,790	\$139,230
CAUV	\$0	

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