

Staff Report: Completed by Jeff Palmer Director of Planning & Zoning

Report Date: May 1, 2026

Hearing Date: June 1, 2026

Applicant: Jodi Tesch-Carter of JAT Services

Acres of Request: 1.0485 acres

Current Zoning of Requested Area: Office Zone “O”

Requested Action: Office Zone “O” to Neighborhood Business Zone “B-1”

Current Use: Administrative Office

Attached: Location Map, Application, Deed, Warren County Aerial of Property, Warren County Auditor Information on Property, Trustee Resolution 1772, Clearcreek Township 2005 Master Land Use Plan Maps: 4, 6, 10 and 11.

Location of Request:

The parcel is identified as 812 Old Route 122, Lot 7 Young Estates Subdivision, parcel number 09-33-240-004, and account 0212997. The request is located in Section 33, Town 4, and Range 4 in Clearcreek Township.

Applicant’s Reasons for the Application:

“We would like to start an Adult Day Support program for our clients.”

Zoning History:

- In 1973 the property was classified as Rural Residence Zone “R-1”.
- In 1997, the parcel (Lot 7 Young Estates) was rezoned along with adjoining parcel Lot 8 of Young Estates from Rural Residence Zone “R-1” to Office Zone “O”.

Background for the Request:

An Adult Day Support program is not a permitted use for the Office Zone “O”, see Chapter 8.5 below. This use would fit more appropriately in the Neighborhood Business Zone “B-1” see Chapter 9 below.

If rezoned, the current Administrative Office could continue since both classifications have a professional office as a permitted use. The application is requesting a straight zone change request. Therefore, if approved all uses of the Neighborhood Business Zone “B-1” would be permitted. The only way to limit the uses to the existing and requested use, would be for the applicant to agree to a modification of the request to a Non-Residential Planned Unit Development “NR-PUD” and prepare the required documents necessary for that application.

Adjoining Zoning Classifications and Current Uses:

- North:
 - Residence Zone “R-1” (Vacant, Single-Family Dwellings).
- East:
 - Office Zone “O” (Office for Home Health Care Services, Telecommunication Tower).

- General Business Zone “B-2” (Spartan Supply Pallet Company, RGHI Adult Day Habilitation Center).
- Neighborhood Business Zone “B-1” (RGHI Adult Day Habilitation Center).
- South:
 - Neighborhood Business Planned Unit Development “B-1PUD” (Stage 1 Approval, currently vacant).
 - Residence Zone “R-1” (Single Family Dwellings).
- West:
 - Residence Zone “R-1” (Single-Family Dwellings).

2005 Master Land Use Plan Information:

- Map 4: Identifies the property to be outside of the Warren County Sewer Service Area.
- Map 6: Identifies the road as a Collector - Urban.
- Map 10: Identifies the property in Planning Area #6.
 - Central Mixed Belt – More rolling topography, mixture of large agricultural tracts, rural residential road frontage development and large lot rural subdivisions – roughly 50% built out. No sanitary sewer present and none anticipated. Agricultural, but changing.
- Map 11: Identifies the future land use of the property to be Residential. This parcel is two parcels west of the Commercial Node at Drake Road and Old Route 122.
- Applicable Goals and Objectives:
 - **Related to the Man-Made Environment:**
 - GOAL: A pattern of land use capable of serving and meeting the social, economic and environmental needs of the residents of the Township, now and in the future.
 - OBJECTIVE: Establish areas of commercial activity, ensuring a convenient, safe and pleasant environment in meeting the retail and business needs of Township residents.
 - POLICIES:
 - Perpetuate rural living by encouraging development only on a neighborhood-oriented basis. Commercial development should be either nestled in the interior of a Planned Unit Development along a collector road or along an arterial road network that has a design suitable for the intensity of use. An access management plan should be imposed.
 - Encourage commercial growth equal to what the market will bear. Over-commercialization should be avoided.
 - Encourage cluster-type development for commercial areas. Establish an overlay for these clusters to further encourage use, scale and materials.
 - Avoid strip commercial development and "spot zoning".

Below are the current zoning section and the requested zoning section from the Clearcreek Township Zoning Resolution:

CHAPTER 8.5
OFFICE ZONE "O" REGULATIONS

- SEC. 8.51** The regulations set forth in this chapter, or set forth elsewhere in the Zoning Code, are the zoning regulations for office "O" zones.
- SEC. 8.52** Permitted uses: A building or lot shall be used only for the following purposes, provided the sewage system is approved by the Warren County Combined Health District and/or the Warren County Sanitary Engineer and the Ohio Environmental Protection Agency, and provided that no retail trade is carried on with the general public, and that no stock of goods is maintained for sale to the general public:
- A. Banks and financial institutions,
 - B. Medical and dental clinics,
 - C. Radio and television broadcasting studios,
 - D. Art, music and photographic studios,
 - E. Administrative business and professional offices, such as engineers, architects, attorneys, insurance agents, real estate agents, accountants, sales representatives, corporate offices and the like;
 - F. Signage in accordance with Chapter 28.
 - G. Schools, public and private, from nursery schools through colleges having curriculum equivalent to public school curricula.
- SEC. 8.525 CONDITIONAL USES:** The following uses require a conditional use permit (CUP) pursuant to **Section 21.01(F)** of this resolution.
- A. Drive Through facility.
- SEC. 8.53** Height Regulations: The height regulations are the same as for zone "R-1".
- SEC. 8.54** Yards: The yard regulations are the same as for zone "R-1".
- SEC. 8.55** Lot size: The minimum lot size shall be the same as for zone "R-1".

CHAPTER 9
NEIGHBORHOOD BUSINESS ZONE "B-1" REGULATIONS

- SEC. 9.01** The regulations set forth in this chapter, or set forth elsewhere in the Zoning Code, are the zoning regulations for Business Zone "B-1".
- SEC. 9.02** Permitted Uses: A building or a lot shall be used only for the following purposes, provided the lot and whatever structures used for human occupancy thereon are either connected to a central sewage system that will be upon the start of operation turned over to the appropriate county department for maintenance and operation or utilize an on site disposal system approved by the Ohio Environmental Protection Agency.
- A. Any non-residential use permitted in zones "R-1", "R-2" and "R-3".
 - B. Standards for districts zones for retail business known as Zone "B-1" Neighborhood Business District. Principal permitted uses within a minor "B-1" district which is entirely surrounded by "R" districts:
 - 1. Any local retail business or service establishment such as grocer, fruit or vegetable store, meat market, drugstore, shoe repair shop,

hardware store, barber shop, clothes cleaning and laundry pick-up station, business or professional office or the like, supplying commodities or performing services primarily for residences of the neighborhood.

2. Sit-Down Restaurant, Fast Food Restaurant, Outdoor Dining Restaurant
 3. Automobile service stations (filling stations). Minor repair and storage garages, parking lots for passenger vehicles.
 4. Bakery
 5. Funeral homes
 6. Antique Business
 7. Second hand store - inside display only
- C. Signage in accordance with Chapter 28.

SEC. 9.025 CONDITIONAL USES: The following uses require a conditional use permit (CUP) pursuant to **Section 21.01(F)** of this resolution.

A. Drive Through facility.

SEC. 9.03 The height regulations are the same as for Zone "R-1".

SEC. 9.04 Yards:

A. Front yard: The front yard regulations are the same as for Zone "R-1".

B. Side yard:

1. If the lot adjoins a residence zone the side yard shall be twenty-five (25) feet minimum.
2. If the lot adjoins a non-residence zone, the side yard shall be fifteen (15) feet minimum.

C. Rear yard: If the rear yard adjoins a residence zone it shall be a minimum of twenty five (25) feet.

D. If the rear yard adjoins a non-residence zone it shall have a minimum of fifteen (15) feet.

SEC. 9.05 Lot size: The minimum lot size shall be the same as for Zone "R-1".