CLEARCREEK TOWNSHIP BOARD OF ZONING APPEALS

Clearcreek Township Government Center, 7593 Bunnell Hill Rd Springboro, OH 45066

7:00 PM

AGENDA

December 8, 2026

Attendance:
Ask for staff to call roll.

Minutes:

Draft minutes from November 10, 2026

1. Discussion and/or Modifications.
2. Ask for motion _____
3. Ask for a second _____
4. Voice Vote (All in Favor, All Opposed)

Testimony Oath and Sequence of Events:

Ask individuals that plan to provide testimony to stand, raise right hand and respond to the following:

"Do you swear or affirm that the testimony you are about to give will be the truth, the whole truth and nothing but the truth?"

Continued Hearing(s):

None

Public Hearing(s):

1. Recess the Public Meeting.
2. Open the Public Hearing: Case 26-BZA-006, a variance request submitted by Kevin Hopf. The request is to reduce required rear yard setback from 40' to 27' for a proposed addition. The variance request is from Section 5.754(D) of the Clearcreek Township Zoning Resolution. The property is identified as 8423 Point O'Woods Ct, Lot 118 Woodland Greens 2-2, parcel number 04-08-176-007, account 0627183 and .56 acres in size. The parcel is located in Section 8, Town 2 and Range 5 in Clearcreek Township. The property is zoned Residence Zone "R-1".
3. Does any member need to declare a conflict of interest with this request?
    a. If No proceed to #4.
    b. If Yes have the Member identify the conflict to the Board and the Applicant.
        i. If the Member believes s/he can't be objective.
            1. Ask the Member to leave the meeting room for the duration of the hearing, discussion and decision.
        ii. If the Member believes s/he can be objective.
            1. Ask for the BZA for any objections to his participation.
            2. Ask the Applicant for any objections to his participation.
            3. If no objections proceed to #4.
            4. If any objection is raised, ask the Member to leave the meeting room for the duration of the hearing, discussion and decision.
4. Does the applicant need to declare a conflict of interest with any member of the Board of Zoning Appeals or object to any member participating in the decision making process for this case?
    a. If No proceed to #5.
    b. If Yes, the Applicant identify the conflict with the Board of Zoning Appeals Member.
5. Board Members, did you visit the site or are you familiar with the site?
6. Staff, did the applicant submit a complete application?
7. Applicant's Presentation.
8. Staff Presentation.
9. Proponents' statements.

10. Opponents' statements.
11. Final Questions/Comments from the audience.
12. Applicant's Rebuttal.
13. Close Public Hearing.
14. Reopen Public Meeting.
15. BZA Discussion.
16. Motion to Approve or Deny Variance Request with rationale.
17. Ask for staff to call roll for the vote:
    a. **IF APPROVED:** This is an oral approval of your application. A written notification will be sent to you by certified mail, after the minutes of this meeting have been approved at our next scheduled meeting. You may proceed with the permit process and at your own risk initiate construction while waiting for the written approval. The applicant needs to meet with staff to submit for a zoning permit and pay all applicable fees.
    b. **IF DENIED:** This is an oral denial of your application. A written notification will be sent to you by certified mail, after the minutes of this meeting have been approved at our next scheduled meeting. From that filing date, you have 30 days to appeal this decision to the Warren County Common Pleas Court.

18. Recess the Public Meeting.
19. Open the Public Hearing:

    Case 26-BZA-004 an Administrative Appeal Request submitted by Attorney J.P. Burleigh, Suder LLC agent for San Juan LLC. The Administrative Appeal is of the August 31, 2026 Denial of an Extension for Temporary Housing on Parcel 09-351-013. Temporary Housing is regulated in Section 5.14 of the Clearcreek Township Zoning Resolution.

    Case 26-BZA-005 an Administrative Appeal Request submitted by Attorney J.P. Burleigh, Suder LLC agent for San Juan LLC. The Administrative Appeal is of the September 4, 2026 Notice of Code Violation on Parcel 09-22-351-013. The Notice of Zoning Violation references Sections 5.03, 5.14 and 5.52 of the Clearcreek Township Zoning Resolution.

    A single hearing will be conducted to consider the two submitted cases.

    San Juan LLC owns two (2) adjoining parcels. The parcels are in located in Section 22, Town 4 and Range 4 in Clearcreek Township. These parcels have not been combined into a single parcel. The applicant and the Warren County Engineer's Office have treated the parcels collectively as 4168 Utica Road. The property identified as 4168 Utica Road, parcel 09-22-351-012, account 0106801, is .21 acres in size. This parcel is zoned Residence Zone "R-1" and is the location of the access drive and the declared address for both properties. The property identified as 2094 Old Route 122, by parcel 09-22-351-013, account 0141543 is 10 acres in size. This parcel is zoned Open Space Rural Residence Zone "OSR-1". This parcel is the location where single family dwelling zoning permit 11,870 and temporary housing zoning permit 11,871 were issued on September 3, 2024 and on August 13, 2025 both received a maximum extension until September 3, 2026. During the September 4, 2026 site visit, staff found the single family dwelling hadn't been established, temporary housing (Trailer/RV/Camper) remained connected to utilities and remained occupied. A thirty (30) day notice of zoning violation was issued.
20. Does any member need to declare a conflict of interest with this request?
    a. If No proceed to #4.
    b. If Yes have the Member identify the conflict to the Board and the Applicant.
        i. If the Member believes s/he can't be objective.
            1. Ask the Member to leave the meeting room for the duration of the hearing, discussion and decision.
        ii. If the Member believes s/he can be objective.
            1. Ask for the BZA for any objections to his participation.
            2. Ask the Applicant for any objections to his participation.
            3. If no objections proceed to #4.

4. If any objection is raised, ask the Member to leave the meeting room for the duration of the hearing, discussion and decision.

21. Does the applicant need to declare a conflict of interest with any member of the Board of Zoning Appeals or object to any member participating in the decision making process for this case?
    a. If No proceed to #5.
    b. If Yes, the Applicant identify the conflict with the Board of Zoning Appeals Member.
22. Board Members, did you visit the site or are you familiar with the site?
23. Staff, did the applicant submit a complete application?
24. Applicant's Presentation.
25. Staff Presentation.
26. Proponents' statements.
27. Opponents' statements.
28. Final Questions/Comments from the audience.
29. Applicant's Rebuttal.
30. Close Public Hearing.
31. Reopen Public Meeting.
32. BZA Discussion.
33. Motion to Approve or Deny Administrative Appeal with rationale.
34. Ask for staff to call roll for the vote:
    a. **IF APPROVED:** This is an oral approval of your application. A written notification will be sent to you by certified mail, after the minutes of this meeting have been approved at our next scheduled meeting. You may proceed with the permit process and at your own risk initiate construction while waiting for the written approval. The applicant needs to meet with staff to submit for a zoning permit and pay all applicable fees.
    b. **IF DENIED:** This is an oral denial of your application. A written notification will be sent to you by certified mail, after the minutes of this meeting have been approved at our next scheduled meeting. From that filing date, you have 30 days to appeal this decision to the Warren County Common Pleas Court.

Old Business:

None

New Business:

None

Adjournment:

1. Ask for motion _____
2. Ask for a second _____
3. Voice Vote (All in Favor, All Opposed)