

BEFORE THE CLEARCREEK TOWNSHIP BOARD OF ZONING APPEALS WARREN
COUNTY, OHIO

IN RE: Wellspring Baptist Church
Agent for Peabody Development Co.

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Application No.: 15-BZA-003
DECISION

On the 10th day of June 2015, an application was submitted by Wellspring Baptist Church agent for Peabody Development Co. The request is for a Conditional Use Permit pursuant to Section 5.7524 (B) and Section 21.01(F) of the Clearcreek Township Zoning Resolution for the purpose of establishing a church on approximately 6 acres of the 54.027 acre parcel.

The Parcel ID is 05-19-151-0110 and the Account number is 0102962. The property is located in Section 19, Town 3 and Range 5.


Notice of the public hearing was made as provided by law and this matter was heard by the Board on July 14, 2015. A quorum was present.

On August 11, 2015, the Board moved to approve its minutes of the meeting held on July 14, 2015 and hereby submits its Decision upon said application for a Conditional Use Permit Request.

By a vote of 5 to 0, it is the Decision of the Board to conditionally approve a church use on the identified property, subject to the applicant coming to Mr. Palmer with a complete application and package with all required approvals and once Mr. Palmer is satisfied the application is complete, schedule a public hearing for the BZA to review the final package.

As defined in Section 2506.01 of the Ohio Revised Code, this Decision constitutes a final order of the Board for appeal purposes. The applicant and other interested parties with standing to challenge this final order have the right to file a Notice of Appeal with the Warren County Common Pleas Court within thirty days of the date of filing of the Decision as stamped hereon. The Secretary shall send a copy of this Decision to the Applicant and/or Applicant's legal counsel by certified mail, return receipt requested.

APPROVED:


Craig Letavec, Chairperson
Board of Zoning Appeals

FILED

AUG 11 2015

CLEARCREEK TOWNSHIP
ZONING DEPT.

BEFORE THE CLEARCREEK TOWNSHIP BOARD OF ZONING APPEALS WARREN COUNTY, OHIO

IN RE: Wellspring Baptist Church

* Application No.: 15-BZA-003
* UPDATED DECISION

On the 9th day of August 2017, an updated application submitted by Sean Ireland agent for Wellspring Baptist Church, for a modification to 15-BZA-003 (the original Conditional Use Permit). On August 11, 2015, the Board of Zoning Appeals conditionally approved 15-BZA-003, for a church use on the property located on State Route 73. This property is further identified by parcel number 05-19-151-012 and account number 0144727. The property is located in Section 19, Town 3 and Range 5. The property is 6.6586 acres in size. As a condition of approval of the CUP, the applicant once he had finalized the design of the structure and the site would re-submit an application to staff and be scheduled for an additional public hearing before the Board of Zoning Appeals to review the updated application.

Notice of the public hearing was made as provided by law and this matter was heard by the Board on September 12, 2017. A quorum was present.

On October 10, 2017, the Board moved to approve its minutes of the meeting held on September 12, 2017 and hereby submits its Decision upon said application for a Conditional Use Permit Request.

By a vote of 3 to 0, it is the Decision of the Board moved to APPROVE the request with conditions for the following reasons:

- A. Response to standard "The proposed use shall mitigate the impact of noise generated by the use." --- Minimal noise for use.
- B. Response to standard "The proposed use shall mitigate the impact of light pollution generated by the use." --- Limited number of lights, impact will be mitigated.
- C. Response to standard "The proposed building materials shall be compatible to the existing structures on the property and blend into the context of the neighborhood." --- Substantial improvement.
- D. Response to standard "The proposed uses shall be physically suitable for the parcel on which it is proposed." --- Suitable for use.
- E. Response to standard "The proposed use shall be on a size and/or number of structures that may be completed in a reasonable time." --- To be completed within one year of issuance of zoning permit.
- F. Response to standard "The proposed use shall locate structures in an area that limits the impact to adjoining properties." --- Minimal impact.
- G. Response to standard "The proposed use shall locate outdoor gathering places in an area that limits the impact to adjoining properties." --- Not applicable.
- H. Response to standard "Buffer space, plantings and mounding shall be used on the periphery of the proposed use or property to maximize compatibility with adjoining

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OCT 11 2017

CLEARCREEK TOWNSHIP
ZONING DEPT.

properties.” ---- North not required at this time. Make sure with the southern mounding that the sight lines for traffic on and off the site are not obstructed.

- I. Response to standard “When a proposed use includes common or jointly owned space an owners association or similar organization shall be formed with the authority and responsibility to maintain and manage such common or jointly owned space in perpetuity.” --- Not applicable.
- J. Response to standard “The proposed use shall be supported by adequate public infrastructure and/or services. The proposed use shall not adversely affect public infrastructure and/or public services to the surrounding area or conditions shall be established to mitigate adverse impacts on such written comments from the following departments as applicable: Clearcreek Township Fire District, Clearcreek Township Police Department, Ohio Environmental Protection Agency, Ohio Department of Transportation, Warren County Auditor, Warren County Building Department, Warren County Engineer’s Office, Warren County Health Department, Warren County Soil and Water Conservation District, Warren County Water Department.” ---
 - a. Waiting on ODOT letter regarding turn lane analysis.
- K. Response to standard “The proposed use shall provide for access by public emergency equipment such as: fire, ambulance and police vehicles.” --- Compliance with updated Fire requirements: 1. 507.5.1 Must be a fire hydrant with-in 4000 feet of building. 2. 506.1 Knox Box required prior to building final. 3. 907.2.1 A manual fire alarm must be installed for occupant notification.
- L. Response to standard “The proposed use shall provide for adequate pedestrian circulation, vehicular traffic movement and off-street parking.” --- Issue has been addressed.
- M. Response to standard “If the proposed conditional use will generate estimated off-site traffic in excess of the estimated off-site traffic generated by the most intensive by-right permitted use for the class of zone, off-site road improvements or fees for off-site road improvements shall be required to accommodate the excess traffic attributed to the proposed use of the property, based on a traffic engineering study. (Examples of off-site road improvements shall include but are not limited to: turn lanes, deceleration lanes, pavement widening and traffic control devices).” --- Minimal impact, satisfied.
- N. The lighting of the church shall not impact neighbors. If this lighting becomes an issue with the neighbors, the applicant will have to come back to the BZA to discuss the lighting plan.

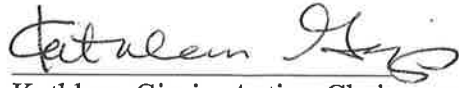
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OCT 11 2017

CLEARCREEK TOWNSHIP
ZONING DEPT.

As defined in Section 2506.01 of the Ohio Revised Code, this Decision constitutes a final order of the Board for appeal purposes. The applicant and other interested parties with standing to challenge this final order have the right to file a Notice of Appeal with the Warren County Common Pleas Court within thirty days of the date of filing of the Decision as stamped hereon. The Secretary shall send a copy of this Decision to the Applicant and/or Applicant’s legal counsel by certified mail, return receipt requested.

APPROVED:



Kathleen Girgis, Acting Chairperson
Board of Zoning Appeals

FILED

OCT 11 2017

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