

# CLEARCREEK TOWNSHIP GOVERNMENT CENTER

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**TO: Board of Zoning Appeals**  
**FROM: Jeff Palmer**  
**DATE: January 22, 2019**  
**RE: Status of 15-BZA-003, State Route 73 southern buffer**

The second request involves case 15-BZA-003. On August 11, 2015, the Board of Zoning Appeals conditionally approved 15-BZA-003, for a church use on the property located at 2094 E 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. On October 11, 2017 the Board of Zoning Appeals approved an Updated Decision to 15-BZA-003. During the public hearing there was representation that a buffer of earth mounds would be installed parallel to the southern property line. When staff performed the required site visit, the southern mounds were not present. The purpose of this meeting is for the applicant to update the Board of Zoning Appeals on the current status of the buffer and request a modification to the southern buffer requirement.

In your packet you will find copies of the original decision for 15-BZA-005 filed August 15, 2015, the updated decision for 15-BA-005 filed October 11, 2017, the grading plan Updated 2017 Exhibit 4, zoning permit issued November 9, 2017, the November 29, 2018 letter sent to Wellspring Baptist Church, the January 9, 2019 email from Wellspring Baptist Church, staff diagram identifying field measurements of new location of the pond and staff photos of the site.

I chose not to provide with this memo the previous applications, staff reports and exhibits. That abundant information is available if you desire to receive it. Chapter 17 of the Clearcreek Township Zoning Resolution required 23 trees to be planted as a streetscape buffer for this property. Through the conditional use permit process, the applicant substituted five mounds, a minimum of 3' in height for the streetscape requirement. Per the submitted grading plan the maximum elevation for the mounds range from 101' to 104' elevation. The top of the pond was proposed to be 101'. The first floor of the church was proposed to be at the 113' elevation. The installed pond is above the elevation of the pavement of State Route 73.