

CLEARCREEK TOWNSHIP GOVERNMENT CENTER

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Board of Trustees

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To: Board of Zoning Appeals
From: Jeff Palmer, Director of Planning & Zoning
Date: May 24, 2022
RE: 16-BZA-007 Progress Meeting on June 14, 2022

On February 9, 2021, the BZA APPROVED the applicant to continue to work on the home for an additional two months. This constituted a Fifth Extension of time for case 16-BZA-007. By April 13, 2021, the existing legal non-conforming structure shall have the following rooms constructed: kitchen, bath and bedroom. The existing legal non-conforming structure shall receive occupancy approval from the Warren County Building and Warren County Health District. The Board expects that once the structure receives an occupancy permit the applicant will again focus on finishing the exterior of the structure. The northern façade of the existing roofed structure shall be complete (windows, porch, siding, gutters), the eastern façade of the existing roofed structure shall be complete (windows, porch, siding, gutters) and the southern façade of the existing roofed structure and “kick out” of the living room shall be complete (walls, windows, roof, siding, gutters). If the applicant fails to receive occupancy approval by April 13, 2021, the Board of Zoning Appeals will require the applicant to remove the camper from the property and cease occupying the property for habitation until the home receives occupancy approval. The applicant will be required to attend monthly meetings of the Board of Zoning Appeals and provide progress reports, starting May 11, 2021. The applicant is required to attend the April 13, 2021, Board of Zoning Appeals meeting, to provide an update on construction progress and present a plan to discuss timing for finishing the rest of the project.

On April 13, 2021, the BZA APPROVED a Sixth Extension of time and clarification for 16-BZA-007. The applicant is allowed to continue to work on completing the house and obtaining an occupancy permit. The applicant has been given a two (2) month extension to remove the camper. If on June 8, 2021, the house has received an occupancy permit, the camper can remain on the property. If on June 8, 2021, substantial progress (near occupancy) has occurred, the camper can remain on the property. If on June 8, 2021, anything less than the former has occurred, the camper shall be removed from the property and the applicant shall cease occupying the property for habitation until the home receives occupancy approval. Starting May 11, 2021 and continuing until the house has received an occupancy permit, the applicant will be required to attend monthly meetings of the Board of Zoning Appeals and provide a progress report.

On June 8, 2021, the BZA APPROVED a motion that Mr. Massey vacate the camper and reside at a location off the property. Mr. Massey was required to disconnect the hard wire electrical and septic connections so that the camper would comply with zoning for camper storage. Since the summer is Mr. Massey’s busy season, the monthly meeting requirement will be suspended until October 12, 2021. This should give Mr. Massey time to balance his roofing company and house renovations. Staff is directed to make a site visit to verify the camper has been disconnected and that Mr. Massey is no longer residing on the property. Staff is also directed to make a site visit to the property prior to the October 12, 2021, meeting and provide photos to the Board of Zoning Appeals.

The rental Mr. Massey referenced as a possibly for a short-term rental at the June 8th meeting

needed a couple of repairs before he could occupy the rental. Mr. Massey kept in regular contact with staff regarding the status of the situation. In late July, Mr. Massey provided staff a copy of a six-month lease agreement for the file. The rental agreement is valid from August 1, 2021, to February 1, 2022.

On August 8, 2021, I visited the site and documented that the camper had been disconnected from the hard wire electric and septic. The camper appears to be vacated. The camper now meets the zoning requirements for a stored vehicle.

On October 12, 2021, the BZA APPROVED a motion that Mr. Massey come back for a progress update on January 11, 2022. This should give Mr. Massey time to work towards the required installation tasks for an occupancy permit. Staff is directed to make a site visit to the property prior to the January 11, 2022, meeting and provide photos to the Board of Zoning Appeals.

On January 11, 2022, the BZA APPROVED a motion that Mr. Massey come back for a progress update on March 8, 2022. This should give Mr. Massey time to work towards the required installation tasks for an occupancy permit. Staff is directed to make a site visit to the property prior to the March 8, 2022, meeting and provide photos to the Board of Zoning Appeals.

On March 8, 2022, the BZA APPROVED a motion that Mr. Massey come back for a progress update on June 14, 2022. This should give Mr. Massey time to work towards the required installation tasks for an occupancy permit. Staff is directed to make a site visit to the property prior to the June 14, 2022, meeting and provide photos to the Board of Zoning Appeals.

On May 24, 2022, I spoke with Mr. Massey about his progress and to set a time for a site visit. Per the phone conversation, Mr. Massey stated that he is in his busy season. Mr. Massey stated he has not made any progress with the house since the last visit (February 28, 2022). I told him that if any progress was made and needed to be documented, he will need to contact me by June 7, 2022, so that I can transmit the information to the Board of Zoning Appeals.

1. The northern façade, as of June 1, 2020: Staff found that downspouts have been installed. **Per May 24, 2022, Phone Call, No Updates Have Occurred to be Documented.**
2. The eastern façade, as of June 1, 2020: Staff found that siding, trim, gutter, and downspout have been installed. **Per May 24, 2022, Phone Call, No Updates Have Occurred to be Documented.**
3. The southern façade and “kick out” of the living room: as of April 19, 2019: Staff found that a moisture/vapor barrier, siding, window, and trim have been installed. **Per May 24, 2022, Phone Call, No Updates Have Occurred to be Documented.**
4. The western façade, as of June 1, 2020, Staff found that a moisture/vapor barrier, siding, door, trim, gutter, downspout and a crawl space access door have been installed. An exhaust pipe for a wood pellet stove has been installed. **Per May 24, 2022, Phone Call, No Updates Have Occurred to be Documented.**
5. The existing legal non-conforming structure shall have the following rooms constructed: kitchen, bathroom and bedroom. As of June 1, 2020: Staff found that the floors have been sanded and sealed. As of October 5, 2021: Radiant tubing has been installed for the first and second floors. The radiant heater has not been installed. As of January 3, 2022: The radiant heater has been installed and was operating. A new supply water line from the house shut off to the hot water heater had been installed. An electric hot water heater has been installed (cold supply line runs to unit, stubbed hot water line from unit). Electric outlets have been installed in the dining room.
 - a. As of January 7, 2020: Wastewater drains have been installed for the kitchen as well as rough electric. As of June 9, 2020: Still to do for the **KITCHEN**: supply lines for plumbing, finalize electricity, insulation, interior walls and a ceiling. As of January 3, 2022: Electric outlets have been installed. A thermostat for the radiant heater has been installed. As of February 28, 2022: Wall insulation has been installed. Wall board is

being installed. Cabinets, sink and faucet have been installed. *Per May 24, 2022, Phone Call, No Updates Have Occurred to be Documented.*

- b. As of January 7, 2020: Framing for walls and ceiling have installed. Wastewater drains have been installed for the bathroom. As of June 9, 2020: Still to do for the **BATHROOM:** supply lines for plumbing, electricity, insulation, interior walls and a ceiling. As of January 3, 2022: No Updates or Changes Have Been Documented. As of February 28, 2022: Exterior wall insulation has been installed. Wall board is in the process of being installed. Water supply and shut offs have been installed. Toilet has been installed. *Per May 24, 2022, Phone Call, No Updates Have Occurred to be Documented.*
 - c. As of June 9, 2020: Still to do for the **BEDROOM:** electricity, insulation, interior walls and a ceiling. As of January 3, 2022: No Updates or Changes were Documented. As of February 28, 2022: Wall and ceiling insulation has been installed. Ceiling board is in the process of being installed. *Per May 24, 2022, Phone Call, No Updates Have Occurred to be Documented.*
 - d. **On May 12, 2022, I contacted the Warren County Health Department Plumbing Department and was informed that the final plumbing inspection for the remodel was conducted on March 4, 2022. The inspection has passed.**
6. The existing legal non-conforming structure shall receive occupancy approval from the Warren County Building and Warren County Health District. *The former can only occur after the structure is made habitable by installing a kitchen, bathroom and bedroom.*