



# Variance Request

Application to the Board of Zoning Appeals  
Clearcreek Township, Warren County

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Case #: 21-BZA-002

Note: This application must be typewritten or computer generated and filed with the Clearcreek Township Zoning Inspector for presentation to the Board of Zoning Appeals. The following information must be filled out in its entirety and accompanied by a fee of \$550.00 to validate the application. The application must be received prior to the monthly scheduled cutoff date in order to be heard at the following monthly meeting. Application consents to a site visit from the Board of Zoning Appeals Members and Zoning Staff. The application also consents to a temporary sign being erected on the property to identify a pending appeal to the Board of Zoning Appeals. This sign shall be erected at least ten (10) days prior to the public hearing and removed after the public hearing. Attach additional computer generated or typewritten sheets as needed. Applicant is notified of the current board membership and the Rules and Regulations for the Board of Zoning Appeals, which outline the procedures by which the Board shall operate, are found on the website [www.clearcreektownship.com](http://www.clearcreektownship.com) or can be requested from staff.

Name of Applicant:

Michael P Harris

Mailing address of Applicant:

3421 Crestview Ave

Identify the Legal Description of Property to be Considered or Attach Metes and Bounds Description:

105ft at the front, 69.29 ft at the back, 267.23 at the sides.

Property fronts on the following road(s):

Crestview Ave

The legal title to said property recorded in the name(s) of:

Michael and Theresa Harris

Tax mailing address of individual(s) with whom the legal title to said property is recorded:

3421 Crestview Ave

The property is presently zoned:

Residential

The current use of the property:

Home

Reason(s) for the application:

To bring the property up to code and in line with an legality of which the homeowners may be unaware.

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The standard for approval of a variance is “Unnecessary Hardship”. In determining whether or not unnecessary hardship exists, the Board of Zoning Appeals will consider the following factors. Please indicate below how this variance meets each standard.

1. The hardship must remove all profitable use from the land. It is not a sufficient hardship if the land would be more valuable with the variance, or less valuable without the variance. Instead, there must be evidence that the property is unsuitable to any of the permitted uses as zoned:

The location of the barn was placed back farther to avoid the 10 feet allowance needed between structures and leech lines. In addition, moving the barn closer would have blocked access to power lines which run through the back of the property.

2. The hardship must result from circumstances affecting a particular and unique piece of land, and not from a general condition throughout the neighborhood:

3421 Crestview avenue is shorter than its surrounding properties. 3443, for example, is 103 ft longer.

3. A variance must not alter the essential character of the neighborhood:

The barn would not alter the neighbourhood. An informal survey was conducted and no neighbors were affected with the structure.

4. It is not enough to show that the effects of a variance would be harmless. Real, unnecessary hardship must still be established by the applicant:

Once more, moving the barn further onto the back of the property would infringe upon the leech line and power line access.

5. Any hardship must result from the requirements of the zoning resolution and not from the applicant's own actions:

Leech lines and power were in place when applicants purchased 3421 Creechview Ave.

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6. Whether the property owner purchased or acquired the property with the knowledge of the zoning restriction:

No

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7. A variance must not be contrary to the public interest, even if a hardship can be established:

Once more, the neighbours of 3421 Crestview avenue are without compliant for the structure as it presently stands.

8. Other factors that the applicant considers important to the judgment of the case:

The barn was constructed for the benefit of one owner's small business, for heating and cooling supply storage. The structure was erected at the back of the property line for access to power lines, which is to the benefit of the neighborhood. Additionally, the structure had to be at least ten feet away from the leech field which sits in the middle of the property's back yard.

*To aid the Board of Zoning Appeals processing of the request, please submit the following documentation with your application:*

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1. A plot plan of the subject property which includes the following:
  - A. North arrow and scale
  - B. Name of the applicant/owner
  - C. Information to locate the site: Street Name(s), Physical Address, Section, Town and Range Information, Parcel Number and Subdivision Lot Number
  - D. The exact boundaries and dimension of subject property
  - E. Identification of right-of-way dimensions
  - F. Identification of all recorded easements
  - G. Identification of area dedicated to the leach field as well as area dedicated to the replacement leach field
  - H. Identification of location of well, cistern or spring
  - I. The dimension(s) and location(s) of all existing structure(s), including setback(s) to all property lines
  - J. The dimension(s) and location(s) of all proposed structure(s), including setback(s) to all property lines

Of which:

One (1) set of plot plans shall be submitted on paper measuring 24" by 36" for display during the public hearing

One (1) set of plot plans shall be submitted on paper measuring 11" by 17" for the Board of Zoning Appeal Member packets

2. A set of architectural/construction drawings which include the following:
  - A. Scale
  - B. Name of the applicant/owner
  - C. Side elevations of existing structure, if request is an addition
  - D. Side elevations of proposed structure
  - E. Floor plan of proposed structure
  - F. Illustration of existing sign face
  - G. Illustration of proposed sign face
  - H. Any other relevant renderings

Of which:

One (1) set of architectural/construction drawings shall be submitted on paper measuring 24" by 36" for display during the public hearing

MC COY CALVIN C. & MATIL  
412 OLD ROUTE 122  
LEBANON, OH 45036

WARTENBERG RICHARD A. &  
3495 MARY ANN DR  
LEBANON, OH 45036

MECHANIC STREET \*  
3337 CRESTVIEW AVE  
LEBANON, OH 45036

HANDLEY DONALD & PAMELA  
3496 MARY ANN DR  
LEBANON, OH 45036

RIFFLE BRITTNEY & \*  
322 OLD ROUTE 122  
LEBANON, OH 45036

ECKLER LILLIAN ANN  
459 OLD ROUTE 122  
LEBANON, OH 45036

ANSPACH ANDREW E. & TONY  
315 OLD ROUTE 122  
LEBANON, OH 45036

WATTERS E. BRIAN & BARBA  
3555 MARY ANN DR  
LEBANON, OH 45036

TAULBEE JEREMY & \*  
3465 CRESTVIEW AVE  
LEBANON, OH 45036

MARSHALL WILLIAM C. & PA  
432 OLD ROUTE 122  
LEBANON, OH 45036

356 OLD 122 LLC.  
356 OLD ROUTE 122  
LEBANON, OH 45036

ALEXANDER JASON W.  
331 OLD ROUTE 122  
LEBANON, OH 45036

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POWELL DOUGLAS R. & KARE  
3532 MARY ANN DR  
LEBANON, OH 45036

GILBERT ALEX T.  
441 OLD ROUTE 122  
LEBANON, OH 45036

TRIPLE CREEK FAMILY FARM  
N CRESTVIEW AVE  
LEBANON, OH 45036

TSUEDA THOMAS EDWARD & \*  
3320 CRESTVIEW AVE  
LEBANON, OH 45036

SIMMONS ROBERT GALE \*  
3517 MARY ANN DR  
LEBANON, OH 45036

PIERSON PAUL L. & JUDITH  
3525 CRESTVIEW AVE  
LEBANON, OH 45036

WHITE CHAD C. & LISA L.  
338 OLD ROUTE 122  
LEBANON, OH 45036

HAMLIN BRIAN C. & \*  
3443 CRESTVIEW AVE  
LEBANON, OH 45036

BROGAN BARBARA E.  
460 OLD ROUTE 122  
LEBANON, OH 45036

BAKER JOLA M.  
349 OLD ROUTE 122  
LEBANON, OH 45036

COOMER ROBYN G. TRUSTEE\*  
473 OLD ROUTE 122  
LEBANON, OH 45036

JOHNSON ANGELA M.  
446 OLD ROUTE 122  
LEBANON, OH 45036

CRUSE MELISSA C.  
298 OLD ROUTE 122  
LEBANON, OH 45036

SCHWIETERMAN KRISTEN M.\*  
3487 CRESTVIEW AVE  
LEBANON, OH 45036

HOOVER IDA MAY  
3360 CRESTVIEW AVE  
LEBANON, OH 45036

YOUNG GREG A & CLICK  
283 OLD ROUTE 122  
LEBANON, OH 45036

BECKER DAVID C. & \*  
3458 N ROUTE 48  
LEBANON, OH 45036

WHITAKER BRANDEN A.  
3516 MARY ANN DR  
LEBANON, OH 45036

HARTMANN III RALPH W. \*  
3550 MARY ANN DR  
LEBANON, OH 45036

EMANUEL BAPTIST CHURCH  
495 OLD ROUTE 122  
LEBANON, OH 45036

ROSS RICHARD D.  
536 E OLD ROUTE 122  
LEBANON, OH 45036

ANSPACH CATHY L.  
427 OLD ROUTE 122  
LEBANON, OH 45036

RIEHLE ROBERT GREGORY & \*  
3505 CRESTVIEW AVE  
LEBANON, OH 45036

WEST BARRY ROBERT & MARY  
365 OLD ROUTE 122  
LEBANON, OH 45036

RHODUS TINA  
376 OLD ROUTE 122  
LEBANON, OH 45036

GABE KYLA J.  
480 E OLD ROUTE 122  
LEBANON, OH 45036

MORRIS JENNIFER L.  
297 OLD ROUTE 122  
LEBANON, OH 45036

WESTALL MARTIN & BONNIE  
3530 CRESTVIEW AVE  
LEBANON, OH 45036

FAIRCHILD DENNIS &  
272 OLD ROUTE 122  
LEBANON, OH 45036

HARRIS MICHAEL P. & THER  
3421 CRESTVIEW AVE  
LEBANON, OH 45036

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One (1) set of architectural/construction drawings shall be submitted on paper measuring 11" by 17" for the Board of Zoning Appeal Member packets

3. Tax Mailing Address Information shall be filled out below:

It is the responsibility of the applicant to also supply the tax mailing addresses of all owners of property located contiguous to, directly across the street from and within five hundred (500) feet of any part of the subject property being considered for a Variance. This information is found at the Warren County Auditor's Office, Warren County Engineer's Map Room and at [www.co.warren.oh.us/Auditor/property\\_search](http://www.co.warren.oh.us/Auditor/property_search).

1. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
Tax Name: \_\_\_\_\_  
Address, City, State, Zip: \_\_\_\_\_
2. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
Tax Name: \_\_\_\_\_  
Address, City, State, Zip: \_\_\_\_\_
3. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
Tax Name: \_\_\_\_\_  
Address, City, State, Zip: \_\_\_\_\_
4. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
Tax Name: \_\_\_\_\_  
Address, City, State, Zip: \_\_\_\_\_
5. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
Tax Name: \_\_\_\_\_  
Address, City, State, Zip: \_\_\_\_\_
6. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
Tax Name: \_\_\_\_\_  
Address, City, State, Zip: \_\_\_\_\_
7. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
Tax Name: \_\_\_\_\_  
Address, City, State, Zip: \_\_\_\_\_
8. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
Tax Name: \_\_\_\_\_  
Address, City, State, Zip: \_\_\_\_\_
9. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
Tax Name: \_\_\_\_\_  
Address, City, State, Zip: \_\_\_\_\_
10. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_

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Tax Name: \_\_\_\_\_  
 Address, City, State, Zip: \_\_\_\_\_

11. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
 Tax Name: \_\_\_\_\_  
 Address, City, State, Zip: \_\_\_\_\_

12. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
 Tax Name: \_\_\_\_\_  
 Address, City, State, Zip: \_\_\_\_\_

13. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
 Tax Name: \_\_\_\_\_  
 Address, City, State, Zip: \_\_\_\_\_

14. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
 Tax Name: \_\_\_\_\_  
 Address, City, State, Zip: \_\_\_\_\_

15. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
 Tax Name: \_\_\_\_\_  
 Address, City, State, Zip: \_\_\_\_\_

16. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
 Tax Name: \_\_\_\_\_  
 Address, City, State, Zip: \_\_\_\_\_

17. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
 Tax Name: \_\_\_\_\_  
 Address, City, State, Zip: \_\_\_\_\_

18. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
 Tax Name: \_\_\_\_\_  
 Address, City, State, Zip: \_\_\_\_\_

19. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
 Tax Name: \_\_\_\_\_  
 Address, City, State, Zip: \_\_\_\_\_

20. Parcel#: \_\_\_\_\_ Acres/Lot#: \_\_\_\_\_  
 Tax Name: \_\_\_\_\_  
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4. If the applicant is not the property owner, an agent letter from the property owner(s) outlining the length and terms of the agent status must be submitted with this application.

The undersigned certifies that information herein along with all submitted exhibits are factual and correct.

*Michael Harris*  
Applicant Signature

*2-11-21*  
Date

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