



Variance Request

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

Case #: 21-BZA-003

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 or can be requested from staff.

Name of Applicant:

John R. Grier, Architect

Mailing Address of Applicant

11501 Deerfield Rd., Cincinnati OH 45242

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

3375 Old State Route 123, Lebanon OH 45036 (see attached Drawing C 1.2)

Property fronts on the following road (s):

Old State Route 123

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

Red Lion United Methodist Church (Legal description attached)

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

3466 State Route 741, Franklin OH 45005

The property is presently zoned:

Single Family Residence (R-1)

The current use of the property:

Single Family Residence

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MAR 29 2021

CLEARCREEK TOWNSHIP
ZONING DEPT.

Reasons for the application:

- (a.) Future Expansion for benefit of Red Lion United Methodist Church
- (b.) Step 1: Lot 3 contains the residence, the leach field and replacement leach field a portion of this lot would be sold. The sale of the residence would return funds to the church building fund. Step 2: If the lot split is approved lot 4 will be combined with the church property (Lot 2) to facilitate future expansion. At the same time as consolidation the R-1 zoning of Lot 4 would be changed to B-1 as is the present church property. Step 3: The present parsonage would be demolished to make way for a multi-purpose community hall which will be built in phases, connected by a corridor to the south side of the present church. The first phase will use the parsonage septic tank and leach field. Additional phases will need to await the installation of Red Lion public sewer.

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 factor. 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 lot split creating lot 4 is necessary as was the 2014 lot split at 3400 State Route 741. This requested lot split to create lot 4, which, when added to lot 2 shall provide adequate space for out multi-purpose community hall. Plans are presently in the design concept stage. Our plans shall permit the historic Blackburn home to be sustained, not hauled to landfill. The proposed buyer will repair this home to be his residence. The vacant lot 4 is to be rezoned via another appeal.

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

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Lot 3, requested to become lots 3 and 4 is the only available piece of land abutting the church. Fortunately, lots 3 and 4, if split, will permit the continued use of this historic home as well as expansion of our historic church after rezoning and consolidation of lot 4 with lot 2.

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

The request will not alter the essential character of the neighborhood. Lot 3 containing the historic residence that is being repaired shall meet this zoning code requirement 100' frontage for lot 3 being 111'. The lot area will be 13720 square feet or .31 acres. That is not the required 22000 square feet for a half-acre lot. Existing lots in the neighborhood are also less than half-acre lots. It is my opinion this historic home on the smaller than permitted lot will not be detrimental to the consistency of our neighborhood.

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:

The real unnecessary hardship is as described under item 3. The property, proposed lot 3, with the residence is saleable as a smaller lot and we have a committed buyer. The funds from the proposed sale and the remaining lot 4 are both necessary to permit our church to physically grow as an improvement to the Red Lion community. Please notice on sheet C 1.2 the proposed dedicated open space between lot 3 and our area of expansion permits a driveway connection between Old State Route 123 and the west portion of Lot 2.

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

This hardship does result from the requirements of the code and not from our actions. The zoning code requires that we cannot create a lot split without a zoning appeal. If we met the half-acre requirement for the lot, we could not subdivide part of the lot 3 to become lot 4 for church expansion. The sustaining of the historic home and its sale will provide funds which will go a long way toward our intended multi-purpose addition.

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

Yes, we knew of the restriction that a lot split required an appeal. We saw then and continue to see now that the historic home and its reduced lot size can serve a useful purpose as a single-family home. Lot 4 can serve to benefit Red Lion United Methodist Church. We intended to consolidate lot 4 with lot 2. We also intend to change lot 4 zoning designation to B-1 via a straight zone change request:

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

The subdivided lot 3 with the present residence would be similar in size to other lots in the neighborhood. The footprint of the residence being repaired is similar in size to nearby homes. For these reasons the variance would not be contrary to public interest. Lot 4 will be consolidated with lot 2 and maintained as church land.

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

Hopefully a clear picture and succinct answers to the above 7 questions are judged to be acceptable reasons for granting this appeal.

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To maintain proper alignment when printing set Page Scaling to None.

08153280060
MOCKABEE MICHAEL D.
3375 ROUTE 123
LEBANON, OH 45036

08154020130
BLACKBURN RUTH M. & BENN
0 ROUTE 123
LEBANON, OH 45036

08154020120
BLACKBURN RUTH M. & BENN
3376 ROUTE 123
LEBANON, OH 45036

08153280070
HOFLE JESSIE
3345 ROUTE 123
LEBANON, OH 45036

08151770030
RED LION PARTNERS LLC
2606 ROUTE 122
FRANKLIN, OH 45005

08154020050
SMITH TIMOTHY S. & FAITH
3402 ROUTE 123
LEBANON, OH 45036

08154020040
JONES KEVIN C. & LISA R.
3414 ROUTE 123
LEBANON, OH 45036

08154020250
WARREN CO. COMMISSIONERS
0 ROUTE 123
FRANKLIN, OH 45005

08154010170
PAP OIL COMPANY LLC
3494 ROUTE 741
LEBANON, OH 45036

08154020060
SIX EAGLES ENTERPRISES L
3386 ROUTE 123
LEBANON, OH 45036

08151770042
BREEDEN WM.E. & DIANNE L
0 ROUTE 122
FRANKLIN, OH 45005

08151770041
BREEDEN WM.E. & DIANNE L.
2580 ROUTE 122
FRANKLIN, OH 45005

08153280110
POFF RICKEY LEE
3297 ROUTE 123
LEBANON, OH 45036

08153270090
HARPER ROY M. & WILMETTA
3297 ROUTE 741
FRANKLIN, OH 45005

08154020180
BAILEY JEFFREY E. *
2479 W ROUTE 122
LEBANON, OH 45036

08153260010
BROWN CLARK
2616 ROUTE 122
FRANKLIN, OH 45005

08153280090
HIRSCHBACH RICK A.
3325 ROUTE 123
LEBANON, OH 45036

08153260080
CRISP JERRY *
2524 W ROUTE 122
FRANKLIN, OH 45005

08154020200
JF HOSKINS ENTERPRISES *
2435 W ROUTE 122
LEBANON, OH 45036

08153270260
POFF JACK & MARJORIE L.
3405 ROUTE 741
FRANKLIN, OH 45005

08153280050
POFF ROY & JEAN
3362 ROUTE 741
FRANKLIN, OH 45005

08153270242
UNITED DAIRY FARMERSINC.
2599 ROUTE 122
FRANKLIN, OH 45005

08153270241
UNITED DAIRY FARMERSINC.
2597 ROUTE 122
FRANKLIN, OH 45005

08153280040
COCKERHAM JODY L.
3370 ROUTE 741
LEBANON, OH 45036

08153280080
FOLCK DOUGLAS A. & *
3335 ROUTE 123
LEBANON, OH 45036

08154010030
DUNCAN OIL CO.
0 ROUTE 122
LEBANON, OH 45036

08153270180
UNITED DAIRY FARMERS INC
2585 W ROUTE 122
FRANKLIN, OH 45005

08154510101
STOLLE PROPERTIES INC.
1725 ROUTE 122
LEBANON, OH 45036

08153280100
STEWART MICHAEL RAY
3309 ROUTE 123
LEBANON, OH 45036

08153280030
RED LION UNITED *
3400 ROUTE 741
FRANKLIN, OH 45005

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08153260062
J.M. WILLIAMS REALTY LLC
2570 ROUTE 122
FRANKLIN, OH 45005

08153260061
J.M. WILLIAMS REALTY LLC
2570 ROUTE 122
FRANKLIN, OH 45005

08151770150
SMITH MATTHEW ALLEN
3505 ROUTE 741
FRANKLIN, OH 45005

08154020160
BAILEY JEFFREY E. *
3424 ROUTE 123
LEBANON, OH 45036

08153280210
RED LION UNITED METHODIST
3405 ROUTE 123
FRANKLIN, OH 45005

08154020270
MARQUEE PROPERTIES LLC
2453 W ROUTE 122
LEBANON, OH 45036

08153280120
MANLEY BILLY SCOTT & JAN
3265 ROUTE 123
LEBANON, OH 45036

08153270200
CINCINNATI GAS & ELECT CO
0 ROUTE 122
FRANKLIN, OH 45005

08153280200
RED LION METHODIST CHURCH
3466 ROUTE 741
LEBANON, OH 45036

08151770110
TOWNSHIP CEMETERY
0 N ROUTE 123
FRANKLIN, OH 45005

08154020100
MARQUEE PROPERTIES LLC
0 ROUTE 122
LEBANON, OH 45036

08153280140
WICAL JUDITH & BALL JER
3253 ROUTE 123
LEBANON, OH 45036

08153280160
SPENCER TRACI & GERALD
3330 ROUTE 741
FRANKLIN, OH 45005

08153260050
STATE OF OHIO
0 ROUTE 122
FRANKLIN, OH 45005

08154020150
STATE OF OHIO
0 ROUTE 123
LEBANON, OH 45036

08151770100
STATE OF OHIO
0 N ROUTE 123
FRANKLIN, OH 45005

08153270170
STATE OF OHIO
0 W ROUTE 122
FRANKLIN, OH 45005

08154020170
STATE OF OHIO
0 W ROUTE 122
LEBANON, OH 45036

08154010160
STATE OF OHIO
0 ROUTE 741
LEBANON, OH 45036

08154510070
STATE OF OHIO
0 ROUTE 122
LEBANON, OH 45036

08153260070
STATE OF OHIO
0 W ROUTE 122
FRANKLIN, OH 45005

08151770140
STATE OF OHIO
0 ROUTE 741
FRANKLIN, OH 45005

08153280190
STATE OF OHIO
0 ROUTE 741
LEBANON, OH 45036

08154020240
STATE OF OHIO
0 ROUTE 123
FRANKLIN, OH 45005

08154020260
STATE OF OHIO
0 W ROUTE 122
LEBANON, OH 45036

08153270230
STATE OF OHIO
0 ROUTE 122
FRANKLIN, OH 45005

08153270250
STATE OF OHIO
0 ROUTE 741
FRANKLIN, OH 45005

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ZONING DEPT.**

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

Applicant Signature



3-29-21

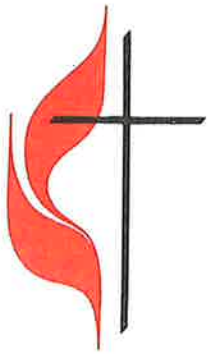
Date

JOHN R. GRIER

FILED

MAR 29 2021

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Red Lion United Methodist Church

3466 North State Route 741
Franklin, Ohio 45005
Phone 937-746-2131

March 27, 2021

Clearcreek Township, Warren County, Ohio

Board of Zoning Appeals

Red Lion United Methodist Church names John R. Grier, Architect as agent for this application for a lot split variance at 3375 Old State Route 123, Lebanon OH 45036.

Signed by Reverend Sandy Vogeles

Date

Red Lion United Methodist Church

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MAR 29 2021

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TRANSFERRED

DEC 07 2016

SEC. 319.902 COMPLIED WITH
MATT NOLAN, Auditor
WARREN COUNTY, OHIO



8 2 9 5 5 8 3

Tx: 4233122

LINDA ODA

WARREN COUNTY RECORDER

2016-037933

DEED

12/07/2016 8:53:07 AM

REC FEE: 28.50 PGS: 2

PIN:

M O C L K A P H E S

GENERAL WARARANTY DEED

JOHN R. GRIER ARCHITECT INC., an Ohio Corporation, with its principal offices at 11309 Deerfield Road, Cincinnati, Ohio, 45242, hereinafter referred to as Grantor, for valuable consideration paid, grants with general warranty covenants, to RED LION UNITED METHODIST CHURCH, hereinafter referred to as Grantee, whose tax mailing address is ~~3400~~ 3466 N. State Route 741, Franklin, Ohio, 45005, the following described real property:

Situated in Section 15, Town 3 E, Range 4 N, Clearcreek Township, Warren County, Ohio and bounded and described as follows:

Beginning at an iron pipe near the west edge of State Route No. 123, said beginning point being the Northeast corner of a 4 acre tract acquired by Anna E. Blackburn (D.B. 214, P. 297); thence, along the East line of said 4 acre tract, S. 3° 50' W. 178.97 feet to another iron rod near the West edge of State Route No. 123; thence N. 85° 28' W., 130.71 feet to an iron rod in the East line of an 0.726 acre tract owned by Leslie Rotham and Thomas E. Blackburn (D.B. 250, Page 447); thence along the East line of said 0.726 acre tract N. 7° 49' E. 179.93 feet to an iron rod in the North line of said 4 acre tract; thence S. 85° 10' E. 118.21 feet to the place of beginning containing 0.512 acres, more or less.

Also subject all easements, covenants, conditions and restrictions of record; all legal highways; zoning, building and other laws, ordinances and regulations; real estate taxes and assessments not yet due and payable; and rights of tenants in possession.

Auditor's Permanent Parcel No. 0815328006



Prior Instrument Reference: Doc. No. 2016-035759 of the Warren County Recorder's Office, Warren County, Ohio

In witness the Grantor has set its hand on this 4 day of DECEMBER 2016

FILED

MAR 29 2017

CLEARCREEK TOWNSHIP ZONING DEPT.

GRANTOR:

JOHN R. GRIER ARCHITECT INC.,
an Ohio Corporation



By: John R. Grier
President and Secretary

STATE OF OHIO, COUNTY OF Warren) ss:

The foregoing deed was acknowledged before me this 4th day of December, 2016, by John R. Grier, President and Secretary of JOHN R. GRIER ARCHITECT INC., an Ohio Corporation, on behalf of the Corporation.



Notary Public



TABATHA A. KEETON
Notary Public, State of Ohio
My Commission Expires: Feb. 27, 2020
Recorded in Warren County

THIS INSTRUMENT PREPARED BY: Robert H. Steltenpohl
Attorney at Law
4100 Montgomery Road
Cincinnati, Ohio 45242
(513) 791-2945

FILED

MAR 29 2021

**CLEARCREEK TOWNSHIP
ZONING DEPT.**