



Variance Request

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

Case #: 23-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:

TRACY MINIARD

Mailing address of Applicant:

4301 CARNELL DR , LEBANON OHIO 45036

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

SINGLE FAMILY HOME APPROX 6.5 ACRES ATTACHED PROPERTY LINES

Property fronts on the following road(s):

STATE RT 48 APPROX 470 FEET OFF ROAD TO HOME

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

TRACY L AND TRACY L MINIARD

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

4301 CARNELL DR , LEBANON OHIO 45036

The property is presently zoned:

AGRICULTURAL

The current use of the property:

MAIN RESIDENCE

Reason(s) for the application:

Replaced existing structure that was poorly constructed, so it would match the existing home. did not know the side of home was infact the front of the home? The side allows 20 ft , I only was aware at a later time this was considered the front of the home, replaced with manufactured beams and matching shingles and replaced existing Concrete.

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:

We simply removed the enclosed garage and opened it up to the original covered porch or carpot to Enhance to look 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:

The home is completely alone an not in any view of any neighborhood,

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

This home is not located in a 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 proproperty line is 90 feet from covered porch and the closest home is approx 470 feet from property line.

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

The front of home is located 90ft from neighbors property line not the 100 ft as stated from zoning I had the property surveyed by bayer & becker to determine the correct line and distance .

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

The house faces Carnell Dr not Rt 48 the 20ft allowed by zoning would have been sufficient for the side of property was only told by zoning that it was in fact side of the porch would be the front of the property not the side thus the confusion.

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

This home has no public interest picture enclosed.

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

Basically was correcting and updating the existing covered porch or carport to complete this home and make it more appealing, Was totally unaware that the side of this home was in fact the frontage since the mailing address is 4301 Carnell Dr and listed in county records as 4301 Carnell Dr the 20ft from side would have been more than sufficient it is not living space nor it would expand the square footage of the home .

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

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 **SEPTIC IS A MOUND SYSTEM NOT A LEACH FIELD**
 - H. Identification of location of well, cistern or spring **PUBLIC WATER**
 - I. The dimension(s) and location(s) of all existing structure(s), including setback(s) to all property lines **SEE ENCLOSED DRAWING WITH DIMENSIONS**
 - J. The dimension(s) and location(s) of all proposed structure(s), including setback(s) to all property lines **NONE**

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

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 https://www.wcauditor.org/Property_Search/.

1. Parcel#: 08044510060 Acres/Lot#: 6.34
Tax Name: Kathy Schram
Address, City, State, Zip: 419 N Rt 48, Lebanon, Ohio 45036
2. Parcel#: 0804427023 Acres/Lot#: 0.5
Tax Name: Chris Reagan
Address, City, State, Zip: 4325 Carnell Dr, Lebanon Ohio 45036
3. Parcel#: 0804427023 Acres/Lot#: 1.629
Tax Name: Mighty Men Moving LLC
Address, City, State, Zip: 4317 N Route 48 Lebanon, Ohio 45036
4. Parcel#: 0804451009 Acres/Lot#: 44.0367
Tax Name: Randall Leisz
Address, City, State, Zip: 5279 Springboro Rd Lebanon, Ohio 45036
5. Parcel#: 0804401013 Acres/Lot#: 6.307
Tax Name: Ralph Todd III
Address, City, State, Zip: 255 W Pekin Rd Lebanon, Ohio 45036
6. Parcel#: 0804411007 Acres/Lot#: 15.6582
Tax Name: Scott Graves
Address, City, State, Zip: 287 W . Pekin Rd Lebanon, Ohio
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#: _____
 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: _____
 Address, City, State, Zip: _____

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.

Applicant Signature

Date

[Handwritten Signature] *May 2-2023*