

# CERTIFICATE OF RESULT OF ELECTION ON QUESTION OR ISSUE

Revised Code, Section 3501.11

State of Ohio  
County of Warren

The Board of Elections of Warren County hereby  
certifies that at the election held in Clearcreek Township  
(Subdivision)

in said county on November 6, 1973 the  
(Date of election)

vote cast on the following issue was as fo

Issue.....

(Tax lev

To provide a zoning code for the citizens of CLEARCREEK TOWNSHIP adequate light, pure air, and safety from fire and other dangers, to conserve the value of land and buildings, to lessen or avoid congestion of traffic in the public streets and to promote the public health, safety, morals, comforts, convenience and general welfare, all in accordance with the provision of Section 519 of the Ohio Revised Code.

To protect the character and the stability of the residential, business, and industrial areas within CLEARCREEK TOWNSHIP and to promote the orderly and beneficial development of such areas.

To establish restrictions in order to attain these objectives by adopting a zoning code which will revise the districts into which

Votes Seven hundred and twen  
(For, yes, etc.—as on ballot)

Votes Three hundred and fort  
(No, against, etc.—as on ballot)

Total vote cast on issue:

1073

(Number)

Witness our official signatures at Lebanon, Ohio in

said county, this 13th day of November, 19 73.

Coil Sifers Chairman

Franklin Perry  
Harvey E. Jett

Attest:

Wm. H. [Signature]

Clerk

BOARD OF ELECTIONS

Warren County, Ohio

SEC. 21.01  
(cont'd)

provided the source of light is not visible from streets, roads, or property other than that on which the sign is located.

- SEC. 21.02 Private <sup>Swimming</sup> Pools: A private swimming pool, whether in ground or above ground, but not including farm ponds, as regulated herein, shall be any pool, pond, lake or open tank, not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than one and one-half (1-1/2) feet. No such swimming pool shall be allowed in any residence zone except as an accessory use and unless it complies with the following conditions and requirements:
- A. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
  - B. It may not be located, closer than twenty (20) feet to any property line of the property on which it is located.
  - C. The swimming pool, or the entire property on which it is located, shall be so walled or fenced so as to prevent uncontrolled access by children from the street or from adjacent properties. Said fence or wall shall be not less than four (4) feet in height and maintained in good condition.
  - D. Any pool for the use of occupants of multiple family buildings containing over three (3) apartments shall meet the structural and sanitary requirements of the Ohio Department of Health.

SEC. 21.03 Motor Vehicles, Refrigerators, stoves or other pieces of machinery or equipment not being used for the purpose for which they were manufactured, shall not be permitted in any zone, unless it is screened from view of persons on contiguous property or persons using public right-of-ways.

SEC. 21.04 An antique shop may be operated in the main building of the premises in a residential zone on the basis as any other home occupation as regulated by SEC 3.37, except no non-relative may be employed, and all items in storage or for sale are kept inside the main building of the premises.

The Clearcreek Township Trustees met in Regular session with the following members present: Cotterill, Surface and Poe.

Minutes of November 8, 1974 read and approved.

The following bills were presented for payment:

6748	Cincinnati Gas & Electric Co.	134.71	6756	Jane Thiel	98.47
6749	Domestic Linen Supply Co.	11.60	6757	Gwen Eckhart	17.40
6750	Don Cotterill	7.60	6758	Paul Jacobs	92.15
6751	Ashland Oil Co.	2.35	6759	Paul Munt	91.60
6752	Ohio Bell Telephone	53.57	6760	Judy Smith	62.64
6753	Springboro Clinia	103.32	6761	Paul Munt	49.60
6754	Goldie Bishop	137.12	6762	Jack Burnett	279.38
6755	Virginia Mirschbach	124.22	6763	Franklin Natl. Bank	534.90

Mr. Poe moved and seconded by Mr. Surface that the above bills be allowed and paid. Motion carried.

A complaint was received from Mrs. Meyers of Meadow Acres Subdv, Clearcreek road about one of her neighbors building lean to shacks or buildings and the yard full of junk or trash. This matter was taken up with the Zoning inspector. Mr. Munt showed the Trustees copies of letters he has sent to Mr. Abrams asking him to stop the building and clean up his property. Mr. Munt will keep the Trustees advised on this matter.

The Mutual Aid agreement with Washington Twp. Montgomery County Ohio for Fire protection and Emergency Ambulances was signed by the Trustees. This agreement for 3 years.

Mr. Surface moved and seconded by Mr. Poe that we use College students during the Christmas vacations for cleaning the trash from the roads. Minimum of 5 boys. Motion carried.

Mr. Poe moved and seconded by Mr. Surface that the Zoning Board Clerk and Zoning Board and Zoning Board of Appeals members be compensated \$ 10.00 per meeting attended for the year 1974. Motion carried.

The Trustees received from the Zoning Board a list of amendments to the Township Zoning Code. Hearing date has been set for December 20, 1974 7 P.M.

No further business Mr. Poe moved and seconded by Mr. Surface that we adjourn. Motion carried.

Ernest E. Buckhart Jr. CLERK

Donald H. Cottrell TRUSTEE

Noel D. Poe TRUSTEE

Donald W. Surface TRUSTEE

Amendments to the Clearcreek Township  
Zoning Code:

Chapter 6

- Sec 6.02-0.      Reword as follows  
Any Building or enclosure, for animals, other than  
for (2) Dogs or Cats, shall be at least eighty-five  
(85) feet from every property line.
- Sec.6.07            Add this section number to the part of the Code that  
tells about house trailers in this section of Code.

Chapter 7

- Sec. 7.02            Reword as follows  
Permitted uses; A building or lot shall be used only  
for the following purposes, But only if connected to  
a central sewage system that will be upon the start  
of operation turned over to the appropriate county  
department for maintenance and operation, or other  
aeration type system approved by the Warren County  
Combined Health District and / or Ohio Environmental  
Protection Agency.
- Sec. 7.06            Add to this, Each additional bedroom, over two  
bedrooms, shall have a minimum floor area of  
150 square feet.
- Sec. 7.07            Add this sec number and wording, same as Sec 6.07.

Chapter 8

- Sec. 8.02            Be changed to the same as Sec. 7.02
- Sec. 8.05-B.        Delete the word Square after 90 , making it 90 Feet.
- Sec. 8.05-C.        Make the same addition.. to the end of this as is in Sec  
7.06
- Sec. 8.06            Add this sec. number and Wording , the same as Sec 6.07

Chapter 9

Sec. 9.02 Make the wording the same as Chapter 7 - 7.02

Sec. 9.02B4 Add to that the words "and Sales "

Chapter 10

Sec.10.02 make the wording the same as chapter 7 - 7.02

Chapter 11

Sec.11.02 make the wording the same as chapter 7 - 7.02

Sec.11.02-L. Change the figure to read(200) instead of(220)

Chapter 12

Sec.12.02 Make the wording the same as chapter 7 - 7.02

Chapter 14

Add this as a new chapter

"Chapter 14 Flood Plain Zone "F"

Sec.14.01 The regulations set forth in this chapter, or set forth elsewhere in the Zoning Code, are the Zoning Regulations for flood plain Zone "F"

Sec.14.02 Permitted uses, No structure shall be erected, constructed, reconstructed, altered or moved onto a premises unless a Planned Unit Development plan for such use has been approved in accordance with chapter 13 of the Zoning Code. No land shall be used for any purpose except the following:

- A. Agriculture.
- B. Forestry
- C. Public park. open Space.

Sec.14.03 Yard Regulations: all of the yard regulations, including front, side and rear yards are the same as those in Rural Residence Zone "R-1" unless otherwise Stipulated in this chapter.

Change the following chapter numbers in Code.

Chapter 14 to Chapter 15  
Chapter 15 to Chapter 16  
Chapter 16 to Chapter 17  
Chapter 17 to Chapter 18  
Chapter 18 to Chapter 19  
Chapter 19 to Chapter 20  
Chapter 20 to Chapter 21  
Chapter 21 to Chapter 22  
Chapter 22 to Chapter 23  
Chapter 23 to Chapter 24  
Chapter 24 to Chapter 25  
Chapter 25 to Chapter 26

PAUL ELDON HUNT, CLERK  
CLEAR CREEK TOWNSHIP  
ZONING COMMISSION

RECORD OF RESOLUTIONS

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6301

Resolution No. 4797 Passed February 8, 2016

CLEARCREEK TOWNSHIP  
WARREN COUNTY, OHIO

RESOLUTION TO ~~(APPROVE/APPROVE WITH MODIFICATIONS/DENY)~~  
EXHIBIT 2015-1, AN AMENDMENT THAT REFINES STANDARDS FOR CHAPTER  
22 FOR SWIMMING POOLS FOR THE CLEARCREEK TOWNSHIP, WARREN  
COUNTY, OHIO ZONING CODE

WHEREAS, all public hearings, public notices, and the recommendation of the Warren County Regional Planning Commission for the Zoning Resolution amendment have been conducted and made pursuant to the Clearcreek Township Zoning Resolution and Section 519.12 of the Ohio Revised Code; and

WHEREAS the proposed Text Amendment with modifications was APPROVED by the Zoning Commission after the conclusion of their public hearing; and

NOW THEREFORE BE IT RESOLVED by the Board of Clearcreek Township Trustees that the said amendment that refines standards for Chapter 22 in the Zoning Resolution be Approved Exhibit "2015-1" is attached and deemed a part of this Resolution as if fully rewritten herein.

Mr. Gabbard moved to adopt the foregoing Resolution. Mr. Muterspaw seconded the motion and upon the call of the roll the following vote resulted:

Mr. Wade - Yea  
Mr. Gabbard - Yea  
Mr. Muterspaw - Yea

Resolution adopted at a regular public meeting conducted February 8, 2016.

THE BOARD OF  
CLEARCREEK TOWNSHIP TRUSTEES

Law Director Bryan Pacheco  
Approved, as to form

[Signature]

[Signature]

[Signature]

[Signature]

**AMEND: SEC. 22.01, SPECIAL PROVISIONS, SWIMMING POOLS:**

No swimming pool shall be allowed in any residence zone except as an accessory use and unless it complies with the following conditions and requirements:

- A. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
- B. It may not be located closer than twenty (20) feet FROM WATER'S EDGE to any property line of the property on which it is located.
- C. In-ground swimming pools shall have a barrier installed to prevent uncontrolled access by children from the street or from adjacent properties.
  1. Fence/wall barrier
    - a. Fence/wall shall be not less than four (4) feet in height.
    - b. Fence/wall height shall be measured on the side of the fence/wall that faces away from the pool.
    - c. The maximum vertical clearance between the bottom of the fence/wall and the ground shall be four (4) inches.
    - d. Fence/wall shall be maintained in good condition.
    - e. Fences that are composed of horizontal and vertical components shall conform to the following standards:
      - i. When the fence design has horizontal components that establish a frame upon which the vertical components are attached, the horizontal components shall be located on the swimming pool side of the fence.
      - ii. When the fence design has vertical components that intersect the horizontal components, the horizontal components shall equally straddle the vertical components.
      - iii. Maximum spacing between all vertical components shall be four (4) inches.
    - f. Fences that are composed of wire mesh and vertical components shall conform to the following standard:
      - i. The maximum spacing between all vertical components of the wire shall be two and one quarter (2 ¼) inches.
    - g. Pedestrian access gates:
      - i. Shall conform to the design standards identified in Section 22.01 (c) (1) (e) or section 22.01 (c) (1) (f).
      - ii. Shall be self closing.
      - iii. Shall be self latching.
      - iv. Shall have the opening mechanism mounted at a height of at least forty-five (45) inches.
      - v. Shall open outward away from the pool.
    - h. Utility access gates:



- i. Shall conform to the design standards identified in Section 22.01 (c) (1) (e) or section 22.01 (c) (1) (f).
    - ii. Are not required to have a self-closing device.
    - iii. Are not required to have a self-latching device.
    - iv. Shall have a means to secure the gate when not in use.
  - i. TEMPORARY CONSTRUCTION FENCING SHALL BE INSTALLED AFTER THE IN-GROUND POOL AREA IS EXCAVATED.
  - j. FINAL FENCING ~~All required fencing (FINAL OR TEMPORARY)~~ and gate assemblies from this chapter must be installed WITHIN SIXTY (60) ~~7~~ DAYS OF ~~prior~~ to the pool holding any water.
    - i. ~~THE TEMPORARY CONSTRUCTION FENCE SHALL BE ERECTED FOR NOT MORE THAN TWO MONTHS.~~
  - k. ALL FENCES AND GATES SHALL BE LOCATED SO AS TO PROHIBIT PERMANENT STRUCTURES, EQUIPMENT OR OTHER OBJECTS FROM BEING USED TO CLIMB THE FENCE OR GATE.
- 2. A POWER safety pool cover barrier THAT MEETS THE PERFORMANCE STANDARDS OF THE MOST RECENTLY AMENDED AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) ASTM F1346-91:
  - a. ~~May be used in conjunction with Section 22.01 (e)(1); but is not recognized as a substitute for a fence/wall FOR LOTS LESS THAN OR EQUAL TO ONE (1) FIVE (5) ACRES.~~
  - b. ~~MAY BE USED IN CONJUNCTION WITH SECTION 22.01 (e)(1) WHEN THE LOT IS GREATER THAN ONE (1) ACRE, AND WHEN A SETBACK FOR THE POOL IS LESS THAN FIFTY (50) FEET FROM A PROPERTY LINE.~~
  - e. ~~b. a. MAY BE USED INDEPENDENT OF SECTION 22.01 (c)(1) WHEN THE LOT IS EQUAL TO OR GREATER THAN ONE (1) FIVE (5) ACRES, AND WHEN ALL SETBACKS FOR THE POOL ARE GREATER THAN OR EQUAL TO FIFTY (50) FEET FROM ALL PROPERTY LINES.~~
  - d. THE COVER MUST BE LOCKED WHEN THE POOL IS NOT IN ACTUAL USE AND/OR WHEN THE POOL IS UNATTENDED.

- D. Any pool for the use of occupants of multiple family buildings containing over three (3) apartments shall meet the structural and sanitary requirements of the Ohio Department of Health.
- E. Above-ground swimming pools in compliance with all the following regulations are not required to have a separate barrier. Above-ground pools not in compliance with the following shall comply with all the requirements of Section 22.01(c).
1. The side walls shall be not less than four (4) feet in height at every point around the exterior perimeter of the pool after installation is completed. THE HEIGHT IS MEASURED FROM GRADE TO THE TOP OF THE POOL WALL.
  2. The pool shall be equipped with a removable ladder or a ladder that swivels and latches in a position so that all parts of the ladder are above four (4) feet in height AND CAPABLE OF BEING LOCKED. THE LADDER MUST BE LOCKED IF IT IS LOCATED INSIDE THE POOL OR REMOVED IF LOCATED OUTSIDE OF THE POOL, WHEN THE POOL IS NOT IN ACTUAL USE AND/OR WHEN THE POOL IS UNATTENDED.
  3. PERMANENT STRUCTURES, EQUIPMENT, OTHER OBJECTS OR GRADE GREATER THAN SIX (6) INCHES AS MEASURED IN RELATION TO THE HEIGHT AT THE POOL WALL SHALL BE LOCATED AT LEAST FOUR (4) FEET FROM THE POOL WALL TO PREVENT THEIR USAGE TO CLIMB INTO THE POOL.
  4. IF THE FLOOR OF A DECK IS LESS THAN FOUR (4) FEET FROM GRADE AND IS USED TO ACCESS AN ABOVE GROUND POOL, THEN ALL COMPONENTS OF THE DECK (RAILINGS, GATES AND STAIRS) SHALL CONFORM TO SECTION 22.01 (C) (1).
  5. IF THE FLOOR OF A DECK IS GREATER THAN OR EQUAL TO FOUR (4) FEET FROM GRADE AND IS USED TO ACCESS AN ABOVE GROUND POOL, THEN THE APPLICABLE COMPONENTS OF THE DECK THAT ARE COINCIDENT WITH A FOOTHOLD (RAILINGS, GATES AND STAIRS) SHALL CONFORM TO THE FOLLOWING REGULATIONS:
    - a. HEIGHT MEASUREMENTS TO DETERMINE CONFORMANCE WITH THE REGULATIONS WILL OCCUR AT THE LOCATION WHERE A HORIZONTAL PLANE (GRADE, TOP OF STAIRS, TOP OF FLOOR OF A DECK) ALLOWS A USER TO ESTABLISH A FOOTHOLD.
    - b. THE LOCATION OF THE HIGHEST FOOTHOLD WILL DICTATE THE STARTING HEIGHT OF THE MEASUREMENT.

- c. IF A GATE IS PLACED AT THE GRADE HEIGHT (BOTTOM) OF THE STAIRS, THE GATE AND SIDES OF THE STAIRS MUST CONFORM TO SECTION 22.01 (C) (1).
- d. If A GATE IS PLACED AT THE DECK HEIGHT (TOP) OF THE STAIRS:
  - i. THE GATE MUST CONFORM TO SECTION 22.01 (C) (1).
  - ii. THE RAILINGS FOR A MINIMUM OF FOUR (4) FEET IN WIDTH FROM EACH SIDE OF THE GATE MUST CONFORM TO SECTION 22.01 (C) (1).

# CLEARCREEK TOWNSHIP

WARREN COUNTY, OHIO

DEPARTMENT OF ZONING  
ZONING CERTIFICATE

<b>AMOUNT</b>
\$100.00

<b>PERMIT NO.</b>
4860-03

This is to certify that Rod Litteral, 433 WINDSOR PARK DR., DAYTON, OH 45459  
(Applicant)  
has made application on the 12th day of November, 2003 to the Zoning Inspector of  
Clearcreek Township for a Zoning Certificate for the Dwelling  
(Type of Building)  
located at 7866 Country Brook (Lot 43) Clearcreek Township, Warren County, Ohio  
(Exact Location)

If such Dwelling α ≈ 518 SQ FT DECK  
(Type of Building)

shall conform in all other respects to the laws of the State of Ohio and the Zoning resolutions of  
Clearcreek Township, then a Certificate of Compliance shall be issued upon completion.

6-30-05 OK

Plot Plan

Jeff Palmer

Director of Planning and Zoning

1 15' Esm't