

# CLEARCREEK TOWNSHIP BOARD OF ZONING APPEALS

Clearcreek Township Government Center, 7593 Bunnell Hill Rd Springboro, OH 45066

7:00 PM

## AGENDA

May 14, 2024

### Attendance:

Ask for staff to call roll.

### Minutes:

Draft minutes from April 9, 2024

1. Discussion and/or Modifications.
2. Ask for motion \_\_\_\_\_
3. Ask for a second \_\_\_\_\_
4. Roll Call

### Testimony Oath and Sequence of Events:

Ask individuals that plan to provide testimony to stand, raise right hand and respond to the following:

*“Do you swear or affirm that the testimony you are about to give will be the truth, the whole truth and nothing but the truth?”*

### Continued Hearing(s):

1. Recess the Public Meeting.
2. Reconvene the Public Hearing: Case 24-BZA-003, an application submitted by Matthew Centers for a Non-Conformance Hearing per Sections 5.02, 5.10, and 21.01(D) of the Clearcreek Township Zoning Resolution. The address of the property is 5385 N SR 48. The property is 6.094 acres in size. The property is identified by parcel id 09-35-327-001 and account number 0203173. The parcel is located in Section 35, Town 4 and Range 4 in Clearcreek Township. The property is zoned Open Space Rural Residence Zone “OSR-1”. The request is to allow an addition to the existing single-family dwelling that is located on a parcel that doesn’t have lot frontage on public road right-of-way. The parcel is accessed via an access easement. The existing structure and parcel are classified as legal non-conforming uses. This case was tabled in process on April 9, 2024 to May 14, 2024 @ 7 PM allow the applicant time to update the request.
3. Does any member need to declare a conflict of interest with this request?
  - a. If No proceed to #4.
  - b. If Yes have the Member identify the conflict to the Board and the Applicant.
    - i. If the Member believes s/he can’t be objective.
      1. Ask the Member to leave the meeting room for the duration of the hearing, discussion and decision.
    - ii. If the Member believes s/he can be objective.
      1. Ask for the BZA for any objections to his participation.
      2. Ask the Applicant for any objections to his participation.
      3. If no objections proceed to #4.
      4. If any objection is raised, ask the Member to leave the meeting room for the duration of the hearing, discussion and decision.
4. Board Members, did you visit the site or are you familiar with the site?
5. Staff, did the applicant submit a complete application?
6. Applicant’s Presentation.
7. Staff Presentation.
8. Motion requesting staff provide a recommendation for the case.
9. Proponents’ statements.
10. Opponents’ statements.
11. Final Questions/Comments from the audience.
12. Applicant’s Rebuttal.

13. Close Public Hearing.
14. Reopen Public Meeting.
15. BZA Discussion.
16. Motion Based on Non-Conformance Standards.
17. Ask for staff to call roll for the vote:
  - a. **IF APPROVED:** This is an oral approval of your application. A written notification will be sent to you by certified mail, after the minutes of this meeting have been approved at our next scheduled meeting. You may proceed with the permit process and at your own risk initiate construction while waiting for the written approval. The applicant needs to meet with staff to submit for a zoning permit and pay all applicable fees.
  - b. **IF DENIED:** This is an oral denial of your application. A written notification will be sent to you by certified mail, after the minutes of this meeting have been approved at our next scheduled meeting. From that filing date, you have 30 days to appeal this decision to the Warren County Common Pleas Court.

Old Business:

Draft Proclamation for Ms. Girgis.

Proposed text change to the Clearcreek Township Board of Zoning Appeals Rules and Regulations Section IV, paragraph 6: Thereafter, the Administrator shall prepare a Report to the Board for each appeal or application outlining the facts of the matter, a procedural history, and a detailed analysis of the reasons relating to the action or inaction taken by the staff. ~~Unless specifically requested by the Board during a hearing,~~ the Report shall ~~not~~ include an opinion or recommendation.

Staff update on Case 16-BZA-007, 4007 Utica Rd

New Business:

None

Adjournment: