

CLEARCREEK TOWNSHIP BOARD OF ZONING APPEALS

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

7:00 PM

AGENDA

February 13, 2024

Attendance:

Ask for staff to call roll

Minutes:

Draft minutes from January 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 for Case 23-BZA-009 that was tabled in process on January 9, 2024 to February 13, 2024 @ 7PM. The purpose of tabling the hearing was to obtain information from the Warren County Building Department regarding the construction of the roof addition: Does the existing construction meet the Ohio Building Code? Are there any modifications your department would require to the existing roof addition, in order to issue a Building Permit?

Case 23-BZA-009, is an application submitted by Armando Moore. The property is identified as 1807 Winding Run BLVD, Lot 588 Villages of Winding Creek, The Boulevards at Winding Creek Section 7 Subdivision. The property is further identified by parcel number 05-21-365-015 and account number 0315132. The property is .1724 acres in size. The parcel is located in Section 21, Town 3 and Range 5 in Clearcreek Township. The property is zoned Residence Zone Planned Unit Development “R-1APUD”. The request is for a reduction in the required rear yard setback for a patio roof (addition) that has been constructed. The western post has a setback of 22.52’. The center post has a setback of 24.05’. The minimum rear yard setback is 25’ per the Clearcreek Township Trustee Resolution 3632, Condition 23(d)(5)(iii).

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 BZA seating area 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 the Member participating.
 2. Ask the Applicant for any objections to the Member participating.
 3. If no objections proceed to #4.
 4. If any objection is raised, ask the Member to leave the BZA seating area for the duration of the hearing, discussion and decision.
4. Board Members that were not present at the time of the January 9, 2024 hearing, did you visit the site or are you familiar with the site?
5. Board Members that were not present at the time of the January 9, 2024 hearing, did you review the zoom recording of the public hearing proceedings and public meeting discussion via the zoom recording?

6. Ask the applicant for any objections to the Board Member(s) participating that were not present at the time of the January 9, 2024 hearing, but have acknowledged this evening that each made a site visit or are familiar with the site and each reviewed the public hearing proceedings and public meeting discussion via the zoom recording.
7. Staff, please read the response from the Warren County Building Department.
8. Any additional presentation or questions for the Applicant?
9. Any additional questions for Staff?
10. Proponents' statements.
11. Opponents' statements.
12. Final Questions/Comments from the audience.
13. Applicant's Rebuttal.
14. Close Public Hearing.
15. Reopen Public Meeting.
16. BZA Discussion.
17. Motion Based on Variance Standards.
18. 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.

New Hearing(s):
None

Old Business:
Election of Officers

New Business:
None

Adjournment: