

RECORD OF RESOLUTIONS

Resolution No. 5255 Passed September 28, 2020

CLEARCREK TOWNSHIP
WARREN COUNTY, OHIO

A RESOLUTION TO INITIATE EXHIBIT 2020-1, AN AMENDMENT THAT
REFINES THE REGULATIONS FOR ANIMALS UNDER A FIVE ACRE LOT
SIZE AND CLARIFIES AUTHORITY FOR APPROVING NON-
CONFORMING USES FOR THE CLEARCREEK TOWNSHIP, WARREN
COUNTY, OHIO, ZONING CODE, AND DISPENSING WITH THE SECOND
READING

WHEREAS, amendments to the Clearcreek Township, Warren County, Ohio,
Zoning Code may be initiated by passage of a Resolution by the Board of Clearcreek
Township Trustees

NOW THEREFORE BE IT RESOLVED by the Board of Clearcreek
Township Trustees that the statutory process to amend the text of the Clearcreek
Township, Warren County, Ohio, Zoning Code be initiated for the purpose of refining
standards for Chapters: 5.5, 5.75, 6, 6.5, 7, 21 and 27 as identified in EXHIBIT "2020-
1" attached herewith and deemed a part of this Resolution as if fully rewritten herein;
and

BE IT FURTHER RESOLVED, by the Board of Clearcreek Township Trustees
upon majority vote does hereby dispense with the requirement that this resolution be read
on two separate days, and hereby authorizes the adoption of this Resolution upon its first
reading.

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 September 28, 2020.

THE BOARD OF
CLEARCREEK TOWNSHIP TRUSTEES

Law Director Bryan Pacheco
Approved as to form

Ed Wade

[Signature]

[Signature]

[Signature]

AMEND: CHAPTER 5, OPEN SPACE RURAL RESIDENCE “OSR-1” REGULATIONS, SEC. 5.52(I) A temporary or permanent building for protection from the weather elements, shall be required for animals other than for two (2) dogs, which reside on parcels less than five (5) acres. This building shall be established as an accessory, ~~and~~ located IN THE REAR YARD AND at least eighty-five (85) feet from every property line.

AMEND: CHAPTER 5.75, RESIDENCE ZONE “R-1” REGULATIONS, SEC. 5.752(I) A temporary or permanent building for protection from the weather elements, shall be required for animals other than for two (2) dogs, which reside on parcels less than five (5) acres. This building shall be established as an accessory, ~~and~~ located IN THE REAR YARD AND at least eighty-five (85) feet from every property line.

AMEND: CHAPTER 5.75, RESIDENCE ZONE “R-1” REGULATIONS, SEC. 5.754(A) PRINCIPAL STRUCTURE, REQUIRED YARDS FOR LOTS EXCEPT PANHANDLE LOTS:

There shall be front yard having a depth of not less than fifty (50) feet, provided, however, no front yard depth shall be required to exceed the average of the minimum depths of the existing front yards on the lots adjacent on each side, if each of such lots are within the same block and within one hundred (100) feet of a THE building UNDER CONSIDERATION. IF AN AVERAGE CAN NOT BE MATHMATICALLY DETERIMINED BASED UPON THE ABOVE PROCESS, THEN THE ZONING INSPECTOR SHALL EXPAND THE AREA UNDER REVIEW. THE EXPANED AREA SHALL INCLUDE THE FRONT YARD SETBACKS OF THE BUILDING(S) ACROSS THE STREET AND WITHIN ONE HUNDRED (100) FEET OF THE BUILDING UNDER CONSIDERATION.

AMEND: CHAPTER 6, TOWNSHIP RESIDENCE ZONE “TR-1” REGULATIONS, SEC. 6.02(I) A temporary or permanent building for protection from the weather elements, shall be required for animals other than for two (2) dogs, which reside on parcels less than five (5) acres. This building shall be established as an accessory, ~~and~~ located IN THE REAR YARD AND at least eighty-five (85) feet from every property line.

AMEND: CHAPTER 6.5, SUBURBAN RESIDENCE ZONE “SR-1” REGULATIONS, SEC. 6.02(G) A temporary or permanent building for protection from the weather elements, shall be required for animals other than for two (2) dogs, which reside on parcels less than five (5) acres. This building shall be established as an accessory, ~~and~~ located IN THE REAR YARD AND at least eighty-five (85) feet from every property line.

AMEND: CHAPTER 7, RESIDENCE ZONE "R-1A" REGULATIONS, SEC. 7.02(E) A temporary or permanent building for protection from the weather elements, shall be required for animals other than for two (2) dogs, which reside on parcels less than five (5) acres. This building shall be established as an accessory, ~~and~~ located IN THE REAR YARD AND at least eighty-five (85) feet from every property line.

AMEND: CHAPTER 21, BOARD OF ZONING APPEALS, SEC 21.01(D) NON-CONFORMING USES:

The Board shall have the power to authorize the completion, restoration, reconstruction, in whole or in part, extension, or substitution of non-conforming uses, WHEN THE LOCATION OF A PROPOSED BUILDING ENCROACHES INTO A REQUIRED SETBACK; taking into consideration the nature of such uses in relationship to the character of adjacent uses, lot size, set back lines, traffic conditions, terrain and all other factors which, in the opinion of the Board, are pertinent to such completion, restoration, reconstruction, extension or substitution.

ADD: CHAPTER 27, ENFORCEMENT, SEC. 27.02 NON-CONFORMING USES: THE ZONING INSPECTOR SHALL HAVE THE POWER TO AUTHORIZE THE COMPLETION, RESTORATION, RECONSTRUCTION, IN WHOLE OR IN PART, EXTENSION, OR SUBSTITUTION OF NON-CONFORMING USES, WHEN THE LOCATION OF A PROPOSED BUILDING DOES NOT ENCROACH ANY FURTHER INTO A REQUIRED SETBACK.