

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2492

Passed September 19, 2002

CLEARCREEK TOWNSHIP WARREN COUNTY, OHIO

A RESOLUTION APPROVING THE APPLICATION OF SORAYA FARMS, LLC, AGENT FOR COUNTYLINE FARMS, FOR RURAL RESIDENCE ZONE "R-1" WITH PLANNED UNIT DEVELOPMENT DISTRICTING FOR 172.276 ACRES OF LAND

WHEREAS all public hearings, public notices to adjoining property owners, and the recommendation of the Warren County Regional Planning Commission for the Zoning Map amendment application of Soraya Farms LLC to amend the Clearcreek Township Zoning Resolution and Map for 172.276 acres of land that has road frontage on Lytle Five Points as well as State Route 48. The physical address of the property is 9467 State Route 48. The property is further identified by Sidwell number 05-27-176-0150. The property is located in Section 27, Town 3, and Range 5 in Clearcreek Township. The proposed rezoning is from Rural Residence "R-1" to Rural Residence "R-1" Planned Unit Development districting have been conducted and made pursuant to the Clearcreek Township Zoning Resolution and Section 519.12 Ohio Revised Code; and,

NOW THEREFORE, BE IT RESOLVED by the Board of Clearcreek Township Trustees that said application for Rural Residence Zone "R-1" with Planned Unit Development districting zoning be Approved.

1. Approval of a planned unit development (PUD) overlay shall only mean approval of land uses and shall not include approval of a site plan, as this is a matter for Stages 2 and 3 of the PUD.
2. Mr. David Oaks shall be designated as the spokesperson for the planned unit development in all dealings with Clearcreek Township regardless of the number of landowners within the project. Mr. Oaks may delegate his role as spokesperson to another individual and shall notify the Clearcreek Township Zoning Inspector of such event. In any event, only one (1) spokesperson will be recognized by Clearcreek Township in representing the planned unit development.
3. Final detailed site plan approval shall be in accordance with the procedure set forth in Section 13.07 of the Clearcreek Township Zoning Code.
4. Compliance with all of the Clearcreek Township Trustees conditions and requirements that may be set forth by Resolution granting the PUD overlay and compliance with Chapter 13 of the Clearcreek Township Zoning Resolution.
5. Prior to the approval of the final site plan, the developer shall expand and/or upgrade the water system, water treatment and storage facilities, as well as wastewater disposal facilities necessary to serve the development, as determined by the Warren County Sanitary Engineer and the Ohio Environmental Protection Agency, as applicable.
6. Dedication of the public right-of-way for existing roads abutting the site in compliance with the Warren County Official Thoroughfare Plan and the construction of necessary road improvements along State Route 48, as determined by the Ohio Department of Transportation.
7. If a street connection(s) from Centerville Forest Subdivision is required by the Warren County Engineer, it shall be the preference of the Board of Trustees that the connection(s) be installed to permit emergency access only.
8. Residential lot development density shall be 2.2 gross dwelling units per acre.
9. The total number of residential units shall not exceed 379 units.
10. Single family detached lots shall comprise no less than sixty (60) percent of the total number of residential units approved in the PUD.
11. Condominium lots shall comprise no more than forty (40) percent of the total number of residential units approved in the PUD.
12. The revised preliminary site plan, dated September 17, 2002 shall serve as the Sketch plan.

RECORD OF RESOLUTIONS

Dayton Legal Block, Inc., Form No. 20015

Resolution No. 2492

Passed September, 2002

13. Approval of the sketch plan shall not be construed to include the church use, this is a matter for the Board of Zoning Appeals. If the conditional use permit request for the church use is unsuccessful, the 29.8 acre area designated as a church shall be used for the purpose of residential lots. The total number of units for the PUD, shall not exceed 379 units.
14. The open space requirement for the entire 172.276 acre parcel shall never fall below twenty-five (25) percent as outlined in Section 13.02 of the Clearcreek Township Zoning Resolution.
15. Compliance with the Warren County Subdivision Regulations.

Mr. Lamb moved to adopt the foregoing Resolution. Dr. McDonald seconded the motion and upon the call of the roll the following vote resulted:

Mr. Wade- yea
Dr. McDonald- yea
Mr. Lamb- yea

Resolution adopted at a regular public meeting conducted September 19, 2002.

THE BOARD OF CLEARCREEK
TOWNSHIP TRUSTEES

[Signature]
[Signature]
R. Dale Lamb