

3445 Newmark Drive
Dayton, Ohio 45342

937.278.0851 Phone
937.278.6334 Fax
www.oberer.com

October 24, 2016

Clearcreek Township Zoning Commission
Attn: Mr. Jeffery D. Palmer, MCP
Director of Planning and Zoning
Clearcreek Township Government Center
7593 Bunnell Hill Road
Springboro, OH 45066

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NOV 02 2016

**CLEARCREEK TOWNSHIP
ZONING DEPT.**

Re: 157 acres on State Route 741 and State Route 122

Dear Zoning Commission Members,

Oberer Land Developers, Ltd has teamed up with Abernathy Investments to continue their tradition of developing high end, large lot subdivisions in Clearcreek Township. We have contracted to acquire 157 acres from Stolle properties in Red Lion with road frontage on both State Route 741 and State Route 122. It is our intent to develop this property in the tradition of Country Brook and Stone Ridge with large lot development averaging almost two acres in size.

To accommodate such a development we are requesting that 152 acres of the tract be rezoned to R-1 Residential Zoning, we have identified 5 acres along State Route 122 that is appropriate for a commercial or B-2 zoning.

The current industrial zoning is inappropriate for this tract of land. That tract has significant topographical, forestry, stream and wetland features which benefit a high end large lot residential development as is being proposed, but are a deterrent for industrial development as the current zoning would require. The tract's proximity to the village of Red Lion and the residents that live there also make it more appropriate for residential development as opposed to industrial development uses.

An Abernathy style residential development will add value to this portion of Clearcreek Township setting a high quality tone for residential development much the way his other developments have set the tone for other parts of Clearcreek Township. The subdivision has been designed by John Cico who as designed previous Abernathy communities. In addition the development team will adopt a set of covenants and restrictions similar to the ones that have been used in previous Abernathy communities.

By following the model set we will create another high quality, high end residential community in Clearcreek Township.

Sincerely,

OBERER LAND DEVELOPERS, LTD



Gregory A. Smith, AICP
Developer

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**CLEARCREEK TOWNSHIP
ZONING DEPT.**



Straight Zone Change Request

Application to the Zoning Commission
Clearcreek Township, Warren County

Note: This application must be typewritten or computer generated and filed with the Clearcreek Township Zoning Inspector for presentation to the Zoning Commission. The following information must be filled out in its entirety and accompanied by a fee of \$600.00 to validate the application. The application must be received prior to the monthly scheduled cutoff date in order to be heard at the following monthly meeting. Application consents to a temporary sign being erected on the property to identify a pending zone change request. This sign shall be erected at least ten (10) days prior to the Zoning Commission's public hearing and removed after the Board of Trustees' public hearing. Attach additional computer generated or typewritten sheets as needed. Applicant is notified that the Rules and Regulations for the Zoning Commission, which outline the procedures by which the Zoning Commission shall operate, are found on the website www.clearcreektownship.com or can be requested from staff.

Name of Applicant:

Oberer Land Developers, Ltd

Mailing address of Applicant:

3445 Newmark Drive, Miamisburg, OH 45342

Identify the Legal Description of Property to be Considered or Attach Metes and Bounds Description:

Attached

Property fronts on the following road(s):

State Route 741 and State Route 122

The legal title to said property recorded in the name(s) of:

Stolle Properties, Inc

Tax mailing address of individual(s) with whom the legal title to said property is recorded:

PO Box 815, Lebanon, OH 45036

The property is presently zoned:

ORS-1, M-1 and R-1

Requested zoning classification:

R-1 and B-2

The current use of the property:

Agriculture

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ZONING DEPT.

Reason(s) for the application:

It is the intent of the applicant to build a high end single family home development.
A full and detailed letter of intent has been included.

To aid the Zoning Commission processing of the request, please submit the following documentation with your application:

1. A plot plan of the subject property which includes the following:
 - A. North arrow and scale
 - B. Name of the applicant/owner
 - C. Information to locate the site: street name(s), physical address, section, town and range information, parcel number and subdivision lot number
 - D. The exact boundaries and dimension of subject property
 - E. Identification of right-of-way dimensions
 - F. Identification of all recorded easements
 - G. The dimension(s) and location(s) of all existing structure(s), including setback(s) to all property lines

Of which:

Three (3) sets of drawings shall be submitted on paper measuring 24" by 36" for Warren County Regional Planning Commission, staff review and for display during the public hearing

2. Tax Mailing Address Information shall be filled out below:

It is the responsibility of the applicant to also supply the tax mailing addresses of all owners of property located contiguous to, directly across the street from and within two hundred (200) feet of any part of the subject property being considered for a zone change request. This information is found at the Warren County Auditor's Office, Warren County Engineer's Map Room and at www.co.warren.oh.us/Auditor/property_search. This information can also be provided in a Microsoft Excel electronic spreadsheet.

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ZONING DEPT.

See Attached Mailing List

1. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
2. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
3. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
4. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
5. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
6. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
7. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
8. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
9. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
10. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
11. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
12. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____
13. Parcel#: _____ Acres/Lot#: _____
Tax Name: _____
Address, City, State, Zip: _____

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CLEARCREEK TOWNSHIP
ZONING DEPT.

14. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

15. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

16. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

17. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

18. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

19. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

20. Parcel#: _____ Acres/Lot#: _____
 Tax Name: _____
 Address, City, State, Zip: _____

3. If the applicant is not the property owner, an agent letter from the property owner outlining the length and terms of the agent status must be submitted with this application.

See Attached

The undersigned acknowledges reading the former application. The undersigned certifies that information herein along with all submitted documents are factual and correct.

 _____ 10/28/16
 Applicant Signature Date

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CLEARCREEK TOWNSHIP
 ZONING DEPT.

(Fidelity Federal)
(Fred's)

EXHIBIT "A"

Situated in Clearcreek Township, Warren County, Ohio, and being a part of Section 15, Town 3, Range 4, and bounded and described as follows:

Beginning at an iron pin at the Northeast corner of said Section 15, and at the Northeasterly corner of a 125.79 Acre Tract, recorded in O.R. Volume 209, Page 272, of the Official Records of said County;

thence, along the East line of said Section 15 and along the Easterly boundary line of said 125.79 Acre Tract, S. 3° 44' 41" W. 3205.88 feet to a large boulder stone at the Southeasterly corner of said 125.79 Acre Tract and at the Northeasterly corner of a 15 Acre Tract, recorded in said O.R. Volume 209, Page 272;

thence, along the East line of said Section 15 and along the Easterly boundary line of said 15 Acre Tract, S. 3° 38' 00" W. (passing an iron pin at 362.90 feet) a distance of 392.90 feet to a nail in State Route No. 122 and in the Northerly boundary line of a 288.970 Acre Tract, recorded in O.R. Volume 245, Page 664, of the Official Records of said County;

thence, in said Road with the Northerly boundary line of said 288.970 Acre Tract, N. 78° 03' 21" W. 82.84 feet to an iron spike in the Northerly edge of pavement;

thence, in said Road, N. 85° 39' 13" W. 1615.08 feet to a nail at the Southeasterly corner of a 2,000 Acre Tract, recorded in O.R. Volume 004, Page 302, of the Official Records of said County;

thence, along the Easterly boundary line of said 2,000 Acre Tract, N. 3° 44' 20" E. (passing an iron pin at 30.00 feet) a distance of 378.85 feet to an iron pin;

thence, along the Northerly boundary line of said 2,000 Acre Tract and along said Northerly boundary line extended, N. 85° 10' 40" W. (passing an iron pin at 230.00 feet) a distance of 345.00 feet to an iron pin at the Northwesterly corner of a 1,000 Acre Tract, recorded in Deed Book 346, Page 401, of the Deed Records of said County;

thence, along the Westerly boundary line of said 1,000 Acre Tract, S. 3° 44' 20" W. 133.51 feet to an iron pin in the Northerly boundary line of the above mentioned 15 Acre Tract;

thence, along the boundary lines of said 125.79 Acre Tract, on the following courses: (1a) N 89° 24' 15" W 25.06 feet to a point; (1b) S 89° 45' 38" W. 66.00 feet to a point; (2) N. 0° 14' 22" W. (passing an iron pin at 5.00 feet) a distance of 105.88 feet to an iron pin; (3) S. 89° 45' 38" W. 405.22 feet to an iron pin; (4) N. 5° 50' 39" E. 169.00 feet to an iron pin; (5) N. 24° 50' 39" E. 298.02 feet to an iron pin; (6) S. 87° 58' 45" E. 369.29 feet to an iron pin; (7) N. 1° 19' 51" E.

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CLEARCREEK TOWNSHIP
ZONING DEPT.

123.41 feet to an iron pin; (8) N 88° 40' 09" W, 223.74 feet to an iron pin; (9) N. 0° 50' 00" E, 95.04 feet to an iron pin; (10) N, 82° 13' 23" W, (passing an iron pin at 125.48 feet) a distance of 150.48 feet to a nail in State Route No. 741; (11) along the general centerline of State Route No. 741, N. 24° 37' 31" E, 807.11 feet to a nail at the Southwesterly corner of a 22.89 Acre Tract, recorded in O.R. Volume 293, Page 711, of the Official Records of said County;

thence, along the general centerline of State Route No. 741 and along the Westerly boundary lines of said 22.89 Acre Tract, on the following courses: (1) N. 24° 51' 43" E, 231.69 feet to a nail (2) N. 24° 41' 49" E, 850.52 feet to a nail; (3) N. 23° 58' 47" E, 450.08 feet to a nail in the North line of said Section 15;

thence, along the North line of said Section 15, N. 80° 24' 47" E, (passing an iron pin at 35.00 feet and passing an iron pin at a Northwestly corner of said 125.79 Acre Tract at 457.20 feet) a distance of 1658.47 feet to the point of beginning, containing One Hundred Fifty-eight and Five Hundred Eighty-one Thousandths (158.581) Acres, subject to all legal highways and easements of record.

Previous Deed References: O.R. Volume 379, Page 186, of the Official Records of Warren County, Ohio.

This description was prepared from a survey by Hasselbring & Associates, Registered Engineers and Surveyors, dated May 20, 1987, and written by Charles H. Huntley, Registered Surveyor No. 5630, and recorded in the Warren County, Ohio, Surveyor's Record, Vol. 65, Page 52.

08-15-276-003

TRANSFERRED
NOV 15 2008
SEC. 318200 COMPLETED WITH
RICK NELSON, AGENT
WARREN COUNTY, OHIO

SEARCHED INDEXED
SERIALIZED FILED
NOV 15 2008
WARREN COUNTY RECORDS
COLUMBUS, OHIO

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CLEARCREEK TOWNSHIP
ZONING DEPT.

509 pd

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Stolle Properties, Inc.

P. O. Box 815
Lebanon, OH 45036
513-618-4886

October 24, 2016

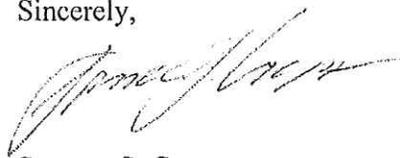
Mr. Jeffery D. Palmer, MCP
Director of Planning and Zoning
Clearcreek Township Government Center
7593 Bunnell Hill Road
Springboro, OH 45066

Re: Authorized Agent

Dear Mr. Palmer,

Please be advised that Stolle Properties Inc. has entered into a purchase agreement with Oberer Land Developers to acquire +/- 157 acres of land in Clearcreek Township, Warren County Ohio. As such we hereby designate Oberer Land Developers and their representatives as the authorized agent of Stolle Properties, Inc. for any zoning and or subdivision approvals. Said authorization is valid to February 13, 2017 and/or the expiration of the purchase agreement whichever is longer.

Sincerely,



Spencer S. Cropper
Co-President

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**CLEARCREEK TOWNSHIP
ZONING DEPT.**

To maintain proper alignment when printing set Page Scaling to None.

08093000090
YAEKLE PETER L
1932 W SR 122
LEBANON, OH 45036

08154020230
RG PROPERTIES
10050 INNOVATION DR
STE 100
DAYTON, OH 45342

08151770090
RG PROPERTIES
10050 INNOVATION DR
STE 100
DAYTON, OH 45342

08152520070
STATE OF OHIO
505 S SR 741
LEBANON, OH 45036

08152510080
NICKELL KEVIN J & SUSAN D
7477 COOK JONES RD
WAYNESVILLE, OH 45068

08152520120
DTB DISTRIBUTORS INC
3530 N ST ROUTE 741
LEBANON, OH 45036

08154010170
PAP OIL COMPANY
4365 LISA DR
TIPP CITY, OH 45371

08152520080
EVERETTS RICHARD D & CONNIE
3576 N SR 741
LEBANON, OH 45036

08152760050
STOLLE PROPERTIES
PO BOX 815
LEBANON, OH 45036

08152510050
HOWARD MICHAEL A
2925 SR 122
FRANKLIN, OH 45005

08152520090
STATE OF OHIO
505 S SR 741
2ND FL
LEBANON, OH 45036

08152520110
STATE OF OHIO
505 S SR 741
LEBANON, OH 45036

08151770120
STATE OF OHIO
505 S SR 741
LEBANON, OH 45036

08152760040
STATE OF OHIO
505 S SR 741
LEBANON, OH 45036

08154010160
STATE OF OHIO
505 S SR 741
LEBANON, OH 45036

08154010200
STATE OF OHIO
505 S SR 741
2ND FL
LEBANON, OH 45036

08154020210
STATE OF OHIO
505 S SR 741
LEBANON, OH 45036

08152520100
ABRAMS CLAYTON & MARY MAXINE
3546 N SR 741
LEBANON, OH 45036

08152520030
HOWARD ERIC W
145 KESLING DR
SPRINGBORO, OH 45066

08154010030
DUNCAN OIL CO
849 FACTORY RD
BEAVERCREEK, OH 45434

08154510101
STOLLE PROPERTIES
PO BOX 815
LEBANON, OH 45036

08152010010
STOLLE PROPERTIES
PO BOX 815
LEBANON, OH 45036

08163000040
STOLLE PROPERTIES
PO BOX 815
LEBANON, OH 45036

08152510010
DALTON RICK A
3639 SR 741
LEBANON, OH 45036

08154010040
LAMB KENNETH E
2380 W SR 122
LEBANON, OH 45036

08152510020
HIPSHER EDWARD B & JENNIFER N
3616 N SR 741
LEBANON, OH 45036

08164760030
STEWART LENA G
4224 N SR 741
LEBANON, OH 45036

08103000070
STEWART LENA GRANT
4224 N SR 741
LEBANON, OH 45036

08154010210
INTERNATIONAL COLLEGE INC
% DON GINGERICH
8620 INNSBROOK LN
SPRINGBORO, OH 45066

08152510070
BAILEY DESIREE L
3553 N SR 741
LEBANON, OH 45036

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08152520020
MARCUM JOHN T & SUSAN E
3621 N SR 741
LEBANON, OH 45036

08154010150
WEAVER ROBERT E
2424 W SR 122
LEBANON, OH 45036

08152520010
BENTON BYRON J
3636 SR 741
LEBANON, OH 45036

08154010230
LAMB RAY H
2440 W SR 122
LEBANON, OH 45036

08152510033
FRY KEVIN C & MOLLY A
3611 N ST RT 741
LEBANON, OH 45036

08152510032
FRY KEVIN C & MOLLY A
3611 N ST RT 741
LEBANON, OH 45036

08152510031
FRY KEVIN C & MOLLY A
3611 N ST RT 741
LEBANON, OH 45036

08154010130
LAMB KENNETH & KATHY
2380 W SR 122
LEBANON, OH 45036

08154010110
LAMB RAY H
2440 W SR 122
LEBANON, OH 45036

08154010100
LAMB RAY H
2440 W SR 122
LEBANON, OH 45036

08154010010
LAMB RAY H
2440 W SR 122
LEBANON, OH 45036

08151260030
STOLLE PROPERTIES
PO BOX 815
LEBANON, OH 45036

08091000020
REEDY CHARLES T
1670 W SR 122
LEBANON, OH 45036

08152510060
BACK KENNETH L
3561 N SR 741
LEBANON, OH 45036

08152510040
NORTH KEY INC
75 W CENTRAL AVE
SPRINGBORO, OH 45066

08093000010
YAEKLE PETER L
1932 W SR 122
LEBANON, OH 45036

08154010190
ESH PROPERTIES LLC
3508 ST RT 122
FRANKLIN, OH 45005

08152010020
STOLLE PROPERTIES
PO BOX 815
LEBANON, OH 45036

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**PRELIMINARY SITE PLAN
STOLLE PROPERTY**

72 Residential Lots 9,360 l.f. Streets
= 130' per lot

148.65 Acres in Subdivision
5.0 Acres in Commercial
1.35 Acres in HOA Owned Entrance
= 155 Acres total

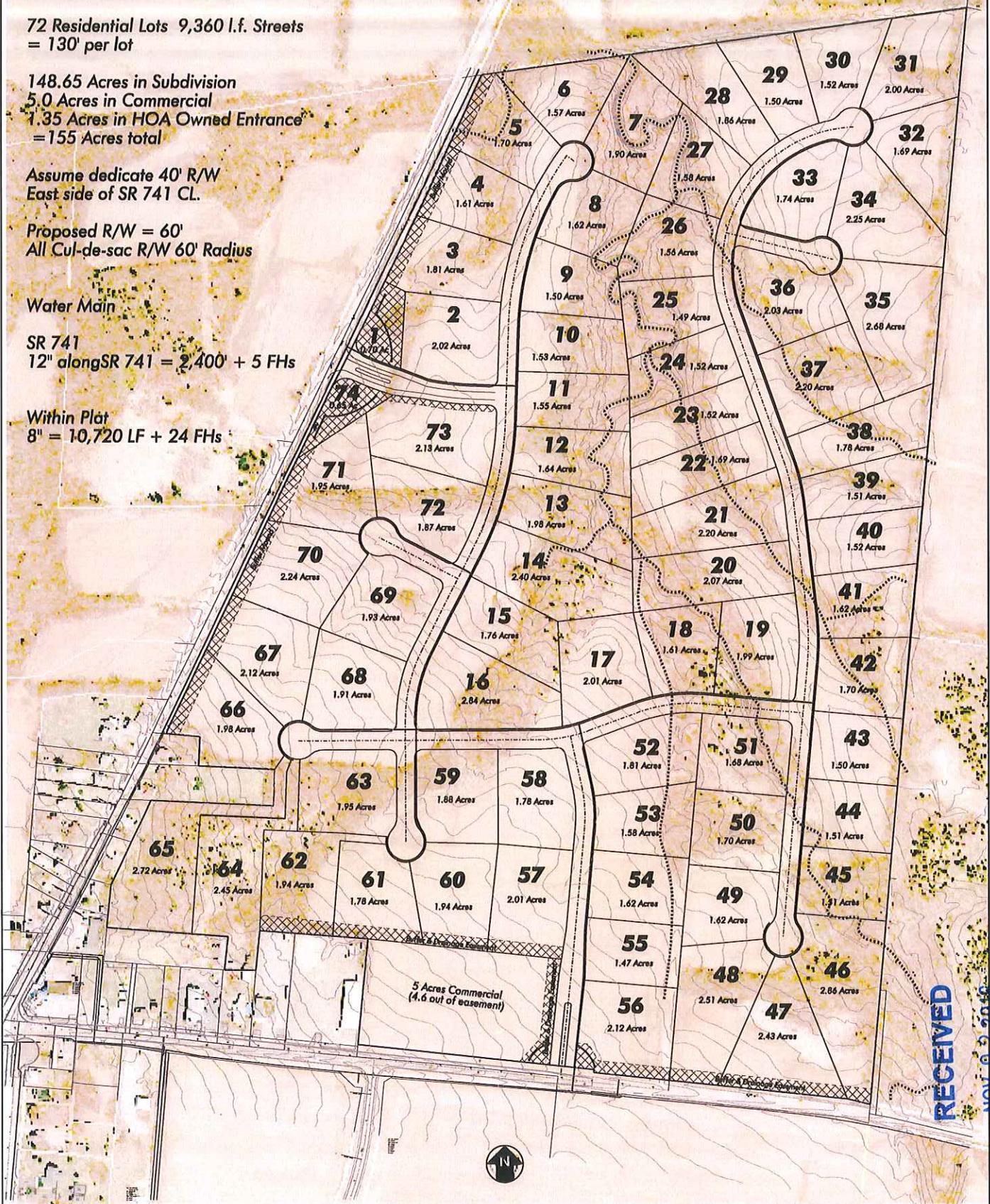
Assume dedicate 40' R/W
East side of SR 741 CL.

Proposed R/W = 60'
All Cul-de-sac R/W 60' Radius

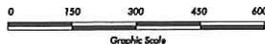
Water Main

SR 741
12" along SR 741 = 2,400' + 5 FHs

Within Plot
8" = 10,720 LF + 24 FHs



Date: November 1, 2016



Mad River Engineering
Civil Engineering & Site Design
70 Box 701118 Dayton, Ohio 45415
Tel: 937-436-3660 Email: mreg@madr.com

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