



## Planned Unit Development (PUD) Stage 1 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 \$750.00 to validate the Stage 1 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](http://www.clearcreektownship.com) or can be requested from staff.

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CLEARCREEK TOWNSHIP  
ZONING DEPT.

Name of Applicant:

Richard Ross

Mailing address of Applicant:

536 old 122 Rd. Lebanon, Ohio

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

Deed - (see Attached)

Property fronts on the following road(s):

Old 122 Rd

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

Richard & Natalie Ross

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

536 old 122 Rd. Lebanon, Ohio

The property is presently zoned:

OSR-1

Requested zoning classification:

Mixed use PUD

The current use of the property:

Single Home Residential

Reason(s) for the application:

My wife and I have a genuine passion for hosting events, particularly weddings, and want to create a space where couples can celebrate their special day in a memorable and beautiful setting. We also want to be a part of giving back to our community of over 40 years' residency. Through market research and personal observation, we have identified a demand for wedding venues in our area. We see an opportunity to fill this gap by providing a dedicated banquet center tailored specifically for special events. This will also help us to contribute back to our community by providing a venue for couples to celebrate their love and create lasting memories with their family and friends. Primarily the hours of hosting and operations would be during the weekend. Fridays & Saturdays. The hours of operation will depend on factors such as client preferences, local demand, and logistical considerations. It's important to balance flexibility with the need for consistency and reliability in serving our clients effectively. Most events will be held in the evening. The Hours will be based upon a scheduled time slot, and everyone event will be by appointment only. Typically, we would anticipate the events hours to be from 5:00pm to 10:00pm.

This event center can offer numerous benefits to the community including, Economic impact – by attracting visitors from outside the area to spend money on accommodations, dining, shopping, and other goods, and services within our local town. It will also create Jobs directly related to event planning, management, catering, and maintenance. Support for Local Businesses – as we work with local vendors, suppliers, and service providers, in helping to support and promote small businesses in the community. Our barn and property have been a staple landmark for over 100 years, and it embodies the charm and history of Lebanon.

To aid the Zoning Commission processing of the request, please submit the following documentation outlined in Clearcreek Township Zoning Resolution Chapter 13, Section 13.05:

**SEC. 13.05 PUD Approval Process:** Any owner(s), their agent(s), or developer(s) who seeks approval for a PUD shall file an application the Clearcreek Township Zoning Commission. All applications shall be subject to a comprehensive review process consisting of three stages: Stage 1: The Zone Change Amendment Request/PUD Concept Plan Application, Stage 2: The PUD Preliminary Site Plan Application, and Stage 3: The PUD Final Site Plan submittal.

**SEC. 13.05(A) Stage 1: The Zone Change Amendment Request/PUD Concept Plan Application** The first stage of the PUD process consists of satisfactory completion of two main requirements: a Pre-Application Conference with the Clearcreek Township Zoning Inspector and a Zone Change Amendment Request accompanied with a PUD Concept Plan. Upon completion, successful applicants shall receive a change of zoning classification, an approved PUD Concept Plan designating land use(s) and density, and the Stage 1 approval required to begin Stage 2. The Stage 1 process steps, PUD objectives, and conditions for approval outlined below are required to be completed and satisfied in order for Stage 1 approval consideration.

**SEC. 13.05(A)(1)(b) Zone Change Amendment Request/PUD Concept Plan Application**

- (1) Applications for a Zone Change Amendment/PUD Concept Plan shall be submitted, signed by the owner(s) of the PUD or the designated agent, to the Clearcreek Township Zoning Inspector attesting to the truth and correctness of all facts and information presented with the application, on or before the scheduled monthly Zoning Commission meeting deadline, as identified on the Zoning Commission schedule found on the Clearcreek Township website ([www.clearcreektownship.com](http://www.clearcreektownship.com)).
- (2) All applications shall be submitted with the required fees as established in the Clearcreek Township fee schedule found on the Clearcreek Township website ([www.clearcreektownship.com](http://www.clearcreektownship.com)).

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(3) The Zone Change Amendment Request/PUD Concept Plan Application shall include the following items:

- a) An area map showing adjacent property owners and existing uses within 200 feet of the parcel(s).
- b) A legal description of the metes and bounds of the parcel(s).
- c) A PUD Concept Plan to scale, though it need not be to the precision of a finished engineering drawing, which shall clearly show the following:
  - 1) The existing type of topographical features of the site.
  - 2) The general location of building lots and their areas in acres.
  - 3) The general outlines of the interior roadway system and all existing right-of-way(s) and easement(s), whether public or private with acreage specified.
  - 4) Delineation of the various land use areas with an indication for each such area of its general extent, size, and composition in terms of use and bulk of structures.
  - 5) A calculation of residential net density and/or net floor area ratio.
  - 6) The interior common open space system with acreage specified.
  - 7) Identification of all areas declared to be an amenity for the PUD with acreage specified. Square footage of structures and percentage of impervious surfaces to be specified.
  - 8) A drawing showing all soil types and their classifications. Additionally, a map indicating floodway and/or floodplain boundaries as determined by the federal emergency management agency shall be included for sites that have been subject to flooding and/or erosion at any time.
  - 9) Where areas lie in any aircraft approach and holding patterns, these areas shall be indicated.
  - 10) Principal ties to the community at large with respect to transportation, water supply, and sewage disposal shall be indicated.
- d) A net density plan illustrating the net density able to be obtained if developed under a straight zoning classification, to scale, though it need not be to the precision of a finished engineering drawing, which shall clearly show the following:
  - 1) The existing type of topographical features of the site.
  - 2) The general location of building lots and their areas in acres.
  - 3) The general outlines of the interior roadway system and all existing right-of-way(s) and easement(s), whether public or private with acreage specified.
  - 4) A calculation of residential net density and/or net floor area ratio.
  - 5) The interior common open space system with acreage specified.

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- 6) Identification of all areas declared to be an amenity for the PUD with acreage specified. Square footage of structures and percentage of impervious surfaces to be specified.
- 7) A drawing showing all soil types and their classifications. Additionally, a map indicating floodway and/or floodplain boundaries as determined by federal emergency management agency shall be included for sites that have been subject to flooding and/or erosion at any time.
- 8) Where areas lie in any aircraft approach and holding patterns, these areas shall be indicated.
- 9) Principal ties to the community at large with respect to transportation, water supply, and sewage disposal shall be indicated.
- e) A written report containing the following:
  - 1) General description of availability of other community facilities, such as schools, fire protection services, and cultural facilities if any, and how these facilities are affected by this proposal.
  - 2) Evidence how the developer's proposed land use(s) meet existing and projected community requirements.
  - 3) A general statement how the common open space shall be owned and permanently maintained.
  - 4) If the development is to be phased, a general indication as to how the phasing is to proceed. Whether or not the development is to be phased, the PUD Concept Plan shall show the intended total project.

#### **SEC. 13.05(A)(2) Stage 1: PUD Objectives**

- (a) The Stage 1: Zone Change Amendment Request/PUD Concept Plan shall be acceptable, if:
  - (1) The proposed use(s) are appropriate for the parcel(s) being reviewed; **and**
  - (2) The following information is specified/clarified in the narrative and on the drawing(s) at the time of approval:
    - a) The list of uses permitted within the PUD are specified.
    - b) The general location of such uses is specified.
    - c) Any use-specific standards that may apply to the permitted uses are included.
    - d) The maximum density or intensity is permitted within the PUD.
    - e) The amount and general location of open space are identified.
- (b) The Clearcreek Township Zoning Commission and/or Clearcreek Township Board of Trustees shall have the authority to impose special conditions related to the PUD and to



approve development standards unique to the PUD as deemed necessary in order to promote the public health, safety, morals, and general welfare of Clearcreek Township.

#### **SEC. 13.05(A)(3) Stage 1: Conditions for Approval**

The following criteria shall be used in the recommendations and decisions made regarding the Stage 1: Zone Change Amendment Request/PUD Concept Plan. Failure to comply with any of these criteria requires that explicit rationale or alternative requirements be set forth.

- (a) The Zone Change Amendment Request/PUD Concept Plan is consistent with the Clearcreek Township Master Land Use Plan;
- (b) The intensity proposed for the PUD does not exceed the maximum density or lot coverage allowed for the PUD as a whole;
- (c) The use(s) proposed will not be detrimental to existing and potential future surrounding uses and will harmoniously relate to the surrounding area;
- (d) The minimum common open space areas have been designated and designed in accordance with the provisions of this Resolution and shall be conveyed to a legally established homeowner's or property owner's association, commercial management group, or other agency as herein provided;
- (e) Approval of the Stage 1: Zone Change Amendment Request/PUD Concept Plan may be conditional upon provisions that are necessary for the protection of public health, safety, morals, and general welfare. Thus, the Clearcreek Township Zoning Commission or Board of Trustees may require the submittal of a revised PUD Concept Plan if it is determined that modifications are required to comply with this Resolution.

#### **Submitted drawing:**

**Two (2) sets of drawings shall be submitted on paper measuring 24" by 36" for staff review and for display during the public hearing.**

**One (1) set of architectural/construction drawings shall be submitted on paper measuring 11" by 17" for Warren County Regional Planning Commission, the staff file, Zoning Commission and Board of Trustee packets.**

#### **1. 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 [https://www.wcauditor.org/Property\\_Search/](https://www.wcauditor.org/Property_Search/). This information can also be provided in a Microsoft Excel electronic spreadsheet.

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- 1.) I Believe this Project will Have minimal Affect on the Schools / Fire + Protection Services. However, It will provide <sup>ANAT-TIME.</sup> An opportunity For possible Employment of Students.
- 2.) The Existing Building Should Already meet the Existing Requirements AS this Building will just Be "re-purposed".
- 3.) The Common open Space will Be owned By Rick + Natalie Ross Current Residents of the Existing property & will Be maintained By A Local Professional Landscaping & Property Management Company (Creech's Landscaping). We will Also Hire A Full-Time Employee to Be 'on-call' For Any issues Which might Arise.
- 4.) There will Be (3) Phases of Development
  - 1) Exterior - (In the process of Restoration currently)
  - 2) Interior - (Waiting Upon Approval of Acceptance)
  - 3) Landscape / Parking Etc.

- Rick Ross

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2/28/24

Approximately, 1.85 Acres will be utilized for the wedding venue & I will set aside 1.85 Acres for open space. Approximately .025 Acres is allotted for road right away. Leaving approximately 3.43 Acres for residential.

- Rick Ross

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0933179009  
WILSON, JAMES ROSS & CARO...  
3568 MARY ANN DR  
LEBANON, OH 45036

0933327003  
SKYLINE REAL ESTATE GROUP ...  
446 OLD 122  
LEBANON, OH 45036

0933401001  
EMANUEL BAPTIST CHURCH  
495 OLD SR 122  
LEBANON, OH 45036

0933179006  
GILLUM, DEBORAH S. & SHAW...  
3648 MARY ANN DR  
LEBANON, OH 45036

0933179015  
BRANDON, JAMES J. & PATRI  
3588 MARY ANN DR  
LEBANON, OH 45036

0933401003  
LAMBERT, LEE ROY, JR. & KAO...  
3465 DEERWOOD CT  
LEBANON, OH 45036

0933179011  
POWELL, DOUGLAS R. & KARE  
3532 MARY ANN DR  
LEBANON, OH 45036

0933179010  
HARTMANN, III, RALPH W.; TER...  
3550 MARY ANN DR  
LEBANON, OH 45036

0933179014  
GABE, KYLA J.  
480 E OLD SR 122  
LEBANON, OH 45036

0933401002  
ROSS, RICHARD E., JR.  
3499 DEERWOOD  
LEBANON, OH 45036

0933327004  
BROGAN, BARBARA E.  
460 OLD SR 122  
LEBANON, OH 45036

0933225008  
CLARK, SUE ELLEN  
3625 WEISENBERGER RD  
LEBANON, OH 45036

0933179016  
FAIRCHILD, JUDITH A.  
3628 MARY ANN DR  
LEBANON, OH 45036

0933329005  
COOMER, ROBYN G., TRUSTEE  
719 OLD 122  
LEBANON, OH 45036

0933273001  
DAVIS, KAMMY L.  
3510 DEERWOOD CT  
LEBANON, OH 45036

0933225010  
RETALLICK, ROGER E. & LIN  
774 CALDERWOOD CT APT B  
LEBANON, OH 45036

0933179004  
SANDEL, KENNETH L. & MARY  
PO BOX 736  
LEBANON, OH 45036

0933225011  
RETALLICK, RANDALL E.  
536 OLD 122  
LEBANON, OH 45036

0933225004  
BOWMAN, WILLIE D.  
604 E SR 122  
LEBANON, OH 45036

0933329004  
MOORE, TANNER LEE & BUSH,  
459 OLD ROUTE 122  
LEBANON, OH 45036

0933179005  
DURBROW, WILLIAM MICHAEL; ...  
3672 MARY ANN DR  
LEBANON, OH 45036

0933179007  
FAIRCHILD, JUDITH A.  
3628 MARY ANN DR  
LEBANON, OH 45036

0933225012  
ROSS, RICHARD D.  
536 E OLD RT 122  
LEBANON, OH 45036

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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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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: \_\_\_\_\_

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2. 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.

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

  
 Applicant Signature

2/28/24  
 Date

3-  
36



8 0 1 8 2 9 4

Tx:4011925

LINDA ODA

WARREN COUNTY RECORDER

2014-008683

DEED

04/10/2014 10:25:00 AM

REC FEE: 36.00 PGS: 3

TRANSFERRED

APR 10 2014

SEC. 319.902 COMPLIED WITH  
NICK NELSON, Auditor  
WARREN COUNTY, OHIO

50 pd.  
213.80  
80

## Warranty Deed

Know All Men By These Presents, that

**Rhonda R. Smith fka Rhonda R. Avendano,**  
married

of Warren County, State of Ohio, for valuable consideration paid, grants with  
general warranty covenants to

**Richard D. Ross**

whose tax-mailing address is 536 E. Old Route 122, Lebanon, OH 45036

the following real property:

Situate in Range 4, Town 4, Section 33, Clearcreek Township, Warren County,  
Ohio, containing 7.41 acres, more or less, as more particularly described in  
Exhibit "A," attached, subject to all highways, easements and restrictions of  
record, and the 2013 taxes and assessments and thereafter.

**Sidwell Number: 09-33-225-012**

**Prior Deed Reference: Volume 5523, Page 126,**  
**Warren County Official Records**

**NOTE: The within Deed represents a satisfaction and release of a Land  
Installment Contract between the parties recorded in Volume 5530,  
Page 732, Warren County Official Records**

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**Landal Smith**, husband of the grantor Rhonda R. Smith fka Rhonda R. Avendano, releases all rights of dower therein.

Executed this 26<sup>th</sup> day of March, 2014.

Rhonda F. Smith  
RHONDA F. SMITH  
FKA RHONDA F. AVENDANO  
Landal Smith  
LANDAL SMITH

STATE OF OHIO, COUNTY OF WARREN

SS:

Before me, a notary public, in and for said County and State, this 26<sup>th</sup> day of March, 2014, personally appeared the above-named **Rhonda F. Smith fka Rhonda F. Avendano, married**, who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

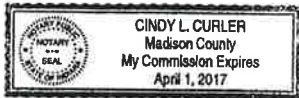
Mark Florence, Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Section 147.03 R.C.

Mark Florence  
Notary Public

STATE OF Indiana COUNTY OF Madison

SS:

Before me, a notary public, in and for said County and State, this 26<sup>th</sup> day of March, 2014, personally appeared the above-named **Landal Smith, married**, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.



Cindy L. Curler  
Notary Public

This Instrument was prepared by Mark Florence, Attorney at Law, P.O. Box 280, Lebanon, Ohio 45036.

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**EXHIBIT "A"**

09-33-225-012 DWB

Situated in Section 33, Town 4 East, Range 4 North, MRS Clearcreek Township, Warren County, Ohio, and bounded and described as follows:

Beginning at an iron rod in the West line of 47.752 acre tract owned by Eldon Retallick, said beginning point being also in the East line of McGill Meadows Subdivision (Plat Book 4, Pages 140 and 211) and being North 4 degrees 33' 45" East 912.51 feet from a concrete monument at the Southeast corner of Lot No. 9 of said McGill Meadows Subdivision; Thence South 84 degrees 33' 55" East, 822.75 feet to an iron rod; Thence South 80° 34' 50" East, 238.34 feet to a point in Township Road No. 129 and in the East line of said 47.752 acre tract, witness an iron rod bears North 80 degrees 34' 50" West, 46.09 feet; Thence, with the East line of said 47.752 acre tract and with said Township Road No. 129, South 10 degrees 31' 30" West 403.21 feet to a point in the intersection of Township Road No. 129 and State Route No. 122; Thence along State Route No. 122 and with a South line of said 47.752 acre tract, South 72 degrees 21' 35" West, 603.98 feet to a point; Thence continuing along State Route No. 122 and with another South line of said 47.752 acre tract, South 62 degrees 50' 00" West, 539.73 feet to the Southwest corner of said 47.752 acre tract, witness a concrete monument at the Southeast corner of Lot 9 of McGill Meadows Subdivision bears North 4 degrees 33' 45" East, 33.34 feet; Thence along the East line of McGill Meadows Subdivision and along the West line of said 47.752 acre tract, North 4 degrees 33' 45" East, 945.85 feet to the place of beginning, containing 15.488 acres, more or less.

The above described tract is a part of a 47.752 acre tract acquired by Eldon Retallick by Affidavit of Transfer recorded in Volume 98, Page 441, of the Warren County Official Records. The above description is the result of a survey conducted by Charles T. Guard, Registered Surveyor No. 3580 dated December 12, 1983 S.R. 54-94.

Excepting therefrom the following described real estate:  
Situated in Section 33, Town 4 East, Range 4 North, Clearcreek Township, Warren County, Ohio, viz 4.9690 Acres in Haz-El-Don Acres, Plat Book 23, Page 60, and 3.1090 Acres in Haz-El-Don Acres First Addition, Plat Book 44, Page 48.

Leaving a remainder of 7.41 Acres.

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