

# CLEARCREEK TOWNSHIP BOARD OF ZONING APPEALS

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

7:00 PM

## AGENDA

September 10, 2024

### Attendance:

Ask for staff to call roll.

### Minutes:

Draft minutes from August 13, 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. Open the Public Hearing:  
24-BZA-006, an application submitted by Endurance Farm Partners agent for Hidden Valley Orchard/Lane5 LLC, Randal Lane. The application is for an Agritourism Site Plan Review per Section 21.01 (G) of the Clearcreek Township Zoning Resolution. Four (4) parcels are involved with this review request: 1. 5474 N SR 48 (Parcel Id 09-35-400-024) is 5.01 acres in size. The parcel is zoned Neighborhood Business Zone “B-1” & Open Space Rural Residence Zone “OSR-1”. 2. 5460 N SR 48 (Parcel Id 09-35-400-023) is 30.6058 acres in size. The parcel is zoned Open Space Rural Residence Zone “OSR-1”. 3. N SR 48 (Parcel Id 09-35-400-022) is 28.3893 acres in size. The parcel is zoned Open Space Rural Residence Zone “OSR-1”. 4. Applewood LN (Parcel 09-29-315-005) is 1.1404 acres in size. The parcel is zoned Residence Zone “R-1”.
3. Based upon the discussions that have occurred over the past 24 hours between the applicant and the Township, the issue of access has not been resolved. Staff requests the Board of Zoning Appeals table tonight’s public hearing in process to October 8, 2024 @ 7 PM. In order to be ready for the next hearing, there will need to be further discussion between the applicant and the Township. No later than September 17, 2024 @ 4PM the Township will provide a written response to the applicant per the email request today. No later than September 24, 2024 @ 4 PM, the applicant will provide all updated documents to staff for final review. An updated staff report will be available no later than September 26, 2024 @ 4PM. If applicant does not meet those deadlines, then the October 8, 2024 hearing may have to be tabled again to ensure the public and Board have enough time to review the updated information beforehand.
4. Motion to Table Request per #3
5. Ask for staff to call roll for the vote

### Old Business:

First order of old business is to discuss Case 16-BZA-007 and the progress made toward completion since the November 15, 2022 meeting. The address of the property is 4007 Utica Rd. The property is 1.47 acres in size. The property is identified by parcel id 09-28-400-008. The parcel is located in Section 28, Town 4 and Range 4 in Clearcreek Township. The property is zoned Residence “R-1” Zone.

1. 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 meeting room 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 his participation.
    2. Ask the Applicant for any objections to his participation.
    3. If no objections proceed to #4.
    4. If any objection is raised, ask the Member to leave the meeting room for the duration of the hearing, discussion and decision.
2. Board Members, did you visit the site or are you familiar with the site?
3. Applicant's Presentation.
4. Staff Presentation.
5. Proponents' statements.
6. Opponents' statements.
7. Final Questions/Comments from the audience.
8. Applicant's Rebuttal.
9. BZA Discussion.
10. Motion Based on Non-Conformance Standards
11. Ask for staff to call roll for the vote:

New Business:  
None

Adjournment: