



**BOARD OF ZONING APPEALS / PROPERTY  
REVIEW COMMISSION MEETING AGENDA  
Tuesday, August 16, 2022 at 6:30 PM**

15 East Franklin Street Bellbrook, Ohio 45305  
T (937) 848-4666 | [www.cityofbellbrook.org](http://www.cityofbellbrook.org)

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- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF THE MINUTES**
  - A. Minutes from the July 19, 2022 BZA/PRC Meeting are not yet processed for approval
- 4. OLD BUSINESS**
- 5. NEW BUSINESS**
  - A. PRC 22-03 85 S Main Street in violation of Property Maintenance Code 1450.31 (j) Outdoor Storage
- 6. OPEN DISCUSSION**
- 7. AJOURNMENT**

Case #: 2022011

Item A. Section 5, Item

Case Date: 03/08/22

Description: junk, trash piled on exterior of property

Status: PRC

Assigned To: Jason Foster

### Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
L35000200050000100	85 S MAIN ST	BARNETT 1 ALL LOT 1 85 S MAIN ST	DAVOUST RICHARD & MELANIE		R-1B One-Family Residential

### Activities

Date	Activity Type	Description	Employee	Status
03/21/2022	Warning Notice	complaint of junk and trash piled on property. 03/21/22: Large amount of trash and junk on property. No improvement made from original meeting. Sending 1st letter. JF	Jason Foster	Completed
03/28/2022	2nd Letter	Reinspection of 1st letter 03/28/22: Nothing done. Sending 2nd letter. JF	Jason Foster	Completed
04/11/2022	24 Hour Notice	Reinspection of 2nd letter 04/11/22: Nothing done. Sending 24 hour notice. JF	Jason Foster	Completed
05/05/2022	Re-Inspection	Reinspection of 24 hour notice 05/05/22: Property is participating in the community garage sale. Will Reinspect on 05/12/22. JF	Jason Foster	Completed
06/27/2022	Re-Inspection	reinspection of 24 hour notice 06/27/22: Violation restarted after new property maintenance code has taken affect.	Jason Foster	Completed
06/28/2022	Warning Notice	06/28/22: Restarted violation process with new Property Maintenance Code. Spoke with owner to explain process. Delivered warning notice. JF		Completed
07/07/2022	2nd Letter	reinspection of warning notice 07/07/22: Property remains the same. Hand delivered 2nd letter. JF	Jason Foster	Completed
07/19/2022	24 Hour Notice	Reinspection of 2nd letter 07/19/22: Some progress made. Hand delivered 24 hour notice. JF	Jason Foster	Completed
08/01/2022	BZA/PRC	reinspection of 24 hour notice 08/01/22: Some progress made on property. Sending to August 16, 2022 PRC meeting. JF	Jason Foster	Completed

### Violations

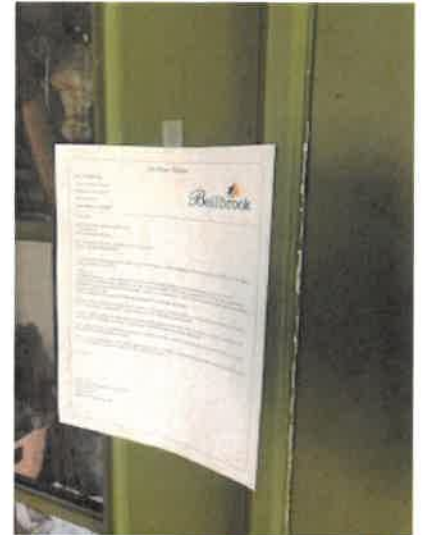
Date	Violation	Description	Notes	Status
03/08/2022	Maintenance Standard	All structures and premises shall be maintained in a clean, safe, secure, and sanitary condition as to not cause a blighting influence or adversely affect the public health or safety.		Active
06/28/2022	Outside Storage-Residential	1450.31 (j) Outside Storage. In residential zones, all items shall be stored within an enclosed structure, unless the item is traditionally used for outdoor activity or use cannot be readily stored inside a structure (e.g., swing sets, trampolines, basketball hoops). No person shall accumulate, cause to be accumulated, or allow to be accumulated junk upon any property located within the City.		Active
06/28/2022	Vegetation	1450.31 (d)(2) All lawns, hedges, bushes, trees, and other vegetation shall be kept trimmed and shall no be permitted to become overgrown and unsightly where exposed to public view or where such vegetation may constitute a blighting influence on adjoining property.		Active

**Notes**

Date	Note	Created By:
2022-07-07	Dropped second letter in mailbox. No answer at door.	Jason Foster
2022-06-28	Restarted violation process using new property maintenance code. Met with owner and explained what the violation process will be moving forward.	Jason Foster
2022-04-19	Spoke with Mr. Davoust on site. Progress is being made on the removal of excess items in yard. I had long discussion regarding the items and what my expectations are. I will reinspect the property on May 5, 2022.	Jason Foster

**Uploaded Files**

Date	File Name
07/19/2022	



06/28/2022



06/28/2022



06/28/2022

06/28/2022

06/28/2022

03/16/2022

03/16/2022





85 S Main Street



## 85 S Main Street





To: BZA/PRC  
 From: Jason Foster, Community Development Administrator  
 Date: August 10, 2022  
 Subject: Staff Report for PRC 22-03 85 S. Main St.

### Summary of the Request

The property at 85 S Main Street was originally placed in violation on March 28, 2022. After discussion with the property owner, some progress on the property was made. This lasted for a period and the accumulation of items began to ramp back up. After the Property Maintenance Code was officially updated, the violation process was restarted (June 28, 2022) under the outdoor storage code 1450.31 (j).

### Applicant Information

Richard & Melanie Davoust, Owner

### Current Zoning District

R-1B

### Parcel Identification

L35000200050000100

### Additional Actions or Next Steps to be taken by the City

If abatement is approved, the City will remedy the violations and incur costs on the property owner

### Applicant's Reason for the Request

N/A

### Surrounding Land Use within 1,000 Feet



Commercial, Single-family residential, multi-family residential
<b>Previous Related Development Decisions in the Immediate Area (3-5 Years)</b>
N/A
<b>Comprehensive Plan Applied to the Geographical Area</b>
N/A
<b>Existing Public Utilities</b>
Water, electric, gas, sanitary sewer
<b>Soil Survey Data</b>
N/A
<b>Classification of Streets, Traffic Volumes &amp; Direction, Planned Improvements</b>
N/A
<b>Flood Plain Information</b>
N/A
<b>Comments from City and County Agencies</b>
N/A
<b>Supporting Maps &amp; Graphics</b>
See attached
<b>Staff Recommendation</b>
Staff recommends the removal of all items not intended for outdoor storage or use.

Resolution No. PRC 22-03

August 16, 2022

**City of Bellbrook  
State of Ohio****Property Review Commission Decision Record PRC 22-03**

WHEREAS, the City of Bellbrook has brought forward a case involving the property at address 85 S. Main Street Parcel ID No: L35000200050000100 currently in violation of the Bellbrook Property Maintenance Code Section 1450.31(j) and 1450.31 (d)(2); and

WHEREAS, The Bellbrook Property Review Commission has reviewed and recommends abatement of the issues creating the violations of the referenced Codes

**NOW, THEREFORE, BE IT RESOLVED** by the City of Bellbrook Property Review Commission that:

Section 1. There was a valid motion placed on the floor to approve abatement of 85 S. Main Street for violations of Section 1450.31(j) and 1450.31(d)(2) of the Bellbrook Property Maintenance code as described in Bellbrook Violation No. 2022011 and the Staff Report dated August 16, 2022.

Section 2. That it is found and determined that all formal actions of the Property Review Commission relating to the adoption of this Decision Record Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including §121.22 of the Revised Code of the State of Ohio.

MOTION STATED BY: \_\_\_\_\_ and SECONDED BY: \_\_\_\_\_

Roll call vote showed \_\_\_\_\_ Yeas; \_\_\_\_\_ Nays.

Motion to approve is ADOPTED this \_\_\_\_ day of \_\_\_\_, 2022

AUTHENTICATION:

\_\_\_\_\_  
Aaron Burke, Chair

\_\_\_\_\_  
Rob Schommer, Clerk of Council