

### BOARD OF ZONING APPEALS / PROPERTY REVIEW COMMISSION MEETING AGENDA Tuesday, June 18, 2024 at 6:30 PM

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

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. APPROVAL OF THE MINUTES
  - A. Approval of the Minute from the March 19, 2024, BZA/PRC Meeting
- 4. OLD BUSINESS
- 5. **NEW BUSINESS** 
  - A. BZA 24-02: 1796 Bledsoe Drive. A variance request of Zoning Code Section 18.05A to allow the construction 672 square foot addition to an existing accessory building.
- 6. OPEN DISCUSSION
- 7. AJOURNMENT

### RECORD OF PROCEEDINGS

Item A.Section 3, Item

### Bellbrook Board of Zoning Appeals & Property Review Commission March 19, 2024

### 1. CALL TO ORDER

Mr. Ogrod called the meeting of the Bellbrook Board of Zoning Appeals & Property Review Commission to order at 6:30pm.

### 2. ROLL CALL

### **PRESENT**

Mr. Philip Ogrod

Mrs. Meredith Brinegar

Mr. Kyle Boehmer

### **ABSENT**

Mrs. Taylor

Mrs. Sharon Schroder

### 3. APPROVAL OF THE MINUTES

Mr. Ogrod asked if anyone had comments or corrections to the minutes of the February 20, 2024, meeting. Hearing none, the minutes were declared to be approved.

### 4. OLD BUSINESS

None

### 5. NEW BUSINESS

A. <u>BZA 24-01:</u> 1912 Sugar Maple Place on a variance request of zoning code 18.05B to allow the construction of a swimming pool with a four-foot fence and automatic pool cover.

Staff Report: Mr. Foster spoke on the applicants Scott and Jamie Nagy accompanied by their contractor Knickerbocker Pools. Provided dimensions and letters from neighboring properties.

### 6. OPEN DISCUSSION

Mr. Ogrod swore in all people speaking at tonight's meeting.

Scott Nagy homeowner of 1912 Sugar Maple Place spoke on the requested variance for the pool & cover.

David Cramer of 1869 Willow Green Drive, Beavercreek, the contractor for Knickerbocker provided details on the auto covers for pools noting the auto cover being safer than a fence.

David Elliot of 3662 River Birch Court, spoke on the properties around the applicants

### RECORD OF PROCEEDINGS

Item A.Section 3, Item

Bellbrook Board of Zoning Appeals & Property Review Commission March 19, 2024

and how they are fenced and protected.

The board members discussed the positive in this variance request for the pool and automatic cover

Mrs. Meredith Brinegar asked for a motion to approve the variance request to allow the construction of a swimming pool with a four-foot fence and automatic pool cover. Motion made by Mrs. Brinegar, Seconded by Mr. Boehmer. Voting Yea: Mrs. Brinegar, Mr. Boehmer, Mr. Ogrod **Motion Carries** 

7.	ADJOURNMENT			
	Hearing no further business coming before the Board, Mr. Ogrod declared the meeting adjourned a 6:58 pm.			
Ph	ilip Ogrod, Chairperson			
Ro	h Schommer Clerk of Council			



To: BZA/PRC

From: Jason Foster, Community Development Administrator

Date: May 29, 2024

Subject: Staff Report for 2024-BZA-02: 1796 Bledsoe Drive (Eric Bolin)

### **Summary of the Request**

The applicant, Eric Bolin, is requesting a variance of Zoning Code Section 18.05 A to allow the construction of a 672 square foot addition to an existing accessory building at 1796 Bledsoe Drive.

The addition is a 24 x 28 x 14, stick built garage with storage. The proposed addition will be finished with T-111 siding, multiple windows, two, man doors, and asphalt shingles. The addition is also shown to have gutters connecting to an existing drainage system moving water from neighboring properties to the street.

Staff received eight letters of support from neighboring properties. A map showing the location of the authors in relation to the applicant was included in your packet.

The existing detached building was approved to be used as a home occupation (hair salon) through the variance process in 1999. Subsequently, the necessary certificate of zoning compliance was applied for and approved. The salon is still currently active.

### **Applicant Information**

Eric Bolin, Owner

### **Current Zoning District**

R-1A

### **Parcel Identification**

L35000100100007400

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

If the variance request is approved, the applicant will apply for permits through the City and Greene County

### **Applicant's Reason for the Request**

The variance request is to extend an existing building on the property for the purposes of a garage and added storage.

### **Surrounding Land Use within 1,000 Feet**

Residential

### **Previous Related Development Decisions in the Immediate Area**

BZA Case 99-01 was approved on January 20, 1999 to allow a home occupation (hair salon) to be operated out of the detached garage at 1796 Bledsoe Drive. The necessary certificate of zoning compliance was obtained after the variance approval.

### **Comprehensive Plan Applied to the Geographical Area**

N/A

### **Existing Public Utilities**

All utilities are present at the property

### **Soil Survey Data**

N/A

### Classification of Streets, Traffic Volumes & Direction, Planned Improvements

N/A

### **Flood Plain Information**

The property is not within the flood plain

### **Comments from City and County Agencies**

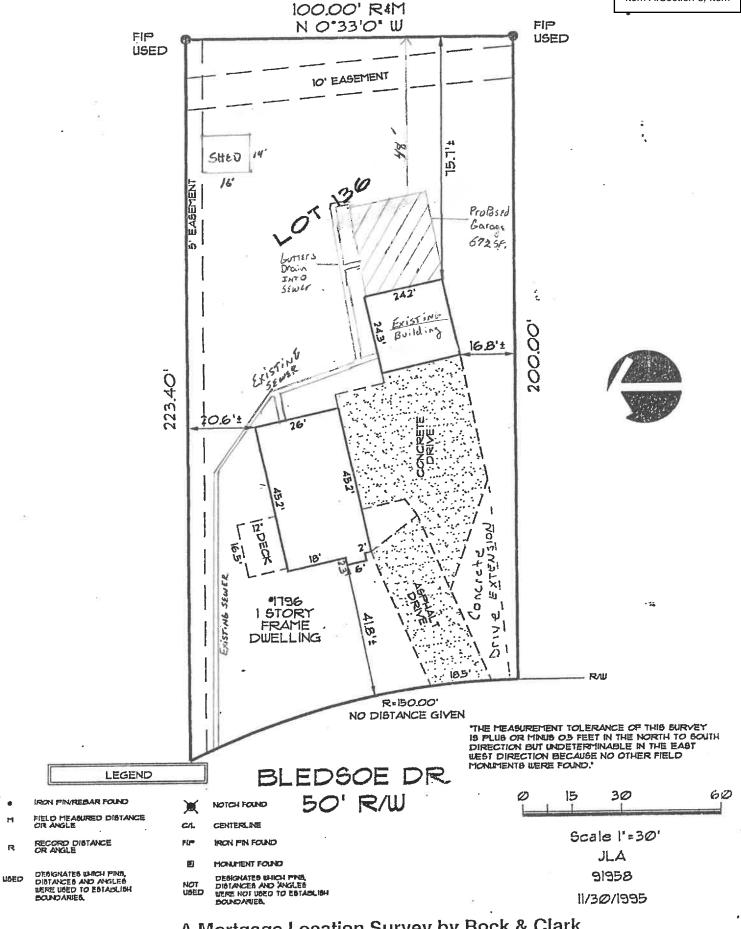
None

### **Supporting Maps & Graphics**

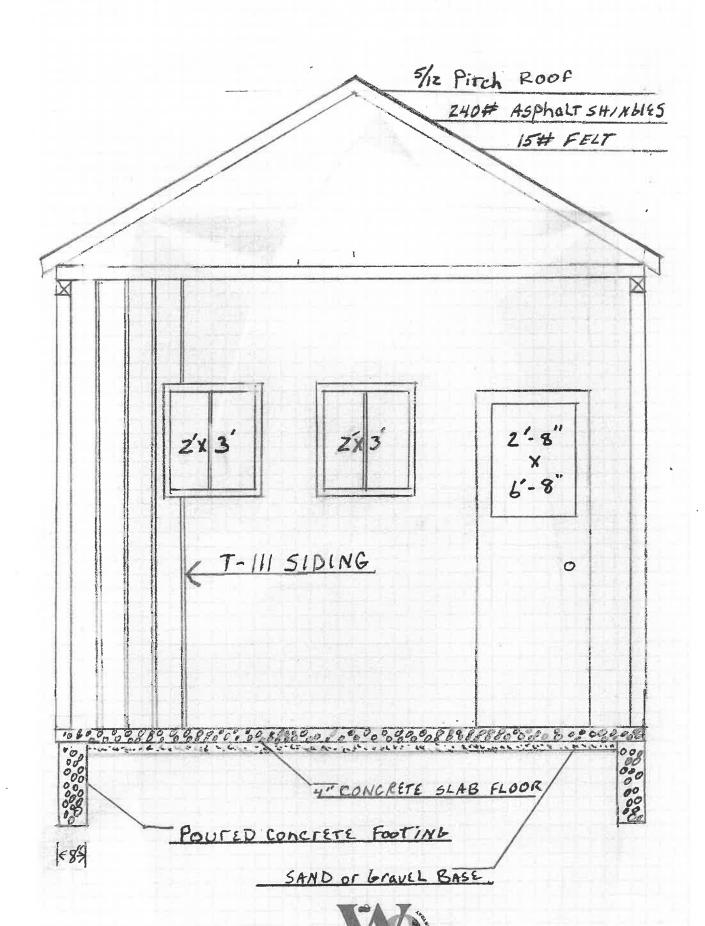
Attached to packet

### **Staff Recommendation**

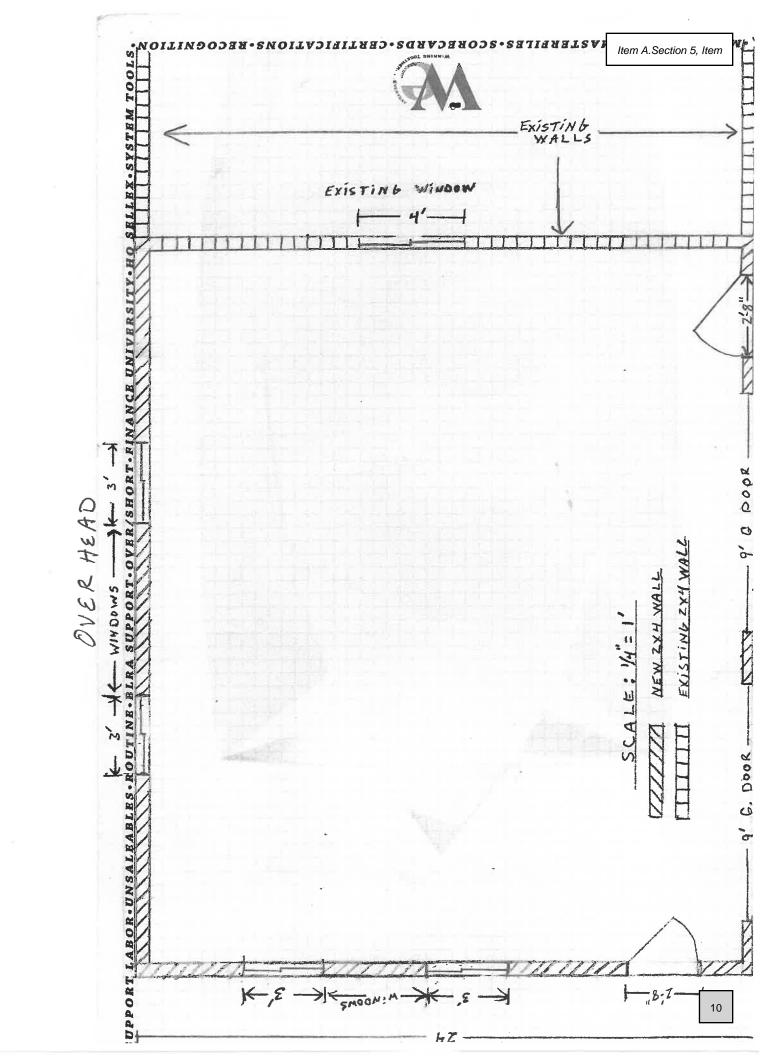
Staff recommends the Board consider the variance.



A Mortgage Location Survey by Bock & Clark PAGE 2A OF 4



BM CAPABILITY-RETENTION-DIVISION FORWARD-SAFETY-DSD CAPACI Item A.Section 5, Item SALES STARFLEET ENABLING THE STAR IN YOU EXISTING EXISTING ROOF SCALE : "4" = 1" SEAMLESS GUTTER





## **Greene County PAS**

LETTERS RECEIVED OUTLINED IN BLUE

# APPLICANT OUTLINED IN RED





SUGARCREEK
TOWNSHIP 디쥬 Greene County Legend KETTERING Se US Highway (838) State Route 3

noe with Section 5/13.09 of the Ohic

Item A.Section 5, Item

Bob Vigus 1786 Bledsoe Dr. Bellbrook, Ohio 45305 Date 5/1/23

Mr. Vigus,

We, the Bolins, are seeking approval from the city of Bellbrook Zoning Board, for a variance to the zoning code of the City of Bellbrook refrenced below [Article 18.05A.] Our objective is to add a 24' x 24' 2 car garage to the back of an existing building already on our property. We would like to ask for your support in obtaining this variance if you have no objection to our request. Please sign below if you approve.

### Article 18.05A Paragraph F:

Detached accessory buildings (including garages) constructed on a one-family lot shall not exceed, in the aggregate, six hundred (600) square feet.

Sian

Sincerly,

Kenny & Anna Knisley 4240 Whites Dr. Bellbrook, Ohio 45305 Date 5/1/23

Mr. & Mrs. Knisley,

We, the Bolins, are seeking approval from the city of Bellbrook Zoning Board, for a variance to the zoning code of the City of Bellbrook refrenced below [Article 18.05A.] Our objective is to add a 24' x 24' 2 car garage to the back of an existing building already on our property. We would like to ask for your support in obtaining this variance if you have no objection to our request. Please sign below if you approve.

### Article 18.05A Paragraph F:

Detached accessory buildings (including garages) constructed on a one-family lot shall not exceed, in the aggregate, six hundred (600) square feet.

Anna Mr. Kuisley

Sign

Sincerely yours,

Christopher Werner 4243 Whites Dr. Bellbrook, Ohio 45305 Date 5/1/23

Mr. Werner,

We, the Bolins, are seeking approval from the city of Bellbrook Zoning Board, for a variance to the zoning code of the City of Bellbrook refrenced below [Article 18.05A.] Our objective is to add a 24' x 24' 2 car garage to the back of an existing building already on our property. We would like to ask for your support in obtaining this variance if you have no objection to our request. Please sign below if you approve.

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Detached accessory buildings (including garages) constructed on a one-family lot shall not exceed, in the aggregate, six hundred (600) square feet.

Sian

Sincerly,

David Dickas 4247 Woodacre Dr. Bellbrook, Ohio 45305 Date 5/1/23

Mr. Dickas,

We, the Bolins, are seeking approval from the city of Bellbrook Zoning Board, for a variance to the zoning code of the City of Bellbrook refrenced below [Article 18.05A.] Our objective is to add a 24' x 24' 2 car garage to the back of an existing building already on our property. We would like to ask for your support in obtaining this variance if you have no objection to our request. Please sign below if you approve.

### Article 18.05A Paragraph F:

Detached accessory buildings (including garages) constructed on a one-family lot shall not exceed, in the aggregate, six hundred (600) square feet.

sign Sthleepeas

Sincerly,

Neil & Erin Cook 1778 Bledsoe Dr. Bellbrook, Ohio 45305 Date 5/1/23

Mr. & Mrs. Cook,

We, the Bolins, are seeking approval from the city of Bellbrook Zoning Board, for a variance to the zoning code of the City of Bellbrook refrenced below [Article 18.05A.] Our objective is to add a 24' x 24' 2 car garage to the back of an existing building already on our property. We would like to ask for your support in obtaining this variance if you have no objection to our request. Please sign below if you approve.

### Article 18.05A Paragraph F:

Detached accessory buildings (including garages) constructed on a one-family lot shall not exceed, in the aggregate, six hundred (600) square feet.

Sign

Sincerly,

Mark & Angie Erickson 1783 Bledsoe Dr. Bellbrook, Ohio 45305 Date 5/1/23

Mr. & Mrs. Erickson,

We, the Bolins, are seeking approval from the city of Bellbrook Zoning Board, for a variance to the zoning code of the City of Bellbrook refrenced below [Article 18.05A.] Our objective is to add a 24' x 24' 2 car garage to the back of an existing building already on our property. We would like to ask for your support in obtaining this variance if you have no objection to our request. Please sign below if you approve.

### Article 18.05A Paragraph F:

Detached accessory buildings (including garages) constructed on a one-family lot shall not exceed, in the aggregate, six hundred (600) square feet.

Sign any Erickson

Sincerly,

Terry Eicher 4260 Whites Dr. Bellbrook, Ohio 45305 Date 5/1/23

Mr. Eicher,

We, the Bolins, are seeking approval from the city of Bellbrook Zoning Board, for a variance to the zoning code of the City of Bellbrook refrenced below [Article 18.05A.] Our objective is to add a 24' x 24' 2 car garage to the back of an existing building already on our property. We would like to ask for your support in obtaining this variance if you have no objection to our request. Please sign below if you approve.

### Article 18.05A Paragraph F:

Detached accessory buildings (including garages) constructed on a one-family lot shall not exceed, in the aggregate, six hundred (600) square feet.

Sign

Sincerely yours,

Tim & Julie Pruitt 1793 Bledsoe Dr. Bellbrook, Ohio 45305 Date 5/1/23

Mr. & Mrs. Pruitt,

We, the Bolins, are seeking approval from the city of Bellbrook Zoning Board, for a variance to the zoning code of the City of Bellbrook refrenced below [Article 18.05A.] Our objective is to add a 24' x 24' 2 car garage to the back of an existing building already on our property. We would like to ask for your support in obtaining this variance if you have no objection to our request. Please sign below if you approve.

### Article 18.05A Paragraph F:

Detached accessory buildings (including garages) constructed on a one-family lot shall not exceed, in the aggregate, six hundred (600) square feet.

Sian

Sincerly,

a) Eric and Laurie Bolin, 1796 Bledsoe Dr, Bellbrook Oh 45305

Eric: 740-591-3700 Laurie: 937-479-5937

- b) Items Attached
- c) Our variance request is to extend an existing building on our property for a 2 car garage.
- d)
   1) The addition of a 2 car garage would add value to our property as well as protection for our vehicles and an enclosed work area and storage.
  - 2) The variance we are requesting is substantial to us in the fact that our vehicles are exposed to the harsh elements of the weather. We have no where to do maintenance, and with my wife's father moving in with us for health concerns in our 1100 sq. ft. home things are very tight.
  - 3) We feel, and as evidence of our neighbors signatures of approval, that by adding 3 walls to the back side of the existing building, there would be no altered character of the neighborhood. Our lot is .48 of an acre wich leaves plenty of room in the yard.
  - 4) The variance would not adversly affect the delivery of any governmental services such as water, sanitary sewer or garbage removal.
  - 5) There was no knowledge of any restrictions when property was purchased in 1995.
  - 6) While we are open to suggestions on an alternative method or source for our predicament, we feel this would be the least obtrusive and cost effective to the nature of the zoning requirements.



### CITY OF BELLBROOK

Founded 1816

BOX 285 BELLBROOK,OHIO45305-0285 (937) 848-4666 FAX (937) 848-5190

MEMORANDUM FOR:

MR. CHRIS BROUWER

MR. JIM CROWE, ZONING INSPECTOR

JAN 2 | 1999

MRS. PAM LOPER, CLERK OF COUNCIL

This is to notify you that BZA Case # 99-01, has been approved by the Bellbrook Board of Zoning Appeals per decision of the board at a public hearing which was held on January 20, 1999. After public and board discussion of the case, Mr. Shank moved to approve the variance as submitted; Mrs. Frantz seconded the motion. Roll was called. Mrs. Frantz, yes; Mr. Shank, yes; Chairman Freudenberger, yes. The motion passed; the variance is approved.

The Application for Zoning Permit has been forwarded to the Office of the Zoning Inspector for the issuance of the necessary permits. Please contact Mr. Jim Crowe, 848-8477, at your earliest convenience.

Eileen M. Minamyer

Board of Zoning Appeals

cc: Board of Zoning Appeals

APPLICATION FOR ZONING PERMIT/ZONING COMPLIANCE CERTIFICATE CITY OF BELLBROOK, OHIO Item A.Section 5. Item PERMIT No.: 99-013 RECEIVED DATE: 1 Dec 40 1. PROPERTY LOCATION FLOOD ZONE: Y -ADDRESS 1796 SUBDIVISON Belleview 1 ZONING SECTION ? LOTNO. 136 2. NAME OF PROPERTY OWNER PHONE NO.: 848-3469 Bellbrook bHIO 45305 3. APPLICANT NAME PHONE NO.: ADDRESS 4. PROPOSED USE: SINGLE FAMILY RESIDENCE BUSINESS\* MULTI FAMILY RESIDENCE ACCESSORY POOL/FENCE NO. OF UNITS 848-3469 BUILDING GARAGE SIGN\* REMODELING ATTACHED FREE-STANDING **ADDITION DETACHED** WALL DECK 5. FURNISH MAP OR SKETCH OF LOT, SHOWING EXISTING BUILDINGS AND PROPOSED CONSTRUCTION OR USE FOR WHICH THE APPLICATION IS MADE. LOT WIDTH 100 LOT DEPTH 200 LOT AREA PERCENT OF OCCUPATION FRONT YARD REAR YARD \_\_\_\_\_ SMALL SIDE YARD \_\_\_\_ SUM OF SIDES \_\_\_\_ BLDG. HEIGHT 6. SQUARE FOOTAGE RESIDENTIAL 1170 GARAGE 16 BASEMENT 1101 ACC. BLDG 10 OFFICE COMMERCIAL 7. ACCESSORY BUILDING Mew HEIGHT 13' WIDTH 14' LENGTH 16' SIDE YARD SETBACK REAR YARD 8. \*REMARKS\* EXISTIAG DETACHED GARAGE! USED AS A HAIR SALDA THE UNDERSIGNED HEREBY APPLIES FOR A ZONING PERMIT FOR THE ABOVE USE, TO BE ISSUED ON THE BASIS OF THE REPRESENTATION CONTAINED HEREIN, ALL OF WHICH THE APPLICANT AFFIRMS TO BE TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE. warmer-APPLICANT'S SIGNATURE ZONING PERMIT/COMPLIANCE CERTIFICATE Based upon the statements found in the above Based upon the statements found in the above

12/17/98

application, the proposed zoning permit application is found to comply with the City of Bellbrook Zoning Ordinances and the permit is hereby granted.

City of Bellbrook Zoning Inspector

application, the proposed zoning compliance certificate is found to comply with the City of Bellbrook Zoning Ordinances and the certificate is hereby granted.

City of Bellbrook Zoning Inspector

Fee paid: Cash / Check #

White; File Yellow: Customer Pink: Finance

Item A.Section 5, Item



### CITY OF BELLBROOK

(937) 848-4666 WWW.CITYOFBELLBROOK.ORG

DATE RECEIVED 5 / 2	9 / 24 STAFF USE	APPLICATION # BZA 24-02			
APPLICANT INFORMATION					
PROPERTY OWNER Eric & Laurie Bolin Phone Number 740-591-3700					
OWNER ADDRESS 1796 BIEDSOE Dr. BELLbrook OH 45305					
APPLICANT NAME Eric Bolin PHONE NUMBER 740-591-3700					
APPLICANT ADDRESS SAME					
APPLICANT EMAIL EboLin 24@ YAHOO, COM					
REQUEST INFORMATION					
PROPERTY ADDRESS	6 BLEDSOE DE	ZONING DISTRICT R-1A			
SUBDIVISION BELLVIEW 3 ALL LOT NUMBER 136 PARCEL ID 135000100100007400					
DESCRIBE THE GENERAL NATURE OF THE VARIANCE WE are SEEKing a zoning variance					
TO CODE (18.05A) For The addition of a 24x28-2 car					
garage to an Existing building on our Lot.					
See the reverse of this page for additional information to be included with an Application for Zoning Variance.					
I UNDERSTAND THAT APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE APPROVAL FOR ANY ADMINISTRATIVE REVIEW, CONDITIONAL USE PERMIT, VARIANCE, OR EXCEPTION FROM ANY OTHER CITY REGULATIONS WHICH ARE NOT SPECIFICALLY THE SUBJECT OF THIS APPLICATION. I UNDERSTAND THAT APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE APPROVAL OF A BUILDING OCCUPANCY PERMIT. I UNDERSTAND FURTHER THAT I REMAIN RESPONSIBLE FOR SATISFYING REQUIREMENTS OF ANY PRIVATE RESTRICTIONS OR COVENANTS APPURTENANT TO THE PROPERTY.					
I CERTIFY THAT I AM THE APPLICANT AND THAT THE INFORMATION SUBMITTED WITH THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT THE CITY IS NOT RESPONSIBLE FOR INACCURACIES IN INFORMATION PRESENTED, AND THAT INACCURACIES MAY RESULT IN THE REVOCATION OF THIS ZONING CERTIFICATE AS DETERMINED BY THE CITY. I FURTHER CERTIFY THAT I AM THE OWNER OR PURCHASER (OR OPTION HOLDER) OF THE PROPERTY INVOLVED IN THIS APPLICATION, OR THE LESSEE OR AGENT FULLY AUTHORIZED BY THE OWNER TO MAKE THIS SUBMISSION.					
I CERTIFY THAT STATEMENTS MADE TO ME ABOUT THE TIME IT TAKES TO REVIEW AND PROCESS THIS APPLICATION ARE GENERAL. I AM AWARE THAT THE CITY HAS ATTEMPTED TO REQUEST EVERYTHING NECESSARY FOR AN ACCURATE AND COMPLETE REVIEW OF MY PROPOSAL; HOWEVER, AFTER MY APPLICATION HAS BEEN SUBMITTED AND REVIEWED BY CITY STAFF, I UNDERSTAND IT MAY BE NECESSARY FOR THE CITY TO REQUEST ADDITIONAL INFORMATION AND CLARIFICATION.					
I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT ALL THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.					
APPLICANT SIGNATURE	hi Boh				
OFFICE USE ONLY					
APPLICATION FEE	PAYMENT TYPE	REVIEW AUTHORITY			
\$ 250 00	CASH ☐ CHECK ☐#2644	Administrative, Board of Zoning Appeals			
BOARD OF ZONING APPEALS	MEETING DATE/_	18 / 24 APPROVED DENIED CONDITIONS			

### BOARD OF ZONING APPEALS DECISION RECOR! Item A. Section 5, Item

Decision Records No. BZA 24-02

June 18, 2024

### City of Bellbrook **State of Ohio**

### **Board of Zoning Appeals Decision Record BZA 24-02**

WHEREAS, the owner of 1796 Bledsoe Drive has requested a variance of Zoning Code Section 18.05 A to allow the construction of a six hundred seventy-two square foot addition to an existing accessory building; and

WHEREAS, The Bellbrook Board of Zoning Appeals has reviewed and agrees a variance to the code for this use is appropriate.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Bellbrook Board of Zoning Appeals that:

- Section 1. There was a valid motion placed on the floor to approve a variance of Zoning Code 18.05 A for case # BZA-24-02 after reviewing the procedures and requirements for said variance in accordance with Article 20, Section 20.13 and 20.13.1 of the Bellbrook Zoning Code have been met.
- That it is found and determined that all formal actions of the Board of Zoning Appeals 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	this 18th day of June 2024
AUTHENTICATION:	
Philip Ogrod, Chair	_
Rob Schommer, Clerk of Council	_