



**BOARD OF ZONING APPEALS / PROPERTY
REVIEW COMMISSION MEETING AGENDA
Tuesday, May 16, 2023 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 Minutes from the February 21, 2023, BZA/PRC Meeting
- 4. OLD BUSINESS**
- 5. NEW BUSINESS**
 - A. PRC 23-01 7410 Wilmington Pike in violation of Property Maintenance Code 1450.31 (a) Sanitation and 1450.31 (d) Vegetation
- 6. OPEN DISCUSSION**
- 7. AJOURNMENT**

RECORD OF PROCEEDINGS

Bellbrook Board of Zoning Appeals & Property Review Commission
February 21, 2023

Item A. Section 3, Item

CALL THE MEETING ORDER:

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

ROLL CALL:

Present

Mr. Boehmer

Mr. Burke

Mr. Ogrod

Mrs. Schroder

Absent

Mrs. Brinegar

ALSO PRESENT:

Jason Foster, Community Development Administrator

Rob Schommer, City Manager

APPROVAL OF MINUTES:

None

OLD BUSINESS:

None

NEW BUSINESS:

Mr. Burke announced the agenda for the Election of Officers

Mr. Schommer explained the process for the nominations for Chair and Vice Chair.

Mr. Burke asked if anyone had any nominations for Chair.

Mr. Ogrod nominated Mr. Burke, Seconded by Mrs. Schroder

Mr. Burke asked if there were any other nominations.

Mr. Burke closed the nominations.

RECORD OF PROCEEDINGS

Bellbrook Board of Zoning Appeals & Property Review Commission
February 21, 2023

Item A. Section 3, Item

Mr. Boehmer asked for a Motion to reappoint Mr. Burke as Chair, Seconded by Mr. Ogrod

Motion to re-appoint Mr. Burke as Chair.

Voting Yea: Mr. Boehmer, Mr. Burke, Mr. Ogrod, Mrs. Schroder

Motion Carries

Mr. Burke asked if anyone has a nomination for Vice Chair

Mr. Boehmer nominates Mr. Ogrod, Seconded by Mr. Burke

Mr. Burke asked if there were any other nominations. None

Mr. Burke closed the nominations.

Mrs. Schroder made a Motion to nominate Mr. Ogrod for Vice Chair, Seconded by Mr. Boehmer

Motion to appoint Mr. Ogrod as Vice Chair.

Voting Yea: Mr. Boehmer, Mr. Burke, Mr. Ogrod, Mrs. Schroder

Motion Carries

OPEN DISCUSSION:

Mr. Foster explained all abatements approved by the board last year have been completed. He added there will be a review of a few properties throughout this year to make sure they are maintaining the level of compliance required.

Mr. Burke asked how the whole abatement process is going.

Mr. Foster stated very well including working with contractors for the larger abatements.

ADJOURNMENT:

With no further business coming before the Board, Mr. Burke declared the meeting adjourned at 6:47 pm.

Aaron Burke, Chair Person

Rob Schommer, Clerk of Council



To: BZA/PRC
 From: Jason Foster, Community Development Administrator
 Date: May 16, 2023
 Subject: Staff Report for PRC 23-01 7410 Wilmington Pike

Summary of the Request

The property at 7410 Wilmington Pike was placed in violation of Property Maintenance Code 1450.31 (a), Sanitation on March 29, 2023. The property was vacated prior to the violation process beginning. Upon inspection, it was discovered that a tree had fallen in the rear yard and junk was present on the property. The tree fell into the neighboring property as well. The neighbor trimmed and removed the fallen from their property and repaired the damage to the fence. No response was given to any notice sent.

Applicant Information

Timothy and Jolene Holtz, Owner

Current Zoning District

R-1B

Parcel Identification

L35000200120001100

Additional Actions or Next Steps to be taken by the City

If approved by this Board, the City will remedy the violations and assess the property

Applicant's Reason for the Request

N/A

Surrounding Land Use within 1,000 Feet

| |
|-----------------------------------------------------------------------------------------|
| Residential |
| Previous Related Development Decisions in the Immediate Area (3-5 Years) |
| N/A |
| Comprehensive Plan Applied to the Geographical Area |
| N/A |
| Existing Public Utilities |
| N/A |
| Soil Survey Data |
| N/A |
| Classification of Streets, Traffic Volumes & Direction, Planned Improvements |
| N/A |
| Flood Plain Information |
| N/A |
| Comments from City and County Agencies |
| N/A |
| Supporting Maps & Graphics |
| See Attached |
| Staff Recommendation |
| Staff recommends the removal of the fallen tree and junk from the property. |

7410 Wilmington Pike



7410 Wilmington Pike



Case #: 2023013**Case Date:** 03/29/23**Description:** Fallen trees in rear yard**Status:** PRC**Assigned To:** Jason Foster**Property**

| Parcel # | Address | Legal Description | Owner Name | Owner Phone | Zoning |
|--------------------|----------------------|----------------------------------------------------------|--------------------------------------------------|-------------|--------------------------------|
| L35000200120001100 | 7410 WILMINGTON PIKE | WINTER HAVEN BLOCK L ALL LOT 4 7410 WILMINGTON PKE | HOLTZ TIMOTHY A & JOLENE MC ALLISTER HOLTZ | | R-1B One-Family Residential |

Activities

| Date | Activity Type | Description | Employee | Status |
|------------|----------------|------------------------------------------------------------------------------------------------------------------------|--------------|-----------|
| 03/29/2023 | Warning Notice | Complaint of fallen trees in rear yard 03/29/2023: Confirmed. Tree fallen in rear yard. Sending letter to owner. JF | Jason Foster | Completed |
| 04/06/2023 | 2nd Letter | Reinspection of warning notice 04/06/2023: Nothing done. Sending 2nd letter. JF | Jason Foster | Completed |
| 04/17/2023 | 24 Hour Notice | Reinspection of 2nd letter 04/17/2023: Nothing done. Sending 24 hour notice. JF | Jason Foster | Completed |
| 04/25/2023 | Re-Inspection | Reinspection of 24 hour notice 04/25/2023: Nothing done. Sending to next available PRC meeting. JF | Jason Foster | Completed |

Violations

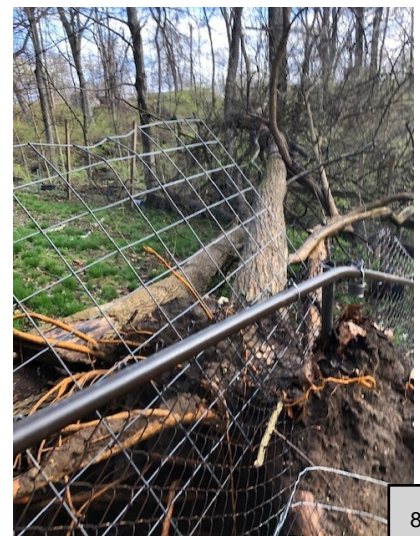
| Date | Violation | Description | Notes | Status |
|------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|--------|
| 03/29/2023 | 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 |

Notes

| Date | Note | Created By: |
|------------|------------------------------|--------------|
| 2023-04-14 | Notice of Violation returned | Jason Foster |
| 2023-04-06 | Warning notice returned | Jason Foster |

Uploaded Files

| Date | File Name |
|------------|-----------|
| 03/29/2023 | |



03/29/2023

Item A. Section 5, Item



Resolution No. PRC 23-01

May, 16 2023

**City of Bellbrook
State of Ohio**

Property Review Commission Decision Record PRC 23-01

WHEREAS, the City of Bellbrook has brought forward a case involving the property at address 7410 Wilmington Pike Parcel ID No: L35000200120001100 currently in violation of the Bellbrook Property Maintenance Code Section 1450.31(a) and 1450.31(d); 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 7410 Wilmington Pike for violations of Section 1450.31(a) and 1450.31(d) of the Bellbrook Property Maintenance code as described in Bellbrook Violation No. 2023013 and the Staff Report dated May 16, 2023.

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 _____ this 16th day of May, 2023

AUTHENTICATION:

Aaron Burke, Chair

Rob Schommer, Clerk of Council