



## VILLAGE REVIEW BOARD MEETING AGENDA

**Tuesday, October 03, 2023 at 6:00 PM**

15 East Franklin Street Bellbrook, Ohio 45305

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1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF THE MINUTES**
  - A. Approval of the Minutes from the June 6, 2023, Village Review Board Meeting
4. **OLD BUSINESS**
5. **NEW BUSINESS**
  - A. VRB 23-02 129 W Franklin Street: A variance of Section 18.20 B(2)(a) of the Bellbrook Zoning Code to allow the construction of a second wall sign.
6. **OPEN DISCUSSION**
7. **ADJOURNMENT**

# RECORD OF PROCEEDINGS

Bellbrook Village Review Board

June 6, 2023

Item A. Section 3, Item

## CALL THE MEETING ORDER:

Mrs. Greenwood called the meeting of the Bellbrook Village Review Board to order at 6:00pm

## ROLL CALL:

Mr. Thad Camp  
Mrs. Jacqueline Greenwood  
Mr. Jefferson Seguin  
Mrs. Lakeisha Taylor

## ABSENT:

Mr. Jeff Owens

## ALSO PRESENT:

Jason Foster, Community Development Administrator  
Rob Schommer, City Manager

## APPROVAL OF MINUTES:

Mrs. Greenwood asked if any members had comments or corrections to the minutes of the February 7, 2023, meeting. Hearing none, the minutes were declared approved.

## OLD BUSINESS:

None

## NEW BUSINESS:

Mrs. Greenwood spoke to the business applicant of 91 West Franklin Street, requesting a structure built at the residence for storage.

VRB23-01: Mr. Foster spoke about the property owner Doug Short of 91 West Franklin Street and construction in detail. Mr. Short, the applicant, is proposing the construction of a storage building. The construction of the building will be stick built completed with vinyl siding on the south, east and west sides and a combination of vinyl siding and stone on the north side which faces West Franklin Street. Garage doors proposed are residential style. The proposed structure is proposed to be built in unison with that existing building. The B-4 zoning district allows for business and residential uses. Currently on the property is a multi-unit residential with additional garages in the rear.

Staff recommends decorative landscaping along Franklin Street, screening as per (Code18.17) zoning code, and a lot split.

# RECORD OF PROCEEDINGS

Bellbrook Village Review Board

June 6, 2023

Item A. Section 3, Item

Screening the commercial use that abuts a residential property. Screening can consist of a masonry wall, fence, evergreens, or trees. Trees will be removed, and a detached garage will be demolished in this proposal.

## **OPEN DISCUSSION:**

Doug Short spoke on the single-family residence. The building is one lot, so a screening should not be required since it is on the same property. Correct?

Mr. Foster stated staff recommends the VRB consider splitting the lot. Separating the commercial use from residential use.

Mrs. Greenwood asked is this a residence or business.

Mr. Foster stated it is a residential with attached garages. Use would not pertain to this.

Mrs. Greenwood asked are you using garages for your business.

Mr. Short stated he has storage in some of those for his business.

Mr. Foster and the VRB discussed the property as a mixed-use property. Residential property with attached garages. Items in the garages are not relevant to this Board.

Mrs. Greenwood states the new construction will be for business.

Mr. Foster stated staff would recommend to the board splitting them to make two separate lots.

Mrs. Taylor asked are the garages for the residents that live in the current building.

Mr. Short states yes. Whoever wants to rent one for storage.

Mrs. Greenwood spoke on the storage areas already in Bellbrook. Stated would not like seeing another store in lock on Main Street and the traffic.

Mr. Short states it would be a major improvement. Plenty of space for traffic.

Mrs. Greenwood stated she feels this is not what downtown Bellbrook needs.

Mr. Short asked what would be suggested for this space.

Mrs. Greenwood states leaving it open green space. Store and lock would not look good for downtown Bellbrook. Mrs. greenwood suggested selling the lot or building a single-family home.

Mr. Short stated it is a B4 lot and this is not the best use of the lot.

# RECORD OF PROCEEDINGS

Bellbrook Village Review Board

June 6, 2023

Item A. Section 3, Item

Mr. Seguin stated he agreed with Mrs. Greenwood. The 16 drive up units would be unsettling for the look and feel of downtown Historic Bellbrook.

Mr. Foster stated he appreciates the opinions as it is part of this board. The VRB board can make a recommendation on the building itself, not the use. The use of the building is the decision of the Planning Board.

Mr. Seguin asked who would then make this decision.

Mr. Foster replied, "The Planning Board".

Mrs. Greenwood reads from the code.

Mr. Foster stated you may make a recommendation regarding the building not the use.

Mr. Jefferson Seguin stated, the recommendation would need to reflect the building is way too big for the size of the lot.

Mr. Foster replied, "Whatever you chose to recommend is what will be forwarded to the Planning Board. If the applicant chooses to apply to the Planning Board it will be shared with them to make the final decision on not only your recommendation, but the use as well.

Mr. Short stated the building will be one story and won't have many customers within a weeks' time.

Mrs. Greenwood questions what the Village Review Board can consider. The use will be looked at by the Planning Board. The building itself, lighting, and lot (size, fit with the city). Traffic will be looked at by the Engineering staff.

Mr. Seguin asked if there was public notice given on this project.

Mr. Foster replied, everyone within 300 feet would be notified if it went before the Planning Board.

Mrs. Greenwood asked if she needed to show up to the Planning Board meeting.

Mr. Schommer replied, there is very good public notice for all public meetings, including the packet description and the description of this project. It was published and released on our website, social media, and publicly available.

Mrs. Greenwood asked if the city would send out a letter to anyone about this situation.

Mr. Foster replied, not for the Village Review Board. BZA and Planning Board only.

Mr. Schommer mentioned he made notes to address items within the agenda. Asked to orient our deliberations to this agenda item and then we can move on. If there are recommendations based on the discussion that's been had, or if there are more discussions or information required from the applicant

# RECORD OF PROCEEDINGS

Bellbrook Village Review Board

June 6, 2023

Item A. Section 3, Item

then that would be fine. Any recommendations needed regarding the structure and the plan as submitted, in accordance with Article 14, then those recommendations are ready to deliberate, discuss, and record if need be. Final decision as to whether there is a recommendation for this project or not.

Mr. Schommer asked if there are any recommendations for the applicant to make modifications to it or if the Village Review Board wishes not to consider a recommendation for this project as submitted.

Mr. Schommer stated we cannot argue with the applicant and not have a solution. If recommendations regarding screening and lighting for example, then the VRB would need to consider what provisions and what your recommendation would be.

Mr. Seguin asked per Article 14.15 (review procedure) section 2 B (1), within seven days after hearing the board, the board shall approve, approve with modifications, or disapprove the application.

Mr. Schommer replied, the only way that you can deliberate and make a recommendation is in an open meeting and that is tonight.

Mr. Seguin stated his question was more towards what is being looked at procedurally from the board tonight, is it to approve, approve with modifications, or disapprove the application.

Mr. Schommer replied yes that is correct. It seemed like the discussion was going down almost as if there were some concerns with size, design, and placement of the structure in the building. Modifications would be something such as screening, landscaping, lighting, and adding design eliminates to the architectural likeness of surrounding buildings.

Mr. Seguin asked if there were any other discussions or thoughts from the board.

Mr. Camp asked Mr. Short if the building would look the same as what is currently there.

Mr. Short replied, yes and landscaping will be added.

Mrs. Taylor asked if any screening on Main Street would be added and is the drive wide enough for the passing of vehicles.

Mr. Short replied, yes, bushes will be added in front on Main and plenty of room for multiple vehicles.

Mr. Schommer replied to Mrs. Taylor concerns. Even though it is low traffic it is public through affair it will be evaluated.

Mrs. Greenwood asked if there were any way you would think about reducing the size.

Mr. Short replied, no, I would like it to be approved as is.

Mr. Seguin stated it would have sixteen garages and fourteen inside units.

Mrs. Greenwood referred to a meeting she attended and quoted items from the comprehensive plan.

# RECORD OF PROCEEDINGS

Bellbrook Village Review Board

June 6, 2023

Item A. Section 3, Item

Mr. Short asked if Mrs. Greenwood would like to purchase the lot.

Mrs. Greenwood asked, "Do you have it for sale".

Mr. Short stated he would sell it.

Mrs. Greenwood replied, "I thought it was one lot".

Mr. Short stated he could split it off.

Mr. Foster and Mr. Schommer asked the board to stick with the agenda.

Mr. Foster provided the three options approve as is, approval with modifications, or disapprove.

Mrs. Greenwood stated our recommendations must be within strict guidelines.

Mr. Schommer stated the motion would be to approve or approve with modifications. Then the vote determines whether the recommendation is approved or not approved.

Mrs. Greenwood asked for a Motion to approve modifications to the area of 91 West Franklin Street.

Mr. Schommer stated we would need to denote the modifications are.

Mrs. Greenwood replied, size, similar ratio and overcrowding. Is that good enough for you.

Mr. Foster stated it would need to be specific. Example, maintain the same size as the structure currently on the lot. Quoting the code is not a valid recommendation.

Mr. Schommer asked, please if there is a modification let's identify those modifications and let's make a motion on that so we can detail those. I like our records and minutes to be accurate.

Mrs. Greenwood's first modification is the size of the building, would like it to be the same size as the existing building, proper screening, and proper lighting.

Mr. Schommer asked, "which building and what size are you referring to".

Mrs. Greenwood replied, the residence.

Mr. Camp asked the residence and the attached garages. I think they are about the same size.

Mr. Foster replied, it is a little larger.

Mr. Schommer mentioned equal the existing structure.

Mrs. Greenwood would like to see more of a setback from the main road. Is that part of it.

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Bellbrook Village Review Board

June 6, 2023

Item A. Section 3, Item

Mr. Schommer stated we need to be more specific.

Mr. Foster explained the setback from the right of way.

Mrs. Greenwood asked if any of the other VRB members have a suggestion on a setback.

Mr. Seguin stated he would suggest having the building front equal to the residents' front.

Mr. Short asked if that included the porch.

Mr. Seguin replied, no.

Mr. Schommer stated there is going to have to be something objective to the recommendation and in line with the requirement of the code. We cannot make recommendations outside of that.

Mr. Foster stated if you want this equal to the house less the porch, is that correct.

Mrs. Greenwood asked if anyone disagreed with this. No

Mr. Schommer replied if we have a reference point to the residential structure then that is good.

Mr. Seguin and Mrs. Greenwood stated 20 to 25 feet from the gutter.

Mr. Schommer and Mr. Foster stated it will be equal to the residential structure.

Mrs. Greenwood stated adequate screening would be recommended.

Mr. Short replied, yes, in the front as it is one lot.

Mr. Seguin asked Mrs. Greenwood are you recommending vegetation or screening.

Mr. Foster replied, it can be a masonry wall, a constructed decorative fence, a louvered fence, trees, and/or shrubs.

Mr. Schommer asked so we are stating, appropriate screening on Franklin Street frontage.

Mr. Foster stated landscaping in the front and screening per code would apply.

Mr. Seguin asked Mr. Foster for clarification. If the board wanted to recommend a modification of screening down the side, we would need to make a recommendation to also split the lot. Does anyone see it necessary.

The board discussed the current property and modifications.

Mr. Schommer asked Mrs. Greenwood to clarify her Motion.



# RECORD OF PROCEEDINGS

Bellbrook Village Review Board

June 6, 2023

Item A. Section 3, Item

Mr. Schommer went over the Motion for the following modifications:

- size of the new structures to be no more than the size of the existing structure.
- setback from the right of way equal to the residential structure
- appropriate screening on Franklin Street frontage
- lighting requirements per code

Mr. Schommer asked regarding the size of the new structure. We are referring to the nonresidential structure, but it is all connected. Are we talking about the entirety of the existing structure.

Mr. Foster replied, the entirety of the existing structure.

Mrs. Greenwood read Article 12B4 central business district.

Mr. Foster showed the information on the map provided.

Mr. Schommer went over the Motion for the following modifications made by Mrs. Greenwood:

- size of the new structures to be no more than the size of the existing structure.
- setback from the right of way equal to the residential structure
- appropriate screening on Franklin Street frontage
- lighting requirements per code

Motion made by Mrs. Greenwood as previously stated. Seconded by Mr. Camp.

Voting Yea: Mr. Camp, Mrs. Greenwood, Mr. Seguin, and Mrs. Taylor

Motion Carries

Mrs. Greenwood asked why the zoning permit was not signed. Why is that?

Mr. Foster replied, he took that and filled in the numbers so you would have this as an example. When we move forward, we will have an application filled out by the applicant.

Mrs. Greenwood asked as far as the demolition. Does that come before us.

Mr. Foster replied, it is only required for the demolition of a main building not a detached garage.

Mr. Schommer any more discussion or motion to consider this application would be the next step with the noted modification.

Mr. Camp asked about a Motion to approve the application with the modification.

Motion made by Mr. Camp, Seconded by Mrs. Taylor.

Voting Yea: Mr. Camp, Mrs. Greenwood, Mr. Seguin, and Mrs. Taylor

Motion Carries

Mrs. Greenwood asked if anyone had any other questions. None



# RECORD OF PROCEEDINGS

Bellbrook Village Review Board  
June 6, 2023

Item A. Section 3, Item

## ADJOURNMENT:

With no further business coming before the Board, Mrs. Greenwood declared the meeting adjourned at \_\_\_\_ pm.

\_\_\_\_\_  
Jacqueline Greenwood, Chair Person

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



# CITY OF BELLBROOK

Item A. Section 5, Item

## ZONING PERMIT - SIGNS

15 EAST FRANKLIN STREET, BELLBROOK, OHIO 45305  
(937) 848-4666 [WWW.CITYOFBELLBROOK.ORG](http://WWW.CITYOFBELLBROOK.ORG)

DATE RECEIVED 9 / 14 / 23

STAFF USE

APPLICATION # BZA 23-01

### APPLICANT INFORMATION

PROPERTY ADDRESS 129 W. FRANKLIN ST.

ZONING DISTRICT OLD VILLAGE

PROPERTY OWNER Greg Dart

PHONE NUMBER 937-321-3278

APPLICANT NAME Kelley ANDARY

PHONE NUMBER 937-545-8278

APPLICANT EMAIL KelleySA@LIVE.COM

### REQUEST INFORMATION

BUSINESS NAME THE BLUE BERRY CAFE

BUSINESS MAILING ADDRESS 72 Bellbrook Plaza, Bellbrook 45305

SIGN REQUEST NEW PERMANENT SIGN ☒ SIGN REFACE ☐ TEMPORARY ☐ OTHER ☐

SIGN TYPE GROUND ☐ PROJECTING ☐ ROOF ☐ WALL ☒ SANDWICH BOARD ☐ BANNER ☐ OTHER ☐

SIGN DIMENSIONS HEIGHT 32" WIDTH 96" AREA 21.33 SQUARE FEET BUILDING FRONTAGE      LINEAR FEET

SIGN LOCATION FRONT YARD ☒ SIDE YARD ☐ REAR YARD ☐ SIGN HEIGHT      FEET (FROM GROUND TO TOP OF SIGN)

SIGN MATERIALS SEE RENDERINGS

ADDITIONAL COMMENTS     

PLEASE PROVIDE AN ILLUSTRATION WHICH INCLUDES A COLOR RENDERING OF THE SIGN AND THE LOCATION OF THE SIGN ON THE BUILDING AND/OR PROPERTY.

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 

DATE 9 / 12 / 23

OFFICE USE ONLY		
PERMIT FEE	PAYMENT TYPE	REVIEW AUTHORITY
\$ <u>200.00</u>	CASH <input type="checkbox"/> CHECK <input checked="" type="checkbox"/> # <u>    </u>	ADMINISTRATIVE <input type="checkbox"/> BZA <input checked="" type="checkbox"/> VRB <input type="checkbox"/>
APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/>	STAFF SIGNATURE <u></u> DATE <u>9 / 14 / 23</u>	
APPROVED-CONDITIONS <input type="checkbox"/>		

ZONING PERMIT - SIGNS

OCTOBER 2017



To: Village Review Board  
 From: Jason Foster, Community Development Administrator  
 Date: September 18, 2022  
 Subject: Staff Report for VRB 23-02 129 W Franklin Street

### Summary of the Request

The applicant, Kelley Andary, is requesting a positive recommendation to allow a variance of Zoning Code section 18.20 B(2)(a) to allow an additional wall/roof sign at 129 W Franklin Street. The additional wall/roof sign is proposed to be located on the west facing wall (facing the Parking lot). The proposed sign measures 32 inches in height and 96 inches in width for a total square footage of 21.33 square feet.

#### *18.20.B PERMITTED SIGNS (OLD VILLAGE-DISTRICT)*

#### *(2) NUMBER OF SIGNS PERMISSIBLE*

#### *(a) Single Occupant-Buildings*

*Single occupant buildings are permitted one (1) sign of each sign type (free-standing, wall/roof or projecting) no larger than the permissible size (see Section (4) below) for each frontage on a public street. One (1) additional sign no greater than one (1) square foot in area is permitted for each entrance, when flush mounted near the entrance for purposes of pedestrian information. No other exterior signs are permitted unless they are identified as a permitted exception in Section (7) "Exceptions."*

### Applicant Information

Kelley Andary

### Current Zoning District

B-4, Central Business District

### Parcel Identification

L35000100020012700

<b>Additional Actions or Next Steps to be taken by the City</b>
The Village Review Board will make a recommendation, The Board of Zoning Appeals will make a final decision on the variance request at the October 17, 2023, BZA meeting.
<b>Applicant's Reason for the Request</b>
The applicant wishes to construct an additional wall sign for greater visibility.
<b>Surrounding Land Use within 1,000 Feet</b>
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>
The Comprehensive Plan encourages development in the Old Village District.
<b>Existing Public Utilities</b>
Water, Gas, Electric, 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

### Staff Recommendation

Staff recommends a favorable recommendation from the Board.







Aluminum Backer w/ Channel and Dimensional Lettering 32"H x 96"W Overall

- Aluminum Reverse Pan 2" Depth, Non-Illuminated, Painted White w/ Blue Outline
- Copy: Bars 2x "THE" (Flat Cut Out Dimensional Lettering, Painted, To Match Depth of Main Lettering)
- Copy: Blue (logo) Berry (Reverse Fabricated Channel Letters, Digital print for the "blueberry" logo)
- Copy: CAFE (Non-Illuminated Light Capsule to Match Depth of Letters, Applied Vinyl graphics)
- Sign 1 to Wall Mount, Sign 2 Setup for Roof Mount Brackets (by others)

Quantity (2)