



**BOARD OF ZONING APPEALS / PROPERTY
REVIEW COMMISSION MEETING AGENDA
Tuesday, October 15, 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 June 18, 2024, Board of Zoning Appeals/Property Review Commission Meeting Minutes
- 4. OLD BUSINESS**
- 5. NEW BUSINESS**
 - A.** PRC 24-01: 4068 Eckworth Drive in violation of Property Maintenance Code Sections 1450.32 Exterior Structure (g) and 1450.31 Exterior Property Areas (j)
- 6. OPEN DISCUSSION**
- 7. ADJOURNMENT**

RECORD OF PROCEEDINGS

Bellbrook Board of Zoning Appeals & Property Review Commission
June 18, 2024

Item A. Section 3, Item

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

Mrs. Brinegar

Mr. Ogrod

Mrs. Taylor

ABSENT

Mrs. Schroder

3. APPROVAL OF THE MINUTES

Mr. Ogrod asked if anyone had comments or corrections to the minutes of the March 19, 2024, meeting. Hearing none, the minutes were declared to be approved.

Mr. Ogrod explained to the applicant since only three board members were available at tonight's meeting, to decide a 3/0 in favor of your petition. You can wait until a full board is available or proceed tonight.

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

4. OLD BUSINESS

None

5. NEW BUSINESS

A. **BZA 2024-02:** 1796 Bledsoe Drive on a variance request of zoning code 18.05A to allow the construction of a 672 square foot addition to an existing accessory building.

B. Staff Report: Mr. Foster spoke to the applicant Eric Bowlin is requesting a variance request of zoning code 18.05A to allow the construction of a 672 square foot addition to an existing accessory building 1796 Bledsoe Drive. Provided dimensions and eight letters from neighboring properties in favor.

6. OPEN DISCUSSION

The board members discussed the positive in this variance request for the addition to an existing accessory building with the applicant and neighbor (Christopher Werner) of 4239 Whites Drive Bellbrook Ohio 45305. Explained he is in favor of the variance at 1796 Bledsoe Drive.

RECORD OF PROCEEDINGS

Bellbrook Board of Zoning Appeals & Property Review Commission
June 18, 2024

Item A. Section 3, Item

Mr. Ogrod asked for a motion to approve BZA 2024-02, the variance request to allow the construction of the addition to an existing accessory building at 1796 Bledsoe Drive.

Motion made by Mrs. Brinegar, Seconded by Mrs. Taylor.

Voting Yea: Mrs. Brinegar, Mrs. Taylor, Mr. Ogrod

Motion Carries

7. ADJOURNMENT

Hearing no further business coming before the Board, Mr. Ogrod declared the meeting adjourned at 6:58 pm.

Philip Ogrod, Chairperson

Rob Schommer, Clerk of Council



To: BZA/PRC
 From: Michaela Grant, Community Development Administrator
 Date: October 7, 2024
 Subject: Staff Report for PRC 24-01 4068 Eckworth Drive

Summary of the Request

On May 16, 2024, the property at 4068 Eckworth Drive was placed in violation of Property Maintenance Code Sections 1450.32 (g) Roofs and Drainage and 1450.31 (j) Outside Storage.

Two blue tarps cover sections of the roof, and the property owner, Mr. Douglas Short, has indicated that the tarps cover damage and are in place to prevent water from entering the house. This is a violation of Property Maintenance Code Section 1450.32 (g) Roofs and Drainage.

Various items, which include what appears to be a water heater, miscellaneous items placed in multiple plastic trash receptacles, and other items seemingly intended for disposal, are in the rear yard between the house and the detached garage. Additionally, a pile of wood exists in the rear yard. This is a violation of Property Maintenance Code Section 1450.31 (j) Outside Storage.

A Warning Notice (first letter) was mailed for each violation on May 16, 2024, with the reinspection date of May 24, 2024. The reinspection of both violations on May 28, 2024, showed no change, and a Notice of Violation (second letter) was mailed with the reinspection date of June 7, 2024, as a result.

The reinspection of both violations on August 22, 2024, showed no change in either violation. Staff contacted Mr. Short by phone to address the issues and request a plan to achieve compliance. A plan was not provided, and in lieu of such, Staff gave a 30-day extension to rectify the two violations and explained the process regarding bringing the violations before the Property Review Commission.

A 24-Hour notice (third letter) was mailed on August 22, 2024, with the final inspection date of September 23, 2024. This final inspection performed on September 24, 2024, showed no change in either violation, although one of the tarps was torn at that time.

Applicant Information

Douglas P. Short

Current Zoning District
R-1B
Parcel Identification
L35000200110010500
Additional Actions or Next Steps to be taken by the City
<p>The next steps are as follows for each violation:</p> <p>If approved by this Board, the City will forward the case of the violation of the Property Maintenance Code Section 1450.32 (g) Roofs and Drainage for prosecution.</p> <p>If approved by this Board, the City will seek a Court order to access the property to remedy the violation of the Property Maintenance Code Section 1450.31 (j) Outside Storage by means of abatement and assess the property.</p>
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
<p>For the violation of Section 1450.32 (g) Roofs and Drainage, Staff recommends the approval to forward the case for prosecution.</p> <p>For the violation of Section 1450.31 (j) Outside Storage, Staff recommends the approval to seek a Court order to enter the property and remedy the violation by means of abatement.</p>



Case #: 2024093

Case Date: 05/16/24

Case Type:

Item A.Section 5, Item

Description: Large amount of junk and tree debris in rear yard.

Status: PRC

Assigned To: Michaela Grant

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
L35000200110010500	4068 ECKWORTH DR	BELLEVUE ESTATES 2 ALL SHORT DOUGLAS P LOT 446 4068 ECKWORTH DR			R-1B One-Family Residential

Activities

Date	Activity Type	Description	Employee	Status
05/16/2024	Warning Notice	05/16/2024: Large amount of junk and tree debris in rear yard. Sending letter to owner. JF	Jason Foster	Completed
05/28/2024	2nd Letter	Reinspection of warning notice (outdoor storage) 05/28/2024: Nothing done. Sending 2nd letter. JF	Jason Foster	Completed
08/22/2024	Re-Inspection	Reinspection of 2nd letter (outdoor storage). 8/22/2024: I called and spoke with property owner Mr. Doug Short regarding the outdoor storage code violation. I explained the Property Review Commission process and mailed a new 24-hour notice with the final reinspection date of 9/23/2024.	Michaela Grant	Completed
09/24/2024	BZA/PRC	Reinspection of 24-hour notice (outdoor storage). 9/24/2024: The outdoor storage code violation has not changed. Scheduling the code violation with the Property Review Commission.	Michaela Grant	Completed

Violations

Date	Violation	Description	Notes	Status
05/16/2024	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

Uploaded Files

Date	File Name
05/16/2024	



05/16/2024



Item A.Section 5, Item

05/16/2024



05/16/2024



Case #: 2024094

Case Date: 05/16/24

Case Type:

Item A.Section 5, Item

Description: Roof has two tarps covering damage.

Status: PRC

Assigned To: Jason Foster

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
L35000200110010500	4068 ECKWORTH DR	BELLEVUE ESTATES 2 ALL SHORT DOUGLAS P LOT 446 4068 ECKWORTH DR			R-1B One-Family Residential

Activities

Date	Activity Type	Description	Employee	Status
05/16/2024	Warning Notice	05/16/2024: Two tarps covering sections of roof. Sending letter to owner. JF	Jason Foster	Completed
05/28/2024	2nd Letter	Reinspection of warning notice (exterior structure - roof) 05/28/2024: Nothing done. Sending 2nd letter. JF	Jason Foster	Completed
08/22/2024	Re-Inspection	Reinspection of 2nd letter (exterior structure - roof).	Michaela Grant	Completed
09/24/2024	BZA/PRC	8/22/2024: The tarps remain on the roof. I called and spoke with property owner Mr. Doug Short regarding the exterior structure code violation. I explained the Property Review Commission process and mailed a new 24-hour notice with the final reinspection date of 9/23/2024. MG Reinspection of 24-hour notice (exterior structure - roof).	Michaela Grant	Completed
		9/24/2024: The tarps remain on the roof with no apparent change (however, one of the tarps is tattered). Scheduling the code violation with the Property Review Commission. MG		

Violations

Date	Violation	Description	Notes	Status
05/16/2024	1450.32 EXTERIOR STRUCTURE.	1450.32 EXTERIOR STRUCTURE. (g) Roofs and Drainage. The roof and flashing shall be sound, tight, and not have defects that admit penetration. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.		Active

Uploaded Files

Date	File Name
09/24/2024	



09/24/2024



Item A. Section 5, Item

05/16/2024



4068 Eckworth Drive

Item A.Section 5, Item



4068 Eckworth Drive

Item A. Section 5, Item



4068 Eckworth Drive

Item A.Section 5, Item



**City of Bellbrook
State of Ohio**

Property Review Commission Decision Record PRC 24-01

WHEREAS, the City of Bellbrook has brought forward a case involving the property at address 4068 Eckworth Drive, Parcel ID No: L35000200110010500, currently in violation of the Bellbrook Property Maintenance Code Sections 1450.32 (g) Roofs and Drainage and 1450.31 (j) Outside Storage; 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 going forward with the prosecution process for 4068 Eckworth Drive for the violation of Section 1450.32 (g) as described in Bellbrook Violation No. 2024094 and the Staff Report dated October 7, 2024, and to approve abatement of 4068 Eckworth Drive for the violation of Section 1450.31 (j) of the Bellbrook Property Maintenance code as described in Bellbrook Violation No. 2024093 and the Staff Report dated October 7, 2024.

Section 2. That it is recognized that City Staff will seek legal guidance and a court order for access to the property to perform the abatement process of the violation of the Property Maintenance Code Section 1450.31 (j) Outside Storage.

Section 3. That it is recognized that City Staff will move forward with the prosecution process for the violation of the Property Maintenance Code Section 1450.32 (g) Roofs and Drainage.

Section 4. 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 APPROVED this 15th day of October, 2024

AUTHENTICATION:

Philip Ogrod, Board of Zoning Appeals / Property Review Commission Meeting Chair

Rob Schommer, Clerk of Council