



**BOARD OF ZONING APPEALS / PROPERTY  
REVIEW COMMISSION MEETING AGENDA  
Tuesday, March 15, 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. Approval of the February 15, 2022 BZA/PRC Meeting Minutes
- 4. OLD BUSINESS**
  - A. None
- 5. NEW BUSINESS**
  - A. BZA 22-02 3627 River Birch - variance of Zoning Code Section 18.05A for the placement of a swimming pool.
  - B. BZA 22-03 46 E. Franklin St - Variance of Zoning Code Section 18.05A for the construction of an accessory building.
  - C. PRC Case #22-01 33-35 S. Main St.
- 6. OPEN DISCUSSION**
- 7. ADJOURNMENT**

# RECORD OF PROCEEDINGS

Bellbrook Board of Zoning Appeals & Property Review Commission  
February 15, 2022

Item A. Section 3, Item

## **OATH OF OFFICE:**

Mayor Schweller administered the Oath of Office to swear in Meredith Glick Brinegar, Philip Ogrod and Sharon Schroder.

## **CALL THE MEETING ORDER:**

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

## **ROLL CALL:**

PRESENT: Meredith Glick Brinegar; Kyle Boehmer; Aaron Burke; Philip Ogrod; Sharon Schroder

## **ALSO PRESENT:**

Jason Foster, Community Development Administrator  
Rob Schommer, City Manager

## **APPROVAL OF MINUTES:**

Mrs. Brinegar asked if any member had comments or corrections to the minutes of the August 17, 2021 meeting. Hearing none, the minutes were declared approved.

## **OLD BUSINESS:**

None

## **NEW BUSINESS:**

Election of Chair: Mrs. Brinegar opened the floor for nominations. Mrs. Brinegar nominated Mr. Burke, and the nomination was seconded by Mrs. Schroder. Mr. Ogrod nominated Mrs. Brinegar, and the nomination was seconded by Mrs. Schroder.

A motion to elect Mrs. Brinegar as Chair.

Motion made by Mr. Ogrod, Seconded by Mrs. Schroder.

Voting Yea: Mr. Ogrod, Mrs. Schroder

Voting Nay: Mr. Boehmer, Mrs. Brinegar, Mr. Burke

Motion Failed

Motion to elect Aaron Burke as Chair of the Board

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

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

Motion Passed

# RECORD OF PROCEEDINGS

Bellbrook Board of Zoning Appeals & Property Review Commission  
February 15, 2022

Item A. Section 3, Item

Election of Vice-Chair: Chair Mr. Burke opened the floor for nominations. Mrs. Brinegar nominated Mr. Ogrod, and the nomination was seconded by Mrs. Schroder.

Motion to elect Philip Ogrod as Vice Chair of the Board

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

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

Motion Passed

## PROPERTY MAINTENANCE CODE UPDATES:

Mr. Schommer introduced Mr. Foster as the Community Development Administrator. Mr. Foster introduced and explained various changes to the Property Maintenance Code. He indicated there are several grammatical and wordsmithing corrections. A new definition of “junk” was included for use in the code. He noted a change in outdoor storage to include commercial zones, that all items stored in an enclosed structure unless used for outdoor activities.

Mrs. Brinegar asked what it would mean for outdoor use, such as a shovel, or snowblower. Mr. Foster noted garden tools and similar items for use outdoors are acceptable. Mr. Ogrod asked about the potential of multiple lawn mowers on a side yard. Mr. Burke stated after Mr. Foster went through all noted changes, more discussion about specific items would be had.

Mr. Foster noted the definition of stacked was included for fire wood due to inconsistent interpretation, and various other changes and clarifications.

Mrs. Schroder asked if the outdoor storage changes were correct that instead of items being screened would now require inside an enclosed structure. Mr. Foster clarified the change does require an enclosed structure. Mrs. Schroder asked about people that are currently compliant with items stored outside screened, and would now be required to store items in an enclosed structure. Mr. Foster stated that would be handled through reasonable enforcement based on complaints and gradual compliance.

Mrs. Brinegar noted it was important that storage on commercial properties was added. Mr. Burke agreed and noted it seems to be interpreted as all or nothing for storage outdoors, and asked about items stored outside that is part of the business. Mr. Foster stated outdoor sales does not apply. Mr. Schommer recommended a reference notation to the outdoor sales section within this section for clarification.

Mr. Ogrod asked about pallets being stored in residential areas and commercial businesses. Mr. Foster stated if they are being used for business purposes it would be fine; however, if they are just piled, then they would be considered junk. Mr. Schommer added more clarity to the question of a pile of pallets, where a business may just be storing them outside, even if stacked and useable. Mr. Foster indicated that would be considered outdoor storage and the code should apply. Mr. Ogrod asked if the current code was being used for the changes or the code revisions put forward previously. Mr. Foster stated the changes are related to the current code.

Mr. Boehmer asked for clarification regarding firewood being required to be stacked on the side or rear

# RECORD OF PROCEEDINGS

Bellbrook Board of Zoning Appeals & Property Review Commission  
February 15, 2022

Item A. Section 3, Item

of the home due to some people having it on their front porch for access to a fireplace inside. Mr. Schommer noted the language stemmed from complaints about stacks of wood in front yards being unsightly. He added perhaps some language could allow stacking against the house or some form preventing piles and stacks in the front yard. Further discussion led by Mr. Foster creating modified language regarding firewood.

Mr. Ogrod asked about brush piles and if the language in the code was present or suggested. Mr. Foster noted it was the existing code. Mr. Ogrod noted there was previous recommendation for a size limit for brush. Mr. Foster suggested brush piles be prohibited, as they are similar to junk and present rodent harborage issues. Mr. Schommer agreed it is easier to manage and enforce to simply prohibit piles of brush to be piled in yards, much like junk or trash.

Mr. Schommer noted that although it is not something to do on a routine and weekly basis, modifying the code is something that should be considered as adjustments to trends and needs of the community occur.

Motion to recommend approval of the proposed changes to the property maintenance code as presented in the staff report February 15, 2022.

Motion made by Mr. Ogrod, Seconded by Mrs. Brinegar.

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

## OPEN DISCUSSION:

Mr. Ogrod asked about an update on the Dane Ln property. Mr. Schommer reported the owner of the property was referred to court, and the owner is in a care facility out of state. The Court has disposed of the case, and it is a work in progress. He added the issues may need to be abated by the City, as the enforcement process has been used to the fullest extent.

Mr. Boehmer noted a previous case on Lynlee Drive has been completed and it has greatly improved the look of the property and enhanced the street. He commended the owners for doing such a good job.

Mr. Forrest Greenwood commented he appreciated everyone's work on the Board.

## ADJOURNMENT:

With no further business coming before the Board, Mr. Burke declared the meeting adjourned at 7:32 pm.

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Aaron Burke, Chair Person

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# RECORD OF PROCEEDINGS

Bellbrook Board of Zoning Appeals & Property Review Commission  
February 15, 2022

*Item A. Section 3, Item*

Rob Schommer, Clerk of Council



To: BZA/PRC  
 From: Jason Foster, Community Development Administrator  
 Date: March 15, 2022  
 Subject: Staff Report for BZA 22-02 3627 River Birch Dr.

### Summary of the Request

The applicant is requesting a variance of Zoning Code Section 18.05A to allow the construction of an inground swimming pool in a side yard. Zoning Code Section 18.05 A states “no garage or other accessory structure shall be erected within a required side or front yard.”

### Applicant Information

Owner: Jason Deweese

### Current Zoning District

PD-1, Planned Residential

### Parcel Identification

L35000100030017400

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

If the proposed variance is granted, the City will issue a zoning certificate and inspect completed construction.

### Applicant’s Reason for the Request

Due to terrain and elevation issues in the rear yard, the installation of an inground pool is not feasible. The request to allow the pool to be placed in the side yard would allow for the safe and otherwise compliant installation of the pool.

### Surrounding Land Use within 1,000 Feet

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 calls for this general area to be single family residential. An inground pool is a permitted accessory use for a residential property.
<b>Existing Public Utilities</b>
Water, Gas, Electric, Sanitary, Storm
<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>
No issues or comments from any other agency.
<b>Supporting Maps &amp; Graphics</b>
See attached
<b>Staff Recommendation</b>
Based on the terrain and amount of trees that would need to be removed, Staff believes this is a reasonable request and recommends the approval of the requested variance.



# CITY OF BELLBROOK

## APPLICATION FOR ZONING VARIANCE

15 EAST FRANKLIN STREET, BELLBROOK, OHIO 45305

(937) 848-4666

[WWW.CITYOFBELLBROOK.ORG](http://WWW.CITYOFBELLBROOK.ORG)

DATE RECEIVED \_\_\_\_/\_\_\_\_/\_\_\_\_

STAFF USE

APPLICATION # \_\_\_\_\_

**APPLICANT INFORMATION**PROPERTY OWNER Jason Deweese PHONE NUMBER 937-307-6241OWNER ADDRESS 3627 River Birch Dr. Bellbrook, OH 45305APPLICANT NAME Heatwave Pools - Austin Thomas PHONE NUMBER 937-626-8260APPLICANT ADDRESS 7894 Paragon Rd. Centerville, OH 45459APPLICANT EMAIL Austin@heatwavepools.com**REQUEST INFORMATION**PROPERTY ADDRESS 3627 River Birch Dr. ZONING DISTRICT Bellbrook CitySUBDIVISION High View Terrace LOT NUMBER 6A+7D PARCEL ID L35000100030017400

DESCRIBE THE GENERAL NATURE OF THE VARIANCE Due to terrain and Elevation issues in the Rear of the yard, installation of a vinyl liner pool will not meet zoning code. We are asking to place the pool in what is considered side yard. ~~There~~ There is still some Terrain issues in this location but this will allow for the pool to meet zoning Requirements

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  DATE 01/23/22**OFFICE USE ONLY**

<b>APPLICATION FEE</b>	<b>PAYMENT TYPE</b>	<b>REVIEW AUTHORITY</b>
\$ <u>200.00</u>	CASH <input type="checkbox"/> CHECK <input type="checkbox"/> # _____	ADMINISTRATIVE, BOARD OF ZONING APPEALS
<b>BOARD OF ZONING APPEALS</b>	MEETING DATE <u>3 / 15 / 22</u>	APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/> CONDITIONS <input type="checkbox"/>



## AMENDING THE ZONING CODE

### A. PROCEDURES AND REQUIREMENTS FOR VARIANCES (ZONING CODE 20.13)

TO VARY THE STRICT APPLICATION OF ANY OF THE REQUIREMENTS OF THIS ORDINANCE IN THE CASE OF EXCEPTIONALLY IRREGULAR, NARROW, SHALLOW OR DEEP LOTS, OR OTHER EXCEPTIONAL PHYSICAL CONDITIONS, WHEREBY SUCH STRICT APPLICATION WOULD RESULT IN PRACTICAL DIFFICULTY OR UNNECESSARY HARDSHIP - NOT ECONOMIC IN NATURE — THAT WOULD DEPRIVE THE OWNER OF REASONABLE USE OF THE LAND OR BUILDING INVOLVED BUT IN NO OTHER CASE. THE FACT THAT ANOTHER USE WOULD BE MORE PROFITABLE IS NOT A VALID BASIS FOR LEGALLY GRANTING A VARIANCE. NO NONCONFORMING USE OF NEIGHBORING LANDS, STRUCTURES, OR BUILDINGS IN THE SAME DISTRICT, AND NO PERMITTED USE OF LANDS, STRUCTURES OR BUILDINGS IN OTHER DISTRICTS SHALL BE CONSIDERED GROUNDS FOR THE ISSUANCE OF A VARIANCE. THE VARIANCE REQUESTED SHALL NOT ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY, NOR BE IN CONFLICT WITH THE COMPREHENSIVE MASTER PLAN. IN MAKING THIS DETERMINATION, THE BOARD OF ZONING APPEALS SHALL BE ADVISED BY THE RECOMMENDATION OF THE PLANNING BOARD. IN CASES INVOLVING PROPERTIES SITUATED WITHIN THE VILLAGE DISTRICT, AS DEFINED BY ARTICLE 14, SECTION 14.02 OF THE BELLBROOK ZONING CODE, THE VILLAGE REVIEW BOARD SHALL, WHEN POSSIBLE, MAKE A RECOMMENDATION TO THE BOARD OF ZONING APPEALS REGARDING THE DISPOSITION OF THE VARIANCE REQUEST.

### B. APPLICATION AND STANDARDS FOR VARIANCES (ZONING CODE 20.13.2)

A VARIANCE FROM THE TERMS OF THIS ORDINANCE SHALL NOT BE GRANTED BY THE BOARD OF ZONING APPEALS UNLESS AND UNTIL A WRITTEN APPLICATION FOR A VARIANCE IS SUBMITTED TO THE ZONING INSPECTOR AND THE BOARD OF ZONING APPEALS CONTAINING:

- a) NAME, ADDRESS AND PHONE NUMBER OF APPLICANTS;
- b) LEGAL DESCRIPTION OF PROPERTY; AND A SITE PLAN BASED ON AN ACCURATE SURVEY SHOWING EXISTING AND/OR FUTURE BUILDING LOCATIONS AND THE LOCATIONS OF BUILDINGS ON ADJACENT PROPERTIES. THIS SITE PLAN SHOULD BE PREPARED BY A REGISTERED SURVEYOR ATTESTING TO THE ACCURACY OF SAME;
- c) DESCRIPTION OF NATURE OF VARIANCE REQUESTED;
- d) VARIANCES FROM THE TERMS OF THE ZONING ORDINANCE SHALL BE GRANTED ONLY WHERE THE PROPERTY OWNER SHOWS THAT THE APPLICATION OF A ZONING REQUIREMENT TO THE PROPERTY IS INEQUITABLE CAUSING THE PROPERTY OWNER PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY. FACTORS TO CONSIDER INCLUDE, BUT ARE NOT LIMITED TO:
  - 1) WHETHER THE PROPERTY IN QUESTION WILL YIELD A REASONABLE RETURN OR WHETHER THERE CAN BE ANY BENEFICIAL USE OF THE PROPERTY WITHOUT THE VARIANCE;
  - 2) WHETHER THE VARIANCE IS SUBSTANTIAL;
  - 3) WHETHER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD WOULD BE SUBSTANTIALLY ALTERED OR WHETHER ADJOINING PROPERTIES WOULD SUFFER A SUBSTANTIAL DETRIMENT AS A RESULT OF THE VARIANCE;
  - 4) WHETHER THE VARIANCE WOULD ADVERSELY AFFECT THE DELIVERY OF GOVERNMENTAL SERVICES SUCH AS WATER, SANITARY SEWER OR GARBAGE REMOVAL;
  - 5) WHETHER THE PROPERTY OWNER PURCHASED THE PROPERTY WITH KNOWLEDGE OF THE ZONING RESTRICTION;
  - 6) WHETHER THE PROPERTY OWNER'S PREDICAMENT FEASIBLY CAN BE OBIATED THROUGH SOME METHOD OTHER THAN A VARIANCE; AND
  - 7) WHETHER THE SPIRIT AND INTENT BEHIND THE ZONING REQUIREMENT WOULD BE OBSERVED AND SUBSTANTIAL JUSTICE DONE BY GRANTING THE VARIANCE. THE BOARD SHALL DETERMINE, AFTER AND WEIGHING THE FACTORS DESCRIBED ABOVE AND ANY OTHER FACTORS THE BOARD DEEMS RELEVANT, WHETHER THE PROPERTY OWNER HAS SHOWN PRACTICAL DIFFICULTIES SO INEQUITABLE AS TO JUSTIFY GRANTING A VARIANCE TO THE PROPERTY OWNER.

### C. THE BOARD ASKS THE APPLICANT TO ANSWER ITEMS 1-7 ABOVE IN WRITING TO BE INCLUDED WITH THIS APPLICATION.



# CITY OF BELLBROOK

## ZONING PERMIT – ACCESSORY BUILDINGS

Item A. Section 5, Item

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

DATE RECEIVED \_\_\_\_/\_\_\_\_/\_\_\_\_ STAFF USE APPLICATION # \_\_\_\_\_

### APPLICANT INFORMATION

PROPERTY ADDRESS 3627 River Birch Dr. Bellbrook, OH 45305 ZONING DISTRICT \_\_\_\_\_  
PROPERTY OWNER Jason Dewease PHONE NUMBER 937-307-6241  
APPLICANT NAME Heatwave Pools PHONE NUMBER 937-626-8268  
APPLICANT EMAIL Austin@heatwavepools.com

### REQUEST INFORMATION

TYPE OF LOT CORNER ☐ INTERIOR ☒ OTHER ☐ ACCESSORY BUILDING TYPE SHED ☐ GARAGE ☐ POOL ☒ OTHER ☐  
DIMENSIONS OF STRUCTURE HEIGHT \_\_\_\_\_ WIDTH 20' LENGTH 40' FLOOR AREA 800 SQUARE FEET  
PROPOSED LOCATION SIDE YARD ☐ REAR YARD ☒ \*DISTANCE FROM PROPERTY LINES SIDE YARD 50'6" REAR YARD 71'  
WIDTH OF RECORDED EASEMENTS ON LOT SIDE YARD \_\_\_\_\_ REAR YARD \_\_\_\_\_ PLEASE DENOTE LOCATION ON LOT TYPES BELOW  
PROPOSED USE OF STRUCTURE Swimming Pool  
OTHER COMMENTS \_\_\_\_\_

ANY STRUCTURE EXCEEDING 200 SQUARE FEET IN GROSS FLOOR AREA OR POOL SHALL BE REQUIRED TO OBTAIN A BUILDING PERMIT.

### SHOW PROPOSED ACCESSORY BUILDING LOCATION ON CORRESPONDING LOT TYPE

			<p>Draw proposed accessory building location here if other examples do not match your lot's layout</p>
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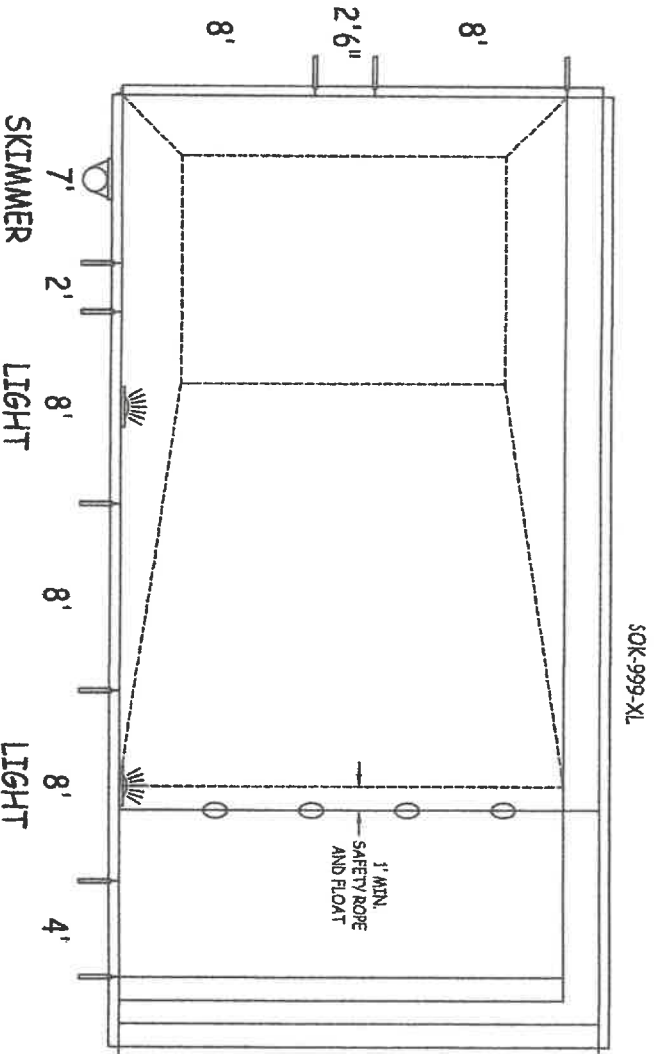
I HEREBY CERTIFY THAT THE INFORMATION AND STATEMENTS GIVEN ON THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT IF THE INFORMATION IN THIS APPLICATION IS NOT CORRECT OR COMPLETE, ANY PERMIT ISSUED MAY BE INVALID WITH THE RESULT BEING THAT I MAY BE REQUIRED TO TAKE THE ABOVE-DESCRIBED ACCESSORY STRUCTURE DOWN AT MY OWN EXPENSE. ANY APPROVAL GRANTED BY THE CITY SHALL EXPIRE IF THE WORK HAS NOT BEGUN WITHIN ONE (1) YEAR FROM THE DATE OF APPROVAL.

APPLICANT SIGNATURE Austin DATE 2/16/22

OFFICE USE ONLY			
PERMIT FEE	PAYMENT TYPE	REVIEW AUTHORITY	
\$ <u>30.00</u>	CASH <input type="checkbox"/> CHECK <input checked="" type="checkbox"/> # <u>03992</u>	ADMINISTRATIVE <input type="checkbox"/> BZA <input checked="" type="checkbox"/> VRB <input type="checkbox"/>	
APPROVED <input checked="" type="checkbox"/> DENIED <input type="checkbox"/>	STAFF SIGNATURE <u>Austin</u>		DATE <u>2/18/22</u>
APPROVED-CONDITIONS <input type="checkbox"/>			







**NONCOMPLIANT AREA**

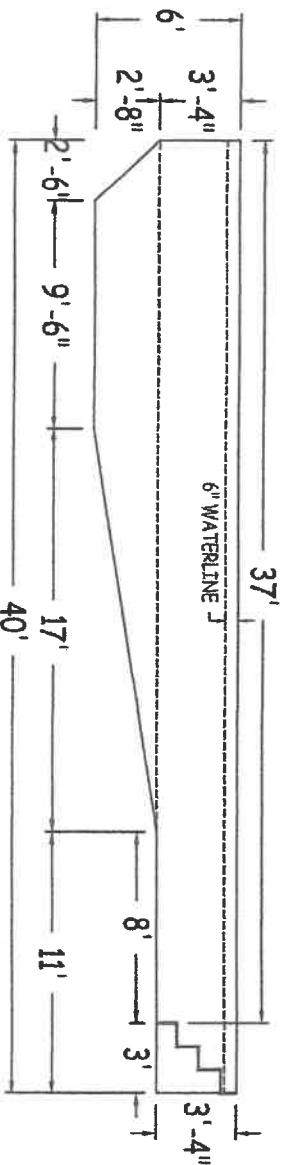
## SAFETY ROPE AND FLOAT INTERFERENCE WITH THE BENCH

**LATHAM SUGGESTS YOU REVIEW THE  
NONCOMPLIANCE  
WITH THE HOME OWNER TO BRING POOL  
SPECIFICATIONS UP TO THE CURRENT  
STANDARDS AS IDENTIFIED.**



Approved

**CERT# ESR-2782**



**LATHAM STEEL**

RECTANGLE 90DEG 20-0 x 40-0

42" STEEL PANELS	PERIMETER:	120'-0"	VOLUME (US Gal):	22300
DWG#:	SURFACE (ft²):	800	VOLUME (Liters):	84400
2022-SPL-05285	LINER (ft²):	685	DATE:	7/3/2022
			REP:	



## NON-DIVING POOL

**USE OF DIVING EQUIPMENT  
IS PROHIBITED**

CUSTOMER:EMSCO  
JOB NAME:HEATWAVE  
POOLS/DEWEESE 5

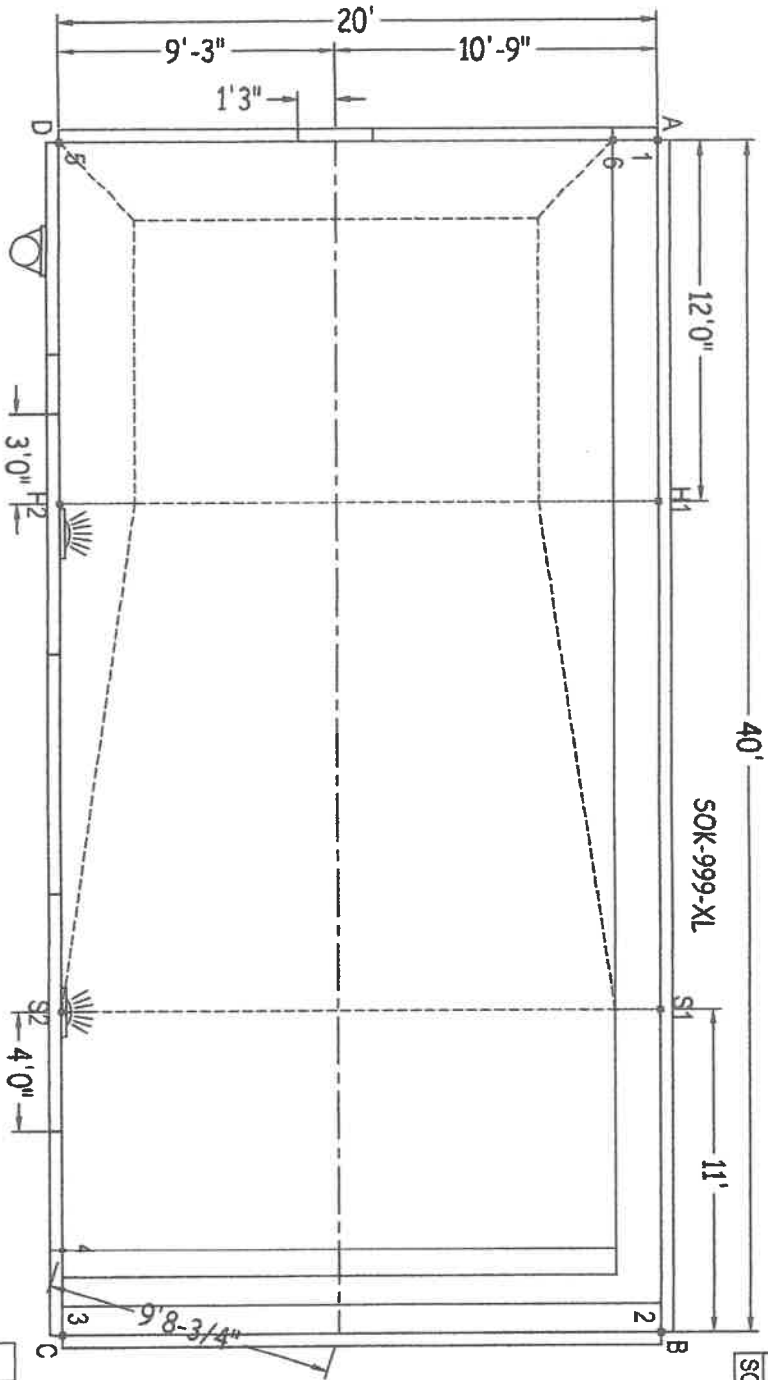
KIT#:	CUSTOMKIT	COVER (ft <sup>2</sup> ):	924	SCALE:	1/8" = 1'-0"
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## RECTANGLE

ASPECTS OF THIS DRAWING DO NOT COMPLY  
WITH ANSI/APSP/ICC5 2011 AND 2015 ISPC

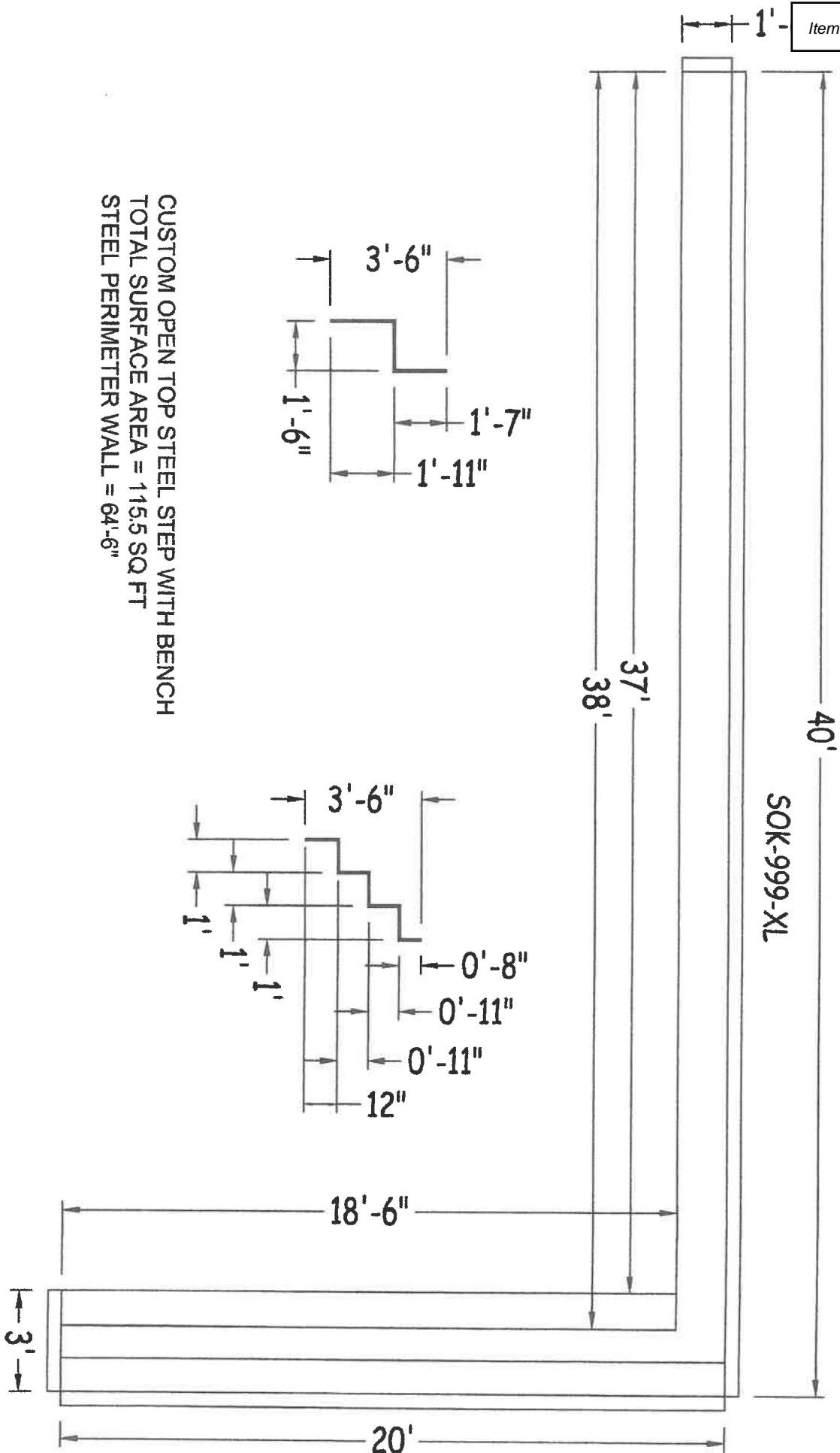
SHEET: 1 OF 3

Item	Quantity	Unit	Material	Notes
S1	1	to 2	40'-0"	
S1	1	to 3	44'-8 3/4"	
S1	1	to 4	42'-3 3/4"	
S1	1	to 5	20'-0"	
S1	1	to 6	1'-6"	
S2	1	to 3	20'-0"	
S2	1	to 4	20'-2 3/4"	
S2	1	to 5	44'-8 3/4"	
S2	1	to 6	41'-4 1/2"	
S2	1	to 6	18'-6"	



Part number	Description	Qty
ST0960002X	8' LIGHT	3
ST0960002*	8' LIGHT	2
ST0840002*	7' SKIMMER	1
ST0480001X	4'	1
ST0300000X	26"	1
ST0240000X	2'	1
Brace	Brace	9
IPC-AB90	CONNECTOR CNR ANGLE 90D 42"	1
IPC-STPK25	REBAR STAKE 18" 25PC	1
IPC-HDWSRT150	BOLT STR 3/8-16X1" CW NUT 150PC	1
SOK-999-XL	CUSTOM STEEL OPEN TOP STEP	1

Item	Quantity	Unit	Material	Notes
1	0"	40'-0"	44'-8 3/4"	20'-0"
2	40'-0"	0"	20'-0"	44'-8 3/4"
3	44'-8 3/4"	20'-0"	0"	40'-0"
4	42'-3 3/4"	20'-2 3/4"	3'-0"	37'-0"
5	20'-0"	44'-8 3/4"	40'-0"	0"
6	1'-6"	40'-1 1/4"	44'-3 3/4"	18'-6"
S1	35'-2 3/4"	22'-10"	11'-0"	29'-0"
S2	29'-0"	11'-0"	22'-10"	35'-2 3/4"
H1	23'-4"	34'-5"	28'-0"	12'-0"
H2	12'-0"	28'-0"	34'-5"	23'-4"
A	-	40'-0"	44'-8 3/4"	20'-0"





To: BZA/PRC  
 From: Jason Foster, Community Development Administrator  
 Date: March 15, 2022  
 Subject: Staff Report for 46 E. Franklin St.

### Summary of the Request

The applicant is requesting variance of Zoning Code section 18.05A to allow the construction of a 2,400 square foot accessory building at 46 E. Franklin St. Section 18.05A states, "Detached accessory buildings (including garages) constructed on a one-family lot shall not exceed, in the aggregate, six hundred (600) square feet." This request is in conjunction with a large re-development project at 26 E. Franklin St., which the applicant also owns. If this variance request is approved, the applicant is under contract to sell the building at 26 E. Franklin St. for a new and exciting use.

### Applicant Information

Dwight Bartlett, Owner

### Current Zoning District

B-4 Central Business District

### Parcel Identification

L35000100060012000

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

If this request for variance is approved, the applicant will apply for zoning permits.

### Applicant's Reason for the Request

The applicant is requesting this variance to allow the construction of a 2,400 square foot accessory building to hold the current contents of 26 E. Franklin St. in order to sell the property for re-development purposes.

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

Commercial, single-family residential, and multi-family residential

### **Previous Related Development Decisions in the Immediate Area (3-5 Years)**

The Village Review Board recommended approval for this variance at its March 1, 2022, meeting.

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

The Comprehensive Plan strongly encourages the re-development of the Old Village District. This variance will allow for the sale of 26 E. Franklin St. and the subsequent re-development of the site.

### **Existing Public Utilities**

Water, Electric, Gas, Sanitary Sewer

### **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**

The City Engineer reviewed this project and had no issues.

### **Supporting Maps & Graphics**

See Attached



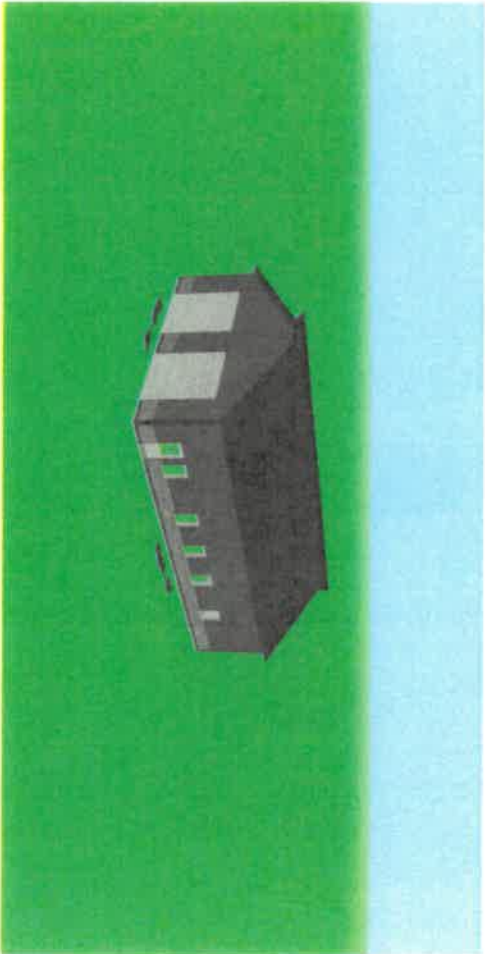
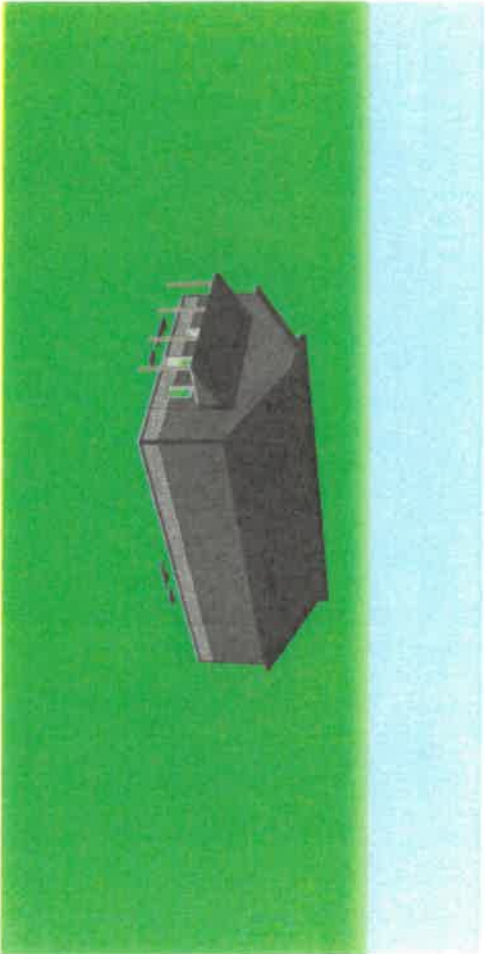
### Staff Recommendation

Following the recommendation by the Village Review Board, Staff recommends the approval of the variance request to allow the construction of a 2,400 square foot accessory building.

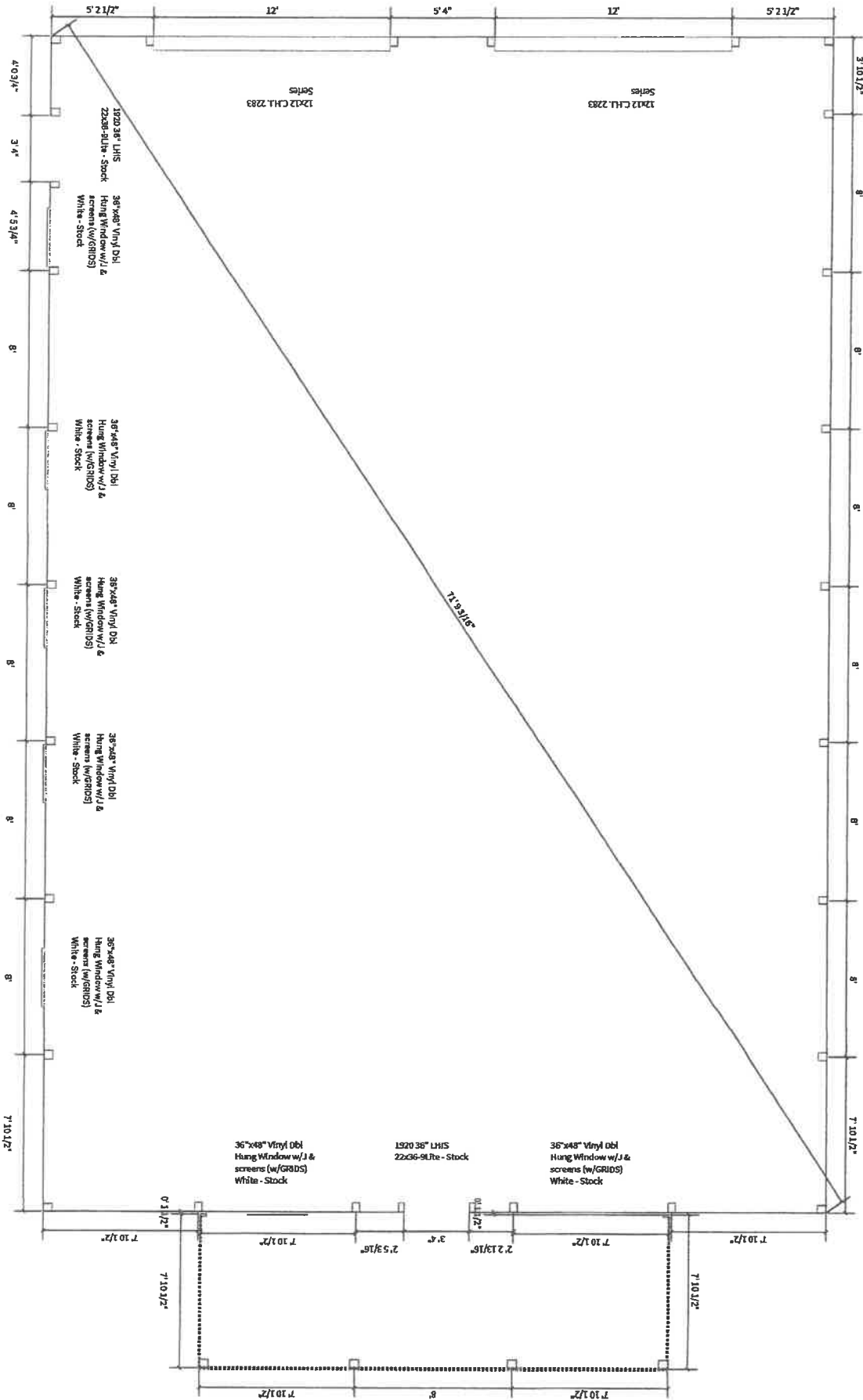
Item B. Section 5, Item

mary	
	40'
	60'
Height	14'
Slab Depth	0'
Slab Offset	-0.5'
Overhangs	4
Roof Pitch	6/12

Job Information	
Estimate Type	Ag Building
PO Number	
Name	Dwight Bartlett COPY 6
Description	40x60x14
Email	
Phone	937-307-6634
Address	
City	Bellbrook
Zip	45305
State	OH
Referred To	
Approx. lead Time	
Loading	21-4-4

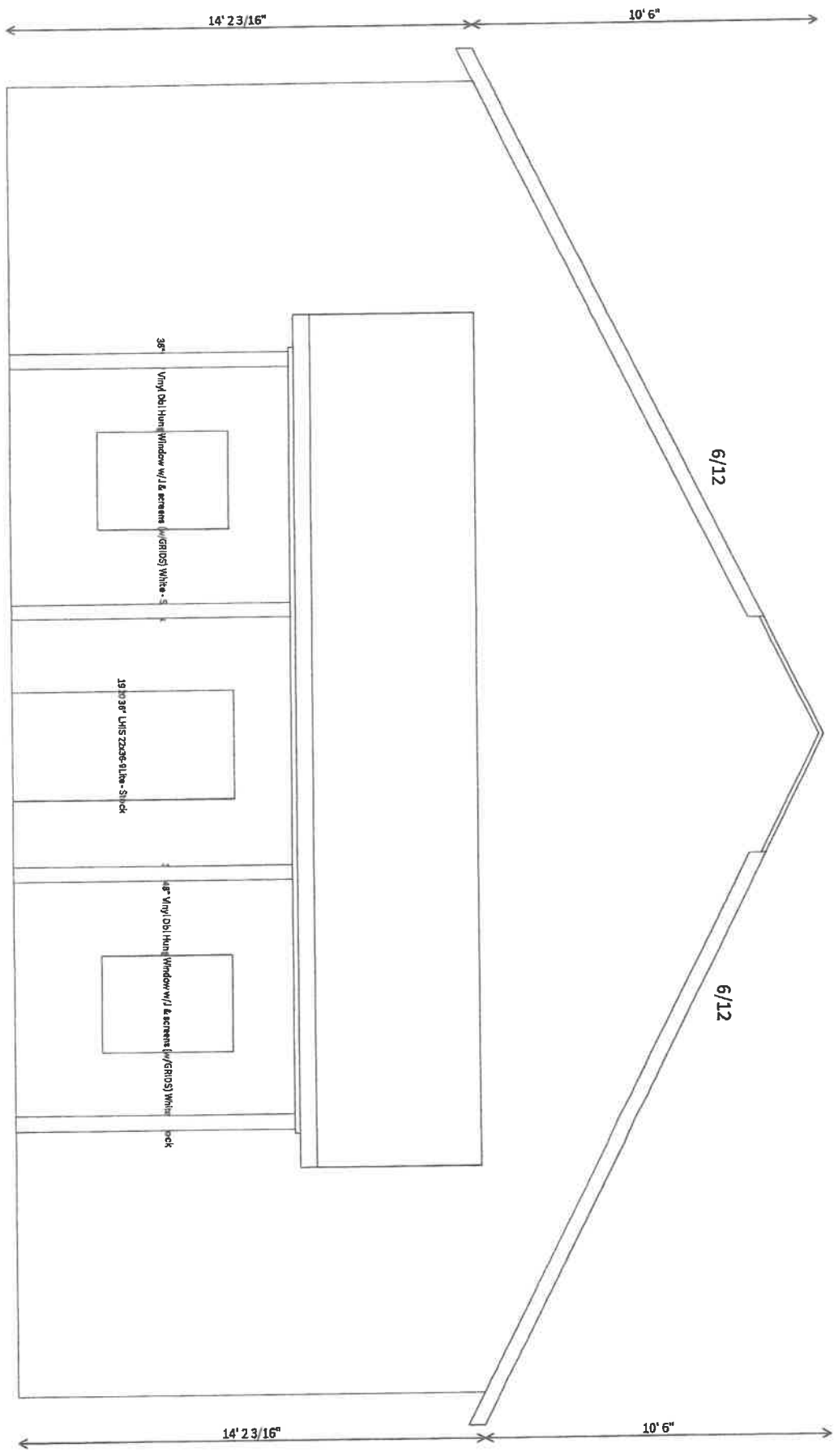


Post Layout



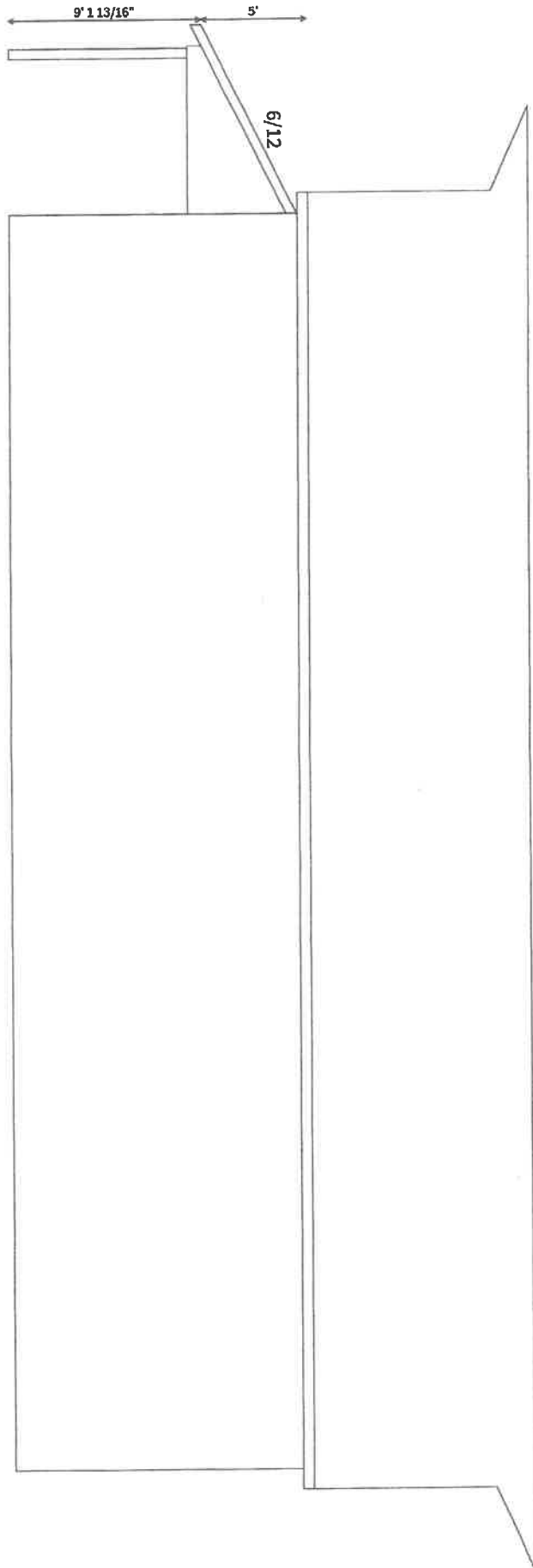
Item B. Section 5, Item

Front Elevation



Item B. Section 5, Item

**Left Elevation**





Item B. Section 5, Item

Back Elevation





2/20/22

Dwight Bartlet

### Estimate

Barn Pad 60' x 40'

Porch 8' x 24'

Apron 20' x 40'

Catch basin perimeter 4'

#### Tree

- Remove tree in front yard
- 

#### Asphalt

- Cut asphalt and remove 10' of parking lot

#### Catch basin

- Remove existing catch basin and move approx. 10'
- Install new catch basin
- Install gutter drains from far side of building and terminate in catch basin

#### Propane tank pad

- Remove existing propane tank pad

#### Sod

- Strip sod and top 4" of soils, remove sod off site, reuse dirt as fill against building

#### Gravel

- Install minimum of 4" up to 18" in deeper areas, of compacted 304 gravel

#### Concrete (3,456 ft2) Pad, Porch, Apron, and Catch Basin

- Barn Pad, porch, apron and catch basin perimeter
- Install 6 mil vapor barrier
- Install 5" of concrete 4,000 PSI

#### Back fill

100 yards of top soil (should be close)

Total: \$92,500





To: BZA/PRC  
 From: Jason Foster, Community Development Administrator  
 Date: March 15, 2022  
 Subject: Staff Report for PRC 22-01 33-35 S. Main St.

### Summary of the Request

The property at 33-35 was placed in violation on January 25, 2022, for the following violations:

1. Junk, trash, and debris in the rear yard (Property Maintenance Code Section 1450.31 (a))
2. Having constructed an accessory building with no permit and placed too close to the property line (Zoning Code Section 18.05A)

### Applicant Information

Darlene Pierce, Owner

### Current Zoning District

R-1B

### Parcel Identification

L35000200050005300

### 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 junk, trash, debris, and the non-compliant accessory building.

**Case #:** 2022003

Item C.Section 5, Item

**Case Date:** 02/24/22

**Description:** Junk and wood piled in rear yard

**Status:** BZA/PRC

**Assigned To:** Jason Foster

### Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
L35000200050005300	33 S MAIN ST	BELLBROOK W SIDE LOT 25 S MAIN ST	PIERCE DARLENE		R-1B One-Family Residential

### Activities

Date	Activity Type	Description	Employee	Status
01/25/2022	2nd Letter	Sent certified letter	Jason Foster	Completed
03/01/2022	BZA/PRC	Nothing done. Sending to BZA/PRC	Jason Foster	Completed

### Notes

Date	Note	Created By:
2022-01-25	Met with occupant, Mr. Doggit. Explained violation and remedy	Jason Foster

### Uploaded Files

Date	File Name
02/24/2022	



**Case #:** 2022004

Item C.Section 5, Item

**Case Date:** 01/25/22

**Description:** Shed with no permit

**Status:** BZA/PRC

**Assigned To:** Jason Foster

### Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
L35000200050005300	33 S MAIN ST	BELLBROOK W SIDE LOT 25 S MAIN ST	PIERCE DARLENE		R-1B One-Family Residential

### Activities

Date	Activity Type	Description	Employee	Status
01/25/2022	2nd Letter	sent certified letter	Jason Foster	Completed
03/01/2022	BZA/PRC	Nothing done. Sending to BZA/PRC.	Jason Foster	Completed

### Violations

Date	Violation	Description	Notes	Status
02/24/2022	18.05A Accessory Buildings	Any accessory building constructed in any zoning district requires a permit and must meet required setback regulations.		Active

### Notes

Date	Note	Created By:
2022-01-25	Met with occupant, Mr. Doggit. Explained violation and remedy.	Jason Foster

### Uploaded Files

Date	File Name
02/24/2022	

