



Planning Board Meeting
October 21, 2021, 6:00 pm
Agenda

1. Call to Order
2. Roll Call
3. Approval of prior minutes of August 19, 2021
4. Old Business
5. New Business
 - PB 21-81 Lot Split of 100 E. Franklin Street
6. Open Discussion
7. Adjournment





BELLBROOK PLANNING BOARD
PUBLIC MEETING MINUTES
August 19, 2021 6:00 PM

PRESENT: Mr. Tim Tuttle
Mr. Ed Stangel
Mr. Brady Harding
Mr. Denny Bennett
Mr. Mitchell Thompson, Chair

ALSO PRESENT: City Manager Rob Schommer was also in attendance.

CALL TO ORDER

Chairperson Thompson called the meeting of the Planning Board to order at 6:00 PM. The Clerk called the roll. Mr. Tuttle, yes; Mr. Stangel, yes; Mr. Harding, yes; Mr. Bennett, yes; Chairperson Thompson, yes.

FORMAL APPROVAL OF MINUTES

Chairperson Thompson asked if there were any corrections or additions to the minutes of May 20, 2021. Mr. Bennett made a motion to approve the minutes and it was seconded by Mr. Stangel. All were in favor. The minutes were approved as written.

OLD BUSINESS - none

NEW BUSINESS

- **PB 21-02 Lot Combo of Highview Terrace Lots 69 and 70**

Mr. Schommer presented the case. Jason DeWeese, the owner of the two lots wishes to combine them so that a fence can be constructed encompassing both. Staff recommends approving the request.

Mr. Bennett made a motion to approve **PB 21-02 Lot Combo of Highview Terrace Lots 69 and 70**. Mr. Tuttle seconded the motion. The Clerk called the roll. Mr. Bennett, yes; Mr. Tuttle, yes; Mr. Stangel, yes; Mr. Harding, yes; Mr. Bennett, yes; Chairperson Thompson, yes. The motion was approved 5-0.

- **PB 21-03 Lot Split of 4100 State Route 725**

Mr. Schommer presented the case to split off two tracts of land from the rear of the church property. The ultimate plan is for the owner of the adjacent residential property to combine the tracts with his property. Staff recommends approving the request.

Mr. Tuttle asked if there is a way to make sure that these tracts are added to the residential property. Mr. Schommer explained that the order of proceeding in Greene County is that the tracts must be split off first. The owners of the relevant properties have reached an agreement to proceed.

Mr. Bennett made a motion to approve **PB 21-03 Lot Split of 4100 State Route 725**. Mr. Harding seconded the motion. The Clerk called the roll. Mr. Bennett, yes; Mr. Harding, yes; Mr. Tuttle, yes; Mr. Stangel, yes; Chairperson Thompson, yes. The motion passed 5-0.

OPEN DISCUSSION

Mr. Dan Hutcheson, 3869 Upper Bellbrook Road, is attending this meeting to begin the process of proposing an addition to the City's Zoning Code to allow for the permitted use of an Accessory Dwelling Unit in R-1AA zoned districts. Mr. Hutcheson explained that he lives in the only land zoned R-1AA in Bellbrook and requires a minimum of five-acre lots. There are 10 residents who own property there. He shared a letter he sent to his neighbors which explained his proposal. The proposal would allow as a permitted use to be located within a principled single-family

detached dwelling or detached accessory building on the same lot as a principal dwelling. He said he had spoken with the previous City Manager who looked into the subject and found that ADUs are allowed in Yellow Springs, Fairborn, Beavercreek, and Xenia. She supported adopting the language used in the Yellow Springs guidelines provided language was added stating an ADU could not be utilized as a short-term or transient rental. He believes proposing this only for properties zoned R-1AA makes it a good proving ground for this change.

He explained that he would like to build an ADU on his five-acre property so that he and his wife could move into it. His son's family would live in the main house and be the primary caregivers. This would allow him to age in place and continue to live on his property. He added that this would address shifts in our population's demographics, health, and housing needs.

His question is who should submit this change to the Zoning Code. He offered to work on this with staff, the Planning Board, or City Council.

Mr. Bennett asked if Mr. Hutcheson has five acres and if the property utilizes City water. Mr. Hutcheson answered that he has a well but has County sewer.

Mr. Tuttle said he would not be against this idea on larger properties. The first acre is usually considered primary and anything over that is considered undeveloped residual acreage.

Mr. Hutcheson read the Yellow Springs guidelines so the Board would have an idea of the restrictions that could be put in place.

- A. An accessory dwelling unit may be located within a principal single-family detached dwelling or a detached accessory building on the same lot as a principal dwelling.
- B. The accessory dwelling unit shall share all public utilities (water/ sewer/electric) with the principal dwelling unit. Accessory dwelling units will not be separately metered.
- C. A minimum of one off-street parking space shall be provided on the lot for the accessory dwelling unit in addition to the off-street parking spaces required for the principal dwelling unit.
- D. The accessory dwelling unit shall be limited in size to a maximum of 66% of the total living area of the principal dwelling or 800 square feet of the total living area of the principal dwelling or 800 square feet, whichever is less.

- E. The accessory dwelling shall contain a living area, one bath and a kitchenette (including a refrigerator, microwave oven and/or stove, and sink) and may contain not more than one bedroom.
- F. No more than two adults shall occupy the accessory dwelling unit.
- G. No new access points or driveways shall be created or installed for access to the accessory dwelling unit.

Mr. Schommer stated that the usual process is that Council would direct the City Manager to make the application. He added that Mr. Hutcheson could present this to Council.

Mr. Hutcheson stated that he is willing to do the research and anything else needed to bring this forward.

Mr. Harding asked what the benefit was of proposing a code change versus applying for a variance. Mr. Hutcheson answered that he believes this change to the code would be a benefit to the City and more administratively correct. It would set precedent.

Mr. Bennett announced that Mr. Harding was running for City Council in November and wished him success.

ADJOURNMENT

Mr. Stangel moved that the meeting be adjourned, and Mr. Harding seconded, and all were in favor. The meeting adjourned at 6:29 PM.

Mr. Thompson, Chairperson Date

Pamela Timmons, Secretary Date



To: Planning Boars
From: Rob Schommer, City Manager
Date: October 18, 2021
Subject: Staff Report for PB 21-81 100 E. Franklin Street October 21, 2021 Meeting

Summary of the Request

Demolition of the structure at this address is complete and the owner is prepared to begin moving forward with re-development of the site. The owner will be submitting application for a lot split to allow for construction of three single family homes on the site.

The design concept for the homes is planned to match period-correct architecture and design to meet the intentions of Article 14. The owner/developer/builder has current experience and examples of similar projects to fit in existing historical areas which will be used as the base concept for design of the proposed structures on this site.

The request will be to create 3 separate 54' lots which matches existing size for residential existing in the area.

Applicant Information

Nate Clemens
Clemens Companies

Current Zoning District

B-4 Central Business District
ARTICLE 12 B-4 CENTRAL BUSINESS DISTRICT

12.02 PERMITTED PRINCIPAL USES:

(1) Any generally recognized retail business, service establishments or processing uses as follows:

(a) Those uses permitted in all residential districts.

Parcel Identification

[L350001000060013000](#)

Additional Actions or Next Steps to be taken by the City

Await application for development plan from applicant upon approval and replatting.

Applicant’s Reason for the Request

Redevelopment for highest and best use of the parcel which was previously abandoned and blighted.

Surrounding Land Use within 1,000 Feet

Mix of light retail/business and residential

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

Comprehensive Plan Applied to the Geographical Area

This redevelopment fits within the goals of the updated Comprehensive Plan including “A mixture of uses ranging from single family to commercial strip development...” and “Downtown represents the core of social life and economic vitality of a community.”

Existing Public Utilities

Water, Sewer, Gas, Electric

Soil Survey Data

Owner will survey for compactness and building structure suitability

Classification of Streets, Traffic Volumes & Direction, Planned Improvements

Current thoroughfare plans include accessibility to sidewalks and driveway/street access. No planned improvements needed

Flood Plain Information

Small portion of rear lot abutment in 100 year flood line with draining easement.

Comments from City and County Agencies
N/A
Supporting Maps & Graphics
Enclosed
Staff Recommendation
Recommend approval of lot split.



PRELIMINARY SITE PLAN

PROPOSED LOT SPLIT

FOR: NATE CLEMENS

STATE OF OHIO, GREENE COUNTY,
CITY OF BELLBROOK
SECTION 32, TOWN 2, RANGE 6
ADDRESS: 100 E. FRANKLIN ST.
BELLBROOK, OH 45305

DEED 2019015721

SURVEY VOL. 25, PG. 139

0.800 ACRES

DATE: JUNE 3, 2021

JOB #446.21

DRAWN BY: MRH

NOTE:

FLOOD LIMITS SHOWN ARE OVERLAID
ONTO THE PROPOSED SITE PLAN FROM
THE FEMA FIRM MAP.

CONTOURS SHOWN ARE ARE OVERLAID
ONTO THE PROPOSED SITE PLAN FROM
THE GREENE COUNTY GIS WEBSITE.

SUGAR OAK PARK
CONDOMINIUMS
P.C. 34, PG. 465A-467B
FLOOD ZONE X
(MAP NUMBER 39057C0114D)

NATIONWIDE MER CAR DG, LLC
D.B. 3465, PG. 450
1.752 ACRES

LIMITS OF ZONE AE 100
YEAR FLOOD PLAIN

FLOOD ZONE AE

LIMITS OF
ZONE X

RYCAMP. PROPERTIES, LLC
D.B. 3332, PG. 786
0.202 ACRES

DENNIS & JACQUELINE EDWARDS
DEED 2019015721
0.800 ACRES TOTAL

NEW
PROPOSED
LOT
0.209
Acres

NEW
PROPOSED
LOT
0.209
Acres

NEW
PROPOSED
LOT
0.382
Acres

ROBERT A. HOLTON &
YVONNE M. BUSHNER
D.B. 2623, PG. 311
0.502 ACRES

E. FRANKLIN STREET
(66' R/W)



GRAPHIC SCALE IN FEET

1"=60'

BRUMBAUGH
ENGINEERING &
SURVEYING, LLC

2270 SOUTH MIAMI STREET
WEST MILTON, OHIO 45383
PH (937) 698-3000
FAX (937) 698-3928

PRELIMINARY SITE PLAN
PROPOSED LOT SPLIT
FOR: NATE CLEMENS
STATE OF OHIO, GREENE COUNTY, CITY OF BELLBROOK
SECTION 32, TOWN 2, RANGE 6
ADDRESS: 100 E. FRANKLIN ST.
BELLBROOK, OH 45305
DEED 2019015721
SURVEY VOL. 25, PG. 139
0.800 ACRES
DATE: JUNE 3, 2021
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 D.B. 3465, PG. 450
 1.752 ACRES

SUGAR OAK PARK
 CONDOMINIUMS
 P.C. 34, PG. 465A-461B
 FLOOD ZONE X
 (MAP NUMBER 39057C0114)

LIMITS OF ZONE AE 100
 YEAR FLOOD PLAN

FLOOD ZONE AE

LIMITS OF
 ZONE X

RYCAMP PROPERTIES, LLC
 D.B. 3332, PG. 786
 0.202 ACRES

DENNIS & JACQUELINE EDWARDS
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 0.800 ACRES TOTAL

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 D.B. 2623, PG. 311
 0.502 ACRES

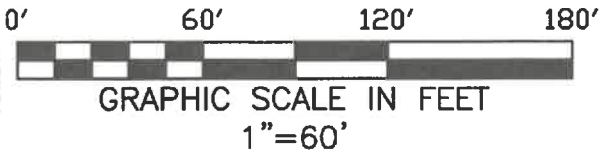
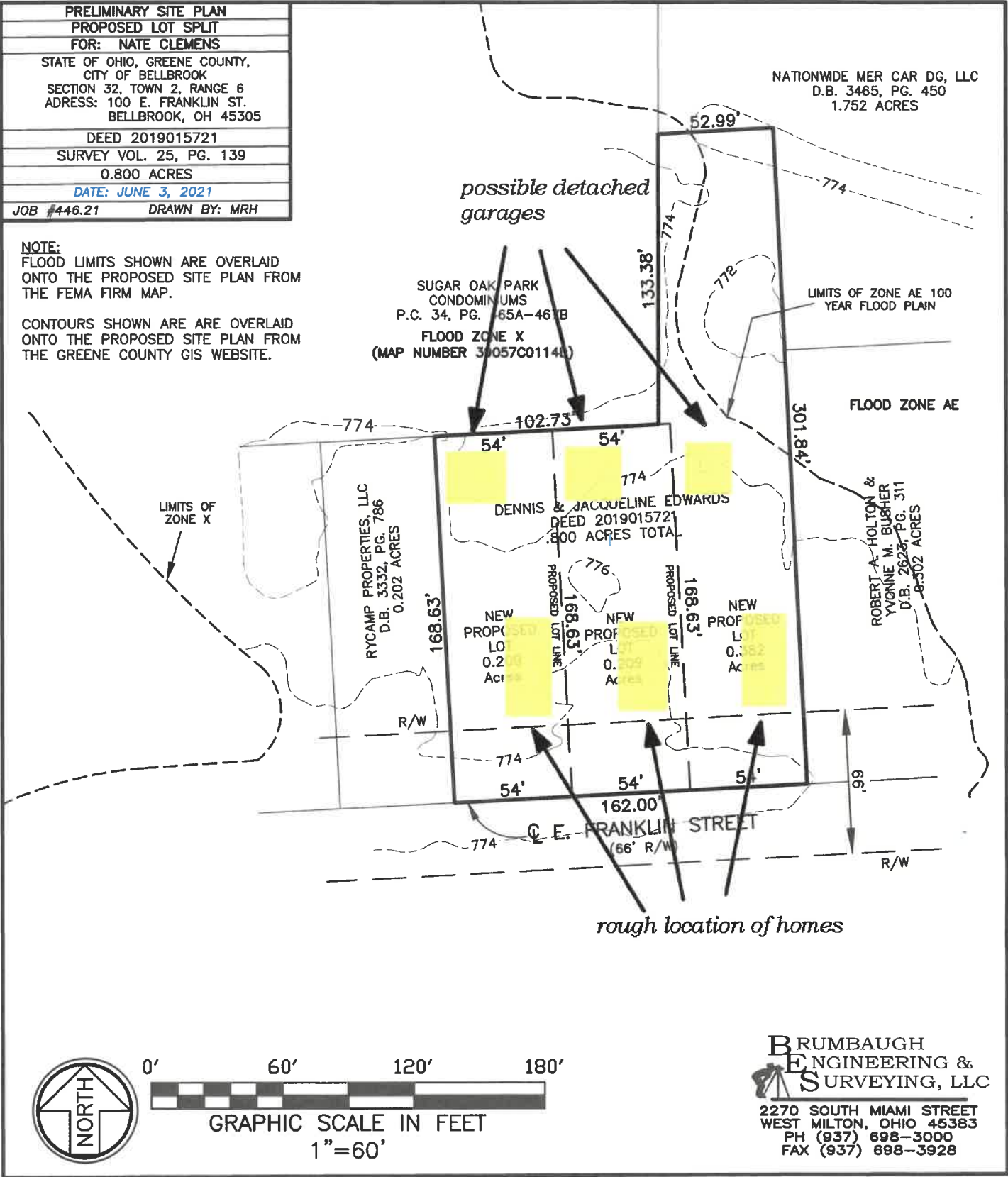
NEW
 PROPOSED
 LOT
 0.2
 ACRES

NFW
 PROPOSED
 LOT
 0.2
 ACRES

NEW
 PROPOSED
 LOT
 0.2
 ACRES

rough location of homes

*possible detached
 garages*



**BRUMBAUGH
 ENGINEERING &
 SURVEYING, LLC**

2270 SOUTH MIAMI STREET
 WEST MILTON, OHIO 45383
 PH (937) 698-3000
 FAX (937) 698-3928

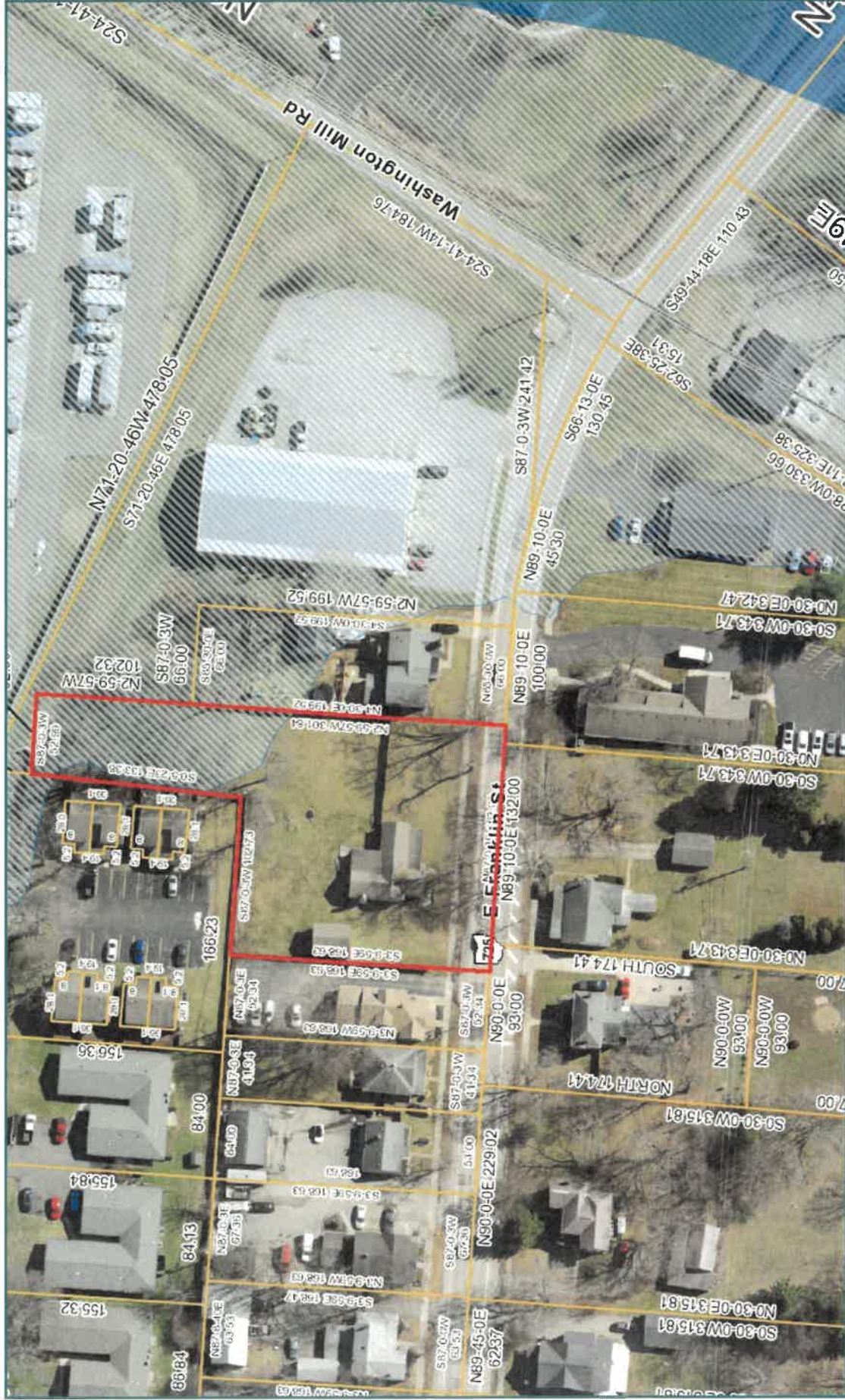
100 E. Franklin



Greene County Legend

- Interstate Highway
 - US Highway
 - State Route
 - Local Roads
 - Schools
 - Parks
 - Buildings
 - Hydrography
 - Parcel Boundary
 - Corporation Bound
 - Topography
 - Parcel Number
 - Lot Number
- The map was prepared a tax map for Greene County as prepared by the assessor in accordance with Section 5713.09 of the Ohio Revised Code. Greene County assumes no legal responsibility for the information contained on this map. Users noting errors or omissions are encouraged to contact the Greene County GIS Department.
- Created On: 9/28/2022
- 1 inch = 40 feet
- 0 10 20 Feet
-
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100 E. Franklin Street Flood Plain



Greene County Legend

- Interstate Highway
- US Highway
- State Route
- Local Roads
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- Parcel Boundary
- Corporate Boundary
- Topography

This map was prepared as a map product for the County and is provided by the Greene County Engineer in accordance with Section 5713.09 of the Ohio Revised Code. Greene County assumes no legal responsibility for the information contained on this map. If you have any questions or concerns, please contact the Greene County GIS Department.

Created On: 9/29/2021

1 inch = 60 feet



RECORD OF PROCEEDINGS

Minutes of Bellbrook Village Review Board Meeting

October 5, 2021

PRESENT: LaKesha Taylor
Thad Camp
Jackie Greenwood
Karen McGill
Jeff Owens, Chair

ALSO PRESENT: City Manager Rob Schommer

CALL TO ORDER: Chairman Owens called the meeting to order at 6:00 pm.

ROLL CALL: Ms. Taylor, yes; Mr. Camp, yes; Mrs. Greenwood, yes; Mrs. McGill, yes; Chairman Owens, yes.

FORMAL APPROVAL OF MINUTES:

After polling members of Board, as there were no corrections or additions to the regular meeting minutes of August 3, 2021, Mr. Camp made a motion to approve the minutes as written. Mrs. Greenwood seconded the motion. All were in favor.

OLD BUSINESS – none

NEW BUSINESS

The Board members welcomed new member LaKesha Taylor.

- **100 E Franklin Street Lot Split**

Mr. Schommer presented the lot split request from Developer Nate Clemens. The proposed plan is to split the property into three lots and build residential houses on each one. Each lot will be 54 feet wide which matches the size of surrounding lots along Franklin Street. The concept for the residential homes is for two-story homes to maximize the footprint. The next step is for the request to be seen by the Planning Board. Any comments from the VRB will be forwarded on to the Planning Board.

RECORD OF PROCEEDINGS

Minutes of Bellbrook Village Review Board Meeting

October 5, 2021

The Board asked if there was a drainage plan as the new structures and paved areas will create more runoff than the previous house and gravel drive. Mr. Schommer said that would be considered in the design engineering phase.

Mr. Owens asked if the sidewalk areas will be inspected and improved if necessary. Mr. Schommer said they would.

Mrs. McGill wanted to go on record that she is in agreement with Ms. Holton, the owner of the property adjacent to the west, who is requesting that the spacing between the new house and driveway take into consideration leaving room.

Mrs. Greenwood thanked the developer for taking on this project as it was very much needed. She added that it is good for the town. All of the Board members agreed.

ADJOURN

Being no further business to come before this Board the Chairman declared the meeting adjourned at 6:20 pm.

Jeff Owens, Chairman

Rob Schommer, Acting Clerk of Council

10/1/21

Dear Members of the Board,

My name is Yvonne Holton. I live at 112 E. Franklin St. I am writing regarding the proposed lot change at 100 E. Franklin St. The property at 100 E. Franklin is located next to my home, so the proposed lot change will directly impact my family daily along with our property value. My husband and I bought our home 15 years ago. We purchased it because it was still close to local amenities while also providing a good amount of green space, which is hard to come by with a downtown lot. We also loved the fact that our home was a good distance away from the next neighbor. This gave us and the neighbor breathing room and privacy. Over the years the home at 100 E. Franklin fell into disrepair and there was really no choice but to tear it down. I am not against the lot being divided up, but I think that the three lots that are being proposed are too much for a piece of land that is less than an acre. I could see two lots at the most. Then we would all have enough space to live comfortably as neighbors. If this can't be achieved and the lot must be divided into three, then I implore you to please re-think the location of the home that is to be built on the lot next to mine. The current proposal puts that home right up next to my house and we would lose all privacy. If you look at the proposal you will see that the proposed lot closest to the law office on E. Franklin would provide that home and business with two driveways between them. That home would also be separated from the next home by a driveway, and so on until you reach the home directly next to mine. The only thing that would separate us would be a very small strip of land. Would it be possible to have that home built on the other side of that lot and have their driveway installed between it and my home? This would at least give us a little bit of space to live without feeling like we are right on top of each other.

I don't think that it's too much to ask to try and work with a homeowner who has lived here for 15 years. I'm not opposed to the development, and I believe that something needs to be done with the lot. All I'm asking is please try to see my side of it. Can there be a compromise so that in the end everyone is happy with the finished product?

Thank you for your time.

Sincerely,

Yvonne Holton

112 E. Franklin St.