

City of Bellbrook
15 E. Franklin Street
Bellbrook, Ohio 45305

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BELLBROOK VILLAGE REVIEW BOARD
PUBLIC HEARING
August 3, 2021
AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF PRIOR MINUTES OF MAY 4, 2021**
- 4. OLD BUSINESS**
- 5. NEW BUSINESS**
 - **21-80 118 W Franklin St Sign Permit**
- 6. OPEN DISCUSSION**
- 7. ADJOURNMENT**



RECORD OF PROCEEDINGS
Minutes of Bellbrook Village Review Board Meeting
May 4, 2021

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

Also present was Planning and Zoning Administrator Jessica Hansen.

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

ROLL CALL: 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 January 6, 2021, Mr. Camp made a motion to approve the minutes as written. Mrs. McGill seconded the motion. All were in favor.

OLD BUSINESS – none

NEW BUSINESS

- **VRB 21-30 13 S Main Street Projecting Sign – Blaze Taxidermy**

Mrs. Hansen presented the staff report for a new projecting sign for 13 S Main Street.

Mr. Owens asked if this is a new business. Mrs. Hansen answered that Miami Taxidermy will still be operating out of the building, but it is being taken over by a new owner.

Mrs. Greenwood made a motion to approve VRB 21-30 Projecting Sign at 13 S Main Street. Mr. Camp seconded the motion. The Clerk called the roll. Mrs. Greenwood, yes; Mr. Camp, yes; Mrs. McGill, yes; Chairperson Owens, yes. The motion passed 4-0.

- **VRB 21-41 76 Bellbrook Plaza Wall Sign – Knot Your Average Massage**

Mrs. Hansen reported the request to add a vinyl wall sign 4' by 4' and meets all regulations.

Mr. Camp made a motion to approve VRB 21-41 Wall Sign in Bellbrook Plaza. Mrs. McGill seconded the motion. The Clerk called the roll. Mr. Camp, yes; Mrs. McGill, yes; Mrs. Greenwood, yes; Chairperson Owens, yes. The motion passed 4-0.

- **VRB 21-49 129 W Franklin Street Ground Sign**

Mrs. Hansen reported that the new sign for Art Town at 129 W Franklin Street will be the same size as the sign for Zeitland Street that it is replacing, 24" height and 71" wide. She added that no permit fee

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was collected as a sign of goodwill since the owners have paid for each of the replaced signs on the property.

Mrs. McGill made a motion to approve VRB 21-49 Ground Sing at 129 W Franklin Street. The motion was seconded by Mrs. Greenwood. The Clerk called the roll. Mrs. McGill, yes; Mrs. Greenwood, yes; Mr. Camp, yes; Chairperson Owens, yes. The motion passed 4-0.

- **VRB 21-39 100 E Franklin Street Demolition Request**

Planning and Zoning Assistant Hansen explained the request to demolish the structure at 100 E Franklin Street. The property is .8 acres. The land is valued at \$32,000 and the structure at \$37,360. The estimate to make repairs to the current structure could be close to \$295,000. The City had received previous requests to demolish this structure in 1995 and 2016 which were denied. The applicant is Nate Clemens.

Mrs. Hansen added that added the value of the structure plus the cost of repairs and divided it by 120 which equals 10 years. This calculation comes out to an amount of \$3,083 that would be needed to regain the initial investment.

The intent of the B-4 district is to permit all uses including residential. The intent of Zoning code 14.01 is to recognize the history of the area and human values. A flow chart has been created showing the guidelines for demolition. Demolition is also included in the Property Maintenance Code and states that the cost of repairs exceeds the value of the home demolition is allowed. Mr. Kuzma from the Greene County Building Department agreed that it would be more cost effective to demolish this particular structure even though there is nostalgia involved.

The house is 120 years old. The property has been in disrepair for at least 26 years. An inspection found that the structure is unsafe and unfit for occupancy. Since 2013 it has been a nuisance property. Every year the City receives complaints about the property.

Mrs. Greenwood stated that previous owners had good intentions but found it was beyond repair. She asked if anything could be salvaged. She also asked for an explanation of the applicant vs. owner in this case since both are supposed to sign the Certificate of Appropriateness. Mrs. Hansen said she had spoken with the owner who would like for the demolition to be approved so that he can sell it. She apologized for not getting the owner's signature.

Applicant and Developer Nate Clemens, the developer explained that he has a verbal agreement with the owner to purchase the property if the structure can be torn down.

Mrs. Greenwood asked if shed on the property would also be demolished. Mr. Clemens said it would.

Mr. Owens asked Mr. Clemens about plans for the property. Mr. Clemens answered that they would request a lot split into three narrower lots in keeping with the lots around it. They would build an appropriately historic-looking single-family residence on each lot.

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Mrs. Greenwood asked if there could be access from the rear of the property through the condos behind it. Mr. Clemens did not think access would be possible. He is planning a driveway to the rear yard of each lot and detached garage.

Mr. Clemens explained that they contract out the actual demolition. They will be getting a permit from the County and will also have it inspected when it is complete.

Mrs. Hansen also explained that there is an update being made to the demolition ordinance to include a Certificate of Demolition from the County that would be transferable with a property to facilitate a sale.

Mrs. McGill made a motion to approve **VRB 21-39 100 E Franklin Street Demolition Request including Accessory Structures**. Mr. Camp seconded the motion. The Clerk called the roll. Mrs. McGill, yes; Mr. Camp, yes; Mrs. Greenwood, yes; Chairman Owens, yes. The request was approved 4-0.

OPEN DISCUSSION

ADJOURN

Being no further business to come before this regular session of the Chairman declared the meeting adjourned at 6:40 pm.

Jeff Owens, Chairman

Pamela Timmons, Clerk of Council



CITY OF BELLBROOK

ZONING PERMIT - SIGNS

15 EAST FRANKLIN STREET, BELLBROOK, OHIO 45305
 (937) 848-4666 WWW.CITYOFBELLBROOK.ORG

DATE RECEIVED ___/___/___ STAFF USE APPLICATION # _____

APPLICANT INFORMATION

PROPERTY ADDRESS 118 W. Franklin St. ZONING DISTRICT Bellbrook
 PROPERTY OWNER Bernhard Enterprises Inc. PHONE NUMBER 937-848-3332
 APPLICANT NAME Nick Moskos PHONE NUMBER 937-825-6241
 APPLICANT EMAIL nick@dotsmarket.com

REQUEST INFORMATION

BUSINESS NAME Dot's Market
 BUSINESS MAILING ADDRESS 118 W. Franklin St. Bellbrook, OH 45305
 SIGN REQUEST NEW PERMANENT SIGN SIGN REFACE TEMPORARY OTHER replacement
 SIGN TYPE GROUND PROJECTING ROOF WALL SANDWICH BOARD BANNER OTHER electronic
 SIGN DIMENSIONS HEIGHT 41" WIDTH 9'3" AREA 30.85 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 metal, plastic
 ADDITIONAL COMMENTS Replacing electronic message boards damaged by lightning on 6/18/21.

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 [Signature] DATE 7/2/21

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

REGULATION OF SIGNS

A. PURPOSE

THE CITY'S SIGN REGULATIONS EXIST TO PROTECT EACH PERSON'S CONSTITUTIONAL RIGHT TO FREEDOM OF SPEECH AND TO PROTECT THE PUBLIC HEALTH, SAFETY, CONVENIENCE, COMFORT, PROSPERITY, AND GENERAL WELFARE. THE CODE REGULATES THE TIME, PLACE, AND MANNER IN WHICH SIGNS ARE DISPLAYED TO ACHIEVE THE FOLLOWING:

- a) PERMIT NON-COMMERCIAL SIGNS ON ANY PROPERTY WITHIN THE CITY.
- b) PERMIT SIGNS, WHICH DO NOT CREATE A POTENTIAL HAZARD TO THE PUBLIC SAFETY.
- c) PERMIT COMMERCIAL SIGNS APPROPRIATE TO THE LAND USE AND/OR ZONING CLASSIFICATION OF EACH PROPERTY WITHIN THE CITY.
- d) CREATE A MORE AESTHETICALLY PLEASING CITY.
- e) ELIMINATE VISUAL CLUTTER WITH THE CITY.

B. PERMIT REQUIRED

NO BUILDING OR OTHER STRUCTURE SHALL BE ERECTED, MOVED, ADDED TO, STRUCTURALLY ALTERED, NOR SHALL ANY BUILDING, STRUCTURE OR LAND BE ESTABLISHED OR CHANGED IN USE WITHOUT A PERMIT ISSUED BY THE ZONING INSPECTOR. ZONING PERMITS SHALL BE ISSUED ONLY IN CONFORMITY WITH THE PROVISIONS OF THIS ORDINANCE UNLESS THE ZONING INSPECTOR RECEIVED A WRITTEN ORDER FROM THE BOARD OF ZONING APPEALS OR FROM THE CITY COUNCIL, AS PROVIDED BY THIS ORDINANCE.

C. PERMITTED SIGNS (ZONING CODE: 18.20 A)

- a) THIS SECTION REGULATES SIGNS IN EACH ZONING DISTRICT OF THE CITY OUTSIDE OF THE OLD VILLAGE DISTRICT.
- b) SIGN REQUESTS THAT DO NOT MEET THE STANDARDS OF THE CODE CAN BE GRANTED A VARIANCE. A VARIANCE MUST BE REQUESTED BY THE APPLICANT AND WOULD NEED APPROVAL BY THE BELLBROOK BOARD OF ZONING APPEALS BEFORE A ZONING PERMIT CAN BE ISSUED.

D. PERMITTED SIGNS (OLD VILLAGE DISTRICT) (ZONING CODE: 18.20 B)

- a) THIS SECTION REGULATES SIGNS IN THE OLD VILLAGE DISTRICT.
- b) ALL SIGN REQUESTS FOR PROPERTIES IN THE OLD VILLAGE DISTRICT MUST BE APPROVED BY THE BELLBROOK VILLAGE REVIEW BOARD BEFORE A ZONING PERMIT CAN BE ISSUED.
- c) SIGN REQUESTS THAT DO NOT MEET THE STANDARDS OF THE CODE CAN BE GRANTED A VARIANCE. A VARIANCE MUST BE REQUESTED BY THE APPLICANT AND WOULD NEED A RECOMMENDATION BY THE BELLBROOK VILLAGE REVIEW BOARD AND APPROVAL BY THE BELLBROOK BOARD OF ZONING APPEALS BEFORE A ZONING PERMIT CAN BE ISSUED.