



THE CITY OF BELLBROOK
Founded 1816

October 21, 2014

Dear Brad and Katrina,

Please find enclosed the minutes of the Village Review Board work session held on October 8th for your information. The minutes, approved by the board members electronically, detail the board's discussion regarding demolition of your property at 44 N West Street in the Old Village District.

In summary, the board stated that there were no objections to the demolition of the existing structure at 44 N West St, since it was not built in conformance to reflect the requirements of The Bellbrook Village Plan, nor is it historic in nature. There was also discussion that should demolition take place, new construction should then conform to these standards as set forth in the Zoning Ordinance, Article # 14 and the Guidelines for the Old Village. We will be glad to answer any questions you may have as this portion of the process unfolds.

I spoke with Brady Harding, Sr VP, Architecture, *Interbrand Design Forum*, who was not present at the meeting on the 8th. However, he informally concurred with the other board members opinions and stated that he would be happy to work with you regarding architectural controls and the appearance of a new structure, if you felt that you would like some assistance in this area. It is not required that you do so, but if you so choose, you may reach Mr. Harding at (937) 829-1510 (cell) at your convenience.

Please feel free to contact me at the Zoning Office, 848-8477, or stop in to visit if you have additional questions or concerns as you proceed with your project.

Eileen F. Minamy
Secretary, Village Review Board



CITY OF BELLBROOK

Founded 1816

15 E FRANKLIN ST, 2ND FLOOR
BELLBROOK OH 45305-0285
(937) 848-4666
FAX: (937) 848-5190
www.cityofbellbrook.org

September 30, 2014

MEMORANDUM FOR THE VILLAGE REVIEW BOARD

SUBJECT: PUBLIC MEETING SCHEDULED ON OCTOBER 8, 2014

This is to confirm that the Village Review Board will conduct a public meeting on October 8, 2014 at 6 PM in the City Council Chambers, 15 E. Franklin St., 2nd floor, Bellbrook. Please find enclosed an agenda for the evening's meeting as well as the subject matter to be discussed. Also enclosed are the prior minutes of October 24, 2012, which will be publicly approved at this meeting.

NEW BUSINESS:

WORK SESSION: 44 N WEST STREET (MCWILLIAMS)

The purpose of the work session is to discuss with the owner, Mrs. Mary Lou McWilliams and her son, Brad McWilliams, options for the property, which may include demolition of the existing structure with a re-building of a larger home on the site, or building an addition(s) on the existing house to accommodate a larger family unit. There was also a brief discussion of the re-location of the existing driveway entrance to the south portion of the lot, still with access from N. West Street.

Please refer to Article # 14 and the Guidelines, which provide the process for demolition. As I look at the Guidelines in more detail regarding demolition, it seems that the certifications and appraisals are considered an **optional tool** in determining whether there are feasible **alternatives** to demolition for properties within the Old Village (pg A-3). If you, as a board and after discussion at the work session, believe the existing structure should be preserved, then the appraisals, certifications, etc. would become an avenue for such preservation. If, however, you decide you are **not** opposed to this demolition, either in theory or in fact, then this paperwork becomes unnecessary. In either event, a Village Review Board public hearing would ensue with board review and a subsequent decision rendered regarding such demolition. If demolition is approved by the board, a Certificate of Appropriateness and a zoning permit for demolition would be issued to the owner.

I requested that Mr. McWilliams bring a photo or rendering of a structure similar in size that could replace the existing structure in the event of demolition and re-building, simply as an idea for the board in discussion. I believe there was a concern among the board about the exterior architectural appearance of any new structure. A discussion of this matter may be part of this initial work session so that all parties are aware of any requirements you would eventually like incorporated into a new home site. Please take some time to read Article # 14, The Bellbrook Village Plan and the Guidelines for the Old Village, which govern, among other things, demolition and new construction, including mandatory standards for new construction.

Please note that you are not required to render any decisions at this work session, since it is simply a discussion of property options.

Please find enclosed several items for your review prior to the board meeting:

- 1) Article #14, The Bellbrook Village Plan and Guidelines for the Old Village;
- 2) Location of 44 N West St on Old Village District map;
- 3) A photo of the existing structure; and
- 4) Aerial photo from the Greene County GIS website

Please advise of any additional material you would like to review or any questions that you may have regarding this work session and/or the material; otherwise I will see you on October 8th at 6 PM.

/S/

Eileen F. Minamy
Secretary, Village Review Board

Encl



CITY OF BELLBROOK

FOUNDED 1816

*BOX 285
BELLBROOK OH 45305-0285
(937) 848-4666
FAX (937) 848-5190*

BELLBROOK VILLAGE REVIEW BOARD
PUBLIC HEARING
OCTOBER 8, 2014
AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF PRIOR MINUTES OF OCTOBER 24, 2012**
- 4. OLD BUSINESS: NONE**
- 5. NEW BUSINESS:**
WORK SESSION : 44 N WEST ST (MCWILLIAMS), OPTIONS FOR PROPERTY
- 6. OPEN DISCUSSION**
- 7. ADJOURNMENT**



BELLBROOK VILLAGE REVIEW BOARD
PUBLIC HEARING MINUTES
OCTOBER 24, 2012

PRESENT: Mr. George Simmons
Mr. Dan Tieman
Mrs. Amy Wikstrom
Chairman Tim Lee

ABSENT: Mrs. Pat Campbell

GUESTS: Mr. Brad Kenney

CALL TO ORDER:

Chairman Lee called the meeting of the Village Review Board to order at 6:05 PM and requested a motion regarding the prior minutes of August 1, 2012. Chairman Lee requested any comments or clarifications regarding the minutes. Hearing none, Chairman Lee requested a motion. Mr. Simmons moved to approve the prior minutes; Mr. Tieman seconded the motion. Roll was called. Mr. Simmons, yes; Mr. Tieman, yes; Mrs. Wikstrom, yes; Chairman Lee, yes. The motion passed 4-0; the prior minutes stand approved.

OLD BUSINESS: None

NEW BUSINESS:

VRB CASE # 12-02: 62 N MAIN STREET (KENNEY)

Chairman Lee stated that this request for Certificate of Appropriateness is to re-build an accessory building in a required side yard to replace an existing legal non-conforming accessory building built circa 1900. The accessory building was damaged in recent adverse weather and requires extensive repair. Chairman Lee requested that Mr. Kenney, the owner and applicant come to the podium and summarize his request to the board.

Brad Kenney, 62 N Main Street, Bellbrook, stated that he would like to request a recommendation from the Village Review Board to the Board of Zoning Appeals for a waiver to the underlying zoning so that an accessory building can be re-constructed on a separate lot at his residential property in the Old Village District. Mr. Kenney stated that the shed was badly damaged by a tree that fell on it in the June 30th windstorm. Both the insurance company and the contractor recommends that the shed be removed at the foundation and be re-built with new materials. Mr. Kenney stated that this project requires a building permit and therefore a zoning permit, which in turn requires the Village Review Board and Board of Zoning Appeals approval for the re-built accessory building in a required side yard.

**Village Review Board
October 24, 2012**

Chairman Lee questioned whether the footprint would be a facsimile of what is currently on site. Mr. Kenney stated that he would like the shed to look as nearly identical both in shape, size and materials on which the estimate by the insurance company was based. Mr. Kenney stated that one of his goals, which does not increase the slope or length of the roof, is to enlarge the concrete carport in order to park a car in this space. Mr. Kenney stated that presently, the space is not large enough to accommodate a car. He stated that he needs and would like a covered parking space on his property. Mr. Kenney stated that he has a garage but it is located all the way to the rear of the property at the top of a hill, which is not able to be used. The attached garage on the house has a wood floor and a car is not able to be parked in it. Mr. Kenney stated that this additional square footage proposed for the accessory building is still within the required size for a city residential lot.

Mr. Tieman clarified that the look of the accessory building would appear similar. Mr. Kenney stated that the roof already extends beyond the edge of the concrete and he would only like to add that difference (3') of concrete to the existing footprint.

The secretary questioned what the siding materials would be for this project. Mr. Kenney stated that the siding is currently redwood and so it may be replaced with redwood, if available, otherwise it would be replaced with cedar siding. The wood will be painted but both these woods would be able to withstand rotting and humidity, which is needed in this locale. The secretary questioned whether the lattice work would be replaced. Mr. Kenney stated that the lattice work would be replaced with either new lattice or a similar material that would be more period-appropriate in order to screen the contents of the carport from public view. Mr. Tieman questioned whether the period cited was circa 1900. Mr. Kenney stated that the shed sits on a limestone wall foundation which probably dates to the 1800's. The carport portion is not that old but in any event, the screening will be identical to today or a similar screening. There was some discussion that the lattice work dates to only about 20-30 years ago and was most likely added by the previous owner.

Mr. Tieman questioned the landscaping in terms of aesthetics. The goal is have landscaping that enhances the property and there is a need to make sure that this is part of the project as it evolves. Mr. Kenney provided photos of the property to the board and indicated that existing stone walls and landscaping will be preserved on site. Mr. Kenney stated that there is no way to move the building anywhere else on the lot due to existing walls and paths on the lot. Mr. Kenney stated that none of the landscaping should be affected; if it is, it would be restored to the way it looks today. Mr. Kenney stated that his goal is to make his property look identical to today.

Chairman Lee stated that Mr. Kenney's proposal preserves the historic integrity of the structure and his property and thanked Mr. Kenney for his diligence in implementing the Old Village Ordinance and Guidelines.

Mr. Tieman moved to recommend approval of the requested variance to the Board of Zoning Appeals; Mrs. Wikstrom seconded the motion. Roll was called. Mr. Simmons, yes; Mr. Tieman, yes; Mrs. Wikstrom, yes; Chairman Lee, yes. The motion carried 4-0; the Village

**Village Review Board
October 24, 2012**

Review Board recommended approval to the Board of Zoning Appeals for the project as submitted.

The secretary stated that the Board of Zoning Appeals will conduct a public hearing on October 29th at 6 PM and that the board would be in receipt of the VRB's recommendation.

OPEN DISCUSSION:

Mr. Tieman commented that the building across the street (26 E Franklin St) looks wonderful with the new siding and window trim treatments. The board agreed that it will last a long time and adds a lovely view on the streetscape.

Mr. Tieman questioned whether any of the board had visited downtown Miamisburg recently and noted that their main street has undergone a major transition with new restaurants, businesses, parking and an improved streetscape. Mr. Tieman stated that it may be interesting for the board members to look into this improvement to see if something similar could be implemented in Bellbrook.

ADJOURNMENT:

There being no further business to discuss, Mrs. Wikstrom moved to adjourn the meeting at 6:20 PM.

Tim Lee, Chairman Date

Eileen Minamy, Secretary Date

ARTICLE 14

BELLBROOK VILLAGE PLAN

14.01

GENERAL

This section is intended to create the Bellbrook Village Plan and to establish procedures for control, development and regulation of this district along with a master design plan and architectural controls. These controls are to be in addition to existing planning and zoning controls and do not replace the underlying zoning pattern, but are supplemental in nature. Where there is conflict between these controls and those of the underlying district, the regulations of this section shall prevail.

It is also the intent of this ordinance to recognize the history of the area as well as human values and basic property rights. No attempt is made to create a situation of undue financial strain upon any business or resident.

As such, the intent of this ordinance is to regulate demolition and guide new development and construction in the Village District. In no manner is this ordinance to be interpreted to interfere with the day to day activities and normal periodic maintenance of any home or structure.

Council shall adopt a resolution containing guidelines (hereinafter referred to as the "Guidelines") for implementing this ordinance and carrying out its intent. A board to be known as the Village Review Board, established in accordance with Article 14.13 hereof, shall administer this ordinance in accordance with the Guidelines as adopted by Council and as amended from time to time. In case of conflict between the Guidelines and any provision of this ordinance, the ordinance provision shall prevail.

14.02

DESIGNATION OF DISTRICT

The area to be covered by these regulations is shown on the zoning map. The boundaries are generally described as follows: bounded on the west by Little Sugarcreek, the south by the centerline of West South Street and East South Street, the east by the existing corporate line and the north by a line running along the southern and western boundary of Bellbrook Farms Subdivision just south of Upper Hillside Drive, extending across Main Street approximately 1300 feet west of Main Street then south to a point approximately 500 feet north of

Article # 14, The Bellbrook Village Plan
the centerline of Franklin Street, then west to the Little Sugarcreek.

Where any question arises as to exact location of the district boundaries, the City Council shall interpret the district boundaries.

14.03 **PERMITTED PRINCIPAL USES**

All uses permitted within the underlying zoning district.

14.04 **ACCESSORY USES**

All accessory uses allowed in the underlying zoning districts are permitted.

14.05 **CONDITIONAL USES**

All conditional uses allowed in the underlying zoning districts are permitted.

14.06 **NON-CONFORMING BUILDING**

The lawful use of any dwelling, building or structure and of any land or premises, as existing and lawful at the time of enacting this zoning ordinance or amendment thereto, may be continued, although such use does not conform with the provisions of such ordinance or amendment, but if any such non-conforming use is voluntarily discontinued for two years or more, any future use of such land shall be in conformity with Article 14 of the Zoning Regulations.

14.07 **YARD REQUIREMENTS**

The regulations of the underlying zoning districts shall apply.

14.08 **PARKING REQUIREMENTS**

Space shall be provided in accordance with the provisions of Section 18.16.

14.09 **OFF-STREET LOADING**

Space shall be provided in accordance with the provisions of Section 18.15.

14.10

SIGNS

Signs shall be regulated in accordance with provisions of Section 18.20B.

14.11

STANDARDS

The significant architecture of the Bellbrook Village District is generally classified as a simple Victorian with modifications.

There are numerous buildings that do not fall within this broad description, but the general architectural character of Bellbrook is Victorian in nature and the standards are aimed at preserving existing examples and establishing perimeters which will allow acceptable and pleasing contemporary interpretation of the standards.

(1) Structural Proportion:

Bellbrook architecture is characterized by two story buildings with tall, narrow doors and windows and in earlier examples, slightly squatter proportions. New buildings shall conform generally to the proportions of adjoining buildings and all buildings, either new or remodeled shall have windows and doors of proportions similar to adjoining buildings. Roof slopes shall also be similar to adjoining buildings.

(2) Foundations:

Foundation walls of the mid 19th century were of local limestone. Acceptable foundation materials shall be limited to limestone, brick, poured concrete or other material which is similar in appearance to the original foundation material.

(3) Exterior Walls:

The exterior walls of the period were of brick or narrow wood siding. Wall surface construction shall employ these materials or a modern construction material which creates the same effect. Cosmetic treatment using such materials as asphalt shingles which simulate brick or stone is prohibited.

Article # 14, The Bellbrook Village Plan

(4) Roof Materials:

Roofing materials may consist of metal, slate, asphaltic shingles or wood shingles. Prohibited materials include aluminum shingles formed to look like wood, asphalt roll roofing and simulated cosmetic materials.

(5) Chimneys:

Chimneys and flues shall be of brick or stucco masonry or other material which is compatible with the architecture of the period. Metal chimneys simulating masonry construction are prohibited.

(6) Windows and Door Lintels:

Original lintels were stone, wood or brick. Where feasible, lintels shall be restored or compatible stone, brick or wood shall be used in remodeling, additions or new construction(s).

(7) Porches and Outbuildings:

The construction of porches or outbuildings which do not conform to these standards or to the character of the main building is prohibited.

14.12

EXCLUSIONS AND CONTROLS NOT APPROPRIATE

Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any property, area or object within the Village District. For the purposes of this ordinance, a modification of a window or door which causes the area of the opening to vary by no more than ten percent from its original size shall be considered to be ordinary maintenance or repair, and is not regulated.

Neither the exterior color nor the interior arrangement of the building and the use to be made thereof, shall be considered by the Village Review Board in determining whether an application complies with the provisions of this ordinance, provided such use is permitted by the applicable zoning designation.

14.13

VILLAGE REVIEW BOARD

The Board shall consist of five members to be appointed by Council.

Article # 14, The Bellbrook Village Plan

(1) One member shall be a resident of said district.

(2) One member shall own real property at a location within the district and operate a business at that location. This member need not be a City resident. If a qualified person cannot be found to fill this position, then Council may fill the position by appointing any City resident who has the requisite interest and skill.

(3) Three members shall be residents of the City who shall serve in at-large positions. They need not live in the district.

The Manager shall retain the services of a registered architect to advise the Village Review Board. The Manager shall confer with the Village Review Board and obtain the approval of Council before making the appointment.

The first members appointed and each succeeding member shall be appointed to specific capacities on the Board to be designated as: at-large member, resident member, business member.

The terms shall be three years. However, the first members appointed shall serve respectively for the following terms: two for one year; two for two years and two for three years.

Vacancies on the Village Review Board shall be filled for the unexpired terms of the members whose offices have become vacant in the same manner as is provided for the appointment of such members.

In the event a Board member ceases to meet his designated qualifications of his appointment, his membership on the Board is automatically terminated and a successor member meeting those qualifications shall be appointed by the Council. Board members serve at the pleasure of Council.

14.14

APPLICATION FOR VILLAGE DISTRICT PERMIT AND INFORMATION REQUIRED

(1) Application for Village District Permit:

Village District permits are required as set forth in Section 14.16 hereof. This Village District permit shall be obtained by application to the Zoning

Article # 14, The Bellbrook Village Plan

Inspector prior to commencement of construction and is required in addition to any other required zoning permit or building permit.

(2) In addition to any other information required by the Zoning Regulations, a scale drawing in duplicate of all affected exterior elevations accompanied by a written description setting forth details of work to be done, materials to be used, brick or accurate color photographs or facsimilies to be used in the modifications and an appropriate presentation showing such proposed details as door and window designs shall accompany the applications.

These documents as amended and accepted shall be official. Any deviation without written permission by the Village Review Board shall be cause for revocation of all permits including any building permit. Such presentation of material shall be no larger than 18" X 24" but may contain any number of such sized units as deemed necessary by the applicant.

14.15

REVIEW PROCEDURE

(1) Application Review by Zoning Inspector:

The Zoning Inspector shall determine whether the subject property meets all other requirements of this ordinance and shall present his findings to the Village Review Board.

(2) Application Review by Village Review Board:

(a) Hearing: The Village Review Board shall notify the applicant of a time and place of a hearing on the application not less than ten (10) days before the date of the hearing. The hearing shall be held within fourteen (14) days after delivery of the application and supportive materials to the Zoning Inspector. Public notice shall be required.

(b) Action on Application: The Board is encouraged to make a decision on the night of the hearing; however, it is required that

(1) Within seven (7) days after the hearing the Board shall approve, approve with modifications, or disapprove the application. This decision shall be based upon a careful

Article # 14, The Bellbrook Village Plan

review of the record and application, considering the Guidelines and purposes of this ordinance and shall comply with the following standards:

(A) If the Village Review Board finds that the proposed changes conform with the Guidelines then the application shall be approved.

(B) If the Village Review Board finds that the proposed changes are not in conformance with the Guidelines and that strict application of the Guidelines would deprive the applicant of substantially all economically viable use of the property, then the Village Review Board shall approve the application with such modifications as will permit reasonable use of the property while conforming as closely with the Guidelines as prudence permits.

(C) If the Village Review Board finds that the proposed changes are not in conformance with the Guidelines and that full conformance would not cause the applicant to lose substantially all economically viable use of the property, then it shall disapprove the application.

(2) Written notification of such action shall be given to the Zoning Inspector, applicant and Clerk of Council. In the case of approval with modifications, a list of these modifications shall be forwarded to the Zoning Inspector and the Clerk of Council. If the applicant accepts these suggested modifications, he shall revise his application and supportive material accordingly and file them with the Zoning Inspector who shall then issue the necessary permits.

(3) A majority of the decision making members of the Village Review Board shall constitute a quorum; however, no application shall be denied except by the affirmative vote of a majority of the entire Board.

Article # 14, The Bellbrook Village Plan

(4) If an application is denied, the Village Review Board shall set forth the reasons for such denial in writing. The Village Review Board shall also make recommendations as to what changes would be required for approval.

(5) If the application is denied, the application may be re-filed upon written certification by the applicant that such resubmission is based upon modification of the proposal with the objective of:

(A) Conforming with Village Review Board recommendations, or

(B) Proposing significant change in conditions or other pertinent factors which were not present during the previous reviews.

Such resubmission shall be heard at the earliest convenience by the Village Review Board.

Signs meeting the provisions of Article #18, Section 18.20B, Permitted Signs (Old Village District) shall be exempt from a public hearing but shall require the written approval of the majority of the Village Review Board members, which may be obtained either by mail, facsimile or electronically. A zoning permit will be issued within seven (7) days upon receipt of such approval.

14.16

PERMIT REQUIRED

Permits are required for the following activities within the Village District:

- (1) Demolition of all or part of a main building
- (2) Structural modifications which substantially destroy a significant exterior architectural feature of a main building constructed prior to 1945
- (3) Construction of a new main building
- (4) Erection of any sign regulated by Article 18, Section 18.20B of these Zoning Regulations.

JUNE 1997

14.17

APPEALS PROCEDURE

(1) If the application is denied or approved with modifications, the applicant may request a hearing before the City Council. The request for a hearing shall be made in writing directly to the Clerk of Council within 45 days of the Village Review Board's decision. The City Council may reverse, affirm or modify the action of the Village Review Board by a simple majority vote of the entire Council.

(2) Council shall attempt to schedule appeal hearings at time reasonably convenient to the applicant. Unless the applicant shall otherwise request, all appeals hearings shall be held within thirty (30) days of receipt of the hearing request.

(3) An applicant who is dissatisfied with the action of Council may have further appeals to the courts, as provided by the general law of the State of Ohio.

14.18

SPECIAL PROCEDURE FOR DEMOLITION APPLICATIONS

In its deliberations upon an application for demolition of all or part of a main building within the Village District, the Village Review Board shall consider alternatives to demolition. If the Village Review Board finds cause to believe that there are feasible and prudent alternatives to demolition, then the Village Review Board shall so inform the applicant and delay its decision on the application for no more than 180 days. During the period of the delay, the applicant shall make a good faith investigation of such alternatives and submit a written report to the Village Review Board. Thereafter the Village Review Board shall consider the entire record and make its decision. If the Village Review Board finds that there are feasible and prudent alternatives to demolition and that the proposed demolition would be contrary to the intent of this ordinance, then the application shall be denied. Otherwise, the application shall be approved.

14.19

REVIEW OF REQUESTS FOR A VARIANCE

The Village Review Board shall review all applications for a variance from underlying zoning regulations for properties within the District and shall advise the Board of Zoning Appeals regarding the applicability of the Guidelines. The Village Review Board shall also give its recommendation regarding disposition of the

Article # 14, The Bellbrook Village Plan

request. If the request requires a permit under Section 14.16 hereof, then that requirement is cumulative to the requirement for a variance, and work may not proceed until approvals have been received from both the Village Review Board and the Board of Zoning Appeals.

GUIDELINES FOR THE OLD VILLAGE BELLBROOK, OHIO

1.0 Introduction

The "Old Village of Bellbrook" is one of the most attractive villages in southwestern Ohio, an identity which has been important in attracting new residents and businesses. Facing rapid growth and expansion possibilities, the City of Bellbrook wants to retain that identity while encouraging a strong, healthy economy and a secure, desirable place to live. Through the review process embodied in Article 14 of the Zoning Code and these guidelines, the City accomplishes both goals. Bellbrook has maintained a review process since adopting the 1972 Zoning Code; these guidelines are part of the updating of those original zoning provisions.

The following guidelines are the interpretive explanation and the decision-making guide for Bellbrook Zoning Code Article 14. They are designed to assist owners, residents, architects, interested citizens, and the Village Review Board determine the appropriateness and the direction of the physical growth in a very special district: the Old Village of Bellbrook District. Important to these goals is the proper maintenance of existing properties, guidance in new construction, and the coherent development of the District.

2.0 The Old Village of Bellbrook District

The Old Village District is a distinct geographical area (see map) set roughly between Little Sugar Creek, the flood plains and the northern hill. This district contains a harmonious combination of 1800's and post-World War II development that forms the unique character of Bellbrook.

3.0 The Village Review Board

The Board consists of five (5) people who are convened to serve two general functions:

- 1) provide guidance and assistance in the development of the District and the accomplishment of the purposes listed in Article 14, and 2) preserve the historic architecture found within the District. The Village Review Board is distinct from the Planning and Zoning Commission and the Board of Zoning Appeals which serve other purposes. Both the VRB and the City Zoning Inspector are ready with help and assistance for all property owners.

4.0 Certificate of Appropriateness

The Old Village Ordinance requires the issuance of a Certificate of Appropriateness prior to undertaking certain types of activities within the Old Village District. The Zoning Inspector makes an initial determination of the necessity for a Certificate of Appropriateness at the time that an application is made for a zoning permit. If the Zoning Inspector believes that a Certificate of Appropriateness is required, then he/she will provide the applicant with a form VRB-1 (See Appendix for copies of Forms VRB-1 and VRB-2) and will explain the requirements. The Certificate is required for the following activities in the Old Village District:

Demolition of all or part of a main building.

Structural modifications which substantially destroy a significant exterior architectural feature of a main building constructed prior to 1945.

Construction of a new main building.

Erection of any sign regulated by Article 18.20B of the Zoning Regulations.

4.1 Demolition

Under Section 19.01 of the Zoning Code, no demolition is permitted within the City of Bellbrook without a zoning permit. When an application for such a zoning permit indicates that the property is located within the Old Village District, the Zoning Inspector will inform the applicant that a Certificate of Appropriateness is required from the Village Review Board.

It is the intent of the Old Village Ordinance to discourage demolitions. If the Village Review Board finds cause to believe that there are feasible and prudent alternatives to demolition, then the request for a Certificate of Appropriateness will be denied. The Village Review Board may consult with an appraiser, a building contractor and/or other professional person, for information required in making its determination. Form VRB-2 is available as an optional form to assist the Village Review Board in that regard. If the information supplied on the Form VRB-2 indicates that the property could be repaired and leased at an annual rent which would produce a gross return of ten percent on the owner's investment, then the Village Review Board may conclude that there is at least one feasible and prudent alternative to demolition.

If the Village Review Board determines that there are feasible and prudent alternatives to demolition, it will so inform the applicant and will afford the applicant a period of 180 days to file a written response. Upon receiving that response the Village Review Board shall reconsider the matter based upon the entire record then on file. If the Village Review Board makes a final

determination that there are feasible and prudent alternatives to demolition, then it will inquire into any new use to which the applicant may propose to put the property following demolition. If the Village Review Board determines that the objectives of Article 14 of the Zoning Code would be served best by a conversion of the land to the proposed use, then it may approve demolition, subject the posting of a bond in such amount as the Village Review Board deems adequate for insuring that the conversion will occur.

4.2 Structural Modifications

A Certificate of Appropriateness is required for structural modifications of main buildings constructed in the Old Village District prior to 1945, if a significant exterior architectural feature will be substantially destroyed. At the time of an application for a zoning permit, the Zoning Inspector will make an initial determination as to whether a Certificate of Appropriateness is required. If it is deemed to be required, then the Zoning Inspector will issue a Form VRB- I for completion by the applicant. Issuance of the zoning permit will be withheld pending approval of the Certificate of Appropriateness.

The Village Review Board will approve the request only in case it finds that a denial would deprive the applicant of substantially all economically viable use of the property. In such a case the Village Review Board will approve the request with such conditions as it believes appropriate for minimizing the loss to the Old Village District. If the Village Review Board finds that the proposed change would not substantially destroy a significant exterior architectural feature of a main building, it will find that a Certificate of Appropriateness is not required.

A modification to a window or door which would cause the area of the opening to vary by more than ten percent from its original construction size will be deemed to substantially destroy a significant exterior architectural feature and therefore requires a Certificate of Appropriateness. It will be assumed that the original size was the same as the size at present unless there is evidence to show otherwise.

If the Village Review Board should refuse a request for a structural modification, it shall provide the applicant with a written finding describing the feature involved and stating how the proposed modification would destroy that feature.

4.3 Construction of a New Main Building

Upon receipt of a request for a zoning permit for construction of a new main building in the Old Village District, the Zoning Inspector will furnish the applicant with a Form VRB- I and a copy of these guidelines. The applicant will be advised regarding the mandatory standards of Section 14. 11 of the Bellbrook Zoning Regulations (Sec 4.3. 1 hereof) and the voluntary guidelines set forth in Sec. 4.3.2 below. If the request meets the mandatory standards, then the Village Review Board will approve the Certificate of Appropriateness.

4.3.1 Mandatory Standards

The general architectural character of Bellbrook is Victorian, and the standards are aimed at preserving existing examples and establishing parameters which will allow acceptable and pleasing contemporary interpretation of the standards.

1. Structural Proportions

Bellbrook architecture is characterized by two story buildings with tall, narrow doors and windows and in earlier examples slightly squatter proportions. New buildings shall conform generally to the proportions of adjoining buildings and all buildings, either new or remodeled shall have windows and doors (or] of proportions similar- to adjoining buildings. Roof slopes shall also be similar to adjoining buildings.

2. Foundations

Foundation walls of the mid 19th century were of local limestone. Acceptable foundation materials shall be limited to limestone, brick, poured concrete or other material which is similar in appearance to the original foundation material,

3. Exterior Walls

The exterior walls of the period were of brick or narrow wood siding. Wall surface construction shall employ these materials or a modern construction material which creates the same effect, Cosmetic treatment using such materials as asphalt shingles which simulate brick or stone are prohibited.

4. Roof Materials

Roofing materials may consist of metal, slate, asphaltic shingles or wood shingles. Prohibited materials include aluminum shingles formed to look like wood, asphalt roll roofing and Simulated cosmetic materials.

5. Chimneys

Chimneys and flues shall be of brick or stucco masonry or other material which is compatible with the architecture of the period. Metal chimneys simulating masonry construction are prohibited.

6. Windows and Door Lintels

Original lintels were stone, wood, or brick. Where feasible, lintels shall be

restored, or compatible stone, brick or wood shall be used in remodeling, additions or new construction.

7. Porches and Outbuildings

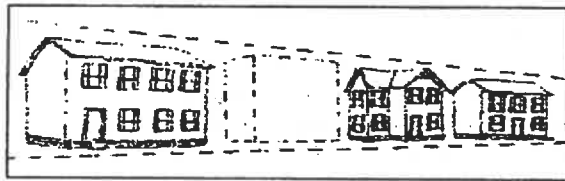
The construction of porches or outbuildings which do not conform to these standards or to the character of the main building are prohibited.

4.3.2 Voluntary Compliance

Owners of properties within the Old Village District are encouraged to observe the following voluntary guidelines when building or remodeling.

1. Scale.

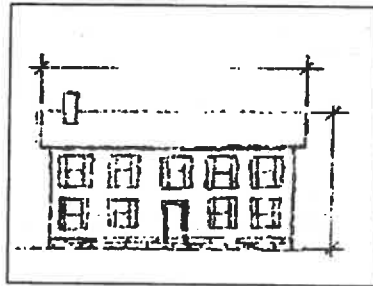
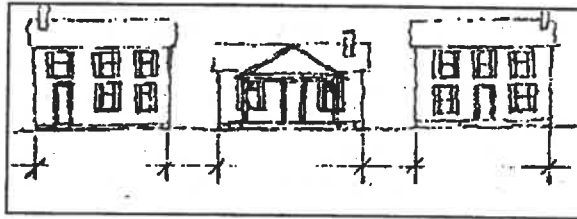
The buildings within the Old Village Historic District are small to medium-sized residential, institutional, and commercial structures. Bellbrook, as a particularly pedestrian community, needs to maintain the sizing of building elements that enhances the "human" scale of the District. The scale of new work and its constituent parts should be compatible with the original buildings of the town and the rest of the District.



2. Massing

The buildings within the District are situated on small to medium-sized lots. New construction and work should be compatible with the existing forms found in the older buildings. Care should be taken to avoid crowding too large of a building on the lot when the aesthetic elements of orientation and spacing will be sacrificed. A similar ratio of building footprint to lot area should be maintained.

from property to property. The wall surface/opening ratio found in older buildings is encouraged and desirable. Glass curtain walls ("picture windows" or "display windows") should be avoided as they detract from the character of the District. Similarly, large, flat walls which are unbroken by openings or setbacks/articulations on the front facade are not desirable and are much less likely to enhance the particular characteristics of the District.

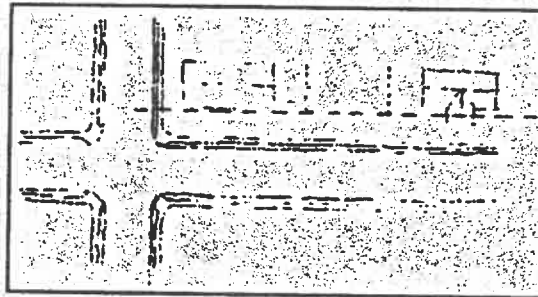


3. Height

The height of an addition should not exceed the height of the original building- usually, additions should be lower in height than the main building. The height of a newly constructed building should be comparable to the height of existing' adjacent buildings. New buildings constructed in undeveloped areas should complement and be relatively consistent with the height of existing buildings in the district such that the character and appearance of the District is maintained and extended.

4. Setback

The setback of new buildings or new work should be comparable to the streetscape setback of the original adjacent buildings. Example: if the building on lot A has a setback of 5 feet from the sidewalk and the building on lot C has a setback of 15 feet from the sidewalk, a new building constructed on lot B should be set either 1) equal to that of lot A, or 2) equal to that of lot C, or 3) between 5 and 15 feet from the sidewalk. The building on lot B should not be set directly at the sidewalk line or at a distance greater than 15 feet from the sidewalk. The main entrance of a building should "face" and open onto the main thoroughfare; historically, buildings in Bellbrook were accessed from the streets, therefore, buildings which cannot be oriented to the main street are discouraged.



5. Architectural Detail

New buildings should use architectural details that are similar to surrounding buildings or which were featured on buildings in Bellbrook historically.

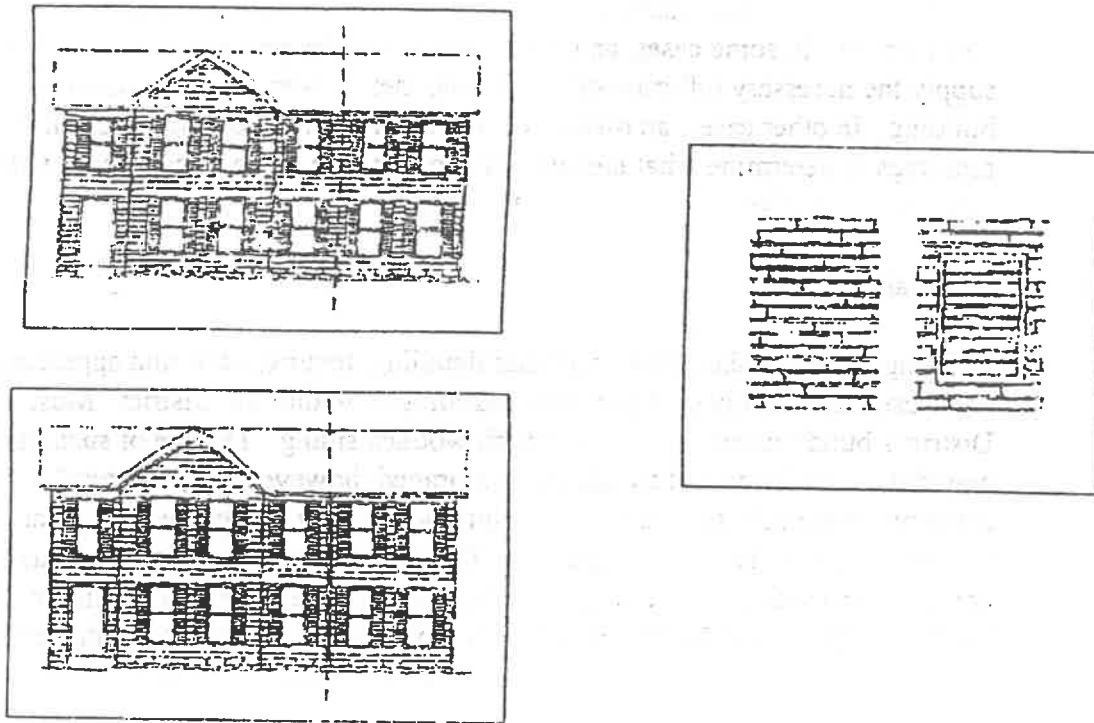
Basically, architectural details need to have a historic reason for being used, whether they are being added to an existing building or are part of new construction. In some cases, an old photograph of the property in question will supply the necessary information about what details were appropriate to the building. In other cases, an owner will have to refer to photographs of other buildings to determine what elements will maintain a sense of continuity with the surrounding architecture.

6. Materials

Building materials should be of similar detailing, texture, scale and appearance to those used historically on a particular building or within the District. Most of the District's buildings are wood frame with wooden siding. The use of such natural materials is preferred and should be encouraged- however, where natural appearing materials, such as vinyl or aluminum siding, are the only prudent alternative for the landowner, they may be used. Generally, if the materials appear to be synthetic or are highly reflective, they are inappropriate in the District. When possible, masonry/brick colors should be matched to that existing on a building. Siding can cause problems (mildew, water, damage) even though the aesthetic problems are hidden. When only a portion of a wall needs to be re-sided, materials matching the original should be used, instead of covering the whole building in new siding.

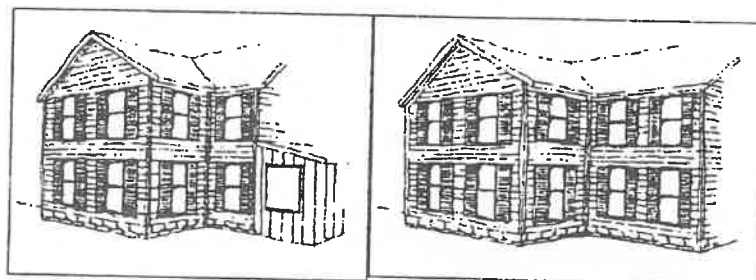
7. Integrity of the District/building

Compatibility of new work with the original work is highly desirable. New work should look new; it should not pretend to be historic. At the same time, it should complement, not contradict, the existing structures around it. Where an addition meets an existing building, the connection should be carefully designed so that the new work does not detract from what was already there. .Example: a new addition to an existing brick building may use vinyl siding, doors, and windows. However, a sky-light on the front of the addition would be inappropriate. Example: if original openings are filled in, the outline of the original opening should remain apparent by setting new in-fill material back from the surface and leaving original sills and lintels in place. Door openings should be treated similarly.



8. New construction—Additions.

In general, additions should follow the guidelines above relating to scale, massing, height, detail, materials and integrity. The design of an addition should respond or reflect the architectural style of the original building. The design should also respond, in a general way, to surrounding buildings. The additions should respect the original and not overpower it in any way. The connection between addition and original should be designed so that it does not detract from either structure. Significant or prominent architectural features of the original building should not be destroyed, removed or obscured by the addition.



9. New Construction—Infill

The general aim of the guidelines for new construction is to encourage compatibility with the character and quality found in 19th and early 20th century buildings of the District. In-fill construction projects should follow the guidelines above relating to scale, massing, height, detail, materials and integrity.

10. Site Improvements—Fences

The District is characterized by open space and landscaping. Constricting the open space by erecting fences is discouraged. Privacy fences are not characteristic of the District and are particularly offensive. If a privacy fence is necessary, it should be contained to the rear of the principal building on the property. All new fences should not extend beyond the front edge of the principal building. Existing retaining walls and fences should be repaired and retained whenever possible. All fences should consider style, color, massing and the other considerations listed above. Historically, Bellbrook was not developed as or with “gated” properties. The complete enclosure of a property or grouping of properties should be avoided.

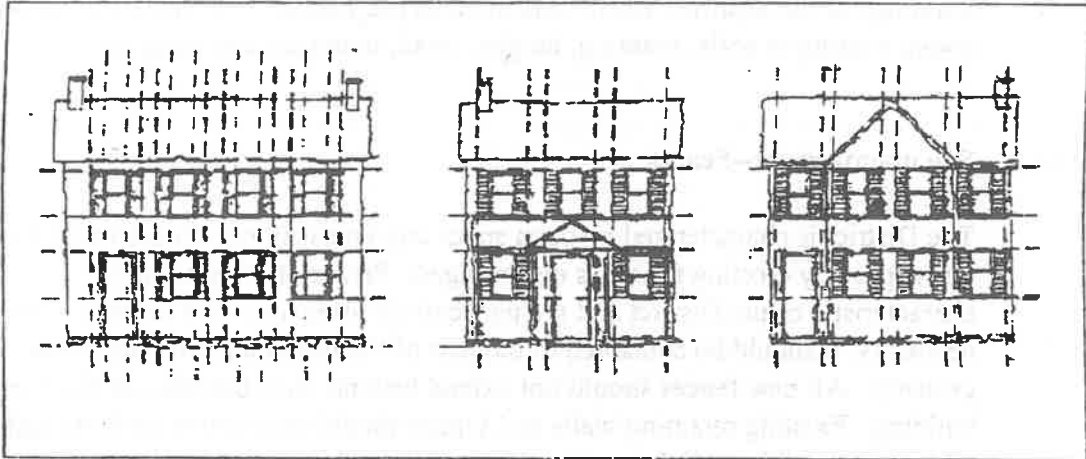
11. Site Improvement—Landscaping

The District is characterized by landscaping and green space. Reducing green space by adding additional pavement for driveways or parking areas should be limited whenever possible. Parking areas in front yards should be permitted in extreme situations only. New driveways and parking areas should respect existing land and street contours or minimize the view of parked cars. Landscaping design should be compatible with the surrounding buildings and landscape elements. Landscaping, special lighting, seating, and decorative paving should be designed to be simple and complimentary to the District. Antique or historic reproductions may be used with discretion. Mature trees should be retained as should other significant features, such as large rocks or ground-swells.

12. Alterations—Doors and Windows

Possibly the most important features of any building are the doors and windows. The size and location of openings are an essential part of the overall design and an important element of architectural styling. Original openings should not be altered. Original doors and window sashes should be repaired rather than replaced, whenever possible. When replacement is necessary, the new door or window should match the original in size and style as closely as possible. Metal or plastic window frames are

generally unacceptable unless they are painted. Screens and storm windows should be as inconspicuous as possible. Metal storm windows or doors are not appropriate unless they are painted.



13. Alterations—Roofs

The existing roof line and architectural features which give the building its character (towers, roof shape, dormers, cornices, brackets and chimneys) should be retained whenever possible. The addition of features such as vents, sky-lights, decks and roof-top utilities should be avoided or should be inconspicuously placed and screened where necessary. Generally, rolled roofing, built-up tar and gravel, plastic or fiberglass roofing material is inappropriate. However, on flat or low pitched roofs which are not visible from public areas, these roof materials may be considered. Where original roofing materials are existent, efforts should be made to retain as much as possible if repairs will meet the needs of the owner.

14. Alterations—Building Details

Architectural features such as window hoods, cornices, brackets, bay windows, door surrounds (side lights), railings, shutters, porches and other ornamental elements should be preserved. Porches should not be enclosed in a permanent fashion. Missing materials should be replicated and replaced if possible; however, it is better for a building to be missing one decorative element than to remove those remaining for the sake of appearances. If replacement of an element with new is necessary, every effort should be made to match the original as closely as practicable. These kinds of distinctive features help identify and distinguish the character of the Old Village of Bellbrook.

15. Alterations—Utility Installation

The installation of utility and mechanical systems, such as water or gas meters, antennas and central air conditioning units should be inconspicuously placed, avoiding installation on the street façade whenever possible. Television reception antennas and satellite dishes should be located where they are not visible, on the front façade or other public areas. Mechanical equipment on the ground should be screened with a fence or plant materials or housed in a structure that is in harmony with the surroundings. Mechanical equipment attached to the side or roof of a building should be kept as low as possible and covered, or painted, to blend with the background. Wall or window air conditioning units should not be placed on the street façade if possible.

4.4 Signs

The Village Review Board reviews all requests for erection of new signs within the Old Village District. The Board applies the standards of Article #18., Sec. 18.20B in its deliberations and approves a Certificate of Appropriateness when those standards have been met.

4.4.1 Voluntary Guidelines for Signs

1. Signs should be designed for clarity, legibility and compatibility with the building or property on which they are located. They should be neat and “professional” in appearance.
2. Signs should be located above the storefront, on storefront windows or on awnings. Signs should not cover any architectural features. They should capitalize on the special character of the building and reflect the nature of the business contained therein. (Billboards, internally illuminated signs, and temporary illuminated signs are prohibited by the Zoning ordinance.
3. Free-standing signs should not be sized in such a way as to obstruct views and detract from the character of the District. Signs made of natural materials (such as wood) are encouraged; plastic and other synthetic materials are inappropriate. Standardized pole signs should be avoided.
4. Other outside attachments to the building, such as light fixtures, should be compatible. Ultra-contemporary and bright lights directly against the building surface are less desirable. Distinctive lights which stand away from the building wall and are only as bright as necessary are preferred.

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

This application should be used for demolitions (Section 4.1 of the Guidelines, structural modifications (Section 4.2), construction of a new main building (Section 4.3), and erection of a sign (Section 4.4) . A separate application must be completed for each property involved in the proposed change. Each blank must be filled; if a question does not apply, write "N/A" in the blank. If the provided space is insufficient for an answer, attach additional pages identifying the address of the property affected and the question number to which the answer relates. Attach any required plans or drawings. PRINT LEGIBLY OR TYPE. THE APPLICATION MUST BE SIGNED BY THE OWNER AND THE APPLICANT.

GENERAL INFORMATION

ADDRESS OF PROPERTY AFFECTED:

1. OWNER: _____ PHONE: _____
ADDRESS: _____
CITY: _____ ST: _____ ZIP: _____

2. APPLICANT: _____ PHONE: _____
ADDRESS _____
CITY _____ ST: _____ ZIP: _____

3. ARCH FIRM : _____ PHONE: _____
CONTACT PERSON: _____
ADDRESS: _____
CITY _____ ST: _____ ZIP: _____

4. CONTRACTOR: _____ PHONE: _____
CONTACT PERSON _____
ADDRESS: _____
CITY: _____ ST: _____ ZIP: _____

5. REASON FOR APPLICATION:

_____ DEMOLITION _____ FULL _____ PART

REASON WHY DEMOLITION IS DESIRED:

PROPOSED USE FOLLOWING DEMOLITION

STRUCTURAL MODIFICATION

NATURE OF MODIFICATION

Five horizontal lines for describing the nature of the modification.

EXTENUATING CIRCUMSTANCES (IF ANY)

Three horizontal lines for describing extenuating circumstances.

SIGN (ADDITION, REDESIGN OR LIGHTING)

CONSTRUCTION OF A NEW MAIN BUILDING

6. TYPE OF BUILDING (CHECK ONE) with options: RESIDENTIAL, INDUSTRIAL, COMMERCIAL, INSTITUTIONAL, OTHER.

7. PRESENT TYPE OF USE (PER ZONING ORDINANCE LISTING)

Horizontal line for present type of use.

8. PROPOSED TYPE OF USE (PER ZONING ORDINANCE LISTING)

Horizontal line for proposed type of use.

9. PRESENT ZONING DISTRICT (CHECK ONE):

Zoning district options: R-1AA, R-1A, R-1B, R-2, R-3, O-1, B-1, B-2, B-3, B-4, A-1.

10. BESIDES THE OLD VILLAGE DISTRICT PLAN OVERLAY, OTHER OVERLAY ZONES WHICH APPLY TO THE AFFECTED PROEPRTY ARE (CHECK ALL THAT APPLY):

Overlay zone options: WP OR WO, FLOODPLAIN, NONE.

11. AGE OF BUILDING

Horizontal line for age of building.

12. PRIMARY TYPE OF CONSTRUCTION (CHECK ONE):

<input type="checkbox"/> WOOD FRAME	<input type="checkbox"/> BRICK BEARING WALL
<input type="checkbox"/> STRUCTURAL STEEL	<input type="checkbox"/> MASONRY/STONE BEARING WALL
<input type="checkbox"/> REINFORCED CONCRETE	<input type="checkbox"/> OTHER _____

13. BUILDING SIZE (APPROXIMATE): _____ WIDTH _____ DEPTH

A. NUMBER OF STORIES _____

B. HEIGHT (GRADE TO ROOF CREST) _____

C. WINDOW OR DOOR CHANGES

(1) ORIGINAL SIZE OF WINDOW _____

(2) PROPOSED SIZE OF WINDOW _____

(3) ORIGINAL SIZE OF DOOR _____

(4) PROPOSED SIZE OF DOOR _____

14. LOT SIZE: WIDTH _____ DEPTH _____

AREA OF LOT: _____

ATTACH A WRITTEN DESCRIPTION OF DETAILS OF PROPOSED WORK ALONG WITH THE FOLLOWING:

CONSTRUCTION PLANS, SITE PLAN(S) OR DRAWING(S) SHOWING THE STRUCTURE, THE LOT LINES, THE PROPOSED PROJECT AREA, INCLUDING SETBACKS FOR THE ZONING DISTRICT.

FOR NEW SIGNS, SIGN RE-DESIGNS OR CHANGES IN SIGN LIGHTING, SUBMIT A DIAGRAM OR SCHEMATIC OF THE PROPOSED SIGN INCLUDING DIMENSIONS AND THE PROPOSED PLACEMENT ON STRUCTURE OR LOT.

FOR STRUCTURAL MODIFICATIONS WHICH REPLACE EXISTING DOORS, WINDOWS, OR SIMILAR FEATURES WITH NO SIZE CHANGES OR STYLE CHANGES ON STRUCTURES CONSTRUCTED PRIOR TO 1945, SUBMIT CUT SHEETS OR DRAWING OF PROPOSED REPLACEMENT ITEMS.

FOR STRUCTURAL MODIFICATIONS WHICH CHANGE OR ADD ARCHITECTURAL FEATURES ON A STRUCTURE CONSTRUCTED PRIOR TO 1945, PLEASE PROVIDE A DETAILED DRAWING SHOWING THE ARCHITECTURAL FEATURES AFFECTED OR ADDED AND THE PLACEMENT OF SUCH ARCHITECTURAL FEATURES ON THE STRUCTURE.

FOR ARCHITECTURAL FEATURES PROPOSED TO BE REMOVED, PROVIDE A WRITTEN JUSTIFICATION WHY SUCH ARCHITECTURAL FEATURES SHOULD BE REMOVED, INCLUDING A DRAWING OF BOTH THE EXISTING AND PROPOSED AREA(S) OF WORK.

THE OWNER AND THE APPLICANT DO HEREBY CERTIFY THAT THE INFORMATION AND STATEMENTS CONTAINED HEREIN AND IN THE ACCOMPANYING MATERIALS ARE, TO THE BEST OF THEIR KNOWLEDGE, TRUE AND CORRECT AND ACCEPT RESPONSIBILITY FOR THE SAME.

OWNER: _____ DATE: _____

PRINTED NAME: _____

APPLICANT: _____ DATE: _____

PRINTED NAME: _____

WORK SHEET FOR DEMOLITION REQUEST

Certification of Appraiser *(Individual must be Certified Appraiser)*

The undersigned hereby certifies that:

- (1) I am generally familiar with real estate values and leasing rates within the City of Bellbrook.
- (2) I have inspected the property located in the City of Bellbrook at _____
- (3) It is my opinion that the property at that location has a present market value of _____
- (4) I believe that the property should have the following repairs in order to have reasonable prospects of being leased for its present or most recent use:

- (5): If the above repairs were made, I believe that the fair amount of an annual lease would be:
- _____

Signature

Date

Certification of Contractor

The undersigned hereby certifies:

- 1) That I am

_____ of _____
 (Title) (Company Name)

a General Contractor who regularly undertakes construction projects in and around Bellbrook, Ohio.

- 2) I have inspected the property described in the attached Certificate of Appraisal and I am competent to provide an estimate of a fair charge for performing the repairs which the appraiser mentions.

- 3) I estimate that a fair charge for performing the stated repairs would be _____

Signature

Date

City Manager's Report

1) I have reviewed the attached certifications, and I (do / do not) have reason to believe that either may be biased. If any such reason exists, it is attached to this report.

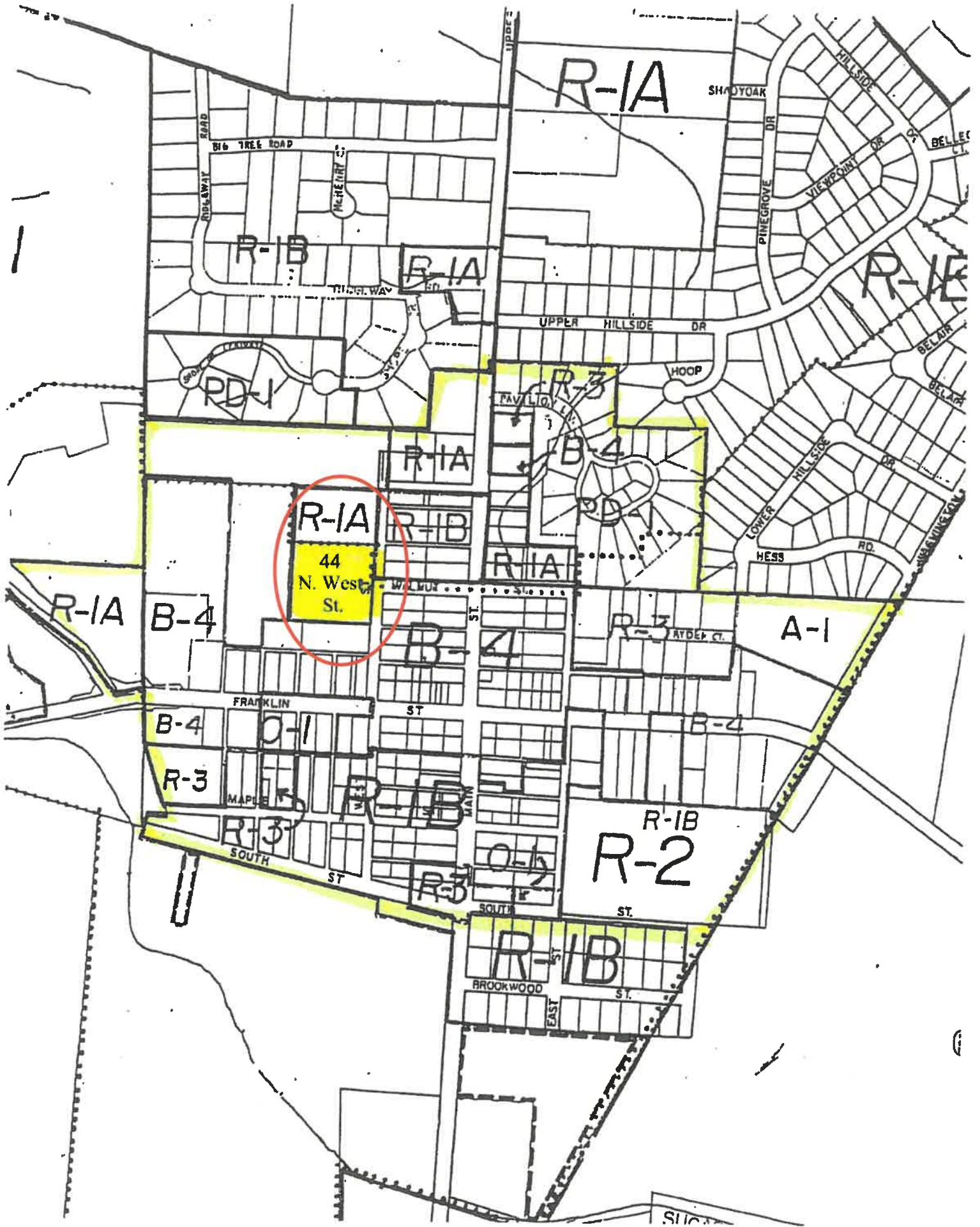
2) I have calculated the expected gross investment return based upon the attached certifications, and it (is / is not) greater than 10 percent per annum.

3) The expected gross investment return is calculated as follows:

GIR = [(annual lease)] / [(property value) + (repair cost)] = _____

City Manager

Date





L35000100020006600 03/16/2012

44 N WEST ST., BELLBROOK OH 45305

Search

Search Results

Map Layers

Property Information

Additional Property Information

Parcel ID: 135000100020006100
 Owner Name: MC WILLIAMS G MICHAEL
 4 MARY LOU
 Property Address: 44 N WEST ST
 Mailing Address: 44 N WEST ST
 BELLBROOK OH 45305
 Description: 1-2-2 E 1/2
 2.376 AC
 Class: RESIDENTIAL
 Land Use: 511
 Acres: 2.376
 Appraised Bldg: \$126,250.00
 Appraised Land: \$85,130.00
 Appraised Total: \$212,380 Tentative 2014
 Total Taxes: \$4,074.78
 Taxes Owed: \$0.00
 Dating Taxes: \$0.00
 Sale Date: 12/29/2003
 Sales Amount: \$225,000.00
 Neighborhood: 00148000
 Zoning: /
 Survey Record: GIS / GIS
 Cabinet Vol/Pg: /
 Taxing District: BELLBROOK CITY
 Deed Information: View



Click Here To View Map



Click Here To View Additional Property Information

State Plane 1525340.610, 600359.831