

RECORD OF PROCEEDINGS

Bellbrook Board of Zoning Appeals & Property Review Commission
June 23, 2026

CALL TO ORDER

- Mr. Ogrod called the City of Bellbrook Board of Zoning Appeals and Property Review Commission meeting to order at 6:30pm.

ROLL CALL

- Members Present:
 - Mrs. Brinegar
 - Mr. Ogrod
 - Mr. Schroder
 - Ms. Taylor
- Members Absent:
 - None

APPROVAL OF MINUTES

- The minutes from the January 20, 2026 meeting were presented for approval.
 - Minutes were approved as submitted.

OLD BUSINESS

- **Board Member Resignation**
 - Presentation/Staff Report:
 - Staff noted that board member Randy Bridge had submitted his resignation due to no longer being a resident of the city.
 - Board Discussion:
 - No additional comments were recorded.
 - Motions:
 - No motions were recorded.

NEW BUSINESS

- BZA 26-01: Variance Request of Zoning Code 18.06 1A and B at 2005 Regent Park Drive
 - Presentation/Staff Report:
 - The applicant, Richard Bosard, requested a variance to allow construction of a six-foot privacy fence extending ten feet, four inches from the side-front of the house on a corner lot. Zoning code sections 18.06 1A and 1B limit fences in a front yard to four feet in height and prohibit extension forward of the house. Staff recommended consideration of the request.
 - Board Discussion:
 - The applicant stated the six-foot height was necessary due to a pool and noted the ten-foot, four-inch extension aligned with a walkway and a neighbor's house for aesthetics.
 - The final eight-foot segment would taper from six feet down to four feet to transition to the existing fence.
 - Board members found the request straightforward and agreed the corner lot's unique characteristics justified the proposal.
 - Motions:
 - Motion: To grant the variance as stated for BZA 26-01.
 - Maker: Mr. Ogrod

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- Second: Mrs. Brinegar
 - Vote: Passed 4–0 (Yes: Mrs. Brinegar, Mr. Ogrod, Mrs. Schroder, Ms. Taylor)
- BZA 26-02: Variance to Request a Zoning Code 18.05 A at 3883 Upper Bellbrook Road
 - Presentation/Staff Report:
 - The applicant, Scott Carlson, requested a variance to construct a 320-square-foot shed in the side/front yard. Zoning code section 18.05 A prohibits accessory buildings in a required side or front yard. Staff noted the property is set far back from the road and the proposed shed would have minimal visibility, and recommended consideration.
 - Board Discussion:
 - The applicant described a heavily wooded 5.8-acre lot at the end of a long private lane and used aerial photos to show a proposed shed location near the garage, away from the road, largely unseen.
 - The backyard has steep drop-offs to a creek, making construction there unsuitable.
 - Board members referenced familiarity with the lane from a prior case and agreed the topography, lot size, and wooded nature created a hardship warranting a variance.
 - Motions:
 - Motion: To grant the variance as stated for BZA 26-02.
 - Maker: Mrs. Schroder
 - Second: Ms. Taylor
 - Vote: Passed 4–0 (Yes: Mrs. Brinegar, Mr. Ogrod, Mrs. Schroder, Ms. Taylor)
- BZA 26-03: Variance Request of Zoning Code Section 18.05 A at 2109 South Bellevue
 - Presentation/Staff Report:
 - The applicant, Brady Harding, requested a variance to construct a detached garage of approximately 1,200 square feet with a height of 16 feet in the rear yard. Section 18.05 A limits aggregate detached accessory building area to 600 square feet and sets height limits based on size (maximum 15 feet). The property is zoned R-1A. Staff noted the garage exceeds both square footage and height limits. The applicant also has an existing 200-square-foot shed, bringing the total accessory structure area to 1,400 square feet. Staff clarified that a single variance under section 18.05 A would cover both height and square footage.
 - Staff further explained the board’s variance purview is limited to dimensional and placement criteria and does not include grading or drainage design review. Staff noted ongoing city efforts to evaluate drainage issues in the larger swale/creek corridor from Maxwell downstream and that, absent a stormwater utility and easements, routine maintenance in the corridor is generally the adjacent property owners’ responsibility.
 - Applicant/Owner Summary:
 - The applicant, an architect, described the proposed garage as aesthetically compatible with the main house, with charcoal walls and a black roof, and screened by mature trees and landscaping on the one-acre lot.

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- The requested size and height were needed to store a 32-foot motorhome and support classic car projects; a 12-foot door and matching roof pitch resulted in a 16-foot height.
- The existing 200-square-foot shed would eventually be removed. A new concrete driveway would be installed to access the garage.
- The applicant indicated substantial evergreen screening (tall arborvitae) and a six-foot privacy fence, with the rear fence line set back from the swale/creek area; no known floodplain impacts, minimal standing water observed, and conventional roof overhangs with gutters/downspouts planned.
- Public Comment Summary:
 - Melissa Jones, 4091 Nedra Drive:
 - Opposed the variance, citing two utility easements on the subject property and concern that screening vegetation within an easement could be removed by utilities, increasing visibility of the garage from her patio and backyard and impacting neighborhood aesthetics and property value.
 - Raised existing drainage and creek erosion issues affecting her property and fence; expressed concern that additional impervious area could worsen runoff and erosion.
 - Noted utility access issues under power lines due to vegetation, with past attempts by tree trimmers to access through her property; questioned easement dimensions and setback from easements.
 - Expressed concerns about potential future noise, light, and nuisance if ownership changes; cited variance standards relating to hardship rather than preference.
 - Referenced uncertainty about parcel lines as shown on GIS versus fences on the ground and mentioned another neighbor's written opposition letter.
- Board Discussion:
 - Members discussed whether the variance met hardship criteria, with mixed views on RV storage constituting hardship.
 - Considered the proposed structure's scale relative to the lot and surrounding context and prior approvals for similar buildings.
 - Acknowledged current drainage conditions as an existing corridor-wide issue affecting multiple properties and debated whether the garage would materially worsen those conditions.
 - Emphasized the distinction between variance criteria (size, setbacks, placement) and stormwater/grading issues outside the board's purview under current code.
 - Suggested potential future code updates to require development plan submissions for larger accessory structures.
 - Discussed maintenance responsibility for the rear swale/creek and concern regarding a fence that appears to cross or impede flow in the swale/creek.
 - Clarified that GIS parcel depictions are approximate and the recorded plat governs boundaries; questions regarding surveys and fence placement were noted.
 - Considered water retention approaches, noting that allowing roof water to disperse onto grassy areas may improve absorption compared to gutters concentrating outflow.

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- Discussed amending motions to include conditions related to maintaining existing landscape buffers (arborvitae along the fence line).
- Motions:
 - Motion: To approve the variance for BZA 26-03 as requested.
 - Maker: Mrs. Schroder
 - Second: Ms. Taylor
 - Discussion on Motion: A member inquired about adding drainage-related conditions; staff advised that such conditions were not applicable to variance criteria. Members acknowledged separate city efforts to assess corridor drainage and potential enforcement regarding impediments in the swale.
 - Action: The motion was withdrawn to allow for a modified motion including landscape buffer conditions.
 - Motion: To approve the variance for BZA 26-03 with stated conditions for landscape buffers, including maintaining the existing arborvitae trees along the fence line as a buffer.
 - Maker: Mrs. Schroder
 - Second: Mr. Ograd
 - Vote: Passed 4–0 (Yes: Mrs. Brinegar, Mr. Ograd, Mrs. Schroder, Ms. Taylor)

OPEN DISCUSSION

- Officials/Board Members:
 - Members discussed the increasing frequency of large accessory structure requests and suggested considering future code updates to address thresholds that may trigger development plan review and drainage considerations.
 - Members expressed appreciation for the discussion involving the property owner and neighbors and noted the usefulness of staff's visual aids showing property lines and easements.
- Staff:
 - Staff reiterated that the city is exploring formation of a stormwater utility and related access mechanisms to address corridor-wide maintenance and improvements, including review of obstructions such as fences within the swale/creek corridor.
- Citizens:
 - Melissa Jones summarized ongoing drainage and erosion issues affecting her rear yard and fence and concerns about potential incremental runoff from new impervious surfaces.

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ADJOURNMENT

- The meeting adjourned at 7:10pm

Philip Ogrod, Chair Person

Rob Schommer, Clerk of Council