

**BELLBROOK BOARD OF ZONING APPEALS AND PROPERTY REVIEW COMMISSION**  
**PUBLIC HEARING MINUTES**  
**August 17, 2021**

**PRESENT:** Aaron Burke  
Philip Ogrod  
Chairperson Meredith Brinegar

**ABSENT:** Sharon Schroeder

**ALSO PRESENT:** City Manager Rob Schommer

**CALL TO ORDER:**

Chairperson Brinegar called the meeting of the Board of Zoning Appeals to order at 6:15 PM. The Secretary called the roll. Mr. Burke, yes; Mr. Ogrod, yes; Chairperson Brinegar, yes.

**APPROVAL OF MINUTES:**

Mr. Ogrod made a motion to approve the prior minutes of July 20, 2021. This was seconded by Mr. Burke. All were in favor. The motion carried 3-0.

**ZONING APPEALS**

- **VA 21-02 2136 Lakeman Drive Accessory Structure**

Mr. Schommer presented the staff report. The request is to build a 96 square foot accessory structure five feet from the back and side property lines. The variance from the standard eight-foot set back is due to a hill on the property. There is already a 600 square foot accessory building on the property. This would put the aggregate total of accessory structures on the property over the limit of 600 square feet. The owners plan to use the structure to store lawn and gardening tools. There is a privacy fence around the yard.

Mr. Burke asked about the need due to the house having an attached garage and detached garage on the property now. Mr. Claude said they needed more room for storage.

The Board discussed the case and determined that there were two issues to be decided; the aggregate total, and the five-foot setback. Discussion led to agreement for a variance greater than 600 sf considering the attached garage to the home was converted to a bedroom by the previous owners, leaving the only garage space for the property to be the existing 600 sf detached garage.

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Mr. Ograd made a motion to approve **VA 21-02 A to allow for a 96 square foot structure to be added to the aggregate amount of structures.** Mr. Burke seconded the motion. The Clerk called the roll. Mr. Ograd, yes; Mr. Burke, yes; Chairperson Brinegar, yes. The variance was approved 3-0.

Mr. Ograd made a motion to approve **VA 21-02 B to allow for the structure to be placed five feet from the side and rear property lines.** Mr. Burke seconded the motion. The Clerk called the roll. Mr. Ograd, yes; Mr. Burke, yes; Chairperson Brinegar, yes. The variance was approved 3-0.

- **VA 21-03 1501 Lynlee New Construction**

Mr. Schommer presented the variance request to build a post and beam porch that would extend from the front and side yards. This structure would replace an existing deck. The plans include blending the new roof to fit seamlessly with the existing roof pitch.

Chairperson Brinegar swore in Brett Doudican, the property owner who then described how the plan would remove a small section of privacy fence. The only access to the backyard is through this side. The structure would cover the same area as the existing deck.

Mr. Ograd asked if the electric will need to be moved. Mr. Doudican said it would along with cable and an existing exhaust fan outlet.

Mr. Burke made a motion to approve **VA 21-03 1501 Lynlee to allow for a covered porch to extend into the front and side yards.** Mr. Ograd seconded the motion. The Clerk called the roll. Mr. Burke, yes; Mr. Ograd, yes; Chairperson Brinegar, yes. The variance was approved 3-0.

- **VA 21-06 3544 Ridgeway Accessory Structure**

Mr. Schommer presented the variance case to build a 676 square foot accessory structure which is over the limit of 600 square feet and with a height of 17 feet which is over the 15-foot limit. There was one letter received opposing the variance, but it did not speak to the size.

The Chairperson swore in Thomas Cornelison who owns the property. He explained that he works on his vehicles and needs an adequately sized building to accomplish this comfortably. The owners have been working to remove dead trees along the side of the property where there is also a mound.

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They plan to level the ground and the Service Department sees no issue. Mr. Cornelison also explained that he had already ordered the building not knowing about the size restriction.

Mr. Ograd asked if the owner could decrease the size to the 600 square foot maximum allowed. Mr. Cornelison answered that he had a garage this size previously and it does not allow enough space to work on his vehicles.

The Board discussed the merits of the variances requested. Mr. Burke and Mr. Ograd referred to the verbiage of the zoning code that states that variances should be considered when there are exceptional conditions or that create a hardship but that are not economic in nature.

**Mr. Burke** made a motion to **deny VA 21-06 3544 Ridgeway for a 676 square foot accessory structure**. Mr. Ograd seconded the motion. The Clerk called the roll. Mr. Burke, yes; Mr. Ograd, yes; Chair Brinegar, yes. The variance was denied 3-0.

Mr. Cornelison asked if he would be able to build a 600 square foot structure. He was told he could but a height of 17 feet would require a variance from code.

Mr. Burke made a motion to approve a variance to **allow for a 17-foot-high structure** to be constructed. Mr. Ograd seconded the motion. The Clerk called the roll. Mr. Burke, yes; Mr. Ograd, yes; Chair Brinegar, yes. The variance was approved 3-0.

**PROPERTY REVIEW COMMISSION - none**

**OPEN COMMENT**

**ADJOURNMENT**

Mr. Ograd made a motion to adjourn the meeting and it was seconded by Mr. Burke. Chairperson Brinegar adjourned the meeting at 7:27 PM.

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Meredith Brinegar, Chair

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Rob Schommer, Clerk of Council