



To: BZA/PRC  
From: Cathi Spaugy, Community Development Administrator  
Date: June 8, 2026  
Subject: Staff Report for BZA Case #26-01: 2005 Regent Park Drive

### Summary of the Request

The applicant and property owner Richard Bozard is requesting approval for a variance of Zoning Code section 18.06 (1) (a) and (b) to allow the construction of a 6' privacy fence that will extend out 10'4" from the side/"front" of the house. The desired construction/placement of the new fence is the reason for the variance request as (a) Side and rear yards - side yard fences/walls shall not extend forward of the house or front setback line, and (b) Front yard - no fence or wall shall exceed (4) feet in height above the ground. Note: 2005 Regent Park Drive is a corner lot.

Zoning Code for reference (with applicable portions to the request bolded)

#### **18.06 Fences & Walls**

***(1) Non corner lots: (a) Side and rear yards: No fence or wall shall exceed six (6) feet in height unless it is ten (10) or more feet from the property line. In residential zones, chain link, wire or wire mesh fences shall not exceed five (5) feet in height unless ten (10) or more feet from the property line. Side yard fences and walls shall not extend forward of the house or front setback line. All fences shall be constructed with supporting fence posts placed facing the interior of the lot.***

***(b) Front yard: No fence or wall shall exceed four (4) feet in height above the ground; be made of wire or chain link; be closer than five (5) feet to the front property line.***

***(2) Corner and double frontage lot(s): (a) Fences and walls on both streets shall meet above front-yard requirements.***

### Applicant Information

Richard Bozard, Applicant and Property Owner

### Current Zoning District

R-1A, One-Family Residential

**Parcel Identification**

L35-0002-0002-0-0001-00

**Additional Actions or Next Steps to be taken by the City**

The Board of Zoning Appeals will decide on the variance request at its meeting on June 16, 2026.

**Applicant's Reason for the Request**

The applicant wants to construct a 6' privacy fence that will extend out 10'4" from the side/"front" of the house.

The applicant's statement regarding the request is included in the packet.

**Surrounding Land Use within 1,000 Feet**

The surrounding land use within 1,000 feet includes Residential (R-1B,PD-1,R-3 and O-1)

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

3900 W. Franklin St. was rezoned from A-1 (Agricultural) to O-1 (Office Building) – (12/2025)

**Comprehensive Plan Applied to the Geographical Area**

N/A

**Existing Public Utilities**

Existing public utilities include water, storm, sanitary sewer, gas and electric.

**Soil Survey Data**

N/A

**Classification of Streets, Traffic Volumes & Direction, Planned Improvements**

N/A

**Flood Plain Information**

N/A

**Comments from City and County Agencies**

N/A

**Supporting Maps & Graphics**

Supporting documents are attached.

**Staff Recommendation**

Staff recommend that the Board of Zoning Appeals consider the request.



# CITY OF BELLBROOK

## ZONING PERMIT – FENCES

15 EAST FRANKLIN STREET, BELLBROOK, OHIO 45305

(937) 848-4666 [WWW.CITYOFBELLBROOK.ORG](http://WWW.CITYOFBELLBROOK.ORG)

DATE RECEIVED 5 / 15 / 26

STAFF USE

APPLICATION # F&C- 26-0003

### APPLICANT INFORMATION

PROPERTY ADDRESS 2005 Regent Park Drive ZONING DISTRICT \_\_\_\_\_  
 PROPERTY OWNER Richard Bozard PHONE NUMBER (937) 750-0179  
 APPLICANT NAME Richard Bozard PHONE NUMBER (937) 750-0179  
 APPLICANT EMAIL RRBOZARD@GMAIL.COM

### REQUEST INFORMATION

TYPE OF LOT CORNER  INTERIOR  OTHER

FENCE TYPE CHAIN LINK  PRIVACY  SPLIT RAIL  PICKET

OTHER  \_\_\_\_\_

FENCE LOCATION (CHECK ALL THAT APPLY) FRONT YARD  SIDE YARD  REAR YARD

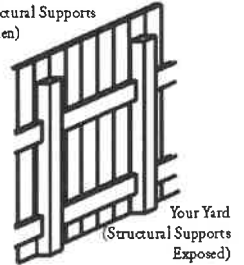
FENCE HEIGHT (FILL IN ALL THAT APPLY) FRONT YARD \_\_\_\_\_ SIDE YARD 6 REAR YARD \_\_\_\_\_

FENCE MATERIAL(S) WOOD

OTHER COMMENTS Requesting 6' fence @ have above ground pool @ sitting area across from neighbor bedroom

#### Fence Orientation

Neighbor's Yard  
(Structural Supports  
Hidden)



### SHOW PROPOSED FENCE LOCATION ON CORRESPONDING LOT TYPE

|                                     |                                     |   |
|-------------------------------------|-------------------------------------|---|
| <p>Street/ROW</p> <p>Street/ROW</p> | <p>Street/ROW</p> <p>Street/ROW</p> | <p>Draw proposed fence location here if other Examples do not match your lot's layout</p> |
|-------------------------------------|-------------------------------------|---|

I HEREBY CERTIFY THAT THE INFORMATION AND STATEMENTS GIVEN ON THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT IF THE INFORMATION IN THIS APPLICATION IS NOT CORRECT OR COMPLETE, ANY PERMIT ISSUED MAY BE INVALID WITH THE RESULT BEING THAT I MAY BE REQUIRED TO TAKE THE ABOVE-DESCRIBED ACCESSORY STRUCTURE DOWN AT MY OWN EXPENSE. ANY APPROVAL GRANTED BY THE CITY SHALL EXPIRE IF THE WORK HAS NOT BEGUN WITHIN ONE (1) YEAR FROM THE DATE OF APPROVAL.

APPLICANT SIGNATURE \_\_\_\_\_ DATE \_\_\_\_/\_\_\_\_/\_\_\_\_

| OFFICE USE ONLY   |   |  |
|---|---|--|
| <b>PERMIT FEE</b><br>\$ <u>25.00</u>                              | <b>PAYMENT TYPE</b><br>CASH <input type="checkbox"/> CHECK <input type="checkbox"/> # <u>CC</u> <input checked="" type="checkbox"/> | <b>REVIEW AUTHORITY</b><br>ADMINISTRATIVE <input checked="" type="checkbox"/> BZA <input checked="" type="checkbox"/> VRB <input type="checkbox"/> |
| APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/> | STAFF SIGNATURE _____ DATE ____/____/____   |  |
| APPROVED-CONDITIONS <input type="checkbox"/>                      |   |  |

28 May  
16 June  
Maf:???



# CITY OF BELLBROOK

## APPLICATION FOR ZONING VARIANCE

15 EAST FRANKLIN STREET, BELLBROOK, OHIO 45305  
(937) 848-4666 [WWW.CITYOFBELLBROOK.ORG](http://WWW.CITYOFBELLBROOK.ORG)

DATE RECEIVED 5 / 15 / 26 STAFF USE APPLICATION # VAR-26-0001

### APPLICANT INFORMATION

PROPERTY OWNER Richard Bozard PHONE NUMBER (937) 750-0779

OWNER ADDRESS 2005 Regent Park Drive

APPLICANT NAME Richard Bozard PHONE NUMBER (937) 750-0779

APPLICANT ADDRESS 2005 Regent Park Drive

APPLICANT EMAIL RRBOZARD@GMAIL.COM

### REQUEST INFORMATION

PROPERTY ADDRESS 2005 Regent Park Drive ZONING DISTRICT \_\_\_\_\_

SUBDIVISION Sugarcreek Terrace Sec 1 LOT NUMBER 1 PARCEL ID L35-0002-0002-0-0001-00

DESCRIBE THE GENERAL NATURE OF THE VARIANCE 10'4" Variance will align with existing sidewalk and allow our backyard fence to line up with our neighbor front. The southeast corner is not intersection facing and would not impede drivers view. Variance will improve street impression and allow homeowner to utilize additional space.

**SEE THE REVERSE OF THIS PAGE FOR ADDITIONAL INFORMATION TO BE INCLUDED WITH AN APPLICATION FOR ZONING VARIANCE.**

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.

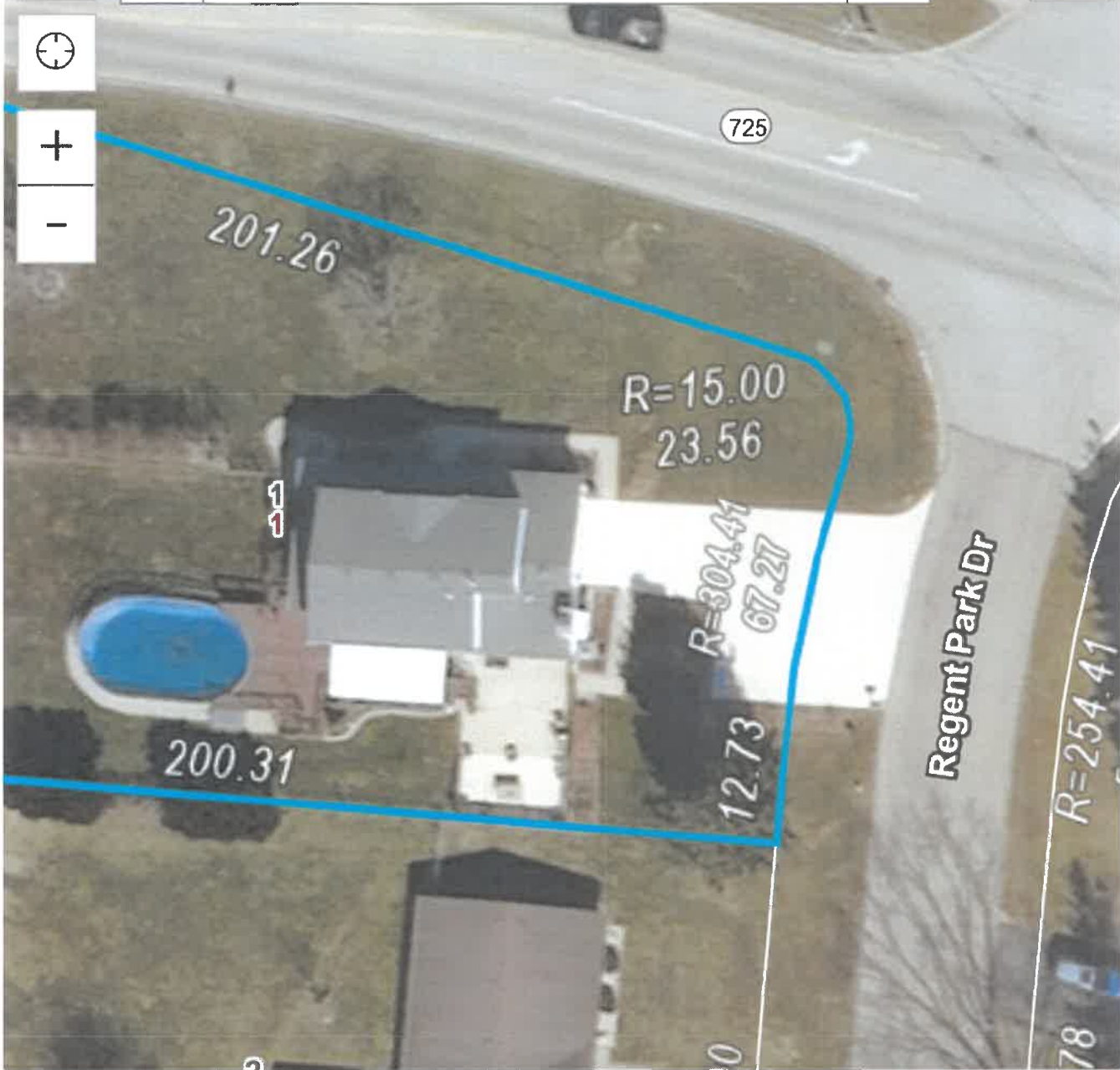
I CERTIFY THAT STATEMENTS MADE TO ME ABOUT THE TIME IT TAKES TO REVIEW AND PROCESS THIS APPLICATION ARE GENERAL. I AM AWARE THAT THE CITY HAS ATTEMPTED TO REQUEST EVERYTHING NECESSARY FOR AN ACCURATE AND COMPLETE REVIEW OF MY PROPOSAL; HOWEVER, AFTER MY APPLICATION HAS BEEN SUBMITTED AND REVIEWED BY 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 \_\_\_\_\_ DATE \_\_\_\_/\_\_\_\_/\_\_\_\_

| OFFICE USE ONLY         |  |   |
|-------------------------|--|---|
| APPLICATION FEE         | PAYMENT TYPE   | REVIEW AUTHORITY  |
| \$ <u>200</u>           | CASH <input type="checkbox"/> CHECK <input checked="" type="checkbox"/> # <u>CCV</u> | <input checked="" type="checkbox"/> ADMINISTRATIVE, BOARD OF ZONING APPEALS                           |
| BOARD OF ZONING APPEALS | MEETING DATE <u>6 / 16 / 2026</u>  | APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/> CONDITIONS <input type="checkbox"/> |

Parcel Search



Feature Information

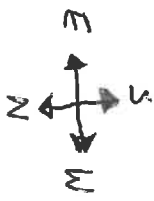
Property Info Building Info Deed Info

**PARCEL ID:** L35-0002-0002-0-0001-00

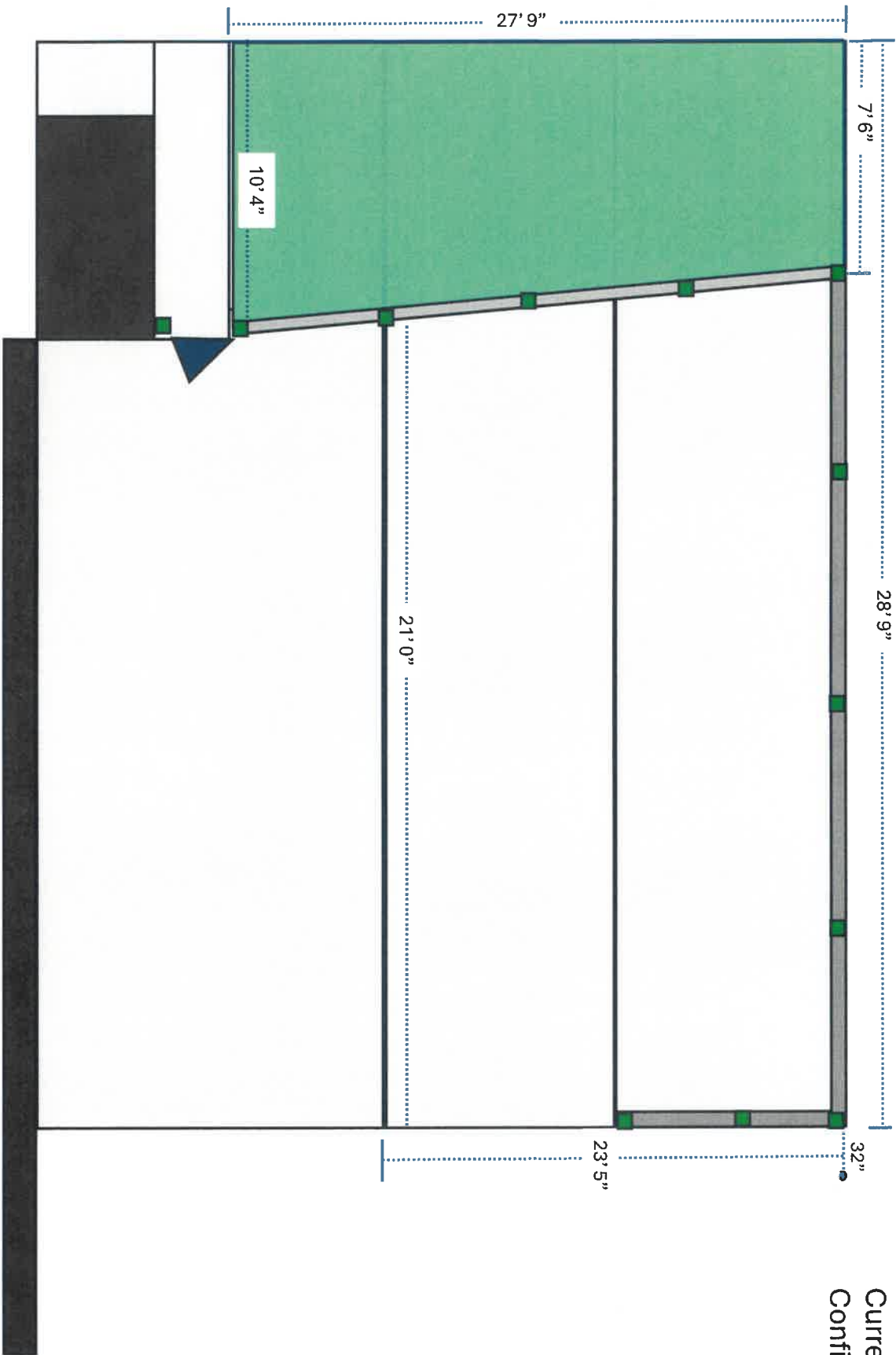
**OWNER(S):** BOZARD RICHARD E & ROSEMARIE R

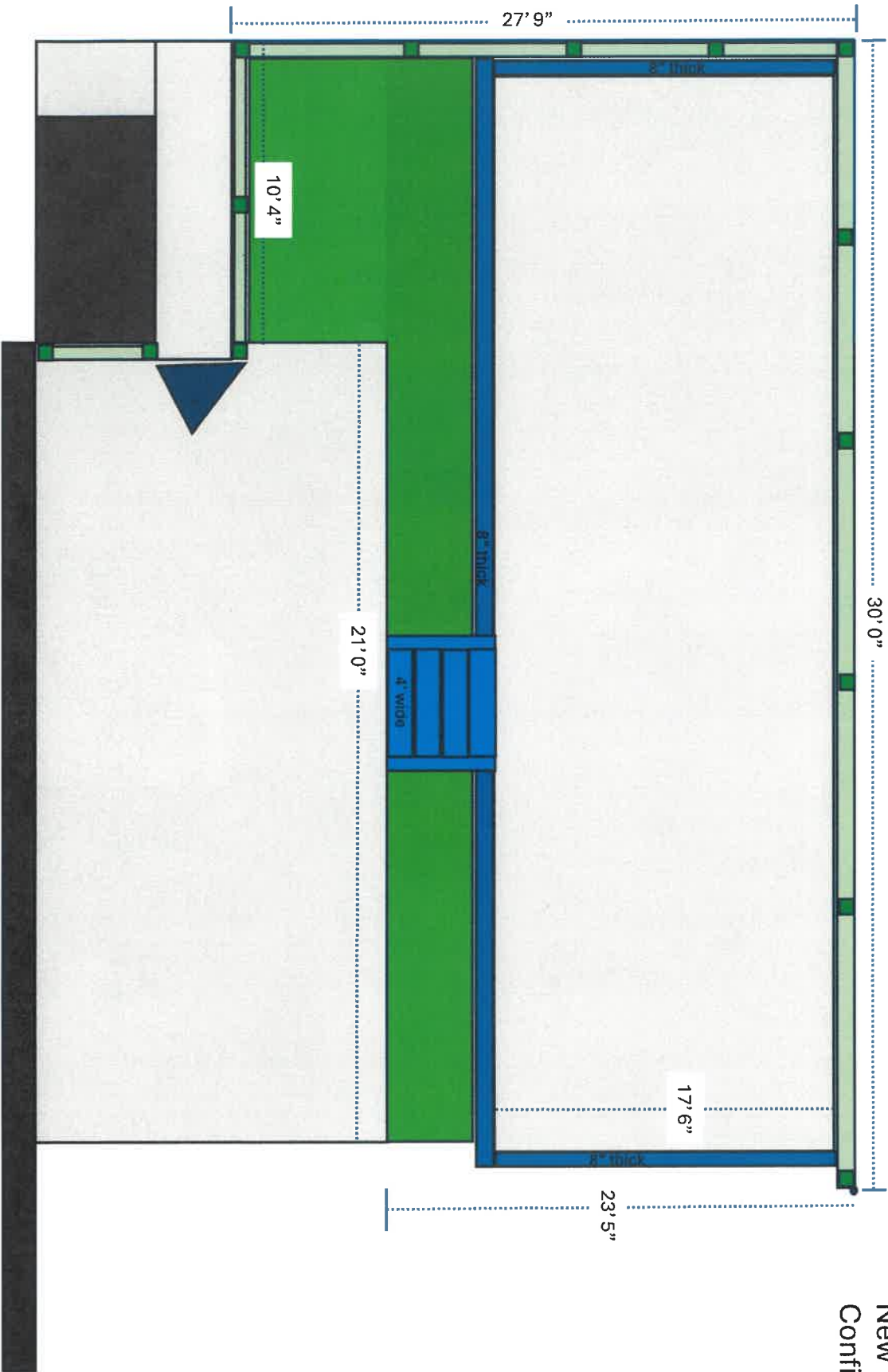
**PROPERTY ADDR:** 2005 REGENT PARK DR  
BELLBROOK OH 45305

**MAILING ADDR:** 2005 REGENT PARK DR



Current Configuration





New Configuration





## Record Report for Zoning Variance #VAR-26-0001

### Record Overview

**Record Number:** VAR-26-0001

**Record Type:** Zoning Variance

**Record Status:** In Progress

**Record Submitted At:** Tuesday May 19, 2026

**Record Address:** 2005 REGENT PARK DR, BELLBROOK, OH 45305

**Record Owner:** Cathi Spaugy

**Record Applicant:** Rick Bozard

### Form Submission

**Property Address:**

2005 REGENT PARK DR, BELLBROOK, OH 45305

**Parcel Number:** L35-0002-0002-0-0001-00

**Lot:** 1

**Subdivision:** SUGARCREEK TERRACE SEC 1

**Contractor:**

Rick Bozard

rrbozard@gmail.com, (937) 750-0179

**Property Owner:**

BOZARD RICHARD E & ROSEMARIE R, RICHARD E BOZARD

rrbozard@gmail.com, (937) 750-0179

**Business:**

n/a

n/a

Willowgrove Avenue

n/a, OH 45305

**Existing Use:**

Fence

**Proposed Use:**

New 6' wood privacy fence.

**Description:**

10'4' variance will align with existing sidewalk and allow our backyard fence to line up with our neighbors front. The southeast corner is not intersection facing and would not impede driver's view. Variance will improve street impression and allow homeowner to utilize additional space.

**I understand that approval of this application does not constitute approval for any administrative review, 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.:



Signed in GovWell: Tuesday May 19, 2026, 1:44pm

## Generated Documents

No documents generated

## Activity History

### Email

June 4, 2026, 2:26pm

Subject: #VAR-26-0001 | New Task - Log Meeting (Rick Bozard) (2005 REGENT PARK DR, BELLBROOK, OH 45305)

To: Cathi Spaugy

### Email

June 4, 2026, 2:26pm

Subject: #VAR-26-0001 | Added to Board of Zoning Appeals / Property Review Commission Meeting (Rick Bozard) (2005 REGENT PARK DR, BELLBROOK, OH 45305)

To: Rick Bozard

### Meeting

June 4, 2026, 2:26pm

Cathi Spaugy added the record to the Board of Zoning Appeals / Property Review Commission meeting scheduled for June 16, 2026 at 6:30pm

### Email

May 19, 2026, 1:54pm

Subject: #VAR-26-0001 | Thank You For Your Payment (Rick Bozard) (2005 REGENT PARK DR, BELLBROOK, OH 45305)

To: Rick Bozard

### Email

May 19, 2026, 1:54pm

Subject: #VAR-26-0001 | New Task - Add to Meeting (Rick Bozard) (2005 REGENT PARK DR, BELLBROOK, OH 45305)

To: Cathi Spaugy

### Payment

May 19, 2026, 1:54pm

RICHARD BOZARD paid fees in the amount of \$200.00.

### Email

May 19, 2026, 1:49pm

Subject: #VAR-26-0001 | Payment is Required (Due on 5/28/26) (Rick Bozard) (2005 REGENT PARK DR, BELLBROOK, OH 45305)

To: Rick Bozard

### Payment

May 19, 2026, 1:49pm

Cathi Spaugy requested fees in the amount of \$200.00.

### Email

May 19, 2026, 1:48pm

Subject: #VAR-26-0001 | New Task - Add Fees (Rick Bozard) (2005 REGENT PARK DR, BELLBROOK, OH 45305)

To: Cathi Spaugy

### Plan Review Acknowledged

May 19, 2026, 1:48pm

Cathi Spaugy advanced the workflow to the next step. The applicant did not acknowledge plan review comments.

### Email

May 19, 2026, 1:48pm

Subject: #VAR-26-0001 | Application Progress (Rick Bozard) (2005 REGENT PARK DR, BELLBROOK, OH 45305)

To: Rick Bozard

**Plan Review Completed**

May 19, 2026, 1:48pm

Cathi Spaugy approved the plans and left 1 comment.

**Email**

May 19, 2026, 1:46pm

Subject: #VAR-26-0001 | New Plan Set For Review (Rick Bozard) (2005 REGENT PARK DR, BELLBROOK, OH 45305)

To: Cathi Spaugy

**Email**

May 19, 2026, 1:46pm

Subject: #VAR-26-0001 | Update On Your Submission (Rick Bozard) (2005 REGENT PARK DR, BELLBROOK, OH 45305)

To: Rick Bozard

**Status Changed**

May 19, 2026, 1:46pm

From: Submitted

To: In Progress

**Application Review Completed**

May 19, 2026, 1:46pm

Cathi Spaugy reviewed the application and marked it as complete.

**Email**

May 19, 2026, 1:44pm

Subject: #VAR-26-0001 | Bellbrook: Submission Received and Status Tracker (Rick Bozard) (2005 REGENT PARK DR, BELLBROOK, OH 45305)

To: Rick Bozard

**Email**

May 19, 2026, 1:44pm

Subject: #VAR-26-0001 | New Task - Review Application (Rick Bozard) (2005 REGENT PARK DR, BELLBROOK, OH 45305)

To: Cathi Spaugy

**Applicant**

May 19, 2026, 1:44pm

Cathi Spaugy set the applicant user to Rick Bozard.



## Notice of Public Hearing

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**The Bellbrook Board of Zoning Appeals  
will conduct a public hearing on  
Tuesday, June 16, 2026, at 6:30 p.m.  
City Council Chambers (second floor)  
15 East Franklin Street, Bellbrook, Ohio 45305.**

**BZA Case #26-01: 2005 Regent Park Drive**

The Bellbrook Board of Zoning Appeals will hold a public hearing on a variance request for **2005 Regent Park Dr.** The variance request of the Bellbrook Zoning Code Section 18.06 (Fences & Walls) is for the construction of a 6' privacy fence that will extend forward 10'4" from the front of the house and will exceed the 4' height requirement for a front yard fence due to this being a corner lot.

If you have questions, please contact the City of Bellbrook Community Development Department at (937) 848.4666 or [cathi@bellbrook.gov](mailto:cathi@bellbrook.gov)

This publication was mailed June 4, 2026