



# Bellbrook

## Application

Date: 11/22/2024

**Applicant / Owner**

Applicant Name: Joshua Bacca  
 Address: 1956 Cabernet Way  
 City, State, Zip: Bellbrook, OH 45305  
 Phone: 619-316-5891  
 Email: jbacca76@icloud.com

Owner Name: Joshua and Courtney Bacca  
 Address: 1956 Cabernet Way  
 City, State, Zip: Bellbrook, OH 45305  
 Phone: 619-316-5891  
 Email: jbacca76@icloud.com

**Project**

Site Address: 1956 Cabernet Way  
 City, State, Zip: Bellbrook, OH 45305  
 Subdivision: Vineyards of Bellbrook  
 Lot: 35  
 Parcel: L35000100050005500

Current Zoning: PD-1  
 Proposed Zoning:  
 Present Use:  
 Proposed Use:  
 Comments:

**General Information**

Lot Type:  
 Side Yard Line:  
 Rear Yard Line:  
 Front Yard Line:  
 Structure Size:  
 Height:

Asbestos:  
 Structure Use:  
 Business Name:  
 Mailing:  
 City, State, Zip:  
 Phone:  
 Email:

**Accessory Buildings**

Building Type:  
 Height:  
 Width:  
 Length:

Floor Area:  
 Proposed Location:  
 Side Yard Ease:  
 Rear Yard Ease:

**Fences**

Fence Type:  
 Front Yard: ☐  
 Side Yard: ☐

Rear Yard: ☐  
 Fence Materials:

**Demolition**

Commercial: ☐  
 Residential: ☐  
 Type:

Units:  
 Old Village:

**Signs**

Sign Request:  
 Sign Type:  
 Sign Height:  
 Sign Width:  
 Sign Area:

Build Frontage:  
 Sign Location:  
 Ground Height:  
 Sign Materials:

## New Construction

Construction:  
Lot Width:  
Lot Depth:  
Lot Area:  
Residential SF:  
Basement SF:  
Garage SF:  
Addition SF:  
Total SF:

Front Yard:  
Rear Yard:  
Sum of Sides:  
Building Height:  
Side Yard Ease:  
Rear Yard Ease:  
Purpose:

---

## Special Event

Type of Event:  
Other:  
Alcohol Served:

Event Date(s):  
Event Time:

Brief description of the event and any special public safety or city services needed:

Streets or public areas requesting:

Will signs be placed in the right-of-way?

HOLD HARMLESS: THE PERMITTEE WILL HOLD HARMLESS AND INDEMNIFY THE CITY OF BELLBROOK, ITS ELECTED OFFICIALS, OFFICERS, EMPLOYEES AND AGENTS FROM ANY DAMAGES WHICH MAY ARISE AS A RESULT OF THE CONDUCT OF THE PARADE OR ASSEMBLY FOR WHICH THE PERMIT IS SOUGHT BY PERSONS WHO WERE OR REASONABLY SHOULD HAVE BEEN UNDER THE CONTROL OF THE PERMITTEE.

PRIOR TO THE BEGINNING OF THE EVENT, IT IS IMPORTANT THAT ALL PARTICIPANTS BE ADVISED TO OBEY PEDESTRIAN REGULATIONS AND CROSS ONLY AT INTERSECTIONS OR AS DIRECTED BY THE POLICE.

YOUR ORGANIZATION WILL HAVE TO ARRANGE FOR PAYMENT FOR THE USE OF SERVICES (WATER, ELECTRIC, TRASH PICK-UP) WHETHER PROVIDED BY A PRIVATE OWNER OR PUBLIC ENTITY. EXTRAORDINARY PUBLIC SAFETY SERVICES (EXCESSIVE OVERTIME) MAY ALSO NEED TO BE PAID FOR AT THE DETERMINATION OF THE CITY MANAGER.

IT IS THE EVENT ORGANIZATION'S RESPONSIBILITY TO CLEAN UP DEBRIS LEFT OVER FROM THE EVENT. FAILURE TO CLEAN UP FOLLOWING THE EVENT WILL REST IN A \$500 CLEAN-UP FEE BEING SENT TO THE PERSON AND/OR ORGANIZATION RESPONSIBLE FOR THE EVENT.

---

## Zoning Permit - Temporary Use

Business Name:  
Mailing Address:

Proposed Use:  
Size (trailers, etc.):

Description - include specific type of use, hours of operation, number of employees, and other pertinent information:

---

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.

Joshua Bacca

Name

11/22/2024

Date

1) With updated landscaping that was completed on the rear yard, the requested location for a storage shed is the ideal location for an accessory building. If a variance is not approved, that specific location will have no other use. It is a relatively small area that is bordered by the main building. The requested location is also the most level portion of the yard, making it ideal for an accessory building.

2) The requested variance is for the location of a shed and is not a substantial request. While the requested location is technically considered side yard, it is behind the main building and said shed would not be visible from the street.

3) The essential character of the neighborhood would not be substantially altered, nor would adjoining properties suffer a substantial detriment as a result of a variance. Permission to construct the shed in the desired location was obtained from the HOA Board on 18NOV24. Any alternate locations in the rear yard would alter the essential character of the neighborhood more than the requested area, as the requested area would keep the shed more out of view from neighboring properties than would any other location on the property.

4) The requested variance would not adversely affect the delivery of governmental services such as water, sanitary sewer or garbage removal.

5) We, the property owners, purchased the property with no knowledge of the zoning restriction. We were provided the HOA rules and used those as our guide regarding side yard vs rear yard definitions for our property. As there was a fence already in place on the property, it was our understanding that everything contained within the fence was considered rear yard.

6) Due to the grade of the rear yard and the desire to maintain as much usable play space as possible for children, there is not a good alternative location for a storage shed on the property. A pool was installed and the overall plan included constructing a storage shed in the requested location prior to learning of the zoning restriction.

7) We believe that the spirit and intent behind the zoning requirement would still be observed if allowed to build an accessory structure in the requested location. No portion of the accessory structure would be closer to the street than the main building, nor would the accessory structure be visible from the street. Therefore, we believe that the requested location could reasonably be considered rear yard and so be in compliance with the spirit and intent of the existing zoning requirement.

Payment For

☐ Utility Billing

☒ Permit - type: **Variance (2024-188)**

DATE RECEIVED

Name

**Bacca**

NOV 22 REC'D

Service Address

**1956 Cabernet Way**

Payment Type

☐ Cash

☒ Check - #: **596**

Amount Paid

**\$200.00**

Date Paid

**11/22/2024**