

# RECORD OF PROCEEDINGS

Bellbrook Board of Zoning Appeals & Property Review Commission  
February 15, 2022

## **OATH OF OFFICE:**

Mayor Schweller administered the Oath of Office to swear in Meredith Glick Brinegar, Philip Ogrod and Sharon Schroder.

## **CALL THE MEETING ORDER:**

Mrs. Brinegar called the meeting of the Bellbrook Board of Zoning Appeals & Property Review Commission to order at 6:30pm

## **ROLL CALL:**

PRESENT: Meredith Glick Brinegar; Kyle Boehmer; Aaron Burke; Philip Ogrod; Sharon Schroder

## **ALSO PRESENT:**

Jason Foster, Community Development Administrator  
Rob Schommer, City Manager

## **APPROVAL OF MINUTES:**

Mrs. Brinegar asked if any member had comments or corrections to the minutes of the August 17, 2021 meeting. Hearing none, the minutes were declared approved.

## **OLD BUSINESS:**

None

## **NEW BUSINESS:**

Election of Chair: Mrs. Brinegar opened the floor for nominations. Mrs. Brinegar nominated Mr. Burke, and the nomination was seconded by Mrs. Schroder. Mr. Ogrod nominated Mrs. Brinegar, and the nomination was seconded by Mrs. Schroder.

A motion to elect Mrs. Brinegar as Chair.  
Motion made by Mr. Ogrod, Seconded by Mrs. Schroder.  
Voting Yea: Mr. Ogrod, Mrs. Schroder  
Voting Nay: Mr. Boehmer, Mrs. Brinegar, Mr. Burke  
Motion Failed

Motion to elect Aaron Burke as Chair of the Board  
Motion made by Mrs. Brinegar, Seconded by Mrs. Schroder.  
Voting Yea: Mr. Boehmer, Mrs. Brinegar, Mr. Burke, Mr. Ogrod, Mrs. Schroder  
Motion Passed

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Election of Vice-Chair: Chair Mr. Burke opened the floor for nominations. Mrs. Brinegar nominated Mr. Ograd, and the nomination was seconded by Mrs. Schroder.

Motion to elect Philip Ograd as Vice Chair of the Board

Motion made by Mrs. Brinegar, Seconded by Mrs. Schroder.

Voting Yea: Mr. Boehmer, Mrs. Brinegar, Mr. Burke, Mr. Ograd, Mrs. Schroder

Motion Passed

## PROPERTY MAINTENANCE CODE UPDATES:

Mr. Schommer introduced Mr. Foster as the Community Development Administrator. Mr. Foster introduced and explained various changes to the Property Maintenance Code. He indicated there are several grammatical and wordsmithing corrections. A new definition of “junk” was included for use in the code. He noted a change in outdoor storage to include commercial zones, that all items stored in an enclosed structure unless used for outdoor activities.

Mrs. Brinegar asked what it would mean for outdoor use, such as a shovel, or snowblower. Mr. Foster noted garden tools and similar items for use outdoors are acceptable. Mr. Ograd asked about the potential of multiple lawn mowers on a side yard. Mr. Burke stated after Mr. Foster went through all noted changes, more discussion about specific items would be had.

Mr. Foster noted the definition of stacked was included for fire wood due to inconsistent interpretation, and various other changes and clarifications.

Mrs. Schroder asked if the outdoor storage changes were correct that instead of items being screened would now require inside an enclosed structure. Mr. Foster clarified the change does require an enclosed structure. Mrs. Schroder asked about people that are currently compliant with items stored outside screened, and would now be required to store items in an enclosed structure. Mr. Foster stated that would be handled through reasonable enforcement based on complaints and gradual compliance.

Mrs. Brinegar noted it was important that storage on commercial properties was added. Mr. Burke agreed and noted it seems to be interpreted as all or nothing for storage outdoors, and asked about items stored outside that is part of the business. Mr. Foster stated outdoor sales does not apply. Mr. Schommer recommended a reference notation to the outdoor sales section within this section for clarification.

Mr. Ograd asked about pallets being stored in residential areas and commercial businesses. Mr. Foster stated if they are being used for business purposes it would be fine; however, if they are just piled, then they would be considered junk. Mr. Schommer added more clarity to the question of a pile of pallets, where a business may just be storing them outside, even if stacked and useable. Mr. Foster indicated that would be considered outdoor storage and the code should apply. Mr. Ograd asked if the current code was being used for the changes or the code revisions put forward previously. Mr. Foster stated the changes are related to the current code.

Mr. Boehmer asked for clarification regarding firewood being required to be stacked on the side or rear

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of the home due to some people having it on their front porch for access to a fireplace inside. Mr. Schommer noted the language stemmed from complaints about stacks of wood in front yards being unsightly. He added perhaps some language could allow stacking against the house or some form preventing piles and stacks in the front yard. Further discussion led by Mr. Foster creating modified language regarding firewood.

Mr. Ogrod asked about brush piles and if the language in the code was present or suggested. Mr. Foster noted it was the existing code. Mr. Ogrod noted there was previous recommendation for a size limit for brush. Mr. Foster suggested brush piles be prohibited, as they are similar to junk and present rodent harborage issues. Mr. Schommer agreed it is easier to manage and enforce to simply prohibit piles of brush to be piled in yards, much like junk or trash.

Mr. Schommer noted that although it is not something to do on a routine and weekly basis, modifying the code is something that should be considered as adjustments to trends and needs of the community occur.

Motion to recommend approval of the proposed changes to the property maintenance code as presented in the staff report February 15, 2022.

Motion made by Mr. Ogrod, Seconded by Mrs. Brinegar.

Voting Yea: Mr. Boehmer, Mrs. Brinegar, Mr. Burke, Mr. Ogrod, Mrs. Schroder

## **OPEN DISCUSSION:**

Mr. Ogrod asked about an update on the Dane Ln property. Mr. Schommer reported the owner of the property was referred to court, and the owner is in a care facility out of state. The Court has disposed of the case, and it is a work in progress. He added the issues may need to be abated by the City, as the enforcement process has been used to the fullest extent.

Mr. Boehmer noted a previous case on Lynlee Drive has been completed and it has greatly improved the look of the property and enhanced the street. He commended the owners for doing such a good job.

Mr. Forrest Greenwood commented he appreciated everyone's work on the Board.

## **ADJOURNMENT:**

With no further business coming before the Board, Mr. Burke declared the meeting adjourned at 7:32 pm.

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Aaron Burke, Chair Person

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Rob Schommer, Clerk of Council