

# RECORD OF PROCEEDINGS

Bellbrook Board of Zoning Appeals & Property Review Commission  
May 17, 2022

## **CALL THE MEETING ORDER:**

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

## **ROLL CALL:**

PRESENT

Mr. Kyle Boehmer

Mrs. Meredith Brinegar

Mr. Aaron Burke

Mr. Philip Ogrod

## **ALSO PRESENT:**

Jason Foster, Community Development Administrator

Rob Schommer, City Manager

## **APPROVAL OF MINUTES:**

Mr. Burke asked if any member had comments or corrections to the minutes of the January 1, 2022 meeting. Hearing none, the minutes were declared approved.

## **OLD BUSINESS:**

None

## **NEW BUSINESS:**

PRC 22-02 Property Maintenance at 204 Belair Circle.

Mr. Foster presented information about the property maintenance violation at the address. He noted the process started on March 1, 2022 with two letters and a re-inspection of the property on March 8, 2022. He added a property maintenance company has been responsible for the property on behalf of the bank ownership during the foreclosure process, as the previous owner is deceased. Notices were given to the maintenance company as well.

Mr. Foster noted there is debris and two sheds in the back yard of which have fallen into disrepair and one nearly falling down. He added the violations needed addressed for the health and safety of the neighborhood and requested approval for abatement of the violations.

Mr. Boehmer asked if this would be through the abatement property and if there was an estimate for the cost. Mr. Foster confirmed it can be through abatement and there was no estimate at this time.

Mrs. Brinegar asked what the property maintenance company was doing. Mr. Foster stated since the

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property was in foreclosure, the bank typically hires a company to tend to the vacant properties. In this case, the company is only mowing the front yard, but upon contacting the company about the rest of the property there was no response. He added the back of the property was inaccessible due to the junk and overgrowth.

Mr. Ograd asked about the vehicles on the property. Mr. Foster noted the Cadillac that was in the original photos has been removed and the remaining truck on the property is a zoning code violation, not covered under the property maintenance code.

Mr. Burke asked if the property was for sale. Mr. Foster stated he does not believe so. Mr. Burke noted troubles with cleaning a property only to have it become overgrown again with no one taking responsibility for it. Mr. Foster noted that is a possibility; however, he felt at this time it was necessary to take action for the benefit of the neighborhood.

There was additional questions and discussion about the property status including back taxes, etc.

Mr. Burke noted it is a difficult situation when no one is taking responsibility for upkeep of the property. Mr. Boehmer added he felt there is some obligation on behalf of the neighborhood to safeguard from rodents and other issues, also noting this situation didn't just occur, it has been over time.

Mr. Ograd asked the timeframe if the City were to take action. Mr. Foster noted he is awaiting word from the Service Department if they can take it on, and if not, timeline will be longer getting estimates for a contractor to take care of the issues.

Mr. Forrest Greenwood spoke on the case noting he has some experience with cases like these stuck in probate court which can take quite some time creating an issue. He added it can be aggravating to neighboring properties to have a house go into disrepair and overgrowth. He noted there were very good questions from the Board and thanked them.

Motion to approve abatement of 204 Belaire Cir Street for violations of Section 1450.31(a) of the Bellbrook Property Maintenance code including junk, trash and debris removal as described in Bellbrook Violation No. 2022008 and the Staff Report dated May 17, 2022.

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

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

Motion Passed

## **OPEN DISCUSSION:**

Mr. Boehmer asked about an update on previous violation case on S. Main Street. Mr. Foster noted it is under legal review at this time.

Mr. Ograd asked about the Property Maintenance Code status. Mr. Foster noted the changes have been introduced to Council and in the process of review and approval.

## **ADJOURNMENT:**

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With no further business coming before the Board, Mr. Burke declared the meeting adjourned at 6:48 pm.

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Aaron Burke, Chair Person

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Rob Schommer, Clerk of Council