

**City of Bellbrook**

15 E. Franklin Street  
Bellbrook, Ohio 45305

T (937) 848-4666

F (937) 848-5190

[www.cityofbellbrook.org](http://www.cityofbellbrook.org)

**BELLBROOK VILLAGE REVIEW BOARD**

**PUBLIC HEARING**

**JULY 7, 2020**

**AGENDA**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. APPROVAL OF PRIOR MINUTES OF JUNE 9, 2020**

**4. OLD BUSINESS: none**

**5. NEW BUSINESS**

- **VRB 20-89 Multiple Signs (115 E Franklin)**
  - Staff Summary
  - Property Owner
- **VRB 20-73 Ground Sign (80 E Franklin)**
  - Staff Summary
  - Property Owner
- **VRB 20-89 and 20-90 Accessory Structure (7 W Franklin)**
  - Staff Summary
  - Property Owner

**6. OPEN DISCUSSION**

**7. ADJOURNMENT**



# RECORD OF PROCEEDINGS

Minutes of Bellbrook Village Review Board Meeting

June 9, 2020

**PRESENT:** Thad Camp  
Jacquelin Greenwood  
Karen McGill  
Jeff Owens, Chair

Also present was City Manager Melissa Dodd.

**ABSENT:** Jen Bowersock

**CALL TO ORDER:** Chairman Owens called the meeting to order at 6:00 pm.

**ROLL CALL:** Mr. Camp, yes; Mrs. Greenwood, yes; Mrs. McGill, yes; Chairman Owens, yes.  
Mrs. Greenwood made a motion to excuse Mrs. Bowersock from the meeting. Mrs. McGill seconded the motion. The Clerk called the roll. Mrs. Greenwood, yes; Mrs. McGill

Mr. Owens made a motion to excuse Mrs. Bowersock and Mrs. Greenwood seconded it. All in favor.  
Motion passed 4-0.

## **FORMAL APPROVAL OF MINUTES:**

After polling members of Board, as there were no corrections or additions to the regular meeting minutes of February 25, 2020, Mr. Owens declared the minutes approved as written.

**OLD BUSINESS** – none

## **NEW BUSINESS**

- **20-72-VRB: 11 E Franklin Street Projecting Sign**

Mrs. Dodd presented the staff report for 11 E Franklin that previously was the Little Shop of Hair. The new business is Bellbrook Barber Company. The proposed sign is round and will hang from the existing brackets by chains. Everything about the sign complies with the regulations except that it will be 9 foot above the sidewalk. Code requires signs to be 10 foot above the sidewalk.

The board discussed how making the business owner raise the sign by moving the existing brackets could cause damage to the historic building. They also discussed that variances have been approved for other signs that are lower than 10 foot.

Mrs. McGill made a motion to approve VRB 20-72 11 E Franklin Street projecting sign. Mr. Camp seconded the motion. The clerk called the roll. Mrs. McGill, yes; Mr. Camp, yes; Mrs. Greenwood, yes; Mr. Owens, no. The motion passed 3-1.

# RECORD OF PROCEEDINGS

Minutes of Bellbrook Village Review Board Meeting

June 9, 2020

## **OPEN DISCUSSION**

Mr. Owens asked what was going on behind Subway on W Franklin. The City has not been made aware of any changes.

Mrs. McGill asked about the Free Art Gallery that had been sitting in front of 7 W Franklin Street but had recently been removed. Mrs. Dodd explained that the property owner had never gone through the correct and necessary steps to be able to place that structure on the sidewalk. She added that it had been chained to a city bench.

Mrs. Greenwood asked about the sign that the VRB had approved for the Little Miami Handiworks business. Mrs. Dodd said that it had all the necessary approvals and the owner is allowed to put it up at their convenience.

## **ADJOURN**

Being no further business to come before this regular session of the Chairman declared the meeting adjourned at 6:20 pm.

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Jeff Owens, Chairman

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Pamela Timmons, Clerk of Council



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To: Village Review Board

From: Jessica Hansen, Planning & Zoning Assistant

Date: July 1, 2020

Subject: VRB Staff Report for 20-89, **115 East Franklin Projecting and Wall Sign**

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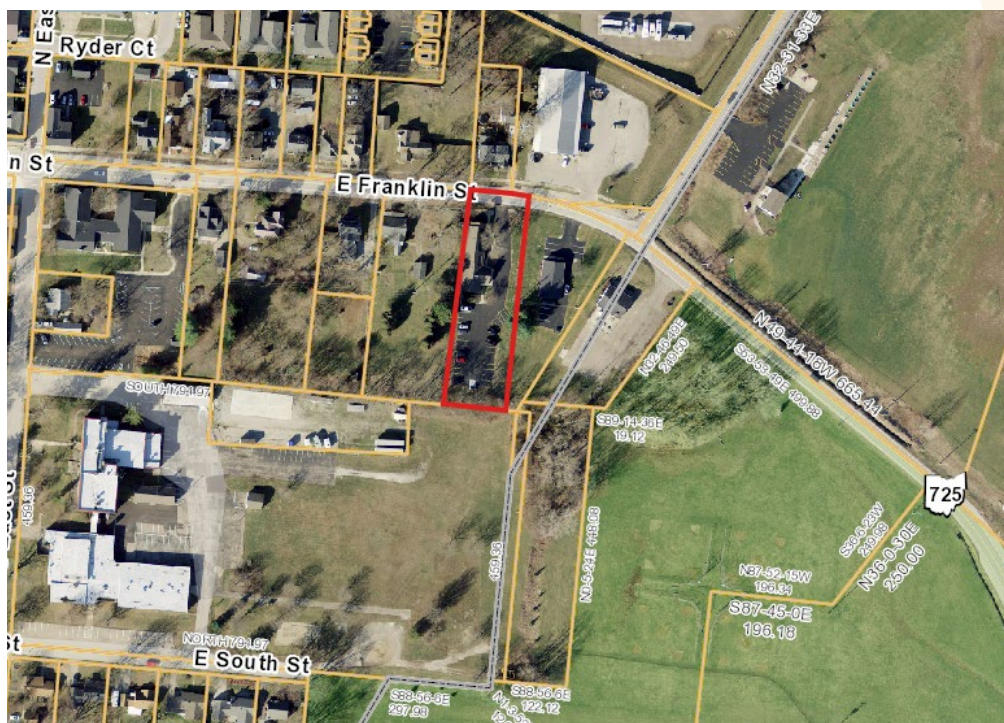
### Summary

The request is to replace the existing wall and projecting signs with new ones where the preexisting signs are located.

### Applicant Information:

- **Applicant Name:** Mike Lacey/Select Signs
- **Applicant Address:** 1755 Spaulding Rd, Dayton, OH 45432
- **Property Owner:** Lisa Fannin
- **Property Owner Address:** 115 East Franklin Street, Bellbrook, Ohio 45305

**Location:** Located approximately 230 feet west from the intersection of E Franklin Street and Washington Mill in the Old Village District.





L35000200050008400 04/20/2018

**Building**

**Sign Information:**

The request is to replace the sign portion of the existing ground sign at 80 E Franklin Street, Bellbrook, OH 45305. The original signs were approved by the VRB in July of 2012.

**PROPOSED PROJECTING SIGN CHARACTERISTICS:**

**Size:** 2.41 Square Feet per side, for a total of 4.82 square feet.

**Height:** 60 inches

**Material:**

Constructed of dibond, which is an Aluminum composite.

**PROPOSED WALL SIGN CHARACTERISTICS:**

**Size:** 19.314 Square Feet.

**Height:** 70 inches.

**Material:** Constructed of dibond, which is an Aluminum composite.



## **PROJECTING SIGN CODE:**

### **Per section 18.20B(4)(a)(1)**

*No projecting sign shall be larger than thirty-six (36) square feet total exposed faces, except at the corner of two (2) public streets. Projecting signs attached to corners of buildings facing two (2) public streets may be of a size equivalent to the total size allowed for projecting signs on the two (2) sides forming the corner (a total 72 square feet), in which case, no other sign shall be permitted. If less than the allowable area is used, the remaining allowable area may be used to establish one (1) other projecting or flat sign on the respective intersecting building faces.*

### **Per section 18.20B(3)(a)**

*In no case should the sign or its supports extend above the highest point of the building supporting the sign. A sign may project from a building beyond the property line and over a public sidewalk providing:*

*(1) it does not intrude more than 3/4 of the sidewalk width; and (2) it clears the sidewalk by ten (10) feet.*

## **WALL SIGN CODE:**

### **Section 18.20B(4)(d)(2)**

*(2) Flat:*

*No sign attached flat against the face of a building or painted thereon, shall be larger than forty (40) square feet and shall not extend more than twelve (12) inches from the building face.*

### **Per Section 18.20B(3)(b)**

*Flat signs may take any shape or any direction across the facade of a building provided it conforms to the general character of the building to which it is attached. No flat sign shall project above the cornice of the building to which it is attached.*

## **Discussion**

The signs meet all regulations. The business is only replacing the facing of the current signs.



# CITY OF BELLBROOK

## ZONING PERMIT - SIGNS

15 EAST FRANKLIN STREET, BELLBROOK, OHIO 45305

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

### APPLICANT INFORMATION

DATE RECEIVED 06 / 09 / 20 PERMIT # 20-90  
PROPERTY ADDRESS 115 E Franklin Street ZONING DISTRICT R-1A  
PROPERTY OWNER Lisa Fannin PHONE NUMBER 937-310-1368  
APPLICANT NAME Mike Lacy / Select Signs PHONE NUMBER 937-262-7095

### REQUEST INFORMATION

BUSINESS NAME 937-262-7095  
BUSINESS MAILING ADDRESS 115 E Franklin Street, Bellbrook, OH 45305  
SIGN REQUEST NEW PERMANENT SIGN ☐ SIGN REFACE ☒ TEMPORARY ☐ OTHER ☐  
SIGN TYPE GROUND ☐ PROJECTING ☒ ROOF ☐ WALL ☒ SANDWICH BOARD ☐ BANNER ☐ OTHER ☐  
SIGN DIMENSIONS HEIGHT 30"/48" WIDTH 30"/58" AREA 25' SQUARE FEET BUILDING FRONTAGE 60 LINEAR FEET  
SIGN LOCATION FRONT YARD ☒ SIDE YARD ☒ REAR YARD ☐ SIGN HEIGHT        FEET (FROM GROUND TO TOP OF SIGN)  
SIGN MATERIALS 30"X30" = 1/8 dibond. 48"x58" = 1/4 dibond  
ADDITIONAL COMMENTS Mounted to wall surface with tapcons

PLEASE PROVIDE AN ILLUSTRATION WHICH INCLUDES A COLOR RENDERING OF THE SIGN AND THE LOCATION OF THE SIGN ON THE BUILDING AND/OR PROPERTY.

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		
PERMIT FEE	PAYMENT TYPE	REVIEW AUTHORITY
<u>\$ 50.00</u>	CASH <input type="checkbox"/> CHECK <input checked="" type="checkbox"/> # <u>1502</u>	ADMINISTRATIVE <input type="checkbox"/> BZA <input type="checkbox"/> VRB <input checked="" type="checkbox"/>
APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/>		
APPROVED-CONDITIONS <input type="checkbox"/>	STAFF SIGNATURE _____	DATE <u>      </u> / <u>      </u> / <u>      </u>



## REGULATION OF SIGNS

### A. PURPOSE

THE CITY'S SIGN REGULATIONS EXIST TO PROTECT EACH PERSON'S CONSTITUTIONAL RIGHT TO FREEDOM OF SPEECH AND TO PROTECT THE PUBLIC HEALTH, SAFETY, CONVENIENCE, COMFORT, PROSPERITY, AND GENERAL WELFARE. THE CODE REGULATES THE TIME, PLACE, AND MANNER IN WHICH SIGNS ARE DISPLAYED TO ACHIEVE THE FOLLOWING:

- a) PERMIT NON-COMMERCIAL SIGNS ON ANY PROPERTY WITHIN THE CITY.
- b) PERMIT SIGNS, WHICH DO NOT CREATE A POTENTIAL HAZARD TO THE PUBLIC SAFETY.
- c) PERMIT COMMERCIAL SIGNS APPROPRIATE TO THE LAND USE AND/OR ZONING CLASSIFICATION OF EACH PROPERTY WITHIN THE CITY.
- d) CREATE A MORE AESTHETICALLY PLEASING CITY.
- e) ELIMINATE VISUAL CLUTTER WITH THE CITY.

### B. PERMIT REQUIRED

NO BUILDING OR OTHER STRUCTURE SHALL BE ERECTED, MOVED, ADDED TO, STRUCTURALLY ALTERED, NOR SHALL ANY BUILDING, STRUCTURE OR LAND BE ESTABLISHED OR CHANGED IN USE WITHOUT A PERMIT ISSUED BY THE ZONING INSPECTOR. ZONING PERMITS SHALL BE ISSUED ONLY IN CONFORMITY WITH THE PROVISIONS OF THIS ORDINANCE UNLESS THE ZONING INSPECTOR RECEIVED A WRITTEN ORDER FROM THE BOARD OF ZONING APPEALS OR FROM THE CITY COUNCIL, AS PROVIDED BY THIS ORDINANCE.

### C. PERMITTED SIGNS (ZONING CODE: 18.20 A)

- a) THIS SECTION REGULATES SIGNS IN EACH ZONING DISTRICT OF THE CITY OUTSIDE OF THE OLD VILLAGE DISTRICT.
- b) SIGN REQUESTS THAT DO NOT MEET THE STANDARDS OF THE CODE CAN BE GRANTED A VARIANCE. A VARIANCE MUST BE REQUESTED BY THE APPLICANT AND WOULD NEED APPROVAL BY THE BELLBROOK BOARD OF ZONING APPEALS BEFORE A ZONING PERMIT CAN BE ISSUED.

### D. PERMITTED SIGNS (OLD VILLAGE DISTRICT) (ZONING CODE: 18.20 B)

- a) THIS SECTION REGULATES SIGNS IN THE OLD VILLAGE DISTRICT.
- b) ALL SIGN REQUESTS FOR PROPERTIES IN THE OLD VILLAGE DISTRICT MUST BE APPROVED BY THE BELLBROOK VILLAGE REVIEW BOARD BEFORE A ZONING PERMIT CAN BE ISSUED.
- c) SIGN REQUESTS THAT DO NOT MEET THE STANDARDS OF THE CODE CAN BE GRANTED A VARIANCE. A VARIANCE MUST BE REQUESTED BY THE APPLICANT AND WOULD NEED A RECOMMENDATION BY THE BELLBROOK VILLAGE REVIEW BOARD AND APPROVAL BY THE BELLBROOK BOARD OF ZONING APPEALS BEFORE A ZONING PERMIT CAN BE ISSUED.



Current



Proposed



47.75"

58.25"



Current



Proposed



29.125"

30"

E Franklin St

725



115 East Franklin Street







To: Village Review Board  
From: Jessica Hansen, Planning & Zoning Assistant  
Date: July 1, 2020  
Subject: VRB Staff Report for 20-73, **80 East Franklin Ground Sign**

## Summary

The request is to install a ground sign on the property located at **80 East Franklin Street, Bellbrook, OH 45305** using the existing sign structure.

## Applicant Information:

- **Applicant Name:** Pamela A Jeltema
- **Applicant Address:** 80 East Franklin Street, Bellbrook, Ohio 45305 (Business Address)
- **Property Owner:** Matthew & Molly McConnell
- **Property Owner Address:** 80 East Franklin Street, Bellbrook, Ohio 45305

**Location:** Located approximately 400 feet from the intersection of E Franklin Street and S East Street in the Old Village District.





L35000100060012500 04/20/2018

### **Building**

### **Sign Information:**

The request is to replace the sign portion of the existing ground sign at 80 E Franklin Street, Bellbrook, OH 45305.

**Size:** 20 Square Feet per side, for a total of 40 square feet.

**Height:** 6 feet from ground to the top of the sign. Sign itself is 5 feet in height and 4 feet wide.

**Material:** Wood

**Location:** 10 feet from ROW.

### **Per section 18.20,**

- (1) Only one (1) ground or projecting sign per street frontage shall be permitted on a premises;
- (2) The ground or projecting sign shall not exceed one (1) square foot of sign area per one (1) linear foot of lot frontage not to exceed thirty-two (32) square feet per side or sixty-four (64) square feet total sign area; and
- (3) Ground signs shall be a maximum height of six (6) feet at the minimum sign setback line and for every additional five (5) feet of sign setback, two (2) feet may be added to the sign height not to exceed a total sign height of sixteen (16) feet.

### **Discussion**

The sign meets all regulations.





grace n love cakes llc

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719.440.2828



grace n love cakes llc

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719.440.2828





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To: Village Review Board  
From: Jessica Hansen, Planning & Zoning Assistant  
Date: July 1, 2020  
Subject: VRB Staff Report for 20-90 & 20-89, **7 W Franklin Accessory Structure**

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## Summary

The request is to place a small accessory structure in front of the building. The intent of the structure is to distribute free art from the Accessory Structure.

## Applicant Information:

- **Applicant Name:** Greg Dart
- **Applicant Address:** 7 W Franklin St, Bellbrook, Ohio 45305
- **Property Owner:** Greg Dart
- **Property Owner Address:** 74 E Franklin St, Bellbrook, Ohio 45305
- **Location:** Located at the corner of Franklin and S Main Street.





L35000100020000300 06/12/2018

**Building (Outdated Image)**

Distance from building to sidewalk: Approximately 13.4 Feet

**Accessory Structure Information:**

**Size:** 43 inches wide, 60 inches in length. Approximately 17.9 Square Feet.

**Height:** 64 inches.

**Material:**

Wood with a glass door. The structure is a repurposed dog house.

**Location:** Front of building on the sidewalk (public right-of-way)

**Mounting:** When they had the accessory structure out originally it was on wheels and chained to a city bench.

**ACCESSORY STRUCTURE CODE:**

**Per section 18.05(A)**

*In a residential zone, no garage or other accessory building shall be erected within a required side yard or front yard.*

*When located at least sixty (60) feet from the front property line and completely to the rear of the main dwelling, the accessory building may be erected not less than eight (8) feet from the side*

*or rear lot lines. Provided that when access to a garage is from an alley, such garage shall be located not less than ten (10) feet from the alley.*

*When located less than sixty (60) feet from the front property line and not completely to the rear of the dwelling, garages shall be constructed as a part of the main building or connected thereto by a covered breezeway.*

*Corner lot accessory buildings must be placed within the boundaries of the required rear yard as governed by Article #7, Sec. 7.09, Yard & Lot Requirements or Article # 17, Sec. 17.05, PD-1 Planned Residential Development and not less than 8' from the side and rear lot lines.*

*No detached accessory building measuring up to three hundred (300) square feet in Residential and B-1 Districts shall exceed one (1) story or twelve (12) feet in height and no detached accessory building in Residential and B-1 Districts measuring from 301-600 square feet shall exceed one (1) story or 15' in height.*

*Detached accessory buildings (including garages) constructed on a one-family lot shall not exceed, in the aggregate, six hundred (600) square feet.*

## **Discussion**

The accessory structure was placed before a permit was submitted and a request was made by the City for them to remove it until a permit was completed. When it was placed the structure was on wheels and chained to City owned property (bench).

Our regulations are lacking in addressing these types of issues, where other cities directly address it. In normal conditions the only types of structures allowed in the ROW or sidewalk area are; trash receptacles, newspaper boxes, street furniture, bike racks, light posts, and temporary signs. Staff is currently working on addressing this in the updates to Article 14.

It should be noted that this structure has been compared to the Little Free Libraries previously approved by the Village Review Board. There are two Little Free Libraries in the Old Village District. One is located at Bellbrock park on public land and the other at the State Farm office on South Main Street. Both are mounted on a post in concrete and in the grassy areas of the property. The little free libraries are approximately 4.15 square feet compared to the 17.9 square feet of the proposed accessory structure. The proposed accessory structure is 4.313 times the size of the Little Free Libraries.

Staff's recommendation is for the structure to be located adjacent to the building in the strip between Dart's building and the property directly west of the building.. In the county GIS it appears that this section of land we are recommending the structure be placed belongs to the applicant. We also strongly suggest for the applicant remove the wheels from the box for safety reasons Village Review Board should decide whether or not to approve the accessory structure. If the VRB does approve they should also clarify the approved location of the structure and any modifications to the structure for safety purposes.





# CITY OF BELLBROOK

## ZONING PERMIT – ACCESSORY BUILDINGS

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

### APPLICANT INFORMATION

DATE RECEIVED 6/5/2020 PERMIT # 20-75  
PROPERTY ADDRESS 7 West Franklin St. ZONING DISTRICT \_\_\_\_\_  
PROPERTY OWNER Greg L. Dart PHONE NUMBER 937-321-3278  
APPLICANT NAME Greg L. Dart PHONE NUMBER 937-321-3278  
APPLICANT EMAIL gldarta1@yahoo.com

### REQUEST INFORMATION

TYPE OF LOT CORNER ☒ INTERIOR ☐ OTHER ☐ ACCESSORY BUILDING TYPE SHED ☐ GARAGE ☐ POOL ☐ OTHER ☒  
DIMENSIONS OF STRUCTURE HEIGHT 64" WIDTH 43" LENGTH 60" FLOOR AREA 2.2 SQUARE FEET yards  
PROPOSED LOCATION SIDE YARD ☐ REAR YARD ☐ DISTANCE FROM PROPERTY LINES SIDE YARD \_\_\_\_\_ REAR YARD \_\_\_\_\_  
WIDTH OF RECORDED EASEMENTS ON LOT FRONT SIDE YARD \_\_\_\_\_ REAR YARD \_\_\_\_\_ PLEASE DENOTE LOCATION ON LOT TYPES BELOW  
PROPOSED USE OF STRUCTURE A "Little Free Art Gallery" so that kids  
OTHER COMMENTS in Bellbrook can pick up free artwork.

ANY STRUCTURE EXCEEDING 200 SQUARE FEET IN GROSS FLOOR AREA OR POOL SHALL BE REQUIRED TO OBTAIN A BUILDING PERMIT.

### SHOW PROPOSED ACCESSORY BUILDING LOCATION ON CORRESPONDING LOT TYPE

			<p>Draw proposed accessory building location here if other examples do not match your lot's layout</p> <p><u>See attached photos.</u></p>
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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 [Signature] DATE 6/3/20

OFFICE USE ONLY		
PERMIT FEE \$ <u>10.00</u>	PAYMENT TYPE CASH <input type="checkbox"/> CHECK <input checked="" type="checkbox"/> # <u>40231</u>	REVIEW AUTHORITY ADMINISTRATIVE <input type="checkbox"/> BZA <input type="checkbox"/> VRB <input checked="" type="checkbox"/>
APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/>	STAFF SIGNATURE _____ DATE ____/____/____	
APPROVED-CONDITIONS <input type="checkbox"/>		







