



Board of Zoning Appeals and Property Review
Commission

July 21, 2020 6:15 PM

Agenda

1. Call to Order
2. Roll call
3. Approval of prior minutes of June 25, 2020
4. Zoning Appeals
 - **VA 20-04** - 3832 Wead Place Corner Lot Fence Variance from Section 18.06(b)&18.06(2)(a).
 - Staff Summary
 - Property Owner
 - Public Input
 - Board Discussion/Decision
 - **VA20-05** - 1754 N. Belleview Dr Accessory Structure Variance from section 18.05A.
 - Staff Summary
 - Property Owner
 - Public Input
 - Board Discussion/Decision
5. Property Maintenance - none
6. Adjournment

Zoom information:

Topic: BZA PRC Meeting

Time: July 21, 2020 06:15 PM Eastern Time

Meeting ID: 892 1847 4224

Password: 428071

BELLBROOK BOARD OF ZONING APPEALS AND PROPERTY REVIEW COMMISSION
PUBLIC HEARING MINUTES
June 25, 2020

PRESENT: Glenn Costie
Aaron Burke
Philip Ogrod
Sharon Schroeder
Chairperson Meredith Brinegar

CALL TO ORDER:

Chairman Brinegar called the meeting of the Board of Zoning Appeals to order at 6:15 PM. The Secretary called the roll. Mr. Costie, yes; Mr. Burke, yes; Mr. Ogrod, yes; Mrs. Schroeder, yes; Mrs. Brinegar, yes.

Planning and Zoning Assistant Jessica Hansen was in attendance.

APPROVAL OF MINUTES:

Mr. Ogrod made a motion to approve the prior minutes of May 19, 2020. Mr. Burke seconded the motion. All were in favor. The motion carried 4-0.

NEW BUSINESS:

Zoning Variances

- **VA 20-03 Projecting Sign (11 E Franklin Street):**

Zoning Administrator Jessica Hansen presented the case stating that the applicant is asking to place a sign at 11 E Franklin Street. The business is Bellbrook Barber Shop. The proposed sign will hang from a metal bracket already attached to the structure. The variance is needed because Zoning Code 18.20B(3)(a)(2) states that a projecting sign must be 10 feet above the sidewalk. The proposed sign would be 9-foot above. This is like the request from Salon 4 that the board approved last month. The bracket is attached to the brick front. The Village Review Board approved this sign. They had a concern that moving the bracket could possibly damage the historic building. There are other signs in the City that are similar and have been approved.

The business owner was not in attendance at the meeting.

There was not public comment.

Mr. Costie made a motion to approve VA 20-03 Projecting Sign for 11 E Franklin Street. This was seconded by Mr. Ogrod. The Clerk called the roll. Mr. Costie, yes; Mr. Ogrod, yes; Mr. Burke, yes; Ms. Schroeder, yes; Chairman Brinegar, yes. The motion passed 5-0.

Property Review

- Appeal of Property Maintenance violation at 3961 Sable Ridge

BELLBROOK BOARD OF ZONING APPEALS AND PROPERTY REVIEW COMMISSION

PUBLIC HEARING MINUTES

June 25, 2020

Mrs. Hansen explained that a complaint was received from a neighbor about a tree that was cut down in the backyard and was left lying on the property. The Committee's duty is to decide the validity of the property owner's appeal of the violation that she sent out.

The complainant's letter of May 5 reported that on March 9th a large tree was cut down and the timber was deposited somewhere between the property and adjacent land owned by the homeowners' association of Regent Park. Mrs. Hansen verified the complaint on May 7 and includes pictures. The appeal states that the large pieces of timber were already there and that along with a large-scale landscaping project they removed the honeysuckle outside of the property down toward the creek. The removal of the honeysuckle is what exposed the timber.

The Property Maintenance Code states that outside storage in residential zones shall be effectively screened from view and no person shall accumulate or allow to accumulated junk upon any property located within the City. According to the code firewood must be stacked and piled in a reasonably compact and orderly fashion. Mrs. Hansen explained that she included both of these codes with this case because if the wood has been deposited or was previously deposited it isn't being used as firewood which means it is "useless" and qualifies as junk or rubbish. She explained that she cannot know the intent of the material in someone's yard. She added that it is not certain exactly which property the timber is on or how long it was there since the Zoning Official has received conflicting reports.

If the appeal is denied by the Commission, the exact location will need to be determined because the violation is contingent this fact.

Charles Dean, 3961 Sable Ridge Drive, was sworn in. He is the homeowner and said that he moved in at this property the beginning of March. He has been working very hard on the property to make it much better than he found it. The yard had been covered with honeysuckle. He is doing some terracing since the backyard is very steep. He had a few trees removed and plans to put up a fence. When the honeysuckle was they found three large timbers and tried to roll them into one area. The landscapers could not move them up and out of the backyard due to a 25-degree incline of very wooded terrain. They could not get machinery down to the timber. Mr. Dean said he talked to several more companies and was told by all of them that the pieces cannot be moved. He is appealing the violation stating that this is obviously fallen timber and not applicable as storage. He also states that this is not firewood. The timbers are huge and were already there on the land when he purchased the property. The clearing of the honeysuckle has made these timbers visible. But even since the time of the violation letter the honeysuckle has grown back and has hidden the timbers again. He is asking the commission to grant his appeal.

Mr. Costie who lives down the street asked about some tree company trucks were out front of Mr. Dean's house. Mr. Dean said those workers were doing other work.

Mr. Costie asked the Zoning Administrator about the property lines in this area along Possum Creek. Mrs. Hansen explained that the land belongs to the Regent Park Homeowners Association and some of it is in the flood plain. The complainant is a member of that association. It is not part of Sable Ridge.

**BELLBROOK BOARD OF ZONING APPEALS AND PROPERTY REVIEW COMMISSION
PUBLIC HEARING MINUTES**

June 25, 2020

Mr. Costie asked Mr. Dean if the timbers was actually on his land. Mr. Dean said that going by the drawings and information he got when purchasing the property, probably most of the timber is not on his property at all. The landscapers tried to cut up and remove all that they could. The bigger pieces that can't be removed were left to be hidden by honeysuckle and other growth.

Chair Brinegar asked if the timber had landed in the flood plain or was it moved into the flood plain? Mr. Dean responded that they are roughly in the spot they fell since they are really too big to be moved.

Mr. Costie asked if maybe the parts of tree that appear to be somewhat smaller could be cut up and removed just leaving the very biggest pieces. He said it is a very heavily wooded area.

Chair Brinegar thanked the homeowner and turned the discussion to the Commission.

Chair Brinegar said she feels the outside storage violation stands. Technically it is a violation but is it one the board is willing to overlook since the solution is so cumbersome.

Mr. Burke added that they need to consider the intent of the code.

Mrs. Hansen explained that the Zoning Officer has to investigate every complaint. In this case the property is very heavily wooded as are the other neighborhood properties. Timber is natural in these areas. She stated the City would not consider sending violations to every property owner with fallen trees in their backyards.

Mrs. Schroeder agreed. She said that she believes he has done everything he can to fix this.

Mr. Costie made a motion to deny the appeal of the violation of outside storage code. Mr. Ograd seconded the motion. The Clerk called the roll. Mr. Costie, yes; Mr. Ograd, yes; Mr. Burke, yes; Mrs. Schroeder, yes; Chairwoman Brinegar, yes. The motion passed 5-0.

In addition, the board recognizes that the property owner has done the best he could to remediate the violation and the outside storage will be naturally screened. Due to the unreasonable cost and in an effort not cause undue burden on the property all fees are waived and no further action is required.

Mr. Ograd made the motion and Mr. Costie seconded it. The Clerk called the roll. Mr. Ograd, yes; Mr. Costie, yes; Mr. Burke, yes; Mrs. Schroeder, yes; Chairwoman Brinegar, yes. The motion passed 5-0.

Adjournment

Chairman Brinegar adjourned the meeting at 7:35 PM.



To: Board of Zoning Appeals

From: Jessica Hansen, Planning & Zoning Assistant

Date: July 15, 2020

Subject: BZA Staff Report for BZA Case VA 20-04 3832 Wead Place – Fence

Summary

The request is to install a privacy fence in the side yard of the property located at **3832 Wead Place, Bellbrook, OH 45305**. Request for variance from section 18.06(b) & 18.06(2)(a) of the zoning ordinance.

Applicant Information:

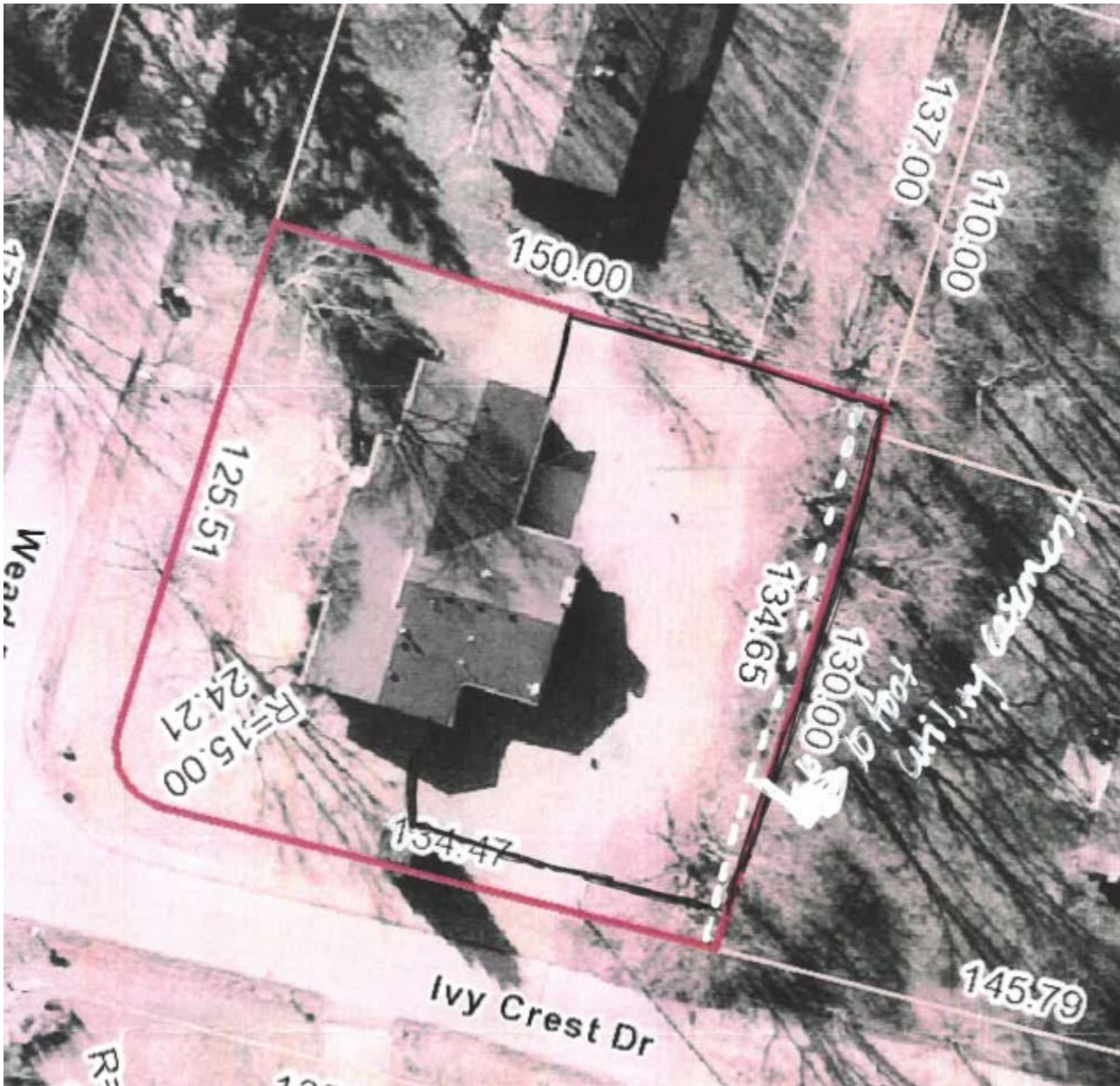
- **Applicant Name:** Bellbrook Fence Company
- **Property Owner:** Heather Shannon
- **Address:** 1754 N Bellevue Dr, Bellbrook, Ohio 45305

Location:



Recorded Easements: 10-foot utility easement along the rear of the property.

Request Information: The applicant wishes to place a 6-foot wood privacy fence along the side and rear yards of their property.



Per section 18.06(b) & 18.06(2)(a): *“(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 lots:

(a) Fences and walls on both streets shall meet above front yard requirements.

Discussion

It is not uncommon for municipalities to have a provision regarding height on double lot frontages. Having a 6

foot privacy fence directly across from a sidewalk or a public right of way can create an unsightly characteristic that some may consider a detriment to the neighborhood. The BZA should take this into consideration while also considering the applicants letter, and the impact that this ordinance imposes upon their family.



Lot 73

060220

Bellbrook

CITY OF BELLBROOK

ZONING PERMIT - FENCES

15 EAST FRANKLIN STREET, BELLBROOK, OHIO 45305

(937) 848-4666

WWW.CITYOFBELLBROOK.ORG

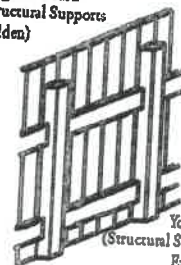
APPLICANT INFORMATION

DATE RECEIVED 06/02/2020PROPERTY ADDRESS 3832 Wead PlacePERMIT # 20-94PROPERTY OWNER Heather ShannonZONING DISTRICT R-1AAPPLICANT NAME Bellbrook Fence CompanyPHONE NUMBER 937-478-0621PHONE NUMBER 937-294-2803

REQUEST INFORMATION

TYPE OF LOT CORNER ☒ INTERIOR ☐ OTHER ☐FENCE TYPE CHAIN LINK ☐ PRIVACY ☒ SPLIT RAIL ☐ PICKET ☐OTHER ☐ Wood

Fence Orientation

Neighbor's Yard
(Structural Supports
Hidden)FENCE LOCATION (CHECK ALL THAT APPLY) FRONT YARD ☐ SIDE YARD ☐ REAR YARD ☒FENCE HEIGHT (FILL IN ALL THAT APPLY) FRONT YARD _____ SIDE YARD 4 ft REAR YARD 6 ftFENCE MATERIAL(S) wood, cedar, privacyOTHER COMMENTS plot plan attached

SHOW PROPOSED FENCE LOCATION ON CORRESPONDING LOT TYPE

			<p>Draw proposed fence location here if other Examples do not match your lot's layout</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 Heather ShannonDATE 06/02/2020

OFFICE USE ONLY

PERMIT FEE

\$25.00

PAYMENT TYPE

CASH ☐ CHECK ☒ # 46038

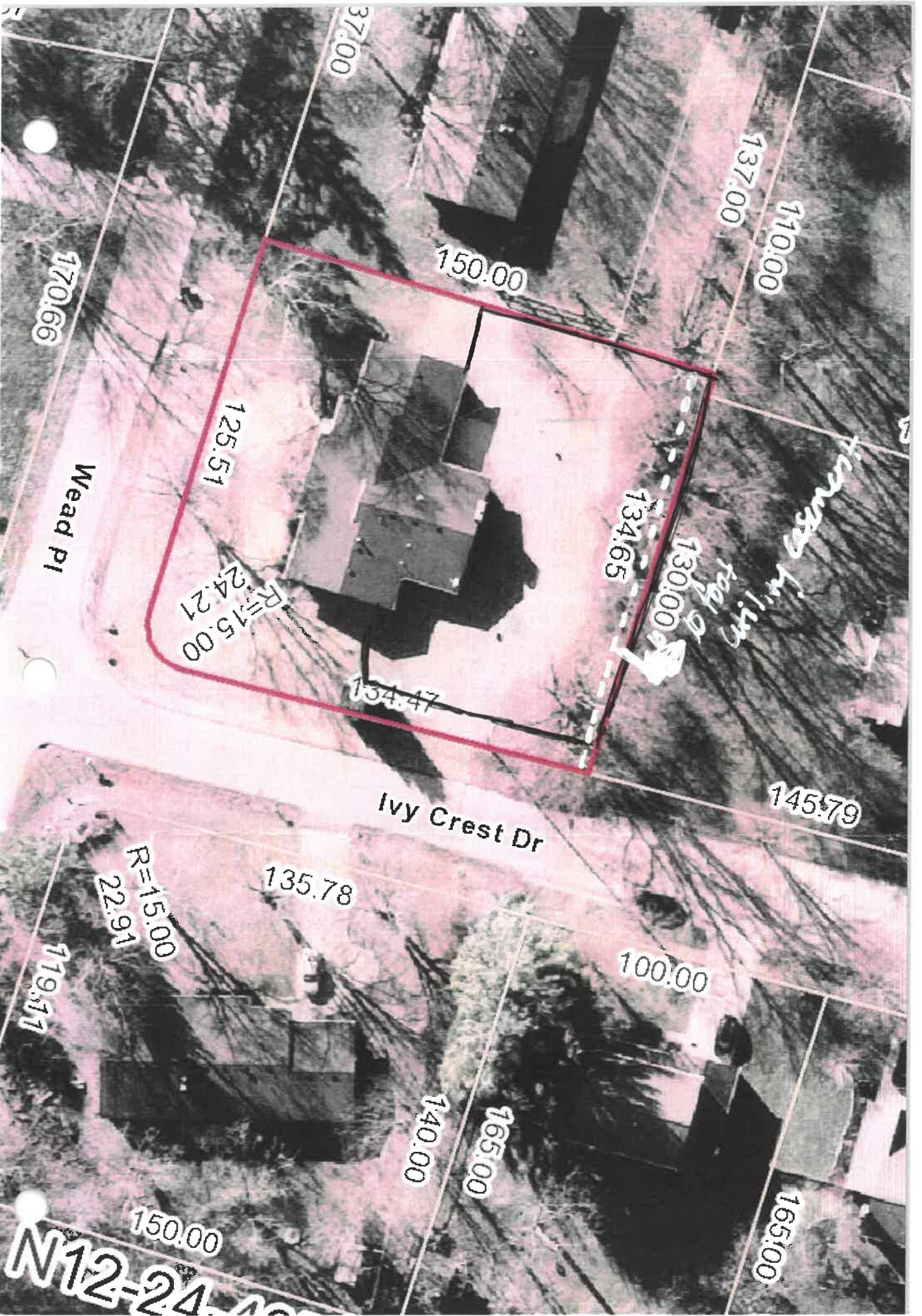
REVIEW AUTHORITY

ADMINISTRATIVE ☒ BZA ☐ VRB ☐APPROVED ☒ DENIED ☐APPROVED-CONDITIONS ☐

STAFF SIGNATURE

Issa HansenDATE 06/29/2020

Customized Property Map



DESCRIBE THE GENERAL NATURE OF THE VARIANCE:

The variance would be a 6 foot high fence, instead of a 4 foot high fence, for the right side, looking at the front of our house due to being a corner lot. On the notice from the City of Bellbrook, that side could only be 4 feet while the rest of the fence could be 6 feet. Considering only that side of the house requires a 2ft variance from the code, not having a 6ft fence on that side would result in a hardship to our property and family.

First, with regard to items 1 and 6, a 6ft fence on the street-side of our home is needed to protect the safety of our children who can easily climb in and out of a 4ft fence where traffic is present and would prevent strangers from looking into our yard while our children are playing. Without a 6ft fence, our children cannot safely use the majority of our property. We have three children, ages 8, 7, and 3. We have had two instances where our 3 year old son almost ran into traffic and numerous instances in which our other children ran into the street to get balls that were kicked or thrown far and high. Without a 6ft fence and locks on the gates, we would not be able to safely allow our children to use the majority of our property. Additionally, a 6ft privacy fence would result in an increase in property value, thereby, increasing the value of our neighbor's properties. A 4ft fence doesn't allow for the privacy aspect of the fence. As indicated to us by a realtor, a privacy fence may not increase the property value dollar for dollar, but increases the sales value of the property.

Second, with regard to items 2 and 3, allowing a 6ft fence on all other sides with the exception of the street-side of our house would negatively affect the appearance and value of our house and neighborhood because we intend on having the fence 6ft high on the other sides because such was not objected to by the City of Bellbrook. The variance would only be for a 2ft higher fence on just one side of our house, which would be set far enough back from the road so as not to impair traffic vision.

Fourth, with regard to item 3, the neighborhood character would not be altered as the neighborhood has houses with 6ft high privacy fences. As a result, a 6ft high fence on one side of our house would be in accordance with the neighborhood character.

Fifth, with regard to item 4, the variance would not adversely affect water, sewer or garbage removal.

Sixth, with regard to item 5, I was not aware of such requirement when I purchased a corner lot property.

Finally, considering the minor variance required, the hardship that would be imposed without the variance, that other properties in the neighborhood have 6ft high fences, and that the 6ft fence would be far enough away from the road so as not to impair visibility, the spirit and intent of the zoning code would still be observed and offer the same opportunity for our family as other families in the neighborhood enjoy.



Board of Zoning Appeals/Property Review Commission Public Hearing Notice

REMOTE MEETING VIA ZOOM*

Date	Time	Location
July 21, 2020	6:15 pm	Via Zoom and Livestreaming on the City's YouTube page (Bellbrook City Hall)

The Bellbrook Board of Zoning Appeals/Property Review Commission will hold a public hearing on Variance Case for **3832 Wead Place** (Bellbrook OH). The public is invited to view the meeting on YouTube.

VA20-04 This is a request by Heather F. Shannon owner of 3832 Wead Pl. for a variance from zoning code **18.06(b) & 18.06(2)(a)** for a six-foot privacy fence.

(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 lots:

(a) Fences and walls on both streets shall meet above front yard requirements

Should any member of the public wish to give their input on the above case may send it to j.hansen@cityofbellbrook.org or by submitting a written letter to the Board of Zoning Appeals by mailing or dropping it off at 15 E Franklin Street, Bellbrook OH, 45305. Any input received in writing/email will be given to the board for their review.

Anyone wishing to speak via zoom must contact the Clerk of Council by 3 PM on 7/14/20 at p.timmons@cityofbellbrook.org.

To: Board of Zoning Appeals
From: Jessica Hansen, Planning & Zoning Assistant
Date: July 15, 2020
Subject: BZA Staff Report for BZA Case VA 20-05 1754 N Belleview Drive – Accessory Structure

Summary

The request is to install a garage in the rear yard of the property located at **1754 N Belleview Dr, Bellbrook, OH 45305**. Request for variance from section 18.05A of the zoning ordinance.

Applicant Information:

- **Applicant Name:** James and Rita Claypool
- **Applicant Address:** 1754 N Belleview Dr, Bellbrook, Ohio 45305
- **Property Owner:** Same

Location:

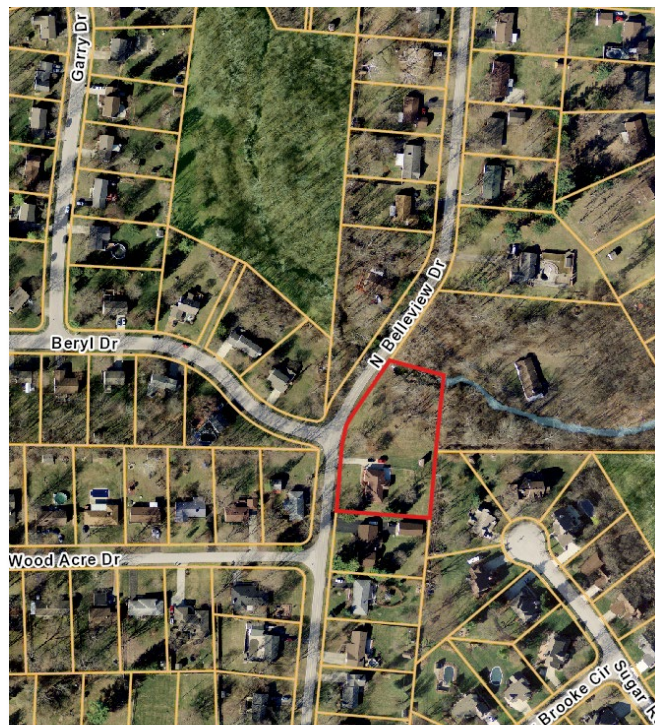


Figure 1 Location Map

The property is located on N Belleview Dr at the intersection of N Belleview and Beryl Dr in the City of Bellbrook.

Zoning:

R-1A One-Family Residential: Intent: *“These districts are the most restrictive of the residential districts. The purpose and intent is to provide for an environment of predominantly low density single unit dwellings plus certain other facilities which*

serve the residents living in the district and to regulate transient occupancy with the city to protect and preserve the permanency of residential neighborhoods, protect property values, and ensure the comfort and safety of the residents. “

Accessory uses: Article 5 Section 5.03 “Private garage for storage of vehicles of residents and employees.”

Yard Requirements: Minimum Rear yard 40 feet, Minimum Side yard 8 feet.

Recorded Easements: 35’ utility easement along the center of the property including a 10 foot utility easement directly above it that runs into the adjacent subdivision and a 5’ utility easement along the rear of the property. Lot 88A is 1754 N Bellevue Dr.

Accessory Structure Request Information: The applicant wishes to place a 30’ x 46’ 1380 square foot garage in his rear yard. At 10 feet from the side yard and 10 feet from the rear yard on the southeastern side of the property.

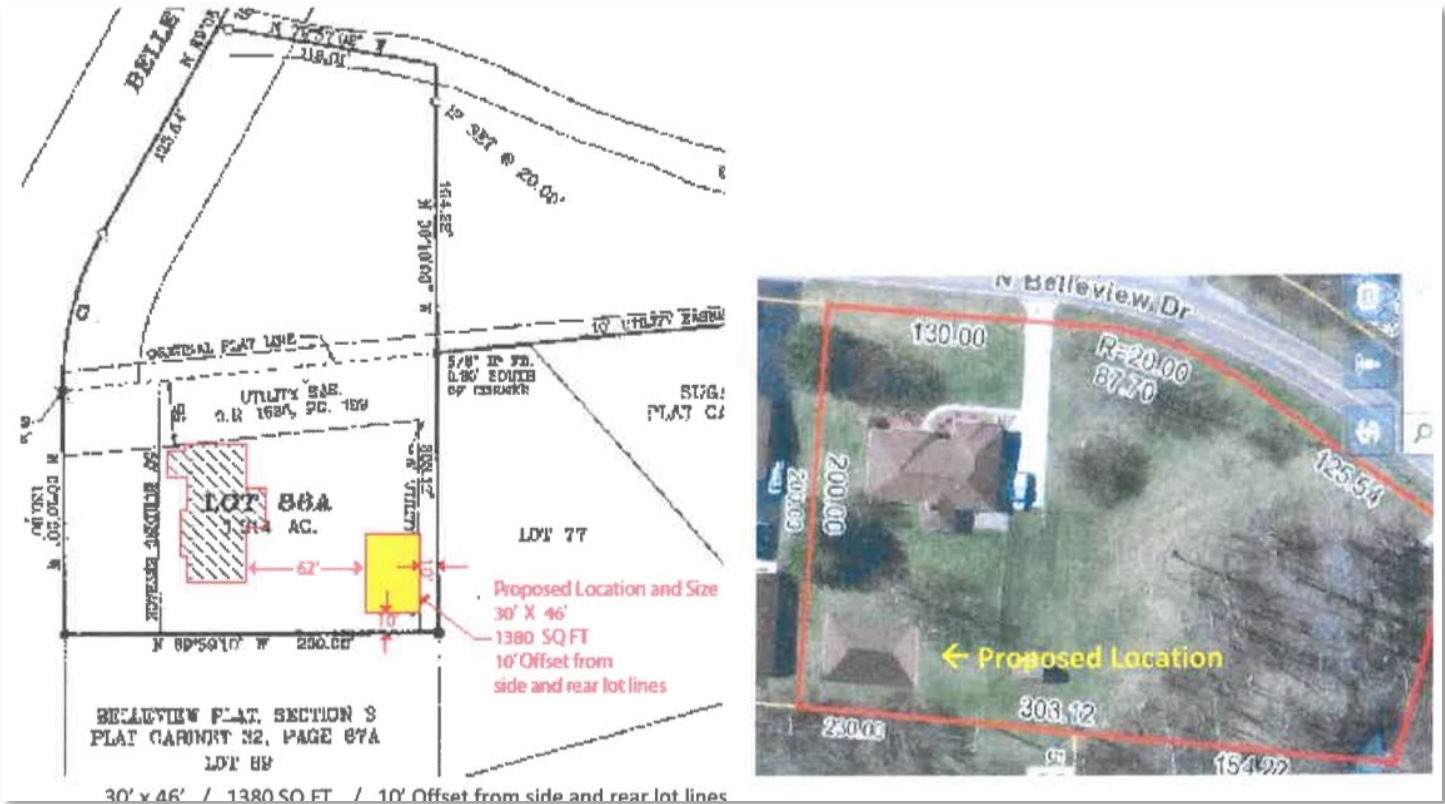


Figure 2 Applicant Provided Site Plan

Main Structure Square Footage and Dimensions:

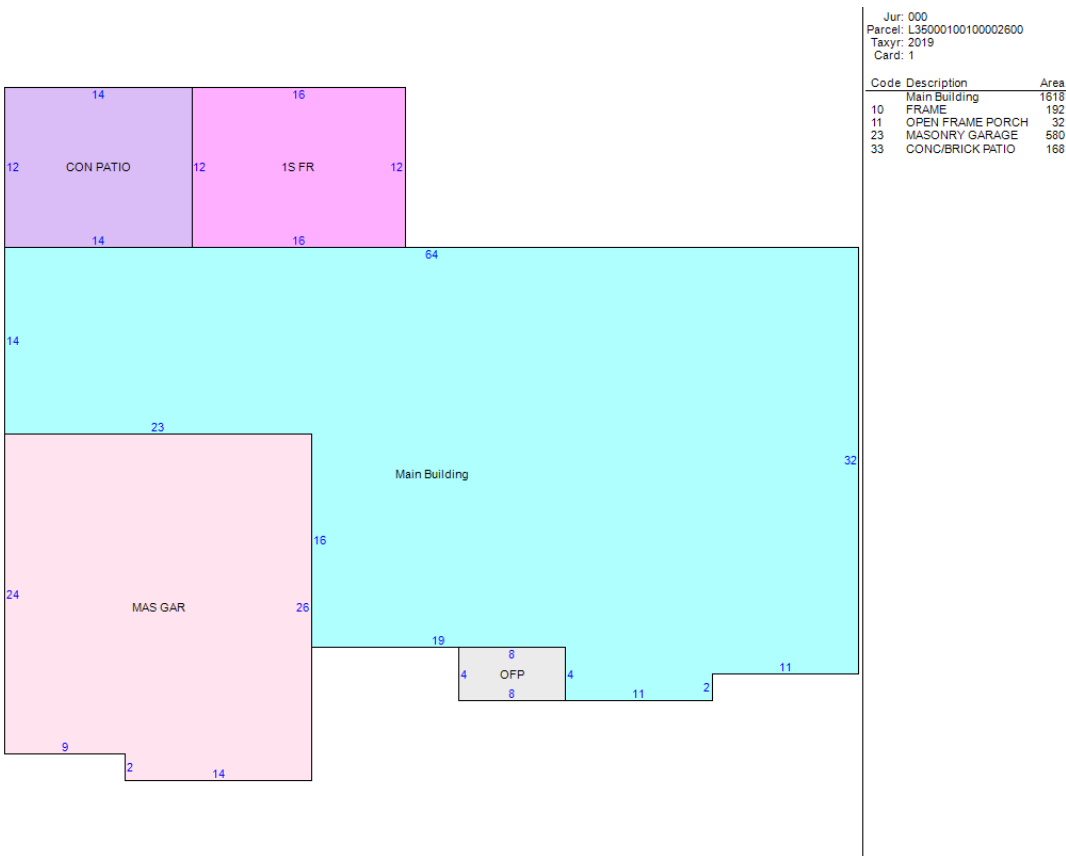


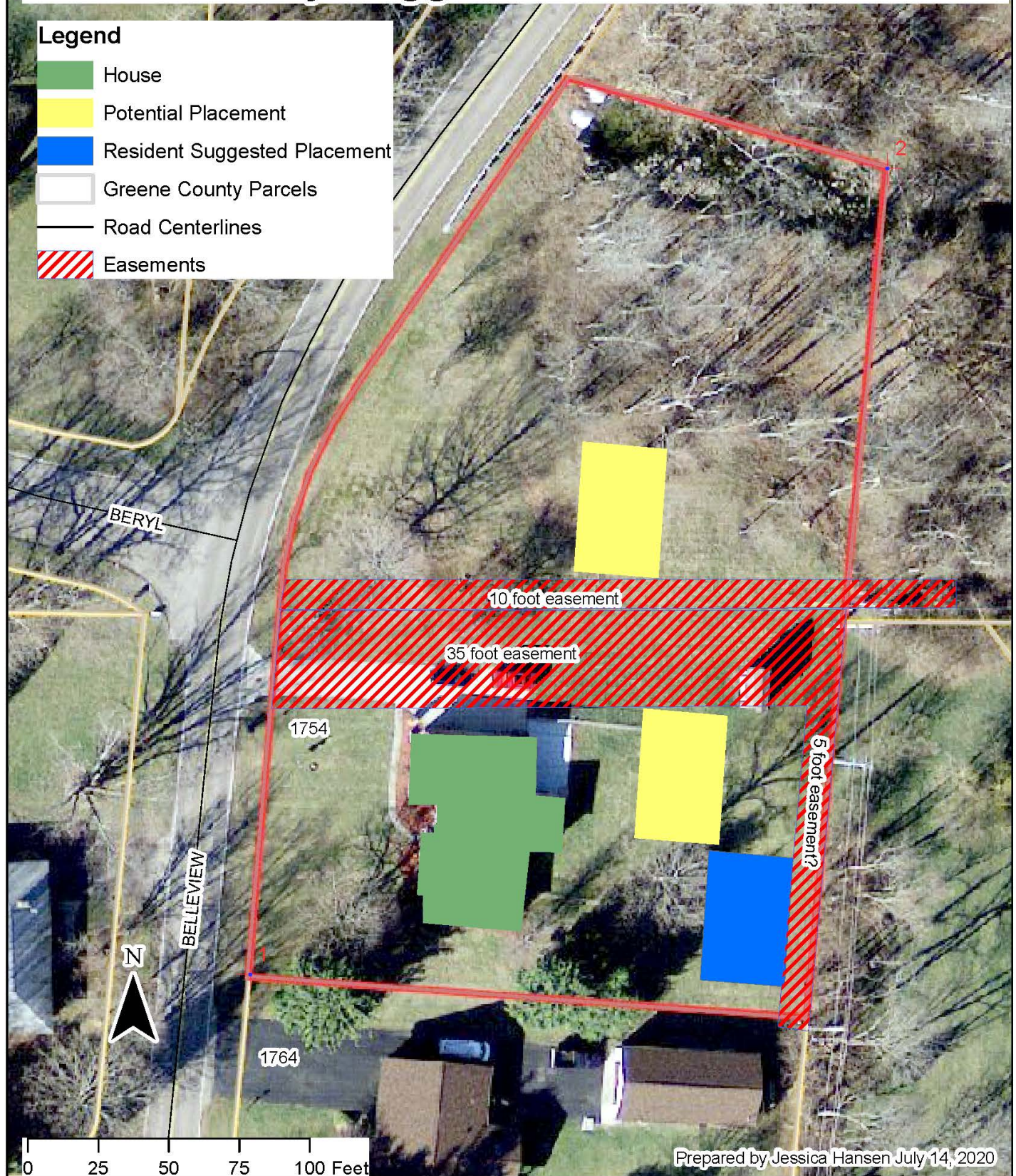
Figure 3 Greene County Auditor's Home Record

Per section 18.05A: *“Detached accessory buildings (including garages) constructed on a one-family lot shall not exceed, in the aggregate, six hundred (600) square feet.”*

Discussion

The Board of Zoning Appeals should decide whether or not to grant this variance from Section **18.05A**. With that being said, rules are there for a reason, however there is a history of this rule not being followed. At what point do we not grant a variance for oversized accessory structures? The neighbors have expressed fears of decreased property values. And based on the location of the garage a second driveway would also be needed and create another access onto N. Belleview on an already busy street. It should also be brought to the boards attention that staff has heard that the owner wishes to restore vehicles in this garage and possibly flip them. Restoration can create loud noises, toxic fumes, air pollution and ground water pollution. The zoning code states: *“The storage or sale of merchandise or the commercial repair of vehicles is prohibited.”* **Article 18.16 (1)(f)** also states the following regarding home occupations: *(f) A home occupation shall not produce heat, cold or dampness, create noise, vibration, fire, explosion, light, glare, dust, smoke, fumes or odor, electric or electronic disturbances detectable to normal sensory perception by a person located off the premises or beyond the walls of the dwelling;* **Article 5.03(f)**. In some cases where an overwhelming majority of neighbors, especially those directly impacted by the structure have no issue with an oversized accessory structure staff sees no issue in approving those. However, due to the circumstances around this proposed garage, the possible impacted property values, and the potential safety hazard that the inevitable second access this would create staff recommends that BZA consider recommending a smaller structure that is positioned more in line with their current driveway, but outside of the easement area. Staff has prepared a map that shows the easements on the lots and the potential of placing even the requested sized garage in a more favorable area.

1754 N Bellevue Dr. Garage Variance Request - City Suggested Locations





CITY OF BELLBROOK

APPLICATION FOR ZONING VARIANCE

15 EAST FRANKLIN STREET, BELLBROOK, OHIO 45305
(937) 848-4666 WWW.CITYOFBELLBROOK.ORG

APPLICANT INFORMATION

DATE RECEIVED 7/1/2020 APPLICATION # VA 20-05
PROPERTY OWNER James and Rita Claypool PHONE NUMBER (937) 374-0564
OWNER ADDRESS 1754 N. Belleview Drive, Bellbrook, Ohio 45305
APPLICANT NAME James Claypool Jr. PHONE NUMBER (937) 374-0564
APPLICANT ADDRESS 1754 N. Belleview Drive, Bellbrook, Ohio 45305

REQUEST INFORMATION

PROPERTY ADDRESS 1754 N. Belleview Drive, Bellbrook, Ohio 45305 ZONING DISTRICT R-1A
SUBDIVISION Belleview 3 Replat LOT NUMBER 88A PARCEL ID L35000100100002600

DESCRIBE THE GENERAL NATURE OF THE VARIANCE

Detached garage measuring 1380 sq ft (46' x 30') in excess of the permitted amount (600 SQ FT)

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

James Claypool

DATE 7/1/2020

OFFICE USE ONLY

APPLICATION FEE	PAYMENT TYPE	REVIEW AUTHORITY
\$ 100.00	CASH <input type="checkbox"/> CHECK <input checked="" type="checkbox"/> 500.00	ADMINISTRATIVE, BOARD OF ZONING APPEALS
BOARD OF ZONING APPEALS	MEETING DATE <u> </u> / <u> </u> / <u> </u>	APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/> CONDITIONS <input type="checkbox"/>

June 29, 2020

City of Bellbrook
15 East Franklin Street
Bellbrook, Ohio 45305

To Whom It May Concern:

Please accept this letter as our intent to request a zoning variance to build a detached garage on our property at 1754 N. Bellevue Drive. Our desire is to build a detached garage measuring 1380 square foot in order to store our property. Our understanding is that this variance is needed due to exceeding the 600 square foot permitted.

We would like this addition because we recently sold our second property that had a very large garage and we are currently storing our equipment in a storage unit and have borrowed space to temporarily store our classic vehicles. This addition would give us the ability to store our classic vehicles, along with the necessary tools and extra parts associated with them, as well as other equipment that is currently being stored. We already have a two car attached garage that is used for our daily vehicles so this additional space would be used for a shop area and storage.

We have a very large lot as you can see by the attached survey. We believe in constructing this we would not be changing the character or aesthetics of the neighborhood. The addition would also result in an overall increase in property value.

Without a variance there's really no other way to obtain the amount of additional storage we need due to the easement running through the left side of the house. The easement restriction does not allow us an option to attach to the house even with a breezeway. Please take into consideration that if we were able to attach to the house we would not be restricted on size.

We have attached the survey and diagram showing the site of the new construction. We have also included photos of other large garages throughout the neighborhood.

We would ask the board to please consider the following when making a determination for the variance.

- Easement restrictions
- Unable to attach the garage to the house on the left side of the property due to easement location
- Not enough substantial room on the right side of the house to build
- The property is much larger than most in the area (1.314 acres)
- The property has a large amount of green space even after reserving space for the detached garage
- The garage would result in an overall increase in property value

We would greatly appreciate your consideration in allowing the variance in order to accommodate our needs. Please consider the same allowance opportunities allowed to neighbors and other properties in the same area plats.

Respectfully,
James and Rita Claypool

APPLICATION AND STANDARDS FOR VARIANCES (ZONING CODE 20.13.2)

Request for Variance
1754 N. Belleview Drive, Bellbrook, Ohio 45305

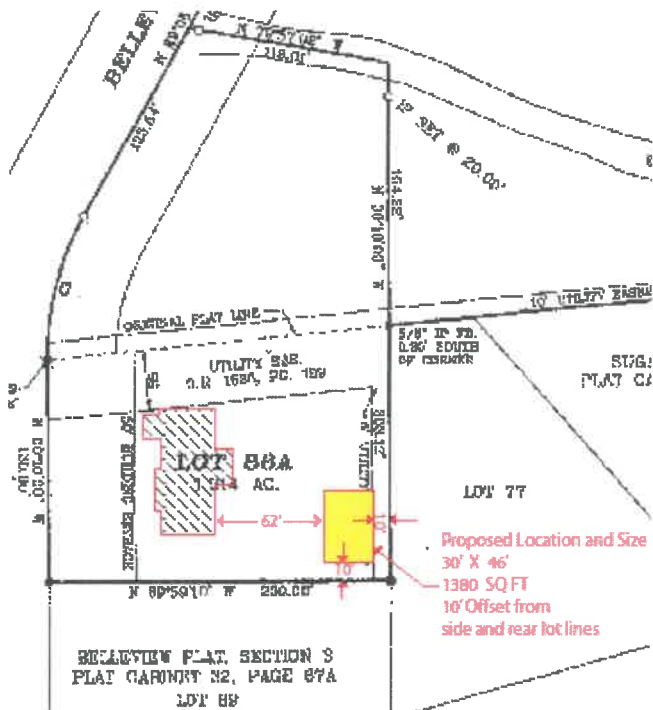
A. NAME, ADDRESS AND PHONE NUMBER OF APPLICANT

James and Rita Claypool
1754 N. Belleview Drive, Bellbrook, Ohio 45305
937-374-0564

B. LEGAL DESCRIPTION OF PROPERTY AND A SITE PLAN based on an accurate survey showing existing and/or future building locations and the locations of building on adjacent properties. This site plan should be prepared by a registered surveyor attesting to the accuracy of same.

Bellevue 3 Replat Lot 88A | Bellevue Drive

Proposed location and size shown in diagrams below:



30' x 46' / 1380 SQ FT / 10' Offset from side and rear lot lines

Double click image to enlarge.



Double click image to enlarge.

Location of buildings on adjacent properties shown in image below:



C. DESCRIPTION OF NATURE OF VARIANCE REQUESTED

Detached garage measuring 1380 SQ FT (46' x 30') in excess of the permitted amount (600 SQ FT)

D. VARIANCES FROM THE TERMS OF THE ZONING ORDINANCE SHALL BE GRANTED ONLY WHERE THE PROPERTY OWNER SHOWS THAT THE APPLICATION OF A ZONING REQUIREMENT TO THE PROPERTY IS INEQUITABLE CAUSING THE PROPERTY OWNER PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY. FACTORS TO CONSIDER INCLUDE, BUT ARE NOT LIMITED TO:

1. WHETHER THE PROPERTY IN QUESTION WILL YIELD A REASONABLE RETURN OR WHETHER THERE CAN BE ANY BENEFICIAL USE OF THE PROPERTY WITHOUT THE VARIANCE;

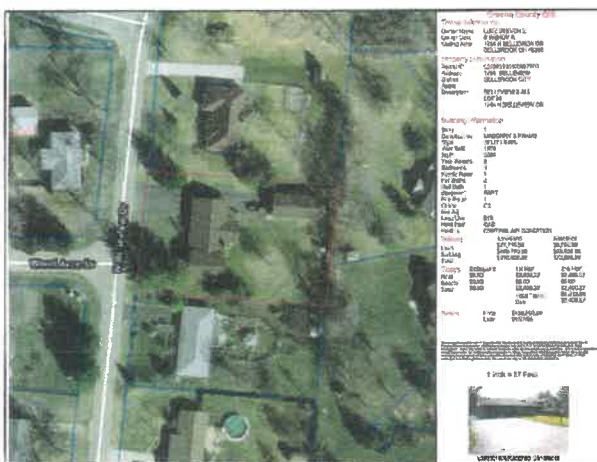
The allowance of the variance for a garage on the property would increase the property value with additional storage and work areas. Without the garage there would only be green space which does not increase the property value.

- 2. WHETHER THE VARIANCE IS SUBSTANTIAL;**

We have a need for additional storage therefore the variance is very substantial. The variance is not out of the ordinary for the size requested in comparison to other properties within the city limits. This would still provide more green space than the adjoining properties, as well as, other properties in the development because we have a larger lot. The garage size would not change the character or aesthetics of the neighborhood, since there are multiple properties in this same development with detached garages.

This storage would be used for storing multiple classic vehicles, motorcycles, trailers and other equipment, including wood workshop equipment. This would be more astatically appealing than having cars, trailers and other equipment setting outside the home. We also intend to purchase a small camper we would like to store inside as well. The vehicles would be stored, not driven on a daily basis. The addition would also result in an overall increase in property value.

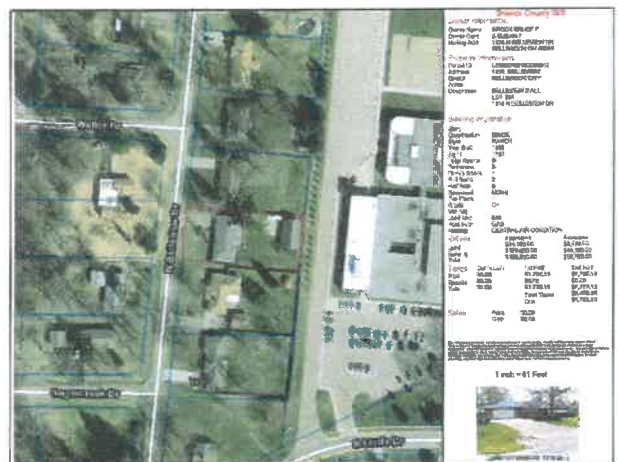
We have included photos of other large garages throughout the neighborhood.



Double click image to enlarge.

1764 N Bellevue Drive

Adjoining property with detached garage over 600 sq ft.
(1991 - 1152 sq ft)



Double click image to enlarge.

1878 N Bellevue Drive

Property on same street with detached garage over 600 sq ft.
(1993 – 1200 sq ft)



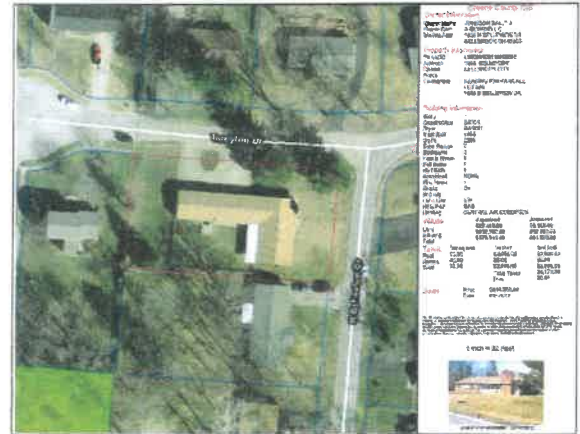
Double click image to enlarge
2045 Regent Park Drive
 (1982 - 616 sq ft - No Drive)



Double click image to enlarge
2095 Marcia Drive
 (1985 - 720 sq ft)



Double click image to enlarge
4052 Woodedge Drive
 (Attached - 960 sq ft - No Drive)



Double click image to enlarge.
1633 N Bellevue Drive
 Property with attached garage over 600 sq ft
 that changes the character of the neighborhood
 (Attached - 700/250/775 sq ft)



Double click image to enlarge
4107 Maxwell Drive
 (1900 - 352 sq ft / 1990 - 960 sq ft)



Double click image to enlarge
1887 N Lakeman Drive
 Property with detached garage over 600sq ft
 in same development but outside of city limits
 (2007 - 1840 sq ft)

Without a variance there's really no other way to obtain the amount of additional storage we need due to the easement running through the left side of the house. The easement restriction does not allow us an option to attach to the house even with a breezeway.

3. WHETHER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD WOULD BE SUBSTANTIALLY ALTERED OR WHETHER ADJOINING PROPERTIES WOULD SUFFER A SUBSTANTIAL DETRIMENT AS A RESULT OF THE VARIANCE;

The garage is a comparable size to the percentage of our lot size. It would not be of any disadvantage to the adjoining properties by having a garage in the back of the property. One of the adjoining properties currently has a detached garage larger than 600 square feet (1152 SQ FT).

4. WHETHER THE VARIANCE WOULD ADVERSELY AFFECT THE DELIVERY OF GOVERNMENTAL SERVICES SUCH AS WATER, SANITARY SEWER OR GARBAGE REMOVAL;

The garage would be located in the back of the property and would not adversely affect any government services such as water, sanitary sewer, garbage removal, etc.

5. WHETHER THE PROPERTY OWNER PURCHASED THE PROPERTY WITH KNOWLEDGE OF THE ZONING RESTRICTION;

When we purchased the house we had no knowledge of the garage restriction being 600 square foot and had limited knowledge of variances. We were aware that an easement ran through the property on the left side of the house along the driveway. However, we were unaware of the impact it would have on being able to add a garage at a later time. Our understanding is that the garage can be any size if the garage is attached to the house. The easement restriction does not allow us an option to attach to the house even with a breezeway. That is without greatly decreasing the property value by being awkwardly placed.

6. WHETHER THE PROPERTY OWNER'S PREDICAMENT FEASIBLY CAN BE OBIATED THROUGH SOME METHOD OTHER THAN A VARIANCE;

Without a variance there's really no other way to obtain the amount of additional storage we need. Large car trailers would be one option, but would not be a suitable solution long term.

7. WHETHER THE SPIRIT AND INTENT BEHIND THE ZONING REQUIREMENT WOULD BE OBSERVED AND SUBSTANTIAL JUSTICE DONE BY GRANTING THE VARIANCE. THE BOARD SHALL DETERMINE, AFTER AND WEIGHING THE FACTORS DESCRIBED ABOVE AND ANY OTHER FACTORS THE BOARD DEEMS RELEVANT, WHETHER THE PROPERTY OWNER HAS SHOWN PRACTICAL DIFFICULTIES SO INEQUITABLE AS TO JUSTIFY GRANTING A VARIANCE TO THE PROPERTY OWNER.

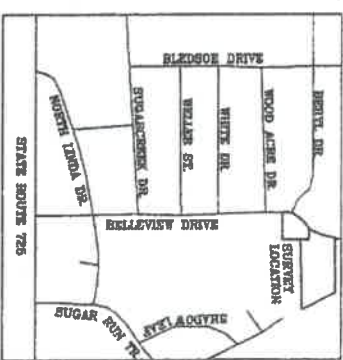
There would be substantial justice done by granting the variance as this would be more astatically appealing than having cars, trailers and other equipment setting outside the home. The addition would also result in an overall increase in property value.



— MONUMENT LEGEND —

- 5/8" Iron Pin (st)
- 5/8" OD Iron Pin (ast) with yellow plastic cap attached.
- CRIBIC & STIPPLE
- Iron Pipe (st) OD also per plan
- Stone (st)
- ▲ Railroad Bridge (st)
- △ Railroad Bridge (ast)
- P.L. or Sag Mill (ast)
- Concrete Monument (st)
- PG or Mag. Mill (st)
- Bolt (st) size per plan
- Post (st) size per plan

NOTE: Bearings used are based on an assumed latitude and are for purposes of angular measurement only. Measurements formed or set are in good condition unless otherwise labeled. Dates & survey reports as noted on drawings are source data for this survey.



**VICINITY SKETCH
NOT TO SCALE**

_____ DENOTES NO OCCUPATION
 _____ PENCE GENERALLY ALONG
 _____ PROPERTY LINE



Cinco & Sutton
SURVEYORS

Quick Search

Info Deed Info Permit Info

5000100100002600

APPOOL JAMES E JR
LITA M

34 N BELLEVUE DR
34 BELLEVUE DR
LITBROOK OH 45305

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1754 N Bellevue Dr.



1380 SQFT 30' x 46'

Proposed Site Size & Location Shown with Adjacent Properties



519976.374 603449.684 Feet

Wood Acre Dr

Beryl Dr

N Bellevue Dr

Sugar Run

Greene County GIS

Owner Information

Owner Name LUTZ STEVEN E
Owner Cont & WENDY R
Mailing Addr 1784 N BELLEVUE DR
BELLBROOK OH 45305

Property Information

Parcel ID L35000100100002700
Address 1784 N BELLEVUE
District BELLBROOK CITY
Acres
Description BELLEVUE 3 ALL
LOT 89
1784 N BELLEVUE DR

Building Information

Story 1
Construction MASONRY & FRAME
Style SPLIT LEVEL
Year Built 1976
Sq Ft 3058
Total Rooms 8
Bedrooms 3
Family Room 1
Full Baths 2
Half Baths 1
Basement PART
Fire Place 1
Grade CO
Mkt Adj
Land Use 510
Heat Fuel GAS
Heating CENTRAL AIR CONDITION

Values

Land	Appraised	Assessed
\$27,710.00	\$9,700.00	
Building	\$182,790.00	\$63,980.00
Total	\$210,500.00	\$73,680.00

Taxes	Delinquent	1st Half	2nd Half
Real	\$0.00	\$2,406.27	\$2,406.27
Special	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$2,406.27	\$2,406.27
		Total Taxes	\$4,812.54
		Due	\$2,406.27

Sales

Price	Date
\$153,500.00	04/27/96

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1 inch = 37 Feet



L35000100100002700 03/13/2012

Customized Property Map

2060 S Linda Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway



US Highway



State Route



Local Roads



Schools



Parks



Buildings



Hydrography



Parcel Number



Lot Number



Parcel Boundary



Corporation Boundary



Topography



0 25 50 Feet

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Created On: 6/26/2020

County Auditor David A. Graham

Customized Property Map

4079 Nedra Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway
US Highway
State Route



Local Roads
Schools
Parks



Buildings
Hydrography
Parcel Number
Lot Number



Parcel Boundary
Corporation Boundary
Topography



0 25 50 Feet

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Customized Property Map

2038 Regent Pk Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway



US Highway



State Route



Local Roads



Schools



Parks



Buildings



Hydrography



Parcel Number



Lot Number



Parcel Boundary



Corporation Boundary



Topography



0 25 50 Feet

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Customized Property Map

2035 Regent Pk Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway
US Highway
State Route



Local Roads
Schools
Parks



Buildings



Hydrography



Parcel Number
Lot Number



Parcel Boundary
Corporation Boundary
Topography



0 25 50 Feet

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Created On: 6/26/2020

County Auditor David A. Graham

Customized Property Map

2055 Regent Pk Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway
US Highway
State Route



Local Roads
Schools
Parks



Buildings
Hydrography
Parcel Number



Corporation Boundary
Topography



0 25 50 Feet

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Customized Property Map 2045 Regent Pk. Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway



US Highway



State Route



Local Roads



Schools



Parks



Buildings



Hydrography



Parcel Number



Lot Number



Parcel Boundary



Corporation Boundary



Topography



0 25 50 Feet

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Customized Property Map

2095 Marcia Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway



US Highway



State Route



Local Roads



Schools



Parks



Buildings



Hydrography



Parcel Number



Lot Number



Parcel Boundary



Corporation Boundary



Topography



0 25 50 Feet

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Customized Property Map

4052 Woodedge Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway



US Highway



State Route

Local Roads

Schools

Parks



Buildings



Hydrography



Parcel Number
Lot Number



Parcel Boundary



Corporation Boundary



Topography



0 25 50 Feet

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Example of a Garage Attached to House, that Charges the Characteristics of the Neighborhood



Greene County GIS

Owner Information
Owner Name JOHN SON SALLY J
Owner Cont & GLYNDELL C
Mailing Addr 1633 N BELLEVUE DR
BELLBROOK OH 45305

Property Information
Parcel ID L35000100110000600
Address 1633 BELLEVUE
District BELLBROOK CITY
Acres KENSINGTON PARK ALL
Description LOT 596
1633 N BELLEVUE DR

Building Information
Story 1
Construction BRICK
Style RANCH
Year Built 1964
Sq Ft 2299
Total Rooms 7
Bedrooms 3
Family Room 1
Full Baths 1
Half Baths 1
Basement 1
Fire Place NONE
Grade 1
Mkt Adj C+
Land Use 510
Heat Fuel GAS
Heating CENTRAL AIR CONDITION

Values
Land Appraised \$25,410.00 Assessed \$8,890.00
Building \$150,500.00 \$52,680.00
Total \$175,910.00 \$61,570.00

Taxes
Delinquent 1st Half \$2,086.03 2nd Half \$2,086.03
Real \$0.00 \$0.00
Special \$2,086.03 \$2,086.03
Total Taxes \$4,172.06
Due \$0.00

Sales
Price \$116,000.00
Date 01/24/12

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1 inch = 32 Feet



L35000100110000600 03/07/2012

4107 Maxwell Dr.



1 inch = 60 feet



This map was prepared as a tax map for Greene County as prepared by the Greene County Engineer in accordance with section 3-13.02 of the Ohio Revised Code. Greene County assumes no legal responsibility for the information contained on this map. Users noting errors or omissions are encouraged to contact the Greene County GIS Department.

County Auditor David A. Graham

Greene County GIS

Owner Information

Owner Name KJF PROPERTIES LLC
Owner Cont 1715 US 42 S
Mailing Addr XENIA OH 48385

Property Information

Parcel ID L32000100030007700
Address LAKEMAN
District SUGARCREEK TP LSD
Acres
Description CARRIAGE BY THE LAKE 1 ALL LOT 191

1887 N LAKEMAN AV

Building Information

Story
Construction
Style
Year Built
Sq Ft
Total Rooms
Bedrooms
Family Room
Full Bath
Half Bath
Basement
Fire Place
Grade
Mkt Adj
Land Use
Heat Fuel
Heating

Values

	Appraised	Assessed
Land	\$37,750.00	\$13,210.00
Building	\$314,480.00	\$110,070.00
Total	\$352,230.00	\$123,280.00

Taxes

	Delinquent	1st Half	2nd Half
Real	\$0.00	\$4,611.00	\$4,611.00
Special	\$0.00	\$47.25	\$0.00
Total	\$0.00	\$4,658.25	\$4,611.00
		Total Taxes	\$9,269.25
		Due	\$4,611.00

Sales

Price	Date
\$27,000.00	06/14/93

1920 sq ft
Toasting
same plot



1 inch = 37 Feet



L32000100030007700 03/07/2012

Quick Search

100001 17000 23000 26000 29000 32000 35000 38000 41000 44000 47000 50000

Info Deed Info Permit Info

5000100100002600

APPOOL JAMES E JR
LITA M

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34 BELLEVUE DR
LUBBOCK OH 45305

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LUBBOCK OH 45305

1754 N Bellevue Dr.



1380 SQFT 30' x 46'



519976.374 603449.684 Feet

DATE: 11/11/2011 BY: [illegible] PROJECT: [illegible]

Greene County GIS

Owner Information

Owner Name LUTZ STEVEN E
Owner Cont & WENDY R
Mailing Addr 1784 N BELLEVUE DR
BELLBROOK OH 45305

Property Information

Parcel ID L35000100100002700
Address 1784 N BELLEVUE
District BELLBROOK CITY
Acres
Description BELLEVUE 3 ALL
LOT 89
1784 N BELLEVUE DR

Building Information

Story 1
Construction MASONRY & FRAME
Style SPLIT LEVEL
Year Built 1976
Sq Ft 3058
Total Rooms 8
Bedrooms 3
Family Room 1
Full Baths 2
Half Baths 1
Basement PART
Fire Place 1
Grade CO
Mkt Adj
Land Use 510
Heat Fuel GAS
Heating CENTRAL AIR CONDITION

Values

Land	Appraised	Assessed
\$27,710.00	\$9,700.00	
Building	\$182,790.00	\$63,980.00
Total	\$210,500.00	\$73,680.00

Taxes	Delinquent	1st Half	2nd Half
Real	\$0.00	\$2,406.27	\$2,406.27
Special	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$2,406.27	\$2,406.27
		Total Taxes	\$4,812.54
		Due	\$2,406.27

Sales

Price	Date
\$153,500.00	04/27/96

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1 inch = 37 Feet



L35000100100002700 03/13/2012



L35000100110009500 03/07/2012

Customized Property Map

2060 S Linda Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway



US Highway



State Route



Local Roads



Schools



Parks



Buildings



Hydrography



Parcel Number



Lot Number



Parcel Boundary



Corporation Boundary



Topography



0 25 50 Feet

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Customized Property Map

4079 Nedra Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway
US Highway
State Route



Local Roads
Schools
Parks



Buildings
Hydrography
Parcel Number
Lot Number



Parcel Boundary
Corporation Boundary
Topography



0 25 50 Feet

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Customized Property Map

2038 Regent Pk Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway



US Highway



State Route



Local Roads



Schools



Parks



Buildings



Hydrography



Parcel Number



Lot Number



Topography



Corporation Boundary



Parcel Boundary



GIMS



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Customized Property Map

2035 Regent Pk Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway
US Highway
State Route



Local Roads
Schools
Parks



Buildings



Hydrography



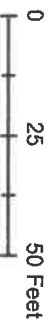
Parcel Number
Lot Number



Corporation Boundary
Topography



Parcel Boundary



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Created On: 6/26/2020

County Auditor David A. Graham

Customized Property Map

2055 Regent Pk Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway



US Highway



State Route

Local Roads

Schools

Parks



Buildings



Hydrography



Parcel Number
Lot Number

Parcel Boundary

Corporation Boundary

Topography



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Customized Property Map 2045 Regent Pk. Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway



US Highway



State Route



Local Roads



Schools



Parks



Buildings



Hydrography



Parcel Number

Lot Number

71 51



Parcel Boundary



Corporation Boundary



Topography

940



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Customized Property Map 2095 Marcia Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway



US Highway



State Route



Local Roads



Schools



Parks



Buildings



Hydrography



Parcel Number



Lot Number



Parcel Boundary



Corporation Boundary



Topography



0 25 50 Feet

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Customized Property Map

4052 Woodedge Dr.



Greene County Legend

1 inch = 40 feet



Interstate Highway



US Highway



State Route



Local Roads



Schools



Parks



Buildings



Hydrography



Parcel Number
Lot Number



Parcel Boundary



Corporation Boundary



Topography



0 25 50 Feet

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Example of a Garage Attached to House, that Charges the Characteristics of the Neighborhood



Greene County GIS

Owner Information
Owner Name JOHN SON SALLY J
Owner Cont & GLYNDELL C
Mailing Addr 1633 N BELLEVUE DR
BELLBROOK OH 45305

Property Information
Parcel ID L35000100110000600
Address 1633 BELLEVUE
District BELLBROOK CITY
Acres KENSINGTON PARK ALL
Description LOT 596
1633 N BELLEVUE DR

Building Information

Story	1
Construction	BRICK
Style	RANCH
Year Built	1964
Sq Ft	2299
Total Rooms	7
Bedrooms	3
Family Room	1
Full Baths	1
Half Bath	1
Basement	NONE
Fire Place	1
Grade	C+
Mkt Adj	
Land Use	510
Heat Fuel	GAS
Heating	CENTRAL AIR CONDITION

Values

	Appraised	Assessed
Land	\$25,410.00	\$8,890.00
Building	\$150,500.00	\$52,680.00
Total	\$175,910.00	\$61,570.00

Taxes

	Delinquent	1st Half	2nd Half
Real	\$0.00	\$2,086.03	\$2,086.03
Special	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$2,086.03	\$2,086.03
Total Taxes		\$4,172.06	\$0.00

Sales

Price	\$116,000.00
Date	01/24/12

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1 inch = 32 Feet



L35000100110000600 03/07/2012

4107 Maxwell Dr.



1 inch = 60 feet



County assumes no legal responsibility for the information contained on this map. Users noting errors or omissions are encouraged to contact the Greene County GIS Department.

County Auditor David A. Graham

Greene County GIS

Owner Information

Owner Name KJF PROPERTIES LLC
Owner Cont 1715 US 42 S
Mailing Addr XENIA OH 48385

Property Information

Parcel ID L32000100030007700
Address LAKEMAN
District SUGARCREEK TP LSD
Acres
Description CARRIAGE BY THE LAKE 1 ALL LOT 191

1887 N LAKEMAN AV

Building Information

Story
Construction
Style
Year Built
Sq Ft
Total Rooms
Bedrooms
Family Room
Full Bath
Half Bath
Basement
Fire Place
Grade
Mkt Adj
Land Use
Heat Fuel
Heating

Values

Land	Assessed	Assessed
Building	\$37,750.00	\$13,210.00
Total	\$314,480.00	\$110,070.00
	\$352,230.00	\$123,280.00

Taxes

Real	Delinquent	1st Half	2nd Half
Special	\$0.00	\$4,611.00	\$4,611.00
Total	\$0.00	\$4,611.00	\$4,611.00
		\$4,658.25	\$4,658.25
		Total Taxes	\$9,289.25
		Due	\$4,611.00

Sales

Price	Date
\$27,000.00	06/14/93

1920 sq ft
Tossing
same plot



1 inch = 37 Feet



L32000100030007700 03/07/2012

Steve Lutz
1764 North Belleview Drive
Bellbrook, Ohio 45305

July 12th, 2020

Board of Zoning Appeals
Property Review Commission
City of Bellbrook
15 East Franklin Street
Bellbrook, Ohio 45305

Dear Board of Zoning Appeals and Property Review Commission,

My name is Steve Lutz and I am writing this letter regarding my neighbor, Jim (James) Claypool, at 1754 North Belleview Drive who is requesting a variance for a garage. My family and I live at 1764 North Belleview Drive and have been Bellbrook residents for 25 years. We take great pride in our home, neighborhood, and community. I would like to state on record that we are against this large of a garage, the location, and putting a driveway next to our property. Our property and neighborhood would be directly negatively affected by this garage in the proposed location. Building this garage would impact the aesthetics of the neighborhood, possibly lower our property value, and create confusion with the additional driveway.

The requested garage would be built sideways which would not fit in with the aesthetics of the neighborhood. Those from the street and the neighbors directly behind Jim's property would see the side of the large garage. This would be an eyesore to the neighborhood as the rest of the garage's are built facing the street and fit in nicely. Additionally, he is building this garage so that he can rebuild cars like he did at his previous property in Xenia. Using the garage for this would mean that there would be car trailers, hot rods, and rebuildable cars in the driveway frequently. While this may not have been an issue in the country, we live in a residential neighborhood where this would not be aesthetically pleasing.

Given that this garage would not fit in aesthetically with the neighborhood, it would likely lead to lower property values of the nearby homes. With the current location of the garage, he would need to build an additional driveway to access it. The driveway would be place directly next to ours and would mean there would be three driveway all together within 15 feet, including the neighbor's driveway across the street. This would cause confusion when others are turning into the driveways. It would also make it difficult to back car trailers into it, which he currently does to work on cars. Adding the driveway would also require cutting down multiple Spruce trees. These trees provide us with privacy, and we enjoy seeing them. We would not want to see them cut down. Additionally, our backyards have natural drainage to reduce flooding from excessive rain by leading it to the creek. My neighbors and I have already experienced flooding and building a garage in this location may impact the natural drainage causing more flooding.

Jim is currently passing a letter around the neighborhood to obtain approval and support. This letter includes one small picture of his plans and does not accurately showcase the garage or the

impacts of building it. It will be difficult for anyone reading the letter to see any details and understand what they are approving. The letter is also misleading in that it indicates there will not be daily drivers into the garage. While there may not be daily drivers, there will be car trailers, hot rods, rebuildable cars, and other heavy machinery in the driveway frequently. He already has vehicles and a bobcat that have been sitting in his side yard for the past 4 months. His letter does not mention anything about these vehicles being in the driveway so our neighbors may not understand the full impacts of this garage.

When we were first informed of Jim's request, we became concerned about our property value and neighborhood. I reached out to Jessica Hansen to discuss our concerns. She met with me on our property so I could show her first-hand the location and how it would impact our property. While she was here, I gave her the letter Jim is passing around, a detailed drawing of the plans, and pictures of vehicles and heavy equipment sitting in his side yard. There may be a better solution for Jim to build a code compliant 2 car garage, such as offsetting it from the end of his existing driveway which would look better for the neighborhood.

Thank you very much for time and consideration. If anyone would like to meet with me to discuss this further or see the site, I would be happy to do so. You can reach me at (937) 848-6900 or (937) 637-1365.

Respectfully,

Steve Lutz

Jessica Hansen

From: wrlmoms@aol.com
Sent: Sunday, July 12, 2020 5:05 PM
To: Jessica Hansen
Subject: Opposition Letter for Garage Variance at 1754 N Belleview Dr
Attachments: Garage Variance Opposition Letter .pdf; Drawing of Plan 2.jpg; Drawing of Plan 1.jpg; Cars 2.jpg; Cars 1.jpg; Equipment 2.jpg; Equipment 1.jpg

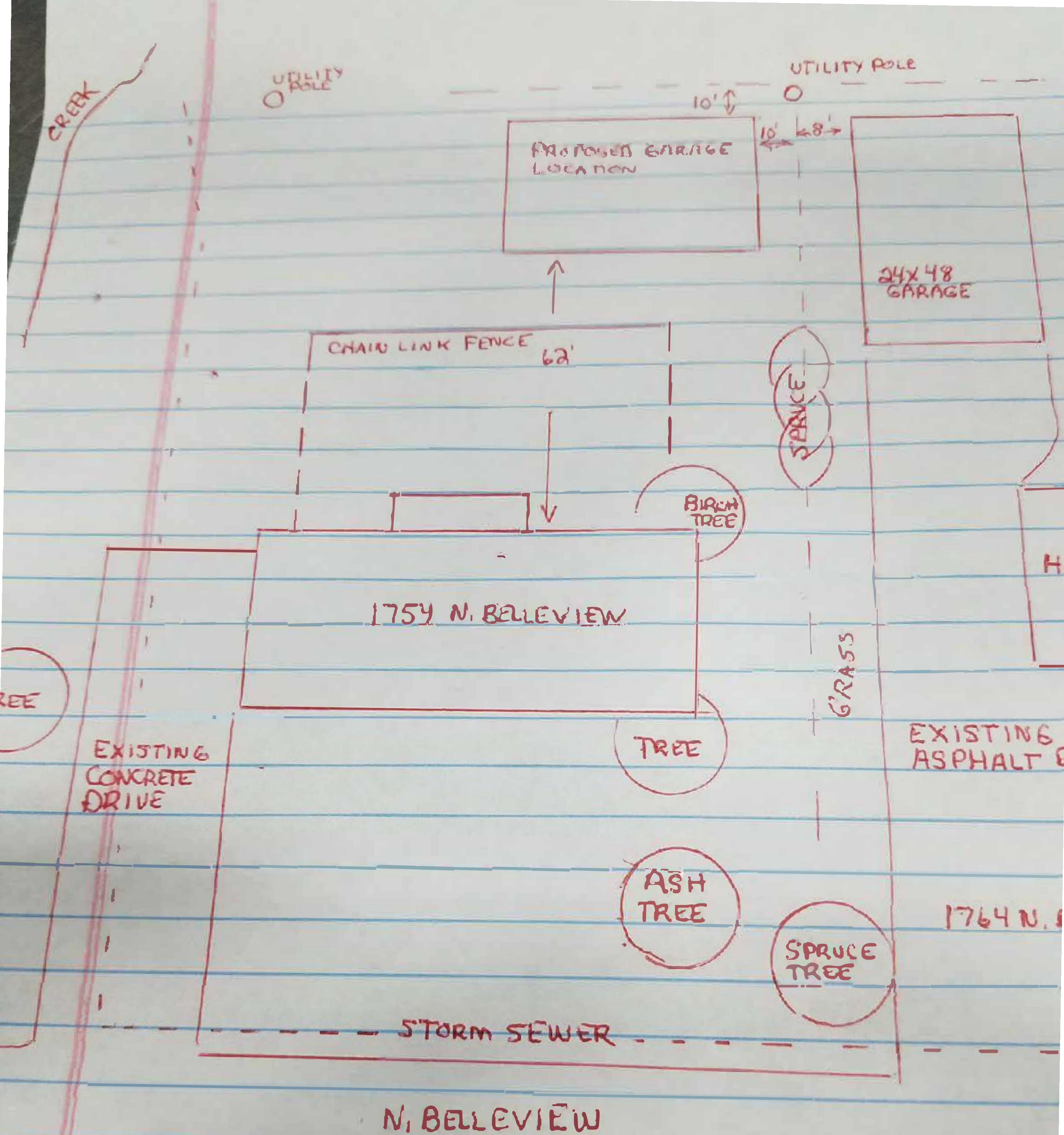
Good afternoon Jessica,

I hope you are doing well. I would like to submit a letter of opposition regarding the garage variance at 1754 North Belleview Drive to the Board of Zoning Appeals and Property Commission Review. Please find the letter attached along with pictures of cars and a bobcat at the property and my drawing of the plan. I would be happy to meet or speak with the Board to further discuss my concerns. Please let me know that you have received my letter and the attached photos.

Thank you and take care,

Steve Lutz

1764 N Belleview Drive



LETTER THAT JIM IS PASSING
NEIGHBORHOOD DOES NOT SHOW
WAY, THE LISTED USE WILL BE
SHE HAS TOLD ME, THIS IS A
NEIGHBORHOOD, NOT AN
2 + STORAGE PLACE. THE BEST
600 FT AT END OF HIS DRIVE



CREEK

POLE

10' ↑

10' ↓

PROPOSED GARAGE LOCATION

10' ← 8' →

24' 6"

CHAIN LINK FENCE 62'

SPACE

BIRCH TREE

1754 N. BELLEVIEW

GRASS

TREE

EXISTING CONCRETE DRIVE

TREE

ASH TREE

SPRUCE TREE

STORM SEWER

BRIDGE

N. BELLEVIEW

NOTE: THE LETTER THAT JIM IS PASSING AROUND NEIGHBORHOOD DOES NOT SHOW ANY DRIVEWAY. THE LISTED USE WILL BE DIFFERENT AS HE HAS TOLD ME, THIS IS A RESIDENTIAL NEIGHBORHOOD, NOT AN AUTO REPAIR + STORAGE PLACE. THE BEST LOCATION IS A 600 SQ FT AT END OF HIS DRIVE.

TREE

GARAGE









Jessica Hansen

From: Mary <maryhollister@woh.rr.com>
Sent: Wednesday, July 15, 2020 9:21 AM
To: Jessica Hansen
Subject: Variance case for 1754 N Bellevue Dr.

Dear Jessica,

I'm writing in reference to the property owner of 1754 N Bellevue Dr wanting to build a 1380 sq ft garage. I do live near property and while I not directly effected daily by this large structure, there has to be a limit within our city on the size of out buildings people put on their property. Once we begin to allow property owners to build structures this large we are opening the opportunity for people operate businesses within our neighborhoods. It is my hope that your board will think about the neighbors directed affected by this decision.

Thank you,
Mary Hollister

Sent from my iPhone

1692 Garry Drive

Jessica Hansen

From: Philip Hopf <philip.hopf@gmail.com>
Sent: Wednesday, July 15, 2020 7:27 AM
To: Jessica Hansen
Subject: Zoning Variance for 1754 N. Belleview Dr.

Ms Hansen,

I originally tried to send this to you on Tuesday, 7/14/20 (yesterday) but for some reason I had an incorrect email address and it took a while to get it corrected. I hope it is in time to be considered in the Zoning Board's review of the subject Variance. Here is my original note to you from yesterday:

Ms Hanson,

I've become aware the residents of 1754 N. Belleview Dr. are seeking to get a variance from the zoning restrictions on the size of unattached garages. As a property owner in the Bellbrook area, I believe that such a variance together with this resident's practice of leaving heavy equipment on his property will significantly and negatively affect the value of homes in that area. The equipment, together with a large, commercial appearing structure behind the house, will give that property the appearance of a business in a residential neighborhood.

Please ask the Zoning Commission to consider the actual effect of the building and the current practices of parking construction equipment on the property in deciding to deny a variance to established zoning ordinances.

--

Philip W Hopf

+1 937 848-6329 H

+1 937 477-9040 C

philip.hopf@gmail.com H

7230 Wilmington Dayton Road
and 4952 Field Point Court, Sugarcreek Twnp

Jessica Hansen

From: Sharon Baker <bakercook10@gmail.com>
Sent: Tuesday, July 14, 2020 2:58 PM
To: Jessica Hansen
Cc: steve.lutz@capel.com
Subject: 1754 N. Bellevue

Hi Jessica,

Steve Lutz asked me to send you my professional opinion on how neighbors can devalue the market price of a home. Please let me know if you have any questions.

The exterior and yard of a property is part of the home's market value. The way your neighbors keep up their property can affect the value of your home.

Nobody wants to look at an eye soar next door. If neighbors appear to be running a side business out of a garage or their yard and driveway is filled with junk, it will drag down your home's value.

A home may look great and have all the features a buyer wants, but if the house next door has extra cars, equipment, and other visual disturbances, then the property value of that home could decrease. Nuisances that are out of the buyer's control are likely to make them discount the asking price of the home or skip a property altogether.

It is important for all neighbors to keep up their property. Well- groomed and maintained exteriors and yards increase the market value for all homes in the neighborhood.

Sharon Baker

Irongate Realtors



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July 14, 202

Property Review Commission
City of Bellbrook
15 East Franklin Street
Bellbrook, OH 45305

To: The Board of Zoning Appeals and Property Review Commission:

I am writing this letter on behalf of Steve & Wendy Lutz, neighbors to the property of James Claypool at 1754 North Bellevue Drive, Bellbrook OH. I am in total agreement with the Lutz's regarding the requested addition of a large garage and driveway. If this addition is approved for the Claypool's, this will impact the value of the Lutz's property negatively from several standpoints.

Building the garage sideways will not fit the aesthetics of the neighborhood and will tend to stick out unfavorably. In looking at the neighborhood as a whole, having the garage facing the street is a better option. Having a code compliant garage and adding to the existing drive that fits with this residential area is the best solution.

The desired location where the garage is intended to be built, would require a driveway directly next to the Lutz's driveway. This driveway would require trees removed and takes away from the general appearance and desirability of both homes. Down the road when the Lutz's sell, this will be a detriment to their sale and negatively affect their property values. Very few buyers will want a neighbor's driveway this close with the in and out of hot rods, car trailers and excavation equipment especially if they have small children. This is a residential neighborhood, not a home on a couple of acres. Currently there are trailers and excavation equipment in the yard. Something like this is not only going to affect the Lutz's property value, but will have an impact on all the surrounding neighbors when they decide to sell. Our buyers are very savvy today, and given an option buyers will not want to look at something of this nature in their neighbor's yard and put up with the in and out of cars, equipment, etc.

Another factor to consider would be the natural drainage in this particular area. A structure of this size will change the natural drainage that occurs with a possible impact of standing water and flooding from this addition to the immediate, surrounding neighbors. In my 32 years experience, I have seen this occur on many occasions.

In closing, my professional opinion is that if the Claypool's are permitted to construct the large garage they are requesting, this will most definitely affect negatively the home value of the Lutz's property since they are directly next door.

Sincerely,

Celeste M. Kniess, Broker/Associate

kniesscm@gmail.com

937.603.1555

RE/MAX Victory at The Greene - 51 Plum Street, Ste 220A, Beavercreek, Ohio 45440

Debbie Smith and I live at 4194 Beryl Drive and have lived here for 35 years with my family. We are still here because we love the neighborhood and how everyone takes care of their homes and yards. We do have sidewalks and I have grandchildren now that rides bikes and play outside whenever they are over. As we look down the street to Bellevue Drive all we see is the house wanting to put the hugh garage or pull barn on his property. The house is beautiful a friend of ours built it for his family many years ago I don't really want to see a Hugh barn or metal garage as big as the house when I look down the street. It will definitely take away from the beauty all of the homes see on Beryl since it is right there at the end of the street. I would appreciate it if you would let them know my feelings and can contact me if you need more