



Planning Board Meeting  
February 25, 2021, 6:00 pm  
Agenda

**REMOTE TELECONFERENCE MEETING\*\***

Due to COVID-19, this meeting will be held via Zoom teleconferencing. Live streaming of the meeting is available on the City's YouTube channel (Bellbrook City Hall).

Comments and/or questions for the Board's consideration may be made by joining the Zoom meeting or by emailing the Clerk of Council at [p.timmons@cityofbellbrook.org](mailto:p.timmons@cityofbellbrook.org) by 3 p.m. on 2/25/2021.\*\*\*

1. Call to Order
2. Roll call
3. Approval of prior minutes of January 21, 2021
4. Old Business:
  - Recreational Vehicles
  - Commercial Vehicles
5. New Business
  - 18.05a Accessory Buildings
6. Open Discussion
7. Adjournment

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Webinar Passcode: 882459



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**BELLBROOK PLANNING BOARD**  
**PUBLIC MEETING MINUTES**  
**January 21, 2021 6:00 PM**

**PRESENT:** Mr. Tim Tuttle  
Mr. Ed Stangel  
Mr. Brady Harding  
Mr. Denny Bennett  
Mr. Mitchell Thompson

Jessica Hansen Planning and Zoning Administrative Assistant was also in attendance.

**CALL TO ORDER**

Chairman Thompson called the meeting of the Planning Board to order at 6:00 PM. The Clerk called the roll. Mr. Tuttle, yes; Mr. Stangel, yes; Mr. Brady, yes; Mr. Bennett, yes; Mr. Thompson, yes.

**FORMAL APPROVAL OF MINUTES**

Chairman Thompson asked if there were any corrections or additions to the minutes of December 21, 2021. Mr. Bennett made a motion to approve the minutes and it was seconded by Mr. Stangel. All were in favor. The minutes are approved as written.

**OLD BUSINESS**

- **Review of Zoning Code Article 14**

Mrs. Hansen explained that the code being seen tonight includes all the changes the board recommended at the last meeting. She added that in preparing for this meeting Mr. Tuttle informed her that in 14.09 it stated that two members of the Downtown Review Board would be

residents of the city. It should state three members must be residents of the city and that change has been made to the draft.

Mr. Bennett made a motion to approve **Article 14** with the revision identified today for consideration by City Council. Mr. Tuttle seconded the motion. The Clerk called the roll. Mr. Bennett, yes; Mr. Tuttle, yes; Mr. Stangel, yes; Mr. Harding, yes; Chair Thompson, yes. The motion passed 5-0.

### **OLD BUSINESS**

- **Review of Code for Recreational Vehicles**

Zoning Administrator Jessica Hansen presented the code revisions which include a list of which zoning districts where these types of vehicles are permitted. The board members all stated that the code now reads well.

Mr. Harding asked about the line that refers to a motor home as being self-mounted but it should say self-propelled. Mrs. Hansen will update the wording to state it is a motorized vehicle on wheels.

Mr. Tuttle made a motion to approve **Zoning Code Section 3.02 Definition of Recreational Vehicles with the correction stated and 18.26 Recreational Vehicles**. The motion was seconded by Mr. Bennett. The Clerk called the roll. Mr. Tuttle, yes; Mr. Bennett, yes; Mr. Stangel, yes; Mr. Harding, yes; Chair Thompson, yes. The motion passed 5-0.

- **Review of Code 18.22 Trailer, Commercial Semitrailer and Truck**

Mrs. Hansen presented the code revisions shown in red type.

Mr. Tuttle asked about the 24-hour limit for loading and unloading since he knows that sometimes it can take longer. He suggested wording that if more than 24 hours is needed the Zoning Administrator has to be notified. He also suggested putting a limit to the number of times

in a year this can be used. Mrs. Hansen changing it to 72 hours or as determined by the Zoning Administrator.

Mr. Harding asked for an explanation of the difference between recreational trailers and commercial trailers especially concerning commercial graphics, logos, and company names. Mrs. Hansen responded that they have different license tags and insurance requirements. Our definitions need to differentiate the two. These changes will be made and the code will be reviewed again at the next meeting.

**OPEN DISCUSSION**

Mrs. Hansen informed the board that Greene County Regional Planning is working on their 2040 land use plan update. They are asking for board members to volunteer by attending a workshop or answering a questionnaire. Information will be emailed to the members.

**2021 Code Update spreadsheet.** Mrs. Timmons explained that as Council was preparing their 2021 goals this spreadsheet was created. It was included for Planning Board's information. The spreadsheet lists all of the codes being reviewed and where they stand in the process.

**ADJOURNMENT**

Mr. Bennet made a motion to adjourn the meeting at 6:35 PM. Mr. Tuttle seconded the motion, and all were in favor.

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Mitchell Thompson, Chair Date

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Pamela Timmons, Secretary Date

### Section 3.02 Definitions:

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**Recreational Vehicle (or RV):** A vehicle which is used primarily for pleasure and/or recreational purposes. For purposes of determining the length, width and/or height of a recreational vehicle, the dimensions as stated on an official Certificate of Title will be used.

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**RECREATIONAL VEHICLE(S).** Include the following:

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(1) TRAVEL TRAILER. A vehicle built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses.

(2) PICK-UP CAMPER. A portable dwelling designed primarily to be mounted on a pick-up truck chassis or in a truck bed and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation uses.

(3) MOTOR HOME. A portable dwelling designed as a motorized vehicle and designed for travel, recreational and vacation uses.

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(4) BOAT and BOAT TRAILER. Includes floats, rafts and personal water craft, plus the normal equipment to transport the same on the highway.

(5) FOLD-OUT TENT TRAILER. Trailers meant to be towed behind smaller SUV's and trucks, the top collapse down to reduce overall height to make it easier to tow.

(6) JET SKIS, SNOWMOBILES, OFF-ROAD VEHICLES – commonly used for recreation examples can include but are not limited to 4-wheelers, side-by-sides, snowmobiles, sand crawlers, jet skis, and autocycles.

(7) UNATTACHED TRUCK CAPS. An enclosed unit that has windows and a hatch that will typically be mounted over the bed of a pickup truck, but for whatever reason has been removed and stored in a non-enclosed structure.

(8) CONCESSION TRAILER. Used as a mobile store or used commercially.

(9) Utility Trailer. Typically used by private cars or trucks to tow with.

### 18.26 RECREATIONAL VEHICLES

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(1) One recreational vehicle (RV) up to 25 in length is permitted to be parked at any location on a residential lot provided that the vehicle conforms to the following:

(a) RVs parked in front of the principal building line shall be located on a hard surface pad or driveway such as poured concrete, asphalt or brick pavers in a manner so as not to obstruct the view of traffic;

(b) Parked or stored RVs shall not be connected to any utilities other than for maintenance purposes;

(c) No RV shall be used for living, sleeping or commercial purposes while parked in a residential district or in any area not approved for such use;

(d) RVs must be in operable condition and must display a current license and registration. There are no restrictions on recreational vehicle storage or parking when the vehicle will be stored or

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parked inside an enclosed permanent structure on a residential lot.

(2) RV's that are greater than 25 feet but no more than 40 feet in length are permitted to be parked on a residential lot provided that it conforms to the following:

(a) RVs must be positioned behind the principal building setback line in a side yard or rear yard;

(b) Parked or stored RVs shall not be connected to any utilities other than for maintenance purposes;

(c) No RV shall be used for living, sleeping or commercial purposes while parked in a residential district, or in any area not approved for such use; Article # 18, General Provisions 177 02/08/12

(d) RVs are permitted to be parked in a driveway for loading and/or unloading purposes only not to exceed forty-eight (48) hours per occurrence.

(e) RVs must be in operable condition and must display a current license and registration. There are no restrictions on recreational vehicle storage or parking when the vehicle will be stored or parked inside an enclosed permanent structure on a residential lot; and

(f) RVs must be parked on a hard surface, driveway or concrete or brick pavers.

(3) RVs in excess of 40 feet in length are not permitted to be parked in any residential district. No more than two (2) RVs are permitted to be located on the exterior of any residential lot.

(4) Off-street loading and/or unloading space shall be designed and constructed so that all maneuvering for loading and/or unloading can take place entirely within the property lines of the premises being served. Such off-street loading and/or unloading space shall be so located as not to hinder the free movement of pedestrians and vehicles over a sidewalk or street.

**(a) Exception:** The parking of a visiting RV is permitted in a residential zoning district provided that the RV is parked on a hard surface pad or driveway such as poured concrete, asphalt, or brick pavers and the vehicle does not restrict the view of traffic. A property owner may only claim this exception one (1) time per calendar year for a period not to exceed thirty (30) days per calendar year.

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(b) This section does not apply during times of emergency due to acts of nature from which the use of an RV may be necessary. This may be determined by the City Manager or designee.

(c) RV's may also be used accommodation for persons visiting a home for not more than (72) seventy-two hours during which a resident is moving in or out of a home.

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**(5) Permitted and Prohibited Districts**

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**Permitted Districts:**

- A-1 Agricultural
- R-1AA One Family Residential District
- R-1A One Family Residential District
- R-1B One Family Residential District
- R-2 Two Family Residential District
- B-1 Highway Business District
- PD-1 Planned Residential Development
- PD-2 Planned Business Development
- PD-3 Planned Industrial Development
- I-1 Industrial District

**Prohibited Districts:**

- B-2 Convenience Shopping District
- B-3 Neighborhood Business District
- B-4 Central Business District
- R-3 Multi-Family Residential District
- O-1 Office Building District
- F-1 Floodway District (Overlying District)
- F-2 Floodway Fringe District (Overlying District)
- WO Wellhead Operation District
- WP Well Field Protection Overlay District.

## Section 3.02 Definitions:

### Commercial Vehicles:

Any vehicle licensed by the State of Ohio as a commercial vehicle or used for a commercial purpose. A vehicle may also be considered commercial based on the following:

A vehicle that is owned by a company or business.

A vehicle that is used transporting goods or passengers.

A vehicle that is used for business but is in an individual's name.

A vehicle that is used to haul hazardous materials.

A vehicle that is leased and under the name of a financial institution that owns it.

Or any vehicle that contains company logos, commercial graphics or company names or anything that calls attention to the nature of the business/use for which the trailer is used.

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(a) Commercial Semi-trailer: Any commercial vehicle designed or used for carrying persons or property with another and separate motor vehicle so that in operation a part of its own weight or that of its load, or both, rests upon and is carried by another vehicle, also defined as a vehicle having wheels only at the rear, the front resting on a tractor or towing vehicle.

(b) Commercial Tractor: Every motor vehicle having motive power designed or used for drawing other vehicles and not so constructed as to carry any load thereon or designed or used for drawing other vehicles while carrying a portion of such other vehicles or the load thereon, or both.

(c) Commercial Trailer: Any commercial vehicle designed or used for carrying persons or property wholly on its structure and for being drawn by a motor vehicle.

(d) Commercial Truck: Any automotive vehicle designed to carry loads and which exceeds ten thousand pounds (10,000 lbs.) in weight unloaded.

## 18.22 TRAILER, COMMERCIAL SEMITRAILER AND TRUCK:

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No section of a commercial tractor, commercial trailer, semi-trailer nor any commercial truck shall be parked in any residential district or other prohibited district except for loading or unloading residential goods or furniture; in cases of such loading or unloading, such parking shall not exceed a total of ~~twenty-four (24)~~ seventy-two (72) hours within any thirty (30) day period beginning with the first instance of commercial semi-trailer or truck parking. No commercial tractor, commercial trailer, semi-trailer or any commercial truck shall be parked as to ~~not~~ hinder the free movement of pedestrians.

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### (1) Permitted and Prohibited Districts

#### Permitted Districts

A-1 Agricultural  
B-1 Highway Business District  
PD-2 Planned Business Development  
PD-3 Planned Industrial Development  
I-1 Industrial District

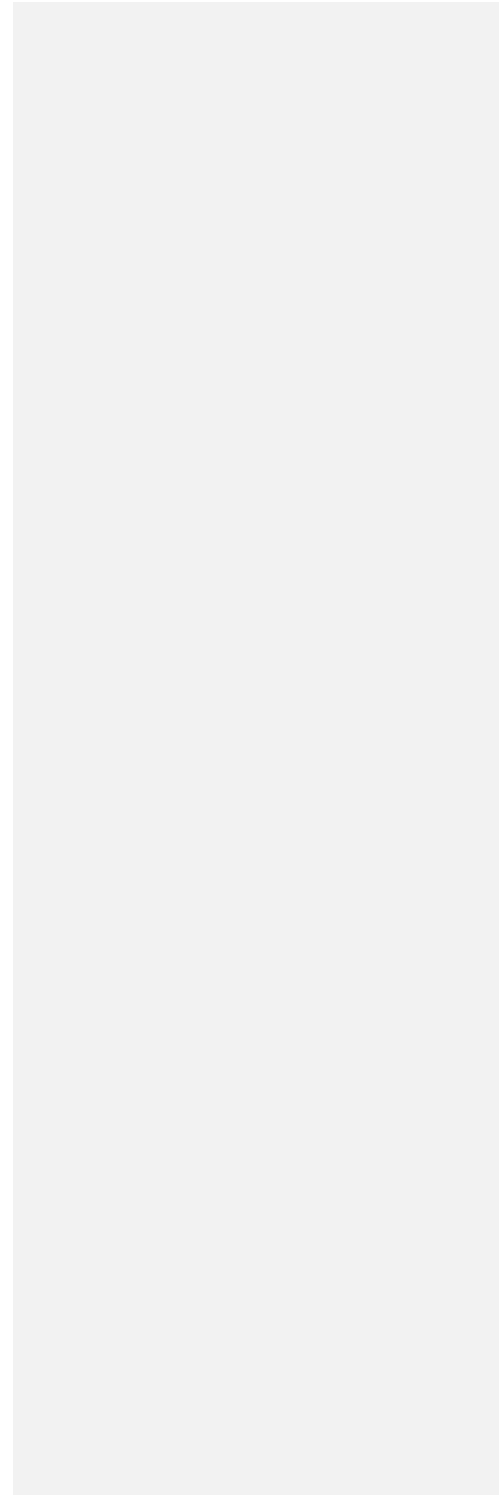
#### Prohibited Districts

B-2 Convenience Shopping District  
B-3 Neighborhood Business District  
B-4 Central Business District  
PD-1 Planned Residential Development  
R-1AA One Family Residential District  
R-1A One Family Residential District  
R-1B One Family Residential District  
R-2 Two Family Residential District



R-3 Multi-Family Residential District  
O-1 Office Building District  
F-1 Floodway District (Overlying District)

F-2 Floodway Fringe District (Overlying District)  
WO Wellhead Operation District



### 18.05A ACCESSORY BUILDINGS:

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.~~

All accessory structures that require a Zoning certificate and that do not exceed 15 feet in height shall be set back a minimum of ten feet from the principal building and eight feet from all side and rear lot lines unless otherwise specified in the use-specific regulations or as established in an PUD. This shall not apply to fences, porches, unenclosed patios, or decks.

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.

Accessory structures shall not be located in any conservation, utility, or other public easement unless approved by the easement owner.

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Accessory structures related to agricultural uses that are exempt from the zoning requirements shall also be exempt from these zoning requirements.

~~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.~~

The maximum height of accessory structures on lots less than five acres in size shall be one story or 15 feet, whichever is less. An accessory structure shall not exceed the height of the principal structure.

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

The maximum footprint/floor area: for all accessory buildings and structures on a lot in all districts except those in the Industrial, Agricultural, and Planned Business Districts shall be 30 percent of the required rear yard area.

Accessory buildings and structures that shall be counted as part of this maximum floor area calculation shall include but is not limited to detached garages, storage/utility sheds, detached decks, gazebos and similar structures.

tennis courts or other ball courts, above ground pools (but not inground pools) and other accessory buildings (but not other accessory structures such as playsets).

Prohibited accessory structures. Quonset huts, steel arch buildings, inflatable garages, and portable garages, temporary garages, portable carports, temporary carports, and semi-tractor trailers used for storage (with or without wheels) except as in 18.22, are prohibited accessory structures in residential and commercial districts. All carports shall be prohibited in commercial districts.

#### **18.05B SWIMMING POOLS:**

(a) Any swimming pool that has water with a depth of two feet or more and is left out more than 24 hours at a time shall be subject to the standards of this subsection including pools that are designed to be temporary in nature

(b) The swimming pool shall be set back a minimum of 10 feet from all lot lines as measured from the edge of the water.

(c) Every outdoor swimming pool, or the entire rear yard of the property on which it is located, shall be completely fenced or walled to prevent uncontrolled access. The fence or wall shall be not less than five (5) feet in height and shall be maintained in good condition with a gate or device that shall be self-locking and secured when not in use. Fences surrounding pools shall meet the requirements of section 18.06(1)(a). A dwelling, house or accessory building may be used as part of such an enclosure; and

(d) Above ground pools, the circumference of which are decked and completely fenced and the top of the fence is not less than five (5) feet above the ground level are considered to meet the fence height requirements. All other provisions in Section 18.05(B)(1) apply.

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Commented [JH1]: I am unsure about regulating these. While it promotes safety they are also temporary in nature. So I added a height limit as well as a timeframe.

#### **18.05C BREEZEWAYS**

Breezeways. If an accessory structure is attached to a principal structure by a breezeway, it shall not be considered part of the principal structure, unless said breezeway meets all of the following criteria:

(1) The accessory structure and the principal structure are no more than 12 feet apart.

(2) The breezeway and the accessory structure are constructed of building materials and color consistent with the principal structure and shall be fully enclosed.

(3) The breezeway and the accessory structure are designed, in terms of height and roof pitch, consistent with the principal structure.

(4) If the structure does not meet the above criteria, it shall not be considered part of the principal structure, and must meet all setbacks and size requirements of accessory structures.

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(5) Breezeways that are longer than 12 feet, or are not architecturally compatible with the principal structure, shall be considered an accessory structure, and will be counted toward maximum accessory structure square footage.

**Definition to be added to Section 3.02**

**BREEZEWAY.** A roofed passageway, whether fully enclosed or not, less than ten feet wide, in cases where fully enclosed from exterior wall to the opposite exterior wall, or in cases where not enclosed from drip edge to drip edge, constructed for the purposes of connecting and accessing a detached garage or other accessory structure to the principal structure.

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