

Memorandum for the Property Review Commission

Subject: Public Hearing on January 16, 2018

City of Bellbrook

15 East Franklin Street Bellbrook, Ohio 45305

T (937) 848-4666 F (937) 848-5190

www.cityofbellbrook.org

This is to confirm that the Property Review Commission will conduct a public hearing on **January 16, 2018** at **6 PM** to review three property maintenance cases. Please find enclosed an agenda for the meeting, the minutes to approve from August 15, 2017 and case materials.

PRC Case #18-01: 274 Pinegrove Drive (Burton)

This case involves one violation. The violation pertains to outside storage of various items and junk. The property owner was notified about the storage of items in May, June and December. In August his residence was inspected and no violations were found. When re-inspected in December the junk was present on the property. The violation has occurred over several years and has been before the Property Review Commission in past.

PRC Case #18-02: 191 Pinegrove Drive (Brown)

This case involves one violation. The violation pertains to outside storage of various items and junk. The property owner was notified about these violations in April, May and December. The owner sent a letter to us in May stating the issue was resolved. The violation has occurred over several years and has not been resolved.

PRC Case #18-03: 2187 Plantation Trail (Castor)

This case involves two violations. The first violation pertains to stacking of firewood. The second violation pertains to the overgrowth of vegetation. The firewood is being left in the driveway, unstacked. The overgrowth of vegetation is impeding traffic as the growth is over the road. The property owner was notified about these violations in November and December. There has been no attempt to contact us regarding resolving this issue. The violation for the stacking of firewood has occurred over several years.

Please find enclosed the violation letters, case reports, and several pictures for each property.

Please let me know if you have any questions on this material.

Sincerely,

Melissa Jones
Code Enforcement Officer



Bellbrook Property Review Commission Public Hearing January 16, 2018 6 PM

Agenda

- 1. Call to Order
- 2. Roll call
- 3. Approval of prior minutes of August 15, 2017
- 4. Old Business:
- 5. New Business:

PRC Case #18-01: 274 Pinegrove Drive (Burton)

PRC Case #18-02: 191 Pinegrove Drive (Brown)

PRC Case #18-03: 2187 Plantation Trail (Castor)

- 6. Open Discussion
- 7. Adjournment



<u>PUBLIC HEARING MINUTES</u> AUGUST 15, 2017

PRESENT: Ms. Meredith Glick Brinegar

Mr. Robert Middlestetter

Mr. Philip Ogrod

Ms. Sharon Schroder -arrived at 6:05 PM

GUESTS: Mr. John Lowe

Mr. Craig Wilson

CALL TO ORDER:

Chairman Guy called the meeting of the Property Review Commission to order at 6:15 PM and requested questions from the board regarding the prior minutes; hearing none, Chairman Guy moved to approve the prior minutes of January 25, 2017; Mr. Middlestetter seconded the motion. Roll was called. Chairman Guy, yes; Mr. Middlestetter, yes; Ms. Glick Brinegar, yes; Mr. Ogrod, yes, Ms. Schroder, abstain. The motion carried 4-0 with one abstention; the prior minutes stand approved. It is noted for the record that Mr. Don Buczek, Assistant to the City Manager and Ms. Eileen Minamyer, City Board Secretary, were also present at this public hearing.

Chairman Guy requested that those individuals who wished to speak at the hearing this evening to stand and be sworn in at this time. Once the witnesses were duly sworn, Chairman Guy opened the public hearing.

OLD BUSINESS: None

NEW BUSINESS:

PRC CASE #17-04: 136 UPPER HILLSIDE DR (WILSON)

Mr. Buczek stated that this property maintenance case involves two violations. The first violation pertains to a hole in the shed on the property. The property owner was notified about the hole in the shed in May and July. There was also a complaint of carpenter bees in the shed. According to the code, sheds require maintenance and holes can admit rodents and other animals. The second violation pertains to the deteriorating garage doors. The doors are rotting and the paint is peeling. The property owner was notified about this violation in July. This is a vacant rental property. The owner does not live in the city and Mr. Buczek stated that he has not received any communication from him.

Property Review Commission August 15, 2017

Chairman Guy questioned whether the hole in the shed has been repaired. Mr. Buczek stated that the shed has not been repaired. Chairman Guy questioned whether the garage doors have been repaired. Again, Mr. Buczek stated that the garage doors have not been repaired as yet. Mr. Buczek stated that photos of the property are provided for the board. The secretary requested that the property owner come to the podium to answer questions from the Commission members.

Craig Wilson, 1233 Amberwood Ct, Bellbrook, stated that the garage doors are stored in his truck waiting to be installed. Chairman Guy questioned when that installation would occur. Mr. Wilson stated that he is planning to install them the following day. Chairman Guy questioned when the shed would be repaired. Mr. Wilson stated that he would purchase some plywood and cover the hole. Chairman Guy questioned when that would be repaired. Mr. Wilson stated that would take 5 minutes to repair and he would do so the following day. Mr. Middlestetter questioned whether the plywood would be painted to match the color of the shed. Mr. Wilson replied that he would paint the plywood if he could find the paint. Mr. Middlestetter questioned whether the owner was planning to repair the bottom of the shed where it was significantly rotted. Mr. Wilson stated that he would repair the shed as requested also the following day. Mr. Wilson also stated that he will begin the garage door installation tomorrow but is unsure of when it would be completed since he has never done this type of work before. Chairman Guy questioned whether Mr. Wilson could complete the repairs in one week. Mr. Wilson agreed that he could complete the work by August 22nd. Chairman Guy closed the public hearing and requested a motion.

Mr. Middlestetter made a motion directing the owner, Mr. Craig Wilson, to effect all repairs as requested above no later than August 22, 2017; Ms. Glick Brinegar seconded the motion. Roll was called. Mr. Middlestetter, yes; Ms. Glick Brinegar, yes; Mr. Ogrod, yes; Ms. Schroder, yes, Chairman Guy, yes. The motion carried 5-0.

PRC CASE # 17-05: 2313 PORTAGE PATH (BURTON)

Mr. Buczek stated that this case involves two violations. The first violation pertains to outside storage of various items and debris. The second violation pertains to the roof and gutters. There is a hole in the front of the roof and the gutters on the front and rear of the house need to be repaired. There is a section of the rear gutter that is missing. The property owner was notified about these violations in April and June. In May, the owner called to advise that he was meeting with a Greene County official about potential home repair assistance. In June, Mr. Buczek was informed by Greene County that Mr. Burton was not eligible for assistance. It is noted for the record that the owner is not present at this hearing.

John Lowe, 2303 Portage Path, Bellbrook, stated that he lives next door to Mr. Burton. He stated that for their first 10 years, they dealt with the odor from an old septic tank system in the rear yard. Eventually, Greene County required the owner to remove the septic tank and connect to the

Property Review Commission August 15, 2017

main sanitary sewer. Mr. Lowe stated that the house and the yard have been in a continuous state of deterioration for many years: half the gutters are missing from the house, there is a hole in the roof, debris and household items are around the side of the house, 3"-4" of leaves are on the property and a pick-up truck with perhaps expired tags is parked on the side of the garage. Mr. Lowe stated that there was nothing done on the property prior to this meeting. He stated that the owner has been seriously ill and still works at a job. His wife tries to pick up the property as she is able to do so.

Mr. Buczek stated that Greene County Health Department assisted the owner in replacing the septic tank with a connection to the sanitary sewer main. Mr. Burton had requested some assistance due to his low income from Greene County to repair electric, plumbing and possibly a roof. Mr. Buczek stated that the county rejected his request for assistance due to the extremely deteriorated condition of the structure. The Police Department has been working with the owner to repair the truck. The truck has not been driven for @ 3 years. It is currently being used as a trash receptacle. Mr. Buczek stated that he will request that the Police Department issue a 10 day notice to repair the truck; if it is not repaired at the end of the 10 days, it will be towed from the property. Mr. Buczek stated that there are many items on the back patio and on the side of the house that require removal and the gutters and fascia board are still not repaired.

Mr. Middlestetter questioned whether the owner has responded to the violation letters and stated that the property should be maintained. Mr. Buczek stated that he spoke with the owner at the end of May. Mr. Buczek stated that his recommendation is to remand the case to court. Mr. Middlestetter stated that perhaps the owner can get help since they are in a distressed situation; certainly the case will not proceed to court if the violations are resolved. Mr. Buczek stated that if the Commission authorizes court action tonight, then that process can begin. Mr. Ogrod stated that he agrees with the neighbor that the owners have not taken action over a long period of time to maintain the property. Chairman Guy stated that they did make an attempt today even if it is only because of the public hearing. Mr. Middlestetter stated that the Commission has seen this type of action on many cases but it does not solve the issues on the property.

Ms. Glick Brinegar clarified that the court action is recommended since the owner is not attempting to maintain the property or the home; however, if there was intention to repair, it would give the Commission more latitude to work with the owner toward a resolution. Ms. Schroder stated that the owners do have financial and health issues which matters to the Commission in terms of their willingness to work with the owner. However, Ms. Schroder stated that the owners have not contacted the city offices and are not in attendance tonight to provide reasons for the delay with repairs or clean-up.

Chairman Guy requested additional board discussion; hearing none, he requested a motion regarding this case. Mr. Ogrod moved to remand the case to the City Prosecutor for resolution; Ms. Schroder seconded the motion. Roll was called. Mr. Ogrod, yes; Ms. Schroder, yes; Mr. Glick Brinegar, yes; Mr. Middlestetter, yes; Chairman Guy, yes. The motion carried 5-0.

Property Review Commission August 15, 2017

OPEN DISCUSSION:

Mr. Buczek provided an update of past PRC cases for the Commission's information. There was also discussion of re-structuring meeting dates for public hearings due to administrative staff changes.

ADJOURNMENT:

There being no further business to discuss, Mr. Ogrod adjourned the meeting at 7:09 PM.

Mel	8/22/17	
Robert Guy, Chairman	Date	
Eleson firesen	8/22/17	
Eileen Minamyer, Secretary	Date	

PRC Case #18-01: 274 Pinegrove Drive (Burton)

		Pro	perty Complain	t	
Complaint Number			Complaint Date System Entry Date		stem Entry Date
33			5/10/2017		5/10/2017
Complainant					
First Name	Last Name	St Number	Street Name	City	State Zip Code
Mel	Metzler	288	Upper Hillside Dr	Bellbrook	OH 45305
Phone	Email				
6	57-7116				
Complaint					
First Name	Last Name	St Number	Street Name	City	State Zip Code
Richard & Ruth	Burton	274	Pinegrove Dr	Bellbrook	OH 45305
- Outside storage, deb	oris		-2		
Contact Prop Owner?	If Yes, express co	oncerns in writing	g:		
Action taken to reme	dy problem				
Acknowledgement to		te Letter	Phone Call / In Person I	Discussion	
Inspec Date 1 Inspec DB	Inspec Date 2 6/9/201		Inspec Date 3 8/3/2017 Inspector DB		
Violation: Prop Maint ✓	Violation: Zoning	Violation: Store	mwater		
Violation Description					
- Outside Storage - In residential zones, all outdoor storage shall be effectively screened from view and storage of miscellaneous items must be within enclosed structures or screened as required in the Zoning Code. No person shall accumulate, cause to be accumulated, or allow to be accumulated junk upon any property located within the City. (1450.31 (j))					
Action Requested					
 Remove all junk items from view along the side of the house. This includes all items that are not meant to be kept outside including mowers, tires, air compressor, buckets and other items. Cover the boat with a tight fitting cover or tarp. 					
5/12/2017	on 1 Date 6/2/2017	Letter 2	Action 2 Date 6/16/2017	Let	Action 3 Date 12/12/2017
Disposition					
Disposition Date	Disposition: Resolve	ed Disposition:	Prop Rev Comm Dispos	sition: Prosecutor	

Property Owner Zip Code **First Name Last Name Address** City State 0 **First Name Last Name Address** City State **Zip Code** 0 Foreclosure **First Name Address** City **Zip Code Last Name** State

0

Property Complaint

Notes

2017-06-09 DB inspected. Items remain. Richard was in driveway-no pictures taken.

Original Complaint - - Remove all junk items from view along the front and side of the house. This includes all items that are not meant to be kept outside including push mowers, ladders, tires, fishing poles, animal crates, tires, shelves, cabinets, buckets and other items.

2017-06-30 Richard came to the office. Richard complained about Mel's retaining wall block and downspouts being on his property. See complaint #63. He will be out of town for 30 days returning mid-July for medical treatment.

2017-08-03 Most items removed. Re-inspect.

2017-12-12 re-inspected, junk is still accumulating on side yard. Boat shows no sign of tarp. Will resend out letter regarding next step to PRCH if not completed by 01/01/2018. (MJ)

May 12, 2017



Richard & Ruth Burton 274 Pinegrove Dr Bellbrook, OH 45305 City of Bellbrook 15 East Franklin Street Bellbrook, Ohio 45305

T (937) 848-4666 F (937) 848-5190

www.cityofbellbrook.org

Property Maintenance Violation

This is to notify you that the property located at 274 Pinegrove Dr, Bellbrook, OH 45305, is in violation of the Property Maintenance Code. Property information of the City of Bellbrook and Greene County indicate that you are the owner of record for this address.

Violation(s):

- Outside Storage - In residential zones, all outdoor storage shall be effectively screened from view and storage of miscellaneous items must be within enclosed structures or screened as required in the Zoning Code. No person shall accumulate, cause to be accumulated, or allow to be accumulated junk upon any property located within the City. (1450.31 (j))

Please take the following action(s) by 6/2/2017:

- Remove all junk items from view along the front and side of the house. This includes all items that are not meant to be kept outside including push mowers, ladders, tires, fishing poles, animal crates, tires, shelves, cabinets, buckets and other items.
- Cover the boat with a tight fitting cover or tarp.

Thank you for your assistance with this issue.

Don Buczek Assistant to the City Manager

After the violation has been confirmed, a Property Maintenance Notice of Violation will be issued allowing a reasonable time to correct the violation (1450.11 (C)(4)). If the violator decides to appeal, he/she has 20 days to submit a written appeal to the Code Official (1450.11 (C)(5)). If the violator does not submit a written appeal and does not correct the violation, the case is forwarded on to the Bellbrook Property Review Commission for a public hearing and decision by the Board (Sec. 1450.03 (B)(2)).

<u>APPEAL TO PROPERTY MAINTENANCE NOTICE OF VIOLATION AND HEARING BY BPRC</u>

If the violator submits a written appeal to the Code Official, the Bellbrook Property Review Commission must set a hearing date for the appeal within 30 days of receipt of the petition. If the Board denies the appeal, the applicant has 10 days (Zoning 20.11) to appeal this decision to the Court of Common Pleas of Greene County. If the applicant does appeal, the decision of Court would rule.

DEBRIS REMOVAL OPTIONS

<u>Bulk Pick Up</u>: furniture, appliances and other bulky items can be picked up by Rumpke free of charge for residential customers. A fee may apply for certain appliances. This can be done by scheduling a bulk pick up by calling Rumpke at (800) 223-3960.

<u>Yard Waste</u>: residents may dispose of yard waste with Greene County which accepts leaves, grass and brush no longer than 4 feet and no more than 4 inches in diameter. The Greene County central site is located at 2145 Greene Way Blvd. in Xenia. Call Greene County Environmental Services at (937) 562-5925 for more information.

June 9, 2017



Richard & Ruth Burton 274 Pinegrove Dr Bellbrook, OH 45305 **City of Bellbrook** 15 East Franklin Street Bellbrook, Ohio 45305

T (937) 848-4666 F (937) 848-5190

www.cityofbellbrook.org

Property Maintenance Violation

This is to notify you that the property located at 274 Pinegrove Dr, Bellbrook, OH 45305, is in violation of the Property Maintenance Code. Property information of the City of Bellbrook and Greene County indicate that you are the owner of record for this address. This letter is in follow up to my previous letter sent to you on 5/12/2017.

Violation(s):

- Outside Storage - In residential zones, all outdoor storage shall be effectively screened from view and storage of miscellaneous items must be within enclosed structures or screened as required in the Zoning Code. No person shall accumulate, cause to be accumulated, or allow to be accumulated junk upon any property located within the City. (1450.31 (j))

Please take the following action(s) by 6/16/2017:

- Remove all junk items from view along the front and side of the house. This includes all items that are not meant to be kept outside including push mowers, ladders, tires, fishing poles, animal crates, tires, shelves, cabinets, buckets and other items.
- Cover the boat with a tight fitting cover or tarp.

The next course of action will be a public hearing before the Property Review Commission (see the Enforcement Procedures on the next page). To find an alternate resolution, please contact me as soon as possible.

Thank you for your assistance with this issue.

Don Buczek Assistant to the City Manager

After the violation has been confirmed, a Property Maintenance Notice of Violation will be issued allowing a reasonable time to correct the violation (1450.11 (C)(4)). If the violator decides to appeal, he/she has 20 days to submit a written appeal to the Code Official (1450.11 (C)(5)). If the violator does not submit a written appeal and does not correct the violation, the case is forwarded on to the Bellbrook Property Review Commission for a public hearing and decision by the Board (Sec. 1450.03 (B)(2)).

APPEAL TO PROPERTY MAINTENANCE NOTICE OF VIOLATION AND HEARING BY BPRC

If the violator submits a written appeal to the Code Official, the Bellbrook Property Review Commission must set a hearing date for the appeal within 30 days of receipt of the petition. If the Board denies the appeal, the applicant has 10 days (Zoning 20.11) to appeal this decision to the Court of Common Pleas of Greene County. If the applicant does appeal, the decision of Court would rule.

DEBRIS REMOVAL OPTIONS

<u>Bulk Pick Up</u>: furniture, appliances and other bulky items can be picked up by Rumpke free of charge for residential customers. A fee may apply for certain appliances. This can be done by scheduling a bulk pick up by calling Rumpke at (800) 223-3960.

<u>Yard Waste</u>: residents may dispose of yard waste with Greene County which accepts leaves, grass and brush no longer than 4 feet and no more than 4 inches in diameter. The Greene County central site is located at 2145 Greene Way Blvd. in Xenia. Call Greene County Environmental Services at (937) 562-5925 for more information.

December 12, 2017



Richard & Ruth Burton 274 Pinegrove Dr Bellbrook, OH 45305 **City of Bellbrook** 15 East Franklin Street Bellbrook, Ohio 45305

T (937) 848-4666 F (937) 848-5190

www.cityofbellbrook.org

Property Maintenance Violation

This is to notify you that the property located at 274 Pinegrove Dr, Bellbrook, OH 45305, is in violation of the Property Maintenance Code. Property information of the City of Bellbrook and Greene County indicate that you are the owner of record for this address. This letter is in follow up to my previous letter(s) sent to you on 5/12/2017 and 6/09/2017.

Violation(s):

- Outside Storage - In residential zones, all outdoor storage shall be effectively screened from view and storage of miscellaneous items must be within enclosed structures or screened as required in the Zoning Code. No person shall accumulate, cause to be accumulated, or allow to be accumulated junk upon any property located within the City. (1450.31 (j))

Please take the following action(s) by 1/1/2018:

- Remove all junk items from view along the side of the house. This includes all items that are not meant to be kept outside including mowers, tires, air compressor, buckets and other items.
- Cover the boat with a tight fitting cover or tarp.

The next course of action will be a public hearing before the Property Review Commission on January 16, 2018 (see the Enforcement Procedures on the next page). To find an alternate resolution, please contact me as soon as possible.

Thank you for your assistance with this issue.

Melissa Jones Code Enforcement Officer

After the violation has been confirmed, a Property Maintenance Notice of Violation will be issued allowing a reasonable time to correct the violation (1450.11 (C)(4)). If the violator decides to appeal, he/she has 20 days to submit a written appeal to the Code Official (1450.11 (C)(5)). If the violator does not submit a written appeal and does not correct the violation, the case is forwarded on to the Bellbrook Property Review Commission for a public hearing and decision by the Board (Sec. 1450.03 (B)(2)).

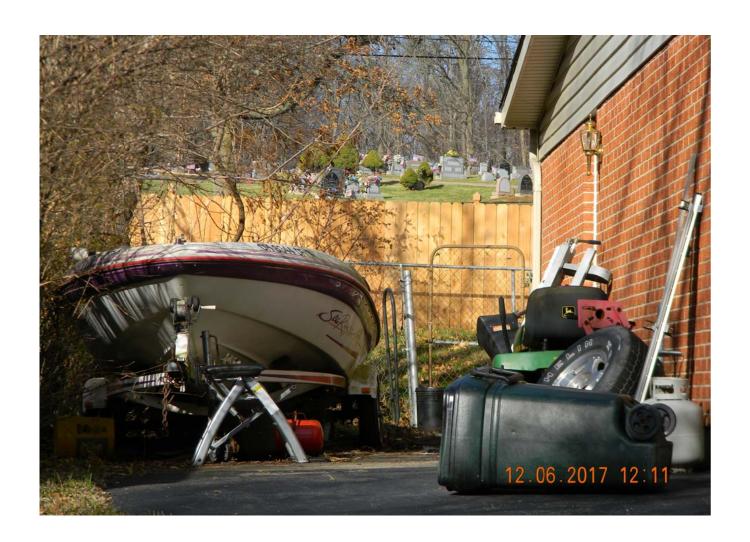
APPEAL TO PROPERTY MAINTENANCE NOTICE OF VIOLATION AND HEARING BY BPRC

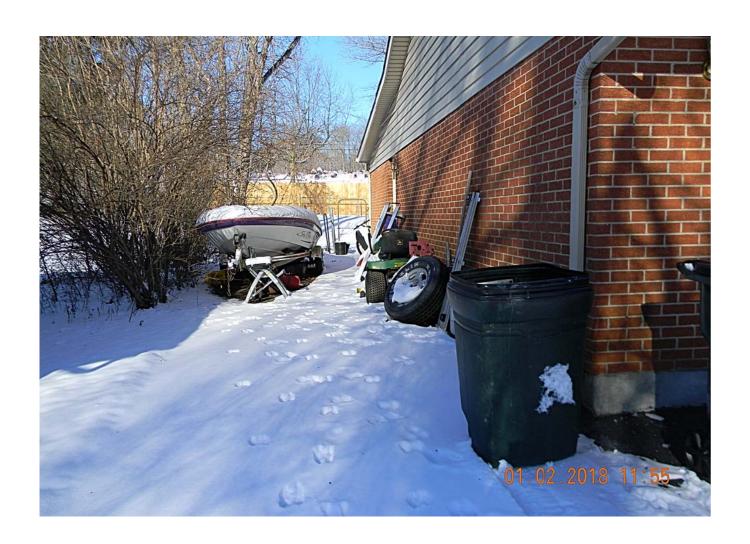
If the violator submits a written appeal to the Code Official, the Bellbrook Property Review Commission must set a hearing date for the appeal within 30 days of receipt of the petition. If the Board denies the appeal, the applicant has 10 days (Zoning 20.11) to appeal this decision to the Court of Common Pleas of Greene County. If the applicant does appeal, the decision of Court would rule.

DEBRIS REMOVAL OPTIONS

<u>Bulk Pick Up</u>: furniture, appliances and other bulky items can be picked up by Rumpke free of charge for residential customers. A fee may apply for certain appliances. This can be done by scheduling a bulk pick up by calling Rumpke at (800) 223-3960.

<u>Yard Waste</u>: residents may dispose of yard waste with Greene County which accepts leaves, grass and brush no longer than 4 feet and no more than 4 inches in diameter. The Greene County central site is located at 2145 Greene Way Blvd. in Xenia. Call Greene County Environmental Services at (937) 562-5925 for more information.





PRC Case #18-02: 191 Pinegrove Drive (Brown)

		Pro	operty Compl	aint		
Complaint Nu	mber 10	Comp	laint Date 4/7/201	<u> </u>	System Entry Da	te 4/7/2017
Complainant						
First Name	Last Name	St Number	Street Name	City	State	Zip Code
THSC Name	City of Bellbrook	0	Bellbrook	Bellbrook	ОН	45305
Phone	Email					
Complaint						
First Name Adam	Last Name Brown	St Number 191	Street Name Pinegrove Dr	City Bellbrook	State OH	Zip Code 45305
Action taken to a Acknowledgeme Inspec Date 1 4/7/2017	remedy problem nt to Complainant Da nspector Inspec Date					
Violation: Prop N ✓						
be within enclose	e - In residential zones, all	as required in the	e Zoning Code. No per	reened from view and storson shall accumulate, can	_	
	sed trash can, tubs, cool			items from view. This is a	·	
4/7/2017	Action 1 Date 4/28/2017	Letter 5	2 Date Action 2 Da 5/4/2017 1/1/2		12/12/2017 Acc	1/1/2018
Disposition Disposition Date	Disposition: Resolv	ved Disposition:	Prop Rev Comm	Disposition: Prosecutor		

Property Owner Last Name Zip Code **First Name Address** City State 0 City **First Name Last Name Address** State **Zip Code** 0 Foreclosure **First Name Last Name Address** City State **Zip Code** 0

Property Complaint

Notes

2017-12-12 Original Action requested:- Remove the temporary shed/tent from the property or from view. Also, remove the unused trash cans and tubs, push mower, gas can and other items from view. This is a repeat violation from 2016. The temporary shed/tent is not permitted on the side of the house. If you desire to have a temporary shed/tent, you will need to optain a Zoning Permit and Ouside Storage.

2017-12-12 - Junk is still accumultaing on side of house. Two previous letters sent. Will resend another letter regarding Outside Storage and next step PRCH if not completed by 01/01/2018. (MJ)

April 7, 2017



Adam Brown 191 Pinegrove Dr Bellbrook, OH 45305 City of Bellbrook
15 East Franklin Street
Bellbrook, Ohio 45305

T (937) 848-4666 F (937) 848-5190

www.cityofbellbrook.org

Property Maintenance Violation

This is to notify you that the property located at 191 Pinegrove Dr, Bellbrook, OH 45305, is in violation of the Property Maintenance Code. Property information of the City of Bellbrook and Greene County indicate that you are the owner of record for this address.

Violation(s):

- Outside Storage - In residential zones, all outdoor storage shall be effectively screened from view and storage of miscellaneous items must be within enclosed structures or screened as required in the Zoning Code. No person shall accumulate, cause to be accumulated, or allow to be accumulated junk upon any property located within the City. (1450.31 (j))

Please take the following action(s) by 4/28/2017:

- Remove the temporary shed/tent from the property or from view. Also, remove the unused trash cans and tubs, push mower, gas can and other items from view. This is a repeat violation from 2016. The temporary shed/tent is not permitted on the side of the house. If you desire to have a temporary shed/tent, you will need to optain a Zoning Permit.

Thank you for your assistance with this issue.

Don Buczek
Assistant to the City Manager

After the violation has been confirmed, a Property Maintenance Notice of Violation will be issued allowing a reasonable time to correct the violation (1450.11 (C)(4)). If the violator decides to appeal, he/she has 20 days to submit a written appeal to the Code Official (1450.11 (C)(5)). If the violator does not submit a written appeal and does not correct the violation, the case is forwarded on to the Bellbrook Property Review Commission for a public hearing and decision by the Board (Sec. 1450.03 (B)(2)).

<u>APPEAL TO PROPERTY MAINTENANCE NOTICE OF VIOLATION AND HEARING BY BPRC</u>

If the violator submits a written appeal to the Code Official, the Bellbrook Property Review Commission must set a hearing date for the appeal within 30 days of receipt of the petition. If the Board denies the appeal, the applicant has 10 days (Zoning 20.11) to appeal this decision to the Court of Common Pleas of Greene County. If the applicant does appeal, the decision of Court would rule.

DEBRIS REMOVAL OPTIONS

<u>Bulk Pick Up</u>: furniture, appliances and other bulky items can be picked up by Rumpke free of charge for residential customers. A fee may apply for certain appliances. This can be done by scheduling a bulk pick up by calling Rumpke at (800) 223-3960.

<u>Yard Waste</u>: residents may dispose of yard waste with Greene County which accepts leaves, grass and brush no longer than 4 feet and no more than 4 inches in diameter. The Greene County central site is located at 2145 Greene Way Blvd. in Xenia. Call Greene County Environmental Services at (937) 562-5925 for more information.

May 4, 2017



Adam Brown 191 Pinegrove Dr Bellbrook, OH 45305 City of Bellbrook 15 East Franklin Street Bellbrook, Ohio 45305 T (937) 848-4666

F (937) 848-5190

www.cityofbellbrook.org

Property Maintenance Violation

This is to notify you that the property located at 191 Pinegrove Dr, Bellbrook, OH 45305, is in violation of the Property Maintenance Code. Property information of the City of Bellbrook and Greene County indicate that you are the owner of record for this address. This letter is in follow up to my previous letter sent to you on 4/7/2017.

Violation(s):

- Outside Storage - In residential zones, all outdoor storage shall be effectively screened from view and storage of miscellaneous items must be within enclosed structures or screened as required in the Zoning Code. No person shall accumulate, cause to be accumulated, or allow to be accumulated junk upon any property located within the City. (1450.31 (j))

Please take the following action(s) by 5/12/2017:

- Remove the temporary shed/tent from the property or from view.

This letter is a repeat of the violation from 2016 because you have not completed the required tasks. You did place the items in the temporary shed/tent back in 2016 prior to our November 1 Property Review Commission hearing, but you did not obtain a Zoning Permit and the shed was not in a permitted location on your property. This is why we are addressing this issue with you again, not because a neighbor has complained. I am asking you to remove the tarp (from the temporary shed) because it is not the intended use of the shed and it is unsightly. It is not the inteded use because that tarp (and it is large) is meant to be applied to a standing frame. This material is just lying on the ground. I don't consider this to be related to covering a stack of firewood which is usually much smaller and compact than your shed. If you disagree with this assessment, you may present your disagreement to our Property Review Commission during a public meeting and they can make a determination. If you need to have a shed, you need to speak with our Zoning Inspector about obtaining a permit. She has already supplied you with the necessary information. At the current time, you have not inquired about a permit. If the items under the tarp need to be covered, either place them inside or remove them from the property.

I would like to speak with you about your May 2 fax to allow myself a chance to respond to the various concerns you have mentioned. You can contact me at the number above.

The next course of action will be a public hearing before the Property Review Commission (see the Enforcement Procedures on the next page). To find an alternate resolution, please contact me as soon as possible.

If you have questions about this, please call me at the number above.

Thank you for your assistance with this issue.

Don Buczek Assistant to the City Manager

After the violation has been confirmed, a Property Maintenance Notice of Violation will be issued allowing a reasonable time to correct the violation (1450.11 (C)(4)). If the violator decides to appeal, he/she has 20 days to submit a written appeal to the Code Official (1450.11 (C)(5)). If the violator does not submit a written appeal and does not correct the violation, the case is forwarded on to the Bellbrook Property Review Commission for a public hearing and decision by the Board (Sec. 1450.03 (B)(2)).

APPEAL TO PROPERTY MAINTENANCE NOTICE OF VIOLATION AND HEARING BY BPRC

If the violator submits a written appeal to the Code Official, the Bellbrook Property Review Commission must set a hearing date for the appeal within 30 days of receipt of the petition. If the Board denies the appeal, the applicant has 10 days (Zoning 20.11) to appeal this decision to the Court of Common Pleas of Greene County. If the applicant does appeal, the decision of Court would rule.

DEBRIS REMOVAL OPTIONS

<u>Bulk Pick Up</u>: furniture, appliances and other bulky items can be picked up by Rumpke free of charge for residential customers. A fee may apply for certain appliances. This can be done by scheduling a bulk pick up by calling Rumpke at (800) 223-3960.

<u>Yard Waste</u>: residents may dispose of yard waste with Greene County which accepts leaves, grass and brush no longer than 4 feet and no more than 4 inches in diameter. The Greene County central site is located at 2145 Greene Way Blvd. in Xenia. Call Greene County Environmental Services at (937) 562-5925 for more information.

December 12, 2017



Adam Brown 191 Pinegrove Dr Bellbrook, OH 45305 City of Bellbrook 15 East Franklin Street Bellbrook, Ohio 45305

T (937) 848-4666 F (937) 848-5190

www.cityofbellbrook.org

Property Maintenance Violation

This is to notify you that the property located at 191 Pinegrove Dr, Bellbrook, OH 45305, is in violation of the Property Maintenance Code. Property information of the City of Bellbrook and Greene County indicate that you are the owner of record for this address. This letter is in follow up to my previous letter(s) sent to you on 4/7/2017 and 6/09/2017.

Violation(s):

- Outside Storage - In residential zones, all outdoor storage shall be effectively screened from view and storage of miscellaneous items must be within enclosed structures or screened as required in the Zoning Code. No person shall accumulate, cause to be accumulated, or allow to be accumulated junk upon any property located within the City. (1450.31 (j))

Please take the following action(s) by 1/1/2018:

Remove the unused trash can, tubs, cooler, bottles, wood, shovel and all other items from view. This is a repeat violation from 2016.

The next course of action will be a public hearing before the Property Review Commission on January 16, 2018 (see the Enforcement Procedures on the next page). To find an alternate resolution, please contact me as soon as possible.

Thank you for your assistance with this issue.

Melissa Jones
Code Enforcement Officer

After the violation has been confirmed, a Property Maintenance Notice of Violation will be issued allowing a reasonable time to correct the violation (1450.11 (C)(4)). If the violator decides to appeal, he/she has 20 days to submit a written appeal to the Code Official (1450.11 (C)(5)). If the violator does not submit a written appeal and does not correct the violation, the case is forwarded on to the Bellbrook Property Review Commission for a public hearing and decision by the Board (Sec. 1450.03 (B)(2)).

APPEAL TO PROPERTY MAINTENANCE NOTICE OF VIOLATION AND HEARING BY BPRC

If the violator submits a written appeal to the Code Official, the Bellbrook Property Review Commission must set a hearing date for the appeal within 30 days of receipt of the petition. If the Board denies the appeal, the applicant has 10 days (Zoning 20.11) to appeal this decision to the Court of Common Pleas of Greene County. If the applicant does appeal, the decision of Court would rule.

DEBRIS REMOVAL OPTIONS

<u>Bulk Pick Up</u>: furniture, appliances and other bulky items can be picked up by Rumpke free of charge for residential customers. A fee may apply for certain appliances. This can be done by scheduling a bulk pick up by calling Rumpke at (800) 223-3960.

<u>Yard Waste</u>: residents may dispose of yard waste with Greene County which accepts leaves, grass and brush no longer than 4 feet and no more than 4 inches in diameter. The Greene County central site is located at 2145 Greene Way Blvd. in Xenia. Call Greene County Environmental Services at (937) 562-5925 for more information.



fax

TO:	Ms. Minamyer	FROM:	Adam R. Brown JSS	
FAX:	937-848-5190	PAGES:	2	
PHONE:	,	DATE:	5/1/2017	
RE:	Property Violation	CC:		
Surge	ent For Review	Please Comment	Please Reply	Please Recycle
Commer	nts:			

No.: R766

05-02-17;04:08AM; ; 513-932-9585 # 2/

191 Pinegrove Drive Bellbrook, OH 45305

May 1, 2017

Ms. Minamyer,

Please use the below as my communication regarding the complaint and forward to members of the zoning board.

I apologize that this has gone this far. It was my belief that I had this issue cleared up and taken care of. When I received the notice to take down the portable garage that you have been consistently referring to as a shed/tent I did as directed and it has been down since that time. I have been waiting to get a good map of the property from the current survey so that I am fully aware of where the property line is. I was told when I purchased the residence that the fence was not in the property line but on my property as the trees themselves made the property line. If the trees make the line then having my portable garage where it is falls within the 8ft required for the zoning permit however if we are using the fence line as the dividing line then the space then it will not be within the 8ft regulation. I find it a waste of the zoning staffs time to request a permit for the temporary structure if I am not going to be within the zoning guidelines. I have left the tarp down covering the items that were under it at the time I was told to take it down. Since others in my neighborhood have wood piles covered by tarps and they have not been given violation notices I felt that this was going to be acceptable until the property line question could be answered.

The other items have been removed from view, however the trash cans have stayed. I find it disheartening that I am asked to remove a push lawnmower that just happened to be there the day that Mr. Buczek drove past my residence. The engine on mowers gets warm when you use them so I typically take the safety step to allow the mower to cool before I put it into my garage. Working a night shift job I sleep during the day because I am up all night, sometimes that means the mower will sit out until I get home from work in the morning because I do not see it to put it away before work.

You mention in the violation letter that this is a repeat violation which leads me to believe that I am being singled out or targeted. As I drive through the city with my kids I see plenty of mowers that are left out, plenty of trash cans that are on the side of the house, lawns that are not mowed. Just in my neighborhood alone I pass cars that have been parked on the street for weeks at a time without moving, pickup truck beds piled full of trash slttling in driveways that have not moved in months, a large pile of brush along a fence that has been there since at least the fall, and a driveway that has been torn up for weeks. To my knowledge none of these people have been issued zoning violation letters with these violations, however I keep receiving mail about mine. Back in 2016 I was issued a violation for a bush pile, which had been there since I purchased the property back in 2005. From the time I moved into the residence at the end of 2005 until September of 2016 I had not been issued any maintenance violations, yet nothing had changed about how things were done at my house. It is obvious that someone has an

05/02/2017 04:29 No.: R766 P.002/003

issue with me and the city, specifically the zoning board, is allowing someone's personal vendetta against me to interfere with what is usually a great town to live in.

No.: R766

Sincerely,

Adam Brown



fax

TO:	Meltssa Jones	FROM:	Adam R. Brown	
FAX:	937-848-5190	PAGES:	2 (including this cover)	
PHONE:		DATE:	1/2/2018	
RE:	Property Violation	CC:	Names	
Urgen	t For Review	Please Comment	Please Reply	Please Recycle

Comments: Please see attached. Thanks

No.: R104 L1

01-03-18;03:42AM; ; 513-932-9585 # 2/ 2

Mrs. Jones.

Please accept my deepest apologies for the delay in getting back to you. The fine folks at the USPS managed to promptly deliver your letter to me December 22nd, and with the holidays and kids I am just now getting around to getting this addressed. I apologize that this issue keeps returning as I am not sure what neighbor I have upset, I have my suspicions and it is the same one as before, but it is starting to become a bit on the ridiculous side. The sad part of this notice is that the trashcans are in the same location as they were before and that was acceptable and the "unused tubs" have not moved since probably May. Both of these above examples show that after the notification was sent in June these were deemed ok but now they are not. Each time that I have received a notification I have addressed the issue, but at this point I feel like I am being targeted or picked on by whoever is making these notifications. It is now starting to border in harassment. I find it difficult to understand why I keep being targeted for these violations yet my neighbor at 208 Plnegrove continues to leave his pickup parked In front of his residence and have it not move for weeks at a time. This is an issue for the kids getting on and off the bus since the stop is directly across the street. In the last letter I sent I made mention to this safety issue with my kids riding their bikes on the street as well as walking on the street yet I have not seen anything being done about this issue. In addition, the property at 208 Pinegrove has their trash cans on the side of their house out in full view, pallets leaning against the back fence, as well as a wooden swing set that is in complete disrepair, yet I am not aware of any violation notices being sent for these issues. Additionally the property at 16 Upper Hillside has vehicles that have not moved in so long you can see the path left by the streetsweeper around them. Until last week there have been 2 vehicles parked there that I have not seen moved in so long I cannot remember when I last saw them running, the white Ford has been there so long that it is in the exact same place on the GIS map as it is currently. I am not sure how the resident at 26 Upper Hillside manages to back out of their driveway without being struck by a vehicle that is eastbound on Upper Hillside. Additionally that address has piles of wood on the property line year round, yet as far as I know they have not received violation notices for these issues. These are just a few examples from just in my neighborhood of other property issues yet they do not seem to be targeted by enforcement.

In regards to this notification:

The shovel has been removed from view

The sticks will be bundled up and taken care of as soon as the snow melts enough to locate them. The trash cans will be moved along the side of the garage since that seems to be acceptable for the rest of my neighborhood.

The unused tubs will be taken care of just as soon as they are not frozen to the ground (the same is true for my inflatable husky and Santa, when the stakes are not completely frozen on the ground I will remove it).

If you would like to speak with me further about this please feel free to contact me directly. I work nights so I am typically asleep during the day, and I am the single parent of 2 kids under the age of 10 so after school can be hectic. My home number is 937-848-3786, if I do not answer please feel free to leave me a voice mail with the best times to contact you and I will return the call when I can.

No.: R104 L1

Thanks

01/03/2018 03:48

P.002/002









PRC Case #18-03: 2187 Plantation Trail (Castor)

		Pro	pperty Complaint			
Complaint Number Complaint Date System Entry Date						te
116			11/21/2017		11/22/2017	
Complainant						
First Name	Last Name	St Number	Street Name	City	State	Zip Code
City of Bellbrook		15	E. Franklin Street	Bellbrook	ОН	45305
Phone 937-84	Email 48-4666 m.jones@c	cityofbellbrool	k.org			
Complaint						
First Name Lee & Eileen	Last Name Castor	St Number 2187	Street Name Plantation Trl	City Bellbrook	State OH	Zip Code 45305
Complaint Description	1					
 firewood in driveway overgrown vegetatio Contact Prop Owner?	r (unstacked) n	erns in writin	g?			
Action taken to remed	dy problem					
- Vegetation - All prem Bellbrook Municipal Co	Violation: Zoning Firewood must be stachises and exterior proper ode. All lawns, hedges, and unsightly where expo	ked and piled rty shall be m bushes, trees	Inspec Date 3 12/19/2017 Inspector MJ	d orderly fashion r plant growth in e kept trimmed a	accordance with Cha and shall not be perm	itted to
Action Requested - Stack firewood Maintain plant growt	th by the road and side	of house.				
	n 1 Date 12/2/2017		2 Date Action 2 Date 20/2017 1/1/2018		Letter 3 Date Act	tion 3 Date
	12/2/201/	12/	20,2017			
Disposition Pate	Disposition, Persit	Dienositie	Dron Pou Comme	ion. December		
Disposition Date	Disposition: Resolved	ואsposition:	Prop Rev Comm Disposit	ion: Prosecutor		

Property Owner Last Name Zip Code **First Name Address** City State City **First Name Last Name Address** State **Zip Code** 0 Foreclosure **First Name Last Name Address** City State **Zip Code**

0

Property Complaint

Notes

2017-11-21-observed while driving by; firewood left unstacked in driveway, yard has not been mowed in a while and bushes are overgrown into street (MJ)

2017-11-28 mailed out letter. (MJ)

2017-12-6 Bushes have not been trimmed, grass is compacted from frost/snow (ok at moment) and a new pile of firewood is unstacked in driveway. (MJ)

2017-12-19 Bushes have not been trimmed, grass is compacted from frost/snow (ok at moment) and the pile of firewood is still unstacked in driveway. Mailed out letter regarding next step PRCH if not completed by 1/1/2018. (MJ)

November 28, 2017



Lee & Eileen Castor 2187 Plantation Trl Bellbrook, OH 45305 City of Bellbrook 15 East Franklin Street Bellbrook, Ohio 45305 T (937) 848-4666 F (937) 848-5190

www.cityofbellbrook.org

Property Maintenance Violation

This is to notify you that the property located at 2187 Plantation Trl, Bellbrook, OH 45305, is in violation of the Property Maintenance Code. Property information of the City of Bellbrook and Greene County indicate that you are the owner of record for this address.

Violation(s):

- Sorage of firewood Firewood must be stacked and piled in a reasonably compact and orderly fashion. Sec. 1450.31(k)
- Vegetation All premises and exterior property shall be maintained free from weeds or plant growth in accordance with Chapter 678 of the Bellbrook Municipal Code. All lawns, hedges, bushes, trees and other vegetation shall be kept trimmed and shall not be permitted to become overgrown and unsightly where exposed to public view or where such vegetation may constitute a blighting influence on adjoinging property. (1450.31(d)).

Please take the following action(s) by 12/2/2017:

- Stack firewood.
- Maintain plant growth by the road and side of house.

Thank you for your assistance with this issue.

Melissa Jones Code Enforcement Officer

After the violation has been confirmed, a Property Maintenance Notice of Violation will be issued allowing a reasonable time to correct the violation (1450.11 (C)(4)). If the violator decides to appeal, he/she has 20 days to submit a written appeal to the Code Official (1450.11 (C)(5)). If the violator does not submit a written appeal and does not correct the violation, the case is forwarded on to the Bellbrook Property Review Commission for a public hearing and decision by the Board (Sec. 1450.03 (B)(2)).

<u>APPEAL TO PROPERTY MAINTENANCE NOTICE OF VIOLATION AND HEARING BY BPRC</u>

If the violator submits a written appeal to the Code Official, the Bellbrook Property Review Commission must set a hearing date for the appeal within 30 days of receipt of the petition. If the Board denies the appeal, the applicant has 10 days (Zoning 20.11) to appeal this decision to the Court of Common Pleas of Greene County. If the applicant does appeal, the decision of Court would rule.

DEBRIS REMOVAL OPTIONS

<u>Bulk Pick Up</u>: furniture, appliances and other bulky items can be picked up by Rumpke free of charge for residential customers. A fee may apply for certain appliances. This can be done by scheduling a bulk pick up by calling Rumpke at (800) 223-3960.

<u>Yard Waste</u>: residents may dispose of yard waste with Greene County which accepts leaves, grass and brush no longer than 4 feet and no more than 4 inches in diameter. The Greene County central site is located at 2145 Greene Way Blvd. in Xenia. Call Greene County Environmental Services at (937) 562-5925 for more information.

December 20, 2017



Lee & Eileen Castor 2187 Plantation Trl Bellbrook, OH 45305 City of Bellbrook 15 East Franklin Street Bellbrook, Ohio 45305 T (937) 848-4666

F (937) 848-5190

www.cityofbellbrook.org

Property Maintenance Violation

This is to notify you that the property located at 2187 Plantation Trl, Bellbrook, OH 45305, is in violation of the Property Maintenance Code. Property information of the City of Bellbrook and Greene County indicate that you are the owner of record for this address. This letter is in follow up to my previous letter sent to you on 11/28/2017.

Violation(s):

- Storage of firewood Firewood must be stacked and piled in a reasonably compact and orderly fashion. Sec. 1450.31(k)
- Vegetation All premises and exterior property shall be maintained free from weeds or plant growth in accordance with Chapter 678 of the Bellbrook Municipal Code. All lawns, hedges, bushes, trees and other vegetation shall be kept trimmed and shall not be permitted to become overgrown and unsightly where exposed to public view or where such vegetation may constitute a blighting influence on adjoinging property. (1450.31(d)).

Please take the following action(s) by 1/1/2018:

- Stack firewood.
- Maintain plant growth by the road and side of house.

The next course of action will be a public hearing before the Property Review Commission on January 16, 2018 (see the Enforcement Procedures on the next page). To find an alternate resolution, please contact me as soon as possible.

Thank you for your assistance with this issue.

Melissa Jones
Code Enforcement Officer

After the violation has been confirmed, a Property Maintenance Notice of Violation will be issued allowing a reasonable time to correct the violation (1450.11 (C)(4)). If the violator decides to appeal, he/she has 20 days to submit a written appeal to the Code Official (1450.11 (C)(5)). If the violator does not submit a written appeal and does not correct the violation, the case is forwarded on to the Bellbrook Property Review Commission for a public hearing and decision by the Board (Sec. 1450.03 (B)(2)).

APPEAL TO PROPERTY MAINTENANCE NOTICE OF VIOLATION AND HEARING BY BPRC

If the violator submits a written appeal to the Code Official, the Bellbrook Property Review Commission must set a hearing date for the appeal within 30 days of receipt of the petition. If the Board denies the appeal, the applicant has 10 days (Zoning 20.11) to appeal this decision to the Court of Common Pleas of Greene County. If the applicant does appeal, the decision of Court would rule.

DEBRIS REMOVAL OPTIONS

<u>Bulk Pick Up</u>: furniture, appliances and other bulky items can be picked up by Rumpke free of charge for residential customers. A fee may apply for certain appliances. This can be done by scheduling a bulk pick up by calling Rumpke at (800) 223-3960.

<u>Yard Waste</u>: residents may dispose of yard waste with Greene County which accepts leaves, grass and brush no longer than 4 feet and no more than 4 inches in diameter. The Greene County central site is located at 2145 Greene Way Blvd. in Xenia. Call Greene County Environmental Services at (937) 562-5925 for more information.









