



City of Dayton

Board of Zoning Appeals

Minute Record Overview

May 23, 2023
4:30 P.M.

Planning Resource Conference Room, City Hall
101 W. Third Street, Dayton, Ohio

Members Present: Mr. Anthony Ciani, Ms. Jaqueline Patterson, Mr. Patrick Martin, Mr. David Brand and Ms. Diane Graham

Members Absent: Ms. Lisa Tingle and Mr. Tim Bement

Mr. Ciani called the meeting to order at 4:00 P.M.

PLN2023-00141 – Conditional Use application to establish an Adult Daycare for the property located 116 Brandt Street within the Transitional Zoning District.

Applicant: Rachele Walder
116 Brandt Street
Dayton, OH 45404

Priority Land Use Board: Northeast

Planning District: Old North Dayton

Decision: Approved with Conditions

The Board of Zoning Appeals meeting was adjourned at 4:49 P.M.

Minutes approved by the Board of Zoning Appeals on June 27, 2023.

Jeff Green, Secretary
Board of Zoning Appeals



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1. BZA CASE# PLN2023-00141; 116 Brandt Street

A Conditional Use request to establish an Adult Daycare for the property located 116 Brandt Street within the Transitional Zoning District.

Applicant	Rachele Walder 116 Brandt Street Dayton, OH 45404
Owner	Douglas and Phyllis Parsons 1536 E 4th Street Dayton OH 45403
Existing Land Use and Zoning:	Vacant Building; T Transitional
Surrounding Land Use and Zoning:	North – Residential; MR-5 Mature Single Family South – Landscaped area; MR-5 Mature Single Family East – Residential; MR-5 Mature Single Family West – Residential/Commercial; MR-5 Mature Single Family
Land Use Committee:	Northeast
Planning District:	Old North Dayton
Planning Staff Contact:	Jeff Green

Mr. Green presented the case.

The applicant, Rachele Walder, requests Conditional Use approval to utilize the property located at the 116 Brandt Street as an adult daycare center within the T-Transitional Zoning District. A children's daycare center, also run by the applicant, would remain with both uses sharing the existing parking area.

Mr. Green presented an overview of the proposal and the site. Mr. Green provided context on the location, zoning, and character of the surrounding area and street. He noted that the Northeast Land Use Board recommended the proposal be approved on condition that the door connecting the children's portion to the proposed adult portion be properly locked and secured.

Mr. Green noted the Transitional Zoning District would prefer uses that are more support oriented in nature for the surrounding residential areas of which a daycare would certainly be appropriate. Of interesting note is that an existing children's daycare is already located on site at 114 Brandt Street, though the buildings are physically connected. Per the submitted application, the proposed adult daycare will have a separate entrance compared to the children's daycare which is appropriate. While the buildings are physically connected, the applicant has advised a door separates the children's side vs the proposed adult side on the

interior of the building. While staff believes the use itself would fit well on the property, having the door that connects the children/adult side removed or equipped with a proper locking mechanism should be considered to ensure the safety of the clientele for both areas.

Mr. Green went over site and indicated portions of the property that could be brought up to code. He noted that these items could be made a condition of approval to further bring the property into compliance with the Zoning Code. Mr. Green stated that staff recommends approval with five conditions relating to bringing the property up to city code.

Public Testimony

Rachele Walder (applicant), 116 Brandt St (Dayton OH), identified herself as the applicant and stated that both the adult and children’s daycare would have their own separate entrance and exits.

The board asked her experience with adult daycare and how many adults would be present. Ms. Walder explained her qualifications and how many adults she would likely have on site in the daycare.

The board asked if sufficient parking was available for pickup and drop-off. Mr. Green noted that he believes sufficient pick-up and drop-off capabilities exist on site and that most times most of the parking area would remain unused.

Board Discussion

The board discussed the proposal noting that the dumpster could remain, but further buffering would be required. The alley as a vehicular ingress/egress point was discussed and whether future plans for it to be widened should come from the engineering division.

Board Decision

A motion was made by Ms. Patterson and seconded by Mr. Brand and carried to determine that there is adequate evidence to make the specified findings required under R.C.G.O. § 150.535 and approve the application as submitted for a Conditional Use with the following conditions:

- 1) The door on the interior of the building connecting the children’s daycare space to the adult daycare space be properly lock and secured.
- 2) The dumpster is screened to meet city standard.
- 3) Overgrowth at the staff parking area along Stanley Avenue be removed and replaced with bushes
- 4) Two street trees of matching species to those already found along this stretch of road, be added along Stanley Avenue
- 5) Parking lot be restriped

Mr. Bement	Absent	Ms. Tingle	Absent
Mr. Brand	Yes	Ms. Patterson	Yes
Ms. Graham	Yes	Mr. Ciani	Yes
Mr. Martin	Yes		

Approved by the Board of Zoning Appeals on June 27, 2023.

Jeff Green, Secretary
Board of Zoning Appeals
