



PLANNING COMMISSION MEETING

Thursday, March 16, 2023, 7:30 PM

CITY HALL

301 SYCAMORE STREET, BROOKVILLE, OHIO 45309

www.brookvilleohio.com

Join Online:

<https://brookvilleoh.webex.com/brookvilleoh/j.php?MTID=m267826e67fa9628afbe28914fc94e612>

Meeting number: 2633 029 3681 Password: 2rRbNJRPd53

Join by phone: +1-415-655-0001 US Toll Access code: 263 302 93681

Agenda

- I. Opening**
 - a. Call to Order
 - b. Pledge of Allegiance
 - c. Roll Call
- II. Adoption of Agenda**
- III. Approval of Minutes**
 - a. Approval of February 16, 2023 Meeting Minutes
- IV. Final Recommendation on proposed Ordinance No. 2023-05**
- V. Storage Unit - 706 Terri Drive**
- VI. Special Use Permit - Mobile Food Truck - 230 Market Street**
- VII. Minor Subdivision - Duncan Record Plan - 333 Maple Street**
- VIII. Reports**
 - a. Law Director
- IX. Old Business**
- X. New Business**
- XI. Adjournment**

Chairperson Ryan Henderson • Mayor Chuck Letner

Members: • Ken Claggett • Ronda Dittrick • Damian Kristof • Curt Schreier

Brookville Planning Commission
Regular Meeting
February 16, 2023

The Regular Meeting of the Brookville Planning Commission was called to order by Chairperson Henderson at 7:30 p.m. on February 16, 2023. The meeting was held in the City Council Chambers and virtually using Webex. The Pledge of Allegiance was recited. Mayor Letner, Members Dittrick, Kristof, Schreier and Law Director Stephan were present. Member Claggett, Manager Keaton and Clerk Duncan were absent.

Roll call by Chairperson Henderson.

Chairperson Henderson announced Planning Commission Member Don Cordes recently passed away. Chairperson Henderson recognized Member Cordes as a valuable member of the community and called for a brief moment of silence in remembrance of him.

Motion by Kristof, second by Schreier to adopt the Agenda as presented. All yeas, motion carried.

Motion by Kristof, second by Schreier to approve the minutes of the January 19, 2023 Planning Commission Meeting. Kristof yea, Letner yea, Schreier yea, Dittrick abstained, Henderson yea. Motion carried with four yeas and one abstention.

Law Director Stephan reported Louisiana Grill, home of Bourbon Chicken, has applied for a renewal of their existing Special Use Permit to operate as a mobile food vendor at 1 McMaken Lane. They have been at this location for several years. There are not any issues with their operations. Mobile food vendors are a Special Use that Planning Commission can approve under Section 1163.03(b)26. Law Director Stephan recommended approval as Louisiana Grill has complied with their permit in the past, and they bring a lot of patrons to McMakens.

Member Schreier asked if it is necessary to have McMakens approval?

Law Director Stephan replied he has their approval.

Motion by Schreier, second by Dittrick to approve the Special Use Permit for Louisiana Grill to operate as mobile food vendor at 1 McMaken Lane. All yeas, motion carried.

Law Director Stephan reported City Council approved the first reading on February 7 of proposed Ordinance No. 2023-05 for the rezoning of the recently annexed 59.401 acres on the corner of Upper Lewisburg-Salem Road and Brookville-Phillipsburg Road, as recommended by Planning Commission. A Public hearing will be held on March 7 at 8:00 p.m. during the City Council Meeting. Law Director Stephan stated Planning Commission should plan to attend this meeting in person or online.

Law Director Stephan reported there is not much activity on his monthly zoning permit report, but activity is starting to increase.

There was no Old Business.

Member Schreier asked if we have ever thought of amending the one-way area in Golden Gate Park as the traffic tends to get backed-up during sporting events.

Discussion followed.

Law Director Stephan stated the one-way traffic was established many years ago. Law Director Stephan stated he can discuss it with Manager Keaton.

Motion by Kristof, second by Schreier to adjourn. All yeas, motion carried.

Kimberly Duncan, Clerk

Ryan Henderson, Chairperson

MEMORANDUM:

DATE: MARCH 10, 2023

TO: CITY OF BROOKVILLE PLANNING COMMISSION

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

RE: FINAL RECOMMENDATION-ORDINANCE 2023-05

Under Section 4.11 of the Charter, Planning Commission is required to make a final recommendation on Ordinance 2023-05 which provides zoning classifications for the newly annexed property on Upper Lewisburg-Salem Road and Brookville-Phillipsburg Rd. A copy of the ordinance is attached hereto. Public comments were received in the public hearing on March 7, 2023. It is requested that Planning Commission would proceed with a final recommendation to City Council on Ordinance 2023-05.

RECORD OF ORDINANCES

BEAR GRAPHICS, 800-328-8094, FORM NO. 30043

Ordinance No. 2023-05

Passed _____, 20____

AN ORDINANCE ESTABLISHING THE ZONING CLASSIFICATION OF LOTS 2749, 2750 AND 2751 OF THE CITY OF BROOKVILLE, OHIO.

WHEREAS, the City of Brookville has recently annexed 59.401 acres located on Brookville-Phillipsburg Rd. and Upper Lewisburg-Salem Rd. in Clay Township, a copy of said annexation map being attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, Section 1117.04(c) of the Code of Ordinances provides that within three months after the effective date of an annexation, Planning Commission shall recommend the appropriate permanent zoning districts for the annexed land; and

WHEREAS, after public hearing on the establishment of a zoning classification of the property as required by Section 4.11 of the Charter, and upon recommendation of Planning Commission, Council hereby adopts this Ordinance to establish zoning classifications for the annexed land.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:

SECTION I: The zoning classification of Lots 2750, 2751, and part of Lot 2749, being approximately 23.4 acres within Lot 2749, are hereby assigned the zoning classification of (GB) General Business District. The remainder of Lot 2749, being approximately 35.5 acres, is hereby assigned the zoning classification of (R-1B) Urban Residential District. The zoning classifications are depicted on the map attached hereto as Exhibit "B" and incorporated herein by reference.

SECTION II: As required by Ohio Revised Code Section 709.023, Council has determined that the owner of the annexed territory shall provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township. The term "buffer" in Ohio Revised Code Section 709.023 includes open space, landscaping, fences, walls, and other structured elements, streets and street right-of-way, and bicycle and pedestrian paths and sidewalks.

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION IV: This Ordinance shall take effect thirty (30) days after passage by the Council of the City of Brookville as provided by the Charter of the City of Brookville.

PASSED this _____ day of _____ 2023.

ATTEST:

Kimberly Duncan, Clerk

Charles Letner, Mayor

BEAR GRAPHICS 800-325-6094 FORM NO. 30043

Kimberly Duncan, Clerk

2022 NOV -7 AM 11:30

59.401 ACRES TOTAL

W. MEYER FARMS, LLC 11190 BALDWIN-FRANKENBURG PIKE BROOKVILLE, OH 45309 IR DEED 20-077895 C04-008-03-0008	CURT P. HEDENFELDER & LISA M. HESCHER 409 GREENTREE DR. CLAYTON, OH 45315 IR DEED 06-015678 C04-009-02-0008	CITY OF BROOKVILLE 301 SYCAMORE ST. BROOKVILLE, OH 45309 IR DEED 22-003013 (10.83) AC DEED C05-001-02-0002
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ALEXANDER J. CLEVICUS &
JENNIFER M. CLEVICUS
7405 BROOKVILLE PHILIPPSBURG RD.
BROOKVILLE, OH 45309
IR DEED 18-038560
006-006-03-0021

RAY D. CORDER &
SUSAN D. CORDER
7405 BROOKVILLE PHILIPPSBURG RD.
BROOKVILLE, OH 45309
IR DEED 05-062681

RAY D. CORDER &
SUSAN D. CORDER
7420 BROOKVILLE PHILIPPSBURG RD.
BROOKVILLE, OH 45305
IR DED 05-002883
004-005-02-0103
004-005-02-0115

MAXX 2. SHOOT 4
 LINDA O. SHOOT
 7400 BROOKVILLE PHILLIPSEURO FIVE
 D.M.F. 89-0409-C05
 C04-C05-02-0137

HARRY ERNEST ARMSTRONG, TRUSTEE & BETTY A. ARMSTRONG, TRUSTEES 7400 BROOKVILLE PHILIPPSBURG RD. BROOKVILLE, OH 45309 IR DIED 11-045240 004-000-03-0065	WILCOX R. SAGOT, FLORENCE L. THOMAS, MAUR L. SAGOT, MICHAEL SAGOT & KIM D. SAGOT 7400 BROOKVILLE PHILIPPSBURG RD. BROOKVILLE, OH 45309 IR DIED 10-031022 004-000-02-0028 004-000-02-0010
DONALD G. SPENGLER & CAROL J. SPENGLER, TRUSTEES	

JARED A. HOOPS &
AMBER L. HOOPS
10047 UPPER LEWISBURD SALEM RD.
BROOKVILLE, OH 45309
IR DEED 19-057313
C04-006-03-0071

ALEXANDER J. CLERICUS &
JENNIFER H. CLERICUS
18 DEED 10-036401

SYCAMORE RIDGE
COMMUNITY CHURCH
IN DEED 04-105836
S/R. 2004/332

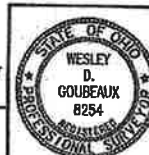
HARRY EDWIN ARMSTRONG, TRUSTEE &
BETTY A. ARMSTRONG, TRUSTEE
IR DEED 11-045249

DONALD O. SCHNEIDER, TRUSTEE &
CAROL J. SCHNEIDER, TRUSTEE
IN DEED 09-037440

I HEREBY CERTIFY THIS PLAT WAS PREPARED IN ACCORDANCE WITH O.A.C. CHAPTER 4733.37 STANDARDS OF PLAT OF SURVEYS AND ALSO CONFORMS TO THE O.R.C. CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND BASED ON ACTUAL FIELDWORK PERFORMED IN FEBRUARY, 2022. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE SET OR TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC.

WESLEY D. GOUBEUX, P.S. #8254

2/8/2022
DATE



ChoiceOne
Engineering

SALES QTD 127,417,020
LAST YR. QTD 127,417,020

DRAWN BY:

RMF

JOB NUMBER:
NOT FOR SALE

SHEET NUMBER

SHEET NUMBER
1 of 1

1 OF 1

PLAT BOOK 214, PAGE 16A
LAND SURVEY 2003-0657
LAND SURVEY 2008-0570
LAND SURVEY 2007-0383
LAND SURVEY 2011-0204
LAND SURVEY 2021-0138

PERIMETER OF ANNEXATION AREA=7361.16 FT.
CONTIGUOUS BOUNDARY WITH CITY=608.42 FT.

① WLW, LLC,
0043 GEORGETOWN-VERONA RD.
LEWISBURG, OH 45338
IR DEED 09-038959
(58.847 AC. DEED)
004-006-03-0007

② CITY OF BROOKVILLE
301 SYCAMORE ST.
BROOKVILLE, OH 45309
IR DEED 08-009391
(2.735 AC. DEED)
C05-001-08-0032

③ CITY OF BROOKVILLE
301 SYCAMORE ST.
BROOKVILLE, OH 45309
IR DEED 22-003013
(18.631 AC. DEED)
C05-001-09-0020

LINE CHART		
LINE	BEARING	DIST.
L1	N00°04'28"E	30.00'

• L.F.S. 5/8" X 30" REBAR
 W/CAP SET
 ○ I.P.F. 5/8" IRON PIN FOUND
 • M.N.S. MAG NAIL SET
 ○ M.N.F. MAG NAIL FOUND
 □ MONUMENT BOX W/P PLACED
 ▨ EXISTING CORP. LIMITS

THE BEARING OF N 89°38'11" E ALONG THE
CENTERLINE OF EAST UPPER LEWISBURG SALEM
ROAD WAS BASED ON NAD 83 CORN 08
ADJUSTMENT, Ohio SOUTH ZONE,
0007 MRS. CORN 08 NETWORK

GRAPHIC SCALE: 1"=200'

PLAT BOOK 240 PAGE:

W. MEYER FARMS, LLC.
IR DEED 20-077995
70.437 ACRES
SUR. 2011/204

①
LOT 2749
51.912 ACRES

**69.401 ACRES TOTAL
TO BE ANNEXED**

W.L.W. LLC
IR DEED 09-038059
58.847 AC. DEED

MARK R. S.
LINDA G.
D.J.F. 99-
3.260 A

RAY D. CORDER &
SUSAN CORDER
D.M.F. 76-0171A01
UH DEED 05-002583

CURT P. HEFELFINGER &
USA M. MESCHER
IR DEED 08-015078
17.83 AC. DEED

DONALD O. SCHNEIDER, TRUSTEE &
CAROL J. SCHNEIDER, TRUSTEE
IN DEED 09-037440

MEMORANDUM:

DATE: MARCH 10, 2023

TO: CITY OF BROOKVILLE PLANNING COMMISSION

FROM: RODNEY L. STEPHAN-LAW DIRECTOR

RE: STORAGE UNIT-706 TERRI DR.

Atlas Restoration & Remodeling, Inc. has filed a special use application to place a portable on-demand storage unit at 706 Terri Dr. This property has suffered extensive water damage, and Atlas Restoration & Remodeling is going to use the storage unit to store furnishings and other household items while they work on remodeling the house. It is anticipated that the restoration work will take several months.

Under Section 1157.09, the zoning officer may approve a temporary permit for thirty (30) days for the portable on-demand storage unit. The Planning Commission may extend the approved time for the permit beyond thirty days. It is requested that Planning Commission would approve extension of the permit to June 15, 2023. This additional time is needed because of the extensive repairs that need to be made to the property, and the uncertainty of when certain materials will be delivered for the project.

City of Brookville

"A Proud and Progressive Community"

Application #SU 23-03

ZONING APPLICATION FOR A SPECIAL USE PERMIT

The undersigned hereby applies for a **SPECIAL USE PERMIT**, to be issued solely on the basis of information contained herein, and with the knowledge that the falsification of any fact or statement submitted with, or within, this application shall render this application null and void. **(PERMIT SHALL EXPIRE IF USE HAS NOT BEGUN WITHIN SIX (6) MONTHS, OR IF DISCONTINUED FOR MORE THAN TWO (2) YEARS.)**

1. Applicant Atlas Restoration & Remodeling, Inc.
2. Applicant address 706 Terri Dr, Brookville OH 45305
3. Phone (Hm) 937-222-2100 (Bus) _____ Interest in property general contractor, repairs for water damage
4. Location or address of property to be affected driveway of home
5. Legal description LOT 2106 - STERLING MEADOWS

6. Present Zoning classification R-1B Existing single family housing
7. Proposed Special Use POD for storage during home repairs for approx 3 months

8. In order for a **SPECIAL USE PERMIT** to be processed, applicant must provide a narrative statement evaluating the effect of such elements as noise, glare, odor, fumes, and vibrations on adjoining property; and discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the Zoning District Map.

16ft POD to be placed in the driveway
to store customer belongings during
home repairs; no known effects to
be caused by the POD. Measures 16'x8'x8'

9. The Planning Commission shall establish beyond reasonable doubt that both the general standards and the specific requirements pertinent to each special use indicated herein shall be satisfied by the establishment and operation of the proposed special use.

10. Wherever no specific area, frontage and setback requirements are specified in provision for specific special uses, then the area, frontage and setback requirements in the applicable zone shall apply; provided, that the Planning Commission shall be authorized to waive or modify certain requirements as necessary to achieve compatible development with adjacent land areas as well as in the interest of the community in general. The Planning Commission may also impose such additional conditions, guarantees, and safeguards as it deems necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this Ordinance will be observed.

11. Has previous application been filed for a SPECIAL USE PERMIT? no

12. When? _____ Results? _____

3-9-23

Application Date

Angela Horn

Signature of Applicant

OFFICE USE ONLY BELOW LINE

Reviewed by _____ Date _____

Appr/Denied Planning Commission _____ Date _____

Fee _____ Receipt Number _____ Date _____
(NON REFUNDABLE)

MEMORANDUM:

DATE: MARCH 10, 2023

TO: CITY OF BROOKVILLE PLANNING COMMISSION

FROM: RODNEY L. STEPHAN-LAW DIRECTOR

RE: SPECIAL USE PERMIT-MOBILE FOOD TRUCK

WHATS THE SCOOP at 230 Market St. and CALIOH EATS, LLC (a pizza mobile food truck) have requested a special use permit to have the pizza mobile food truck locate in front of What's The Scoop once a month from 10pm to 12:30 am. What's The Scoop would be open during this once-a-month special event. The pizza truck would be located in public parking near What's The Scoop. Because the event would start at 10:00pm, most of the other businesses in that area of Market Street would be closed during the event.

Under 1163.03(b) (26), Planning Commission may approve a mobile food vendor located on public parking owned by the City of Brookville. It is requested that Planning Commission approve this special use permit for the CALIOH EATS, LLC, mobile pizza food truck, to operate for the once-a-month special event to be held in partnership with What's the Scoop.

City of Brookville

"A Proud and Progressive Community"

Application #SU 2302

ZONING APPLICATION FOR A SPECIAL USE PERMIT

The undersigned hereby applies for a **SPECIAL USE PERMIT**, to be issued solely on the basis of information contained herein, and with the knowledge that the falsification of any fact or statement submitted with, or within, this application shall render this application null and void. **(PERMIT SHALL EXPIRE IF USE HAS NOT BEGUN WITHIN SIX (6) MONTHS, OR IF DISCONTINUED FOR MORE THAN TWO (2) YEARS.)**

1. Applicant CalioH Eats LLC (Pizza Trailer)
2. Applicant address 15659 Schoolhouse Rd, Brookville, OH 45309
3. Phone (Hm) 559-392-546 (Bus) 937-542-1655 Interest in property _____
4. Location or address of property to be affected Street Parking in front of 230 Market St
5. Legal description LOT 64 PT

6. Present Zoning classification CC Existing _____

7. Proposed Special Use Setting up trailer once a month from 10pm-12:30am
(From March - September)

8. In order for a **SPECIAL USE PERMIT** to be processed, applicant must provide a narrative statement evaluating the effect of such elements as noise, glare, odor, fumes, and vibrations on adjoining property; and discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the Zoning District Map.

All businesses in area, except what's the Scarp, will be
closed by 10 pm. Pizza trailer runs off generator.

9. The Planning Commission shall establish beyond reasonable doubt that both the general standards and the specific requirements pertinent to each special use indicated herein shall be satisfied by the establishment and operation of the proposed special use.

10. Wherever no specific area, frontage and setback requirements are specified in provision for specific special uses, then the area, frontage and setback requirements in the applicable zone shall apply; provided, that the Planning Commission shall be authorized to waive or modify certain requirements as necessary to achieve compatible development with adjacent land areas as well as in the interest of the community in general. The Planning Commission may also impose such additional conditions, guarantees, and safeguards as it deems necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this Ordinance will be observed.

11. Has previous application been filed for a **SPECIAL USE PERMIT**? No

12. When? _____ Results? _____

3/8/23

Application Date

Cynthia Wilk
Signature of Applicant

OFFICE USE ONLY BELOW LINE

Reviewed by _____ Date _____

Appr/Denied Planning Commission _____ Date _____

Fee _____ Receipt Number _____ Date _____
(NON REFUNDABLE)

City of Brookville

"A Proud and Progressive Community"

Application #SU 23-02

ZONING APPLICATION FOR A SPECIAL USE PERMIT

The undersigned hereby applies for a **SPECIAL USE PERMIT**, to be issued solely on the basis of information contained herein, and with the knowledge that the falsification of any fact or statement submitted with, or within, this application shall render this application null and void. **(PERMIT SHALL EXPIRE IF USE HAS NOT BEGUN WITHIN SIX (6) MONTHS, OR IF DISCONTINUED FOR MORE THAN TWO (2) YEARS.)**

1. Applicant Whats The Scoop Brookville
2. Applicant address 230 Market St.
3. Phone (Hm) 937-245-205 (Bus) 937-776-9370 Interest in property owner
4. Location or address of property to be affected 230 Market St
5. Legal description LOT 64 PT

6. Present Zoning classification CC Existing ~~ice cream shop~~

7. Proposed Special Use Mobil Food Vender CALIBHO
PIZZA TRUCK

8. In order for a **SPECIAL USE PERMIT** to be processed, applicant must provide a narrative statement evaluating the effect of such elements as noise, glare, odor, fumes, and vibrations on adjoining property; and discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the Zoning District Map.

We would be having a mobil food
truck in one parking spot in
front of our restaurant. Market St.
In front of Whats The Scoop

301 Sycamore St. • PO Box 10 • Brookville, Ohio 45309-0010 • PH. (937) 833-2135 FAX (937) 833-3347

Mon 17th 10:30pm - 12:30AM

April 15th possibly once a month
in the summer.

9. The Planning Commission shall establish beyond reasonable doubt that both the general standards and the specific requirements pertinent to each special use indicated herein shall be satisfied by the establishment and operation of the proposed special use.

10. Wherever no specific area, frontage and setback requirements are specified in provision for specific special uses, then the area, frontage and setback requirements in the applicable zone shall apply; provided, that the Planning Commission shall be authorized to waive or modify certain requirements as necessary to achieve compatible development with adjacent land areas as well as in the interest of the community in general. The Planning Commission may also impose such additional conditions, guarantees, and safeguards as it deems necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this Ordinance will be observed.

11. Has previous application been filed for a SPECIAL USE PERMIT? _____

12. When? _____ Results? _____

Application Date


Signature of Applicant

OFFICE USE ONLY BELOW LINE

Reviewed by _____ Date _____

Appr/Denied Planning Commission _____ Date _____

Fee _____ Receipt Number _____ Date _____
(NON REFUNDABLE)

MEMORANDUM:

DATE: MARCH 10, 2023

TO: CITY OF BROOKVILLE PLANNING COMMISSION

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

RE: DUNCAN PLAT-333 MAPLE ST.

The record plan entitled Duncan Plat is before Planning Commission for approval as a minor subdivision. The record plan will combine Lot 502, Pt. Lot 503, Part Lot 563 and part of a vacated alley into a single new lot. By replating this property into a single lot, the primary residence, garage and storage shed will now all be located on a single city lot. It is requested that the Planning Commission approve the Duncan Plat.

Application #MS 23-01

ZONING APPLICATION FOR A MINOR SUBDIVISION (LOT SPLIT)

The undersigned hereby applies for a Minor Subdivision (Lot Split), to be issued solely on the basis of information contained herein, and with the knowledge that the falsification of any fact or statement submitted with, or within, this application shall render this application null and void.

1. Applicant Kimberly D. & Donald M. Duncan

2. Applicant Address 333 Maple St., Brookville, OH 45309

3. Phone (Hm) 937-833-2185 (Bus) _____ Interest in property Owner

4. Location or address if property to be affected 333 Maple St., Brookville, OH 45309

5. Legal description I.R. Deed 17-005116 Lot 502, Pt. Lot 503, Pt. Lot
Lot# 563 & Pt. Vac. Alley

6. Present Zoning Classification R-1B & R-1C Existing use single family resident

7. New Lot Number(s) Assignment 2801

8. In order to be processed for a Minor Subdivision (Lot Split), the Subdivider shall prepare and submit one (1) original and three (3) copies of the Minor Subdivision plat (Lot Split) to the Municipal Manager.

(a) The Minor Subdivision (Lot Split) shall be considered officially filed on the day it is received and properly noted and shall be so dated.

(b) The Minor Subdivision (Lot Split) shall not be considered properly submitted until all applicable fees are paid, and a survey plat and legal description are provided to the Municipal Manager.

9. Submission Requirements (They survey plat shall contain the following information.)

(a) Name and address of the professional land surveyor who prepared the Minor Subdivision (Lot Split) as well as the registration number, seal and signature of the surveyor certifying the accuracy of the lot(s).

(b) Name of the subdivider.

(c) Location by section, town range, township, or by subdivision name and lot number, or other legal description such as date, North arrow, scale and acreage to thousandths of acre, name of abutting streets including right-of-way width, and existing buildings, septic facilities, and wells, if applicable.

(d) The Minor Subdivision Plat (Lot Split) shall be clearly and legibly drawn, indicating the size of the parcel, existing and proposed rights-of-way within 100 feet, existing and proposed ownership, any existing parcel within 100 feet and its owner and size, a North arrow, and the professional surveyor's signature and seal.

- (e) Areas within the 100-year floodplain and within floodways, as determined by mapping provided by the Federal Emergency Management Agency (FEMA), shall be delineated.
- (f) Name and address of owners of parcel and adjoining parcels.
- (g) Survey boundaries and lot lines drawn on an 11" x 17" sheet and at a scale between 1" = 10' and 1" = 100'. All dimensions shall be shown in feet and hundredths of feet.
- (h) Location of monuments and their descriptions.
- (i) The survey shall conform to the Minimum Standards for Boundary Surveys in the State of Ohio (ORC 4733.37)
- (j) Approved signature and date lines for the Municipal Manager and County Engineer.

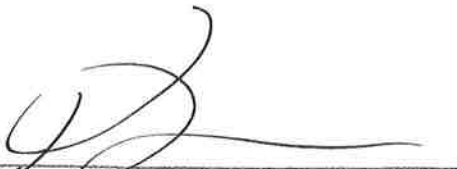
10. Supplementary Information:

(a) Lot grading and drainage plan, illustrating a plan for the handling of surface and subsurface drainage, showing proposed finished grade elevations, the type, size, location and outlet of all existing and proposed drainage systems, swales, easements, water and sanitary sewer services, and the proposed ground cover may be required by the Municipal Manager on the basis of the characteristics of the subject property.

11. After the complete submittal is considered officially filed, a copy of the survey plat is then checked by the Municipal Manager for its conformity with these Regulations. The authorized representative of the Planning Commission shall stamp and sign the plat "approved no plat required" if the lot meets all codes as stipulated above, within seven (7) working days after submission, the plat shall then be taken by the subdivider to the County Recorder where it will become a legal lot of record. Lot split requests expire if not recorded within one (1) year of initial fee payment. A proposal remaining unapproved by the Planning Commission representative for one (1) year from the date of fee payment shall expire and become void. Incomplete or deficient proposals shall be disapproved and the subdivider notified of issues and reasons for the disapproval. The subdivider shall furnish the Municipality with a reproducible (mylar) of the recorded plat.

3/10/2023

Application Date


Signature of Applicant

OFFICE USE BELOW LINE

Reviewed by Zoning Officer _____ Date _____

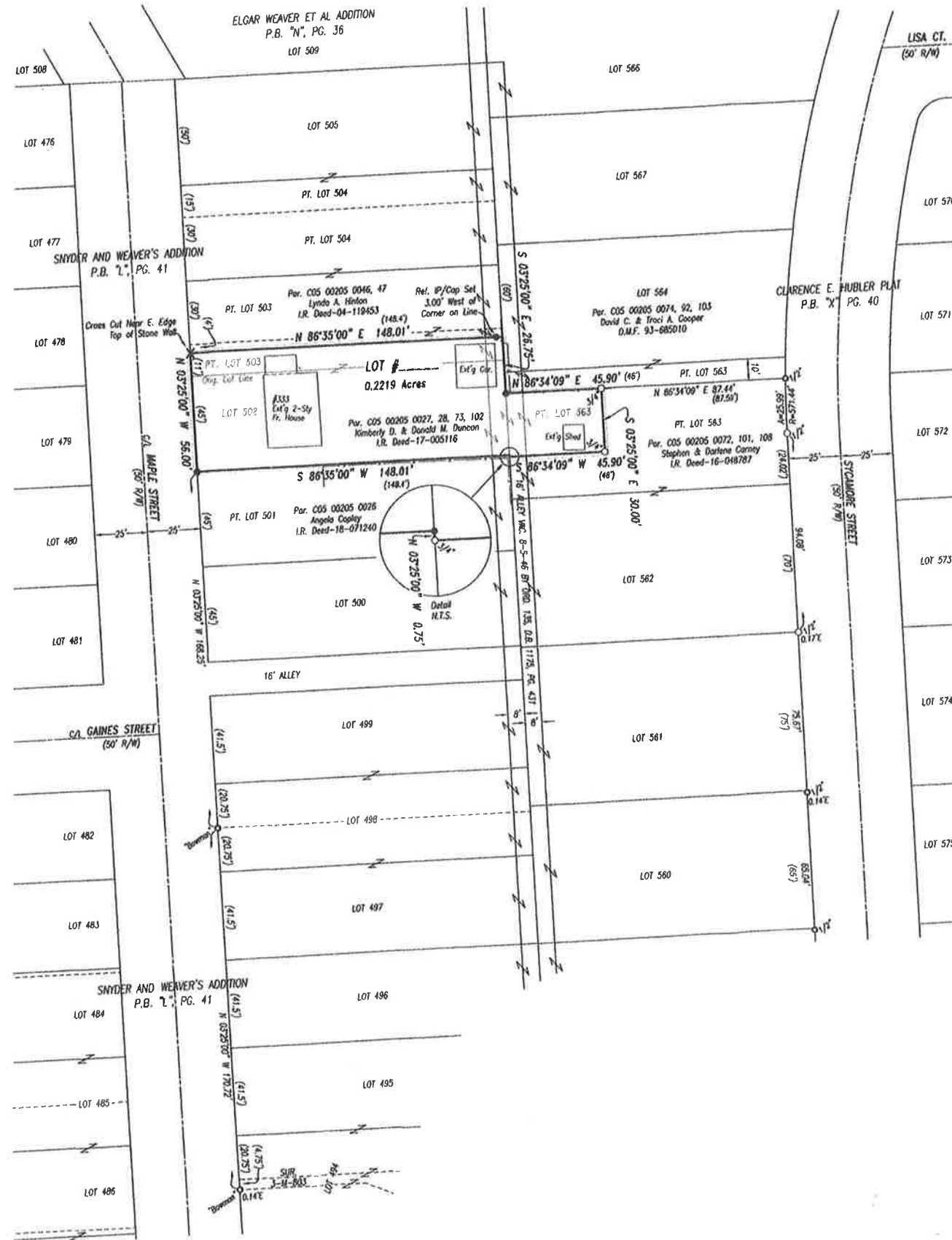
Reviewed and Approved Mun. Manager _____ Date _____

Appr/Denied Clerk of Council _____ Date _____

Fee \$150.00 Receipt Number 76283 Date 3/10/23
(NON-REFUNDABLE)

RECORD PLAN DUNCAN PLAT

SECTION 34, TOWN 6, RANGE 4 E
BEING A REPLAT OF LOT 502, PART LOT 503 & PART LOT 563 OF THE CONSECUTIVE NUMBERS OF
LOTS ON THE REVISED PLAT OF THE CITY OF BROOKVILLE
AKA SNYDER AND WEAVER'S ADDITION, PLAT BOOK "L", PAGE 41 &
CLARENCE E. HUBLER PLAT, PLAT BOOK "X", PAGE 40 AND PART VACATED 16' ALLEY
MONTGOMERY COUNTY, OHIO
0.2219 ACRES TOTAL



APPROVAL
ACCEPTED AND APPROVED THIS _____ DAY OF _____, 2022 BY
THE CITY OF BROOKVILLE.

CITY MANAGER _____ DATE _____

ZONING ADMINISTRATOR _____ DATE _____



PERTINENT DOCUMENTS:

DEEDS/PLATS/SURVEYS AS SHOWN ON THIS RECORD
PLAT &:

NONE

OCCUPATION STATEMENT:

OCCUPATION GENERALLY FITS SURVEYED LINES EXCEPT
AS SHOWN HEREON.

NOTES:

1. DISTANCE IN () INDICATES A DEED OR PLAT CALL
DISTANCE WHERE IT DIFFERS FROM MEASURED.
2. THIS PLAT AND THE SURVEY ON WHICH IT IS BASED
PREPARED WITHOUT BENEFIT OF A TITLE SEARCH
REPORT OR COMMENT.
3. THE SUPERIMPOSED AREA OF THE LANDS OF THE
DEDICATORS OF THIS PLAT IS DRAWN HEREIN.

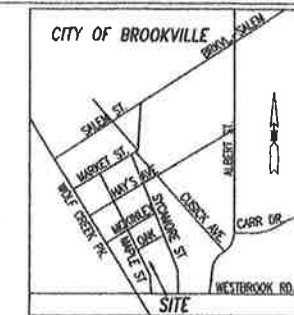
CURRENT ZONING: "R-10" (PT. LOT 563)
& "R-1C" (LOT 502, PT. LOT 503)

PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS

1. LOT SHALL COMPLY WITH CITY OF BROOKVILLE ZONING REGULATIONS.

SYMBOL	DESCRIPTION	ABBREVIATION
○	IRON PIN FOUND	IP FD
○	IRON PIPE FOUND	IP FD
○	R.R. SPIKE FOUND	RR SPK FD
○	CROSS FOUND	X FD
○	STONE FOUND	STN FD
○	MAG OR PK NAIL FOUND	MAG OR PK FD
○	AXLE FOUND	AXLE FD
○	IRON PIN & CAP SET	IP & CAP SET
○	R.R. SPIKE SET	RR SPK SET
○	CROSS SET	X SET
○	MAG NAIL SET	MAG SET
○	MONUMENT SET	MON SET
○	3/4" IP SET W/2" CAP	IP & CAP SET

NOTES: ALL FOUND IRON PINS ARE #5 REBAR
IN GOOD CONDITION UNLESS NOTED.
NOTE: ALL FOUND IRON PIPES ARE 3/4" I.D.
IN GOOD CONDITION UNLESS NOTED.
NOTE: ALL SET IRON PINS ARE #5 REBAR WITH
A PLASTIC CAP STAMPED "LGR & ASSOC
ENGLEWOOD OH" UNLESS NOTED.



APPROVED FOR DESCRIPTION
MONTGOMERY COUNTY, ENGINEER DATE _____
CHECKED BY: _____
2022-_____
FILE NUMBER _____

DESCRIPTION:
THE WITHIN PLAT BEING IN SECTION 34, TOWN 6, RANGE 4, E AND BEING ALL OF LOT 502, PART OF LOT
503 AND PART OF LOT 563 OF THE CONSECUTIVE NUMBERS OF LOTS ON THE REVISED PLAT OF THE CITY OF
BROOKVILLE, AKA SNYDER AND WEAVER'S ADDITION RECORDED IN PLAT BOOK "L", PAGE 41 AND CLARENCE E.
HUBLER PLAT RECORDED IN PLAT BOOK "X", PAGE 40 TOGETHER WITH PART OF A VACATED 16 FOOT WIDE ALLEY
VACATED 8-5-46 BY ORDINANCE #135 RECORDED IN DEED BOOK 1175, PAGE 431 AND BEING ALL OF THE
LANDS CONVEYED TO KIMBERLY D. DUNCAN AND DONALD M. DUNCAN BY DEED RECORDED IN INSTRUMENT RECORD
DEED 17-005116 ALL IN THE DEED AND PLAT RECORDS OF MONTGOMERY COUNTY, OHIO.

THE AREA OF THIS SUBDIVISION IS COMPRISED OF 0.2219 ACRES IN LOT AND 0.0000 ACRES IN DEDICATED
RIGHT-OF-WAY.

CERTIFICATION:
I HEREBY CERTIFY THAT THE BOUNDARY SURVEY OF THIS SUBDIVISION WAS PREPARED IN ACCORDANCE WITH
OHIO ADMINISTRATIVE CODE CHAPTER 4733-37 AND CONFORMS TO OHIO REVISED CODE CHAPTER 711. ALL
MONUMENTATION IS OR WILL BE SET AS SHOWN.

LUIS G. RIANCHO AND ASSOCIATES, INC.
140 WEST WENGER ROAD
ENGLEWOOD, OHIO 45322-2727
(937) 836-1585



BY: _____ DATE: _____
LUIS G. RIANCHO REGISTERED SURVEYOR
STATE OF OHIO #5287

DEDICATION:
WE, THE UNDERSIGNED, BEING ALL THE OWNERS AND LIENHOLDERS OF THE LAND HEREIN PLATTED, DO HEREBY
VOLUNTARILY CONSENT TO AND JOIN IN THE EXECUTION OF SAID PLAT AND DO HEREBY RESERVE THE EASEMENTS
ON SAID PLAT TO THE PUBLIC USE FOREVER.

EASEMENTS SHOWN WITHIN THE PLAT ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR AND
REPLACEMENT OF WATER, SEWER, GAS, ELECTRIC, TELEPHONE OR OTHER UTILITY LINES OR SERVICES AND FOR THE
EXPRESS PRIVILEGES OF REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID
UTILITIES, AND FOR PROVIDING ACCESS TO AND EGRESS FROM THE PREMISES FOR SAID PURPOSES, AND ARE TO
BE MAINTAINED AS SUCH FOREVER.

DONORS:
KIMBERLY D. DUNCAN
DONALD M. DUNCAN

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

WITNESS _____

WITNESS _____

WITNESS _____

WITNESS _____

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:
BE IT REMEMBERED, THAT ON THIS _____ DAY OF _____, BEFORE ME, A NOTARY
PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME KIMBERLY D. DUNCAN AND DONALD M.
DUNCAN, WHO ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE WITHIN PLAT TO BE THEIR VOLUNTARY
ACT AND DEED.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR STATE OF OHIO

MY COMMISSION EXPIRES: _____

OWNER'S STATEMENT:

DATE: _____

STATE OF OHIO, COUNTY OF MONTGOMERY, S.S.

KIMBERLY D. DUNCAN AND DONALD M. DUNCAN, BEING DULY SWORN, SAYS THAT ALL PERSONS AND CORPORATIONS,
TO THE BEST OF THEIR KNOWLEDGE, INTERESTED IN THIS DEDICATION, EITHER AS OWNERS OR LIENHOLDERS, HAVE
UNITED IN ITS EXECUTION.

KIMBERLY D. DUNCAN DONALD M. DUNCAN

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR STATE OF OHIO

MY COMMISSION EXPIRES: _____

PREPARED BY:
LGR
GRAPHIC SCALE
SCALE 1"=30'

LUIS G. RIANCHO & ASSOCIATES, INC.
SURVEYING
JOB # 22061 AUG. 2022
DRAWING: 22061RP.DWG PLOT DATE 09-06-2022
TEL 937 836-1585
FAX 937 836-9974
LGRANCHOW@OHIO.EDU
140 WEST WENGER ROAD
ENGLEWOOD, OHIO 45322-2727

ZONING PERMITS 2023

ZONING PERMITS FEBRUARY 2023											
Date	Address	Application	Name	Zoning Permit #	Special Use	Subdivision Major/Minor	Zoning Approved/ Denied	Building # Residential/ Commercial	Building Completion Date	C/O	Misc. Permit Information
2/1/2023	121 Brooke Parke Ave	Fence Permit	Eagle Fence	4479			A-02-01-23				
2/1/2023	555 Golden Maple Ave.	SFR	Temple Homes	4480			A-02-02-23				
2/13/2023	118 Church St.	Storage Shed Permit	Roesser	4481			A-02-14-23				
2/14/2023	219 Litten Ct.	Driveway expansion	CJB Concrete	4482			A-02-14-23				
2/14/2023	771 Hunters Run Dr.	SFR 1643 sq. ft. Basement Preston	Fischer Homes	4483			A-02-17-23				
2/17/2023	120 Villa Dr.	Storage Shed	Lamb	4484			A-02-17-23				
2/17/2023	761 Hunters Run Dr	SFR 2822 sq. ft. Basement Jensen	Fischer Homes	4485			A-02-17-23				
2/21/2023	795 Hunters Run Dr.	SFR 2989 sq. ft. Basement Denali	Fischer Homes	4486			A-02-28-23				
2/27/2023	201 Market St.	Business-201 Studio-New Ownership	Jared Lynch	4487			A-02-27-23				
2/22/2023	209 Market St.	Business-Mexican Restaurant	Victor Araujo	4488			A-02-27-23				