

Brookville Board of Zoning Appeals
Regular Meeting
August 22, 2024

The Regular Meeting of the Brookville Board of Zoning Appeals was called to order by Chairperson Dafler at 7:30 p.m. on August 22, 2024. The meeting was held in the City Council Chambers and virtually using Webex. The Pledge of Allegiance was recited. Members Dafler, Hills, Kirchofer, Marshall and Perry; Law Director Stephan and Manager Kuntz were present. Clerk Duncan was absent.

Roll call by Manager Kuntz.

Motion by Kirchofer, second by Marshall to adopt the Agenda as presented. All yeas, motion carried.

Motion by Kirchofer, second by Marshall to approve the February 29, 2024 Meeting Minutes as presented. Hills abstained, Perry abstained, Marshall yea, Dafler yea, Kirchofer yea. Motion carried with three yeas and two abstentions.

Law Director Stephan reported Amvets Post 1789 located at 715 Market Street has filed an application for zoning variance. Notice of this hearing was published in the Register Herald and sent to adjoining property owners within 200 feet of the property. The Amvets Post 1789 intends to build a banquet room and kitchen addition on to the back of their building. The drawing submitted with the application indicates that the north corner of the banquet room will be 20.17 feet from the back property line. The property is zoned General Business. Section 1137.03(b) (4) of the General Business District provides that when the rear lot line of the business property abuts residential district lot lines, the minimum side or rear transitional setback distance shall be 25 feet in depth and provided with a landscape screen or wall as defined in Section 1155.01. There are residential properties at the rear of the Amvets property that are part of Hunters Run. The requested variance is to reduce the required rear yard setback from 25 feet to 20.17 feet to permit the north corner of the building addition to be located as presented. With respect to the required landscape screen or wall, there is an existing tree line at the back of the property. Pictures of the tree line are attached to this Memorandum. The Board of Zoning Appeals could either determine that the existing tree line provides a landscape screen or require an additional landscape screen to be planted by the applicant. Section 1111.06 (a) authorizes the Board of Zoning Appeals to approve a variance to permit a rear yard setback that is less than the required setback. City staff is recommending approval of this variance.

Chairperson Dafler inquired whether anyone present has a statement.

Law Director Stephan administered the Oath of Witness to Jeff Bang, 533 Vine Street.

Mr. Bang, Commander of Amvets Post 1789, stated they would like to add on to the back of the building for a kitchen and dining area. This should bring more people into town and allow AmVets the opportunity to have a restaurant type of business in Brookville. Mr. Bang stated he believes this will bring a lot of people into the community.

Chairperson Dafler asked if there are any opponents to the proposed variance.

There were no opponents.

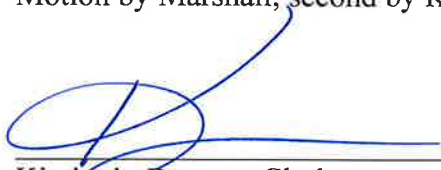
Member Kirchofer inquired whether Mr. Bang has discussed the plan with the neighbors.

Mr. Bang replied the only conversations he has had with the neighbors is via text when they tell him they are enjoying the music at AmVets.

Motion by Perry, second by Marshall to approve the zoning variance application for AmVets Post 1789 as presented. All yeas, motion carried.

Manager Kuntz reminded everyone of the BZA Training Session on September 26, 2024 at 6:00 p.m.

Motion by Marshall, second by Kirchofer to adjourn. All yeas, motion carried.



Kimberly Duncan, Clerk



Kathleen Dafler, Chairperson