



BOARD OF ZONING APPEALS
Thursday, February 27, 2025, 7:30 PM
CITY HALL
301 SYCAMORE STREET, BROOKVILLE, OHIO 45309
(937) 833-2135
www.brookvilleohio.com

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 December 4, 2024 Regular Meeting Minutes
- IV. Application for Zoning Variance**
 - a. 230 E. Westbrook Road - Storage building and greenhouse
- V. Reports**
 - a. Law Director
- VI. Old Business**
- VII. New Business**
- VIII. Adjournment**

Chairperson Kathleen Dafler
Members: • Chip Hills • Gary Kirchhofer • Christopher Marshall • Tony Perry



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Brookville Board of Zoning Appeals
Regular Meeting
December 4, 2024

The Regular Meeting of the Brookville Board of Zoning Appeals was called to order by Chairperson Dafler at 7:30 p.m. on December 4, 2024. The meeting was held in the City Council Chambers and virtually using Webex. The Pledge of Allegiance was recited. Members Dafler, Hill, Kirchhofer, Marshall and Perry; Law Director Stephan, Manager Kuntz and Clerk Duncan were present.

Roll call by Clerk Duncan.

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

Motion by Kirchhofer, second by Marshall to approve the August 22, 2024 Meeting Minutes as presented. All yeas, motion carried.

Law Director Stephan reported Keith and Linda Maxam have filed an application requesting a variance to construct a detached garage in the rear yard of their property without a driveway to the building. Under 1157.03(b) entitled Detached Garages, 1157.03(b) (4) states that a concrete, asphalt, or paved driveway leading to the detached garage shall be required. The property is located at 230 Johnsville-Brookville Road, and is zoned R-1 B. A single-family residence is located on the property. The property is 0.813 acres and it is 330.96 feet from the street to the rear property line. Law Director Stephan advised notice of the public hearing on this variance application was published in the Registered Herald as required in Section 1111.09 and notices were sent by first class mail to all property owners of property adjacent to or across the street from this property as required by Section 1111.10.

Chairperson Dafler inquired whether anyone present has a statement.

Chairperson Dafler administered the Oath of Witness to Ketih Maxam, 230 Johnsville-Brookville Road.

Mr. Maxam requested the Board approve his application as presented. Neighboring properties have barns and outbuildings. The proposed building would be obstructed from view by landscaping. Mr. Maxam would use the building for woodworking, greenhouse planting and storage of lawn equipment. There will be no vehicles stored in the building.

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

There were no opponents.

Chairperson Dafler read Items (1) through (5) in Section 1111.05 of the city's code of Ordinances and there were no concerns or objections.

Motion by Perry, second by Marshall to approve the zoning variance application for Keith and Linda Maxam at 230 Brookville Johnsville Road to construct a detached garage as presented. Hill yea, Kirchoffer yea, Dafler yea, Marshall yea, Perry yea. Motion carried with five yeas and no nays.

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

Kimberly Duncan, Clerk

Kathleen Dafler, Chairperson

MEMORANDUM:

DATE: FEBRUARY 19, 2025

TO: BROOKVILLE BOARD OF ZONING APPEALS

FROM: RODNEY L. STEPHAN, LAW DIRECTOR

RE: APPLICATION FOR ZONING VARIANCE-230 E. WESTBROOK RD.

Dwayne O'Dell has filed an application for a zoning variance to construct a storage building and green house at 230 E. Westbrook Rd. Brookville, Ohio 45309. A copy of the application is attached. The property at 230 E. Westbrook Rd. includes County Auditor Parcels L54 00408 0014 (1.310 acres) and L54 00408 0015 (1.310 acres). A copy of the county auditor parcel map is attached.

The storage building and greenhouse will replace a temporary cover that has been used to store a camper. An arial picture of the property is attached. The temporary black cover can be seen in the arial. The new building will be used to house the camper that is currently being housed under the temporary black cover.

The size of the proposed building will be within zoning regulation for a detached garage, which is 768 sq. ft. There are already several accessory buildings on the property including a detached garage, and therefore the variance is requested to approve this additional storage building and green house. Section 1157.03 provides that detached garages and other accessory buildings shall not occupy more than 35% of the rear yard. This standard of 35% will be met on this property even with the addition of the storage building and greenhouse because the property is more than 2.6 acres with a large rear yard.

Application # VA _____

APPLICATION FOR A ZONING VARIANCE OR APPEAL

The undersigned applies for a **ZONING VARIANCE OR APPEAL** to be issued solely on the basis of information contained herein, and, with the knowledge that the falsification of any fact or statement with, or within this application null and void. (NO ORDER OF THE ZONING BOARD OF APPEALS GRANTING A **VARIANCE OR APPEAL** SHALL BE VALID FOR A PERIOD LONGER THAN TWELVE (12) MONTHS FROM THE DATE OF SUCH ORDER, UNLESS THE BUILDING PERMIT OR ZONING APPROVAL IS OBTAINED WITHIN SUCH PERIOD AND THE ERECTION OR ALTERATION OF A BUILDING IS STARTED OR THE USE IS COMMENCED WITHIN SUCH PERIOD.)

1. Applicant: D Wane O'Dell
2. Applicant address: 230 E. Westbrook Rd
3. Phone: (Hm) ⁹³⁷ 833-5314 (Bus) — Interest in property: _____
4. Location or address of property to be affected: 230 E. Westbrook Rd
5. Legal description: _____
6. Present Zoning classification: _____ Existing use: _____
7. In order to be processed, applicant must provide:
 - (a) Description or nature of **variance or appeal** requested;
 - (b) Narrative statements which demonstrate to the satisfaction of the Board of Zoning Appeals that the **variance** conforms to the following standards;
 - (1) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out;
 - (2) The conditions upon which an application for a **variance or appeal** is based are unique to the property for which the **variance or appeal** is sought, and are not applicable, generally, to other property within the same Zoning classification;
 - (3) The purpose of the **variance or appeal** is not based exclusively upon a desire to increase financial gain;
 - (4) The alleged difficulty or hardship is caused by this Ordinance and has not been created by any person presently having an interest in the property;
 - (5) The granting of the **variance or appeal** will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;
 - (6) The proposed **variance or appeal** will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase damage of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood;
 - (7) The Zoning Board of Appeals may impose such conditions and restrictions upon the premise benefitted by a variance as may be necessary to comply with standards established in this section and the objectives of this Ordinance;

8. Under no circumstances shall the Board of Zoning Appeals grant a *variance or appeal* to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district. In granting any *variance or appeal*, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the *variance or appeal* is granted, shall be deemed a violation of this Ordinance and punishable under Section 1107.99.

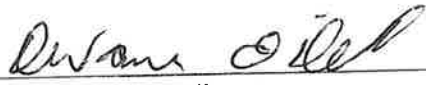
9. The Board of Zoning Appeals shall hold a public hearing within forty (40) days after the receipt of an application for a *variance or appeal* from the Zoning Enforcement Officer or a applicant.

10. Before holding the public hearing required in Section 111.08, notice of such hearing shall be given in one or more newspaper of general circulation of the Municipality at least seven (7) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed *variance or appeal*.

11. Has previous application been filed for the a *variance or appeal*? NO

When? _____ Results? _____

Application Date: 1-6-2025


Signature of Applicant

OFFICE USE ONLY BELOW LINE

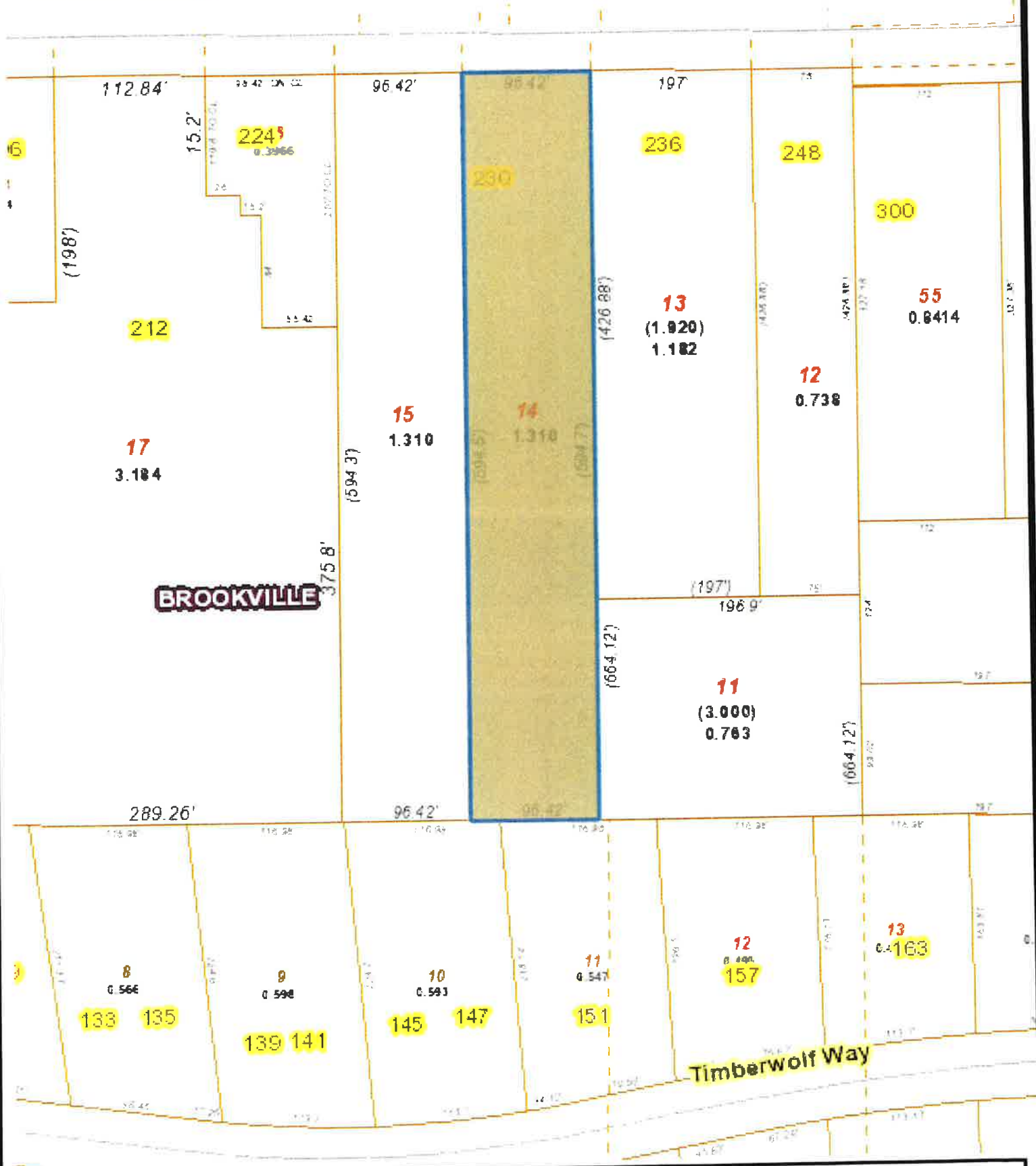
Reviewed by Planning Commission: Yes? _____ No? _____ Date: _____

App/Denied Board of Zoning Appeals: _____ Date: _____

Fee: 150.00 Receipt number: 2025-19 Date: 1/7/2025
(NON REFUNDABLE) REV01/02

To Whom it May concern:

We are requesting approval for a permanent metal structure to replace existing temporary worn out cover for our trailer to include a greenhouse attached to the side at a smaller scale as produced on plans.



DISCLAIMER
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1 inch = 130 ft



GIS DEPARTMENT



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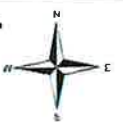
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Note: Exact property boundaries must be derived by a legal survey of the property.

1 inch = 19 ft

GIS DEPARTMENT



Cover Sheet

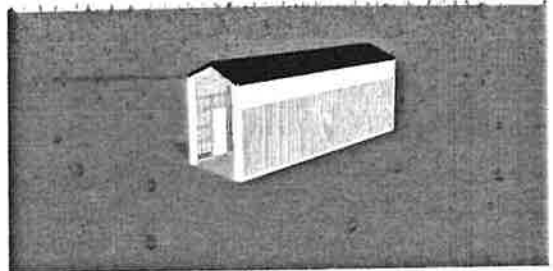
Contact Information

Contact = Dwayne O'Dell
Email = dfourman@metalmxllc.com
Phone = 937-925-1745
Delivery Address = 230 E Westbrook Rd
ZIP code = 45309
Loading = 20-5-5



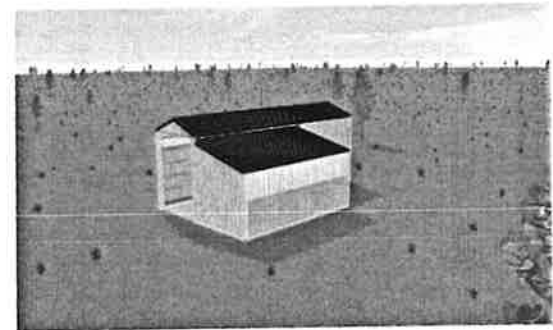
Dimensions

Building Width = 12'
Building Length = 40'
Ceiling Height = 12'
Pitch = 4 / 12



Footings

Foundation Style = Post Hole
Foundation Depth = 4'
Foundation Width = 1' 4"
Foundation Base = 18"x9" Wet Poured Concrete
Foundation Uplift = 2 2x6 12"

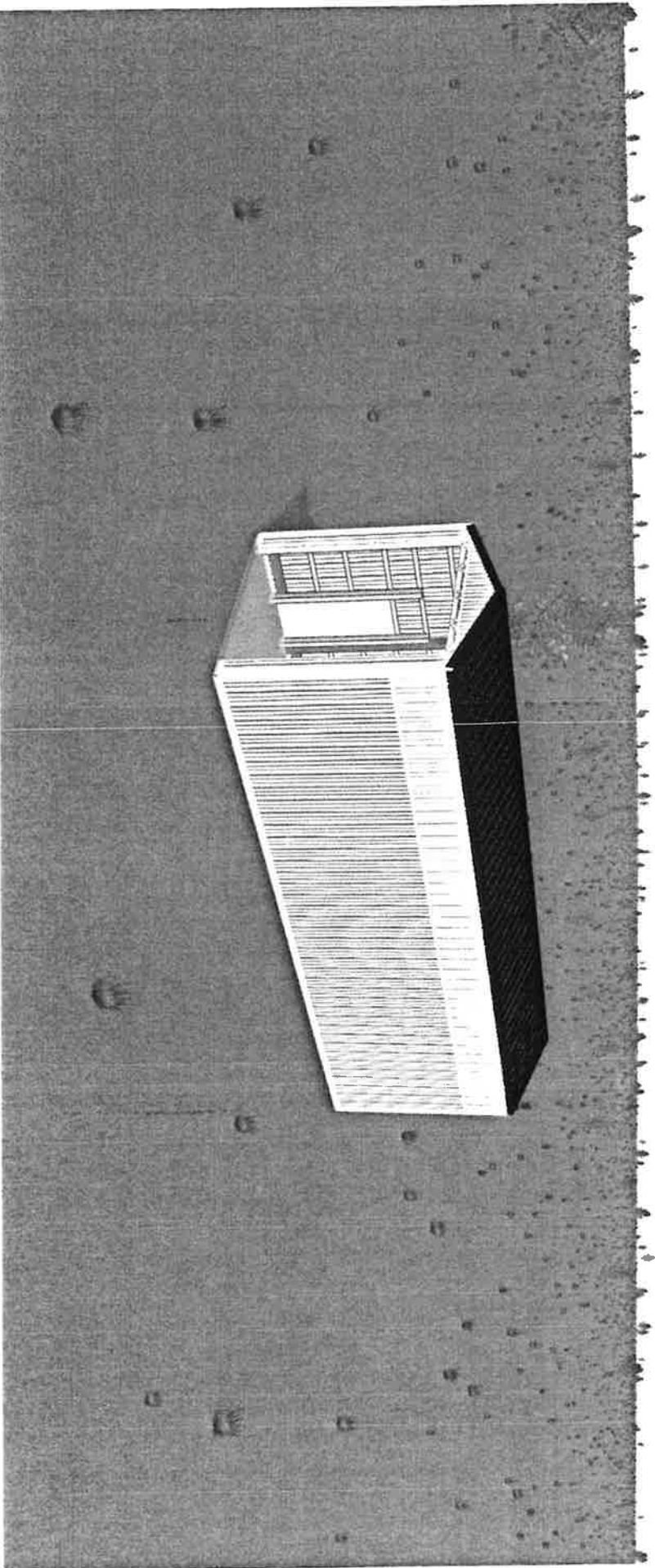


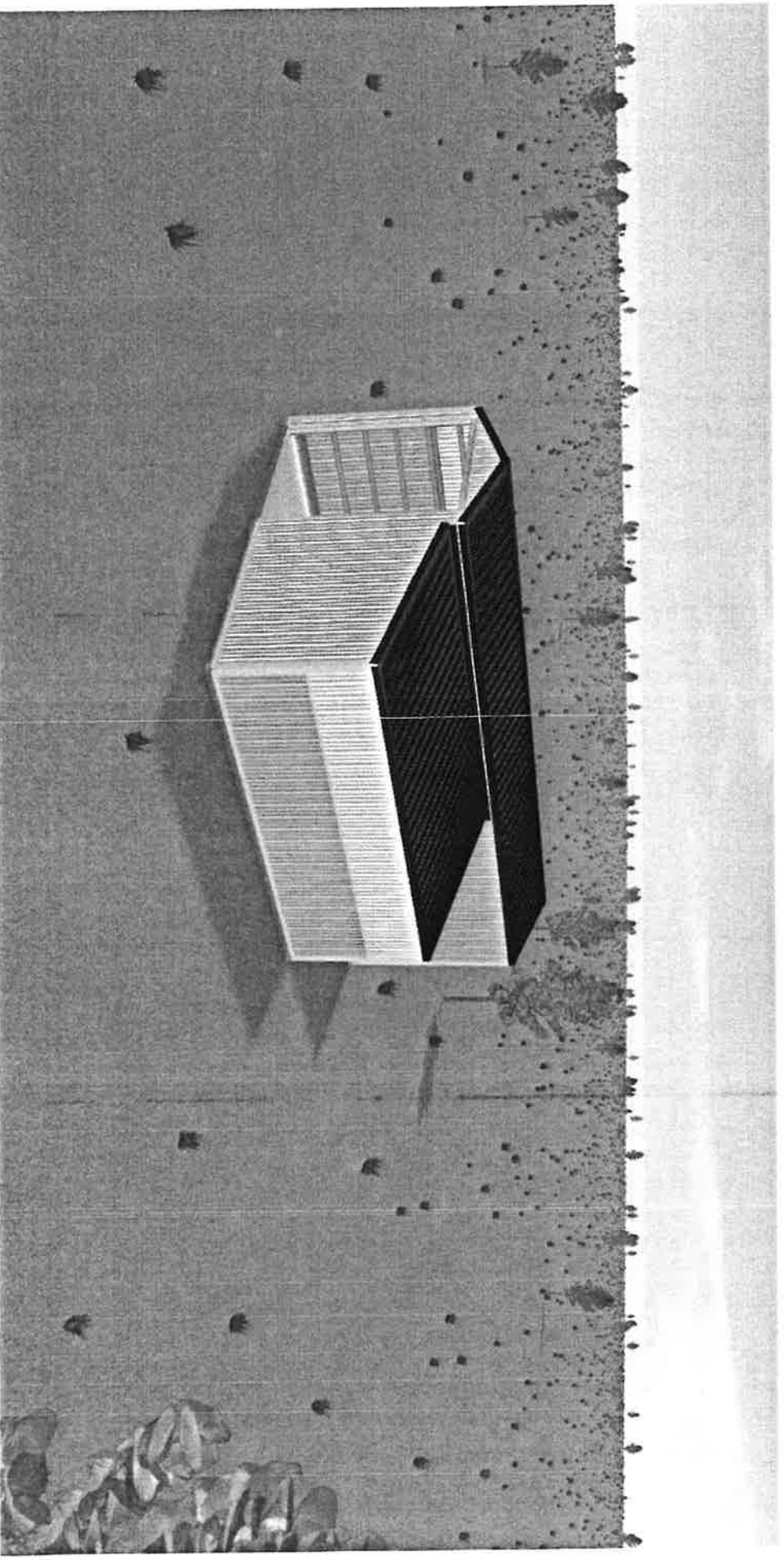
Framing

Truss Spacing = 4'
Heel Height = 0' 6"
Overhang = 0'
Truss Carrier Material = 2x10
Truss Carrier Style = Double
Rafter Material = 2x8 SYP
Rafter Spacing = 4'
Rafter Seat Cut Type = SeatCut
Purlin Material = 2x4 SPF
Purlin Spacing = 2'
Girt Material = 2x4 SPF
Girt Spacing = 2'
Post Material = Treated 6x6 Columns
Eave Spacing = 8'
Gable Spacing = 10'
Shed Spacing = 10'
Skirt Board Material = 2x8 Treated
Structural Screws Truss Carriers = Wood Trusses 4' O/C

Iso 1

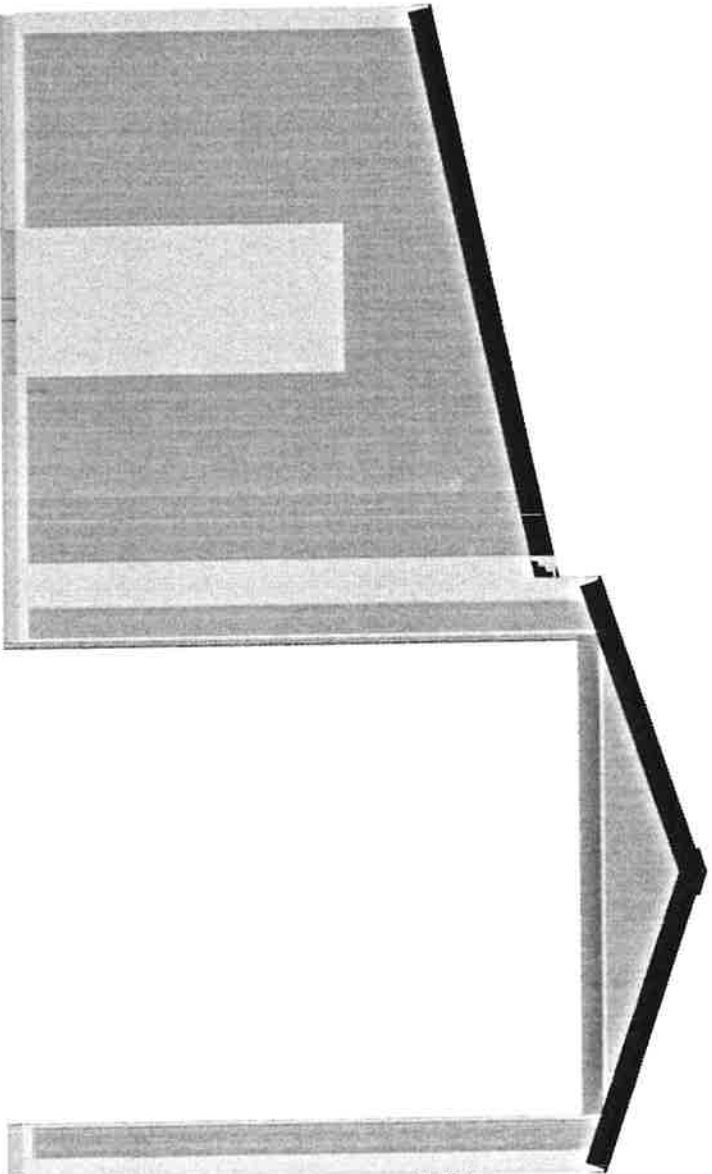
Job: Dwayne Odell
Date: 12/16/2024
Time: 3:09 PM





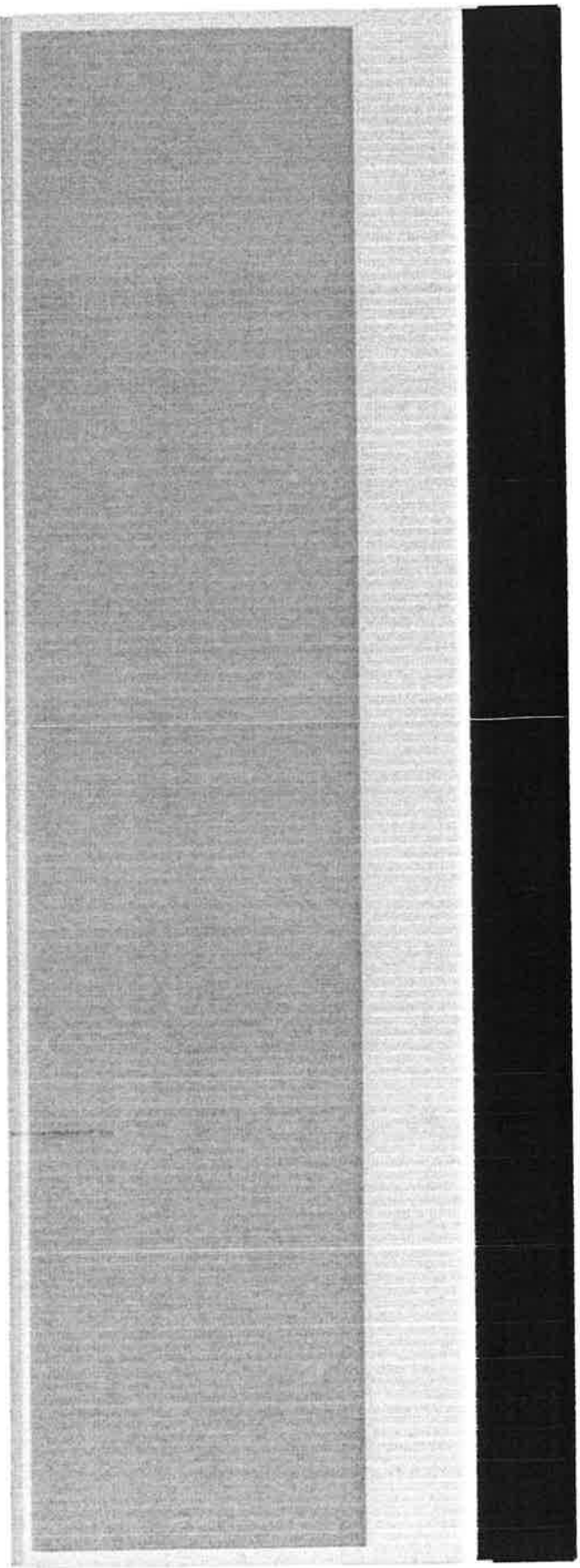
Front Elevation

Job: Dwayne Odell
Date: 12/16/2024
Time: 3:09 PM



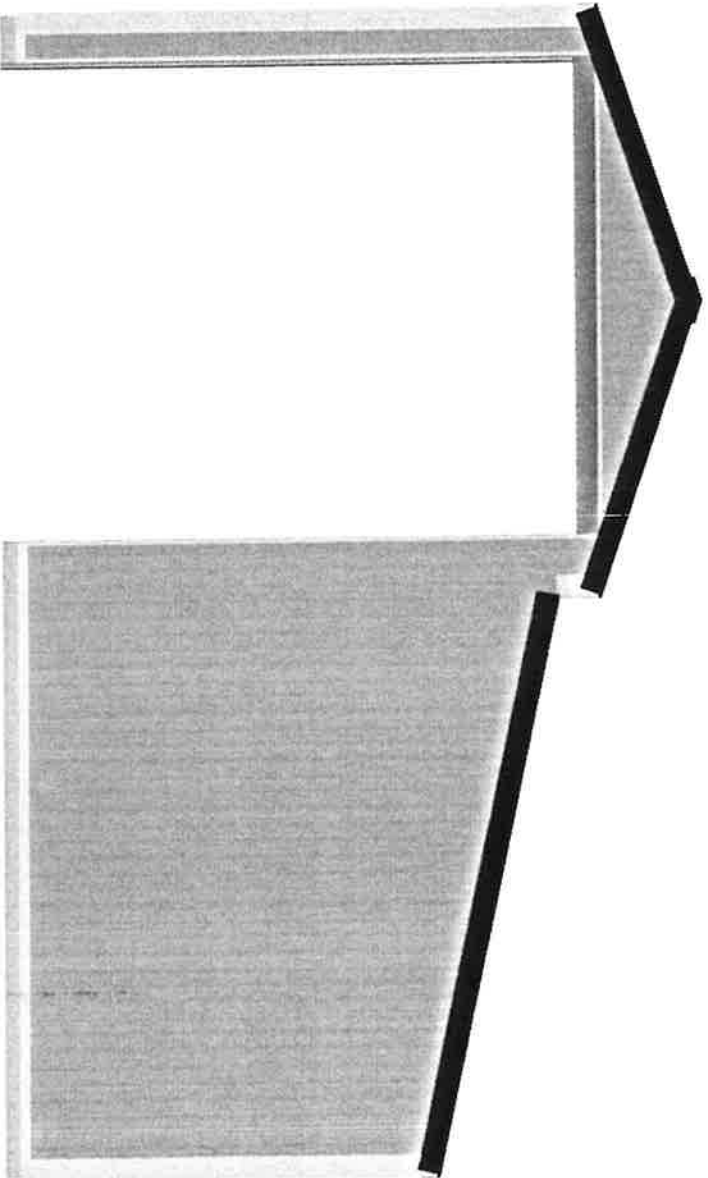
Left Elevation

Job: Dwayne Odell
Date: 12/16/2024
Time: 3:09 PM



Back Elevation

Job: Dwayne Odell
Date: 12/16/2024
Time: 3:09 PM



Right Elevation

Job: Dwayne Odell
Date: 12/16/2024
Time: 3:09 PM

