

Brookville Planning Commission
Regular Meeting
August 15, 2024

The Regular Meeting of the Brookville Planning Commission was called to order by Chairperson Henderson at 7:30 p.m. on August 15, 2024. The meeting was held in the City Council Chambers and virtually using Webex. The Pledge of Allegiance was recited. Mayor Letner, Members Claggett, Ezerski, Kristof, Schreier and Wright; Manager Kuntz, Law Director Stephan and Clerk Duncan were present.

Roll call by Clerk Duncan.

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

Motion by Kristof, second by Ezerski to approve the minutes of the July 18, 2024 Planning Commission Meeting. All yeas, motion carried.

Law Director Stephan reported Green Tokai Co. Ltd. has filed a Special Use application to permit mobile food vendors to come to their business location. The mobile food vendor would be invited by Green Tokai to locate in the Green Tokai parking lot to provide food to employees working at Green Tokai. Under 1163.03(b)(26), mobile food vendors are a special use that may be approved by Planning Commission in the 1-2 zoning district. When the mobile food vendor is located on private property, the owner of the property shall consent in writing to the use of their property by the mobile food vendor, and Green Tokai has consented through the filing of this application. It is requested that Planning Commission approve this Special Use Application.

Motion by Claggett, second by Schreier to approve the Special Use Application for permit mobile food vendors to set up in the parking lot at 55 Robert Wright Drive. All yeas, motion carried.

Law Director Stephan reported Planning Commission has been provided a draft of the new large lot residential district for review. The district is entitled R-1 Rural Residential District, and the zoning district is based on the proposal presented by Member Ezerski at July 2024 Planning Commission meeting. The zoning district would be the first residential district listed in the zoning code. It is being placed at the beginning of the residential districts because our districts are in order from lowest density to highest density, and this newest district will be the lowest density district. Law Director Stephan requested Planning Commission review the proposed text for the zoning district so that the proposed zoning district can be submitted to City Council to start the process of adopting this zoning code. Law Director Stephan advised he has listed all of the special uses from our R-1A zoning. However, Planning Commission may want to reduce some of the special uses as they may not be totally compatible with the goal.

General discussion followed regarding special uses. The consensus is to recommend the proposed zoning district to City Council without any changes to the special uses with the

intention of reviewing the special uses in each of our zoning districts when the Comprehensive Land Use Plan Update is completed to make sure they align with the vision for the city.

Member Claggett inquired if basements should be added to the exclusions from the minimum floor area under structural requirements?

Member Wright inquired if our current R-1A and R-1B zoning districts exclude patios and garages from the minimum floor area?

Law Director Stephan replied that is correct.

Member Schreier commented that basements can only be included in floor area if they have egress.

Law Director Stephan stated the definition of minimum floor area for residential dwellings in each zoning district is calculated excluding basements, attics, garages, carports, other exterior parking spaces, terraces, breezeways and patios, pools and accessory buildings of any kind or any other exterior structure.

Chairperson Henderson recommended removing the “excludes patios and garages” language because the minimum floor area definition includes those and more.

Member Claggett commented residents who build in the proposed district will likely want larger accessory buildings since the lots are bigger.

Law Director Stephan stated we have limits on the size of garages and accessory buildings in our code. This will likely be an issue with this type of zoning.

Chairperson Henderson stated that is true, but they can request a variance to build a bigger outbuilding.

Member Letner inquired how this proposed zoning district compares to other cities?

Law Director Stephan replied compared to other suburban communities in Montgomery County, there are none that have this type of large lot zoning. Our density is lower right now than any other jurisdiction around us. This will be somewhat unique but we are a more rural area. It would provide an option that could be used by Planning Commission in the future.

Discussion followed regarding whether to add allowing a larger outbuilding in this zoning classification or under accessory uses. The consensus is to keep it under accessory uses.

Motion by Wright, second by Claggett to recommend to City Council the R-1 Rural Residential District as proposed with the exception of striking the verbiage in the Structural Requirements that excludes patios and garages under the minimum floor area. All yeas, motion carried.

Manager Kuntz reminded everyone of the Planning Commission training session to be held on September 25, 2024 at 6:00 p.m. in the City Council Chambers.

Motion by Claggett, second by Ezerski to adjourn. All yeas, motion carried.



Kimberly Duncan, Clerk

Ryan Henderson, Chairperson

