



BOARD OF ZONING APPEALS  
Thursday, May 28, 2026, 7:30 PM  
CITY HALL  
301 SYCAMORE STREET, BROOKVILLE, OHIO 45309  
(937) 833-2135  
[www.brookvilleohio.com](http://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 March 27, 2025 Meeting Minutes
- IV. Application for Zoning Variance**
  - a. 507 Mound - Oversized Storage Shed
- V. Adjournment**

Chairperson Kathleen Dafler  
Members: • Chip Hills • Christopher Marshall • Tony Perry • Christine Thomas



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Brookville Board of Zoning Appeals  
Regular Meeting  
March 27, 2025

The Regular Meeting of the Brookville Board of Zoning Appeals was called to order by Chairperson Dafler at 7:30 p.m. on March 27, 2025. The meeting was held in the City Council Chambers. The Pledge of Allegiance was recited. Members Dafler, Hills and Kirchhofer; Law Director Stephan and Manager Kuntz were present. Member Marshall, Member Perry and Clerk Duncan were absent.

Roll call by Manager Kuntz.

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

Motion by Dafler, second by Hills to approve the February 27, 2025 Meeting Minutes as presented. All yeas, motion carried.

Law Director Stephan reported the applicant, Jason Cleaves, called this afternoon at the close of business to withdraw his zoning variance application. Code Enforcement Officer Kevin Garlitz will follow up with the applicant to ensure the structure addition is removed.

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

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Kimberly Duncan, Clerk

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Kathleen Dafler, Chairperson

**MEMORANDUM:**

**DATE: MAY 22, 2026**

**TO: CITY OF BROOKVILLE BOARD OF ZONING APPEALS**

**FROM: RODNEY L. STEPHAN, LAW DIRECTOR**

**RE: APPLICATION FOR VARIANCE-507 MOUND STREET**

Dennis Yantis, 507 Mound St., has filed an application for a variance to install a storage shed in his rear yard that exceeds the maximum size for storage sheds. A copy of the application for zoning variance is attached. Notice of the public hearing was published in the Registered Herald as required in 1111.09 and notice of this public hearing was sent to the adjoining property owners as required by Section 1110.10. A county auditor map of the property is attached with the proposed location of the storage shed.

Section 1157.03(a)(2) provides that storage sheds shall not exceed 199 square feet in gross floor area. The applicant is requesting a variance to construct a storage shed that will have a gross floor area of 320 sq. ft.

Under 1111.06 Authorized Variances, Section 1111.06(h), the Board of Zoning Appeals may grant a variance to permit an increase in the maximum gross floor area of any use so limited by the applicable regulations but generally not more than 25 percent.

The Board should consider the standards for variances set forth in 1111.05 in rendering a decision. A copy of the standards for variances in 1111.05 and authorized variances in 1111.06 is attached.

Application # \_\_\_\_\_

## APPLICATION FOR A ZONING VARIANCE OR APPEAL

The undersigned applies for a zoning variance or appeal to be issued solely based on 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 BOARD OF ZONING 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: Dennis Yantis PH#: 937-371-7908
2. Applicant address: 507 mound St.
3. E-mail: Dennis.yantis@reichard Interest in property: owner  
chevrolet.com
4. Location or address of property to be affected: 507 mound St.
5. Legal description: L071626
6. Present Zoning classification: R-1B Existing use: single family residence
7. In order to be processed, the 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 Board of Zoning Appeals may impose such conditions and restrictions upon the premise benefited 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 applicant.
- 10. Before holding the public hearing required in Section 1111 09, notice of such hearing shall be given in one or more newspapers 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 the previous application been filed for a *variance or appeal*? no

When? \_\_\_\_\_ Results? \_\_\_\_\_

Application Date: 4/24/2026 Signature of Applicant: 

----- OFFICE USE ONLY BELOW LINE \*FOR OFFICE USE ONLY -----

Approved/Denied by the BZA: \_\_\_\_\_ Date: \_\_\_\_\_

Fee: \_\_\_\_\_ Receipt number: \_\_\_\_\_ Date: \_\_\_\_\_  
(NON REFUNDABLE)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**\*\*DISCLAIMER**

This map is a visual presentation of data to be used as a public resource of general information and is provided strictly as a courtesy. The Montgomery County Auditor's Office makes no warranty, representation, or guarantee as to the content, accuracy, timeliness, or completeness of any information provided herein.

Furthermore, The Montgomery County Auditor's Office shall assume no liability for:  
 1. Any errors, omissions, or inaccuracies in the information provided regardless of how caused or  
 2. Any decision made or action taken or not taken by the reader in reliance upon any information furnished hereunder.  
 Note: Exact property boundaries must be derived by a legal survey of the property.



1 inch = 40 ft



Perspective View



Front



Left Side

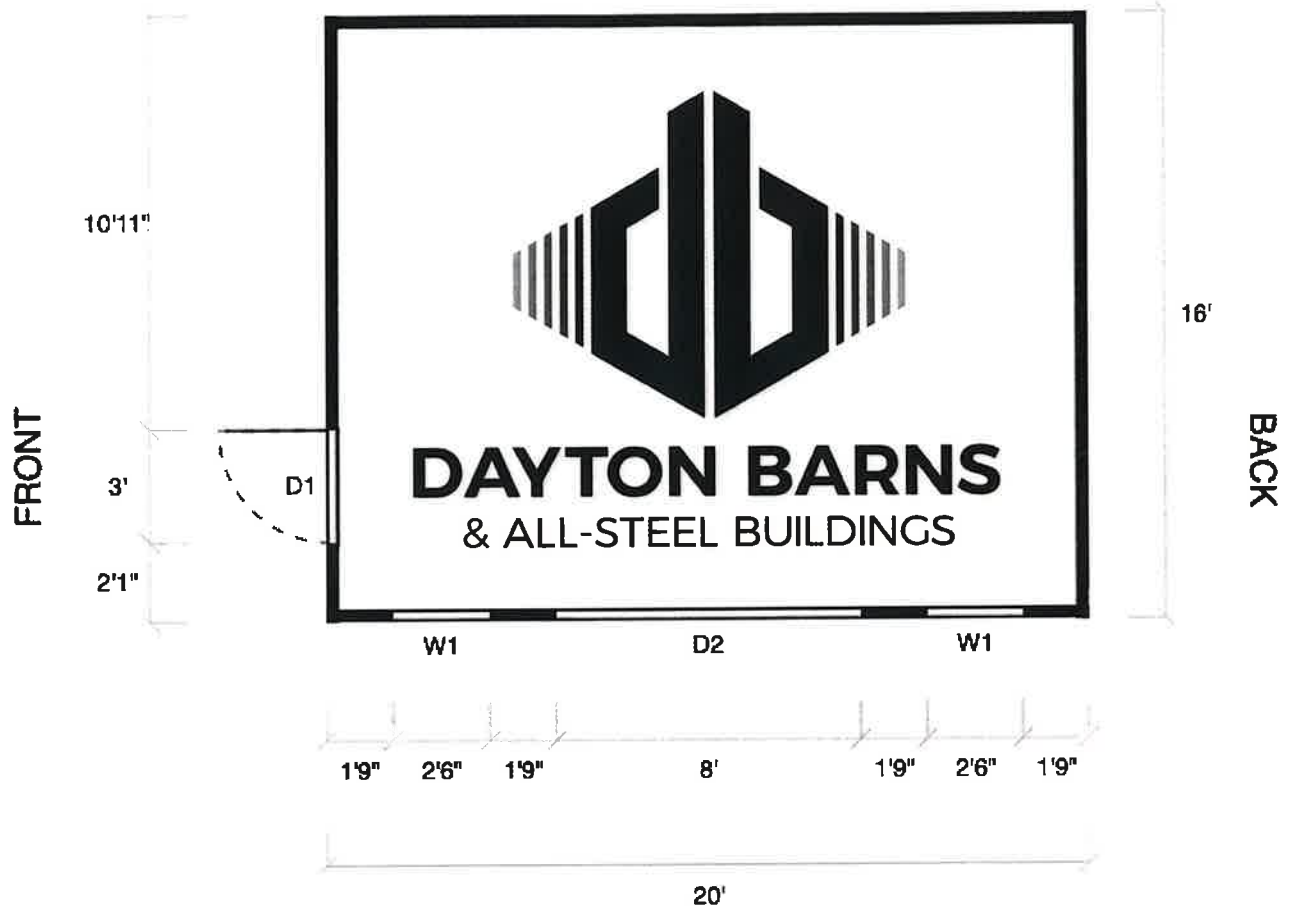


Right Side







Back

LEFT SIDE



RIGHT SIDE

SYMBOL LEGEND	
 D1	Premium Steel Prehung Door (36x80) - Right Hand Inswing
 D2	8'x7' Garage Door
 W1	30W x 30H Windows
	Closed Wall

### **1111.05 APPLICATION AND STANDARDS FOR VARIANCES.**

The Zoning Board of Appeals shall not vary the regulations of this Ordinance, as authorized in Section 1111.04, unless and until a written application for a variance is submitted to the Zoning Enforcement Officer and the Board of Zoning Appeals containing:

- (a) Name, address, and phone number of applicants;
- (b) Legal description of property;
- (c) Description of nature of variance requested;
- (d) 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 regulations were to be carried out;
  - (2) The conditions upon which an application for a variance is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification.
  - (3) The purpose of the variance 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 persons presently having an interest in the property;
  - (5) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
  - (6) The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the 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 premises benefited by a variance as may be necessary to comply with the standards established in this section and the objectives of this Ordinance.

### **1111.06 AUTHORIZED VARIANCES.**

Variations from the regulations of this Ordinance shall not be granted unless the Board makes specific findings of fact based directly on the particular evidence presented to it, which supports conclusions that the standards and conditions imposed in Section 1111.05, have been met by the applicant. Variations may be granted as guided by the following:

- (a) To permit any yard or setback less than a yard or a setback required by the applicable regulations;
- (b) To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but generally the respective area and width of the lot or lots should not be less than 80 percent of the required area and width;
- (c) To permit the same off-street parking facility to qualify as required facilities for two or more uses, provided that substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week;
- (d) To reduce the applicable off-street parking or loading facilities required by generally not more than 25 percent of the required facilities;

(e) To allow for the deferment of required parking facilities for a reasonable period of time, such period of time to be specified in the variance;

(f) To increase the maximum distance that required parking spaces are permitted to be located from the use served but generally not more than 40 percent;

(g) To increase the maximum allowable size or area of signs on a lot but generally by no more than 25 percent;

(h) To increase the maximum gross floor area of any use so limited by the applicable regulations but generally not more than 25 percent.

No order of the Zoning Board of Appeals granting a variance shall be valid for a period longer than 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.