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ORDINANCE NO. 1997-08

AN ORDINANCE AMENDING SECTION 1157.04 OF THE CODE OF ORDINANCES OF THE MUNICIPALITY OF BROOKVILLE, OHIO.

WHEREAS, Section 1157.04 provides for the regulation of patios, porches and carports within the Municipality of Brookville; and

WHEREAS, the Council of the Municipality of Brookville has determined that it is necessary to amend Section 1157.04 to clarify said regulations and provide for more uniform and appropriate construction of these accessory uses within the Municipality of Brookville.

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

SECTION I: Section 1157.04 of the Code of Ordinance of the Municipality of Brookville shall be amended to read as follows:

SECTION 1157.04 PATIOS, PORCHES, CARPORTS, AND CANOPIES

Covered porches, patios, or decks may be located no more than twelve (12) feet into the required rear yard setback, shall be open on three (3) sides, and shall not be screened in or enclosed. A building permit shall be required for the construction of a covered porch, patio, or deck. Uncovered rear porches, patios, or decks may extend up to one-half (1/2) of the rear yard setback, but shall not exceed thirty-five percent (35%) of the total rear yard, and shall not be screened in or enclosed. A building permit shall not be required for the construction of an uncovered rear porch, patio, or deck. Carports shall not extend into the required front yard or sideyard setbacks, shall be attached to the primary structure, and shall be erected on a cement slab. A building permit shall be required for the construction of a carport.

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Freestanding canopies, not to exceed three hundred sixty (360) square feet, shall be open on four sides, shall be erected in the rear yard on a cement slab, shall not exceed fifteen (15) feet in height, and access to said freestanding canopy shall be provided by a hard surface driveway. A building permit shall be required for the construction of a free standing canopy. Freestanding canopies shall be subject to the provisions of 1157.03 with respect to the location of said canopy within the rear yard.

SECTION II: This Ordinance shall repeal and rescind all ordinances, parts of ordinances, resolutions, and parts of resolutions in conflict herewith.

SECTION III: This Ordinance shall take effect upon its passage as provided by the Charter of the Municipality of Brookville, Ohio.

PASSED this 4th day of November, 1997.

ATTEST:

  
E. EUGENE ROESER, CLERK

  
THOMAS L. DAFLER, MAYOR

CERTIFICATE

The undersigned, Clerk of the Municipality of Brookville, Ohio does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1997-08, passed by the Council of said Municipality on the 4th day of November, 1997.

  
E. EUGENE ROESER, CLERK

No. 1997-08

Passed

November 4

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CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio on the 5th day of November, 1997, to the 5th day of December, 1997, both days inclusive.

  
E. EUGENE ROESER, CLERK