

# RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1994-03

Passed May 17 1994

AN ORDINANCE AMENDING SECTIONS 802.03(A) AND (B), 803.03 (A) AND (B), 804.03 (A) AND (B), 805.03 (A) AND (B), AND 806.03 (A) AND (B) OF THE OFFICIAL ZONING ORDINANCE OF THE MUNICIPALITY OF BROOKVILLE, OHIO.

WHEREAS, the Planning Commission of the Municipality of Brookville has conducted a review of the Official Zoning Ordinance of the Municipality of Brookville pursuant to its authority under Section 1503 of the Official Zoning Ordinance and the Charter of the Municipality of Brookville; and

WHEREAS, the Planning Commission has proposed amending the abovementioned sections of the Official Zoning Ordinance, having determined that said amendments are in the best interest of the public in the Municipality of Brookville; and

WHEREAS, the Council of the Municipality of Brookville, upon review of the proposed amendments, has found said amendments to be in the best interest of the public of the Municipality of Brookville, Ohio.

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

## SECTION I:

Section 802.03(A) and (B) of the Official Zoning Ordinance shall be amended to read as follows:

### 802.03 SITE DEVELOPMENT REGULATIONS (PERMITTED USES ONLY)

#### (A) Lot Requirements

- |                         |                |
|-------------------------|----------------|
| 1. Minimum Lot Area     | 10,000 sq. ft. |
| 2. Minimum Lot Frontage | 85 feet        |

#### (B) Yard Requirements

- |                             |         |
|-----------------------------|---------|
| 1. Minimum Front Yard Depth | 25 feet |
| 2. Minimum Rear Yard Depth  | 40 feet |
| 3. Minimum Side Yard Width  | 10 feet |
- Add one foot to minimum requirements for any two feet in which the height of the structure exceeds 25

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feet. (Footnote 4)

4. Minimum Side Yard Width	20 feet
Sum of Both	

All other subsections of 802.03 shall remain in full force and effect as previously adopted by this Council.

## SECTION II:

Section 803.03(A) and (B) of the Official Zoning Ordinance shall be amended to read as follows:

### 803.03 SITE DEVELOPMENT REGULATIONS (PERMITTED USE ONLY)

#### A. Lot Requirements

1. Minimum Lot Area	8400 sq. ft.
2. Minimum Lot Frontage	70 feet

#### B. Yard Requirements

1. Minimum Front Yard Depth	25 feet
2. Minimum Rear Yard Depth	40 feet
3. Minimum Side Yard Width	10 feet

Add one (1) foot to minimum requirements for every two feet in which the height of the structure exceeds 25 feet. (Footnote 6)

4. Minimum Side Yard Width	20 feet
Sum of Both	

Add one (1) foot to minimum requirements for every two feet in which the height of the structure exceeds 25 feet. (Footnote 6)

All other subsections of 803.03 shall remain in full force and effect as previously adopted by this Council.

## SECTION III:

Section 804.03(A) and (B) of the Official Zoning Ordinance shall be amended to read as follows:

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## Section 804.03 SITE DEVELOPMENT REGULATIONS (PERMITTED USE ONLY)

### A. Lot Requirements

- |                         |              |
|-------------------------|--------------|
| 1. Minimum Lot Area     | 8400 sq. ft. |
| 2. Minimum Lot Frontage | 70 feet      |

### B. Yard Requirements

- |  |         |
|--|---------|
| 1. Minimum Front Yard Depth  | 25 feet |
| 2. Minimum Rear Yard Depth   | 30 feet |
| 3. Minimum Side Yard Width   | 10 feet |
| Add one (1) foot to minimum requirements for every two feet which the height of the structure exceeds 25 feet.<br>(Footnote 8) |         |
| 4. Minimum Side Yard Width   | 20 feet |
| Sum of Both  |         |
| Add one (1) foot to minimum requirements for every two feet which the height of the structure exceeds 25 feet.<br>(Footnote 8) |         |

All other subsections of 804.03 shall remain in full force and effect as previously adopted by this Council.

## SECTION IV:

Section 805.03(A) and (B) of the Official Zoning Ordinance is hereby amended to read as follows:

### (A) LOT REQUIREMENTS

- |                         |                           |
|-------------------------|---------------------------|
| 1. Minimum Lot Area     | 8,400 sq. ft.             |
| Single-family dwellings |                           |
| Two-family dwellings    | 10,000 sq. ft.            |
| Multi-family dwellings  | 3,500 sq. ft.<br>per unit |
| Shared Housing          | 10,000 sq. ft.            |

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2. Minimum Lot Frontage	
Single-Family Dwellings	70 feet
Two-Family Dwellings	80 feet
Multi-family Dwellings	100 feet
Shared Housing	80 feet

## (B) YARD REQUIREMENTS

Single-family, Two-family dwellings and Shared Housing

1. Minimum Front Yard Depth	25 feet
2. Minimum Rear Yard Depth	30 feet
3. Minimum Side Yard Width	10 feet

Add one (1) foot to minimum requirements for every two feet in which the height of the structure exceeds 25 feet. (Footnote 10)

4. Minimum Side Yard Width	20 feet
Sum of Both	

Add one (1) foot to minimum requirements for every two feet in which the height of the structure exceeds 25 feet. (Footnote 10)

Multi-family structures

1. Minimum Front Yard Depth	30 feet
2. Minimum Rear Yard Depth	40 feet
3. Minimum Side Yard Width	15 feet

Add One (1) foot to minimum requirements for every two feet in which the height of the structure exceeds 25 feet. (Footnote 10)

4. Minimum Side Yard Width	35 feet
Sum of Both	

Add One (1) foot to minimum requirements for every two feet in which the height of the structure exceeds 25 feet. (Footnote 10)

All other subsections of 805.03 shall remain in full force and effect as previously adopted by this Council.

## SECTION V:

Section 806.03(A) and (B) of the Official Zoning Ordinance shall be amended to read as follows:

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## SITE DEVELOPMENT REGULATIONS

### (A) LOT REQUIREMENTS

- |                         |              |
|-------------------------|--------------|
| 1. Minimum Lot Area     | 8400 sq. ft. |
| 2. Minimum Lot Frontage | 70 feet      |

### (B) YARD REQUIREMENTS

- |   |         |
|---|---------|
| 1. Minimum Front Yard Depth   | 25 feet |
| Average of adjoining front yard depths if same are less than 25 feet. (Footnote 13) |         |

- |                            |         |
|----------------------------|---------|
| 2. Minimum Rear Yard Depth | 35 feet |
|----------------------------|---------|

- |                            |         |
|----------------------------|---------|
| 3. Minimum Side Yard Width | 10 feet |
| on each side               |         |

- |   |         |
|---|---------|
| a. Offices  | 10 feet |
| Where a side lot line coincides with a side lot line in a Residential District, the side yard dimensions shall be provided adjacent to respective Residential Districts as follows: R-1 Districts- 20 feet, R-2 Districts- 15 feet, R-3 Districts- 10 feet. (Footnote 14) |         |

All other subsections of 806.03 shall remain in full force and effect as previously adopted by this Council.

### SECTION VI:

This Ordinance shall revoke and rescind any Ordinance that is in conflict herewith.

### SECTION VII:

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

Passed this 17th day of May, 1994.

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## ATTEST:

  
E. EUGENE ROESER, CLERK

  
MICHAEL A. DUNCAN, 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. 1994- 03 passed by the Council of said Municipality on the 17th day of May, 1994.

  
E. EUGENE ROESER, CLERK

## CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1994- 03 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio on the

19th day of May, 1994 to the 17th day of June, 1994, both days inclusive.

  
E. EUGENE ROESER, CLERK