

# RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1992-06

Passed April 21, 1992

AN ORDINANCE MENDING THE ZONING ORDINANCES OF THE CODE OF ORDINANCES OF THE MUNICIPALITY OF BROOKVILLE, OHIO RELATING TO PROVIDING NECESSARY AUTHORIZATION TO THE PLANNING COMMISSION FOR THE MODIFICATION OF CERTAIN REQUIREMENTS RELATING TO CERTAIN FRONTAGE AND SET BACK REQUIREMENTS AND BUILDING SIZE REQUIREMENTS.

WHEREAS, THE Code of Ordinances of the Municipality of Brookville, Ohio currently provide for certain zoning restrictions; and

WHEREAS, it has come to the attention of the Council of the Municipality of Brookville, Ohio that occasionally, a strict application of certain zoning requirements such as set back requirements and building size requirements are not realistic and would not serve the general compatible development with adjacent land areas, and as such would be not in the interest of the community in general; and

WHEREAS, it is deemed necessary in the interest of fairness to provide a body such as the Planning Commission the authority to modify certain requirements as is necessary to achieve compatible development with adjacent land areas in order to best serve the interest of the general community.

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

## SECTION I:

With respect to frontage and set back requirements and building size requirements as well as area requirements for any applicable zone, the Planning Commission is hereby authorized to waive or modify certain requirements as necessary to achieve compatible development with adjacent land areas as well as in the interest of the community in general. In doing so, the Planning Commission shall examine the adjacent land areas before making their decision and shall take into consideration the Master Plan adopted by the Council of the Municipality of Brookville, Ohio. The Planning Commission may also impose those additional conditions, guarantees, and safeguards as it deems necessary for the general welfare of the community, and for the protection of the individual property rights as well as for insuring that the objectives of the Master Plan and the Zoning Ordinances as well as this Ordinance are observed.

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## SECTION II:

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

PASSED this 21st day of April, 1992.

ATTEST:

  
E. EUGENE ROESER, Clerk

  
MICHAEL 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. 1992-06 passed by the Council of said Municipality on the 21st day of April, 1992.

  
E. EUGENE ROESER, Clerk

## CERTIFICATION OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1992-06 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio, on the 23rd day of April, 1992, to the 22nd day of May, 1992, both days inclusive.

  
E. EUGENE ROESER, Clerk