

RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1988-03

Passed _____

June 21¹⁹ 88

AN ORDINANCE AMENDING SECTION 816.10 (PR Planned Residential District) I.

WHEREAS, it has recently come to the attention of the Planning Commission and the Council of the Municipality of Brookville, Ohio, that there is a strict 50 foot setback required across the entire perimeter of a planned residential district development; and

WHEREAS, it is believed that requiring a reasonable setback is necessary for proper land use planning; and

WHEREAS, it has been recently deemed inappropriate to have a strict requirement for a 50 foot set back without allowing the Planning Commission and the Council of the Municipality of Brookville, Ohio, some discretion to reduce that setback in appropriate cases.

NOW, THEREFORE, be it ordained by the Council of the Municipality of Brookville, Ohio, that:

SECTION I.

That Section 816.10 I. shall be amended to read as follows: A setback of 50 feet shall be provided along the entire perimeter of the development and retained in natural woods or be suitably landscaped with grass and/or ground cover, shrubs and trees. Under appropriate circumstances, at the discretion of the Planning Commission and the Municipal Council, this setback may be reduced to a set back of not less than thirty (30) feet, it being expressly understood that both the Planning Commission and the Municipal Council must approve such reduction of the fifty (50) foot setback to a setback not less than thirty (30) feet. Projects located and adjacent to Commercial or Industrially zoned areas shall provide screening facilities comprising landscaping, walls or both which will provide suitable protection to the residential development as adjudged by the Planning Commission and Municipal Council. Screening facilities shall not obscure traffic visibility within fifty (50) feet of an intersection.

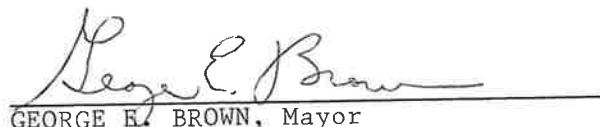
SECTION II.

This Ordinance shall revoke and rescind all Ordinances, parts of Ordinances, and Resolutions and parts of Resolutions that are in conflict herewith and shall be enforced from and after the earlier period allowed by law.

PASSED this 21st day of June, 1988.

ATTEST:


E. EUGENE ROESER, Clerk


GEORGE E. BROWN, Mayor

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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. 1988-03 passed by the Council of said Municipality on the 21st day of June, 1988.



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. 1988-03 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio, on the 30th day of June, 1988, to the 29th day of July, 1988, both days inclusive.



E. EUGENE ROESER, CLERK