

Brookville City Council
Public Hearing
October 22, 2020

The Public Hearing for proposed Ordinance No. 2020-06 to amend the Zoning Classification of certain lots in the Meadows of Brookville, Section Five was called to order by Mayor Letner at 7:30 p.m. on October 22, 2020 at the Brookville Fire Station 76 Training Center. The meeting was also streamed live on the City of Brookville's Facebook page and broadcast on the Webex video conference application. The Pledge of Allegiance was recited. Council Members Crane, Fowler, Schreier, Swabb, Wilder and Zimmerlin; Planning Commission Chairperson Henderson, Members Claggett, Cordes and Sievers; Manager Keaton, Finance Director Brandt, Law Director Stephan and Clerk Duncan were present. Planning Commission Vice Chairperson Boose was absent.

Mayor Letner began the Public Hearing, which is a combined meeting with Council and Planning Commission on proposed Ordinance No. 2020-06.

The Public Hearing was recorded and is on file with the Clerk at the Municipal Offices. The audio recording and a transcript of the meeting are also available on the City website at www.brookvilleohio.com.

Clerk Duncan announced this Public Hearing is to consider the adoption of proposed Ordinance No. 2020-06 which amends the Zoning Classification of Lots 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, and part of Lot 2609 of the City of Brookville from its present Zoning Classification of (R-1C) Urban Residential District to the New Classification of (R-3) Multi Family Residential District.

Clerk Duncan stated a Legal Notice was published in the September 30 and October 7 edition of the Brookville Star advising of the Public Hearing. A notice of the Public Hearing was also published on the City's website and on the City's Facebook page. Notices of this Public Hearing were mailed to all property owners in the Meadows of Brookville, advising of the Public Hearing and the zoning changes proposed in Ordinance 2020-06.

Clerk Duncan inquired whether any Council Member or Planning Commission Member needs to abstain from participating in this Public Hearing? Member Schreier indicated he needs to abstain from participating as he has a family member that resides in the Meadows of Brookville.

Clerk Duncan administered the Oath of Witness to Mike Oxner of Professional Associates, Tim Taylor of Taywood Enterprises and Gemma Maxwell of Fischer Homes.

Law Director Stephan announced the Public Hearing is to consider the application of Taywood Enterprises, Inc. for rezoning lots 2413 to 2424 and part of lot 2609 of Meadows of Brookville subdivision for R-1C to R-3. The application contains a proposed preliminary plat that would establish 48 lots for zero lot line dwellings in the area to be rezoned. Zero Lot line dwellings are a special use in R-3 zoning and are defined in Section 1163.03 (B)(38). This type of R-3 zoning has previously been approved and developed in the Meadows of Brookville, Section 4. However, this rezoning would be a modification of prior decisions of Planning Commission and City Council in 2008 that this area for the proposed rezoning would remain as platted in Meadows of Brookville, Section 5 for single family homes. Law Director Stephan advised City Staff has recommended that the applicant limit the number of driveway entrances onto Westbrook Road to the existing number of driveway entrances. The applicant has developed a proposed design that provides a driveway for each zero-lot line dwelling that merges into one driveway entrance at the Westbrook Road right-of-way. City Staff is also recommending that in the event this rezoning is approved by Planning Commission and City Council, the rezoning would be limited to this specific R-3 zero-lot line development and would not be an approval for any other R-3 project. In addition, it is recommended that the rezoning approval will provide a time period for commencement of the project. Law Director Stephan stated in the event the project does not commence, this R-3 approval will terminate.

A presentation was made by Mike Oxner, of Professional Associates and Gemma Maxwell, of Fischer Homes regarding the proposed construction of zero-lot line homes in the Meadows of Brookville, Section Five.

Clerk Duncan administered the Oath of Witness to Tim Nelson, of 213 Brooke Woode Drive; Pete Chakiris, of 6465 Wellbaum Road; Karen Braund, of 15 Heckathorn Road and Del Braund, of 15 Heckathorn Road.

Testimony was given by Tim Nelson, of 213 Brooke Woode Drive; Pete Chakiris, of 6465 Wellbaum Road; Karen Braund, of 15 Heckathorn Road and Del Braund, of 15 Heckathorn Road.

Four exhibits were presented to the Clerk and are on file at the Municipal Offices. The first exhibit was a copy of the written testimony given by Pete Chakiris. The second exhibit was a copy of the written testimony given by Karen Braund. The third exhibit was a written statement submitted by Mary Jo Klaus of 150 Brooke Woode Drive, which Clerk Duncan read aloud. The fourth exhibit was a list of citizens present in the fire bay who stated they were unable to hear the presentation.

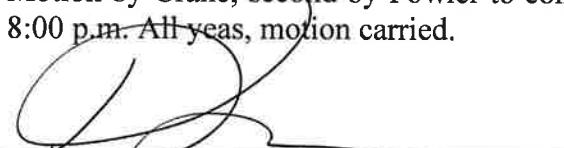
Clerk Duncan then administered the Oath of Witness to Bill Stout, of 170 Brooke Woode Drive; Mike Swartz, of 193 Brooke Parke Avenue; Jason Petry, of 41 Meadow Brooke Avenue and James Bailey, of 52 Meadow Brooke Avenue.

Testimony was given by Bill Stout, of 170 Brooke Woode Drive; Mike Swartz, of 193 Brooke Parke Avenue; Jason Petry, of 41 Meadow Brooke Avenue and James Bailey, of 52 Meadow Brooke Avenue.

After the presentation and testimony, there were questions by Brookville City Council and Planning Commission Members, followed by comments and questions from the general public.

A complete transcript of the Public Hearing was made by Monica K. Schrader, of Mike Mobley Reporting. The transcript of the Public Hearing is available in the City Offices and published on the City of Brookville website, at www.brookvilleohio.com.

Motion by Crane, second by Fowler to continue the Public Hearing until November 17, 2020 at 8:00 p.m. All yeas, motion carried.



Kimberly Duncan, Clerk



Charles Letner, Mayor