

CASE
VAR26-02



DEVELOPMENT DEPARTMENT
 PO Box 280
 Clayton, OH 45315
 P:(937) 836-3500 F:(937) 836-6773

BZA Case#	<u>VAR26-02</u>	Date Received:	<u>3/13/2026</u>	Reviewed By:	<u>ES</u>
BZA Meeting Date:	<u>4/7/2026</u>	Date of Legal Publication:	<u>3/25/2026</u>		
Fee: \$	<u>250.00</u>	<input type="checkbox"/> Cash	<input type="checkbox"/> Credit Card	<input checked="" type="checkbox"/> Check #	<u>10145</u>

Board of Zoning Appeals Application

Applicant: Patti E BROWN Thorman Phone Number: 937-304-2819

Mailing Address: 6301 Silverbell Ct. Clayton, Ohio 45315

Request:

- Administrative Appeal Conditional Use Variance

Property Address: 4639 Wenger Rd Clayton, Oh 45315

Subdivision Name: _____ Lot#: _____

Parcel ID#: M60 03103 0024 Zoning District: _____

Nature of Request: Build A BARN near of property

I hereby authorize and grant to the City of Clayton Officials and employees, members of the Board of Zoning Appeals the right to come onto the above described property for the purpose of inspecting and evaluating the premises regarding this application. I further release said Board members, and City employees and officials from any and all liability during said inspection and related matters.

I swear that the above information and attached exhibits, to my knowledge, are true and correct. I understand that if the information on this application is not correct or complete, the result may be the invalidation of the approval and all subsequent permits issued in conjunction with this approval.

 Applicant's Signature

mar 12, 2026
 Date



DEVELOPMENT DEPARTMENT
PO Box 280
Clayton, OH 45315
P:(937) 836-3500 F:(937) 836-6773

Affidavit

State of Ohio
County of Montgomery

I (We) PAthi Thurman after being first duly sworn, depose and say:

- 1. That I (We) are the owner(s) of the above described real estate;
- 2. That I (We) have read and examined the Application for Conditional Use, Variance or Administrative Appeal of the City of Clayton Codified Ordinance, and are familiar with its contents; and
- 3. That I (We) have no objections to, and consent to such request as set forth in the application.

[Handwritten Signature]

Property Owner(s) Signature(s)

6301 Silverbell Ct Clayton Oh 45315
Mailing Address

937-304-2819
Phone Number

Subscribed and sworn to be before me this 12th day of March 2024
[Handwritten Signature]
Notary Public Signature



Patrice Lynn Coleman
Notary Public, State of Ohio
My Commission Expires 08-21-2029

Name (Person to be contacted for details, if other than above signatory)

Mailing Address

Phone Number

City of Clayton Receipt by Receipt Line

Receipt No: 2026-0355
 Received From: Patti & Brian Thorman
 Received For: 4639 Wenger Rd.
 Reference:

Page: 1
 Date: 03/16/2026
 Amount: \$250.00

Line #	Line Description	Line Date	GL Account Number	Account Number	Project	Quantity	Unit Price	Amount
1	4639 Wenger Rd.	03/16/2026	101-0000-40623	00000-001		1	0.0000	\$250.00
							Tender Type	Tender Amount
							Check	\$250.00
							Total Amount:	\$250.00
							Tendered Amount:	\$250.00
							Change Amount:	\$0.00
							Credit Memo:	\$0.00

LEGAL DESCRIPTION

EXHIBIT "A"

Situated in the City of Clayton, County of Montgomery, and State of Ohio:

And being part of Section 21, Town 5, Range 5 East and being 2.510 acres of a 4.50 acre tract as conveyed to Waller J. Dixon and Mary E. Gowdy by deed recorded in MF#99-0016A10 (all references to Plats, Deeds, Microfiche #'s, etc. refer to the Montgomery County Recorder's office unless noted otherwise.) and being more particularly described as follows:

Beginning at a 3/4" O.D. pipe found at the centerline intersection of Hoke Road and Wenger Road, said pipe being the Southwest corner of said section;

Thence with the centerline of said Wenger Road and the South line of said section, North 89 deg. 44' 00" East for 1775.97 feet to a P.K. nail set at the Southeast corner of a 2.50 acre tract as conveyed to Robert K. Shewbridge by deed recorded in I.R. # Deed 02-70297, said P.K. nail set being the True Point of Beginning;

Thence leaving said centerline & section line with the Easterly line of said 2.50 acre tract, North 00 deg. 54' 00" West for 668.00 feet (passing a 5/8" iron pin set at 20.00 feet) to a 5/8" iron pin set on a Southerly line of a 58.466 acre tract as conveyed to Bruce Deeter & David Deeter by deed recorded in MF #90-0423C11, said line also being the City of Englewood Corporation line;

Thence with the Southerly line of said 58.466 acre tract, North 89 deg. 44' 00" East for 175.47 feet to a 5/8" iron pin set;

Thence departing said Southerly line with a new division line, South 01 deg. 07' 37" West for 668.16 feet (passing a 5/8" iron pin set at 648.15 feet) to a P.K. nail set in the centerline of said Wenger Road;

Thence along the centerline of said road & the South line of said section, South 89 deg. 44' 00" West for 151.84 feet to the True Point of Beginning, containing 2.510 acres (0.070 acres contained in R/W).

Basis of bearings with the centerline of Wenger Road being North 89 deg. 44' 00" East, as recorded in MF #99-0016A10.

Prepared from a field survey performed by BCR Land Surveying Company on February 10, 2003, under the direction of Everett E. Roach, P.S. #7542. All iron pins set arc 5/8" O.D. by 30" in length, in rebar with caps stamped "BCR S-7542."

4639 Wenger Road
Clayton, Ohio 45315

PPN: M60-03103-0024

Box 2016-1415
RETURN TO:
FIDELITY LAWYERS TITLE ACQUISITION
100 E. THIRD ST., 4402
DAYTON, OH 45402



(2016-1415.PFD/2016-1415/10)

PUBLIC NOTICES

PUBLIC MEETING NOTICE

Notice is hereby given that the Clayton Board of Zoning Appeals will hold a public hearing on Tuesday, April 7, 2026, at 7:00 p.m. The Board of Zoning Appeals will hear *a request for a variance to Section 1121.02(C)(1)(i) of the Clayton Planning and Zoning Code, specifically requesting to construct a third accessory structure exceeding 200 SF in size, for property M60 03103 0024, commonly known as 4639-4649 W Wenger Road in the City of Clayton, Montgomery County, State of Ohio.* The request was made by Patti & Brian Thurman, Merde LLC (property owners). The Clayton Board of Zoning Appeals will hear the request and may make a motion to approve or disapprove the request at the public hearing. The application may be reviewed at the Clayton Government Center, 6996 Taywood Road, during regular business hours or online at <https://www.clayton.oh.us/374/Board-of-Zoning-Appeals-Agendas>. The meeting is open to the public. If you are unable to attend in person you can submit a letter that will be forwarded to the Board of Zoning Appeals for consideration.

Development Department
City of Clayton
Ph. (937) 836-3500

**RESERVED
FOR
NEWSPAPER
CLIPPING
AFTER
PUBLISHING**

TAXPINNO	PARLOC	OWNER NAME1	OWNER NAME2	MAILING ADDR1	MAILING ADDR2	MAILING ADDR3
M60 03103 0043	4679 WENGER RD	SHEWBRIDGE ROBERT K		4679 WENGER RD		CLAYTON OH 45315 9727
M60 03103 0024	4639 WENGER RD	MERDE LLC		6301 SILVERBELL CT		CLAYTON OH 45315
M60 03103 0032	4601 WENGER RD	SYLVAIN EARL C AND	HENRIETTA H	4601 W WENGER RD		CLAYTON OH 45315
M60 16433 0003	4688 WENGER RD	METZGER ANDREW W AND	TRACIE R	4688 W WENGER RD		CLAYTON OH 45315
M57 01004 0003	4578 W WENGER RD	DIETSCH ROGER J	SANDRA K	4578 WENGER RD		CLAYTON OH 45315 8811
M60 16433 0001	4722 WENGER RD	LEWIS EDWARD L TRUSTEE		4722 W WENGER RD		CLAYTON OH 45315
M60 03103 0068	4633 WENGER RD	SLUSSER MATTHEW R AND	RANDI	4633 W WENGER RD		CLAYTON OH 45315
M57 00721 0003	WENGER RD	DEETER DANNY K ET AL 4		8150 HOKE RD		CLAYTON OH 45315
M60 16433 0005	4650 WENGER RD	SECOR THOMAS AND	ALLISON	P.O. BOX 3490		LITTLE ROCK AR 72203
M60 03103 0030	4701 WENGER RD	RICCIARDI ANTHONY J AND	CHRIS S CLAUSEN	2611 N MONTGOMERY COUNTY LINE RD		TIPP CITY OH 45371
M57 00721 0002	WENGER RD	DEETER DANNY K ET AL 4		8150 HOKE RD		CLAYTON OH 45315
M60 03103 0031	4585 WENGER RD	KNOOP ZACKERY C		4585 W WENGER RD		CLAYTON OH 45315
M60 16433 0002	4704 WENGER RD	TEGMEYER ROBERT C AND	MARILYN A TRS	4704 WENGER RD		CLAYTON OH 45315 8812
M60 16433 0004	4668 WENGER RD	HOPSECKER BRITTNEY E AND	JOSHUA A MAY	4668 W WENGER RD		CLAYTON OH 45315
M57 01004 0002	4596 WENGER RD	HOGAN PATRICK C TR		4596 WENGER RD		CLAYTON OH 45315
M57 01004 0001	4614 WENGER RD	KLEISMIT CRAIG	REBECCA	4614 WENGER RD		CLAYTON OH 45315 9727
M60 16433 0006	4632 WENGER RD	DOLL THOMAS AND	ALEXANDRA DOLL	4632 W WENGER RD		CLAYTON OH 45315



March 23, 2026

«OWNER_NAME1» «OWNER_NAME2»:

Please be advised that the City of Clayton Board of Zoning Appeals will hold a public hearing on **Tuesday, April 7, 2026 at 7:00 p.m.** at the Clayton Government Center, 6996 Taywood Road, Englewood, OH 45322.

The Board of Zoning Appeals will hear ***a request for a variance to Section 1121.02(C)(1)(i) of the Clayton Planning and Zoning Code, specifically requesting to construct a third accessory structure exceeding 200 SF in size, for property M60 03103 0024, commonly known as 4639-4649 W Wenger Road in the City of Clayton, Montgomery County, State of Ohio.*** The request was made by Patti & Brian Thurman, Merde LLC (property owners). The Clayton Board of Zoning Appeals will hear the request and may make a motion to approve, approve with conditions, or disapprove the request at this hearing.

You are receiving this letter because you own property within three hundred feet (300') of the subject property.

Your Affected Parcel(s): «TAXPINNO»

The application may be reviewed at the Clayton Government Center, 6996 Taywood Road, during regular business hours (M-F 7:30 a.m. until 4:30 p.m.) or online at <https://www.clayton.oh.us/374/Board-of-Zoning-Appeals-Agendas>.

The meeting is open to the public; if you are unable to attend in person you can submit a letter that will be forwarded to the Board for consideration. Alternatively, the meeting will be livestreamed on the City's YouTube channel which you can find on the City's webpage. Please be advised the Board does not have the capability to receive comments from online viewers.

Sincerely,

A handwritten signature in black ink that reads "Glenn Snyder". The signature is written in a cursive style.

Development Department
(937) 836-3500

LETTER OF INTENT

Untitled

March 12,2026

**City Of Clayton Ohio
Board of Zoning Appeals
6996 Taywood Road
Clayton,Ohio 45315**

**RE: 4639 WENGER ROAD
ZONING APPLICATION**

To Whom it May Concern:

We respectfully submit this application requesting approval to construct a third (3) accessory structure on our property address mentioned above. This request addresses the requirements of Zoning Code 1.121.02.C.1.1

This request was previously approved by the Board; however due to an unexpected fire on this property , we were unable to move forward with construction within the one-year peroid.As a result, the approval expired before we were able to proceed. We are now requesting that the Board approve this application again so that we may complete this project.

As stated prior the current structures experience significant flooding during even moderate rain events. We have invested considerable time and resources attempting to resolve this issue through grading and the installation of french drains to no avail. Because this property operates on a septic system the areas where we can work in are considerably limited. We cannot demolish existing structures as the septic systems run below them.

The proposed structure will be located toward the rear of the property behind existing tree lines. It will be completely out of view of the neighboring properties to the east and will be only visible to the property directly adjacent to us on the west. We have spoken with both of the neighboring property owners and they have expressed no concerns regarding this proposal.

The rear portion of our property sits at a higher eleation and does not experience the flooding issues present on the front portion of the property. Locating the building in this area will allow us to use this barn as they were intended and help prevent the continued loss of personal property caused by flooding.

We appreicate the Boards time and consideration of our request and respectfully ask for approval to move forward with this project.

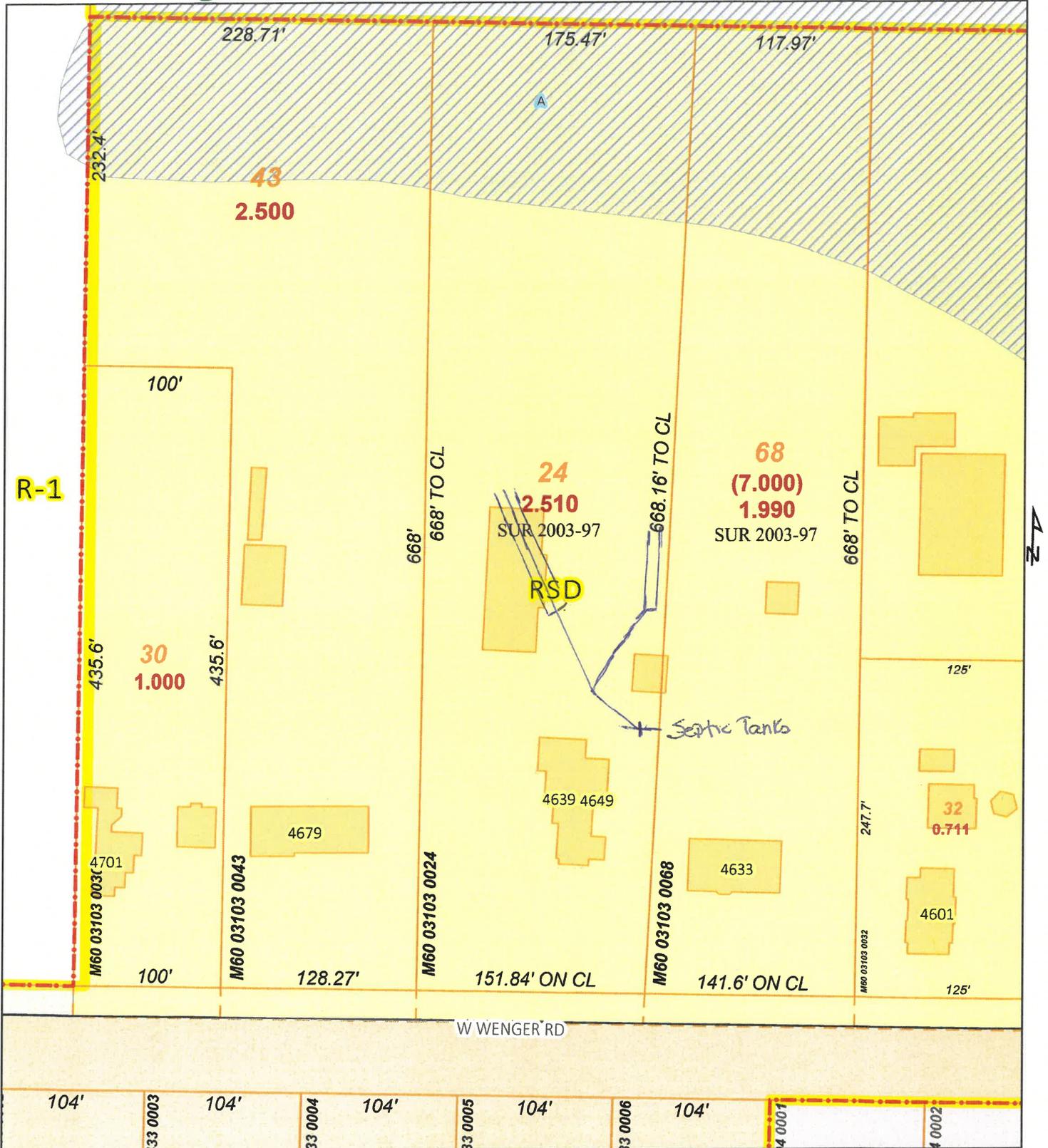
Untitled

Respectfully,

**Patti and Brian Thurman
4639 Wenger Rd
Clayton, Ohio 45315**

Page 2

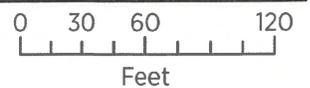
DETAILED SITE PLAN

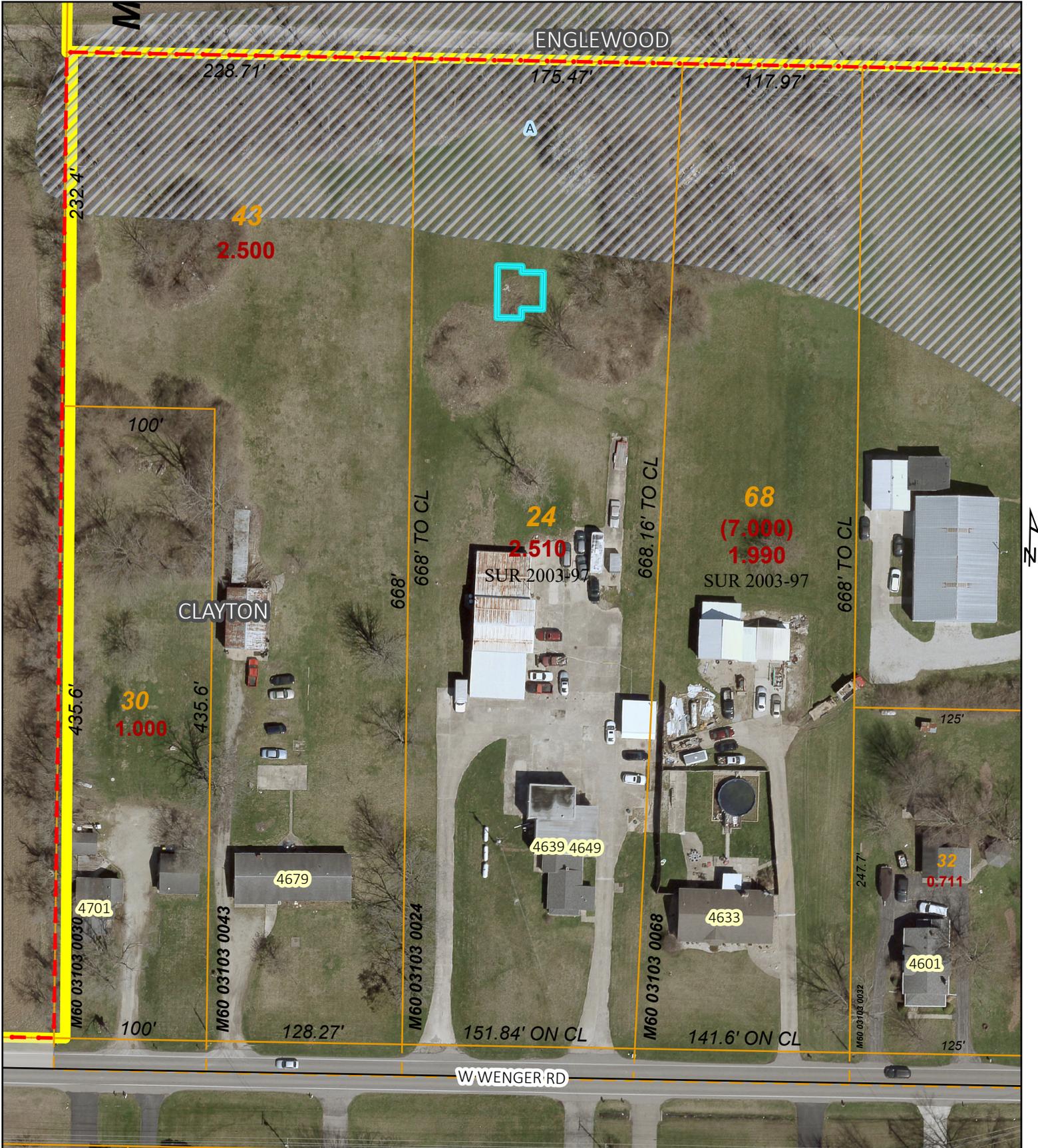


*Note: Exact property boundaries must be derived by a legal survey of the property.

Furthermore The City of Clayton shall assume no liability for:

1. Any errors, omissions, or inaccuracies in the information provided regardless of how caused; or
2. Any decision made or action taken or not taken by the reader in reliance upon any information furnished hereunder.





*Note: Exact property boundaries must be derived by a legal survey of the property.

Furthermore The City of Clayton shall assume no liability for:

1. Any errors, omissions, or inaccuracies in the information provided regardless of how caused; or
2. Any decision made or action taken or not taken by the reader in reliance upon any information furnished hereunder.





PLOT PLAN

SCALE: 1" = 100.0'

SWEST 3/12/2026



North Baltimore, Ohio 45872
Ph: 419-267-2152
Fax:

Date: 2/19/2026

JOB: Q10416 - 6901 SILVERBELL CT

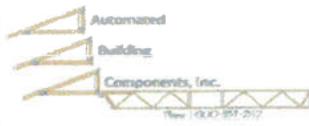
CUSTOMER INFORMATION		JOB INFORMATION	
HEMMELGARN, TOM 309 GLEN MARY ENGLEWOOD, OH TOM HEMMELGARN - Salesman: Dave Miras	Phone: 937-397-4977 Fax: Email: THOMAS.HEMMELGARN@YAHOO.COM	6901 SILVERBELL CT 4639 W. WENGER CLAYTON OH 45315 Clayton, OH 45315 Terms: Prepay	
Loading: 25-10-0-10=45 PSF		Proj. Spacing: 24" O/C	

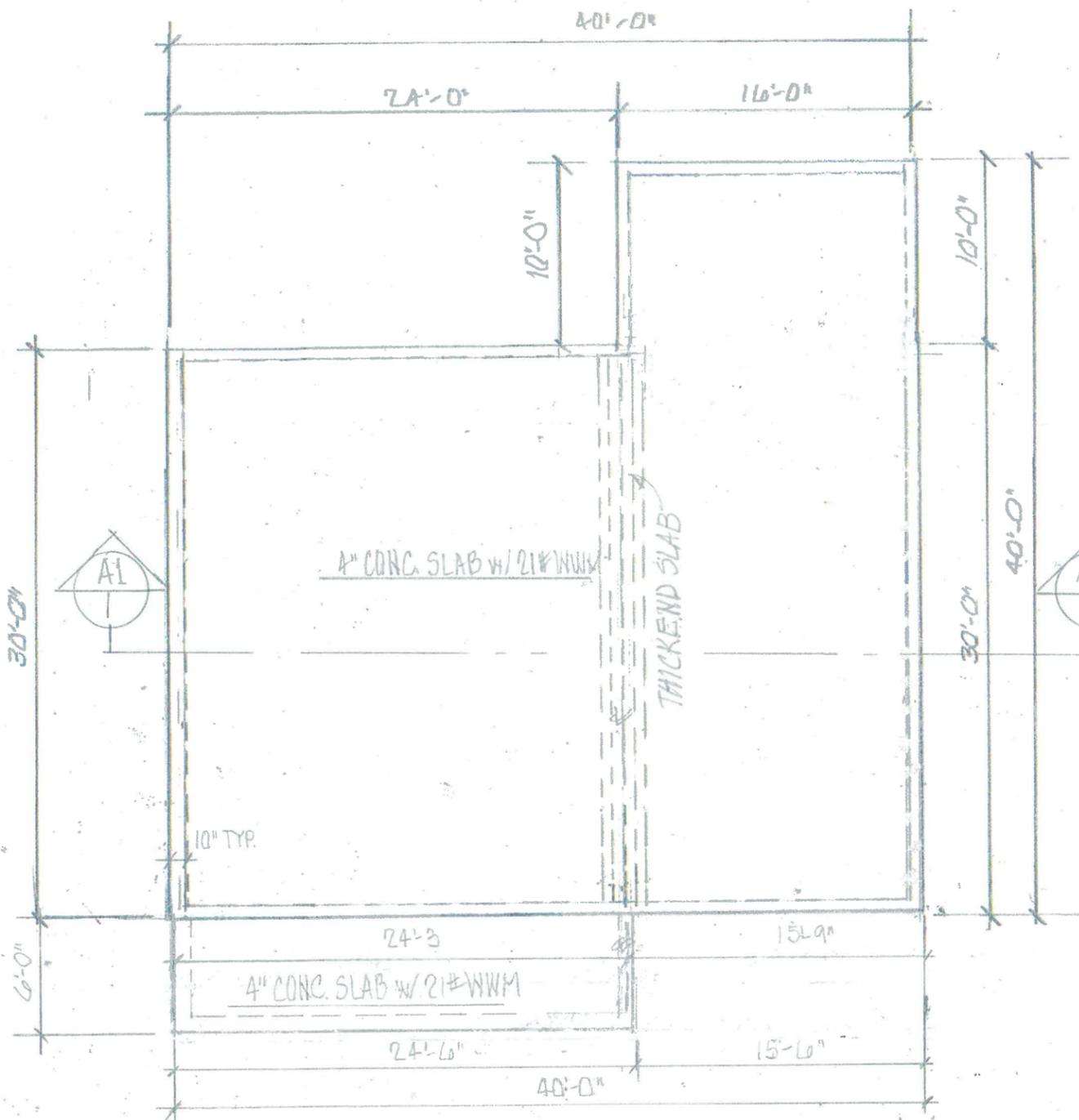
Truss	Qty	Spac	Pitch	Truss Image	Pitch	Size	Roof Height	Overhang	Can/Over
Weight		Spacing			T Chord	Chords	Left	Left	Left
					B Chord		Right	Right	Right
T1	2	24-5-8 2-0-0	1		5.00	2x4T	0-6-6	2-0-0	0-0-0
T1A	14	24-5-8 2-0-0	1		5.00	2x4T	0-6-6	2-0-0	0-0-0
T1G	1	24-5-8 2-0-0	1		0.00	2x4S	10-8-11	0-0-0	0-0-0
T1GA	1	24-0-0 2-0-0	1		5.00	2x4T	0-6-6	2-0-0	0-0-0
T1TG	1	24-5-8 2-0-0	1		0.00	2x4S	10-8-11	0-0-0	0-0-0
T2	14	24-5-8 2-0-0	1		5.00	2x4T	0-6-6	2-0-0	0-0-0
T2A	5	15-11-0 2-0-0	1		5.00	2x4T	0-6-6	2-0-0	0-0-0
T2G	1	15-5-8 2-0-0	1		0.00	2x4S	5-11-11	0-0-0	0-0-0
T2GA	1	15-11-0 2-0-0	1		5.00	2x4T	0-6-6	2-0-0	0-0-0
					0.00	2x4S	7-1-15	0-0-0	0-0-0

MISCELLANEOUS ITEMS

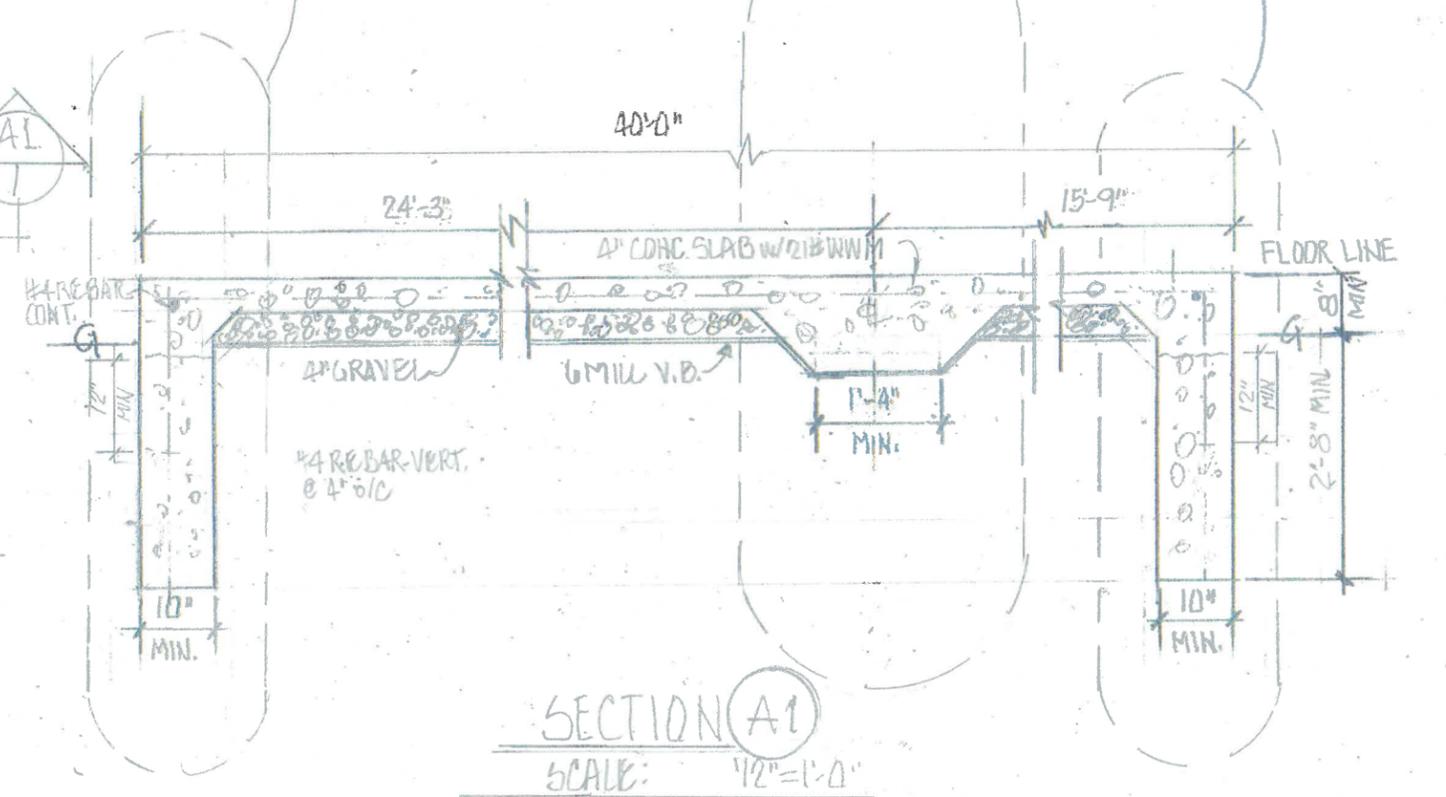
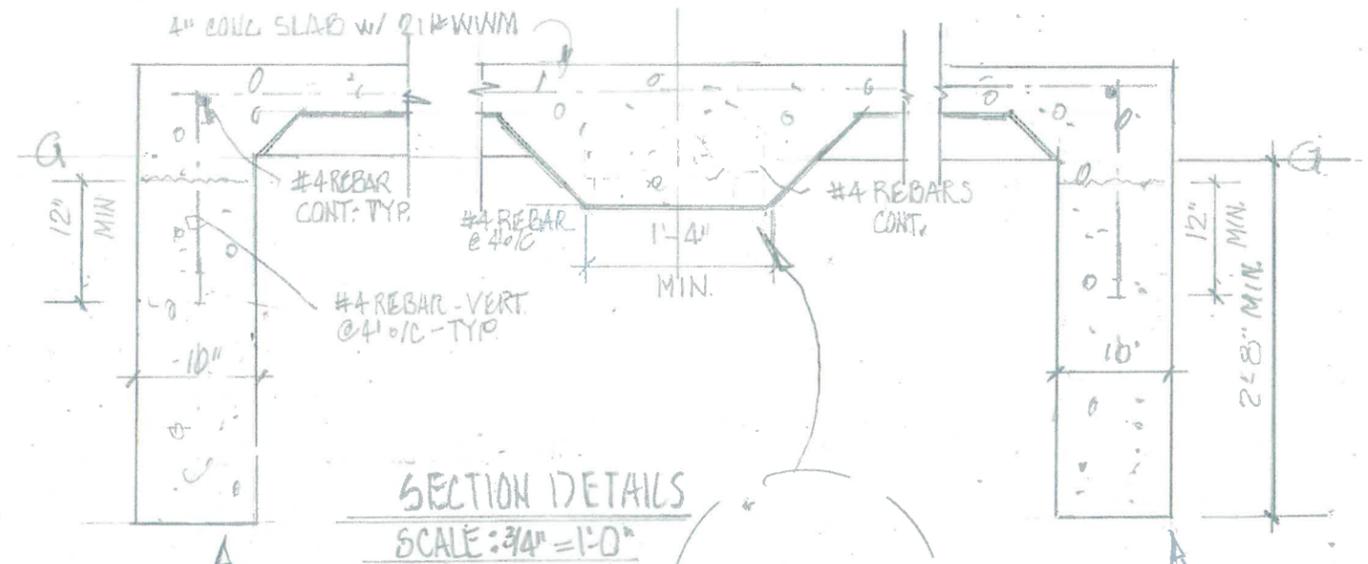
Qty	Item	Type	Note
	80 H2.5A	Each	
		Subtotal:	\$4,450.00
		Tax:	\$300.38
		Total:	\$4,750.38



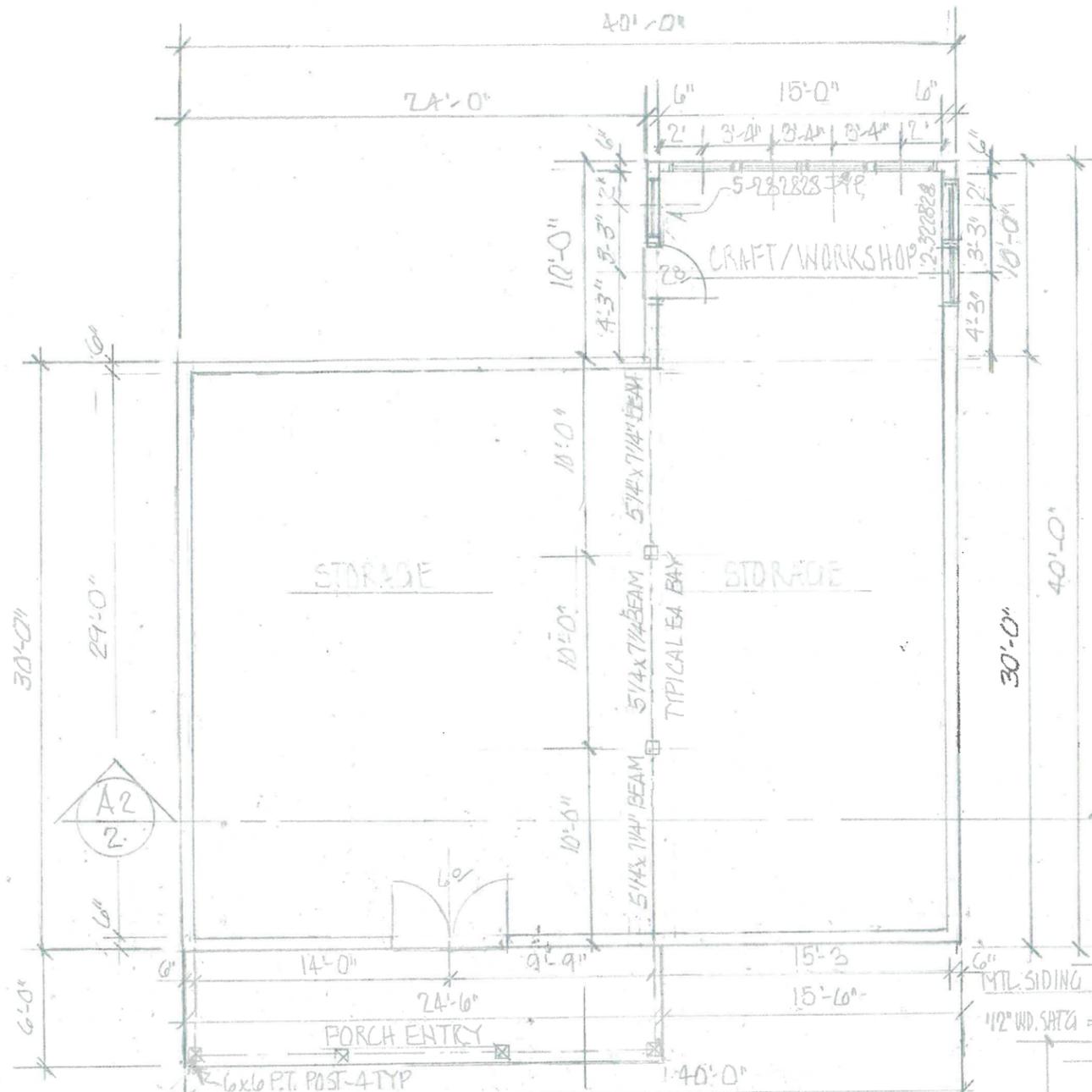
Job Number: Q10416 Designed By: Dennis Mastromarino	Designer: HEMDELAGARN, TOM Project: 6304-SILVERBELL CT. 4639 W. WENGER RD. DATE: 26 / 10 / 26 FILENAME: 1-A-ANG-4100	<p>THIS IS A TRUSS PLACEMENT DIAGRAM ONLY</p> <p>These trusses are designed as individual building components to be fabricated from the building fabric of the manufacturer of the building fabric. The building fabric design shown for each truss member is intended as a design guide only. The building fabric is responsible for determining the component location of the end and then system and the structural details. The fabricator is responsible for determining the location of the end and then system and the structural details. The fabricator is responsible for determining the location of the end and then system and the structural details. The fabricator is responsible for determining the location of the end and then system and the structural details.</p>
	Automated Building Components 2309 Grant Road North Baltimore, OH 43872 p: 419-257-2152 f: 419-257-2779	<p>NOTES:</p> <p>1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.</p> <p>2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.</p> <p>3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.</p> <p>4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.</p> <p>5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.</p> <p>6. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.</p> <p>7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.</p> <p>8. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.</p> <p>9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.</p> <p>10. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.</p>
		<p>Phone: (419) 257-2152</p>



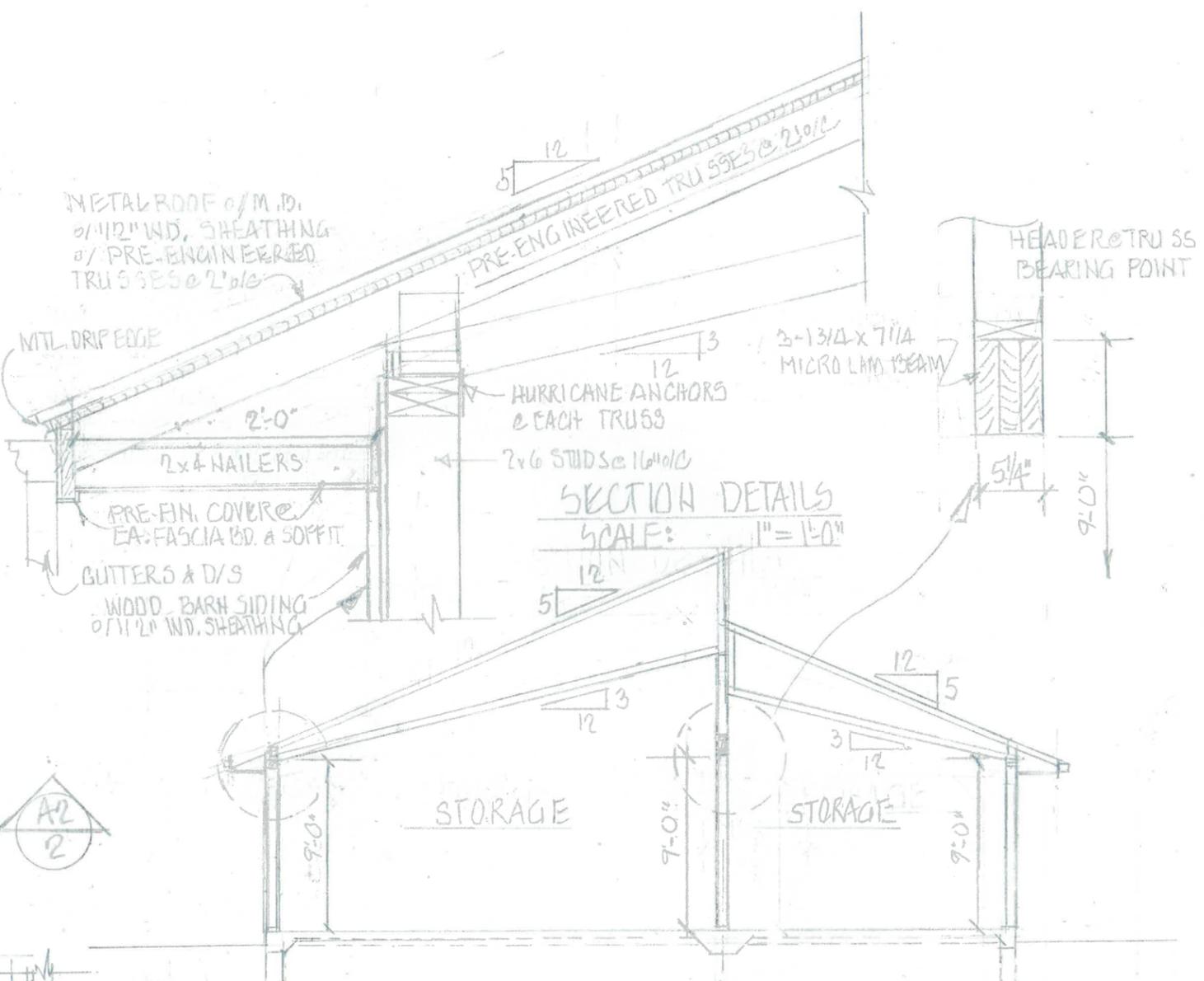
FLOOR & FOUNDATION PLAN
SCALE: 1/8" = 1'-0"



MERDE LLC		PATTY THURMAN 937-304-2819	
6301 SILVERBELL CT. CLAYTON OH 45315			
SCALE: NOTED	APPROVED BY:		DRAWN BY JWEST
DATE: 2-5-2026			REVISED
4639 W. WENGER RD., CLAYTON, OH, 45315			
CONCRETE SLAB & FOUNDATION			DRAWING NUMBER A1 of 4



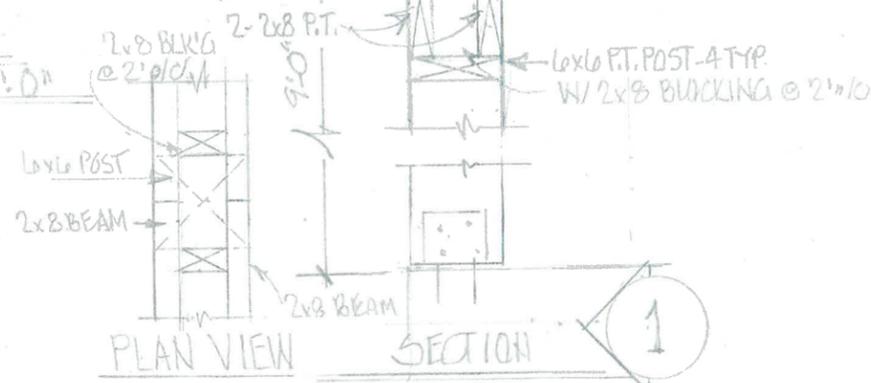
FLOOR PLAN
SCALE: 1/8" = 1'-0"



SECTION DETAILS
SCALE: 1" = 1'-0"

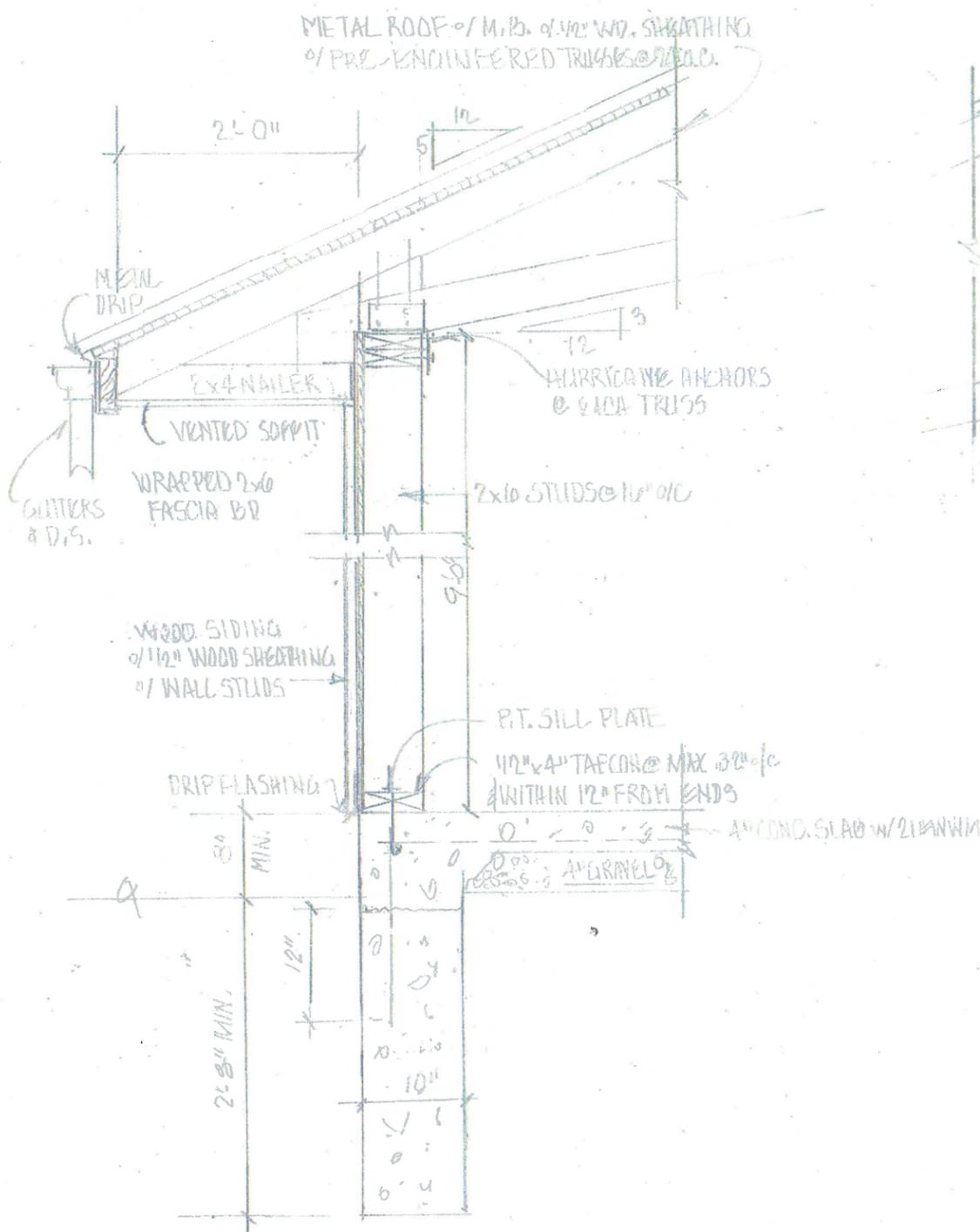


SECTION 2
SCALE: 1/8" = 1'-0"

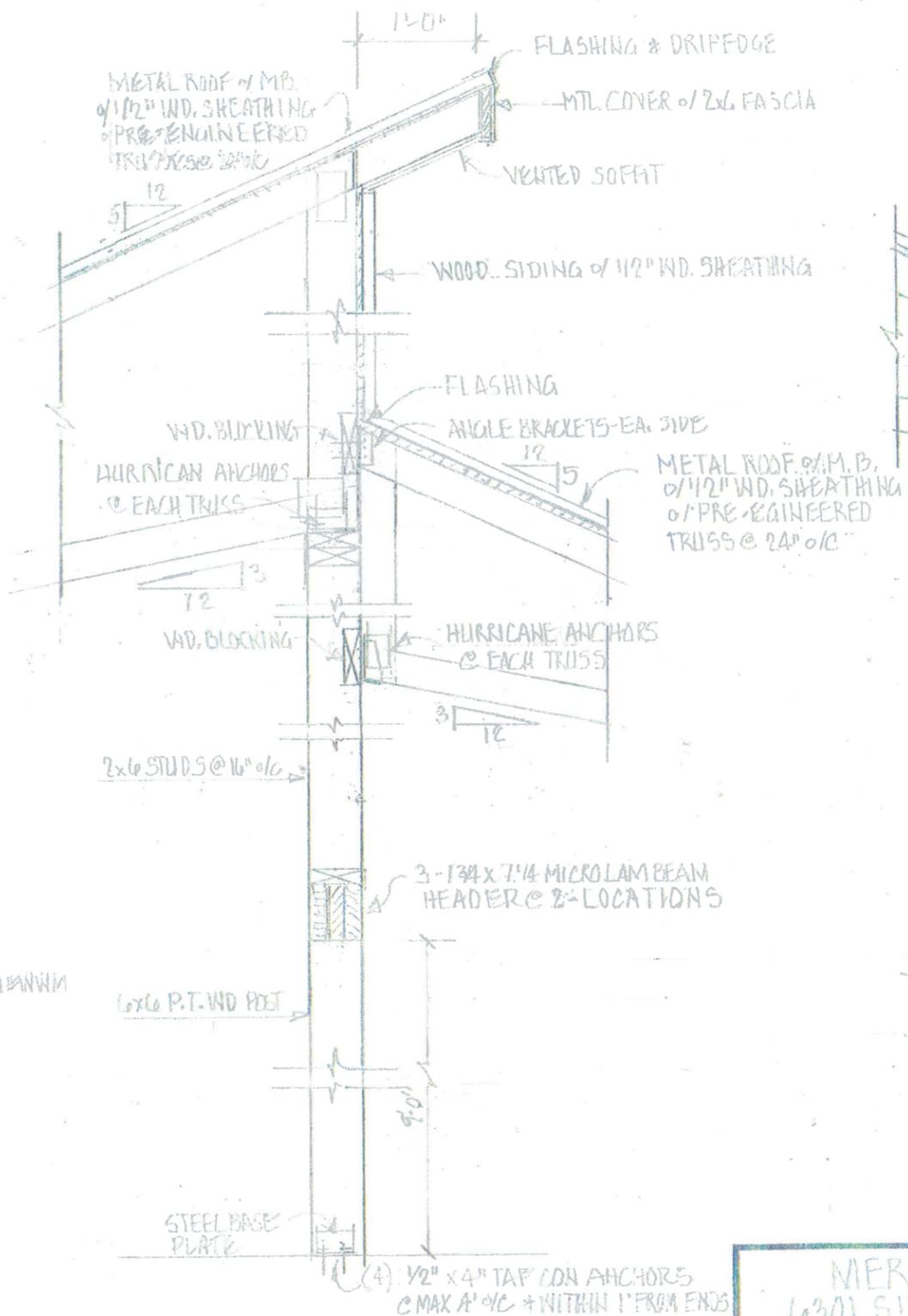


PLAN VIEW SECTION 1
SCALE: 1" = 1'-0"

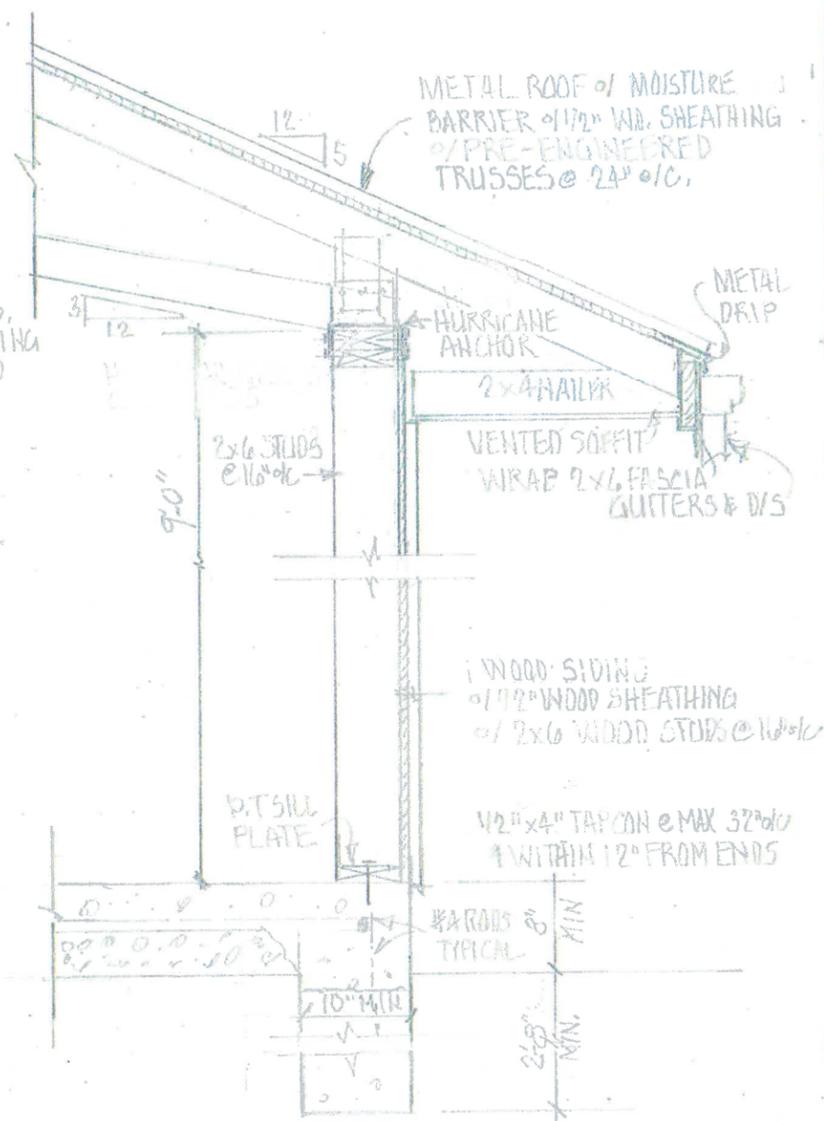
MERDE LLC		PATTY THURMAN 437-804-2819	
SCALE: NOTED	APPROVED BY:	DRAWN BY: JWEST	
DATE: 2-5-2026		REVISED	
4639 W. WENGER RD. CLAYTON OH 45315			
FLOOR PLAN ~ SECTION & DETAILS			DRAWING NUMBER A2 OF 4



SECTION @ HIGH ROOF
SCALE: 3/4" = 1'-0"



SECTION @ PARTY WALL
SCALE: 3/4" = 1'-0"



SECTION @ LOW ROOF - SCALE: 3/4" = 1'-0"

MERDE, LLC		PATTY THURMAN 937-304-2819	
6301 SILVERBELL CT. CLAYTON, OH. 45315			
SCALE: NOTED	APPROVED BY:	DRAWN BY: JWEST	
DATE: 3-3-2026		REVISED:	
4639 W. WENGER RD. CLAYTON, OH. 45315			
WALL SECTIONS-		DRAWING NUMBER A4 of 4	

CODE SECTION(S)

Height		Building Height (Min. Ft.)	Building Height (Max. Ft.)
		N/A	35
Lot Coverage		Lot Coverage (Max.) - Not Including Paved Areas	Open Space (Min.) Paved Areas Not Included
		40%	40%
Use Area		Residential Unit Area (Min.)	Residential Unit Area (Max.)
		N/A	N/A
		Commercial Ground Floor Area (Min.)	Commercial Ground Floor Area (Max.)
		N/A	N/A
Accessory Building	F	Accessory Building Location	Accessory Building Height (Max. Ft.)
	(NO VARIANCE REQUESTED FROM THIS SECTION)		
		Rear yard, 5 feet from any lot or recorded easement, no closer to the front lot line than 10 feet behind the front building line.	15
Parking Location	G	Parking Location	
		Driveway and Garage	
Drive-Thru		Drive-Thru Location	
		Drive-thrus are not permitted in the RS	
Signs		Permitted Sign Types	
		Residential Monument sign as permitted in Chapter 1121, and permitted only as identification to a residential subdivision	
Design		Design Standards	
		Front facades shall be composed of no less than 50% of a natural material like brick or stone, or a synthetic natural material.	

F. Development Typologies.

- (1) Buildings in the RS District may be constructed in accordance with the following development typologies:

- ii. No more than twenty-five percent (25%) of the gross floor area of the dwelling, including accessory structures, may be utilized for the home occupation;
- iii. The external appearance of the residence may not be altered to accommodate the home occupation with the exception of one sign no larger than two square feet;
- iv. Outdoor storage of any kind, including products, materials or equipment, is prohibited;
- v. Noise, vibration, smoke, dust, odor, heat, light, glare, radiation, or electromagnetic disturbance generated by the home occupation by any means is prohibited;
- vi. Not more than one (1) person that is not an occupant of the residence on premises may be employed by the home occupation;
- vii. Customers or visitors of the home occupation may not enter the premises before 8:00 am or after 6:00 pm; and

B. Accessory Dwelling Units (ADU).

- (1) A zoning certificate is required prior to the construction of an accessory dwelling unit. An ADU may be created through new construction, conversion of an existing structure, addition to an existing dwelling, or conversion of an existing dwelling to an ADU while simultaneously constructing a new primary dwelling on the site where both structures comply with all applicable zoning regulations. The following standards apply:
- i. Only one ADU is permitted per single-family lot;
 - ii. The ADUs exterior finish materials must be the same as the exterior finish materials of the primary dwelling;
 - iii. No accessory dwelling unit shall exceed 864 square feet except where a rear yard exceeds 20,000 square feet in area. In this case, the size of the accessory dwelling unit may be increased by five percent (5%) of the rear yard area over 20,000 square feet. In any event, an accessory dwelling unit shall not exceed 1,800 square feet, nor be larger in area than the primary structure;
 - iv. Both the primary residence and the ADU shall be served by one residential utility connection and one meter and all utilities extended to serve the ADU must be underground;
 - v. The ADU shall have access to one (1) on-site parking space to be located on a driveway or within a garage on the property; and
 - vi. The ADU may be attached or detached from principal structure. If detached, the ADU shall be located in rear yard only and comply with accessory structure standards.

C. Accessory Structures.

- (1) A zoning certificate is required prior to the construction of an accessory structure. The following standards apply to accessory structures on lots containing single-family residential dwellings:
- i. Up to two (2) accessory structures are permitted on a single lot; only one of which may exceed 200 square feet, with the exception of properties in the Rural Conservation District, on which both accessory structures can be larger than 200 square feet, in compliance with subsection vi. below;

(VARIANCE REQUESTED)

- ii. Accessory structure(s) shall be located in the rear yard only;
- iii. Any utilities to service accessory structure shall be underground;
- iv. Accessory structures may not be located within five (5) feet of the primary structure and shall be no closer than five (5) feet to any lot line and not within any recorded easement. An accessory structure located adjacent to a side street shall not be closer to the side street lot line than the required side yard setback for the principal structure;
- v. Accessory structures may be constructed only in conjunction with or after construction of the primary structure on the site with the exception of agricultural properties, which are exempt from this standard; and
- vi. No accessory structure shall exceed 864 square feet except where a rear yard exceeds 20,000 square feet in area. In this case, the size of the accessory structure may be increased by five percent (5%) of the rear yard area over 20,000 square feet. In any event, an accessory structure shall not exceed 1,800 square feet.

D. Swimming Pools.

- (1) A zoning certificate is required prior to the construction of a swimming pool or pool house. Swimming pools are not considered an accessory structure; applicable standards are as follows:
 - i. Only one (1) swimming pool and one (1) pool house is permitted per property;
 - ii. The swimming pool and pool house shall be located in the rear yard only and shall be setback a minimum of fifteen (15) feet from the primary structure and any lot line; and not within any recorded easements;
 - iii. The pool house shall be considered an accessory structure and shall count toward the maximum number of accessory structures on site;
 - iv. The swimming pool shall be surrounded by a wall or fence no less than five feet high with a locked gate to prevent uncontrolled access; and
 - v. A pool house shall not exceed 200 square feet in size.

E. Keeping of Farm Animals within Residential Districts.

- (1) Hobby Farms, as defined in Chapter 1181, are permitted on a parcel of five (5) acres or more and do not require a zoning certificate.
 - i. Large farm animals, as defined in Chapter 1181, shall be permitted.
- (2) Backyard farms, as defined in Chapter 1181, shall be permitted if the following conditions are met. A zoning certificate is required for any backyard farm on property of two (2) acres or less:
 - i. No more than one (1) small farm animal shall be kept on a parcel of land for each 100 square feet of enclosed pen/yard;
 - ii. A maximum of six (6) small farm animals, may be kept on the property at any given time;
 - iii. Small farm animals shall be kept in a coop, enclosed exterior pen/yard or other similar enclosure situated no closer than fifteen (15) feet from side and rear property lines. The applicant and/or property owners shall be responsible for providing evidence of the location of property lines and fifteen (15)-foot setback. A survey may be required at the Zoning Administrator's discretion;