



City of Germantown, Ohio Board of Zoning Appeals

MINUTES OF MEETING HELD ON DECEMBER 8, 2025

(Prepared on January 22, 2026)

The Board of Zoning Appeals (BZA) met in regular session on December 8, 2025, at 7:00 p.m. in the City Building Council Chambers.

Meeting Summary:

BZA case V #25-08 was heard on December 8, 2025, by the City of Germantown BZA for a Variance Request to use a mobile shipping container as a permanent accessory structure. A mobile shipping container is classified as a Temporary Use and is not allowed as a permanent structure and a variance is needed to allow a temporary structure to be used permanently.

Members Present:

The following members were present at the Call to Order: Mrs. Izor, Mr. Trieber, Mr. Dalton, Mr. Herner, Mr. Jones.

Members Absent:

Mrs. Spencer was excused.

Also Present:

Also present were Chad Adkins, the City Planner and several visitors from the public.

Excuse Absent Members:

None.

Opening Discussion:

Mrs. Izor started the meeting by introducing the case followed by the roll call.



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Public Hearing V #25-08:

Mrs. Izor stated the board would hear V #25-08 for a mobile shipping container for use as a permanent accessory structure at 1934B Dayton Germantown Pike. Mrs. Izor asked for the applicant presentation.

Applicant Presentation

Mrs. Robyn McGeorge, the executive director for Robyn's Nest is the applicant and spoke to the board. Mrs. McGeorge is asking for a variance to allow a (mobile shipping) container to be placed on their property for the year-round shoe drive. The container would not look bad and is proposed to be towards the back of the property. They plan to paint it and would not be opposed to having a fence in front of it. It will allow the extra space for the non-profit business and the shoe drive. They work hard to help the community and to ensure pets are neutered and safe. Mrs. McGeorge reviewed the Robyn's Nest mission and specifically the shoe drive. Mrs. McGeorge concluded by stating it would not look bad and that the neighbors are not concerned.

Mr. Herner asked how long Robyn's Nest has been in the community. Mrs. McGeorge answered that Robyn's Nest has been in Germantown since 2015 and at 1934B Dayton Germantown Pike for one year.

Mrs. Izor asked for the staff summary.

Staff Summary

Mr. Adkins provided the staff summary with visuals on the screen to show what a mobile shipping container is and stated that this is reviewed as a commercial property, not residential. Mr. Adkins clarified that the issue is not about additional space or placement of a new accessory structure on the property, the issue is the use of a mobile shipping container as the accessory structure.

Mr. Adkins explained the requirements for using a mobile shipping container as a non-standard construction material, which are very difficult to meet Ohio Building Codes for. Mr. Adkins stated that the Zoning Code should be updated to define and exclude mobile shipping containers as a type of structure, when non-modified.

Mr. Adkins stated that when a mobile shipping container is used as a non-standard construction type, there are many concerns from the foundation, anchoring systems, where they are made for structural integrity, the pesticides used in the wood flooring, and other building code related issues as support for not allowing this to be used for an accessory structure. Shipping containers not made in the United States are very difficult to get approved for Building Permits.



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Mr. Adkins then reviewed the Ohio Board of Building Standards (BBS) Memo, for Building Codes Materials, and Shipping Containers on the screen. Mr. Adkins concluded that there are additional safety concerns with using shipping containers as accessory structures and the complexity for meeting building code requirements. Mr. Adkins stated that the Zoning Code should be updated to define a mobile shipping container and other adjustments that reflect the community desires for using mobile shipping containers for permanent structures.

Mrs. Izor summarized that the issue is the method of construction, that could potentially meet Building Code standards. Mr. Jones stated that these are intermodal and go from ship to truck to rail and these are not a permanent structure. They can be used temporarily as part of construction activities as a temporary use. Mrs. Izor also mentioned temporary construction trailers, and Mr. Jones agreed that those are temporary. Mr. Jones described the mobile shipping containers in detail and how they are defined as a temporary use. It was clarified that the application is for permanent placement on the property, not temporary placement.

Mrs. McGeorge asked what the difference is between a mobile home and a mobile shipping container. Mr. Jones answered that these are two very different types of structures and stated that a mobile shipping container cannot be easily affixed to the ground to meet building code and it is defined as a mobile shipping container, not a structure, which is a temporary use.

There was additional discussion about the variance process, which was explained by Mrs. Izor and Mr. Jones.

The Building Code requirements were questioned, and Mr. Treiber stated that the Ohio Building Code takes precedence over Zoning, and the State does not recognize a mobile shipping container as a structure.

Chris McGeorge spoke and asked if they could bring in an enclosed trailer of the same size and park it in the same spot. Mr. Jones answered that they cannot use a trailer either, as it is not a structure. Mr. Treiber stated that an enclosed trailer on wheels can't be used as a permanent function and the Ohio Building Code only allows this type of use on a temporary basis. Mr. Jones clarified that temporary is usually 7-days only, if not part of a construction project. Mr. Treiber stated that the BZA does not review uses related to motor vehicles since these are not structures and not legal uses.

Mrs. Izor stated that there are rules for vehicles and Mr. Adkins agreed that vehicles fall under property maintenance codes and other non-Zoning regulations. The discussion continued and concluded with agreement that using a mobile shipping container will be extremely difficult to meet the Building Code requirements. The requirements for a conventional accessory structure constructed out of typical construction materials were discussed and understood.



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Mrs. Izor opened the Public Hearing at 7:38 p.m.

Proponents Recognized

None

Opponents Recognized

None

Close Public Hearing

Mrs. Izor closed the Public Hearing at 7:39 p.m.

Deliberation & Decision

None

Motion:

Mrs. Izor moved to approve V #25-08 without conditions (Motion was originally to deny V #25-08, but Mr. Jones stated it should be a positive motion):

Mr. Trieber seconded the motion. Mr. Adkins called the vote:

- Mrs. Izor, No.
- Mr. Trieber, No.
- Mr. Herner, Yes.
- Mr. Dalton, No.
- 1- Yes, 3- No. MOTION DENIED.

Consider Approval of the Meeting Minutes of the November 10, 2025, BZA Meeting

Mr. Herner moved to approve the minutes as drafted. All in favor vote, unanimously approved.

Adjournment:

Mrs. Izor closed the meeting at 7:54 pm.

If you have any questions please contact Chad Adkins: chadkins@germantown.oh.us

End of Staff Report