PERRY TOWNSHIP

BOARD OF ZONING APPEALS HEARING MINUTES

## 17 Apr 2025 7:00 pm

CALL TO ORDER BY Manfred Schreyer @ 6:00pm

##### PLEDGE OF ALLEGIANCE

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

**ROLL CALL:**

**Schreyer** Here  **Steck** Here  **Seim** Here  **Freshour** Here

##### VISITORS: Joan Vanzant, Mike Howard

##### SWEARING/AFFIRMING IN OF WITNESSES: Al Acker swore in all visitors wishing to speak in favor or against BZA case # 2025 003C

##### \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

##### CASE # BZA 2025 003C

##### Owners: Eversole Church of the Brethren

**Address Being:** 11414 Old Dayton Rd New Lebanon OH

Parcel #L53 02911 0007.

##### Nature of Appeal: Manfred Schreyer: The purpose of the meeting is to review the Case BZA# 2025 003C.

filed by Eversole Church of the Brethren for the property at 11414 Old Dayton Rd New Lebanon OH

Perry Township, Montgomery County. The applicant is requesting a Conditional Use in accordance with Perry Township Zoning Regulation, Article 4, Section 403.C.

As members of the Board of Zoning Appeals, it is our duty to revie these cases at a public hearing and render for or against based on the application, staff report, and evidence presented and heard at this hearing.

Introduction of the Case BZA# 2025 003C

**Al Acker** read the staff report (see attached)

**Manfred Schreyer**:

Review of Article 4 Section 405.

**Manfred Schreyer:** The Board of zoning appeals may authorize conditional use from the terms of this resolution as stated in Section 403.C., when the Board has made finding of the facts, based upon the standards set out in Subsection 405.5. The staff report has addressed each of these standards.

**Manfred Schreyer:** Any of the Board members or audience (sworn in) have additional questions pertaining to Section 405 or the requests by the applicant? No.

Close he public Hearing The time is 6.04pm.

**Manfred Schreyer:** Standards of Variance.

The Board shall not grant a conditional use unless it shall in each specific case, make specific findings solely based upon evidence to it that support conclusion that:

The conditional use requested arises from the special condition of or involving the property which are unique, that is a situation which is not ordinarily found in the same zoning district and that situation results from the enforcement of this resolution and not by an action or actions of the property owner, the applicant or any other person or party who has had control of the property.

True or False

**Schreyer** True  **Steck** True **Seim** True **Freshour** True

**Manfred Schreyer**: The strict application of the provision of this resolution from which a conditional use is requested will not constitute unnecessary hardship upon the property owner represented in the application.

True or False

**Schreyer** True  **Steck** True **Seim** True **Freshour** True

**Manfred Schreyer**: The conditional use desired will not adversely affect the public health, safety, and morals.

True or False

**Schreyer** True  **Steck** True **Seim** True **Freshour** True

**Manfred Schreyer**: The conditional use desired will not compromise the general spirit and intent of the resolution.

True or False

**Schreyer** True  **Steck** True **Seim** True **Freshour** True

**Manfred Schreyer** The conditional use desired will not compromise the preservation of prime agricultural and open spaces.

True or False

**Schreyer** True  **Steck** True **Seim** True **Freshour** True

**Manfred Schreyer**: Is thee a motion to grant or deny BZA case # 202**5** 003C as presented or with stipulation the Board would impose?

**Manfred Schreyer**: I make the motion to grant.

**Bob Freshour:** Seconded.

**Al Acker**: Stipulation?

**Manfred Schreyer**: The Board conditional use is granting the applicant request for a separate mailbox number for the parish house only. The granting of said mailbox number does not authorize any other variances to the parcel number.

**Manfred Schreyer**: Is there a motion to grant with stipulation?

**Schreyer** Yes  **Steck** Yes **Seim** Yes  **Freshour** Yes

**Al Acker:** Before we adjourn, I would like to read into the minutes Board Members names and term expiration.

Manfred Schreyer 12/31/2027

David Steck: 12/31/2025

Bob Freshour 12/31/2029

Dale Seim 12/31/2025 (alternate)

**Bob Freshour:** Motion to adjourn.

**David Steck:** Seconded.

**Schreyer** Yes  **Steck** Yes **Seim** Yes  **Freshour** Yes

**Respectfully submitted,**

**Al Acker**

**Perry Township – Montgomery County Zoning Administrator.**