***PERRY TOWNSHIP ZONING COMMISSION BOARD MEETING***

***held on the 19th of February 2025***

Page 1 of 3

Meeting was called to order by President John Yancik at 7:00 p.m. The Pledge of Allegiance was recited.

Roll was called. Present: Doug Crowe (vice-chair), John Yancik (chair), Jeffrey Keith, Cheri Simon, Albert Acker (Zoning Administrator)

Absent: N/A

Visitors present: N/A

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

**John Yancik:** The purpose of this public hearing is to review and pass a proposed amendment of the Zoning Commission Board of Perry Township, Montgomery County, Ohio to add Article 44, Solar Systems to the Perry Township Zoning Regulation.

As members of the Zoning Commission Board, it is our duty to review these changes at a public hearing and render a decision for or against the proposed zoning amendment after hearing the staff report, and testimony and evidence presented and heard at this hearing.

All testimony during this hearing is required to be under oath. I would ask at this time that anyone wishing to present testimony raise his or her right hand for swearing in.

There were no visitors.

Reading of staff report, see attached.

**John Yancik:** Any of the board members or audience have additional questions or comments pertaining to the amendment?

**Al Acker:** I would like to see Section 4403, Subsection N.1., **currently** reads: “Where a Small Solar System is located on the property adjacent to or in close proximity to property zoned for residential use….” **Changed to read:** “Where a Small Solar System is located on agricultural property adjacent to or close proximity to property zoned for residential use…”

**Al Acker:** I would like to see Section 4403, Subsection N.2, **currently** reads: “No Small Solar System shall be located within 150 ft of another property line …” **Changed to read:** “No Small Solar System in residential zones (R-1,2,3) shall be located within 50 ft of another property line ..”

**Al Acker:** I would like to see Section 4403, Subsection L.3., **currently** reads: “No Small Solar System shall be located in front of a principal building or structure. In the case of corner lots, no Small Solar System shall be located between a principal building or structure and the public right-of-way ...” **Changed to read:** “No Small Solar System except Rooftop Solar System shall be located in front of a principal building or structure. In the case of corner lots, no Small Solar System except Rooftop Solar System shall be located between a principal building or structure and the public right-of-way ...”

**John Yancik:** If no one has anything else, we will close the public hearing portion at this time. Time 7:05pm.

**John Yancik:** Discussion on Section 4403, Subsection N.1.

**Al Acker:** Originally, we spoke about the distance of 150ft was in regard to larger solar systems and not be right up against a residential property line, but the wording had left out “agricultural”

**John Yancik:** Is there a motion to approve change.

**Cheri Simon:** Moved to accept the change.

**Jeffery Keith:** Seconded.

**Vote:**

John Yancik – Yes Doug Crowe – Yes Jeffery Keith – Yes Cheri Simon – Yes

**John Yancik:** Motion to approve change to Section 4403, Subsection N.1. is approved.

**John Yancik:** Discussion on Section 4403, Subsection N.2:

**Al Acker:** Yes, I had a resident discuss this with me and thought it would be unfair to make someone have a BZA due to smaller lot. By doing 50ft, it keeps the side yard visible because the larger side yard I believe is 30ft and the smallest is 8ft on the side with a total of 20 ft combining the two side yards. Also, if the road frontage is 225 ft, by being 50 ft each side it leaves 125ft to set up solar system.

***PERRY TOWNSHIP ZONING COMMISSION BOARD MEETING***

***held on the 19th of February 2025***

Page 2 of 3

**John Yancik:** Is there a motion to approve change.

**Doug Crowe:** Made the motion.

**Jeffery Keith:** Seconded.

**Vote:**

John Yancik – Yes Doug Crowe – Yes Jeffery Keith – Yes Cheri Simon – Yes

**John Yancik:** Motion to approve change to Section 4403, Subsection N.2. is approved.

**John Yancik:** Discussion on Section 4403, Subsection L3:

**Al Acker:** Yes, a resident, the same resident questioned me about a group of houses**.** I believe on Steck Rd that all faces the south, each od them would have to have a BZA just because the houses face the south and have no option.

**Doug Crowe:** But this is rooftop only, we want to be able to see the face of the house with nothing else in the front.

**Al Acker**: Correct, this excludes rooftop only, similar to the houses on Old Dayton Rd. Also, this does not let them mount solar on the front face of the house.

**John Yancik:** Is there a motion to approve change.

**Cheri Simon:** Made the motion.

**Jeffery Keith:** Seconded.

**Vote:**

John Yancik – Yes Doug Crowe – Yes Jeffery Keith – Yes Cheri Simon – Yes

**John Yancik:** Motion to approve change to Section 4403, Subsection L.3. is approved.

**John Yancik:** Is there a motion to submit to the Perry Township Trustees an amendment to add Article 44, Solar Systems as written with changes.

**Jeffery Keith:** Made the motion.

**Cheri Simon:** Seconded.

**Vote:**

John Yancik – Yes Doug Crowe – Yes Jeffery Keith – Yes Cheri Simon – Yes

**John Yancik:** The ayes have it. Al, please forward to the trustees.

**Jeffery Keith:** Next Meeting.

**Discussion**:

Next meeting will be 20 March 2025. Next meeting will be to address changing the statement concerning Article 38, Section 3804.I

**Al Acker**: The minutes of the last meeting dated January 23, 2025, were distributed. Are there any questions or comments?

**Doug Crowe:** Made the motion to approve the minutes of January 23, 2025.

**Jeffery Keith:** Seconded.

**Vote:**

John Yancik – Yes Doug Crowe – Yes Jeffery Keith – Yes Cheri Simon – Yes

Discussion:

**Cheri Simon:** opened a discussion concerning fencing heights and tile (water runoff).

***PERRY TOWNSHIP ZONING COMMISSION BOARD MEETING***

***held on the 19TH of February 2025***

Page 3 of 3

**Al Acker**: Two announcements. We would no longer be required to post in the Register Herald saving the township money and there were three (3) applicants for the opening for both the BZA and the ZCB.

**John Yancik:** Is there a motion to adjourn.

**Doug Crowe:** Made the motion.

**Jeffery Keith:** Seconded

**Vote**

John Yancik – Yes Doug Crowe – Yes Jeffery Keith – Yes Cheri Simon – Yes