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

***held on the 8th of May 2025***

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

Roll was called. Present: John Yancik (chair), Albert Acker (Zoning Administrator). Cheri Simon, Jeffery Keith, Fred Garber

Absent: Doug Crowe

Visitors present: Debbie Brumback, Neva Rohrer, Joan VanZant, Hayden Dale, Bernie Balser, Dennis & Yvonne Pearson, Dale Siem

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**John Yancik**: The minutes of the last meeting on 17 April have been distributed. There were no corrections. The minutes are approved.

**Cheri Simon:** Made the action to approve.

**Jeffrey Keith**: Seconded:

**Vote:**

John Yancik: Yes Cheri Simon: Yes Jeffrey Keith Yes Fred Garber - Yes

**Al Acker:** Last meeting we discussed Article 38, subsection 3801.I. The Board decided that the text did not need changed. Jeffery Keith questioned if a resident could stay in a camper for a short period. I said I would contact MC Heath Department, and they said there was not regulation that says they cannot if the “grey water” was disposed of properly.

**Discussion:**

Cheri, Jeffery, and Fred; Cheri did not want residence to look like campgrounds. Fred noted that since the text does allow 48 hours for loading and unloading it would be possible to stretch this into 72 hours a weekend. The decision was to table the discussion to a later date.

**Al Acker:** We discussed Article 3909 Fences, and the question was is fence required around swimming pools. The zoning te3t in Article 38, subsection 3801,D.3 requires a fence. I spoke with MC Building Regulations, and they have no regulation, the code is from the International Pool Code Regulations that states a 42-inch fence around the pool is required.

**Discussion:**

Cheri, Jeffery and John, board decided to let the text stay as written.

**John Yancik:** Al lets table the topic of Article 203.02. The board agreed.

**John Yancik:** People are here to discuss chicken coops. Someone wants to start, come up to the podium and lets here it.

**Dale Seim:** We are agricultural, and there can be no zoning regulation on chicken coops.

**Neva Rohrer:** Good evening, my name is Neva Rohrer, and I am her to talk about raising backyard chickens and chicken coops on properties zoned residential in Perry Twp. My neighbor currently has two DIY chicken coops in his front yard that are very visible to me and everyone else who drives down Providence Road or lives nearby. They are simple wood frames with blue tarp thrown over them and two wheels on the back. Fairly hideous looking. I would like to strongly urge the zoning Board to please consider putting something in writing for the residents of Perry Twp regarding raising backyard chickens.

A little about the properties involved. Our properties are zoned residential and are both a little over two acres. My lot is deep and narrow as is my neighbors. His property is a bit wider but does not have much backyard as there is a large garage in his side yard. The lay of the land is not flat. There is the front yard, house, and back yard. Then our properties have a fairly steep drop off. Below the hills is wooded floodplain and a creek. The bottom acreage is about 1/3 of the acreage. So basically, the land below the hills is not good for much use other than aesthetic value, the beauty of the woods and the peace it affords, it’s very lovely.

My house sits very close to the property line we share. He has a large garden just outside my kitchen window. On April 11 he placed the frit of two chicken coops on his garden to fertilize and has regularly moved it around. The chicken coops are much closer to my house than his. His houses sit on the other side of his property, right on his property line. I talked with his wife about the chicken coop and how unhappy I was about having to look at this and that I thought it was not allowed, which at that time, I thought to be true. I always feel working things out between neighbors is best. She said they would move it back further after they fertilized the garden. I suggested they put the coop in their back yard out of my view and in their view. She said they had no grass in the backyard because they

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put in a new septic tank last summer and still have no grass. So, the coop would still be in my view. I agreed to try to live with it for this summer and she agreed to move it to the back yard out of my view next year. As the coop got

closer to my house, I found I couldn’t tolerate it. Every time I opened my blinds there it was, closer and closer. So, I

texted them how I felt and that I could not tolerate their chickens being on top of me and that I was going to have the zoning offer come out. I also suggested putting down sod. His response was rude, negative and name calling so I ceased contact and any attempts to work with him. Net think I knew, there were two, side by side in their side yard, very close to my fence line. Eventually they were both moved to the front yard where they currently are and still hideous looking I should ad d there is another coop in their back yard.

I never know where those coops will pop up next when I open my blinds in the morning. I can’t imagine enjoying my yard and garden and having to deal with someone else’s chickens. I have absolutely nothing against people raising chickens but feel very strongly that they should not impose on their neighbors. Why should I have to live in closer proximity to this neighbor’s chickens than he himself does. I have seen in other townships that permits are required for chicken coops. Maybe that would be something to consider.

Raising chickens can bring with it risks. There is risk of disease, noise, odor pests, waste management, and unsightliness. Let’s not forget all the bird flu in our neighboring countries, which is one the highest in the nation and includes commercial as well as backyard flocks.

I have lived on my property for 45 years. I love it. It is peaceful, quiet and it is my sanctuary. I raid my family in this house, retired, and decided to stay in my house as long as I am able. I don’t bother anyone and am a good neighbor. If a neighbor had come to me with this problem, I would have quickly put down some sod and move the chickens.

This same neighbor raised 100 chickens last summer and slaughtered and process them in broad daylight, out in the open, in his driveway – again – just in view of my kitchen window. It lasted the entire day. Then buried the whatever remaining leftovers. I’ll call them about 10-20 ft or so from my kitchen window. That would be like 50ft from his house. I’m not sure how this isn’t against the law or even healthy. Also, I never saw a chicken coop that whole summer. Nor can I imagine a family of two eating that many chickens a year. That just seems like a lot of chicken.

I am urging Perry Twp to please put some regulations addressing raising and slaughtering chickens in writing on the website as soon as possible. These ordinances are very badly needed to protect those of us who are faced with this situation and to give both parties a source of information and guidance when deciding to raise chickens as well as resolve any issues as they arise. It would protect people from neighbors who don’t always do the neighborly thing and who possibly just don’t have room for chickens or the number of chickens they are raising. It would help to protect our property values for sure as these chicken coops are hideous to look at. And most importantly, to me at least, and I really cannot stress this enough, it would protect the aesthetic value that one’s property affords.

I would like to address a few other concerns.

1. I hope that the mobility or temporary status of these chicken oops would be addressed in the ordinances. The fact that they are mobile should not mean they are exempt.
2. It is very important that ordinances written regarding these mobile coops are NOT grandfathered in as that would solve nothing for those of us needing relief.
3. The number of chickens per acre should be addressed.
4. Ordinances are needed to establish and designate appropriate distance a chicken coop can be located from a neighbor’s dwelling as well as substantial distance from property lines.
5. Slaughter and processing laws are crucial. Not only for neighbors’ safety and comfort but for health and safety concerns of all involved.

In closing, I am strongly requesting that the zoning board put ordinances in place for the residents of Perry Twp, regarding raising backyard chickens in residential areas. We need laws to guide us when deciding to raise chickens. Laws for chicken numbers, chicken coops, slaughtering and processing and anything else that pertains. It would help to alleviate problems before they begin and would be there at our fingertips when issues arise that need to be addressed. This is something that the residents of Perry Township truly need.

Thank you for listening.

Neva Rohrer

**Discussion:**

Board members ask various questions and comments on the property, size of property. Benefits of raising chickens, definition of chicken coop, the processing and disposal of chicken remains after process.

Fred Garber and Neva Rohrer discussed what she wanted, moving of chicken coops to the rear of the property.

**Dale Haydell:** Spoke at the podium, he was born in New Lebanon, went to the service, and came back and bought the adjoining property to Neva. Wanted to have some room and moved into the township and it’s his land he could do what he wanted.

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**Discussion:**

Jeffery Keith and Fred and Dale Seim, ORCE 519.01, 519.21 and 918 concerning poultry processing for individual use and structures for processing being 100ft from residential property.

Fred Garber and Dale Haydel discussed, if this was termporary for this year and permanent coops.

**Bernie Balsor:** Spoke at the podium concerning resident with chickens on Johnsville-Brookville Rd, He wants the trustees to act.

**Al Acker**: Yes, the MC Health Dep has been there along with Animal Control and currently the resident is not in violation, and it is not a zoning issue.

**Dennis Pearson:** Spoke at the podium concerning ORC 918, and the processing of chicken for personal use. He stated if the township were to regulate, he would have to move.

**Sheryl Hall**: Spoke at the podium and wanted information nuisance and who has what authority in the township.

**Discussion:**

Sheryl Hall, Cheri Simon, and Dale Siem.

**Cheri Simon:** Suggested Sheryl Hall call the EPA.

**Al Acker**: Explained everyone is welcome to the Trustees meetings, second Tuesday of the month.

**John Yancik:** We need to answer three questions for the next meeting. Define a coop, front line of main structure, and Ohio Farm Bureau policies of number of chickens/acres.

**John Yancik:** Move to table the discussion.

**Cheri Simon:** Seconded.

The board voted to table the issue of chicken coops.

**Al Acker**: I have been in contact with the solar company, and they have brought up several issues in Article 44 and Article 23 that we may want to address.

First is that of the setback, in Article 44, subsection 4403.E states it must comply with the set back of the district. However, Article 23 Light Industrial, there is no required set back. I called Larry Weisman at the MC Planning Commission and was told set back is the same as front yard depth, page 23-6, 25 feet.

The next question is the 25 feet measured from edge of road, including, or excluding right-of-way (ROW).

Is the 25 feet measure to the required visual buffer (Article 44, subsection 4403.)) or to the solar panel.

**Al Acker**: Clinton County 30 ft.

**Cheri Simon:** First panel or the fence.

**Al Acker**: Article 23, Light Industrial, (Page 23-6), 2305.02 Lot Area, the minimum lot area: “NONE”, however; Article 23 Preamble states that the minimum “shall be twenty acres”: Which is it?

**Discussion:**

BZA easily

**Cheri Simon:** Is it a conflict. Is this the only solar? A lot of change to get fix for solar. Their lawyer is going through it.

**Al Acker**: Re-look at it.

**Jeffery Keith:** Table solar for further discussion.

**Al Acker**: Lastly, Article 23, subsection 23052 Maximum Lot coverage: 50% total square footage. When referencing solar systems, is this the square footage of the panels or the square footage of the part of the panel connect to the ground.

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The city of Hilliard defined it as that part that is impervious, like the square footage of a house or barn. Thus, the footings where the solar panels connect to the ground not the panel itself.

**Al Acker**: Next Meeting. Before the board decides, because we moved this meeting form the third Thursday, this is considered a special meeting. IF possible, can the board move the meeting back to third Thursday?

**Discussion:**

Fred Garber and John Yancik discussed moving the meeting back to the third Thursday.

**Fred Garber**: Motion to move meeting to third Thursday.

**Jeffery Keith:** Seconded

Vote to approve.

John Yancik: Yes Cheri Simon: Yes Jeffrey Keith Yes Fred Garber – Yes

**John Yancik:** Motion to adjourn.

**Cheri Simon:** Seconded.

John Yancik: Yes Cheri Simon: Yes Jeffrey Keith Yes Fred Garber – Yes

Cheri Simon: Really good meeting. People showed up.

Jeffery Keith – No HOA.

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