

MARIEMONT PLANNING COMMISSION
REGULAR MEETING HELD JANUARY 17, 2023

Mr. Van Stone called the meeting to order at 6:00 p.m. Present were Mayor Brown, Ms. Geldbaugh, Ms. Reed and Mr. Rich. Also in attendance was Building Official Rod Holloway.

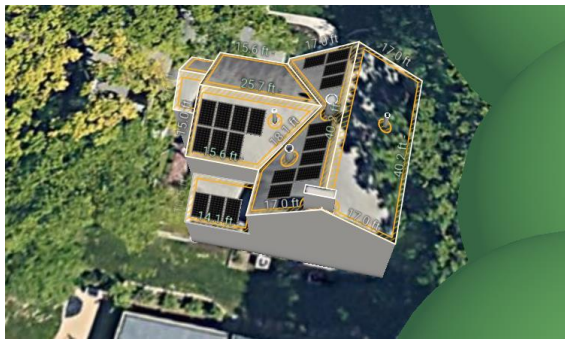
Mr. Van Stone said the minutes from the December 13, 2022 meeting were not yet complete.

A variance was presented to allow Rob & Linda Bartlett to install solar panels on their residence. A variance is required due to both the location of the panels on a non-rear yard facing roof section(s) as well as panels being less than 24” from the roof edge.

Findings from the Building Department as Follows:

§151.119 - Design and performance standards

(a) (7) *Roof-mounted.* Roof-mounted solar energy systems shall be permitted in all zoning districts provided the roof-mounted solar system subject to all other requirements of zoning and building regulations, and all applicable local and state fire and building codes. Pitched roof-mounted arrays shall be parallel to the roof. The distance between the roof and the uppermost portion of the solar panels shall not exceed eighteen (18) inches. Pitched-roof-mounted solar systems shall not be located within twenty-four inches of the edge of the roof. Roof-mounted panels on a flat roof shall not project vertically more than five feet from the surface of the roof and shall be buffered as prescribed by City ordinance. At no time should any portion of a panel extend beyond the highest point of the respective roof line section, regardless of roof type in a residential area. Roof mounted panels can only be located on rear yard facing roof sections. Panels are not permitted on slate, stone, or clay tile roofing.



All other aspects of the proposed system are in compliance with the new Village solar ordinance.

Mrs. Bartlett said the side panels would not be visible from the street, only to the next door neighbor (Sayre’s) who have written a letter of support. The panels are not reflective but absorbing. They have been proactive with sustainability measures while adding an addition to their home including preformed concrete,

reflective roofing and shingles. She is involved with Sustainable Mariemont. They want to reduce their waste and energy footprint. They would like to maximize the number of panels they can install. The project consists of 20 solar panels (including rapid disconnect within 2 feet of the Duke Energy meter for easy access for fire personnel). The projects meet all ordinance requirements but requires variances for the roof set-backs and the use of the side roofs. Using the Mariemont set-backs would only allow the installation of 14 panels which would reduce the production 30% and significantly reduce the cost savings and environmental impact of the system. Not being able to use the side facing roofs would drop the system down to 6 panels and would result in a 70% reduction in capacity. They will be using the same contractor who installed the panels on the Hatch property and two on Elm Street. They estimate with the proposed project it will capture 36% of the annual electricity. It will be IBI permitted and inspected.

On-site measurements will be taken before submission for a permit. The panels will be matte black. The letter from the Sayer family will go in the permit file.

Ms. Geldbaugh was not familiar with the Hatch project and asked will variances be given to all residents who want one.

Mr. Rich said there may be some issue with the way the code is written that residents are having to come to the Planning Commission for variances. He believes our code should follow the IBC code which he believes is 18" instead of the 24" adopted by the Village.

Mr. Holloway said there could be a discussion to change the Village code.

Mr. Van Stone the 2 applicants that have come before Planning Commission did a reasonable job of avoiding front facing panels and minimizing what their neighbors would be tolerant of.

Discussion ensued regarding the size of the panels and how far they should be from the edge and/or the ridgeline. The Village code addresses that panels can only be facing the rear yard. In Mariemont the area amount of rear facing rooflines provide inadequate space for enough solar panels to make any difference in electricity that is generated. Mr. Rich suggested that Council review and revisit this section of the code to conform more the IBC and consider language that would allow side yards to be considered. It was further suggested that Mr. Holloway work with the Rules and Law Committee of Council to look at the ordinance for consideration of side facing panels and panels setback of 18".

Mr. Rich moved, seconded by Mayor Brown to grant the variance based on code section 151.024(3)(b)(2)(c)(d)(e)(f). On roll call; five ayes, no nays.

Mayor Brown moved, seconded by Ms. Reed to nominate Mr. Van Stone as Chairman of the Planning Commission for 2023. On roll call; four ayes, one nay (Mr. Rich dissented).

Ms. Reed moved, seconded by Mr. Van Stone to nominate Mayor Brown as Vice-Chairman of the Planning Commission for 2023. On roll call; five ayes, no nays.

Mayor Brown moved, seconded by Ms. Geldbaugh to nominate Ms. Reed as Secretary for 2023. On roll call; five ayes, no nays.

The meeting adjourned at 6:35 p.m.

Respectfully Submitted,

Ms. Shelly Reed, Secretary