

**BOARD OF ZONING APPEALS  
MOTION SUMMARY  
March 8, 2017**

ITEM 1. Roll Call

Chairman Dick called the meeting to order at 7:00 p.m.

Members Present: Beth Fisher, Adam Vaughn, Todd Daughenbauh, Councilman George Hellinger, Vice-Chairman Paul Junk, and Chairman Matt Dick.

Staff Present: Lance Schultz, Zoning Administrator

ITEM 2. Approval of the Motion Summary of the Board of Zoning Appeals meeting held on October 12, 2016, as recorded and transcribed.

**Motion:** Vice-Chairman Junk moved to approve the Motion Summary for the Board of Zoning Appeals held on October 12, 2016 meeting, seconded by Mr. Vaughn. Motion approved by a 6-0 vote.

ITEM 3. ELECTION OF OFFICERS

**Motion:** Vice-Chairman Junk moved to nominate Mr. Dick as Chairperson, seconded by Mr. Vaughn. There were no other nominations. Motion approved by a 5-0-1 (Dick) vote.

**Motion:** Chairman Dick moved to nominate Mr. Junk as Vice-Chairperson, seconded by Mr. Daughenbaugh. Motion approved by a 5-0-1 (Junk) vote.

ITEM 4. REGULAR BUSINESS

A. 2017-0270: A request by Mr. Lawrence Ray for approval of a rear yard building setback variance from 40 feet to approximately 22 feet to construct a building addition on approximately 0.15 acres on property zoned R-3 (One-Family Residential District) located at 24 Winbeth Lane.

Chairman Dick swore in the following participants from the public:

Lawrence Ray  
24 Winbeth Lane  
Delaware, Ohio 43015

Mr. Schultz provided information on the proposed site plan and addition to the building. Mr. Schultz discussed existing conditions and staff recommendations. Mr. Schultz informed the Board that there were no concerns received to staff by surrounding neighbors.

APPLICANT:

Lawrence Ray  
24 Winbeth Lane  
Delaware, Ohio 43015

Mr. Ray discussed conversations that he had regarding the addition with surrounding neighbors.

**Motion:** Ms. Fisher moved to approve application 2017-0270, along with all staff conditions, finding beyond a reasonable doubt that the decision factors for approval of a Variance according to Chapter 1128 of the Planning and Zoning Code are met, seconded by Mr. Vaughn. Motion approved by a 6-0 vote.

B. 2015-0213: Resolution of the request by Yoav and Schlomo Botach to appeal an administrative decision by the code official requiring the condemnation/demolition of 15 Flax Street on approximately 3.61 acres zoned M-1 (Light Manufacturing District) under the 2000 International Property Maintenance Code.

**Anticipated Process:**

a. Staff Presentation

Mr. Schultz discussed the appeal process completed by the owner since 2015. The owner appealed the BZA latest decision to the court of common pleas and resulted in an Agreed Order by the court that the improvements made by the owner achieves compliance with the zoning code and International Property Maintenance Code and past violations are rendered moot.

A discussion was held on the process if the property is not kept to code in the future.

b. Commission Action-vote to acknowledge receipt of court order.

**Motion:** Vice-Chairman Junk moved to acknowledge the court ruling, seconded by Mr. Daughenbaugh. Motion approved by a 6-0 vote.

ITEM 5. BOARD MEMBER COMMENTS AND DISCUSSION

Chairman Dick requested an update on replacing the First Ward seat for the Board of Zoning Appeals. Mr. Schultz provided an update on a recent interview for the seat.

ITEM 6. NEXT REGULAR MEETING: April 12, 2017

ITEM 7. ADJOURNMENT

**Motion:** Vice-Chairman Junk moved to adjourn the Board of Zoning Appeals meeting, seconded by Mr. Vaughn. Motion was approved by a 6-0 vote. The Board of Zoning Appeals meeting adjourned at 7:22 p.m.



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Matt Dick, Chairman



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Elaine McCloskey, Clerk