**BOARD OF ZONING APPEALS**
**MOTION SUMMARY**
**October 10, 2018**

ITEM 1. Roll Call

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

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

Staff Present: Lance Schultz, Zoning Administrator, Jordan Selmek, Zoning Officer

ITEM 2. Approval of the Motion Summary of the Board of Zoning Appeals meeting held on June 13, 2018, as recorded and transcribed.

**Motion:** Vice-Chairman Junk moved to approve the Motion Summary for the Board of Zoning Appeals held on June 13, 2018 meeting, seconded by Mr. Vaughn. Motion approved by a 6-0-1 vote. (Hellinger).

ITEM 3. REGULAR BUSINESS

A. 2018-2381: A request by Heather Stake for approval of a Conditional Use Permit for a Major Home Occupation at 344 Rockmill St. on approximately 0.17 acre and zoned R-3 (One-Family Residential District).

PUBLIC COMMENTS:

Heather Stake
344 Rockmill St.
Delaware, OH 43015

Jason Stake
344 Rockmill St.
Delaware, OH 43015

Mr. Schultz provided a staff report that included the property location and plan. Mr. Schultz reviewed the staff recommendations and discussed that staff received an email from the neighbor directly to the right of the subject house concerned about an ADA ramp that may be required. Staff evaluated 25 criteria and applicants have met vast majority of criteria warranting recommendation for approval.

**Motion:** Vice-Chairman Junk moved to approve 2018-2381, finding beyond a reasonable doubt that the decision factor necessary for approval of a variance

according to chapter 1128 of the Planning and Zoning Commission are met, with the staff conditions as noted. Seconded by Mr. Whitmore. Motion approved by a 7-0 vote. Conditions are as follows:

1. No on-site signage or advertising for the hair salon shall be permitted.
2. There shall be no additional exterior lighting for the hair salon in excess of the building code and ADA requirements.
3. The subject home occupation shall be limited to a hair salon only - no other home occupation use shall be permitted.
4. The number of hair salon customers shall not exceed 8 per day.
5. The proposed sidewalk on the east side of the house to the side entrance door shall achieve compliance with ADA standards per the Chief Building Official.
6. Any portion of the proposed sidewalk and/or porch stoop that is located within the 10 foot wide utility easement for a water line along the eastern property line (5 feet on each side of the property line) shall require approval from both the engineering and utility department.
7. The homeowner's association (if any) shall approve the home occupation request.
8. If an ADA ramp is needed, administrative approval by staff shall be granted when the subject property owner and the owner to the east (340 Rockmill Street) agree on ramp design aesthetics or the ramp design aesthetics would need to be approved by the BZA a public hearing.

ITEM 4. BOARD MEMBER COMMENTS AND DISCUSSION

ITEM 5. NEXT REGULAR MEETING: November 14, 2018.

ITEM 6. ADJOURNMENT

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

Matt Dick, Chairman

Elaine McCloskey, Clerk