

Office of Code Enforcement and  
Community Development

28 Curran Drive  
Athens, OH 45701  
(740)592-3306  
(740)594-6304 Fax

<http://www.ci.athens.oh.us>



*City of Athens*

ATHENS, OHIO

Form BZA-5  
To be inserted one in the  
Athens Messenger Newspaper

BOARD OF ZONING APPEALS  
Case #25-03S

**ADVERTISEMENT**

Board of Zoning Appeals  
28 Curran Drive, Athens, Ohio 45701

TO: The Athens Messenger

Insert the following legal notice on **May 3, 2025**

Containing all wording below the heavy-ruled line:

Issue affidavit within five (5) days of the date of notice to the Secretary of the Board setting forth a true and complete copy of said notice and the exact date on which it was published.

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LEGAL NOTICE

Board of Zoning Appeals Notice is hereby given that a public hearing will be held in City Council Chambers, third floor of City Hall, by the Board of Zoning Appeals of the City of Athens on **Tuesday, May 13, 2025, at 7:00pm** on the following described property:

75 S Shannon  
Zone R1 Case #25-03S

Appellant is requesting a substitution in accordance with ACC 23.07.02 (B) to change a legal nonconforming 4-unit owner-occupied residential dwelling to a legal nonconforming 4-unit non-owner-occupied dwelling in an R1 zone.

Interested persons are requested to appear and voice their opinions with respect thereto. More detailed information and plans are available for public inspection located on the City's Website, [ci.athens.oh.us](http://ci.athens.oh.us) (Board of Zoning Appeals), and at the Department of Development and Code Enforcement Office, located at 28 Curran Drive, Athens, Ohio. Anyone needing special accommodations to attend the meeting should contact the Government Channel at (740)594-2900.

BOARD OF ZONING APPEALS

A handwritten signature in black ink that reads "Rob Delach". The signature is written in a cursive style and is positioned above a horizontal line.

Rob Delach, Chairperson

**Office of Code Enforcement and  
Community Development**

28 Curran Drive  
Athens, OH 45701  
(740)592-3306  
(740)594-6304 Fax  
<http://www.ci.athens.oh.us>



*City of Athens*

**ATHENS, OHIO**

May 1, 2025

**NOTICE OF PUBLIC HEARING**

Board of Zoning Appeals  
28 Curran Drive  
Athens, Ohio 45701

As provided for by Section 23.07.09(C) of the Athens City Zoning Code, you are hereby notified as a party of interest that an appeal has been filed by

**Panda Girl Properties / Appellant**  
For property located at  
**75 S Shannon**

Appellant is requesting a substitution in accordance with ACC 23.07.02 (B) to change a legal nonconforming 4-unit owner-occupied residential dwelling to a legal nonconforming 4-unit non-owner-occupied dwelling in an R1 zone.

This case has been assigned  
**Case #25-03S**

This meeting has been scheduled for **Tuesday, May 13, 2025**, at 7:00pm, Athens City Hall, 8 East Washington Street, Third Floor, and Athens City Council Chambers. More detailed information and plans are available for public inspection located on the City's Website, [ci.athens.oh.us](http://ci.athens.oh.us) (Board of Zoning Appeals), and the Office of Development and Code Enforcement at 28 Curran Drive, (740) 592-3306. Anyone needing special accommodations to attend the meeting should contact the Government Channel at (740) 594-2900 or the Office of Development and Code Enforcement listed above.

***NOTE: If you plan to attend, please verify that the meeting has not been postponed, cancelled or rescheduled. You may contact the Office of Development and Code Enforcement (740)592-3306.***

Respectfully,  
BOARD OF ZONING APPEALS

A handwritten signature in black ink that reads "Rob Delach". The signature is written in a cursive style and is positioned above a horizontal line.

Rob Delach, Chairperson

**Office of Code Enforcement and  
Community Development**

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*City of Athens*

**ATHENS, OHIO**

May 1, 2025

**NOTICE OF HEARING AND APPEAL**

BOARD OF ZONING APPEALS  
28 Curran Drive  
Athens, Ohio 45701

Your appeal under the Zoning Ordinance relative to  
**75 S Shannon**  
has been assigned Board of Zoning Appeals **Case #25-03S**

Inquiries and references should always be made to this number.

Further, you are notified to appear before the Board of Zoning Appeals, either in person or by agent or attorney, for a hearing in your case on **Tuesday, May 13, 2025, at 7:00pm** in City Council Chambers, 8 East Washington Street, Third Floor, Athens, Ohio. Please contact our office at [codeoffice@ci.athens.oh.us](mailto:codeoffice@ci.athens.oh.us) or by phone (740)592-3306 with any questions.

Anyone needing special accommodations to attend this meeting should contact the Government Channel at (740) 594-2900.

***NOTE: If fewer than five (5) members are available for the meeting, you have the right to continue until such time as five (5) members are available to hear the case. In order to accommodate your decision prior to the meeting, you will be contacted if such a situation arises or if for some reason the meeting date, time and/or place are changed.***

Respectfully,

BOARD OF ZONING APPEALS

A handwritten signature in black ink that reads "Rob Delach". The signature is written in a cursive style and is positioned above a horizontal line.

Rob Delach, Chairperson

Form BZA-3

**75 S Shannon – Case #25-03S – adjoining properties and owners**

**73 Shannon Ave**

Ambassador Laundries Inc  
5633 Fullview Heights Drive  
Athens, OH 45701

**0 Shannon Ave (A027170007100)**

Ambassador Laundries Inc  
15 W Stimson Ave  
Athens, OH 45701

**78 S Shannon Ave**

Snavely Michael R Etal  
78 S Shannon Ave  
Athens, OH 45701

**80 S Shannon Ave**

Richard Blumenthal  
80 S Shannon Ave  
Athens, OH 45701

**164 Morris Ave**

Arthur Patrice LLC  
91 S May Ave  
Athens, OH 45701

**162 Morris Ave, (A027170010500)**

Weethee Properties 1 LLC  
9930 Monserat Road  
Millfield, OH 45761

**158 Morris Ave**

Donald E Pepper  
158 Morris Avenue  
Athens, OH 45701



APPEAL FROM A DECISION OF THE ZONING ADMINISTRATOR

Permit # BZA25-000003 Date Rec'd 4-15-25

(Request for Variance) [X] (Request for Substitution) (Request for Interpretation) (Conditional Use)

APPLICANT: PANDA GIRL PROPERTIES PHONE # 740 591 9118 ADDRESS: 465 SEIGLE LANE ATHENS, OH 45701 OWNER: JARED DEAN ADDRESS: SAME PROPERTY ADDRESS: 75 S SHANNON ZONE: R-1

I, THE UNDERSIGNED, JARED DEAN HEREBY APPEAL THE DECISIONS / REVIEW OF THE ZONING ADMINISTRATOR DATED 4/2/25 FOR DENIAL OF A ZONING PERMIT / REVIEW OF CONDITIONAL USE FOR PROPERTY LOCATED AT: 75 S SHANNON #4

IN ACCORDANCE WITH ALL REQUIRED INFORMATION SUBMITTED AND WITH THE ORIGINAL APPLICATION HERETO ATTACHED AND INCORPORATED INTO THE RECORD.

BY MY SIGNATURE I SWEAR OR AFFIRM THAT ALL OF THE INFORMATION PROVIDED IS TRUE AND ACCURATE.

[Signature] APPLICANT

STATE OF OHIO, COUNTY OF Athens

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 15th April 2025 (DATE) BY Jared Dean (NAME OF PERSON ACKNOWLEDGING).

[Signature] SIGNATURE OF NOTARY PUBLIC - STATE OF OHIO



CHRISTINE D ROBINSON Notary Public State of Ohio My Comm. Expires June 1, 2029

MY COMMISSION EXPIRES: 6-1-2029

PROPERTY OWNER (IF OTHER THAN APPLICANT) STATE OF OHIO, COUNTY OF

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS (DATE) BY (NAME OF PERSON ACKNOWLEDGING).

SIGNATURE OF NOTARY PUBLIC - STATE OF OHIO

MY COMMISSION EXPIRES:

Panda Girl Properties  
Jared and Marjorita Dean  
465 Seigle Lane  
Athens, OH 45701

Parcel **A027170010900** 75 S Shannon St Apartment 4

We are requesting a non-conforming use substitution. The property is currently a legal non-conforming four-unit residential property in an R-1 zone. It is a 3-unit non-owner occupied and 1-unit owner-occupied. We would like to substitute that to a 4-unit non-owner-occupied use per ACC 23.07.02.

We purchased the home from the estate of the previous owner who lived in one of the units.

Thank you for your consideration.

Jared and Marjorita Dean

**Office of Code Enforcement and  
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(740)592-3306  
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*City of Athens*  
**ATHENS, OHIO**

April 8, 2025

Panda Girl Properties, LLC  
Jared Dean  
465 Sigle Lane  
Athens, Ohio 45701

Mr. Dean,

Your property is currently a legal non-conforming use as the property is a four-unit residential property in an R-1 Zone. Our office believes that your request to change from a 3-unit non-owner occupied and a 1-unit owner-occupied to a 4-unit non-owner occupied use is a non-conforming substitution use per ACC 23.07.02.

Therefore, we suggest that you apply to the City BZA for a non-conforming use substitution. The BZA will need less information and will have less requirements reviewing your request as a non-conforming use substitution rather than a variance.

A handwritten signature in blue ink, appearing to read "David Riggs", is located below the main text.

David Riggs, PE  
City of Athens  
Code Director

**COPY**



APPLICATION for RENTAL PERMIT

For Rental Housing
CITY OF ATHENS, OHIO
ATHENS CITY CODE TITLE 23
codeoffice@ci.athens.oh.us
740-592-3306

(Office Use Only)
Permit #: RNT25-000040
Date Rec'd: March 25, 2025

Subtype: New Rental New Owner Demographics update only Total Due: 0.00

Owner Name: Panda Girl Properties, LLC
Address: 465 Sigle Lane
City, State, Zip: Athens, Ohio 45701
Telephone #: (740) 591-9118 E-mail Address (if applicable): pandagirlpropertiesllc@gmail.com
Property Manager: Panda Girl Properties, LLC Telephone #: (740) 591-9118
Property Manager Address: 465 Seigle Lane Athens, OH 45701
Emergency Contact & Telephone #: (740) 591-9118

Property Address (include all units #'s for multiple units/buildings):
75 South Shannon Avenue, Athens, OH 45701

Check One:
[ ] Rental Unit
Number of UNITS in Building
-OR-
[ ] Rooming House (6 or more tenants)
[ ] Owner-Occupied Rooming House
Number of Bedrooms
Rented

Requested Maximum Occupancy Level of Unrelated Persons Per Unit
(list each unit separately):
Unit #1: 1 Max Occupancy #1: 3
Unit #2: 2 Max Occupancy #2: 1
Unit #3: 3 Max Occupancy #3: 1
Unit #4: 4 Max Occupancy #4: 2
Or One Family per ACC 23.04.01(A)(1)

Number of Parking Spaces (to be confirmed by Inspector)
Number of Parking Spaces: 0

Scheduled Trash Pickup Day:
Thursday

I HEREBY SWEAR OR AFFIRM THAT ALL OF THE INFORMATION PROVIDED IS TO THE BEST OF MY KNOWLEDGE TRUTHFUL AND ACCURATE, AND THAT THE PROPERTY COMPLIES WITH ATHENS CITY HOUSING CODE TITLE 29 AND ATHENS CITY ZONING CODE TITLE 23.

Owner Signature: Paper Application Date: 03/24/2025

(For Office Use Only)
Zone: R-1 Recommend: Refusal
Exg.# of Parking Spaces: 0 Parking Verified by Code Officer:
Code Officer Signature: [Signature] Date: 4/2/25 Approval/Refusal:
Comments: Applicant is requesting 4 units where 1 unit is permitted Acc 23.04.01(A)(1)
Zoning Administrator Signature: Date: Approval/Refusal:

Recommend BZA
Substitution of
Legal nonconforming
use.

Copy of rental permits back to 1990 showing the quadplex since 1975



APPLICATION for RENTAL PERMIT

For Rental Housing
CITY OF ATHENS, OHIO
ATHENS CITY CODE TITLE 23
codeoffice@ci.athens.oh.us
740-592-3306

(Office Use Only)
Permit #: RNT25-000039
Date Rec'd: March 25, 2025

Subtype: New Rental New Owner Demographics update only Total Due: 30.00

Owner Name: Panda Girl Properties, LLC
Address: 465 Seigle Lane
City, State, Zip: Athens, Ohio 45701
Telephone #: (740) 591-9118 E-mail Address (if applicable): pandagirlpropertiesllc@gmail.com
Property Manager: Panda Girl Properties, LLC Telephone #: (740) 591-9118
Property Manager Address: 465 Seigle Lane Athens, OH 45701
Emergency Contact & Telephone # (must be a resident of Athens County and other than the owner): Name: Panda Girl Properties, LLC, Telephone #: (740) 591-9118

Property Address (include all units #'s for multiple units/buildings):
75 South Shannon Avenue, Athens, OH 45701

Check One:
[X] Rental Unit
Number of UNITS in Building 4 - Only 3 are rented.
-OR-
[ ] Rooming House (6 or more tenants)
[ ] Owner-Occupied Rooming House
Number of Bedrooms
Rented

Requested Maximum Occupancy Level of Unrelated Persons Per Unit (list each unit separately):
Unit #1: 1 Max Occupancy: 3
Unit #2: 2 Max Occupancy: 1
Unit #3: 3 Max Occupancy: 1
Unit #4: 4 Max Occupancy : 2 (Owner occupied - not included in rental permit fees.
Or One Family per ACC 23.04.01(A)(1)
Number of Parking Spaces (to be confirmed by Inspector)
Number of Parking Spaces: 0

Scheduled Trash Pickup Day: Thursday

I HEREBY SWEAR OR AFFIRM THAT ALL OF THE INFORMATION PROVIDED IS TO THE BEST OF MY KNOWLEDGE TRUTHFUL AND ACCURATE, AND THAT THE PROPERTY COMPLIES WITH ATHENS CITY HOUSING CODE TITLE 29 AND ATHENS CITY ZONING CODE TITLE 23.

Owner Signature: Paper Application Date: 03/24/2025

(For Office Use Only)
Zone: R-1 Recommend: Approval
Exg.# of Parking Spaces: 0 Parking Verified by Code Officer:
Code Officer Signature: Matt Roy Date: 4/2/25 Approval/Refusal:
Comments: Change of owner. Recommend approval. Zoning ok legal non-conforming
Zoning Administrator Signature: Date: 4-8-25 Approval/Refusal:

COPY

# APPLICATION for ZONING CERTIFICATE

## For Rental Housing Permit

### CITY OF ATHENS, OHIO

### ATHENS CITY CODE TITLE 29

(For Office Use Only)  
 Permit # 06-469  
 Date Rec'd 5/22/06

L.H.  
0024

Owner Information:  
 Name: TIMOTHY BARNES  
 Address: 75 S. SHANNON  
 City, State, Zip: ATHENS, OH. 45701  
 Telephone #: ~~592-5941~~ 707-8021  
 Emergency Contact & Telephone # UNIVERSITY OFF CAMPUS HOUSING  
 (must be a resident of Athens County and other than the owner): 592-5527

Rental Property Information:

Rental Property Address (include all unit #'s for multiple units/buildings):  
75 S. SHANNON APT. # 1, 2, 3, 4 (#4 OWNER OCCUPIED) - CURRENTLY

Check One:  Rental Unit  
4 Number of Units in Building

-OR-

Rooming House (6 or more tenants)  
 Owner-Occupied Rooming House  
7 Number of Bedrooms Rented

Requested Maximum Occupancy Level Of Unrelated Persons Per Unit (list each unit separately):

(2) 1 Bedroom units #2, #3  
 (1) 2 Bedroom unit #4  
 (1) 3 Bedroom unit #1  
 Or One Family as per ACC 28.04.01(A)(1)

Number of Parking Spaces (to be confirmed by Inspector)  
0

I HEREBY SWEAR OR AFFIRM THAT ALL OF THE INFORMATION PROVIDED IS TO THE BEST OF MY KNOWLEDGE TRUTHFUL AND ACCURATE, AND THAT THE PROPERTY COMPLIES WITH ATHENS CITY HOUSING CODE TITLE 29 AND ATHENS CITY ZONING CODE TITLE 23.

[Signature] - AGENT  
 Signature of Owner  
5/22/06  
 Date

OFFICE USE ONLY:

Recommend:  Approval  Refusal  
 Parking Verified by Code Officer

Zone  
R-1

COPY

**APPROVED**

ATHENS CITY

ZONING DEPARTMENT

SIGNED: [Signature]

DATE: 5/22/06

NON-CONFORMING, LEGALLY "GRANDFATHERED"  
4-UNIT BUILDING WITH 7 TOTAL TENANTS.  
"GRANDFATHERED" LACK OF PARKING.  
UPDATE OF INFORMATION.

Paul Eschenbacher 5/22/06  
 Code Officer Signature Date  
[Signature] 6/20/06  
 Code Director Signature Date

ZONING CERTIFICATE  
HOUSING RENTAL ONLY

Zone R-2 R-1

RECEIVED  
10/16/90  
Su

x Date 15 Oct 90

Permit number 90-413

x Name of Owner T. R. Barnes

x Address of Owner 75 So Shannon Ave #4

x T. R. Barnes  
Owners signature

x 15 Oct 90  
Date

x Number of parking spaces 0

x Location of rental Same

Inspectors use only: This is a **NON-CONFORMING** ~~unit~~ **Quadplex** in an R-2 it has been there since 1975. This is a permit update only - **OWNER LIVES IN ONE UNIT.** Recommend approval.

Housing Inspector Harold J. [Signature]

Date 15 Oct 90

**COPY**

APPROVED  
ATHENS CITY  
ZONING INSPECTOR  
SIGNED Ron Chapman  
DATE 10/19/90

TRANSFERRED NO. 0499  
SEC. 319.202 R.C. COMPLIED  
WITHIN AMT. 700

APR 07 2025

JILL A. DAVIDSON  
AUDITOR ATHENS COUNTY, OHIO  
KS TRANS FEE 2.00

202500001391  
FILED FOR RECORD IN  
ATHENS COUNTY, OHIO  
JESSICA MARKINS, RECORDER  
04/08/2025 09:14:57 AM  
OR BOOK: 623 PAGE: 868  
DEED 34.00 PG: 2

202500001391  
SECURE TITLE SERVICES

# FIDUCIARY'S DEED

Statutory Form  
(RC 5302.09)

KNOW ALL MEN BY THESE PRESENT THAT WE: WENDY ANN STETTNER aka WENDY K. STETTNER and MARK ALLEN KEHL, TRUSTEES OF THE TIMOTHY R. BARNES TRUST DATED DECEMBER 17, 2024, for valuable consideration paid, grants with fiduciary covenants to PANDA GIRL PROPERTIES, LLC, whose tax mailing address is 465 Sleigle Lane, Athens, Ohio 45701, the following described real property:

\*\*\*\*\*SEE "EXHIBIT A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.\*\*\*\*\*

Subject to all legal highways, zoning ordinances, restrictions, easements, reservations, and conditions of record.

Grantor certifies that the Trust is still in effect and that the representations contained in Memorandum of Trust recorded in Volume 622, Page 627, Athens County Official Records, are still true as of the date of the execution of this deed.

Parcel ID#: A02-71700107-00, A02-71700108-00, A02-71700109-00 and A02-71700110-00  
Deed Reference: Volume 375, Page 2516, Athens County Official Records.  
Commonly known as: 75 S. Shannon Avenue, Athens, Ohio 45701

EXECUTED this 1 day of April, 2025.

THE TIMOTHY R. BARNES TRUST  
DATED DECEMBER 17, 2024

By: Wendy Ann Stettner, Trustee  
Wendy Ann Stettner, Trustee

By: Mark Allen Kehl, Trustee  
Mark Allen Kehl, Trustee

STATE OF OHIO  
COUNTY OF ATHENS:

The foregoing instrument was acknowledged before me this 1 day of April, 2025, by Wendy Ann Stettner AKA Wendy K. Stettner and Mark Allen Kehl, Trustees of The Timothy R. Barnes Trust Dated December 17, 2024, as the fiduciaries on behalf of the Trust.

Cherokee Stover  
Notary Public

My Commission Expires:  
(seal)



CHEROKEE STOVER  
Notary Public  
State of Ohio  
My Comm. Expires  
September 15, 2029

Prepared by CHRISTIAN S. GERIG, ATTORNEY AT LAW, ATHENS, OHIO



*Fiduciary's Deed - Page 2 of 2*  
*The Timothy R. Barnes Trust Dated December 17, 2024*  
*to Panda Girl Properties, LLC*

**"Exhibit A"**  
**Legal Description**  
**STS17543**

**SITUATE IN THE CITY OF ATHENS, COUNTY OF ATHENS and STATE OF OHIO:**

And known as being in Cable Heirs Addition to the City of Athens, Volume 5, Page 56 , Records of Plats of Athens City.

Beginning at a point on the North line of In-lot #1302, five feet (5) West of the Northeast corner of said lot; thence South parallel to the East line of said lot Fifty-three and one-half feet (53½); thence East parallel to the North line of said lot approximately Fifty feet (50) to the East line of In-lot #1303; thence North on the East line of Lot #1303 to the Northeast corner of Lot #1303; thence West along the North line of said Lots #1302 and #1303 to the place of beginning.

**ALSO THE FOLLOWING DESCRIBED TRACT:**

Situate in In-lots 1302 and 1303 located in Cable Heirs Addition to Athens, Ohio, in Plat Book 5, Page 56, Athens County Recorder's Office, and bounded and described as follows, to-wit:

Beginning at an iron pin set on the east line of In-lot 1303 N 0° 57' E. 72.0 feet from the southeast corner of said In-lot; thence S. 89° 59' W. 51.43 feet to an iron pin 5 feet west of the east line of original Lot 1302; thence N 0° 11' W. 8.0 feet; thence N. 89° 50' E. 51.59 feet to the east line of Lot 1303; thence S 0° 57' W. 8.0 feet to the place of beginning and containing 40 sq. feet in In-lot 1302 and 372 sq. feet in In-lot 1303.

Surveyed by Joe L. Galvin, Reg. Surveyor, 1684, July 26, 1968.

PPN: A02-71700107-00 (pt. Lot 1303)  
PPN: A02-71700108-00 (pt. Lot 1302)  
PPN: A02-71700109-00 (pt. Lot 1303)  
PPN: A02-71700110-00 (pt. Lot 1302)

**Commonly known as: 75 South Shannon Avenue, Athens, Ohio 45701**

**Deed Reference: Volume 375, Page 2516, Athens County Official Records.**



PHOTO BY: ERIC GAMMA, ALBANY, N.Y. © 2008

Office of Code Enforcement and  
Community Development

28 Curran Drive  
Athens, OH 45701  
(740)592-3306  
(740)594-6304 Fax  
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*City of Athens* 'ns  
ATHENS, OHIO O

Form BZA-5  
To be inserted one in the  
Athens Messenger Newspaper

BOARD OF ZONING APPEALS  
Case #25-04V

**ADVERTISEMENT**  
Board of Zoning Appeals  
28 Curran Drive, Athens, Ohio 45701

TO: The Athens Messenger

Insert the following legal notice on **May 3, 2025**  
Containing all wording below the heavy-ruled line:  
Issue affidavit within five (5) days of the date of notice to the Secretary of the Board setting forth  
a true and complete copy of said notice and the exact date on which it was published.

---

LEGAL NOTICE

Board of Zoning Appeals Notice is hereby given that a public hearing will be held in City  
Council Chambers, third floor of City Hall, by the Board of Zoning Appeals of the City of Athens  
on **Tuesday, May 13, 2025, at 7:00pm** on the following described property:

63 S Court St  
Zone B2D Case #25-04V

Appellant is requesting a variance from ACC 23.03.13 (I)(1)(g) to allow 2 projecting signs where  
one is permitted and a length of 4ft 10 7/8 inches where 3ft 6 inches is the maximum permitted.

Interested persons are requested to appear and voice their opinions with respect thereto. More  
detailed information and plans are available for public inspection located on the City's Website,  
[ci.athens.oh.us](http://ci.athens.oh.us) (Board of Zoning Appeals), and at the Department of Development and Code  
Enforcement Office, located at 28 Curran Drive, Athens, Ohio. Anyone needing special  
accommodations to attend the meeting should contact the Government Channel at (740)594-2900.

BOARD OF ZONING APPEALS

A handwritten signature in cursive script that reads "Rob Delach".

---

Rob Delach, Chairperson

**Office of Code Enforcement and  
Community Development**

28 Curran Drive  
Athens, OH 45701  
(740)592-3306  
(740)594-6304 Fax  
<http://www.ci.athens.oh.us>



*City of Athens*

**ATHENS, OHIO**

May 1, 2025

**NOTICE OF HEARING AND APPEAL**

BOARD OF ZONING APPEALS  
28 Curran Drive  
Athens, Ohio 45701

Your appeal under the Zoning Ordinance relative to  
**63 S Court St**  
has been assigned Board of Zoning Appeals **Case #25-04V**

Inquiries and references should always be made to this number.

Further, you are notified to appear before the Board of Zoning Appeals, either in person or by agent or attorney, for a hearing in your case on **Tuesday, May 13, 2025, at 7:00pm** in City Council Chambers, 8 East Washington Street, Third Floor, Athens, Ohio. Please contact our office at [codeoffice@ci.athens.oh.us](mailto:codeoffice@ci.athens.oh.us) or by phone (740)592-3306 with any questions.

Anyone needing special accommodations to attend this meeting should contact the Government Channel at (740) 594-2900.

***NOTE: If fewer than five (5) members are available for the meeting, you have the right to continue until such time as five (5) members are available to hear the case. In order to accommodate your decision prior to the meeting, you will be contacted if such a situation arises or if for some reason the meeting date, time and/or place are changed.***

Respectfully,

BOARD OF ZONING APPEALS

A handwritten signature in black ink, appearing to read "Rob Delach", is written over a horizontal line.

Rob Delach, Chairperson

Form BZA-3

**63 S Court St – Case #25-04 – adjoining properties and owners**

**49 S Court St**

Good Guy Enterprises LLC  
8 N Court St Suite 101  
Athens, OH 45701

**44 S Court ST**

Beckley Building LTD  
PO Box 727  
Athens, OH 45701

**0 Union St (A027050000100)**

Ohio University  
Pilcher House 10 E Union St  
Athens, OH 45701

**67 67 S Court St**

Wharton Properties II LLC  
82 N Court St  
Athens, OH 45701

**11 W Union St**

Mitchell & L Heureux LLC  
70 B N Court St  
Athens, OH 45701

**16 W Union St, (A027080002300),**

PM Management LLC  
8 N Court ST Suite 101  
Athens, OH 45701

**14.5 W Union Unit 202 St**

Philips Guy  
8 N Court St Suite 101  
Athens, OH 45701

**14 W Union Unit 201 St, 12 W Union St**

Hunter Garry E Trustee  
26 S Congress St  
Athens, OH 45701

**10 W Union St**

Best of Court  
PO Box 1152  
Athens, OH 45701



APPEAL FROM A DECISION OF THE ZONING ADMINISTRATOR

Remit# B2A25-000004 (For Office Use Only) Date Rec'd 4/16/25

Handwritten initials

Request for Variance [checked] Request for Substitution [ ] Request for Interpretation [ ] Conditional Use [ ]

APPLICANT: Jennifer Krack, OLIO Development Group PHONE #

ADDRESS: 1062 Ridge Street, Columbus, OH 43215

OWNER: Lostro Ventures, LLC

ADDRESS:

PROPERTY ADDRESS: 63 S Court Street, Athens, OH

ZONE: B-2D

I, THE UNDERSIGNED, Jennifer Krack

HEREBY APPEAL THE DECISIONS / REVIEW OF THE ZONING ADMINISTRATOR DATED 4/4/2025

FOR DENIAL OF A ZONING PERMIT / REVIEW OF CONDITIONAL USE FOR PROPERTY LOCATED AT: 63 S Court Street

IN ACCORDANCE WITH ALL REQUIRED INFORMATION SUBMITTED AND WITH THE ORIGINAL APPLICATION HERETO ATTACHED AND INCORPORATED INTO THE RECORD.

BY MY SIGNATURE I SWEAR OR AFFIRM THAT ALL OF THE INFORMATION PROVIDED IS TRUE AND ACCURATE.

Signature of Jennifer Krack, APPLICANT

STATE OF OHIO, COUNTY OF Franklin

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 4/9/25 (DATE) BY

Carly Detar (NAME OF PERSON ACKNOWLEDGING)

Signature of Carly Detar, SIGNATURE OF NOTARY PUBLIC - STATE OF OHIO

MY COMMISSION EXPIRES: 02/18/2030

Signature of Notary Public, PROPERTY OWNER (IF OTHER THAN APPLICANT) Lostro Ventures LLC

STATE OF OHIO, COUNTY OF Franklin

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 11th (DATE) BY

Signature of Notary Public, (NAME OF PERSON ACKNOWLEDGING)

Signature of Notary Public, SIGNATURE OF NOTARY PUBLIC - STATE OF OHIO

MY COMMISSION EXPIRES: 06/26/2027



CRAIG DOLAN Notary Public State of Ohio My Comm. Expires June 26, 2027



FINANCE

CONSTRUCTION MANAGEMENT

DEVELOPMENT

REAL ESTATE

Jennifer Krack  
Design and Development Manager  
OLIO Development Group  
1062 Ridge Street  
Columbus, OH 43215  
(614) 704-6406  
jkrack@oliodevgrp.com

**Date:** 04/07/2025

Board of Zoning Appeals  
City of Athens  
8 East Washington Street  
Athens, OH 45701

**RE: Appeal for Signage Variances – Raising Cane’s, Athens, OH – 63 S Court Street**

Dear Members of the Board,

On behalf of Raising Cane’s, I am writing to respectfully request two variances from the City of Athens zoning code, 23.03.13 (l) (1) (g), for the proposed restaurant located at 63 S Court Street in Athens, OH, currently zoned B-2D.

As part of our signage package, we are seeking approval for:

1. **A variance for the setback distance of our proposed sign from the building façade.** The sign exceeds the maximum allowable distance from the building as specified in code. This distance is necessary due to the architectural layout of the building and the positioning required for maximum visibility from the adjacent public right-of-way. Additionally, due to the design of the Cane’s logo, a mounting bracket is required, projecting the sign off the building.
2. **A variance to permit two projecting signs where only one is allowed by code.** Due to the site’s orientation and vehicular traffic patterns, two signs are critical to identifying the building from both Union Street and Court Street, ensuring clear and consistent branding and minimizing missed turns or unsafe last-minute traffic maneuvers. The construction and historical nature of the building prohibits wall signs or canopy signs limiting brand identification to projecting signs.



These signage elements are vital for the Raising Cane’s brand, which relies heavily on clear, prominent, and consistent signage for customer recognition, wayfinding, and operational success. The requested variances are not excessive in scale and are designed to be compatible with the surrounding environment, without creating visual clutter or disrupting neighborhood character.

We believe the proposed signage is reasonable, appropriate for a national quick-service restaurant, and in the public interest, as it supports both the business’s viability and a safe, intuitive experience for the visiting public.

Thank you for your consideration of this appeal. We look forward to the opportunity to present our request in further detail and answer any questions the Board may have.

Sincerely,  
  
**Jennifer Krack**

Design and Development Manager  
OLIO Development Group



**SIGN PERMIT**  
CITY OF ATHENS, OHIO  
ATHENS CITY CODE TITLE 23

Permit #: SP25-000007  
**REFUSAL**  
**04/15/2025**

Permit Type: Projecting | Issue Date: 04/15/2025

**Project Address : 63 South Court Street**

**Decision Detail:** Your request for a Zoning Sign Permit has been refused in accordance with the application submitted and ACC23.03.13 (l)(l)(g). Request was for 2 projecting signs where one is permitted and a length of 4ft 10 7/8th inches where 3ft 6 inches is max permitted.

**Applicant:**

Carly Detar / OLIO Development Group  
Phone: (614) 813-4641

1062 Ridge Street  
Columbus, OH 43215

**Property Owner:**

LOSTRO VENTURES LLC

1555 LENNOX TOWN LANE  
COLUMBUS, OH 43212

**Scope of Project:** We are proposing two (2) business, externally lit, blade signs for the new Raising Cane's at the corner of Court Street and Union.

**Sign Data**

Sq. Footage:	8 sq ft each sign	Lighted	<input checked="" type="checkbox"/>
<b>Height</b>			
Ground to Top	11' 3.5"	Ground to Bottom	9' 11"
<b>Setbacks</b>			
Front	NA	Rear	NA
Left	NA	Right	NA
		Right	

**General Contractor:**

Business Name: OLIO DEVELOPMENT  
Phone: 888-543-5592

**Service-Safety Director:**

[ ] Approved      [ X ] Refused

04/15/2025

David R. Riggs, PE  
Director of Development and Code Enforcement, Facilities

Date

Office of Code Enforcement  
& Community Development  
28 Curran Drive  
Athens, Ohio 45701  
740-592-3306 (Office)  
740-594-6304 (Fax)



City of Athens  
Athens, Ohio

---

April 15, 2025

To: Carly Detar OLIO Development Group  
Applicant Address: 1062 Ridge Street  
Columbus, OH 43215

To: LOSTRO VENTURES LLC  
Owner Address: 1555 LENNOX TOWN LANE  
COLUMBUS, OH 43212

---

## REFUSAL

Sign Permit - Projecting Refusal Detail

**Premises Address: 63 South Court Street**

**Application Date: 04/01/2025**

**For:** We are proposing two (2) business, externally lit, blade signs for the new Raising Cane's at the corner of Court Street and Union.

**Note:** Your request for a Zoning Sign Permit has been refused in accordance with the application submitted and ACC23.03.13 (I)(I)(g).

**Request was for 2 projecting signs where one is permitted and a length of 4ft 10 7/8th inches where 3ft 6 inches is max permitted.**

*NOTE: You may appeal the decision of the Zoning Inspector or request a variance from the Board of Zoning Appeals. Any appeal made from this refusal must be filed with the Secretary to the Board of Zoning Appeals within twenty (20) days after the date of this refusal. For further information, contact the Secretary to the Board of Zoning Appeals, 28 Curran Drive, Athens, Ohio and bring this notice with you. The variance request application and instructions can be found on the city's website at <https://www6.citizenserve.com/Portal/PortalController>.*



# APPLICATION for SIGN PERMIT

CITY OF ATHENS, OHIO  
ATHENS CITY CODE TITLE 23

(Office Use Only)  
Permit #: SP25-000007  
Date Rec'd: April 01, 2025

Applications for freestanding and temporary signs must include a scaled drawing indicating property lines, distances (setbacks) from property lines, and an elevation drawing including sign face area and height. Applications for wall, projecting, and canopy signs must include and elevation drawing indicating the total wall or canopy area, total face area of proposed signage and setbacks from the ends of the walls or common property walls. All lines must be completed or marked Not Applicable (N/A) or To Be Determined (TBD).

Type of Sign	Free Standing <input type="checkbox"/>	Wall Mount <input type="checkbox"/>	State Permit # (if applicable)
	Projecting <input type="checkbox"/>	Canopy <input type="checkbox"/>	

Address of Proposed Project 63 S COURT ST

Applicant Carly Detar OLIO Development Group Phone (614) 813-4641

Address 1062 Ridge Street  
Columbus, OH 43215

Property Owner LOSTRO VENTURES LLC Phone \_\_\_\_\_  
*(If other than applicant)*

Address 1555 LENNOX TOWN LANE  
COLUMBUS, OH 43212

Description of requested sign(s): two (2) externally lit blade signs Raising Canes

Cost of Project TBD Face Area in Square Feet 8 sq ft each sign (2) Lighted(?)   
*(For each sign)*

For Freestanding, Projecting and Canopy Signs:  
Height, Ground to Top 6' 11' 3/4" mp Height, Ground to Bottom 4' 11" 9' 11" mp  
Setbacks from Property Lines: Front n/a Rear n/a Left n/a Right n/a

For Wall Signs:  
Setbacks from Wall End or Common Property Line Wall Left \_\_\_\_\_ Right \_\_\_\_\_

Name of Contractor OLIO Development Group Phone # 888-543-5592  
1062 Ridge Street, Columbus, OH 43215

Contractor Address 1062 Ridge Street Columbus, Ohio 43215 Registration # CR25-000022

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED AND DRAWINGS ATTACHED ARE TO THE BEST OF MY KNOWLEDGE TRUTHFUL AND ACCURATE.

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_  
Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

(For Office Use Only)

CODE OFFICER RECOMMENDATION: Parcel Number(s): A027050001400

Size  Height to Top  Height to Bottom  Setbacks  Size of Lot  Zone B2D

Comments: Recommend refusal asking for two projecting signs where one is permitted and a length of 4' 10 7/8" where 3' 6" (max) is permitted. ACC 23.03.13 (I)(1)(g)

Signature Matt Realy Date 4/4/25 Approval  Refusal

ZONING ADMINISTRATOR ACTION:  
Signature [Signature] Date 4-9-25 Approval  Refusal

SERVICE-SAFETY DIRECTOR ACTION:  
Signature [Signature] Date 4/21/25 Approval  Refusal

(l)

Standards for signs in R-3, B-1, B-2, B-2D, B-3, EI, and M Zones. Unless otherwise permitted in this section, no off-site signs shall be permitted in the R-3 Multi-Family Residential, and B-1, B-2, and B-2D Business Zones. Off-site signs shall be permitted in the B-3 and M Zones, except in the following three B-3 Business Zone areas: (1) centering on Carpenter Street and Stimson Avenue, (2) on Richland Avenue in the vicinity of Dairy Lane and (3) on Richland Avenue in the vicinity of its intersection with U.S. Route 33. The following on-site signs shall be permitted:

(1)

Building signs.

(a)

Business identification sign—Multiple use. In a business area containing more than one building, designed and developed as a coordinated unit, or where a business building contains more than one business unit, an individual store identification sign for each business unit may be attached to the building or unit thereof.

(b)

Bulletin board signs. One bulletin board not exceeding 15 square feet in single-face sign area and the top of which may not extend more than six feet above the ground elevation at the base of the sign, may be permitted on the premises of a public, charitable, religious or education facility.

(c)

Educational/institutional building identification sign. In a building containing one or more offices, departments, or residential housing units, an individual building identification sign for each educational, institutional, or residential unit contained therein may be attached to the building or unit thereof.

(d)

Canopy signs or covered walk signs. One canopy or covered walk identification sign may be attached to the soffit or fascia of a canopy or roof over a walkway structural member of each business use. However, the vertical dimension of such signs shall not exceed 18 inches and the lowest member shall be not less than eight feet above the sidewalk grade. Except in the B-2D Zone, the maximum single-face sign area of any canopy sign shall not exceed ten square feet or 30 percent of the signable wall area whichever is greater. However, the total maximum of all sign areas on one wall is 30 percent of the signable wall

area. In the B-2D Zone, the maximum single-face sign area of any canopy sign shall not exceed five square feet or 40 percent of the signable wall area, whichever is less, and shall be set back from each end of the canopy or covered walk sign for a distance of at least ten percent of the canopy or covered walk sign width.

(e)

Canopy signs—Theater marquees. The zoning administrator shall determine the size and design characteristics of theater canopy signage (theater marquees).

(f)

Nameplate signs. One wall or panel nameplate may be placed on each building. The maximum sign face area of such nameplate shall not exceed two square feet.

(g)

**Projecting signs in the B-2D Zone.** For a sign which is not parallel to and fixed flat against a building, the maximum sign area shall not exceed eight square feet with a maximum dimension of three and one-half feet in any direction. In no case, is more than one projecting sign permitted on a premises or use. The minimum mounting height of the lower edge of signs, not parallel to and fixed to a building, in the downtown business zone shall be eight feet from sidewalk level of the premises. In no case shall the top of the sign exceed 14 feet. The horizontal clearance between the sign's outer dimension and the curb line shall not be less than two feet.

(h)

**Projecting signs in R-3, B-1, B-2, B-3, EI, and M Zones.**

One projecting identification sign may be attached to the building wall of each business use; however, no projecting sign may be erected on the same side of a building as that which also has a free-standing sign. Projecting signs shall be set back from the end of a building and party wall line for a distance of at least ten percent of the width of the building wall. The maximum single-face sign area of any projecting sign shall not exceed the maximum area allowed for a free-standing sign under Section 23.03.13(l)(4), and in no case shall it exceed 25 square feet in the R-3 Zone, or 50 square feet in B-1, B-2, B-3, or M Zones. The lowest member of any projecting signs shall be not less than eight feet above the sidewalk grade. The horizontal clearance between the sign's outer dimension and the curb line shall not be less than two feet.

**Office of Code Enforcement and  
Community Development**

28 Curran Drive  
Athens, OH 45701  
(740)592-3306  
(740)594-6304 Fax  
<http://www.ci.athens.oh.us>



*City of Athens*

**ATHENS, OHIO**

Form BZA-5  
To be inserted one in the  
Athens Messenger Newspaper

BOARD OF ZONING APPEALS  
Case #25-05V

**ADVERTISEMENT**

Board of Zoning Appeals  
28 Curran Drive, Athens, Ohio 45701

TO: The Athens Messenger

Insert the following legal notice on **May 3, 2025**

Containing all wording below the heavy-ruled line:

Issue affidavit within five (5) days of the date of notice to the Secretary of the Board setting forth a true and complete copy of said notice and the exact date on which it was published.

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LEGAL NOTICE

Board of Zoning Appeals Notice is hereby given that a public hearing will be held in City Council Chambers, third floor of City Hall, by the Board of Zoning Appeals of the City of Athens on **Tuesday, May 13, 2025, at 7:00pm** on the following described property:

16 Tulane Road  
Zone R1 Case #25-05V

Appellant is requesting a variance from ACC 23.08.01 (A) to allow parking in front of a structure.

Interested persons are requested to appear and voice their opinions with respect thereto. More detailed information and plans are available for public inspection located on the City's Website, [ci.athens.oh.us](http://ci.athens.oh.us) (Board of Zoning Appeals), and at the Department of Development and Code Enforcement Office, located at 28 Curran Drive, Athens, Ohio. Anyone needing special accommodations to attend the meeting should contact the Government Channel at (740)594-2900.

BOARD OF ZONING APPEALS

A handwritten signature in black ink that reads "Rob Delach". The signature is written in a cursive style and is positioned above a horizontal line.

Rob Delach, Chairperson

**Office of Code Enforcement and  
Community Development**

28 Curran Drive  
Athens, OH 45701  
(740)592-3306  
(740)594-6304 Fax  
<http://www.ci.athens.oh.us>



*City of Athens*

**ATHENS, OHIO**

May 1, 2025

**NOTICE OF PUBLIC HEARING**

Board of Zoning Appeals  
28 Curran Drive  
Athens, Ohio 45701

As provided for by Section 23.07.09(C) of the Athens City Zoning Code, you are hereby notified as a party of interest that an appeal has been filed by

**John Brennan / Appellant**  
For property located at  
**16 Tulane Road**

Appellant is requesting a variance from ACC 23.08.01 (A) to allow parking in front of a structure.

This case has been assigned  
**Case #25-05V**

This meeting has been scheduled for **Tuesday, May 13, 2025**, at 7:00pm, Athens City Hall, 8 East Washington Street, Third Floor, and Athens City Council Chambers. More detailed information and plans are available for public inspection located on the City's Website, [ci.athens.oh.us](http://ci.athens.oh.us) (Board of Zoning Appeals), and the Office of Development and Code Enforcement at 28 Curran Drive, (740) 592-3306. Anyone needing special accommodations to attend the meeting should contact the Government Channel at (740) 594-2900 or the Office of Development and Code Enforcement listed above.

***NOTE: If you plan to attend, please verify that the meeting has not been postponed, cancelled or rescheduled. You may contact the Office of Development and Code Enforcement (740)592-3306.***

Respectfully,  
BOARD OF ZONING APPEALS

A handwritten signature in black ink, appearing to read "R Delach", is written over a horizontal line.

Rob Delach, Chairperson

**Office of Code Enforcement and  
Community Development**

28 Curran Drive  
Athens, OH 45701  
(740)592-3306  
(740)594-6304 Fax  
<http://www.ci.athens.oh.us>



*City of Athens*

**ATHENS, OHIO**

May 1, 2025

**NOTICE OF HEARING AND APPEAL**

BOARD OF ZONING APPEALS  
28 Curran Drive  
Athens, Ohio 45701

Your appeal under the Zoning Ordinance relative to  
**16 Tulane Road**  
has been assigned Board of Zoning Appeals **Case #25-05V**

Inquiries and references should always be made to this number.

Further, you are notified to appear before the Board of Zoning Appeals, either in person or by agent or attorney, for a hearing in your case on **Tuesday, May 13, 2025, at 7:00pm** in City Council Chambers, 8 East Washington Street, Third Floor, Athens, Ohio. Please contact our office at [codeoffice@ci.athens.oh.us](mailto:codeoffice@ci.athens.oh.us) or by phone (740)592-3306 with any questions.

Anyone needing special accommodations to attend this meeting should contact the Government Channel at (740) 594-2900.

***NOTE: If fewer than five (5) members are available for the meeting, you have the right to continue until such time as five (5) members are available to hear the case. In order to accommodate your decision prior to the meeting, you will be contacted if such a situation arises or if for some reason the meeting date, time and/or place are changed.***

Respectfully,

BOARD OF ZONING APPEALS

A handwritten signature in black ink that reads "Rob Delach". The signature is written in a cursive style and is positioned above a horizontal line.

Rob Delach, Chairperson

Form BZA-3

**16 Tulane Road – Case #25-05V – adjoining properties and owners**

**20 Tulane Road, (A028290008800),**

**20 N May Avenue (A028290008900)**

Alan Goldsberry  
20 N May Avenue  
Athens, OH 45701

**18 N May Avenue, (A028290009200)**

Douglass Wistendahl  
18 N May Avenue  
Athens, OH 45701

**16 N May Avenue**

Lorraine Mott  
16 N May Avenue  
Athens, OH 45701

**14 Tulane Road**

Douglas Debrick  
14 Tulane Road  
Athens, OH 45701

**4 McGuffey Lane**

Paul Eschenbacher  
4 McGuffey Lane  
Athens, OH 45701

**6 Woodside Drive**

Jacob Snyder  
6 Woodside Drive  
Athens, OH 45701

**4 Woodside Drive, (A028290000600),**

**(A028290000500)**

Patrick Flanigan  
4 Woodside Drive  
Athens, OH 45701



APPEAL FROM A DECISION OF THE ZONING ADMINISTRATOR

(For Office Use Only)
Permit # BZA25-000105
Date Rec'd 4/22/2025

[X] (Request for Variance) [ ] (Request for Substitution) [ ] (Request for Interpretation) [ ] (Conditional Use)

APPLICANT: John Brennan PHONE # 740-590-0006

ADDRESS: 16 Tulane Rd. Athens Ohio 45701

OWNER: John Brennan

ADDRESS: 16 Tulane Rd. Athens Ohio 45701

PROPERTY ADDRESS: 16 Tulane Rd. Athens Ohio 45701

ZONE: R-1

I, THE UNDERSIGNED, John Brennan

HEREBY APPEAL THE DECISIONS / REVIEW OF THE ZONING ADMINISTRATOR DATED 04/21/2025

FOR DENIAL OF A ZONING PERMIT / REVIEW OF CONDITIONAL USE FOR PROPERTY LOCATED AT: 16 Tulane Rd. Athens Ohio 45701

IN ACCORDANCE WITH ALL REQUIRED INFORMATION SUBMITTED AND WITH THE ORIGINAL APPLICATION HERETO ATTACHED AND INCORPORATED INTO THE RECORD.

BY MY SIGNATURE I SWEAR OR AFFIRM THAT ALL OF THE INFORMATION PROVIDED IS TRUE AND ACCURATE.

Handwritten signature of John Brennan

APPLICANT

STATE OF OHIO, COUNTY OF Athens

22nd April 2025

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS (DATE) BY

John Brennan (NAME OF PERSON ACKNOWLEDGING).

Sara Brumfield SIGNATURE OF NOTARY PUBLIC - STATE OF OHIO

MY COMMISSION EXPIRES: 11/15/2027



PROPERTY OWNER (IF OTHER THAN APPLICANT)

STATE OF OHIO, COUNTY OF Athens

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS (DATE) BY

(NAME OF PERSON ACKNOWLEDGING).

SIGNATURE OF NOTARY PUBLIC - STATE OF OHIO

MY COMMISSION EXPIRES:

Athens City Zoning Board of Appeal

4/22/2025

Permit # LND25-000008

I am requesting a variance to the code ACC 23.08.01(A). Specifically, “...and shall not be located between the right-of-way line and the front of a structure except in front of an attached garage, carport, or parking area.”

My request is largely based on the unique physical layout of my lot, house, and adjacent house.

My small property at 16 Tulane Rd. is seven-sided (irregular heptagon) and all but encapsulated. Only nine feet of the property line fronts on Tulane Rd. My only access to the roadway is from the driveway.

The area where I am requesting to put in a hard surface turn around space is being disqualified because it is between the right-of-way and my structure. I am not clear about the intent of this part of the code, but it seems to address a visibility concern.

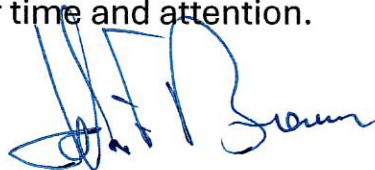
The area on my land I want to use is not visible from any right-of-way. A brick wall, soon a 6' fence, and a house obscure the area from the surrounding roadways.

The lot and its structures are such that without the space I wish to have properly permitted, backing in or backing out are required. The driveway is rather long to back all the way into or out of. Fine to do once but to do it hundreds of times, in the dark, in bad weather, etc., likely there will be a problem which can be avoided with a turnaround.

Thank you for your time and attention.

John Brennan  
16 Tulane Rd.  
Athens, Ohio 45701  
740-590-0006

[john@brennan.net](mailto:john@brennan.net)



AFB

Addendum follows.

Addendum: Addressing the six-point decision tree:

- (1) **Practical difficulty to undue hardship-** The inability to drive in and drive out in a safe manner given the driveway right-of-way junction. Additionally, there is a structure very close to roadway restricting lines of sight.
- (2) **Exceptional circumstances-** The size and configuration of the lot are exceptional.
- (3) **Preservation of equal property rights-** Lots in the vicinity have parking/turnarounds in their “front yards” to accommodate the unique configurations of their space.
- (4) **Minimum variance-** This request for variance is for a very small area and should have no impact on the city’s interests.
- (5) **Absence of detriment-** As the area in question is small, out of view, and completely on my land the basis for detriment is not apparent.
- (6) **Not of general nature-** The peculiarities of this location make it unlikely to be the basis for dissimilar locations requesting variances.

**Office of Code Enforcement  
& Community Development**  
28 Curran Drive  
Athens, Ohio 45701  
740-592-3306 (Office)  
740-594-6304 (Fax)



**City of Athens  
Athens, Ohio**

---

April 21, 2025

To:

John Brennan

Applicant Address:

16 Tulane Avenue  
Athens, Ohio 45701

To:

John Brennan

Owner Address:

16 Tulane Avenue  
Athens, OH 45701

---

**REFUSAL**

Land Development Permit - Residential Refusal Detail

**Premises Address: 16 Tulane Road**

**Application Date: 04/09/2025**

**For:** 400 sq ft parking/turn around adjacent to the driveway

**Note:** Your request for a stormwater / land development permit has been refused in accordance with the application submitted and ACC 23.08.01(A)  
Parking cannot be in front of structure.



LAND DEVELOPMENT PERMIT  
CITY OF ATHENS, OHIO  
ATHENS CITY CODE TITLE 23

Permit #: LND25-000008  
**REFUSAL**

Permit Type: Residential | Issue Date: 04/21/2025

**Project Address : 16 Tulane Road**

**Decision Detail:** Your request for a stormwater / land development permit has been refused in accordance with the application submitted and ACC 23.08.01(A)

Parking cannot be in front of structure.

**Applicant:**

John Brennan

Phone: 740-590-0006

16 Tulane Avenue  
Athens, OH 45701

**Property Owner:**

John Brennan

Phone: (740) 590-0006

16 Tulane Avenue  
Athens, OH 45701

**Scope of Project:** 400 sq ft parking/turn around adjacent to the driveway

**Land Development:**

Present Use:

open

Proposed Use:

Turn around/parking

Clearing Start:

Clearing Time:

N/A

**Director:**

Approved

Refused

04/21/2025

\_\_\_\_\_  
David R. Riggs, P.E.  
Director of Development and Code Enforcement

\_\_\_\_\_  
Date



**APPLICATION for COMMERCIAL  
or 1-2-3 UNIT RESIDENCE  
ZONING PERMIT - CONSTRUCTION  
CITY OF ATHENS, OHIO  
ATHENS CITY CODE TITLE 23**

(Office Use Only)	
Permit # _____	_____
Date Rec'd _____	_____

*Application Fee: \$80 (2.9% convenience fee if credit card is used)  
\* Scaled Detail Drawing Required \*\* Application will not be processed unless Drawing and Application Fee attached*

Residential  Commercial

Applicant John Brennan Phone 740-590-0006  
 Address 16 Tulane Rd  
 Property Owner (if other than applicant) NA Phone NA  
 Address NA

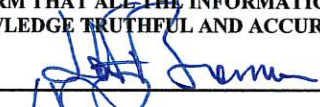

**ZONING**

Address of Proposed Work 16 Tulane Rd  
 Description of Proposed Work: New  Alteration  Accessory   
 Project Description Parking pad  
 Estimated Cost of Project \$11,000 Proposed Square Footage 380.

*Must be registered with the City of Athens.*

\*General Contractor Stoltzfus Family Construction License # 100051232  
 \*Electrician (if applicable) \_\_\_\_\_ License # \_\_\_\_\_  
 \*Plumber (if applicable) \_\_\_\_\_ License # \_\_\_\_\_  
 \*HVAC (if applicable) \_\_\_\_\_ License # \_\_\_\_\_

**I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED AND DRAWINGS ATTACHED ARE TO THE BEST OF MY KNOWLEDGE TRUTHFUL AND ACCURATE.**

Applicant Signature  Date 4/5/2023  
 Owner Signature  Date 4/5/2023

*Other Items Required before Issuance of Permit (if applicable):*

- |  |   |  |                                       |
|--|---|--|---------------------------------------|
| <input type="checkbox"/> Title 41 / PUD Approval | <input type="checkbox"/> Water Tap (Calculations EPW) | <input type="checkbox"/> Fire Separation Drawing | <input type="checkbox"/> Flood Hazard |
| <input type="checkbox"/> Shade Tree Commission   | <input type="checkbox"/> Sanitary Sewer Tap           | <input type="checkbox"/> Address Assignment      | <input type="checkbox"/> Wellhead     |
| <input type="checkbox"/> Land Development        | <input type="checkbox"/> Storm Sewer Tap              | <input type="checkbox"/> Opening (Curb Cut)      | <input type="checkbox"/> BZA Approval |

*All items checked above to be approved prior to final approval.*

*(For Office Use Only)*

Zone: \_\_\_\_\_ Flood Plain: \_\_\_\_\_ Parcel Number: \_\_\_\_\_

Setbacks: Front: A: \_\_\_\_\_ R: \_\_\_\_\_ Rear: A: \_\_\_\_\_ R: \_\_\_\_\_ Left: A: \_\_\_\_\_ R: \_\_\_\_\_ Right: A: \_\_\_\_\_ R: \_\_\_\_\_

Building Lot Coverage: A: \_\_\_\_\_ R: \_\_\_\_\_ Total Lot Coverage A: \_\_\_\_\_ R: \_\_\_\_\_ Building Height: A: \_\_\_\_\_ R: \_\_\_\_\_

Exg. # of Parking Spaces: \_\_\_\_\_ Proposed Spaces: \_\_\_\_\_ Required: \_\_\_\_\_ Total: \_\_\_\_\_

**Code Officer Comments:** \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Recommend:  Approval  Refusal

**Zoning Administrator Comments:** \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  Approval  Refusal

**Service Safety Director Comments:** \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  Approval  Refusal



# APPLICATION for Residential

## Stormwater Management & Land Development CITY OF ATHENS, OHIO ATHENS CITY CODE TITLES 5 & 27

(Office Use Only)  
Permit #: LND25-000008  
Date Rec'd: April 10, 2025

The Application for a Stormwater Management Permit must include a site plan showing soil erosion control methods (see example for site plan on back of form). The Application for a Land Development Permit must include an Athens Soil and Water Conservation District soils investigation if required by Title 27. Both applications must also include a proposed construction schedule.

Applicant: John Brennan Phone: (740) 590-0006  
Address: 16 Tulane Rd. Athens, OH 45701  
Property Owner (if other than applicant): John Brennan Phone: (740) 590-0006  
Address: 16 Tulane Avenue  
Athens, OH 45701

Address of Proposed Use: 16 Tulane Road

\*General Contractor: License #:  
\*Must be registered with the City of Athens.  
Description of Proposed Work:

Fees:	Application Fee: \$80.00	Stormwater	Land Development
	Less than 1 Acre	\$50.00	\$50.00
	1-5 Acres	\$150.00	\$150.00
	Greater than 5 Acres	\$200.00	\$200.00

- New     Alteration     Accessory  
 Flatwork Only (Drive, Parking, Patio, Etc.)  
 Foundation, Retaining Wall, Utility

\*\* Information to be filled out on back of sheet.

Project Description: 400 sq ft parking/turn around adjacent to the driveway  
Current Property Use: open Proposed Property Use: Turn around/parking

I HEREBY SWEAR OF AFFIRM THAT ALL THE INFORMATION PROVIDED AND DRAWINGS ATTACHED ARE TO THE BEST OF MY KNOWLEDGE TRUTHFUL AND ACCURATE.

Applicant Signature: [Signature] Date: April 09, 2025

(For Office Use Only)

Zone: \_\_\_\_\_ Flood Plain: \_\_\_\_\_ Parcel Number: A028290008500 Received Copy of Soils Report: \_\_\_\_\_

<u>Stormwater</u>	<u>Zoning Regulations:</u>
Stormwater protection plan required	Lot Coverage: <u>62%</u> (see comments on back)
Ohio EPA assignment No. (over 1 Acre)	Shade Tree Required
Silt fence required	Pre-construction
Gravel access road required	Verification: _____ Date: _____
Storm sewer protection required	During Construction: _____ Date: _____
Site seeding/straw required	Verifications: _____ Date: _____
Additional Controls needed	Post Constructions: <u>SW</u> Date: _____
<u>Land Development</u>	Final: <u>Review not completed</u> Storm: _____
Soils investigation required for slip areas 27.02.03	Shade Tree: _____
Land development plan required 27.03.02	Parking: <u>2000</u>
Initial Code Officer Review: <u>[Signature]</u> Date: <u>4/17/25</u> Stormwater Review: _____ Date: <u>4/17/25</u>	

Zoning Administrator Signature: [Signature] Date: 4/17/25 Approval/Refusal: \_\_\_\_\_  
Service Safety Director Signature: [Signature] Date: 4/24/25 Approval/Refusal: \_\_\_\_\_

The following notes need to be included in the submittal:

**\*\*Plan Notes:**

N/A 1) Storm water controls will be installed before disturbance to this site.

N/A 2) Silt Fence or filter sock will be installed as shown on the plans.

N/A 3) Any barren area, including stockpiles, that will not be re-disturbed within 21 days, will be seeded and mulched if between March 1 and October 31, or mulched only if between November 1 and February 29.

4) A construction entrance will be installed using #2 stone or equivalent.

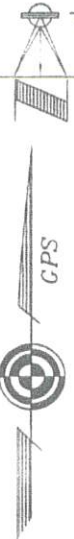
\* Proposed parking in front of structure does not meet ACC 23.08.01 (A)  
parking cannot be in front of structure. Recommend refusal mp.

C. TIM NEWMAN  
Professional Surveyor

66 Elmwood Place  
Athens, Ohio 45701

740-594-1884  
740-591-5269

*Handwritten initials*

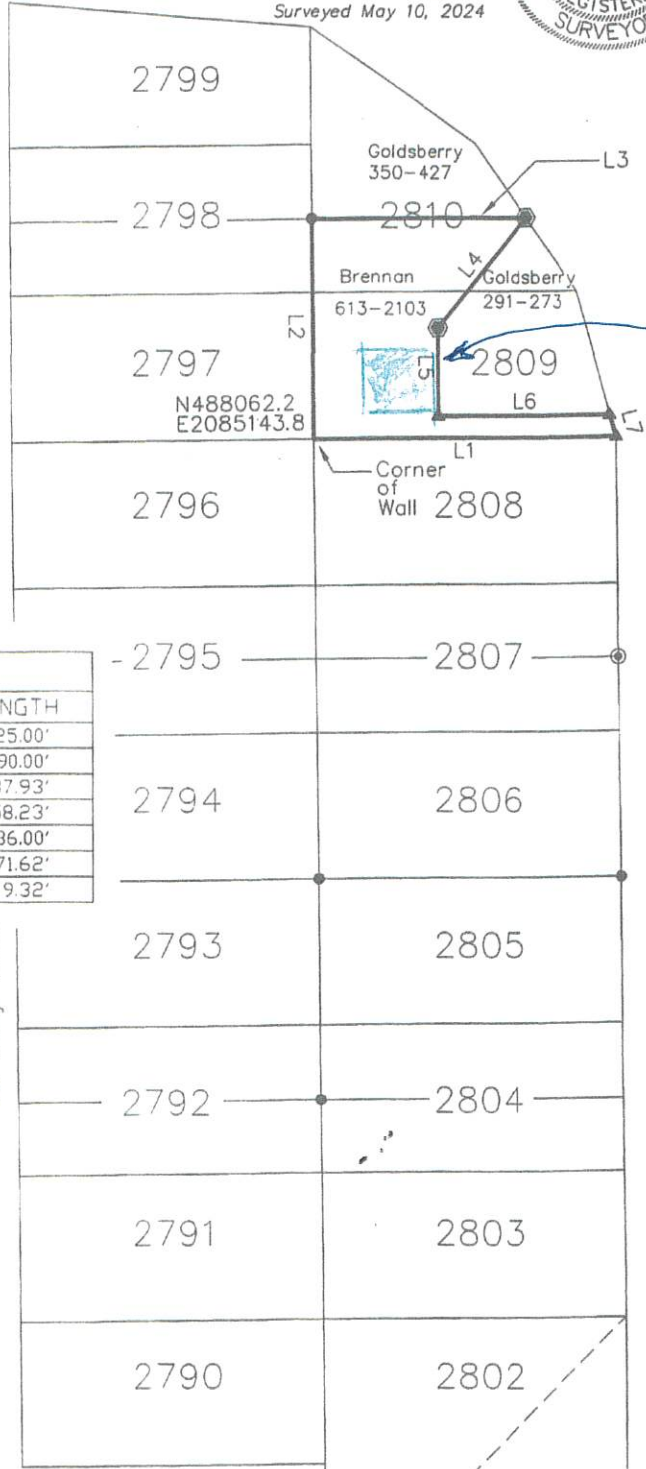


Plat of Survey of (2) existing parcels, deeded to:  
John Brennan, Official Record 613, pages 2103-2104.  
Parcel A028290008600 and A028290008500.  
Being part of Lots 2809 and 2810 in Cable Acres Addition,  
City of Athens, Ohio.



*Charles T. Newman*  
Charles T. Newman  
Surveyed May 10, 2024

Basis of Bearings: NAD83 Ohio South  
Cable Acres Addition



Parking  
PAD

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°30'35"W	125.00'
L2	N00°29'25"W	90.00'
L3	N89°30'35"E	87.93'
L4	S38°54'32"W	58.23'
L5	S00°29'25"E	36.00'
L6	N89°30'35"E	71.62'
L7	S15°28'32"E	9.32'

- Iron Pin Found #5 rebar
- ▲ Iron Pin Found capped Castle
- ▲ Mag Nail Set
- Iron Pin Found capped Sowyer
- Iron Pin Set capped Newman

GRAPHIC SCALE

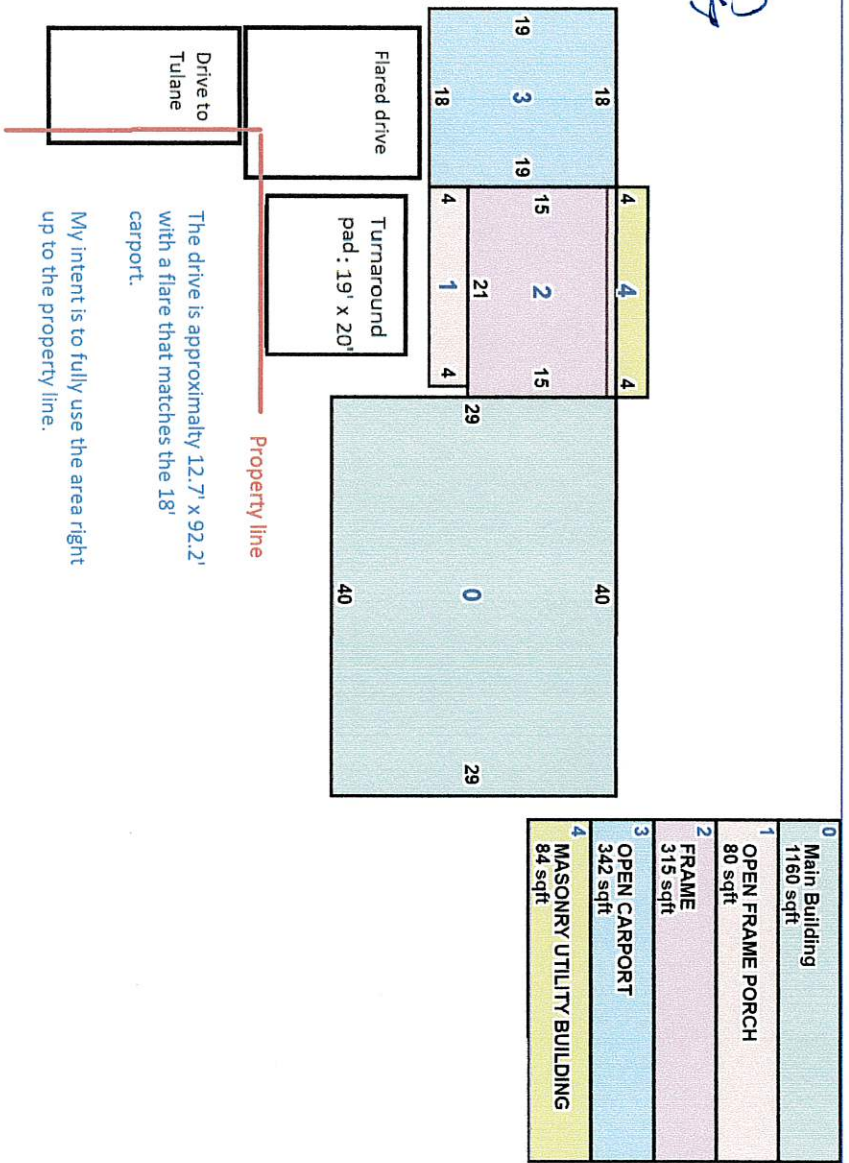


( IN FEET )  
1 inch = 60 ft.

N. May Ave.

Tulane 75'

BR



The drive is approximately 12.7' x 92.2' with a flare that matches the 18' carport.

My intent is to fully use the area right up to the property line.

0	Main Building	1160 sqft
1	OPEN FRAME PORCH	80 sqft
2	FRAME	315 sqft
3	OPEN CARPORT	342 sqft
4	MASONRY UTILITY BUILDING	84 sqft



Cables Acres Addition

A028290008600  
8500

2250 ft<sup>2</sup>  
3950 ft

6200 ft<sup>2</sup>

70% max

4340 max

500

5240





# ESTIMATE

C/O: John Brennan

Address: 16 Tulane Athens OH 45701

Phone: 740-590-0006

Email: john@brennan.net

Date: 02/07/2025

**Stoltzfus Family Construction,  
LLC** 1 Parkway Drive, Athens OH  
45701

Phone: 740.541.9958

Email: sfc.stephen@gmail.com

City of Athens Registration:  
100051232

Excavate area and site prep. Form and pour concrete parking pad. Pad will approx be 19'x20'x5" thick. Pad will have wire running through the entire length.	\$8,931.21
Option for concrete: no color, flagstone finish	\$2,000.00
Step to be poured at front door. Step will approx be 78"x45.5"x4" (cost of this is included within price)	
<b>TOTAL</b>	<b>\$10,931.21</b>

TRANSFERRED NO. 1004  
SEC. 319.202 R.C. COMPLIED  
WITHIN AMT. \$996.00

APR 23 2024

JILL A. DAVIDSON  
AUDITOR ATHENS COUNTY, OHIO  
MF TRANS FEE 1.00

202400001645  
FILED FOR RECORD IN  
ATHENS COUNTY, OHIO  
JESSICA MARKINS, RECORDER  
04/24/2024 02:47:15 PM  
OR BOOK: 613 PAGE: 2103  
DEED 34.00 PG: 2

202400001645  
SECURE TITLE SERVICES

### GENERAL WARRANTY DEED

Statutory Form  
(RC 5302.05)

Wanda L. Weiser, an unmarried woman, of Athens County, Ohio, for valuable consideration paid, grants, with general warranty covenants, to John Brennan whose tax mailing address is 16 Tulane Road Athens OH 45701, the following real property:

\*\*\* SEE "EXHIBIT A" ATTACHED HERETO AND INCORPORATED  
HEREIN BY THIS REFERENCE. \*\*\*

Parcel No. A028290008600 and A028290008500  
Known as: 16 Tulane Road, Athens, OH 45701

Prior Instrument Reference: Official Record 503, Page 302 of the records of Athens County, Ohio.

Subject to easements, leases, rights of way, conditions, reservations, and restrictions of record.

EXECUTED this 22 day of April, 2024.

Wanda L. Weiser  
by Dawn L. Weiser, POA

Wanda L. Weiser  
By Dawn L. Weiser, attorney in fact  
Power of Attorney recorded in Volume 613,  
Page 2097, Official Records of Athens County,  
Ohio.

STATE OF OHIO  
COUNTY OF Athens:

The foregoing instrument was acknowledged before me this 22 day of April, 2024, by Dawn L. Weiser, attorney in fact on behalf of Wanda L. Weiser.

Legal Description  
For File: STS16759

**Situated in the City of Athens, County of Athens and State of Ohio, to-wit:**

**Located in In Lots Nos. 2809 and 2810 in Cable Acres Addition to said City of Athens and more particularly described as follows: Beginning at an iron pin marking the Southeast corner of In Lot No. 2809 in said Addition;**

**Thence North 89 deg. 30' West 125.00 feet to an iron pin marking the Southwest corner of said Lot;**

**Thence North 0 deg. 36' East 90.12 feet to an iron pin lying 30.00 feet North of the Southwest corner of In Lot 2810;**

**Thence South 89 deg. 30' East parallel to and 30.00 feet North of the South line of said Lot 87.92 feet to an iron pin on the East line of said Lot;**

**Thence South 39 deg. 56' West 58.40 feet to an iron pin;**

**Thence South 0 deg. 30' West 36.00 feet to an iron pin which lies 9.00 feet North of the South line of In Lot No. 2809;**

**Thence South 89 deg. 30' East parallel to and 9.00 feet North of said line 71.62 feet to an iron pin on the East line of said Lot;**

**Thence South 14 deg. 22' East along said East line 9.32 feet to the place of beginning as surveyed by George W. Clark, August 5th, 1953. There is also conveyed to the Grantee herein, her heirs and assigns, the following easement, to-wit: There shall be and hereby is expressly reserved to Elizabeth G. Andersch, her heirs and assigns, a perpetual easement in, over and across the premises herein conveyed for the purpose of installation, maintenance, repair and removal of sewer, water and gas pipes and conduits for utility lines, such easement shall extend in an Easterly direction from the premises now owned by Elizabeth G. Andersch, being the remainder of the premises purchased by her from Julia L. Cable, et al, by deed dated June 2, 4, 6, 8, 13 and 26, 1953, and recorded in Volume 213, Page 601, Record of Deeds of Athens County, Ohio, to the East and/or Northeast boundary of the premises herein conveyed, said easement shall be located North of the residence property situated on the premises herein conveyed. Said easement is reserved in a deed from Elizabeth G. Andersch to Bertha A. Armbruster and of record in Volume 216, Page 567, Athens County Deed Records.**

**It is the intention to convey to the Grantee herein, her heirs and assigns, all real estate described in a deed in Volume 213, Page 601, Athens County Deed Records**

Office of Code Enforcement and  
Community Development

28 Curran Drive  
Athens, OH 45701  
(740)592-3306  
(740)594-6304 Fax  
<http://www.ci.athens.oh.us>



*City of Athens*

ATHENS, OHIO

Form BZA-5  
To be inserted one in the  
Athens Messenger Newspaper

BOARD OF ZONING APPEALS  
Case #25-06V

**ADVERTISEMENT**

Board of Zoning Appeals  
28 Curran Drive, Athens, Ohio 45701

TO: The Athens Messenger

Insert the following legal notice on **May 3, 2025**

Containing all wording below the heavy-ruled line:

Issue affidavit within five (5) days of the date of notice to the Secretary of the Board setting forth a true and complete copy of said notice and the exact date on which it was published.

---

LEGAL NOTICE

Board of Zoning Appeals Notice is hereby given that a public hearing will be held in City Council Chambers, third floor of City Hall, by the Board of Zoning Appeals of the City of Athens on **Tuesday, May 13, 2025, at 7:00pm** on the following described property:

50 Central Avenue  
Zone R1 Case #25-06V

Appellant is requesting a variance from ACC 23.03.11 (A)(1) to allow a 1 ft setback where 5 ft is required.

Interested persons are requested to appear and voice their opinions with respect thereto. More detailed information and plans are available for public inspection located on the City's Website, [ci.athens.oh.us](http://ci.athens.oh.us) (Board of Zoning Appeals), and at the Department of Development and Code Enforcement Office, located at 28 Curran Drive, Athens, Ohio. Anyone needing special accommodations to attend the meeting should contact the Government Channel at (740)594-2900.

BOARD OF ZONING APPEALS

A handwritten signature in cursive script that reads "Rob Delach".

---

Rob Delach, Chairperson

**Office of Code Enforcement and  
Community Development**

28 Curran Drive  
Athens, OH 45701  
(740)592-3306  
(740)594-6304 Fax  
<http://www.ci.athens.oh.us>



*City of Athens*

**ATHENS, OHIO**

May 1, 2025

**NOTICE OF HEARING AND APPEAL**

BOARD OF ZONING APPEALS  
28 Curran Drive  
Athens, Ohio 45701

Your appeal under the Zoning Ordinance relative to  
**50 Central Avenue**  
has been assigned Board of Zoning Appeals **Case #25-06V**

Inquiries and references should always be made to this number.

Further, you are notified to appear before the Board of Zoning Appeals, either in person or by agent or attorney, for a hearing in your case on **Tuesday, May 13, 2025 at 7:00pm** in City Council Chambers, 8 East Washington Street, Third Floor, Athens, Ohio. Please contact our office at [codeoffice@ci.athens.oh.us](mailto:codeoffice@ci.athens.oh.us) or by phone (740)592-3306 with any questions.

Anyone needing special accommodations to attend this meeting should contact the Government Channel at (740) 594-2900.

***NOTE: If fewer than five (5) members are available for the meeting, you have the right to continue until such time as five (5) members are available to hear the case. In order to accommodate your decision prior to the meeting, you will be contacted if such a situation arises or if for some reason the meeting date, time and/or place are changed.***

Respectfully,

BOARD OF ZONING APPEALS

A handwritten signature in black ink that reads "Rob Delach". The signature is written in a cursive style and is positioned above a horizontal line.

Rob Delach, Chairperson

Form BZA-3

**Office of Code Enforcement and  
Community Development**

28 Curran Drive  
Athens, OH 45701  
(740)592-3306  
(740)594-6304 Fax  
<http://www.ci.athens.oh.us>



*City of Athens*

**ATHENS, OHIO**

May 1, 2025

**NOTICE OF PUBLIC HEARING**

Board of Zoning Appeals  
28 Curran Drive  
Athens, Ohio 45701

As provided for by Section 23.07.09(C) of the Athens City Zoning Code, you are hereby notified as a party of interest that an appeal has been filed by

**Jody Barnes / Appellant**  
For property located at  
**50 Central Avenue**

Appellant is requesting a variance from ACC 23.03.11 (A)(1) to allow a 1 ft setback where 5 ft is required.

This case has been assigned  
**Case #25-06V**

This meeting has been scheduled for **Tuesday, May 13, 2025** at 7:00pm, Athens City Hall, 8 East Washington Street, Third Floor, and Athens City Council Chambers. More detailed information and plans are available for public inspection located on the City's Website, [ci.athens.oh.us](http://ci.athens.oh.us) (Board of Zoning Appeals), and the Office of Development and Code Enforcement at 28 Curran Drive, (740) 592-3306. Anyone needing special accommodations to attend the meeting should contact the Government Channel at (740) 594-2900 or the Office of Development and Code Enforcement listed above.

***NOTE: If you plan to attend, please verify that the meeting has not been postponed, cancelled or rescheduled. You may contact the Office of Development and Code Enforcement (740)592-3306.***

Respectfully,  
BOARD OF ZONING APPEALS

A handwritten signature in black ink that reads "Rob Delach". The signature is written in a cursive style and is positioned above a horizontal line.

Rob Delach, Chairperson

**50 Central Ave – Case #25-06V – adjoining properties and owners**

**44 Central Ave**

Sharon Hastings  
44 Central Avenue  
Athens, OH 45701

**73 N Shafer St**

Blake Dennis  
73 North Shafer Street  
Athens, OH 45701

**79 N Shafer St & Parcel #A028020002800**

JEM Management, LLC  
10 Marietta Ave  
Athens, OH 45701

**83 N Shafer St**

Casey Jones  
19733 Day Rd  
Dundee, MI 48131

**56 Central Ave**

L'Heureux Properties LTD  
70B North Court St  
Athens, OH 45701

**55 Central Ave**

Matthew Seifert  
55 Central Avenue  
Athens, OH 45701

**53 Central Ave**

Shamrock Farms LLC  
2500 Fisher Road  
Athens, OH 45701

**45 Central Ave**

Athens City Schools  
PO Box 788  
Athens, OH 45701



APPEAL FROM A DECISION OF THE ZONING ADMINISTRATOR

(For Office Use Only) Permit # BZA25-000001 Date Rec'd 4/29/2025

[X] (Request for Variance) [ ] (Request for Substitution) [ ] (Request for Interpretation) [ ] (Conditional Use)

APPLICANT: Jody Barnes PHONE # 746-447-4576

ADDRESS: 50 Central Ave

OWNER: Jody Barnes / Megan Almeida

ADDRESS: Same as above

PROPERTY ADDRESS: Same as Above

ZONE: R1

I, THE UNDERSIGNED, Jody Barnes

HEREBY APPEAL THE DECISIONS / REVIEW OF THE ZONING ADMINISTRATOR DATED 4/29/25

FOR DENIAL OF A ZONING PERMIT / REVIEW OF CONDITIONAL USE FOR PROPERTY LOCATED AT: 50 Central Ave,

IN ACCORDANCE WITH ALL REQUIRED INFORMATION SUBMITTED AND WITH THE ORIGINAL APPLICATION HERETO ATTACHED AND INCORPORATED INTO THE RECORD.

BY MY SIGNATURE I SWEAR OR AFFIRM THAT ALL OF THE INFORMATION PROVIDED IS TRUE AND ACCURATE.

[Signature] APPLICANT

STATE OF OHIO, COUNTY OF Athens

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 29th of April 2025 (DATE) BY

Jody Barnes (NAME OF PERSON ACKNOWLEDGING).

[Signature] SIGNATURE OF NOTARY PUBLIC - STATE OF OHIO

MY COMMISSION EXPIRES: August 14, 2029



WENDY ARMSTRONG Notary Public State of Ohio My Comm. Expires August 14, 2029

PROPERTY OWNER (IF OTHER THAN APPLICANT)

STATE OF OHIO, COUNTY OF

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS (DATE) BY

(NAME OF PERSON ACKNOWLEDGING).

SIGNATURE OF NOTARY PUBLIC - STATE OF OHIO

MY COMMISSION EXPIRES:

Jody Barnes (740-447-4576)

Megan Almeida (740-447-4607)

50 Central Ave. Athens

Narrative:

We were renters in this house for 12 years (2012-2024). At around the same time now last year, we were quickly forced into the reality that we would either have to purchase 50 Central Ave. or be potentially homeless. (The previous owner/landlady wanted to sell the house quickly, no matter what) So, at the end of June/early July of 2024, we became owners of 50 Central Ave.

Like many other rental homes/properties in Athens, this house came with a lot of neglect and "inherited" problems. For example, not only were we reeling with the reality of potentially not having a "roof over our heads", it then went quickly to us being strongly impacted by the housing shortage crisis in Athens, (especially for families like us who are lower income), to next being "forced" into buying our rental home which then turned into the reality of some very BIG stressful issues that needed to be addressed immediately. One example of this was the desperate need for a new roof and gutter system-- two things that were in extremely poor condition for many, many years. And if you know anything about replacing a roof, there will be a lot of unknowns until the roofers tear the old roof off. It turned out there was a significant amount of damage to the roof, where there was rot in all 3 sections of the roof. So, around 75% of the roof was rotted and needed to be rebuilt before a new roof could go up. For the entire 12 years as renters in this house, the roof and gutters needed to be addressed and were not. So, we were the "lucky" ones who ended up (sort of) keeping a roof over our heads but quite literally one month after purchase, had to come up with funding for a new roof and gutter system. This same story can be applied to our current situation for our variance request.

When you are a buyer of a home, you look for things that come with the home. That's what your money buys. Our home currently has an existing shed on the property. 25 + years ago, the previous owner/landlady put in a shed on the south side/backyard along with a privacy fence that surrounds both the sides and back of the property. The shed we currently have is on the "inside" of our privacy fence.

For many years now, the shed has become more and more rotted and falling apart. One side of it was built into the slope of our yard and because it was built this way, it contributes to the deterioration on the slope side of the shed floor and wall. The other problem with this shed arrangement /placement is because the opposite side of the shed is attached to the fence with pieces of 2x4's to hold it in place. ALL of this is in a

state of deterioration, that is the shed and our privacy fence, but especially on that side of the property where our current shed is located.

We need to maintain having a shed because there is no garage and/or any other storage for things like our lawn mower, tools, other yard maintenance equipment, etc. We NEED this shed because we bought our house thinking the shed is part of the property and living situation. With the purchase of our home, our money spent also included buying a shed.

We also need to replace our existing privacy fence because it is so old, leaning, broken in some sections, and is falling down in other sections. But, in order to replace the worst section of our fencing, we need to first build a new shed to store our belongings in and then dismantle and donate our old shed. The best option is to tear down the old shed and rebuild a new one on the backside (east side) of our property. As of today, we have a shed that exists on our property and is a foot in from our fence line.

There has been a shed on our property for over 25+ years. As far as we know, it has not caused any problems to our neighbors. There is no record of any complaints. Again, we have lived in this house for around 14 years. Our existing shed is currently located on the south side of our property where a family lives (Hastings). On the north side of our property is a rental house (L'Heureux). And then on the back east side of our property is another rental property (Krause Rentals). It is apparent that having a shed on our property does not create a situation that has impacted anyone else or surrounding properties. Like the old shed, the new shed will be hidden by a privacy fence but will be with a newly replaced fence so aesthetically it has no negative impact on surrounding properties and does not present any reason or cause for complaints. It is not "detrimental to the orderly development of adjacent properties". **We are only seeking to improve the property by replacing the old with new!**

We plan on building a shed that follows what the code office will allow for our property. Our shed construction plans are approved by code. The only reason we were denied is because the shed will be placed 1 ft from inside the fence line instead of 5 ft. (same as current existing shed) and it is impossible for us to do 5 ft in our space. Placing it in a new spot on our property will allow us to remove the old shed and then replace all fencing surrounding our house and property with new privacy fencing. Our plans and motivation will foster beauty and harmony for both our property as well as improving the look and feel of our space in the neighborhood, without negatively impacting any of our neighboring properties.

It is our hope that the BZA will consider our circumstances and provide us with a variance that will enable us to move forward and make these significant improvements to our home and property. Thank you-Jody and Megan







ZONING PERMIT  
CITY OF ATHENS, OHIO  
ATHENS CITY CODE TITLE 23

Permit #: ZNC25-000023

REFUSAL

Permit Type: Residential  
Use of Building: Residential

Project Address: 50 Central Avenue

**Applicant:**

Jody Barnes  
Phone: 740-447-4576

50 Central Avenue  
Athens, OH 45701

**Property Owner:**

Jody Barnes  
Phone: (740) 447-4576

50 Central Avenue  
Athens, OH 45701

Description of Proposed Use/Scope of Project: 10 x 8 storage shed

**Decision Detail:** Your request for a Zoning Construction Permit is refused in accordance with the application submitted and ACC 23.03.11 (A)(1); requesting a one foot setback where 5 feet is required.

Estimated Value of Improvement: \$1,400.00 Sq. Footage of New Construction or Addition: 80

Existing number of parking spaces: EXG Proposed number of parking spaces: EXG

Setbacks (as indicated on drawing): Front: EXG Rear: 1 Left: 11' Right: 25'

**Director of Development and Code Enforcement:**

Approved  Refused

04/30/2025

David R. Riggs, P.E.  
Director of Development and Code Enforcement

Date

**Office of Code Enforcement  
& Community Development**  
28 Curran Drive  
Athens, Ohio 45701  
740-592-3306 (Office)  
740-594-6304 (Fax)



**City of Athens  
Athens, Ohio**

---

April 30, 2025

To: Jody Barnes  
50 Central  
Applicant Address: Athens, OH 45701

To: Jody Barnes  
50 Central Avenue  
Owner Address: Athens, OH 45701

---

**REFUSAL**

Zoning Constuction Permit - Residential Refusal Detail

**Premises Address:** 50 Central Avenue

**Application Date:** 04/22/2025

**For:** 10 x 8 storage shed

**Decision Detail:** *Your request for a Zoning Construction Permit is refused in accordance with the application submitted and ACC 23.03.11 (A)(1); requesting a one foot setback where 5 feet is required.*

**NOTE:** *You may appeal the decision of the Zoning Inspector or request a variance from the Board of Zoning Appeals. Any appeal made from this refusal must be filed with the Secretary to the Board of Zoning Appeals within twenty (20) days after the date of this refusal. For further information, contact the Secretary to the Board of Zoning Appeals, 28 Curran Drive, Athens, Ohio and bring this notice with you. The variance request application and instructions can be found on the city's website at <https://www6.citizenserve.com/Portal/PortalController>.*



**APPLICATION for COMMERCIAL  
or 1-2-3 UNIT RESIDENCE  
ZONING PERMIT - CONSTRUCTION  
CITY OF ATHENS, OHIO  
ATHENS CITY CODE TITLE 23**

(Office Use Only)  
Permit # 2025-000023  
Date Rec'd 4/22/25

*Application Fee: \$80 (2.9% convenience fee if credit card is used)*

*\* Scaled Detail Drawing Required \*\* Application will not be processed unless Drawing and Application Fee attached*

Residential  Commercial

Applicant Jody Barnes Phone 740-447-4576  
 Address 50 Central Ave Athens  
 Property Owner (if other than applicant) \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_

**ZONING**  
 Address of Proposed Work 50 Central Ave Athens  
 Description of Proposed Work: New  Alteration  Accessory   
 Project Description Backyard Shed  
 Estimated Cost of Project \$1400<sup>00</sup> Proposed Square Footage 10x8 (or 8x10)

*Must be registered with the City of Athens.*

\*General Contractor Self License # \_\_\_\_\_  
 \*Electrician (if applicable) \_\_\_\_\_ License # \_\_\_\_\_  
 \*Plumber (if applicable) \_\_\_\_\_ License # \_\_\_\_\_  
 \*HVAC (if applicable) \_\_\_\_\_ License # \_\_\_\_\_

**I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED AND DRAWINGS ATTACHED ARE TO THE BEST OF MY KNOWLEDGE TRUTHFUL AND ACCURATE.**

Applicant Signature Jody Barnes Date 4-22-25  
 Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

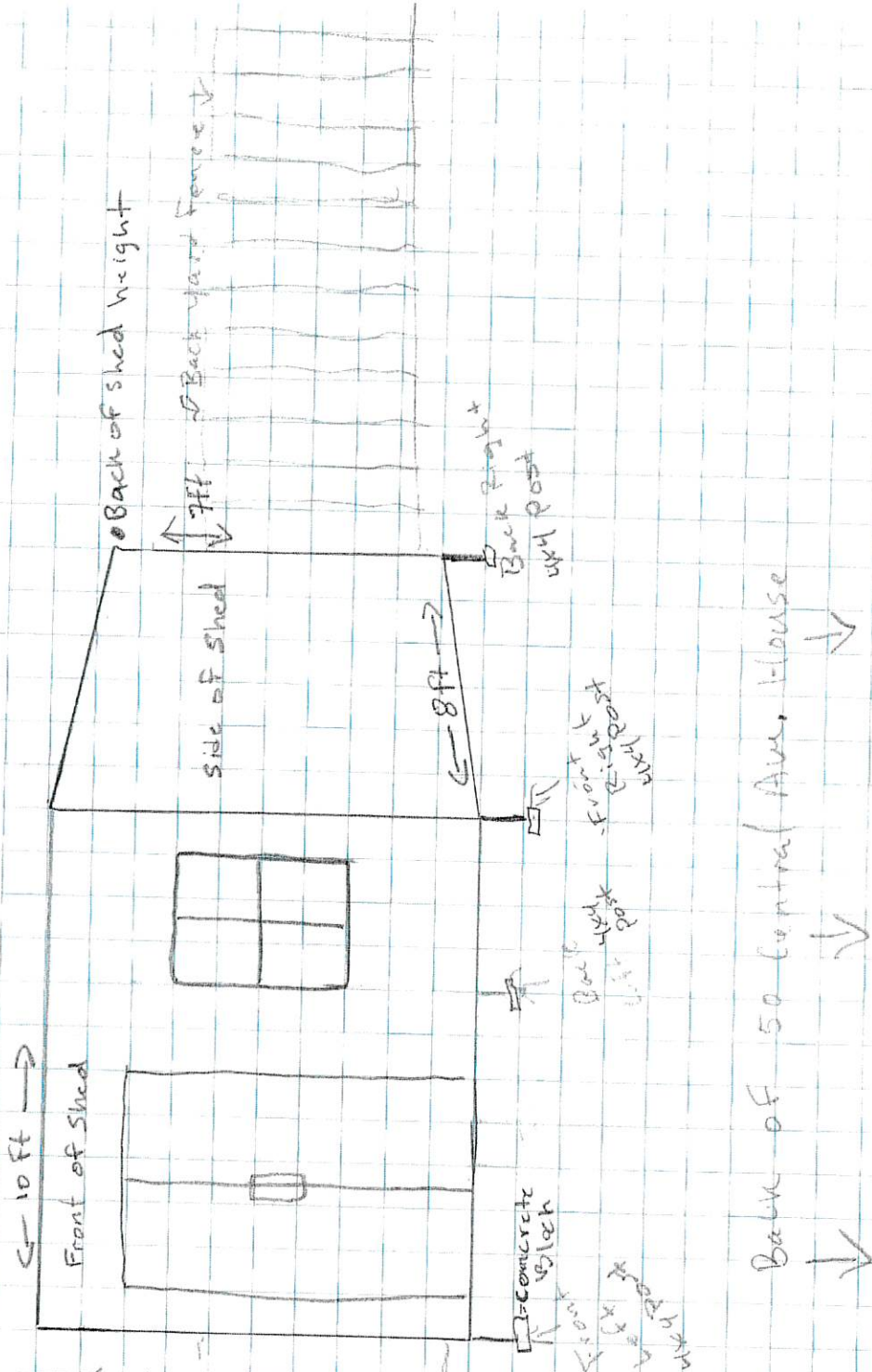
- Other Items Required before Issuance of Permit (if applicable):*
- |  |   |  |                                       |
|--|---|--|---------------------------------------|
| <input type="checkbox"/> Title 41 / PUD Approval | <input type="checkbox"/> Water Tap (Calculations EPW) | <input type="checkbox"/> Fire Separation Drawing | <input type="checkbox"/> Flood Hazard |
| <input type="checkbox"/> Shade Tree Commission   | <input type="checkbox"/> Sanitary Sewer Tap           | <input type="checkbox"/> Address Assignment      | <input type="checkbox"/> Wellhead     |
| <input type="checkbox"/> Land Development        | <input type="checkbox"/> Storm Sewer Tap              | <input type="checkbox"/> Opening (Curb Cut)      | <input type="checkbox"/> BZA Approval |

*All items checked above to be approved prior to final approval.*

*(For Office Use Only)*

Zone: R-1 Flood Plain: No Parcel Number: A028020003500  
 Setbacks: Front: A: 4x6 R: Ex6 Rear: A: 1 1/2 R: 5' Left: A: 11' R: 5' Right: A: 25 R: 5'  
 Building Lot Coverage: A: 31% R: 50% Total Lot Coverage: A: 48% R: 70% Building Height: A: Ex6 R: Ex6  
 Exg. # of Parking Spaces: Ex6 Proposed Spaces: Ex6 Required: Ex6 Total: Ex6

Code Officer Comments: Recommend refusal ACC 23.03-11 (A) (1) 11' setback where 5' is required  
 Signature: Matt Peachy Date: 4/25/25 Recommend:  Approval  Refusal  
 Zoning Administrator Comments: \_\_\_\_\_  
 Signature: [Signature] Date: 4-27-25  Approval  Refusal  
 Service Safety Director Comments: \_\_\_\_\_  
 Signature: [Signature] Date: 4-30-25  Approval  Refusal



Front of Shed Height 8ft

Back yard fence

- Roof: Metal w/ Gutter
- Siding: Painted T-11

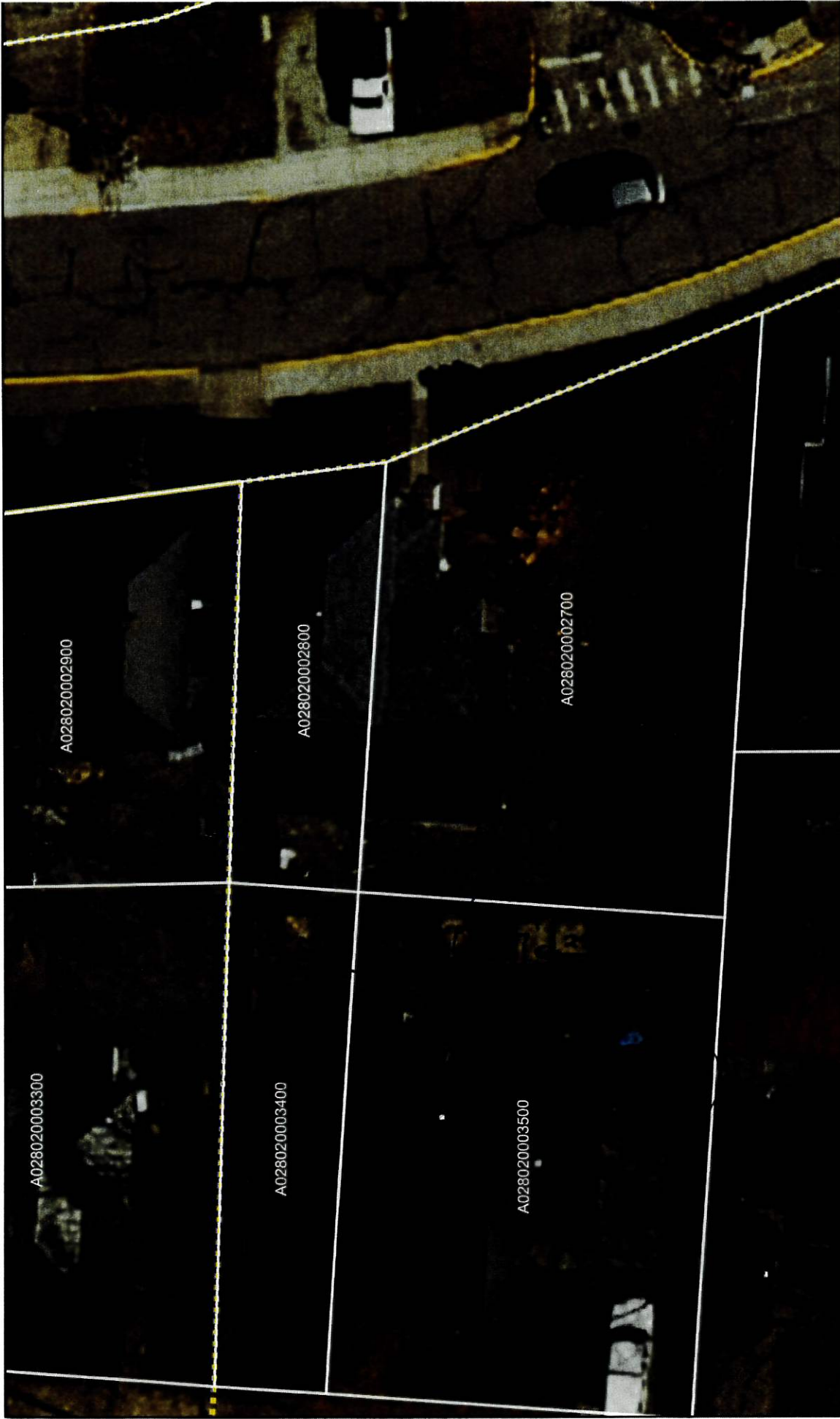
4x4" Post = 4 Total

- for the structure
- Shed will sit on Concrete Blocks

The Fence is the property line. Shed will be 1/2 and half foot from the line 1/2"

Back of 50 Central Ave. House

# Athens County Web Map



4/22/2025, 10:16:49 AM

- Parcels
- Athens\_2024\_rgb\_20x.sid
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3
- Subdivisions

1:282  
0 0 0 0 0.01 0.01

Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, NCEAS, NLS, OS, NMA, Geodatasyrieten, Rijkswaterstaat, GS FEIMA, Intermap, and the GIS user community

TRANSFERRED NO. 1030  
SEC: 319.202 R.C. COMPLIED  
WITHIN AMT. 400

JUL 02 2024

JILL A. DAVIDSON  
AUDITOR ATHENS COUNTY, OHIO  
KS TRANS FEE 1.00

202400002696  
FILED FOR RECORD IN  
ATHENS COUNTY, OHIO  
JESSICA MARKINS, RECORDER  
07/02/2024 11:42:58 AM  
OR BOOK: 615 PAGE: 1846  
DEED 34.00 PG: 2

202400002696  
SECURE TITLE SERVICES

## SURVIVORSHIP DEED

Statutory Form  
(RC 5302.17)

**Karen L. Moore**, an unmarried person, of Charleston County, South Carolina, for valuable consideration paid, grant(s), with general warranty covenants, to **Jody T. Barnes and Megan L. Almeida**, for their joint lives, remainder to the survivor of them, whose tax mailing address is 50 Central Ave Athens OH 45701, the following real property: \_\_\_\_\_

\*\*\*\*\*SEE "EXHIBIT A" ATTACHED HERETO AND INCORPORATED  
HEREIN BY THIS REFERENCE\*\*\*\*\*

Parcel No. **A028020003500 and A028020003400**  
Known as: **50 Central Avenue, Athens, OH 45701**

Prior Instrument Reference: **Official Record 366, Page 113, and Official Record 189, Page 319** of the Athens County Records.

Subject to easements, leases, rights of way, conditions, reservations, and restrictions of record.

EXECUTED this 26 day of June, 2024.

Karen L. Moore  
**Karen L. Moore**

STATE OF SOUTH CAROLINA  
COUNTY OF Charleston

The foregoing instrument was acknowledged before me this 26 day of June, 2024, by Karen L. Moore.

[Signature]  
Notary Public

ITHAN OUELLET  
Notary Public Expires: 7/29/31



Expires: 7/29/31

PREPARED BY: CHRISTIAN S. GERIG, ATTORNEY AT LAW, ATHENS, OHIO

1X4015257

1001818020625



Legal Description  
For File: STS16952

**Situated in the City of Athens, County of Athens and in the State of Ohio:**

**Being the westerly one-half of that portion of Lots 435 and 436 in the City of Athens, Ohio now owned by the Grantor herein; being more specifically described as the western one-half of the N. one-half of Inlot 435 and 15 feet of the South part of Inlot 436 in the City of Athens, Ohio.**

**Reserving to the Grantor herein the right to maintain and use a sewer line over this premises and the right to ingress and egress for the purpose of making any necessary inspection and repairs of said sewer.**

**Deed Reference: Volume 189, Page 319**

**PPN: A02-80200035-00**

**PPN: A02-80200034-00**

Office of Code Enforcement and  
Community Development

28 Curran Drive  
Athens, OH 45701  
(740)592-3306  
(740)594-6304 Fax  
<http://www.ci.athens.oh.us>



*City of Athens*

ATHENS, OHIO

Form BZA-5  
To be inserted one in the  
Athens Messenger Newspaper

BOARD OF ZONING APPEALS  
Case #25-07V

**ADVERTISEMENT**  
Board of Zoning Appeals  
28 Curran Drive, Athens, Ohio 45701

TO: The Athens Messenger

Insert the following legal notice on **May 3, 2025**  
Containing all wording below the heavy-ruled line:  
Issue affidavit within five (5) days of the date of notice to the Secretary of the Board setting forth  
a true and complete copy of said notice and the exact date on which it was published.

---

LEGAL NOTICE

Board of Zoning Appeals Notice is hereby given that a public hearing will be held in City  
Council Chambers, third floor of City Hall, by the Board of Zoning Appeals of the City of Athens  
on **Tuesday, May 13, 2025, at 7:00pm** on the following described property:

43 – 45 S Court St  
Zone B2D Case #25-07V

Appellant is requesting a variance from ACC 23.10 Table B to allow 0 parking spaces where 8  
are required.

Interested persons are requested to appear and voice their opinions with respect thereto. More  
detailed information and plans are available for public inspection located on the City's Website,  
[ci.athens.oh.us](http://ci.athens.oh.us) (Board of Zoning Appeals), and at the Department of Development and Code  
Enforcement Office, located at 28 Curran Drive, Athens, Ohio. Anyone needing special  
accommodations to attend the meeting should contact the Government Channel at (740)594-2900.

BOARD OF ZONING APPEALS

A handwritten signature in black ink that reads "Rob Delach". The signature is written in a cursive style and is positioned above a horizontal line.

Rob Delach, Chairperson

**Office of Code Enforcement and  
Community Development**

28 Curran Drive  
Athens, OH 45701  
(740)592-3306  
(740)594-6304 Fax  
<http://www.ci.athens.oh.us>



*City of Athens*

**ATHENS, OHIO**

May 1, 2025

**NOTICE OF HEARING AND APPEAL**

BOARD OF ZONING APPEALS  
28 Curran Drive  
Athens, Ohio 45701

Your appeal under the Zoning Ordinance relative to  
**43 – 45 S Court St**  
has been assigned Board of Zoning Appeals **Case #25-07V**

Inquiries and references should always be made to this number.

Further, you are notified to appear before the Board of Zoning Appeals, either in person or by agent or attorney, for a hearing in your case on **Tuesday, May 13, 2025 at 7:00pm** in City Council Chambers, 8 East Washington Street, Third Floor, Athens, Ohio. Please contact our office at [codeoffice@ci.athens.oh.us](mailto:codeoffice@ci.athens.oh.us) or by phone (740)592-3306 with any questions.

Anyone needing special accommodations to attend this meeting should contact the Government Channel at (740) 594-2900.

***NOTE: If fewer than five (5) members are available for the meeting, you have the right to continue until such time as five (5) members are available to hear the case. In order to accommodate your decision prior to the meeting, you will be contacted if such a situation arises or if for some reason the meeting date, time and/or place are changed.***

Respectfully,

BOARD OF ZONING APPEALS

A handwritten signature in black ink that reads "Rob Delach". The signature is written in a cursive style and is positioned above a horizontal line.

Rob Delach, Chairperson

Form BZA-3

**Office of Code Enforcement and  
Community Development**

28 Curran Drive  
Athens, OH 45701  
(740)592-3306  
(740)594-6304 Fax

<http://www.ci.athens.oh.us>



*City of Athens*

**ATHENS, OHIO**

May 1, 2025

**NOTICE OF PUBLIC HEARING**

Board of Zoning Appeals  
28 Curran Drive  
Athens, Ohio 45701

As provided for by Section 23.07.09(C) of the Athens City Zoning Code, you are hereby notified as a party of interest that an appeal has been filed by

**Best of Athens Rentals / Appellant**

For property located at  
**43 – 45 S Court Street**

Appellant is requesting a variance from ACC 23.10 Table B to allow 0 parking spaces where 8 are required.

This case has been assigned  
**Case #25-07V**

This meeting has been scheduled for **Tuesday, May 13, 2025** at 7:00pm, Athens City Hall, 8 East Washington Street, Third Floor, and Athens City Council Chambers. More detailed information and plans are available for public inspection located on the City's Website, [ci.athens.oh.us](http://ci.athens.oh.us) (Board of Zoning Appeals), and the Office of Development and Code Enforcement at 28 Curran Drive, (740) 592-3306. Anyone needing special accommodations to attend the meeting should contact the Government Channel at (740) 594-2900 or the Office of Development and Code Enforcement listed above.

***NOTE: If you plan to attend, please verify that the meeting has not been postponed, cancelled or rescheduled. You may contact the Office of Development and Code Enforcement (740)592-3306.***

Respectfully,  
BOARD OF ZONING APPEALS

A handwritten signature in cursive script that reads "Rob Delach".

---

Rob Delach, Chairperson

**43 – 45 S Court St – Case #25-07V – adjoining properties and owners**

**47 S Court St**

Cheryl Silcott  
7360 Skyland Ct  
Blacklick, OH 43004

**41 S Court St**

Best of Court  
PO Box 1152  
Athens, OH 45701

**10 W Union St**

Best of Court  
PO Box 1152  
Athens, OH 45701

**40 S Court St**

Harold Laughlin  
148 W Union St  
Athens, OH 45701

**42 S Court St**

Silvus II LLC  
8800 Johnson Rd #131  
The Plains, OH 45780

**44 S Court St**

Beckley Building LTD  
PO Box 727  
Athens, OH 45701



APPEAL FROM A DECISION OF THE ZONING ADMINISTRATOR

(For Office Use Only) Permit # BZA25-000007 Date Rec'd 4/29/2025

[X] (Request for Variance) [ ] (Request for Substitution) [ ] (Request for Interpretation) [ ] (Conditional Use)

APPLICANT: Best of Athens Rentals PHONE # 740-694-3112
ADDRESS: 35 1/2 Stimson Ave
OWNER: Best of Court LLC
ADDRESS: 35 1/2 Stimson Ave
PROPERTY ADDRESS: 43-45 Court Street
ZONE: B-2D

I, THE UNDERSIGNED, Angie Woodyard
HEREBY APPEAL THE DECISIONS / REVIEW OF THE ZONING ADMINISTRATOR DATED
FOR DENIAL OF A ZONING PERMIT / REVIEW OF CONDITIONAL USE FOR PROPERTY LOCATED AT:

IN ACCORDANCE WITH ALL REQUIRED INFORMATION SUBMITTED AND WITH THE ORIGINAL APPLICATION HERETO ATTACHED AND INCORPORATED INTO THE RECORD.

BY MY SIGNATURE I SWEAR OR AFFIRM THAT ALL OF THE INFORMATION PROVIDED IS TRUE AND ACCURATE.

Angie Woodyard
APPLICANT

STATE OF OHIO, COUNTY OF

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 29th day of April 2025 (DATE) BY

Angie Woodyard (NAME OF PERSON ACKNOWLEDGING).

Wendy Armstrong
SIGNATURE OF NOTARY PUBLIC - STATE OF OHIO

MY COMMISSION EXPIRES: August 14, 2029



WENDY ARMSTRONG
Notary Public
State of Ohio
My Comm. Expires
August 14, 2029

PROPERTY OWNER (IF OTHER THAN APPLICANT)

STATE OF OHIO, COUNTY OF

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS (DATE) BY

(NAME OF PERSON ACKNOWLEDGING).

SIGNATURE OF NOTARY PUBLIC - STATE OF OHIO

MY COMMISSION EXPIRES:

April 22, 2025

- (1) **Practical difficulty to undue hardship**- Location does not allow for driveway or any outdoor space to allot for parking spaces.
- (2) **Exceptional circumstances**- Building has no open space to convert to parking spaces.
- (3) **Preservation of equal property rights**- Adjoining buildings have rentals in upper floors with no parking located at their location.
- (4) **Minimum variance**- The needed parking spots can be provided at an off site location and will cause no impact to the surrounding occupants or the city
- (5) **Absence of detriment**- The proposed off site parking will cause no detriment to the surrounding businesses, occupants, or public use.
- (6) **Not of general nature**- The situation and location of the building(s) does not allow for parking to be on site, but it is close to public transportation that would allow tenants access to the off location parking provided.

Best of Athens Rentals would like to appeal the refusal of Permit #ZNU25-000009 for 4 apartments to be located at 43-45 South Court Street. The required eight parking spaces can be provided to the tenants at leased spaces at a lot on Stimson Ave. Also under 23.08.06 Exemptions:

1. The minimum required vehicle parking spaces may be reduced up to 50 percent for the following:
  - f. B2D uptown business zone with one and two bedroom housing units.

This would require only 4 needed spaces to be leased off site.



PO Box 1152  
Athens, OH 45701  
Office (740) 594-3112

April 25, 2025

Best of Court, LLC  
Attn: Mark Snyder  
P.O. Box 1152  
Athens, OH 45710

RE: Parking Lease for Tenants at 43-45 South Court St. Athens, Ohio

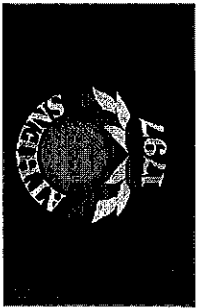
Dear Mr. Snyder:

This letter confirms that Marked Properties, LLC has agreed to lease to Best of Court, LLC eight parking spaces located at 47-69 Stimson Ave, Athens, Ohio which property is owned by Marked Properties, LLC, for the exclusive use of of tenants residing at 43-45 South Court Street, Athens, Ohio.

Sincerely,

*Angie Woodyard*

Angie Woodyard  
Property Manager



**ZONING USE PERMIT - Not for Construction  
CITY OF ATHENS, OHIO  
ATHENS CITY CODE TITLE 23**

Permit #: ZNU25-000009  
**REFUSAL**

Permit Type: Residential Use of Building:	Present Use: Vacant Proposed Use: 4 Apartments
--	---

**Project Address: 43 South Court Street**

**Applicant:**  
Best of Court LLC  
Phone: (740) 590-0033

P.O. Box 1152  
Athens, OH 45701

**Property Owner:**  
Best Of Court LLC  
Phone: (740) 594-3112

PO BOX 1152  
Athens, OH 45701

**Description of Proposed Use/Scope of Project:** Use Permit for 4 Apartments located at 43-45 Court

**Decision Detail:** Your request for a Zoning Use Permit has been refused in accordance with the application submitted and ACC 23.10 Table B. / -0- parking space where 8 spaces are required for 8 tenants total.

**Director of Development and Code Enforcement:**  
 Approved  Refused

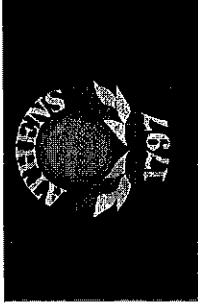
04/14/2025

David R. Riggs, P.E.  
Director of Development and Code Enforcement

Date

**Office of Code Enforcement &  
Community Development**

28 Curran Drive  
Athens, Ohio 45701  
740-592-3306 (Office)  
740-594-6304 (Fax)



**City of Athens  
Athens, Ohio**

April 15, 2025

To:

Applicant Address:

Best Of Court LLC

To:

PO BOX 1152

Owner Address:

Athens, OH 45701

**REFUSAL**

Zoning Use Permit - Residential Refusal Detail

**Premises Address:** 43 South Court Street

**Application Date:** 04/04/2025

**For:** Use Permit for 4 Apartments located at 43-45 Court

**Decision Detail:** Your request for a Zoning Use Permit has been refused in accordance with the application submitted and ACC 23.10 Table B. / -0- parking space where 8 spaces are required for 8 tenants total.

**NOTE:** You may appeal the decision of the Zoning Inspector or request a variance from the Board of Zoning Appeals. Any appeal made from this refusal must be filed with the Secretary to the Board of Zoning Appeals within twenty (20) days after the date of this refusal. For further information, contact the Secretary to the Board of Zoning Appeals, 28 Curran Drive, Athens, Ohio and bring this notice with you. The variance request application and instructions can be found on the city's website at <https://www6.citizenserve.com/Portal/PortalController>.



**GENERAL WARRANTY DEED - Page 2 of 2**  
**BEST OF COURT, LLC**  
**from Mesta Properties, LLC**

**EXHIBIT A**  
**Legal Description**

**SITUATE IN THE CITY OF ATHENS, COUNTY OF ATHENS and STATE OF OHIO:**

**Parcel One:**

**First Tract:** Being a part of In-Lot No. 41 in said city:

Beginning at a point on Court Street in the center of the brick wall on the south side of A. L. Roach's store room, said wall being about 61 feet south of the northeast corner of said lot;

Thence South of Court Street, 20 feet;

Thence West 72 feet and 8 inches;

Thence North 20 feet;

Thence East 72 feet and 8 inches to the place of beginning.

**Second Tract:** Beginning at the northwest corner of that part of said In-Lot 41 as deeded to William E. Peters by Edward H. Blackstone and wife by deed dated June 3, 1892 and recorded in Deed Book No. 69 at page 570, and thence running east one foot and eight inches;

Thence North one foot;

Thence West one foot and eight inches;

Thence south one foot to the place of beginning.

Also, the right to the grantees herein, her heirs and assigns forever, to erect at her expense and to perpetually maintain a stairway 3-1/2 feet wide inside on the south side of the brick store building situated north of and adjoining said part of said In-Lot No. 41 hereinabove described, said stairway to be used and maintained as perpetual appurtenance to said part of Inlot No. 41 and the part of said Inlot No. 41 lying immediately north thereof.

Subject to easements, leases, rights-of-way, reservations and restrictions of record.

**APN: A02-70800030-00 and A02-70800031-00**  
**Commonly known as: 43 & 43 1/2 S. Court Street, Athens, Ohio 45701**

**Parcel Two:**

Commencing 37 feet South from the Northeast corner of Inlot 41 in said City of Athens;

Thence south 26 feet;

Thence West 71 feet;

Thence North 26 feet;

Thence East 71 feet to the place of beginning; subject, however, to the right and privileges of Frank S. Roach, his heirs and assigns forever, to erect at his or their expense and to perpetually maintain a stairway, 3-1/2 feet wide inside on the South side of the brick building standing on said part of said Inlot 41 hereinabove described; said stairway to be used and maintained as a perpetual appurtenance to said 26 feet front of said Inlot 41 hereinabove described and that part of said Inlot 41 lying South of said adjoining the same; hereby intending to convey the same premises deeded to Emma L. Palmer by Frank S. Roach, et al., by deed dated April 9, 1902 and recorded in Volume 88, Pages 14 and 15, Record of Deeds of Athens County, Ohio.

Subject to easements, leases, rights-of-way, reservations and restrictions of record.

**APN: A02-70800031-00**  
**Commonly known as: 45 S. Court Street, Athens, Ohio 45701**

**Deed Reference: Volume \_\_\_\_\_, Page \_\_\_\_\_, Athens County Official Records.**