

**Office of Code Enforcement and
Community Development**

28 Curran Drive
Athens, OH 45701
(740)592-3306
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City of Athens

ATHENS, OHIO

**Board of Zoning Appeals
Minutes
September 9, 2025**

Members present: Aaron Thomas, Rob Delach (elected Chairperson), Shay Myers, and Alicia Sweeney.

City Officials present: Lance Allison (Assistant Code Director)

The meeting was called to order on September 9th, 2025, at 7:00 pm at City Council Chambers, 8 East Washington Street, Third Floor, Athens, OH, by the active Chair of the Board of Zoning Appeals.

A video was played stating the policies and procedures of the board.

The Chairperson announced the cases on the agenda and swore in all who wished to testify in the hearings.

Hearings:

- 1. Case #25-10V 34 Elmwood Place Zone R1 Christopher and Allyson Thrasher / appellant**

Appellant is requesting a variance from ACC 23.03.11 (A)(1) to allow a 3 ft side setback where 5 ft is required.

The Chairperson asked the Assistant Director to give a report on the case. Lance Allison gave background information about the case.

Shay Myers asks for clarification on Ohio building code for walls less than 5 feet from a property line, and whether the zoning office uses this standard and enforces it.

Lance Allison confirms that the Code Office is a zoning office only and does not enforce building code.

The Chairperson invited the appellant and any representatives to speak.

Christopher Thrasher (appellant) stated that there is an existing garage on the property that currently has a three-foot set back and that he would like to rebuild it while using the existing foundation. He goes on to say there is a large old growth tree blocking construction and making it difficult to reach the five-foot setback requirement near the existing garage. Christopher Thrasher adds that he plans to add a small apartment on top of the proposed garage to house his aging parents.

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Aaron Thomas asked Lance Allison if the proposed apartment on top of the garage would change any of the things they are reviewing for code, or if it would still be focused on just the setback.

Lance Allison responded, saying that people are allowed to have those quarters for families, so the focus is still on just the setback.

The Chairperson read aloud an email from a neighbor of the appellant who was in support of the project the appellant was proposing.

Due to no attendance at the meeting the Chairperson waived general comments and opposition.

Findings:

- 1.) **EXCEPTIONAL CIRCUMSTANCES: Yes.**
- 2.) **HARDSHIP AND DIFFICULTY: Yes.**
- 3.) **PRESERVATION OF EQUAL PROPERTY RIGHTS: Yes.**
- 4.) **MINIMUM VARIANCE: Yes.**
- 5.) **ABSENCE OF DETRIMENT: Yes.**
- 6.) **NOT OF A GENERAL NATURE: No.**

On a motion from Aaron Thomas, seconded by Alicia Sweeney, the board moved to grant a variance from ACC 23.03.11 (A)(1) to allow a 3 ft side setback where 5 ft is required for 34 Elmwood Place.

The Chairperson called for a vote: 4 votes for (Myers, Sweeney, Delach, Thomas) – 0 votes against. Motion Granted.

OTHER BUSINESS:

Approval of minutes from:

July 8th, 2025: The Chairperson proposed to change the “not of a general nature” finding from “yes” to “no”.

Alicia Sweeney moved to approve the minutes from July 8th, 2025 with the proposed amendment, Aaron Thomas seconded the motion. Approved by Aaron Thomas, Alicia Sweeney, Rob Delach, and Shay Myers.

The Chairperson adjourned the meeting at 7:23 pm.

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Robert Delach, Chairperson

Date

David Riggs, Zoning Administrator

Date