

**Office of Code Enforcement and  
Community Development**

28 Curran Drive  
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*City of Athens*

**ATHENS, OHIO**

**Board of Zoning Appeals  
Minutes  
April 14, 2026**

Members present: Ben Lachman, Rob Delach (elected Chairperson), Shay Myers, and Paul Hillard

City Officials present: Tom Pyle (Director of Code Enforcement)

The meeting was called to order on April 14<sup>th</sup>, 2026, 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 #26-03V 79 E State Street Zone B3 Ez Eldeen Kassem / appellant**

**Appellant is requesting a variance from ACC 23.04.07 (A)(15) to allow a tobacco and vape establishment within 500 feet of a church or any other licensed cigarette, vapor product and other tobacco product retail dealer.**

The Chairperson asked the Director to give a report on the case. Mr. Pyle gave background information about the case.

Shay Myers asked Mr. Pyle for more information on the previous use of the building and if the previous business in the 79 East State Street property sold tobacco products. Mr. Pyle responded saying that the previous business did not sell tobacco products.

The Chairperson provided more insight into Ordinance 0-65-24.

The Chairperson invited the appellant and any representatives to speak. The appellant / representative are not present at the meeting.

There was discussion on the distances of tobacco product retailers in relation to 79 East State Street.

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

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**Findings:**

- 1.) **EXCEPTIONAL CIRCUMSTANCES: No.**
- 2.) **HARDSHIP AND DIFFICULTY: No.**
- 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 Ben Lachman, seconded by Shay Myers, the board moved to grant a variance from ACC 23.04.07 (A)(15) to allow a tobacco and vape establishment within 500 feet of a church or any other licensed cigarette, vapor product and other tobacco product retail dealer.**

The Chairperson called for a vote: 0 votes for – 4 votes against (Myers, Lachman, Delach, Hillard). Motion denied.

**OTHER BUSINESS:**

Approval of minutes from:

**March 10<sup>th</sup>, 2026:** Paul Hillard moved to approve the minutes from March 10<sup>th</sup>, 2026. Shay Myers seconded the motion. Approved by Paul Hillard, Rob Delach, and Shay Myers.

**The Chairperson adjourned the meeting at 7:45 pm.**

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Robert Delach, Chairperson

Date

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Tom Pyle, Zoning Administrator

Date