

**MINUTES OF SPECIAL PERRYSBURG CITY COUNCIL MEETING**  
**REGARDING APPEAL OF BOARD OF ZONING APPEALS' DECISION**  
**MEETING HELD JULY 12, 2018**

The meeting was called to order by Planning & Zoning Committee Chairman Tim McCarthy at 5:33 p.m. Present were Council Members Deborah Born, Haraz N. Ghanbari, Jim Matuszak, Tim McCarthy, Jonathan Smith, Barry VanHoozen, and Becky Williams (7). Also present was Karlene Henderson, Law Director.

The purpose of the meeting was to consider an appeal of a Board of Zoning Appeals' decision. Mr. McCarthy explained that City Council's role in this appeal was to represent a quasi-judicial capacity to hear the sworn testimony concerning the decision of the Board of Zoning Appeals regarding the Administrative Appeal filed by Scott & Julie Shealy, 4002 McCallister Drive. Mr. Shealy requested a zoning variance to permit a driveway with two curb cuts at his new residence. The Planning and Zoning Division recommended denial of the variance as it does not meet enough of the conditions needed to grant a variance. The Board of Zoning Appeals denied the variance by a 3-1 vote.

Mr. Shealy presented his case to City Council. Todd Berman, Berman Building Company, spoke in conjunction with the Shealy's. Brody Walters, Planning and Zoning Administrator, spoke on behalf of the Planning and Zoning Division and the Board of Zoning Appeals.

City Council chose to deliberate within Council Chambers, rather than going into Executive Session. Ms. Henderson explained that City Council's role in this Administrative Appeal is to use the Dunkin factors as guidelines, and then to affirm or overturn the decision of the Board of Zoning Appeals. Ms. Henderson added that if the variance were to be denied then City Council would need to specifically state their reasoning.

Mr. McCarthy made a motion to grant the variance, and to reverse the decision of the Board of Zoning Appeals. Seconded by Mr. Ghanbari. Ayes: (7). Nays: (0).

**ADJOURNMENT**

Mr. McCarthy moved to adjourn the meeting at 7:20 p.m. Seconded by Mr. Smith. Ayes: (7). Nays: (0).

David D. Creps, Clerk

Thomas G. Mackin, Mayor