

MINUTES

BOARD OF ZONING APPEALS

JUNE 19, 2006

CONFERENCE ROOM

MEMBERS PRESENT

RALPH FENTON  
ROSS DODSON  
DICK PELLEY  
ROBERT TENNYSON

MEMBERS ABSENT

OTHERS ATTENDING

HAROLD HUNTER  
SHERRY MILLER  
GAYLE PETITT  
MARIE MALONE  
STAN WOMAC  
RYAN HARRIS

APPROVAL OF MINUTES

The minutes of the October 3, 2005, meeting was read and approved on motion by Ralph Fenton; Seconded by Dick Pelly; Vote – Unanimous.

PETITIONS AND REQUESTS FROM THE AUDIENCE

NEW BUSINESS

1. Customary home occupation, 403 McMinn Avenue -

Ms. Marie Malone requested consideration for a customary home occupation in the basement portion of her home. Ms. Malone stated that her request is to open a skin treatment business which would be by appointment only and no more than 1 client vehicle would be present at any time. Mr. Hunter stated that he had reviewed with Ms. Malone the requirements for a customary home occupation and that he had also inspected the property at 403 McMinn Avenue and felt the requirements could be met if the request was approved. After some review and discussion and a recommendation from Mr. Hunter, Community Development Director, the following motion was made.

MOTION: Motion was made to approve Ms. Malone's request.

MADE: Ross Dodson  
SECOND: Ralph Fenton  
VOTE: Unanimous

2. Variance for set back requirements and lot square footage requirements, 721 East Madison / 904 Eastanallee Ave. –

Mr. Stan Womac petitioned for consideration to be given for two variances, one each at the above addresses. Each address contains a dwelling structure situated back to back on the same lot with each fronting separate streets. Mr. Hunter stated that it was not uncommon many years ago before zoning was established in Athens for 2 or more dwellings to be located on the same lot. In order to subdivide the property, at the rear of each dwelling, it would be necessary to grant a lot square footage variance for each structure and also a variance for all set backs of the dwelling structure as well. Mr. Hunter stated that nothing would change because the buildings and property lines were already established but would allow for the subdivision of property where each structure would be identified on their own lot. After some discussion the following motion was made.

MOTION: To approve dividing the lot into 2 separate lots and granting variances for lot square footage and setback requirements for each lot.

MADE: Ralph Fenton  
SECOND: Dick Pelly  
VOTE: Unanimous

3. Ray Seaton, Seaton Iron and Metal (located off Old Niota Road) – Zoning interpretation of I-1 Zone.

Mr. Hunter presented a copy of the I-1 Industrial zone to BZA members outlining uses permitted/uses permitted on review. Mr. Hunter explained his intent was to determine if the proper use was being conducted at this site based on photographs showing trash and debris along with other questionable items on this property. Discussion continued after commission members had reviewed the uses permitted within the I-1 Zone and the documentation was presented by Mr. Hunter. It was decided that alterations would need to be made and to discover what materials were stored and maintained on this site. Mr. Hunter thanked the BZA members for their recommendation and said that he would continue to go forward with the contacting of Ray Seaton and advise him of the zoning violation.

MOTION: To go forward with contacting Mr. Seaton on the non-compliance of I-1 Zoning.

MADE: Dick Pelly  
SECOND: Ralph Fenton  
VOTE: Unanimous

There being no further business to come before the board, the meeting was adjourned.

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Ralph Fenton, Secretary

