

MINUTES

BOARD OF ZONING APPEALS

DECEMBER 12, 2005

CONFERENCE ROOM

MEMBERS PRESENT

RALPH FENTON
ROSS DODSON
GEORGE PRICE
ROBERT TENNYSON

MEMBERS ABSENT

DICK PELLEY

OTHERS ATTENDING

HAROLD HUNTER
GENE MCCONKEY
GAYLE PETITT
NANCY HARMON
JEFF HAMMONDS
PEGGY HAMMONDS

APPROVAL OF MINUTES

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

PETITIONS AND REQUESTS FROM THE AUDIENCE

NEW BUSINESS

1. Request for 10 foot front yard set back variance, 808 Jenkins Road – Jeff and Peggy Hammonds – R-2.

Mr. Tenneyson stated the main order of business as request for a 10 ft. front yard variance. Mr. Hunter informed the board that since the lot fronted on Jenkins Road off Hammer Hill Road, with the topography of the lot a 10 ft. front yard variance would be needed. He also informed the board that Mr. and Mrs. Jeff Hammonds would like to face the house towards Hammer Hill Road, the house would face the side property line of the lot, and that if the board would consider the frontage on Jenkins Road as a side yard a variance would not be necessary. After discussion the following motion was made.

MOTION: To allow frontage on Jenkins Road to be considered side yard.

MADE: Price
SECOND: Fenton
VOTE: Unanimous

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

Ralph Fenton, Secretary

Description of the topographic lot, Jenkins runs off Hammer Hill Road, this property is where Peggy Hammonds father used to live, a custodian at the City of Athens for many years. After the death of her father, the house set there and deteriorated and they voluntarily demolished the structure in order to get rid of it. Mr. and Mrs. Hammonds are looking to build a house, proposed to be located there and the Zoning Ordinance says you have to front upon a city street. You've got the letter of the law and the intent of the law, quiet obviously the intent of that was that the property but the front on the city street. If they put the house back as her father's house was, it would face Hammer Hill Road, looking down on Hammer Hill Road. However, there is property in between, but on the other side of that, Jenkins Road comes up the hill if they front Jenkins Road, due to the topographic of the lot they would need a 10ft. variance on a front yard setback, which I would personally see no problem. However, if it can front Hammer Hill Road, then they don't even need a variance. You can look at the property and visualize the house setting there facing Hammer Hill Road, setting way back off the road. It is a staff recommendation that the body consider giving the variance allowing the house to front Hammer Hill Road and just disregard the 10ft. side yard variance on the front because it would no longer be needed, it would be a side yard variance which it would comply. Chairman Price stated if it fronts Hammer Hill Road, it doesn't need a variance, Harold Hunter replied, "No, it doesn't". Ralph Fenton: " Mr. Chairman I don't see any problem with it at all, I went up there and I think it would vastly improve the area".