

ATHENS-CLARKE COUNTY HEARINGS BOARD

MINUTES

January 9, 2013

The Athens-Clarke County Hearings Board met and considered the following items at a public meeting at 3:00 p.m. on Wednesday, January 9, 2013, at 120 W. Dougherty Street, Athens, Georgia:

MEMBERS PRESENT: Genie Bernstein, Ricky Boggs, Beverly King, Adrian Pritchett (Chair), and Ed Simpson

MEMBERS ABSENT: David Ellison and Sean Hogan

STAFF PRESENT: Rick Cowick, Jane Erwin (ACCUG Planning); and Holly Hilton (ACCUG Attorney)

CALL TO ORDER AND APPROVAL OF MINUTES:

1. **Introduction of Staff reports and all other documents submitted to the Hearings Board at the meeting into the official record.** Mr. Boggs made a motion to introduce all reports and documents into the official record. Mr. Simpson seconded the motion, which passed unanimously.
2. **Approve Minutes from the December 12, 2012 Hearings Board meeting.** Ms. Bernstein made a motion to approve. Mr. Boggs seconded the motion, which passed unanimously.

NEW BUSINESS:

1. 245 PETTIT LANE

VAR-2012-12-2644

Petitioner: Denise and Dorian Zevos

Zoning: RS-15 (Single-Family Residential)

Tax ID: 242 004E

Request: A. Variance to increase accessory structure from 25% of principal structure to 71%

Ex Parte Communication: Dr. Simpson announced that he had spoken to the applicants during a site visit; however, he had received no further information than what is in the staff report.

Ms. Erwin gave the staff report with the recommendation of denial.

Ms. Bernstein asked staff if the proposed six-foot side setback was sufficient. Ms. Erwin replied that the setback meets the zoning district standard.

In Favor: Mr. Dorian Zevos, petitioner, said that he lives elsewhere, but that his mother lives on the property half of the year. The concrete slab and the outbuildings existed when the property was purchased. The property is not level and the land drops quickly behind the house so an attachment to the house would be difficult and it would not look right with the way the structure is designed. A neighboring resident had written a letter stating that she has no problem with the proposal. The rest of the slab will be removed and trees will be planted to hide the structure from the adjacent property.

Ms. Denise Zevos, petitioner, said that the proposed garage is to store her car. The slab and outbuildings existed prior to the purchase of the property. The outbuildings are not suitable for a garage. The only open space is to the right of the house. A garage attachment to the house would remove the visual aspect of the house. A strip of land upon which the slab is located had been recently purchased to remove a deteriorating greenhouse.

In Opposition: None

Board Discussion: Ms. King asked if the petitioners had thought of tearing down the existing outbuildings to build a bigger garage. Mr. Zevos replied that the existing outbuildings are being used to store other vehicles, but that should not preclude his mother from having a garage for herself. If there

was a good way to attach a garage to the house, then they would not be having this meeting, but there is no good way to attach it to the house that would be aesthetically pleasing to his mother.

Ms. King asked Mr. Zevos about the possibility of a breezeway attachment. Mr. Zevos said that he would have to remove a lot of trees, would lose windows on the house, and affect a berm being used to divert stormwater.

Dr. Simpson asked the petitioner to again explain the use of the existing outbuildings. Mr. Zevos explained why he wanted his mother's car to be in a separate building than his own vehicles. He added that the garage could be a slightly smaller one-car garage and set back further from the neighboring property.

Ms. Bernstein said that it is difficult to find that the proposal meets variance standard #5 since the proposed two-car garage is not the minimum needed for storing one car.

Mr. Pritchett said that variance standard #2 is not met since there is existing storage capacity.

Dr. Simpson said that he agreed with Ms. Bernstein and Mr. Pritchett that variance standards #2 and #5 are not being met. The existing buildings could accommodate a vehicle.

Mr. Pritchett said regarding variance standard #4 that the zoning ordinance does have a purpose in limiting accessory building space. Granting more would not further the purpose and intent of the zoning ordinance or Comprehensive Plan.

Ms. Bernstein said that standard #1 is not met since the land is not different than other properties in the vicinity. Mr. Pritchett said that he could answer "yes" to the application meeting standard #1 due to the existing accessory structures and concrete slab.

Dr. Simpson said that the property conditions were not caused by the petitioners. Mr. Boggs and Ms. Bernstein said the existing conditions address standard #3 in that the conditions did not result from the actions of the applicant.

Motion: Dr. Simpson made a motion to deny. Mr. Boggs seconded the motion, which passed unanimously.

OTHER BUSINESS:

1. *Directors Report:* Mr. Cowick announced that the February agenda had not been set yet since the application deadline is this Friday the 11th. Ms. Erwin said that there probably will be a request before the Board at the February meeting.
2. The next regularly scheduled meeting will be February 13, 2013.

The meeting was adjourned at 3:30 p.m.



Adrian Pritchett, Chair



Brad Griffin, Director/Secretary