

ATHENS-CLARKE COUNTY HEARINGS BOARD
MINUTES
December 10, 2014

The Athens-Clarke County Hearings Board met and considered the following items at a public meeting at 3:00 p.m. on Wednesday, December 10, 2014, at 120 W. Dougherty Street, Athens, Georgia:

MEMBERS PRESENT: Ricky Boggs, David Ellison (Chair), Beverly King, Pat Shearer and Ed Simpson (Vice-Chair)
MEMBERS ABSENT: Laura Wiese
STAFF PRESENT: Rick Cowick and Jane Erwin (ACCUG Planning); Jim Davis (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. Ellison made a motion to introduce all reports and documents into the official record. Mr. Simpson seconded the motion, which passed unanimously.
2. **Adoption of Minutes from the November 12, 2014 Hearings Board meeting.** Mr. Ellison made a motion to approve. Ms. King seconded the motion, which passed unanimously.

OLD BUSINESS:

1. **2255 WEST BROAD STREET VAR-2014-07-1324**
Petitioner: Jeff Carter of Carter Engineering Consultants, Inc. for Prime Commercial Group, LLC
Zoning: C-G (Commercial-General)
Tax ID: 121D4 A013
Request: A. Variance to reduce FAR from 0.25 to 0.17
 B. Variance to increase front building setback from 10' to 30'
 C. Variance to allow parking within the front yard
 D. Variance to reduce landscape buffer from 10' to 2'

Mr. Ellison explained that the applicant had sent a letter requesting a further extension until January 2015 on their tabled request.

In Favor: None
In Opposition: None
Motion: Mr. Ellison made a motion to approve the request for table extension. Mr. Simpson seconded the motion, which passed unanimously.

NEW BUSINESS:

1. **780 KING AVENUE VAR-2014-11-2108**
Petitioner: Aaron Cirou for Ali Watt
Zoning: RS-8 (Single-Family Residential)
Tax ID: 122C2 C014A
Request: A. Variance to allow increase in front yard fence height from 4' to 6'

Mr. Cowick gave the staff report with the recommendation of approval with conditions.

In Favor: Aaron Cirou, applicant and agent for Ali Watt, the new property owner indicated that he was unaware that the area of the lot adjacent to Old West Broad Street is the front yard. He further explained that the fence was erected at the request of the new home owner, to insure her safety. He also responded

adjacent to the street. The fact that the driveway is shared with the neighboring house and that someone must pass that house to access 780 King offer some sense of security on that side.

After more discussion in which it appeared that the members would not reach a consensus of opinion, Mr. Simpson asked whether a motion to table the request would be appropriate. Mr. Ellison asked if tabling until the February meeting would be useful for the applicant to clarify the location. Mr. Simpson then asked the other board members if the location of the fence relative to the right-of-way is the issue, to which Ms. King and Mr. Shearer both indicated that it is not. The site characteristics and adjacent lots were discussed. Mr. Boggs then explained how his initial thought to deny the request had been changed through the board's discussion.

Mr. Ellison listed the board's options for action, approve, approve with conditions, table or deny.

Motion 2: Mr. Ellison made a motion to table until the February meeting. The motion was not seconded and died.

That discussion and some procedural questions were followed by **Motion 3:** Mr. Boggs made a motion to reconsider the earlier motion to approve with conditions. Mr. Shearer seconded the motion for reconsideration which passed unanimously.

Motion 4: Mr. Ellison then repeated the initial motion to approve with the following conditions:

- 1) Fence must be situated at least 10 feet from front property line;
- 2) Shrubbery or evergreen screen shall be maintained and/or planted
- 3) The variance shall be conditioned on the existing location of the Right of Way along Old West Broad Street
- 4) Applicant must submit an as-built survey to verify compliance with conditions.

Mr. Simpson seconded the motion which passed 4-1 (King).

OTHER BUSINESS:

Directors Report: Ms. Erwin announced that Mr. Pritchett has resigned from the Board and the Mayor and Commission will be seeking a replacement member. She did not know when a new appointment would be made.

Mr. Cowick announced that the next meeting is scheduled for January 14, 2015. Ms. Erwin added that the application for 2255 W. Broad Street is scheduled to be heard then. The application deadline is Friday December 12, 2014, so other applications may be submitted.

The meeting was adjourned at 4:04 p.m.



David Ellison, Chair



Brad Griffin, Director/Secretary