

BOARD OF ADJUSTMENT MEETING

May 21, 2020

Per the directive of Vice-Chairperson Greg Greene, this meeting was conducted pursuant to Section 3 of Governor Kay Ivey's March 18, 2020 Proclamation concerning the operation of the Open Meetings Law during the state of emergency related to COVID-19. All deliberations conducted, and actions taken, during the meeting were limited to matters within the Board of Zoning Adjustment's statutory authority that are (a) necessary to respond to COVID-19, or (b) necessary to perform essential minimum functions of the Board of Zoning Adjustment. As such, members of the Board of Zoning Adjustment participated in this meeting by means of electronic communications. Additionally, the meeting was not open to physical presence by members of the general public, but was livestreamed so that the public (including any applicant or other person interested in any agenda item) could listen, observe, and participate in the meeting without being physically present. Persons interested in doing so were able to utilize the ZOOM meeting invitation and/or meeting phone number found on the Board of Zoning Adjustment page of the City of Athens website, and contact etidwell@athensal.us with any additional questions for how to do so. No less than twelve (12) hours after the meeting, the City posted a summary of the meeting on its website.

This document will serve as the required summary. This document has not been reviewed by the Commission prior to publication and is not intended to take the place of approved meeting minutes.

- I. **Call to Order.** The Board of Adjustment of the City of Athens, Alabama, met in Regular session via ZOOM video conference that was open to the public on May 21, 2020 at 5:30 p.m., after a short work session.
- II. **Roll Call.** Members present: Vice-chairman Greg Greene. Regular members: Jim Ernest, and Greg Skipworth. Chairperson Jerald Blaxton and Al Wassum were absent. Alternate member Larry Burlingame was elevated to a voting member.

Micah Cochran, GIS Coordinator, and James Rich, Director of Public Works were present.

Discussion: Mr. Greene explained that any motion requires four affirmative votes.

Old Business: None

New Business:

- III. **Public Hearing** Request of Nathan Metzger for a Special Exception for a major home occupation as stated in Section 3.9.1.A of the City of Athens Zoning Ordinance, to be located at 23154 Nick Davis Road, in an EST, Estate Residential and Agricultural District.

Mr. Cochran explain the request.

Nathan Metzger, applicant, spoke.

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Kristen Howard, a Fostering Connections Board Member spoke in favor of the request.

There being no other comments, the public hearing was closed.

IV. Motion. Mr. Green called for a motion three times, no member made a motion. The case failed for lack of a motion.

V. Public Hearing Request of Gateway Piney Creek, LLC. for a variance to Section 6.6.5.A(3) of the City of Athens Zoning Ordinance, to allow for selected private streets within the development to be built to a variation of the City Street Standard, located on +/-15.33 acres directly north of Peyton Drive, in a C-PUD Conventional Planned Unit Development District.

Mr. Rich advised that applicant wants storm drainage to run down center of street as a valley instead of crown.

Jon Perkins, project engineer, was available for questions.

No one spoke for or against the case, therefore the public hearing was closed.

VI. Motion. Mr. Green called for a motion.

VII. Resolution. Mr. Skipworth offered the following resolution and moved its adoption:

“BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF ATHENS, ALABAMA, to approve the request of Gateway Piney Creek, LLC. for a variance to Section 6.6.5.A(3) of the City of Athens Zoning Ordinance, to allow for selected private streets within the development to be built to a variation of the City Street Standard, located on +/-15.33 acres directly north of Peyton Drive, in a C-PUD Conventional Planned Unit Development District.”

Mr. Earnest seconded the motion. The vote was unanimous of the voting members present.

Minutes:

VIII. Resolution Mr. Earnest offered the following resolution and moved its adoption:

“BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF ATHENS, ALABAMA, that the minutes for the April 16, 2019 meeting to be approved.”

Mr. Skipworth seconded the motion. The vote was unanimous of the voting members present.

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IX. Adjournment. There being no further business, the meeting was adjourned.