

BOARD OF ADJUSTMENT MEETING

July 16, 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.

- 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 July 16, 2020 at 5:35 p.m., after a short work session.
- II. **Roll Call.** Members present: Vice-chairman Greg Greene. Regular members: Jim Ernest, Al Wassum and Greg Skipworth. Alternate member Larry Burlingame was elevated to a voting member. Chairperson Jerald Blaxton was absent.

Erin Tidwell, Planner, and James Rich, Director of Public Works, were present.

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

- III. **Minutes: Resolution** Mr. Wassum 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 June 21, 2020 meeting to be approved.”

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

Old Business: None

New Business:

REQUIRED COVID-19 MEETING SUMMARY
THESE ARE NOT APPROVED MEETING MINUTES
THESE ARE NOT INTENDED TO REPLACE OFFICIAL MEETING MINUTES

- IV. Public Hearing** Request of Winter Homes Investment Properties, LLC. for a variance to reduce the front setback in an R-1-1 Single Family Low Density District from 40 feet to 30 feet (a reduction of 10 feet), located at 17274 Stella Street, Lot 28 Linton Estates Phase 3.

Mr. Rich presented the request. Discussion ensued.

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

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

- VI. Public Hearing** Request of Winter Homes Investment Properties, LLC. for a variance to reduce the front setback in an R-1-1 Single Family Low Density District from 40 feet to 35 feet (a reduction of 5 feet) and the rear setback be reduced from 40 feet to 30 feet (a reduction of 10 feet), located at 17266 Stella Street, Lot 29 Linton Estates Phase 3.

Mr. Ernest recused himself due to his wife being related to the applicant.

Mr. Rich presented the request. Discussion ensued.

The public hearing was closed.

- VII. Motion**. Mr. Green called for a motion.

- VIII. Resolution**. Mr. Wassum 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 Winter Homes Investment Properties, LLC. for a variance to reduce the front setback in an R-1-1 Single Family Low Density District from 40 feet to 35 feet (a reduction of 5 feet) and the rear setback be reduced from 40 feet to 30 feet (a reduction of 10 feet), located at 17266 Stella Street, Lot 29 Linton Estates Phase 3.”

Mr. Burlingame seconded the motion. Mr. Skipworth voted against the motion, therefore the motion failed due to a lack of four affirmative votes.

- IX. Public Hearing** Request of Taz Morell, Manager, Red Stripe LLC., for a variance to reduce the required amount of parking spaces on a commercial site from 57 spaces to 51 spaces (a reduction of 6 parking stalls), located at 23101 US HWY 72, in a B-2 General Business District.

Mr. Skipworth recused himself due to the applicant being a family relation.

Mr. Rich presented the request. Discussion ensued.

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The public hearing was closed.

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

XI. Resolution. Mr. Burlingame 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 Taz Morell, Manager, Red Stripe LLC., for a variance to reduce the required amount of parking spaces on a commercial site from 57 spaces to 51 spaces (a reduction of 6 parking stalls), located at 23101 US HWY 72, in a B-2 General Business District.”

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

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

Chairman

ATTEST: _____
Secretary