

**MINUTES**

Athens Board of Zoning Appeals

October 20, 2021

9:00 AM

City Council Chambers

**ROLL CALL**

**MEMBERS PRESENT**

Chairperson Tom Hamilton  
Wesley Kite  
John Proffitt

**MEMBERS ABSENT**

Kenny Charles  
Dick Pelley

**OTHERS ATTENDING**

Anthony Casteel  
Gene McConkey  
Scott Dunlap  
Ben Burchfield

**Approval of Minutes**

**Approval of the May 19, 2021 Regular Meeting minutes**

The minutes of the May 19, 2021, regular meeting were approved on motion by Wesley Kite; seconded by John Proffitt; vote – unanimous

**Approval of the June 16, 2021 Regular Meeting minutes**

The minutes of the June 16, 2021, regular meeting were approved on motion by Wesley Kite; seconded by John Proffitt; vote – unanimous

**Old Business**

There was no old business to discuss.

**New Business**

1. **Use on Review request** by Scott Davis for Patio homes on fifty (50) foot wide minimum lots located on 88.52-acre parcel shown as Tax Map 057 Parcel 089.00 located off Shadows Lawn Drive and Davis Place Drive and zoned R-2 Residential.

Chairperson Hamilton swore in the witnesses.

Chairperson Hamilton asked if the name of subdivision would still be Davis Place.

Mr. Dunlap said yes.

Mr. Medders said Phase I is already in and they are proposing using the same basic road structure on the previous preliminary plat that was approved before. They are using the patio home regulations for R-2 (Medium Density Residential) as a Use on Review to go in and use the same and make additional lots based on the patio home regulations. He and Mr. Casteel talked about it extensively and they made sure that the density makes sense. They are asking for approval to use the patio homes in the R-2 with the setbacks of fifteen on one side and five on the other.

Chairperson Hamilton asked Mr. Casteel what he had to say.

Mr. Casteel said they are only approving the use. They are not approving the plat, the layout of the plat, or any other aspects to do with this plat. It is to help them develop this plat. That process will take place at the Planning Commission once they get this Use in play. Another thing that you can put in patio homes is that you can have a narrower lot also. You do get different setbacks and a smaller lot. It is kind of a quasi-cluster development where you kind of cluster stuff together and have open spaces that is left for everybody to use. Based on what the preliminary has shown them even though it is approved, it does look like this concept would meet the regulations and Staff recommends approval. He thinks the Use will fit in just as good as anything else in the R-2 out there. He does not think it will be a problem in the neighborhood.

Chairperson Hamilton asked if the 236 lots maxed the land use.

Mr. Casteel said no, they can do four lots an acre under the R-2, 8,000, square foot lots comes up to 40,000, and they would still have 5,000, left over.

Mr. Proffitt said he thought the Chairperson might have been talking about plat for the whole project.

Chairperson Hamilton said yes. He asked if this whole tract was 66 ½ acres.

Mr. Casteel said no, the whole tract is 90 acres.

Chairperson Hamilton said that was based on this plat.

Mr. Casteel said yes.

Chairperson Hamilton this plat is not approved.

Mr. Casteel answered with a no.

Chairperson Hamilton said he could change it to reflect more lots.

Mr. Casteel said right but that is for the Planning Commission.

Chairperson Hamilton said what he is asking is regardless of this plat, how many building sites can he have.

Mr. Casteel said he has not run those numbers. Typically, what they would do is if somebody has 90 acres, they will say 20% of that would be infrastructure with roads, stormwater, and everything else. You take 80% percent of the 90 acres and that would be your developable land and give you a round figure of how many parcels he can actually due if he maps it out. It is way more than he proposes there.

Mr. Kite asked if it was like 300.

Mr. Casteel said it depends. He did some calculations.

Chairperson Hamilton said his point was they are not approving that.

Mr. Casteel said no, they are approving the Use. They are saying the patio home use would be allowed in that area.

Chairperson Hamilton said so it could come back with significantly more than what it shows currently

Mr. Casteel said right, they may change it once they get into the engineering.

MOTION: To approve the request.

MADE: John Proffitt

SECOND: Wesley Kite

VOTE: Unanimous

MOTION PASSED

  
Kenny Charles, Secretary