

**Office of Code Enforcement and
Community Development**

28 Curran Drive

Athens, OH 45701

(740)592-3306

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City of Athens

ATHENS, OHIO

Board of Zoning Appeals

Minutes

August 10, 2021

Members present: John Gutekanst, Lisa Carson (Chairperson), Kay Tousley, and Joe Krause.

City officials present: David Riggs (Zoning Administrator) and The Government Channel

The meeting was called to order at 7:05. The Acting Chairperson read a statement about the policies and procedures of the Board. She then swore in, under oath, those intending to give testimony.

Case #21-06V

24 S. May Avenue

Zone: R-1

Brian Clark

Appellant is requesting a variance from ACC 23.10.01, Table A Schedule of Bulk Controls to allow thirty-six percent (36%) building coverage, where thirty percent (30%) is the maximum allowance and to allow a rear setback of two feet (2') from the property line, where five feet (5') is the minimum requirement.

The Chairperson called upon the appellant to speak.

Brian Clark explained that he lives on a tiny lot and they are trying to maximize space.

Mr. Gutekanst asked the appellant if their property ran right up to the alley.

Mr. Clark explained their garage backs up to the alley.

Ms. Carson called for any further questions from the board members.

There were none.

The Chairperson closed testimony from the floor.

On a motion by Kay Tousley, seconded by John Gutekanst, the Board moved to grant a variance from ACC 23.10.01, Table A Schedule of Bulk Controls to allow thirty-six percent (36%) building coverage, where thirty percent (30%) is the maximum allowance and to allow a rear setback of two feet (2') from the property line, where five feet (5') is the minimum requirement.

Findings: 1:47:08

1.) Exceptional Circumstances: Lot is small.

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- 2.) **HARDSHIP AND DIFFICULTY:** Lot is small.
- 3.) **PRESERVATION OF EQUAL PROPERTY RIGHTS:** Yes other properties granted variance for larger footprint of outdoor patios in the neighborhood.
- 4.) **MINIMUM VARIANCE:** Yes, average lot size is 8,000 and appellant's property is 5,000.
- 5.) **ABSENCE OF DETRIMENT:** No complaints with request.
- 6.) **NOT OF A GENERAL NATURE:** Many of the properties in the same zone are small and need a variance from the Board of Zoning Appeals.

The Acting Chairperson called for a vote: Yes – Gutekanst, Yes – Tousley, Yes - Krause, and Yes – Carson.

Motion approved 4 - 0, variance granted.

OTHER BUSINESS:

The meeting was adjourned at 7:24.

Lisa Carson, Acting Chairperson

Date

Kerri Yake, Secretary

Date