

MINUTES
Board of Zoning & Appeals
July 6, 2016

MEMBERS PRESENT: Nathan Kaminski, Rhonda Green, Johnny Wilson, Brenda Bessinger, James Dozier, & Sandra Quinn

MEMBERS ABSENT: John Kester

OTHERS PRESENT: Matthew Millwood, Rick Martin, & Debra Grant

- I. **Call to Order**
- II. **Public Hearing: None**
- III. **Approval of Minutes for June 1, 2016; Ms. Brenda Bessinger made a motion to approve the minutes as written, seconded by Mr. Johnny Wilson; the motion carried unanimously.**
- IV. **Welcome: Mr. Kaminski welcomed visitors of the audience; Councilman Sheldon Butts and his son Sheldon; Ms. Suzanne Kaminski and her son Trey visiting from Atlanta.**
- V. **Variance Request**

V#16-08 **Mr. Melvin Huell, owner of 1209 N. Merriman Rd. (TMS # 05-003-008-00-00), is seeking a variance to Article VIII (Setbacks) from the City of Georgetown Zoning Ordinance.**

Matt Millwood/City Staff told the Board that the lot is located in R-4, the issue is that a City drainage easement is located on the property which makes it impossible for the construction of a new single family home. Mr. Will Cook of the Water/Sewer Department found the easement before the foundation was put in. In the past a ditch was on the property and it has since been piped and filled in. The request is for a left side variance from 8 ft. side setback to a 2 ft. side setback, which would represent a 6 ft. variance. From Staff's calculation a 4 ft. variance would allow the owner to construct the home, however it is his desire to obtain a 6 ft. variance. The square footage of the house will be 1,128 sq. ft. one story single family home. **Mr. Kaminski** had an issue with the scale of the home being so close to the sideline of the neighboring property. **Matt** told the Board the neighboring lot is vacant currently. The owner of the neighboring property is Mr. Sumter and he did call and voiced his disapproval to having the setback being too close to his property, however he is not present in the meeting. **Mr. Kaminski** asked if the City knew when the easement was obtained. **Matt** said the plat has a revised date of November 19, 2007 to add the easement. **Mr. Kaminski** asked if it is a practice of the City to change the easement to a lesser amount. **Rick Martin/City Staff** said no because the clearance needed to take equipment in for repairs is already stipulated. Mr. Kaminski asked if the lot is buildable even though it is less than 6,000 sq. ft. (due to the 30% rule of Article IX; Section 900 of the Zoning Ordinance). **Matt** said that is correct. **Mr. Kaminski** had concerns about variances granted in the past for the revitalization of the city as the City Council wanted, however nothing was ever done with any of the properties, this is something that the Board does not want to happen with this property. Staff stated that Mr. Huell has dug for a foundation and has received a permit for construction. **Rick Martin** said this situation is unique because the easements are usually on the front or on the rear of the property rather than on the side as this one is. **Matt Millwood** said with his calculations if the applicant moved the

house forward as far as he could within the front setback, he would only need a 4 ft. variance.

Mr. Melvin Huell Sr. /Applicant told the Board that his reason for requesting a 6 ft. variance was to have off street parking for residents, however after looking at the proposed 4 ft. it would allow parking on the right side of the home, and he is in agreement to amend his application to allow a 4 ft. variance. Mr. Kaminski asked if Mr. Huell would oppose a condition on the variance that construction will began within 5 years after the approval. Mr. Huell said he does not have a problem with that because he is ready to begin construction as soon as the variance is granted. Mr. Huell told the Board that he requested that the easement be piped and covered after the purchase of the property. Mr. Kaminski asked Mr. Huell to contact the owner of the neighboring property (Mr. Sumter) to notify him that the variance will be 4 ft. rather than 2 ft. **Mr. Kaminski** asked that the motion have a condition that construction must be completed within 5 years and suggested that the variance will be to the main structure only, if any other buildings are placed on the lot it would have to comply with the 8 ft. setback requirement.

Public Input: None

Motion: Ms. Rhonda Green made a motion to grant a 4 ft. variance to the left side of the property (the side closest to Rainey Drive), with the condition that the construction of a structure be completed within 5 years; seconded by Ms. Brenda Bessinger; the motion carried 6 to 0. (The order was verbally published)

- VI. Board Discussion:** Mr. Dozier asked about the removal of the sign at Marshall's Marine.
- VII. Adjournment:** With there being no further business the meeting was adjourned.

Submitted By,

*Debra Grant
Board Secretary*