

Summary
Decatur Zoning Board of Appeals
Decatur City Hall
509 North McDonough Street
November 10, 2008
7:30 p.m.

Present: Mark Burdette, Neil Dobbs, Neil Norton, Kyle Williams
Absent: David Goldberg

1. Aycock Properties has requested a variance from the minimum side yard setback requirement and the maximum building height at 927 Third Avenue.

On a motion by Mr. Norton, second by Mr. Dobbs, and all but Mr. Williams voting "aye," the Board of Appeals approved the variances for the property at 927 Third Avenue, subject to the following conditions:

- That the variance shall be limited to and conditioned by the as-built survey submitted with the application,
- That there will be a covenant that shall run with the property restricting installation of a fence between 923 and 927 Third Avenue; and,
- That the owner of 927 Third Avenue shall install and maintain the landscaping on the property, as agreed upon by the adjacent property owners at 923 and 931 Third Avenue.

Mr. Williams recused himself.

2. Fred & Kelleen Hubbs have requested a variance from the minimum lot width, maximum floor area, and minimum side yard setbacks for an accessory dwelling at 931 East Lake Drive.

On a motion by Mr. Dobbs, second by Mr. Williams, and all voting "aye," the Board of Appeals approved the variances for 931 East Lake Drive, subject to the following conditions:

- *that the variance shall be limited to and conditioned by plans substantially similar to those submitted with the application,*
- *Appleseed Tree Services shall complete an on-site tree protection review,*
- *the applicant shall implement the tree protection recommendations; and,*
- *the applicant is responsible for all costs associated with the tree protection review.*