

Town of Athens
Zoning Board of Appeals

AGENDA

May 11, 2022

Pledge to the Flag

Application Review: Anthony Gjergji seeks a Use Variance on a vacant parcel. Tax map# 121.00-3-15.111

Correspondence:

Minutes: March 9, 2022; No meeting in April 2022

Next Meeting Date: June 8, 2022

Town of Athens – Zoning Board of Appeals
Meeting Minutes
May 11, 2022

A meeting of the Town of Athens Zoning Board of Appeals was held on May 11, 2022, at 7:00PM at the Athens Community Center, with Chairman Eric Nelson presiding.

The Zoning Board of Appeals Members Present: Eric Nelson, Chair, Christian Pfister, Helen Ihde, James Morabito, Christian Ames and Reneé Meryman, Secretary. Albert Gasparini, Code Enforcement Officer was present. Attorney George McHugh, Esq. was absent. A "Sign-in" sheet was provided and is available at the Town Clerk's office.

The Chairman opened the meeting at 7:02PM with the Pledge of Allegiance. The Chairman then proceeded with the one case on the agenda:

Anton Gjergji (Use Variance on a vacant parcel.) Tax ID # 121.00-3-15.111

The Chairman began the discussion by saying he had the application for a Use Variance dated May 2, 2022, and said the property is in a Mixed-Use zone. The garage the applicant seeks to build on the parcel is not allowed because it is in a Mixed-Use Commercial Zone.

The Chairman handed the applicant a copy of the Mixed-Use form and explained that various uses such as commercial auto, boat trailer and RV rental, etc., would need a Special Use Permit after approval from the Planning Board.

Equipment and storage is not allowed without a variance, the Chairman said. The applicant said other buildings are going up nearby, storing equipment. The Chairman responded that the Zoning Board of Appeals has not reviewed these items on that street, and that the property is not zoned for warehouses. James Morabito said it must be different zoning.

The Chairman then went over the merits of the application and each of the four tests that need to be met: Economic Use/Reasonable rate of Return, Uniqueness, Character of the Neighborhood and Self-created Hardship, adding that an attorney could help him.

The Chairman said if he were to proceed, then a plan with a setback is needed. After explaining the process, the Chairman told the applicant that he was doing the right thing, and said he is happy to help people through the process. The Chairman encouraged the applicant to speak to an attorney.

The Applicant left with his friend who was considering buying the property at 7:20PM. (This name is not legible on the sign in sheet). A brief discussion followed about the land in that area, upcoming training. The Chairman instructed the Secretary to call all members a week before the next meeting in addition to sending emails reminders, and to print copies of the Minutes for the members for the next meeting.

Motion to Adjourn: On a motion made by Christian Ames and seconded by Christian Pfister, the meeting was adjourned at 7:30PM.

Respectfully submitted,

Reneé M. Meryman