

**Minutes
Williamson County
Board of Zoning Appeals
7:00 P.M. April 24, 2014**

Members Present

Dave Ausbrooks, Chairman
Don Crohan, Secretary
Sue Workman
Karen Emerson-McPeak

Staff Present

Lee Sanders
Linda Hodges
Brenda Midgett
Kristi Ransom, County Attorney

The Williamson County Board of Zoning Appeals met in regular session on April 24, 2014 in the Auditorium of the Williamson County Administrative Complex. Chairman Dave Ausbrooks began the meeting by reading a public statement stating that the Board of Zoning Appeals is made up of five citizens nominated as Board members by the County Mayor and confirmed by the County Commission. One member is a Planning Commissioner, one member may be a County Commissioner and the remaining members are not otherwise connected with County Government. He went on to say the Board will hear from anyone who has anything to say to the Board relevant to the request at hand. However, the Board will not view or hear anything that does not have a direct bearing on the item or issue being heard. He requested that all comments be addressed to the Board.

Chairman Ausbrooks then asked the members to consider the minutes. Don Crohan made the motion to approve the minutes of the March 27, 2014 meeting, as printed, and Sue Workman seconded the motion. The motion was unanimously approved by voice vote.

ITEM 1

A request by Russell Branyan for approval of a variance for an accessory structure (detached garage) at 1104 Harpeth Ridge Road. The property is zoned Suburban Infill and Conservation District (SIC) and is located in the 9th district.

Linda Hodges read the staff report and reviewed the background documentation (see agenda report). Lee Sanders displayed a map, using the overhead projector, noting the adjoining property owners, and also a site plan to the Board members. Mr. Sanders stated Harpeth Ridge Road is a dead end road at the top of a hill. He stated the site has a steep topography and the applicants want to build a 30' X 40' structure. Mr. Sanders stated the applicants do not have an existing garage at this time and they only have a small shed area. He stated the property is well screened by large trees which would make it difficult to see the proposed garage.

Mr. Russell Branyan represented the item. He stated Mr. Sanders' report had covered all the issues for the request. He stated there is a small breezeway, but presently no garage to store his two classic cars.

Chairman Ausbrooks opened the hearing to the public.

John Schweers stated he came to the meeting to oppose the proposed garage, but he now approves of the request since he has seen Mr. Branyan's site plans.

There being no one else to speak, Chairman Ausbrooks closed the public hearing.

Chairman Ausbrooks asked the applicant how many cars he has.

Mr. Branyan stated he has two antique cars, but he is selling one, and he will keep his wife's car also in the garage.

Sue Workman stated she sees two positive reasons to approve the request. She stated due to the topography and also the site will be screened by large trees.

Don Crohan asked if there will be enough room for future septic on the property.

Mr. Sanders said the applicant is working with Sewage Disposal for a future addition. He stated he has spoken with Sewage Disposal and they stated there isn't any conflict with the location of the proposed garage.

Karen Emerson-McPeak asked staff about the existing driveway.

Mr. Sanders stated the driveway is already at grade to the proposed site and there would not be any grade changes needed for the driveway to serve a garage.

Don Crohan made a motion to approve the request noting that it meets the requirements of Sections 11.04 and 5.02 of the Zoning Ordinance. He stated the existing berm would hide the proposed structure and due to the topography the request meets the requirements of the Zoning Ordinance. Sue Workman seconded the motion. Motion was approved by unanimous voice vote.

ITEM 2

A request by Hunter Kay for approval of an easement width variance to permit a tract to be divided at 5180 Fire Tower Road. The property is zoned Rural Preservation 5 (RP-5) and is located in the 9th district.

Linda Hodges read the staff report and reviewed the background documentation (see agenda report). Lee Sanders displayed a map using the overhead projector, noting the adjoining property owners and pointed out to the Board members the area of the site. Mr. Sanders stated part of this site was taken by the Natchez Trace Parkway. He stated Mr. Kay was left with only a 40' easement instead of the now required 50' easement and he wishes to be able to create additional tracts and sell one of them to Mr. Leo Long. Mr. Sanders stated the Zoning Ordinance now states a property owner must have a 50' easement in order to have five houses on an easement.

Hunter Kay represented the item. Mr. Kay stated the Natchez Trace condemned the area in 1978 and took his property. He stated this left him with only a 40' easement instead of the presently required 50' easement.

Chairman Ausbrooks opened the hearing to the public.

Mr. Leo Long stated he wants to purchase a tract from Mr. Kay in order to build a house, but in order to do this he must have access to the property by the existing easement.

There being no one else to speak, Chairman Ausbrooks closed the public hearing.

Don Crohan asked staff if the easement could be taken over as a County road.

Mr. Sanders stated the Highway Commission has the authority to recommend it to the County Commission for public road status.

Chairman Ausbrooks asked staff that since the Natchez Trace Parkway is a Federal highway does the Board of Zoning Appeals have the authority to grant a variance for the easement that crosses it. He also asked would the easement start at Fire Tower Road or at the edge of Natchez Trace.

Kristi Ransom stated the Board of Zoning Appeals can grant a variance from the County zoning requirements for the required easement width and it would start at Fire Tower Road.

Don Crohan asked staff if the Natchez Trace could grant a variance.

Mr. Kay stated he had spoken to Mr. Barry Hill with the Trace regarding the parkway twice and was informed the government would not give any more footage to him. He stated there are two easements to neighboring parcels from Fire Tower Road across the Trace that serve their properties and are not dependent on his easement for access.

Don Crohan made a motion to approve the request, noting that because of the narrowness of the property it meets the requirements of Sections 17.03 (C) and 5.02(F) of the Zoning Ordinance. He stated Natchez Trace had taken property from Mr. Kay and changed his road frontage on Fire Tower Road. Sue Workman seconded the motion. Motion was approved by unanimous voice vote.

There being no further business to come before the Board, the meeting was adjourned.

Secretary's Signature

Date