

**Minutes  
Williamson County  
Board of Zoning Appeals  
7:00 P.M. January 28, 2016**

**Members Present**

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

**Staff Present**

Lee Sanders  
Linda Hodges  
Brenda Midgett  
Kristi Ransom, Attorney

The Williamson County Board of Zoning Appeals met in regular session on January 28, 2016 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 November 19, 2015 meeting, as presented, and Sue Workman seconded the motion. The motion was unanimously approved by voice vote.

**ITEM 1**

**A request by Diane Masters for setback variances for the existing unpermitted carport and storage buildings at 3977 New Hwy. 96 W. The property is zoned Rural Preservation 5 (RP-5) and is located in the 9<sup>th</sup> district.**

Linda Hodges read the staff report and reviewed the background documentation (see agenda report). Lee Sanders displayed a map and noted the adjoining property owners along with the site plans using the overhead projector. Mr. Sanders presented a copy of the submitted aerial photos showing where the shed and storage building are located. He stated the structures are very close to the property line, if not over the property line. Mr. Sanders stated that because of the zoning setback violations and because of the creek and the waterway natural area, a permit cannot be issued in order to obtain compliance. He stated the applicant has been notified to get the buildings permitted or remove them.

Ms. Diane Masters represented the item. She spoke of the harsh topography of the rear yard and stated the septic areas and field lines are in front of the house. Ms. Masters stated she could not use the structures easily if placed on the other side of the creek. She stated she also knows that she needs to request to be heard by the Stormwater Appeals Board for the unpermitted construction and structure located in the waterway natural area.

Chairman Ausbrooks opened the public hearing.

Mr. Edwin Stephens of 3981 New Hwy. 96 W. stated that he lives one lot over from the Masters. He stated he and his neighbor Mr. William Grainger that lives next to the Masters had their property recently surveyed. He stated that both of the unpermitted structures were placed after Ms. Masters purchased the site. Mr. Stephens also stated the carport structure is encroaching over the property line to Mr. Granger. He stated there is plenty of land in the rear of the house for Ms. Masters to build across the creek. Mr. Stephens stated he had to build a bridge himself in order to meet the setbacks for a barn. He feels Ms. Masters could build on the back side of the creek and still meet the ordinance requirements.

Art Herron of 3986 New Hwy. 96 W. stated other owners had to build bridges to go across the creek to meet setbacks. He stated Ms. Masters already has a two car garage attached to the house. Mr. Herron stated he would like the Board to deny Ms. Masters' request for a variance.

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

Chairman Ausbrooks recognized the applicant for a response.

Ms. Masters stated she would have a surveyor see about moving the structures forward, away from the creek and off of any property line encroachments. She stated it would be extremely costly to move everything behind the creek and to build a bridge. She also stated she would have to drive uphill if she built a bridge across the creek and stated the lot would not allow her to place anything over the creek due to the topography. Ms. Masters stated she could not move the carport to the side yard to meet compliance, because it would be in the way of the garage, and there is no other convenient place for the shed for her lawn equipment.

Don Crohan asked Ms. Masters if there had been any changes of the road in front of the house, or changes to adjoining lots since she had purchased the property.

Ms. Masters stated no.

Karen Emerson-McPeak asked if the existing driveway could be relocated to access the other side of the house in order to place the carport/storage structure in zoning setback compliance.

Ms. Masters stated it would be too costly because the driveway is 100 ft. long.

Sue Workman asked if a straight driveway is needed.

Ms. Masters stated since they are on a state highway with a speed limit of 55 m.p.h. they needed that in order to turn quickly onto the road. She stated she could not meet codes anywhere on the site.

Don Crohan stated that he felt the structures should only be placed behind the house and can't see where the request meets the intent of the ordinance. He moved to deny the request because it does not meet the requirements of Sections 11.04 C (2), or 5.02 (E) or (F) of the Zoning Ordinance. Karen Emerson-McPeak 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