

**Minutes
Williamson County
Board of Zoning Appeals
7:00 P.M. February 25, 2016**

Members Present

David Ausbrooks, Chairman
Don Crohan, Secretary
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 February 25, 2016 in the Auditorium of the Williamson County Administrative Complex. Chairman David 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 January 28, 2016 meeting, as presented, and Karen Emerson-McPeak seconded the motion. The motion was unanimously approved by voice vote.

ITEM 1

A request by Alan Corry (John Powell, property owner) for approval of a Special Event Extensive Impact (Civil War Reenactment, held April 15 thru 17) at King's Chapel subdivision off Highway 96 East (Murfreesboro Road). The property is zoned Rural Development 1 (RD-1) and is located in the 5th district.

Linda Hodges read the staff report and reviewed the background documentation (see agenda report). Lee Sanders displayed the site plans using the overhead projector and stated the property belongs to the subdivision developer John Powell. He stated Alan Corry was hosting the Battle of Triune Civil War re-enactment at this site for the fourth year. Mr. Sanders stated that a good traffic and parking plan had been submitted where no traffic should ever stack up on Murfreesboro Road. The open space area for this subdivision includes a reconstructed King's Chapel Church along with a nice clubhouse with restrooms. These permanent buildings along with additional temporary facilities make this open space area ideal for the encampment area. He stated Mr. Corry has scheduled both public and private events for the re-enactors and has an infrastructure for 1,200 people at the site.

Alan Corry and John Powell, (property owner) represented the item. Mr. Corry stated he doesn't expect a lot of spectators because of a low advertising budget. Last year's event drew approximately 250 spectators and 275 re-enactors each day. He stated he has worked with the Triune and King's Chapel community on the event.

Mr. Powell stated this is a great event for the public and residents of the subdivision. He stated the site has a fenced and slopping hillside that allows good viewing for the spectators and separation from the re-enactors.

Chairman Ausbrooks opened the public hearing.

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

Chairman Ausbrooks then asked the Board members if they had any questions for the applicant.

Don Crohan asked Mr. Corry how he plans to keep count of the number of people attending the event. He also asked how he plans to limit the number attending to that which is approved.

Mr. Corry stated they sell tickets in advance and at the site, and plans to cut off the ticket sales when it reaches the 1,200 attendees he has planned for.

Don Crohan made a motion to grant the request stating it meets the requirements of Sections 11.05 (D) (7) and 5.01 (E) and the starting time will be varied from the required 10:00 a.m. to allow an hour earlier, 9:00 a.m. start each day. Karen Emerson-McPeak seconded the motion. Motion was approved by unanimous voice vote.

ITEM 2

A request by Kevin Hamilton for a variance to allow an existing/unpermitted structure to be permitted in the front yard at 1440 Coleman Road. The property is zoned Rural Development 1 (RD-1) and is located in the 11th district.

Linda Hodges read the staff report and reviewed the background documentation (see agenda report). Lee Sanders displayed the tax map showing adjoining properties and site plan using the overhead projector and stated the property is located on Coleman Road, across from Kittrell Road. He stated the applicant submitted a simple drawing for the site plan that was not to scale. Therefore he and Ms. Hodges measured the carport structure and determined front setback from the road right-of-way line at seven feet to the closest point. He stated the structure is located behind the trees in the front fence line. Mr. Sanders stated to the Board that one letter from an adjoining neighbor had been received by staff in support of Mr. Hamilton's request.

Chairman Ausbrooks asked Mr. Sanders to use the overhead to show the Board the topography of the site and showing the septic and field lines.

Mr. and Mrs. Hamilton represented the item. Mr. Hamilton stated he has a boat and wanted to place a nice carport over the boat instead of a tarp. He presented to the Board photos to illustrate the grade of the property and said he was told by the builder that a permit was not needed before building the structure. Mr. Hamilton stated that after he found out by staff that he did need to obtain a permit, he contacted the builder and was informed that the property owner needed to obtain all permits. He stated he got opinions from neighbors regarding the carport and stated it was not practical to move the structure due to the topography of the lot.

Chairman Ausbrooks opened the public hearing.

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

Chairman Ausbrooks then asked the Board members if they had any questions for the applicant.

Chairman Ausbrooks stated the ordinance states all buildings must be placed in the rear if on less than five acres. He asked Mr. Sanders what the front setback requirement is for that parcel under today's regulations.

Mr. Sanders answered that the RD-1 District only requires a 60 ft. front setback.

Karen Emerson-McPeak asked if the structure could be built to the side of an existing shed that is on the driveway beside the house.

Mr. Hamilton stated the shed was already on the property when he purchased the site. He stated the length of the carport would overlap the driveway at that location.

Chairman Ausbrooks asked Mr. Hamilton the dimensions of the carport.

Mr. Hamilton stated the carport is 18' X 36'.

Mr. Crohan asked Mr. Hamilton if excavation is possible to place the carport at another location.

Mr. Hamilton stated it may be possible to grade into the hillside. He stated to the Board that water drains from the hillside which affects any construction.

Mr. Crohan asked if the structure could be placed anywhere else on the site in order to meet setbacks. He also asked Mr. Hamilton if anything has changed since he purchased the property.

Mr. Hamilton stated moving the structure would be a serious undertaking and not practical. He stated he has spent time trying to find another practical location on the property in order to move the structure. He admitted that no changes had occurred that affected the property.

Mr. Crohan stated the Board must follow the ordinance and feels like the structure definitely should not be where it is at present.

Mr. Crohan made a motion to deny the request because the structure could be placed somewhere else on the property and the applicant already has a carport that could be used to store the boat. He stated it does not meet the requirements of Sections 11.04 (C) and is required to be in the rear yard; it also does not meet Section 5.02 (F) review standards for variance. 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