

**Minutes
Williamson County
Board of Zoning Appeals
6:00 P.M. August 27, 2020**

Members Present

Vice-Chairman Don Crohan
Karen Emerson-McPeak, Secretary
Sue Workman
Andrew Ring

Staff Present

John Bledsoe, Codes Compliance Director
Brenda Beard
Holly Scott, Codes Compliance Inspector
Kristi Ransom, County Attorney
Aaron Holmes, Planning Coordinator

The Williamson County Board of Zoning Appeals meeting was conducted during an electronically held session on August 27, 2020. Vice-Chairman Don Crohan called the meeting to order and conducted roll call to establish a quorum and noted that Chairman Dave Ausbrooks was absent. He then advised that a motion is required declaring the electronic meeting was necessary due to the Covid 19 virus. Andrew Ring made a motion that due to Covid 19 it is a necessity that the Board meet electronically. Sue Workman seconded the motion. Motion was approved by unanimous roll call vote.

Vice-Chairman Crohan read 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.

Vice-Chairman Crohan asked the members to consider the minutes from the July 23, 2020 meeting. Andrew Ring made the motion to approve the minutes of the July 23, 2020 meeting as presented and Vice-Chairman Crohan seconded the motion. The motion was unanimously approved by roll call vote.

ITEM 1

A request by Brian Weaver (Joshua Farro, property owner) for a 51.11 feet side setback variance at 1202 Scramblers Knob. The property is zoned Neighborhood Conservation (NC) and is located in the 10th district.

This item was deferred until the next month's meeting because of concern that the requirements for adequate public notice was not met.

Sue Workman made a motion to defer Item 1 until the next month's meeting and Andrew Ring seconded the motion. Motion was approved by unanimous roll call vote.

ITEM 2

A request by Tim Turner of T-Square Engineering, Inc. (Patrick Michael Kelly, property owner) for a Special Use approval of a Rural Retreat-Extensive Use located at 2030 Cedarмонт Drive. The property is zoned Municipal Growth Area - 1 (MGA-1) and is located in the 12th district.

Planning Coordinator Aaron Holmes read the staff report.

Vice-Chairman Don Crohan asked the applicant if he would like to add anything to the staff report.

Blake Turner of T-Square Engineering wanted to clarify that items three and four on the staff report made it sound like the road access would be reconstructed to add two lanes which will not be done. He stated the existing drives would remain the same. Access would be from the northern entrance to the property and the exit would be from the southern entrance to the property. Mr. Turner stated the southern driveway will be gated and the northern driveway will remain as a personal driveway for the owners.

Vice-Chairman Don Crohan opened the public hearing and asked if anyone wanted to speak on the item.

Colleen Kelly stated that the events planned will be basically the same as the events of last year, which were approved as temporary events. She noted that her parents have owned the property for 24 years. She stated there were 19 events last year and she wanted to make the site more official so that they can place more permanent fixtures such as restrooms and not have to come back before the Board every year. She stated the site would still remain low impact with 20 or fewer events per year.

Daniel Justice of 4056 Trail Ridge Drive stated his property backs up to the applicant's farm. His concern was for a commercial use of property in a residential neighborhood. He stated he cannot enjoy sitting out on his porch due to the noise during the events. He was also concerned, with it being a commercial use, about lodging and events held during the week.

Codes Director John Bledsoe stated he had received two letters he wished to read to the Board for public record. The first letter was from John and Kathy Meadows of 2022 Cedarмонт Drive. They stated they wanted to give their support to the Kelly's for their business. The second letter was from James Stephenson at 1997 Cedarмонт Drive. He stated he would like to see the historic farm preserved and gave his support of the request for a Rural Retreat. He does not want the site to become cookie cutter apartments.

John Jennings of 870 Montrose Avenue in Nashville wanted to give his acoustical measurements of the Kelly property. He stated the closest neighbor's property line is 245 feet to the north of the venue and the sound measured 30 decibels. East of the venue at the property line measured 35 decibels. In front of the venue at the property line which is to the west measured 32 decibels. Fifty feet south of the venue measured 70 decibels but at Mr. Justice's property line which was 903 feet from the venue sound was measured at 40 decibels.

At this point of the meeting, Vice-Chairman Crohan closed the public hearing. He then asked

Mr. Holmes if he wished to add any statement concerning expansion of the business.

Mr. Holmes stated that at this time the site plan does not show any lodging and that any request for lodging would require an amended site plan which would go through the Department of Sewage Disposal Management. Mr. Holmes also stated that at this point lodging would not be permitted. Mr. Holmes also stated that if this special use was approved, Ms. Kelly would have the right to have the events seven days a week.

Karen Emerson McPeak wanted to verify that there would not be overnight guests at this site. She also commented about the hours stated it should be completely over by 11:00 p.m.

Mr. Holmes stated there is not a time frame for events except for the music. If events occur between 9:00 p.m. and 9:00 a.m. the music must be enclosed inside a building.

Vice-Chairman Crohan asked about the distance from the parking area to the event area as far as distance.

Eric Jervis stated it is approximately 200 feet between the two areas.

Vice-Chairman Crohan asked about controlling the number of guests because the architectural drawing stated only 183 persons could be in attendance, but the staff report stated 185 guests. Ms. Kelly stated her letter of intent indicated that 183 guests would be the limit, and that the septic department asked her to clarify that number.

Mr. Holmes stated the septic system is limited to accommodate 183 guests and Ms. Kelly would not be able to exceed that number without approval from the Department of Sewage Disposal Management and an amended site plan.

Michael Kelly, property owner, stated he is very grateful and is hopeful for approval and he wanted to assure everyone that they intend to maintain a good relationship with everyone in the neighborhood.

Andrew Ring made a motion to approve the request meeting the requirements of Sections 5.01 (E) and 11.03 (D) (5) along with the staff's listing of stipulations, the correction of the number of guests from 185 to 183 and the clarification that construction at the entry is not required as long as access remains one way and maintained. Sue Workman seconded the motion. Motion was approved by unanimously roll call vote.

With no other business to come before the Board, the meeting was adjourned.

Secretary's Signature

Date