

Minutes
Williamson County
Board of Zoning Appeals
6:00 P.M. June 24, 2021

Members Present

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

Staff Present

John Bledsoe, Codes Compliance Director
Brenda Beard
Holly Scott, Codes Compliance Inspector
Kristi Ransom, County Attorney

The Williamson County Board of Zoning Appeals met in regular session on June 24, 2021 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 asked the members to consider the minutes from the May 27, 2021 meeting. Sue Workman made the motion to approve the minutes of the May 27, 2021 meeting as presented and Vice-Chairman Don Crohan seconded the motion. The motion was approved by unanimous voice vote.

ITEM 1

A request by Debbie Chadwick of the Rochelle Center (Orrin Ingram and The Land Trust for Tennessee, property owners) for approval of a Special Event - Extensive Impact (Chukkers for Charity) at 1475 Moran Road (Map 026 Parcel 022.00). The property is zoned Rural Preservation 5 (RP-5) and is located in the 9th district.

Holly Scott read the staff report. Codes Compliance Director John Bledsoe displayed a site plan showing the location of the event and photos of the site.

Debbie Chadwick represented the request. She stated this will be the 25th anniversary for the event. She stated they will continue to follow social distancing plans implemented last year.

Chairman Ausbrooks opened the public hearing. There being no one to speak, he closed the public hearing and turned the meeting over to the Board members for any questions.

Vice-Chairman Don Crohan asked the applicant if there were any medical problems at the 2019 event.

Ms. Chadwick stated they did not have any medical issues that year.

Vice-Chairman Don Crohan made a motion to approve the request stating the application meets the standards of Sections 5.01 E, 11.05 (D) (7) and 16.02. Sue Workman seconded the motion. Motion was approved by unanimous vote.

ITEM 2

A request by Ryan Rudolph on behalf of Patsy Ozburn Rudolph for a Slippage Soils Variance at 6509 Murray Lane (Map 013 Parcel 054.00). The property is zoned Municipal Growth Area 1 (MGA-1) and is located in the 7th district.

Holly Scott read the staff report. Codes Compliance Director John Bledsoe displayed the site plans. Mr. Bledsoe displayed the proposed subdivision plan, the proposed building envelope and photos of the property.

Attorney Doug Berry represented the applicant and turned the podium over to Mr. Ryan Rudolph.

Mr. Rudolph stated the property was purchased by his grandfather in 1952. Mr. Rudolph stated there are three other homes on the original property, all owned by family members. He started researching a buildable site in 2016 and concluded that the proposed site is the only site available due to the topography and soils. Mr. Rudolph stated the slippage soil would be removed from the building site, water will be directed away from the structure, and the Civil Engineer will be involved in every step of construction. Ryan concluded he has spent three years on the project, he has the support of all his neighbors and family members, and has the qualified team assembled to build the home.

Mr. Berry stated this request does meet the standards for a variance due to the exceptional topography creating a hardship or practical difficulty for the property owner. Mr. Berry pointed out the steep slopes over the majority of the property. He stated the approved septic location, an existing pond and a stream also limit suitable building sites. Mr. Berry stated the paved driveway and the other homes also needed to be considered in the decision. The client has identified what he believes is the only buildable site. He stated the exceptional location has been established and the hardships self-evident. He stated Mr. Gregg Clingerman was present to answer any engineering questions.

Chairman Ausbrooks then opened the public hearing.

Deborah Wallace Craig of 6435 Murray Lane stated the site is a beautiful piece of property and she believes the applicant will take every precaution and even go beyond what will be necessary.

Patsy Ozburn Rudolph stated her father gave her and her brothers each five acres to build on. She stated her daughter lives on the property also. She would like for her son, Ryan Rudolph to be able to live on the property too.

Chairman Ausbrooks asked if there was anyone else wishing to speak. There being no one else to speak, he closed the public hearing.

Chairman Ausbrooks then asked if the property line has been determined and finalized. He stated he sees a lot of other areas that could possibly be buildable areas.

Mr. Berry stated the proposed site should be considered platted and viewed as finalized. He stated the other sites cannot be used due to steep slopes, a stream buffer and a pond. Mr. Berry stated that he was not aware of any other building sites due to the practical difficulties.

Mr. Rudolph stated other sites have had fill dirt brought in over the years. There are practical difficulties with the other locations that look buildable because of the amount of water drainage coming from the hillside areas. They did not test other soil areas over the forty-five acres, because of these practical difficulties.

Chairman Ausbrooks asked the applicant why he only did soil testing at one location when Mr. Berry submitted a four page document that stated that all sites would be tested by a soil scientist for slippage soils on the property.

Gregg Clingerman of GAM Engineering, Inc. stated that other sites that look buildable are not buildable due to the steep slopes and the existing driveway to the existing house. Therefore there are no other sites that are actually buildable.

Chairman Ausbrooks thanked Mr. Clingerman for clarifying why 17 test pits were dug at the proposed site and none were made on the other possible building sites. He stated there was no evidence as to why the other locations were not tested and now understood by Mr. Clingerman's comments.

Andrew Ring asked if the mitigation factors of removing the Colluvium soil as stated in the geotechnical report would make the proposed location site.

Mr. Clingerman stated yes, with the variance.

Vice-Chairman Don Crohan asked the applicant if there were any other buildable locations on the property off of the existing driveway. Vice-Chairman Crohan asked if the slippage soils could be removed to be in compliance with the Zoning Ordinance.

Mr. Berry stated there were not any other sites due to the septic lines and a pond to the south of the property. He stated the only other possible site is on a very high ridge and a driveway cannot be constructed across the steep slopes to access the site.

Chairman Ausbrooks asked if the Geo-Technical Engineer, Mr. Shields was available and was informed that Mr. Shields was on vacation. He then asked Mr. Clingerman if he has been on the property.

Mr. Clingerman stated he had been on the site and the majority of the property has greater than 15% slopes. He also stated he believes other areas would have the same soil issues.

Andrew Ring made a motion to approve the request stating it met the standards of Sections 13.03 (D)(2)(a)(ii) and according to the provisions of Section 5.02 (F) of the Zoning Ordinance and the plan for building will include the recommendations listed in the Shields Engineering report. Sue Workman seconded the motion. Motion was approved by a four to one vote. Chairman Ausbrooks, Secretary Karen Emerson-McPeak, Andrew Ring and Sue Workman voting yes and Vice-Chairman Don Crohan voting no.

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

Secretary's Signature

Date