

**Minutes
Williamson County
Board of Zoning Appeals
6:00 P.M. October 27, 2022**

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
Kristi Ransom, County Attorney

The Williamson County Board of Zoning Appeals met in regular session on October 27, 2022 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 September 22, 2022 meeting. Sue Workman made the motion to approve the minutes of the September 22, 2022 meeting as presented and Vice-Chairman Crohan seconded the motion. The motion was approved by unanimous voice vote.

ITEM 1

Application by property owner Mark Jones to request a rear setback variance in the Rural Development-1 (RD-1) zoning district at 7041 Big Oak Lane (Map 082M, Group A, Parcel 05900). The property is located in the 5th District.

John Bledsoe read the staff report and showed an aerial view of the property, the site plan, and photos of the property using the overhead screens. He presented a copy of a survey along with site photos showing the existing house, the proposed location of the pool, and the five foot variance request from the rear property line.

Property owner Mark Jones represented the item. He stated he would need a variance in order to allow the water's edge to be farther away from the foundation of the existing house. He stated his property backs up to an open space where a retention basin and a retention pond are located so there would be no danger for water runoff to any homes in the area. He also stated they had no plans to build any other structures in the future.

Chairman Ausbrooks then opened the public hearing for anyone wishing to speak on the item.

Mike Berland at 605 Silva Lane stated that the properties are very small and Mr. Jones proposed pool being placed so close to his house was not acceptable to him. He stated the rules and bylaws of the subdivision are to protect the homeowners and also keep the integrity of the community and that once you change the rules and make exceptions it becomes a slippery slope to what any property owner can do. He stated that he does not have any problem with the pool but thinks that changing the guidelines from 15 ft. to 10 ft. is too close to other properties. He stated he and his wife took a year looking at properties and decided on his particular lot because of the view and he does not want a pool so close to his property line. He said that he thought the Board only granted variances for hardships and he felt that the only hardship for Mr. Jones would be that he cannot build a larger pool. Mr. Berland stated he was against the variance.

There being no one else to speak, Chairman Ausbrooks then closed the public hearing and turned back to the Board for any questions.

Secretary Emerson-McPeak asked the applicant how big the entire lot was.

Mr. Jones state the entire lot was .3 acres and the house is approximately 2250 sq. ft. on the first floor.

Vice-Chairman Crohan asked the applicant if it would be correct to say that if the pool was built smaller, then then there would be no need for a variance.

Mr. Jones stated that was correct. He then spoke of the subdivision bylaws that were mentioned and stated that he had obtained H.O.A. approval. He further stated that he does not see how the pool would affect Mr. Berland as there lots does not back up each other and there is a giant berm already in place that hides everything.

Vice-Chairman Crohan asked the applicant if there was a hardship.

Mr. Jones stated in full transparency there was no hardship. He had been denied a building permit so he made the appeal hoping that a variance would be granted so he could build the pool as submitted.

Vice-Chairman Crohan made a motion to deny the request for a variance because the applicant stated it was not a hardship case and that Mr. Jones could put in a smaller pool and meet the zoning guidelines. He stated the request does not meet the requirements of Sections 11.04 and 5.02 of the zoning ordinance. Andrew Ring seconded the motion. Motion was approved by unanimous voice vote.

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

Secretary's Signature

Date