

**Minutes  
Williamson County  
Board of Zoning Appeals  
March 25, 2010**

**Members Present**

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

**Staff Present**

Lee Sanders  
Linda Hodges  
Brenda Midgett  
Bobby Cook, County Attorney  
Aaron Holmes

The Williamson County Board of Zoning Appeals met in regular session on March 25, 2010, 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 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. Steve Wherley made the motion to approve the minutes of the January 28, 2010, meeting as printed, and Karen Emerson-McPeak seconded the motion. The motion was unanimously approved.

**ITEM 1**

**A request by Mike Freeman for approval of an Event of Public Interest, Extensive Impact (2010 Tennessee Renaissance Festival) at 2124 New Castle Road. The property is zoned Suburban Estate and is located in the 5<sup>th</sup> district.**

Linda Hodges read the staff report, and reviewed the background (see agenda report). Mr. Sanders pointed out the adjoining properties, and displayed site plans utilizing the overhead projector. He stated the site is located on the Eastern boundary line of the County. Mr. Sanders stated the main entrance is located on New Castle Road with emergency services and vendors using a service road connected to Highway 96 East. He stated the application is complete with the beer permit expected next week. Mr. Sanders stated that the parking areas are located off New Castle Road and this year if needed, Mr. Owen Rogers has agreed to lease his property in Rutherford County for overflow parking. He stated the Freemans have licenses for the 200' buffer from Ferguson, Sanders and Hawkins, adjoining property owners. Mr. Sanders stated that last year the Freemans parked in the buffer in violation of the requirements, due to rain, therefore, they did not meet the 200' buffer required. He stated that school day this year is on a Monday instead of a Friday.

Mike and Jackie Freeman represented the item. Mr. Freeman stated that the staff report was accurate. He addressed the parking in the buffer violation by stating that the third weekend for one day the site didn't meet the buffer requirements due to heavy rainfall.

Mrs. Freeman stated rain ran to the bottom of the lot and they had to remove several cars that got stuck and they allowed parking on higher ground that was in the protected 200' buffer.

Chairman Ausbrooks opened the meeting for public comment by asking the audience if anyone was there for this item.

Eddie Ray, an adjoining property owner at 2116 New Castle Road spoke to the Board. He stated he and the Sanders live in the middle of the festival area. Mr. Ray stated Highway 96 East and New Castle Road gets all the traffic and therefore he cannot get out of his driveway during the days of the event. He stated it takes hours to get back to his house, due to the traffic. He stated there are always noise and traffic and people parked up against his fence on the North side. Mr. Ray presented photos to the Board from the year 2005 or 2006 with trees in the buffer area and stated Mr. Freeman bulldozed all the trees down. He stated Mr. Freeman has promised he would stay away from the buffer zone, yet Mr. Freeman did not do so in 2009. Mr. Ray stated Mr. Freeman should meet all the requirements and does not. He stated he is stuck on the weekends for one month each year on his property. Mr. Ray stated mud dried last year and caused dust pollution.

Since there was no one else to speak, Chairman Ausbrooks closed the public comment section.

Karen Emerson-McPeak stated she lives close to the site but this would not influence her vote tonight.

Sue Workman asked staff about the buffer.

Lee Sanders stated 4620 G 2 g states 200' buffer yard minimum, around the perimeter of the site.

Chairman Ausbrooks stated the requirements for a buffer are 200' unless the adjoining property owners give their approval. He stated that is why Mr. Freeman gets approval from the adjoining property owners.

Sue Workman asked staff why some adjoining property owners don't show New Castle Road as their address. She wanted to know if they lived elsewhere or rent?

Lee Sanders stated Mr. Ray lives in the middle of the event on New Castle Road. He stated Hawkins, Ferguson and Sanders did give approval to park all the way up to their property line, but Ferguson does not live on this property.

Sue Workman asked about the schools attending.

Mrs. Freeman stated Williamson County schools were not approved by the School Board to attend. However, they were expecting school children from eight other school systems.

Karen Emerson-McPeak asked about the traffic tie-ups.

Mr. Freeman stated he would hire more people to direct traffic and could double-up on workers to help with parking. He stated that he will send a letter to Mr. Ray and other neighbors on Highway 96 with his cell number so that they can call and he would have traffic stopped when they want to get out of their driveway.

Chairman Ausbrooks stated the Freemans should block off and show with marked, clearly visible fencing or tape the 200' buffer in order to stay away from people who live on New Castle Road.

Mrs. Freeman promised more visible orange fencing and signage to keep people out of the 200' buffer.

Steve Wherley made a motion to vary the start time requirement of Section 4620 G. This will allow students to arrive on Monday, May 3, 2010 beginning at 8:00 a.m. to coincide with regular school hours. Don Crohan seconded the motion. Motion was approved by unanimous voice vote.

Don Crohan made a motion to approve the Special Use permit for the event with the conditions that applicants send staff copies of the letters they are to send to the neighbors with their cell number to help with traffic entry from their driveways and that the 200' buffer be made visible by a bright upright barrier. He then stated that the request meets the requirements of Sections 9410 of the zoning ordinance. Steve Wherley seconded the motion. Motion was approved by unanimous voice vote.

## ITEM 2

**A request by Boyd B. Gibbs, Surveyor, (Bonnie Weatherington and Ancel Weatherington, property owners) for an easement width variance to permit a tract to be divided at 5920 Natchez Trace Road. The property is zoned Rural and is located in the 2<sup>nd</sup> district.**

Lee Sanders reported the applicant had notified staff that due to a death in the property owner's family, they would not be at the meeting. They would like to have the item heard at a future meeting convenient to the Board and the applicant.

Chairman Ausbrooks moved to defer the item with Steve Wherley seconding the motion. The motion to defer was approved by unanimous voice vote.

There being no further business to come before the Board, the meeting was adjourned.

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Secretary's Signature

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Date