

Minutes
Williamson County
Board of Zoning Appeals
April 22, 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

The Williamson County Board of Zoning Appeals met in regular session on April 22, 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 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 as amended the minutes of the March 25, 2010, meeting as printed, and Steve Wherley seconded the motion. The motion was unanimously approved.

ITEM 1

A request by Thomas Zigler for a front setback variance to allow a covered front porch located at 149 Cottonwood Drive. The property is zoned Neighborhood Conservation and is located in the 9th 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 plot shows a 30 ft. front setback line and the proposed porch would create a two foot encroachment of that setback. Mr. Sanders stated the measurements for the front porch would be 7 ft. by 42 ft. He stated that staff would have been able to approve a 5 ft. porch addition without need of a variance.

Mr. and Mrs. Zigler represented the item. Mr. Zigler stated they were only asking for a 2 ft. variance and the porch would be consistent with other homes in the neighborhood. He stated he had received approval from the Cottonwood Home Owners Association, and approval from his adjoining neighbors. Mr. Zigler stated the porch would help improve the value of the house. He stated he measured eight other houses and they were 2 ft. to 6 inches closer to the street than his house. Mr.

Zigler then referenced a chart he had prepared that was included in the application. He stated his appeal is

based on the requirements set forth in Section 9601 A (1) part B of the zoning ordinance. He stated the permit fees would help the economy.

Mrs. Zigler stated she and the neighbors agreed the addition would be beneficial.

Mr. Zigler submitted a letter from the neighbor to the east, and submitted photos of porches in the neighborhood.

Chairman Ausbrooks noted that at this time there was no one in the audience and therefore no need for a public hearing.

Chairman Ausbrooks asked the applicant about the measurements he conducted from the street to porches of neighbors.

Mr. Zigler said he measured from the street to the edge of porches. He stated he measured his house from the street to the stoop.

Don Crohan stated a 5 ft. porch would not be as useable as a 7 ft. porch, but would still give the same appearance.

Mr. Zigler stated he preferred a 7 ft. instead of a 5 ft, because a 5 ft. porch would be an expensive decoration and not very useable.

Don Crohan asked if there had been any changes to the property since they purchased it.

Mr. Zigler stated no.

Chairman Ausbrooks asked staff that if a roof was left off, could this request be approved without a variance.

Mr. Sanders stated that is correct. He stated we measure setbacks from the property line to the roofed area. He stated that we can allow up to 18 inches for an overhang.

Noting that someone had entered the auditorium, Chairman Ausbrooks opened the meeting to the public.

Matt Pope, an adjoining property owner at 151 Cottonwood Drive, stated his property would be most affected by the proposed construction. He stated his house sits closer to the road than Mr. Zigler's, and stated the porch would not negatively affect him.

Chairman Ausbrooks closed the public hearing.

Don Crohan made a motion to deny the request stating it does not meet the requirements of Section 9601 of the zoning ordinance. Steve Wherley seconded the motion. Motion was approved by a

3-2 voice vote. Steve Wherley, Don Crohan and Karen Emerson-McPeak voted in favor of the motion. Chairman Ausbrooks and Sue Workman voted against the motion.

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

Secretary's Signature

Date