

**Minutes
Williamson County
Board of Zoning Appeals
July 22, 2010**

Members Present

David Ausbrooks, Chairman
Steve Wherley, Vice-Chairman
Don Crohan
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 July 22, 2010, 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 then asked the members to consider the minutes. Don Crohan made the motion to approve the minutes of the May 27, 2010, meeting as printed, and Sue Workman seconded the motion. The motion was unanimously approved.

ITEM 1

A request by Gina Nuenke for a variance of the rear yard setback requirement for an accessory structure to permit a swimming pool at 1860 Carters Creek Pike. The property is zoned Suburban Estate and is located in the 2nd 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 this is a two acre parcel that was created prior to 1976. Mr. Sanders stated the existing residence has a 33' X 18' above ground swimming pool constructed without a permit. He stated the pool was placed 80' from the right-of-way of Carter's Creek Pike. Mr. Sanders stated the pool is not located in the rear yard as required by the zoning ordinance. He stated there is an old log storage building on one side, and the lot is topographically limited. Mr. Sanders also presented to the Board plans submitted by homeowner for the proposed 6' high bamboo fence the applicants want to build and use as a privacy fence.

Mr. & Mrs. Nuenke represented the item. Mr. Nuenke stated the land is mostly a rock shelf. He stated the pool area was scraped down to the bedrock. Mr. Nuenke informed the Board if the pool was placed somewhere on back of the property, he would have to backfill from three to four feet due to the topography, and this would cause a dangerous situation.

Chairman Ausbrooks explained to Mr. Nuenke some reasons for the zoning regulations. He stated according to the ordinance, the front yard is the portion of the lot that faces the street.

Mr. Nuenke stated the front door faces the hill and the back door faces the road. He stated he wants to build a privacy fence around the pool and would plant bamboo around the fence. Mr. Nuenke stated the neighbors approve of the pool.

Chairman Ausbrooks opened the meeting to the public.

There being no one to speak, he closed the public hearing.

Sue Workman asked the staff if they saw any other place to place the pool.

Mr. Sanders stated the septic tank is in the front part of the property. He stated there is no other site without blasting the hillside.

Don Crohan made a motion to approve the request finding it meets the requirements of Section 9601 and 4300 B and due to the topography. Sue Workman seconded the motion. Motion was approved by unanimous voice vote.

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

Secretary's Signature

Date