

**Minutes
Williamson County
Board of Zoning Appeals
October 28, 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 October 28, 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. Sue Workman made the motion to approve the minutes of the September 23, 2010, meeting as printed, and Steve Wherley seconded the motion. The motion was unanimously approved.

ITEM 1

A request by Mary Ann Fair (William Norman, property owner), for a setback variance at 1770 Lavender Road. The property is zoned Rural and is located in the 3rd district.

Linda Hodges read the staff report, and reviewed the background (see agenda report). Lee Sanders pointed out to the Board the adjoining properties, and displayed the site plans of this vacant eight acre wooded parcel, utilizing the overhead projector. He stated the property backs up to Thompson's Station's city limits. Mr. Sanders stated the applicant is asking for a 40 ft. setback variance from the rear property line. He stated this property is a ridge with very steep topography and the applicants are concerned about slippage soils. Mr. Sanders stated that portions of the lot have a 40 to 50 percent slope. He stated the Building Codes department will require a geo-tech analysis and an engineered footing for the site.

Ms. Mary Ann Fair, general contractor, and Mr. William Norman represented the item. Ms. Fair handed Mr. Sanders a set of photos to submit to the Board, showing riprap stones already placed on the front of the property by the Williamson County Highway Department for bank stabilization. She stated that she was concerned about the possibility of slippage of soil on the steep lot when she saw the riprap already placed on the property at the roadside.

Mr. Norman stated to the Board the house will only be a single level home about 2,000 sq. ft. in size. He stated the house would be unobtrusive to the public placed on this hillside location.

Ms. Fair stated the house would be a log hybrid home. She stated the home would have side wings, conventional framing and will keep with the heritage of Williamson County.

Chairman Ausbrooks opened the public hearing.

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

Chairman Ausbrooks stated the lot is unusually steep and felt that the best buildable site would be where the proposed septic area is designated.

Steve Wherley made the comment that due to the topography and size of the parcels, it is unlikely homes will be built close by that would be adversely affected by the request. He also stated that during the May floods he saw several homes that had to have riprap replaced around the homes.

Don Crohan stated he is concerned with the property and felt it was questionable for a home to even be built onto the property. He would like to see geo-tech test results before considering the granting of a variance.

Chairman Ausbrooks stated he felt the lot was large enough and the topography challenging and unique enough to grant the variance.

Sue Workman asked Ms. Fair if she was willing to stake her reputation to build a home on such a site.

Ms. Fair stated yes. She stated she would get geo-tech soil test results before starting to build the house.

Sue Workman asked the applicant why the house needs to be moved back.

Ms. Fair stated due to the building envelope and the topography they are asking for the variance. She stated the soils are loose down to 3- 4 ft. level. Ms. Fair stated as you get closer to Lavender Road, the soils become looser.

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

Mr. Norman stated when the May flooding occurred, the old driveway ended up onto Lavender Road. He stated he was partly ignorant and not aware of the setback requirements. Mr. Norman stated that he only found out after he purchased the land about the riprap and loose soil concerns.

Steve Wherley made a motion to approve the request due to the steep topography, finding that the request meets the requirements of Section 6200 A and 9601 of the zoning ordinance. Sue Workman seconded the request. Motion was approved by a 4-1 voice vote. Chairman Ausbrooks, Steve Wherley, Sue Workman and Karen Emerson-McPeak voted to approve the request. Don Crohan voted against the approval.

ITEM 2

A request by Michael Woods (Ed Smoak, property owner), for a Special Use permit to allow an accessory dwelling at 6688 Eudailey-Covington Road. The property is zoned Suburban Estate and is located in the 3rd district.

Linda Hodges read the staff report, and reviewed the background (see agenda report). Lee Sanders pointed out to the Board the adjoining properties, and displayed site plans utilizing the overhead projector. He stated there is already an existing single-family residence at this site that is large enough to allow the maximum size 750 sq. ft. accessory dwelling. He stated the guest house will have it's own separate septic area. Mr. Sanders stated this dwelling could only be legally used as a residence and not a business office.

Mr. Michael Woods and Mr. Ed Smoak represented the item.

Mr. Woods stated the staff report seemed very complete and he had nothing to add to Mr. Sanders' statement.

Chairman Ausbrooks opened the meeting to the public.

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

Sue Workman made a motion to approve the request, stating it was in keeping with the single family nature of the area, therefore meeting the requirements of Section 9410. Don Crohan seconded the motion. Motion was approved by unanimous voice vote.

Other Business

Mr. Sanders spoke to the Board members regarding a discussion to consider a change of meeting times. He informed the Board members of other jurisdictions' meeting times and of concerns to have the meeting remain convenient for members as well as the public that may attend.

Chairman Ausbrooks stated the discussion to change the meeting hours will be brought back up at the April meeting. This should be after the Zoning Ordinance changes and we will know more about any possible new responsibilities for the Board.

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

Secretary's Signature

Date