



**CHEATHAM COUNTY BOARD OF ZONING APPEALS  
MINUTES FOR AUGUST 22, 2016**

Chairperson Larry Nash called the meeting to order at 6:00 p.m.  
Chairperson Larry Nash led the Pledge of Allegiance.  
Chairperson Larry Nash led the prayer.  
Building Commissioner Franklin Wilkinson called the Roll of Members  
Members Present: Mark Whitworth, Mary Sneed, Burt Adcock, Larry Nash  
Members Absent: Roy Miles  
Chairperson Larry Nash declared a quorum present.  
Others Present: Michael Bligh, Rick Gregory, Franklin Wilkinson, Betsy Scanlan

**Approval of Minutes and Agenda**

Chairperson Larry Nash called for a motion to approve the minutes from the special called meeting (i.e. July 19, 2016) and the minutes from the last Board of Zoning Appeals meeting (i.e. July 25, 2016) and the agenda for August 22, 2016. Mary Sneed noted that on page 3 of 4 of the minutes from July 19, 2016 "second by Roy Miles" on the motion is incorrect and should be struck from the minutes. **\*\* MOTION\*\*** to approve minutes with noted corrections and the agenda for August 22, 2016 was made by Burt Adcock; second by Mary Sneed. Voice Vote Taken; Motion carried unanimously by all members present.

**Agenda Items to be Heard:**

**ITEM#1**

Chairperson Larry Nash read Item #1 into the record. Betsy Scanlan requesting a variance from section 5.041 F 6. Accessory Structures, a. to allow a 10' x 20' accessory structure and a 12' x 28' accessory structure in the front yard of the principal dwelling. Property is located at 601 South Harpeth Road, Kingston Springs, TN; map 100, parcel 2.01 and is zoned Agriculture. Property is in the 6<sup>th</sup> voting district and is located in an AE Special Hazard Flood area. Mrs. Scanlan addressed the Board and stated she purchased the property in November. The property backs up to the river. It is difficult to place anything behind the house. One of the structures would be an art studio and the other will be a two-bay accessory structure. After further discussion, Rick Gregory presented staff comments. Analysis – This request is to place accessory structures in the front yard in the Agriculture zoning district and is approximately 5.19 acres in size. A significant area of floodplain affects this property, roughly from the back of the house to the river. The choice of placing accessory structures in front of the dwelling, in conflict with the requirements of the zoning resolution and out of the floodplain versus behind the dwelling, in compliance with requirements of the zoning resolution and within the floodplain seems contrary to good policy. Recommendation – It seems that the choice before the board is between honoring a (bad in this case) requirement within the zoning resolution or granting relief from that requirement. In this particular instance, staff considers allowing accessory structures to be placed out of the floodplain to be a better choice than honoring the text of the document and potentially placing structures in harms way. Staff sees little adverse effect from granting this request and recommends approval. Based on staff recommendations and discussion had at this meeting a **\*\*MOTION\*\*** to grant the variance was made by Mary Sneed; second by Mark

Whitworth. Motion to grant the variance passed by roll call vote. Mark Whitworth -yes, Mary Sneed - yes, Burt Adcock - yes, Larry Nash – yes.

**OTHER:**

Michael Bligh stated that the Calm K9 case will be heard on September 6, 2016 at 9:00 AM

There being no further business, **\*\*Motion\*\*** was made to adjourn the meeting by Burt Adcock; second by Mary Sneed. Voice vote carried unanimously by all members present. Motion passed. Meeting adjourned at 6:18 PM.

**ROY MILES III – SECRETARY  
CHEATHAM COUNTY BOARD OF ZONING APPEALS**