

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF ZONING APPEALS
CITY OF OAK HILL, TENNESSEE**

April 14, 2009

The Board of Zoning Appeals of the City of Oak Hill, Tennessee met in the City Office. Board members present were Tom Lawless and Steve Wasserman. Also present were City Attorney Bob Notestine, City Manager Kevin Helms, Assistant City Manager M. C. Sparks, Chief Building Official Bill Burdette, Acting City Engineer Chad Collier, and Administrative Assistant Patrick Steiner. Mr. Lawless chaired the meeting, and Ms. Sparks acted as secretary.

Following introductions and preliminary information, the following matters were considered and disposed of as indicated:

1. Call to Order. The meeting was opened at 5:05 p.m. by Mr. Lawless.

Case 09-1: Mr. Phil Husband (854 Glendale Lane) – A request was made to allow construction of a new master bedroom, which would violate the front setback by approximately 15 feet. Mr. Husband and his contractors appeared to present the case, saying it will be a two phase project, with phase two requiring an additional plan. However phase two will not require a variance. The variance is requested in order to protect trees, preserve the look of the house and control the cost of the addition. Mr. Collier said no engineering issues are present. Mr. Notestine said the hardship for the case is protecting the large tree, but it does increase a variance to allow this project.

Mr. Helms said when the house was built the setbacks were different than they are currently.

The neighbors were duly notified, and no comments were received by the office. Mr. Husband canvassed nearby neighbors and received support, the document being in the file for the case.

After discussion, on a motion duly made by Mr. Lawless, and seconded by Mr. Wasserman the following was Passed Unanimously.

“Moved that the variance as outlined in Case 09-1 be approved as presented, the hardship being an effort to preserve a large tree, noting neighbors have been supportive to this project.”

Case 09-2: Mr. Gary Waddey (4716 Lealand Lane) – A request was made to allow construction of a new three-car garage and office, which would violate the front setback by approximately 15 feet. Mr. Waddey appeared to present the case. This case was heard at a previous meeting, and the variance was granted; the owner fired the architect for that case and the architect pulled the plans presented at that time. The request now is based on new plans, which will include a smaller variance than approved before. The project has been completed; this would be a formality to confirm approval.

The neighbors were duly notified, and no comments were received by the office.

After discussion, on a motion duly made by Mr. Lawless, and seconded by Mr. Wasserman the following was Passed Unanimously.

“Moved that the variance as outlined in Case 09-2 be approved as presented, to confirm the formality of approval for this case.”

Case 09-3: Mr. W. R. Coles (1045 Gateway Lane) – A request was made to allow construction of a new garage with office/exercise room, which would violate the rear setback by approximately 4 feet (garage); this will also record a variance for an existing grandfathered encroachment of 7 feet by the living room and the screened porch of 1 foot. Mr. Coles appeared to present the case. He desires to construct a garage so that cars would not be visible from the street to provide security. Upon applying for the permit, it was confirmed that a second story office over the garage would have different setback requirements, and would cause a violation. The second story was defined to be actually a story and a half, so the variance is a formality

The neighbors were duly notified, and no comments were received by the office. Mr. Coles presented a list of neighbors who signed in support of the project.

After discussion, on a motion duly made by Mr. Wasserman, and seconded by Mr. Lawless the following was Passed Unanimously.

“Moved that the variance as outlined in Case 09-3 be approved as presented, the hardship being a question of security and condition of land, there being no near neighbors to help provide security.”

3. Approval of March 17, 2009 Minutes of the Meetings - On a Motion duly made by Mr. Lawless and seconded by Mr. Wasserman, the March 2009 Minutes of the Meeting were approved as amended.

There being no further business, the meeting adjourned at 5:34 p.m. by the unanimous vote of the Board.

Chair

City Recorder