

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

November 12, 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 Manager Kevin Helms, City Attorney Bob Notestine, Assistant City Manager M. C. Sparks, Chief Building Official Bill Burdette, 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 5:04 p.m. by Mr. Lawless.

2. Case 09-11: Ms. Monica Cook (4718 Hazelwood Circle) – A request was made for a variance to allow the construction of a new pool and pool deck in the rear yard; the proposed additions would violate the rear setback by approximately 15 feet (Ordinance 87-3, 4-102, page 846-47). Mr. Steve Cook appeared to present the case to the Board. With a sixty foot rear setback for this lot, if a pool was located in the building envelope, then the pool would be right up against the house. Mr. Wasserman discussed the current layout of the house and existing patio, and possible locations for the pool, and the ordinance requiring that pools must be located in the rear yard. Mr. Burdette pointed out the existence of the secondary pool fence ordinance, which requires a separate fence between the house and the pool. The neighbor to the rear, the McNamaras, gave the Cooks a letter stating they have no objection to the projects. They also have signatures supporting the project from the neighbors to the right and left of their residence.

Mr. Notestine pointed out that the house is not centered on the lot. The Cooks said they had reduced the size of the pool they were envisioning to accommodate the lot.

All neighbors were duly notified of the case.

On a Motion made by Mr. Wasserman and Seconded by Mr. Lawless, the following was Passed Unanimously:

“Moved that the variance on Case 09-11 as presented be granted, with the finding of fact being there is no other place to put a pool on the lot due to the placement of the house.”

3.) Approval of Outstanding Minutes of the Meetings – The reading of the minutes were deferred until the next meeting.

There being no further business, the meeting adjourned at 5:29 p.m. by the unanimous vote of the Board.

Chair

City Recorder