City of White House
Municipal Board of Zoning Appeals
MINUTES
Tuesday, August 18, 2015

Call to order	7:00 p.m.
Roll Call	
Members Present	Dolly Peay, Bob Dorris, John Decker-Chairman, Matthew West, and John Wilkinson
Members Absent	
Others Present	Reed Hillen- Secretary, Valerie Webb, City Attorney, Jerry Herman, City Administrator

Approval of prior minutes April 14, 2015. Motion was made to approve corrected copy of minutes by Matthew West, seconded Bob Dorris. Motion passed unanimously.

AGENDA

PUBLIC HEARING:

Item # 1 **Ryan Kozlowski:** Requests a variance regarding an attached residential family dwelling unit. Property is referenced as Sumner County Tax Map 77-g, Group E, Parcel 14.00. Property is zoned R-15, Medium Density Residential and is located at 312 Christian Drive.

Chairman Decker opened the public hearing for Item # 1.

Charles Palmer-308 Christian Dr. – stated that this request is not in the best interest for the neighborhood. Mr. Palmer stated that he lives next door to this property and that the owner has the property for sale. Mr. Palmer stated concern with an investor purchasing the property and renting out both units.

There being no one else to speak to this item, Chairman Decker closed the public hearing.

Chairman Decker opened the public hearing for Item # 2.

Debbie Lawson-103 Laura Dr.- stated that she lives next door to this property. Ms. Lawson stated that she has concerns with this proposed use affecting her property value. Ms. Lawson stated that there is not adequate parking and she had concerns with the conversion of the garage and if it would be able to handle additional sewer. Ms. Lawson stated that she is opposed to this request.

Cecil Holder-2360 Highway 31-W- stated that where he lives backs up to the property at 105 Laura Dr. Mr. Holder stated that he lives in the Kensington Green Condominiums and that they have a property maintenance company that keeps their property clean. Mr. Holder stated he has concerns with this proposed use. Mr. Holder stated that the fence row of the property owner at 105 Laura Dr. is unclean. Mr. Holder stated that he is opposed to this request.

There being no one else to speak for or against this item, Chairman Decker closed the public hearing.

Chairman Decker reviewed staff's notes: Section 4.190 in the City's Zoning Ordinance provides for accessory dwelling units by special exception. Staff stated that one of the restrictions is that these units be for family members of the primary residence. Staff stated this was added in 2010 to allow for additional housing on smaller lots for family members. Staff stated currently lots over one acre can have secondary housing units. Staff stated the intent was to allow for family members to move in. Staff stated it was not added to allow for apartments to be rented out. Staff stated when a special exception is granted, a covenant is recorded on the deed. Staff stated that this property has the special exception; however staff feels that it should remain a dwelling for family and this variance should be denied.

Motion was made to deny by Bob Dorris, seconded by Dolly Peay.

Motion to deny passed unanimously.

Public Hearing:

Item # 2 **Bobby Breeden:** Requests a variance regarding an accessory residential family dwelling unit. Property is referenced as Sumner County Tax Map 97-E, Group G, Parcel 14.00. Property is zoned R-15 Medium Density Residential and is located at 105 Laura Drive. Chairman Decker opened the public hearing.

Chairman Decker reviewed staff's notes: Staff stated that secondary single family residential dwelling units are allowed on lots over one acre, providing they meet the requirements in Article IV, Section 4.121. Staff stated this lot is 0.65 acres. Staff stated this does not meet the requirement. Staff stated this size; an additional unit would give these property two units, and at less than 30,000 square feet, would be over the maximum density for this zoning.

Bobby Breeden (applicant) 105 Laura Dr.- Mr. Breeden stated that he did not make a request for living quarters. Mr. Breeden stated that no one lives in garage. Mr. Breeden stated in response to earlier concern regarding sewer issues, that he has reported them to the Sewer Department. Mr. Breeden stated that he uses the garage as a man cave and parties. Mr. Breeden stated that this has been a big misconception.

Staff stated that if the structure is used as an overnight sleeping residential use then it has to be a residence.

Motion was made to deny the variance by Dolly Peay, seconded by Matthew West.

John Wilkinson asked if the structure is set up as a house. Staff stated that no inspections have been done. Staff stated that the applicant would need to receive board approval prior to the Codes Office inspecting the structure and any permits issued.

Motion to deny passed unanimously.

Meeting adjourned at 7:16 p.m.

ATTEST:

Reed Hillen, Secretary

Chairman, John Decker