

MINUTES OF THE  
STORM WATER APPEALS BOARD (SWAB)  
MEETING OF JULY 27, 2011

1. **OPENING** – The Storm Water Appeals Board (SWAB) met in session on Wednesday, July 27, 2011 at 8:30 a.m. in the Auditorium of the Williamson County Administrative Complex. Chairman Rick Schuff called the meeting to order. A quorum was present. Attendees were:

- 1.1 **Board Members**

- John Minton, Homebuilders Representative
    - Brad Hoot, Community Representative, Secretary
    - Dan Crunk, Development Representative
    - John Kinnie, Agricultural Representative
    - Richard Schuff, Engineering Representative, Chairman
    - Dorie Bolze, Environmental Representative, Vice-Chairman
    - Cheryl Wilson, County Commissioner

- 1.2 **Staff**

- Floyd Heflin, County Engineer
    - Michael Scott, Storm Water Quality Coordinator
    - Debbie Smith, Administrative Assistant
    - Kristi Ransom, County Attorney

- 1.3 **Representative for Appeals**

- Ryan Lovelace – Civil Site Design Group
    - Louis Glaser – property owner

2. **APPROVAL OF FEBRUARY 2011 MINUTES** – Mr. Schuff opened the floor for comments on the February 2011 minutes. Brad Hoot commented he found no mistakes and moved for approval, seconded by Dorie Bolze. The motion was unanimously approved.

3. **07-27-11-01 - Appeal for 1609 Indian Creek Circle.**

- 3.1 **Introduction by Staff** – Mr. Scott reviewed the Staff report for the record.

- 3.2 **Appellant Case** – Ryan Lovelace, Civil Site Design Group represented this item. Mr. Lovelace indicated this applicant is planning on replacing the existing shed, garden and koi pond with a 25 x 27 detached garage. The garage will be in the same location as the existing shed and garden area and the koi pond will be moved to the side yard, outside of the WNA.

- 3.3 **Public Hearing** – No public comments.

**3.4 Board Discussion** – Dorie Bolze asked the applicant if the rear yard was fenced, and if so, what is the distance of the fence to the top of the river bank. Mr. Lovelace indicated the yard was fenced and the closest point was 40 feet to the edge of the river bank.

Dorie Bolze asked what activity would be allowed once this lot was re-platted with the WNA. Mr. Heflin indicated that whether it was an existing lot or new lot, the Regulations would still be in effect if the owners proposed a new structure.

**3.5 Board Action** – Brad Hoot move to approve this request since it improves the water quality by reducing the amount of square footage of the WNA impacted by the structure. In addition to this approval the existing shed, garden and koi pond must be removed from the WNA and not replaced within the WNA, seconded by Dan Crunk. The motion was unanimously approved.

**4. 07-27-11-02 - Appeal for 119 Gillette Drive.**

**4.1 Introduction by Staff** – Mr. Scott reviewed the Staff report for the record.

**4.2 Appellant Case** – Mr. Louis Glaser indicated they submitted the previous request to the Board of Zoning appeals for a setback variance in order to keep the deck at its current location and were denied. Therefore, they are proposing to move the deck to meet the required 15 foot setbacks from the property lines. He stated they would like to leave the posts of the current deck to minimize the impact on the WNA and allow the ivy to grow over those posts.

**4.3 Public Hearing** – Mr. David Harvey, 118 Gillette Drive, indicated the applicant has done an exceptional job in the placement of this deck and felt that it does improve the Waterway Natural Area. He requested the Board give approval to the applicant, so they may build the deck in the revised location.

**4.4 Board Discussion** – John Minton indicated the existing deck would be removed whether this waiver was granted or not. He did not feel the deck improved water quality or slowed down the flow of water to the river. Brad Hoot stated the amount landscaping he intends on planting should help with the flow and quality of water to the river.

Dan Crunk asked if the Board of Zoning Appeals request for the structure to be removed including the post and footings. Mrs. Ransom indicated that if the boards were removed, the structure would not longer meet the definition of a structure.

Brad Hoot asked if the previous \$1000 penalty could be reconsidered. Mrs. Ransom stated the fine would be considered a separate action of the Board and discussed the procedure to reconsider should the Board decide to do that.

**4.5 Board Action** – John Kinnie moved to approve this waiver as revised because of the decks elevation from the river and it not being within the flood zone. Also he recommended the old deck be removed with the exception of the posts and the footings, seconded by Cheryl Wilson.

Dan Crunk amended the motion that no permits should be issued on the new deck until the existing deck is removed in accordance with Williamson County Building Codes, seconded by Brad Hoot. Amendment passes by 6-1 vote, with Cheryl Wilson voting against.

Motion as amended fails by 1-6 vote, with Dan Crunk voting for motion as amended.

Cheryl Wilson moved to approve this request because of its unique characteristics, the location of the deck being above the Harpeth River and its flood level. Also, because it is the Board's impression that the landscaping and deck will improve water quality. The Board would also like to recommend that the old deck be removed with the exception of the posts and footings, seconded by Brad Hoot. The motion was unanimously approved.

5. **Other Business** – Cheryl Wilson invited the Board to attend the Module 3 meeting for the Zoning Ordinance Update, since this section deals with issues that involve the Board's actions.

**ADJOURNMENT** - There being no further business, Dorie Bolze moved for adjournment, seconded by Brad Hoot. The motion was unanimously approved.

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Chairman

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Date