A. CALL TO ORDER

B. ROLL CALL

C. Consider approval of the July 16, 2019 Board of Zoning Appeals meeting minutes.

General Announcement – The procedural rules for public comment will be as follows: The items will be taken in the order of the agenda. Audience members wishing to speak must be recognized by the Chairman and will have five minutes to address the Board of Zoning Appeals. No rebuttal remarks will be allowed.

D. NEW BUSINESS

1. **BZA 715-2019**: Submitted by John Knott for 1715 Dryden Road. The property is zoned R-2 and contains approximately 0.19 acres. The applicant requests a variance from the rear setback requirements of the R-2 zoning district to construct a 16’x12’ screened patio. Requested by John Knott.

2. **BZA 730-2019**: Submitted by Fred and Maggie Williams for 1337 Saybrook Crossing. The property is zoned R-2, PUD and contains approximately .21 acres. The applicant requests a variance from the rear setback requirements of the Newport Crossing PUD to construct a 14’x15’ covered and screened porch. Requested by Fred and Maggie Williams.

3. **BZA 731-2019**: Submitted by James Coffee for 2115 Deer Valley Drive. The property is zoned R-2, PUD and contains approximately .16 acres. The applicant requests a variance from the rear setback requirements of the Deerfield PUD to construct a 21’x35’ covered patio, with an enclosed 8’x21’ storage room. Requested by James Coffee.

E. PUBLIC COMMENT

F. ADJOURN
A. CALL TO ORDER

Chairman Terry Cantrell called the meeting to order at 5:34 PM.

B. ROLL CALL

Members present were: Chairman, Terry Cantrell, Vice Chairman, Rob Roten, Alderman, Hazel Nieves, Jim Hagaman and Brandon McCulloch.

Staff present were: Planning Director, Steve Foote and Planning Assistant, Austin Page.

C. Consider approval of the May 21, 2019 and June 18, 2019 Board of Zoning Appeals meeting minutes.

Jim Hagaman made motion to approve the May 21, 2019 and June 18, 2019 BOZA Meeting Minutes. Motion seconded by Alderman Hazel Nieves. Motion passed 5-0.

General Announcement – The procedural rules for public comment will be as follows: The items will be taken in the order of the agenda. Audience members wishing to speak must be recognized by the Chairman and will have five minutes to address the Board of Zoning Appeals. No rebuttal remarks will be allowed.

D. NEW BUSINESS

1. BZA 718-2019: Submitted by Scott Noel for 3041 Dogwood Trail. The property is zoned R-2 PUD and contains approximately .16 acres. The applicant is requested a variance from the rear setback requirements of the R-2 PUD zoning district to construct a 12’x13’ screened patio. Requested by Scott & Sheri Noel.

   Staff conditions:
   1. The screened in patio shall not be enclosed with any material other than screening.
   2. The roof shall be covered with shingles that are similar to the existing shingles of the home.
   3. The patio shall have a maximum depth from the house of 11 feet.
   4. Per Section 13.4G of the Unified Development Code, an approved variance will expire one year from the date of approval unless a site plan review application has been submitted or, where site plan review is not required, a building permit is obtained. The Board of Zoning Appeals may grant an extension for a period of validity for no longer than an additional 6 months, so long as the applicant applies in writing for an extension of time at any time prior to the date of expiration. No public hearing is required for approval of such extension of time.
Alderman Hazel Nieves made motion to approve BZA 718-2019 with the four (4) staff conditions of approval, modifying condition number three (3) to read as above. Motion seconded by Jim Hagaman. Motion passed 4-1 with Brandon McCulloch dissenting.

2. **BZA 720-2019**: Submitted by Crunk Engineering for property owned by John Maher near the corner of Beechcroft and Maury Hill (Maury County Tax Map 025P-D, Parcel 15.04). The property is zoned C-D-E1 and contains approximately .64 acres. The applicant is requested a special use to allow for four townhome units. Residential uses in the C-D-E1 District are only allowed by special use. Requested by Adam Crunk and John Maher Builders.

**Staff Conditions:**
1. Trees along Beechcroft Road are to be preserved unless removal is approved by the Planning Commission.
2. Provide a min. 10- or 15-foot landscape strip along the side and rear lot lines and landscape per 11.7 of the UDC and a 6-foot fence along the rear lot line.
3. The large tree west of the proposed townhome building is to be protected and preserved.
4. The maximum number of units is 4 townhomes.
5. Dedicate right-of-way as shown and required by the Planning Commission.
6. Provide off-site improvements, sidewalks, etc. as required by the Planning Commission.
7. The site shall comply with the requirements of 8.3.K of the UDC and all other applicable code sections.
8. Development shall be reasonably consistent with the site concept plan submitted to BOZA, subject to changes requested by the Planning Commission.
9. Approval is further contingent upon site plan approval by the Planning Commission and shall comply with requests of the Planning Commission.
10. An approved special use will expire one year from the date of approval according to the provisions of Article 13.3.G of the UDC

Brandon McCulloch made motion to approve BZA 720-2019 with the ten (10) staff conditions of approval, modifying conditions two (2) and seven (7) to read as above. Motion seconded by Alderman Hazel Nieves. Motion passed 4-1 with Jim Hagaman dissenting.

**E. PUBLIC COMMENT**

No public comment

**F. ADJOURN**

Jim Hagaman made motion to adjourn. Motion seconded by Vice Chairman Rob Roten. Motion to adjourn passed 5-0.

Meeting Adjourned at 6:25 PM.

_______________________________
Terry Cantrell, Chairman
TO: Spring Hill Board of Zoning Appeals  
FROM: Austin Page, Planning Assistant  
Steve Foote, AICP, Planning Director  
MEETING: August 20, 2019  
SUBJECT: BZA 715-2019 (1715 Dryden Drive– Screened Porch)

**BZA 715-2019:** Submitted by John Knott for 1715 Dryden Road. The property is zoned R-2 and contains approximately 0.19 acres. The applicant requests a variance from the rear setback requirements of the R-2 zoning district to construct a 16’x12’ screened patio. Requested by John Knott.

**Property Description and History:** 1715 Dryden Drive is in the Wyngate Estates subdivision. The property is zoned R-2 and surrounding properties are also zoned R-2. The property has a rear setback of 25’. The home is approximately 3’ from the rear setback. There is an existing 16’x12” rear deck that is approximately 5’ off the ground. The existing deck encroaches 9’ into the rear setback and is 6’ from the PUD. The deck was built when the home was built. The deck was allowed to be built into the setbacks because it was not covered and was permissible. The property is adjacent to other residential properties and has a yard that is currently enclosed by a 6’ foot privacy fence. The applicant has talked with planning staff to discuss the Board of Zoning Appeals process and to ensure a complete application submittal. This item was deferred prior to the July 16, 2019 Board of Zoning Appeals meeting.

**Request:** The applicant desires to cover and enclose with screening the existing 16’x12’ screened deck off the rear of the residence. The screened deck would be 16’x12’, with overhang making the structure 18’x13”. The proposed structure will be built upon the already existing 16’x12’ deck. At its greatest, the existing deck encroaches approximately 9’ into the setback. The proposed screened deck will not increase the encroachment. The structure is proposed to be attached to the primary structure and is considered part of the primary structure for building setback purposes. The proposed screened deck is 8’ in height and proposes to use a shingled roof that matches the roof of the existing home.

**Findings of Fact:** The applicant has met UDC requirements regarding the certified mailing of notices to all adjacent property owners of 1715 Dryden Drive and at least ten days in advance of the first scheduled action. City has posted a public notice in the newspaper and a sign on the subject property. The findings listed below are staff’s response to the approval standards required in Section 13.4.E of the UDC, to be considered by the Board of Zoning Appeals prior to approving a variance.

1. Where, by reason of exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of the enactment of this Code, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property it is not able to comply with the regulations as required under this Code. *The applicant has an existing deck that was permitted when the home was constructed. The request is to continue to use the existing deck and convert it to a screen room. If the Board of Zoning Appeals considers the request to cover and enclose the existing deck with screen as reasonable and typical for a single-family home, then approval is warranted. Staff finds that the size of the lot and positioning of the home does not offer an alternative location for the request.*

2. The strict application of any provision enacted under this Code would result in peculiar and exceptional practical difficulties to or exception or place undue hardship upon the owner of such property. *The request is to repurpose the existing deck, which is larger than the typical single-family home enclosure. Denial of the request would prevent the applicant from constructing an enclosure on the rear of the house could present a practical difficulty to a property owner and deny them reasonable use of the property.*
3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning map and this Code. **Staff does not believe that the proposal will have a significant detrimental impact on the public good or surrounding property.**

**Recommendation:** If the Board of Zoning Appeals finds that the requested variance is warranted, staff recommends that they adopt the findings of fact found in this report and approve BZA 715-2019, a building setback variance request for construction of a screened patio, subject to consistency with the submitted plans and the following conditions:

1. The screened in patio shall not be enclosed with any material other than screening.
2. The roof shall be covered with shingles that are similar to the existing shingles of the home.
3. Soffit and trim/accent materials including screen door shall be composed of materials that complement the primary dwelling including similar color(s).
4. Per Section 13.4G of the Unified Development Code, an approved variance will expire one year from the date of approval unless a site plan review application has been submitted or, where site plan review is not required, a building permit is obtained. The Board of Zoning Appeals may grant an extension for a period of validity for no longer than an additional 6 months, so long as the applicant applies in writing for an extension of time at any time prior to the date of expiration. No public hearing is required for approval of such extension of time.
LETTER REQUESTING ZONING VARIANCE

This Application for Zoning Variance (the “Agreement”) is made and effective 4/12/2019.

BETWEEN: City of Spring Hill, Tennessee
BOARD OF ZONING APPEALS APPLICATION
5000 Northfield Lane, Ste. 520, Spring Hill, TN 37174

AND: Property Owners
JOHN and INGRID KNOTT
1715 Dryden Drive
Spring Hill, Tennessee 37174

NATURE AND REASON FOR THE REQUEST:

Owners acquired the property with an existing deck 12’ x 16’ x 12’. The owners wish to cover the existing deck with a Gabled roof system, attached to existing home roof with sky lights and with matching singles.

REQUEST IS CONSISTENT WITH THE COMPREHENSIVE PLAN

The adding of a Gable Roof covering an existing deck would not change or alter the comprehensive plan and would be compatible with the goals and objectives of the general plan. There is no change to the land use, Circulation (parking etc.), housing (type), safety, noise, open space and conservation, or recreational use of the property.

PLOT PLAN SHOWS PROPERTY VARIANCES

The deck to be covered extends 2 to 3 feet into the 25’ set back. At the back of the house. See the plot plans attached. The Home Owners Association has already approved the project.

PROPERTY MAY NOT BE REASONABLY USED WITHOUT THE VARIANCE

Full use and enjoyment of the property cannot be used without the variance.

APPLICANT BELIEVES THAT THE REQUEST IS CONSISTENT WITH APPROVAL STANDARDS.

1. Without the variance, creates a difficulty or hardship restricting the owner’s full enjoyment of their property.

OWNER/APPLICANTS

John Knott 6/11/19

Ingrid Knott 6/11/19
EXISTING DECK
**NEW ROOF + SHINGLES**

- **EXISTING ROOF**
- **80% SCREEN**
- **24'**
- **16'**
- **12'**
- **12'**

**EXISTING DECK**

**ADDITION: 16' x 12' SCREEN ROOM**
- **GABLED ROOF WITH SHINGLES**
- **SHINGLES TO MATCH EXISTING ROOF. ROOF HAS 1' OVERHANG.**

**ROOF AREA: 18' x 13’**

**DRAWING/RENDERING**

**J & I Knot**
1715 Dryden Dr
Spring Hill
TN
631) 902-4187
Hi Mickey,
Well, this is some good news on our screen room project! Any progress on the City of Spring Hill variance/permit?
Thanks.
John Knott

Begin forwarded message:

From: csr@ghertner.com
Date: June 4, 2019 at 1:17:29 PM CDT
To: jjk35@icloud.com
Subject: UPDATED - Wyngate Estates Architectural Control Update: Approved 180977

Dear JOHN KNOTT,

Thank you for submitting your Architectural Request. Upon further review, the Board of Directors/Committee has approved your request.

This letter will serve as written confirmation that you may proceed with the Enclosed Gabled Room Area project, as specified in your request.

Any permit required by the City or County is the responsibility of the homeowner.

Any changes in the approved plans will require re-submittal to the Architectural Review Committee.

Thank you for your continued support of Wyngate Estates and for maintaining and enhancing our carefully designed community.

Sincerely,

Wyngate Estates HOA
Spring Hill Board of Zoning Appeals

TO: Spring Hill Board of Zoning Appeals
FROM: Austin Page, Planning Assistant
       Steve Foote, AICP, Planning Director
MEETING: August 20, 2019
SUBJECT: BZA 730-2019 (1337 Saybrook Crossing)

BZA 730-2019: Submitted by Fred and Maggie Williams for 1337 Saybrook Crossing. The property is zoned R-2, PUD and contains approximately .21 acres. The applicant requests a variance from the rear setback requirements of the Newport Crossing PUD to construct a 14’x15’ covered and screened porch. Requested by Fred and Maggie Williams.

Property Description and History:
1337 Saybrook Crossing is located in the Newport Crossings subdivision. The subject property is zoned R-2 PUD and all surround properties are also zoned R-2 PUD. The property has a front setback of 20’, side setback of 5’ and a rear setback of 30’. The shape of the lot creates a situation where the home is not parallel with the rear setback line. The southeast corner of the home is approximately 4’ from the rear setback and 34’ from the property line. The northeast corner of the home is approximately 17’ from the rear setback and is 46’ from the property line. Currently, there is a 12’x15’ deck that is elevated 3’ and was originally built with the home in 2005. Currently, the rear setback diagonally crosses the deck resulting in an encroachment of no more than 7’ and no less than 3’. Directly north of the deck is a 25’x25’ concrete patio that was built within the last few years. This concrete patio is not a part of this variance. The property is adjacent to other residential properties and has a 6’ privacy fence which encloses the yard. The applicant met with planning staff to discuss the Board of Zoning Appeals process and to ensure a complete application submitted.

Request: The applicant desires to demolish the existing 12’x15’ porch and rebuild and cover a 14’x15’ screened porch off the rear of the residence in the same general location. At its greatest, the proposed screened porch encroaches approximately 9’ into the setback at its furthest and 5’ at its shortest. The proposed screened porch will increase the encroachment by 2’. According to the plot plan, the screened porch is shown no less than 21’ and no more than 25’ from the property line. The structure is proposed to be attached to the primary structure and is considered part of the primary structure for building setback purposes. The proposed screened porch is 12’ in height at the connection to the home and angles downward to a height of 9’. The applicant proposes to use a shingled roof and accents that match the current characteristics of the home.

Findings of Fact: The applicant has met UDC requirements regarding the U.S.P.S. First Class mailing of notices to all adjacent property owners of 1337 Saybrook Crossing and at least ten days in advance of the first scheduled action. City staff has placed notice in the newspaper and a sign on the subject property. The findings listed below are staff’s response to the approval standards required in Section 13.4.E of the UDC, to be considered by the Board of Zoning Appeals prior to approving a variance.

1. Where, by reason of exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of the enactment of this Code, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property it is not able to comply with the regulations as required under this Code. The city receives many requests from property owners to cover existing patios and decks, and this has been considered a reasonable request, when the encroachment is limited. The size of the lot and positioning of the home creates a situation where the typical patio cover does not fit on the lot. At its greatest, the encroachment is 9’ and 5’ at its shortest. If the Board of Zoning Appeals finds that the expansion of the deck by two feet is unreasonable, the deck can be expanded to the side without increasing the encroachment.
Per the applicant: Our property is pie shaped and our house is not situated squarely on it, but rather on a diagonal. This results in a considerable difference in the distance to the rear property line from one side of the house to the other. Although the right side of the house is 49.31 feet from the rear property line, the left side where we would like to put the screen room is only 35.84 feet from the property line. The only feasible place to locate the screen room is on the shallow side where the existing deck is because it is accessed from the only rear door of our house. A 30-foot setback leaves only 5 feet, which is far too narrow for a screen room.

2. The strict application of any provision enacted under this Code would result in peculiar and exceptional practical difficulties to or exception or place undue hardship upon the owner of such property. Denying a reasonable sized rear patio and cover can create a practical difficulty to a property owner seeking the reasonable use of their property.

Per the applicant: We don’t believe the Code imposes any undue hardship; however, a denial of our variance request would prevent us from building the screen room which we believe would greatly improve our property and our subsequent enjoyment of it. This is our retirement home and we hope to have many more years to live in it, and the addition of a screen room would certainly bring increased enjoyment.

3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning map and this Code. Staff does not believe that the proposal will have a significant detrimental impact on the public good or surrounding property.

Per the applicant: Our backyard is very private (enclosed within a 6-foot fence) and the existing deck, which was part of the house when purchased, has never been a detriment to the public good nor has it impared in any way the intent and purpose of the Code. Therefore, we believe that replacing this existing deck with a 2 feet larger screen room would not produce either a detriment to the public good or inflict any impairment of the Code. There will still be a substantial distance between the proposed screen room and our rear property line of between 22 and 25 feet.

Recommendation: If the Board of Zoning Appeals finds that the two foot expansion of the deck is reasonable, staff recommends that the Board of Zoning Appeals adopt the findings of fact found in this report and approve BZA 730-2019, a building setback variance request for construction of a screened patio, subject to consistency with the submitted plans and the following conditions:

1. The screened porch shall not be enclosed with any material other than screening.
2. The roof shall be covered with shingles that are similar to the existing shingles of the home.
3. Soffit and trim/accent materials including screen door shall be composed of materials that complement the primary dwelling including similar color(s).
4. Per Section 13.4G of the Unified Development Code, an approved variance will expire one year from the date of approval unless a site plan review application has been submitted or, where site plan review is not required, a building permit is obtained. The Board of Zoning Appeals may grant an extension for a period of validity for no longer than an additional 6 months, so long as the applicant applies in writing for an extension of time at any time prior to the date of expiration. No public hearing is required for approval of such extension of time.
July 25, 2019

Planning Commission
City of Spring Hill
5000 Northfield Lane
Spring Hill, TN 37174

RE: BOARD OF ZONING APPEALS APPLICATION by Fred Williams of 1337 Saybrook Crossing, Thomspons Station (Newport Crossing Subdivision)

Dear Board Members:

We are requesting a rear setback variance to build a 15 foot wide x 16 foot deep screen room off the back of our house to replace the existing fourteen year old deck that measures 15 feet wide x 12 feet deep. This deck was part of the home when it was originally built in 2005 (see attached photos). We purchased the property in April of 2016.

There is a 30 foot rear setback on our property. However, our lot is pie shaped and our house does not sit squarely, but rather diagonally, on the lot so there is a considerable difference in the distance to our rear property line from one side of the house to the other. The only feasible place to locate a screen room is on the shallow side where the existing deck is located because there is already access to it from the only rear door of our house.

The 16 foot roof line of the proposed screen room has a 2 foot overhang of the floor. The 14 foot floor on the left side would encroach the 30 foot setback by approximately 8 feet. Because of the diagonal shape of the property the encroachment of the right side of the screen room is slightly less. The roofline on the right of the screen room would encroach the set back by approximately 5 feet, and the right side floor would be approximately 3 feet over the setback.

The reasons we are asking to extend the floor of the screen room 2 feet beyond the 12 foot floor of the existing deck are as follows: Although the calculated square footage of the screen room is 240 square feet, the actual usable floor space will be considerably less than that because there is a chimney that juts out into the floor space of both the existing deck as well as the proposed screen room. This uses up an area of 5 feet, 10 inches in width and 2 feet, 4 inches in depth of floor space. In addition, the chimney creates a recess on either side of approximately 4.5 feet each in width and 2 feet, 4 inches in depth, which makes for even more unusable floor space. Also, the back door of the house which opens to the deck is within one of the recesses. The walkway from that back door to the screen room door leading to the yard must be kept clear of furniture. (Please see diagram illustrating usable floor space of proposed screen room). Keeping the depth at the original 12 feet would not give us enough usable floor space to accommodate enough furniture to make the room useful as a comfortable place for us to enjoy sitting outside. The existing deck can only accommodate a small café table. As we have several family members in the immediate area and often host family gatherings, the additional space would be useful for those events as well.

This is our retirement home, and we have been very happy here and hope to have many more years to enjoy it. The only thing we feel has been missing is a comfortable space for us to sit outside and enjoy the weather without being bothered by insects.
July 25, 2019

Page 2, RE: BOARD OF ZONING APPEALS APPLICATION by Fred Williams of 1337 Saybrook Crossing, Thompasons Station (Newport Crossing Subdivision)

Although these dimensions exceed the set back limit, we believe the size of the room we are requesting is reasonable without being, in any way, a hindrance or detriment to our neighboring properties. Basically, we are really only requesting to build an additional 2 feet beyond the original existing structure. The attractive design and style we plan to build (see sample design photo) are in harmony with the comprehensive plan and design of the Newport Crossing subdivision. The shingles on the roof will match the shingles on our house, and the exterior of the screen room will be painted to match the trim of our house.

The construction will be done by a licensed and insured contractor who will build to Code with premium materials, and who has built other projects in our neighborhood. (See attached Scope of Work from RB & Associates).

We respectfully request the Board to grant our request and thank you for your consideration and time in reviewing it.

Sincerely,

Fred & Maggie Williams
1337 Saybrook Crossing
Thompasons Station, TN 37174
631/358-3267 (Fred)
631/559-9921 (Maggie)
## Variance Board of Zoning Appeals Submittal Checklist

<table>
<thead>
<tr>
<th>APPLICANT MUST READ AND INITIAL EACH BOX TO THE RIGHT</th>
<th>INITIALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Published notice is required. The City of Spring Hill will publish notice in a newspaper of general circulation within the City.</td>
<td>FW</td>
</tr>
<tr>
<td>b) Written notice must be mailed by U.S.P.S. First Class at least ten days in advance of the first scheduled action to all adjoining property owners of the subject property. The notice must include the date, time, place, and purpose of such hearing/meeting, the name of the applicant, and the address of the subject property. Nothing in this section is intended to prevent the applicant or the City from giving additional notice as he/she may deem appropriate. The APPLICANT IS RESPONSIBLE for mailing notices and must provide the City with an affidavit stating that notice was mailed to every property owner as required and provide the City with a list of names, addresses, and property identification numbers (PIN) of all notice recipients, and a map indicating the boundaries of the notice area. The applicant must also provide the City an example of the notice sent.</td>
<td>FW</td>
</tr>
<tr>
<td>c) Posted notice is required on the property and will be installed by the City of Spring Hill. This signage must be maintained until all action on the application has been completed. Please call the Planning Department if the sign is damaged or removed.</td>
<td>FW</td>
</tr>
<tr>
<td>d) A pre-application conference with City staff is recommended, but not mandatory.</td>
<td>FW</td>
</tr>
</tbody>
</table>

The following information is recommended to facilitate review of the application:

- Letter of request outlining the nature and reason for the request
- A written narrative explaining how the request is consistent with the comprehensive plan
- A concept or plot plan that shows the property and illustrates the variance(s) being sought.
- An explanation as to why the property may not be developed and reasonably used without the variance
- A written statement from the applicant expanding how the request is consistent with the approval standards listed below.

Applicant Name/Project: Fred Williams Screen Room
<table>
<thead>
<tr>
<th>Approval Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;The Board of Zoning Appeals may authorize a variance from the strict application of this Code so as to relieve such difficulties or hardship only in accordance with the following criteria. The Board of Zoning Appeals must make findings of fact on all criteria. Please initial all that apply.&quot;</td>
</tr>
<tr>
<td>The application for a variance should provide the applicant’s evidence that the application meets or exceeds the criteria below.</td>
</tr>
<tr>
<td>&quot;Where, by reason of exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of the enactment of this Code, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property it is not able to comply with the regulations as required under this Code.&quot;</td>
</tr>
<tr>
<td>Please see attached sheet.</td>
</tr>
<tr>
<td>The strict application of any provision enacted under this Code would result in peculiar and exceptional practical difficulties to or exception or place undue hardship upon the owner of such property.</td>
</tr>
<tr>
<td>Please see attached sheet</td>
</tr>
<tr>
<td>&quot;Such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning map and this Code.&quot;</td>
</tr>
<tr>
<td>Please see attached sheet</td>
</tr>
</tbody>
</table>

Applicant Name/Project: **Fred Williams Screen Room**

Variance BOZA checklist
July 25, 2019

Approval Standards Criteria Responses

1. Our property is pie shaped and our house is not situated squarely on it, but rather on a diagonal. This results in a considerable difference in the distance to the rear property line from one side of the house to the other. Although the right side of the house is 49.31 feet from the rear property line, the left side where we would like to put the screen room is only 35.84 feet from the property line. The only feasible place to locate the screen room is on the shallow side where the existing deck is because it is accessed from the only rear door of our house. A 30 foot setback leaves only 5 feet, which is far too narrow for a screen room.

2. We don't believe the Code imposes any undue hardship, however, a denial of our variance request would prevent us from building the screen room which we believe would greatly improve our property and our subsequent enjoyment of it. This is our retirement home and we hope to have many more years to live in it, and the addition of a screen room would certainly bring increased enjoyment.

3. Our backyard is very private (enclosed within a 6 foot fence) and the existing deck, which was part of the house when purchased, has never been a detriment to the public good nor has it impaired in any way the intent and purpose of the Code. Therefore, we believe that replacing this existing deck with a 2 feet larger screen room would not produce either a detriment to the public good or inflict any impairment of the Code. There will still be a substantial distance between the proposed screen room and our rear property line of between 22 and 25 feet.

Applicant Name/Project: Fred Williams/Screen Room
LOT 231 NEWPORT CROSSING

AREA = 8807 SQ FT

FRONT SETBACK: 20'
SIDE SETBACKS: 5'
REAR SETBACK: 30'

1:360
Current view of existing deck
(15'w x 12'd)

https://mail.google.com/mail/u/0/#inbox/CligCJNslvT.jfScPzjQzxlsdFgW8sKChfmxLJNhBGVjhPgzf.1TTGHGDNYdKzxchVRBMKztlZL?projector=1&messagePartId=0.1
Current Photo of Backyard
7/26/2019
To: Mr. Fred Williams  
1337 Saybrook Crossing  
Thompsons Station, TN 37179

From: Ryan Blackwell (Ryan Blackwell & Associates)  
1217 Annapolis Circle  
Thompsons Station, TN 37179  
(615) 944-7543

July 8, 2019

Scope of work:

Contractor will remove existing concrete stairs and deck in preparation to build a new back screened porch. All old wood/concrete will be removed from site and dumped at the landfill. Contractor will provide all labor, equipment, and disposal fees.

Contractor will install four new 12x12 concrete footers in preparation for a new deck to be built. Contractor will install 6x6 Pressure Treated (PT) Pine posts on ABA post bases attached to the new footer, a 2x10 rim band, and 2x8 PT Pine floor joists. Contractor will build a new set of steps with composite decking and PT Pine (4 steps) approximately 40" wide. Contractor will install Azek “Porch” tongue and groove flooring (1" thick). Contractor will install traditional handrails around porch and on steps with 2x2 spindles and a 2x6 top plate constructed from PT Pine. Contractor will build to current building code. Contractor will provide all labor and materials.

Contractor will build a 15x16 shed roof onto the 6x6 posts attached to the house via a new 2x10 band. Contractor will install 2x8 PT Pine roof rafters. Contractor will deck the roof with ½” OSB and shingles to match the house. Contractor will install a ceiling of 1” tongue and groove Spruce which will be visible from the underside. Contractor will provide all labor and materials for new roof, including shingles and flashing. Contractor will install a single gutter with two downspouts.

Contractor will install new Screen-Eze Screen system (bronze). A total of five screen panels. Allowance of $650 for (full height) screen door to be approved by client.

Contractor will run new wire on new circuit for a new ceiling fan and 2 lights (provided by the homeowner). Two new electrical outlets are included in this contract.

Contractor will install two new (operational) 24x40 (maximum) skylights provided by the homeowner. Contractor will provide Velux skylights and installation. Contractor will provide all labor and materials.

Homeowner is responsible for required permits when desired.
Screens not shown on drawings.

RENDERINGS
Screens not shown on drawings.
Screens not shown on drawings.
Screens not shown on drawings.
Yellow Shaded area shows approximate usable floor space.

Usable Floor Space Diagram (not to scale)
Spring Hill Board of Zoning Appeals

TO: Spring Hill Board of Zoning Appeals
FROM: Austin Page, Planning Assistant
       Steve Foote, AICP, Planning Director
MEETING: August 20, 2019
SUBJECT: BZA 731-2019 (2115 Deer Valley Drive)

BZA 731-2019: Submitted by James Coffee for 2115 Deer Valley Drive. The property is zoned R-2, PUD and contains approximately .16 acres. The applicant requests a variance from the rear setback requirements of the Deerfield PUD to construct a 21’x35’ covered patio, with an enclosed 8’x21’ storage room. Requested by James Coffee.

Property Description and History: 2115 Deer Valley Drive is located in the Deerfield subdivision. The subject property is zoned R-2 PUD and all surround properties are also zoned R-2 PUD. The property has a front setback of 30’, side setback of 7.5’ (15’ street side) and a rear setback of 25’. The shape of the rear lot line is slightly angled and home is not aligned with the setback line. The northwest corner of the home is 11’ from the rear setback and 36’ from the property line. The southwest corner of the home is 7’ from the rear setback and 32’ from the property line. Currently, there is an existing 21’x35’ concrete patio that encroaches 10’ at the northwest corner and 14’ at the southwest corner. The property is adjacent to other residential properties and has a 6’ privacy fence which encloses the yard. The applicant met with planning staff to discuss the Board of Zoning Appeals process and to ensure a complete application submitted.

Request: The applicant desires to cover the entire (existing) 21’x35’ concrete patio and create an 8’x21’ storage room on the northern part of the patio. The proposed patio cover encroaches approximately 14’ into the setback at its furthest and 10’ at its shortest. The proposed covered patio will not encroach further than the existing patio. The structure is proposed to be attached to the primary structure and is considered part of the primary structure for building setback purposes. The proposed covered is 8’ in height at the connection to the home and angles downward to a height of 7’. The applicant proposes to use a shingled roof and accents that match the current characteristics of the home. The storage room will be 8’x21’, shows two 3’x4’ windows and a single 4’ door. The room will be fully enclosed and be covered in siding and materials that match the current home.

Findings of Fact: The applicant has met UDC requirements regarding the U.S.P.S. First Class mailing of notices to all adjacent property owners of 2115 Deer Valley Drive and at least ten days in advance of the first scheduled action. City staff has placed notice in the newspaper and a sign on the subject property. The findings listed below are staff’s response to the approval standards required in Section 13.4.E of the UDC, to be considered by the Board of Zoning Appeals prior to approving a variance.

1. Where, by reason of exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of the enactment of this Code, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property it is not able to comply with the regulations as required under this Code. The existing patio is very large and extends well beyond the rear setback line. Staff believes the request to cover the entire patio is excessive and not justified. A significantly reduced area is recommended.

   Per the applicant: Mr. Coffee wishes to cover their existing concrete pad so that Mr. Coffee can use the space. His medical condition requires that he cannot be in direct sunlight. The yard is fenced and this roof will in no way effect the surround properties.

2. The strict application of any provision enacted under this Code would result in peculiar and exceptional practical difficulties to or exception or place undue hardship upon the owner of such property. Denying a reasonable sized rear patio and cover could present a practical difficulty to a property owner and deny them reasonable use of the...
property. However, the size of the proposed patio cover, at 735 sq. ft., plus the storage area with solid walls, is excessive.

Per the applicant: Mr. Coffee is unable to use this space as of now. Since the small room and roof in no way affect the neighbors and 3 of them have submitted approval of this project, it seems appropriate to grant this request.

3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning map and this Code. Although a decision of the Board of Zoning Appeals does not set a precedent, staff believes the approval of the requested cover would make it difficult to review future requests. The applicant has presented information supporting the request from adjacent property owners. However, staff

Per the applicant: As stated, this project will all be contained with the confines of an existing fence, simply covering the concrete pad. The exterior will be covered in shingles, siding and vinyl to match the existing house.

Recommendation: Staff does not find sufficient evidence to support the request as proposed. Should the Board of Zoning Appeals determine findings to support the request or a modified request, staff recommends that they adopt findings of fact and approve BZA 731-2019, a building setback variance request for construction of a screened patio, subject to consistency with the submitted plans and the following conditions:

1. The covered patio shall not be enclosed with any material.
2. The storage room siding needs to match the siding of the existing home.
3. The roof shall be covered with shingles that are similar to the existing shingles of the home.
4. Soffit and trim/accent materials including screen door shall be composed of materials that complement the primary dwelling including similar color(s).
5. Per Section 13.4G of the Unified Development Code, an approved variance will expire one year from the date of approval unless a site plan review application has been submitted or, where site plan review is not required, a building permit is obtained. The Board of Zoning Appeals may grant an extension for a period of validity for no longer than an additional 6 months, so long as the applicant applies in writing for an extension of time at any time prior to the date of expiration. No public hearing is required for approval of such extension of time.
REQUEST LETTER

DEAR ZONING COMMISSION,

MR. & MRS. COFFEE WISH TO COVER THEIR BACK PATIO SO THAT MR. COFFEE CAN USE THIS PART OF HIS PROPERTY. MR. COFFEE HAS RECENTLY HAD A TRANSPLANT AND THE SIDE EFFECTS OF HIS MEDICINE FOR THE REST OF HIS LIFE IS THAT HE CANNOT BE IN THE SUN MUCH AT ALL. THE ROOM THAT IS PROPOSED TO BE ADDED IS TO HOLD ITEMS TO BE USED IN THE NEW COVERED AREA. THE PROPOSED COVERED ROOF ONLY COVERS THE EXISTING PATIO CONCRETE PAD, WE HAVE MET WITH NEIGHBORS AND DISCUSSED THIS PROJECT AND NONE HAVE ANY ISSUES. 3 OF THESE NEIGHBORS SIGNED AN AFFIDAVIT STATING SUCH FOR THE HOA. WE APPRECIATE YOUR CONSIDERATION IN THIS MATTER.

SINCERELY,

WILLIAM JAMES COFFEE
WITH SUPERIOR CARPENTRY

[Signature]
City of Spring Hill, TN

Variance
Board of Zoning Appeals
Submittal Checklist

<table>
<thead>
<tr>
<th>APPLICANT MUST READ AND INITIAL EACH BOX TO THE RIGHT</th>
<th>INITIALS</th>
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<tbody>
<tr>
<td>a) Published notice is required. The City of Spring Hill will publish notice in a newspaper of general circulation within the City.</td>
<td></td>
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<tr>
<td>b) Written notice must be mailed by U.S.P.S. First Class at least ten days in advance of the first scheduled action to all adjoining property owners of the subject property. The notice must include the date, time, place, and purpose of such hearing/meeting, the name of the applicant, and the address of the subject property. Nothing in this section is intended to prevent the applicant or the City from giving additional notice as he/she may deem appropriate. The APPLICANT IS RESPONSIBLE for mailing notices and must provide the City with an affidavit stating that notice was mailed to every property owner as required and provide the City with a list of names, addresses, and property identification numbers (PIN) of all notice recipients, and a map indicating the boundaries of the notice area. The applicant must also provide the City an example of the notice sent.</td>
<td></td>
</tr>
<tr>
<td>c) Posted notice is required on the property and will be installed by the City of Spring Hill. This signage must be maintained until all action on the application has been completed. Please call the Planning Department if the sign is damaged or removed.</td>
<td></td>
</tr>
<tr>
<td>d) A pre-application conference with City staff is recommended, but not mandatory.</td>
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The following information is recommended to facilitate review of the application:
- Letter of request outlining the nature and reason for the request
- A written narrative explaining how the request is consistent with the comprehensive plan
- A concept or plot plan that shows the property and illustrates the variance(s) being sought.
- An explanation as to why the property may not be developed and reasonably used without the variance
- A written statement from the applicant expanding how the request is consistent with the approval standards listed below.

Applicant Name/Project: William James Coffee (Superior Carpenter)
### Approval Standards

"The Board of Zoning Appeals may authorize a variance from the strict application of this Code so as to relieve such difficulties or hardship only in accordance with the following criteria. The Board of Zoning Appeals must make findings of fact on all criteria. Please initial all that apply."

The application for a variance should provide the applicant's evidence that the application meets or exceeds the criteria below.

| 1 | "Where, by reason of exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of the enactment of this Code, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property it is not able to comply with the regulations as required under this Code."
| 2 | The strict application of any provision enacted under this Code would result in peculiar and exceptional practical difficulties to or exception or place undue hardship upon the owner of such property.
| 3 | "Such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning map and this Code."

As stated, this project will all be within the confines of an existing fence, simply covering the existing concrete pad, the exterior will be covered in shingles, siding, and vinyl to match existing house

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**Applicant Name/Project:**

[Signature]

**Variance BOZA checklist**
DEER VALLEY DRIVE 50' R.O.W.

DEERFIELD SUBDIV. LOT # 109
RUTHERFORD COUNTY, TENNESSEE SCALE: 1" = 20'

GENERAL NOTES:
(A) SUPERINTENDENTS TO VERIFY ALL LOT DATA AS SHOWN WITH RECORDED
   PLAT AND RESTRICTIONS PRIOR TO START OF CONSTRUCTION.
(B) FINISH GRADE 5% SLOPE AWAY FROM HOUSE AT ALL POINTS.

OLE SOUTH PROPERTIES INC.
SIDE VIEW OF COVERED PORCH

SHINGLED ROOF

LVL OUTER BAND WRAPPED IN VINYL

MATERIALS

1. POST WILL BE WRAPPED IN VINYL
2. ROOF WILL BE SHINGLED
3. EAVE TO BE WRAPPED IN VINYL TO MATCH HOUSE
4. ROOF TO BE WRAPPED IN SIDING TO MATCH HOUSE
5. BUTTERFLY AND DOWNSPOUTS WILL MATCH HOUSE

DRAWINGS

CONCRETE PAD 20'
SIDE VIEW OF STORAGE ROOM

3' x 4' WINDOW

4' D. DOOR

3' x 4' WINDOW

SANDING

EXISTING HOME

20.6 FEET