



City of White House, Tennessee

Planning and Codes Department

105 College Street • White House, TN 37188

www.cityofwhitehouse.com/yourgovernment/planning-and-codes

Phone (615) 672-4350 ext. 2121 • Fax (615) 616-1050

"Valuing our Future while Protecting our Heritage"

Memo

To: City of White House Planning Commissioners

From: Ceagus Clark, Director of Planning & Code

Re: Cover Page for Board of Zoning Appeals 4/18/2023

Item #1 **Jeff and Dawn Wright:** Requests a setback variance regarding a swimming pool location

615-672-4350 Ext 2119

Ceagus Clark
Director, Planning and Codes



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Item # 1 - Jeff and Dawn Wright: Swimming Pool Variance

Applicant or Representative-
Overview: Jeff and Dawn
Wright

Tax Parcel and ID
**Sumner County Tax Map
096H, Group D, Parcel
009.00**

Address
402 Bedrock Drive

Zoning
SRPUD

Ordinance Reference and
Notes: Zoning Ordinance
**9.060 Variances and
5.056.5 Residential
Planned Developments**

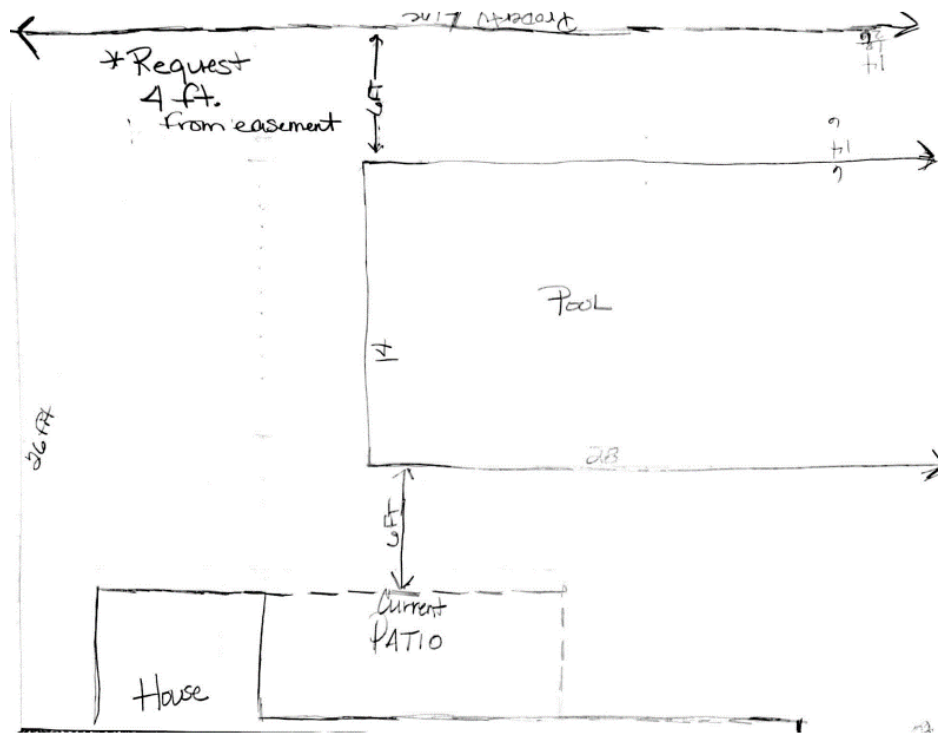
Findings of fact:

Under the Standards for Variance, the particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience.

Staff Overview

The applicant is requesting a 4’ (four foot) variance regarding swimming pool setbacks. Swimming pools are reviewed under the accessory structure guidelines when inspected. In this case, the applicants applied for a swimming pool permit. Upon inspection, the building inspector noticed the footprint of the pool was going to be 6’ (six feet) from the property line. Under the zoning ordinance, accessory structures setbacks in SRPUD zoning are to be 10’ (ten feet) from the property line.

Below is the site drawing submitted by the applicants:





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9.060 Variances

The purpose of this procedure is to modify the strict application of the specific requirements of this ordinance in the case of exceptionally irregular, narrow, shallow, or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship. The variance shall be used only where necessary to overcome some obstacle which is preventing an owner from using his property under this ordinance.

A. Application

After written denial of a permit, a property owner may make application for a variance, using any form which might be made available by the Board of Zoning Appeals.

B. Hearings

Upon receipt of an application and fee, the Board shall hold a hearing to decide whether a variance to the ordinance provisions is, in fact, necessary to relieve unnecessary hardships. The Board shall consider and decide all applications for variances within thirty (30) days of such hearing and in accordance with the standards provided below. A fee of one hundred-fifty dollars (\$150.00) shall be charged to cover review and processing of each application for a variance, except that the fee shall be waived for a governmental agency. Before a variance is granted, relative to a parcel of land containing a structure, a permit fee of five hundred dollars (\$500.00) shall be paid, which is nonrefundable, in order for the Board of Zoning Appeals to hear the request. The Board of Mayor and Aldermen by resolution may waive the permit fee if found justifiable.

C. Standards for Variances

The Board shall not grant a variance, except where special circumstances or conditions, fully described in the findings of the Board, do not apply generally in the district. The burden of showing that the variance should be granted shall be upon the person applying for the variance. In granting a variance, the Board shall ascertain that the following criteria are met:

1. The particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this ordinance were carried out must be stated.
2. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district.
3. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this ordinance, to other land structures, or buildings in the same district.
4. Financial returns only shall not be considered as a basis for granting a variance.
5. The variance is the minimum variance that will relieve such difficulties or hardship and thereby make possible the reasonable use of the land, building, or structure.



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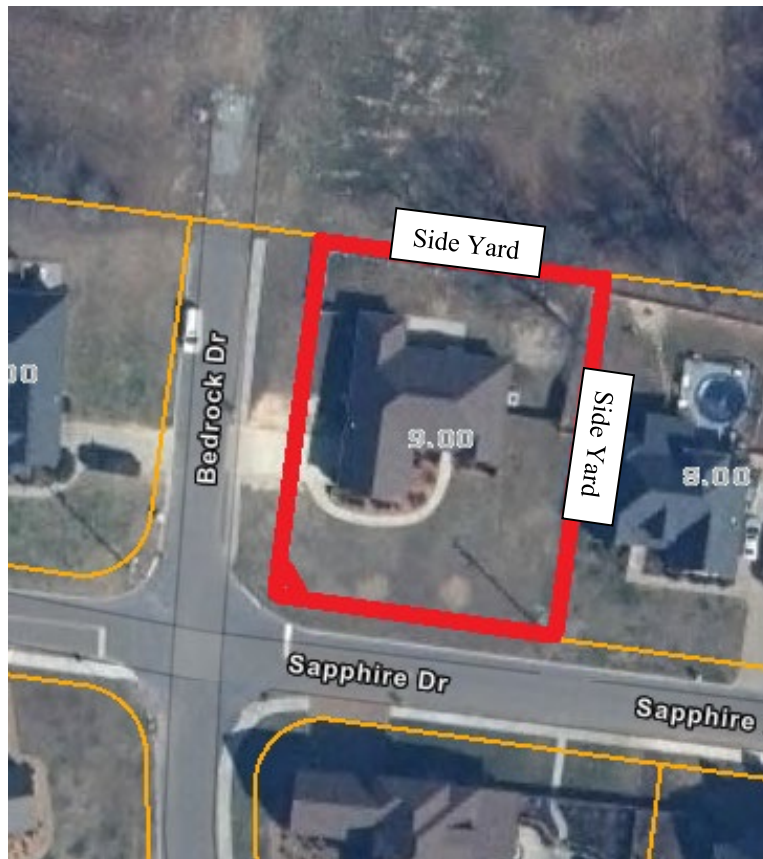
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6. The variance will not authorize activities otherwise excluded from the particular district in which requested.
7. That the granting of the variance will not be detrimental to the public welfare, injurious to other property or improvements in the area in which the subject property is located, or a substantial impairment to the intent and purpose of the zoning district wherein such property is located or of the general provisions of this ordinance.
8. The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, endanger the public safety.
9. That the alleged difficulty or hardship has not been knowingly and intentionally created by any person having an interest in the property after the effective date of this ordinance.



402 Bedrock Drive