

SUMNER COUNTY ZONING BOARD OF APPEALS

MINUTES

AUGUST 8, 2013

6:00 P.M.

SUMNER COUNTY ADMINISTRATION BUILDING

COMMISSION CHAMBERS

355 N. BELVEDERE DRIVE

GALLATIN, TN. 37066

MEMBERS PRESENT:

MEMBERS ABSENT:

MARK MCKEE, JR. CHAIRMAN

BRUCE RAINEY, VICE-CHAIRMAN

SANDY WEBSTER

DON DICKERSON

MARSH RAGLAND

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STAFF PRESENT:

RODNEY JOYNER, COUNTY PLANNER

LISA DUNAGAN-DIORIO, ADMINISTRATIVE ASSISTANT

LEAH MAY DENNEN, COUNTY ATTORNEY

MOTION FOR APPROVAL OF THE JULY MINUTES BY MS. WEBSTER, SECONDED BY MR. DICKERSON. MOTION PASSED.

Ms. Dennen began the meeting by advising this body regarding some questions that they had regarding a proposed brewery. She explained that there are many Federal regulations that must be addressed before you even get to the County level to ask for a conditional use permit. She also addressed the question about the barley being grown on site. This is not a point currently, but was part of an old law.

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Mr. Rainey asked the Chairman to allow him to make a statement before we open the public hearing. He stated that this body had approved the group home located at 3523 Highway 25E in 2008. The laws are much different today than they were then (2008) pertaining to group homes. He explained that the way he understands it is that anybody, anywhere can put in a group home. The State does have some guidelines pertaining to these group homes. They can put in a group home with or without our blessing. According to the information we have found, the Federal Government has passed enough laws that have taken the local government out of the approval process for these group homes. Mr. Rainey stated that group homes are between the operator and the State of Tennessee.

Therefore items number 2 and 3 are mute points.

After having said this Mr. Rainey made a motion that we strike (remove) item 2 (Group home located at 405 Fairfield Road) and item 3 (3523 Highway 25E) from this agenda, seconded by Ms. Webster. Motion passed unanimously.

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1. **James and Melissa Dorris** were requesting a conditional use permit to operate a wedding venue in an existing barn, a dust free parking variance and permission for one (1) un-illuminated sign 1' x 2'. This venue will be open on Fridays from 4:00 p.m. to 9:00 p.m. Saturdays 1:00 p.m. to 9:00 p.m. and Sundays 1:00 p.m. to 6 p.m., from March 1<sup>st</sup> thru October 31<sup>st</sup>, food caterers will be selected by the owner, no alcohol will be served, no entertainment will be provided, and there will not be any employees other than the owners. Subject property is located at 1160 Fuqua Lane, Gallatin, Tn., is on tax map 79, parcel 13, is zoned agricultural, and contains 9.960 acres. This is a public hearing and was advertised in the Gallatin News Examiner on June 26, 2013. The adjoining property owners were notified by certified mail.

**THIS WAS DEFERRED FOR THIRTY DAYS AT THE JULY 11, 2013 MEETING.**

Ms. Dorris came forward to represent this request. She provided a letter from the Sumner County Highway Department stating that they were going to widen this road. She also brought her sign that she was proposing to post on the road.

Mr. Rainey commended Mrs. Dorris for doing everything that this body had asked her to do.

There was discussion.

**Motion for approval for two years by Mr. Rainey, seconded by Mr. Dickerson. Motion passed unanimously.**

2. **Jennings Hyde**, etals were requesting a conditional use permit to operate a group home for up to ten (10) men. These men will have twenty-four hour staff supervision. This facility will be located within the existing residence, and there will be six employees. This home will have internal and state oversight. Subject property is located at 405 Fairfield Road, Bethpage, Tn., is on Tax map 23, Parcel 46, contains 4.26 acres, and is zoned agricultural.

This is a public hearing and was advertised in the Gallatin News Examiner on December 26, 2012. The adjoining property owners were notified by certified mail.

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This was deferred at the January 2013 Zoning Board of Appeals meeting for 180 days.  
**This was deferred again by legal counsel until August 2013 on June 1, 2013**

**NO ACTION, ITEM REMOVED FROM THE AGENDA.**

3. **Jennings Hyde**, etals were to show cause why the conditional use permit they received on October 9, 2008, to operate a multi-resident adult care facility (Biblical Concepts) should not be rescinded. This conditional use was approved with the following conditions, (*responses were to be provided to staff at this meeting*):  
MOTION BY MR. RAINEY FOR APPROVAL OF THIS CONDITIONAL USE PERMIT WITH STANDARD EXCEPTIONS WITH THE FOLLOWING CONDITIONS: 1) THEY MUST GET THE PROPER BUILDING PERMIT FROM THE CODES DEPARTMENT, 2) THE CODES DEPARTMENT MUST TREAT THIS AS NEW CONSTRUCTION AS MUCH AS POSSIBLE, UNDER THE R4 CODES INSPECTIONS, INCLUDING THE ROOM, WIRING, INGRESS AND EGRESS, ADA COMPLIANCE, ETC. AND MUST PROVIDE A COPY OF ALL REQUIRED PERMITS DELIVERED TO THE PLANNING DEPARTMENT (i.e. DEPARTMENT OF CONSTRUCTION AND DEVELOPMENT) STAFF PRIOR

TO THE OPENING OF THIS FACILITY, (WE DO NOT KNOW WHAT ALL PERMITS ARE REQUIRED, BUT WE WANT A LIST OF WHAT PERMITS ARE REQUIRED, THEY WILL BE REQUIRED TO APPLY FOR A NEW SEPTIC LETTER, AND A FIRE HYDRANT MUST BE PLACED IN FRONT OF THE PROPERTY, SECONDED BY WEBSTER. MOTION PASSED UNANIMOUSLY. Subject property is located at 3523 Hwy 25 East, Castalian Springs, Tn., is on tax map 130, parcel 29.01, contains 5.11 acres and is zoned R1A.

**NO ACTION TAKEN, ITEM REMOVED FROM THE AGENDA.**

**Meeting Adjourned 6:25 p.m.**