

**SUMNER COUNTY ZONING BOARD OF APPEALS
MINUTES
JANUARY 10, 2013**

**SUMNER COUNTY ADMINISTRATION BUILDING
COMMITTEE ROOM # 112
355 N. BELVEDERE DRIVE
GALLATIN, TN. 37066**

MEMBERS PRESENT:

**MARK MCKEE, JR. CHAIRMAN
BRUCE RAINEY, VICE-CHAIRMAN
SANDY WEBSTER
DON DICKERSON**

MEMBERS ABSENT:

MARSH RAGLAND

STAFF PRESENT:

**GARY L. HAMMOCK, DIRECTOR OF CONSTRUCTION AND DEVELOPMENT
LISA DUNAGAN-DIORIO, ADMINISTRATIVE ASSISTANT
LEAH MAY DENNEN, COUNTY ATTORNEY**

Mr. Rainey added to the agenda discussion of the group home located 3523 Highway 25E, Castalian Springs, Tn. that is owned by the applicant Jennings Hyde, etals. This group home received a conditional use permit with conditions on October 9, 2008.

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

1. 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.

FYI; There were 100 plus people present regarding this application.

Mr. Joe Moore came forward to represent and explain this request. He explained that they are wanting to duplicate the services that we currently have at our group home located at 3523 Highway 25E, Castalian Springs, Tn. We have talked to Portland Utility District and are prepared to have a water meter installed, this home will be sprinkled and will meet all fire safety codes, will obtain all licenses with the State of Tennessee, and meet all the rights and regulations of TennCare.

Mr. Rainey stated this are some questions we need to have answered per our Sumner County Zoning Resolution.

Mr. Rainey asked Mr. Moore the following questions:

- 1)What portion of the Zoning Resolution do you consider applicable to the request
- 2) Proof of business type and ownership
- 3)Who is operator and licensing info
- 4)Provide a fire protection plan
- 5) Provide an emergency fire plan
- 6)Are sufficient fire flows available
- 7)Where is the nearest fire hydrant
- 8) Proof of State Fire Marshall approval
- 9)Written emergency plan
- 10)Provide a vehicle parking and access plan
- 11)Prove adequacy of septic system
- 12)Plan for ADA compliance
- 13)Letter from Sumner County Sheriff and Emergency Services regarding estimate response time for emergency

FYI: There was no public hearing.

Mr. Rainey stated that he felt that we do not even have enough information to act on this request.

Motion by Mr. Rainey to defer this request for 180 days to allow the requestor to answer the above mentioned questions, seconded by Mr. Dickerson. Motion passed unanimously.

Addition the agenda: Discussion of the group home located at 3523 Highway 25E, Castalian Springs, Tn.

Mr. Rainey stated that he was looking back at a previous request regarding the group home located at 3523 Hwy 25E, because of it being a multiple request by the same requestor. He said he drove by subject property and noticed there was not a fire hydrant in front of the property. The placement of a fire hydrant was a requirement which was part of the motion. Mr. Rainey stated he called C& D Department staff to discuss this matter, and found out that they were also required to apply for an environmental upgrade. Since they have a ten (10) person home, they would need a 5 bedroom septic system. In 2009, they applied for an upgrade on their septic and were denied. This is two requirements that have not been satisfied. Based on this information, Mr. Rainey made a motion.

Motion by Mr. Rainey that we sent the applicant a demand for a show-cause hearing at our next regularly scheduled Zoning Board of Appeals meeting on February 14, 2013, to show-cause why this conditional use permit should not be rescinded, seconded by Mr. Dickerson. Motion passed unanimously.

Meeting Adjourned at 6:35 p.m.