

SUMNER COUNTY ZONING BOARD OF APPEALS

MAY 9, 2013

MINUTES

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

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

1. STEPHEN A. AND PATRICIA GAY CLAYPOOL were requesting a continuation of a conditional use permit that was granted on May 10, 2007, to be utilized by Trinity Ministries as office space for up to six employees, primarily using telephone, internet, and fax, and hours of operation will be 8:00 a.m. until 5:00 p.m. Monday thru Friday. Subject property is located at 365 Lee Road, White House, Tn., is on tax map 75, parcel 19, contains .92 acres, and is zoned Residential A.

The adjoining property owners were notified by regular mail.

Mr. Travis Claypool (their son) came forward to represent and explain this request in his parent's absence. He explained the request.

Chairman McKee opened the floor for the public hearing.
There was no one present to speak for or against.

Mr. Hammock stated that he has not received any complaints.

There was discussion.

Motion to continue the conditional use permit for two more years by Mr. Dickerson, seconded by Ms. Webster. Motion passed unanimously.

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2. LINDA STOUT DENNING was requesting a continuation of a conditional use permit that was granted on April 12, 2007, to operate a catering business with nine employees. Food is prepared on site then delivered. She also was granted a dust free parking variance. Subject property is located at 165 Roberts Road, Portland, TN., is on tax map 72, parcel 36, contains approx. 29.6 acres and is zoned Agricultural. The adjoining property owners were notified by regular mail.

Ms. Denning came forward to represent this request. Ms. Denning explained that she had paved all of her driveway and also stated her new assigned address is 165 West Roberts Road.

Chairman McKee opened the floor for the public hearing.
There was no one present to speak for or against.

Mr. Hammock stated that his office has not received any complaints.

There was discussion.

Motion to continue conditional use permit for two more years by Mr. Dickerson, seconded by Ms. Webster. Motion passed unanimously.

3. DAVID HUGGINS was requesting a continuation of a conditional use permit that was granted on May 10, 2007, to allow for the hosting of weddings and receptions on his properties. This will include the serving of food and beverages and may include alcoholic beverages. Subject property is located at 2522 Highway 52 East, Portland, Tn., is on tax map 31, parcel 47.08 contains approx. 5.01 acres and is zoned agricultural. Mr. Huggins came forward to represent and explain this request.

Chairman McKee opened the floor for the public hearing.

There was no one present to speak for or against.

Mr. Hammock stated that there have not been any complaints.

There was discussion.

Motion to continue for two more years by Mr. Dickerson, seconded by Ms. Webster. Motion passed unanimously.

FYI; MR. RAINEY ENTERED THE MEETING.

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4. STEVEN AND VICKIE GATCHEL were requesting a lot size variance of 3,800 square feet in order to combine lots 78 and 79 which are located in Sunset Bay Resort Subdivision. Subject property is located at 116 Rustic Lane, Gallatin, Tn., is on tax map 157J-A-20 and 21, lot contains 36,222 square feet and is zoned RA.

This is a public hearing and was advertised in the Gallatin News on April 26, 2013. The adjoining property owners were notified by certified mail.

Mr. Richard Graves, surveyor, came forward to explain and represent this request. He explained that this subdivision was created in 1964. The existing house was built in the middle of these two lots. When these two lots were recently combined together they fall short of lot size requirement. This is why we are asking for a lot size variance this evening.

Mr. Hammock stated they will have to have a new deed for these combined lots prior to obtaining a building permit for the room addition.

Mr. Rainey reminded this board that we have granted this type of request in Riverchase, Sunset Bay, etc. for 20,000 to 30,000 square foot lots. He stated that he felt that this was improving the situation.

Mr. Hammock stated that if this variance is granted it would allow the property owner to construct a room addition.

Chairman McKee opened the floor for the public hearing.
There was no one present to speak for or against.

There was discussion.

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

5. **SHELTON AND LINDSAY CATES**-They were requesting a continuation of a hardship they received on April 14, 2011. This hardship was to take care of Jacqueline McDaniel (Mrs. Cates' mother). Subject property is located at 1210 Upper Station Camp Creek Road, Cottontown, Tn., is on tax map 102, parcel 27.04, contains 2.46 acres, and is zoned Estate A. They must provide documentation to establish that the hardship is still needed (i.e. physician's note) and updated engineering letter of the findings of the structure due to life safety issues.

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Mr. and Mrs. Cates came forward to represent this request. Mr. Cates provided this body with a letter from his mother-in-law's pain specialists and a letter from Rodgers Engineering stating that upon their inspection on 5/2/13 they feel confident again to verify the structural integrity of the existing structure.

There was discussion.

Chairman McKee opened the floor for the public hearing.
There was no one present to speak for or against.

Motion to continue the hardship variance since the proper documents were furnished by Mr. Rainey, seconded by Mr. Dickerson. Motion passed unanimously.

Other business:

Mr. Hammock explained that Group Homes are becoming more prevalent. He felt that this board needs to have the Planning Commission, Legislative Body and the County Commission to look at addressing the group homes on possibly placing them in a particular zone, i.e. Commercial.

Mr. Hammock discussed the possibility of requiring anyone that is making an application for a Group Home that they would be required to rezone the property instead of obtaining a conditional use from the Zoning Board of Appeals. Since these particular homes are being operated 24 hours a day, 7 days a week this should be considered Commercial. By doing this it would allow the County Commissioners a chance to look at this particular use. This is just something this board may want to think about.

Mr. Rainey suggested that we put this particular discussion on the August Zoning Board of Appeals agenda and discuss it then.

Mr. Rainey stated that we should handle the two group homes that are coming before us in June and July, then in August we would have some insight of the Tennessee Fair Housing Act. This will tell us how we want to address and to make a recommendation back to the Planning Commission and County Commission on possibly rewriting of the Zoning Resolution.

There was discussion.

Meeting adjourned at 6:35 p.m.