

SUMNER COUNTY ZONING BOARD OF APPEALS

MINUTES

SEPTEMBER 12, 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

MARSH RAGLAND

MEMBERS ABSENT:

---

STAFF PRESENT:

GARY L. HAMMOCK, DIRECTOR OF CONSTRUCTION AND DEVELOPMENT

LISA DUNAGAN-DIORIO, ADMINISTRATIVE ASSISTANT

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

**1. Donald and Karen Reside** were requesting a twelve (12) foot side yard setback variance on the northeast side to build a garage. Subject property is located at **1019 Shoreside Drive, Hendersonville, Tn.**, is on Tax Map 158C, Group B, Parcel 9.00, being lot number 49 of Southern Shores Subdivision, and is zoned RA.

This was a public hearing and was advertised in the Gallatin News Examiner on August 9, 2013. The adjoining property owners were notified by certified mail.

**There was no one present to represent this request. Mr. Rainey stated that if they do want to appear before this body at a later date that they would have to re-advertise this and notify the adjoining property owners by certified mail.**

2. **Mary Katherine Lorance** was requesting a conditional use permit to operate a wedding and reception venue and a bed and breakfast, a dust free parking variance and permission for two un-illuminated signs. The operational months for the weddings will be April thru October, and there will be no more than 3 weddings per month. The food and possible alcohol beverages will be catered. They are asking for the possibility of up to seven (7) employees to help with the weddings if need be. Subject property is located at **475 Dry Fork Creek Road, Gallatin, Tn.**, is on tax map 83, parcel 20.06, contains 34.75 acres and is zoned agricultural.

This was a public hearing and was advertised in the Gallatin News Examiner on August 2, 2013. The adjoining property owners were notified by certified mail.

**SUMNER COUNTY ZONING BOARD OF APPEALS MINUTES                      PAGE 2**  
**SEPTEMBER 12, 2013**

Ms. Lorance came forward to explain this request and to answer any questions.

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

Mr. Rainey asked how she was going to deal with septic.

Ms. Lorance responded to Mr. Rainey by saying she would provide portable restroom trailers for the wedding and reception venues.

Mr. Rainey then questioned the septic for the bed and breakfast.

She said she had a separate septic system for the two bed room apartment which was separate from her house. Everything (the septic) was done the way it was supposed to be when it was built.

Mr. Rainey asked Mr. Hammock if she had met all the requirements necessary for this request as it pertains to the Zoning Resolution.

Mr. Hammock responded that this request meets all the requirements as far as he is aware. He also said that it would be easy to verify the septic thru the State Environmental office.

There was discussion.

**Motion for approval for two years with the condition that they met all of the regulations that are set forth in the Sumner County Zoning Resolution as they pertain to a bed and breakfast and that they provide proof of approval from the Environmental for the septic system, seconded by Mr. Dickerson. Motion passed unanimously.**

3. **Brad and Jenny Towle** were requesting a conditional use permit to operate outdoor weddings, and outdoor events, permission for one (1) freestanding, un-illuminated wood sign and a dust free parking variance. The outdoor weddings will be held from May 1<sup>st</sup> to October 31<sup>st</sup>, weekends only, 4 to 6 weddings a year, and the food will be catered. The outdoor events

will be all year round, on weekends, and no more than 5 a year. There is ample parking for 140 cars; the events will be relatively small with 150 guests. Subject property is located at **539 Upper Station Camp Creek Road, Gallatin, Tn.**, is on Tax Map 115, Parcel 21.01, contains 13.8 acres, and is zoned R1A.

This was a public hearing and was advertised in the Gallatin News Examiner on August 16, 2013. The adjoining property owners were notified by certified mail.

Mr. and Mrs. Towle came forward to represent this request and to answer any questions.

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

**SUMNER COUNTY ZONING BOARD OF APPEALS MINUTES                      PAGE 3**  
**SEPTEMBER 12, 2013**

There was discussion.

**Motion for a two year approval since it looks like they have done all their homework regarding all the questions that we (this body) would have asked, by Mr. Rainey, seconded by Mr. Dickerson. Motion passed unanimously.**

**4. Peggy Ulrich** was requesting a lot size variance of 0.40 of an acre and a lot width variance of 14 feet. According to the Recorded Warranty Deed, paperwork was originally drafted for subdividing the property as early as April 11, 1969, but not recorded until March 30, 1976, after the adoption of the Sumner County Zoning Resolution on July 9, 1973. Subject property is located at **1084 Dickerson Bay Drive, Gallatin, Tn.**, is on Tax Map 147, Parcel 31.01, contains 0.52 of an acre and is zoned Residential A.

This was a public hearing and was advertised in the Gallatin News Examiner on August 30, 2013. The adjoining property owners were notified by certified mail.

Ms. Ulrich came forward to represent this request and to answer any questions. She explained that she has someone who wants to build a house on this property. She stated that when she purchased this lot it was deeded separately. She explained that she owned the property next door to this parcel.

Chairman McKee opened the floor for the public hearing.

Charles Batey came forward to speak in opposition to this request since most of the surrounding properties are five (5) plus acres.

Mike Pentecost came forward to speak in opposition to this request due to the fact that this is not keeping with the character of the area.

Chairman McKee asked Ms. Ulrich that since she owns the property next to subject property whether she could not put some property with this small lot. Ms. Ulrich responded to the Chairman by saying that may be a possibility.

There was discussion.

Mr. Rainey stated that he surveyed the property that this Ms. Ulrich owns in 1976 and explained that he has personal knowledge of this property. Mr. Rainey stated that he does not think Ms. Ulrich has grounds for this request. This track was surveyed as a 1 ½ acre tract. Somewhere in the past five (5) to six (6) years they went to the tax assessor's office and got this parcel changed, but this does not create a legal lot.

**SUMNER COUNTY ZONING BOARD OF APPEALS MINUTES      PAGE 4**  
**SEPTEMBER 12, 2013**

**Motion to deny by Mr. Rainey, seconded by Mr. Dickerson. Motion passed unanimously.**

**OTHER BUSINESS:**

**A. Mr. Paul Kirby** was requesting a continuation of a conditional use permit to operate an electrical business which he received on September 13, 2007. Subject property is located at **1037 Kansas Lane, Gallatin, Tn.**, is on Tax Map 90, parcel 23.03, contains approximately 5.00 acres and is zoned agricultural.

The adjoining property owners were notified by regular mail.

Mr. Paul Kirby came forward to represent this request and to answer any questions.

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

There was discussion.

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

**B. Robert and Reba Sullivan** were requesting a continuation of a conditional use permit to operate a wood recycling business which they received on September 13, 2007. Subject property is located at **6460 Highway 31-E, Bethpage, Tn.**, is on tax map 64, parcel 66.01, contains approx. 1.87 acres and is zoned agricultural.

The adjoining property owners were notified by regular mail.

Mrs. Sullivan was present to represent request and to answer any questions.

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

There was discussion.

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

**Meeting Adjourned at 6:30 p.m.**