

SUMNER COUNTY ZONING BOARD OF APPEALS

MINUTES

6:00 P.M.

MARCH 10, 2005

SUMNER COUNTY ADMINISTRATION BUILDING

ROOM 210

355 N. BELVEDERE DRIVE

GALLATIN, TN. 37066

MEMBERS PRESENT:

MARK MCKEE JR., CHAIRMAN

JAMES COLE

RALPH WEBSTER

ALTON PERDUE

MIKE WILLIAMS, ASSOCIATE MEMBER

MEMBERS ABSENT:

BRUCE RAINEY, VICE-CHAIRMAN

**MOTION FOR APPROVAL OF THE FEBRUARY MINUTES BY MR. COLE,
SECONDED BY MR. WEBSTER. MOTION PASSED UNANIMOUSLY.**

1. MARION & ROGER WOMACK WERE REQUESTING PERMISSION TO BUILD A CLUSTER LOT SUBDIVISION ON PUBLIC SEWER WITH A MAXIMUM SEVENTY (70) HOUSES ON 71.6 ACRES. THE SUBDIVISION (WOMACK'S CREEKVIEW ESTATES, SECTION 3) IS LOCATED OFF PRUITT LANE, GALLATIN, TN. SUBJECT PROPERTY IS ON TAX MAP 105, PARCEL 7 P/O, IS ZONED RESIDENTIAL A, AND CONTAINS 25.51 ACRES (15 LOTS).

THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE NEWS EXAMINER ON FEBRUARY 25, 2005. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

MR. RAINEY CAME FORWARD TO REPRESENT AND EXPLAIN THIS REQUEST.

MR. RAINEY EXPLAINED THAT THIS DEVELOPMENT WOULD HAVE A STEP SEWER SYSTEM WHICH WILL BE OWNED AND OPERATED BY A UTILITY COMPANY. THIS WOULD ALLOW US TO PUT IN A PUBLIC SEWER SYSTEM. THIS SYSTEM HAS BEEN APPROVED BY THE STATE OF TENNESSEE. THIS WILL NOT INCREASE THE DENSITY OF THE DEVELOPMENT BUT COMPACT THE DEVELOPMENT INTO A CLUSTER SUBDIVISION. THE HOMES WILL BE APPROXIMATELY 1800 TO 2000 SQUARE FEET. MR. RAINEY STATED THAT THEY HAD RECEIVED PLANNING COMMISSION APPROVAL CONTINGENT ON THE ZONING BOARD OF APPEALS APPROVAL.

CHAIRMAN MCKEE OPENED THE FLOOR FOR THE PUBLIC HEARING.

MR. GEORGE SHICK CAME FORWARD TO SPEAK REGARDING THIS REQUEST.

MR. SHICK QUESTIONED THE STEP SEWER SYSTEM. MR. SHICK FELT THAT THIS DENSITY IS NOT CONDUCTIVE TO THIS AREA, AND WAS CONCERNED ABOUT TRAFFIC.

MR. LAWRENCE DRAKE, CAME FORWARD TO SAY HE WAS CONCERNED ABOUT THE DENSITY, THE SEWER SYSTEM POLLUTING DESHEA CREEK AND THE TRAFFIC.

MR. KENNY BROWN QUESTIONED IF THIS PROPERTY FELL IN THE GALLATIN PLANNING AREA.

MR. MOULTON EXPLAINED THAT THERE IS NO QUESTION THAT THIS FALLS INTO THE COUNTY'S JURISDICTION.

CHAIRMAN MCKEE CLOSED THE PUBLIC HEARING.

THERE WAS DISCUSSION

MR. MOULTON EXPLAINED THAT HE WOULD RATHER SEE THIS TYPE SEWER SYSTEM THAN 70 SEPARATE SEPTIC TANKS AND FIELD LINES. THEY ARE GETTING OPEN SPACE AND SIDEWALKS THAT THEY WOULD NOT BE GETTING WITH A STRAIGHT ZONING. MR. MOULTON STATED THAT THIS MEETS ALL THE REQUIREMENTS OF THE ZONING AND SUBDIVISION REGULATIONS. THE STATE HAS ALREADY APPROVED THIS SEPTIC SYSTEM AND THEY WILL INSPECT THIS SYSTEM.

MOTION TO APPROVE BY MR. WEBSTER, SECONDED BY MR. WILLIAMS. MOTION PASSED UNANIMOUSLY.

2. BEECH CUMBERLAND PRESBYTERIAN CHURCH WAS REQUESTING A 10 FOOT SIDE YARD SETBACK VARIANCE TO BUILD A CHRISTIAN LIFE CENTER. SUBJECT PROPERTY IS LOCATED AT 3216 LONG HOLLOW PIKE, HENDERSONVILLE, TN., IS ON TAX MAP 122, PARCEL 67, CONTAINS 9.6 ACRES, AND IS ZONED R1A.

THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE NEWS EXAMINER ON FEBRUARY 25, 2005. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

MR. RAINEY CAME FORWARD TO REPRESENT AND EXPLAIN THIS REQUEST.

CHAIRMAN MCKEE OPENED THE FLOOR FOR THE PUBLIC HEARING.

THERE WAS NO ONE PRESENT TO SPEAK.

CHAIRMAN MCKEE CLOSED THE PUBLIC HEARING.

THERE WAS DISCUSSION.

MOTION FOR APPROVAL BY MR. COLE, SECONDED BY MR. PERDUE. MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS:

- **WILLIAM STINSON** - TO DISCUSS CONTINUATION OF HARDSHIP RECEIVED ON FEBRUARY 6, 1990. SUBJECT PROPERTY IS LOCATED 807 UPPER STATION CAMP CREEK ROAD, **CONTAINS 9.6 ACRES**, IS **ZONED R1A**, AND IS ON TAX MAP 101, PARCEL 43.

MR. WILLIAM STINSON CAME FORWARD TO STATE THAT THE HOME HAS BEEN REMOVED FROM THIS PROPERTY. MR. STINSON STATED THAT THE HARDSHIP STILL EXISTS, BUT HE GOT TIRED OF HAVING TO COME BEFORE THIS BOARD WITH A DOCTOR STATEMENT, SINCE SHE HAS NOT BEEN TO THE DOCTOR IN YEARS SHE IS JUST A HEALTHY PERSON. HE HAS PLANTED GRASS WHERE THE HOME PREVIOUSLY WAS LOCATED.

THE CONSENSUS OF THIS BODY WAS TO RESCIND THIS HARDSHIP DUE TO THE CIRCUMSTANCES.

- **GENE GLASGOW**- TO DISCUSS CONTINUATION OF HARDSHIP RECEIVED ON MARCH 6, 1990. SUBJECT PROPERTY IS LOCATED AT 191 VANTREASE LANE, ON TAX MAP 102, PARCEL 8, CONTAINS 1.9 ACRES, AND IS ZONED R1A.

MR. GLASGOW CAME FORWARD TO STATE THAT THE HARDSHIP IS STILL NEEDED. MR. GLASGOW SHOWED THE MEMBERS SOME TEST RESULTS HE HAD RECEIVED FROM SOME PREVIOUS TESTS. HE ONLY BROUGHT ONE COPY OF THESE TEST RESULTS AND HE ASKED FOR THIS COPY BACK, THEREFORE THIS REPORT IS NOT PART OF THE RECORD.

MOTION TO CONTINUE THE HARDSHIP BY MR. WEBSTER, SECONDED BY MR. COLE. MOTION PASSED UNANIMOUSLY.

- **FYI: JACKIE R. GAMBRELL SPECIAL USE PERMIT: SUBJECT PROPERTY IS LOCATED AT 3706 HIGHWAY 76, COTTONTOWN, TN., IS ON TAX MAP 74, PARCEL 31 AND IS ZONED AGRICULTURAL.**

MR. MOULTON EXPLAINED WHAT THE SITUATION IS WITH MR. GAMBRELL AT THIS TIME. THE PLANNING COMMISSION HAS GIVEN MR. GAMBRELL UNTIL JUNE 2005 TO BE COMPLETELY COMPLIANT. IF MR. GAMBRELL IS NOT COMPLIANT AT THE JUNE 2005 PLANNING COMMISSION MEETING, THEY WILL DENY HIS SITE PLAN AND THIS WOULD SET THIS SITUATION IN MOTION TO COME BACK BEFORE THIS BOARD TO DENY HIS SPECIAL USE PERMIT TO OPERATE HIS BUSINESS.

THERE WAS DISCUSSION.

MOTION TO EXTEND MR. GAMBRELL'S SPECIAL USE PERMIT UNTIL AUGUST 2005 BY MR. PERDUE, SECONDED BY MR. COLE. MOTION PASSED UNANIMOUSLY.

MEETING ADJOURNED AT 6:35 P.M.