

**SUMNER COUNTY ZONING BOARD OF APPEALS
MINUTES
6:00 P.M.
APRIL 14, 2005**

**SUMNER COUNTY ADMINISTRATION BUILDING
ROOM 210
355 N. BELVEDERE DRIVE
GALLATIN, TN. 37066**

**MEMBERS PRESENT:
MARK MCKEE JR., CHAIRMAN
BRUCE RAINEY, VICE-CHAIRMAN
JAMES COLE
ALTON PERDUE
MIKE WILLIAMS, ASSOCIATE MEMBER**

**MEMBERS ABSENT:
RALPH WEBSTER**

**OTHERS PRESENT:
MIKE MOULTON, PLANNING DIRECTOR
RICHARD JONES, ASSOCIATE MEMBER
LISA WILLIAMS, ADMINISTRATIVE ASSISTANT**

**MOTION FOR APPROVAL OF THE MARCH MINUTES BY MR. COLE,
SECONDED BY MR. PERDUE. MOTION PASSED.**

*3 AYES: COLE, PERDUE & WILLIAMS
1 ABSTENTION: RAINEY*

1. BILL AND GAIL MITCHELL WERE REQUESTING A SPECIAL USE PERMIT TO OPERATE A HORSE TRAINING CENTER (*MITCHELL TRAINING CENTER*) ON A 300 FT. X 250 FT. PORTION OF THE 12.89 ACRE TRACT LOCATED AT 2764 HIGHWAY 31-E, BETHPAGE, TN., PERMISSION FOR ONE (1) 3' X 4' SIGN, AND A VARIANCE FROM THE DUST FREE PARKING. SUBJECT PROPERTY IS ON TAX MAP 90, PARCEL 14.04, AND IS ZONED AGRICULTURAL.

THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON APRIL 1, 2005. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

MR. AND MRS. MITCHELL CAME FORWARD TO EXPLAIN THIS REQUEST AND TO ANSWER ANY QUESTIONS. MR. MITCHELL STATED THAT THEY TRAIN HORSES TO SHOW AND GIVE LESSONS TO PEOPLE WE SHOW FOR, HOLD A FEW CLINICS FOR THE 4-H JUDGING TEAM TO PREPARE FOR THEIR COMPETITIONS, AND HELP THE EXTENSION AGENCY WITH THE ADULT EDUCATION CLASSES, WHICH WE PROVIDE SOME OF THEIR CLINICS.

CHAIRMAN MCKEE OPENED THE FLOOR FOR THE PUBLIC HEARING.

MR. JOE W. CARTER CAME FORWARD TO SPEAK IN FAVOR OF THIS REQUEST.

MR. JEFF SMITH ALSO CAME FORWARD TO SPEAK IN FAVOR OF THIS REQUEST.

THERE WAS NO ONE PRESENT TO SPEAK IN OPPOSITION TO THIS REQUEST.

MR. MOULTON STATED THAT THERE WAS NOT A BUILDING PERMIT FOR THE BARN WHEN IT WAS BUILT YEARS AGO, BUT THE MITCHELL'S HAVE SUPPLIED US WITH AN ENGINEER'S LETTER. MR. MOULTON EXPLAINED THAT THERE WILL BE A MINIMAL AMOUNT OF TRAFFIC FOR THIS OPERATION, THEREFORE HE IS ASKING FOR THE DUST FREE VARIANCE. MR. MOULTON EXPLAINED THAT THE MITCHELL'S DID OBTAIN THEIR BUSINESS LICENSE, AND THAT THE TAX ASSESSOR'S OFFICE HAS CHANGED THEIR TAX RATE TO COMMERCIAL.

MR. RAINEY ASKED IF THE PROPOSED SIGN WAS TO BE ILLUMINATED.

MR. MITCHELL STATED IT WAS NOT AN ILLUMINATED SIGN.

MR. MOULTON STATED THAT THE APPLICATION REFLECTED AN ILLUMINATED SIGN, BUT THIS APPLICATION WOULD BE CORRECTED TO REFLECT AN UN-ILLUMINATED SIGN.

THERE WAS DISCUSSION.

MOTION FOR APPROVAL FOR THE SPECIAL USE PERMIT, FOR ONE (1) FREE STANDING UN-ILLUMINATED SIGN, AND A VARIANCE FROM THE DUST FREE PARKING, BY MR. RAINEY, SECONDED BY MR. COLE. MOTION PASSED UNANIMOUSLY.

FYI: MR. MOULTON EXPLAINED THAT THE SINGLEWIDE MOBILE HOME ON THIS PROPERTY HAS BEEN REMOVED.

OTHER BUSINESS:

- **ROBERTA BROOKS- DISCUSSED CONTINUATION OF HARDSHIP RECEIVED ON APRIL 3, 1990. SUBJECT PROPERTY IS LOCATED AT 301 WHITSON ROAD, BETHPAGE, TN., CONTAINS 1 ACRE, IS ZONED AGRICULTURAL, AND IS ON TAX MAP 62, PARCEL 8.00**

MS. ROBERTA BROOKS CAME FORWARD TO REPRESENT THIS REQUEST AND TO STATE THAT THE HARDSHIP IS STILL NEEDED

THERE WAS DISCUSSION.

MOTION BY MR. RAINEY TO CONTINUE THIS HARDSHIP FOR TWO YEARS SUBJECT UPON THEM GETTING A LETTER FROM THEIR DOCTOR STATING THAT A HARDSHIP IS STILL NEEDED, SECONDED BY MR. COLE. MOTION PASSED UNANIMOUSLY.

- THOMAS LAWRENCE- DISCUSSED CONTINUATION OF HARDSHIP RECEIVED ON APRIL 1, 1997. SUBJECT PROPERTY IS LOCATED AT 112 BUCK PERRY ROAD, BETHPAGE, TN., IS ZONED AGRICULTURAL, CONTAINS 19.13 ACRES, AND IS ON TAX MAP 41, PARCEL 47.

MR. THOMAS LAWRENCE CAME FORWARD TO REPRESENT THIS REQUEST. MR. LAWRENCE STATED THAT THERE WAS STILL A NEED FOR THE HARDSHIP FOR HIS PARENTS. MR. LAWRENCE PRESENTED THIS BOARD WITH A DR. STATEMENT.

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

- MARY FORD- DISCUSSED CONTINUATION OF HARDSHIP RECEIVED ON APRIL 7, 1992. SUBJECT PROPERTY IS LOCATED AT 1159 JONES ROAD, HENDERSONVILLE, TN., IS ON TAX MAP 95, PARCEL 61, IS ZONED RESIDENTIAL A, AND CONTAINS 3 ACRES.

THERE WAS NO ONE PRESENT TO REPRESENT THIS REQUEST, DUE TO THE FACT THAT MS. FORD WAS DECEASED AND THERE WAS NO NEED FOR THE HARDSHIP. PER A TELEPHONE CONVERSATION WITH JOYCE RAMBO (MS.FORD'S DAUGHTER), MR. MOULTON EXPLAINED THAT THEY WERE GOING TO SUBDIVIDE THE PROPERTY AND THAT THERE WAS ACTION REQUIRED BY THIS BOARD.

MR. RAINEY MADE A MOTION THAT WE ACKNOWLEDGE THE DISCONTINUANCE OF THE HARDSHIP AND ASK THAT THE STAFF REPORT BACK TO THIS BODY IN 90 DAYS AS TO THE STATUS OF THE SEPARATION OF THE TWO PROPERTIES, SECONDED BY MR. WILLIAMS. MOTION PASSED UNANIMOUSLY.

- SHELLY NORRIS- DISCUSSED CONTINUATION OF HARDSHIP RECEIVED ON APRIL 6, 1999. SUBJECT PROPERTY IS LOCATED AT 578 BRAZIER LANE, CONTAINS 1.44 ACRES, IS ON TAX MAP 93, PARCEL 8.01, IS ZONED AGRICULTURAL.

MS. NORRIS CAME FORWARD TO STATE THAT SHE STILL HAS A NEED FOR THE HARDSHIP VARIANCE. MS. NORRIS PRESENTED THIS BODY WITH A LETTER FROM CUMBERLAND MENTAL HEALTH SERVICES, INC.

AFTER REVIEWING THE LETTER, MR. RAINEY STATED THAT IT DID NOT STATE THAT THERE WAS A SPECIFIC NEED FOR THE HARDSHIP.

THERE WAS DISCUSSION.

MOTION FOR CONTINUATION OF HARDSHIP FOR TWO YEARS BY MR. COLE, SECONDED BY MR. PERDUE. MOTION PASSED UNANIMOUSLY.

MR. MOULTON STATED THAT IF THE HARDSHIP IS STILL NEEDED IN TWO YEARS, THAT THE LETTER THAT WE REQUEST YOU TO PROVIDE, NEEDS TO STATE THAT THERE IS IN FACT A MEDICAL REASON THAT YOUR FATHER NEEDS TO BE LIVING CLOSE TO SOMEONE.

- VAN HUMPHREY-DISCUSSED CONTINUATION OF HARDSHIP RECEIVED ON APRIL 4, 2000. SUBJECT PROPERTY IS LOCATED AT 1135 SMITH THOMPSON ROAD, IS ON TAX MAP 49, PARCEL 2, CONTAINS 1 ACRE, AND IS ZONED AGRICULTURAL.

MR. VAN HUMPHREY CAME FORWARD TO REPRESENT THIS REQUEST AND TO STATED THAT HIS MOTHER STILL NEEDS THE HARDSHIP. MR. HUMPHREY STATED THAT HIS MOTHER CALLED THE PLANNING DEPARTMENT AND SPOKE WITH ONE OF THE SECRETARIES AND EXPLAINED THAT SHE HAD NOT BEEN TO THE DOCTOR BUT THAT HE WOULD FAX A LETTER STATING THAT THE HARDSHIP IS STILL IN FACT NEEDED WITHIN A WEEK.

MOTION TO CONTINUE THE HARDSHIP FOR TWO YEARS CONTINGENT UPON RECEIVING THE DR.'S LETTER BY MR. COLE, SECONDED BY MR. PERDUE. MOTION PASSED UNANIMOUSLY.

MEETING ADJOURNED AT 6:35 P.M.