

SUMNER COUNTY ZONING BOARD OF APPEALS
MINUTES
6:00 P.M.
APRIL 8, 2010

SUMNER COUNTY ADMINISTRATION BUILDING
COMMITTEE MEETING 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, ALTERNATE MEMBER

MEMBERS ABSENT:
JAMES COLE

OTHERS PRESENT:
GARY L. HAMMOCK, DIRECTOR OF CONSTRUCTION AND DEVELOPMENT
LISA DUNAGAN-DIORIO, ADMINISTRATIVE ASSISTANT

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

1. WAYNE AND KATHY LACKEY WERE REQUESTING A VARIANCE OF ARTICLE VI, SECTION 7.1 OF THE SUMNER COUNTY ZONING RESOLUTION WHICH PROHIBITS SINGLEWIDE MOBILE HOMES IN R1A DISTRICTS. THEY WANT TO PLACE A SINGLEWIDE MOBILE HOME AT 212 CORUM HILL ROAD, CASTALIAN SPRINGS, TN. SUBJECT PROPERTY CONTAINS 1.11 ACRES, IS ON TAX MAP 110, PARCEL 58.00 AND IS ZONED R1A.

(FYI: THIS PROPERTY WAS SURVEYED ON MARCH 19, 1987 AND THE DEED RECORDED ON APRIL 7, 1987, MAKING THIS 1.11 ACRES A LOT OF RECORD.)

THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON MARCH 24, 2010. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

WAYNE LACKEY CAME FORWARD TO EXPLAIN THIS REQUEST.

MR. HAMMOCK EXPLAINED THAT THIS RESOLUTION CHANGE PROHIBITING THE PLACEMENT OF SINGLEWIDES WAS APPROVED BY THE COUNTY COMMISSION ON NOVEMBER 2008. FOR THE RECORD, I DO NOT AGREE WITH IT, BUT IT IS A LAW OF THE COUNTY.

MR. RAINEY EXPLAINED THAT MR. LACKEY BOUGHT THIS PROPERTY IN 2007 WHICH WAS OVER A YEAR BEFORE THIS LAW WENT INTO AFFECT. AT THE TIME HE BOUGHT THIS PROPERTY HE *COULD* PUT A SINGLEWIDE ON THIS PROPERTY.

THERE WAS NO CITIZEN PRESENT TO SPEAK FOR OR AGAINST THIS REQUEST.

THERE WAS DISCUSSION.

MOTION TO APPROVE THIS VARIANCE DUE TO THE FACT THAT THIS AREA IS CURRENTLY SUPPORTING SINGLEWIDES AT THIS TIME, AND HAS BEEN FOR AS LONG AS I CAN REMEMBER, AND MR. LACKEY WOULD NOT HAVE ANY REASON TO KNOW HE COULD NOT PUT A SINGLEWIDE ON THIS PROPERTY, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS:

ANDY AND MARTHA FAYE PAGE SR.-100 HIGHCLIFF DRIVE, HENDERSONVILLE, TN.
THEY ARE REQUESTING A CONTINUATION OF A CONDITIONAL USE PERMIT GRANTED ON
FEBRUARY 14, 2010 TO OPERATE A PRESSURE WASHING SERVICE, PRESSURE WASHING
EQUIPMENT SALES AND CHEMICAL SALES. SUBJECT PROPERTY CONTAINS APPROXIMATELY 1.6
ACRES, IS ON TAX MAP 122, PARCEL 14 P/O, IS ZONED AGRICULTURAL.
THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

THIS WAS RESCHEDULED UNTIL MAY 2010 DUE TO HEALTH ISSUES OF ANDY PAGE SR.

**MR. HAMMOCK STATED THAT HE TALKED WITH THE COUNTY ATTORNEY ABOUT WHETHER
WE COULD RESCHEDULE THIS (PAGE'S) CONTINUATION REQUEST, AND WAS ADVISED THAT
DUE TO HIS HEALTH ISSUES, THAT WE COULD POSTPONE THIS REQUEST FOR ONE (1)
MONTH. HE WILL EITHER HAVE TO BE HERE OR WITHDRAW HIS REQUEST.**

CELL TOWER DISCUSSION:

**MR. HAMMOCK EXPLAINED THAT ANYTIME WE HAVE SOMETHING CONTROVERSIAL
BEFORE THIS BOARD, HE WILL ANNOUNCE THAT THE CITIZENS ADDRESS THIS BODY, NOT
THE APPLICANT. WE DO NOT NEED ANOTHER QUESTION AND ANSWER SESSION BETWEEN
THE CITIZENS AND THE APPLICANT.**

**MR. HAMMOCK STATED THAT WE ARE GOING TO CHANGE OUR POLICY ON CELL TOWERS.
PREVIOUSLY CELL TOWER SITE PLAN'S WERE APPROVED BY THE PLANNING COMMISSION
FIRST, THEN TAKEN TO THE ZONING BOARD OF APPEALS FOR APPROVAL.
HENCEFORTH, A PROPOSED CELL TOWER WILL APPEAR BEFORE THE ZONING BOARD OF
APPEALS FIRST, THEN THEY WILL GO TO THE PLANNING COMMISSION FOR SITE PLAN
APPROVAL. THE ZONING BOARD CAN MAKE A MOTION OF APPROVAL WITH CONDITIONS,
AND THEN WE WILL TAKE THESE CONDITIONS TO THE PLANNING COMMISSION FOR THEM
TO CONSIDER.**

**MOTION BY MR. RAINEY FOR THE LAND OWNER TO BE PRESENT AT THE MEETING IF A CELL
TOWER CONDITIONAL USE PERMIT IS REQUESTED, IF THE LAND OWNER IS NOT PRESENT AT
THE MEETING IT WILL BE DEFERRED UNTIL WHICH TIME THAT THEY ARE PRESENT,
SECONDED BY MR. DICKERSON. MOTION PASSED UNANIMOUSLY.**

HARDSHIP VARIANCE DISCUSSION:

MR. HAMMOCK STATED THAT WE HAVE A HARDSHIP VARIANCE THAT WAS GRANTED TO GENE GLASGOW AT 191 VANTREASE LANE, ON MARCH 6, 1990, ON FEBRUARY 2, 2010, HE NOTIFIED OUR OFFICE THAT HE HAD SOLD THE PROPERTY TO HIS SON AND NO LONGER NEEDS THE HARDSHIP VARIANCE.

THEY ARE APPARENTLY RENTING OUT THIS MOBILE HOME. WE NEED THIS HARDSHIP VARIANCE DENIED BY THIS BODY, SO THE CONSTRUCTION AND DEVELOPMENT OFFICE CAN PLACE A STOP WORK ORDER ON THIS SECOND DWELLING.

MOTION BY MR. RAINEY TO CEASE AND DESIST, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY.

MEETING ADJOURNED AT 6:20 P.M.

