

**SUMNER COUNTY ZONING BOARD OF APPEALS  
MINUTES  
6:00 P.M.  
JUNE 10, 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

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

**MOTION BY MS. WEBSTER TO APPROVE THE MAY MINUTES, SECONDED BY MR. DICKERSON.  
MOTION PASSED UNANIMOUSLY.**

**1. DOYLE GENE AND ALICE FAYE GLASGOW** WERE REQUESTING A **HARDSHIP VARIANCE** TO PLACE A MOBILE HOME ON THEIR PROPERTY. THIS MOBILE HOME IS FOR ALICE FAYE'S DAUGHTER TO LIVE, SO SHE WILL BE ABLE TO CARE FOR ALICE FAYE DUE TO HER HEALTH ISSUES. SUBJECT PROPERTY IS LOCATED AT 189 VANTREASE LANE, GALLATIN, TN., IS ON TAX MAP 102, PARCEL 8, CONTAINS 1.9 ACRES, AND IS ZONED RIA.

DOYLE GENE AND ALICE FAYE GLASGOW CAME FORWARD TO EXPLAIN THEIR HARDSHIP REQUEST AND TO ANSWER ANY QUESTIONS. ALICE FAYE PRESENTED THE BOARD WITH A COPY OF HER RECORDED WARRANTY DEED AND A LETTER FROM DR. FAITH STATING THAT ALICE FAYE DUE TO HEALTH DOES NEED TO HAVE HER DAUGHTER CLOSE TO HER TO CARE FOR HER.

MR. HAMMOCK PRESENTED PICTURES OF THIS PROPERTY FOR THEIR REVIEW. HE TOLD THE BOARD THAT HE HAD MADE AN UNANNOUNCED VISIT TO THIS PROPERTY AND FOUND ALICE FAYE WITH A HEAT PAD ON HER SHOULDER IN VERY MUCH PAIN. ALICE FAYE'S DAUGHTER WAS ON THE TELEPHONE WITH A SOME ONE IN THE MEDICAL FIELD DUE TO THE FACT THAT ALICE FAY WAS IN PAIN.

THERE WAS DISCUSSION.

**MOTION FOR APPROVAL BY MR. RAINEY OF THE HARDSHIP VARIANCE, SECONDED BY MR. DICKERSON. MOTION PASSED UNANIMOUSLY.**

**2. RONALD PERRY** WAS REQUESTING A **12 FOOT SIDE SETBACK VARIANCE ON THE NORTH SIDE** TO CONSTRUCT A ROOM ADDITION. SUBJECT PROPERTY IS LOCATED ON 2300 DOBBINS PIKE, PORTLAND, TN., IS ON TAX MAP 70, PARCEL 3.02, BEING LOT 3 OF THE NORTHUP ESTATES SUBDIVISION AND IS ZONED AGRICULTURAL.

MR. PERRY CAME FORWARD TO REPRESENT THIS REQUEST AND PRESENTED AN AMENDMENT TO THE RECORDED PLAT. THIS AMENDMENT REFLECTS A 32' SIDE YARD SETBACK VARIANCE ON LOT 4 AND WAS RECORDED ON 6/7/10.

THERE WAS DISCUSSION.

**MOTION TO APPROVE BY MR. RAINEY, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY.**

**OTHER BUSINESS:**

**1. ANDY AND MARTHA FAYE PAGE SR.-100 HIGHCLIFF DRIVE, HENDERSONVILLE, TN.** THEY WERE 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. (THEY WERE GRANTED A THIRTY DAY CONDITIONAL USE PERMIT AT THE MAY 2010 ZBA MEETING).**

MARTHA FAYE PAGE CAME FORWARD TO REPRESENT AND ANSWER ANY QUESTIONS PERTAINING TO THIS REQUEST.

MR. RAINEY EXPLAINED THAT LAST MONTH WE ASKED YOU TO CLEAN UP THIS PROPERTY AND ACCORDING TO THE PICTURES PRESENTED TO US BY MR. HAMMOCK, THIS IS NOT THE CASE.

MARTHA FAYE PAGE STATED THAT THOSE THINGS BESIDE THE TRAILER ARE THERE BECAUSE I HAD TO GET ANDY'S APPROVAL AS TO WHAT TO HAUL OFF AND WHAT TO KEEP.

MR. RAINEY ALSO QUESTIONED THE VAN IN THE PICTURES WITHOUT A CURRENT TAG.

MR. RAINEY EXPLAINED THAT WHEN THEY ASKED FOR A CONDITIONAL USE PERMIT THIS MAKES EVERYTHING LOCATED ON THAT PROPERTY SUBJECT TO THE REQUEST. MR. RAINEY STATED THAT IS WHY HE IS HAVING AN ISSUE WITH THE CONDITION OF THIS PROPERTY CURRENTLY.

CHAIRMAN MCKEE OPENED THE FLOOR FOR THE PUBLIC HEARING.

MR. POUNDERS CAME FORWARD TO SPEAK. HE EXPLAINED THAT THEY (PAGES') HAVE BEEN GOOD NEIGHBORS. HE STATED THAT HIS MAJOR CONCERN IS SAFETY ISSUES IN REGARDS TO TRUCKS PARKING IN THE ROAD. THIS ROAD IS A STEEP HILL, HAS A BLIND CURVE AND THE FACT THAT THE PROPERTY IS IN SUCH A MESS, ETC.

CHAIRMAN MCKEE CLOSED THE PUBLIC HEARING.

MR. RAINEY ASKED MARTHA FAYE PAGE IF SHE DEPENDED ON THIS BUSINESS AS AN INCOME? MARTHA FAYE PAGE REPLIED "YES SIR".

MR. RAINEY STATED THAT HIS CONCERN IS THAT THE PROPERTY IS JUNKED UP. AS A BOARD, WE CAN PLACE ANY CONDITIONS THAT WE DEEM NECESSARY ON THIS PROPERTY, AND I DO NOT WANT TO SHUT YOUR BUSINESS DOWN. WE NEED TO GET THIS PROPERTY CLEANED UP AND WE DO NOT WANT A VEHICLE PARKED IN THE ROAD, WHICH CREATES AN UNSAFE CONDITION.

MR. HAMMOCK STATED THAT UNLICENSED VEHICLES AND DISMANTLE CAR PARTS ARE NOT ALLOWED PER THE SUMNER COUNTY ZONING RESOLUTION. BOTH OF WHICH YOU WILL SEE IN THE PHOTOGRAPHS THAT WERE MADE TODAY OF SUBJECT PROPERTY. FROM THE ZONING STANDPOINT WE COULD ISSUE A ZONING CITATION. THIS PROPERTY IS NOT COMPLIANT WITH THE ZONING RESOLUTION.

THERE WAS EXTENSIVE DISCUSSION.

MR. RAINEY STATED THAT HE HAD SYMPATHY BECAUSE OF THE HEALTH ISSUES, BUT DOES NOT HAVE SYMPATHY OF MULTIPLE ZONING VIOLATIONS.

**MOTION TO CONTINUE THE CONDITIONAL USE UNTIL OUR JANUARY 2011 MEETING BUT THIS PROPERTY MUST BE BROUGHT INTO ZONING COMPLIANCE WITHIN SIXTY DAYS AND IF THIS IS NOT BROUGHT INTO COMPLIANCE IN SIXTY DAYS THE CONDITIONAL USE BE TERMINATED, AND WOULD LIKE TO SEE A WRITTEN REPORT FROM STAFF IN SIXTY DAYS REGARDING THE STATUS OF THIS LOT, SECONDED BY MR. DICKERSON. MOTION PASSED UNANIMOUSLY.**

**2. JOE AND MARY LEE WILKES**-WERE REQUESTING **CONTINUATION OF A HARDSHIP VARIANCE** RECEIVED ON MAY 13, 2004, TO ALLOW SOMEONE LIVE IN THEIR APARTMENT TO CARE FOR HIS WIFE (MARY LEE) DUE TO THE FACT SHE IS PARTIALLY DISABLED. SUBJECT PROPERTY IS LOCATED AT 1765 HWY 109 NORTH, GALLATIN, TN. 37066, IS ON TAX MAP 092, PARCEL 52.00.

JOE AND MARY LEE WILKES CAME FORWARD TO STATE THAT THE HARDSHIP VARIANCE IS STILL NEEDED. MRS. WILKES ALSO PROVIDED A COPY OF HER DEED AND COPY FROM HER PHYSICIAN VERIFYING THE NEED FOR THE HARDSHIP VARIANCE.

**THERE WAS DISCUSSION.**

**MOTION TO CONTINUE THE HARDSHIP BY MR. RAINEY CONTINGENT THAT MR. HAMMOCK GOES TO THE SITE TO VERIFY AND CONFIRM THE SITUATION WITHIN THE NEXT THIRTY (30) DAYS, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY.**

**MEETING ADJOURNED AT 6:50 P.M.**

