

**SUMNER COUNTY ZONING BOARD OF APPEALS  
MINUTES  
6:00 P.M.  
AUGUST 9, 2007**

SUMNER COUNTY ADMINISTRATION BUILDING  
COMMITTEE MEETING ROOM # 112  
**(MET IN THE CHAMBERS)**  
355 N. BELVEDERE DRIVE  
GALLATIN, TN 37066

**MEMBERS PRESENT:**

**MARK MCKEE JR., CHAIRMAN  
BRUCE RAINEY, VICE-CHAIRMAN  
JAMES COLE  
SANDY WEBSTER  
ALTON PERDUE**

**OTHERS PRESENT:**

**MIKE MOULTON, PLANNING DIRECTOR  
SUZIE BLANKENSHIP, ADMINISTRATIVE ASSISTANT**

**MOTION FOR APPROVAL OF JUNE MINUTES BY MR. RAINEY, SECONDED BY MR. PERDUE. MOTION PASSED UNANIMOUSLY.**

**1. WALLACE HARDISON** WAS REQUESTING TO ERECT A LAMAR ADVERTISING MONO-POLE SIGN WITH A SURFACE AREA OF 10 FT. 9 IN. X 23 FT. AND AN OVERALL HEIGHT OF THIRTY (30) FT. SUBJECT PROPERTY IS LOCATED AT 3600 LONG HOLLOW PIKE, GOODLETTSVILLE, TN., IS ON TAX MAP 139, PARCEL 11.00, CONTAINS APPROXIMATELY 13 ACRES AND IS ZONED R1A.

THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON JULY 25, 2007. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

MR. WALLACE WAS NOT PRESENT, BUT WAS REPRESENTED BY MR. BILL RUSH AND MR. TROY DAVIS. MR WALLACE HAD SIGNED A STATEMENT TO AUTHORIZE THE TWO MEN PRESENT TO REPRESENT HIM FOR A COMMERCIAL SIGN. MR. RUSH HAD READ THE ZONING FOR THE LOCATION AND COULD NOT FIND A "YES" OR "NO" ANSWER ABOUT THE ZONING ON THE COMMERCIAL SIGN. IT IS A POSTER PANEL SIGN, LESS THAN 2400 SQ. FT. THE SMALLEST SIGN LAMAR MAKES.

MR. RAINEY HAD QUESTIONS ABOUT IF R1A PROHIBITS ANY COMMERCIAL USE. PROPERTY IS NOT ZONED COMMERCIAL.

MR. MOULTON READ ALL OF THE R1A USES AND APPEALS. THIS WAS A LONG READING.

MR. RUSH STATED THE TAX APPRAISAL CARD SHOWS IT IS TAXED AS COMMERCIAL AND THAT IS WHAT WAS CONFUSING TO HIM.

MR. RAINEY STATED THIS PROPERTY WAS USED FOR DIFFERENT BUSINESSES AND LASTLY THE JAMBOREE. IT WAS GRANDFATHERED IN. SHOULD IT SHUT DOWN OR GO VACANT FOR 1 YR. IT WOULD CHANGE THE PERMITTED USE. THE SIGN IS FOR COMMERCIAL USE.

MR. MOULTON STATED IT DOES NOT MEET THE ZONING RESOLUTIONS IN THE BOOK. WAS/IS A GRAY AREA IN "APPEAL" LIST OF SIGN VARIANCE IF GRANTED.

MR. RAINEY STATED THE PROBLEM IS MR. RUSH AND MR. DAVIS WANT COMMERCIAL USE FOR THIS PROPERTY FOREVER WITH THAT SIGN. WE WOULD OVERSTEP OUR BOUNDS TO DO THAT IN A RESIDENTIAL AREA. MR. WALLACE CAN ASK FOR THE PROPERTY TO BE REZONED.

THERE WAS NO ONE FOR OR AGAINST THIS REQUEST IN THE AUDIENCE.

**MOTION TO BE A COMMERCIAL REQUEST IN A RESIDENTIAL ZONE DENIED BY MR. RAINEY, SECONDED BY MR. COLE. MOTION PASSED UNANIMOUSLY.**

**2. DANNY SMALL** WAS REQUESTING A VARIANCE TO USE THE EXISTING 50 FT. INGRESS/EGRESS EASEMENT THAT ACCESSES MAP 116N, GROUP A, PARCEL 7.00 FOR THE EXPLICIT PURPOSE OF CONSTRUCTING A NON-RESIDENTIAL BUILDING, (i.e.: GARAGE/STORAGE BUILDING). THE PROPERTY IS LOCATED AT 146 HUNTERS LANE, HENDERSONVILLE, TN., IS ON TAX MAP 116N, GROUP A, PARCEL 007.00. LOT SIZE IS APPROXIMATELY 200' X 202.46' AND IS ZONED R1A.

THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON JULY 13, 2007. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

MR. & MRS. SMALL CAME FORWARD TO EXPLAIN THEIR REQUEST.

MR. SMALL STATED THAT THEY CAN NOT COMBINE THE TWO LOTS DUE TO NEW REQUIREMENTS OF SEPTIC INSPECTION. HE SUSPECTS HIS OLDER HOME WOULD NOT PASS THE NEW INSPECTIONS. MR. SMALL WOULD LIKE TO BUILD A 20' x 25' GARAGE OR BUILDING FOR STORAGE ONLY. HIS BUILDER WAS REFUSED A PERMIT.

MR. MOULTON STATED THE EXISTING 50' EASEMENT IS NOT A COUNTY ROAD. THE EASEMENT IS PAVED DUE TO THE NEIGHBORS SHARED THE EXPENSE TO PAVE IT. MR. SMALL CAN NOT USE EASEMENT TO BUILD A RESIDENTIAL BUILDING, BUT CAN BE SPECIFIC FOR GARAGE.

MR. RAINEY STATED HE BUILT THE SUBDIVISION. THE LOT MR. SMALL HAS WAS ORIGINALLY AN ILLEGAL LOT AT THE BEGINNING. THE LOT WAS CUT INTO TWO LOTS AND THEN THE BACK LOT COULD NOT BE APPROVED FOR SEPTIC. LATIMER COURT WAS RESERVED ON THE PLAT, BUT NOT DEDICATED TO THE COUNTY.

DISCUSSION ON LATIMER COURT 50' EASEMENT.

MR. RAINEY STATED THAT MR. SMALL'S BACK LOT WAS ALL ROCK AND IT WOULD NOT PERK. MR. RAINEY ALSO WANTED IT TO BE KNOWN THAT IT IS NOT A BUILDING LOT. IT CANNOT BE USED AS A COMMERCIAL OR A RESIDENTIAL BUILDING PROPERTY.

MR. MCKEE ASKED IF IT WOULD BOTHER ANYONE ELSE IF MR. SMALL USED LATIMER COURT?

MR. MOULTON RESPONDED – NO, MR. SMALL HAS IT IN HIS DEED TO USE IT.

THERE WAS NO ONE FOR OR AGAINST THIS REQUEST IN THE AUDIENCE.

**MOTION TO APPROVE BY MR. RAINEY TO GRANT VARIANCE AS REQUESTED TO BUILD NON-COMMERCIAL, NON-RESIDENTIAL BUILDING FOR PRIVATE USE ONLY, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY.**

**3. JESSE L. MCREYNOLDS** WAS REQUESTING A CONDITIONAL USE PERMIT TO OPERATE A MUSIC VENUE AND HOST PRIVATE EVENTS (i.e.: WEDDING RECEPTIONS AND CORPORATE FUNCTIONS ), TO INCLUDE CATERED FOOD AND BEVERAGE. REQUESTS FOR ALCOHOLIC BEVERAGES WOULD NECESSITATE HIRING A LICENSED BARTENDER. HE IS ALSO REQUESTING A DUST FREE PARKING VARIANCE, AND PERMISSION FOR TWO (2) SIGNS. SUBJECT PROPERTY IS LOCATED AT 550 ZIEGLERS FORT ROAD, GALLATIN, TN., IS ON TAX MAP 128, PARCEL 40.02. LOT SIZE IS APPROXIMATELY 10.53 ACRES AND IS ZONED R1A.

THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON JULY 25, 2007. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

MR. & MRS. JESSE MCREYNOLDS CAME FORWARD TO EXPLAIN THEIR REQUEST TO HAVE WEDDINGS AND MUSIC VENUES. WE HAVE 10 ACRES ACROSS FROM THE BLEDSOE STATE PARK.

MR. MCKEE STATED WE CANNOT DO A VARIANCE FOR ALCOHOL.

MR. MOULTON STATED MR. MCREYNOLDS MUST HIRE A PROFESSIONAL LICENSED BARTENDER.

MR RAINEY ASKED IF THERE WOULD BE A LIMIT OF ATTENDANCE FOR THE MUSIC VENUE, DID NOT WANT ANOTHER “BONAROO”? HOW WOULD THE PEOPLE GET TO AND FROM? WHAT ABOUT SIGNAGE?

MR. MCREYNOLDS STATED THE MOST WOULD BE AROUND 200 PEOPLE AND THAT HE HAS PLENTY OF PARKING AND HAS 2 DRIVEWAY ENTRANCES TO USE AS – ONE ENTRANCE AND ONE EXIT. HE HAS A LOT OF ROAD FRONTAGE.

MR. RAINEY HAS PROBLEMS WITH THE MUSIC VENUE. WHAT WOULD THERE BE? WILL IT ADVERTISE AND MAKE MONEY? HAVE FOOD AND BEVERAGES FOR PEOPLE? HOW DO YOU PROVIDE SEATING?

MR. MCREYNOLDS REPLIED TO THE QUESTIONS: THE MUSIC WOULD MOSTLY BE BLUE GRASS. IT WILL BE CATERED ON CERTAIN EVENTS. IT WILL BE ADVERTISED TO BRING LAWN CHAIRS. THEY WOULD LIKE TO GROW TO BE ABLE TO BUILD A BIGGER AND BETTER PLACE FOR MUSIC VENUES.

MR. MOULTON STATED HE HAD SPOKEN TO THE MCREYNOLDS ON A FEW OCCASIONS. MR. MCREYNOLDS IS INTO BLUE GRASS AND WANTS A PLACE FOR LIVE MUSIC IN SUMNER COUNTY. MR. MCREYNOLDS HAD TOLD MR. MOULTON THAT HE WOULD LIKE

TO HOST A COUPLE OF BIG THINGS A YEAR. PART OF BEING ACROSS FROM THE STATE PARK WAS THE AVAILABILITY OF CAMPING. THEY WOULD START OUT LOW-KEY TO

TEST THE MARKET. MR. MCREYNOLDS WOULD USE PROFESSIONALS FOR EVERYTHING. HE PLANS TO HAVE A NICE VENUE FOR SUMNER COUNTY AND WOULD EVENTUALLY LIKE TO HAVE A PLACE FOR 200-300 PEOPLE IN A BUILDING WITH A STAGE. MAYBE EVEN HOST A COUPLE OF BLUE GRASS FESTIVALS A YEAR. THAT IS THE MCREYNOLDS VISION. SUMNER COUNTY HAS NO PLACE FOR LOCAL MUSICIANS WHO LIVE IN THE COUNTY. THE AREA THE MCREYNOLDS IS USING IS NOT THEIR RESIDENCE. IT HAS A LOG CABIN ON THE PROPERTY.

MR. MOULTON STATED HE WOULD LIKE A REVIEW IN 1 – 2 YEARS TO SEE IF IT IS WORKING OR A PROBLEM.

MR. RAINEY ASKED HOW MANY NIGHTS A WEEK.

MR. MCREYNOLDS STATED: FRIDAY 6PM-10PM, SATURDAY WOULD STAY OPEN FOR WEDDINGS AND SUNDAY WOULD BE GOSPEL MUSIC. WOULD LIKE TO START SMALL AROUND OCTOBER OR EARLY SPRING.

MR. MOULTON STATED HE MADE MR. MCREYNOLDS AWARE THAT HE MUST HAVE A BUSINESS LICENSE, PAY COMMERCIAL TAXES, HAVE SPECIFIC START AND STOP TIMES, SUPPLY PORT-A-JOHN'S AND HAVE OFF DUTY OFFICERS FOR TRAFIC.

MR. MCREYNOLDS STATED THEY HAVE HAD A LOT OF REQUESTS TO USE THEIR PROPERTY FOR WEDDINGS.

THERE WAS NO ONE FOR OR AGAINST THIS REQUEST IN THE AUDIENCE.

**MOTION TO APPROVE BY MR. RAINEY TO GRANT CONDITIONAL USE PERMIT AS REQUESTED WITH SPECIFICATIONS LISTED AS 12 MONTHS WITH REVIEW BY STAFF IN 6 MONTHS, MUSIC FRIDAY, SATURDAY AND SUNDAY: NOT AFTER DARK, WEDDINGS ARE OPEN, MULTI-DAY FESTIVALS MUST BRING ALL DETAILS TO MR. MOULTON, MUST HAVE SECURITY AND TRAFFIC DETAIL ON EVERY EVENT. GRANT VARIANCE ON DUST FREE PARKING AND SIGNS, IN CASE OF MUD – BE CAREFUL FOR EROSION INTO THE LAKE, SECONDED BY MR. ALTON. MOTION PASSED UNANIMOUSLY.**

**4. DANIEL L. SPENCER** WAS REQUESTING A CONDITIONAL USE PERMIT TO OPERATE A “FIX-IT” SHOP FOR GENERAL REPAIR OF MECHANICAL AND/OR GENERAL HOUSEHOLD ITEMS AND WILL EMPLOY UP TO 3 PEOPLE. HE IS ALSO REQUESTING A DUST FREE PARKING VARIANCE, AND PERMISSION FOR ONE (1) SIGN. SUBJECT PROPERTY IS LOCATED AT 3115 HWY 52E, BETHPAGE, TN., IS ON TAX MAP 30, PARCEL 84. LOT SIZE IS APPROXIMATELY 3.9 ACRES AND IS ZONED AGRICULTURAL.

THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON JULY 25, 2007. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

MR. SPENCER CAME FORWARD TO EXPLAIN HIS REQUEST. HE WOULD REPAIR MOTORS ONLY NOTHING ELECTRICAL. WOULD FIX A SCREEN DOOR IF ASKED. WOULD REPAIR ANYTHING FROM A WEEDEATER TO A BULLDOZER.

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MR. MOULTON STATED THE ZONING ENFORCEMENT FOUND MR. SPENCER. HIS PLACE CANNOT BE SEEN FROM THE ROAD. HIS SIGN WAS SEEN WHEN HE PUT IT UP. HE DOES NOT HAVE MORE THAN TWO CARS AT A TIME AT HIS BUSINESS. MR. SPENCER HAS CONCRETE AND GRAVEL DRIVE UP ON A HILL.

MR. MOULTON EXPLAINED TO MR. SPENCER HE WOULD NEED TO GET A BUSINESS LICENSE AND PAY COMMERCIAL TAX ON A SPECIFIC AREA FOR HIS BUSINESS.

THERE WAS NO ONE FOR OR AGAINST THIS REQUEST IN THE AUDIENCE.

**MOTION TO APPROVE BY MR. RAINEY TO GRANT A CONDITIONAL USE PERMIT, TO HAVE A REVIEW IN 12 MONTHS AND BY THE END OF 2 YEARS, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY.**

**OTHER BUSINESS:**

**A. FYI: REGARDING TERESA RITTENBERRY'S HARDSHIP THAT WAS ON THE JUNE 2007 AGENDA, THEY DID PROVIDE THE CODES DEPARTMENT WITH A STATEMENT FROM HER DOCTOR STATING THAT SHE STILL NEEDS THE HARDSHIP VARIANCE. SUBJECT PROPERTY IS LOCATED AT 277 LAKE ROAD, WESTMORELAND, and TN., CONTAINS 8 ACRES AND IS ZONED AGRICULTURAL.**

MR. MOULTON STATED THAT A LETTER WAS RECEIVED FOR HARDSHIP CASE. HARDSHIP WILL BE CONTINUED.

***MEETING ADJOURNED AT 7:00 P.M.***