

SUMNER COUNTY ZONING BOARD OF APPEALS
MINUTES
6:00 P.M.
APRIL 9, 2009

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
ALTON PERDUE
MIKE WILLIAMS

MEMBERS ABSENT:
JAMES COLE
SANDY WEBSTER

OTHERS PRESENT:
LISA WILLIAMS, ADMINISTRATIVE ASSISTANT

MOTION FOR APPROVAL OF MARCH MINUTES BY MR. WILLIAMS, SECONDED BY MR. PERDUE. MOTION PASSED UNANIMOUSLY.

1. JOHN AND KRISTINE HARRELL WERE REQUESTING A LOT SIZE VARIANCE OF .19 OF AN ACRE FOR AN EXISTING HOME. SUBJECT PROPERTY IS LOCATED AT 444 MARLIN ROAD, WHITE HOUSE, TN., IS ON TAX MAP 96, PARCEL 74.01 AND CONTAINS .73 OF AN ACRE. (FYI: PER OUR RESEARCH IT APPEARS THIS LOT WAS CREATED IN 1978 AND WE WERE NOT ABLE TO FIND WHERE A MINOR PLAT HAD BEEN RECORDED)

THIS WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON MARCH 25, 2009. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

MR. AND MRS. HARRELL CAME FORWARD TO EXPLAIN THIS REQUEST. MR. HARRELL EXPLAINED THAT THE HOUSE HAS BEEN VANDALIZED SO BAD, THAT WE WANT TO TEAR IT DOWN AND REBUILD IT.

MR. RAINEY EXPLAINED THERE MAY BE A QUESTION ABOUT THIS LOT MEETING THE SEPTIC TANK REQUIREMENTS. THERE WAS A PERIOD OF TIME THAT THIS LOT WENT BETWEEN THE CITY OF WHITE HOUSE AND THE COUNTY. AROUND 1978 THE COUNTY TOOK THIS LOT BACK UNDER THEIR JURISDICTION. MR. RAINEY STATED THAT HE HAD SPOKEN WITH MR. MIKE MOULTON, PLANNING DIRECTOR AND HE DID RECOMMEND THAT WE GRANT THIS LOT SIZE VARIANCE BECAUSE OF THE TIME TABLE AND THAT THE COUNTY MAY NOT HAVE BEEN ENFORCING ZONING AT THE TIME THEY HAD JURISDICTION.

CHAIRMAN MCKEE OPENED THE FLOOR FOR THE PUBLIC HEARING.

THERE WAS NO ONE PRESENT TO SPEAK FOR AND AGAINST.

THERE WAS DISCUSSION.

MOTION FOR APPROVAL BY MR. RAINEY, SECONDED BY MR. WILLIAMS. MOTION PASSED UNANIMOUSLY.

A. WILLIE GOAD DISCUSSED A CONTINUATION OF THE CONDITIONAL USE PERMIT TO OPERATE A PART TIME SAW MILL THAT WAS GRANTED ON **APRIL 12, 2007**. SUBJECT PROPERTY IS LOCATED AT 1905 OLD GALLATIN ROAD, PORTLAND, TN., IS ON TAX MAP 71, PARCEL 6.00, CONTAINS APPROXIMATELY 104 ACRES AND IS ZONED AGRICULTURAL. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED OF THIS MEETING.

MR. RAINEY STATED HE DID HAVE A CONFLICT OF INTEREST, BUT WOULD VOTE HIS CONSCIOUS.

MR. GOAD CAME FORWARD TO REPRESENT AND EXPLAIN THIS REQUEST. MR. GOAD STATED THAT HE OPERATES THE SAW MILL APPROXIMATELY THIRTY (30) HOURS A WEEK MONDAY THRU FRIDAY AND, OCCASIONALLY ON SATURDAY.

CHAIRMAN MCKEE OPENED THE FLOOR FOR THE PUBLIC HEARING.

THERE WAS NO ONE PRESENT TO SPEAK FOR AND AGAINST.

MR. RAINEY STATED THAT MR. MOULTON TOLD HIM THAT HE HAD NOT RECEIVED ANY COMPLAINTS ON THE SAWMILL.

THERE WAS DISCUSSION.

MOTION TO CONTINUE THE CONDITIONAL USE PERMIT FOR TWO MORE YEARS BY MR. WILLIAMS, SECONDED BY MR. PERDUE. MOTION PASSED UNANIMOUSLY.

B.LINDA STOUT DENNING DISCUSSED A CONTINUATION OF THE CONDITIONAL USE PERMIT TO OPERATE A CATERING BUSINESS WITH NINE EMPLOYEES THAT WAS GRANTED ON **APRIL 12, 2007**. FOOD IS PREPARED ON SITE THEN DELIVERED OFF SITE. SHE IS ALSO REQUESTING A VARIANCE FROM DUST FREE PARKING. SUBJECT PROPERTY IS LOCATED AT 165 ROBERTS ROAD, PORTLAND, TN., IS ON TAX MAP 72, PARCEL 36.00, CONTAINS APPROXIMATELY 29.6 ACRES AND IS ZONED AGRICULTURAL. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED OF THIS MEETING.

MS. DENNING CAME FORWARD TO EXPLAIN THIS REQUEST. MS. DENNING EXPLAINED THAT THEY HAD PAVED ABOUT A THIRD OF THE DRIVEWAY PAST THE HOUSES.

MR. RAINEY STATED THAT MR. MOULTON ADVISED HIM THAT THERE HAD BEEN NO COMPLAINTS ON THE CATERING BUSINESS.

THERE WAS DISCUSSION.

CHAIRMAN MCKEE OPENED THE FLOOR FOR THE PUBLIC HEARING.

THERE WAS NO ONE PRESENT TO SPEAK FOR AND AGAINST.

MOTION TO CONTINUE THE CONDITIONAL USE PERMIT FOR TWO MORE YEARS BY MR. RAINEY, SECONDED BY MR. PERDUE. MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS:

A. THOMAS LAWRENCE WAS REQUESTING A CONTINUATION OF THE HARDSHIP VARIANCE HE RECEIVED ON APRIL 1, 1997, TO CARE FOR HIS PARENTS. SUBJECT PROPERTY IS LOCATED AT 112 BUCK PERRY ROAD, BETHPAGE, TN., IS ON TAX MAP 41, PARCEL 47, CONTAINS 19.13 ACRES, AND IS ZONED AGRICULTURAL.

MR. LAWRENCE CAME FORWARD TO REPRESENT HIS REQUEST AND PROVIDED THE MEMBERS WITH A DOCTORS STATEMENT. MR. LAWRENCE STATED HIS STEPFATHER WAS DECEASED BUT HIS MOTHER STILL NEEDS THE HARDSHIP.

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

B. SHELLY NORRIS WAS REQUESTING A CONTINUATION OF THE HARDSHIP VARIANCE SHE RECEIVED ON APRIL 6, 1999, TO CARE FOR HER FATHER. SUBJECT PROPERTY IS LOCATED AT 578 BRAZIER LANE, IS ON TAX MAP 93, PARCEL 8.01 AND IS ZONED AGRICULTURAL.

NOT PRESENT, SHE ASKED TO BE PUT ON THE JUNE 2009 AGENDA DUE TO PRIOR ENGAGEMENTS.
NO ACTION TAKEN

C. VAN HUMPHREY WAS REQUESTING A CONTINUATION OF THE HARDSHIP VARIANCE HE RECEIVED ON APRIL 4, 2000, TO CARE FOR HIS MOTHER. SUBJECT PROPERTY IS LOCATED AT 1135 SMITH THOMPSON ROAD, BETHPAGE, TN., IS ON TAX MAP 49, PARCEL 2, AND IS ZONED AGRICULTURAL.

NOT PRESENT

SINCE NO ONE WAS PRESENT TO REPRESENT THIS HARDSHIP, MR. RAINEY ADVISED MS. WILLIAMS TO NOTIFY THE HUMPHREY'S THAT IF NO ONE IS PRESENT TO REPRESENT THIS HARDSHIP AT THE MAY ZONING BOARD OF APPEALS MEETING THIS HARDSHIP WILL BE REVOKED.

MEETING ADJOURNED AT 6:35 P.M.