

**SUMNER COUNTY ZONING BOARD OF APPEALS**  
**MINUTES**  
**6:00 P.M.**  
**JULY 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**  
**JAMES COLE**  
**SANDY WEBSTER**

**MIKE WILLIAMS**

**OTHERS PRESENT:**

**MIKE MOULTON, PLANNING DIRECTOR**  
**LISA DIORIO, ADMINISTRATIVE ASSISTANT**

**MEMBERS ABSENT:**

**MOTION FOR APPROVAL OF THE JUNE MINUTES BY MS. WEBSTER, SECONDED BY MR. WILLIAMS. MOTION PASSED UNANIMOUSLY.**

**1. MICHAEL AND PATRICIA DEASY WERE REQUESTING A 15 FOOT SIDE YARD SETBACK VARIANCE ON THE NORTHEAST SIDE TO CONSTRUCT A NEW HOME (PREVIOUS HOME BURNED).** SUBJECT PROPERTY IS LOCATED AT 549 SOUTH TUNNEL ROAD, GALLATIN, TN., IS ON TAX MAP 71, PARCEL 58, CONTAINS APPROXIMATELY .64 OF AN ACRE MORE OR LESS AND IS ZONED AGRICULTURAL. THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON JUNE 14, 2009.

MICHAEL AND PATRICIA DEASY CAME FORWARD TO EXPLAIN THIS REQUEST. MS. DEASY STATED THAT SHE WAS ASKING FOR THE VARIANCE BECAUSE HER OLD HOME THAT WAS ORIGINALLY THERE BURNED AND SHE WANTED TO BUILD THE HOME BACK IN THE ORIGINAL SPOT.

MR. DEASY STATED THAT THEY COULD NOT MOVE THE HOME OVER DUE TO THE LOCATION OF THE SEPTIC SYSTEM.

CHAIRMAN MCKEE OPENED THE FLOOR FOR THE PUBLIC HEARING.

JOHN HAMILTON, ADJOINING PROPERTY OWNER, STATED THAT HE WAS IN FAVOR OF THIS REQUEST.

THERE WAS DISCUSSION.

**MOTION TO APPROVE BY MR. RAINEY BASED ON THE CONSIDERATION THAT THE EXISTING SEPTIC TANK FIELD LINES RESTRICT THE LOCATION OF THE HOUSE, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY.**

2. **SANDRA ANN POYER IS REQUESTING A VARIANCE FROM THE SUMNER COUNTY ZONING RESOLUTION ARTICLE IV- GENERAL PROVISIONS-SECTION 19. ELECTRIC, CABLE AND TELEVISION AND TELEPHONE LINES.** THEY WERE REQUESTING THIS VARIANCE DUE TO THE ROCK FORMATIONS ON SAID PROPERTY. THIS VARIANCE WOULD ALLOW AERIAL PLACEMENT OF SAID WIRES. SUBJECT PROPERTY IS LOCATED 998 CAMPSITE ROAD, CASTALIAN SPRINGS, TN., IS ON TAX MAP 131, PARCEL 14.01, CONTAINS 0.67 OF AN ACRE AND IS ZONED AGRICULTURAL. THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON **JUNE 24, 2009.**

RANDALL WRIGHT CAME FORWARD TO REPRESENT AND EXPLAIN THIS REQUEST. MR. WRIGHT EXPLAINED THAT IF HE WAS TO BLAST THIS COULD DAMAGE THE SEPTIC SYSTEM OR THE NEIGHBORS HOME. HE EXPLAINED THAT THIS IS A REPLACEMENT OF A BURN OUT CABIN WITH A NEW SEPTIC SYSTEM.

CHAIRMAN MCKEE OPENED THE FLOOR FOR THE PUBLIC HEARING.  
THERE WAS NO ONE PRESENT TO SPEAK FOR OR AGAINST THIS REQUEST.

THERE WAS DISCUSSION.

**MOTION FOR APPROVAL BY MR. RAINEY BASED ON THE FACT THAT THE HOUSE WAS DESTROYED BY FIRE AND THEY ARE WANTING TO RECONSTRUCT, AND DUE TO THE FACT THAT IF THEY HAD TO BLAST TO PLACE THE LINES UNDERGROUND THIS COULD DAMAGE THE NEIGHBORS HOME, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY.**

3. **MARIA BODDE WAS REQUESTING TO ASK FOR A CONTINUATION OF THE CONDITIONAL USE PERMIT SHE RECEIVED ON JUNE 14, 2007, TO HOST OCCASIONAL WEDDINGS IN A GAZEBO TO BE CONSTRUCTED.** THIS CONDITIONAL USE WAS APPROVED WITH THE FOLLOWING CONDITIONS: THAT THEY HOLD NO MORE THAN TWELVE WEDDINGS ANNUALLY, THAT THEY HAVE AS PART OF THEIR CONTRACT FOR SERVICES THAT IT INCLUDE LANGUAGE THAT WILL ALLOW NO FOOD OR DRINK TO BE SERVED ON SITE, AND THEY REPORT ANNUALLY TO GIVE THE NEIGHBORS A CHANCE TO REPORT THIS USE IF IT BECOMES A NUISANCE. SUBJECT PROPERTY IS LOCATED AT 480 CUMMINGS LANE, GALLATIN, TN., IS ON TAX MAP 102, PARCEL 16, CONTAINS APPROX. 5 ACRES, AND IS ZONED AGRICULTURAL. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY REGULAR MAIL.

MS. BODDE AND MR. ZAWASKIS CAME FORWARD TO EXPLAIN THIS REQUEST. MS. BODDE STATED THAT DUE TO SICKNESS THEY HAVE NOT BEEN ABLE TO HAVE ANY WEDDINGS YET. SHE STATED THAT THEY HAVE SPENT A LOT OF MONEY PLANTING BAMBOO PLANTS.

MR. MOULTON STATED THAT THIS WAS PUT ON A ONE (1) YEAR REVIEW ORIGINALLY. MR. MOULTON STATED THAT HE FELT THIS BEING PUT ON A ONE (1) YEAR REVIEW WOULD ALLOW THE NEIGHBORS TO EXPRESS ANY CONCERNS THEY MIGHT HAVE WITH THIS CONDITIONAL USE PERMIT.

CHAIRMAN MCKEE OPENED THE FLOOR FOR THE PUBLIC HEARING.  
MS. MARTHA WOODS CAME FORWARD TO EXPRESS HER CONCERN FOR THIS REQUEST.

MS. WOODS STATED SHE WAS CONCERNED ABOUT ALCOHOL AND LOUD MUSIC AT THESE WEDDINGS.

MS. BODDE STATED THAT THERE WILL NOT BE ANY LIQUOR AT THE WEDDINGS. THESE WEDDINGS WOULD BE QUIET WITH MISCHA PLAYING CLASSICAL MUSIC ON THE GUITAR, NO LOUD MUSIC.

MR. RAINEY ASKED MS. BODDE WHEN SHE THOUGHT THEY WOULD HAVE ANY WEDDINGS.

MS. BODDE REPLIED HOPEFULLY THIS YEAR.

THERE WAS DISCUSSION.

**MOTION TO CONTINUE THIS CONDITIONAL USE FOR ONE (1) YEAR WITH THE SAME CONDITIONS AS ORIGINALLY PLACED ON THEM WITH THE ADDITION OF ANOTHER CONDITION; THAT THEY NOTIFY STAFF WHEN THEY ARE GOING TO HAVE A WEDDING, SO STAFF CAN MONITOR THE WEDDING, AND IF THESE WEDDINGS ARE OUT OF LINE I WANT THIS BROUGHT BACK BEFORE THIS BODY PRIOR TO THE YEAR, BY MR. RAINEY, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY.**

**OTHER BUSINESS:**

**A) REPORT ON JAMES JENNINGS HARDSHIP: 1097 MT. OLIVET ROAD**

MR. MOULTON EXPLAINED THAT THEY HAVE RECEIVED THEIR SEPTIC TANK PERMIT, BUT HAVE NOT YET APPLIED FOR THEIR BUILDING PERMIT. THEY ARE NOT IGNORING MY PHONE CALLS.

**B) MOTION BY MR. RAINEY THAT IF ALL WE HAVE SCHEDULED FOR THE ZONING BOARD OF APPEALS IS CONTINUATION OF CONDITIONAL USE PERMITS THAT WE WAIT UNTIL WE HAVE REGULAR AGENDA ITEMS, SECONDED BY MR. COLE. MOTION PASSED UNANIMOUSLY.**

C) MR. MOULTON ADVISED EVERYONE THAT THERE IS A MOTION ON THE COUNTY COMMISSION FLOOR TO ELIMINATE 5 POSITIONS: PLANNER DIRECTOR, ZONING INSPECTOR, 2 ADMINISTRATIVE ASSISTANTS AND THE ENGINEER POSITIONS. THE COUNTY CAN NOT MOVE FORWARD BY ELIMINATING THESE POSITIONS.

**MEETING ADJOURNED AT 6:35 P.M.**