

**SUMNER COUNTY ZONING BOARD OF APPEALS
MINUTES
6:00 P.M.
SEPTEMBER 14, 2006**

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
ALTON PERDUE

MEMBERS ABSENT:

OTHERS PRESENT:

GARY L. HAMMOCK, BUILDING COMMISSIONER
LISA WILLIAMS, ADMINISTRATIVE ASSISTANT

MR. HAMMOCK STATED THAT ON PAGE 3 OF THE AUGUST 10, 2006 ZONING BOARD OF APPEALS MINUTES # 5 OF MOTION OF THE AUGUST 14, 2003 REGARDING JACKIE RAY GAMBRELL STATES "THAT THIS BODY AT LEAST HAVE AN ANNUAL REPORT FROM THE CODES DEPARTMENT ON THE STATUS OF MR. GAMBRELL'S PROPERTY." MR. HAMMOCK STATED THAT SINCE THAT TIME OF THE AUGUST 2004 ZONING BOARD OF APPEALS MEETING THE CODES AND PLANNING OFFICE HAVE SEPARATED AND THAT THE ANNUAL REPORT SHOULD COME FROM THE PLANNING OFFICE INSTEAD OF THE CODES DEPARTMENT.

MOTION FOR APPROVAL OF THE AUGUST MINUTES BY MR. PERDUE, SECONDED BY MS. WEBSTER. MOTION APPROVED UNANIMOUSLY.

1. **CRYSTAL PLUSH** WAS REQUESTING A 7,505 SQ.FT. LOT SIZE VARIANCE, A 15 FT. FRONT SETBACK VARIANCE, AND A 10 FT. SIDE YARD SETBACK VARIANCE (FOR BOTH SIDES) TO CONSTRUCT A RESIDENCE ON SUBJECT PROPERTY. SUBJECT PROPERTY IS LOCATED AT 1003 HOLLIS LANE, WHITE HOUSE, TN., IS ON TAX MAP 99E, GROUP B, PARCEL 8.00, CONTAINS 0.746 ACRES (32,495 SQ. FT.) AND IS ZONED RESIDENTIAL A.

THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON AUGUST 25, 2006. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

BILL NORFLEET CAME FORWARD TO REPRESENT THIS REQUEST AND TO ANSWER ANY QUESTIONS. MR. NORFLEET STATED THAT THIS LOT DID NOT GET INCLUDED INTO THE TYREE WOODS SUBDIVISION.

MR. RAINEY ASKED MR. NORFLEET IF HE HAD FILED A SUBDIVISION PLAT FOR THIS LOT.

MR. NORFLEET RESPONDED BY SAYING THEY DID NOT FILE A SUBDIVISION PLAT BECAUSE HE WAS TOLD IT WAS NOT REQUIRED BECAUSE THIS LOT WAS CREATED IN 1985.

MR. HAMMOCK STATED THAT THIS DOES NOT MEET THE 40,000 SQUARE FOOT LOT SIZE, BUT IT WAS A LOT CREATED PRIOR TO 1988. MR. HAMMOCK STATED PERSONALLY HE DID NOT THINK IT SHOULD BE PLATTED BECAUSE IT IS AN OLDER EXISTING LOT.

THERE WAS DISCUSSION.

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

MR. RAINEY ASKED MR. NORFLEET IF THIS LOT HAD BEEN SOIL TESTED.

MR. NORFLEET RESPONDED THAT HE HAD IT SOIL TESTED AND HAD RECEIVED A SEPTIC PERMIT.

MR. RAINEY STATED THAT HE DID NOT HAVE A PROBLEM APPROVING THE LOT SIZE VARIANCE AND THE SIDE YARD SETBACK, BUT HE HAS A PROBLEM WITH THIS NOT BEING PLATTED AS A MINOR SUBDIVISION. MR. RAINEY FELT THAT IF THIS WAS PLATTED IT WOULD BE FOR PROTECTION OF THE PUBLIC IN THE FUTURE.

MOTION FOR APPROVAL OF THE VARIANCES AS REQUESTED WITH THE STIPULATION THAT THIS LOT IS PLATTED AND RECORDED AS A MINOR SUBDIVISION PLAT, BY MR. RAINEY, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY.

2. TONY CONGROVE WAS REQUESTING A 9 FT VARIANCE OF A REQUIRED 50 FT EASEMENT, DUE TO AN EXISTING STRUCTURE, SO THAT HE MAY SUBDIVIDE HIS PROPERTY. SUBJECT PROPERTY IS LOCATED AT 364 BEN ALBERT ROAD, COTTONTOWN, TN., IS ON TAX MAP 96, PARCEL 82.02, CONTAINS 6.733 ACRES, AND IS ZONED RESIDENTIAL A.

THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON SEPTEMBER 1, 2006. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

TONY CONGROVE CAME FORWARD TO EXPLAIN THIS REQUEST AND TO ANSWER ANY QUESTIONS.

MR. CONGROVE STATED IN ORDER TO SUBDIVIDE HIS 6.733 ACRES INTO 2 PARCELS, BEING ONE LOT IN THE FRONT AND ONE LOT IN THE BACK. HE WOULD HAVE TO HAVE A FIFTY (50) FOOT EASEMENT. MR. CONGROVE STATED HE WANTED TO BUILD A HOME FOR HIMSELF IN THE FRONT AND BUILD A HOME FOR HIS PARENTS ON THE BACK LOT. HE WENT ON TO EXPLAIN THAT THERE IS A GARAGE THAT SITS ABOUT EIGHT (8) FOOT INTO THE FIFTY FOOT EASEMENT. THIS IS WHY HE IS ASKING FOR THE NINE (9) FOOT VARIANCE OF THE REQUIRED FIFTY (50) FOOT EASEMENT.

THERE WAS NO ONE PRESENT TO SPEAK FOR AGAINST THIS REQUEST.

THERE WAS DISCUSSION.

MOTION TO GRANT THE VARIANCE WITH THE FOLLOWING STIPULATIONS: HE WILL HAVE TO FILE A SUBDIVISION PLAT, PUT THE FOLLOWING STIPULATIONS ON THE SUBDIVISION PLAT, AS LONG AS HE IS IN OWNERSHIP OF BOTH TRACTS THE VARIANCE WILL REMAIN IN PLACE, (9 FOOT UNDER THE FOUNDATION OF THE GARAGE), IF AT SOME POINT HE TRIES TO SELL EITHER TRACT THE GARAGE HAS TO COME DOWN, (OR HE COULD CHOP 9 FEET OFF OF THE GARAGE) BY MR. RAINEY, SECONDED BY MR. COLE. MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS:

VEIT SPERO- DISCUSSED THE CONTINUANCE OF THE HARDSHIP HE RECEIVED ON SEPTEMBER 3, 1991. SUBJECT PROPERTY IS LOCATED AT 276 ALEXANDER LANE, BETHPAGE AND IS ON TAX MAP 84, PARCEL 92.01.

MR. SPERO CAME FORWARD TO REPRESENT THIS REQUEST. MR. SPERO EXPLAINED THAT THIS HARDSHIP IS FOR HIS MOTHER. MR. SPERO STATED THAT HIS MOTHER IS CURRENTLY LIVING IN MORNINGSIDE ASSISTED LIVING. SHE WILL NOT BE AT THE ASSISTED LIVING VERY LONG, DUE TO THE FACT THAT SHE CANNOT AFFORD IT.

MS. WILLIAMS ASKED MR. SPERO IF HE HAS A DR. STATEMENT. MR. SPERO REPLIED THAT HE DID NOT HAVE A DOCTOR'S STATEMENT, BUT HE HAD A BILL FROM WHERE SHE WAS IN SUMNER REGIONAL MEDICAL CENTER, AND ALSO HAS THE PHONE NUMBER OF THE MANAGER AT MORNINGSIDE IF YOU WANT TO VERIFY THAT SHE IS OVER THERE.

THERE WAS DISCUSSION.

MOTION BY MR. RAINEY TO CONTINUE THE HARDSHIP FOR TWELVE MONTHS, AND AT THE END OF TWELVE MONTH HE NEEDS TO REPORT BACK TO THE CODES DEPARTMENT, AND IF THE HARDSHIP CEASES HE WILL HAVE TO REMOVE THE MOBILE HOME, AND HE NEEDS TO COME BACK BEFORE THIS BODY IN TWO (2) YEARS, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY.

JUDY BOOKER- DISCUSSED THE CONTINUANCE OF THE HARDSHIP SHE RECEIVED ON AUGUST 7, 1990. SUBJECT PROPERTY IS LOCATED AT 2935 HIGHWAY 109 NORTH, IS ON TAX MAP 71, PARCEL 29.

MS. BOOKER CAME FORWARD TO REPRESENT THE HARDSHIP. MS. BOOKER PRESENTED THIS BODY WITH A STATEMENT FROM THE DOCTOR. MS. BOOKER STATED THAT THE HARDSHIP WAS STILL NEEDED.

THERE WAS DISCUSSION.

MOTION BY MR. RAINEY THAT WE CONTINUE THE HARDSHIP UNDER THE SAME CONDITIONS AS WERE ESTABLISHED PREVIOUSLY, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY.

MEETING ADJOURNED AT 6:30 P.M.

