

**SUMNER COUNTY ZONING BOARD OF APPEALS
MINUTES
JUNE 12, 2014
6:00 p.m.**

SUMNER COUNTY ADMINISTRATION BUILDING
COMMITTEE 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

MEMBERS ABSENT:

STAFF PRESENT:

LISA DUNAGAN-DIORIO, ADMINISTRATIVE ASSISTANT

STAFF ABSENT:

RODNEY JOYNER, DIRECTOR OF CONSTRUCTION AND DEVELOPMENT

MOTION FOR APPROVAL OF THE MAY MINUTES BY MS. WEBSTER, SECONDED BY MR. DICKERSON. MOTION PASSED UNANIMOUSLY.

1. Janet Jenkins was requesting a conditional use permit to board dogs in a proposed 320 square foot building. There will be six (6) outside runs (6ft. x 6ft) totaling 216 square feet, and the porch will be approximately 96 square feet. She is also requesting a dust free parking variance. Subject property is located at **138 Tom Beasley Road, Westmoreland, Tn.** is on Tax Map 25, Parcel 47.02, contains 3.930 acres, and is zoned Agricultural. This was a public hearing and was advertised in the Gallatin News Examiner on May 21, 2014. The adjoining property owners were notified by certified mail.

Ms. Jenkins came forward to represent and explain her request.

Chairman McKee opened the floor for the public hearing.

Martha Bowser came forward to speak in opposition to this application and also to present letters from neighbors in opposition to this request.

Mr. Jenkins came forward to state he was not here to destroy them (neighbors). If this is going to cause problems we will not pursue this proposal.

There was discussion of smell and noise that might be offensive to neighbors.

There was discussion.

Motion by Mr. Rainey to grant the conditional use with several conditions: 1) only granted for one year 2) no outside kennels 3) no outside runs right now 4) for now no more than 12 dogs inside, 5) no advertising, 6) have to come back in a year and if your neighbors come back next year with complaints, I would not count on your continuing this operation, seconded by Mr. Dickerson. Motion passed unanimously.

2. Center of Comprehensive Services, Inc. was requesting a conditional use permit to allow for the operation of a supportive living home serving injury survivors. The facility is staffed by a total of 13 employees (4 per shift), 24 hours a day, 7 days a week, with 8 residents. Subject property is located at **268 Governor Hall Road, Castalian Springs, Tn.**, is on Tax Map 110, Parcel 5.32 acres and is zoned R1A.

This was a public hearing and was advertised in the Gallatin News Examiner on May 30, 2014. The adjoining property owners were notified by certified mail.

Charlie Dean and Dave Dixon came forward to explain and represent this request. This has been in operation for a decade at this location. We provide care for brain injury survivors. This home is completely sprinkled and we also have a tornado room. We were wishing to make some additions to the structure and were advised we may want to appear before this board prior to any change to existing structure.

Chairman McKee opened the floor for the public hearing and no one came forward to speak for or against this request.

There was discussion.

Motion to approve by Mr. Rainey for two years, seconded by Mr. Dickerson. Motion passed unanimously.

3. Joyce Reecer was requesting a conditional use permit to operate the Kenneth Hand Fast Lane Title Pawn car loans and sales, dust free parking variance, and use of the existing sign. Hours of operation will be Monday – Friday, 9:00 a.m. until 5:00 p.m., and Saturday 9:00a.m. until 2:00 p.m. with 2 employees. Subject property is located at **103 Highway 259, Portland, Tn.,** is on Tax Map 1, Parcel 3, lot size is approximately 198.6-ft x 140-ft located in Tennessee (approximately one-half of this parcel is located in the state of Kentucky), zoned Agricultural. This was a public hearing and was advertised in the Gallatin News Examiner on May 30, 2014. The adjoining property owners were notified by certified mail.

Nathan Civils, property manager, was present to represent and explain this request. He explained that the car lot behind this operation was located in Kentucky.

Chairman McKee opened the floor for the public hearing.

Eileen Santangela, owner of the adjoining cemetery, came forward to speak in opposition. She read two letters of property owners that were also in opposition to this application. They did not like the junk yard next to the cemetery and all the noise coming from there.

There was discussion.

Mr. Rainey stated that he had surveyed many cemeteries and typically the cemeteries provide their own screening for noise. He said there is no way as close as this cemetery is to the road that it would ever be quiet there, the noise of the semi's passing by would be constant all day and night. Therefore, he was not concerned with the noise coming from the car lot. He stated that they tried to use this as a different commercial business without us knowing anything about it. We had granted a conditional use for this property to operate a consignment shop. He explained that he did have a problem with them using the property in Tennessee as an auto repair area.

Motion by Mr. Rainey that we allow the title loan company to operate in the building only; if they are going to do car storage repairs or sales they can do that in Kentucky. They are to return to this body annually (instead of the required two year requirement because they have shown they will change the use from what this body granted them without the proper approval). Seconded by Mr. Dickerson. Motion passed.

**3 Ayes: Rainey, Dickerson and Webster
1Nay: Ragland**

4. Mary Lee Wilkes was requesting a continuation of a hardship variance she received on May 13, 2004 due to the fact that she is partially disabled. Subject property is located at **1765 Scotty Parker Road**, Gallatin, Tn., is on Tax Map 128, Parcel 52 and is zoned Agricultural. She's required to bring physician's note which states that this hardship is still needed.

Ms. Wilkes came forward to represent this request and presented her physician's note.

There was discussion.

Ms. Wilkes came forward to represent this request and presented her physician's note.

Motion to approve by Mr. Dickerson for two years, seconded by Ms. Webster. Motion passed unanimously.

5. Doyle Gene and Alice Faye Glasgow were requesting a continuation of a hardship variance they received on June 10, 2010 to a place a mobile home on their property because of Alice Fay's 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 R1A. They are required to bring physician's note which states that this hardship is still needed.

Mrs. Glasgow came forward to represent this request and presented her physician's note.

Motion to approve by Mr. Dickerson for two years, seconded by Ms. Webster. Motion passed unanimously.

Meeting Adjourned 7:00 p.m.