

**SUMNER COUNTY ZONING BOARD OF APPEALS
MINUTES
MAY 10, 2018
5:00 p.m.**

SUMNER COUNTY ADMINISTRATION BUILDING
COUNTY CHAMBERS
355 N. BELVEDERE DRIVE
GALLATIN, TN. 37066

MEMBERS PRESENT:

MARK MCKEE, JR. CHAIRMAN
BRUCE RAINEY, VICE-CHAIRMAN
SANDY WEBSTER
JOHN WESLEY JONES
DON DICKERSON

MEMBERS ABSENT:

STAFF PRESENT:

JOSH SUDDATH, DIRECTOR OF PLANNING & STORMWATER
LINDA MCCULLOUGH, ASSISTANT TO THE DIRECTOR OF PLANNING & STORMWATER

Mr. McKee introduced Josh Suddath as the new Director of Planning & Stormwater

Motion for approval of the April 2018 minutes by Ms. Webster, seconded by Mr. Dickerson.
Motion passed unanimously.

- Nickie Brown** is requesting a continuation of a Conditional Use Permit granted on March 13, 2008, to operate a portable and site sawmill service. Subject property is located at 120 Hardison Way, Cottontown, TN, 37048 is on Tax Map 101, Parcel 009.02, contains 1.76 acres, is zoned Agricultural and is in the 4th Commission Voting District (Jerry Foster and Leslie Schell)
The adjoining property owners were notified by regular mail.

Mr. Suddath stated that the applicant is asking for approval for a continuation of his Conditional Use Permit granted in 2008 and has been renewed every two years since. Mr. Suddath stated that no complaints have been received to the Planning and Zoning office.

Mr. Nickie Brown came forward to explain and represent the request.

Mr. McKee opened the floor for the public hearing.

Since no one was present to speak, Mr. McKee closed the public hearing.

Motion to approve the continuation of the Conditional Use Permit by Mr. Dickerson, seconded by Mr. Jones. Motion passed unanimously. Mr. Rainey abstained from voting.

2. **Steve Givens will represent Carl Jackson** and will be requesting a 7-foot Side Yard Variance for an attached garage as required in the Residential A (RA) district. Subject property is located at **1720 Hickory Trace Drive, Gallatin, TN 37066**, is on Tax Map 158E, Group A, Parcel 032.00, contains 1 acre, is zoned Residential A, and is in the 6th Commission Voting District (Kevin Pomeroy and Jim Vaughn).
The adjoining property owners were notified by certified mail and was advertised in The Gallatin News on Thursday, April 26, 2018.

Mr. Suddath stated that the applicant is asking for approval for a setback variance for an attached garage that has encroached into the required setback. Mr. Suddath stated that a County employee noticed work being done and reported it to codes. Contractor's building application was denied due to setback encroachment.

Mr. Steve Givens, who was representing Mr. Carl Jackson, came forward to explain and represent the request. Mr. Givens read a letter from the property owner explaining the reason for wanting to make the addition to his home.

Mr. McKee opened the floor for the public hearing.

Mr. David Mullins and Ms. Margaret Mullins, 1730 Hickory Trace, came forward to let the Board know that they do not have any problems with Mr. Jackson's addition.

Mr. Jones asked if the retaining wall has been on the property prior to the addition.

Mr. Givens stated that the wall has been there since the house was built and it is about 10 feet from the property line.

There was discussion.

Since no one else was present to speak, Mr. McKee closed the public hearing.

Mr. Rainey stated that there were several subdivisions that were built in that area in the 60's and 70's. Mr. Rainey stated that in the early 70's the Zoning Resolutions was adopted and he thought that the setback was 10 feet and was changed to 20 feet in the early 80's.

Mr. Suddath stated that he is going by the setbacks that are contained in the current Zoning Regulations.

SUMNER COUNTY ZONING BOARD OF APPEALS MINUTES PAGE 3
MAY 10, 2018

Mr. Rainey stated that the Board has to consider the fact that the subdivision was built in the 70's and that this lot needs to be looked at how it was done originally.

There was discussion.

Motion to approve the Setback Variance by Mr. Rainey, seconded by Mr. Jones. Motion passed unanimously.

Motion to adjourn by Mr. Rainey, seconded by Mr. Dickerson. Motion passed unanimously.

Meeting Adjourned at 5:30 p.m.