

SUMNER COUNTY ZONING BOARD OF APPEALS
MINUTES
MARCH 13, 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
SANDY WEBSTER
DON DICKERSON

MEMBERS ABSENT:
BRUCE RAINEY
MARSH RAGLAND

STAFF PRESENT:
RODNEY JOYNER, DIRECTOR OF CONSTRUCTION AND DEVELOPMENT
LISA DUNAGAN-DIORIO, ADMINISTRATIVE ASSISTANT

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

1. Billy and Beth Wilkinson - They were requesting a continuation of a conditional use permit granted on February 11, 2010, to have an outdoor venue with pavilion for weddings, family reunions, and other gatherings. Subject property is located at 231 Wilkinson Road, Cottontown, Tn., is on Tax Map 57, Parcel 6.02 & 7, and is zoned Agricultural.

The adjoining property owners were notified by regular mail.

This was deferred at last month's meeting due to the fact no one was present to represent this request.

Mr. and Mrs. Wilkerson came forward to represent and explain this request.

Staff reported that there had not been any complaints on this conditional use.

Chairman McKee opened the floor for the public hearing.

No one was present to speak for or against.

There was discussion.

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Motion for a two year continuation by Ms. Webster, seconded by Mr. Dickerson. Motion passed unanimously.

2. Curtis McMahan - Mr. and Mrs. McMahan were requesting a continuation of the conditional use permit they received March 11, 2010, to teach the State of Tennessee hand gun carry class from their home. Subject property is located at 140 B&L Lane, Portland, Tn., is on tax map 59, parcel 78.05, contains 5.99 acres, and is zoned Agricultural.

Adjoining property owners were notified by regular mail.

Mr. McMahan came forward to represent and explain this request.

Staff reported that they had not received any complaints.

Chairman McKee opened the floor for the public hearing. Since there was no one present to speak, he closed the public hearing.

There was discussion.

Motion for a two year continuation by Mr. Dickerson, seconded by Ms. Webster. Motion passed unanimously.

3. State of Tennessee Division of Forestry - They were requesting a conditional use permit to construct a replacement Communications Tower with a new 250-ft self-supporting tower, retro fitting of existing communication shelter to include increasing the electrical service from a 100-amp to a 200-amp service. Subject property is included at 1100 Jones Road, White House, Tn., is on Tax Map 95, Parcel 042.01, contains .073 of an acre and is zoned Residential A.

This was a public hearing and was advertised in the Gallatin News Examiner on February 26, 2014. The property owners were notified by certified mail.

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Bob Brown and Gene McCurry came forward represent this request.

Mr. Brown explained this request.

Chairman McKee opened the floor for the public hearing.

Denise McCullough and her brother came forward to speak. They stated that they were not against the tower but had questions about the power lines that were hanging on the ground. She said she had to hold up the power lines to bale hay on their property.

Mr. McCurry stated if the power lines are too low, they will bury them under ground.

Mr. Brown stated they are just replacing the outdated existing tower.

Mr. McCullough asked if this would cause any health problems, and needs to know when they are coming so he could put his dogs up.

There was discussion.

Mr. Joyner stated that this will go to the Planning Commission for site plan approval.

Motion for approval by Mr. Dickerson, seconded by Ms. Webster. Motion passed unanimously.

4. Robert H. and Martha W. Escue were requesting a conditional use permit for the placement of a 125' Monopole and an affiliated 80' x 80' compound for affiliated ground equipment for AT&T Mobility.

Subject property is located at 1505 Poplar Ridge Road Cell Tower, White House, Tn., is on Tax Map 99, Parcel 19, contains 18.14 acres and is zoned Agricultural. This is a public hearing and was advertised in the Gallatin News Examiner on February 26, 2014. The property owners were notified by certified mail.

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Larry Raybon, as well as property owners, Mr. and Mrs. Robert Escue came forward to represent and to explain this request.

Mr. Raybon stated that the proposed tower should not be in conflict with the TVA transmission line that runs across the property. We are awaiting a letter stating that TVA has no conflict or objections with the proposed tower.

Mr. Joyner stated that for the record, his office had received a letter in opposition from Ms. Pearl O'Saile regarding this proposed tower.

Chairman McKee opened the floor for the public hearing.

Ms. Linda Gleaves came forward to speak in opposition. This tower would be 250 feet from the only place that a house could be built on her property. She stated they already have big power lines in this area. She also felt this would hurt her property value.

Mr. Joyner stated that this tower does meet the minimum requirements and will have to go to the Planning Commission for site plan approval.

Mr. Joyner explained that cell towers are federally mandated.

Chairman McKee explained that if we turn these cell towers down, they would take us to court and they would eventually be able to put it on the proposed site.

Mr. Raybon stated that it is a plus to have good cell phone service in your area, which could increase property values. He stated that cell towers do blend in with the landscape.

There was discussion.

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Motion for approval by Mr. Dickerson contingent upon them providing the letter from TVA stating that they have no conflict or objections with the proposed tower, seconded by Ms. Webster. Motion passed unanimously.

5.Derrick and Tami Phillips were requesting a conditional use permit for the placement of a 190' Monopole and an affiliated 99' x 99' compound for affiliated ground equipment for AT&T Mobility. Subject property is located at 1506 Mount Olivet Road Cell Tower, contains 20.01 acres and is on Tax Map 116, Parcel 41.05, and is zoned R1A and Agricultural.

This was a public hearing and was advertised in the Gallatin News Examiner on February 26, 2014. The property owners were notified by certified mail.

Mr. Larry Raybon, as well as the property owners Mr. and Mr. Phillips, were present to represent and explain this request.

Mr. Raybon stated that this tower had met all the county requirements.

Mr. Thomas Staten came forward to speak against this request. He explained that he built on the back of ten (10) acres for peace and tranquility. He questioned the proposed cell tower location, elevation and reception area. He stated that he wanted to see the wild turkey from his house, not a cell tower.

Beverly Staten came forward to speak against this request. I will see this tower from all of my seven (7) windows. She stated they already have a big power line. A lot of the people that live in this area are sick or have or had cancer.

Annie Douglas spoke against this request. We already have a huge power line across our property. Everyone in this area does have cancer or has had it.

Richard Bennett came forward to speak against this request.

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Holly Nimmo came forward to speak in opposition to this request. She stated that this would ruin the natural area and decrease the property values.

There was discussion

Motion for approval by Mr. Dickerson, seconded by Ms. Webster. Motion passed unanimously.

Meeting Adjourned at 6:50 p.m.