

SUMNER COUNTY ZONING BOARD OF APPEALS
MINUTES
March 9, 2017
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
JOHN WESLEY JONES

STAFF PRESENT:

RODNEY JOYNER, DIRECTOR OF PLANNING AND STORMWATER
LINDA MCCULLOUGH, ASSISTANT TO THE DIRECTOR OF PLANNING & STORMWATER

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

1. **Wade Lyles** is requesting a continuation of a Conditional Use Permit granted on February 1, 1994 to conduct an auto shop with tire sales. Subject property is located at **2048 Scotty Parker Road, Gallatin, TN 37066**, is on Tax Map 092, Parcel 006.04, contains 8.51 acres, is zoned Agricultural, and is in the 3rd and 4th voting district. The adjoining property owners were notified by mail.

Mr. Wade Lyles came forward to represent and explain his request.

Mr. Joyner stated that there has not been any complaints on this business.

Mr. Rainey stated that the sign he had on HWY 109 was not permitted by the Board, and asked Mr. Lyles to remove that sign, but leave the sign on Scotty Parker Road.

Mr. Lyles stated that he would remove the sign.

Mr. McKee opened the floor for the public hearing

No one was present to speak so Mr. McKee closed the public hearing.

Motion to approve a two-year continuation of the Conditional Use Permit as conditioned by Mr. Rainey, seconded by Mr. Dickerson. Motion passed unanimously.

2. **Don G. Mercer, Owner of THE PICK INN**, is requesting a Conditional Use Permit to conduct an event venue. Subject property is located at **550 Zieglers Fort Road, Gallatin, TN 37066**, is on Tax Map 128, Parcel 040.02, contains 12.49 acres, is zoned Residential-1A, and is in the 3rd voting district.
The adjoining property owners were notified by certified mail.

Mr. Don Mercer came forward to represent and explain his request.

Mr. Joyner stated that there has not been any complaints.

Mr. McKee opened the floor for the public hearing

No one was present to speak so Mr. McKee closed the public hearing.

Motion to approve a two-year Conditional Use Permit by Mr. Rainey, seconded by Ms. Webster. Motion passed unanimously.

3. **Rayme & Wendy Phillips (Owner), and Mark Farr (Applicant/Purchaser)**, are requesting a Conditional Use Permit to conduct an event venue. Subject property is located at **1249 Willis Branch Road, Goodlettsville, TN 37072** is on Tax Map 143, Parcel 045.01, contains 7.18 acres, is zoned GOPR, and is in the 11th voting district. The adjoining property owners were notified by certified mail.

Mr. Rayme Phillips and Mr. Mark Farr came forward to represent and explain the request.

Mr. Joyner stated that there has been one call concerning this property because of the head lights shining into their windows. Mr. Joyner also stated that the Phillips' have had this venue for a few years and there has never been any complaints until now.

Mr. Rayme explain that he has been in contact with the neighbor that complained and has agreed to put up a privacy fence to keep the head lights from shining into their windows.

Mr. McKee opened the floor for the public hearing

No one was present to speak so Mr. McKee closed the public hearing

Motion to approve a two-year Conditional Use Permit by Mr. Rainey, seconded by Mr. Dickerson. Motion passed unanimously.

4. **Leland Irvin (Excel General Contractors), and Jason Baxter (Owner)**, are requesting a Setback Variance of a maximum of 7 feet on the left side of property located at **123 Countryside Drive, Hendersonville, TN 37075**. Subject property is on Tax Map 138K, Group A, Parcel 013.00, contains 1.01 acres, is zoned Residential A, and is in the 11th voting district.

Mr. Irvin came forward to represent and explain his request.

Mr. Rainey asked Mr. Irvin when Excel General Contractors purchased this property.

Mr. Irvin stated that the property was purchased in late 2016 and resold to Mr. Baxter on January 2017.

Mr. Rainey stated that the plat was recorded in 2013.

Mr. Irvin stated that they did not receive the updated plat at the time of purchase and was unaware that the plat had been changed.

Mr. Rainey asked Mr. Irvin why the home could not be moved to fit the lot.

Mr. Irvin stated Mr. Baxter's custom home plans had been drawn out to fit the lot by the original plat, and the house could not be moved more to the back of the lot because it sloped.

Mr. Rainey stated that the rules and regulations of the Zoning Board do not allow them to use monetary issues as grounds for a variance, and the fact that the plat was drawn before Excel General Contractors and Mr. Baxter purchased it.

Mr. Irvin stated that all of his paperwork at the time of closing of the property showed this lot as square.

There was discussion.

Mr. Joyner ask Mr. Irvin if the property will be on sewer.

Mr. Irvin stated that the property would be on sewer.

Mr. Baxter came forward and stated that he had spent money on a design to accommodate the lot the way it was shown to them at purchase time.

There was discussion.

SUMNER COUNTY ZONING BOARD OF APPEALS MINUTES PAGE 4
March 9, 2017

Motion to approve Setback Variance by Mr. Rainey based on pre-existing, site specific conditions, where septic challenges and property line amendments have created a hardship scenario, seconded by Mr. Dickerson. Motion passed unanimously

Motion to adjourn meeting by Mr. Rainey, seconded by Ms. Webster. Motion passed unanimously.

Meeting Adjourned at 6:23 p. m.