

**SUMNER COUNTY ZONING BOARD OF APPEALS
MINUTES
6:00 P.M.
SEPTEMBER 11, 2008**

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:
MIKE MOULTON, PLANNING DIRECTOR
LISA WILLIAMS, ADMINISTRATIVE ASSISTANT

**MOTION TO APPROVE THE AUGUST MINUTES BY MS. WEBSTER, SECONDED BY MR. COLE.
MOTION PASSED UNANIMOUSLY.**

1 . PAUL WEBB WAS REQUESTING A SPECIAL EXCEPTION FOR A 6' X 10' CHURCH SIGN. THIS SIGN WILL BE A FREE STANDING, APPRX. 5' FROM THE GROUND, ILLUMINATED AND WILL BE LOCATED AT 1196 HARVE BROWN ROAD, WESTMORELAND, TN. SUBJECT PROPERTY IS ON TAX MAP 29, PARCEL 62.01, CONTAINS 3.76 ACRES, AND IS ZONED COMMERCIAL 2 WITH A PUD OVERLAY.

THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON AUGUST 13, 2008. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

RICK DUFFER AUTHORIZED AGENT, CAME FORWARD TO EXPLAIN THIS REQUEST AND ANSWER ANY QUESTIONS. MR. DUFFER STATED THAT MR. WEBB HAS GRANTED HIM PERMISSION TO PLACE THIS SIGN ON THIS PROPERTY. MR. DUFFER STATED THAT THIS SIGN WOULD SIT IN THE CORNER OF HIGHWAY 52 AND HARVE BROWN ROAD.

MR. MOULTON STATED THAT WHAT WE HAVE TONIGHT IS A COMMERCIAL 2 PUD OVERLAY THAT HAS GONE THROUGH ALL THE CHANNELS WITH A SITE PLAN APPROVAL. ACCORDING TO OUR ZONING RESOLUTION YOU CAN NOT PLACE A SIGN ON A PROPERTY WITHOUT FIRST RECEIVING A SIGN VARIANCE.

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

THERE WAS DISCUSSION.

**MOTION TO GRANT THE VARIANCE BY MR. RAINEY, SECONDED BY MS. WEBSTER.
MOTION PASSED UNANIMOUSLY.**

2. **LINDA AND RON BOYLE** WERE REQUESTING A HEIGHT VARIANCE OF 34 FEET FOR A NEW RESIDENTIAL CONSTRUCTION. THE SUBJECT PROPERTY IS LOCATED AT 330 DOUGLAS LANE, GALLATIN, TN., ON TAX MAP 104, PARCEL 1.03, TRACT 2, SAID TRACT CONTAINS 6.43 ACRES, AND IS ZONED R1A.

THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON AUGUST 27, 2008. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.

RON BOYLE CAME FORWARD TO EXPLAIN THIS REQUEST AND HANDED EACH MEMBER A BINDER WHICH CONTAINED LETTERS FROM THE ADJOINING PROPERTY OWNERS THAT WERE IN FAVOR OF THIS REQUEST. MR. BOYLE EXPLAINED THAT HE PLANNED TO BUILD THIS HOME 1,100 FEET BACK OFF THE ROAD.

MR. MOULTON EXPLAINED THAT IN THE ZONING RESOLUTION THE HEIGHT RESTRICTION IS 25 FEET. THIS HEIGHT VARIANCE HAS MORE TO DO WITH ARCHITECTURAL DESIGN OF THE TURRET THAN ANYTHING ELSE.

MR. RAINEY ASKED IF THIS HOME AT ITS HIGHEST POINT WOULD BE 57 OR 58 FEET.

MR. BOYLE CONCURRED WITH MR. RAINEY. MR. BOYLE EXPLAINED THAT THE HOME WILL HAVE A GOTHIC REVIVAL DESIGN. THE WALLS WILL ALL BE CONCRETE AND REBAR AND WILL WITHSTAND WINDS OF 250 MILES AN HOUR.

MR. BOYLE STATED THAT THEY WILL HAVE TWO (2) TWELVE (12) FOOT CEILINGS AND THERE WILL BE SLAB ON GRADE IN ORDER TO DO THE GEO THERMAL HEATING.

MR. RAINEY ASKED IF THERE WOULD BE A ROOM LOCATED IN THE TURRET.

MR. BOYLE STATED THAT THEY WERE PLANNING TO PUT AN OBSERVATION ROOM IN THE TURRET.

MR. RAINEY STATED HE DID NOT THINK THAT WE HAVE ANYTHING IN THE COUNTY THAT COULD GET UP THAT HIGH TO FIGHT A FIRE.

THERE WAS DISCUSSION.

THERE WAS NO ONE PRESENT TO SPEAK FOR OR AGAINST.

MOTION TO APPROVE BY MS. WEBSTER, SECONDED BY MR. RAINEY. MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS:

- **JACKIE RAY GAMBRELL**-ONE YEAR FOLLOW UP TO DISCUSS EXTENDING THE CONDITIONAL USE PERMIT HE RECEIVED TO OPERATE AN AUTOMOBILE REPAIR AND DISMANTLE SHOP. SUBJECT PROPERTY IS LOCATED AT 3706 HIGHWAY 76, COTTONTOWN, TN., CONTAINS 1.10 ACRES, IS ON TAX MAP 74, PARCEL 31 AND IS ZONED AGRICULTURAL. (THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY REGULAR MAIL)

MR. MOULTON STATED THAT THIS IS JUST A FOLLOW UP. MR. MOULTON EXPLAINED THAT HE DID STOP BY MR. GAMBRELLS' PROPERTY TODAY AND IT LOOKS BETTER THAN IT EVER HAS BEFORE. THE VEHICLES ARE TAGGED AND WE HAVE NOT HAD ANY COMPLAINTS REGARDING MR. GAMBRELL IN OUR OFFICE IN OVER A YEAR. MR. MOULTON STATED THAT AS FAR AS HE IS CONCERNED MR. GAMBRELL IS MEETING THE CONDITIONS THAT WERE SET FORTH BY THIS BODY AND IS IN COMPLIANCE WITH THE ZONING RESOLUTION.

THERE WAS NO ONE PRESENT TO SPEAK FOR OR AGAINST.

THERE WAS DISCUSSION.

MOTION BY MR. RAINEY TO CONTINUE THIS CONDITIONAL USE FOR TWO (2) YEARS, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY

- **JOSEPH HOWARD** IS REQUESTING A NINE (9) FOOT REAR YARD SETBACK VARIANCE FOR AN EXISTING HOME. SUBJECT PROPERTY IS LOCATED ON 2458 CENTER POINT ROAD, HENDERSONVILLE, TN., BEING LOT NO. 2, EARL LORENZ PROPERTY, IS ON TAX MAP 139, PARCEL 26.01, CONTAINS 2.62 ACRES, AND IS ZONED RA.
THIS WAS ADVERTISED IN THE GALLATIN NEWS ON **JULY 30, 2008**. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.
THIS WAS DEFERRED AT THE AUGUST ZBA MEETING.

MR. MOULTON EXPLAINED THAT THIS WAS DEFERRED AT LAST MONTH'S MEETING. THE OWNER, BUILDER AND THE ADJOINING PROPERTY OWNER DID WORK OUT AN AGREEMENT AND DID PURCHASE PROPERTY. THEY HAVE ALREADY SUBMITTED A PLAT WHICH OUR OFFICE HAS REVIEWED. WE ARE WAITING ON THEM TO BRING IT IN FOR THE PLANNERS SIGNATURE AND THEN IT WILL BE RECORDED. MR. MOULTON STATED THAT HE WISHED HE COULD REPORT TONIGHT THAT THE PLAT HAS BEEN SIGNED AND WAS RECORDED. MIKE STATED THAT HE WOULD RECOMMEND DEFERRAL UNTIL THIS PLAT HAS BEEN SIGNED AND RECORDED.

THERE WAS DISCUSSION.

MOTION TO DEFER UNTIL NEXT MONTH BY MR. RAINEY, SECONDED BY MS. WEBSTER. MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS:

MR. MOULTON STATED THAT WE HAVE SOMETHING WORKING WITH THE CITY OF HENDERSONVILLE FOR THE ZOING BOARD OF APPEALS MEMBERS TO OBTAIN THEIR REQUIRED FOUR (4) HOURS. THIS TRAINING MAY TAKE PLACE THE FIRST PART OF DECEMBER 2008. MR. MOULTON STATED HE WOULD LET EVERYONE KNOW IF THIS MATERIALIZES.

MEETING ADJOURNED AT 6:20 P.M.

