

**Wilson County Board of Zoning Appeals Minutes  
February 16, 2023**

The Wilson County Board of Zoning Appeals met February 16, 2023, at 9:00 a.m. in the County Commission Room of the Wilson County Courthouse, Lebanon, Tennessee, pursuant to public notice. Those members present were Thompson, Neal, Blaydes, Dowell, Crockett. Also, present was County Planning staff, Codes and Zoning staff, Storm Water staff, County Attorney Mike Jennings, and Court Reporter Teresa Hatcher, hired by the county.

Thompson called the meeting to order. Thompson informed individuals with questions or who desire to make comments before the Board concerning the cases to approach the podium when asked by the Chairman and to sign in on the sign-up sheet giving name, address, and case of interest. Thompson informed individuals that anyone desiring to withdraw, or request deferral could do so at this time. Thompson informed everyone that a stenographer was present, and individuals could get with her at the end of the meeting if they desired a transcript of the meeting. Thompson then asked all individuals who desired to make statements before the Board to raise their hands. He thereupon administered the oath to each of the prospective witnesses. Thompson stated that staff makes recommendations which are considered by the Board.

Motion made by Neal, seconded by Dowell, and all voting aye, the minutes of the January 19, 2023, meeting were approved.

**CASE 4065**

**REQUEST:** **Robert Trelford** is requesting a variance of five (5) feet from the south rear yard setback of thirty (30) feet. The variance will allow the proposed deck to be twenty-five (25) feet from the south rear property line. The property located at 600 Wilkes Point, Lot 203, Plantation South is Group "B", Parcel 14 on Wilson County Tax Map 46 "J". The property consists of fifteen thousand, three hundred and fifteen (15,315) square feet and is zoned R-1 Residential.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.10 RURAL RESIDENTIAL (R-1) - 5.10.05 AREA REGULATIONS - C. REAR YARD - 2. For principal structures, served by public sewer system, there shall be a rear yard of not less than thirty (30) feet. [ revised 12-13-93] [revised resolution 07-7-4]

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion was made by Crockett, seconded by Blaydes, and all voting aye, with the exception of Thompson voting no, the request was approved.

**CASE 4066**

**REQUEST:** **Barbara Dorman** is requesting to have more than thirty (30) events per year for her wedding venue. The board approved the wedding venue on December 20, 2013, with the stipulation the venue was limited to thirty (30) events per year. The property located at 7044 Lebanon Road is Parcel 68.03 on Wilson County Tax Map 55. The property consists of seventeen (17) acres and is zoned R-1 Residential.

**ORDINANCE REFERENCE:** See minutes from the Wilson County Board of Zoning Appeals Meeting.

**ACTION:** Staff read recommendations. Applicant appeared along with her son Caleb Smith. After discussion, motion was made by Neal, seconded by Dowell, and all voting aye, the request was approved and the stipulation for the requirement limit for number of events was removed.

**CASE 4067**

**REQUEST:** Ed Hagerty is requesting to use the property as a short-term rental. The property located at 105 Riverside Drive, Lot 25, Riverside is Group “B”, Parcel 4 on Wilson County Tax Map 28 “C”. The property consists of .68 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.03 USES PERMISSIBLE ON APPEAL (revised 12/15/2003 resolution 03-12-2) - 5.20.03.1 USES PERMISSIBLE ON APPEAL - C. Bed and Breakfast Facility: 1. Bed and Breakfast Facilities must possess onsite caretaker either living on premises or on premises within 10 Miles of the Bed and Breakfast Facility to oversee operations. 2. Bed and Breakfast Facilities shall also provide contact information for the local caretaker, as outlined in item 1 above, as well as contact information for the actual owner of the property if different from the local caretaker. This information shall be provided to the County Sherriff’s office, the County Building inspector, and the Wilson Emergency Management Agency. Such required contact information shall include Name, a Valid Mailing Address, Phone number and Email address for the Caretaker and the owner of the property respectively. This information will be required upon approval of any Bed and Breakfast use, as defined in the Wilson County Zoning Resolution, by the Board of Zoning Appeals and prior to commencing operations. 3. Bed and Breakfast facilities as outlined by the Wilson County Zoning Resolution shall be required to meet the rules of the Tennessee Department of Health division of Food and Sanitation Chapter 1200-23-2 titled bed and breakfast establishments, where deemed applicable by officials of the Tennessee Department of Health. 4. Bed and Breakfast facilities as outlined by the Wilson County Zoning Resolution shall be required to have viable sewer septic as determined by the Tennessee Department of Environment and Conservation. 5. This use will be approved in increments with option to request renewal or extension at the end of that time period.

**ACTION:** Staff read recommendations. After discussion, motion was made by Blaydes, seconded by Neal. Thompson made an amendment for the septic approval and caretaker’s information be submitted to the Building Inspector’s Office and the request be approved for one (1) year. Blaydes and Neal accepted the amendment, and all voting aye, the request was approved for one (1) year.

**CASE 4068**

**REQUEST:** Regina Robinson is requesting an extension on an expired building permit. The permit was applied for on June 23, 2020, for a house and a barn. The permit expired on June 23, 2021, due to no construction being started on either structure. The property

located at 400 Chicken Road, Lot 1, Robinson Property is Parcel 26.01 on Wilson County Tax Map 124. The property consists of 25.04 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 6 ADMINISTRATION, ENFORCEMENT AND INTERPRETATION - SECTION 6.20 BUILDING PERMITS, SITE PLAN REQUIREMENTS AND CERTIFICATES OF COMPLIANCE 6.20.02 A building permit shall become void twelve (12) months from the date of issuance by the Building Inspector or the date an appeal is granted by the Board of Zoning Appeals, unless substantial progress has been made within those twelve (12) months on the project described therein. Substantial progress shall be determined by the request for and approval of subsequent required inspections from and by the Building Inspector, respectively. In no case shall an active building permit for a residential dwelling last longer than 24 months without having received a certificate of compliance or other final approval as outlined within the Wilson County Zoning Resolution. If a permit recipient for a residential dwelling perceives that his construction project may last longer than 24 months, then special relief or variance from this provision will be required and the permit recipient will need to seek such relief from the Wilson County Board of Zoning Appeals. (Resolution 18-11-13)

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion was made by Thompson, seconded by Blaydes, and all voting aye the request was approved for an eighteen (18) month extension due to the permit being applied for right after Covid.

#### **CASE 4069**

**REQUEST:** **Clay Hair** is requesting to use the property as a short-term rental. The property located at 3924 Cairo Bend Road, Lot 13, Gowda Property is Parcel 39.17 on Wilson County Tax Map 26. The property consists of 17.3 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.03 USES PERMISSIBLE ON APPEAL (revised 12/15/2003 resolution 03-12-2) - 5.20.03.1 USES PERMISSIBLE ON APPEAL - C. Bed and Breakfast Facility: 1. Bed and Breakfast Facilities must possess onsite caretaker either living on premises or on premises within 10 Miles of the Bed and Breakfast Facility to oversee operations. 2. Bed and Breakfast Facilities shall also provide contact information for the local caretaker, as outlined in item 1 above, as well as contact information for the actual owner of the property if different from the local caretaker. This information shall be provided to the County Sherriff's office, the County Building inspector, and the Wilson Emergency Management Agency. Such required contact information shall include Name, a Valid Mailing Address, Phone number and Email address for the Caretaker and the owner of the property respectively. This information will be required upon approval of any Bed and Breakfast use, as defined in the Wilson County Zoning Resolution, by the Board of Zoning Appeals and prior to commencing operations. 3. Bed and Breakfast facilities as outlined by the Wilson County Zoning Resolution shall be required to meet the rules of the Tennessee Department of Health division of Food and Sanitation Chapter 1200-23-2 titled bed and breakfast establishments, where deemed applicable by officials of the Tennessee Department of Health. 4. Bed and Breakfast facilities as outlined by the Wilson County Zoning

Resolution shall be required to have viable sewer septic as determined by the Tennessee Department of Environment and Conservation. 5. This use will be approved in increments with option to request renewal or extension at the end of that time period.

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion was made by Dowell, seconded by Blaydes. Thompson amended the motion to include the business plan as part of the approval, contact information be submitted to the Building Inspector's Office, and the approval is good for one (1) year. Dowell and Blaydes accepted the amendment and all voting aye, the request was approved for one (1) year.

**CASE 4070**

**REQUEST:** **Harrison Yonts** is seeking a variance from the size limit requirement of two thousand (2,000) square feet for an accessory structure without a principal structure. The variance will allow the accessory structure to be seven thousand (7,000) square feet. The property located at 671 South Posey Hill Road is Parcel 16.10 on Wilson County Tax Map 95. The property consists of 14.53 acres and is zoned R-1 Residential.

**ORDINANCE REFERENCE:** ARTICLE 3 GENERAL PROVISIONS - SECTION 3.90 ACCESSORY STRUCTURES IN RESIDENTIAL AND/OR AGRICULTURAL ZONE DISTRICTS [resolution 07-7-5] - A. The accessory structure being proposed does not exceed the following: R-1 4% of total lot area or 2,000 square feet, whichever is less

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion was made by Crockett, seconded by Thompson. Crockett amended his motion to waive the six (6) months wait period to come back before the board. With all voting aye, the request was denied.

**CASE 4071**

**REQUEST:** **Lukas Ham** is requesting a variance of twenty-five (25) feet from the south rear yard setback requirement of forty (40) feet. The variance will allow the proposed addition to be fifteen (15) feet from the south rear property line. The property located at 5222 Rustic Way,

Lot 1, Langford Farms is Group "B", Parcel 8 on Wilson County Tax Map 52 "D". The property consists of 1.2 acres and is zoned R-1 Residential.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.10 RURAL RESIDENTIAL (R-1) - 5.10.05 AREA REGULATIONS - C. REAR YARD - 1. For principal structures (not served by public sewer system) there shall be a rear yard of not less than forty (40) feet. [revised 12-13-93 revised resolution 07-7-4]

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion was made by Neal, seconded by Blaydes, and all voting aye, the request was approved based on the property being a corner lot and if it wasn't, it would fall within the perimeters of the side yard setback requirement.

There being no further business to come before the Board at this time, on motion duly made and seconded, adjourned.

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Secretary