

**Wilson County Board of Zoning Appeals Minutes  
February 17, 2022**

The Wilson County Board of Zoning Appeals met February 17, 2022, 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 Abercrombie, Blaydes, Neal, and Thompson. Also, present was County attorney, County Planning staff, Codes and Zoning staff, 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, second by Abercrombie, and all voting aye, the minutes of the January 20, 2022, meeting were approved.

**CASE 3971**

**REQUEST: Ray Baker** is requesting to renew the approval for an Airbnb/short-term rental. The request was approved by the board on January 21, 2021, for one year. The property located at 531 Hunting Hills, Lot 23A, Hunting Hills is Parcel 51.22 on Wilson County Tax Map 77. The property consists of 3.15 acres and is zoned R-1 Residential.

**ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS – SECTION 5.10 RURAL RESIDENTIAL (R-1) - 5.10.03 USES PERMISSIBLE ON APPEAL - K. Bed and Breakfast Facility - 1. Bed and Breakfast Facilities must possess onsite caretaker either living on premises or on a premise 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. All properties in which this use is approved must have a minimum of two (2) acres. 6. 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 made by Neal, second by Abercrombie, and all voting aye, the request was approved for three (3) years with the business plan being part of the approval.

**CASE 3972**

**REQUEST:** Steve Yarbrough is requesting a variance of eight (5) feet from the height requirement of twenty-two (22) feet for an accessory structure. The variance will allow the proposed accessory structure to be twenty-seven (27) feet in height. The structure will be a mixed use of both personal and agricultural use. The property located at 3748 Murfreesboro Road, Lot 18, David Harrison Property is Parcel 23.01 on Wilson County Tax Map 114. The property consists of 17.03 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.05 AREA REGULATIONS - 5.20.06 HEIGHT REGULATIONS. No principal structure shall exceed three (3) stories or thirty-five (35) feet in height. Accessory structures shall not exceed twenty-two (22) feet in height OR they must match the predominant two (2) roof pitch angles of the residence if exceeding twenty-two (22) feet. Other zoning district height criterion is still applicable if this option is exercised. If this option is exercised building material of accessory must match primary residential structure. [revised resolution 15-2-13]

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion made by Thompson, second by Abercrombie, and all voting aye, the request was approved with the stipulation the structure is to be used for personal use not business use.

**CASE 3973**

**REQUEST:** Michael Stevenson is requesting a one (1) year extension on his building permit. The permit was applied for on January 17, 2020. The insulation inspection passed on January 28, 2022. The property located at 1571 Mann Road is Parcel 65 on Wilson County Tax Map 24. The property consists of ten (10) 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 made by Blaydes to extend the building permit for one (1) year, second by Neal. Thompson amended the motion to extend the permit for eighteen (18) months. Blaydes and Neal accepted the amendment, and all voting aye, the building permit is extended for eighteen (18) months.

**CASE 3974**

**REQUEST:** **Angela Kelly** is requesting a variance of one (1) foot between structures. The carport is seven (7) feet from the existing house. The property located at 9110 Trousdale Ferry Pike, Lot 5, Dedman-Trousdale is Parcel 21 on Wilson County Tax Map 64. The property consists of 3.79 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - B. SIDE YARD - The minimum spacing between accessory structures and any other structure on the same property shall be eight feet (8'-0") wall to wall between walled structures. [revised 10/19/2020 resolution 20-10-20]

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion made by Neal, second by Abercrombie, and all voting aye, the request was approved based on the variance being minimum.

**CASE 3975**

**REQUEST:** **Larry and Carole Smith** are requesting a variance of eight (8) feet from the rear yard setback requirement of ten (10) feet. The proposed pool including concrete will be two (2) feet from the rear property line. The property located at 130 North Denny Road, Lot 1, Earl Price Property is Group "A", Parcel 15 on Wilson County Tax Map 25 "G". The property consists of one (1) acre and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - C. REAR YARD - 2. For accessory structures there shall be a rear yard of not less than ten (10) feet.

**ACTION:** Staff read recommendations. Larry Smith appeared. After discussion, motion made by Thompson, second by Neal, and all voting aye, the request was approved based on the lot being an older lot of record and based on staff recommendations.

**CASE 3976**

**REQUEST:** **Apryl Collins** is requesting to have four (4) RV sites located on the property with electric and septic hook-up along with the existing house. The property located at 2600 Academy Road is Parcel 48 on Wilson County Tax Map 27. The property consists of 15.57 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 3 GENERAL PROVISIONS - SECTION 3.40 NUMBER AND LOCATION OF BUILDINGS ON LOT - 3.40.02 With the exception of group housing developments, including mobile home parks, only one principal structure and its customary accessory structures shall hereafter be erected on any lot in any residential district or any residential lots in any agricultural district.

**ACTION:** Staff read recommendations. Apryl and Ean Collins appeared. Commissioner Jerry McFarland spoke in opposition and requested denial of the request.

Darryl Noble representing his father-in-law spoke in opposition. After discussion, motion by Thompson, second by Blaydes, and all voting aye, the request was denied based on staff recommendations and the improvements will need to be removed.

**CASE 3977**

**REQUEST:** **Jaime James** is requesting to waive the Adequate Facilities Tax and the building permit fee to rebuild the house that burned on January 4, 2021. Applicant is before the board due to the fees being waived if a building permit is applied for within one (1) year from the date the house burned. The property located at 2461 Old Shannon is Parcel 23.01 on Wilson County Tax Map 102. The property consists of 1.13 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** Office policy on one (1) year requirement.

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion made by Thompson, second by Neal, and all voting aye, the request was approved. Applicant must apply within one (1) year and standard staff policy applies.

**CASE 3978**

**REQUEST:** **Jarvis Jenkins** is requesting to establish a contractor's storage yard and use the proposed accessory structure for storing vehicles and concrete equipment. The proposed structure will also need a variance of four (4) feet from the height requirement of twenty-two (22) feet. The variance will allow the proposed structure to be twenty-six (26) feet in height. The property located at 78 Ramsey Lane, Lot 2A, Seay-Corder Property is Parcel 31.06 on Wilson County Tax Map 60. The property consists of .92 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.05 AREA REGULATIONS - 5.20.06 HEIGHT REGULATIONS. No principal structure shall exceed three (3) stories or thirty-five (35) feet in height. Accessory structures shall not exceed twenty-two (22) feet in height OR they must match the predominant two (2) roof pitch angles of the residence if exceeding twenty-two (22) feet. Other zoning district height criterion is still applicable if this option is exercised. If this option is exercised building material of accessory must match primary residential structure. [revised resolution 15-2-13]. ARTICLE 5 ZONING DISTRICTS - 5.20.03 USES PERMISSIBLE ON APPEAL (revised 12/15/2003 resolution 03-12-2) - 5.20.03.1 USES PERMISSIBLE ON APPEAL - DD. Other similar uses as reviewed and approved by the Board of Zoning Appeals.

**ACTION:** Staff read recommendations. Applicant appeared. Lee Bond, contractor appeared. Commissioner Chris Dowell appeared in favor. Applicant requested to withdraw the request for a contractor's storage yard. After discussion, motion made by Thompson, second by Neal, and all voting aye, the request for the contractor's storage yard was withdrawn and the height variance was approved.

**CASE 3979**

**REQUEST:** **Lee Bond** is requesting to have the Adequate Facilities Tax fee and the building permit fee waived. A building permit for a barn was taken out in 2007 by the property owner without a house being located on the property. Applicant stated that when he purchased the property the barn was actually a house, and he is remodeling said

house. At current, the property is not being taxed for a house. Tax records show a pole barn and attach shed on the property. The property located at 2351 Linwood Road, Lot 4, McKee Property is Parcel 23.01 on Wilson County Tax Map 106. The property consists of 11.25 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 - 6.20.01 BUILDING PERMIT REQUIRED. It shall be unlawful to commence excavation for the construction of any structure including accessory structures, or to commence the moving or alteration of any structure including accessory structures, until the Building Inspector has issued a building permit for such work. The building permit fee schedule shall be set by the Wilson County Commission.

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion made by Neal, second by Thompson, and all voting aye, the request was denied.

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