

**Wilson County Board of Zoning Appeals Minutes**  
**June 15, 2023**

The Wilson County Board of Zoning Appeals met June 15, 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, Crockett, Robinson, and Manning. 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 Blaydes, and all voting aye, the minutes of the May 18, 2023, meeting were approved.

**CASE 3995 (deferred from April 21, 2022)**

**REQUEST: Mary Wineland** is requesting to use the property as a short-term rental. The property located at 259 McCrary Road, Lot 1, Dean Wineland Property is Parcel 95 on Wilson County Tax Map 116. The property consists of 4.32 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. Kenneth Cook, adjoining property owner appeared with questions and concerns. After discussion, motion was made by Blaydes to approve, seconded by Robinson. Thompson amended the motion to include the following stipulations: the maximum number of guests is six (6), quiet hours are from 11 pm to 7 am, the business plan is part of the approval, and the approval is for one (1) year. Blaydes and Robinson accepted the amended motion, and all voting aye, the request was approved with above stipulations.

**CASE 4098**

**REQUEST: Dale Porter** is requesting a variance of ten (10) feet from the west side yard setback requirement of fifteen (15) feet. The variance will allow the proposed attached garage to be five (5) feet from the west side property line. The property located at 810 Lovers Lane, Lot 9, Boyd Bradley Property is Parcel 41 on Wilson County Tax Map 59. The property consists of 5.5 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 - B. SIDE YARD - 1. For single and two-story structures located on interior lots, side yards shall be not less than fifteen (15) feet in width for a principal structure.

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion was made by Crockett, seconded by Neal, and all voting aye, the request was approved.

**CASE 4099**

**REQUEST: Brendan Boles representing Kimley-Horn** is requesting to use the property for a truck terminal. Applicant is also requesting to waive the sewer requirements. The properties located at 1327, 1363, and 1401 East Division Street are Parcels 6, 6.02, and 6.03 on Wilson County Tax Map 77. The properties consist of a total of approximately 10.95 acres and are zoned I-1 Light Industrial.

**ORDINANCE REFERENCE:** SECTION 5.40 LIGHT INDUSTRIAL (I-1) - 5.40.03 USES PERMISSIBLE ON APPEAL - B. Truck terminal - ARTICLE 3 GENERAL PROVISIONS - SECTION 3.41 COMMERCIAL OR INDUSTRIAL USE OF PROPERTY - Within any commercial or industrial zone district the following will be required: 1. Prior to any commercial or industrial use of property, a public sewer system as defined by this zoning ordinance must be in place for the provision of sewerage disposal. [Resolution 07-7-4]

**ACTION:** Staff read recommendations. Rolf Anderson with CT Realty appeared. Colton Dorris with Kimley-Horn appeared representing Brendan Boles. Gayle McClain, adjoining property owner appeared with questions and concerns. After discussion, motion was made by Thompson, seconded by Blaydes and all voting aye, the request for

the use was approved with the stipulation to fence the entire perimeter of the site, and the request to waive the sewer requirement was denied.

**CASE 4100**

**REQUEST:** **Brian Thompson on behalf of Linda Sue Thompson** is requesting approval for a grass landing strip. The property located at 17531 Central Pike is Parcel 14.01 on Wilson County Tax Map 115. The property consists of 54.5 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.03.1 USES PERMISSIBLE ON APPEAL - A. Aircraft landing field, hangars and equipment. The general intent of this subsection is to ensure the orderly development of aircraft landing fields, hangars, equipment and local traffic patterns in Agricultural zones, which will also afford some protection to residences in the area, and which will hereby promote the public health, safety, and general welfare of the citizens of Wilson County. If approved, a site development plan of the proposed airfield shall be submitted to the Wilson County Planning Commission for approval.

**ACTION:** Thompson stated he had an indirect conflict; Neal would chair this request and Manning will take his place in voting. Staff read recommendations. Applicant appeared stating this is a private grass strip for one (1) plane and the plane is hangered at the Lebanon Airport. After discussion, motion was made by Robinson, seconded by Manning, and all voting aye, the request was approved.

**CASE 4101**

**REQUEST:** **Jose Avila** is requesting to use the property for a wedding venue. The property located at 3508 Hobson Pike is Parcel 65 on Wilson County Tax Map 119. The property consists of a total of 6.84 acres; 3.58 acres located in Wilson County and 3.26 acres located in Davidson County. The property 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 - J. Other similar uses as reviewed and approved by the Board of Zoning Appeals.

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion was made by Crockett, seconded by Robinson, and all voting aye, the request was denied based on staff recommendations and lack of information.

**CASE 4102**

**REQUEST:** **Bryan Spears** is requesting approval for an automotive accessory business located in an accessory structure. Applicant is also needing a variance of six (6) feet from the setback requirement of eight (8) feet between structures. The accessory structures are two (2) feet apart. The property located at 6538 Simmons Bluff Road, Lot 2, Mark Vastola Property is Parcel 12.04 on Wilson County Tax Map 155. The property consists of 5.23 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.03.1 USES PERMISSIBLE ON APPEAL - DD. Other similar uses as reviewed and approved by the Board of Zoning Appeals. ARTICLE 2 DEFINITIONS - SECTION 2.20 SPECIFIC TERMS - HOME OCCUPATION: An

incidental occupation customarily carried on in the residence, employing no more than one (1) person not residing on the premise and utilizing no more than twenty-five (25) percent of the usable floor area of all buildings: provided, (1) no article or service be sold or offered for sale on the premise other than that produced by such occupation, and (2) such occupation shall not require the alteration of buildings, new construction, or equipment and machinery not customarily used in residential areas.

**ACTION:** Staff read recommendations. Applicant appeared. Phil Lane, adjoining property appeared in opposition. Danielle Deeger, adjoining property appeared in favor. After discussion, motion was made by Neal to recognize this request as a home occupation based on the testimony given by the applicant and to deny the variance between the structures, seconded by Blaydes. Neal amended his motion to include the applicant must apply for necessary permits. Motion failed with Crockett, Robinson, and Thompson voting no. Motion was made by Thompson to deny. Thompson withdrew his motion for lack of a second. Motion was made by Thompson to deny and let the staff determine whether the business falls within the definition of the home occupation and the accessory structures must be connected, seconded by Crockett, and all voting aye, with the exception of Blaydes and Neal voting no.

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