

**Wilson County Board of Zoning Appeals Minutes  
July 20, 2023**

The Wilson County Board of Zoning Appeals met July 20, 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. County Attorney, Mike Jennings explained the public comment period. Thompson made an announcement for public comment.

Motion made by Crockett, seconded by Dowell, and all voting aye, the minutes of the June 15, 2023, meeting were approved.

**CASE 4103 (Requested deferral)**

**REQUEST:** **Angie Higham** is requesting to use the property for a wedding event venue. The property located at 7325 Lebanon Road is Parcel 17 on Wilson County Tax Map 55. The property consists of 4.36 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 - DD. Other similar uses as reviewed and approved by the Board of Zoning Appeals.

**ACTION:** Staff read recommendations. Motion was made by Crockett, seconded by Dowell, and all voting aye, the request was deferred to the August meeting.

**CASE 4104**

**REQUEST:** **Steven Dixon** is requesting to waive the requirement of twelve (12) months to rebuild a home that was destroyed by fire due to issues with contractors. The existing home burned and was removed from the tax records January 8, 2022. The property located at 355 Crosswinds Drive, Lot 29, Crosswinds is Group "A", Parcel 12 on Wilson County Tax Map 29 "J". The property consists of 2.43 acres and is zoned R-1 Residential.

**ORDINANCE REFERENCE:** Resolution 01-9-4 – 1. When an existing structure has been destroyed or damaged by fire; and 2. When the owner of the property presents proof satisfactory to the Wilson County Building Inspector of damage from fire; and 3. When the building permit for the replacement structure or for the repair to the damage is requested within one (1) year from the date of the fire; and 4. When the repair or replacement is for an existing structure and is not for any additional construction.

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion was made by Thompson, seconded by Neal, and all voting aye, the applicant was given ninety (90) days to apply for the building permit.

**CASE 4105**

**REQUEST: K & A Land Surveying on behalf of Mollie Anderson** is requesting to be able to subdivide property under the previous requirements of forty thousand (40,000) square feet lot verses the new requirement of eighty thousand (80,000) square feet lot. The property located at 81 Wright Road, Lot 1B Anderson Property is Parcel 30.01 on Wilson County Tax Map 131. The total property consists of 2.90 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - F. MINIMUM LOT AREA - 3. For each dwelling and buildings accessory thereto, not served by a public sewer system but served by a public water system, there shall be a minimum lot area of eighty thousand (80,000) square feet; however, a greater lot area may be required based on recommendations by the State of Tennessee Department of Environment and Conservation. [revised resolution 07-7-4] [revised resolution 23-5-7]

**ACTION:** Staff read recommendations. Brian Keith with K & A Land Surveying appeared. Commissioner Blake Hall appeared in favor. Joseph Rucker, family member of Mollie Anderson appeared. Brian Keith spoke again. After discussion, motion was made by Thompson, second by Neal, and all voting aye, the request was deferred to the end of the meeting.

**CASE 4106**

**REQUEST: K & A Land Surveying on behalf of Jonathan Gray** is requesting to be able to subdivide property under the previous requirements of forty thousand (40,000) square feet lot verses the new requirement of eighty thousand (80,000) square feet lot. The property located at 9290 Highway 109 is Parcel 5 on Wilson County Tax Map 13. The amount of property wanting to be divided is 6.36 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - F. MINIMUM LOT AREA - 3. For each dwelling and buildings accessory thereto, not served by a public sewer system but served by a public water system, there shall be a minimum lot area of eighty thousand (80,000) square feet; however, a greater lot area may be required based on recommendations by the State of Tennessee Department of Environment and Conservation. [revised resolution 07-7-4] [revised resolution 23-5-7]

**ACTION:** Staff read recommendations. Brian Keith with K & A Land Surveying appeared. Mike Rounsaville appeared in opposition. Janice Rounsaville appeared in opposition. Bill Day appeared in opposition. Myrna Davis appeared in opposition. Bill Day spoke again. After discussion, motion was made by Thompson, seconded by Neal, and all voting aye, the request was deferred until the end of the agenda.

**CASE 4107**

**REQUEST: Thomas Holland** is requesting to build a barn to store a camper to live in. Applicant is also requesting a variance from the requirement of two thousand (2,000) square feet for an accessory structure without a principal structure on the property. The variance will allow the proposed barn to be (3,200) three thousand, two hundred square feet. The property located at 2554 Quarry Road, Lot 1, Holland Property is Parcel 69.01 on Wilson County Tax Map 71. The property consists of 13.28 acres and is zoned R-1 Residential.

**ORDINANCE REFERENCE:** 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. ARTICLE 5 ZONING DISTRICTS – SECTION 5.10 R-1 RESIDENTIAL – 5.10.04 USES PROHIBITED – C. Travel Trailers as defined in the Wilson County Zoning Ordinance are not permitted as a permanent dwelling and therefore, the County Zoning Administrator will not release electrical permits for such to be connected in one location for an extended period, nor will the Administrator issue building permits or occupancy permit for these structures unless they are converted and constructed with a permanent foundation and required perimeter foundation wall across all sides of the structure. Travel Trailers ARE however permitted to be stored on a property in this zone district as long as they are owned by the property owner and as long as no one inhabits said trailer for generally more than two weeks at a time. (Resolution 19-6-16)

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion made by Crockett, seconded by Blaydes, and all voting aye, the applicant was given a ninety (90) day grace period to apply for a building permit for the house.

**CASE 4108**

**REQUEST: Jerry Britton** is requesting to build a house on property that already has two (2) existing houses. Applicant is also needing a variance of (50) feet from the road frontage requirement of fifty (50) feet. The property located at 457B Bates Road, is Parcel 23 on Wilson County Tax Map 13. The property consists of 4.80 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 3 GENERAL PROVISIONS - SECTION 3.20 GENERAL EXCEPTIONS - 3.20.01 SUBSTANDARD LOT OF RECORD. Where the owner of a lot of record is defined in Article 2, Definitions does not own sufficient land to enable him to conform to the yard and other requirements of this Resolution, such lot may be used as a building site by the same or a subsequent owner provided that the yard space and other requirements shall conform to the requirements for the zone in which it is located. The lot must have been of official record as of July 10, 1974.

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. 3.40.03 No building shall be erected on a lot which does not continuously abut at least one public street for at least fifty (50) feet; the lot must be a minimum of fifty (50) feet in width to the building setback line. A lot with more than one-half (1/2) of its frontage on the bulb of a cul-de-sac lot must continuously abut the street for at least thirty (30) feet; the lot must be a minimum of thirty (30) feet in width to the building setback line. This section shall not apply to a lot of record (previously existing), with an easement of at least thirty (30) feet in width to a public street.

**ACTION:** Staff read recommendations. Applicant appeared. Cherniva Britton appeared. Robert Lee Britton appeared. Stacy Brown appeared. After discussion, motion was made by Thompson, seconded by Blaydes, and all voting aye, the request was deferred in order for the applicant to talk with Karen Murphy in Codes and Zoning and Christopher Lawless in Planning.

**CASE 4109**

**REQUEST:** **Robert Franklin** is requesting to use the property for a short-term rental. The property located at 760 Flatwoods Road is Parcel 37.04 on Wilson County Tax Map 136. The property consists of 11.44 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 Sheriff'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. Nicole Franklin, applicant's wife appeared. After discussion, motion was made by Thompson to approve with the business plan being part of the approval, there will be only one (1) bedroom, the

approval will meet the bed and breakfast requirements in the ordinance, space to be utilized will be six hundred (600) square feet and the approval is for one (1) year, seconded by Blaydes. Thompson withdrew his motion. After discussion, motion was made by Thompson to approve with the applicant receiving a septic inspection letter from the state, the approval is for one (1) year, the business plan is part of the approval and the requirements in the zoning ordinance must be met, seconded by Blaydes, and all voting aye, the request was approved.

**CASE 4110**

**REQUEST: Ken Woodson with Access and Mobility on behalf of Scott Greenwood**

is requesting a variance from the requirement of six hundred (600) square feet for an accessory dwelling unit. The accessory dwelling unit will be in an existing detached structure and will be eight hundred and five (805) square feet. The property located at 2000 Fellowship Road, Lot 6, Wood Investments is Parcel 73.08 on Wilson County Tax Map 138. The property consists of 5.56 acres and is zoned R-1 Residential.

**ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.10 RURAL RESIDENTIAL (R-1) - A-1: ACCESSORY DETACHED DWELLING UNITS**  
Must have

adequate septic or Sanitary (Or other public utility operated) Sewer System capacity to accommodate the addition of one bedroom. Must be no more than 600 square feet in size when accounting for the bedroom or sleeping quarters, accessory kitchen area, accessory bathroom area, and any associated dining room, living or entertaining area; commonly referred to as the total heated area.

**ACTION:** Staff read recommendations reading a letter in favor from Commissioner Jeremy Hobbs and submitted letters in favor. Applicant appeared. After discussion, motion was made by Crocket, seconded by Blaydes, and all voting aye, the request was approved based on the applicant being an expert with access and mobility and to accommodate the needs of the client. The variance was amended in the staff recommendations to reflect the request.

**CASE 4111**

**REQUEST: Chris Burrei** is requesting a variance from the height limit of twenty-two (22) feet for an accessory structure. The variance will allow the proposed accessory structure to be twenty-five (25) feet in height. The property located at 1769 Corinth Road; Smith Property is Parcel 10.05 on Wilson County Tax Map 120. The property consists of 17.73 acres and is zoned R-1 Residential.

**ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.10 RURAL RESIDENTIAL (R-1) 5.10.06 HEIGHT REGULATIONS.** 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 was made by Neal, seconded by Dowell, and all voting aye, the request was approved.

**County Attorney, Mike Jennings spoke concerning the new requirement of eighty thousand (80,000) square foot lots and vested rights. After discussion, motion was made by Thompson, seconded by Neal, voting aye, the board approved a policy regarding where vested rights have been shown.**

**CASE 4105**

**REQUEST: K & A Land Surveying on behalf of Mollie Anderson** is requesting to be able to subdivide property under the previous requirements of forty thousand (40,000) square feet lot verses the new requirement of eighty thousand (80,000) square feet lot. The property located at 81 Wright Road, Lot 1B Anderson Property is Parcel 30.01 on Wilson County Tax Map 131. The total property consists of 2.90 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - F. MINIMUM LOT AREA - 3. For each dwelling and buildings accessory thereto, not served by a public sewer system but served by a public water system, there shall be a minimum lot area of eighty thousand (80,000) square feet; however, a greater lot area may be required based on recommendations by the State of Tennessee Department of Environment and Conservation. [revised resolution 07-7-4] [revised resolution 23-5-7]

**ACTION:** Applicant appeared. After discussion, motion was made by Neal, seconded by Dowell, and all voting aye, the request was approved based on the testimony given and the applicant has shown vested rights.

**CASE 4106**

**REQUEST: K & A Land Surveying on behalf of Jonathan Gray** is requesting to be able to subdivide property under the previous requirements of forty thousand (40,000) square feet lot verses the new requirement of eighty thousand (80,000) square feet lot. The property located at 9290 Highway 109 is Parcel 5 on Wilson County Tax Map 13. The amount of property wanting to be divided is 6.36 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - F. MINIMUM LOT AREA - 3. For each dwelling and buildings accessory thereto, not served by a public sewer system but served by a public water system, there shall be a minimum lot area of eighty thousand (80,000) square feet; however, a greater lot area may be required based on recommendations by the State of Tennessee Department of Environment and Conservation. [revised resolution 07-7-4] [revised resolution 23-5-7]

**ACTION:** Applicant appeared. After discussion, motion was made by Neal, seconded by Dowell, and all voting aye, with the exception of Crocket and Blaydes voting no. The request was approved based on the testimony given and the applicant has shown vested rights.

**ELECTION OF OFFICERS** – Motion was made by Neal to keep the same officers, seconded by Dowell, and all voting aye; Chairman is Rusty Thompson, Vice Chairman is Perry Neal, and secretary is Howard Blaydes.

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