



**WILSON COUNTY BUILDING INSPECTOR**  
**233 EAST GAY STREET, WILSON COUNTY**  
**COURTHOUSE ANNEX**  
**LEBANON, TN 37087**  
**PHONE (615) 444-3025**  
**FAX (615) 443-6194**

The Wilson County Board of Zoning Appeals will meet **Thursday, May 18, 2023, at 9:00 a.m.** in the County Commission Room at the Wilson County Courthouse, located at 228 East Main Street, Lebanon, Tennessee.

The following cases will be heard:

**CASE 4087 (Deferred from the April 20, 2023, meeting)**

**REQUEST:** Gary Merritt on behalf of Dewey Lineberry is requesting a variance to use an off-site septic system on property located in the county for commercial property located in the City of Mt. Juliet at 14415 Lebanon Road. The septic system located on Grandview Drive, Lot 5, Greenhill Meadows is Group "C", Parcel 24 on Wilson County Tax Map 53 "I". The property consists of approximately eighteen thousand, five hundred (18,500) square feet and is zoned R-1 Residential.

**ORDINANCE REFERENCE:** 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]

**CASE 4089**

**REQUEST:** Todd Marks is requesting to be able to apply for a building permit for property that does not have any road frontage. The request will allow the applicant to build a barn. The property located at 288 Farmstead Lane is Parcel 10 on Wilson County Tax Map 71. The property consists of 9.36 acres and is zoned R-1 Residential. The property became of record October 1927.

**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.

**CASE 4090**

**REQUEST: Tyler Howard** is requesting a twelve (12) month extension on a building permit that expired April 15, 2023. The footing inspection passed on February 15, 2022. The property located at 4015 Gwynn Road, Lot 2, Mattie Johnson Property is Parcel 4.06 on Wilson County Tax Map 141. The property consists of 6.43 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)

**CASE 4091**

**REQUEST: Randy Gibson on behalf of Jay Wilfong** is requesting a church use on A-1 Agricultural zoned property. Applicant is also requesting a variance of four (4) feet from the setback requirement of eight (8) feet between structures. The variance will allow the proposed portable building used for classrooms to be four (4) feet from the existing stables. The property located at 10471 Highway 109 North is Parcel 28 on Wilson County Tax Map 10. The property consists of 45.5 acres.

**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 - G. Church - 5.20.05 AREA REGULATIONS - B. SIDE YARD 4. 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]

**CASE 4092**

**REQUEST: Ashley Do Carmo** is requesting a variance of seven (7) feet from the north rear yard setback requirement of ten (10) feet and a variance of six (6) feet from the north-east rear yard setback requirement of ten (10) feet for shed #1. Shed #1 is three (3) feet from the north rear property line and four (4) feet from the north-east rear property line. Applicant is also requesting a variance of five (5) feet from the south-east rear yard setback requirement of ten (10) feet and a variance of eight (8) feet from the south rear yard setback requirement of ten (10) feet for shed #2. Shed #2 is five (5) feet from the south-east rear property line and two (2) feet from the south rear property line. The property located at 200 Sondra Court, Lot 282, Tinnell

Station is Group “C”, Parcel 36 on Wilson County Tax Map 99 “K”. The property consists of .549 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 - 3. For accessory structures there shall be a rear yard of not less than ten (10) feet.

#### **CASE 4093**

**REQUEST:** **Benton Thomas Construction on behalf of Mark Levang** is requesting a variance of eight (8) feet from the south side yard setback requirement of fifteen (15) feet. The variance will allow the proposed house to be seven (7) feet from the south side property line. The property located at 2006 Port Andreas, Lot 9, Benton Harbor is Group “A”, Parcel 9 on Wilson County Tax Map 28 “K”. The property consists of thirty-one thousand, seven hundred and seventy-eight (31,778) 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 - 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, and not less than ten (10) feet for an accessory structure. [resolution 15-2-12]

#### **CASE 4094**

**REQUEST:** **Myles Ervin** is requesting a variance of fifteen (15) feet from the front yard setback requirement of thirty (30) feet, a variance of four (4) feet from the west side yard setback requirement of fifteen (15) feet, and a variance of thirty-nine (39) feet from the rear yard setback requirement of forty (40) feet. The existing house is fifteen (15) feet from the front property line and eleven (11) feet from the west side property. The variance on the rear will allow the proposed addition to be one (1) foot from the rear property line. The addition will be located where the existing deck is. The property located at 5493 Vanderbilt Road, Lot 24, Knobblehurst is Group “B”, Parcel 2 on Wilson County Tax Map 50 “A”. The property consists of approximately six thousand, eight hundred (6,800) 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 - A. FRONT YARD. All principal and accessory structures shall be set back for the right-of-way lines of streets the minimum distance shown below, according to their classifications as indicated on the latest official major thoroughfare plan: 3. Minor Streets - thirty (30) feet - 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, and not less than ten (10) feet for an accessory structure. [resolution 15-2-12] - 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]

#### **CASE 4095**

**REQUEST:** **Mario J Garzona Castro on behalf of Ayman Gerges** is requesting to use the property for vehicle maintenance, repair, and painting. The property located at 4421 Murfreesboro Road, Lots 6 and 7, Ben G. Wright Property is Parcel 3.06 on Wilson County Tax Map 124. The property consists of 10.34 acres and is zoned C-2 General Commercial.

**ORDINANCE REFERENCE:** ARTICLE 5 ZONING DISTRICTS - SECTION 5.31  
GENERAL COMMERCIAL (C-2) - 5.31.03 USES PERMISSIBLE ON APPEAL - J. Motor  
vehicle repair

**CASE 4096**

**REQUEST:** Nancy Speck is requesting a variance of five (5) feet from the south side setback requirement of ten (10) feet. The variance will allow the proposed accessory structure to be five (5) feet to the south side property line. The property located at 1703 Magnolia Drive, Lot 20, Henley Acres is Parcel 42.27 on Wilson County Tax Map 59. The property consists of 1.06 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, and not less than ten (10) feet for an accessory structure.  
[resolution 15-2-12]

**CASE 4097**

**REQUEST:** Wendy Dyes on behalf of Richard Norvell is requesting to use the property for a short-term rental. The property located 1120 Misty Lake Drive, Lots 1 and 2, Lakeside is Group “D”, Parcel 2 on Wilson County Tax Map 16 “E”. The property consists of approximately nine thousand, nine hundred (9,900) square feet 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.

**2023 Calendar Meeting Dates for July through December**

Cc/file - Road Commission/Ground Water/Storm Water/Hutto/Jennings/Hatcher

