

**Wilson County Board of Zoning Appeals Minutes
January 16, 2025**

The Wilson County Board of Zoning Appeals met January 16, 2025, at 9:00 a.m. in the County Commission Room of the Wilson County Courthouse, Lebanon, Tennessee, pursuant to public notice. The members present were Neal, Blaydes, Crockett, and Robinson. Alternate members present were Manning and Williams. With Thompson being absent, Manning will be a voting member. Also, present was County Planning staff, County Zoning staff, County Attorney, Mike Jennings, and Court Reporter Teresa Hatcher, hired by the county.

Vice Chairman Neal called the meeting to order. Neal informed individuals with questions or who desire to make comments before the Board concerning the cases to approach the podium when asked by the Vice Chairman and to sign in on the sign-up sheet giving name, address, and case of interest. Neal informed individuals that anyone desiring to withdraw, or request deferral could do so at this time. Neal 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. Neal 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. Neal stated that staff makes recommendations which are considered by the Board. Neal made an announcement for public comment.

Motion made by Robinson, seconded by Blaydes, and all voting unanimously, the minutes of the December 19, 2024, meeting were approved.

CASE 4222 (deferred from the November 21, 2024, meeting)

REQUEST: Edward Hagerty is requesting a renewal for a short-term rental. The board approved the short-term rental on February 16, 2023, for a period of one (1) year. 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) – 5.20.03.1 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: (RES 18-3-6) (revised RES 24-4-2) 1. Bed and Breakfast Facilities or other forms of short-term rental must possess on-site caretaker either living on premises or on-premises within ten (10) miles of the Bed and Breakfast Facility to oversee operations. 2. Bed and Breakfast Facilities or other forms of short-term rental 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 Zoning Office, 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 or other forms of short-term rental 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 or other forms of short-term rental as outlined by the Wilson County Zoning Resolution shall be required to have viable sewer or septic as determined by the Tennessee Department of Environment and Conservation. 5. All properties for 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: No action was taken. This request was accidentally placed on January's agenda and should be on February's agenda.

CASE 4233 (deferred from December 19, 2024, meeting)

REQUEST: 6505 HR LLC is requesting to use the property for a short-term rental. The property located at 6505 Hickory Ridge Road, Lot 1A, William Sherrill Estate is Parcel 69.02 on Wilson County Tax Map 70, consisting of 25.48 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 (RES 18-3-6) (revised RES 24-4-2) 1. Bed and Breakfast Facilities or other forms of short-term rental must possess onsite caretaker either living on premises or on premises within ten (10) miles of the Bed and Breakfast Facility to oversee operations. 2. Bed and Breakfast Facilities or other forms of short-term rental shall also provide contact information for the local caretaker, as outlined in item one (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 Zoning Office, 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 or other forms of short-term rental 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 or other forms of short-term rental as outlined by the Wilson County Zoning Resolution shall be required to have viable sewer or septic as determined by the Tennessee Department of Environment and Conservation. 5. All properties for which this use is approved must have a minimum of two (2) acres. 6. This use will be approved in increments with the option to request renewal or extension at the end of that time period.

ACTION: Staff read recommendations. Greg Smith, property owner appeared. After discussion, motion was made by Blaydes, seconded by Neal and amending the motion to

include the business plan is part of the approval and a maximum of 6 guests. Blaydes accepted the amendment and all voting unanimously, the request was approved. Motion was made by Neal, seconded by Blaydes, and all voting unanimously, the request was approved for one (1) year.

CASE 4235 (deferred from the December 19, 2024, meeting)

REQUEST: Meller Transport LLC is requesting to use the property for parking tractor trailer trucks for transportation of general freight in conjunction with tractor trailer truck repair. The property located at 5425 East Division Street, Lot 2A, Barlow and Turner is Parcel 41.01 on Wilson County Tax Map 78, consisting of 3.62 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 – J. Other similar uses as reviewed and approved by the Board of Zoning Appeals.

ACTION: Staff read recommendations. Attorney Bryon Gill appeared representing the applicant. Meller Takla, property owner spoke. After discussion, motion was made by Neal to deny the request based on staff recommendations, and the use not meeting the R-1 zone, seconded by Crockett. More discussion was had, Neal withdrew his motion. Neal made the motion to deny the request without prejudice based on staff recommendations and the use not fitting with the R-1 zone, seconded by Crockett, and all voting unanimously, the request was denied.

CASE 4238

REQUEST: Shelby Flynn on behalf of Oakwood Hideaway LLC is requesting a renewal for a short-term rental. The board approved the short-term rental on April 20, 2023, for a period of one (1) year. The property located at 400 Gilley Road is Parcel 26 on Wilson County Tax Map 32, consisting of 18.97 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 –(revised 12/15/2003 resolution 03-12-2) - 5.20.03.1 USES PERMISSIBLE ON APPEAL - C. Bed and Breakfast Facility: (RES 18-3-6) (revised RES 24-4-2) 1. Bed and Breakfast Facilities or other forms of short-term rental must possess on-site caretaker either living on premises or on-premises within ten (10) miles of the Bed and Breakfast Facility to oversee operations. 2. Bed and Breakfast Facilities or other forms of short-term rental 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 Zoning Office, 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 or other forms of short-term rental 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 or other forms of short-term rental as outlined by the Wilson County Zoning Resolution shall be required to have viable sewer or septic as determined by the Tennessee Department of Environment and Conservation. 5. All properties for 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 stating the caretaker's information has been received and meets requirements therefore staff can recommend approval. Applicant appeared. After discussion, motion was made by Manning, seconded by Robinson, and all voting unanimously, the request was approved for one (1) year based on the property having a new owner.

CASE 4239

REQUEST: Robert Elliott is requesting a variance of twenty (20) feet from the front yard setback requirement of thirty (30) feet. The variance will allow the proposed detached garage to be ten (10) feet from the front property line. The property located at 1611 Harkreader Road, Lot 3, Elliott Development Property is Parcel 62.20 on Wilson County Tax Map 100, consisting of 7.51 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 - 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

ACTION: Staff read recommendations. Applicant appeared. After discussion, motion was made by Crockett to approve, seconded by Neal and amending the motion for the approval to be based on the shape of the lot. Crockett accepted the amendment and all voting unanimously, the request was approved.

CASE 4240

REQUEST: Skinner Construction on behalf of Chae Ko is requesting a variance of five (5) feet from the southwest rear yard setback requirement of forty (40) feet. The existing deck is thirty-five (35) feet from the southwest rear property line. The variance will allow the deck to be covered. The property located at 2100 Donna Kaye Court, Lot 26, Denver Hills, is Group "E", Parcel 26 on Wilson County Tax Map 76 "O", consisting of .79 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 - 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. Jay Skinner appeared. Chae Ko appeared. After discussion, motion was made by Robinson, seconded by Manning, and all voting unanimously, the request was approved.

CASE 4241

REQUEST: Robert Thomas Gleaves Living Trust is requesting a variance of twenty (25) feet from the rear yard setback requirement of forty (40) feet. The variance will

allow the proposed house to be fifteen (15) feet from the rear property line. The property located at 451 Braid Drive, Lot 1, Braid Cove is Group “A”, Parcel 10 on Wilson County Tax Map 28 “D”, consisting of approximately thirty-eight thousand, seven hundred and fifty (38,750) square feet, and is zoned A-1 Agricultural.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) – C. REAR YARD - 1. For principal structures there shall be a rear yard of not less than forty (40) feet.

ACTION: Staff read recommendations. Applicant appeared. After discussion, motion was made by Manning, seconded by Crockett, and all voting unanimously, the request was approved based on staff recommendations.

CASE 4242

REQUEST: Burr and Forman are requesting a renewal for a short-term rental. The board approved the short-term rental on August 18, 2022, for a period of one (1) year. Applicant is also needing a variance from the lot size requirement of two (2) acres. The property located at 135 Cherokee Dock Road, Lot 8, Cherokee Meadows is Group “C”, Parcel 11 on Wilson County Tax Map 10 “L”, consisting of 1.25 acres and is zoned R-2 Suburban Residential.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.11 SUBURBAN RESIDENTIAL (R-2) - 5.11.03 USES PERMISSIBLE ON APPEAL - O. Bed and Breakfast Facilities (RES 24-12-8) - 1. Bed and Breakfast Facilities or other forms of short-term rental must possess on-site caretaker either living on premises or on premises within ten (10) miles of the Bed and Breakfast Facility to oversee operations. 2. Bed and Breakfast Facilities or other forms of short-term rental 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 Zoning Office, 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 or other forms of short-term rental 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 or other forms of short-term rental as outlined by the Wilson County Zoning Resolution shall be required to have viable sewer or septic as determined by the Tennessee Department of Environment and Conservation. 5. All properties for 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. Nathaniel Beaver, property owner appeared. After discussion, motion was made by Blaydes to approve for one (1) year based on grandfather rights, seconded by Neal and amending the approval based on the R-2 zoning, the property owner owning surrounding properties, maximum of eight (8) guests,

and the amended business plan will be part of the approval. Blaydes accepted the amendments and all voting unanimously, with the exception of Robinson voting no, the request was approved.

CASE 4243

REQUEST: Burr and Forman are requesting a renewal for a short-term rental. The board approved the short-term rental on August 18, 2022, for a period of one (1) year. Applicant is also needing a variance from the lot size requirement of two (2) acres. The property located at 155 Cherokee Dock Road, Lot 9, Cherokee Meadows is Group “C”, Parcel 12 on Wilson County Tax Map 10 “L”, consisting of 1.33 acres and is zoned R-2 Suburban Residential.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.11 SUBURBAN RESIDENTIAL (R-2) - 5.11.03 USES PERMISSIBLE ON APPEAL - O. Bed and Breakfast Facilities (RES 24-12-8) - 1. Bed and Breakfast Facilities or other forms of short-term rental must possess on-site caretaker either living on premises or on premises within ten (10) miles of the Bed and Breakfast Facility to oversee operations. 2. Bed and Breakfast Facilities or other forms of short-term rental 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 Zoning Office, 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 or other forms of short-term rental 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 or other forms of short-term rental as outlined by the Wilson County Zoning Resolution shall be required to have viable sewer or septic as determined by the Tennessee Department of Environment and Conservation. 5. All properties for 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. Nathaniel Beaver, property owner appeared. After discussion, motion was made by Neal to approve the request for one (1) year with a maximum of eight (8) guests, based on the property being zoned R-2, and the property owner owning surrounding properties, seconded by Manning and all voting unanimously, with the exception of Robinson voting no, the request was approved.

CASE 4244

REQUEST: Kevin Sparks with Signature Pools on behalf of Paul Fedorenko is requesting a variance of three (3) feet from the setback requirement of eight (8) feet between structures. The variance will allow the proposed pool to be five (5) feet from the existing deck. The property located at 147 Kathryn Adele Lane, Lot 24, Hickory Point is

Group “E”, Parcel 5 on Wilson County Tax Map 12 “N”, consisting of approximately thirty-five thousand, four hundred and eighty (35,480) 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 - 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]

ACTION: Staff read recommendations. Leanne Kimberlin with Signature Pools appeared. After discussion, motion was made by Crockett, seconded by Manning, and all voting unanimously, the request was approved based on staff recommendations.

CASE 4245

REQUEST: Neil Ranta on behalf of Chase Ginther is requesting a variance of nineteen (19) feet from the rear yard setback requirement of forty (40) feet for the existing house. The existing house is twenty-one (21) feet from the rear property line. The variance will allow the property owner to build an addition that will meet the rear yard setback requirement. Applicant is also requesting approval for two (2) existing houses on one (1) tract of land. The property located at 5095 Central Pike is Parcel 69.02 on Wilson County Tax Map 76, consisting of 1.8 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 - 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] - 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.

ACTION: Staff read recommendations. Applicant appeared. After discussion, motion was made by Robinson, seconded by Blaydes, and all voting unanimously, the request was approved based on staff recommendations and the property being an older lot of record.

CASE 4246

REQUEST: Jeffrey Brandon is requesting a variance of nine (9) feet from the north side yard setback requirement of fifteen (15) feet. The variance will allow the proposed addition to be six (6) feet from the north side property line. The applicant is also needing a variance of approximately nineteen thousand, six hundred and fifty (19,650) square feet from the lot size requirement of forty thousand (40,000) square feet. The

property located at 508 Clearwater Court, Lot 8, Clearwater Estates is Group “C”, Parcel 8 on Wilson County Tax Map 31 “J”, consisting of approximately twenty thousand, three hundred and fifty (20,350) 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] - F. MINIMUM LOT AREA - 3. Each lot not served by a public sewer system but served by a public water system shall have a minimum lot area of forty thousand (40,000) square feet; with detailed soils analysis and with approval by the State of Tennessee Department of Environment and Conservation minimum lot area may be decreased to thirty thousand (30,000) square feet; however, a greater lot area may be required based on recommendations by the State of Tennessee Department of Environment and Conservation. [revised 8-24-90] [resolution 07-7-4]

ACTION: Staff read recommendations. Applicant appeared. After discussion, motion was made by Manning, seconded by Robinson, and all voting unanimously, the request was approved based on staff recommendations.

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

Secretary