

**Wilson County Board of Zoning Appeals Minutes  
January 19, 2023**

The Wilson County Board of Zoning Appeals met January 19, 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, and Robinson. 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 Crockett, seconded by Neal, and all voting aye, the minutes of the December 15, 2022, meeting were approved.

**CASE 4040 (Deferred from the October 20, 2022, meeting)**

**REQUEST: Caryn Winter on behalf of Limestone Trail Apartments** is requesting relief from the Adequate Facilities Tax of \$5,000.00 per unit for apartments. The property located at 1414 Alhambra Drive is Parcel 15.01 on Wilson County Tax Map 58. The property consists of 12.27 acres.

**ORDINANCE REFERENCE:** Refer to Private Act.

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion was made by Crockett to deny, seconded by Dowell. Thompson amended the motion to deny including the request doesn't meet any of the exceptions in the Private Act. With all voting aye, the request was denied.

**CASE 4061 (Withdrawn by applicant)**

**REQUEST: Judith Fisher Freed** is requesting a short-term rental on A-1 Agricultural zoned property. The property located at 2928 Eastover Road is Parcel 47.01 on Wilson County Tax Map 83. The property consists of 4.85 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 - 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.

**CASE 4062**

**REQUEST:** **Robert Wayne Johnson** is requesting a one (1) year extension on an expired building permit. The permit was applied for on November 19, 2020, and the foundation inspection was on March 2, 2021. The property located at 205-7 Gwynn Road, Lot 7, Flying L is Parcel 3.05 on Wilson County Tax Map 157. The property consists of 8.6 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. Andy Creighton, area property owner appeared in opposition. After discussion, motion was made by Neal, seconded by Blaydes, and all voting aye, the permit extension was approved for one (1) year.

**CASE 4063**

**REQUEST:** Brad Spicer is seeking to establish a legal lot of record for the property that became of record on April 6, 1995, without a recorded plat. The property located at 115 Chandler Road is Parcel 73.03 on Wilson County Tax Map 76. The property consists of 3.04 acres and is zoned R-1 Residential.

**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.

**ACTION:** Staff read recommendations. Applicant appeared. After discussion, motion was made by Crockett, seconded by Blaydes, and all voting aye, with the exception of Thompson voting no, the request was approved.

**CASE 4064**

**REQUEST:** Nancy Harris is requesting a one (1) year extension on an expired building permit. The permit was applied for on September 21, 2020, and the insulation inspection was on May 3, 2022. The property located at 4192 Alsup Mill Road, Lot 1, Tyree Property is Parcel 13.04 on Wilson County Tax Map 161. The property consists of 11.87 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 was made by Blaydes, seconded by Neal, and all voting aye, the permit extension was approved for one (1) year.

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