

**Wilson County Board of Zoning Appeals Minutes
September 21, 2023**

The Wilson County Board of Zoning Appeals met September 21, 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 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.

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 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 aye, the minutes of the August 17, 2023, meeting were approved.

CASE 4118

REQUEST: Ryan LaChappelle is requesting a variance of twelve (12) feet from the north and south side yard setback requirements of twenty (20) feet. The request will allow the proposed house to be eight (8) feet from the north and south side property lines. Applicant is also requesting a variance from the lot width requirement of one hundred and twenty-five (125) feet. The lot is approximately eighty (80) feet wide. The property located at 974 Point View Circle, Lot 38, Port Spencer is Group "A", Parcel 19 on Wilson County Tax Map 27 "O". The property consists of approximately fifteen thousand (15,000) square feet and is zoned A-1 Agricultural.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.05 AREA REGULATIONS - B. SIDE YARD - 1. For single and two-story structures not served by public sewer system located on interior lots, side yards shall be not less than twenty (20) feet in width for a principal structure. E. LOT WIDTH - 2. Where dwellings are not served by a public sewer system there shall be a minimum lot width of one hundred twenty-five (125) feet at the front building line.
[revised 07-7-4]

ACTION: Staff read recommendations. Applicant appeared. Rachel Benton spoke to make sure this wasn't her request. After discussion, motion was made by Blaydes, seconded by Manning, and all voting unanimously, the request was approved based on staff recommendations.

CASE 4119

REQUEST: Jay Skinner on behalf of Garth and Jeannie Crownover is requesting a variance of seven (7) feet from the east rear yard setback requirement of forty (40) feet. The variance will allow the proposed addition to be thirty-three (33) feet from the east rear property line. The property located at 600 Confederate Circle, Lot 42, Hermitage Harbor is Group "B", Parcel 31 on Wilson County Tax Map 51 "N". The property consists of approximately twenty-six thousand (26,000) 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 - 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]

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

CASE 4120

REQUEST: Shawn Smith is requesting a business use in order to have an indoor sports training facility on A-1 Agricultural zoned property. The property located at 163 Ligon Road, Lot 1, Ronnie Anderson Property is Parcel 60.01 on Wilson County Tax Map 80. The property consists of 5.01 acres.

ORDINANCE REFERENCE: ARTICLE 3 GENERAL PROVISIONS - 3.40.04 - With the exception of churches, farming and home occupations conducted within the principal structure, only one use shall be allowed per tract of land on any lot in a residential district or any residential lots in any agricultural district. ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.02 USES PERMITTED - D. Home occupation as defined in Article 2 of this Regulation, including but not limited to day care, real estate agent, surveyor, physician, beautician, artist, and accountant. 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. 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) - DD. Other similar uses as reviewed and approved by the Board of Zoning Appeals. 5.20.03.1 USES PERMISSIBLE ON APPEAL - 5.20.04 USES PROHIBITED - D. Uses not specifically permitted or permissible on appeal.

ACTION: Staff read recommendations. Applicant appeared. Commission Haskell Evans appeared in favor of the request. Carren Hayter, adjoining property owner appeared with concerns. Rachel Benton spoke. Troy Cantrell, area property owner appeared with concerns. Robbie Hayter, adjoining property owner appeared with concerns. After discussion, motion was made by Blaydes to deny based on staff

recommendation, seconded by Robinson, Neal voting aye. Crockett and Manning voted against the motion. Motion passed; request was denied based on staff recommendations.

CASE 4121

REQUEST: Brooke and Cameron Morris are requesting a variance of twenty (20) feet from the north rear yard setback requirement of forty (40) feet. The variance will allow the proposed house to be twenty (20) feet from the north rear property line. The property located at 1069 Tate Lane, Lot 6, Hamilton Creek is Parcel 103.04 on Wilson County Tax Map 53. The property consists of 5.17 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 - 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. Cameron Morris appeared. Rachel Benton, area property owner appeared. Brooke Morris appeared requesting a variance of ten (10) feet instead of twenty (20) feet. After discussion, motion was made by Crockett to approve a ten (10) feet variance, Neal amended the motion to include the stream on the property being a hardship. Neal seconded the motion, and all voting unanimously, the variance of ten (10) feet was approved.

CASE 4122

REQUEST: Kaylee Harman on behalf of The Benton Group is requesting to use the property as a short-term rental. The property located at 948 Point View Circle, Lot 25, Port Spencer is Group "A", Parcel 6 on Wilson County Tax Map 27 "O". The property consists of approximately sixteen thousand (16,000) 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. **ACTION:** Staff read recommendations. Rachel Benton of The Benton Group appeared. After discussion, motion was made by Neal to approve the request for one (1) year, quiet hours are from 10 pm until 6 am and quiet hours must be listed for renters, business plan is part of the motion and so is testimony given, seconded by Blaydes, and all voting unanimously. The request was approved with the mentioned stipulations.

Planner, Tom Brashear discussed Home Occupation definition.

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

Secretary