

**Wilson County Board of Zoning Appeals Minutes  
July 16, 2020**

The Wilson County Board of Zoning Appeals met July 16, 2020 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 Blaydes, Kawczynski, Neal, Thompson and Thorne. Also, present was County Planning staff, Building Inspector 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.

Minutes of the May 21, 2020 meeting were approved, motion made by Kawczynski, second by Thorne and all voting aye. Minutes of the June 18, 2020 meeting were approved, motion made by Kawczynski, second by Thorne and all voting aye.

The following cases were presented:

**CASE 3804**

**REQUEST: Alexandria Keith** is seeking a variance of ten (10) feet from both side yard setback requirements of twenty (20) feet and a variance of ten (10) feet from the rear yard setback requirement of forty (40) feet. A variance of thirty-five (35) feet from the lot width requirement of one hundred and twenty-five feet (125) is needed along with a variance of approximately twenty-four thousand, seven hundred (24,700) square feet from the lot size requirement of forty thousand (40,000) square feet. The variances will allow the proposed house to be ten (10) feet from both side property lines and thirty (30) feet from the rear property line. The property located at 2038 Sanford Drive, Lot 42, Tradewinds is Group "B", Parcel 24 on Wilson County Tax Map 32 "G". The property consists of approximately fifteen thousand, three hundred (15,300) 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. C. REAR YARD 1. For principal structures there shall be a rear yard of not less than forty (40) feet. E. LOT WIDTH 5. 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] 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 forty thousand (40,000) square feet

**ACTION:** Staff read recommendations and letters of opposition. Dan Spence and Alexandria Keith appeared stating their case. After discussion, motion made by Kawczynski, second by Neal and all voting aye, the request was denied based on unsupported reasons for granting the variance.

**CASE 3805**

**REQUEST:** **Amgad Beniamien** is seeking to keep vehicles located on the property in order to restore them. The property located at 479 Centerville Road is Parcel 29 on Wilson County Tax Map 22. The property consists of 24.5 acres and is zoned A-1 Agricultural.

**ORDINANCE REFERENCE:** ARTICLE 2 DEFINITIONS - SECTION 2.20

**SPECIFIC TERMS - AUTOMOBILE GRAVEYARD:** Any lot used for the purpose of dismantling and/or storing on the site more than two (2) motor vehicles which are not maintained in operating condition. (resolution 19-6-12) - **AUTOMOBILE SALVAGE**

**YARD:** An automobile graveyard which is operated as a business involving the dismantling and sale, trade or other exchange of motor vehicle parts. A motor vehicle is defined as any self-propelled vehicle not operated exclusively on a track, including motorcycles. Auto salvage yard is further defined as having more than two (2)

unserviceable vehicles as defined in Article 2 of this Ordinance. (resolution 19-6-2) -

ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.05 AREA REGULATIONS - 5.20.04 USES PROHIBITED - A. Automobile Salvage Yards - No more than two (2) unserviceable vehicles as defined in Article 2 may be maintained on a parcel of land. (resolution 19-6-12) – B. Automobile Graveyards - No more than two (2) unserviceable vehicles as defined in Article 2 may be maintained on a parcel of land. (resolution 19-6-12)

**ACTION:** Staff read recommendations and letters in favor of the request. Nadine Choufani and Amgad Beniamien appeared stating their case. After discussion, motion made by Kawczynski, second by Blaydes and all voting aye, the request was denied based on staff recommendations and giving the applicant twenty-four (24) months to get down to two (2) cars.

**CASE 3806**

**REQUEST:** **Heather and Darrin Weissinger** are seeking a variance of fifteen (15) feet from the south side yard setback requirement of twenty (20) feet. The variance will allow the proposed shop/garage to be built in the side yard of the house and be five (5) feet from the south side property line. The property located at 2691 Old Laguado Road East, Lot 10, Gray Property is Parcel 28.11 on Wilson County Tax Map 33. The property consists of 1.16 acres 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, and not less than ten (10) feet for an accessory structure. [revised resolution 15-2-12] 4. Accessory structures shall not be located in any required side yard.

**ACTION:** Staff read recommendations and a letter of opposition. Staff stated the structure was not located in the side yard of the house and only a five (5) feet variance was needed from the ten (10) feet south side yard setback requirement. Darrin Weissinger appeared stating his case. After discussion, motion made by Neal to approved based on the variance not being excessive and the testimony given. The motion was amended to include the structure not exceeding fifteen (15) feet in height. Motion was second by Thorne and all voting aye, with the exception of Kawczynski voting no, the variance was approved.

**CASE 3807**

**REQUEST: Jeffrey Rossman** is seeking a variance of nine (9) feet from the east side yard setback requirement of fifteen (15) feet. A variance of twenty-five (25) feet from the lot width requirement of one hundred and twenty-five (125) feet is needed along with a variance of approximately twenty-five thousand (25,000) square feet from the lot size requirement of forty thousand (40,000) square feet. The existing house is six (6) feet from the east side property line. The variance will allow the proposed addition to be six (6) feet from the east side property line. The property located at 303 Vine Street, Lot 68, Green Acres is Group "B", Parcel 17 on Wilson County Tax Map 52 "C". The property consists of approximately fifteen thousand (15,000) square feet 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. E. LOT WIDTH 3. 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. F. MINIMUM LOT AREA 4. 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.

**ACTION:** Staff read recommendations and a letter of opposition. Applicant appeared stating his case. After discussion, motion made by Kawczynski, second by Neal and all voting aye, the request was approved based on staff recommendations.

**CASE 3808**

**REQUEST: Anita Dickens** is seeking to establish two (2) dwellings on one (1) tract of land without public road frontage. The property became of record October 1973 utilizing a private road that is fifty (50) feet wide. The property located at 7600A Lebanon Road, Tract 3, Highway 70 Residential Tracts is Parcel 75.01 on Wilson County Tax Map 55. The property consists of 8.17 acres and is zoned R-1 Residential.

**ORDINANCE REFERENCE:** ARTICLE 3 GENERAL PROVISIONS 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.

**ACTION:** Staff read recommendations and a letter of opposition. Applicant appeared stating her case. John Davenport appeared in opposition. After discussion, motion made

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by Thompson, second by Kawczynski and all voting aye, the request was denied and the six (6) month period to make application to come back before the board was waived.

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