



**CHEATHAM COUNTY BOARD OF ZONING APPEALS
MINUTES FOR APRIL 27, 2015**

Chairman Nash called the meeting to order at 6:03 p.m.

Mark Whitworth led the Pledge of Allegiance.

Roy Liles led the prayer.

Building Commissioner Wilkinson called the Roll of Members

Members Present: Larry Nash, Roy Miles, Mark Whitworth, Mary Sneed

Members Absent: Burt Adcock

Chairman Nash declared a quorum present.

Other Present: Dennis K. Garrett, Lisa H. Garrett, Max Wood, Robert Payne

Approval of Minutes and Agenda

Chairman Nash asked if there was a motion to approve the minutes for the last meeting (i.e. February 24, 2015) and the agenda for tonight's meeting. ****Motion**** made by Roy Miles to approve the minutes for the meeting from February 24, 2015; and the agenda for tonight's meeting as presented and circulated; second by Mark Whitworth ; Voice Vote Taken; Motion carried unanimously by all members present; Motion passed; Minutes from February 24, 2015 meeting and the Agenda for tonight's meeting approved as presented and circulated.

Agenda Items to be Heard:

1. Mr. Robert Payne, Quality LLC, requesting a Special Exception and Approval to exchange 3 old single-wide mobile homes for 3 newer double-wide mobile homes on 120, 172, and 157 Paddlefoot Dr. This is in reference to the Cheatham County Zoning Resolution, Sections 5.040, 5.042, and 7.020 (A) & (B). Property is located at 1493 Old Charlotte Pk., Pegram, TN., map 86 parcel 32.00 and is zoned E-1. Property is in the 5th voting district and is not in a flood area.

ITEM#1:

Chairman Nash read the item into the record as advertised. Mr. Payne approached the Board and stated that he came before the Board of Zoning Appeals on December 23, 2013 and requested to replace one single wide with a double wide on the same lot and was granted that right by the Board. Mr. Payne explained he is here tonight to replace 3 of the older single wide home with newer double wide homes. The property is well kept and the new homes will be on a permanent foundation. Chairman Nash asked if there was anyone else present that wised to speak on the matter. The County Commissioner Wilkinson had no objections or concerns. Attorney Michael Bligh stated that this use is not permitted in an E-1 zoning classification but this use has been in effect since before the zoning resolution. The issue at hand is whether or not it is a legally nonconforming use. If it is a legally nonconforming use and a commercial enterprise, then owner is entitled to destroy and rebuild per statute. If the Board finds that it is a legally nonconforming use then the owner would have the right to replace the trailers. After further discussion a ****Motion**** to find the property at 1493 Old Charlotte Pike is operated as a mobile home park and is a legally nonconforming use and the owner is entitled to replace the mobile homes pursuant to TCA 13-7-208 was made by Roy Miles; second by Mark Whitworth. After further discussion the motion passed by roll call vote. Voting yes- Larry Nash, Roy Miles, Mark Whitworth,

Mary Sneed; voting no – None; Absent – Burt Adcock; Yes – 4, No – none, Absent 1; Motion Passed.

2. Ms. Lisa Garrett, requesting a Special Exception to allow a Home Occupation business consisting of providing gunsmithing services. This is in reference to the Cheatham County Zoning Resolution, Sections 4.040, 5.041 (C, 5), and 8.050. Property is located at 1520 Peter Pond Rd, Ashland City, TN., map 37 parcel 59.09 and is zoned Agriculture. Property is in the 2nd voting district and is not in a flood area.

ITEM #2:

Chairman Nash read the item into the record as advertised. Lisa Garrett approached the Board and stated she would like to conduct a gunsmith business out of her home as a part time occupation. There will be no foot traffic or public advertisement. Anyone coming to the house will be by appointment only. There will be no storage of guns or ammunition. There will be no employees. No inventory will be stored outside and there will be no signage. Chairman Nash asked if there was anyone present that wanted to speak. Max Wood approached the Board and stated that he is a concerned neighbor and lives two houses down from the applicant. He stated that he is concerned for his safety in the event that the applicant should fire the guns outside in the neighborhood. He stated he is also concerned about the noise from firing the guns. He also mentioned he had discussed the matter with his neighbors and they are also concerned about safety and noise. After further discussion, Lisa Garrett stated that there will not be a firing range. The gunsmith business will not generate excessive firing outside. There will be very little of the guns associated with the gunsmith business. Lisa Garrett stated that they occasionally fire their guns now, as do some of their neighbors but are extremely careful and safe in handling and firing the guns. They are working closely with ATF to meet all the Federal & State requirements including safety and security. After further discussion Larry Nash read into the record a letter form Joyce Mayo, 1398 Peter Pond Rd, Ashland City, TN 37015 voicing her concern with safety issues regarding the gunsmith business. Max Wood addressed the Board and stated that he had talked to Joyce Mayo and they shared the same concerns. Max Wood stated that at this time his concerns have been addressed. Roy Miles stated that per the Board of Zoning Appeals application that the applicant be allowed more than only one firearm on premise in relation to the gunsmith operation. After further discussion a **** MOTION**** was made by Roy Miles to grant a Special Exception to allow a Home Occupation business consisting of providing gunsmithing services at 1520 Peter Pond Rd, Ashland City, TN., map 37 parcel 59.09; second Mary Sneed. The motion passed by roll call vote. Voting yes- Larry Nash, Roy Miles, Mark Whitworth, Mary Sneed; voting no – None; Absent – Burt Adcock; Yes – 4, No – none, Absent 1; Motion Passed.

OTHER

Mark Whitworth asked the County Building Commissioner Wilkinson for an update on the property at map 17, parcel 22.01 on Chapmansboro Rd. regarding the storage and occupancy of the travel trailer/ camper located on the property. Wilkinson stated that the travel trailer/camper had been removed from the property. The owner is in the process of cleaning up the property and the Codes Department will be doing a follow up inspection for any additional code violations.

There being no further business, motion was made to adjourn the meeting by Roy Miles with a second

by Mary Sneed. Voice vote carried unanimously by all members present. Motion passed. Meeting adjourned.

**ROY MILES III – SECRETARY
CHEATHAM COUNTY BOARD OF ZONING APPEALS**