

CITY OF PORTLAND
MUNICIPAL BOARD OF ZONING APPEALS
MEETING MINUTES

March 4, 2025

5:00 PM

Call to Order

Chairwoman Gail Gentry call to order at 5:05 P.M.

Roll Call

Present: Chairwoman Gail Gentry, Vice Chairman Tom Driscoll, Robert Tooker, William Perry
Absent: Hector Graves

Also Present: Nate Heisler, City Planner, Tracey Griffin, Planning Asst, Johnny Morris, Codes Official

PUBLIC COMMENTS

In accordance with Tennessee Public Chapter No. 300, public comments are allowed when those comments are germane to actionable agenda items, except where otherwise prohibited; and the number of individuals speaking may be limited to ensure opposing viewpoints are fairly represented.

Chairwoman Gentry opened the public comments stating if you want to speak on an agenda item, please sign your name and address on the sign in sheet, you will have five minutes to speak.

Approval of Agenda

Motion to: Approve

By: Robert Tooker

Second: William Perry

Yes: Chairwoman Gail Gentry, Tom Driscoll, Robert Tooker, William Perry

Absent: Hector Graves

Approval of minutes:

Motion to: Approve the September 3, 2024, Minutes

By: Robert Tooker

Second: Tom Driscoll

Yes: Chairwoman Gail Gentry, Tom Driscoll, Robert Tooker, William Perry

Absent: Hector Graves

PUBLIC HEARING

- A. Applicant Wylie & Coleen Chapman, Chapman Team Properties, LLC requests a variance to remove an old mobile home and replace it with a new one located @ 307 West Market Street (Tax Map 033H, Parcel 008.00) zoned R7.5(Medium Density Residential).

Public Comments Period:

No one spoke

During the discussion Nate Heisler, the City Planner stated the property at 307 West Market Street has a single wide currently on the property and it would be a non-conforming use. The applicant asked if the old single wide could be demoed and a new single wide be put in its place. Nate said the zoning for that lot is R7.5 and a single wide is not allowed in that zoning district. What is permitted is single family home or a duplex.

13-207.1 GENERAL PROVISIONS

For the purpose of this ordinance, a change in use is a change to another use either under the same activity type or any other activity type or major class of activity; however, a change in occupancy or ownership shall not, by itself, constitute a change of use. Its considered a change in use when it's changed to the same activity. If you are swapping out mobile homes that would be considered a change to the use but to the same activity.

What the zoning ordinance is applying is if there is any changes on that lot and you get rid of that mobile home, it needs to move to a conforming use, which would be a single-family home or a duplex. I have had a conversation with the applicant and his wife and explained this is where the ordinance stands and that is the request for a variance appeal has come from for this board.

Robert Tooker: So, it had been grandfathered in.

Nate Heisler: Yes

Tom Driscoll: What does the city specify single wide as opposed to a mobile home or a manufactured home? Why would a double be allowed?

Nate Heisler: The state has set in legislation for us that a double wide is considered a single-family home. If someone came to us with an empty R7.5 lot and wanted to put a double wide, its permitted because its considered a single- family home. A double chassis is a single-family home, and a single chassis is a mobile home. A mobile home isn't allowed in out 7.5 districts unless its grandfathered and if you change to the same activity type, that's a change in use and our ordinance doesn't permit and you have to move to a conformity at that point and time.

Robert Tooker: So, the original intent was to eventually eliminate single wide trailers?

Nate: We have a specific district in the city that is designed just for mobile homes, its RMHP, R Mobile Home Park.

Wylie Chapman: If you see the lot, it is not wide enough. I'm not sure this is actually a lot; it's a 911 address and when I acquired it came with this here. My wife and I decided we were going to try and make it better. We rent houses and commercial buildings. We went to Clayton Mobile Homes and explained to them, this is what we have, and this is what we want to do. They met us out here with their people and did a measurement and from what we were told by them, they had asked the City, and everything was fine except a few variances, which we were fine with, the permanent foundation, we were ok with that. I would have liked to put something else here, but there is just no room. It looks different on the tax map than in person, there is no space for anything.

Robert Tooker: No room for a double wide?

Wylie Chapman: So, Clayton and their custom shop tried to find one that would fit, more narrow and deeper and they just don't make one, so there is nothing out there, we looked at going with a modular home, I was going to do a brick up house and it's like \$260,000 to start one so I have already paid them to demo the place and they are hooking up all of the utilities, putting in a new HVAC and I'm going to build a deck.

Robert Tooker: So, this is strictly an investment rental property?

Wylie Chapman: Yes sir, Nate knows it's an eye sore and the one we bought is nice and will be on a permanent foundation. I can't afford to build a house, and this is what we thought was best for the use of that place.

Robert Tooker: You're just trying to improve.

Wylie Chapman: I'm trying to improve my situation, the city's situation and the tenant's situation. If I had known this ahead of time, no one knew until I had talked to Nate, and we had applied for the demo permit, and he said hey this had changed to R7.5-when was this in 21?

Nate Heisler: I don't know a date when the zoning district changed but I would imagine for that whole area, that it's been R7.5 for a very long time.

Wylie Chapman: I thought someone told me it was 21, anyway I guess that was the whole purpose.

Nate Heisler: The zoning ordinance came into action in the mid 1980's and we are sure that this trailer has been there since then.

Wylie Chapman: I've never purchased a trailer, I've never owned one, but since there was one there and we do single family homes and commercial buildings, this was something new to me, but it seemed like the thing to do to put this nice new place out here. So, I went ahead and bought it and here I am.

Bob Tooker: I certainly understand what your trying to do. If we vote to approve it, we are setting president for other single mobile home in R7.5 or R10 or anything else.

Tom Driscoll: Do you know what the setback are for this specific lot? What is the buildable area?

Tom Driscoll: They were saying that when they pull this up, maybe just Clayton, but a double wide may not fit.

Wylie Chapman: It won't, their engineer that met me out there, I talked with him after the fact, we've been trying to go through all of this, so they went to the factory to try and figure if they had some sort of plan that would fit, because its narrow. It's 66 feet long but its 10 feet wide and that's all that I can get in there. That's where it sits now.

Nate Heisler: On a minor street the set back is 30 feet in the front, the rear is 25 feet, and the sides are 10 feet.

Tom Driscoll: Do we know a buildable area, if someone were to build a house, what would that foot print look like?

Nate Heisler: I don't have that drawn up.

Gail Gentry: Do you have the tax map of how it actually lays out?

Nate Heisler: We pull our parcels numbers from Sumner County map; this is what the parcels look like. You can see the current trailer, kind of in the corner. I imagine back in the 80's there were probably no regulations building on property lines.

Tom Driscoll: Its right on the line.

Wylie Chapman: The tax map shows the parcel being similar to the one next to it, but if you physically go look at the property, that driveway is all there is. The property next door has the barn out there in the driveway, so she has the majority of it. The barn/shed is sitting in the middle of it. The set back has to be 10 feet from the property, right?

Nate Heisler: 10 feet from the property line.

Wylie Chapman: They came out and did all the measurements and the one that is going in there is a 10 W x66 L so it would sit there perfectly, it would come a little closer to the front of that tree.

Nate Heisler: The property line pretty much follows the driveway, a little off of it on the left-hand side, you can see from this picture.

Gail Gentry: Do both properties share that driveway?

Nate Heisler: It would be this driveway.

Wylie Chapman: Technically yes.

Gail Gentry: It kind of goes together, do you own both pieces of properties?

Wylie Chapman: Yes mam.

Robert Tooker: So, the lot to the right of this is also a trailer.

Nate Heisler: Yes.

Tom Driscoll: It looks like it would fit a double wide.

Wylie Chapman: The only reason I'm here, I bought the trailer that fits that spot and without knowing, or I never would have done it, I would have asked what I could do instead.

William Perry: You said the options of a building or a modular granted is more expensive, but could you not recoup those funds, because your going to rent it out.

Wylie Chapman: It's not feasible

Robert Tooker: I applaud you for trying to improve, my concern is if we do approve, we are setting presidency

Gail Gentry: Johnny (Morris) do you have something?

Johnny Morris: I would just say that it's an unfortunate thing. Nobody reached out to me, so I'm not sure who they talked to. You can build something there. I've never been inside the property. I've worked here 10 years and never had the first phone call about the property in a positive or negative way. Beyond that I agree with your statement about setting presidency. That's really all I have to say.

Gail Gentry: Thank you. Nate, Anything else?

Nate Heisler: No, that about covers it. I have it be representation for the zoning ordinance and what our zoning ordinance says is that to change in use, if even it's the same use, it's a change in the use in a property like this, it would need to conform to the district that it's in which is a R7.5. That permits single family homes or duplexes.

Gail Gentry: We are going to move on and come back to this.

OLD BUSINESS

NONE

NEW BUSINESS

A. Officer Election

Nate Heisler: We haven't had a meeting this year and the group needs to identify a Chair and a Co-Chair.

Robert Tooker nominated Gail Gentry for Chair of the MBZA

Tom Driscoll -Second

Gail Gentry Accepted

All in Favor 4-0

Hector Graves-Absent

Robert Tooker nominated Tom Driscoll for Co-Chair of the MBZA

Gail Gentry-Second

Tom Driscoll Accepted

All in Favor 4-0

Hector Graves -Absent

B. 2025 Calendar

Motion to approve- Robert Tooker

Second- William Perry

All in Favor 4-0

Absent- Hector Graves

C. Applicant Wylie & Coleen Chapman, Chapman Team Properties, LLC requests a variance to remove an old mobile home and replace it with a new one Located @ 307 West Market Street (Tax Map 033H, Parcel 008.00) zoned R7.5(Medium Density Residential).

Motion to deny the request item under new business

By: Robert Tooker

Second: Tom Driscoll

All in Favor: Gail Gentry, Tom Driskell, Robert Tooker & William Perry

Absent: Hector Graves

Motion carried 4-0

City Planners Comments

No Comments

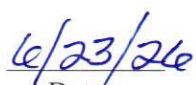
Zoning Board Member Commented the Following:

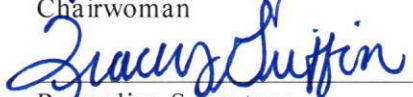
It's about setting precedence

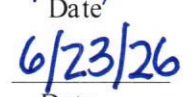
Adjournment

William Perry made motion to adjourn at 5:33 pm, Robert Tooker gave a second.


Chairwoman


Date


Recording Secretary


Date

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City of Portland Public Recognition Sign-In Sheet

- In accordance with Resolution #26-33, public comments are allowed when those comments are germane to either the agenda or to the board's governing authority, except where otherwise prohibited.
- The number of speakers and/or allotted time may be limited by the presiding officer to ensure all views are heard in a timely manner.

All wanting to speak must complete the signup sheet before the start of the meeting.

Public Hearings & Agenda Item Comments Use This Section			
Comments must be germane to agenda & public hearing items and each speaker has a maximum of 5-minutes			
Speaker Information		List the agenda item to comment on	
Print Name	Richard Geness	VARIANCE for Parking Lot East 9th Street	
Address		Ken's Property	
Print Name	Richard Geness	Conditional Use for Athletic	
Address		at Ken's Property on East 9th St. Gym	
Print Name	Chris Shoemaker	Hand Property	
Address	1018 Silver Maple Ln		
Print Name			
Address			
Print Name			
Address			
Non-Agenda Item Comments Use The Section Below			
Comments must be germane to the authority of the board and each speaker has a maximum of 3-minutes			
Speaker Information			
Print Name		Address	
Print Name		Address	
Print Name		Address	
Print Name		Address	
Print Name		Address	
Print Name		Address	

The Following Information Is To Be Filled Out By The Presiding Meeting Clerk

Board/Committee: BZA Meeting Date: 6/23/26 Page # 1 of

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