



**CHEATHAM COUNTY PLANNING COMMISSION
MINUTES FOR OCTOBER 6, 2016**

Meeting was called to order at 6:00 p.m. by Chairperson Mark Jarrell.
Chairperson Mark Jarrell called for the roll to be taken and called the roll.
Members Present: Mark Jarrell, John F. Werne, David Bibee, Chris Atkins, Paula Shaw
Members Absent: Roger Hamiter, Chester Hannah, Brian McCain, Jordon Tupper
Chairperson Mark Jarrell declared a quorum present.
Others Present: Cheatham County Building Commissioner Franklin Wilkinson, Cheatham County Attorney Michael Bligh, Cheatham County Planner Rick Gregory, Johnathan King, Wayne King

Approval of Minutes and Agenda:

Chairperson Mark Jarrell stated that everyone should have received their meeting packets and a copy of the minutes from the August 4, 2016 Planning Commission meeting. He asked if there were any comments or corrections. Hearing none, a ****MOTION**** made by Chris Atkins to approve the minutes as presented; second by Paula Shaw. Chairperson Mark Jarrell called for a voice vote. The motion to approve the minutes passed by a unanimous "aye" voice vote.

Chairperson Mark Jarrell stated that the agenda for this meeting has been presented and circulated and asked if there were any corrections or changes. ****MOTION**** made by John Werne to approve the agenda as presented; second by David Bibee. The motion to approve the agenda passed by a unanimous "aye" voice vote.

Chairperson Mark Jarrell opened the floor for Public Forum at 6:04 PM. Hearing none, Chairperson Mark Jarrell declared Public Forum closed at 6:04 PM.

ITEM #1

Jonathan King and Wayne King, requesting Final Plat Approval and a Variance from the length to width ratio of less than 4:1, from section 4-111.2 (2) of the Subdivision Regulations of Cheatham County. Property is located on Thomasville Rd., Chapmansboro, TN; map 7 Parcel 4.08 and Parcel 4.16 and consist of a total of 13 acres. Property is in the 3rd voting district and is not in a Special Flood Hazard area. Rick Gregory stated that the variance on the length to width ratio is reasonable and recommends approval of the plat. Johnathan King addressed the Commission and stated that it is 13-acre tract. At the last Planning Commission meeting the consensus was that four deeper lots would be more reasonable than rezoning to R1 to get four lots that did not exceed the 4:1 ratio. Based on staff recommendations and discussion had at this meeting a ****MOTION**** to grant the variance and approve the plat was made by David Bibee; second by Chris Atkins. The motion to approve passed by roll call vote. Mark Jarrell - yes, John F. Werne - yes, David Bibee - yes, Chris Atkins - yes, Paula Shaw - yes.

ITEM #2

Amend the Zoning Resolution for Cheatham County Tennessee: Section 5.072 B. Basis for Establishing the Areas of Special Flood Hazard is hereby amended by deletion in its entirety and replaced it with the following:

The Areas of Special Flood Hazard identified on the Cheatham County, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) dated December 22, 2016 and Flood Insurance Rate Map (FIRM), Community 470026, Panel Numbers 47021C0050D, 47021C0075D, 47021C0100D, 47021C0110D, 47021C0130D, 47021C0135D, 47021C0140D, 47021C0145D, 47021C0155D, 47021C0160D, 47021C0165D, 47021C0170D, 47021C0180D, 47021C0200D, 47021C0205D, 47021C0210D, 47021C0220D, 47021C0230D, 47021C0233D, 47021C0234D, 47021C0235D, 47021C0240D, 47021C0241D, 47021C0242D, 47021C0245D, 47021C0251D, 47021C0253D, 47021C0261D, 47021C0263D, 47021C0285D, 47021C0305D, 47021C0310D, 47021C0315D, and 47021C0320D dated September 17, 2010 and 47021C0139E, 47021C0141E, 47021C0142E, 47021C0143E, 47021C0144E, 47021C0202E, 47021C0204E, 47021C0206E, 47021C0208E, 47021C0209E, 47021C0216E, 47021C0217E, 47021C0218E, 47021C0219E, 47021C0236E, 47021C0238E, 47021C0239E, 47021C0282E, 47021C0285E, 47021C0301E, 47021C0302E, 47021C0303E, 47021C0304E, 47021C0306E, 47021C0308E, 47021C0315E, and 47021C0316E dated December 22, 2016, along with all supporting technical data, are adopted by reference and declared to be a part of this Resolution. Franklin Wilkinson stated that new flood maps are a result of a restudy of the Harpeth River Water Shed. The map listings will amend the Floodplain District Zoning Resolution to include the new maps. Based on staff recommendations and discussion had at this meeting a ****MOTION**** to approve was made by John Werne; second by David Bibee. The motion to approve passed by roll call vote. Mark Jarrell - yes, John F. Werne - yes, David Bibee - yes, Chris Atkins - yes, Paula Shaw – yes.

ITEM #3

Amend the Zoning Resolution for Cheatham County Tennessee: Section 8.050(E) is hereby amended by adding the following sentence to the end of the existing paragraph:

Notwithstanding any provision in this Zoning Resolution to the contrary, no judicial appeal of a decision by the Board shall act as a stay of enforcement as to any use commenced in violation of the terms herein unless such stay is ordered by the reviewing court.

Michael Bligh stated that this was first requested by the County Commission and is coming here first for a recommendation. The County Zoning Resolution has some ambiguous language as to how enforcement can be taken. This would allow the County to enforce a law that is pending so it is not delayed. After further discussion and based on staff recommendations and discussion had at this meeting a ****MOTION**** to approve was made by John Werne; second by David Bibee. The motion to approve passed by roll call vote. Mark Jarrell - yes, John F. Werne - yes, David Bibee - yes, Chris Atkins - yes, Paula Shaw – yes.

ITEM #4

Amend the Zoning Resolution for Cheatham County Tennessee: Section 8.050(D) 2. is hereby amended by changing the cost of the notification sign from \$10.00 to \$20.00. Franklin Wilkinson stated that the cost of the announcement signs have gone up to \$20.00 each and this would cover the expense. Based on staff recommendations and discussion had at this meeting a ****MOTION**** to approve was made by Chris Atkins; second by David Bibee. The motion to approve passed by roll call vote. Mark Jarrell - yes, John F. Werne - yes, David Bibee - yes, Chris Atkins - yes, Paula Shaw – yes.

ITEM #5

Amend the Zoning Resolution for Cheatham County Tennessee: Section 8.081 7(b) is hereby amended by changing the cost of the notification sign from \$10.00 to \$20.00. Franklin Wilkinson stated that the cost of the announcement signs has gone up to \$20.00 each and this would cover the expense. Based on staff recommendations and discussion had at this meeting a

ITEM #6

Discussion of spot zoning. Rick Gregory presented some material and case history regarding spot zoning. A discussion was had by the Planning Commission members regarding spot zoning.

OTHER BUSINESS: None

Having no further business, ****MOTION**** was made to adjourn the meeting by John Werne; second by David Bibee. Voice vote carried unanimously by all present. Meeting Adjourned at 6:47 PM.

**PAULA SHAW – SECRETARY
CHEATHAM COUNTY PLANNING COMMISSION**