



**CHEATHAM COUNTY PLANNING COMMISSION
MINUTES FOR JULY 7, 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: Roger Hamiter, Chester Hannah, Brian McCain, Mark Jarrell, John F. Werne, Jordon Tupper, Chris Atkins, Paula Shaw
Members Absent: David Bibee
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, Danny Stack, Betty Davidson, Daphne Davison Houck, Lindsey Stack

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 June 2, 2016 Planning Commission meeting. He asked if there were any comments or corrections. Hearing none, Chairperson Mark Jarrell asked for a motion to approve the minutes from the June 2, 2016 Planning Commission meeting. ****MOTION**** made by John Werne to approve the minutes as presented and circulated; second by Roger Hamiter. 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**** to approve the agenda was made by Chester Hannah; second by Roger Hamiter. The motion to approve passed by a unanimous "aye" voice vote.

Chairperson Mark Jarrell opened the floor for Public Forum at 6:03 PM. There being no one to speak, Chairperson Mark Jarrell closed the floor for Public Forum at 6:03PM.

ITEM #1

Chairperson Mark Jarrell read Item #1 into the record. Lindsey McEntyre and Danny Stack, requesting a Zone Change from E-1 to R-1 on 2.58 acres for the purpose of decreasing the size of the lot that contains an existing single family dwelling. Property is located on Ed Harris Rd., Ashland City, TN; Map 43 Parcel 169.00 and consist of 7.97 acres. Property is in the 4th voting district and is not in the Special Flood Hazard area. Cheatham County Planner Rick Gregory presented his analysis. The request for rezoning of property at map 43, parcel 169 on Ed Harris Road affects an existing property with existing buildings/residences in an area zoned E-1, with R-1 zoning in the immediate vicinity. The requested change of zoning to R-1 for this parcel (in this case fronting properties zoned R-1) may be premature. Since the entire property is 7.97

acres, this property cannot be divided to create the minimum lot size for the E-1 district (3 acres) and leave a five-acre tract as a remnant, which appears to be the intent of this proposal. If that is the case, it could be that the proposed lot could be made to ALMOST meet the minimum zoning district requirement of 3 acres when public water is available while leaving a 5-acre tract as a remnant. Even if that is not the case, the fact remains that this proposed lot could be increased in size to match the zoning minimum lot size but then a lot of less than 5 acres would remain, requiring platting and approval by the planning commission. Staff assumes the added expense of this survey may be part of the reasoning for this proposal. In either case, a variance from the minimum lot size may be a less intrusive, and certainly quicker, solution to this proposal. The planning commission will need to find a reasonable basis for granting such variance, as outlined below. If that reasonable basis can be established, then a means of addressing this issue short of a rezoning is available. Recommendation – Staff suggests that a variance in lot size is a better resolution of this proposal than a rezoning to R-1 even though R-1 zoning exists in the vicinity of this request and is, in fact, across the street from this property. Danny Stack addressed the Commission and stated that his daughter lives in the house and would like a smaller lot. He would like to add the remaining property to his adjacent property and add it back into the green belt., After further discussion a ****MOTION**** to rezone from Agriculture to R1 as presented was made by John Werne; second by Roger Hamiter. The motion to rezone from E1 to R1 passed by roll call vote. Roger Hamiter - yes, Chester Hannah - yes, Brian McCain - yes, Mark Jarrell - yes, John F. Werne - yes, Jordan Tupper – yes, Chris Atkins – yes, Paula Shaw - yes.

ITEM #2

Chairperson Mark Jarrell read Item #2 into the record. Betty Davidson, requesting a Zone change from Agriculture to R-1 on 1.097 acres for the purpose of assigning an existing single family dwelling to a 1.097-acre lot to separate the existing legally nonconforming use of two principal structures on one lot. Property is located on Davidson Rd., Ashland City, TN; Map 66 Parcel 1.00 and consist of 98.17 acres. Property is in the 5th voting district and part of property is in the AE and the A Special Flood Hazard Area. Cheatham County Planner Rick Gregory presented his analysis. The request for rezoning of property at map 66, parcel 1.00 on Davidson Road is surrounded by Agricultural zoning (4 acre minimum lot size when public water is available) on the north side of Davidson Road and E-1 zoning (3 acre minimum lot size when public water is available) on the south side of Davidson Road. The nearest R-1 zoned (1 acre minimum lot size when public water is available) property is roughly 1000 feet away. The requested change of zoning to R-1 would not be in keeping with the character of the area if approved and could be viewed as spot zoning, since no other R-1 zoned property exists in the immediate area. Recommendation – Staff cannot recommend approval of this request. Betty Davidson addressed the Commission and stated that her husband built the house about 30 years ago. She would like to divide off the house and one acre from the rest of the property. After further discussion the Commission decided that the closest R1 zoning is over 1000 feet away and that the zoning would be better suited for an E1 zoning with a 3-acre minimum lot size. The applicant decided to

withdraw the request to rezone from Agriculture to R1 and to consider rezoning to E1 with a 3-acre minimum lot size. No action was taken and applicant may reapply at a later date.

OTHER BUSINESS:

Having no further business, ****MOTION**** was made to adjourn the meeting by Chester Hannah; second by Chris Atkins. Voice vote carried unanimously by all present. Meeting Adjourned at 6:40 PM.

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