



**CHEATHAM COUNTY PLANNING COMMISSION  
MINUTES FOR AUGUST 1, 2013**

Meeting was called to order at 6:00 p.m. by Chairman Mark Jarrell.

Chairman Jarrell called the roll of members.

Members Present: Tom Cullen, Mark Jarrell, John F. Werne III, Tonnie Trotter (arrived late), James Atkins and Perry Keenan

Members Absent: Roger Hamiter, Chester Hannah and David Bibee

Chairman Jarrell declared a quorum present.

Others Present: Building Director Chris Atkins, Planner Brett Smith, Cheatham County Attorney Michael Bligh and Tommy Rogers

**Approval of Minutes and Agenda:**

Chairman Jarrell stated that everyone should have a copy of the minutes circulated for the June 6, 2013 Planning Commission meeting. He asked if there were any proposed corrections. Hearing no changes proposed, Chairman Jarrell asked if there was a motion to approve the minutes as is. **\*\*Motion\*\*** made by Mr. Cullen to approve the minutes for the June 6, 2013 Planning Commission meeting as presented and circulated; second by Mr. Keenan. Voice Vote Taken; Motion carried unanimously by all members present; Motion Passed; Minutes for the June 6, 2013 Planning Commission meeting approved as presented and circulated.

Chairman Jarrell stated that everyone should have a copy of the circulated agenda for this meeting. He asked if there were any corrections to the agenda for this meeting. Hearing none, he asked if there was a motion to approve the agenda for this meeting as presented and circulated. **\*\*Motion\*\*** made by Mr. Keenan to approve the agenda for this meeting as presented and circulated; second by Mr. Atkins. Voice Vote Taken; Motion carried unanimously by all members present; Motion Passed; Agenda for this meeting approved as presented and circulated.

**PUBLIC FORUM:** Chairman Jarrell opened the floor for Public Forum at 6:04 p.m.. There being no one to speak, Mr. Keenan made a motion to close the Public Forum with a second by Mr. Cullen. Voice Vote carried unanimously by all members present. Public Forum declared closed by Chairman Jarrell at 6:05 p.m..

**Agenda Item To Be Heard:**

1. Mr. Tommy Rogers, requesting approval of a Final Plat for a three (3) lot subdivision. This is a resubmittal of this item for consideration due to the applicant missing the 30 day deferment window from the results of the June 6, 2013 meeting. Property is located at 6105 River Trace, Ashland City, TN; Map 64, Parcel 6 and is zoned AG. Property is in the 1<sup>st</sup> voting district and is in the AE flood area.

**ITEM #1:** Chairman Jarrell read the item into the record as advertised. Planner Smith distributed copies of his planning comments to the members for consideration. He explained that this item is the resubmittal of the final plat per concerns expressed by this board at the last meeting. Planner Smith read his review comments as attached in the meeting file into the record. Discussion was had concerning the use of the Cumberland River as an alternative water source for fire protection. Mr. Werne asked about the difference in grade elevation to the river for fire engine and equipment access. Mr. Rogers stated he has an existing boat ramp. It was determined that the applicant shall make a note on the final plat that lots 1 & 2 would be served by well water. Discussion was had concerning the 4:1 ratio lot dimensional requirement for subdivision lots per Section 4-110.6 of the Subdivision Regulations as it applies to this item. Mr. Werne questioned why the lots were so big as to require consideration of a waiver to the 4:1 regulation and why does the proposed lot lines meander as they do. Building Director Atkins explained that because the new lots are going to be on well water due to no public water being available, the entire parcel under consideration is zoned Agricultural and the entire parcel's irregular shape, the applicant is inhibited from being able to be in compliance with the 4:1 ratio. Mr. Werne stated that he would be more inclined to have a variance to the lot size be considered. Building Director Atkins stated that such an action would require a vote by the County's Board of Zoning Appeals. Discussion was had concerning the portions of the property that were unusable due to being too wet. Discussion was had concerning the existing driveway's location and its extension to the new building lots going around the wet areas in front of the parcel. Building Director Atkins stated that given all the requirements that the property must meet, this layout was the best the applicant could do dimensionally given the property's shape. Mr. Cullen asked where the closest public waterline was. Mr. Rogers stated that it was a significant distance up River Trace and owned by Metro Nashville. Building Director Atkins stated that connecting to it would also entail crossing under the private railroad and its owner has been extremely difficult to deal with and reluctant to grant permission for anything. Chairman Jarrell acknowledged the arrival of Planning Commission Member Tonnie Trotter to the meeting and noted her attendance. Mr. Werne stated that he understood that it had been policy in the past to discourage flag lots in subdivisions. Building Director Atkins responded that he understood his concern, but if this item is sent to the Board of Zoning Appeals for a variance to the minimum lot size, the same basic criteria for causes for a variance there are applicable here for a waiver to the 4:1 ratio and that he would recommend approval of such a variance there because it is "one half dozen or the other". He added that he had not seen any property with as many encumbrances as this property has. Planner Smith stated

many of the topographic and land feature constraints that exist on and around the property as a whole. Building Director Atkins added that the property is shaped “like Mikhail Gorbachev’s birthmark”. Discussion was had about the existing boat ramp. It was determined that, per recent legal counsel, only a Board of Zoning Appeals with jurisdiction can grant a variance so the Planning Commission will have to grant a waiver of obligation to standard in this case.

**\*\*Motion\*\*** was made by Mr. Werne to approve a waiver to Section 4-110.6 (4:1 lot dimension ratio) of the Cheatham County Subdivision Regulations due to the topography, irregular lot shape and physical surroundings of the parcel in accordance with Section 1-111.1 (1), (2), (3) and (4) of the Cheatham County Subdivision Regulations; second by Mr. Keenan; Roll Call Vote Taken; Voting Yes – Tom Cullen, Mark Jarrell, John F. Werne III, James Atkins, Perry Keenan and Tonnie Trotter; Voting No – None; Absent – Roger Hamiter, Chester Hannah and David Bibee; Yes – 6, No – 0, Absent – 3; Motion Passed; Waiver Approved

**\*\*Motion\*\*** made by Mr. Atkins to approve the final plat as currently presented; second by Mr. Jarrell; Roll Call Vote Taken; Voting Yes – Tom Cullen, Mark Jarrell, John F. Werne III, James Atkins, Perry Keenan and Tonnie Trotter; Voting No – None; Absent – Roger Hamiter, Chester Hannah and David Bibee; Yes – 6, No – 0, Absent – 3; Motion Passed; Final Plat Approved as Currently Presented

**OTHER BUSINESS:** NONE

Having no further business, **\*\*motion\*\*** was made to adjourn this meeting by Mr. Keenan; second by Mr. Jarrell. Voice vote carried unanimously by all present. Meeting adjourned.

JAMES ATKINS – SECRETARY  
CHEATHAM COUNTY PLANNING COMMISSION