



**CHEATHAM COUNTY PLANNING COMMISSION
MINUTES FOR OCTOBER 1, 2015**

Meeting was called to order at 6:03 p.m. by Acting Chairman John Werne
Acting Chairman John Werne called for the roll to be taken and called the roll.
Members Present: Roger Hamiter, Chester Hannah, Tonnie Trotter, Mark Jarrell, John F. Werne III, James Atkins
Members Absent: Brian McCain, David Bibee, Jordon Tupper
Acting Chairman John Werne declared a quorum present.
Others Present: Cheatham County Building Director Franklin Wilkinson, Cheatham County Planner Brett Smith, Cheatham County Attorney Michael Bligh, Kyle T. Heinze, Valerie Heinze, Ron Heinze, William Canada, Martha Waynick, Betty Batey, Donald Rippey, Patty Kennedy

Acting Chairman John Werne stated that Chairman Mark Jarrell was running late but would be attending the meeting.

Approval of Minutes and Agenda:

Acting Chairman John Werne stated that everyone should have received their meeting packets and a copy of the minutes from the September 3, 2015 Planning Commission meeting. He asked if there were any comments or corrections. Hearing none, Chairman Jarrell asked for a motion to approve the minutes from the September 3, 2015 Planning Commission meeting. ****MOTION**** made by Tonnie Trotter to approve the minutes as presented and circulated; second by, Roger Hamiter. Acting Chairman John Werne called for a voice vote. The motion to approve the minutes passed by a unanimous "aye" voice vote.

Acting Chairman John Werne stated that the agenda for this meeting has been presented and circulated and asked if there were any corrections or changes. Franklin Wilkinson stated that the use of bottling spring water would be up for discussion. Acting Chairman John Werne called for a motion to approve the agenda. ****MOTION**** to approve the agenda was made by Tonnie Trotter and second by Roger Hamiter. The motion to approve passed by a unanimous "aye" voice vote.

Acting Chairman John Werne opened the floor for Public Forum at 6:06 PM. There being no one to speak, Acting Chairman John Werne closed the floor for Public Forum at 6:06 PM.

ITEM #1

Mrs. Patty Kennedy, representing Margene and Bobby Stack, requesting a Zone Change from Agriculture to R-1. Property is located at 1352 Ervin Pace Rd., Chapmasboro, TN map 8, parcel2, consisting of 99.80+ acres. Property is in the 3rd voting district and is not in a Special Flood Hazard area. Brett Smith addressed the Commission and reviewed his comments. The applicant, representing Margene and Bobby Stack, requests a zone change of the property from Agriculture to R-1 for the purpose of subdividing 1 – 2 acres with an existing house. This property consists of 99.80+ acres. There is frontage on Highway 41, as well as Ervin Pace Road. It is not clear where the R-1 is to be rezoned (assumed to be Ervin Pace frontage). It

should be noted that there is R-1 and R-2 zoning to the immediate east, and along Highway 41 & Dimple Road. However, it is consistently zoned Agriculture use along Ervin Pace Road, extending back to the west. It has not been demonstrated whether the existing house could be subdivided per the 4-acre minimum lot size.

**** Mark Jarrell has entered the building and Acting Chairman John Werne turns the Chair position over to Mark. Jarrell ****

Patty Kennedy addressed the Commission and stated that she is representing Margene and Bobby Stack. The purpose is to split off a portion of the house and existing septic fill area and sell the property with the house. After further discussion, ****MOTION**** to approve the rezoning from Agriculture to R-1 was made by James Atkins and second by Roger Hamiter. The motion to rezone from Agriculture to R-1 passed by roll call vote. Roger Hamiter - yes, Chester Hannah - yes, Tonnie Trotter - yes, John F. Werne III - yes, James Atkins - yes, Mark Jarrell - yes.

ITEM#2

David Ferlisi and/or representative of Turner & Associates Realty, representing the Estate of Robert Guye Sr. is requesting a site plan approval proposing to construct a 9,100 square foot retail building for the use by Dollar General. Property is located at 1064 Neptune Rd., Ashland City, TN; map 28, parcel 5.02 consisting of 5.62 acres. Property is in the 4th voting district and is not in a Special Flood Hazard area. Brett Smith addressed the Commission and reviewed his comments. The applicant, representing the Estate of Robert Guye Sr., requests a site plan for a 9,100 S.F. Dollar General store on Map 28, Parcel 5.02 consisting of 5.62 acres. It is unclear if this proposed site is being subdivided or remains part of the larger parcel. Most of the items have been addressed. Some remaining items are; Show existing and/or proposed fire hydrants, show proposed and required landscape. Brett Smith presented a power-point presentation of the site plan. David Ferlisi addressed the Commission and stated; the site has some challenging grades. We will comply with all comments and are willing to answer any questions. Bobby Waynick addressed the Commission and stated that he is concerned with the oncoming traffic along Highway 12 North. Vehicles routinely speed through that area. Also, will the site cause excessive water runoff on my property? My water line runs directly across the proposed property. Will the construction on the site disrupt my water service? William Canada addressed the Commission and stated; he lives right across the street from the site. He wants to know how the site will be oriented and is concerned for the safety of his young children regarding the ingress and egress of traffic near his property. Brett Smith stated that a condition of approval would be to get TDOT approval for the ingress/ egress from Highway 12 North. Betty Batey stated; her father, Bobby Waynick does have an easement for the water line and presented a copy of the warranty deed for Franklin Wilkinson to review. David Ferlisi stated; he will be willing to relocate the water line if it is on the proposed building site. After further discussion a ****MOTION**** to approve the site plan, contingent on TDOT approval of the ingress/egress to Highway 12 North, a favorable photometric design plan, compliance with landscaping regulations, including a buffer between the site and residential uses, and approval from the Fire Marshall that the existing fire hydrant located 300 feet from the site is adequate coverage, was made by James Atkins and second by Chester Hannah. The motion to approve the site plan with the mentioned contingencies passed by roll call vote. Roger Hamiter - yes, Chester Hannah - yes, Tonnie Trotter - yes, John F. Werne III - yes, James Atkins - yes, Mark Jarrell - yes.

OTHER BUSINESS: Michael Bligh stated that he had drafted three different options to amend the Zoning Resolution to allow the bottling of spring water. 1. Is a use by right in the agriculture zoning, 2. a use by special exception in the agricultural zoning, and 3. as a permitted use in the CPUD zoning district. After further discussion the Commission decided on amending the zoning resolution by adding the use as a new subsection in the CPUD zoning;

CPUD

Section 6.050(A) is hereby amended by adding the following language as a new subsection (3):

3. Non Agricultural Resource Processing

Bottling or otherwise packaging spring water including any required health or safety treatment.

The Commission decided to consider adding language to the amendment that would address health and safety, and would address the final site plan requirement for the bottling of spring water, such as “including any required health and safety treatment” and “Final master plan detailed as need for sufficient review.”

Franklin Wilkinson discussed permanent access easement requirements for issuing permits on lots of record with less than the required 50 foot width per section 3.030 D. Michael Bligh stated that the zoning regulations treat the lots of record as if it was a new subdivision requiring the 50 foot width for the permanent access easement. The applicant has to go to the Board of Zoning Appeals to get a variance from the required 50' to be able to get a building permit. The Commission decided they will consider amending the zoning to allow for a more practical required width of permanent access easements on lots of record and also consider the standard requirements for such.

Having no further business, ****MOTION**** was made to adjourn the meeting by Tonnie Trotter; second by Chester Hannah. Voice vote carried unanimously by all present. Meeting Adjourn at 7:30 PM.

**JAMES ATKINS – SECRETARY
CHEATHAM COUNTY PLANNING COMMISSION**