



**CHEATHAM COUNTY PLANNING COMMISSION  
MINUTES FOR MARCH 6, 2025**

Meeting was called to order at 6:05 p.m. by Vice-Chairperson John Werne

John Werne called for the roll to be taken and called the roll

Members Present: Matt Von Lunen, Chester Hannah, Chris Atkins, John Werne, Allen Nicholson, Brenda Montgomery, Gary Chance

Members Absent: Brian McCain, Mark Jarrell

John Werne declared a quorum present

Others Present: Franklin Wilkinson, Michael Bligh, Debleena Mukherjee

**Approval of Minutes and Agenda:**

John Werne stated, everyone should have received their meeting packets and a copy of the minutes from the February 6, 2025 Planning Commission meeting. He asked if there were any comments or corrections. Hearing none, a **\*\*MOTION\*\*** to approve the minutes was made by Brenda Montgomery; second by Allen Nicholson. The motion passed by unanimous “aye” voice vote.

John Werne stated, the agenda for tonight’s meeting has been distributed. He asked if there were any comments or corrections. Hearing none, a **\*\*MOTION\*\*** to approve the agenda was made by Allen Nicholson; second by Matt Von Lunen. The motion passed by unanimous “aye” voice vote.

**PUBLIC FORUM:**

John Werne opened the floor for Public Forum at 6:07 PM. There being no one to speak Mark Jarrell declared public forum closed at 6:08 PM.

**ITEM #1**

John Werne read Item #1 and Item #2 into the record. 1. Amend the Zoning Resolution of Cheatham County, Section 9.091 Application for Rezoning. 2. Amend the Zoning Resolution of Cheatham County, Section 9.100 Violations and Penalties. The commission decided these two items can be heard together as well as any other proposed amendments to the zoning resolution. Micheal Bligh presented a compilation of several different items that have been discussed at recent county commission meetings and proposed the following amendments:

1. Zoning Resolution Section 9.020 is hereby amended to add the following as a new subsection:

8. Provide to each of the members of the Cheatham County Commission a copy of the public notice of matters to be heard by the Cheatham County Regional Planning Commission and the Cheatham County Board of Zoning Appeals not less than three

(3) days following the submission of such notice for publication. Notwithstanding the foregoing, the failure to provide such notice shall not invalidate any proceedings carried out pursuant to this resolution.

2. Zoning Resolution Section 9.080(5) is hereby amended by adding a new subsection as follows:

E. Has not have been conducted on the property for a period of at least six (6) months prior to the filing of the conditional use application if such activity was commenced in violation of this resolution.

3. Zoning Resolution Section 9.091(5) is hereby amended to add a new subsection as follows:

E. The Building Commissioner may waive the requirement of providing a map as set forth in this Section 9.091(5) if (i) the subject property consists of a single parcel on the Cheatham County tax maps; (ii) the rezoning request is for the entirety of such parcel; and (iii) the Building Commissioner determines the Cheatham County tax map depiction of the property provides an adequate rendering of parcel and surrounding properties.

4. Zoning Resolution Section 9.100 is hereby deleted in its entirety and replaced with the following:

#### 9.100 Violations and Penalties

##### 1. Criminal

It is unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of any regulation in any provision of any ordinance or any amendment thereof enacted or adopted by any county legislative body under the authority of this part. Pursuant to Tennessee Code Annotated § 13-7-111, such violation is a Class C misdemeanor. Each and every day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues is deemed a separate offense.

##### 2. Civil

Any violation of this resolution (including requirements lawfully imposed by the Cheatham County Regional Planning Commission or the Cheatham County Board of Zoning Appeals) may result in the assessment of a civil fine of fifty (\$50) dollars per violation for each day such violation or violations continue.

5. Zoning Resolution Section 9.110 is hereby amended by deleting the text under the section heading and replacing it with the following:

In addition to such any criminal proceeding and/or civil fine for violations of this resolution and pursuant to Tennessee Code Annotated § 13-7-111, any building or structure that is or is proposed to be erected, constructed, reconstructed, altered, maintained or used or any land that is or is proposed to be used in violation of this

resolution the county legislative body, the attorney general and reporter, the district attorney general for the judicial district in which such violation occurs or is threatened, the county building commissioner or any adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin or abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.

Based on staff recommendations and discussion had at this meeting a **\*\*MOTION\*\*** to approve the amendments as presented was made by Brenda Montgomery; second by Matt Von Lunen. The motion passed by roll call vote. Matt Von Lunen - yes, Chester Hannah - yes, Chris Atkins - yes, John Werne - yes, Allen Nicholson – yes Brenda Montgomery - yes, Gary Chance – abstain.

**OTHER BUSINESS:** None

**ADJOURN:** Having no further business, a **\*\*MOTION\*\*** to adjourn was made by John Werne; second by Matt Von Lunen. Voice vote carried unanimously by all present. Meeting Adjourned at 6:30 PM.

**BRENDA MONTGOMERY – SECRETARY  
CHEATHAM COUNTY PLANNING COMMISSION**