



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

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

Mark Jarrell called for the roll to be taken and called the roll

Members Present: Matt Von Lunen, Chester Hannah, Brian McCain, Chris Atkins, Jill Niccolich, Allen Nicholson, Brenda Montgomery, Gary Chance, Mark Jarrell

Members Absent: None

Mark Jarrell declared a quorum present

Others Present: Franklin Wilkinson, Michael Bligh, Jessica Hill, Brian Halma, Scotty Chambliss, Myra Chambliss, Tim Williamson, Randy Noe, Steve Hudson, Bill Herbert, Raymond Jenette, Linda Winters, Tommy Winters, Charles Mark Winters

Approval of Minutes and Agenda:

Mark Jarrell stated, everyone should have received their meeting packets and a copy of the minutes from the October 2, 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 Jill Niccolich. The motion passed by unanimous “aye” voice vote.

Mark Jarrell stated, the agenda for tonight’s meeting has been distributed. Item #2 and Item #6 will not be heard. Hearing no other revisions or corrections, a ****MOTION**** to approve the agenda was made by Matt Von Lunen; second by Gary Chance. The motion passed by unanimous “aye” voice vote.

PUBLIC FORUM:

Mark Jarrell opened the floor for Public Forum at 6:01 PM. There being no one to speak Mark Jarrell declared public forum closed at 6:03 PM.

ITEM #1

Mark Jarrell read Item #1 into the record. Steven Hudson requesting site plan approval to construct a one thousand five hundred ninety-six (1,596) square foot restaurant on Map 25, Parcel 2. Property is located on Hwy 49 East, in the 3rd Voting District and is not in a Special Flood Hazard Area. (*Deferred from October 2, 2025*) Jessica Hill presented the planning staff review: The applicant is requesting site plan approval for Map 025, Parcel 002.00. The applicant is proposing a restaurant (1,596 square feet). Public water and sewer are available along HWY 49 E. The property is accessed from HWY 49 E. This was heard by the board of zoning appeals and received a variance for the lot size. Staff reviewed the site plan and note the following concerns: 1. Parking requirements (5.010) for restaurants with drive-in require one parking space per 100 sq. ft. of floor area plus 1 space for each 2 employees. The minimum number of parking spaces is 18. Staff reviewed the site plan per the zoning ordinance (9.030)(3)(B) and identified the following items for consideration: The proposed parking lot aisle width at the rear of the structure is narrow to serve as both a travel way and drive-through aisle. The aisle measures 15’ from the closest angle parking spot to the structure. The proposed non-accessible parking spaces on the south side of the property are shown as 9’ x 20’. Per Article 5.010 of the Cheatham Zoning Resolution, the minimum width for parking spaces is 10’. Please provide information on drainage and stormwater controls. Please provide information on access permit from TDOT for Hwy 49. Please indicate the

location of any fire hydrants. If none are proposed with the project, please provide the distance and direction to the nearest fire hydrant. Please provide type of proposed sign. Please provide detailed lighting plans consistent with section 4.140. Bill Herbert, attorney representing Steven Hudson, stated, the lot size variance was obtained by the board of zoning appeals. TDOT's widening of Hwy 49 reduced the size of the lot. The revised site plan shows parking spaces at 10' x 18'. The monument sign shown on the plan will not exceed 32 square feet. The one parking space for every 150 square feet of area is applied for the proposed drive through window that will be pre-paid pick up only. There are no regulations found in the zoning for the minimum width of the drive isle. Vehicle back up at the pick-up window will be minimal. Thirteen parking spaces will be provided. Compliance with lighting requirements and closes fire hydrant locations have been noted on the plan. There have been repeated attempts to contact TDOT for a copy of the driveway permit. Mr. Hudson will continue to contact TDOT for a copy of the permit. A general note is provided for drainage and a more detailed civil plan will be presented for permitting. Based on staff recommendations and discussion had at this meeting a ****MOTION**** to approve the site plan was made by Allen Nicholson; second by Chris Atkins. The motion passed by roll call vote. Matt Von Lunen - yes, Chester Hannah - yes, Brian McCain - yes, Chris Atkins - yes, Jill Niccolich - yes, Allen Nicholson - yes, Brenda Montgomery - yes, Gary Chance - yes, Mark Jarrell - yes.

ITEM #2 (*Item not heard. Added to agenda in error*)

Blake Cobb requesting site plan approval to add three thirty (30) foot by fifty (50) foot storage buildings to a C1 zoned Commercial site for Map 39, Parcel 154.01. Property is located at 2018 Milliken Rd., in the 2nd Voting District and is not in a Special Flood Hazard Area.

ITEM #3

Mark Jarrell read Item #3 into the record. Gary Chance requesting a zone change from C5 & Agriculture to C5 for Map 39, Parcel 72.01 and from Agriculture to C5 for Map 23, Parcel 69. Properties are located at 1099 Knight Rd., in the 2nd Voting District and not in a Special Flood Hazard Area. Jessica Hill presented the planning staff review: The applicants are requesting the rezoning of the property identified on Tax Map 039 as Parcel 072.01, located on unaddressed Knight Road; and the property identified on Tax Map 023 as Parcel 069, located at 1099 Knight Road. Parcel 072.01 is approximately 16.6 acres. Currently approximately 1.15 acres of parcel 072.01 is zoned C-5, Neighborhood Commercial Mixed Use District. The remainder of the parcel is zoned A, Agriculture District. Parcel 069.00 is +15.3 acres and is currently zoned A, Agriculture District. Both properties are not served by public water or sewer. Parcel 072.01 has approximately 300 feet of frontage on the public portion of Knight Road. Knight Road from Cotton Harris Road to the dead-end with parcel 64.07 is a county-maintained road with a 40' right of way. A gravel drive connects Parcel 072.01 and Parcel 069.00, to the public section of Knight Road. Tim Williamson, 2nd District County Commissioner, stated, there have been numerous issues with the C-5 zoning district regarding the uses and bulk, lot, and density regulations. Most of this area uses are agriculture. The C-5 zoning is out of character with the area. There is only a forty-foot right of way on Knight Rd. He is opposed to the rezoning and thinks the zoning should stay Agriculture. Randy Noe, 2nd District Commissioner, stated, he agrees with Tim Williamson. The road is not adequate to support the C-5 zoning. One of the proposed parcels to be rezoned is on a private drive. He is opposed to the rezoning. Brenda Montgomery stated, she opposes the rezoning and thinks the C-5 zoning in general needs to be modified and corrected. This property is in the planned growth area and is mindful of the planning commission's obligation to be consistent with zoning decisions within the planned growth areas. Based on staff recommendations and discussion had at this meeting a ****MOTION**** to approve the rezone was made by Allen Nicholson; second by Brenda Montgomery. The motion passed by roll call vote. Matt Von Lunen - yes, Chester Hannah - yes, Brian McCain - yes, Chris Atkins - yes, Jill

Niccolich - yes, Allen Nicholson - yes, Brenda Montgomery - yes, Gary Chance - abstain, Mark Jarrell – yes.

ITEM #4

Mark Jarrell read Item #4 into the record. Charles Mark Winters requesting a zone change from Agriculture to R1 for a one & fifty-eight hundreds (1.58) -acre portion of Map 3, Parcel 81. Property is located at 7525 Hwy 41-A, in the 3rd Voting District and is not in a Special Flood Hazard Area. Jessica Hill presented the planning staff review: The surrounding properties are zoned A, Agriculture. There are a few properties zoned C1 and C2 along Highway 41-A. The property is connected to public water, but not public sewer. The property is not in a Special Flood Hazard Area and is located in the County Planned Growth Area. Hwy 41-A is identified as an arterial road on the County's Major Road Plan. The subject property is served by a gravel road labeled Highway 41-A in Tennessee Property Viewer that appears in Tennessee Property Viewer as a private road. The applicant is requesting to rezone a +1.58 acre portion of Map 003, Parcel 081.00, located at 7525 Hwy 41-A. On the application, they noted the reason for the rezoning request as "settle estate." The rezoning exhibit shows the property with a proposed future Lot 1 that is the proposed land to be rezoned to R1. The applicant also provided a legal description of the proposed Lot 1 and the remainder portion. An existing residence and accessory building are on the proposed reduced Lot 1. The minimum lot size for the A, Agriculture District, is 4 acres with public water, which the full parcel currently meets. Rezoning a portion of the property to R1 would mean that the rezoned portion would meet the minimum lot size of the R1 District, which is 1 acre. One potential issue of a future subdivision is that while the future proposed Lot 1 meets the minimum requirement for the R1 Zoning District, the remainder of the parcel would be less than the 4 acre minimum for the A, Agriculture District, creating a noncomplying lot unless it is to be recombined with another parcel. The parcel is accessed via a 30' private easement which serves more than one resident or farm and used to provide access to a lot or tract separated from other property. Section 4.030 requires a 50' easement in these situations and it must meet the requirements for a permanent access easement in the county's subdivision regulations. The R-1, Low Density Residential District is designed to provide suitable areas for low density residential development characterized by an open appearance. Most generally, the residential development will consist of single-family detached dwellings and accessory structures, but the district may also include community facilities, public utilities and open uses which serve specifically the residents of this district or which are benefited by an open residential environment without creating objectionable or undesirable influences upon such development. It is the express purpose of the Cheatham County Zoning Resolution to exclude from this district all buildings or other structures and uses having commercial characteristics whether operated for profit or otherwise, except that special exceptions and home occupations shall be considered as not having such characteristics if they otherwise conform to the provisions of this resolution. Before recommending this change in zoning, the planning commission should determine whether this request is appropriate for, and in keeping with, the character of the area. Tommy Winters stated, the rezone request is to allow the house to remain with 1.5 acres and the remaining portion of the 4-acre lot will be absorbed into the larger tract that he owns. He will continue to farm the larger tract and the family wants to include the remaining portion of this smaller lot for farming. Based on staff recommendations and discussion had at this meeting a ****MOTION**** to deny the rezone was made by Brenda Montgomery; second by Chester Hannah. The motion passed by roll call vote. Matt Von Lunen - yes, Chester Hannah - yes, Brian McCain - yes, Chris Atkins - yes, Jill Niccolich - yes, Allen Nicholson - yes, Brenda Montgomery - yes, Gary Chance - yes, Mark Jarrell – yes.

ITEM # 5

Mark Jarrell read Item 5# into the record. Raymond Jennette requesting a zone change from Agriculture to R1 for a one (1) -acre portion of Map 17, Parcel 73. Property is located at 3537 Hwy 12 N., in the 4th

Voting District and is not in a Special Flood Hazard Area. Jessica Hill presented the planning staff review: The applicant is requesting to rezone 1 acre of the property identified on Map 017 as Parcel 073.00, located at 3537 Hwy 12 N. The full parcel is +15 acres and is zoned A, Agriculture District. The proposed portion for rezoning is 1 acre. The property is serviced by public water and has a private septic system. The minimum lot size for the A, Agriculture District, is 4 acres on public water. The minimum lot size for the R-1 Low Density Residential District is 1 acre on public water. The proposed rezoning of the 1 acre portion of land would enable the 1 acre portion to meet the minimum lot size for the R-1 District. The applicant notes the following as the justification for rezoning: We're requesting the rezoning from Agricultural to R-1 so we can sell our current home and build our forever home on the back of the property, while maintaining enough land to continue farming. The R-1, Low Density Residential District is designed to provide suitable areas for low density residential development characterized by an open appearance. Most generally, the residential development will consist of single-family detached dwellings and accessory structures, but the district may also include community facilities, public utilities and open uses which serve specifically the residents of this district or which are benefited by an open residential environment without creating objectionable or undesirable influences upon such development. It is the express purpose of the Cheatham County Zoning Resolution to exclude from this district all buildings or other structures and uses having commercial characteristics whether operated for profit or otherwise, except that special exceptions and home occupations shall be considered as not having such characteristics if they otherwise conform to the provisions of this resolution. Based on staff recommendations and discussion had at this meeting a ****MOTION**** to deny the rezone was made by Chester Hannah; second by Brenda Montgomery. The motion passed by roll call vote. Matt Von Lunen - yes, Chester Hannah - yes, Brian McCain - yes, Chris Atkins - yes, Jill Niccolich - yes, Allen Nicholson - yes, Brenda Montgomery - yes, Gary Chance - yes, Mark Jarrell - yes.

ITEM # 6 (Withdrawn by Applicant)

Hope Center Ministries requesting site plan approval for a 4,500 square foot Personal and Group Care Facility for Map 23, Parcel 64.05. Property is located at 1028 Cotton Harris Rd., in the 2nd Voting District and is not in a Special Flood Hazard Area. (*Deferred from July 3, 2025*)

OTHER BUSINESS: Mark Jarrell stated, based on discussion at past meetings he recommends a discussion of zoning regulations pertaining to rural resorts. GNRC will draft regulations for our review based on similar jurisdictions in Tennessee.

ADJOURN: Having no further business, a ****MOTION**** to adjourn was made by Chester Hannah; second by Jill Niccolich. Voice vote carried unanimously by all present. Meeting Adjourned at 9:00 PM.

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