SUMNER COUNTY PLANNING COMMISSION
MINUTES
MARCH 25, 2008
5:00 P.M.

SUMNER COUNTY ADMINISTRATION BUILDING
355 N. BELVEDERE DRIVE
COUNTY COMMISSION CHAMBERS
GALLATIN, TN. 37066

MEMBERS PRESENT:
ANTHONY HOLT, CHAIRMAN
LUTHER BRATTON, VICE-CHAIRMAN
CHARLES HAYNES
CORDELL BORDERS
CECIL RAY
CYNTHIA HALL TEMPLETON
JIM WILLIAMS
SHAWN FENNELL
BOB HENDRICKS
SAUNDRA BOYD
BILL THOMPSON
CHARLES LEA
MIKE HONEYCUTT
DAN DOWNS
NORMAN TRIPP

MEMBERS ABSENT:

OTHERS PRESENT:

MIKE MOULTON, PLANNING DIRECTOR
MICHAEL BRIGGS, PLANNER
LISA WILLIAMS, ADMINISTRATIVE ASSISTANT

- **CHAIRMAN HOLT WELCOMED NEW MEMBER NORMAN TRIPP**
- **MOTION FOR APPROVAL OF THE FEBRUARY MINUTES BY MR. FENNELL, SECONDED BY MRS. BOYD. MOTION PASSED UNANIMOUSLY.**

1. KATHY ANN'S PLACE-SINGLE WIDE MOBILE HOME SUBDIVISION-FINAL PLAT-REPRESENTED BY RICHARD GRAVES; OWNERS SCOTT RIPPY SR., SCOTT RIPPY JR., & JAMES RIPPY- (1ST COUNTY COMMISSION DISTRICT)-THEY WERE REQUESTING FINAL APPROVAL OF ONE LOT FOR A SINGLE WIDE MOBILE HOME SUBDIVISION. SUBJECT PROPERTY CONTAINS 1.37 ACRES, IS ON TAX MAP 24, PARCEL 62 P/O, AND IS ZONED AGRICULTURAL. **(SCHOOL DISTRICT-WESTMORELAND ES, MS, & HS)**

MR. GRAVES CAME FORWARD TO REPRESENT AND EXPLAIN THIS REQUEST.

MR. MOULTON STATED THAT THE REASON THIS IS BEFORE THIS BODY IS BECAUSE ANYTIME A SINGLE WIDE MOBILE HOME GOES ON LESS THAN FIVE (5) ACRES THE SUBDIVISION REGULATIONS REQUIRE THAT THIS BE DESIGNATED AS A SINGLEWIDE MOBILE HOME SUBDIVISION AND THAT THIS BODY HAS TO APPROVE THIS.
MR. MOULTON STATED THAT THIS HAS MET ALL OF THE STAFF COMMENTS.

THERE WAS DISCUSSION.

MOTION FOR APPROVAL BY MR. HAYNES, SECONDED BY MR. LEA. MOTION PASSED UNANIMOUSLY.

2. GRACE HAVEN-PRELIMINARY PLAT-(1ST COUNTY COMMISSION DISTRICT)-REPRESENTED BY CARROLL CARMAN:-OWNER, IGWT, LP-THEY WERE REQUESTING PRELIMINARY PLAT APPROVAL OF 20 LOTS ON SMILEY TROUTT ROAD AND ROGUES FORK ROAD. SUBJECT PROPERTY CONTAINS 22.80 ACRES, IS ON TAX MAP 43, PARCEL 39 P/O, AND IS ZONED AGRICULTURAL. (**SCHOOL DISTRICT: WESTMORELAND ES, MS AND HS)**

CHAIRMAN HOLT ASKED THIS BODY TO SUSPEND THE RULES TO ALLOW THE PUBLIC TO SPEAK ONCE AGAIN CONCERNING GRACE HAVEN.

MOTION TO SUSPEND THE RULES TO ALLOW THE PUBLIC TO SPEAK BY MR. LEA, SECONDED BY MR. FENNELL. MOTION PASSED UNANIMOUSLY.

MR. CARMAN CAME FORWARD TO REPRESENT THIS REQUEST AND TO HAND OUT A PACKET TO ALL OF THE COMMISSIONERS. THIS PLAT REFLECTS SOME CHANGES SUCH AS HE REDUCED THE LOT NUMBER FROM 20 TO 18, AND THAT HE DID AWAY WITH THE TWO FLAG LOTS. ALSO IN THE PACKET YOU WILL FIND A COLOR COPY OF THE SOIL MAP OF THIS SUBDIVISION. MR. CARMAN STATED THAT AT LAST MONTH'S PLANNING COMMISSION MEETING IT WAS INFERRED THAT THE COUNTY WAS GOING TO BE LAYING THE WATER LINES, BUT THIS IS INCORRECT. THE DEVELOPER WILL BE LAYING 2,000 FEET OF WATER LINE ON SMILEY TROUTT ROAD WITH FIRE PROTECTION WHICH WILL BE IN PLACE PRIOR TO ANYTHING GOING UP ON THESE LOTS. THERE WAS ALSO A QUESTION REGARDING CAVES AND SINKHOLES ON THIS PROPERTY. MR. CARMAN READ A LETTER DATED MARCH 24, 2008, FROM PHIL DICKERSON, WHO DID THE SOIL WORK ON THIS PROPERTY. THIS LETTER BASICALLY STATED THAT MR. DICKERSON DID NOT FIND ANY CAVES, SINKHOLES OR CLOSED DEPRESSIONS ON THIS SITE. MR. CARMAN ALSO PROVIDED THIS BODY WITH AN ASSESSMENT OF TRAFFIC ON SMILEY TROUTT ROAD MARCH 1 AND MARCH 21, 2008. (MARCH 1, 2008 = 3 TOTAL VEHICLES AND ON MARCH 21, 2008= 50 TOTAL VEHICLES PASSED) MR. CARMAN PROVIDED THIS BODY WITH RESTRICTIVE COVENANTS THAT ALL DWELLINGS MUST BE SITE BUILT WITH AT LEAST 1300 SQUARE FEET OF HEATED AND COOLED AREA, ETC.

THERE WAS A QUESTION POSED ABOUT BUILDING A PORCH ON THE FRONT WITH VINYL UNDERNEATH.
MR. CARMAN STATED THAT IT WILL BE BRICK OR ROCK FROM FOUNDATION TO THE GRADE, AND THIS REQUIREMENT WILL BE INCORPORATED INTO THE REVISED RESTRICTIONS.

MR. BRATTON ASKED IF THEY WOULD ADD TO THE RESTRICTIONS THAT "ALL HOMES TO BE BUILT IN THIS SUBDIVISION MUST BE APPROVED BY THE DEVELOPER.
MR. CARMAN STATED HE SUPPOSED HE COULD DO THAT.

CHAIRMAN HOLT OPENED THE FLOOR FOR THE PUBLIC HEARING.

COMMISSIONER. STEVE GRAVES CAME FORWARD TO SPEAK ABOUT THE FIRE HYDRANTS. MR. GRAVES STATED THAT CASTALIAN SPRINGS/ BETHPAGE WATER ARE PROVIDERS OF SAFE DRINKING WATER.

TONY FLYNN, 1098 SMILEY TROUTT ROAD, CAME FORWARD TO EXPRESS HIS CONCERNS ABOUT WHAT WILL HAPPEN TO HIS WATER, WHICH IS DRAWN FROM A STREAM, WHEN THEY START BLASTING AND WHEN THE 18 SEPTIC TANKS ARE INSTALLED WILL THIS EFFECT HIS WATER. HOW IS THIS AREA GOING TO BE PATROLLED?

WARNER BELL, 1000 ROUGES FORK ROAD, CAME FORWARD TO STATE THAT HE HAS A TWO (2) ACRES OF LAND IN THIS AREA AND IT WOULD NOT PERK. HOW CAN THIS PROPERTY PERK?

LARRY AKINS, 1205 SMILEY TROUTT ROAD, CAME FORWARD TO STATE THAT WHEN HE MEETS A SCHOOL BUS ON SMILEY TROUTT ROAD, HE HAS TO PULL OVER BECAUSE THE ROAD IS SO NARROW. MR. AKINS ALSO STATED THAT HE IS CONCERNED ABOUT HIS WELL WATER, AND DOES NOT WANT SEWER RUNNING OFF DOWN IN THE WELL.

STEVE GRAVES, (NOT COMMISSIONER STEVE GRAVES) 1300 ROGUES FORK ROAD, CAME FORWARD TO STATE THAT HE HAS LIVESTOCK THAT GET THEIR WATER FROM THE CREEK AND WAS CONCERNED THAT THE SEWER WOULD AFFECT THE CREEK, AS WELL AS, HIS WELL THAT HE DRINKS FROM. THE ROAD IS NOT WIDE ENOUGH FOR ALL OF THE TRAFFIC THAT WILL BE ADDED.

COMMISSIONER MIKE AKINS, 1345 SMILEY TROUTT ROAD, PASSED AROUND SOME PICTURES SHOWING LOCATION OF 1 LARGE CAVE AND 2 SMALL CAVES ADJACENT TO SUBJECT PROPERTY. MR. AKINS SHOWED PICTURES WHERE WATER WAS STILL STANDING DAYS AFTER IT HAS RAINED. MR. AKINS WAS CONCERNED THAT THE WELL WATER WOULD BE CONTAMINATED BY THE PROPOSED SEPTIC SYSTEMS THAT THIS DEVELOPMENT WOULD GENERATE. THERE WAS ALSO PICTURES OF HOW A CAR AND A SCHOOL BUS CANNOT MEET ON SMILEY TROUTT ROAD, DUE TO THE FACT THAT THIS ROAD IS SO NARROW.

CHAIRMAN HOLT CLOSED THE PUBLIC HEARING.

MR. MOULTON STATED THAT THIS SUBDIVISION PLAT DOES MEET THE SUBDIVISION REGULATIONS AND ZONING RESOLUTION REQUIREMENTS. WE DO REQUIRE A MINIMUM OF A 6 INCH WATER LINE.

MR. BRATTON QUESTIONED LOT 4 WHICH CONTAINED A TVA TRANSMISSION EASEMENT AND THE PLACEMENT OF THE DRIVEWAY.

MR. MOULTON EXPLAINED TO MR. BRATTON THAT A DRIVEWAY CAN BE PLACED WITHIN THE POWER TRANSMISSION EASEMENT, BUT THE BUILDING ENVELOPE CAN NOT.
THIS BODY HAS AN OPTION OF BEING ABLE TO RESTRICT WHICH ROAD THE DRIVEWAY ACCESS IS ON.

MR. BRATTON DID NOT WANT THE DRIVEWAY ON LOT 4 TO BE PLACED IN THE INTERSECTION OF ROGUES FORK ROAD AND SMILEY TROUTT ROAD.

MR. CARMAN STATED THAT THEY WOULD RESTRICT THE ENTRANCE TO LOT 3 AND LOT 4 AS FAR AWAY FROM THIS INTERSECTION AS POSSIBLE AND WILL PUT THAT AS A NOTE ON THE FINAL PLAT.

MR. FENNELL STATED THAT HE WAS VERY CONCERNED ABOUT THE PUBLIC SAFETY IN THIS AREA AND THE SAFETY OF THE WATER. MR. FENNELL STATED THAT HE WOULD LIKE TO GO ON RECORD AS ABSTAINING FROM VOTING ON THIS SUBDIVISION. MR. FENNELL STATED THAT SINCE THIS SUBDIVISION MEETS ALL OF THE REQUIREMENTS, THAT THIS BODY WOULD BE IN TROUBLE IF WE VOTED IT DOWN.

MR. LEA THANKED THE CITIZENS FOR THEIR INFORMATION THEY SHARED WITH THIS BODY.

MR. FENNELL THANKED MR. CARMAN FOR REMOVING THE FLAG LOTS.

THERE WAS DISCUSSION.

MOTION FOR APPROVAL SINCE THIS PLAT MEETS OUR STANDARDS, BY MR. HAYNES, SECONDED BY MR. HONEYCUTT. MOTION PASSED.

9 AYES: HAYNES, HONEYCUTT, LEA, BOYD, TRIPP, WILLIAMS, RAY, BRATTON, & THOMPSON
1 NAY: TEMPLETON
4 ABSTAIN: DOWNS, FENNELL, BORDERS & HENDRICKS

3. DEFERRED-REZONING-SUMNER 2000 LLC IS REQUESTING TO HAVE THEIR PROPERTY "HUNTER'S CROSSING-LOCATED ON THE CORNER OF LONG HOLLOW PIKE AND TYREE SPRINGS ROAD REZONED FROM R1A TO COMMERCIAL C-3 WITH PUD OVERLAY AND FOR PRELIMINARY MASTER DEVELOPMENT PLAN APPROVAL.- REPRESENTED BY RAGAN-SMITH: OWNERS-SUMNER 2000 LLC –(7TH COUNTY COMMISSION DISTRICT) SUBJECT PROPERTY IS LOCATED ON LONG HOLLOW PIKE AND NEW HOPE ROAD, CONTAINS 44.9 ACRES, IS ON TAX MAP 123, PARCEL 45, AND IS ZONED R1A. (**SCHOOL DISTRICT-BEECH ES, T W HUNTER MS, BEECH HS)**

(THIS HAS BEEN DEFERRED INDEFINITELY BY RAGAN-SMITH ON 2-6-08)

4. **REZONING- CUMBERLAND LAND HOLDING, LLC, OWNER, REPRESENTED BY GEORGE JOHNSON IS REQUESTING TO HAVE THEIR PROPERTY "LOCKETT" LOCATED AT 1429 HARSH LANE, CASTALIAN SPRINGS, TN. REZONED FROM AGRICULTURAL TO A MIXED USE RESIDENTIAL/COMMERCIAL PLANNED UNIT DEVELOPMENT AND FOR PRELIMINARY MASTER DEVELOPMENT PLAN APPROVAL.(3RD COUNTY COMMISSION DISTRICT)** SUBJECT PROPERTY CONTAINS 527.63 ACRES, CONTAINS APPROXIMATELY 750 LOTS, IS ON TAX MAP 151, PARCELS 21.01 AND 22.00, AND IS ZONED AGRICULTURAL.(**SCHOOL DISTRICT: BENNY BILLS ES, OLD SHAFER MS, AND GALLATIN HS)**
THIS WAS DEFERRED AT THE FEBRUARY 2008 PLANNING COMMISSION MEETING.
THIS WAS DEFERRED AT THE MARCH 2008 PLANNING COMMISSION MEETING BY MR. GEORGE JOHNSON, THEREFORE NO ACTION WAS TAKEN.

5.. PUBLIC HEARING-THIS PUBLIC HEARING WAS TO DISCUSS AND VOTE ON ADOPTION OF A GENERALIZED LAND USE PLAN FOR THE **HENDERSONVILLE URBAN GROWTH BOUNDARY**; TO OUTLINE A SERIES OF POLICIES IN THE HENDERSONVILLE URBAN GROWTH BOUNDARY; AND TO ESTABLISH A MAJOR THOROUGHFARE PLAN FOR THE HENDERSONVILLE URBAN GROWTH BOUNDARY AS RELATED TO SUMNER COUNTY'S ADOPTED VERSION OF THE PLAN.
THIS WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON FEBRUARY 22, 2008.

MR. MOULTON STATED THAT THIS WAS A PLAN THAT SOME OF US HAVE BEEN WORKING ON FOR THREE (3) YEARS AND NOW WE HAVE A FINAL DOCUMENT. THIS DOCUMENT WAS PROVIDED TO THE CITY OF HENDERSONVILLE A MONTH AGO, AND AT THIS TIME WE HAVE NOT HAD ANY FEED BACK FROM THEM. I WOULD SUGGEST WHOEVER MAKES A MOTION THAT THERE BE A TIME LINE FOR THE CITY OF HENDERSONVILLE TO ADOPT THIS DOCUMENT.

CHAIRMAN HOLT OPENED THE PUBLIC HEARING, BUT THERE WAS NO ONE PRESENT TO SPEAK FOR OR AGAINST.

CHAIRMAN HOLT CLOSED THE PUBLIC HEARING.

THERE WAS DISCUSSION.

MOTION BY MR. HAYNES TO ADOPT THE HENDERSONVILLE URBAN GROWTH BOUNDARY AND GIVE THE CITY OF HENDERSONVILLE A ONE HUNDRED TWENTY (120) DAY WINDOW OF OPPORTUNITY TO ACCEPT WITH A TWO YEAR PROVISION TO COME BACK AND LET THE LEGISLATIVE BODY REVISIT AND TWEAK IF NEED BE, SECONDED BY MR. DOWNS. MOTION PASSED UNANIMOUSLY.

MR. HAYNES COMMENDED LUTHER BRATTON, CHAIRMAN HOLT, LEON STRONG (NOW DECEASED), AND TOM GROVE (NOW RETIRED) FOR SERVING ON THE AD-HOC COMMITTEE FOR THE HENDERSONVILLE URBAN GROWTH BOUNDARY.

OTHER BUSINESS:

- **AUTHORIZING PLANNER MICHAEL BRIGGS TO SIGN PLATS**
  MR. MOULTON STATED THAT THERE IS A NEED TO HAVE A BACK UP PERSON TO SIGN PLATS IN HIS ABSENCE.

  THERE WAS DISCUSSION.

  MOTION TO ALLOW MR. BRIGGS, PLANNER, TO SIGN PLATS IN MR. MOULTON'S ABSENCE BY MR. LEA, SECONDED BY MR. HAYNES. MOTION PASSED UNANIMOUSLY.

- **CHARLES HASTY** – MR. HASTY IS REQUESTING A ROAD GRADE VARIANCE IN THE HICKORY RIDGE DEVELOPMENT WHICH IS LOCATED ON TAX MAP 082, PARCEL 25. HE IS REQUESTING THIS VARIANCE DUE TO THE FACT THAT THE ROADWAY GRADES EXCEED 10%. MR. HASTY IS REQUESTING A VARIANCE TO ALLOW GRADES OF 12.00% ON HICKORY RIDGE LANE AND 12.75% ON HICKORY RIDGE COURT.

  PRIOR TO THIS DISCUSSION, FOR THE RECORD MR. HAYNES LEFT THE MEETING, THEREFORE HE WAS NOT PRESENT FOR THE VOTE.

  MR. HASTY CAME FORWARD TO EXPLAIN HIS REQUEST. MR. HASTY FELT THAT 10% MAXIMUM FOR A MAJOR THOROUGHFARE COLLECTOR ROUTE IS A GOOD NUMBER TO USE, BUT IF IT IS AN ARTERIAL ROUTE ON THE MAJOR THOROUGHFARE PLAN 10% IS A LITTLE HIGH. ON A MINOR LOCAL ROAD IN MY OPINION 10% GRADE IS TOO RESTRICTIVE. YOU COULD GO WITH A HIGHER GRADE ON A MINOR LOCAL ROAD AND YOU WOULD STILL NOT IMPACT THE QUALITY OF THE SUBDIVISION. MR. HASTY HANDED OUT PICTURES OF CARRIAGE HILL DRIVE LOOKING TOWARD LONG HOLLOW BAPTIST CHURCH, WITH A 13% GRADE, TIMBERHILLS DRIVE OFF OF NEW SHACKLE ISLAND ROAD WITH A 16.65% GRADE, TOWER HILL LANE NEAR DEL RAY TRAIL, WITH AN 11.80% AND NEWMAN TRAIL AT HEARTH COURT SOUTH WITH AN 11.90% GRADE. MR. HASTY MENTIONED THAT THE CITY OF HENDERSONVILLE FOR EXAMPLE ALLOWS A 12% GRADE ON A MINOR LOCAL ROAD. METRO NASHVILLE ALLOWS 14% GRADE. MR. HASTY STATED IF THIS VARIANCE IS APPROVED THAT THIS WILL NOT NEGATIVELY IMPACT THE QUALITY OF THE BUILDING SITE FOR THESE LOTS, NOR THE NEIGHBORS OR THE MAJOR THOROUGHFARE ROUTE.

  MR. HASTY READ ALOUD A LETTER FROM MICKEY SUMMERS, CHIEF OF THE SOUTHEAST COMMUNITY FIRE DEPARTMENT DATED MARCH 25, 2008. THIS LETTER STATED THAT THE 2 FIRE ENGINES AND TANKER TRUCK THAT THE SOUTHEAST COMMUNITY FIRE DEPARTMENT OWNS WILL BE ABLE TO PULL THE 13% GRADE THAT IS IN QUESTION ON THE PROPERTY. HOWEVER, THE DRIVEWAYS THAT THE PROPERTY WILL HAVE NEEDS TO BE CONCRETED OR ASPHALTED (PAVED) TO BE ABLE TO SUPPORT THESE VEHICLES (FIRE). OUR DRIVEWAYS WILL NOT BE THAT GRADE, BUT WE AGREED THAT OUR DRIVEWAYS WILL HAVE CONCRETE OR ASPHALT. MR. HASTY STATED THAT HE RESPECTIVELY REQUESTS THAT THIS BODY GRANT THIS VARIANCE.

  NICK STRONG, COUNTY ENGINEER, STATED THAT THE COUNTY HAS STANDARDS. YOU WILL FIND A LOT OF DIFFERENT GRADES OF ROADS IN THE COUNTY BECAUSE THE COUNTY HAS NEVER HAD ANYBODY CHECKING ON THIS BEFORE. MR. STRONG STATED THAT YOU COULD CHANGE THE SUBDIVISION REGULATIONS. HE WENT ON TO SAY ONCE YOU START GRANTING VARIANCES YOU WILL HAVE A LOT MORE REQUESTS FOR VARIANCES. YOU ARE JUST OPENING YOURSELF UP. MR. STRONG LOOKS AT THIS AS A SAFETY ACCESS ISSUE AS WELL. THIS IS A PRETTY STEEP SLOPE.

THERE WAS EXTENSIVE DISCUSSION ABOUT GRANTING A VARIANCE VERSES CHANGING THE SUBDIVISION REGULATIONS TO ACCOMMODATE THIS DILEMMA.

CHAIRMAN HOLT STATED HE FELT THAT WE SHOULD CHANGE OUR SUBDIVISION REGULATIONS AND MAKE IT EQUAL FOR EVERYBODY.

MR. LEA STATED THAT HE FELT THAT WE HAVE AN OBLIGATION TO UPHOLD THE WORK OF OUR ENGINEER AND THE SUBDIVISION REGULATIONS. IT WOULD BE A BIG MISTAKE TO APPROVE THIS VARIANCE. I AM ALL FOR CHANGING THE SUBDIVISION REGULATIONS.

MR. BORDERS STATED THAT HE WAS NOT FOR CHANGING THE SUBDIVISION REGULATIONS BECAUSE THAT WOULD BE LIKE CHANGING THE SPEED LIMITS. I THINK WE SHOULD LOOK AT THESE VARIANCES ON A CASE BY CASE BASIS.

MR. MOULTON STATED IF WE DO IN FACT CHANGE THE SUBDIVISION REGULATIONS PERTAINING TO ROAD GRADES, WE WILL HAVE TO HAVE SEVERAL WORK STUDIES. WHAT ROAD GRADE IS BEST AND WHAT WILL THIS GRADE BE BASED ON? IF THIS VARIANCE IS GRANTED TONIGHT IT WILL SET PRECEDENCE.

CHAIRMAN HOLT STATED THAT WE NEED TO ESTABLISH A GRADE THAT IS SAFE, AND BEYOND THAT WE DO NOT NEED TO GRANT ANY VARIANCES.

MOTION TO APPROVE THE VARIANCE BY MR. DOWNS (WE SHOULD LOOK AT THESE VARIANCES ON A CASE BY CASE BASIS), SECONDED BY MR. FENNELL. MOTION PASSED.

9 AYES: DOWNS, FENNELL, HONEYCUTT, BOYD, WILLIAMS, RAY, BORDERS, TEMPLETON, HENDRICKS

3 NAYS: LEA, THOMPSON, AND TRIPP

1 ABSTENTION (BRATTON)

FYI: MR. HAYNES WAS NOT PRESENT AT THE TIME OF DISCUSSION OR AT THE TIME OF THE VOTE)

MOTION TO HAVE A WORK STUDY TO LOOK AT CHANGING THE ROAD GRADE THAT IS CURRENTLY REQUIRED IN THE SUBDIVISION REGULATIONS BY MR. FENNELL, SECONDED BY MR. HONEYCUTT. MOTION PASSED UNANIMOUSLY.

MEETING ADJOURNED AT 6:50 P.M.