

**SUMNER COUNTY PLANNING COMMISSION  
MINUTES  
APRIL 26, 2011  
5:00 P.M.**

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

**MEMBERS PRESENT:**

**LUTHER BRATTON, CHAIRMAN  
SHAWN UTLEY, VICE-CHAIRMAN  
MIKE HONEYCUTT  
CECIL RAY  
JIM WILLIAMS  
CHRIS HUGHES  
JOE MATTHEWS  
JERRY KIRBY**

**MEMBERS ABSENT:**

**STAFF PRESENT:**

**GARY L. HAMMOCK, DIRECTOR OF CONSTRUCTION AND DEVELOPMENT DEPARTMENT  
RODNEY JOYNER, COUNTY PLANNER  
RACHAEL IVIE, STATE PLANNER  
LISA DUNAGAN-DIORIO, ADMINISTRATIVE ASSISTANT**

Chairman Bratton stated that Gary Hammock and David Cummings (Citizen) had requested to add two items to the agenda.

**Motion to add these two items to the agenda by Mr. Matthews, seconded by Mr. Hughes. Motion Passed unanimously.**

**A. Chairman Bratton welcomed new member Jerry Kirby.**

**B. Motion for approval of March 2011 minutes by Mr. Hughes, seconded by Mr. Williams. Motion passed.  
5 ayes: Ray, Honeycutt, Hughes, Williams, and Matthews  
2 abstentions: Kirby and Utley**

1. Mr. Hammock discussed repeat zoning violators in length. We have people who are not compliant, then we finally get them compliant with the zoning resolution and then within two or three months they are not in compliance, once again. Mr. Hammock stated that he had spoken with Ms. Dennen, Law Director, and Jim Hunter, General Sessions Judge, regarding the repeat offenders. We were advised that we could ask General Sessions to leave these cases open-ended as opposed to "you have been found guilty" or that "you are compliant". If these cases are open-ended, we can contact these repeat offenders at any time and say you are not in compliance with the zoning resolution. Or we could automatically have a warrant issued for the repeat offender/property owner that is not compliant, if this case was open-ended.

The question has been raised since we are not the judge and jury, how many times can they be a repeat offender before we have a warrant issued. Mr. Hammock would like this body to discuss some type of a time frame.

Chairman Bratton asked Mr. Hammock wouldn't the members of the health and safety board not be the ones to discuss decisions regarding the repeat offenders.

Mr. Hammock replied to Chairman Bratton's question that this has been discussed with the Law Director, and it was explained to him that the Health and Safety Board are just an appeals process board, not rule makers.

There was discussion.

Mr. Hughes stated that he felt this matter should be discussed at a work study session with some of the Law Director's interpretations.

**Motion to defer action this month, discuss this at next month's meeting (May 2011), and have the Law Director present, by Mr. Hughes, seconded by Mr. Matthews. Motion passed unanimously.**

Mr. Ray added that he would like to see some examples of the repeat offenders at next month's work study.

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David Cummings addressed this board in depth about flexibility with the zoning resolution to allow certain parts and equipment, as well as, building products to be stored on personal property.

Chairman Bratton apologized to the members that we did not have the document that Mr. Cummings was referring to.

**Motion by Mr. Hughes to defer this to the next month's work study, seconded by Mr. Utley. Motion passed unanimously.**

Mr. Utley asked how the health and safety standard rules were enforced.

Mr. Hammock responded to Mr. Utley's question by stating that my department is more reactive than proactive. If the neighbors can live with it, we can live with it, unless it becomes a health issue. According to the County Court Clerk, if you have a farm vehicle that is strictly driven on the farm and not on the road, you do not have to purchase a car tag for the vehicle. Per the Zoning Resolution, if you have an unlicensed vehicle then you are in violation. This language is something this body may want to look at and make a judgment call. We would like some direction from this body regarding a vehicle that is used strictly as a farm vehicle.

There was discussion.

**1. Rolling Point Subdivision-Section 2-Final Plat-Represented by Richard Graves-Lewis S. Wiseman-Owner-( 12<sup>th</sup> County Commission District)** They were requesting Final Plat approval of 4 lots on N. Centerpoint Road. Subject property is located on tax map 52, parcel 115, contains 7.06 acres and is zoned agricultural.

Mr. Joyner stated that there is a Section 1, Minor Final Plat that is adjacent to this property which has gone through the process and the staff comments have been addressed.

Mr. Joyner gave a brief overview of Rolling Point Subdivision-Section 2-Final Plat. He explained that to the South of this subdivision there, is a 50 (fifty) foot right-of-way. He stated that he would like to see the reserve for the septic system shown on the plat for lot 4 before this plat is recorded.

There was extensive discussion about the R.O.W.

Chairman Bratton asked if this R.O.W. could be eliminated.

Mr. Graves read aloud the restrictions that would be recorded with this plat.

Motion for approval of the plat contingent that the following language be on the plat and in the restrictions, a note as follows that "the ingress/egress would be accomplished by entering on North Centerpoint road, no ingress/egress to Larkspur Meadows Lane off cul-de-sac, by Mr. Matthews, seconded by Mr. Williams. Motion passed unanimously.

Chairman Bratton stated that the surveyor has agreed to try to eliminate the right-of-way by offering it to the adjoining property owners. If this happens, we may need to bring this back before the Planning Commission.

**OTHER BUSINESS:**

**MEETING ADJOURNED AT 5:50 P.M.**