

**SUMNER COUNTY PLANNING COMMISSION
MINUTES
OCTOBER 28, 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
CECIL RAY
CYNTHIA HALL TEMPLETON
JIM WILLIAMS
SHAWN FENNELL
BOB HENDRICKS
BILL THOMPSON
CHARLES LEA
NORMAN TRIPP
MIKE HONEYCUTT**

MEMBERS ABSENT:

**DAN DOWNS
SAUNDRA BOYD
CORDELL BORDERS**

OTHERS PRESENT:

**MIKE MOULTON, PLANNING DIRECTOR
MICHAEL BRIGGS, PLANNER
LEAH MAY DENNEN, COUNTY ATTORNEY
ROB GARRISON, STATE PLANNER
LISA WILLIAMS, ADMINISTRATIVE ASSISTANT**

MOTION FOR APPROVAL OF THE SEPTEMBER MINUTES BY MR. HAYNES, SECONDED BY MR. HONEYCUTT. MOTION PASSED UNANIMOUSLY.

CHAIRMAN HOLT STATED THAT MR. GRAVES HAS ASKED THAT WE ADD TO THE AGENDA THE FREEMAN & CLARK PLAT.

MOTION TO ADD THE FREEMAN & CLARK PLAT TO THE AGENDA BY MR. HAYNES, SECONDED BY MR. HONEYCUTT. MOTION PASSED UNANIMOUSLY.

1. HUNTERS TRACE-FINAL PLAT-REPRESENTED BY C&K SURVEYORS-(11 TH COUNTY COMMISSION DISTRICT)-THEY WERE REQUESTING FINAL PLAT APPROVAL OF 9 LOTS ON HUNTERS LANE AND MT. OLIVET ROAD. SUBJECT PROPERTY IS ON TAX MAP 116, PARCEL 81, CONTAINS 19.65 ACRES, AND IS ZONED R1A.

(SCHOOL DISTRICTS: BEECH ES, T. W. HUNTER MS AND BEECH HS)

DANNY HALE CAME FORWARD TO REPRESENT THIS REQUEST.

MR. MOULTON ASKED WHAT SIZE WATER LINE IS AVAILABLE TO THIS PROPERTY.

MR. HALE EXPLAINED THAT THERE IS A TWO INCH WATER LINE AVAILABLE CURRENTLY AND WILL BE UPGRADED TO A FOUR INCH WATER LINE.

MR. MOULTON STATED ACCORDING TO THE SUBDIVISION REGULATIONS, THIS NEEDS TO BE UPGRADED TO A SIX INCH WATER LINE.

MR. HALE REPORTED THAT THE WHITE HOUSE UTILITY DISTRICT IS UPGRADING THIS WATER LINE AND WE HAVE AGREED TO PARTICIPATE IN THE COST OF THE UPGRADE OF THE WATER LINE. WE WERE TOLD THAT THEY DO NOT HAVE CAPACITY FOR A SIX INCH WATER LINE.

MR. HALE STATED THAT THEY ARE PROPOSING TO ESCROW THE FIRE HYDRANTS, AND IF WE NEED TO RECORD THE PLAT PRIOR TO THIS LINE BEING INSTALLED WE WILL POST A BOND FOR THE CONSTRUCTION OF THE WATER LINE.

MR. MOULTON STATED THAT YOU NEED TO REFLECT ON THE PLAT THAT THE FIRE HYDRANTS WILL BE ESCROWED.

MR. MOULTON STATED THAT THEY HAVE MET ALL STAFF COMMENTS SUBJECT TO OBTAINING SIGNATURES.

MR. HAYNES REPORTED THAT IF WE DO NOT REQUIRE A SIX INCH WATER LINE ON AN UPGRADE WE WILL BE SETTING A PRECEDENT.

THERE WAS DISCUSSION.

MOTION BY MR. HAYNES FOR APPROVAL WITH THE FOLLOWING STIPULATION; THAT THE UPGRADE OF THE WATER LINE SHOULD BE TO A SIX INCH WATER LINE, AND ALL OF THE REQUIRED SIGNATURES ARE OBTAINED, SECONDED BY MR. THOMPSON. MOTION PASSED UNANIMOUSLY.

MR. HALE SAID HE WOULD JUST ASK IF WHITE HOUSE UTILITY DISTRICT HAS A PROBLEM WITH A SIX INCH WATER LINE THAT THEY CAN CONTACT THE PLANNING DIRECTOR AT SUMNER COUNTY.

**2. DONALD ODELL GREGORY AND WIFE DEBRA LYNN GREGORY CORLEW-FINAL PLAT-REPRESENTED BY CARROLL CARMAN-(12TH COUNTY COMMISSION DISTRICT)-THEY ARE REQUESTING FINAL PLAT APPROVAL OF 12 LOTS ON BRANDY HOLLOW ROAD. SUBJECT PROPERTY IS LOCATED ON TAX MAP 53, PARCEL 77 P/O, CONTAINS 21.60 ACRES, AND IS ZONED AGRICULTURAL.
(J.W. WISEMAN, PORTLAND MS, AND PORTLAND HS)**

MR. CARMAN CAME FORWARD TO REPRESENT THIS REQUEST. MR. CARMAN STATED THAT THEY PLAN TO PLACE TWO FIRE HYDRANTS ON THIS PROPERTY. THE SEPTIC SYSTEM ON THE EXISTING HOUSE EXTENDED ACROSS THE LOT LINE, THEREFORE WE WILL HAVE TO INSTALL A NEW SEPTIC SYSTEM FOR THE EXISTING HOUSE.

MR. MOULTON STATED THAT THIS PLAT HAS MET ALL OF THE STAFF COMMENTS.

THERE WAS DISCUSSION.

MR. BRATTON QUESTIONED PLACEMENT OF THE PROPOSED MAILBOXES.

MR. CARMAN STATED THAT THERE IS NO MENTION OF MAILBOX PLACEMENT IN THE RESTRICTIONS.

CHAIRMAN HOLT STATED THAT WE DO NEED TO ADDRESS MAILBOXES AT THE PLANNING COMMISSION LEVEL. THEY ARE PLACING THE MAILBOXES INSIDE THE COUNTY RIGHT-OF-WAY. CHAIRMAN HOLT SUGGESTED THAT POSSIBLY IN THE FUTURE WE COULD REQUIRE THAT YOU APPLY FOR A BUILDING PERMIT (NO CHARGE) TO PUT UP A MAILBOX.

MR. HAYNES SUGGESTED THAT YOU MAY WANT TO TALK TO THE POSTAL SERVICE ABOUT THE MAILBOX PLACEMENT. MR. HAYNES SUGGESTED THAT CHAIRMAN HOLT SELECT A FEW PLANNING COMMISSION MEMBERS TO MEET WITH THE POSTAL SERVICE AND ASK HOW FAR THEY CAN EXTEND THE MAILBOX FROM THE PAVEMENT AND STILL GET MAIL SERVICE. WE COULD PROVIDE AN ORDINANCE AND PEOPLE COULD NOT GET THEIR MAIL DELIVERED.

MR. MOULTON SAID THIS IS A VALID CONCERN, BUT PART OF THE PROBLEM IS THAT WE DO NOT BUILD SHOULDERS ON COUNTY ROADS. MR. MOULTON STATED THAT HE WOULD BE GLAD TO OBTAIN A COPY OF THE CURRENT SPECIFICATIONS FROM THE POST OFFICE.

MS. DENNEN STATED THAT WHAT WE TELL PEOPLE IS THAT IF YOU PUT A MAILBOX IN THE COUNTY RIGHT-OF-WAY UNDERSTAND IF THE ROAD IS WIDENED, ETC. AND YOUR MAILBOX IS DESTROYED THAT THE COUNTY IS NOT RESPONSIBLE. THERE IS NOT A REALLY GOOD ANSWER.

CHAIRMAN HOLT STATED THAT WE DO NEED TO COME TO SOME KIND OF UNDERSTANDING TO THIS ISSUE OF WHERE THE PAVEMENT ENDS AND THE MAILBOX BEGINS, DUE TO THERE IS NOT ALWAYS SHOULDERS ON THE ROAD.

THERE WAS DISCUSSION.

CHAIRMAN HOLT STATED THAT WE WILL INCLUDE THE PLACEMENT OF MAILBOXES ON OUR NEXT WORK STUDY AGENDA.

MS. DENNEN STATED THAT SHE WOULD FURNISH THIS BODY WITH A PREVIOUS RESOLUTION PERTAINING TO MAILBOXES.

**MOTION FOR APPROVAL WITH STAFF COMMENTS BY MR. HAYNES, SECONDED BY MR. HONEYCUTT.
MOTION PASSED UNANIMOUSLY.**

**3. DEFERRED- PUBLIC NOTICE-REZONING-DOUGLAS BEND OAKS (6TH COUNTY COMMISSION DISTRICT)-
HIGHERS, KOONCE AND ASSOCIATES WERE REQUESTING A REZONING AND A PRELIMINARY MASTER
DEVELOPMENT PLAN APPROVAL. SUBJECT PROPERTY IS LOCATED AT 502 DOUGLAS BEND ROAD AND
504 DOUGLAS BEND ROAD, GALLATIN, TN. IS ON TAX MAP 147, PARCELS 13 AND 14, AND IS ZONED
RESIDENTIAL A AND CONTAINS 51.4 ACRES. THEY REQUESTING TO HAVE THESE PROPERTIES REZONED
FROM RESIDENTIAL A TO A MEDIUM DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT AND FOR
PRELIMINARY MASTER PLAN APPROVAL. (SCHOOL DISTRICT-JACK ANDERSON ES, OLD KNOX DOSS MS & STATION
CAMP HS)**

LEONARD W. AND GENEVA BALLOU ARE REQUESTING TO HAVE THEIR PROPERTY LOCATED AT 504 DOUGLAS BEND ROAD, GALLATIN, TN, REZONED FROM RA TO A MEDIUM DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT. THIS PROPERTY CONTAINS 71 PROPOSED LOTS AND IS ON TAX MAP 147, PARCEL 14.00.

CAROLYN M. C. CARMACK, TRUSTEE, IS ALSO REQUESTING TO HAVE HER PROPERTY LOCATED AT 502 DOUGLAS BEND ROAD, GALLATIN, TN. REZONED FROM RA TO A MEDIUM DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT. THIS PROPERTY CONTAINS 51 LOTS AND IS ON TAX MAP 147, PARCEL 13.00. THIS IS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON **SEPTEMBER 12, 2008**. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL. **THIS WAS DEFERRED BY THE HIGHERS, KOONCE AND ASSOCIATES AT THE SEPTEMBER 23, 2008, PLANNING COMMISSION MEETING.**

THIS WAS DEFERRED BY HIGHERS, KOONCE AND ASSOCIATES, THEREFORE NO ACTION WAS TAKEN.

OTHER BUSINESS:

➤ **DULCIE FREEMAN AND CLARK STANFILL SINGLEWIDE MOBILE HOME PLAT-RICHARD GRAVES-ADDED TO AGENDA-**

MR. GRAVES EXPLAINED TO THIS BODY IN 1998 A 2 LOT PLAT WAS RECORDED ON CANOE BRANCH ROAD BY JOE CUMMINGS. SINGLEWIDE MOBILE HOMES WERE LOCATED ON BOTH OF THESE LOTS. MR. BURGESS STILL LIVES ON LOT 6A, AND DULCIE FREEMAN AND CLARK STANFILL LIVE ON 6B. MS. FREEMAN AND MR. CLARK CAME IN TO APPLY FOR A BUILDING PERMIT TO REPLACE THE SINGLEWIDE THAT IS CURRENTLY ON LOT 6B. THEY WERE TOLD THEY COULD NOT HAVE A BUILDING PERMIT BY THE CODES DEPARTMENT SINCE THIS WAS NOT DESIGNATED AS A "SINGLEWIDE MOBILE HOME SUBDIVISION". MR. GRAVES EXPLAINED THAT WHAT HAS HAPPENED IS THEY SIMPLY LEFT OFF THE WORDING " SINGLE WIDE MOBILE HOME SUBDIVISION" ON THE PLAT THAT WAS RECORDED IN 1998.

CHAIRMAN HOLT STATED THAT IT WAS RECORDED WITH OUT THE PROPER WORDING AND WOULD ACCEPT A MOTION TO CORRECT THIS LANGUAGE AND MAKE THIS LOT LEGITIMATE.

MOTION FOR APPROVAL FOR MR. GRAVES TO CORRECT THIS LANGUAGE AND MAKE THIS LOT LEGITIMATE BY MR. HAYNES, SECONDED BY MR. LEA. MOTION PASSED UNANIMOUSLY.

MR. MOULTON ADVISED MR. GRAVES TO HANDLE THIS SITUATION PRIOR TO THE NOVEMBER 17, 2008, COUNTY COMMISSION MEETING, AT WHICH TIME THEY WILL VOTE ON ELIMINATING MOBILE HOMES FROM R1A ZONED DISTRICTS.

➤ **REVIEW HENDERSONVILLE URBAN GROWTH BOUNDARY PER THE PLANNING COMMISSION MINUTES DATED OCTOBER 24, 2006**

MR. MOULTON READ THE MINUTES FROM THE OCTOBER 24, 2006, PLANNING COMMISSION MINUTES. MR. MOULTON STATED THAT SINCE THE OCTOBER 2007 PLANNING COMMISSION MEETING THIS PLAN HAS BEEN SUBMITTED AND ADOPTED BY THE CITY OF HENDERSONVILLE. MR. MOULTON STATED THAT IT WOULD BE STAFF'S RECOMMENDATION THAT WE PUT THIS BACK ON THE PLANNING COMMISSION AGENDA IN 24 MONTHS FOR REVIEW.

MOTION BY MR. WILLIAMS TO PLACE THIS ON THE PLANNING COMMISSION AGENDA AGAIN IN TWENTY FOUR (24) MONTHS FOR REVIEW, SECONDED BY MR. LEA. MOTION PASSED UNANIMOUSLY.

BRUCE RAINEY-TO ASK FOR A VARIANCE FROM THE FLAG LOT LANGUAGE-FOR THE JOE E. ALLEN SUBDIVISION-FINAL PLAT-1 LOT LOCATED ON NEW SHACKLE ISLAND ROAD-TAX MAP 138, PARCEL 37.02, CONTAINS 3.77 ACRES, AND IS ZONED RA.

MR. RAINEY PLEADED HIS CASE FOR A FLAG LOT VARIANCE.

MR. RAINEY STATED THAT MR. MOULTON HAD SUGGESTED THAT THEY WIDEN THE FIFTY FOOT TO ONE HUNDRED FEET OF ROAD FRONTAGE. THIS SUGGESTION DOES NOT MAKE SENSE TO ME.

MR. HAYNES SUGGESTED THAT THEY INCREASE THE SIZE OF THIS LOT TO A FIVE (5) ACRE TRACT AND THIS COULD BE SERVICED BY A FIFTY FOOT EASEMENT AND THIS WOULD NOT HAVE TO COME TO THIS BODY FOR A VARIANCE.

MR. RAINEY SAID THAT HE HAD ALREADY SUGGESTED THAT TO HIS CLIENT AND THEY ONLY WANTED A TWO ACRE TRACT SO THIS 3.77 ACRE TRACT I AM PRESENTING TONIGHT IS STRETCHING IT.

MR. MOULTON EXPLAINED THAT WHAT MR. RAINEY IS ASKING FOR IS A VARIANCE ON THE DESCRIPTION OF A FLAG LOT.

THERE WAS EXTENSIVE DISCUSSION.

MR. RAINEY STATED HE WILL TRY TO WORK THIS OUT WITHOUT OBTAINING A VARIANCE, BUT WOULD LIKE FOR THE PLANNING COMMISSION TO GIVE MR. MOULTON THE AUTHORITY TO SIGN THIS PLAT IF I CAN NOT WORK IT OUT WITH THE PROPERTY OWNER.

MR. BRATTON MADE THE COMMENT THAT IF WE ARE GOING TO START GRANTING VARIANCES OF FLAG LOTS, WE WILL NEED SOME TYPE OF CRITERIA.

MR. MOULTON REMINDED EVERYONE HOW MUCH WORK WE PUT INTO THE NEW LANGUAGE ON FLAG LOTS AND CAN NOT IMAGINE WHY WE WOULD EVEN GRANT A VARIANCE ON FLAG LOTS. MR. MOULTON STATED HE SPOKE WITH ROB GARRISON, STATE PLANNER IN REGARDS TO TAKING THE NO FLAG LOT LANGUAGE ONE STEP FURTHER, PERTAINING TO A DEPTH TO WIDTH RATIO.

MR. GARRISON STATED THAT A VARIANCE TO THE SUBDIVISION REGULATIONS OF THE ZONING RESOLUTION IS SOMETHING THAT IS USUALLY PHYSICAL IN NATURE.

THERE WAS MUCH DISCUSSION.

MOTION BY MR. HAYNES TO DENY VARIANCE, SINCE IT WAS NEAR AND DEAR TO OUR COUNTY EXECUTIVE'S HEART THAT WE VOTE TO ELIMINATE FLAG LOTS, BASED ON WHAT WE HAVE DONE IN DUE DILIGENCE AND THAT THIS IS PLENTY OF LAND MASS HERE, SECONDED BY MS. TEMPLETON. MOTION PASSED UNANIMOUSLY.

MR. THOMPSON INQUIRED ABOUT THE WAY WHITE HOUSE TREATS THEIR PLANNING REGION AS OPPOSED TO OTHER CITIES AND ASKED HOW CAN WE BRING THIS IN LINE.

MR. MOULTON RESPONDED TO MR. THOMPSON BY SAYING THAT THERE IS A MEETING SCHEDULED NEXT THURSDAY AT 9:30 .AM. WITH ADAM MCCORMICK, WHITE HOUSE PLANNING DIRECTOR, NICK STRONG, COUNTY ENGINEER, ROB GARRISON, MICHAEL BRIGGS, PLANNER AND MYSELF TO DISCUSS THIS MATTER. MR. MOULTON STATED THAT THE COUNTY COMMISSION TOOK ACTION AND TOOK ZONING BACK TO THE CITY LIMITS. MR. MOULTON STATED IT IS VERY DIFFICULT FOR US TO KEEP UP WITH AND THERE ARE THREE DIFFERENT APPROACHES. I HOPE TO BRING THIS MATTER UP AT OUR NEXT WORK STUDY. I HOPE THE ACTION THAT COMES OUT OF THIS WORK STUDY IS THAT THIS BODY RECOMMENDS TO THE FULL COUNTY COMMISSION THAT WE GRANT ZONING BACK TO THE CITY OF WHITE HOUSE IN THEIR PLANNING REGION. THIS IS CONFUSING TO THE CITIZENS, SURVEYORS AND OUR OFFICE. MR. MOULTON EXPLAINED THAT THIS IS THEIR PLANNING REGION WITHIN THEIR TWENTY (20) YEAR GROWTH BOUNDARY.

MR. GARRISON STATED THAT THEIR PLANNING REGION IS THEIR URBAN GROWTH BOUNDARY.

THERE WAS EXTENSIVE DISCUSSION.

CHAIRMAN HOLT STATED THAT HE DID NOT KNOW WHAT THE OUT COME OF THE ELECTION PROCESS WILL BE, BUT I AM ON THE BALLOT. CHAIRMAN HOLT STATED IF THE PEOPLE OF SUMNER COUNTY CHOOSE TO ELECT ME AS COUNTY EXECUTIVE, I WILL BE COMING OFF THIS BOARD NEXT WEEK. I AM VERY PROUD TO SERVE ON THIS BOARD AND I HAVE BEEN ON THIS BOARD FOR QUITE SOME TIME AND CONSIDER EVERYONE HERE FRIENDS AND PROFESSIONALS. CHAIRMAN HOLT THANKED EVERYONE FOR SERVING ON THIS COMMISSION.

CHAIRMAN HOLT ASKED EVERYONE IF HE IS ELECTED COUNTY EXECUTIVE AND LEAVES THIS BOARD AS YOUR CHAIRMAN, THAT YOU CONSIDER LUTHER BRATTON FOR CHAIRMAN. MR. BRATTON HAS EXPERIENCE, LEADERSHIP ABILITIES, ETC.

MEETING ADJOURNED AT 6: 10 P.M.