

**SUMNER COUNTY PLANNING COMMISSION  
MINUTES  
FEBRUARY 27, 2018  
5:00 P.M.**

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

**MEMBERS PRESENT:**

**LUTHER BRATTON, CHAIRMAN  
BILLY GEMINDEN, VICE-CHAIRMAN  
MIKE HONEYCUTT  
STEVE GRAVES  
JIM WILLIAMS  
JERRY KIRBY  
TOM TUCKER**

**MEMBERS ABSENT:**

**BILL TAYLOR**

**STAFF PRESENT:**

**RODNEY JOYNER, PLANNING & STORMWATER DIRECTOR  
LINDA MCCULLOUGH, ASSISTANT TO THE DIRECTOR OF PLANNING &  
STORMWATER  
LEAH MAY DENNEN, COUNTY ATTORNEY  
BEN ALLEN, STAFF ATTORNEY**

**MOTION FOR APPROVAL OF THE JANUARY MINUTES BY MR. STEVE GRAVES,  
SECONDED BY MR. GEMINDEN. MOTION PASSED UNANIMOUSLY.**

**1. VOTE ON CHAIRMAN AND VICE-CHAIRMAN**

**Motion to nominate Mr. Bratton as Chairman by Mr. Steve Graves, seconded by Mr. Williams. Motion passed unanimously.**

**Motion to nominate Mr. Geminden as Vice-Chairman by Mr. Steve Graves, seconded by Mr. Tucker. Motion passed unanimously.**

Mr. Joyner asked the Board to elect a new Secretary of Planning to sign the plats. Mr. Joyner stated that his last day as Director of Planning and Stormwater will be March 9, 2018. Mr. Joyner stated that the new Secretary would only be temporary until someone is hired for that position.

Mr. Bratton asked Ms. Dennen if a vote for a Secretary and Vice-Secretary could be voted on in case the Secretary could not be reached.

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Ms. Dennen asked Mr. Joyner if there was anyone in his office that could sign the plats.

Mr. Joyner stated that since he reviewed all the plats, there isn't anyone in the office that would feel comfortable signing the plats.

Ms. Dennen asked Mr. Joyner if had a suggestion of who could sign the plats.

Mr. Joyner stated that Mr. Anthony Holt would be an option.

Ms. Dennen stated that it would not be fair since he wouldn't see the plats before they had been reviewed.

Mr. Bratton stated that he did not have a problem signing the plats, but would like an alternate in case there was a conflict.

Ms. Dennen stated that if that was the case, bring the plats to her and she would sign them.

Mr. Bratton asked the Board how they feel about him signing the plats and Ms. Dennen acting as the alternate.

Mr. Joyner stated that there are three other jurisdictions that allow the Planning Commission Chairman to sign the plats.

There was discussion.

**Motion to let Mr. Bratton sign plats and Ms. Dennen to be the alternate by Mr. Geminden, seconded by Mr. Steve Graves. Motion passed unanimously.**

**2. OTHER BUSINESS:**

TRACEY BARROW, STORMWATER MANAGER, TO DISCUSS RATE INCREASE ON MS-4 PERMITS.

Mr. Joyner stated that Tracey Barrow is the current Stormwater Manager and has been in that position for about four years. Mr. Joyner stated that Mr. Barrow would like to speak to the Board concern new fees and implementing fines.

Mr. Barrow stated that currently the Stormwater Department has two types of permits, a disclaimer and a permit. Mr. Barrow stated that the State of Tennessee does not like the disclaimer that is being used and is suggesting that the department only have one type of permit. Mr. Barrow stated that multiple trips are being made to sites and the by implementing a new fees and fines, this will help to off-set the cost for the department.

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Mr. Joyner stated that this presentation is for discussion. If approved by the Board, the subject would need to be advertised for a public notice and voted on at that time.

Mr. Bratton asked if a waiver is issued, what criteria would determine the circumstances. Mr. Bratton asked if he had a 500 acre farm, would he get a waiver.

Mr. Barrow stated that there would no longer be a waiver, only permits.

Mr. Geminden asked if the square footage of the building being built determines the permit fee.

Mr. Barrow stated that there would only one permit with no exception of the acreage.

**Motion to forward item to April Planning Commission meeting with a public hearing by Mr. Geminden, seconded by Mr. Steve Graves. Motion passed unanimously.**

Mr. Bratton asked the Board to allow the public to speak.

**Motion to allow the public to speak by Mr. Steve Graves, seconded by Mr. Geminden. Motion passed unanimously.**

**Scott Wilson, 581 Greenfield Lane**, came forward with concerns with item number 3. Mr. Wilson is concerned about the flooding and the drainage of the proposed lots.

**Joey Boyd, 205 Oak Drive**, came forward with concerns with item number 5. Mr. Boyd is concerned with traffic and upgrades of the road.

**Randall McGuire, 1826 Rapids Road**, came forward with concerns with item number 5. Mr. McGuire is concerned with the narrow roads and the traffic.

**John McCloud, 195 Oak Drive**, came forward with concerns with item number 5. Mr. McCloud is concerned with fire hydrant safety since there are not any in the area. Mr. McCloud also had concerns with the narrow roads.

**Larry Hinton, 1029 Hwy 259**, came forward with concerns with item number 5. Mr. Hinton is concerned with the set-up of the cul-de-sac, the narrow roads and is concerned with who will pay for the upgrades to the road. Mr. Hinton also stated that people that moved to that subdivision would not be satisfied because of the location. Mr. Hinton went on to stated that the property owner lives in Kentucky and chose this property because it's harder to develop a subdivision in Kentucky than in Sumner County. Mr. Hinton stated that this item should be a full subdivision, not a Preliminary/Final, and that the developer should be required to present letters from the water department and highway department stating that their departments would make the proper

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changes in order for this development to be approved. Mr. Hinton also questioned the glitch in regulations allowing Preliminary/Final Plats to be approved.

**Ronnie Shoulders, 195 Flynn Road**, came forward with concerns with item number 9. Mr. Shoulders did not understand what the applicant was wanting to do with the rezoning. Mr. Joyner stated to Mr. Shoulders that the applicant was only rezoning the property so that all the property would be under one zoning type.

**Mr. Geminden closed the public hearing.**

- 3. LESTER RAY BULLARD ESTATE – PRELIMINARY/FINAL – REPRESENTED BY RICHARD GRAVES – 3<sup>RD</sup> COMMISSION DISTRICT – (Alan Driver and Steve Graves) – Applicant is requesting Preliminary/Final Plat approval for a 5-lot subdivision located on Greenfield Lane. Subject property is located on Tax Map 107, Parcel 001.02, contains 4.61 acres, and is zoned Agricultural.**

Mr. Joyner stated that the applicant is asking for Preliminary/Final Plat approval of a 5-lot subdivision located on Greenfield Lane. Property is not located within any Urban Growth Boundary and is zoned Agricultural. Request for Sketch Plat for 17-lot Subdivision approved by Planning Commission on January 23, 2018. There are concerns with drainage issues. All other comments have been addressed.

Mr. Tucker addressed Mr. Bratton and Mr. Joyner with questions concerning the Planning Commission Application. Mr. Tucker stated that the application is very confusing because the applicant can have the choice of major, minor, rezoning, and signs. Mr. Tucker stated that when a developer puts in for a Preliminary/Final Plat, it's the developers way of sneaking in small lots for a bigger development to happen. Mr. Tucker stated that if a plat is more than 2 lots, it should be a major plat and should have to provide all the drainage and emergency ins and outs of that subdivision.

Mr. Steve Graves asked Mr. Richard Graves what the plans are for the rest of the property.

Mr. Richard Graves explained to Mr. Tucker and the Board that he has been work with the Planning Commission since 1983 and made his living cutting land up in 5 acre lots. The surveyors came to the Planning Commission asking them if land owners needed to sell smaller lots, could they help land owners and do 3 to 5 lot subdivisions with no road improvements and drainage prints. The Planning Commission agreed and that is how the different choices on the application came to place, therefore cutting the process time from 90 to 30 days.

There was discussion.

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Mr. Richard Graves stated that if the other lots are developed, there will be engineer drawings for drainage and topo.

Mr. Honeycutt ask if Mr. Joyner if these five lots met the criteria to meet the Sub Regulations and what will happen to the rest of the property.

Mr. Joyner stated that the Sub Regulations allow property owners to develop 5 lots or less with no engineer drawings. Mr. Joyner stated that these 5 lots do meet the Sub Regulations of Sumner County. Mr. Joyner stated that if the developer came back to the Planning Commission with the remainder of the lots, the developer will be required to submit engineer drawings for drainage and topo.

Mr. Tucker asked Mr. Joyner who can change the Sub Regulations.

Mr. Joyner stated that the Planning Commission has the authority to change the Sub Regulations, but if the Sub Regulations change, it will effect something in the Zoning Resolution. The Zoning Resolution changes from the Planning Commission and then sent to the County Commission. The Planning Commission has the ability to modify or amend items in the Subdivision Regulations without the County Commission's approval.

There was discussion.

**Motion to approve by Mr. Steve Graves, seconded by Ms. Honeycutt. The motion was not unanimous, therefore a vote was taken:**

**Mr. Honeycutt - Yes Mr. Williams – Yes**

**Ms. Steve Graves – Yes Mr. Geminden - Yes**

**Mr. Tucker – No Mr. Kirby - No**

**The motion passed.**

- 4. CORLEW PROPERTY – PRELIMINARY/FINAL PLAT – REPRESENTED BY RICHARD GRAVES – 12<sup>TH</sup> COMMISSION DISTRICT – (Michael Guthrie and Bob Pospisil) – Applicant is requesting Preliminary/Final Plat approval for a 4- lot subdivision located on Halltown Road. Subject property is located on Tax Map 073, Parcel 001.00, contains 7.42 acres and is zoned Agricultural.**

Mr. Joyner stated that the applicant is asking for Preliminary/Final Plat approval of a 7- lot subdivision located on Halltown Road. Property is not located within any Urban Growth Boundary and is zoned Agricultural. All other comments have been addressed.

**Motion to approve by Mr. Honeycutt, seconded by Mr. Kirby. Motion passed unanimously.**

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- 5. BOBBY WAYNE COOK PROPERTY – PRELIMINARY/FINAL PLAT – REPRESENTED BY RICHARD GRAVES – 2<sup>ND</sup> COMMISSION DISTRICT – (Billy Geminden and Larry Hinton)** – Applicant is requesting Preliminary/Final Plat approval for a 5-lot subdivision located at Oak Drive and Rapids Road. Subject property is located on Tax Map 002, P/O Parcel 013.00, contains 5.04 acres, and is zoned Agricultural.

Mr. Joyner stated that the applicant is asking for Preliminary/Final Plat approval of a 5-lot subdivision located at Oak Drive and Rapids Road. Property is not located within any Urban Growth Boundary and is zoned Agricultural. Residents have expressed concern regarding the condition of Oak Drive and additional lots being approved and producing traffic. All other comments have been addressed.

Mr. Steve Graves asked what was the plan with the remaining of the property and who would take care of the roads.

Mr. Joyner stated that in the past, Ms. Hardin has taken each plat and looked at the subdivision as it's own and will make improvements to that road if needed.

Mr. Richard Graves stated that Ms. Hardin that she would clean out place culverts to get to standards. Mr. Richard Graves stated that there is right of way on both sides of Oak Drive. Mr. Richard Graves stated that when he turns in the sketch plat for the remainder of the property, the right of way will be shown. There will be a turn around and the roads will be at the standard width.

Mr. Tucker asked Mr. Richard Graves if he had a written statement from Ms. Hardin stating that she would comply to what he just stated.

Ms. Dennen stat that if, at all possible, the developer is expected to build the road.

There was discussion.

**Motion to defer item for 30 days in order for Mr. Richard Graves to supply letters from the water department and the highway department by Mr. Steve Graves, seconded by Ms. Tucker. The motion was not unanimous, therefore a vote was taken:  
Mr. Honeycutt - No Mr. Williams – No  
Ms. Steve Graves – Yes Mr. Geminden - Yes  
Mr. Tucker – Yes Mr. Kirby - Yes  
The motion passed.**

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- 6. BENNIE MAJORS OLDHAM – PRELIMINARY/FINAL PLAT – REPRESENTED BY JIM CARMAN - 3<sup>RD</sup> COMMISSION DISTRICT – (Alan Driver and Steve Graves) – Applicant is requesting Preliminary/Final Plat approval for a 3-lot subdivision located on Ben Armstrong Road. Subject property is located on Tax Map 130, P/O Parcel 013.00, contains 2.92 acres, and is zoned Agricultural.**

Mr. Joyner stated that the applicant is asking for Preliminary/Final Plat approval of a 3-lot subdivision located on Ben Armstrong Road. Property is not located within any Urban Growth Boundary and is zoned Agricultural. All other comments have been addressed.

**Motion to approve by Mr. Steve Graves, seconded by Mr. Williams. Motion passed unanimously.**

- 7. MATTHEW CARMAN – PRELIMINARY/FINAL PLAT – REPRESENTED BY JIM CARMAN – 1<sup>ST</sup> COMMISSION DISTRICT – (Mike Akins and Moe Taylor) – Applicant is requesting Preliminary/Final Plat approval for a 3-lot subdivision located on Rock Bridge Road. Subject property is located on Tax Map 050, P/O Parcel 009.00, contains 2.77 acres, and is zoned Agricultural.**

Mr. Joyner stated that the applicant is asking for Preliminary/Final Plat approval of a 3-lot subdivision located on Rock Bridge Road. Property is not located within any Urban Growth Boundary and is zoned Agricultural. All other comments have been addressed.

**Motion to approve by Mr. Honeycutt, seconded by Mr. Steve Graves. Motion passed unanimously.**

- 8. BAKER DONELSON (Carol Akins, Property Owner) – SITE PLAN – REPRESENTED BY JOEY HARGIS – 1<sup>ST</sup> COMMISSION DISTRICT (Mike Akins and Moe Taylor) – Applicant is requesting Site Plan approval to construct a 199’ wireless telecommunication monopole with a 100’ X 100’ leased area at Highway 52E, Bethpage, TN. Subject property is on Tax Map 029, Parcel 061.01, contains P/O 71.50 acres, is zoned Agricultural.**

Mr. Joyner stated that the applicant is asking for Site Plan approval of a 199’ telecommunication monopole tower located at 3727 Highway 52E. Property is not located within any Urban Growth Boundary and is zoned Agricultural. All other comments have been addressed.

**Motion to approve by Mr. Honeycutt, seconded by Mr. Steve Graves. Motion passed unanimously.**

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- 9. ROBERT C HELSON – REZONING – REPRESENTED BY CHRIS HELSON – 4<sup>TH</sup> COMMISSION DISTRICT – (Jerry Foster and Leslie Schell) –** Applicant is requesting to have property located at 178 Flynn Road, Gallatin, TN be rezoned from Residential 1A to Agricultural. A portion of the property is already zoned Agricultural. Subject property is located on Tax Map 103, Parcel 011.00, contains 150.4 acres, and is currently zoned Residential 1A and Agricultural.

**This is a public hearing.**

**The adjoining property owners were notified by certified mail and was advertised in The Gallatin News on Thursday, February 15, 2018.**

Mr. Joyner stated that the applicant is asking for rezoning approval from Residential 1A to Agricultural. A portion of the property is already zoned Agricultural. All other comments have been addressed.

**Mr. Bratton opened the floor for the public hearing.**

**Since no one was present to speak, Mr. Bratton closed the public hearing.**

**Motion to approve by Mr. Geminden, seconded by Mr. Steve Graves. Motion passed unanimously.**

- 10. BRAYDEN MADISON BROADCASTING LLC – REZONING – REPRESENTED BY WILLIAM CRENSHAW – 4<sup>TH</sup> COMMISSION DISTRICT – (Jerry Foster and Leslie Schell) –** Applicant is requesting to have property located at 1625 Scotty Parker Road, Gallatin, TN be rezoned from Residential 1A to C2 PUD. Subject property is located on Tax Map 104, Parcel 004.01, contains 1 acre, and is currently zoned Residential 1A.

**This is a public hearing.**

**The adjoining property owners were notified by certified mail and was advertised in The Gallatin News on Thursday, February 15, 2018.**

Mr. Joyner stated that the applicant is asking for rezoning approval for property located at 1625 Scotty Parker Road, Gallatin, TN be rezoned from Residential 1A to C2 PUD. Property is not located within any Urban Growth Boundary and is currently zoned Residential 1A with an existing radio station. All other comments have been addressed.

**Mr. Bratton opened the floor for the public hearing.**

**Since no one was present to speak, Mr. Bratton closed the public hearing.**

**Motion to approve by Mr. Honeycutt, seconded by Mr. Kirby. Motion passed unanimously.**

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**Motion to adjourn by Mr. Honeycutt, seconded by Mr. Steve Graves. Motion passed unanimously.**

Meeting Adjourned @ 7:09 p.m.