

**SUMNER COUNTY PLANNING COMMISSION  
MINUTES  
SEPTEMBER 26, 2006  
5:00 P.M.**

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

**MEMBERS PRESENT:**

ANTHONY HOLT, VICE CHAIRMAN  
TOM GROVE  
CORDELL BORDERS  
CECIL RAY  
ROY HIXSON  
CYNTHIA HALL TEMPLETON  
LUTHER BRATTON  
JIM WILLIAMS  
DAVID SATTERFIELD  
BOB HENDRICKS  
SHAWN FENNELL

**MEMBERS ABSENT:**

CHARLES HAYNES, CHAIRMAN  
LEON STRONG  
RALPH COLLIER  
RAGAN HALL

**OTHERS PRESENT:**

MIKE MOULTON, PLANNING DIRECTOR  
RON COOPER, STATE PLANNER  
LISA WILLIAMS, ADMINISTRATIVE ASSISTANT

- **DUE TO THE ABSENCE OF CHAIRMAN HAYNES, VICE-CHAIRMAN HOLT CALLED THE MEETING TO ORDER.**
- **VICE-CHAIRMAN HOLT WELCOMED NEW PLANNING COMMISSION MEMBERS, MR. SHAWN FENNELL AND MR. BOB HENDRICKS.**
- **MOTION FOR APPROVAL OF THE AUGUST MINUTES BY MR. GROVE, SECONDED BY MR. WILLIAMS. MOTION PASSED UNANIMOUSLY.**

1. **PUBLIC HEARING-** THE PURPOSE OF THIS PUBLIC HEARING WAS TO DISCUSS THE POSSIBLE ADOPTION OF **SENATE BILL # 0823 AND HOUSE BILL # 0907** REGARDING ALL CONTRACTORS IN SUMNER COUNTY REQUIRING PERMIT BONDING. THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON SEPTEMBER 1, 2006.

MR. MOULTON READ ALOUD THE PUBLIC NOTICE THAT WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER PERTAINING TO PERMIT BONDING.

VICE-CHAIRMAN HOLT OPENED THE FLOOR FOR THE PUBLIC HEARING AND THERE WAS NO ONE PRESENT TO SPEAK FOR OR AGAINST.

VICE-CHAIRMAN CLOSED THE FLOOR FOR THE PUBLIC HEARING.

GARY HAMMOCK, BUILDING COMMISSIONER CAME FORWARD TO EXPLAIN THE PERMIT BONDING ISSUE. MR. HAMMOCK EXPLAINED WHY HE FELT SUMNER COUNTY DID NOT NEED THE PERMIT BONDING. MR. HAMMOCK STATED THAT THE WAY THE LEGISLATION IS WRITTEN IS NOT CLEARLY DEFINED, FOR BUILDING PERMITS UNDER \$25,000.00 THE BONDING FEE SHALL BE \$10,000.00, BUILDING PERMITS \$25,000.00 OR GREATER THE BONDING FEE SHALL BE \$50,000 FOR CONTRACTORS. SUMNER COUNTY HAS NEVER ISSUED A BUILDING PERMIT FOR \$25,000.00, NOR DO I THINK WE EVER WILL.

MR. HAMMOCK EXPLAINED THAT THE FEEDBACK HE IS RECEIVING FROM THE CONTRACTORS IS THAT THEY DO NOT NEED IT, NOR DO THEY WANT IT. THE WAY THIS LAW SHOULD HAVE BEEN WRITTEN IS THAT IT **SHOULD HAVE BEEN BASED ON CONSTRUCTION VALUE, NOT BUILDING PERMIT FEE.**

MR. HOLT ASKED THE ADVANTAGES AND DISADVANTAGES, AND HIS OPINION OF THE BILL.

THE ADVANTAGES OF HAVING A CONTRACTOR BEING BONDED IS THAT THE HOMEOWNERS WILL HAVE SOME AFFORDABILITY IF THERE IS A SUBSTANTIAL CODE VIOLATION/ PROBLEM. IF THE CONTRACTOR HAS A \$10,000.00 BOND AND THE DAMAGE IS GOING TO BE GREATER THAN THAT, THERE ARE NO ADVANTAGES. THE ONLY WAY THE HOMEOWNER CAN RE-COOP IS TO TAKE THIS TO A CIVIL COURT. THE HOMEOWNER HAS FOUR YEARS TO TAKE THE CONTRACTOR TO COURT AS IT STANDS CURRENTLY. MR. HAMMOCK STATED IN HIS PROFESSIONAL OPINION THAT HE DOES NOT FEEL THAT WE NEED THE PERMIT BONDING.

MR. HAMMOCK STATED THAT WE ISSUE APPROXIMATELY 500 BUILDING PERMITS A YEAR, WITH A ACTIVE FILE OF AROUND 700 RESIDENCES CURRENTLY. WE WILL PROBABLY GET A COMPLAINT A MONTH, TYPICALLY NOT WITH SHODDY WORK ON THE HOUSE BUT ON HOW LONG IT IS TAKING TO FINISH THE HOUSE.

THERE WAS DISCUSSION.

**MOTION BY MR. SATTERFIELD TO SEND THIS BACK TO THE COUNTY COMMISSION AND THAT WE DO NOT RECOMMEND THIS PERMIT BONDING TO PASS, SECONDED BY MR. HIXSON. MOTION PASSED UNANIMOUSLY.**

**2. PUBLIC HEARING-REZONING-SKETCH PLAT-REPRESENTED BY RICHARD GRAVES-( 12<sup>TH</sup> COUNTY COMMISSION DISTRICT) RAGAN HALL WAS REQUESTING TO HAVE HIS PROPERTY REZONED FROM AG TO COMMERCIAL 2 PLANNED UNIT OVERLAY FOR AN A.M. EXPRESS AND FOR PRELIMINARY MASTER DEVELOPMENT PLAN APPROVAL. SUBJECT PROPERTY IS LOCATED AT THE INTERSECTION OF HIGHWAY 31-W AND HIGHWAY 25, COTTONTOWN, TN., CONTAINS 7.67 ACRES, IS TAX MAP 55, PARCEL 25, AND IS ZONED AGRICULTURAL. THIS WAS A PUBLIC HEARING AND WAS ADVERTISED IN THE GALLATIN NEWS EXAMINER ON SEPTEMBER 15, 2006. THE ADJOINING PROPERTY OWNERS WERE NOTIFIED BY CERTIFIED MAIL.**

MR. MOULTON READ THE PUBLIC NOTICE THAT APPEARED IN THE GALLATIN NEWS EXAMINER.

VICE-CHAIRMAN HOLT OPENED THE FLOOR FOR THE PUBLIC HEARING.

MR. BRIAN BILLINGS CAME FORWARD AND ASKED IF HE COULD SPEAK AFTER THE SURVEYOR EXPLAINED THIS REQUEST.

VICE-CHAIRMAN HOLT STATED WE WOULD HAVE TO HAVE A MOTION TO SUSPEND THE RULES TO ALLOW MR. BILLINGS SPEAK AFTER THE PRESENTATION.

**MOTION BY MR. SATTERFIELD, SECONDED BY MRS. TEMPLETON TO SUSPEND THE RULES. MOTION PASSED.**

**9 AYES: SATTERFIELD, TEMPLETON, WILLIAMS, HIXSON, FENNELL, RAY, HENDRICKS, GROVE, AND BORDERS**

**1ABSTENTION: BRATTON**

MR. BRATTON STATED THAT HE WOULD NOT BE VOTING, DUE TO A CONFLICT OF INTEREST.

MR. SATTERFIELD ASKED IF THE LODGE BEHIND THIS PROPERTY WAS NOTIFIED. MR. MOULTON EXPLAINED THAT ALL OF THE ADJOINING PROPERTY OWNERS SURROUNDING THIS PROPERTY ARE TO NOTIFIED PER POLICY.

MOTION BY MR. SATTERFIELD TO POSTPONE THIS REQUEST TO MAKE SURE THE LODGE IS NOTIFIED BY LETTER TO ASSURE THEY KNOW ABOUT THIS REZONING REQUEST, MOTION DIED FOR LACK OF A SECOND.

MR. HENDRICKS ASKED WHAT WAS ALLOWED IN COMMERCIAL 2 ZONING.

MR. MOULTON STATED THE USES ALLOWED IN THE COMMERCIAL 2 ZONING ARE LISTED ON THE MASTER DEVELOPMENT PLAN AND READ THEM ALOUD.

MR. GRAVES CAME FORWARD TO REPRESENT AND EXPLAIN THIS REQUEST. MR. GRAVES EXPLAINED THAT AT FIRST THEY WERE ASKING FOR COMMERCIAL 2 ZONING, BUT HAVE SINCE CHANGED THIS REQUEST TO A COMMERCIAL 2 ZONING WITH A PLANNED UNIT DEVELOPMENT OVERLAY AND PRELIMINARY MASTER DEVELOPMENT PLAN APPROVAL.

MR. MOULTON STATED THAT A COMMERCIAL PLANNED UNIT DEVELOPMENT DOES NOT REQUIRE SEWER, BUT IT DOES REQUIRE THAT THE SOILS AREA BE SUITED, AND THEY HAVE IDENTIFIED SOILS AREA. AS FAR AS THE LANGUAGE OF THE ZONING RESOLUTION OF THE COMMERCIAL 2 PLANNED UNIT DEVELOPMENT OVERLAY THIS DOES MEET STAFF COMMENTS.

MR. COOPER STATED THAT IF YOU RECOMMEND THIS IT WILL BE SOLELY FOR THE PURPOSE OF A QUICK SERVICE MARKET, THE OTHER ACTIVITIES LISTED UNDER THE COMMERCIAL 2 ZONING HAVE NO SIGNIFICANCE.

MR. MOULTON REITERATED THAT IF IN THE FUTURE THEY CHOOSE TO BUILD A HOTEL/MOTEL FOR EXAMPLE THEY WOULD HAVE TO BRING THIS BACK THROUGH THE WHOLE PROCESS.

MR. MOULTON STATED THAT THEIR INTENDED USE IS TO HAVE A QUICK SERVICE MARKET AND SELL GASOLINE. IN THE FUTURE, THEY PLAN TO HAVE A CAR WASH, WHICH IS SHOWN ON THE FOOT PRINT, THAT WOULD BE PART OF THE PRELIMINARY MASTER DEVELOPMENT PLAN. IT IS THE STAFF'S OPINION THAT THEY MEET THE COMMERCIAL 2 REGULATIONS FOR A REZONING, AND THE FACT THAT THEY HAVE CHANGED THIS TO A PLANNED UNIT DEVELOPMENT OVERLAY THAT DOES NOT CONFLICT WITH THE RESOLUTION THAT WAS PASSED IN APRIL 2002.

THERE WAS DISCUSSION.

VICE-CHAIRMAN HOLT STATED THAT IT LOOKS LIKE ABOUT 3 ½ ACRES OF THIS PROPERTY IS BEING USED IF THIS REQUEST IS ACCEPTED AND IS REZONED FOR A CONVENIENCE STORE, THIS IS WHAT WE ARE LOOKING AT TONIGHT. LATER DOWN THE ROAD ON THE 4 ACRES THAT ARE REMAINING IT WOULD TAKE ANOTHER PLANNED UNIT DEVELOPMENT OVERLAY TO REZONE FOR ANY OTHER USE, IT IS BASICALLY DEFAULT ZONED AGRICULTURAL.

MR. MOULTON REPORTED THAT IF THIS IS APPROVED AT THE COUNTY COMMISSION, MR. HALL WOULD THEN HAVE TO COME BACK BEFORE THIS BODY FOR A FINAL MASTER DEVELOPMENT PLAN APPROVAL. AT THIS STAGE WE WILL REQUIRE THE PROPER DOCUMENTATION FROM T.D.O.T. THAT THEY ARE ALLOWING CURB CUTS, INGRESS, EGRESS, ALL THE THINGS THAT ARE ASSOCIATED WITH THE INTERSECTIONS.

THERE WAS EXTENSIVE DISCUSSION.

MR. BRIAN BILLINGS CAME FORWARD TO ASK QUESTIONS AND MAKE CLARIFICATION ON SOME ISSUES. MR. BILLINGS ASKED THE BODY TO ADDRESS WHY THIS IS BEING REZONED TO COMMERCIAL 2 INSTEAD OF COMMERCIAL 1, AND ASKED WHAT THE INTENT WAS CONCERNING THE EXISTING CEMETERY.

VICE-CHAIRMAN HOLT RESPONDED TO MR. BILLINGS QUESTION BY STATING THAT IT IS THE APPLICANTS RIGHT TO ASK FOR ANY TYPE OF REZONING HE MIGHT REQUIRE.

MR. GRAVES ADDRESSED THE QUESTION PERTAINING TO THE CEMETERY, STATING THAT THE ROAD/EASEMENT TO THE CEMETERY WOULD REMAIN.  
MR. GRAVES EXPLAINED THAT THEY ARE STAYING APPROXIMATELY 50 FEET AWAY FROM THE CEMETERY WITH THE PAVEMENT, AND THE CEMETERY WOULD REMAIN WOODED AND STAY THE WAY IT IS NOW BASICALLY.

VICE-CHAIRMAN HOLT CLOSED THE FLOOR FOR THE PUBLIC HEARING.

THERE WAS DISCUSSION.

MR. MOULTON STATED THERE WERE A FEW HOUSEKEEPING ITEMS THAT NEEDED TO BE ADDRESSED, SHOW THE CURRENT ZONING AND TO REFER TO THIS AS A PLANNED UNIT DEVELOPMENT OVERLAY.

MR. BORDERS WONDERED IF THE OWNER BE WILLING TO PUT A PRIVACY FENCE AT THE EDGE OF THE PAVEMENT ON ONE SIDE TO BUFFER THE VIEW OF THE MARKET.

MR. GRAVES STATED THAT THERE WILL BE A RETAINING WALL WITHIN 10 TO 15 FOOT OF THE CEMETERY. THE RETAINING WALL WILL BE 8 TO 10 FOOT HIGH.

MR. MOULTON EXPLAINED THAT THEY WILL HAVE TO BRING THIS BACK BEFORE THIS BODY, IF APPROVED AT THE COUNTY COMMISSION LEVEL AS A FINAL MASTER DEVELOPMENT PLAN, WE COULD GET A LITTLE MORE DETAIL OF ITEMS AT THIS LEVEL, SUCH AS FENCES, ETC.

**MOTION BY MR. HENDRICKS TO RECOMMEND THIS REQUEST TO THE COUNTY COMMISSION WITH TWO CONTINGENCIES THAT THE ZONING IS REFLECTED ON THE PRELIMINARY MASTER DEVELOPMENT PLAN AND LABEL THIS AS A PLANNED UNIT DEVELOPMENT OVERLAY, SECONDED BY MR. GROVE. MOTION PASSED.**

**8 AYES: HENDRICKS, GROVE, FENNELL, BORDERS, HIXSON, RAY, WILLIAMS, AND TEMPLETON**

**1 ABSTAIN: BRATTON**

**1 NAY: SATTERFIELD**

**3. DR. NORMAN SALIBA-FINAL PLAT-** REPRESENTED BY CARROLL CARMAN--(3<sup>RD</sup> COUNTY COMMISSION DISTRICT -THEY WERE REQUESTING FINAL PLAT APPROVAL OF 10 LOTS ON LINDSEY HOLLOW ROAD. SUBJECT PROPERTY IS ON TAX MAP 81, PARCEL 80.01, CONTAINS 18.91 ACRES, AND IS ZONED AGRICULTURAL.

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

MR. MOULTON ASKED MR. CARMAN TO BRIEF THIS BODY ON WHAT THE OWNERS PLANS ARE FOR THE REMAINING 27 ½ ACRES.

MR. CARMAN RESPONDED TO MR. MOULTON QUESTION STATING THAT THE OWNERS PLAN TO SELL THESE IN LARGE TRACTS BY AUCTION. THESE WILL BE SITE BUILT HOMES AND WILL BE 1500 SQUARE FEET.

THERE WAS DISCUSSION.

MR. MOULTON STATED THAT THEY HAVE MET ALL OF STAFF COMMENTS, EXCEPT THEY NEED TO OBTAIN THE 911 ADDRESSES AND ALL SIGNATURES.

**MOTION FOR APPROVAL, CONTINGENT UPON OBTAINING 911 ADDRESSES AND ALL OF THE REQUIRED SIGNATURES, BY MS. TEMPLETON, SECONDED BY MR. HIXSON. MOTION PASSED UNANIMOUSLY.**

**4. KAITY BROOK ESTATES-PHASE FOUR-FINAL PLAT-** REPRESENTED BY CARROLL CARMAN--(1<sup>ST</sup> COUNTY COMMISSION DISTRICT)-THEY WERE REQUESTING FINAL PLAT APPROVAL OF 23 LOTS ON CHRIS DRIVE. SUBJECT PROPERTY IS ON TAX MAP 52, PARCEL 42.03, IS ZONE AGRICULTURAL AND CONTAINS 22.748 ACRES.

MR. CARMAN WAS PRESENT TO REPRESENT AND ANSWER ANY QUESTIONS.

MR. MOULTON STATED THAT ALL OF THE STAFF COMMENTS HAVE BEEN ADDRESSED EXCEPT FOR OBTAINING ALL THE REQUIRED SIGNATURES.

MR. MOULTON STATED THAT THERE ARE SOME ISSUES WITH THE ROAD IN A PREVIOUS PHASE OF KAITY BROOK ESTATES THAT IS SERVICING AN EARLIER SECTION OF THIS PROPERTY. THIS IS A CREEK GRAVEL ROAD, AND IT IS MY UNDERSTANDING THAT HE(DEVELOPER) HAS NOW MET AND EXCEEDED THE PERCENTAGE BUILD OUT THAT WOULD REQUIRE HIM TO BRING THAT ROAD UP TO COUNTY STANDARDS. THIS ROAD IS IN A DIFFERENT SECTION THAN WHAT WE ARE LOOKING AT TONIGHT. MR. MOULTON IS IN NEGOTIATIONS WITH MR. CARMAN THAT WE INSIST THAT THIS DEVELOPER BRING THIS ROAD UP TO COUNTY ROAD STANDARDS. MR. MOULTON EXPLAINED THAT BEFORE THIS PLAT CAN BE RECORDED HE IS GOING TO HAVE TO THIS PREVIOUS PHASE UP TO STANDARDS ON THE COUNTY ROAD.

MR. CARMAN STATED FOR THE RECORD THAT THE ROAD IN THIS PARTICULAR PHASE WILL BE BROUGHT UP TO COUNTY STANDARDS BEFORE THE FINAL PLAT WILL BE SIGNED BY THE PLANNING OFFICE. THIS SHOULD HAPPEN IN THE NEXT THIRTY DAYS.

**MOTION FOR APPROVAL CONTINGENT UPON OBTAINING SIGNATURES, BY MR. BRATTON, SECONDED BY MR. HIXSON. MOTION PASSED UNANIMOUSLY.**

MR. CARMAN STATED THAT THIS DEVELOPMENT WILL BE SITE BUILT.

**5. SOMERSBY-FINAL PLAT-** REPRESENTED BY CARROLL CARMAN--( 11<sup>TH</sup> COUNTY COMMISSION DISTRICT)-THEY WERE REQUESTING FINAL PLAT APPROVAL OF 17 LOTS ON CENTER POINT ROAD AND SOMERSBY LANE. SUBJECT PROPERTY IS ON TAX MAP 139, PARCELS 106, 107 AND 69.05 AND IS ZONED RA.

VICE-CHAIRMAN HOLT STATED THAT THERE ARE THREE PEOPLE THAT WOULD LIKE TO SPEAK, THIS WOULD REQUIRE A MOTION TO SUSPEND THE RULES TO ALLOW THEM TO SPEAK.

**MOTION BY MR. SATTERFIELD, SECONDED BY MR. RAY TO SUSPEND THE RULES TO ALLOW THEM TO SPEAK. MOTION PASSED UNANIMOUSLY.**

MRS. JEANNE TOWE, 2202 CENTER POINT ROAD, CAME FORWARD TO EXPRESS HER CONCERNS ABOUT CAR ACCIDENTS IN THIS AREA, AND PASSED OUT PICTURES OF THE SITE. SHE HAS QUESTIONS ON HOW THEY ARE GOING TO DO THE SEPTIC.

MR. RAY MOORE, 101 CENTER POINT ROAD, CAME FORWARD TO SPEAK ABOUT HIS CONCERN ABOUT THE DRIVEWAYS BEING ON CENTER POINT ROAD AND STATED CONCERN ABOUT DRAINAGE ISSUES BECAUSE OF THE SWAMPY LAND.

MR. ANDREW BOSTINKINE, 1558 GOSHENTOWN ROAD, CAME FORWARD TO EXPRESS HIS CONCERNS ABOUT THE SAFETY ISSUES OF DRIVEWAYS ON LOTS 14, 15, 16 AND 17 ON CENTER POINT ROAD DUE TO THE FACT OF A CURVE IN THE ROAD, AND LIMITED SIGHT DISTANCE

VICE-CHAIRMAN HOLT CLOSED THE PUBLIC HEARING.

MR. CARMAN WAS PRESENT TO EXPLAIN THIS REQUEST. MR. CARMAN EXPLAINED THAT LOT 16 AND 17 ALREADY EXISTED FOR 10 OR 12 YEARS. MR. CARMAN STATED THAT THEY WILL LOOK AT THE SAFETY OF THE ENTRANCE ON LOT 15. MR. CARMAN STATED THEY HAVE AN EXCELLENT SOIL MAP ON THE PROPERTY. THERE IS CITY WATER IN PLACE, THE HOMES WILL BE EITHER ALL BRICK OR STONE HOMES, AND WILL BE 2200 SQUARE FOOT HOMES. MR. CARMAN STATED THAT THERE ARE SOME VERY SMALL STREAMS ON THE PROPERTY THAT YOU CAN STEP ACROSS. MR. CARMAN STATED THAT THEY COULD PUT SIGNS STATING TO SLOW DOWN FOR DRIVEWAY ENTRANCES.

MR. RON COOPER SUGGESTED THAT MR. CARMAN PUT AN EASEMENT ON THE REAR OF LOT #14 FOR INGRESS AND EGRESS FOR LOTS 15 AND 16, THE HOMES WOULD STILL FACE CENTER POINT ROAD.

MR. CARMAN STATED HE COULD PUT AN EASEMENT ON THE REAR OF LOT 14 FOR INGRESS AN EGRESS FOR LOT 15, BUT NOT FOR LOT 16 DUE TO THE FACT THAT WOULD COMPLETELY DESTROY THAT LOT.

MR. MOULTON STATED THAT IF YOU RESTRICT THE DRIVEWAY ON LOT #15 TO THE NORTHERN MOST PART OF THE LOT YOU ARE LOOKING AT BEING ABOUT 400 FEET TO THE CREST OF THE HILL WHICH WILL BE ABOUT THE CENTER OF LOT 17.

MR. CARMAN STATED WE COULD GIVE ACTUAL OWNERSHIP OF LAND OFF THE REAR OF LOT 14 AND 15 TO LOT 16 INSTEAD OF AN EASEMENT.

THERE WAS EXTENSIVE DISCUSSION ABOUT PLACEMENT OF THE DRIVEWAYS.

**MOTION TO DEFER FOR 30 DAYS BY MR. HIXSON TO ALLOW EVERYONE TO GO LOOK AT THE SIGHT, SECONDED BY MR. HENDRICKS. MOTION PASSED UNANIMOUSLY.**

MR. MOULTON STATED THAT THE DRAINAGE CALCULATIONS HAVE BEEN SENT OUT TO MR. CHARLES HASTY FOR INDEPENDENT REVIEW, BUT HAVE NOT REVIEWED HIS STAFF NOTES CURRENTLY.

MR. HENDRICKS STATED HIS CONCERN ABOUT THE DRAINAGE PROBLEMS FOR THIS DEVELOPMENT.

**6. THE ESTATES OF TYREE SPRINGS-FINAL PLAT**-REPRESENTED BY CARROLL CARMAN-(12<sup>TH</sup> COUNTY COMMISSION DISTRICT)-THEY WERE REQUESTING FINAL PLAT APPROVAL OF 20 LOTS ON/OFF TYREE SPRINGS ROAD AND CALLIE'S PLACE. SUBJECT PROPERTY CONTAINS 27.042 ACRES, IS ON TAX MAP 96, PARCEL 83 AND IS ZONED RA.

MR. CARMAN WAS PRESENT TO REPRESENT THIS REQUEST.

MR. MOULTON STATED THAT THEY HAVE MET ALL OF THE STAFF COMMENTS SUBJECT TO SIGNATURES AND 911 ADDRESSES.

THERE WAS DISCUSSION.

MR. CARMAN STATED THE REASON HE DID NOT HAVE THE 911 ADDRESSES IS BECAUSE OF THE FACT THAT CALLIE'S PLACE HAS ALREADY BEEN USED FOR A STREET NAME. WE THEREFORE ARE GOING TO HAVE TO CHANGE THE NAME, TO TYREE TERRACE.

**MOTION FOR APPROVAL CONTINGENT UPON OBTAINING 911 ADDRESSES AND ALL OF THE REQUIRED SIGNATURES BY MR. BRATTON, SECONDED BY MR. HIXSON. MOTION PASSED UNANIMOUSLY.**

**7. CREEKSIDE AT STATION CAMP-PHASE 2B-PRELIMINARY PLAT**-REPRESENTED BY RAGAN-SMITH-(7<sup>TH</sup> COUNTY COMMISSION DISTRICT)-THEY WERE REQUESTING PRELIMINARY PLAT APPROVAL OF 25 LOTS OFF LOWER STATION CAMP CREEK ROAD ON SUGARBERRY ROAD. SUBJECT PROPERTY IS ON TAX MAP 124, PARCEL 42, CONTAINS 6.77 ACRES, AND IS ZONED LOW DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT.

MR. ALAN THOMPSON CAME FORWARD TO REPRESENT THIS REQUEST.

MR. MOULTON STATED THAT THEY HAVE MET ALL STAFF COMMENTS EXCEPT FOR PRESENTATION FOR INDEPENDENT REVIEW. THE DRAINAGE CALCULATIONS HAVE BEEN SENT OUT TO CHARLES HASTY, BUT WE HAVE NOT RECEIVED HIS STAFF COMMENTS CURRENTLY.

THERE WAS DISCUSSION.

**MOTION FOR APPROVAL CONTINGENT UPON SATISFYING ANY ENGINEERING COMMENTS, BY MR. GROVE, SECONDED BY MR. WILLIAMS. MOTION PASSED UNANIMOUSLY.**

**8. ABSHER HILL SUBDIVISION-PRELIMINARY PLAT**-REPRESENTED BY BLUE RIDGE SURVEYING, INC- (1<sup>ST</sup> COUNTY COMMISSION DISTRICT)-THEY WERE REQUESTING PRELIMINARY PLAT APPROVAL OF 9 LOTS ON ABSHER BRANCH ROAD. SUBJECT PROPERTY CONTAINS 20.60 ACRES, IS ON TAX MAP 4, PARCEL 13 AND IS ZONED AGRICULTURAL.

MR. BRIAN REIFSCHNEIDER CAME FORWARD TO REPRESENT THIS REQUEST.

MR. MOULTON STATED THAT THE FIRE HYDRANT THAT IS SHOWN WILL NOT COVER LOTS 8 & 9, THEREFORE THEY WILL NEED ADDITIONAL FIRE HYDRANT COVERAGE AND NEED TO CLARIFY THE ENCLOSED TOPO SIGNATURE ON LOT 8.

MR. MOULTON ASKED MR. REIFSCHNEIDER TO EXPLAIN THE ENCLOSED SIGNATURE ON LOT 8 ON THE TOPO. MR. MOULTON WAS CONCERNED THAT THERE MAY BE SOME GEO TECH ISSUES.

MR. REIFSCHNEIDER EXPLAINED THAT IT WAS AN ERROR IN CONTOURING.

THERE WAS DISCUSSION.

MR. SATTERFIELD QUESTIONED THE 40 FOOT RIGHT-OF-WAY.

MR. MOULTON STATED HE HAD NOT NOTICED THAT, AND IT WOULD HAVE TO BE A FIFTY FOOT RIGHT-OF-WAY.

MR. REIFSCHNEIDER EXPLAINED THAT THEY WILL BE CUSTOM BUILT HOMES, BRICK AND VINYL SIDING.

VICE-CHAIRMAN ASKED IF HE WOULD INCLUDE THE SIZE OF THE HOMES ON YOUR PLAT.

MR. MOULTON STATED THAT IT IS DOUBTFUL THAT THERE WILL BE ENOUGH WATER FOR THE FIRE HYDRANTS, YOU WILL HAVE TO ESCROW THOSE TWO FIRE HYDRANTS. THE MINIMUM P.S.I. FOR THE COUNTY IS 500.

**MOTION FOR APPROVAL CONTINGENT UPON SATISFYING ALL STAFF COMMENTS BY MR. SATTERFIELD, SECONDED BY MR. GROVE. MOTION PASSED UNANIMOUSLY.**

**9. SPENCER SPRINGS-PRELIMINARY PLAT**-REPRESENTED BY BRUCE RAINEY-(3<sup>RD</sup> COUNTY COMMISSION DISTRICT)-THEY WERE REQUESTING PRELIMINARY PLAT APPROVAL OF 50 LOTS OFF BARRY LANE. SUBJECT PROPERTY CONTAINS 50.48 ACRES, IS ON TAX MAP 127, PARCEL 36, AND IS ZONED R1A.

MR. RAINEY CAME FORWARD TO REPRESENT THIS REQUEST.

MR. RAINEY STATED THAT THE ROAD AND DRAINAGE PLANS WILL BE DELIVERED TO MR. MOULTON TO BE REVIEWED BY HIS CONSULTANT SHORTLY.

THERE WAS DISCUSSION.

MR. MOULTON STATED THAT THIS DOES NEED TO GO TO THE ZONING BOARD OF APPEALS DUE TO THE FACT THAT IT IS A CLUSTER OVERLAY. MR. RAINEY WILL BE SCHEDULED TO APPEAR BEFORE THE ZONING BOARD OF APPEALS IN OCTOBER 2006.

**MOTION FOR APPROVAL CONTINGENT UPON STAFF COMMENTS BY MR. GROVE, SECONDED BY MR. HENDRICKS. MOTION PASSED.**

**9 AYES: GROVE, HENDRICKS, BORDERS, RAY, HIXSON, TEMPLETON, BRATTON, WILLIAMS, AND FENNELL**

**1 ABSTAIN: SATTERFIELD**

**OTHER BUSINESS:**

- **DRAKES POINT IS REQUESTING A VARIANCE ON THE SIDEWALK STREETScape.**

MR. MOULTON EXPLAINED THAT WE APPROVED DRAKES POINT MASTER DEVELOPMENT PLAN AND WHITE HOUSE UTILITY INSTALLS THE WATER AND THE FIRE HYDRANTS, IN THE TYPICAL CROSS SECTION OF A STREET, THEY HAD TO SHOW A DIFFERENT CONFIGURATION FROM THE CURB TO THE SIDEWALK AND BEHIND THE SIDEWALK FOR THE FIRE HYDRANTS. I HAVE ASKED RAGAN SMITH TO CHANGE THE CONFIGURATION OF THAT SPACE BECAUSE THE FIRE HYDRANTS WOULD BE ALMOST IN THE CENTER OF THE SIDEWALKS. THEY HAVE CHANGED THE GRASSY STRIP 3 FEET, THEN THE SIDEWALK, THEN ANOTHER 3 FOOT 6 INCH GRASSY STRIP WHICH WOULD BE WHERE THE FIRE HYDRANTS WILL BE LOCATED.

VICE-CHAIRMAN HOLT ASKED HOW THIS WOULD AFFECT THE LANDSCAPING.

MR. THOMPSON STATED THAT THE STREET TREES WOULD BE LOCATED BEHIND THE SIDEWALKS.

THERE WAS DISCUSSION.

**MOTION FOR APPROVAL TO GRANT THIS VARIANCE BY MR. GROVE, SECONDED BY MR. WILLIAMS. MOTION PASSED UNANIMOUSLY.**

**MEETING ADJOURNED AT 7:00 P.M.**