

MINUTES
HENDERSONVILLE REGIONAL PLANNING COMMISSION
TUESDAY, MAY 3, 2011
6:30 P.M. – CITY HALL MEETING ROOM

Chairman Freudenthal called the meeting to order at 6:30 p.m. in the City Hall Meeting Room, 101 Maple Drive North, Hendersonville, TN.

ROLL CALL:

Present: Don Ames, Lori Atchley, Mark Bristol, Bob Freudenthal, David Jenkins, Bryant Millsaps and Darlene Stringfellow. Absent: Tommy Elsten, Ann Massey and Frank Pinson. Also present: Fred D. Rogers, Jr., Planning Director; Lisa D. Milligan, Senior Planner; Timothy D. Whitten, Planner/Landscape Architect; Jerry Horton, Public Works Director; Nate Renzella, Fire Inspector; and Georgie Mathis, Administrative Clerk.

PUBLIC HEARING: None

REQUEST FOR INFORMATION AND ASSISTANCE:

Phyllis Reaver at 240 lake Valley Road requested permission to speak and to allow others to speak regarding proposed amendment to Final Plat for the Re-subdivision of Cumberland Hills, Lot 10, Section J & Lot 14, Section "H" to change the minimum building setback line on the northern side of Lot 2 to 20 feet.

Mr. Reaver presented Chairman Freudenthal with a petition of property owners in the Cumberland Hills Re-Subdivision opposing any change of the present 50 feet side building setback lines as requested by Mr. Lynn Ealey for Lot # 2 (Map 164M, Parcel 12.01).

ADDITIONS TO AGENDA: None

MINUTES:

MOTION BY Atchley and was SECONDED BY Millsaps to approve the Hendersonville Regional Planning Commission Minutes of April 5, 2011. Ames, Atchley, Freudenthal, Millsaps and Stringfellow voted aye. Nay: None. Abstain: Bristol and Jenkins. Absent: Elsten, Massey and Pinson. Motion carried

CONSENT AGENDA ITEMS:

11-030-001: FINAL PLAT, WINDSTAR BAY, SECTION 4A: MOTION BY Millsaps and was SECONDED BY Jenkins to approve Final Plat, Windstar Bay, Section 4A with all staff comments as listed below. Ames, Atchley, Bristol, Freudenthal, Jenkins, Millsaps and Stringfellow voted aye. Nay: None. Absent: Elsten, Massey and Pinson. Motion carried.

Planning Department

1. No comment.

Submitted by Lisa Milligan, AICP, Senior Planner (April 29, 2011)

Fire Department

1. Hendersonville Fire Department recommends approval.

Submitted by Nate Renzella, Fire Inspector (April 29, 2011)

Public Works Department

1. No policy issues.

Submitted by: Duane Allen, Assistant to City Engineer (April 29, 2011)

Utility District

1. Approval for Planning
2. Need Utility Plans
3. Tap and Capacity fees due

Submitted by: Larry Davis, HUD (April 29, 2011)

11-031-001: SITE PLAN, ELECTRIC SERVICE CREDIT UNION, 270 INDIAN LAKE BLVD: MOTION BY Millsaps and was SECONDED BY Jenkins to approve Site Plan, Electric Service Credit Union, 270 Indian Lake Blvd with all staff comments as listed below. Ames, Atchley, Bristol, Freudenthal, Jenkins, Millsaps and Stringfellow voted aye. Nay: None. Absent: Elsten, Massey and Pinson. Motion carried.

Planning Department

STAFF REPORT

This project is located on the north-east corner of the Indian Lake Boulevard/Saundersville Road intersection. It is within the Indian Lake Village Planned Unit Development. It was first approved by the Planning Commission on 1/5/10. Since then, the applicant has reduced the size of the proposed building and the associated parking lot. The general layout is very similar to the original approval. The building architecture is completely changed, including going from a pitched roof building to a flat roof building with parapet walls.

STAFF COMMENTS

1. Provide an electric service plan approved by NES.

Submitted by Timothy Whitten, Planner/Landscape Architect (April 29, 2011)

Public Works Department

1. No policy issues.

Submitted by Duane Allen, Assistant to City Engineer (April 29, 2011)

Fire Department

1. Hendersonville Fire Department recommends approval.

Submitted by Nate Renzella, Fire Inspector (April 29, 2011)

Utility District

1. Approval for Planning
2. Tap and Capacity fees due

Submitted by Larry Davis, HUD (April 29, 2011)

FINAL PLATS:

PROPOSED AMENDMENT TO FINAL PLAT FOR THE RE-SUBDIVISION OF CUMBERLAND HILLS, LOT 10, SECTION "J" & LOT 14, SECTION "H" TO CHANGE THE MINIMUM BUILDING SETBACK LINE ON THE NORTHERN SIDE OF LOT 2 TO 20 FEET.

Phyllis Reaver, Donna Bond and Austin Bond were allowed to speak on behalf of the property owners in the Cumberland Hills Subdivision who oppose any change of the present 50 feet as requested by Mr. Lynn Ealey for Lot # 2 (Map 164M, parcel 12.01). A petition of the property owners was presented to Chairman Freudenthal.

MOTION BY Jenkins and was SECONDED BY Atchley to approve the plat amendment with the building line along the northern side of Lot 2 to be 30 feet, and with staff report as listed below and followed by more discussion.

MOTION BY Don Ames to amend the building line along the northern side of Lot 2 from 30 feet to 40 feet and died for lack of a second.

Atchley, Bristol, Freudenthal, Jenkins, Millsaps and Stringfellow voted aye. Nay: Ames.
Absent: Elsten, Massey and Pinson. Motion carried.

Planning Department

STAFF REPORT

Application has been made to amend the recorded plat titled "Re-Subdivision of Cumberland Hills Lot 10, Section "J" and Lot 14, Section "H" to decrease the setback on one side of the corner lot. The lot is situated in a 90 degree curve of Lake Valley Road and has 2 frontages. The currently recorded plat shows a 50 foot minimum setback line on both frontages. The applicant is requesting that the setback on the northern side of the lot be reduced to 20 feet. The front setback would remain at 50 feet.

The lot is currently zoned R-15 and per the City of Hendersonville Zoning Ordinance the required setbacks for this lot would be front 30, front (side) 15; side 10; and rear 20. The original developer of the property chose to establish the setbacks at 50 feet.

The applicant has stated that he would like to have the setbacks decreased in order to be able to better fit a home on the oddly shaped lot. Attached are plans showing 2 proposed layouts, the 1st with the existing setbacks and the 2nd with the proposed setbacks.

Most of the homes immediately surrounding the lot in question sit much further back from the street than required by the platted setbacks. Most of these lots are also 2 acres in size or greater

whereas the lot in question is 1.27 acres. See attached aerial photographs. There is one home located at 144 Rolling Hills Road that is a corner lot, similar to the lot in question. This lot has a front setback of 50 feet and a side street setback of 30. It could be possible for the applicant to adjust the requested setback to 30 feet to be consistent with this existing lot.

The applicant has contacted 5 of the surrounding property owners as directed by Planning Staff. Two of the owners (immediately adjacent to the south and west) do not oppose the requested change. There is opposition from neighbors across the street from the lot in question.

The Planning Commission may grant this reduction in setback through a plat amendment if it is deemed appropriate.

Submitted by Lisa Milligan, AICP, Senior Planner (April 29, 2011)

PRELIMINARY AND FINAL MASTER DEVELOPMENT PLANS: None

SITE PLANS: None

SKETCH PLATS: None

PRELIMINARY PLATS: None

REZONING REQUEST: None

STAFF APPROVED PROJECTS: None

OTHER: None

ADJOURNMENT:

MOTION BY Millsaps and was SECONDED BY Atchley to adjourn the Hendersonville Regional Planning Commission Meeting at 7:10 p.m. Ames, Atchley, Bristol, Freudenthal, Jenkins, Millsaps and Stringfellow voted aye. Nay: None. Absent: Elsten, Massey and Pinson. Motion carried.

LORI ATCHLEY, Secretary

BOB FREUDENTHAL, Chairman

FRED D. ROGERS, JR., Planning Director