



**City of Millersville Planning Commission
Regular Meeting Agenda
Tuesday, November 13, 2018 5:00 pm
Commission Chambers**

- 1) Call to Order
- 2) Invocation
- 3) Pledge of Allegiance
- 4) Roll Call
- 5) Disclosure of Ex-parte Communications
- 6) Approve the Minutes of the Planning Commission Meeting(s):
 - a) October 9, 2018
- 7) Public Comments (Limited to 3 minutes per speaker for items on this agenda)
- 8) Action Item(s):
 - a) Plat Amendment of Lot 65 Deep Wood Glen Section 3 (RC Map 126P Group A Parcel 037.00)
 - b) Reconsideration of Zoning Designation Assignment for a 26.0 ac portion of RC Map 125 Parcel 177.00 from R-5 to R-4
 - c) Rezoning a portion of 7625 Darby Rd (SC Map 118 Parcel 004.00) from R-2 to R-3
- 9) Development Services Department Report
 - a) Planning Commissioner Training – November 26, 2018 5:00 pm
 - b) Board of Zoning Appeals Meeting Summary
 - c) Planning & Zoning Activities
- 10) Commissioners Comments & General Discussion
- 11) Public Comments (Limited to 3 minutes per speaker for only items not on this agenda)
- 12) Next Planning Commission Meeting is scheduled for January 15, 2019
- 13) Adjournment

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Recorder at 615-859-0880 at least 72 hours prior to the meeting.



**City of Millersville Planning Commission
Meeting Minutes
Tuesday, October 9, 2018 5:00 pm
Millersville City Hall**

- 1) **Call to Order:** Chairman Fox called the October Meeting of Planning Commission to order at 5:00 pm.
- 2) **Invocation:** Lead by Secretary Gregory.
- 3) **Pledge of Allegiance:** Lead by Chairman Fox.
- 4) **Roll Call:** Secretary Gregory called the roll of Commission; a quorum was present and included the following:

Commission Present:

Mr. Frank Fox
Mr. Larry Petty
Mr. David Gregory
Mr. Keith Bell
Mr. Lee Smith
Mr. Brent Uldrich
Mrs. Deborah Wade

Staff Present:

Mr. Michael Barr
Mrs. Michelle Bernard

- 5) **Disclosure of Ex-parte Communications:** No comments were made.
- 6) **Approve the Minutes of the Planning Commission Meeting(s):**
 - a) **September 11, 2018:**

Chairman Fox requests the Commission to approve the September 11, 2018 Meeting Minutes.
Mr. Bell made the motion to “approve the September 11, 2018 Meeting Minutes as presented.” Secretary Gregory seconded the motion.
Motion carried by Unanimous Vote
- 7) **Public Comments (Limited to 3 minutes per speaker for items on this agenda):**

No comments were made.
- 8) **Action Item(s):**
 - a) **Site Plan for 106 Long Drive – SwingLift Transport Services:**

Mr. Barr stated that the applicant is proposing to construct a shipping container storage and sales center and light manufacturing facility on a portion of this parcel located on Long Drive. No additional buildings are proposed at this time. The site work proposed is limited to cut & fill to create flat areas for storage, staging, and manufacturing of shipping containers and modified containers. These modifications include creating temporary construction offices, etc. The home on the parcel is to remain as a residence and business office. A minimal number of customers are expected at this location.

The driveway and steep sections of the graded areas will be paved while other areas are proposed to be finished with gravel. The stormwater system is designed to accommodate these surfaces. Appropriate buffers will remain.

The use and design are appropriate with and conform to the parcel's zoning designation of Light Industrial and General Office LI-1.

Mr. Barr is recommending "conditional" approval by the Planning Commission of the Site Plan for the subject project. Mr. Bell made the motion that they "conditionally" approve the Site Plan based on the City's Engineers final acceptance of the Site Plan.

Vice Chairman Petty seconded the motion. Mr. Smith mentioned to the applicant that he is looking forward to this project. **Motion carried by Unanimous Vote.**

b) Amend Code of Ordinances Chapter 90 Section 90-174 Design review standards for residential fences:

Mr. Barr stated that the City Commission requested the previously recommended revisions to residential fence standards to be returned to the Planning Commission for reconsideration. The City Commission had concerns about the definition of "front yard" and its application in this amendment.

According to the City Code of Ordinances, any area between the principal structure and any public road or right-of-way is considered "front yard" including corner lots and properly abutting multiple roads.

As such, staff has revised the language to address these concerns. Language was added that separately defines "front yard" in the context of this section. The "front yard" is the area between the principle structure's front elevation including the primary entrance to the structure and the Public road or right-of-way.

Previous comments: "City staff have recently encountered multiple issues regarding fences in residential districts. Currently there are very minimal standards for fences. Staff has reviewed other municipalities' codes and have developed minimal standards that can be reasonably followed. In particular, fences are proposed to be prohibited in public right-of-ways and front yard utility & drainage easements."

Mr. Barr is recommending approval by the Planning Commission to recommend approval by the City Commission to amend Chapter 90 Section 90-174.

Mr. Bell made the motion to amend Code of Ordinances Chapter 90 Section 90 -174 Design review standards for residential fences to include the recommendation of having a building permit. Secretary Gregory seconded the motion. **Motion carried by Unanimous Vote.**

c) Replat of Lot 2 of the Howard W. Carter Subdivision Plat:

Mr. Barr stated that the owner of the subject parcel is requesting to replat Lot 2 of the Carter Subdivision to remove certain easements and adjust minimum setback limits.

This parcel has a very old house that has been partially demolished. This house did not meet multiple zoning requirements for the lot. In order to build a new home on the property line, the owner proposes to realign a utility easement that previously served the home on Lot 1 which has recently been removed. Further, a reduction of the minimum front setback is necessary to allow for a new home to be constructed considering the topography of the lot.

The zoning of the parcel is Residential R-3. This replat will continue to generally conform to this zoning designation.

Mr. Barr is recommending approval by the Planning Commission to replat Lot 2 of the Howard W. Carter Subdivision.

Mr. Bell made the motion to approve the replat of Lot 2 of the Howard W. Carter Subdivision Plate. Vice Chairman Petty seconded the motion. **Motion carried by Unanimous Vote.**

8) Development Services Department Report:

a) Planning Commission & BZA Member Annual Training: Mr. Barr reminds the Commission about the annual training that will be held on November 26, 2018.

b) Board of Zoning Appeals Meeting Summary – None.

c) Planning & Zoning Activities: Mr. Barr stated that they are working with a couple of annexations/zoning, as well as administration work regarding our Ordinances. Mr. Barr stated he's getting great help from our new Building Inspector, Mr. Pieri.

10) Commissioners Comments & General Discussion: No comments were made.

11) Public Comments (Limited to 3 minutes per speaker for only items not on this agenda): No comments were made.

12) Next Planning Commission Meeting is scheduled for November 13, 2018.

13) Adjournment:

Mrs. Wade made the motion to adjourn, seconded by Mr. Bell.

Motion carried by Unanimous Vote.

Meeting adjourned at 6:40 pm.

Chairman Frank Fox

Secretary David Gregory

Recording Secretary Michelle Bernard

Approval Date



City of Millersville Development Services

Planning Commission Item #8a

Summary & Recommendation

Date: November 13, 2018

Reviewer: Michael Barr, Development Services Director

Subject: Replat of the Lot 65 of the Final Plat of Deep Wood Glen Sec III aka 201 Glenwood Dr (RC Map 126P Group A Parcel 037.00).

Background: The owner of the subject parcel is requesting to replat Lot 65 of the subject subdivision. This Plat Amendment is proposed to reduce the minimum front setback from 40 ft to 23 ft and the minimum side setback from 20 ft to 7 ft. The original minimum setbacks were established by the Subdivision Plat in 1988 by the developer and approved by Robertson County. The city annexed this subdivision at a later date. The proposed setbacks do not meet the smallest minimum front or side setbacks of any residential zoning district in the city, 25 ft and 12 ft, respectively.

The owner is proposing to amend the platted lot by an allowance for subdivision modifications as identified in the Covenants and Restrictions. However, the Covenants and Restrictions expired on September 20, 2016. The owner is actively seeking to reinstate the expired Covenants and Restrictions, but only for Section III. It appears this reinstatement can be accomplished by the approval of at least 51% majority of the lot owners. Once the C&R's are reinstated, the applicant will need at least 2/3 of the lot owners to approve the Plat Amendment to reduce the Minimum Setbacks.

Attachments: Proposed Plat Amendment for Lot 65 of the Final Plat of Deep Wood Glen Section III
Proposed for reinstatement Deep Wood Glen Section III Covenants & Restrictions
Map of the Deep Wood Glen Section III vicinity.

Public Notice Sign Posted: n/a

Recommendation: None

Conditions, if any: Approvals by a minimum of lot owners of both the Covenants & Restrictions reinstatement as well as the Plat Amendment per their respective requirements. Additionally, the executed Covenants & Restrictions must be recorded prior to the City's execution of the Plat Amendment.

This instrument prepared by:
Bruce Rainey & Associates
116 Maple Row Boulevard
Hendersonville, TN 37075

**Amendment to the recorded plat of
Deep Wood Glen
SECTION 3 , LOT 65
Of record in
Plat Book 6, Page 60 R.O.R.C., Tn.**

WHEREAS, the Owner of Lot 65 wishes to amend the said plat to change the front minimum building setback line and and the side setback line and,

WHEREAS, The City of Millersville Planning Commission has now approved this amendment as a minor amendment to the recorded plat and ,

WHEREAS, The Restrictive Covenants of Deep Wood Glen Section 3 were reinstated and extended as evidenced in Book____, Page _____ R.O.R.C.,Tn and,

WHEREAS, the Undersigned property owners of said Deep Wood Glen Section 3 pursuant to the Restrictive covenants, at least two thirds of the property owners have consented to these setback line changes,

NOW THEREFORE, it is provided that Lot 65 of Deep Wood Glen Section 3 of record in Plat Book 6, Page 60 R.O.R.C.,Tn. is amended to change the front minimum setback line from 40' to 23' and the side setback line from 20' to 7'as shown on the attached plan, "Exhibit A".

Owner Lot No. 65
William M. Nash
(Record Book 1820, pg.446 R.O.R.C.,Tn.)

Lot Owner initials : Lot 57____; Lot 58____; Lot 59____; Lot 60____, Lot 61____,
Lot 62____; Lot 63____; Lot 64____; Lot 65____; Lot 66____; Lot 94____;
Lot 95____; Lot 96____; Lot 97____; Lot 98____; Lot 99____; Lot 100____;
Lot 100-A____; Lot 101____; Lot 102____, Lot 103____; Lot 104____; Lot 105_____.

STATE OF TENNESSEE
_____ COUNTY

Before me the undersigned, as Notary Public of the State and County aforementioned, personally appeared _____ with whom I am personally acquainted and who upon, acknowledged himself to be the owner of Lot 65, Deep Wood Glen Section 3, who executed the forgoing instrument for the purpose herein described.

Witness my hand and seal at _____ this the _____ day of _____, 2018

Notary Public

My Commission expires: _____

The Millersville Planning Commission joins in the instrument for the purpose of approving said amendment in accordance with "Exhibit A" Deep Wood Glen Section 3

Approval For Recording

Date _____ City of Millersville – Secretary of Planning Commission

Subscribed to and sworn to before me this _____ day of _____, 2018

Notary Public

My Commission Expires: _____

As, The Lot Owner of Lot _____ of Deep Wood Glen sec. III ,I wish to approve the setback changes shown on this plat amendment and to amend the Restrictive Covenants to allow these setback line changes.

Date:

Owner

Owner

Book _____, page _____ R.O.R.C., Tn.

STATE OF TENNESSEE
SUMNER COUNTY

Before me the undersigned, as Notary Public of the State and County aforementioned, personally appeared _____ with whom I am personally acquainted and who upon, acknowledged himself to be the owner of Lot ____, Deep Wood Glen Section III, who executed the forgoing instrument for the purpose herein described.

Witness my hand and seal at _____ this the _____ day of _____, 2018

Notary Public

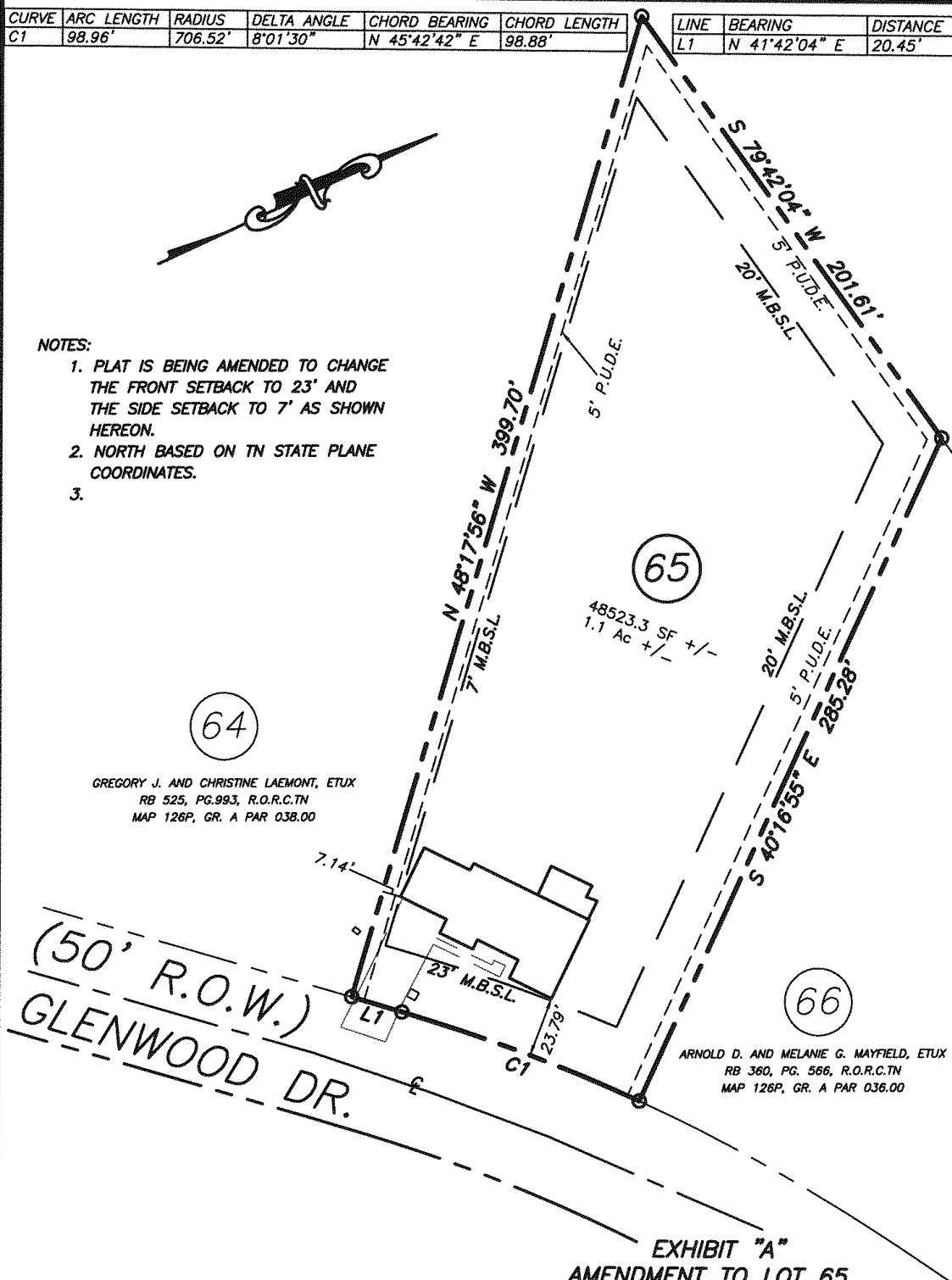
My Commission expires: _____

SIGNATURE PAGE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	LINE	BEARING	DISTANCE
C1	98.96'	706.52'	8°01'30"	N 45°42'42" E	98.88'	L1	N 41°42'04" E	20.45'

NOTES:

1. PLAT IS BEING AMENDED TO CHANGE THE FRONT SETBACK TO 23' AND THE SIDE SETBACK TO 7' AS SHOWN HEREON.
2. NORTH BASED ON TN STATE PLANE COORDINATES.
- 3.



GREGORY J. AND CHRISTINE LAEMONT, ETUX
RB 525, PG.993, R.O.R.C.TN
MAP 126P, GR. A PAR 038.00

ARNOLD D. AND MELANIE G. MAYFIELD, ETUX
RB 360, PG. 566, R.O.R.C.TN
MAP 126P, GR. A PAR 036.00

EXHIBIT "A"
AMENDMENT TO LOT 65
OF
DEEP WOOD GLEN
SECTION 3

OF RECORD IN P.B. 6, PAGE 60-61, R.O.R.C., TN
DATE : OCTOBER 09, 2018

SCALE : 1" = 50'

PREPARED BY :



LAND DEVELOPMENT CONSULTANTS
116 MAPLE ROW BLVD.
HENDERSONVILLE, TN. 37075
Phone 615-822-0012
Fax 615-824-1487

JOB NO. 180097

This instrument prepared by:
Bruce Rainey and Associates
116 Maple Row Boulevard
Hendersonville, Tennessee 37075

REINSTATEMENT OF
COVENANTS AND RESTRICTIONS
DEEP WOOD GLEN SEC. III

The covenants and restrictions of DEEP WOOD GLEN SEC. III were recorded October 3, 1986 in Deed Book 277, page 567-575 R.O.R.C., TN (Exhibit A attached). These covenants and restrictions were extended until September 20, 2016 as recorded in Record Book 1127, pages 272-312 R.O.R.C., TN. These covenants and restrictions included DEEP WOOD GLEN Sections I, II, and III. This reinstatement is amended to apply only to DEEP WOOD GLEN SEC III. A revised Legal Description is attached as Exhibit B; and

The current owners of the lots within Deep Woods Glen Sec III are as follows:

Lot 57 – David and Erica Mierop, Etux 204 Winding Way
Lot 58 – Kenneth S. Elmore 106 Glenwood Dr.
Lot 59 – Thomas and Judy G Carey 104 Glenwood Dr.
Lot 60 – Paul W. Hogan, Etux 102 Glenwood Dr
Lot 61 – James Richard Pemberton, Jr. 103 Glenwood Dr
Lot 62 – Joe Duane and Janet M. Wray, Etux 105 Glenwood Dr.
Lot 63 – Chelsea A. Wright 107 Glenwood Dr
Lot 64 – Gregory J. and Christine Laemont 109 Glenwood Dr.
Lot 65 – William M. Nash 201 Glenwood Dr.
Lot 66 – Arnold D. and Melanie G. Mayfield 203 Glenwood Dr.
Lot 94 – Patrick Andrew Baxter 205 Glenwood Dr.
Lot 95 – James M and Farris O. Cook 207 Glenwood Dr
Lot 96 – Eric S. and Mendy L Anderson 209 Glenwood Dr.
Lot 97 – Justin N and Katie L Wilbur, Etal 211 Glenwood Dr.
Lot 98 – Stephen P. and Jo Ann M Lampe 213 Glenwood Dr.
Lot 99 – Emaly Boyd Thompson 215 Glenwood Dr.
Lot 100 – Steven K Howren 217 Glenwood Dr.
Lot 100-A– Helen D. Nash 214 Glenwood Dr.
Lot 101 – Richard N. Tippit, Etux 212 Glenwood Dr.
Lot 102 – Brian Dunn, Etux 210 Glenwood Dr.
Lot 103 – Garrett O. and Kristin M. Speer 208 Glenwood Dr.
Lot 104 – Judy G. Meadows 206 Glenwood Dr.
Lot 105 – Michael Dean and Laura R. Stewart 204 Glenwood Dr.

The owners shown on the attached signature pages wish to reinstate the Covenants and Restrictions for this Subdivision Deep Wood Glen Section III as prescribed in the original restrictions for 10 years with automatic 10 year extensions until November 13, 2048.

The owners' signatures represent at least 51% of the current owners of lots within Deep Wood Glen Section III Subdivision as recorded in Plat Book 6 page 60 R.O.R.C., TN. (attached Exhibit C)

Lot Owner initials: Lot 57____; Lot 58____; Lot 59____; Lot 60____, Lot 61____,
Lot 62____; Lot 63____; Lot 64____; Lot 65____; Lot 66____; Lot 94____;
Lot 95____; Lot 96____; Lot 97____; Lot 98____; Lot 99____; Lot 100____;
Lot 100-A____; Lot 101____; Lot 102____, Lot 103____; Lot 104____; Lot 105____.

Exhibit A

sfc302:9/18/86

This instrument prepared by:
DEARBORN & EWING
One Commerce Place, Suite 1200
Nashville, Tennessee 37239

(2)

COVENANTS AND RESTRICTIONS

The following listed covenants and restrictions are hereby declared as covenants running with the land and binding upon the property owned by H. Ted Jones and Jane D. Jones described on attached Exhibit A (hereinafter the "Property"), which exhibit is incorporated by reference as fully as if copied herein, and upon all subsequent owners thereof in any capacity whatsoever, until the 20th day of September, 2006; and subject to extension thereafter in intervals of ten years by a vote of the owners of 51 percent of the lots within said area; but with the understanding and agreement that any of said restrictions may be changed or altered upon the written consent of the owners of two-thirds of the lots to which the restrictions are applicable, which said instruments of extension or instruments of change and consent shall be duly acknowledged and recorded in the Register's Office of Robertson County, Tennessee, in order to become effective. The term "Grantor" as used herein refers H. Ted Jones and Jane D. Jones. The term "Developer" as used herein refers to Ferriell-Lorenz Development Co., a Kentucky partnership, which has contracted to buy the Property and is planning to develop the Property into a subdivision to be known as Deepwood Glen.

1. All of the lots in the Property, hereinafter referred to as the "Subdivision," are to be used for single family residential purposes exclusively. No residential structure shall be erected, altered, placed or permitted to remain on any such lot other than detached single family dwellings not to exceed two stories in height. All duplexes or multi-unit buildings are expressly prohibited.

2. No building or any part thereof, including porches, or steps, shall be erected on any lot in the Subdivision except as the location thereof is approved by Developer, and shall not be closer than ten feet, or such greater distance as may be required by law or regulation, to the front lot line, either side lot line, or the rear lot line.



3. Not more than one residence may be maintained on any one lot in the Subdivision. No such lot shall be further subdivided, resubdivided, altered or changed so as to produce less area than established by the aforementioned plat.

4. No illegal use of any kind shall be made of or carried on upon any lot in the Subdivision, no noxious or offensive trades, services or activities shall be conducted thereon, nor shall anything be done thereon which is or may become a nuisance or annoyance to the neighborhood. No business, trade, profession or commercial activity of any kind shall be conducted on any such lot. This restriction shall not, however, prevent members of the recognized professions from receiving the usual and ordinary calls at their homes, so long as they do not maintain offices for consultation or treatment on any such lot. No buses, trucks, or vehicles other than operating customary private passenger vehicles, shall be parked on any such lot, or on the street in front of any such lot.

5. No vehicle of any type, including boats and similar water-craft, shall be dismantled for repair or painting on any lot in the Subdivision, except where the same is carried out inside a garage or basement, and no boat or water-craft shall be stored on any such lot without appropriate screening of the area.

6. No used building materials shall be placed on any lot in the Subdivision except for purposes related to the forming, scaffolding or layout work on structures on said lots, excepting unpainted clay, brick and/or stone; provided, however, that such may be there under limited conditions with the express written permission of Developer.

7. No contractor, builder or homeowner will be permitted to store building materials and/or construction machinery on any lot in the Subdivision for a period in excess of 30 days before actual construction starts. Residences or additions thereto must be completed within a period of ten months from the date construction work commences. Additional time may be extended by permission from the Developer and Grantor in the event of a hardship case. During any period of

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initial construction or additions, repairs or remodeling, the contractors, builders and/or homeowners will be responsible for keeping all construction waste and litter from being moved to, scattered upon, or blown upon the property of another, or scattered about the site of the construction in an unsightly manner.

8. Contractors, builders and owners of lots in the Subdivision will not be permitted to stock pile mounds of dirt, sod, stumps, trees or other items of a similar nature on any such lots. Any owner of such a lot shall be responsible for keeping the weeds and grass trimmed to a height of no more than five inches during the entire period of ownership. Failure to comply will give the Developer the right to have it mowed at the expense of the owner.

9. No mailboxes other than conventional mailboxes approved by the United States Post Office Department, and mailbox posts of a type approved by Developer, may be used on any lot in the Subdivision. Materials used for flower-bed borders, driveway borders, fences, bar-b-que pits, and the like shall be subject to the approval of Developer. No exterior clothes lines, posts, racks or dryers of any kind shall be erected or maintained on any such lot. No fence shall be erected on any such lot closer to the street than the front corners of the house located on such lot. Chain link and chain mesh fences are expressly prohibited on all lots. All fencing of any other type must be approved in writing in advance by Developer. Swimming pools for the use of the residents of a house on any lot in the Subdivision and their guests may be constructed on any such lot provided that: (1) the location, plans and specifications thereof are approved by the Developer; (2) the applicable laws, ordinances, rules and regulations of governmental agencies are complied with, and all necessary governmental permits are obtained; (3) such construction is not commenced until after construction of the house thereon has begun; and (4) any swimming pool shall be enclosed by a fence at least four feet high. Should a residence with a pool become vacant for more than three weeks, the owner thereof shall see that such pool is drained and remains drained while vacant.

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10. Flower beds, garden plots and the like located on any lot in the Subdivision shall be maintained in such a manner that erosion will not cause mud or debris to wash on driveways, streets, and neighboring property; and immediately following the harvest season of any articles in such flower beds or gardens, all stalks, sticks, supports and the like shall be removed. The height of shrubs along streets and driveways at or near the public streets shall be kept trimmed so as to not constitute a safety hazard to persons entering or leaving such premises or persons located thereon. All lots shall have a landscaping plan approved by Developer.

11. No structure of any kind on any lot in the Subdivision, except a dwelling house, may be occupied as a residence, and the outside of any building so occupied must be completed before occupancy; and except as provided herein, no trailer, mobile home, basement house, house that has been fully prefabricated prior to being placed on a lot, tent, shack or other outbuildings shall be erected or placed thereon, and no garage, barn or other outbuilding shall be used as either a temporary or permanent residence. However, the owner of any such lot shall be permitted to place, within the restrictions set forth in Paragraph 2 herein and in a location at the rear of the house, such outbuildings, and only such outbuildings, used for non-residential purposes, as are of a high-quality construction and are of a style and color consistent with that of the house on the lot. Further, temporary structures housing building contractors and real estate sales offices will be permitted for temporary occupancy for business purposes only, provided such structures are complete in exterior appearance, set level and not on concrete blocks, and are moved from lots within two weeks from the date that a house on such lot is occupied. Any lots on which temporary field offices or construction offices are located shall be kept mowed and cleared of waste materials, papers and other unsightly debris visible to other homeowners or the passing public.

12. No one single family residence shall be erected on any lot in the Subdivision having less than 1500 square feet of ground floor space without an attached two car garage. All houses having less



than 1500 square feet of ground floor space must have an attached two car garage or carport and must have not less than 1250 square feet of floor space, excluding the garage or carport. Any carport must have an extended roof attached to the house and have a screen or cover approved by Developer on the side of the garage or carport facing the street. No main floor split level residence shall have less than 1200 square feet of foundation area. No two or one and one half story residence shall have less than 1000 square feet of foundation area. All houses must have concrete sidewalks and driveways. All garages shall open either onto the side or rear of the lot, other than those located on lots 118-126, 96-101, 104 and 109 and other than those approved by Grantor and Developer. Any lot on which a garage may open to the front may have the garage constructed with a front opening only if approved by Developer and if the cost of constructing the side or rear opening is more expensive by reason of additional grading or retaining walls. Any garages opening onto the front of any lot shall be fitted with electronic garage door openers, and the doors thereof shall be kept closed at all times not necessary to facilitate ingress and egress for such garage. Wherever concrete, concrete block or masonry block is used on a house on any such lot, such material shall be covered, to grade, with brick or with stucco.

13. No part of any lot in the Subdivision shall be used as a dumping ground for rubbish, trash, garbage or other waste. All areas for the storage of garbage cans, incinerators, trash burners and the like, and all other containers for trash, shall be so screened as to not be visible from any street within the Subdivision. If public authorities do not provide for the removal of trash, garbage or other waste, the owner of each such lot shall dispose or cause the disposal of such at regular intervals, not less frequently than four times a month.

14. No signs, advertisements, billboards or advertising structures of any kind shall be permitted on any lot or building in the Subdivision, excepting the placing of not more than one sign, complying with local ordinances, upon the property for the purpose of advertising such property for sale.

A handwritten signature in black ink, appearing to be 'HJ' with a flourish, located in the bottom right corner of the page.

15. No access to driveways, culverts or other structures or grading in the Subdivision shall be placed within the limits of any dedicated roadway.

16. No poultry, livestock, or other animals shall be allowed or maintained on any lot in the Subdivision at any time; provided, however, that this provision shall not preclude the ownership and keeping of dogs, cats, or other household pets as such, but no professional kennel for the boarding, sale or trade of animals shall be maintained on any lot.

17. A perpetual easement is reserved on each lot in the Subdivision as shown on the recorded plat of said development for the construction and maintenance of utilities, and no structure of any kind shall be erected or maintained upon or over said easement so as to interfere with the proper uses thereof. After the original water tap has been made for any lot, no grantee, successor, assignee, owner or person in interest shall have authority to permit additional tapping into the water mains or to grant easements therefor. Only the Developer or parties authorized in writing by Developer, may grant permission to tap or use the water mains.

18. If any present or subsequent owner of any of the lots in the Subdivision, including their heirs and assigns, shall violate or attempt to violate any of the covenants or restrictions contained herein, or in said recorded plat of said development, it shall be lawful for Grantor, Developer or any person or persons owning other properties in the Subdivision at the time to institute any proceedings at law or in equity against the person or persons violating or attempting to violate such restrictions, and to prevent the same by injunction, or recover damages for such violations.

19. If any one or more of the restrictions or covenants herein contained are declared invalid by any order of any court having jurisdiction, such invalidation shall in no way affect any other restrictions herein contained, all of which shall remain in full force and effect, each being treated as a separate instrument.



20. All restrictions, covenants and conditions herein contained, including the restrictions in said plat of the Subdivision, are hereby declared to be covenants running with the land, and shall be binding upon and applicatory upon all persons who now own property in the Subdivision or who may after own, possess, or occupy any part of the said property during the term of said covenants as aforesaid.

21. All references to Developer herein shall be deemed to be references to Developer and its successors and assigns.

Executed this 18th day of September, 1986.

Approved and accepted by:

Ted Jones
Ted Jones

FERRIELL-LORENZ DEVELOPMENT CO.,
a Kentucky partnership

Jane Jones By Ted Jones
Jane Jones attorney in fact

By: Donald A. Lorenz
Donald A. Lorenz
General Partner

By: A. William Ferriell
A. William Ferriell
General Partner

"GRANTOR"

"DEVELOPER"

STATE OF Tennessee
COUNTY OF Anderson

Before me, John M. Buttrigham, a Notary Public in and for the County and State aforesaid, personally appeared Donald A. Lorenz and A. William Ferriell, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged themselves to be general partners of Ferriell-Lorenz Development Co., a Kentucky partnership, the within named bargainor, a partnership, and that they as such general partners, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by themselves as general partners.

Tennessee Witness my hand and seal, at office in Nashville, this the 18th day of September, 1986.

John M. Buttrigham
NOTARY PUBLIC

My Commission Expires: 10/19/86

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, John M. Buttrigham, a Notary Public in and for said County and State, the within named H. Ted Jones, the bargainer, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 18th day of September, 1986.

John M. Buttrigham
NOTARY PUBLIC

My Commission Expires: 10/19/86

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

On this 18th day of September, 1986, before me personally appeared H. Ted Jones, to me known (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument on behalf of Jane D. Jones and who acknowledged that he executed the same as the free act and deed of said Jane D. Jones.

Witness my hand and official seal at Nashville, Tennessee, this 18th day of September, 1986.

John M. Buttrigham
NOTARY PUBLIC

My Commission Expires: 10/19/86

EXHIBIT A

LEGAL DESCRIPTION

Land in the 12th Civil District of Robertson County, Tennessee and being described according to a survey by J. Bruce Rainey, Surveyor, #823 dated Rev. September 8, 1986 and known as Job No: 86-178 more particularly described as follows:

Beginning at a concrete monument at the Northwest corner of Lot No. 48 of Quailwood Estates, Section 2 of record in Book 3, pages 95 & 96, R.O.R.C., Tn.; thence severing the property of Ted Jones N27°21'26"W 377.86' to a point; thence N50°21'26"W 462.29' to a point; thence N39°38'34"E 235.00' to a point; thence N50°21'26"W 31.00' to a point; thence N39°38'34"E 580.00' to a point; thence N24°21'26"W 155.00' to a point; thence N08°51'26"W 35.00' to a point; thence N77°38'34"E 240.00' to a point; thence N12°21'26"W 10.00' to a point; thence N77°38'34"E 90.00' to a point; thence N45°38'34"E 210.00' to a point; thence N66°38'34"E 260.00' to a point; thence N43°43'37"E 714.35' to a point in the West line of the Horace H. Cole property; thence with said Cole's West line, S84°53'52"E 375.35' to a point; thence S30°06'44"E 1193.59' to a point; thence S02°57'52"W 555.00' to a concrete monument at the Northeast corner of Lot No. 29 in the aforementioned Quailwood Estates, Section 2; thence with the North boundary of said Quailwood Estates, Section 2 S68°37'52"W 260.00' to a concrete monument; thence N25°27'47"W 415.93' to a concrete monument; thence S51°04'01"W 659.00' to a concrete monument; thence N84°45'59"W 310.00' to a concrete monument; thence S84°14'01"W 182.24' to a point; thence S25°35'59"E 150.40' to a point; thence S64°24'11"W 240.10' to a concrete monument; thence S62°38'34"W 540.00' to the point of beginning containing 71.477 acres more or less or 3,113,529.18 square feet more or less.

Being part of the same property conveyed to H. Ted Jones and wife Jane D. Jones by J.W. Dorris and wife Edna Rose Dorris by deed of record in Book 262, page 335, Register's Office of Robertson County, Tennessee.

STATE OF TENNESSEE, ROBERTSON COUNTY

The foregoing instrument and certificate were noted in Note Book 2a Page 347 At 12:06 O'clock P M Oct. 30 1986

and recorded in Recd Book 277 Page _____ State Tax Paid \$ _____ Fee _____ Recording Fee 36.00 Total \$ 36.00

Witness My Hand

Receipt No. 940

Register

Garathu B. Head

This instrument prepared by:
BASS, BERRY & SIMS PLC
315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238-3001

FIRST EXTENSION OF COVENANTS AND RESTRICTIONS

WHEREAS, the property located in Robertson county, Tennessee that comprises the Deep Wood Glen neighborhood (hereinafter the "Subdivision") is subject to certain covenants and restrictions as set forth in the original "Covenants and Restrictions" of record in Book 277, Page 567, Register's office of Robertson County, Tennessee;

WHEREAS, the Covenants and Restrictions expire on the 20th day of September, 2006, unless the Covenants and Restrictions are extended for ten (10) year intervals by a vote of the owners of 51 percent of the lots in the Subdivision (the "Owners");

WHEREAS, the Owners have determined that it is in their best interests to extend the Covenants and Restrictions for a ten (10) year interval and have signed this First Extension of Covenants and Restrictions in the spaces below in support of such an extension;

NOW, THEREFORE, the Owners hereby declare that the original Covenants and Restrictions are extended until the 20th day of September, 2016.

This First Extension of Covenants and Restrictions may be executed in several counterparts, or in duplicate originals, and all so executed shall constitute one First Extension of Covenants and Restrictions which shall be binding upon all persons who now own property in the Subdivision or who may after own, possess, or occupy any part of the Subdivision during the term of said Covenants and Restrictions.

Executed effective as of the 30th day of July, 2006.

Frankie Fletcher, Register
Robertson County Tennessee

Frankie Fletcher, Register
Robertson County Tennessee
Rec #: 149063 Instrument #: 166293
Rec'd: 205.00 Recorded
State: 0.00 8/4/2006 at 10:02 AM
Clerk: 0.00 in Record Book
EDP: 2.00 1127
Total: 207.00 Pgs 272-312

[Remainder of page intentionally left blank. Signature pages follow.]

Exhibit B

Legal Description

The Final Plat of Deep Wood Glen Sec III

Land in the 12th Civil District of Robertson County, Tennessee and being all of the property encompassed by the Final Plat of Deep Wood Glen Section III of record in Plat Book 6 page 60, 61, and 62 Register's Office of Robertson County, Tennessee.

Exhibit C

As, the Lot Owner of Lot _____ of Deep Wood Glen Sec. III, I (we) wish to reinstate and extend the Covenants and Restrictions

Date:

Owner

Owner
Book _____, page _____ R.O.R.C., TN.

STATE OF TENNESSEE
SUMNER COUNTY

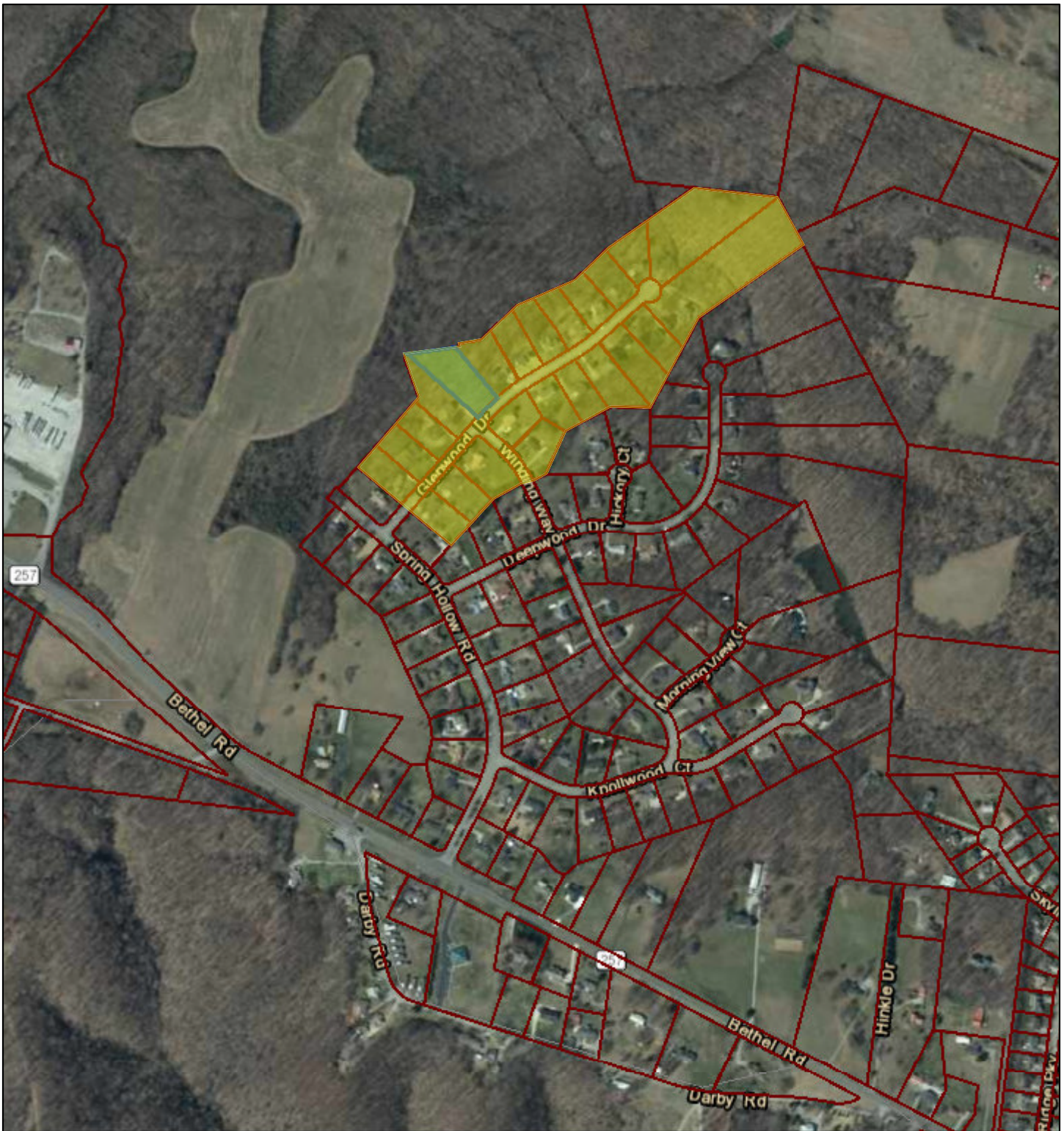
Before me the undersigned, as Notary Public of the State and County aforementioned, personally appeared _____ with whom I am personally acquainted and who upon, acknowledged himself to be the owner of Lot ____, Deep Wood Glen Section III, who executed the forgoing instrument for the purpose herein described.

Witness my hand and seal at _____ this the _____ day of _____, 2018

Notary Public

My Commission expires: _____

Robertson County - Parcel: 126P A 037.00



Date: November 8, 2018
County: Robertson
Owner: THOMPSON EMORY
Address: GLENWOOD DR 201
Parcel Number: 126P A 037.00
Deeded Acreage: 0
Calculated Acreage: 0
Date of Imagery: 2013

TN Comptroller - OLG
Esri, HERE, Garmin, © OpenStreetMap contributors
TDOT
State of Tennessee, Comptroller of the Treasury, Office of Local Government
(OLG)

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.



City of Millersville Development Services

Planning Commission Item #8b

Summary & Recommendation

Date: November 13, 2018

Reviewer: Michael Barr, Development Services Director

Subject: Reconsideration of the recommendation to assign the Residential R-5 zoning designation to a 26.00 ac portion of the parcel known as RC Map 125 Parcel 177.00

Background: The City of Millersville recently annexed the subject territory into its city limits.

The subject parcel's owner originally requested a zoning designation of Residential R-5 (10,000 sf lots). And the Planning Commission recommended that zoning designation of R-5 to the City Commission on September 11, 2018. While the City Commission approved the First Reading of the Ordinance to assign the R-5 zoning, there was considerable opposition by some of the neighboring property owners.

At the request of city staff, the owner has agreed to a less dense residential zoning of R-4. The R-4 zoning (20,000 sf lots) is more in line with its existing Robertson County zoning of R-30 (30,000 sf lots).

The R-4 zoning designation is complimentary to and transitional with other residential parcels in the vicinity which range in size from as small as 0.23 acres and up.

The owner of Parcel 085.00 maintains her request for Residential R-5 zoning due to the parcel's size and dimensions. This designation is complimentary to and transitional with other residential parcels in the vicinity which range in size from as small as 0.23 acres and up.

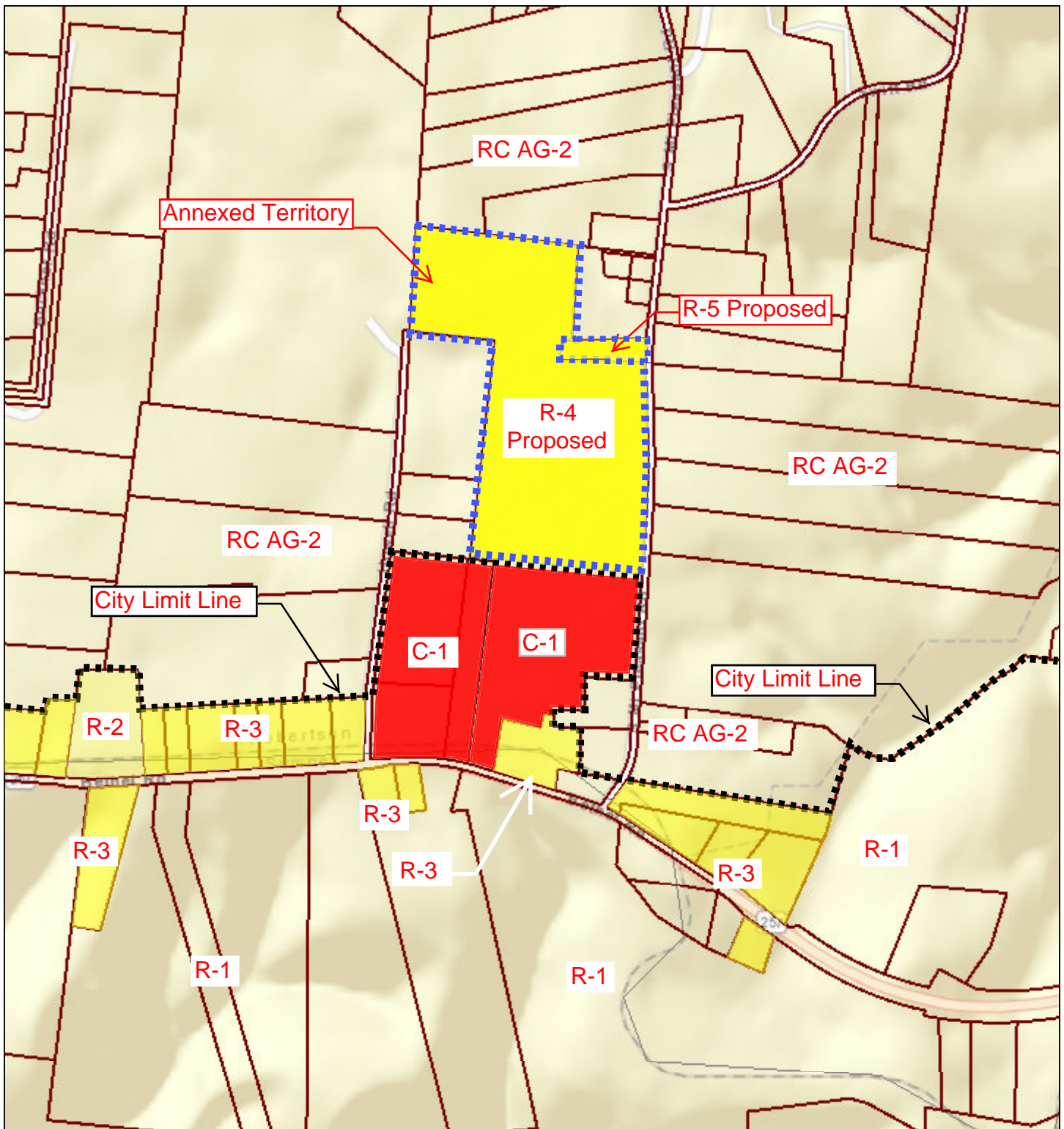
Attachments: Area map with zoning designations

Public Notice Sign Posted: n/a

Recommendation: Approval by the Planning Commission to recommend approval to the City Commission to redesignate the zoning assignment of a 26.0 ac portion of Parcel 177.00 to Residential R-4.

Conditions, if any: None.

Robertson County - Parcel: 125 177.00 (Portion)





**City of Millersville
Development Services**

Planning Commission Item #8c

Summary & Recommendation

Date: November 13, 2018

Reviewer: Michael Barr, Development Services Director

Subject: Rezone 7625 Darby Rd (SC Map 118 Parcel 004.00) from Residential R-2 to R-3

Background: The subject parcel's owner is requesting to rezone this 2.9 ac parcel from Residential R-2 to R-3. This parcel was previously subdivided from a Master Parcel that included 3 separate homes. The adjoining parcels proposed for replatting are currently zoned Residential R-3. The all of the proposed replat's parcels and improvements will conform to the R-3 zoning standards and specifications.

There are multiple parcels in this vicinity that are zoned R-3. This proposed rezoning to R-3 is complimentary to other parcels in this area.

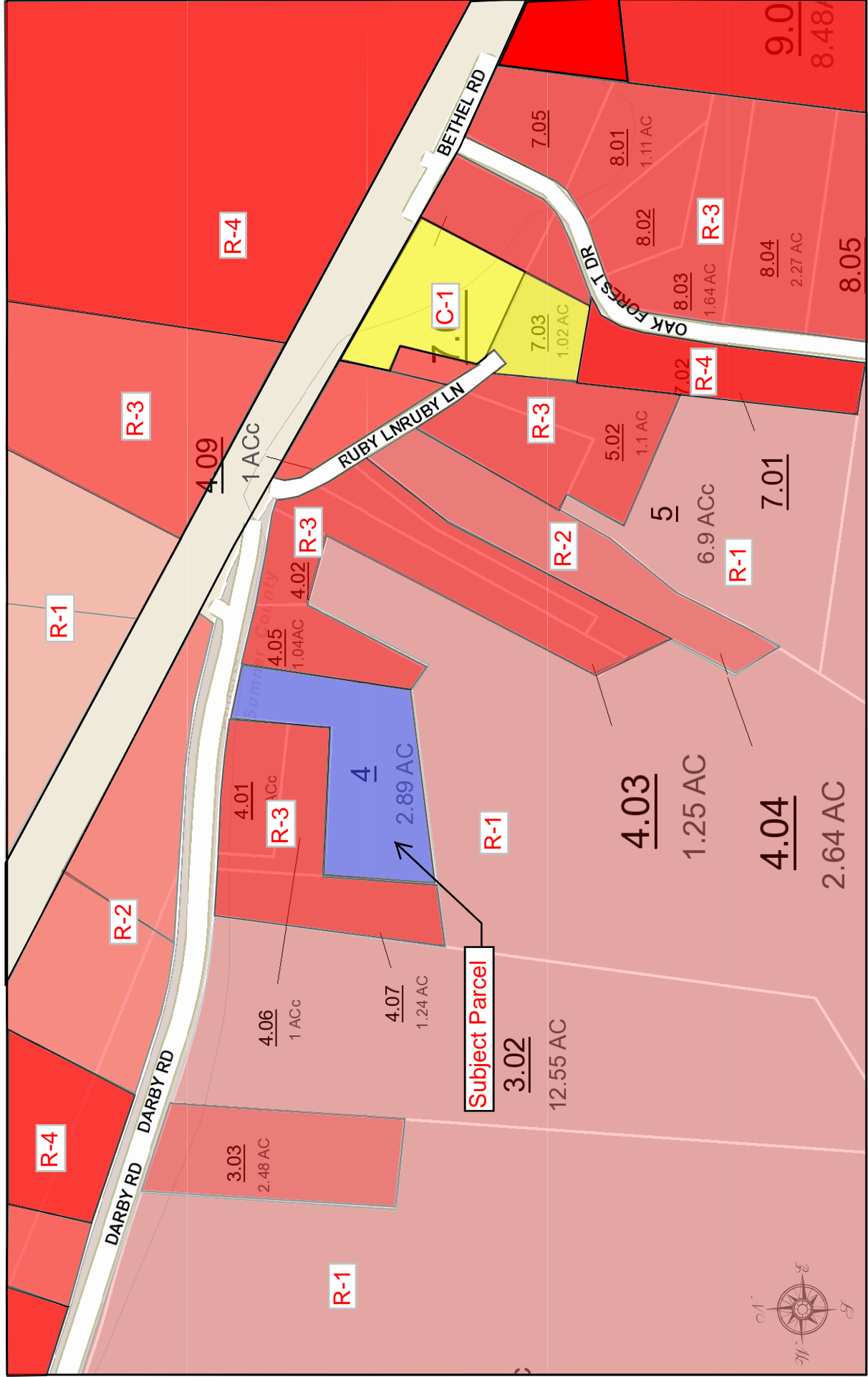
Attachments: Area map with zoning designations
Sketch of proposed Subdivision Replat
Legal Description

Public Notice Sign Posted: yes

Recommendation: Approval by the Planning Commission to recommend approval to amend the City's Zoning Map designation for this parcel to from Residential R-2 to R-3 by the City Commission.

Conditions, if any: None.

7625 Darby Rd Vicinity Zoning Map



SUMNER COUNTY, TENNESSEE

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP.

MAP DATE: November 7, 2018

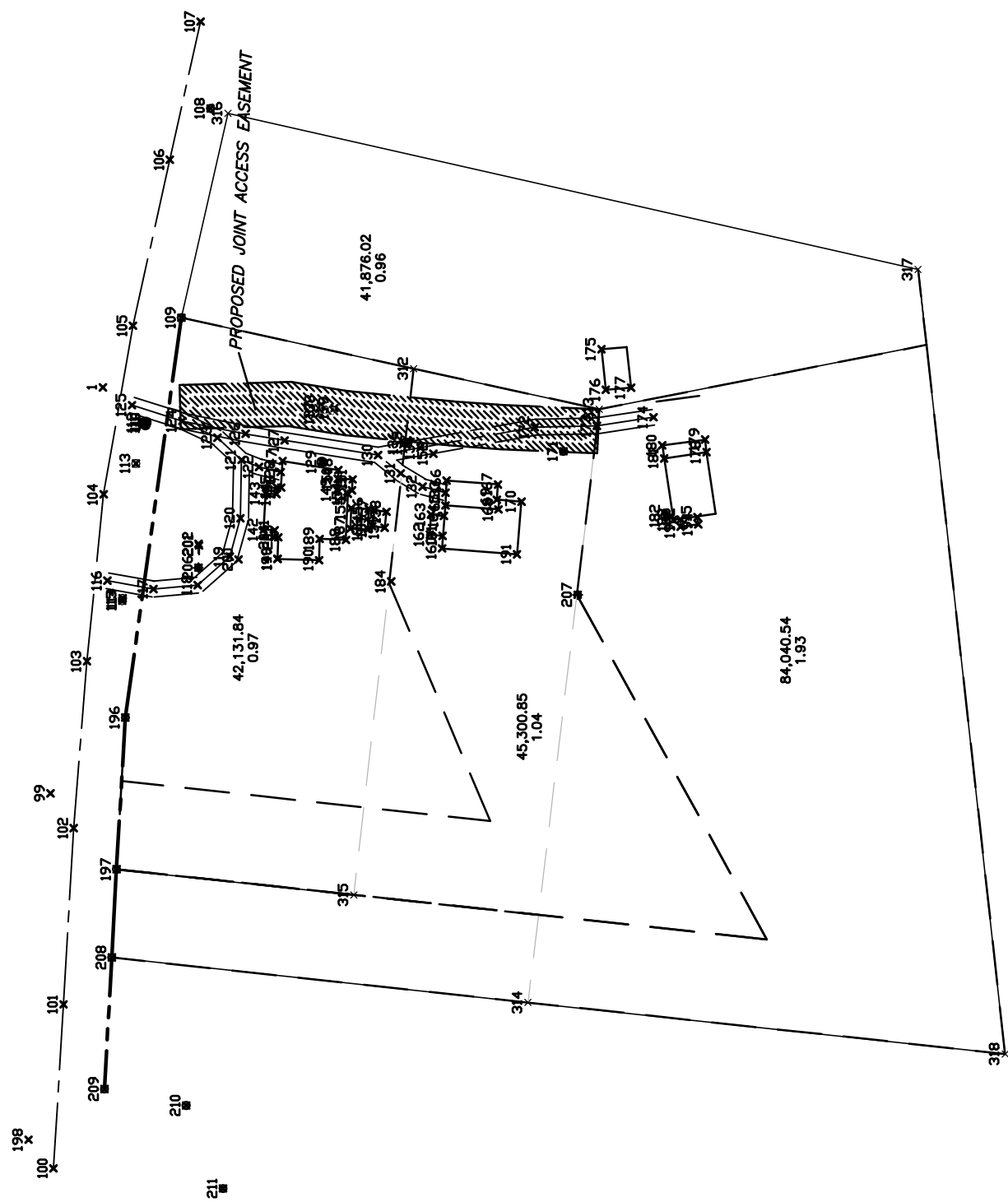


Exhibit A

Legal Description

Tract 3: Map/Parcel: 118-00400 Sumner County

A certain tract of real estate know as Lot 3 of the Subdivision of J. A. Darby Property pursuant to a survey prepared by Ray G. Cole, Cole Land Surveying, dated March 19, 1985, and attached as Exhibit B, registered in Plat Book 15, page 54, Register's Office for Sumner County, Tennessee, consisting of 2.89 acres more or less.

Being the same property conveyed to Dennis C. Ellis by deed from Judy Aim Pilcher, Roy Lee Darby, Lori Ann Adams, James Elihu Adams, and Brandon Lee Darby, as heirs of the Estate of James A. Darby (deceased) appearing of record in Record Book 2853, page 395, of the Register's Office of Sumner County, Tennessee.

This property has an address of 7625 Darby Road, Goodlettsville, Tennessee 37072.

This conveyance is subject to all restrictions, conditions, reservations and covenants of record; to the minimum building setback lines, public utility and drainage easements, plat notes and all other matters shown on the aforesaid subdivision plat; and to the zoning regulations of the appropriate governmental body.