

**Minutes for the Meeting of the  
City of Dyersburg Municipal-Regional Planning Commission  
August 14, 2014  
10:00 am  
Municipal Courtroom**

**Commission Members Present:** Eddie Burks, Chairman, Alderman Bart Williams, Sherry Guthrie, Paul Newbill, Brian Ramm, Mayor John Holden, and Tony Dement.

**Staff and Others Present:** Will Radford, Planner/Consultant, Nelson CDP, Thomas Mullins, Codes Enforcement Office, Justin Avent, City Engineer, Scott Ball, City Storm Water Manager, Carmen Cupples, IT Director.

**I. Establishment of a Quorum and Call To Order.**

Chairman Burks opened the meeting and declared that a quorum was present and called the meeting to order.

**II. Approval of Minutes.**

Chairman Burks called for a motion to approve the minutes of the June 12, 2014 Commission meeting. The motion was made by Commissioner Paul Newbill, with a second by Commissioner Tony Dement. The motion passed and the minutes were approved.

Chairman Burks called for any old business. No old business was presented.

**III. New Business.**

**A. Heathcott Commercial Subdivisions.**

Mr. Radford presented the Heathcott Commercial Subdivisions request by stating the following:

**Background:** A two lot minor subdivision plat has been submitted by Jeff Heathcott for property located on Upper Finley Road within Dyersburg City Limits. The property can be further identified as Parcel 94.00 on Dyer County Tax Map 87. The property is zoned B-2. The property does not appear to be in a federally identified flood hazard area.

**Analysis:** The purpose of the plat is to create two approximately 1 acre lots from a 14.4 acre parent tract (10.3 per survey). The remaining parent tract is more than 5 acres and does not require a subdivision plat. The two new lots meet the setback, lot width, and lot area requirements of the B-2 district. Lot 1 has a 14 foot sewer easement along the center of the property. The developers are aware of the easement and stated confidence at our agenda meeting that there is enough room on either side of the easement to use the property. Upper Finley Road

is listed as a collector street on the Dyersburg Major Road Plan and the plat is showing the required 60 feet of right of way.

**Recommendation:** Mr. Radford recommended approval of the plat.

The Commission discussed the recommendation as presented and Commissioner Paul Newbill motioned for approval, with a second by Commissioner Tony Dement. The Commission voted unanimously to approve the motion.

#### **B. Bledsoe Heirs Minor Subdivision.**

Mr. Radford presented the Bledsoe Heirs Minor Subdivision request by stating the following:

**Background:** A two lot minor subdivision plat has been submitted for property located on McCullough Chapel Road in Dyersburg's Planning Region. The plat is creating two 3.82 acre tracts. The property can be further identified as Parcel 112 on Dyer County Tax Map 075. The property is zoned R-1 according to the Dyersburg Regional Zoning Map. The property does not appear to be in a federally identified flood hazard area.

**Analysis:** McCullough Chapel Road is not classified as an arterial or collector road on the Dyersburg Major Road Plan, therefore the existing 50 feet of right of way meets the requirements. The lot appears to meet all requirements of the Dyersburg Regional Zoning Resolution.

**Recommendation:** Mr. Radford recommended approval of the plat; however the applicant withdrew the request pending a soil map approval by TDEC. The applicant intends to resubmit the request at the next scheduled Commission meeting.

#### **C. Thompson Minor Subdivision.**

Mr. Radford presented the Thompson Minor Subdivision request by stating the following:

**Background:** A minor subdivision plat has been submitted to create one lot off of U.S. 51 Bypass with access provided by a proposed ingress & egress easement. The lot is approximately 3.38 acres. The property can be further identified as Parcel 1.00 on Dyer County Tax Map 114. The property is zoned R-1 (Low Density Residential) district. The parent tract appears to be located in a Zone AE Flood Hazard Area but the newly created lot appears to be outside of the federally identified flood hazard area according to FIRM #47045C0194E dated 10/16/2008.

**Analysis:** The proposed easement is shown to be 20 feet in width. Dyersburg Subdivision regulations require a minimum of 50 feet in width for an access easement.

The City Engineer has stated issues with providing water to the property. Utilities are available at the street, but not at the property. There must be some plan in place to ensure utilities will be delivered to the property. This property is not served by Dyersburg water. The plat would need

to be a separate certificate for water signed by someone at the correct water utility company (DCSD).

The sewer along Highway 51 is a force main and cannot be tied on to by residential use. The property therefore requires approval by Tennessee Department of Environment and Conservation in order to install a septic system.

**Recommendation:** The Staff recommended approval of the Thompson Minor Subdivision Plat at this time providing the above noted utility issues and access issues are adequately addressed.

The Commission discussed the recommendation as presented and Commissioner Tony Dement motioned for approval, with a second by Commissioner Brain Ramm. The Commission voted unanimously to approve the motion.

#### **D. Able Investments, LLC Rezoning Request.**

Mr. Radford presented the Able Investments, LLC Rezoning request by stating the following:

**Background:** A rezoning request has been submitted by Able Investments, LLC to rezone property located at 727 Lake Road from R-1 (Low Density Residential) to B-1 (Limited Trade and Services). The property can be further identified as Parcel 8.00 on Dyer County Tax Map 0880 Group A. The property does not appear to be located in a federally identified flood hazard area.

**Analysis:** The property is adjacent to an existing B-1 district (Maple Ridge Manor). The property is surrounded on all sides by R-1 district. Lake Road has status as an arterial street according to the Dyersburg major road plan which would make it conducive to commercial development. The 2020 Development Plan and Future Land Use Map shows the area designated as "Low Density Residential/Public Semi-Public. While this property has adjacent B-1 zoning, staff feels that the continuation of commercial use into the residential area would be a detriment to the surrounding residential district. The Future Land Use Map mentioned above suggests intent of the Planning Commission in the past to preserve the residential area. Staff believes the existing B-1 zone was likely established upon the initial adoption of zoning due to an existing restaurant at the site.

**Recommendation:** Staff acknowledges the adjacent B-1 district and the properties location on an arterial street as strong factors in favor of the rezoning request. However, staff would not feel comfortable with a continuation of the B-1 further into this district and feels that denying the rezoning maybe consistent with the adopted Land Use Plan. It was noted that the property where Able Investments owns the business of Maple Ridge Manor is actually owned by a California owner who was not present at this meeting. Mr. Able stated his intentions are to use the 727 Lake Road address property as an extension of Maple Ridge Manor business for continued care for the elderly.

After much discussion the Commission agreed to a motion by Commissioner Paul Newbill stating to rezone the 727 Lake Road property from R1 to R2, in that:

1. It is consistent with the existing Land Use Plan for the City of Dyersburg.
2. Should the owner of the property where Maple Ridge Manor business operates request rezoning from B1 to R-2, then the Commission would be in favor of such a request.
3. A thirty foot City Street forms a buffer between the granted R-2 (727 Lake Road) property and the currently existing R-1 properties north of the City buffer street on the west side of Lake Road.

Commissioner Tony Dement seconded the motion by Commissioner Paul Newbill, and the Commission voted unanimously to approve the motion.

#### **IV. Old Business:**

- A. Any old business that may be accepted for discussion by the Planning Commission.  
None presented.

#### **V. Other Business/Reports:**

- A. Administrative Reports. None reported.
- B. Any other business that may be accepted for discussion by the Planning Commission.  
None Reported.

VI. The meeting adjourned at 11:00 a.m.

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John Pressler, Secretary

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Robert C. Jones, Recorder