

SPRING HILL
MUNICIPAL BOARD OF ZONING APPEALS
REGULAR MEETING
Tuesday, November 1, 2016
AGENDA
5:30 PM

Call meeting to order:

Stipulation of Members present.

Consider approval of the September 20, 2016 Board of Zoning Appeals meeting minutes.

General Announcement – The procedural rules for public comment will be as follows: The items will be taken in the order of the agenda. Audience members wishing to speak must be recognized by the Chairman and will have five minutes to address the Board of Zoning Appeals. No rebuttal remarks will be allowed

1. **BZA 261-2016:** Submitted by Ahler & Associates for property located at 4583 Tom Lunn Rd. The property is zoned M-1 Light Industrial District and contains approximately 92.5 acres. The applicant requests a zoning variance to place a manufactured office trailer on the property for permanent commercial use.

2. **BZA 269-2016:** Submitted by Huntly Gordon for property located at 3357 Denning Lane. The property is zoned AG, Agricultural District and contains approximately 22.13 acres. The applicant requests an appeal of staff's determination of the zoning designation of the property and for interpretation of the zoning map.

Concerned citizens

Adjourn

**SPRING HILL
MUNICIPAL BOARD OF ZONING APPEALS
REGULAR MEETING MINUTES
TUESDAY, September 20, 2016
5:30 P.M.**

Chairman Terry Cantrell called the meeting to order.

Members present were: Terry Cantrell, Alderman Williams, Jim Hagaman, Mario Milani and Rob Roten. Also present were: Dara Sanders, Jon Baughman and Bonnie Turnbow.

Jim Hagaman moved to approve the August 16, 2016 BOZA minutes. Motion seconded by Rob Roten. Motion passed 5/0.

General Announcement – The procedural rules for public comment will be as follows: The items will be taken in order of the agenda. Audience members wishing to speak must be recognized by the Chairman and will have five minutes to address the Board of Zoning Appeals. No rebuttal remarks will be allowed.

AGENDA

1. **BZA 234-2016**: Submitted by DeGagne Consulting, LLC for property located at 2044 Crossing Circle. The applicant requests approval an off-site parking.

Staff Conditions:

1. The off-site parking lot shall be limited to the number of spaces shown in the submitted exhibit.
2. Should the subject property remain undeveloped for more than one (1) year, the off-site parking spaces shall be removed. Removal of the off-site parking spaces shall not include removal of the interconnectivity drive.
3. Prior to approval of permits for the off-site parking lot, the applicant shall obtain construction approval for the parking lot in accordance with the minimum requirements of the zoning ordinance, including landscaping.
4. Use of the off-site parking lot shall be limited to the adjoining properties to the north and south.
5. At no point in time shall the off-site parking lot be metered or converted into a pay-by-space operation.
6. Should the remainder of the subject property be developed, the proposed parking spaces shall be solely devoted to the use of the subject property unless a shared parking agreement is approved by the Board of Zoning Appeals.

Alderman Williams made a motion to approve **BZA 234-2016** with staff conditions. Motion seconded by Rob Roten.

Alderman Williams made a motion to amend condition number two (2) to read as follows:

2. Should the subject property remain undeveloped for more than one (1) year after the issuance of a certificate of occupancy, this item shall come before the Board of Zoning and Appeals for consideration of additional time for the continuance of the off-site parking.

Motion seconded by Jim Hagaman. Motion passed 5/0.

3. **BZA 245-2016**: Submitted by John Privett for property located at 5083 Main Street. The property is zoned B3 (Intermediate Business District) and contains approximately 2.47 acres. The applicant is requesting shared parking with existing building.

Staff Conditions:

1. Should the days and hours of operation of either the church or the tenants of the office building change and result in a conflict, additional parking shall be required.

Jim Hagaman made a motion to approve **BZA 245-2016** with staff conditions. Motion seconded by Mario Milani. Motion passed 5/0.

4. **BZA 246-2016**: Submitted by Brandy Zackery for property located at Wilkes Lane and Columbia Pike. The property is zoned B-4 (Central Business District) and contains approximately 3.25 acres. The applicant requests a variance for parking spaces.

Jim Hagaman made a motion to deny **BZA 246-2016**. Motion seconded by Rob Roten. Motion passed 5/0.

There were no concern citizen's comments.

Meeting adjourned.

Terry Cantrell, Chairman

Spring Hill Board of Zoning Appeals



TO: Spring Hill Board of Zoning Appeals
FROM: Jon Baughman, Associate Planner
MEETING: November 1, 2016
SUBJECT: BZA 261-2016 (Martin Transportation)

BZA 261-2016: Submitted by Ahler & Associates for property located at 4583 Tom Lunn Rd. The property is zoned M-1, Light Industrial, and contains approximately 92.5 acres. The applicant requests a zoning variance to place a manufactured office trailer on the property for permanent commercial use.

Property Description and History: This property is zoned M-1, Light Industrial, and is located on Tom Lunn Road, south of Saturn Parkway and just west of Port Royal Road. Property to the north is zoned M-1 and is occupied by a manufacturing facility. West of the property exists M-1 zoning and undeveloped land. To the southwest is AG zoning with single family houses. The southeast is zoned M-1 and includes another manufacturing facility as well as a utility services company. To the east, on the other side of Port Royal Road, is primarily undeveloped B-4 zoned property.

In January of 2016, City staff found that Martin Transportation was operating on the property and attempting to install a permanent manufactured office trailer on the site. The Codes Department issued a stop work order and violation letter to Martin Transportation, finding that the improvements to and use of the property had not been authorized by the Planning Commission, Codes Department, and Public Works Department, in accordance with the City's zoning ordinance and city code. A site plan for this project was on the May, 2016 Planning Commission agenda and was deferred due to various insufficiencies and zoning issues. The application to request a zoning variance was submitted in October, 2016.

As of October, 2016, the manufactured trailer is in place on the site despite not having any approvals allowing it to be there.

Request: The applicant requests variance approval from the Board of Zoning Appeals to place a manufactured office trailer on the site as a permanent commercial use.

According to the City's zoning ordinance, a manufactured office structure is only permitted as a temporary use associated with construction work and must be removed upon completion of the construction (Article XI, Section 3).

Findings: The findings below are required to be made by the Board of Zoning Appeals pursuant to Tennessee Annotated Code and the City of Spring Hill Subdivision Regulations.

1.16(1) – The granting of the variance will not be substantially detrimental to the public good. Staff finds that granting the proposed variance is not substantially detrimental to the public good.

1.16(2) – The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other properties. Staff finds that the variance request is not unique to this property. The conditions upon which this variance is requested could be applicable to and repeated for many properties.

1.16(3) – Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of these regulations or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, peculiar and exceptional practical difficulties or undue hardship would result. Staff does not find any exceptional situations or conditions at the site to prohibit the construction of a permanent office structure. The site has already been improved with a parking facility for semis and the applicant has stated that they intend to connect to utilities. There is no reason a permanent office structure cannot be considered for the site.

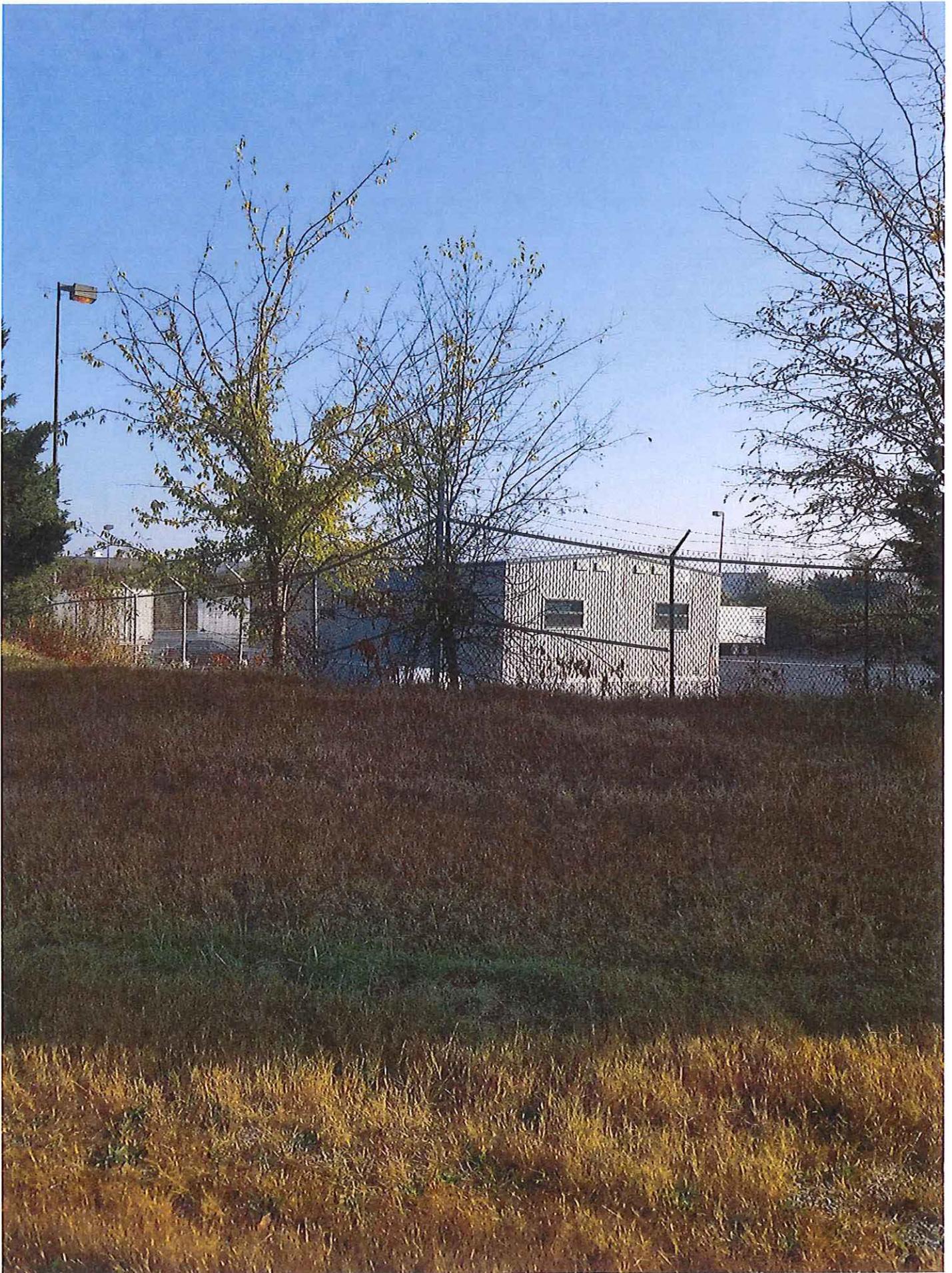
1.16(4) – The variance will be consistent with the general community character of the subdivision. Staff finds that a temporary office trailer is inconsistent with the surrounding community character. Further, all development in Spring Hill must follow the site plan review process to ensure that the desired community character is created or preserved. No project, including this one, is permitted to bypass this process.

1.16(5) – The variance will not in any manner vary the provisions of the Zoning Ordinance, Comprehensive Plan, City Road or Major Thoroughfare Plan of the City of Spring Hill. Staff finds that the proposed variance will not vary the provisions of the zoning ordinance, comprehensive plan or major thoroughfare plan of the City of Spring Hill.

Recommendation: Staff recommends denial of the proposed variance. Should the Board of Zoning Appeals find in favor of granting the variance and allowing the manufactured office trailer to serve as a permanent commercial use on the property, the staff recommends consideration of the following conditions of approval:

1. Removal of the manufactured office trailer shall occur within 12 months.
2. Site plan approval for a permanent structure shall be required within 12 months.
3. Additional landscaping shall be required to further diminish the visibility of the manufactured office trailer from the street.





Spring Hill Board of Zoning Appeals



TO: Spring Hill Planning Commission
FROM: Dara Sanders, Planning Director
MEETING: November 1, 2016
SUBJECT: BZA 269-2016 (3357 Denning Lane)

BZA 269-2016: Submitted by Huntly Gordon for property located at 3357 Denning Lane. The property is zoned AG, Agricultural District and contains approximately 22.13 acres. The applicant requests an appeal of staff's determination of the zoning designation of the property and for interpretation of the zoning map.

Property description and background: This undeveloped property is located west of the intersection of Denning Lane and Kedron Road. The Oaklawn Plantation is located to the north, and the subject property is within an historic buffer, requiring Historic Commission review and recommendation of this request. The remainder of the surrounding properties are zoned and developed for low-density single family or agricultural uses.

Request: The applicant requests an appeal of staff's determination of the zoning designation of the property and for interpretation of the zoning map.

Staff has determined that the property is zoned "AG (Agricultural)" until a Master Development Plan in accordance with the City's Planned Unit Development requirements has been approved by the Board of Mayor and Aldermen (BOMA).

The applicant has appealed staff's determination, asserting that the property is zoned R-2, Medium Density Residential.

Findings: Pursuant to the City's Zoning Ordinance and Tennessee Code Annotated § 13-7-207(2), any appeal of the Planning Department's determination of a property's zoning designation or any request for an interpretation of the City's official zoning map must be heard and acted upon by the Board of Zoning Appeals.

Staff's determination of the zoning is based on the review of past City ordinances presented by the applicant and outlined below.

Ordinance 86-12: The City of Spring Hill annexed the subject property to its corporate limits, at which time the property became subject to the City's laws and regulations. Annexed properties are automatically zoned "AG" by default.

Ordinance 87-27: The BOMA approved a request to rezone the property from AG to R-2 Planned Unit Development with the condition that the rezoning will not take effect until development plans in accordance with the PUD Provisions (Article X) has been approved by the Spring Hill Planning Commission and Board of Mayor and Aldermen. Development plans have not been approved.

Ordinance 90-7: This ordinance establishes a procedural requirement that the future rezoning of all properties with more than five (5) acres be zoned as "Planned Unit Developments". This procedural requirement was not retroactive and did not impact past ordinances to rezone property.

Ordinance 92-16: This ordinance affirms the decision of Ordinance 87-27 that the subject property is zoned AG until a development plan in accordance with the Provisions Governing Planned Unit Developments has been approved by the Planning Commission and the BOMA.

Ordinance 01-24: In 2001, the BOMA voted to eliminate the procedural requirement that the future rezoning of all properties with more than five (5) acres be zoned as "Planned Unit Development". This ordinance was

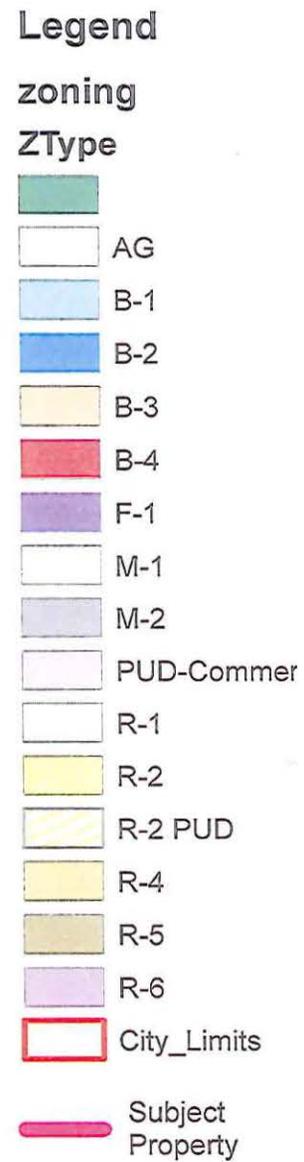
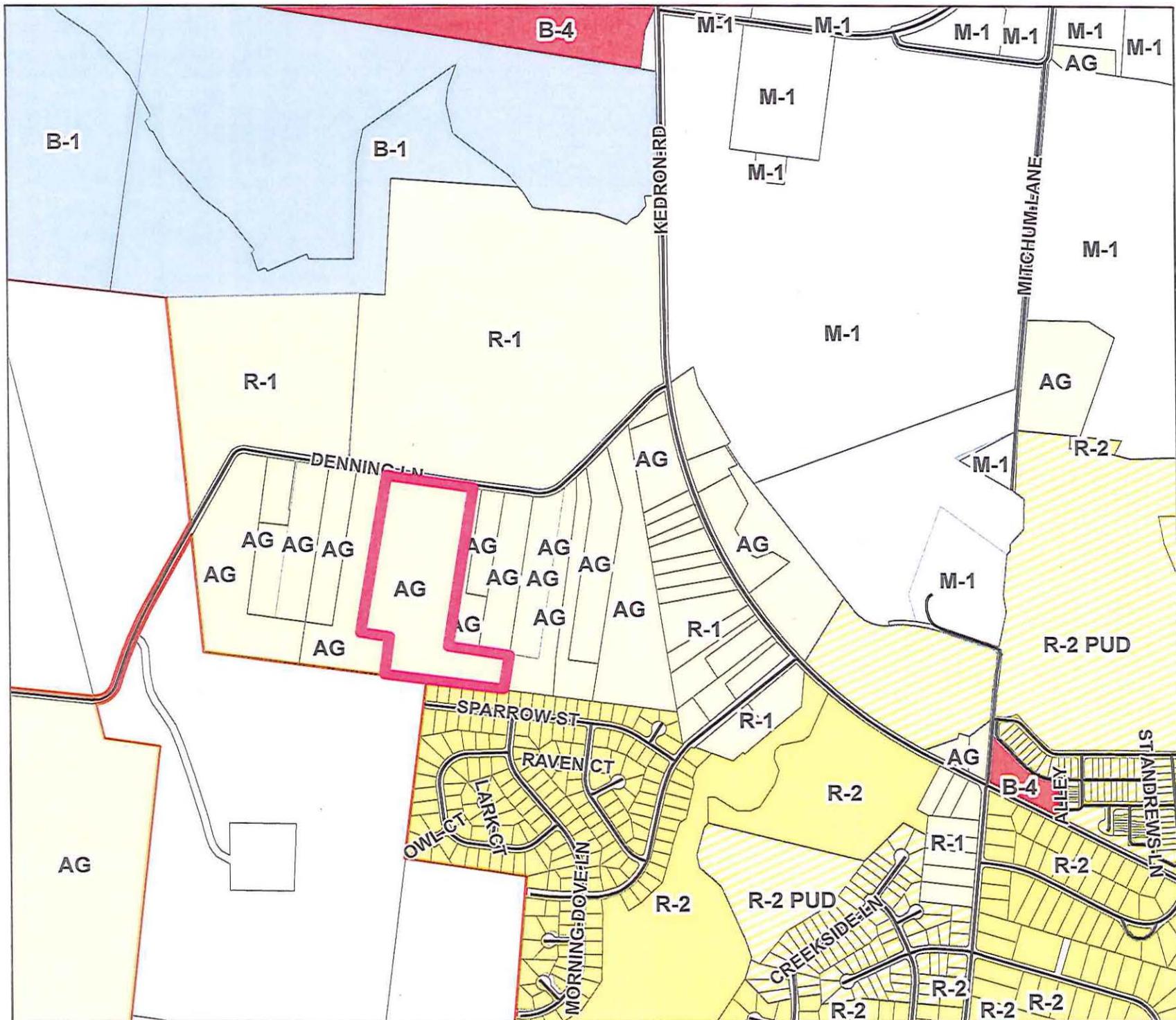
not retroactive, and it did not change past decisions of the BOMA. It changed the way in which rezoning requests would be processed moving forward.

Ordinance 09-24: This ordinance, once again, affirmed the decision of Ordinance 87-27 that the subject property is "conditionally zoned as AG and with the approval of the Board of Mayor and Aldermen, upon review and recommendation of the Planning Commission, of a Master Development Plan for a Planned Unit Development (PUD) it shall be zoned R-2".

It has been made clear in three (3) separate ordinances that the property is zoned "AG" until a Master Development Plan in accordance with the PUD provisions is approved by the BOMA. No such plan has been approved by the BOMA; therefore, the property is zoned AG.

Action: The Board of Zoning Appeals may take the following action –

- A. Confirm the Planning Department's determination of the zoning of the property as AG, Agricultural.
- B. Confirm the applicant's claim that the property is zoned R-2, Medium Density Residential.
- C. Defer the item to a later date.
- D. Determine that the property is regulated by a zoning district other than AG or R-2.



ARTICLE XIII
BOARD OF ZONING APPEALS

Section 1. Creation and Appointment. (Ordinance 86-47)

Pursuant to Section 13-7-205 of Tennessee Code Annotated, a Board of Zoning Appeals is hereby created. The Planning Commission of the Town of Spring Hill shall serve as such Board of Zoning Appeals until its membership is otherwise provided by Ordinance.

Section 2. Procedure.

Meetings of the Board of Zoning Appeals shall be at the call of the chairman and at such other times as the board may determine. All meetings of the board shall adopt rules of procedure and shall keep record of applications and action thereon, which shall be public record.

Section 3. Appeals, How Taken.

An appeal to the Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, board, or bureau affected by any decision of the Building Inspector based in whole or in part upon the provisions of this ordinance. Such appeal shall be taken by filing with the Board of Zoning Appeals a notice of appeal, specifying the grounds therefor. The Building Inspector shall transmit to the Board all papers instituting the record upon which the action appealed was taken. The Board shall fix a reasonable time for the hearing of the appeal, give public notice thereof in a newspaper of general circulation in the Municipality, and decide the same within a reasonable time. Upon the hearing, any person or party may appear in person or by agent or by attorney.

Section 4. Powers.

The Board of Zoning Appeals shall have the following powers:

4.1 Administrative Review.

To hear and decide appeals where it is alleged by the appellant that there is error in any order requirement, permit, decision, termination or refusal made by the Building Inspector or other administrative official in the carrying out or enforcement of any provision of this ordinance, and for interpretation of the zoning map as provided in Subsection 1.4 of Article V.

4.2 Special Exceptions.

To hear and decide applications for special exceptions as specified in this ordinance under Subsection 5.22 of Article IV, and for decisions on any special questions upon which the Board of Zoning Appeals is specifically authorized to pass under subsections.

4.3 Variance.

To hear and decide applications for variance from the terms of this ordinance, but only where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property which at the time of adoption of this ordinance was a lot of record or where, by reason of exceptional situation or condition of a piece of property, the strict application of



HUNTLY GORDON
A PROFESSIONAL LIMITED LIABILITY CORPORATION
ATTORNEY AT LAW

October 12, 2016

Spring Hill Board of Zoning Appeals
City of Spring Hill
Post Office Box 789
Spring Hill, TN 37174

Re: Zoning Determination for Maury County Map 043 Parcel 001.04

Dear Members of the Board:

Please consider this as a zoning determination request for Map 043 Parcel 001.04 Property Valuation Administrator's Map of Maury County, Tennessee, containing approximately 20.13 acres and being more generally described as 3357 Denning Lane.

The aforementioned property was originally part of a larger parcel (Map 43, Parcel 1), which contained approximately 339 acres and was annexed into Spring Hill, along with several other parcels, by Ordinance 86-7. That portion of Map 43 Parcel 1 SOUTH of Denning Lane [which contains the subject property] was conditionally rezoned to R-2 PUD by Ordinance 87-27 and that portion of Map 43 Parcel 1 NORTH of Denning Lane [including Oaklawn] was conditionally rezoned to R-1 PUD by Ordinance 92-16.

In 2009, the Board of Mayor and Aldermen discovered an apparent error on the Spring Hill Zoning Map regarding various parcels on Map 43 (the parcels which now exist previously designated as that portion of Map 43 Parcel 1 SOUTH of Denning Lane) and passed Ordinance 09-24. After exhaustive research into this matter I assert that no error existed as the Spring Hill Zoning Map reflected the accurate zoning of R-2 by depicting the effect of Ordinance 01-24 on Ordinance 87-27.

To understand how this conclusion is reached one has to understand the nature of Spring Hill after the announcement of the General Motors plant in July of 1985. Until 1985, Spring Hill had operated under Ordinance 74-2 (Spring Hill Municipal Zoning Ordinance) but passed a Regional Zoning Ordinance after the General Motors announcement (Ordinance 85-5) and amended it later that same year (Ordinance 85-16) and again at the beginning of 1986 (Ordinances 86-1 and 86-2). At the time,



Spring Hill did not have ANY planning department as evidenced by the excerpt from Ordinance 85-5 below:

*“(b) The Spring Hill Regional Planning Area and the Spring Hill Regional Planning Commission have only been established since August 1985, a period insufficient for it to prepare an adequate regional plan and adequate zoning recommendations for consideration by the Spring Hill Board of Mayor and Aldermen; and”
See Ordinance 85-5 1.4(3) b.*

To address the lack of a planning department within Spring Hill ALL Ordinances for rezone requests were passed as planned unit developments; therefore, requiring the plans to come back before the newly established planning commission and the board of mayor and aldermen. This was adopted as standard operating procedure and later set forth in Ordinance 90-7 until it was repealed by the adoption of Ordinance 01-24.

This brings us to an analysis of the subject property: Map 43 Parcel 1.04. An analysis of Ordinance 87-27 reveals that it was passed by the SHBOMA after three readings and a public hearing on November 16, 1987. The rezone was from an AG (Agricultural) to a R-2 (Medium Density Residential) Planned Unit Development District. Ordinance 01-24 repealed this R-2 PUD classification. The subject property was zoned R-2 by Ordinance 01-24 as it is applied to Ordinance 87-27.

This same analysis holds true when analyzing the parcels below on the current Spring Hill Zoning Map where Ordinance 01-24 removed the conditional Planned Unit Development District classification.

Maury County Map	Parcel	Ordinance	Current Zoning
24	04	86-7 (M-1 PUD)	M-1
24	04.03	86-7 (M-1 PUD)	M-1
24	13	86-7 (M-1 PUD)	M-1
24	13.01	86-7 (M-1 PUD)	M-1
24	18	86-7 (M-1 PUD)	M-1
24	20	86-7 (M-1 PUD)	M-1
24	22	86-7 (M-1 PUD)	M-1
24	23	86-7 (M-1 PUD)	M-1
24	23.02	86-7 (M-1 PUD)	M-1
24	10.01	86-7 (B-3 PUD)	B-3
24	10.02	86-7 (B-3 PUD)	B-3
24	10.03	86-7 (B-3 PUD)	B-3
25	02	86-7 (B-3 PUD)	B-3
28	10	86-7 (M-1 PUD)	M-1
28	19	86-7 (M-1 PUD)	M-1
28	24	86-7 (M-1 PUD)	M-1



Maury County Map	Parcel	Ordinance	Current Zoning
43	01	87-27(R-2 PUD)	*** SOUTH of Denning Lane
29	03	87-28 (M-1 PUD)	M-1
24	13	87-32 (M-1 PUD)	M-1
28	10	88-03 (M-1 PUD)	M-1
28	19	88-03 (M-1 PUD)	M-1
28	24	88-03 (M-1 PUD)	M-1
27	07	88-10 (B-3 PUD)	B-3
27	20.01	88-10 (B-3 PUD)	B-3
27	08	88-10 (B-3 PUD)	B-3
27	20.02	88-10 (B-3 PUD)	B-3
27	20	88-10 (B-3 PUD)	B-3
43	13	89-03 (R-2 PUD)	R-2
43	14	89-03 (R-2 PUD)	R-2
29	02	89-23 (M-1 PUD)	M-1
25	02	89-24 (B-3 PUD)	B-3
28A	C 07.01	90-13 (B-4 PUD)	B-4
43	05	92-13 (M-1 PUD)	M-1
28	24	92-14 (M-1 PUD)	M-1
43	01	92-16 (R-1 PUD)	R-1 NORTH of Denning Lane

the highlighted parcels above comprise the original parcel

Finally, in 2009, when the Board of Mayor and Aldermen passed Ordinance 09-24 based upon an apparent error it discovered on the Spring Hill Zoning Map regarding various parcels on Map 43 it created a fictitious zoning classification that is explicitly forbidden by the zoning regulations. The Agriculture zoning district *explicitly excludes* Planned Unit Developments in the Agriculture zoning district.

The City of Spring Hill has consistently applied Ordinance 01-24 to remove the Planned Unit Development District to each and every property annexed and zoned contemporaneously with the subject property. The property owner requests the Spring Hill Board of Zoning Appeals determine that Map 043 Parcel 001.04 Property Valuation Administrator's Map of Maury County, Tennessee, containing approximately 20.13 acres and being more generally described as 3357 Denning Lane was zoned R-2 by the passage of Ordinance 01-24.

Cordially yours,

HUNTLY GORDON
(615) 302-0100



HUNTLY GORDON
A PROFESSIONAL LIMITED LIABILITY CORPORATION
ATTORNEY AT LAW

July 26, 2016

Spring Hill Board of Mayor and Aldermen
City of Spring Hill
Post Office Box 789
Spring Hill, TN 37179

Re: The Enclave at Oaklawn (formerly Oakview)
Maury County Map 43, Parcel 01.04 Zoning

Dear Aldermen:

The zoning for the aforementioned parcel was discussed at the Spring Hill Planning Commission's Work Session on July 25, 2016 wherein I referenced the most recent Ordinance (09-24) pertaining to the subject parcel, but after exhaustive research into the matter I have come to the conclusion that Ordinance 09-24 was passed in error.

To understand how this conclusion was reached one has to understand the nature of Spring Hill after the announcement of the General Motors plant in July of 1985. Until 1985, Spring Hill had operated under Ordinance 74-2 (Spring Hill Municipal Zoning Ordinance) but passed a Regional Zoning Ordinance after the Saturn announcement (Ordinance 85-5) and amended it later that same year (Ordinance 85-16) and again at the beginning of 1986 (Ordinances 86-1 and 86-2). At the time Spring Hill did not have ANY planning department as evidenced by the excerpt from Ordinance 85-5 below:

"(b) The Spring Hill Regional Planning Area and the Spring Hill Regional Planning Commission have only been established since August 1985, a period insufficient for it to prepare an adequate regional plan and adequate zoning recommendations for consideration by the Spring Hill Board of Mayor and Aldermen; and"
See Ordinance 85-5 1.4(3) b.

To address the lack of a planning department within Spring Hill ALL Ordinances for rezone requests were passed as planned unit developments; therefore, requiring the plans to come back before the newly established planning commission and the board of mayor and aldermen. This was adopted as standard operating procedure and later set forth in Ordinance 90-7 until it was repealed by the adoption of Ordinance 01-24.

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This brings us to an analysis of the subject property. Map 43 Parcel 1.04 was originally part of a larger parcel (Map 43, Parcel 1), which contained approximately 339 acres and was annexed into Spring Hill, along with several other parcels, by Ordinance 86-12. That portion of Map 43 Parcel 1 SOUTH of Denning Lane [which contains the subject property] was conditionally rezoned to R-2 PUD by Ordinance 87-27 and that portion of Map 43 Parcel 1 NORTH of Denning Lane [including Oaklawn] was conditionally rezoned to R-1 PUD by Ordinance 92-16.

An analysis of Ordinance 87-27 reveals that it was passed by the SHBOMA after three readings and a public hearing on November 16, 1987. The rezone was from an AG (Agricultural) to a R-2 (Medium Density Residential) Planned Unit Development District. Ordinance 01-24 repealed this R-2 PUD classification when it further enacted that any and all actions taken in conflict with Ordinance 90-7 are hereby ratified and affirmed as appropriate and valid actions. Thus, it is my opinion that the subject property is zoned R-2 by Ordinance 87-27 and Ordinance 01-24 together.

Finally, the preamble for Ordinance 09-24 states that there was an apparent error discovered on the Spring Hill Zoning Map regarding various parcels on Map 43 (the parcels which now exist previously designated as that portion of Map 43 Parcel 1 SOUTH of Denning Lane). I assert that no error existed. The Spring Hill Zoning Map reflected the accurate zoning of R-2 by depicting the effect of Ordinance 01-24 on Ordinance 87-27. This same analysis holds true when analyzing Oaklawn on the current Spring Hill Zoning Map. It is zoned R-1 (depicting the effect of Ordinance 01-24 on Ordinance 92-16) even though Ordinance 92-16 originally and consistently with 87-27 conditionally rezoned or reclassified the property as a Planned Unit Development District.

Please let me know a time and date the Board of Mayor and Aldermen wishes to discuss this matter further as I believe after reasoned analysis of the foregoing a great deal of extraneous debate may be alleviated.

Cordially yours,

HUNTLY GORDON
(615) 302-0100

encl:

Spring Hill Ordinance 86-12
Spring Hill Ordinance 87-27
Spring Hill Ordinance 90-07
Spring Hill Ordinance 92-16
Spring Hill Ordinance 01-21
Spring Hill Ordinance 09-24

AN ORDINANCE TO ANNEX CERTAIN TERRITORY TO THE CORPORATE
LIMITS OF THE TOWN OF SPRING HILL

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF
THE TOWN OF SPRING HILL, TENNESSEE:

WHEREAS, a majority of the residents and property
owners of the areas hereinafter described have petitioned the
Board of Mayor and Aldermen of the Town of Spring Hill that these
areas be annexed to its corporate limits; and

WHEREAS, it appears to the Board of Mayor and Aldermen
of the Town of Spring Hill that the prosperity of the Town of
Spring Hill and the territory hereinafter described which is pro-
posed to be annexed by this Ordinance will be materially retarded
and the safety and welfare of the inhabitants and property
thereof endangered unless this territory is annexed to the corp-
orate limits of the Town of Spring Hill;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR
AND ALDERMEN OF THE TOWN OF SPRING HILL that the following des-
cribed areas be annexed to and become a part of the corporate
limits of the Town of Spring Hill, to-wit:

Certain tracts which lie generally East of U. S.
Highway 31, the property of Saturn Corporation,
(Industrial Development Board of Maury County) and
the University of Tennessee Experiment Station, on
both sides of Denning Road, West of Moore Lane,
North of John Lunn Road and on both sides of the
proposed Saturn Parkway, which areas consist of the
following tracts:

- (a) Tax Map 29, Parcel 8, containing 65 acres

EXHIBIT I

- (b) Tax Map 28, Parcel 13, containing 119 acres
- (c) Tax Map 28, Parcel 18, containing 174 acres
- (d) Tax Map 43, Parcel 1, containing 339 acres
- (e) Tax Map 28, Parcel 19, containing 233 acres
- (f) Tax Map 43, Parcel 19, containing 210 acres
- (g) Tax Map 50, Parcel 3.03, containing 232 acres
- (h) Tax Map 28, Parcel 16, containing 242.4 acres
- (i) Balance of Tax Map 43, Parcel 21 J

There is included within the above description, but excluded from the area to be annexed, a strip of land 20 feet in width along those boundary lines of those tracts which border other tracts outside the present city limits which are not included in this Ordinance or Ordinance 86-13.

BE IT FURTHER ORDAINED that the Board of Mayor and Aldermen deem the annexation of the above described property to be necessary for the welfare of the residents and property owners of the area annexed hereby as well as the municipality as a whole.

This Ordinance was passed on third reading after a public hearing was held on March 13, 1986, upon the question of this annexation after notice thereof was duly published in the Daily Herald of Columbia, Tennessee on March 4, 1986.

This Ordinance was further adopted after the adoption of a Plan of Services for certain areas proposed to be annexed in conformity with and as provided by §6-51-102 of Tennessee Code Annotated.

BE IT FURTHER ORDAINED that this Ordinance shall become operative thirty (30) days after the final passage thereof.

PASSED AND ADOPTED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE, on this the 12th day of

March, 1986.

George C. Jones
GEORGE JONES, MAYOR

ATTEST:

Jane Quirk
JANE QUIRK, CITY RECORDER

LEGAL FORM APPROVED:

Robin Courtney
ROBIN COURTNEY - TOWN ATTORNEY

Passed on 1st reading: 3-3-86

Passed on 2nd reading: 3-13-86

Passed on 3rd reading: 3-17-86

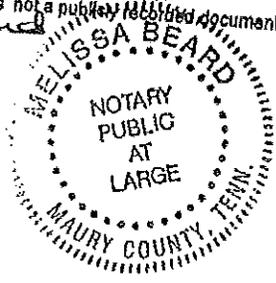
State of TN
County of Maury

Ord. 86-12

On this 16th day of Aug, 2006, I certify that this document is a true, exact, complete, and unaltered copy made by me and presented to me, by the document's custodian City of Spring Hill, April Good and that to the best of my knowledge, that the photocopied document is not a public record document.

Melissa Beard
Notary Public's Signature

my commission expires: 5/20/08



ORDINANCE NUMBER 87-27

AN ORDINANCE TO REZONE A PORTION OF THE PROPERTY OF MARTHA LAMBERT SMITH AT THE INTERSECTION OF KEDRON PIKE AND DENNING LANE

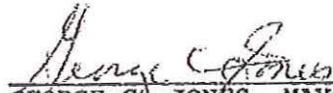
BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE, that the Spring Hill Municipal Zoning Ordinance, Ordinance No. 74-2, and the Zoning Map thereby adopted, as previously amended, are hereby further amended by rezoning the following described portion of the property of Martha Lambert Smith at the intersection of Kedron Pike and Denning Lane from an AG (Agricultural) to an R-2 (Medium Density Residential) Planned Unit Development District, to-wit:

That portion of the Martha Lambert Smith property at the intersection of Kedron Pike and Denning Lane, Maury County Tax Map 43, Parcel 1, which lies south of Denning Road, containing approximately 100 acres.

The rezoning of this property shall take effect when the property owner has complied with all the requirements of Article XI of the Municipal Zoning Ordinance.

This is a conditional Ordinance which shall not take effect to the areas located therein until one or more development plans for the areas have been approved by the Spring Hill Regional Planning Commission and the Board of Mayor and Aldermen as provided in Article XI of the Zoning Ordinance.

This Ordinance was passed on third reading on the 16th day of November, 1987, after a public hearing held on November 16, 1987, after due publication on the recommendation of the Spring Hill Regional Planning Commission made at its regular meeting on October 12, 1987.



GEORGE C. JONES, MAYOR

ATTEST:

June Quirk
JUNE QUIRK, RECORDER

LEGAL FORM APPROVED:

Robin Courtney
ROBIN COURTNEY, TOWN ATTORNEY

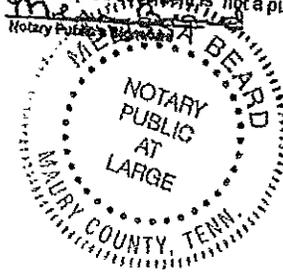
Passed on 1st reading: 10-19-87

Passed on 2nd reading: 10-28-87

Passed on 3rd reading: 11-16-87

State of TN
County of Maury Ord. 87-27

On this 16th day of Aug 2006, I certify that this document is a true, exact, complete, and unaltered copy made by me and presented to me, by the document's custodian City of Spring Hill - April Goad and that to the best of my knowledge, that the photocopied document is not a publicly recorded document



my commission expires: 5-20-08

APR 24 2009

CHERYL P. CHURCH
CLERK & MASTER
MAURY COUNTY, TN

ORDINANCE NO. 90-7

AN ORDINANCE REQUIRING THAT THE REZONING
OF ALL AREAS CONSISTING OF FIVE (5) ACRES OR MORE
BE ZONED AS PLANNED UNIT DEVELOPMENTS
OR REZONED CONDITIONALLY AS PLANNED UNIT DEVELOPMENTS
SUBJECT TO COMPLIANCE WITH ARTICLE XI
OF THE ZONING ORDINANCE

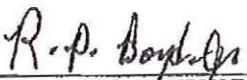
BE IT ORDAINED by the Board of Mayor and Aldermen of the
Town of Spring Hill, Tennessee:

WHEREAS, a practice has heretofore been established with
the rezoning of properties requiring all areas of five (5) acre or
more being zoned industrial or commercial, to be rezoned as Planned
Unit Developments or conditionally rezoned as Planned Unit
Developments; and

WHEREAS, the Board of Mayor and Aldermen deem it in the
best interest of the Town of Spring Hill that all rezoning to
residential districts also be subject to the same Planned Unit
Development requirements;

NOW, THEREFORE, BE IT ORDAINED that no area consisting
of five (5) acres or more will be rezoned unless it is rezoned as
a Planned Unit Development or by means of a conditional ordinance
zoned as a Planned Unit Development subject to compliance with
Article XI of the zoning ordinance.

Passed and adopted by the Board of Mayor and Aldermen of
the Town of Spring Hill on second reading on this the 21st day of
May, 1990.



R. P. BOYD, MAYOR

ATTEST:

June Quirk
JUNE QUIRK, RECORDER

LEGAL FORM APPROVED:

Robin Courtney
ROBIN COURTNEY,
TOWN ATTORNEY

Passed on 1st Reading: April 16, 1990
Passed on 2nd Reading: May 21, 1990

State of IN
County of Mary

On this 24th day of Feb, 2009, I certify that this document is a true, exact, complete, and unaltered copy made by me and presented to me, by the document's custodian Art 90-7 and that to the best of my knowledge, that the photocopied document is not a publicly recorded document.
David M. [Signature]
Notary Public's Signature

AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE
AND THE ZONING MAP BY THE CONDITIONAL RECLASSIFICATION
OF THE PROPERTY OF MARTHA LAMBERT SMITH
(MAURY COUNTY TAX MAP 43, PARCEL 1,
CONTAINING APPROXIMATELY 237 ACRES)
ON DENNING LANE
FROM AN AG (AGRICULTURAL) DISTRICT
TO AN R-1 (LOW DENSITY RESIDENTIAL)
PLANNED UNIT DEVELOPMENT DISTRICT

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE
TOWN OF SPRING HILL:

That the Spring Hill Municipal Zoning Ordinance,
Ordinance No. 74-2, and the zoning map thereby adopted, as both
have been previously amended, are hereby further amended by the
conditional reclassification of the property of Martha Lambert
Smith on Denning Lane, (Maury County Tax Map 43, Parcel 1,
containing approximately 237 acres) from an AG (Agricultural)
District to an R-1 (Low Density Residential) Planned Unit
Development District.

This area is hereby conditionally rezoned or reclassified
as a Planned Unit Development District subject to the owner
complying with all of the requirements of Article XI of the
Municipal Zoning Ordinance.

This ordinance shall not take effect as to any portion
of this property until a development plan for each such area (or
the entire tract) has been approved by the Spring Hill Regional
Planning Commission and the Board of Mayor and Aldermen as provided
in Article XI of the Municipal Zoning Ordinance.

This ordinance was passed on September 21, 1992, on the recommendation of the Spring Hill Regional Planning Commission made at its regular meeting held on August 10, 1992. A public hearing was held on the proposed rezoning on September 21, 1992, after notice thereof was published in the Columbia Daily Herald more than fifteen (15) days prior to the public hearing.

R. P. Boyd, Jr.
R. P. BOYD, JR., MAYOR

ATTEST:

June Quirk
JUNE QUIRK, RECORDER

LEGAL FORM APPROVED:

Robin S. Courtney
ROBIN S. COURTNEY,
TOWN ATTORNEY

Passed on 1st Reading: 8-17-92
Passed on 2nd Reading: 9-21-92

State of TN
County of Maury
On this 24th day of 11-20-92, I certify that this document is a true, exact, complete, and unaltered copy made by me and presented to me, by the document's custodian Ord 92-16 and that to the best of my knowledge, that the photocopied document is not a publicly recorded document.
[Signature]
Notary Public's Signature

ORD 01-24

CHERYL L. GIBBACH
CLERK & MASTER
MAURY COUNTY, TN

**AN ORDINANCE TO REPEAL ORDINANCE 90-7, AN ORDINANCE
REQUIRING ALL REZONING FOR RESIDENTIAL PROPERTY OVER 5
ACRES BE REZONED WITH PUD DEVELOPMENT REQUIREMENTS
AS PART OF THE REZONING ORDINANCE**

WHEREAS, it now appears to be in the best interest of the City of Spring Hill that an ordinance requiring properties over five (5) acres be rezoned with the PUD development requirements be repealed.

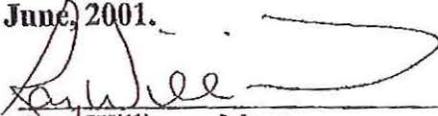
BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE that:

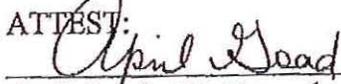
Ordinance 90-7, an ordinance requiring that properties over five (5) acres be rezoned with the PUD development requirements as part of the Rezoning Ordinance be, and is, hereby repealed in its entirety and removed from the official records of the City of Spring Hill.

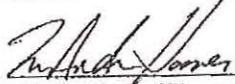
BE IT FURTHER ENACTED, that any and all actions taken in conflict with Ordinance 90-7 are hereby ratified and affirmed as appropriate and valid actions.

BE IT FURTHER ENACTED, that this ordinance shall take effect from and after its adoption, the public welfare requiring it.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 18th day of June, 2001.

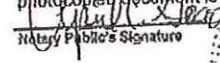

Ray Williams, Mayor

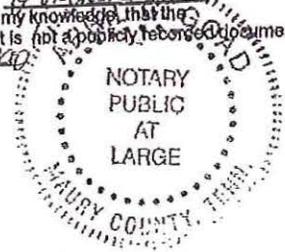
ATTEST:

April Goad, City Recorder

LEGAL FORM APPROVED:

M. Andrew Hoover, City Attorney

Passed on 1st Reading May 21, 2001

Passed on 2nd Reading June 18, 2001

State of TN
County of Maury
On this 18 day of June, 2001, I certify that this document is a true, exact, complete, and unaltered copy made by me and presented to me, by the document's custodian April Goad and that to the best of my knowledge, that the photocopied document is not a publicly rezoned document.

Notary Public's Signature



ORDINANCE 09-24

**AN ORDINANCE TO CLARIFY
THE ZONING MAP
OF THE CITY OF SPRING HILL, TENNESSEE**

WHEREAS, an apparent error has been discovered on the Spring Hill Zoning Map in regard to various parcels on Tax Map #43, consisting of 100 acres, more or less, on Denning Lane; and

WHEREAS, the legislative intent of the Board of Mayor and Aldermen is clear and unequivocal that the actual zoning of such property is AG with a conditional zoning that it shall become R-2 upon the approval by this Board, with review and recommendation of the Planning Commission, of a Master Development Plan for a Planned Unit Development (PUD); and

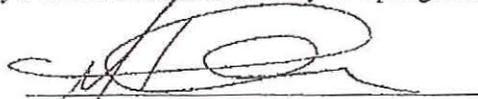
WHEREAS, the Spring Hill Planning Commission has provided a recommendation that the Board of Mayor and Aldermen take action to correct the Zoning Map in regard to Tax Map #43, Parcels 001.09, 001.01, 001.14, 001.02, 001.11, 001.13, 001.12, 001.04, 001.05, 001.06, 001.07, 001.08, and 001.03 so that it reflects the conditional zoning referenced above rather than R-2 for which it is currently depicted.

**BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN
OF THE CITY OF SPRING HILL, TENNESSEE:**

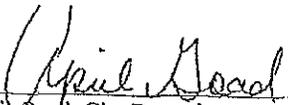
That the Zoning Map be corrected to reflect that Tax Map 43, Parcels 001.09, 001.01, 001.14, 001.02, 001.11, 001.13, 001.12, 001.04, 001.05, 001.06, 001.07, 001.08, and 001.03 is conditionally zoned as AG and with the approval of the Board of Mayor and Aldermen, upon review and recommendation of the Planning Commission, of a Master Development Plan for a Planned Unit Development (PUD) it shall be zoned R-2.

BE IT FURTHER ENACTED, that this Ordinance shall take effect from and after its adoption, the public welfare requiring it.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 20th day of July, 2009.

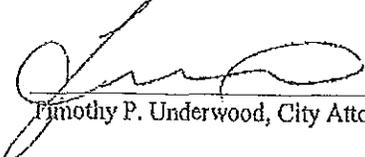

Michael Dinwiddie, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Timothy P. Underwood, City Attorney

Passed on First Reading: June 15, 2009

Passed on Second Reading: July 20, 2009