



**Agenda for the Regular Meeting of Board of Commissioners
Monday, March 13, 2023 - 7:00 pm
Brentwood City Hall**

Call to Order by Mayor
Roll Call
Invocation by Commissioner Dunn
Pledge of Allegiance to the Flag by Commissioner Gorman
Arbor Day Proclamation

Approval or Correction of Minutes

February 27, 2023

Comments from Citizens – *Individuals may comment on any item included in the Consent/Regular agenda or on any other matter regarding the City of Brentwood. All comments should be directed to the Board of Commissioners. Citizens who wish to request that an item be moved from the Consent Agenda to the Regular Agenda for discussion should make that known to the Board at this time.*

Report from City Manager
Report from the City Attorney
Reports and comments by Commissioners and Mayor

Note: All matters listed under the Consent Agenda are considered to be routine and will generally be enacted by one motion. Except for any items that are removed from the Consent Agenda, there will be no separate discussion of these items at this time.

Consent Agenda

1. Resolution 2023-34 - A RESOLUTION AUTHORIZING THE SALE AND DISPOSAL OF SURPLUS PROPERTY HELD BY THE CITY, for adoption
2. Resolution 2023-35 - A RESOLUTION AUTHORIZING THE USE OF A COMPETITIVE SEALED PROPOSALS PROCESS FOR MOUNTAIN BIKE TRAIL CONSTRUCTION SERVICES PURSUANT TO SECTION 2-209 OF THE BRENTWOOD MUNICIPAL CODE, for adoption
3. Approval to surplus and donate a Police Department vehicle to the Alamo, Tennessee Police Department

Old Business

1. Other old business

New Business

1. Ordinance 2023-03 - AN ORDINANCE AMENDING SECTIONS 78-22, 78-122, AND 78-136 OF CHAPTER 78 REFERENCING USES PERMITTED AND USES PROHIBITED STANDARDS WITHIN THE AR (AGRICULTURAL/ RESIDENTIAL) AND AR-IP (AGRICULTURAL/RESIDENTIAL ESTATE: INNOVATIVE PROJECT) ZONING DISTRICTS, AND ACCESSORY BUILDING LIMITATIONS/STANDARDS, for consideration on first reading
2. Other new business
2. Appointment of one (1) member to the Board of Zoning Appeals



Kirk Bednar
City Manager

Anyone requesting accommodations due to disabilities should contact April Curlin, A.D.A. Coordinator, at 371-0060, before the meeting.

Brentwood City Commission Agenda

Meeting Date: 03/13/2023

Approval or correction of minutes from Regular Scheduled Commission meeting

Submitted by: Holly Earls, Administration

Department: Administration

Information

Subject

Approval or correction of minutes from the February 27, 2023 meeting

Background

Staff Recommendation

Fiscal Impact

Attachments

Draft Minutes

DRAFT

MINUTES OF REGULAR MEETING OF BOARD OF COMMISSIONERS

BRENTWOOD, TENNESSEE

The Brentwood Board of Commissioners met in regular session on Monday, February 27, 2023 at 7:00 pm at Brentwood City Hall.

Present: Mayor Rhea Little; Vice Mayor Nelson Andrews; Commissioner Anne Dunn; Commissioner Mark Gorman; Commissioner Susannah Macmillan; Commissioner Allison Spears; Commissioner Ken Travis

Staff Present: City Manager Kirk Bednar; Assistant City Manager Jay Evans; City Attorney Kristen Corn; City Recorder Holly Earls

Vice Mayor Andrews led the Invocation. The Pledge of Allegiance was led by Commissioner Dunn. Mayor Little administered the Oath of Office for new police officer Dan Odendahl.

Approval or Correction of Minutes

February 13, 2023

Moved by Commissioner Susannah Macmillan for approval of the minutes as written, seconded by Commissioner Allison Spears

Vote: 7 - 0 Approved - Unanimously

Consent Agenda

Resolution 2023-27- A RESOLUTION AUTHORIZING THE USE OF A COMPETITIVE SEALED PROPOSALS PROCESS FOR FIBER RETERMINATION SERVICES FOR CITY OWNED FACILITIES PURSUANT TO SECTION 2-209 OF THE BRENTWOOD MUNICIPAL CODE, for adoption

Resolution 2023-28 - A RESOLUTION AUTHORIZING A CHANGE ORDER WITH FOUR STAR PAVING, LLC FOR ANNUAL ROADWAY REPAIRS AND IMPROVEMENTS, for adoption

Resolution 2023-29 - A RESOLUTION AUTHORIZING A CHANGE ORDER WITH PROSHOT CONCRETE, INC. FOR PIPE REPAIR AND LINING, for adoption

Resolution 2023-30 - A RESOLUTION AUTHORIZING AN AGREEMENT WITH SOUTHEASTERN TANK, INC. FOR TANK REHABILITATION PROJECT, for adoption

Resolution 2023-33 - A RESOLUTION AUTHORIZING AN AGREEMENT WITH PAVEMENT TECHNOLOGIES, INC. FOR ASPHALT REJUVENATION, for adoption

Amendment of previously approved purchase of five (5) trucks from Lonnie Cobb Ford

Moved by Commissioner Ken Travis for approval of the items on the Consent Agenda, seconded by Commissioner Susannah Macmillan

Vote: 7 - 0 Approved - Unanimously

Old Business

Ordinance 2023-01 - AN ORDINANCE REZONING PROPERTY LOCATED ALONG THE SOUTH SIDE OF OLD SMYRNA ROAD, BETWEEN THE NORTHERN AND SOUTHERN TERMINUS OF JONES PARKWAY, KNOWN AS THE WINDY HILL PARK PROPERTY FROM R-2 (SUBURBAN RESIDENTIAL) TO SI-3 (SERVICE INSTITUTION: CULTURAL, RECREATIONAL AND GOVERNMENT), for consideration on second and final reading

Moved by Commissioner Mark Gorman for passage of Ordinance 2023-01, seconded by Commissioner Susannah Macmillan

Vote: 7 - 0 Approved - Unanimously

New Business

Resolution 2023-31 - A RESOLUTION AUTHORIZING A MASTER AGREEMENT WITH MIDDLE TN CHAPTER OF SOUTHERN OFF ROAD BICYCLE ASSOCIATION (SORBAMIDTN) FOR THE CONSTRUCTION AND MAINTENANCE OF MOUNTAIN BIKE TRAILS IN MARCELLA VIVRETTE SMITH PARK, for adoption

Moved by Vice Mayor Nelson Andrews for approval, seconded by Commissioner Anne Dunn

Vote: 7 - 0 Approved - Unanimously

Resolution 2023-32 - A RESOLUTION AUTHORIZING A PROJECT SPECIFIC AGREEMENT WITH THE MIDDLE TN CHAPTER OF SOUTHERN OFF ROAD BICYCLE ASSOCIATION (SORBAMIDTN) FOR THE CONSTRUCTION OF MOUNTAIN BIKE TRAILS IN MARCELLA VIVRETTE SMITH PARK, for adoption

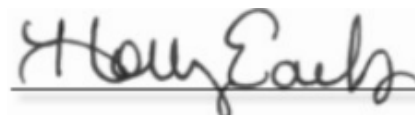
Moved by Commissioner Ken Travis for approval, seconded by Vice Mayor Nelson Andrews

Vote: 7 - 0 Approved - Unanimously

The report on the recent debt funding obligation (State Form CT-0253) was presented to the Board of Commissioners.

With no further business, the meeting adjourned at 7:43 pm.

APPROVED _____



Holly Earls, City Recorder

Brentwood City Commission Agenda

Meeting Date: 03/13/2023

Res 2023-34 - Approval to Surplus Replacement Police Department Vehicles

Submitted by: David Gossett, Police

Department: Police

Information

Subject

Resolution 2023-34 - Approval to surplus replacement Police Department vehicles.

Background

The Brentwood Police Department requests approval to surplus (8) eight police vehicles listed below that have been replaced. All vehicles have higher mileage and hours. All reusable equipment and graphics have been removed. Govdeals.com is the auction site that will be used to auction the vehicles.

- #141 2014 Dodge Charger Patrol VIN 2C3CDXAG3EH158880
- #167 2014 Dodge Charger Patrol VIN 2C3CDXAG7EH349282
- #169 2014 Dodge Charger Patrol VIN 2C3CDXAG0EH349284
- #170 2014 Dodge Charger Patrol VIN 2C3CDXAG2EH349285
- #128 2015 Ford Utility Interceptor Patrol VIN 1FM5K8AR2FGA88203
- #129 2015 Ford Utility Interceptor Patrol VIN 1FM5K8AR4FGA88204
- #180 2017 Ford Utility Interceptor Patrol VIN 1FM5K8AR5HGB54794
- #1008 2007 Chevrolet C1500 VIN 3GCEKHV77G191630

Please contact the Police Chief if you have any questions.

Staff Recommendation

Staff recommends approval to surplus replacement police vehicles.

Fiscal Impact

Amount :

Source of Funds:

Account Number:

Fiscal Impact:

Proceeds from the sale of vehicle will be returned to the Equipment Replacement Fund.

Attachments

Resolution 2023-34

RESOLUTION 2023-34

A RESOLUTION OF THE CITY OF BRENTWOOD, TENNESSEE TO AUTHORIZE THE SALE AND DISPOSAL OF CERTAIN SURPLUS PROPERTY HELD BY THE CITY OF BRENTWOOD

WHEREAS, various departments of the City of Brentwood are in possession of certain property which is no longer necessary to the City’s operations; and

WHEREAS, it is appropriate that the Board of Commissioners should authorize the donation or sale and disposal of such property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BRENTWOOD, TENNESSEE, AS FOLLOWS:

SECTION 1. That eight replacement police vehicles are hereby declared to be surplus property of the City and the disposal of said equipment by auction is hereby authorized. The vehicles are described as:

- #141 2014 Dodge Charger Patrol VIN 2C3CDXAG3EH158880
- #167 2014 Dodge Charger Patrol VIN 2C3CDXAG7EH349282
- #169 2014 Dodge Charger Patrol VIN 2C3CDXAG0EH349284
- #170 2014 Dodge Charger Patrol VIN 2C3CDXAG2EH349285
- #128 2015 Ford Utility Interceptor Patrol VIN 1FM5K8AR2FGA88203
- #129 2015 Ford Utility Interceptor Patrol VIN 1FM5K8AR4FGA88204
- #180 2017 Ford Utility Interceptor Patrol VIN 1FM5K8AR5HGB54794
- #1008 2007 Chevrolet C1500 VIN 3GCEKHV77G191630

SECTION 2. That the City Manager or his designees are hereby authorized to take such steps as may be necessary and appropriate to auction off said vehicles identified above.

SECTION 3. That this resolution shall take effect from and after its passage, the general welfare of the City of Brentwood, Williamson County, Tennessee requiring it.

MAYOR Rhea E. Little, III

ADOPTED: _____

Approved as to form:

RECORDER Holly Earls

CITY ATTORNEY Kristen L. Corn

Brentwood City Commission Agenda

Meeting Date: 03/13/2023

Resolution 2023-35 - Authorizing Procurement by Competitive Sealed Proposal for Mountain Bike Trail Construction Services

Submitted by: Jay Evans, Administration

Department: Administration

Information

Subject

Resolution 2023-35 authorizing Procurement by Competitive Sealed Proposal for Mountain Bike Trail Construction Services

Background

On February 27, 2023, the City entered into two agreements with the Southern Off-Road Bicycle Association, Middle Tennessee Chapter (SORBAMIDTN) regarding the development and maintenance of mountain bike trails in Marcella Vivrette Smith Park. One agreement outlined the terms of a partnership with SORBAMIDTN, and the other specifically authorized construction of the east half of the proposed mountain bike trail by SORBAMIDTN. The west half of the trail has more challenging terrain, and City staff felt it advisable for a professional trail builder to undertake that project.

Given the specialized nature of mountain bike trails, it is important to hire a firm with experience constructing trails of similar size and scope. Experience and qualifications, in addition to price, will be vitally important factors in this procurement. Because of this, staff is requesting City Commission approval to use a competitive sealed proposal process to find the best vendor for these services.

Please contact Assistant City Manager Jay Evans with any questions.

Staff Recommendation

Staff recommends approval of the attached resolution authorizing procurement by competitive sealed proposal for mountain bike trail construction services.

Previous Commission Action

On February 27, 2023, the City entered into two agreements with the Southern Off-Road Bicycle Association, Middle Tennessee Chapter (SORBAMIDTN), regarding the development of mountain bike trails in Marcella Vivrette Smith Park. One agreement outlined the terms of a partnership with SORBAMIDTN, and the other specifically authorized construction of the east half of the proposed mountain bike trail by SORBAMIDTN.

Fiscal Impact

Amount :

Source of Funds:

Account Number:

Fiscal Impact:

This action only authorizes the procurement process to be used. A proposed contract with the responding firm that provides the best combination of experience, qualifications, and price will be brought back for consideration by the City Commission.

Attachments

Resolution 2023-35

RESOLUTION 2023-35

AN RESOLUTION OF THE CITY OF BRENTWOOD, TENNESSEE TO AUTHORIZE THE USE OF A COMPETITIVE SEALED PROPOSALS PROCESS FOR PROCUREMENT OF MOUNTAIN BIKE TRAIL CONSTRUCTION SERVICES AT MARCELLA VIVRETTE PARK

WHEREAS, state law and Section 2-209 of the Brentwood Municipal Code acknowledge that there are occasions when the use of competitive bids may not be practical or advantageous to the City when qualifications, experience, or competence are more important than price in making a purchase; and

WHEREAS, in such cases, the use of a competitive sealed proposal procurement method will assist in choosing the best solution; and

WHEREAS, the City seeks to obtain a mountain bike trail construction vendor for construction of a mountain bike trail at Marcella Vivrette Smith Park; and qualifications, experience, and competence are important factors in this procurement, necessitating the use of a competitive sealed proposal procurement process.

BE IT RESOLVED BY THE CITY OF BRENTWOOD, TENNESSEE, AS FOLLOWS:

SECTION 1. That City staff are hereby authorized to use a competitive sealed proposal process for the procurement of a vendor to provide mountain bike trail construction services.

SECTION 2. Such process shall be undertaken in accordance with the provisions of Tenn. Code Ann. § 12-3-1207 and Section 2-209 of the Brentwood Municipal Code.

SECTION 3. That this resolution shall take effect from and after its passage, the general welfare of the City of Brentwood, Williamson County, Tennessee requiring it.

MAYOR Rhea E. Little III

ADOPTED: _____

Approved as to form:

RECORDER Holly Earls

CITY ATTORNEY Kristen L. Corn

Brentwood City Commission Agenda

Meeting Date: 03/13/2023

Approval to Surplus and Donate a Replacement Police Department Vehicle to the Alamo Police Department

Submitted by: David Gossett, Police

Department: Police

Information

Subject

Approval to surplus and donate a replacement Police Department vehicle to the Alamo, Tennessee, Police Department.

Background

The Brentwood Police Department periodically receives requests from smaller Tennessee police departments for donation of surplus fleet vehicles and equipment that have reached the end of their useful lifespan. Such donations of equipment with minimal value on the market have created much goodwill for the City of Brentwood from the smaller public safety agencies across the state.

The Police Department recently received a request for a donation of a vehicle from the Alamo Police Department, which is located in West Tennessee in Crockett County. Alamo is a town of approximately 2,500 residents. Its police department is staffed with four sworn police officers and is equipped with four vehicles. Two of the four vehicles have high mileage, are not reliable, and have high maintenance costs. The police department does not have the ability with their current budget to buy another vehicle.

The replacement vehicle currently under consideration is a 2015 Ford Utility Interceptor, VIN 1FM5K8AR0FGA88202. The vehicle is equipped with a trunk vault, light bar, siren controller, radar, camera system, partition, console and push bumper. The electronic equipment is obsolete and not something we would redeploy in another vehicle. All graphics have been removed from the vehicle. They understand that the vehicle is transferred "as is" and that no warranty is included or implied.

Please contact the Police Chief if you have any questions.

Staff Recommendation

Staff recommends approval to donate a 2015 Ford Utility Interceptor replacement vehicle to the Alamo, Tennessee, Police Department.

Fiscal Impact

Attachments

Donation request

Vehicle Photo

-----Original Message-----

From: Solomon Everett <sjet369@gmail.com>

Sent: Tuesday, January 24, 2023 12:21 PM

To: Hickey, Richard <richard.hickey@brentwoodtn.gov>

Cc: jeffsills62@gmail.com

Subject: Vehicle

?Warning: External Email - Do not click any links or open any attachments unless you trust the sender and know the content is safe. ?

Good afternoon Chief I'm Officer Everett from Alamo Police Department I talked to David Gossett last week and he told me to that yall might have some vehicles together and get in contact with yall about a vehicle donation to our department and I emailed Assistant Chief Colvin as well last week about our situation in Alamo but we currently have four vehicles and two of them are on the older side and causing us huge problems mechanically and financially we no longer have enough money in our budget as much of it went to repairing the cars currently we have three cars as one of our vehicles is out for repair with that said there are four sworn officers for the town of Alamo we have one Chief of Police one Captain one Patrol Officer and me who is the Narcotics Officer and we all answer calls of service along with our specialized duties we are a small rural police department serving approximately 2,400 citizens in our town with your donation it will help us tremendously as we will use this car for unmarked narcotics uses as well as patrol functions and will now free up another car for patrol to use as we do intend to hire more officers next budget I look forward to hear back from you and hope you have great rest of your day

Sent from my iPhone



127

BRENTWOOD POLICE

BRENTWOOD POLICE

6H

Brentwood City Commission Agenda

Meeting Date: 03/13/2023

Ordinance 2023-03 - AR and AR-IP Zoning Text Amendment

Submitted by: Bob Leeman, Planning & Codes

Department: Planning & Codes

Information

Subject

An Ordinance amending Sections 78-22, 78-122, and 78-136 of Chapter 78 of the Zoning Code to change the uses permitted and uses prohibited standards within the AR (Agricultural/Residential Estate) and AR-IP (Agricultural/Residential Estate: Innovative Project) zoning districts and accessory building limitations/standards.

Background

This ordinance proposes two updates to the AR and AR-IP zoning district provisions. The first change proposes to clarify that Section 10-4 of the Municipal Code, which states that certain animals may be kept on lots greater than three acres, applies to the AR zoning district. The AR district standards only state that general farming activities such as the breeding and keeping of domestic animals are permitted, but do not specifically limit them to lots on three acres or larger. Although the technical standards of the AR zone provide that the minimum size of any new AR lot must be three acres, there are some smaller lots in existence from the time of the application of the zone (see attached example map). Therefore, this amendment is proposed to alleviate any confusion that there must be three acres or greater in AR for the referenced animals to be kept.

This clarification would be accomplished by changing Section 78-122 (1) of the Code to add the bolded text as follows, with all other portions of this section remaining unchanged:

(1) General farming activities such as the raising of trees, field and plant crops, breeding and keeping of domestic animals, and any similar agricultural uses which are in keeping with the character and intent of the district **subject to the provisions of section 10-4 of this code.**

Secondly, this ordinance proposes to update the AR-IP zoning district provisions to allow certain higher-elevation lots to have limited opportunities for including accessory uses and buildings such as, but not necessarily limited to, swimming pools in front and side yards when located within the Hillside Protection Overlay.

The Zoning Ordinance establishes requirements and restrictions pertaining to technical and development standards within the AR-IP (Innovative Project) district. The existing provisions prohibit swimming pools in front yards under Section 78-132 by stating that, "Unless otherwise set forth within this division, all provisions of division 2, subdivision I, AR-General shall apply within an AR-IP zoning district." Certain higher elevations along Old Smyrna Road have unique views of the Downtown Nashville skyline, and it is in keeping with the intent of the AR-IP

zoning district to allow limited opportunities for homes to include accessory uses in front and side yards when located within the Hillside Protection Overlay.

The ordinance proposes to accomplish this by amending Section 78-136 by deleting this section in its entirety and replacing it with the following:

Sec. 78-136. – Uses Permitted.

- a. All uses permitted under Section 78-122 for the AR-General district shall be permitted, unless otherwise set forth within this section.
- b. Accessory buildings customarily incidental to the above uses, subject to the standards and limitations specified in sections [78-22](#) and [78-128](#). Accessory building(s) shall be located in the buildable area of the rear yard, except when a lot is located within the hillside protection overlay district. Lots that are located within the hillside protection overlay may also place accessory building(s) in the buildable area of the front yard and side yard subject to planning commission review and approval. Board of zoning appeals approval shall not be required, as specified in Section 78-22, when the planning commission has reviewed an accessory structure site plan within the hillside protection overlay. The planning commission shall review to ensure the placement does not negatively impact surrounding lots and structures.
- c. Accessory uses such as swimming pools, tennis courts, pet enclosures, play structures and satellite dish antennas, including related pads, decks, patios, hard surfaces and enclosures. Such accessory uses shall not be subject to the standards and limitations set forth in sections [78-22](#) and [78-128](#) (except as specified for certain pet enclosure structures and play structures) but must be placed within the buildable area of the rear yard, except when a lot is located within the hillside protection overlay. Lots that are within the hillside protection overlay may also place accessory uses in the buildable area of the front and side yard subject to planning commission review and approval. The planning commission shall review to ensure the placement does not negatively impact surrounding lots and uses and is in keeping with the overall design standards of the subdivision.

This ordinance also proposes to change Section 78-22(b)(2) by adding the bolded text as follows:

(2) Approval for an accessory building must be obtained from:

- a. The board of zoning appeals, for any accessory building of more than 12 feet in height or with a gross floor area of more than 225 square feet, **except when such building is located in the AR-IP zoning district and within the hillside protection overlay. When located within the AR-IP zoning district and the hillside protection overlay, then only planning commission review of the site plan including the accessory building shall be required.**
- b. The planning department staff, for any accessory building not requiring the approval of the board of zoning appeals **or planning commission.** “Planning department staff,” as used in this section, means the city’s planning director or such persons authorized by the planning director to review and approve accessory building applications.

As of right now, the AR-IP district has only been applied to one area along Old Smyrna Road

and is limited to the Old Smyrna Road area per the Zoning Code. This change will not create opportunities in other zoning districts and is only allowed in AR-IP where innovative designs were contemplated as part of the AR-IP district.

The schedule for Ordinance 2023-03 is as follows:

First Reading Board of Commissioners	Monday, March 13, 2023
Planning Commission Review	Monday, April 3, 2023
Board of Commissioners Public Hearing	Monday, April 10, 2023
Board of Commissioners Second and Final Reading	Monday, April 24, 2023

Please contact the Planning and Codes Director with any questions.

Staff Recommendation

Staff requests that the Board of Commissioners vote to approve Ordinance 2023-03.

Fiscal Impact

Attachments

Ordinance 2023-03

AR Lots Less Than 3 Acres Example Map

ORDINANCE 2023-03

AN ORDINANCE OF THE CITY OF BRENTWOOD, TENNESSEE, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY CHANGING SECTIONS, 78-22, 78-122 AND 78-136 OF CHAPTER 78 TO AMEND THE USES PERMITTED AND USES PROHIBITED STANDARDS WITHIN THE AR (AGRICULTURAL/ RESIDENTIAL) AND AR-IP (AGRICULTURAL/RESIDENTIAL ESTATE: INNOVATIVE PROJECT) ZONING DISTRICTS, AND ACCESSORY BUILDING LIMITATIONS/STANDARDS

WHEREAS, Article III, Division 2, Subdivision I of Chapter 78 of the Brentwood Municipal Code establishes requirements and restrictions pertaining to technical and development standards within the AR (Agricultural/Residential Estate) district; and

WHEREAS, the existing provisions of Section 78-122(1) conflict with Section 10-4 (b) of the Brentwood Municipal Code, where Section 78-122(1) states that for the AR district, the by-right uses include: “General farming activities such as the raising of trees, field and plant crops, breeding and keeping of domestic animals, and any similar agricultural uses which are in keeping with the character and intent of the district,” with no reference to lot size, and where Section 10-4(b) states that certain animals may only be kept on lots over three acres; and

WHEREAS, Article III, Division 2, Subdivision II of Chapter 78 of the Brentwood Municipal Code establishes requirements and restrictions pertaining to technical and development standards within the AR-IP (Innovative Project) district; and

WHEREAS, the existing provisions of Article III, Division 2, Subdivision II prohibit swimming pools in front yards under Section 78-132 (Intent-Old Smyrna Road) by stating that “Unless otherwise set forth within this division, all provisions of division 2, subdivision I, AR-General shall apply within an AR-IP zoning district”; and

WHEREAS, the Planning Commission and Board of Commissioners intended for the AR-IP district to allow innovative projects with creative lot layouts and designs to address site specific conditions along Old Smyrna Road, thus, allowing new home sites in the AR-IP District to have unique designs working with the topography; and

WHEREAS, certain higher elevations along Old Smyrna Road have unique views of the Downtown Nashville skyline, it is in keeping with the intent of the AR-IP zoning district to allow limited opportunities for homes to include accessory uses and buildings such as, but not limited to, swimming pools in front and side yards facing Downtown Nashville when located within the Hillside Protection Overlay.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF BRENTWOOD, TENNESSEE, AS FOLLOWS:

SECTION 1: That Chapter 78, Section 78-122 (1) of the Code of Ordinances of the City of Brentwood shall be amended as follows by adding the text shown in **bold**, with all other portions of this section remaining unchanged:

(1) General farming activities such as the raising of trees, field and plant crops, breeding and keeping of domestic animals, and any similar agricultural uses which are in keeping with the character and intent of the district **subject to the provisions of section 10-4 of this code.**

SECTION 2: That Chapter 78, Section 78-136 of the Code of Ordinances of the City of Brentwood shall be deleted in its entirety and replaced with the following:

Sec. 78-136. – Uses Permitted.

- (a) All uses permitted under Section 78-122 for the AR-General district shall be permitted, unless otherwise set forth within this section.
- (b) Accessory buildings customarily incidental to the above uses, subject to the standards and limitations specified in sections [78-22](#) and [78-128](#). Accessory building(s) shall be located in the buildable area of the rear yard, except when a lot is located within the hillside protection overlay district. Lots that are located within the hillside protection overlay may also place accessory building(s) in the buildable area of the front yard and side yard subject to planning commission review and approval. Board of zoning appeals approval shall not be required, as specified in Section 78-22, when the planning commission has reviewed an accessory structure site plan within the hillside protection overlay. The planning commission shall review to ensure the placement does not negatively impact surrounding lots and structures.
- (c) Accessory uses such as swimming pools, tennis courts, pet enclosures, play structures and satellite dish antennas, including related pads, decks, patios, hard surfaces and enclosures. Such accessory uses shall not be subject to the standards and limitations set forth in sections [78-22](#) and [78-128](#) (except as specified for certain pet enclosure structures and play structures) but must be placed within the buildable area of the rear yard, except when a lot is located within the hillside protection overlay. Lots that are within the hillside protection overlay may also place accessory uses in the buildable area of the front and side yard subject to planning commission review and approval. The planning commission shall review to ensure the placement does not negatively impact surrounding lots and uses and is in keeping with the overall design standards of the subdivision.

SECTION 3. That Chapter 78, Section 78-22(b)(2) of the Code of Ordinances of the City of Brentwood be amended as follows, by adding the text in **bold**:

(2) Approval for an accessory building must be obtained from:

- a. The board of zoning appeals, for any accessory building of more than 12 feet in height or with a gross floor area of more than 225 square feet, **except when such building is located in the AR-IP zoning district and within the hillside protection overlay. When located within the AR-IP zoning district and the hillside protection overlay, then only planning commission review of the site plan including the accessory building shall be required.**

- b. The planning department staff, for any accessory building not requiring the approval of the board of zoning appeals **or planning commission**. “Planning department staff,” as used in this section, means the city’s planning director or such persons authorized by the planning director to review and approve accessory building applications.

SECTION 4. In case of conflict between this ordinance or any part hereof, and the whole or part of any existing ordinance of the City, the provision that establishes the higher standard shall prevail.

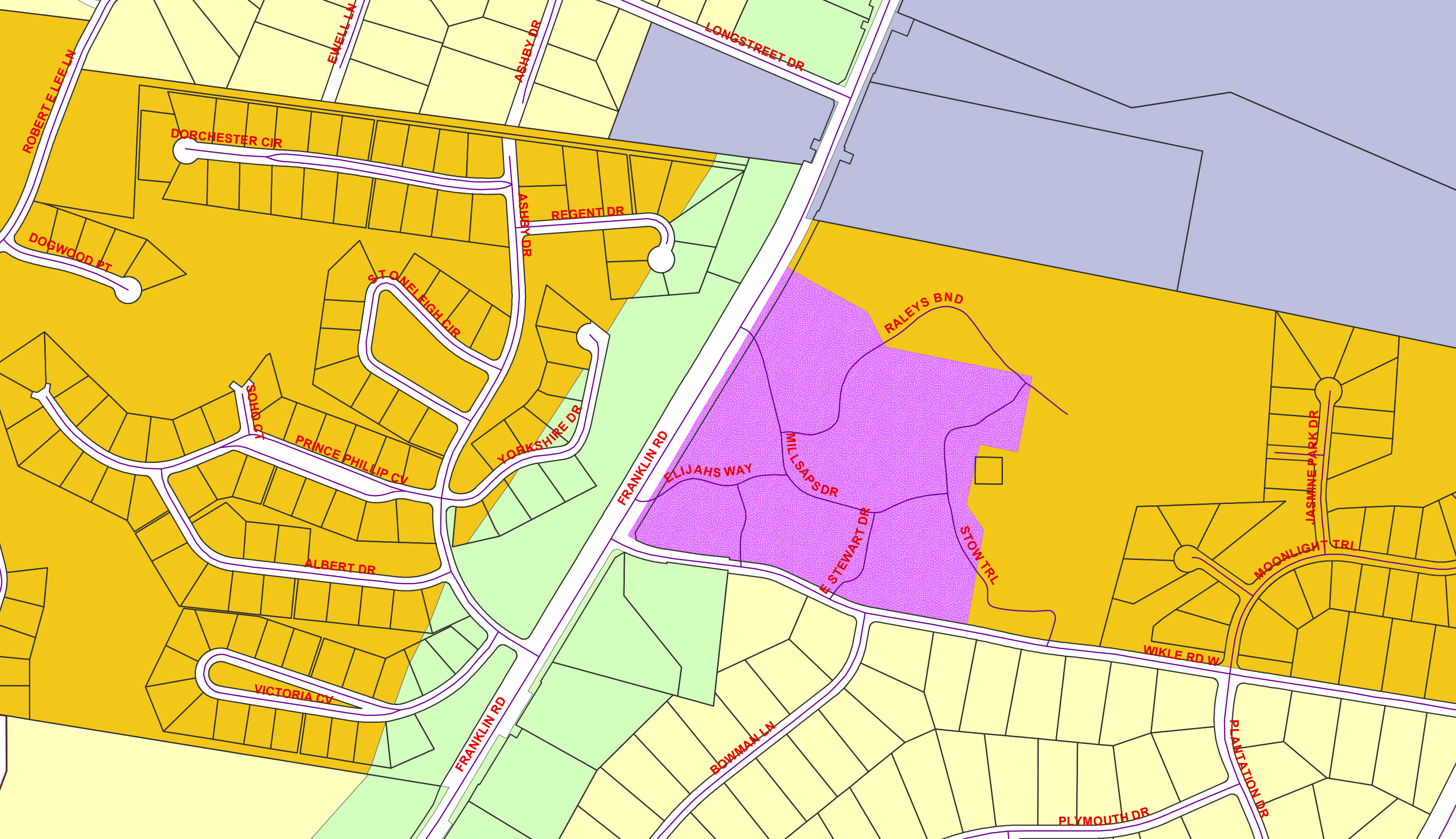
SECTION 5. If any section, subsection, clause, provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, subsection, clause, provision or portion of this ordinance.

SECTION 6. That this ordinance shall take effect from and after its final passage and publication thereof, or fifteen days after its first passage, whichever occurs later, the general welfare of the City of Brentwood, Williamson County, Tennessee, requiring it.

PASSED:		1st reading _____		PLANNING COMMISSION _____
		2nd reading _____		NOTICE OF PASSAGE
				Notice published in: _____
				Date of publication: _____
PUBLIC HEARING				
		Notice published in: <u>Williamson</u>		
<u>A.M.</u>		Date of publication: _____		EFFECTIVE DATE _____
		Date of hearing: _____		
_____ MAYOR III		Rhea E. Little		_____ RECORDER Holly Earls

Approved as to form:

CITY ATTORNEY
Kristen L. Corn



ROBERT LEE LN

DOGWOOD PT

DORCHESTER CIR

ALBERT DR

VICTORIA CV

PRINCE PHILLIP CV

ST ONEIGH CIR

FRANKLIN RD

YORKSHIRE DR

REGENT DR

BOWMAN LN

ELIJAHS WAY

FRANKLIN RD

BOWMAN LN

MILL SAPS DR

E STEWART DR

RALEYS BND

STOW TRL

PLYMOUTH DR

WIKLE RD W

PLANTATION DR

MOONLIGHT TRL

JASMINE PARK DR

LONGSTREET DR

ASHBY DR

EWELL LN

Brentwood City Commission Agenda

Meeting Date: 03/13/2023

Appointment of One (1) Member to the Board of Zoning Appeals

Submitted by: Holly Earls, Administration

Department: Administration

Information

Subject

Appointment of One (1) Member to the Board of Zoning Appeals

Background

At the March 13, 2023 meeting, the Board of Commissioners will appoint one (1) member to the Board of Zoning Appeals (BZA). The appointees will serve a three (3) year term expiring March 31, 2026. Applicants must be residents of the City of Brentwood.

Notice of the upcoming appointment and process/deadlines for applications were published in the Williamson Herald, posted on the City's web page and on the Brentwood City Government Cable Channel (BTV).

The interested applicants are:

1. David Carden (incumbent)
2. Kim Coggin
3. Wade Privett

The applications are attached.

Staff Recommendation

n/a

Fiscal Impact

Attachments

Applications

Board of Zoning Appeals

City of Brentwood | Generated 2/16/2023 @ 2:32:05 PM by OnBoard2 - Powered by ClerkBase

Applicant	Date	Address	Contact	Status
Mr. David Carden	12/16/2022	1416 Bowman Ln Brentwood, TN	Phone: 6153308501 Email: dbcarden@gmail.com	Validated
Kim Coggin	1/28/2023	7099 Willowick Dr Brentwood, TN	Phone: 6156042953 Email: kim.coggin@comcast.net	Validated
Wade Carson Privett	1/19/2023	9263 Berwyn Ct. Brentwood, TN	Phone: 731-514-6501 Email: wadeprivett@gmail.com	Validated

Mr. David Carden

City of Brentwood | Generated 2/16/2023 @ 9:32 am by OnBoard2 - Powered by ClerkBase

Status

Name Mr. David Carden
Application Date 12/16/2022
Expiration Date 12/15/2023
Board Member [David Carden](#)
Status Validated

Board	Vacancies	Status
Board of Zoning Appeals	0	Pending

Basic Information

Name
Mr. David Carden
Spouse's name (if applicable)
Malia
Spouse's Current or Former Employer if Retired
F. Darryl Foster dba Foster Insurance Agency
Spouse's Job Title
Customer Service Representative

Contact Information

Address
1416 Bowman Ln
Brentwood, TN
Phone
[6153308501](tel:6153308501)
Email
dbcarden@gmail.com

Occupation

Employer
TTL
Job Title
Regional Business Unit Leader

Other Questions

Question #1

Employment Status
Employed

Question #2

How many years have you lived in Brentwood?
8

Question #3

Subdivision (If you do not live in a subdivision, please type NA.)
Brentwood South

Question #4

Please provide a detailed description of your community involvement below:

I currently serve on the City of Brentwood Board of Zoning Appeals since August 2022. I am an active member of the Brentwood noon Rotary Club and will be the club's Sergeant-at-Arms beginning in July 2023. I served on the City of Brentwood Environmental Advisory Board for 4 years, including 2 years as chair. I formerly served for several years as the Chartered Organization Representative for BSA Troop 86 at East Brentwood Presbyterian Church.

Question #5

Please provide a brief summary of why you would like to serve on this board:

I currently serve on the Board of Zoning Appeals. I have received positive feedback from city personnel regarding the care with which I evaluate the various requests that come before the board to ensure that decisions comply with City of Brentwood Codes and the low-density character of our city. I believe my vocational experience dealing with the interpretation and practical application of regulations has served me well in serving the City of Brentwood in this particular way. At the end of the day, I will spend my energy attempting to serve our community in any way that I can

because I love our city and want it to continue to be a great place to live.

Question #6

Are you related by blood, marriage or adoption to any member of the Brentwood City Commission, any employee of the City of Brentwood, or any member of a City of Brentwood volunteer board? If so, please describe:

No

Question #7

Do you or any member of your immediate family, your employer or any association/community group with which you are affiliated have a business relationship with the City of Brentwood, or has there been such a relationship with the City in the past? If so, please describe:

No

Question #8

If appointed to the board identified above, are you aware of any potential conflicts of interest you may have in regard to business before the board? If so, please describe:

No

Question #9

Please state where you heard about the board opening.

Currently serve on the Board of Zoning Appeals

Kim Coggin

City of Brentwood | Generated 2/16/2023 @ 9:32 am by OnBoard2 - Powered by ClerkBase

Status

Name Kim Coggin
Application Date 1/28/2023
Expiration Date 1/27/2024
Board Member [Kim Coggin](#)
Status Validated

Board	Vacancies	Status
Board of Zoning Appeals	0	Pending

Basic Information

Name
Kim Coggin
Spouse's name (If applicable)
NA
Spouse's Current or Former Employer if Retired
NA
Spouse's Job Title
NA

Contact Information

Address
7099 Willowick Dr
Brentwood, TN
Phone
6156042953
Email
kim.coggin@comcast.net

Occupation

Employer
Pacific Life
Job Title
Field Vice President

Other Questions

Question #1

Employment Status
Employed

Question #2

How many years have you lived in Brentwood?
16

Question #3

Subdivision (If you do not live in a subdivision, please type NA.)
Willowick

Question #4

Please provide a detailed description of your community involvement below:
Current President of Willowick HOA, Leadership Brentwood Class of 2017, Leadership Brentwood Board 2020-2021, formerly on Brentwood Historic Commission

Question #5

Please provide a brief summary of why you would like to serve on this board:
I enjoyed my time on the Historic Commission and continue to look for ways to be involved in my Brentwood community. I'm very familiar with our current zoning regulations and understand the impact to the Brentwood community should a variance be granted. I have no real estate ties and can provide fair and impartial examination of the variance requests.

Question #6

Are you related by blood, marriage or adoption to any member of the Brentwood City Commission, any employee of the City of Brentwood, or any member of a City of Brentwood volunteer board? If so, please describe:
No

Question #7

Do you or any member of your immediate family, your employer or any association/community group with which you are affiliated have a business relationship with the City of Brentwood, or has there been such a relationship with the City in the past? If so, please describe:

No

Question #8

If appointed to the board identified above, are you aware of any potential conflicts of interest you may have in regard to business before the board? If so, please describe:

No

Question #9

Please state where you heard about the board opening.

City of Brentwood website

Generated 2/16/2023 @ 9:32 am

Wade Carson Privett

City of Brentwood | Generated 2/16/2023 @ 9:32 am by OnBoard2 - Powered by ClerkBase

Status

Name Wade Carson Privett
Application Date 1/19/2023
Expiration Date 1/18/2024
Board Member [Wade Carson Privett](#)
Status Validated

Board	Vacancies	Status
Board of Zoning Appeals	0	Pending

Basic Information

Name
Wade Carson Privett
Spouse's name (If applicable)
Elizabeth Privett
Spouse's Current or Former Employer if Retired
n/a
Spouse's Job Title
n/a

Contact Information

Address
9263 Berwyn Ct.
Brentwood, TN
Phone
[731-514-6501](tel:731-514-6501)
Email
wadeprivett@gmail.com

Occupation

Employer
Sonata Bank
Job Title
Business Development Officer

Other Questions

Question #1

Employment Status
Homemaker

Question #2

How many years have you lived in Brentwood?
16

Question #3

Subdivision (If you do not live in a subdivision, please type NA.)
Witherspoon

Question #4

Please provide a detailed description of your community involvement below:

I am currently a Business Development Officer with Sonata Bank based here in Brentwood focused on serving the Brentwood and Middle TN community. My wife, who grew up here, have 3 children who attend school in the city of Brentwood where she serves on the PTO. Before transitioning into banking, I spent 13 years in education and coaching, and continue to be involved in different sports organizations, charities, and church at Brentwood Baptist.

Question #5

Please provide a brief summary of why you would like to serve on this board:

I have a high interest in serving on this board in order to give back. The longer I have lived here, the more I have realized how special of a community we live in. I want to be able to help preserve what is special about this city for when my children grow up and feel like my views and perspectives are in line with making that goal a reality.

Question #6

Are you related by blood, marriage or adoption to any member of the Brentwood City Commission, any

employee of the City of Brentwood, or any member of a City of Brentwood volunteer board? If so, please describe:

No

Question #7

Do you or any member of your immediate family, your employer or any association/community group with which you are affiliated have a business relationship with the City of Brentwood, or has there been such a relationship with the City in the past? If so, please describe:

No

Question #8

If appointed to the board identified above, are you aware of any potential conflicts of interest you may have in regard to business before the board? If so, please describe:

No

Question #9

Please state where you heard about the board opening.

Online