

**CITY OF MURFREESBORO
BOARD OF ZONING APPEALS**

Regular Meeting, February 24, 2016, at 1:00 p.m.
City Hall, 111 West Vine Street, Council Chambers, 1st Floor

A G E N D A

1. Call to order
2. Consideration of minutes for the regular meeting on January 27, 2016
3. New Business

Sign Variance Request

- a. **Application S-16-005 by Betsy Shackelford of Premier Sign Co. representing John Nickerson**, requesting a Variance from Section 25¹/₄-24 (A)(22) of the Murfreesboro Sign Ordinance, which prohibits a sign from being placed in or over a public utility or drainage easement, for property in the Highway Commercial (CH) district located at 3017 Medical Center Parkway.

Variance Requests

- b. **Application Z-16-006 by David Robinson**, requesting a five (5) foot Variance from Chart 2 (Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios) of the Murfreesboro Zoning Ordinance, which requires a minimum ten (10) foot side yard setback in the Medical Residential (CM-R) district, for property located at 704 East Burton Street.
- c. **Application Z-16-007 by Doug Short of iDesign Architecture Group representing Eye Care Plus**, requesting a twelve (12) foot Variance from Chart 2 (Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios) of the Murfreesboro Zoning Ordinance, which requires a minimum forty-two (42) foot front yard setback in the Highway Commercial (CH) district, for property located at 419 Memorial Boulevard.

- d. **Application Z-16-008 by Ronald and Laura Nelson**, requesting a two and one-half (2.5) percent Variance from Chart 2 (Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios) of the Murfreesboro Zoning Ordinance, which limits lot coverage to a maximum of twenty-five (25) percent in the Single-Family (RS-10) district, for property located at 117 North University Street and 534 East College Street.
- e. **Application Z-16-009 by Beth Throneberry**, requesting a ten (10) foot Variance from Chart 2 (Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios) of the Murfreesboro Zoning Ordinance, which requires a minimum forty-two (42) foot front yard setback in the Heavy Industrial (H-I) district, for property located at 201 Shelby Street.
- f. **Application Z-16-010 by Beth Throneberry**, requesting a ten (10) foot Variance from Chart 2 (Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios) of the Murfreesboro Zoning Ordinance, which requires a minimum forty-two (42) foot front yard setback in the Light Industrial (L-I) district, for property located at 230 Shelby Street.
- g. **Application Z-16-011 by Clyde Rountree of Huddleston-Steele Engineering Inc. representing Sami Abuzahra**, requesting a thirteen (13) foot Variance from Chart 2 (Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios) of the Murfreesboro Zoning Ordinance, which requires a minimum twenty (20) foot rear yard setback for property in the Highway Commercial (CH) district located at 415 Southeast Broad Street.
- h. **Application Z-16-012 by Steve Steele of Huddleston-Steele Engineering Inc. representing Phillip and Tammy Dodd**, requesting a five (5) foot Variance from Section 27(J)(2) of the Murfreesboro Zoning Ordinance, which requires that a shared planting yard between two adjacent properties have a minimum width of ten (10) feet, for property in the Heavy Industrial (H-I) district located at 511 Middle Tennessee Boulevard and 640 Captain Joe Fulghum Drive.

Variance and Special Use Permit Request

- i. **Application Z-16-013 by Joe Swanson, Jr., representing Swanson Companies**, making the following requests for property in the Highway Commercial (CH) district located at 1660 Middle Tennessee Boulevard:
 - i. A Special Use Permit to allow a Group Assembly for greater than 250 persons in the CH district, and
 - ii. A Variance from Section 27(C)(3)(c) of the Murfreesboro Zoning Ordinance, which states that if there is a change in use of an existing

building, structure, or development which requires issuance of a Special Use Permit, then the entire building, structure, or development including parking area shall comply with the landscaping requirements set forth in Section 27.

Special Use Permit Requests

- j. Application Z-16-014 by Matthew and Bobbi Bryant**, requesting a Special Use Permit to allow an Accessory Apartment on property in the Single-Family Residential (RS-10) district located at 303 Second Avenue.

- 4. Staff Reports and Other Business
- 5. Adjourn

Regular Meeting Minutes of the Murfreesboro Board of Zoning Appeals

**January 27, 2016 – 1:00 P.M.
City Hall, Council Chambers**

MEMBERS PRESENT

Julie King
Frances Mosby
Ken Halliburton

MEMBERS ABSENT

John Rodgers, Chairman
Davis Young, Vice-Chair

STAFF PRESENT

Donald Anthony, *Principal Planner*
David Ives, *Assistant City Attorney*
Brenda Davis, *Recording Assistant*

Mr. Anthony opened the meeting stating the Chairman and Vice-Chair were not present for the meeting so an Acting Chairman needed to be nominated.

Ms. Mosby made a motion to nominate Mr. Halliburton as an Acting Chairman for the January 27th meeting. The motion was seconded by Ms. King and carried unanimously in favor.

Acting Chairman Halliburton called the meeting to order at 1:05 P.M.

Minutes from the December 17, 2015 regular meeting were approved as submitted.

New Business

Variance Requests

Application Z-16-001 by Lanny Goodwin of the Murfreesboro Parks and Recreation Department, requesting the following two Variances for property in the Park (P) district located at 120 Dejarnette Lane:

- i. A forty (40) foot Variance from Section 18(G)(4) of the Murfreesboro Zoning Ordinance, which prohibits lighting fixtures from exceeding twenty (20) feet in height in nonresidential developments with structures thirty-five (35) feet or less in height; and

- ii. A Variance from Section 18(G)(d) of the Murfreesboro Zoning Ordinance, which requires outdoor lighting to be designed such that illumination does not exceed one-half (0.5) foot-candle beyond the property line.

Mr. Anthony reviewed the application and the Staff comments contained in the BZA agenda package. If the Board approves the Variance requests Staff recommends the following condition:

- 1) Prior to the issuance of a Certificate of Occupancy for any structure included in the site plan exhibit, the applicant shall provide written correspondence from the Federal Aviation Administration affirming that the proposed lighting will not interfere with any airport or air traffic operations.

Mr. Anthony said there needs to be two separate motions.

Mr. Lanny Goodwin was present to answer any questions.

Mr. Chris Camp, President of Lowe's & Associates came to the podium and said they were doing the construction documents.

Acting Chairman Halliburton asked how the light candle would reflect on Memorial Boulevard.

Mr. Anthony reviewed the level of light at the property line and the street. He said the light would be faded out by the time it reached the surface of the street.

Acting Chairman Halliburton opened the public hearing. There being no one to speak for or against the request, he closed the public hearing.

Ms. Mosby made a motion to approve a forty (40) foot Variance from Section 18(G)(4) of the Murfreesboro Zoning Ordinance, which prohibits lighting fixtures from exceeding twenty (20) feet in height in nonresidential developments with structures thirty-five (35) feet or less in height. The motion was seconded by Ms. King and carried unanimously in favor.

Ms. King made a motion to approve a Variance from Section 18(G)(d) of the Murfreesboro Zoning Ordinance, which requires outdoor lighting to be designed such that illumination does not exceed one-half (0.5) foot-candle beyond the property line. The motion was seconded by Ms. Mosby and carried unanimously in favor

Both of the motions were approved with the following condition:

- 1) **Prior to the issuance of a Certificate of Occupancy for any structure included in the site plan exhibit, the applicant shall provide written correspondence**

from the Federal Aviation Administration affirming that the proposed lighting will not interfere with any airport or air traffic operations.

Variance and Special Use Permit Request

Application Z-16-002 by Richard Richard of St. Rose of Lima Catholic Church, making the following requests for property in the Multi-Family Residential (RM-16) district located at 1601 North Tennessee Boulevard:

- i. A Special Use Permit to allow a Philanthropic Institution in the RM-16 district; and
- ii. A thirty-five (35) foot Variance from Chart 2 of the Murfreesboro Zoning Ordinance, which allows a maximum height of thirty-five (35) feet for permitted nonresidential uses.

Mr. Anthony reviewed the application and the Staff comments contained in the BZA agenda package. Mr. Anthony said two separate motions were needed.

Mr. Richard Richard was present to answer questions.

Acting Chairman Halliburton asked if the antenna would be placed on the back of the bell tower.

Mr. Richard said the antenna would be attached to a flat portion on the back part of the bell tower behind the cross.

Acting Chairman Halliburton asked if the antenna would protrude out any distance from the bell tower.

Mr. Richard said it would protrude out the back of the bell tower. He said the antenna is required to be three feet away from brick, wood, or structure for optimal broadcasting strength.

Acting Chairman Halliburton opened the public hearing. There being no one to speak for or against the request, he closed the public hearing.

Ms. Mosby made a motion to approve a Special Use Permit to allow a Philanthropic Institution in the RM-16 district. The motion was seconded by Ms. King and carried unanimously in favor.

BZA Minutes
Regular Meeting
January 27, 2016

Ms. King made a motion to approve a thirty-five (35) foot Variance from Chart 2 of the Murfreesboro Zoning Ordinance, which allows a maximum height of thirty-five (35) feet for permitted nonresidential uses. The motion was seconded by Ms. Mosby and carried unanimously in favor.

Special Use Permit Requests

Application Z-16-003 by Lanny Goodwin of the Murfreesboro Parks and Recreation Department, requesting a Special Use Permit to allow Recreation Fields on property in the Single-Family Residential (RS-15) district located at 3574 Leanna Road.

Mr. Anthony reviewed the application and the Staff comments contained in the BZA agenda package.

Mr. Lanny Goodwin was present to answer questions.

Mr. Chris Camp, President of Lose & Associates came to the podium. Mr. Camp said the City approached Lose & Associates to look at this property to see if they could develop a temporary practice facility without doing a lot of major earthwork and expending a lot of funds. He said they developed some concept plans stating they looked at a couple different locations on the property. One plan did not work because of the traffic flow in and out of Leanna Road. Another plan was rejected by the Water Department because that area was a great location for water distribution. Mr. Camp said they did a full layout plan and received a lot of comments from the neighbors. Mr. Goodwin met with some of the neighbors and was asked if another place on the farm could be used for the development of the facility. The plans were moved to a section of the farm where the closest homes on Cherry Lane would be 950-feet; on Leanna Road would be 1,600-feet and on Northboro Court would be 1,300-feet. Mr. Camp said there will not be any lighting or restroom facilities in Phase I. Mr. Camp said after the Cherry Lane expansion is complete, the temporary access drive would be removed.

Mr. Anthony received written correspondence from the community and passed copies out to the Board Members.

Acting Chairman Halliburton verified today's presentation was all part of Phase I and then asked what Phase II and Phase III would consist of.

Mr. Camp said yes, today's presentation was only for Phase I. He said future phases will include removal of the temporary drive when Cherry Lane expansion is constructed. Once those construction drawings are finalized, they will know where to add a permanent entry with a paved drive. Mr. Camp said there was a request at the public hearing to add a turning lane on Cherry Lane but since it will only be a temporary drive, they chose not

BZA Minutes
Regular Meeting
January 27, 2016

to add the turning lane. Mr. Camp said the future phases will include a restroom building and lighting.

Acting Chairman Halliburton verified there will not be additional soccer fields added.

Mr. Camp said no more fields will be added. Mr. Camp said the portion of the area designated for soccer fields is not used 100% for the reuse water. He said the reuse water would be used for the irrigation on these fields.

Acting Chairman Halliburton asked if the money is appropriated for the extension /redevelopment of Cherry Lane.

Mr. Ives said it is on the road Masterplan and the City's Capital Improvement Plan for some point during the next three years but not sure where it will be budgeted.

Mr. Camp said the City Engineer informed him the construction would start in 2018.

Mr. Lanny Goodwin came to the podium to verify the Cherry Lane expansion is in the CIP (City's Capital Improvement Plan) and is shown in three phases in 2016, 2017, and 2018. He said that would have to be appropriated by City Council on a year-by-year consideration.

Acting Chairman Halliburton opened the public hearing.

Mr. Matthew Moffitt at 1308 Cherry Lane came to the podium. He has young children involved in sports and he also coaches in the community. Mr. Moffitt said he was opposed to the soccer facilities. He said the plan was proposed a few months ago and the community very strongly opposed the plan. Mr. Moffitt did not know about the open house until after it had taken place. He was surprised to hear the majority of the comments were in favor of the soccer fields because every neighbor he spoke with in the community was strongly opposed. Mr. Moffitt said a large soccer complex already exists down the road with 15 fields that already brings a lot of traffic down Cherry Lane where he lives. He spoke against the fields because of the traffic and narrow road conditions. He said when the soccer season is in full force, the traffic backs up on Cherry Lane to his driveway. This make getting in and out of his driveway is a nightmare. He said these soccer fields will bring a whole lot more traffic to the area. Mr. Moffitt said he reviewed the City's website and evolution of this project and found in January 2015 a letter was generated by Thomas Laird that stated the goal was to establish recreation opportunities within a 5-mile radius of a majority of the population. Mr. Moffitt does not understand how adding practice facilities a ¼ - ½ mile from a very large existing soccer field furthers that goal of the City. He thinks these soccer fields should be spread out to other parts of the City. Mr. Moffitt said Lowe's and Associates were looking at establishing community parks in multiple school sites which would include at least one regulation

BZA Minutes
Regular Meeting
January 27, 2016

soccer field at each school. He thinks that would be a much better approach and better fulfill the City's goals. Mr. Moffitt questioned if the City exhausted alternative options as opposed to pursuing this plan. He said this latest rendition was not posted on the City website last night and this is the first time he has seen this option. Mr. Moffitt said the previous rendition showed portable toilets. He asked the Board if they would like to look out their house and see portable toilets for 2+ years. He referred to the proposed future lighting which he was opposed to. Mr. Moffitt reiterated this proposal was brought up a few months ago and pulled back because of the overwhelming opposition from the community.

Mr. Eric Poole at 3451 Northboro Court came to the podium. Mr. Poole echoed the previous concerns especially not being notified about the December 18th neighborhood meeting. Mr. Poole was concerned about the location of the soccer fields since flooding and drainage were already an issue in the Northboro Court area. He shared pictures of back yards in the area after a moderate rainstorm. Mr. Poole said there is a proposed development site on the east side of Northboro Court. He asked if a drainage study has been conducted this area. Mr. Poole said this area would be detrimentally impacted because of the multiple things planned there.

Acting Chairman Halliburton asked Mr. Poole to point out his home on the map which he did.

Ms. LeAnn Clark at 1103 Bella Vida Place located off Siegel Road came to the podium. She said her children have been playing soccer in Murfreesboro since they were five years old. Ms. Clark said she was there representing families in support of additional soccer fields in the Murfreesboro area. She is involved with The Murfreesboro Espy Youth Club that currently has seven soccer teams. Ms. Clark said most practices take place at the McKnight Park fields shared with lacrosse, football and cricket practices as well. She said the City Parks and Recreation Department is also considering school locations in addition to these proposed soccer fields. Ms. Clark said other locations are needed in the Murfreesboro area. She lives in the Siegel area and understands the traffic is always heavier when school is in session. Ms. Clark spoke in favor of the proposed practice soccer fields. She said there are current issues where the practices are taking place with broken ankles, etc. because there are holes in the fields. She said there is a lot of green space around but not safe for children to utilize for practice fields.

Mr. Rob Mitchell at 3450 Northboro Court came to the podium. He lived off Cherry Lane for several years and experienced growth pertaining to traffic and traffic jams. He said getting out of his neighborhood is difficult on Saturdays. He said cars overfill the parking lot and then parking along the street. Mr. Mitchell asked if a hydrology study has been done to determine the direction the water would flow. He said the area directly to the east of the subject location is glade area. He is not sure if Murfreesboro has taken action to protect the glade or if they are prepared to mitigate the destruction of the glade

BZA Minutes
Regular Meeting
January 27, 2016

area. Mr. Mitchell said the water flows to the east, down across a horse farm. He said because Northboro Court Subdivision was not completely finished when it was built in the 1980's, the water backs up across the horse farm and into several yards. He is concerned this large development would place additional burden on the current hydrological flow. Mr. Mitchell said he was opposed to having the soccer fields located at the proposed location. He asked if there were any plans for planting landscaping around the property to abate the noise and use as a barrier. Mr. Mitchell does not think it would be in the best interest of the neighborhood or the community to continue with the soccer fields at this location.

Mr. Steve McNabb at 3577 Leanna Road came to the podium. His property is located directly across from the Jordan Farm. Mr. McNabb said the traffic situation along Leanna Road and Cherry Lane is awful. He said when cars leave Thompson Lane and drive by his house, there is a straight stretch of road about a mile long that ends up being used like a race track. Mr. McNabb said Cherry Lane is too narrow for any more traffic. He said when the Soccer Field Tournament takes place, big buses come up and down that road back-up from a ¼ to ½ mile to turn off Leanna Road or from Cherry Lane onto Leanna Road. He said the roads need to be addressed for the extra traffic. He said the proposed location of the soccer fields is a swamp. Mr. McNabb said he has lived there for 30+ years and when the City bought the property Joe Kirchner promised the residents there would only be water spread on the property. Mr. Carl David Summers was also in the audience and said he could vouch for Mr. Kirchner's promise. Mr. McNabb thinks this should be reviewed some more. He said he has a contract with the City to cut hay on 8-10 acres of this property and is required to carry workman's comp and liability insurance to do so. He said there is a problem with others using the property for 4-wheeling and cutting doughnuts. Mr. McNabb said safety and the water issues need to be considered.

Mr. Anthony Fulton at 1203 Cherry Lane came to the podium. He said he lives in the swamp as water runs through his back property. He said they have already had problems with water cannon failures and flooding. Mr. Fulton said he spoke with Mr. Anthony a couple of times. When they spoke the first time, Mr. Anthony assured Mr. Fulton the sign would be taken down because of all the opposition. Mr. Fulton said the traffic issues do not pertain to only cars but also dump trucks, garbage trucks and 18-wheeler trucks. Mr. Fulton said the road is not wide enough for the above mentioned vehicles to meet. He said there have been numerous wrecks that end up in his front yard usually taking out his mailbox. Mr. Fulton said there are times the traffic backs up to Cider Lane located just past his house and there are also times he cannot cross Cherry Lane to get his mailbox because of the heavy traffic. He also expressed concern about the water issues as mentioned earlier. Mr. Fulton said he can't see the fields being utilized without building them up and grating them. He said if that happened, the water would go to the lowest point which would be his back yard. He added noise would be another factor as they can hear when the soccer fields on Siegel score a goal and when the band practices.

This property is located closer to their property than Siegel. Mr. Fulton said all of these concerns, he and his wife are against the request. He knows there are a lot of things to look at and just hopes the Board considers the community.

Ms. Heleen Guider at 1047 Cherry Lane came to the podium. She said the proposed request backs up to her farm. The extension / widening of Cherry Lane is proposed to run through the front of her property adding it is nothing but swamp. She said currently she has 3-4 feet of water that runs down her driveway to Cherry Lane when it rains. Ms. Guider agreed with the previous speakers and their concerns. She said when the City tried to push this through last year, she never knew about it. She said the only correspondence she received was a public notice dated January 15, 2016. She will be the most impacted by the soccer fields and Cherry Lane. She feels there are more than enough soccer fields already in Murfreesboro adding this is a money-making process for the City and soccer people. Ms. Guider was opposed to this request. She has the only farm left in the area and she intends to keep it a farm by whatever means necessary legally to do so. She said it would behoove the City to renegotiate and purchase somewhere else because it is nothing but water. She said if you walked through the field, you would walk through at least 12-inches of water. She does not believe these additional soccer fields are needed. Ms. Guider said noise is also a concern as she can currently hear the Siegel School and the horse farm. She said the only reason the community agreed to the water going in there was because they were told it would remain like it is now, for eternity.

Mr. Nicholas Mangrum at 3724 Leanna Road came to the podium. He pointed out the location of his home and said the soccer fields were originally planned to be placed right behind his property. He said he was not told about any of this and found out from a friend at his church opposing the request. Mr. Mangrum said Mr. Goodwin has been great communicating and giving him information being respectful of the community. He is for growth in the community as that is what has made Murfreesboro what it has become. He said at the end of the day you have to be cautious of the development you do. Mr. Mangrum said he has two young boys 7 and 1 ½ years old that play soccer at McKnight Park and it is fabulous. He referred to Ms. Clark, that spoke in favor of the fields, stating she lives on Siegel and the traffic is manageable because there are turning lanes, shoulders and dual lanes. Leanna and Cherry Lane barely have white and yellow lines you can see. He said when this was previously brought up last May, he contacted Mr. Goodwin. Mr. Goodwin and his wife visited Mr. Mangrum's house and discussed the proposed plans with he and some of the neighbors. He said the portable toilets and gravel drive were also discussed stating if this proposal is a must, the plan must be done better as this is not a temporary thing and there shouldn't be gravel and portable toilets. He said the original plans were adjusted to meet some of the concerns. Mr. Mangrum said he was upset because no one in his neighborhood received any correspondence in the mail. He was told that everyone was sent certified letters regarding the meeting and only mailed to the homes within the city limits of Murfreesboro. He did not feel like enough

BZA Minutes
Regular Meeting
January 27, 2016

people have reviewed this, off of paper. He was concerned about the lighting, security issues and interested in the hours of operation.

Acting Chairman Halliburton asked Mr. Mangrum to wrap it up so others could speak.

Mr. Marshall Campbell at 4123 Lazarus Way came to the podium. Mr. Campbell said he does not live in the area of question but is a team manager with the U-11 Boys and his son plays soccer with the Murfreesboro Strikers. Mr. Campbell's goal is to find fields to serve two purposes: practices and friendlies. He said in the soccer world, friendlies are considered to be the nice games they play between tournaments. In the past two years they have practiced at: 1) McKnight Park in the grassy area at the corner of DeJarnette and Memorial; 2) Old Fort on the old softball field; 3) Walter Hill both at the front grassy area at the corner of Jefferson Pike and Lebanon Road and the softball field in the back part of the property; and 4) Siegel Soccer Park. He said they haven't practiced at Siegel Soccer Park in over a year because of the number of teams and the fact you can't get them all scheduled in a timeframe to be able to get the children home, especially on school nights. He said soccer around here is a year-round sport and not just a school year sport. The additional soccer fields are a necessary next step to grow the sport with the number of children and adults playing today. He said there were two injuries on his team last fall due to the condition of the practice fields at Old Fort. Mr. Campbell asked the Board to consider this location for much needed soccer practice fields in Murfreesboro.

Mr. Carl David Summer at 3669 Leanna Road came to the podium. Mr. Summer thanked Mr. Lanny Goodwin for coming to his house and speaking with several families that live on Leanna Road and Cherry Lane. He said all of their concerns were addressed except for one, which is the traffic issue. Mr. Summer said he has lived at 3669 Leanna Road for 37 years and for the first 26 years he received his mail through a P.O. Box. He finally decided to put up a mailbox and is currently on his fourth one simply because of the lack of shoulders causing traffic / wreck problems on Leanna Road and Cherry Lane. Mr. Summer said he is not opposed to soccer at all but wants the request to be fine-tuned. He would like to see turn lanes added to Leanna Road and Cherry Lane.

Mr. Thomas Parkerson at 2814 Cherry Blossom Lane came to the podium. He said all three of his children play soccer, two at YMCA and One-Goal and another is involved in the Murfreesboro Soccer Club. He agreed with the other homeowners regarding flood issues and traffic concerns. Mr. Parkerson said the soccer fields are needed as Murfreesboro has grown over the last 15-20 years. He said some of the reasons people move here is for education, services that Murfreesboro provides and the athletics that are available. He said people didn't want the Murfreesboro Soccer Complex for a long time but once it went in, it is one of the best facilities in the south and the state. He said the Soccer Complex has brought in millions of dollars that the whole community benefits from. Mr. Parkerson said if you look at the community and the growth that is occurring, and look at the facilities that are being provided for the community, the soccer fields are

BZA Minutes
Regular Meeting
January 27, 2016

needed. He said practices cannot happen on the Siegel Soccer Complex because it tears up the fields. He said you can play on the Siegel fields but there are limited areas to use for soccer practice. Mr. Parkerson said Nashville is also one of the biggest growing areas in the country and are having problems with soccer, practice facilities, and places to hold events. He said clubs are coming to Murfreesboro from Nashville because they see a growth opportunity. Mr. Parkerson said if we want to keep growing Murfreesboro in the right direction, we need to think about these issues, address concerns and make decisions if this is the best place.

Mr. Jason Morrison at 1312 Mac Duff Drive came to the podium. He was concerned about the points the local residents expressed about the proposed soccer field site. He was in favor of practice fields and said there are benefits to a centralized location. Mr. Morrison said he is on the Board of MSC and all of his children are involved in the soccer program. He said the Board of MSC does a good job with the City in trying to keep practice fields close to the Soccer Complex but it is hard to do. He said it is difficult to get children to a certain location when you don't have control over the nights they practice, so having children at a centralized location would be a nice benefit. Mr. Morrison said it is difficult to have practices during the daylight in the fall because of school hours so lighted fields would be a great benefit. He said extra fields are greatly needed.

Acting Chairman Halliburton closed the public hearing.

Acting Chairman Halliburton said he wrote down several items that need to be addressed. He said drainage is usually not a part of the Board of Zoning Appeals process or responsibility and is discussed at the Planning Commission level during the site plan approval. Acting Chairman Halliburton felt there was a need to talk about the drainage today to make people aware of the City's process. He said the City should not increase more water on their property and, as part of the study, the City would help mitigate part of the problem.

Mr. Sam Huddleston, City Engineering Department, came to the podium. He said Staff looks very close at the drainage pattern during the site plan stage. The developer, in this case, would be the City of Murfreesboro. He said their design team would look at this with Staff and examine the plans. Mr. Huddleston said he reviewed the drainage patterns for the proposed soccer fields and it appears the drainage would be headed toward the northeast under the existing Cherry Lane and Abigail Court. He said soccer fields generally have a run-off characteristic similar to agricultural fields and pasture. Mr. Huddleston said soccer fields are not high run-off like parking lots, roadways, or shopping centers. He said the design team would be helpful in mitigating any drainage concerns there.

BZA Minutes
Regular Meeting
January 27, 2016

Mr. Huddleston referred to a comment regarding Northboro Court and said based on his review of the proposed plan, this appears to be outside the drainage basin that drains into the Northboro Court area. He said the design team will confirm that for him.

Acting Chairman Halliburton hopes, as part of the process, if the field and construction (the City's property) is impacting Northboro Court the Planning Commission can help in the process.

Mr. Huddleston agreed. He said rainfall amounts cannot be changed nor rainfall patterns but how we respond to those can change. Mr. Huddleston said Northboro Court and a lot of the area north of Thompson Lane have been a struggle for some time. He said most of the property is private and the City does not have easements or rights to be on the properties to make improvements. He added sometimes owners don't want the City to make changes to undeveloped tracts. He said a willing developer or willing property owner would work best. Mr. Huddleston said the Engineering Department and Parks and Recreation Department along with their design team will take a comprehensive look at the Jordan Farm including Northboro Court and the impact of the soccer fields when it comes through for site plan review.

Ms. King asked if grading the fields would make any impact on the drainage since that will be done prior to the fields being built.

Mr. Huddleston said it would make local changes by modifying drainage patterns where the soccer fields are but the plan would be to limit the amount of work they have to do. He said the plan would also work with the existing drainage pattern regionally, in the neighborhoods / communities / areas between (Thompson Lane and Cherry Lane / Leanna Road and properties to the east). The existing Siegel Soccer Complex, the design team, Parks and Recreation Department and the City of Murfreesboro Engineering Department don't want to significantly change the existing drainage patterns to direct water where it wasn't going before. He said there would be some local changes to manage the existing drainage patterns around the field and parking lot areas.

Ms. King asked what type of material would be used for the parking lot.

Mr. Huddleston said the Zoning Ordinance requires off-street parking to be a hard, dustless surface such as concrete, asphalt, permeable pavers. He said they try to stay away from base gravel because it is a tough maintenance problem and in the summer months can create problems in managing dust. He does not anticipate this to be a gravel surface but the overall plan would mean increases in run-off from that property whether the parking lot is permeable or impermeable surface.

Mr. Anthony said the proposal requests asphalt pavement for the parking lot and bituminous surface for the driveway.

BZA Minutes
Regular Meeting
January 27, 2016

Ms. Mosby verified the fields would be at least 950-feet away from the neighborhood.

Mr. Camp came back to the podium and agreed stating the closest home on Cherry Lane which is directly north of the fields is approximately 950-feet away, the closest home to the west is 1,600-feet away, the closest home to Northbrook to the south is 1,300-feet away.

Mr. Camp said the drainage has been designed with infiltration green drainage treatments so they are not increasing the run-off from this site. He said the property has an approximate 20-foot elevation change and grading would flatten the property to reduce the rate. He said the slopes would be flattened to 1 ½ % and will slow down some of the run-off. Mr. Camp said they have to match pre-development and post-development flow rates and treat the parking lot run-off as a State requirement. He said the filtering will be through the bio-swells. He said there is a stream that runs to the northeast under Cherry Lane. Mr. Camp said they are not taking any water toward Northboro at all.

Acting Chairman Halliburton referred to Sheet C.102 future building on the west side and asked Mr. Camp if that would be the bathroom.

Mr. Camp said yes.

Acting Chairman Halliburton asked why the bathrooms were in Phase II and not a part of the original project.

Mr. Camp said they do not have City sewer service at this time. The City Sewer stops where Cherry Lane transitions from the improved Cherry Lane to the old county. He said more than likely sewer service will be extended with the extension of Cherry Lane.

Acting Chairman Halliburton asked how long the portable toilets would be at the location.

Mr. Camp said approximately two years if Cherry Lane extension begins construction in 2018. He said this project started much earlier with hopes to move into construction in the spring but because of the extended public input process it is likely these fields won't be open until the Spring or Fall of 2017.

Acting Chairman Halliburton said he hopes there will be ample parking when Cherry Lane is complete so there is no parking on the street.

Mr. Camp said 200 parking spaces will be provided for the six practice fields.

Acting Chairman Halliburton asked if there is a landscaping plan.

BZA Minutes
Regular Meeting
January 27, 2016

Mr. Camp said yes, adding they met the requirements. He said landscaping would be provided along the temporary access drive next to the homeowners. No additional screening was added around the complex because there are existing fence rows around the proposed soccer fields.

Acting Chairman Halliburton said there are City type landscaping buffers listed in the zoning ordinance and asked Mr. Camp if he knew what this existing fence row and trees would compare to.

Mr. Camp was not familiar with the City buffer types and could not answer. He said the existing tree-lines with fence rows contain heavy vegetation. He showed where additional landscaping is proposed to be added. Mr. Camp feels the Parks and Recreation Department would be willing to add addition evergreens, if deemed necessary.

Acting Chairman Halliburton said a determination of the buffer type needs to be defined if this is approved. He said a buffer would be required for any other project that would come before the Planning Commission.

Mr. Camp said they intend to honor the City Design Code 100%.

Acting Chairman Halliburton asked what the hours of operation would be.

_____ (man in purple shirt – never gave his name) said the fields would close at dark with Phase I and the hours would be extended when lights were installed. He said the lights can only stay on till 10:00 P.M. at Siegel Complex so that would probably be the same after lights are installed. He said keep in mind it is not only children that play soccer as there are teenagers and adults. Soccer fields are needed for all demographics. During the school year the park would close around 6:30 P.M. and during the summer around 8:30 P.M.

Acting Chairman Halliburton referred to the traffic concerns realizing that the expansion of Cherry Lane is on the radar within the next three years. He wanted to know what could be done on a temporary basis to improve the ingress and egress to the fields.

Mr. Camp said having heard all of the traffic concerns today he thinks they would go back and have further discussions about possibly providing shoulders. He said the City owns several hundred feet of frontage on Cherry Lane so maybe they could make changes there. He said there could be a left and right turn lane added as you come out of the complex. Mr. Camp said they will review the area and see what else could take place.

Acting Chairman Halliburton asked if there would be a possibility of a right turn lane since the City owns some of the frontage.

BZA Minutes
Regular Meeting
January 27, 2016

Mr. Camp agreed they would review the possibility of adding a right turn lane and other options that might be acceptable for a temporary solution. He said the proposed site would be fenced and have controlled access into the facility.

Mr. Camp addressed the public hearing notices that were mailed out. He said 84 registered letters were mailed to residents located within the City of Murfreesboro. The list was provided by the City. There were 67 responses returned in the mail. He apologized for the residents that did not received notification and after checking determined they were located in the County.

Ms. King asked if a traffic study would be completed for the subject area.

Mr. Huddleston said the City has not looked specifically at the soccer park but a traffic study was done for the Cherry Lane project. They looked at traffic patterns and road needs in the vicinity including the feeder road (Sulphur Springs and Leanna Road). Since this is coming off from Cherry Lane, they will also review that area for roadway improvements.

Ms. King asked what amount of traffic the soccer fields would bring to the area.

Mr. Camp said the practices during the fall and spring will take place after school until dark, about 6:00 P.M.

Ms. King disclosed that she and her husband are friends with Kelly and Nick Mangrum. She said there were a couple of conversations with them where they voiced concerns about this project. Ms. King said the conversations took place last year before this came before the Board of Zoning Appeals.

Acting Chairman Halliburton said any time the recreation facility for the City of Murfreesboro is a good thing. He spoke in favor of additional practice fields because they are needed. Acting Chairman Halliburton said his children enjoyed using the City facilities when they played soccer. He does not want to limit any child or family from having that opportunity. His expressed concerns regarding drainage and traffic. He said temporary road improvements need to be looked at closely since permanent changes are scheduled for the Cherry Lane area. Acting Chairman Halliburton said if there is some improvements that can be done on the front end that would not be so costly, he would be for the application. He also serves as a Planning Commission member and would have the ability with other Commission members to review this site plan.

Ms. Mosby said it is a good project and understands how the neighborhood feels. She said the City has gone above and beyond to make sure they are taking care of the

BZA Minutes
Regular Meeting
January 27, 2016

drainage and hopefully make some traffic improvements until they can complete the Cherry Lane project.

Acting Chairman Halliburton asked Ms. Mosby if she meant for that to be a motion.

Ms. King said she agrees with Acting Chairman Halliburton's concerns regarding traffic. She also suggested additional buffering be added to this project to reduce noise impact on the surrounding communities.

Ms. Mosby made a motion to approve a Special Use Permit to allow recreation fields on property in the Single-Family Residential (RS-15) district located at 3574 Leanna Road with any additional comments made about the buffers and road improvements.

Acting Chairman Halliburton did not disagree with Ms. Mosby but asked if the buffer and road improvements would be made at the site plan review or should the Board of Zoning Appeals add them as conditions of approval.

Mr. Ives said normally there is not a buffering requirement in Light Zoning. He said this is all zoned RS-15 and while carving out a use, there is no rezoning. There is some natural buffering where the old fence rows are proposed stay. He said normally additional landscaping would not be required because the zoning is the same.

Mr. Huddleston came to the podium and agreed with Mr. Ives. He said the Planning Commission has the ability to review site plans and add buffering requirements. Mr. Huddleston said there are some standard landscaping requirements and buffering requirements. He said the least amount of buffering specified in the City Landscaping Ordinance is Type A and the most restrictive is Type E. Mr. Huddleston said the Type E would be used in a setting where Heavy Industrial (H-I) would be adjacent to a residential use, then they would expect that to be the widest buffer and heaviest planted buffer. He said a typical buffer between a Commercial use and Residential would be a Type D buffer, which this most resembles. A Type D buffer is a 12-foot wide buffer strip with a certain amount of planting as specified in the ordinance. Mr. Huddleston said what would help Staff would be to look at this at the site plan level as if your motion could include specifying what particular filler buffer standard you would expect to meet, using the A-E buffer designation.

Mr. Ives said as part of a Special Use Permit within this zoning area, the Board of Zoning as well as the Planning Commission could require buffering or additional buffering.

Acting Chairman Halliburton said he would like to see a Type D buffer in the areas that are adjacent to the neighborhoods. He said some of the areas already have a Type D buffer and feels this should added to all the other areas.

BZA Minutes
Regular Meeting
January 27, 2016

Ms. King recommended a Type D buffer be added around the fields to also act as a noise barrier. She said space is a good buffer but doesn't keep the sound at bay.

Acting Chairman Halliburton asked Ms. Mosby if she wanted to amend her motion to include a Type D buffer surrounding the fields.

Ms. Mosby said 950-feet from a neighborhood is a long distance.

Ms. Mosby made a motion to approve a Special Use Permit to allow recreation fields on property in the Single-Family Residential (RS-15) district located at 3574 Leanna Road and leave it up to the Planning Commission when the site plan is reviewed to determine what type of buffer is needed.

Ms. King then made a motion to approve the request conditioned upon a Type D buffer surrounding the fields.

Mr. Ives said the first motion died for lack of a 2nd so it would be appropriate to have another motion.

Ms. King made a motion to approve a Special Use Permit to allow recreation fields on property in the Single-Family Residential (RS-15) district located at 3574 Leanna Road with the following condition:

- 1) A Type D buffer be installed surrounding the fields.**

Ms. King asked Mr. Ives if shoulder improvements could be added as a condition.

Mr. Ives said the Type D buffer can be conditioned, but to just say shoulder improvements is too vague because there is no specific location.

Ms. Mosby asked if the buffer requirement would be an A buffer.

Mr. Ives said a Type A buffer would be the minimum requirement if the soccer field area was to be rezoned park and the rest of it stays zoned RS-15.

Ms. King said she was attempting to make a motion that included Acting Chairman Halliburton's comments but doesn't think she can do that now.

Acting Chairman Halliburton said the roadway improvements may need to be addressed at the site plan review level.

Mr. Ives agrees the Planning Commission routinely addresses roadway improvements when a significant amount of traffic would be coming and going out of a location.

Ms. King restated her motion as the following:

Ms. King restated her motion to approve the request with the following conditions:

- 1) A Type D buffer surrounding the fields**
- 2) Temporary roadway to Cherry Lane**

The motion was seconded by Acting Chairman Halliburton and carried unanimously in favor.

Application Z-16-004 by Kim Mitchell, requesting a Special Use Permit to allow an Accessory Apartment on property in the Single-Family Residential (RS-15) district located at 3450 Northboro Court.

Mr. Anthony reviewed the application and the Staff comments contained in the BZA agenda package. If the Board approves the Special Use Permit request Staff recommends the following condition:

- 1) The Special Use Permit will lapse at such time that the ownership of the property is transferred.

Mr. Kim Mitchell was present to answer any questions.

Mr. Mitchell came to the podium and said they are requesting the accessory structure for his wife's elderly disabled father. They are responsible for taking care of the elderly parent and want to give him some sense of independence. He said instead of making heavy modifications to the interior of their house they chose to locate a small dwelling, around 450-square feet. Mr. Mitchell said the exterior will match what is currently there. He said since there is a drainage issue with their lot, they are very conscientious that the small footprint is located in an area that doesn't impede or express any water onto any additional neighbors or cause additional run-off. Mr. Mitchell hoped to already have this in place but the elderly father came to live with them a little bit quicker than anticipated. He said they are currently in the process of interviewing builders and obtaining estimates on how much this will cost. He anticipates approximately 90 days to complete the project once they get started.

Ms. King asked if there would be an entryway into the home.

Mr. Mitchell said no as they plan to locate the structure directly off from a walkway.

Acting Chairman Halliburton asked if there were any setback issues with the placement of the structure at the chosen location.

Mr. Anthony said no but Mr. Mitchell will have to abide by the accessory structure guidelines which is 5-feet off of the house and property line.

BZA Minutes
Regular Meeting
January 27, 2016

Mr. Mitchell said the accessory structure will be located more than 90-feet away from the closest home.

Ms. King asked why the condition was needed regarding the special use permit lapse if the ownership of the property were changed.

Mr. Anthony said one of the standards in the Zoning Ordinance is for having an accessory apartment is that the homeowner has to reside at the main house and it has to be a relative living in the accessory structure. If Mr. Mitchell ever sells the house and moves away, they do not know who would occupy the house and who they would be leasing or have living in that house. They want to be sure that standard is upheld. Mr. Anthony said there are expectations in a lot of single-family residents that you have a homeowner and they are not renting to random people.

Acting Chairman Halliburton opened the public hearing.

Mr. Eric Poole at 3451 Northboro Court came to the podium. Mr. Poole verified the BZA Special Use Permit ends at the transfer of the property.

Mr. Anthony said that is correct, if approved by the Board of Zoning Appeals.

Acting Chairman Halliburton asked to hear all the questions that might come up and will address them afterwards.

Question/Concern #1: Mr. Poole asked in the future could someone buy this property and come back and ask for another rezoning for commercial application or anything like that.

Question/Concern #2: Mr. Poole asked how much land is actually needed to ask for Special Use Permit for an accessory apartment.

Question/Concern #3: Mr. Poole said the placement of the accessory structure would not impact the current water issues in the area. With the horse farm being sold and the potential development, there is a lot of uncertainty with regards to water in the neighborhood. He said this is a small piece for something that is a lot bigger than the community but the concern is that small piece could exasperate if they have more impermeable surfaces and those type of things with regards to their backyard.

Ms. Barbara Duvall at 3440 Northboro Court came to the podium. She was concerned about an apartment being built in a residential area. She said they all have elderly parents but accommodate them within their homes without building additional structures. She said if this is a temporary thing, for as long as Mr. Mitchell owns the

BZA Minutes
Regular Meeting
January 27, 2016

property, maybe there is an alternative option. Instead of building a permanent structure Ms. Duval suggested a mobile home might be more appropriate. She said others in the neighborhood might want to also build accessory structures for their elderly parents. She questioned if the need was really there if the person is already living in the home. Ms. Duvall said if the person needed the sense of independence then perhaps one of the places around the corner would be a better alternative. She also suggested a temporary structure could be installed and removed when necessary.

There being no one else to speak, Acting Chairman Halliburton closed the public hearing. Acting Chairman Halliburton said they would address Mr. Poole's questions starting with how much land is needed in order to accommodate another structure.

Mr. Anthony said this property is located in an RS-15 zoning district which is the largest lot for a single-family residential district. He said 25% of the lot can be covered with structures. He said on a very large lot (2.3 acres) there will be plenty of room and not go over that cap. Mr. Anthony said the accessory apartment itself cannot be over 700 square feet and the structure Mr. Mitchell has shown is below that cap.

Acting Chairman Halliburton referred to another question by Mr. Poole asking if another request can be made when Mr. Mitchell sells this property for a different zoning or different use of the whole property in question.

Mr. Anthony said anybody can request a rezoning anywhere or anytime but getting a rezoning in the middle of a single-family neighborhood for a single lot and the likelihood of that is slim to none.

Acting Chairman Halliburton said they do get applications for in-home businesses (ex. hair salons, daycares). He said there was one last month not asking for rezoning for commercial but asking for a business to be run out of their home. He said they listen to every request and based upon input of from the neighbors, they look at what impact that business will have on the neighborhood whether it is approved or denied by the Board of Zoning Appeals. He said there was a request last month to run a daycare business out of a residence and the neighbors felt the impact would be too much for the neighborhood. He said even though she was planning to run the daycare out of her house and not an accessory structure, the request was not approved because of the fact they didn't feel like it was the right place and it would have a negative impact on the neighborhood. Acting Chairman Halliburton said anyone can come before the Board of Zoning Appeals requesting an in-home business but the likelihood of it being approved will stand on its own merits. He said an in-home business could be requested whether or not there is an accessory structure or not.

Acting Chairman Halliburton referred to the question about the water impact. He said the water impact regarding this particular pad that Mr. Mitchell would build the accessory

BZA Minutes
Regular Meeting
January 27, 2016

structure on, he would not be obligated to do any type of engineering plan with respects to 500 square foot building and asked Mr. Anthony to answer Mr. Poole's question.

Mr. Anthony said if this Special Use Permit is approved, Mr. Mitchell would bring in a plan and seek a building permit from the Building and Codes Department, bring it to the Planning and Engineering Department for review. He said a Staff Engineer would look at the property to assure there was no problems with the flow before signing off on that permit and sending it back to the Building and Codes Department.

Acting Chairman Halliburton referred to Ms. Duvall's question regarding a need for a separate permanent structure.

Mr. Anthony said if Mr. Mitchell were to put a temporary structure there it would be classified as a temporary structure, he would not be able to have someone living in that more than 14 days out of the year. Mr. Anthony said it would have to be an emergency before anyone could live there for even 14 days. He said it does need to be a permanent structure on permanent foundation per the Zoning Ordinance.

Ms. Mosby made a motion to approve a Special Use Permit to allow an Accessory Apartment on property in the Single-Family Residential (RS-15) district located at 3450 Northboro Court with the following condition:

- 1) The Special Use Permit will lapse at such time that the ownership of the property is transferred.**

The motion was seconded by Ms. King and approved unanimously.

Staff Reports and Other Business

None

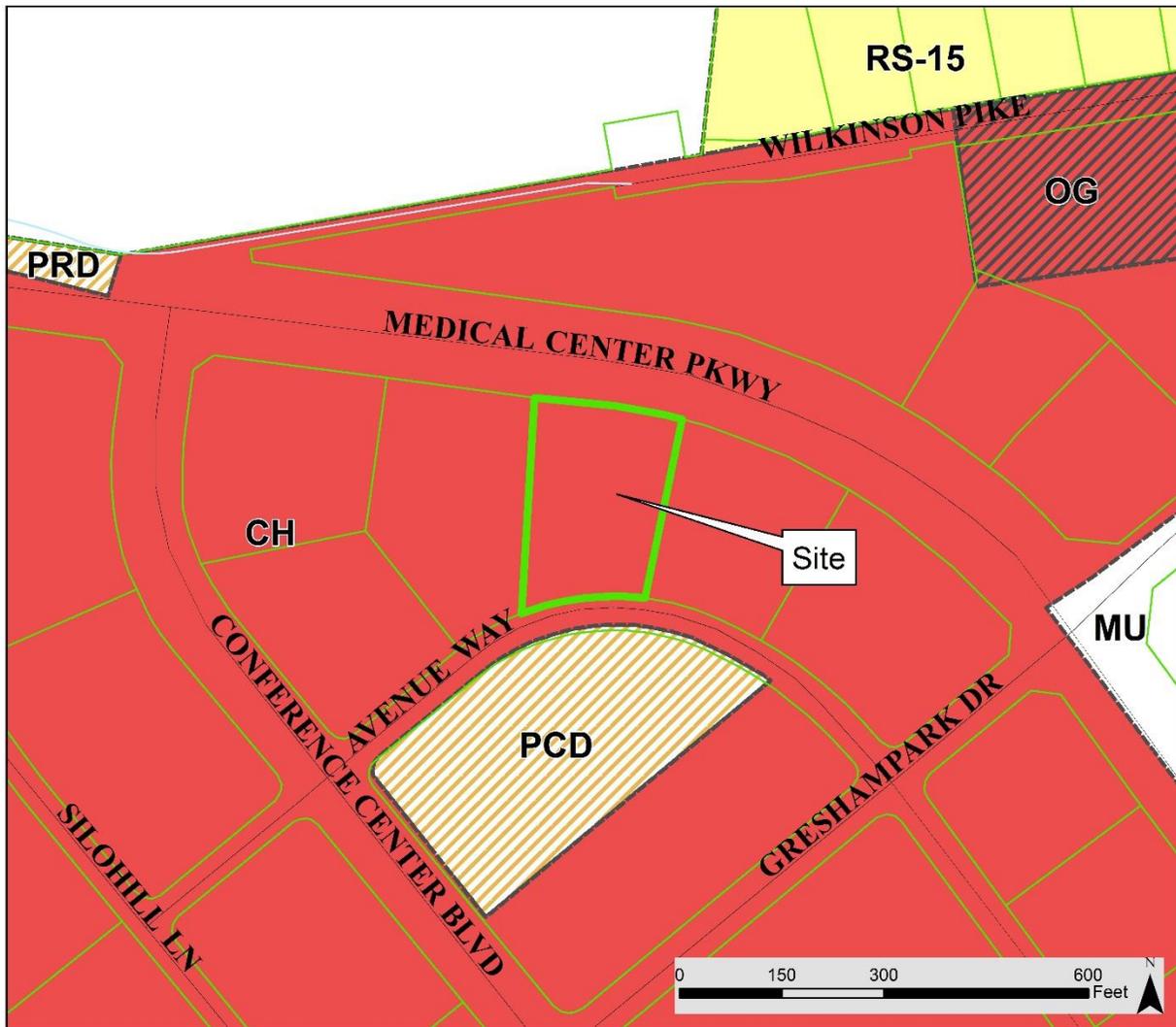
The meeting adjourned at 3:18 P.M.

CHAIRMAN

SECRETARY

**MURFREESBORO BOARD OF ZONING APPEALS
STAFF REPORT
FEBRUARY 24, 2016**

Application: S-16-005
Location: 3017 Medical Center Parkway
Applicant: Betsy Shackelford of Premier Sign Co. representing John Nickerson
Zoning: Highway Commercial District (CH)
Request: A Variance from Section 25¼-24 (A)(22) of the Murfreesboro Sign Ordinance, which prohibits a sign placed in or over a public utility or drainage easement



The Applicant, Betsy Shackelford with Premier Sign Company representing John Nickerson with Lazy Boy Furniture Gallery, is requesting a variance from Section 25 ¼-24 (A)(22) of the City of Murfreesboro Sign Ordinance which prohibits a foundation or signs placed in or over a public utility or drainage easement without consent of the easement holder and Board of Zoning Appeals approval. There are two sign locations proposed which need approval at 3017 Medical Center Parkway and are within a GDO-1 Zone.

The applicant is requesting permission to erect two (2) signs within utility easements. The request includes one (1) internally illuminated push thru style freestanding wall sign with 60 sq. ft. display area, and an overall height of 12' along Medical Center Pkwy and is within a 40' Sanitary Sewer and a 30' Public Utility and Drainage easement.

The second sign along Avenue Way is an internally illuminated push thru style freestanding wall sign with 38sq. ft. display area, an overall height of 10'9 ½" and will be located within a 20' public utility easement.

The Agreement for a Sign in a City of Murfreesboro Easement for both sign locations has been signed by Murfreesboro Water and Sewer, Murfreesboro Electric, the City Engineer and the Director of Building and Codes. A letter of approval has also been received from CUD, Atmos Energy and AT&T.

Due to the sensitivity of placement of the sign in regards to utility lines, the signs have been located on site by a Tennessee Registered Engineer. Also, the sign along Medical Center Pkwy will be located on top of a Main Sewer line, and the Water & Sewer Department is requiring that after installation a video of the full sewer section be provided to them to assure no damage to the line prior to final inspection approval.

The applicant will comply with all other setbacks and regulations.

**CITY OF MURFREESBORO
APPLICATION FOR SIGN VARIANCE**

No: _____

This application for a variance from the Murfreesboro Sign Ordinance may not be filed unless all items on the Application have been completed, attachments submitted, and the fee paid. The Applicant must read carefully the Summary of Code Provisions and Rules of Procedure for the Board of Zoning Appeals and follow these guidelines.

Applicant: Premier Sign Co.
Address & Phone #: 1720 Ed Temple Blvd / Nashville, TN 37208 - 615-687-4183
Owner of sign: John Nickerson
Address & Phone #: 3017 Medical Center Pkwy / Murfreesboro TN - 615-477-4057
Person erecting/affixing sign: Premier Sign Co
Address & Phone #: 1720 Ed Temple Blvd / Nashville TN 37208
Location of building or lot on which sign is to be erected: 3017 Medical Center Pkwy
Front of Property on Medical Center & Front of property of Avenue way

Variance(s) requested - describe specific relief sought, with code section(s):
Sign & easement.
Section 25'4" = 24' (22) - to be allowed to place sign
within public utilities easement, with easement holder's
approval.

A blueprint , or ink drawing _____, or photo of the sign is attached to this application.

This variance has been requested and denied within the past year. Yes _____ No
If yes, new evidence and/or changed conditions are: _____

Betsy Shackelford
Applicant's Name (Print)

Betsy Shackelford
Applicant's Signature

OWNER'S CONSENT

I own the property, building or structure on which the sign is to be erected or affixed and I consent to the filling of this application.

JOHN NICKERSON
Name of Owner

John Nickerson
Owner's Signature

3017 MEDICAL CENTER PKY.
Address MURFREESBORO, TN

615-778-0190
Phone #

Received by: B. DAVIS
Date: 1-11-16

Make Check Payable to: "City of Murfreesboro"
Filing Fee: \$250.00
Paid: Cash _____ Check No 30901
Receipt No: 22709

1
received
1/11/16
AK

APPLICANT'S JUSTIFICATION FOR SIGN VARIANCE

No: _____

Location: _____

3017 Medical Center Pkwy

Min Greenboro TN

The Board of Zoning Appeals may grant a variance from the Sign Ordinance only if strict application of the Sign Ordinance will result in peculiar and exceptional practical difficulties or undue hardship upon the owner of property and if granting the variance will not result in substantial detriment to the public good and will not substantially impair the intent and purpose of the Sign Ordinance, Zone Plan and the Zoning Ordinance. The Applicant must present evidence to the Board of Zoning Appeals on each of the following conditions and must outline its justification as to each condition below. The justification provided must be sufficient for the Building Official to determine that each of the requirements of the ordinance might be met by the Applicant. If necessary, attach additional sheets to list of relevant facts. If the justification is not stated or is inaccurate or is insufficient as a matter of law, the Application may be denied by the Building Official prior to any hearing before the Board of Zoning Appeals. The Applicant will be informed of any such denial.

The peculiar and exceptional practical difficulties or exceptional, undue or unusual hardships justifying a variance are:

There is a "public utility easement" which spans the entire front of the property on Medical Center Avenue driveway.

That these conditions are not generally applicable to other property in the same zoning district is shown by:

They conditions are applicable to other property owners.

That these conditions are not general or widespread or financial alone is shown by:

There are no financial hardships, it is a safety issue for visibility for the sign.

That these difficulties or hardships have not been created by any person having an interest in the property after 1990 is proven by:

They have not

That the variance will not increase the danger of fire or endanger the public safety is proven by:

Engineer's Drawing & Design. There is not a fire hazard.

Betsy Shackelford
Applicant's Name (Print)

Betsy Shackelford
Applicant's Signature

CUDRC hereby grants Nickerson Property Holdings permission to place a sign ___ ft. in height, ___ square feet in area, within its easement at this location subject to these terms and conditions.

Consolidated Utility District of Rutherford County (CUDRC)

By: BRYANT BRADLEY
Authorized CUDRC Official

[Signature]
Signature

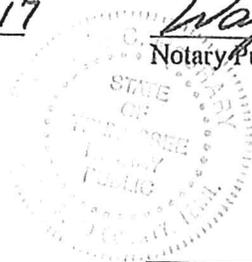
Title: PROJECT MANAGER
Date: 1-11-16

STATE OF TENNESSEE
COUNTY OF RUTHERFORD

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Bryant Bradley, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledged himself/herself to be the Project Manager of Consolidated Utility District of Rutherford County (CUDRC), and that he/she as such WM, being authorized to do so, executed the foregoing instrument for the purposes therein: contained by signing his/her name as the Project Manager of Consolidated Utility District of Rutherford County (CUDRC).

WITNESS MY HAND AND OFFICIAL SEAL, this the 11th day of January, 2016.

My commission expires: 08-19-2017

Wayne C. McCarry
Notary Public


City of Murfreesboro

By: _____
Authorized City of Murfreesboro Official

Signature

Title: _____
Date: _____

10'-0"
7'-10⁵/₁₆"

L A Z B O Y[®]
HOME FURNISHINGS & DÉCOR

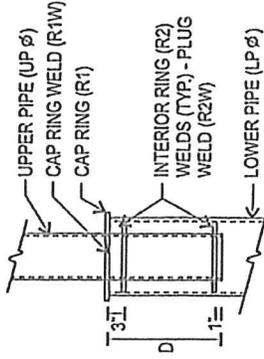
4.50" Dia. - .237"
Steel Support Pipe

Transition 1
OAH: 6'-0"

8.625" Dia. - .250"
Steel Support Pipe

OPTION
6.625" Dia. - .432"
Steel Support Pipe

FINAL GRADE
SCALE: NTS

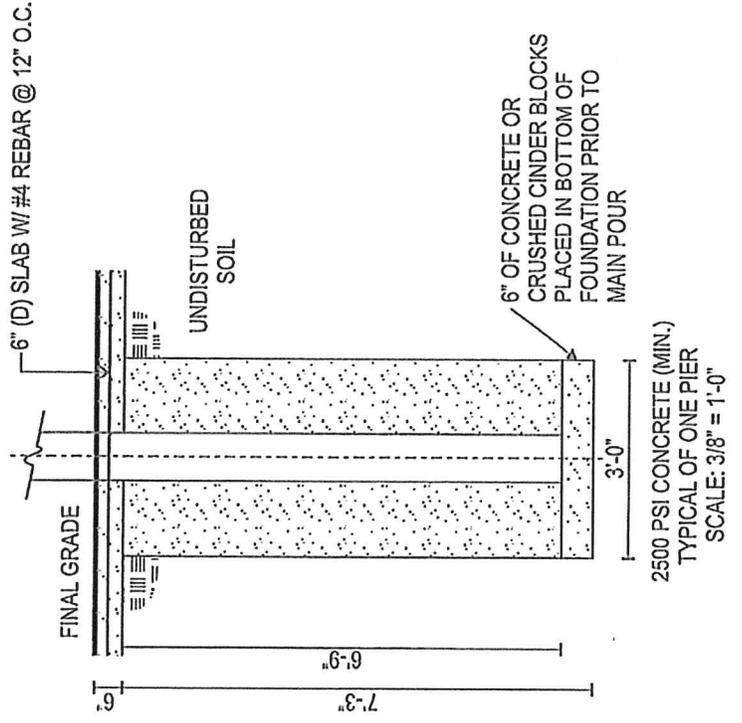


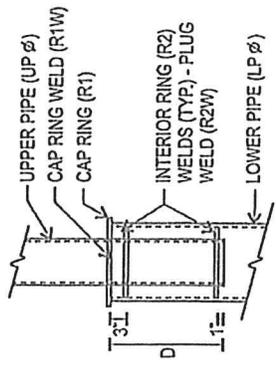
TRANSITION

- (4) 1/2" Wide x 2" Long Plug Welds (<=24" Dia.)
- (6) 1/2" Wide x 2" Long Plug Welds (24" to 48" Dia.)
- (8) 5/8" Wide x 2-1/2" Long Plug Welds (>48 Dia.)

TRANSITION TABLE

#	UP ϕ	LP ϕ	D	R1	R2	R1W	R2W
1	4.5"	8.63"	1.25"	1/2"	3/8"	1/4"	1/4"



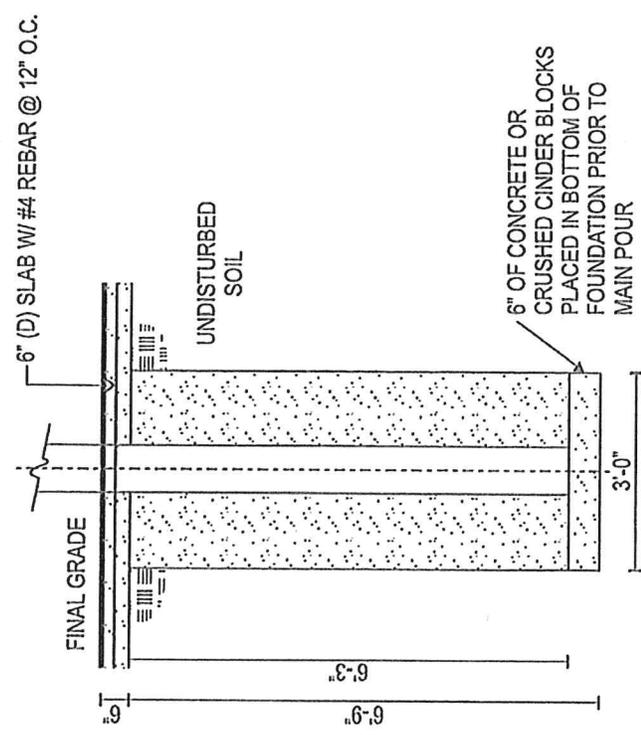
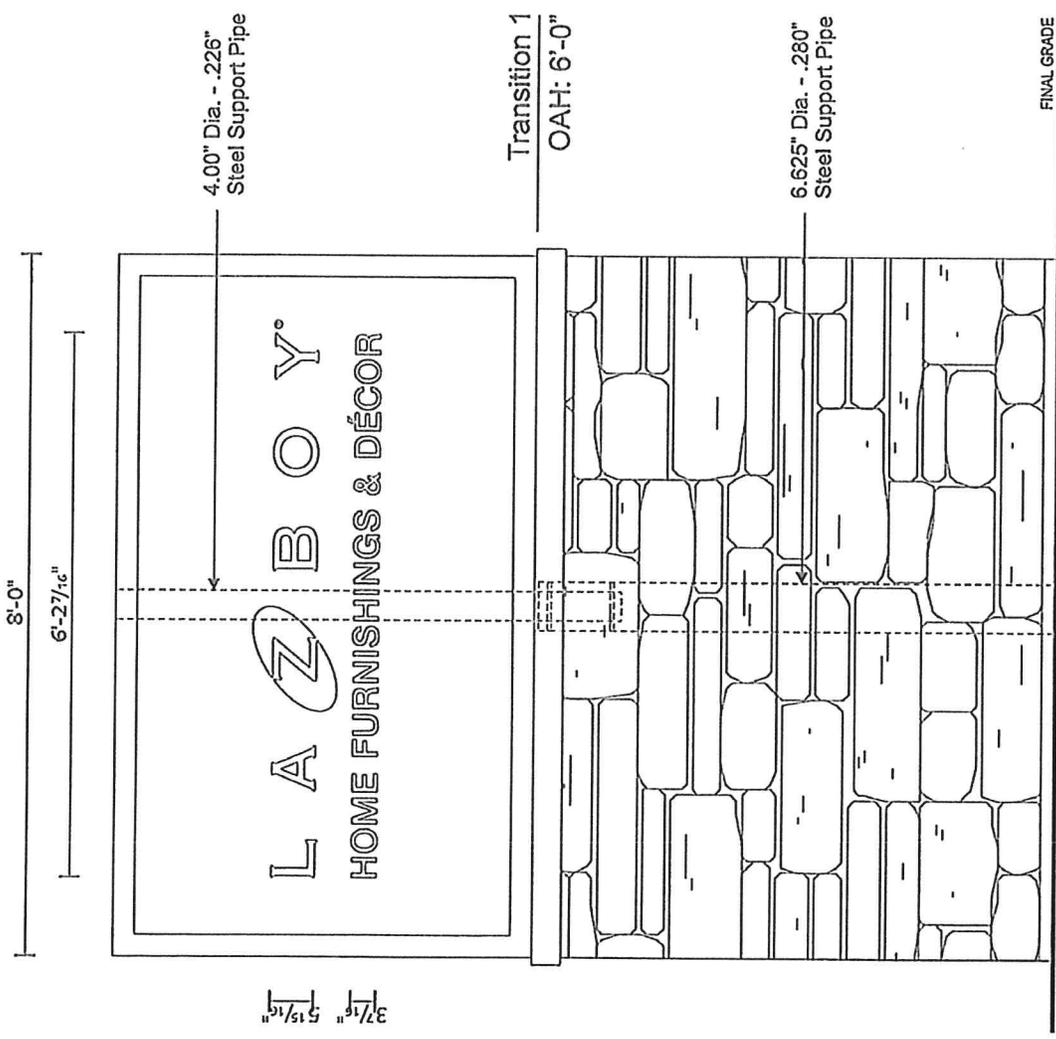


TRANSITION

- (4) 1/2" Wide x 2" Long Plug Welds (<=24" Dia.)
- (6) 1/2" Wide x 2" Long Plug Welds (24" to 48" Dia.)
- (8) 5/8" Wide x 2-1/2" Long Plug Welds (>48 Dia.)

TRANSITION TABLE

#	UP φ	LP φ	D	R1	R2	R1W	R2W
1	4.0"	6.63"	1.0'	1/2"	3/8"	1/4"	1/4"



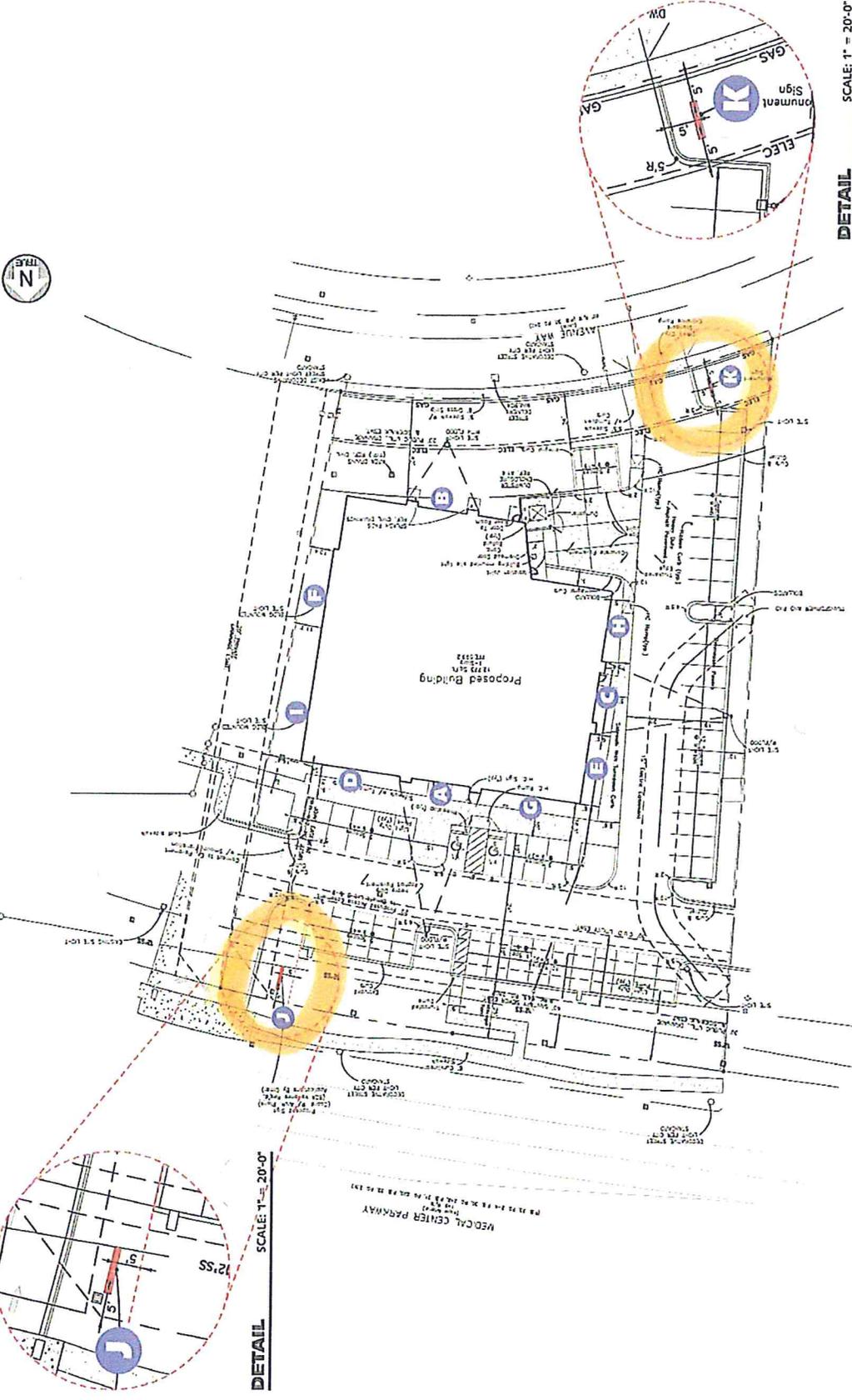
2500 PSI CONCRETE (MIN.)
TYPICAL OF ONE PIER
SCALE: NTS

Division # 0383504A/1
Sheet 8 of 8
Client LA-Z-BOY
Address 3017 Mimco, Cross Pointe, MURFREESBORO, TN
Account Rep. BROWN / TORRES
Designer MAR
Date 5-21-15

Category	Item	Value
Change Order		
Estimate		
Art		
Engineering		
Leadtime		
Revision		
1	LABOR-TO-TO, Enhance Signage	
2	base & sign"K" size = "70K"	
3	installations	

Chandler Signs
www.chandler-signs.com
2341 Highway 101, Suite 101
2449222000
1739 San Pedro Avenue, Suite 200
2449222000
2505 Highway 101, Suite 100-304-2724
0135 Park Center Drive, Box C
Yulee, FL 32091 Fax 766-912-9733
2504 Level Hill Pointe Circle
Beverly Hills, FL 33137
905 Easley Avenue, Suite 300
Lawrenceville, GA 30046
3710 Woodloch Park Court
Brentwood, TN 37024
4500 Highway 101, Suite 100
Lawrenceville, GA 30046
200 West Drive
Lawrenceville, TN 37074 Fax 766-912-9733

UL
Final Electrical Connection by Customer

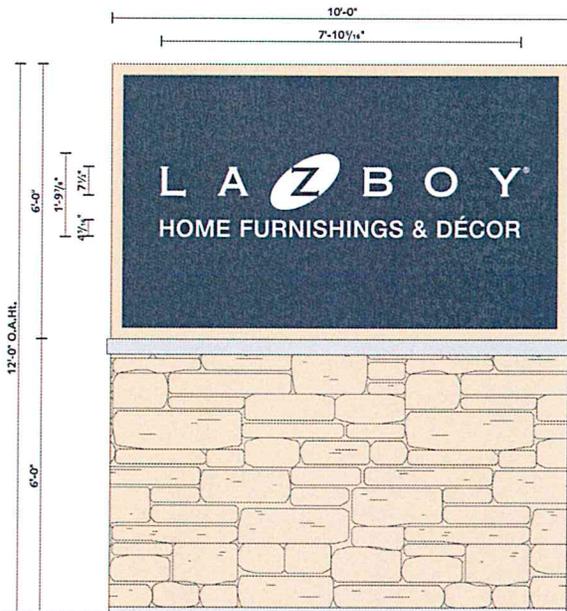


DETAIL SCALE: 1" = 20'-0"

SITE PLAN SCALE: 1" = 40'-0"

DETAIL SCALE: 1" = 20'-0"

12' OAH
60th



D/F FABRICATED ALUMINUM SIGN CABINET & RETAINERS w/ A SAND TEXTURED FINISH PAINTED TO MATCH DRYVIT #108 MANOR WHITE

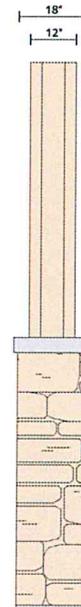
3M PAN 3 FLEXIBLE FACES w/ 1st SURFACE 3M 3630-137 EUROPEAN BLUE "OPAQUE" VINYL OVERLAYS (DOES NOT ALLOW LIGHT TO SHOW THROUGH) & WHITE SHOW-THRU GRAPHICS

INTERNALLY ILLUMINATED w/ GE TETRA POWERSTRIP DS 7100K WHITE LED'S

MASONRY STONE BASE, PRE-CAST CONCRETE CAP & CONCRETE MAINTENANCE PAD BY OTHERS

STD. STEEL PIPE SUPPORT SET IN A CONCRETE PIER FOUNDATION

NOTE: EXACT SUPPORT & FOUNDATION TO BE DETERMINED PER LOCAL CODES, PER WINDLOAD, SOIL CONDITIONS, ETC.



END VIEW SCALE: 1/2" = 1'-0"

D/F MONUMENT ELEVATION
(1) REQUIRED - MANUFACTURE & INSTALL

SCALE: 1/2" = 1'-0"

LA-Z-BOY
FURNITURE GALLERIES

Design #	0383504Ar1
Sheet	6 of 8
Client	LA-Z-BOY
Address	3017 Medical Center Pkwy., MURFREESBORO, TN
Account Rep.	BROWN / TORRES
Designer	MAB
Date	5-21-15
Approval / Date	
Client	
Job	
Estimating	
Art	
Engineering	
Landlord	
Revision / Date	
1-MAB (5/20/15) Reduce Sign* base & Sign* size - "18"	
Install locations	

Chandler Signs
Great Signs. Better Value.

www.chandersigns.com

3206 Manor Way Dallas, TX 75235
354-952-2000 Fax 354-952-2094

1789 San Pedro Avenue, Suite 200
San Antonio, TX 78216
361-349-0304 Fax 361-349-4724

1335 Park Center Drive, Unit C
Thousand Oaks, CA 91320
760-947-7003 Fax 760-947-7033

2348 Sand Hill Point Circle
Daytona Beach, FL 32221
904-420-0007 Fax 904-420-0000

942 Baxter Avenue, Suite 200
Laurieville, KY 40304
502-479-3015 Fax 502-402-0083

37 Waterfront Park Court
Dover, DE 19904
800-433-2041 Fax 302-349-4724

P.O. Box 115 206 Dorval Drive
Perkins, IL 60131
312-683-5179 Fax 312-684-6333

This drawing is the property of Chandler Signs, L.P., L.L.C. and all rights are reserved for reproduction or use without the written consent of Chandler Signs, L.P., L.L.C.

FINAL ELECTRICAL CONNECTION BY CUSTOMER

UL

City of Murfreesboro

Agreement for a Sign in City Easement

Name of Owner: JOHN NICKERSON (NICKERSON PROPERTY HOLDINGS)
 Name of Development: LA-ZBOY FURNITURE GALLERIES
 Address: 3817 MEDICAL CENTER PARKWAY, MURFREESBORO TN.
 Plat Book: 32 Page: 236 Lot: 7 37129
 Easement: Sanitary Sewer NA Water: NA Drainage: 30' Utility: 40'
 Location of Easement: Along Medical Center Parkway property line

The owner hereby requests permission to place a sign in the above referenced dedicated easement. Owner understands and agrees that the City of Murfreesboro may limit the size and height of the sign as a condition of giving permission to place a sign within a dedicated easement. Owner acknowledges that any permission given by City to Owner to place a sign in a dedicated easement does not waive or modify the City of Murfreesboro's rights as the easement holder. Owner understands and agrees that the City of Murfreesboro, or its authorized contractor, may at any time and for any reason perform work within the dedicated easement and that the City shall have no liability to Owner for any damage to the sign in the easement. Owner may be held responsible for the removal of the sign to enable work to be done by City. Owner shall be solely responsible for any costs incurred in repairing or replacing the sign. Owner understands that the City of Murfreesboro reserves the right to limit or to totally withdraw this permission to place a sign within a dedicated easement if such sign is impairing drainage, or interfering with the City's use of the easement, or for any other appropriate reason. If this permission is withdrawn, Owner will be responsible for finding an alternate location for the sign which complies with the City of Murfreesboro's ordinances. Owner shall inform any successor Owner of the terms and conditions of this Agreement.

John Nickerson OWNER 6/16/2015
 Owner's Signature Title Date

The City of Murfreesboro hereby grants Lazy Boy Furniture Galleries permission to place a sign 12 ft. in height, 60 square feet in area, within its easement at this location subject to these terms and conditions.

CITY OF MURFREESBORO

By: [Signature]
 Chief Building Official or designee
 Date: 1-29-16

By: [Signature]
 City Engineer or designee
 Date: 1-29-16

By: [Signature]
 Director of MED or designee
 Date: 7/9/15

By: [Signature]
 Director of Water & Sewer or designee
 Date: 10-19-15

This Agreement must be signed by the Chief Building Official or designee. For a water or sanitary sewer easement, this Agreement must be signed by the Director of Water and Sewer Department or designee. For drainage easement, this Agreement must also be signed by the City Engineer or designee. For a utility easement, this Agreement must be signed by the MED Director of designee.

CUDRC hereby grants NICKERSON PROPERTY HOLDINGS permission to place a sign ___ ft. in height, ___ square feet in area, within its easement at this location subject to these terms and conditions.

Consolidated Utility District of Rutherford County (CUDRC)

By: BRYANT BRADLEY
Authorized CUDRC Official

[Signature]
Signature

Title: PROJECT MANAGER
Date: 1-11-16

STATE OF TENNESSEE
COUNTY OF RUTHERFORD

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Bryant Bradley, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledged himself/herself to be the Project Manager of Consolidated Utility District of Rutherford County (CUDRC), and that he/she as such WM, being authorized to do so, executed the foregoing instrument for the purposes therein: contained by signing his/her name as the Project Manager of Consolidated Utility District of Rutherford County (CUDRC).

WITNESS MY HAND AND OFFICIAL SEAL, this the 11th day of January, 2016.

My commission expires: 08-19-2017

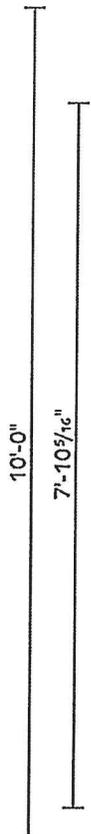
Wayne C. McCarry
Notary Public

City of Murfreesboro

By: _____
Authorized City of Murfreesboro Official

Signature

Title: _____
Date: _____

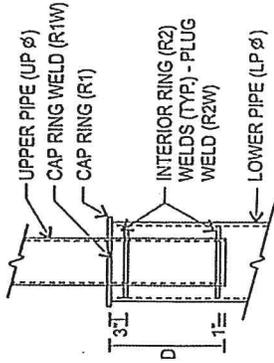


4.50" Dia. - .237" Steel Support Pipe

Transition 1
OAH: 6'-0"

8.625" Dia. - .250" Steel Support Pipe
OPTION
6.625" Dia. - .432" Steel Support Pipe

FINAL GRADE
SCALE: NTS

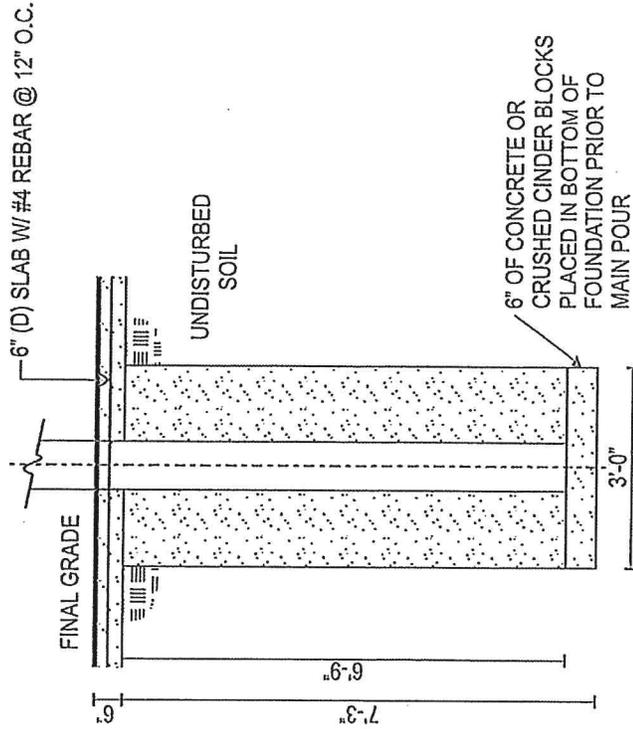


TRANSITION

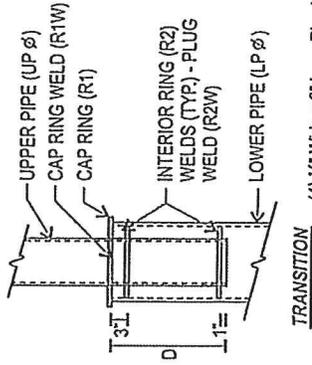
- (4) 1/2" Wide x 2" Long Plug Welds (<=24" Dia.)
- (6) 1/2" Wide x 2" Long Plug Welds (24" to 48" Dia.)
- (8) 5/8" Wide x 2-1/2" Long Plug Welds (>48 Dia.)

TRANSITION TABLE

#	UP Ø	LP Ø	D	R1	R2	R1W	R2W
1	4.5"	8.63"	1.25'	1/2"	3/8"	1/4"	1/4"



2500 PSI CONCRETE (MIN.)
TYPICAL OF ONE PIER
SCALE: 3/8" = 1'-0"

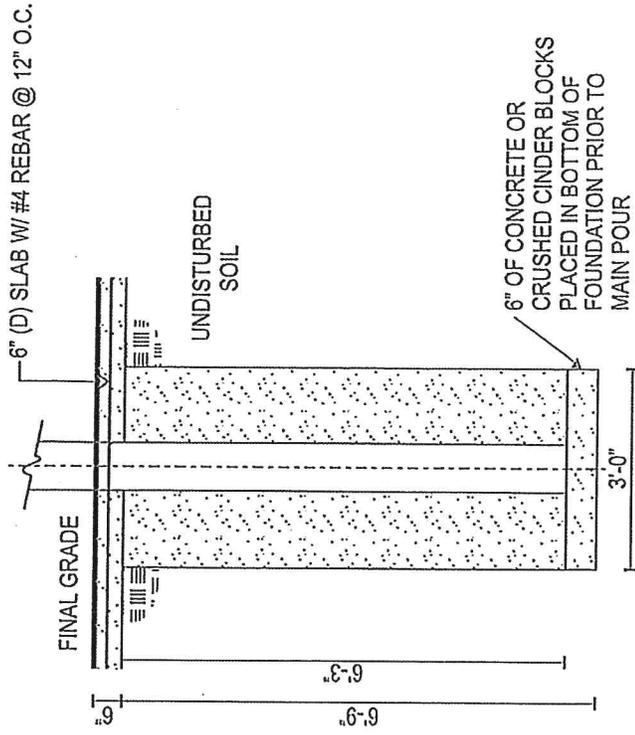
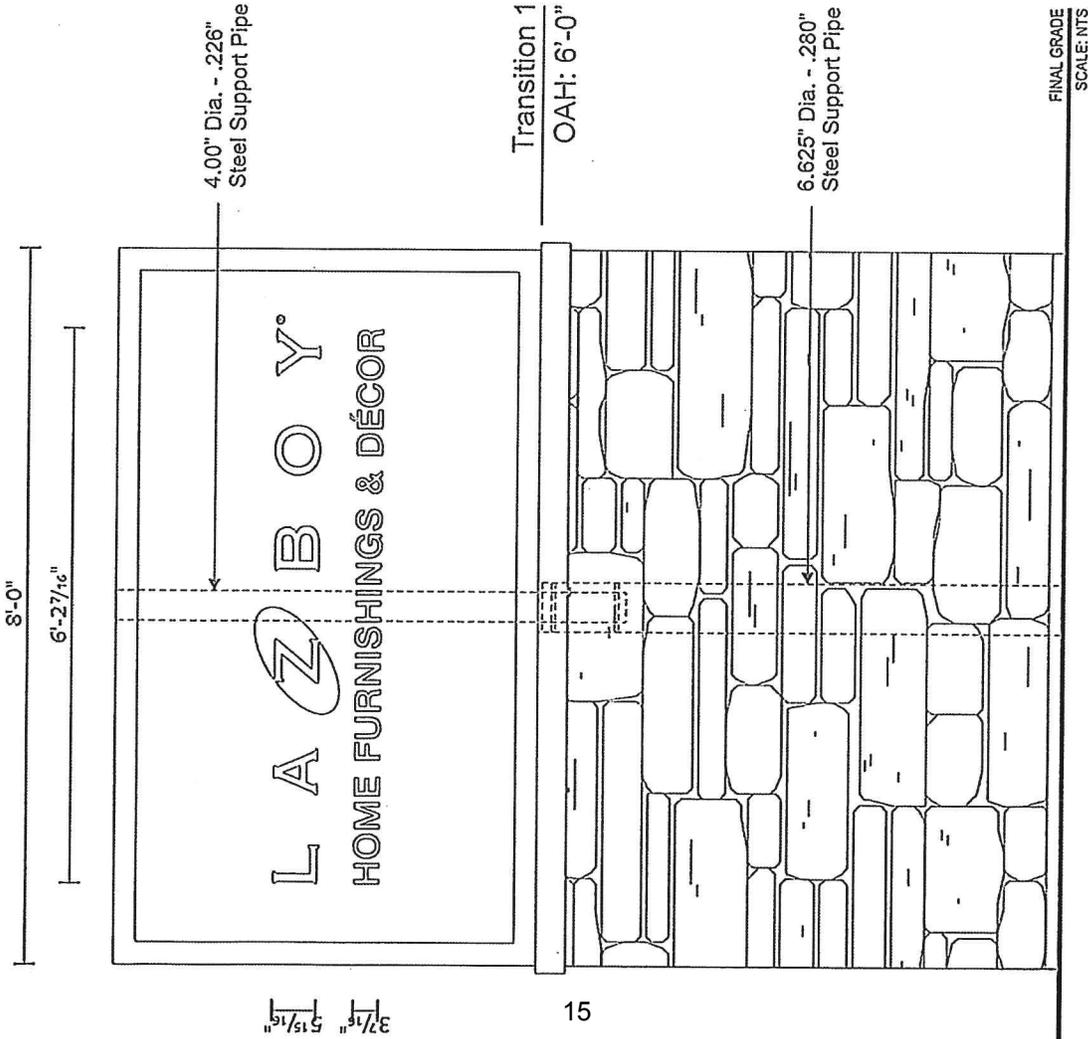


TRANSITION

- (4) 1/2" Wide x 2" Long Plug Welds (<=24" Dia.)
- (6) 1/2" Wide x 2" Long Plug Welds (24" to 48" Dia.)
- (8) 5/8" Wide x 2-1/2" Long Plug Welds (>48 Dia.)

TRANSITION TABLE

#	UP Ø	LP Ø	D	R1	R2	R1W	R2W
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2500 PSI CONCRETE (MIN.)
TYPICAL OF ONE PIER
SCALE: NTS

5/15/15
3/2/15



December 22, 2015

Clay Curtis
ccurtis@tristartransport.com
Premier Sign Company
1720 Ed Temple Blvd
Nashville, TN 37208

RE: Sign Variance
Lazy Boy Furniture Gallery
3107 Medical Center Parkway
Murfreesboro, TN 37129

Clay,

This letter is to approve the installation of two signs by Premier Sign Company within the utility easements on Medical Center Parkway and Avenue Way. Atmos Energy does not have any facilities along Medical Center Parkway but we do have a four inch pe main on Avenue Way. Your plans show that your sign will be placed a minimum of five feet from our gas main.

Please make sure you make your locate request to TN811 before you dig.

If you have any questions, you can reach me at 615-890-6749 extension 2206.

Regards,

A handwritten signature in cursive script that reads "Jerry Burke".

Jerry Burke
Project Specialist
Atmos Energy
334 West Lokey Avenue
Murfreesboro, TN 37130
jerry.burke@atmosenergy.com



December 30, 2015

Clay Curtis,

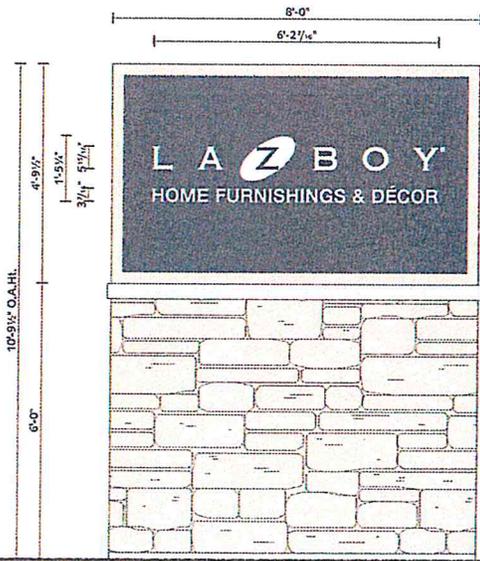
This letter is in reference to the sign approval process currently underway at LA Z BOY Inc. located at 3017 Medical Center Pkwy in Murfreesboro TN. After a site visit on December 28, 2015 AT&T has no objections with the placement of your new sign. We ask that you call 811 to have all facilities located before any excavation work is performed. If you need any further assistance please feel free to contact me.

Thanks in advance,

*Carlos Poole
AT&T Outside Plant Design
116 S. Cannon Ave.
Murfreesboro, TN 37129
T: 615-896-8533*

10 9 1/2

38 1/2



D/F FABRICATED ALUMINUM SIGN CABINET & RETAINERS w/ A SAND TEXTURED FINISH PAINTED TO MATCH DRYVIT #108 MANOR WHITE

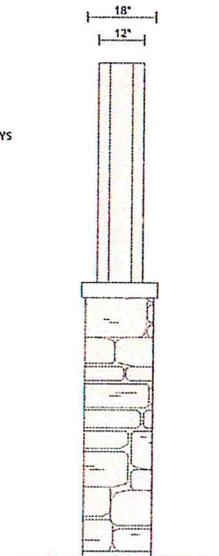
3M PAN 3 FLEXIBLE FACES w/ 1st SURFACE 3M 3630-137 EUROPEAN BLUE "OPAQUE" VINYL OVERLAYS (DOES NOT ALLOW LIGHT TO SHOW THROUGH) & WHITE SHOW-THRU GRAPHICS

INTERNALLY ILLUMINATED w/ GE TETRA POWERSTRIP DS 7100K WHITE LED'S

MASONRY STONE BASE, PRE-CAST CONCRETE CAP & CONCRETE MAINTENANCE PAD BY OTHERS

STD. STEEL PIPE SUPPORT SET IN A CONCRETE PIER FOUNDATION

NOTE: EXACT SUPPORT & FOUNDATION TO BE DETERMINED PER LOCAL CODES, PER WINDLOAD, SOIL CONDITIONS, ETC.



D/F MONUMENT ELEVATION
(1) REQUIRED - MANUFACTURE & INSTALL

SCALE: 1/2" = 1'-0"

END VIEW SCALE: 1/2" = 1'-0"

LA Z BOY
FURNITURE GALLERIES

Design #	0383504Ar1
Sheet	7 of 8
Client	LA-Z-BOY
Address	3017 Mason Court Plaza MURFREESBORO, TN
Account	MR. BROWN / TORRES
Designer	MAB
Date	5-21-15
Approval / Date	
Client	
Title	
Company	
Address	
City	
State	
Zip	
Phone	
Fax	
Email	
Revision / Date	
1-15-15/05-15-15: Reduce Sign's	
Size & Sign's Size "TAK"	
Initial Location	

Chandler Signs
www.ChandlerSigns.com

3115 Mason Way, Suite 112, Murfreesboro, TN 37132
731-245-2278 Fax 731-245-2284

1789 Sun Pkwy, Suite 100, Fort Smith, AR 72304
501-349-3334 Fax 501-349-4724

2122 Park Center Blvd., Suite C, Dover, DE 19901
302-684-7222 Fax 302-684-7223

2184 Laurel Hill Pkwy, Suite 100, Dover, DE 19904
302-684-7222 Fax 302-684-7223

142 Baxter Avenue, Suite 100, Dover, DE 19904
302-684-7222 Fax 302-684-7223

37 Waterfront Park Court, Dover, DE 19901
302-684-7222 Fax 302-684-7223

P.O. Box 112, 218 Laurel Drive, Fort Smith, AR 72304
501-349-3334 Fax 501-349-4724

Final Electrical Connection by Customer

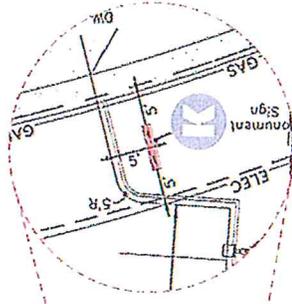
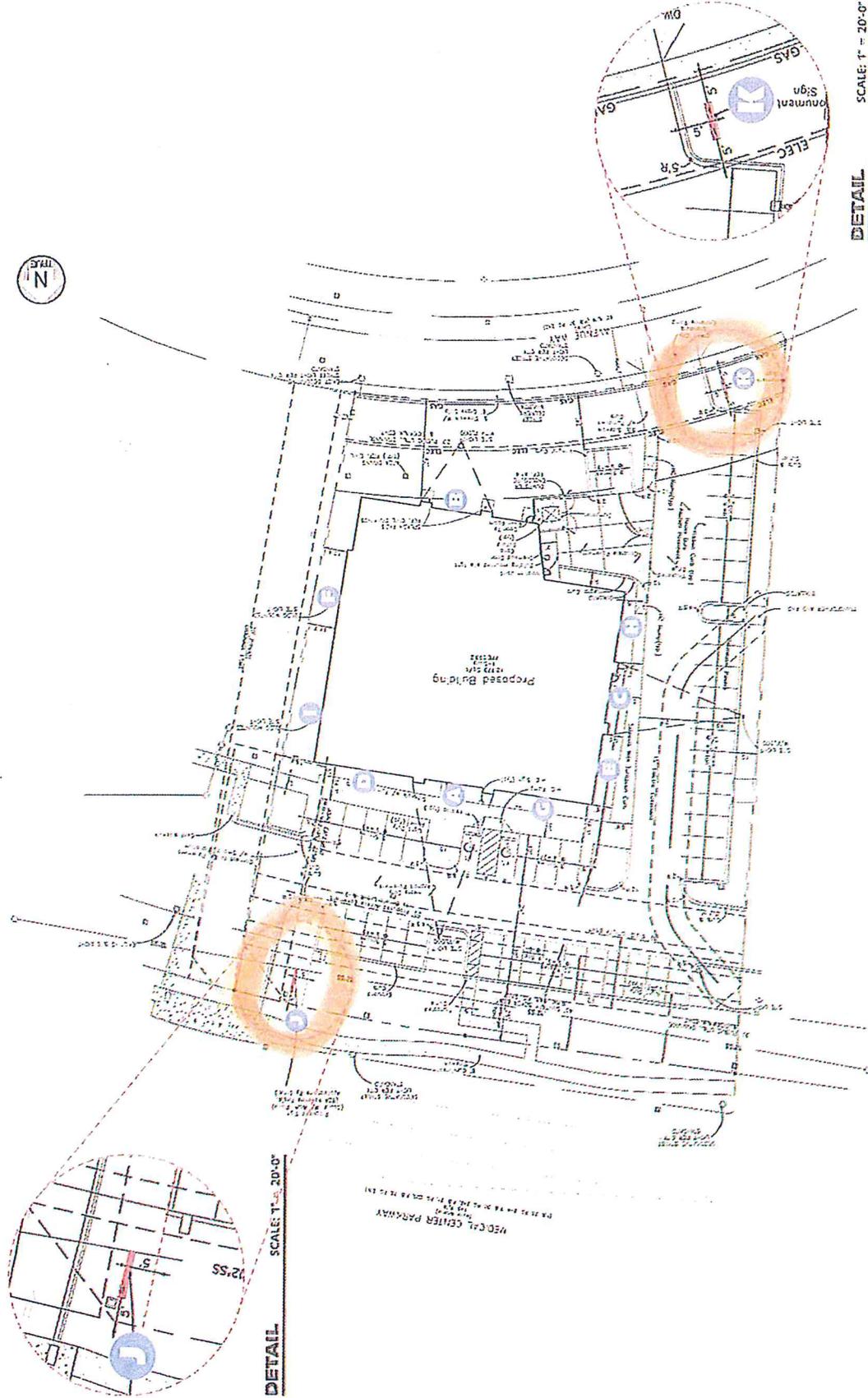
UL

0883504A1
Sheet 2 of 3
LA-Z-BOY
3017 Mission Court, P.O. Box 100
MURFREESBORO, TN 37132
KENNETH BROWN / TORRES
Designer: MAIR
Date: 5-21-15

Client:	
Designer:	
Contractor:	
Electrician:	
Plumber:	
Painter:	
Other:	

Chandler Signs
7289 Main Way, Suite 100, TN 37203
248-922-2200 Fax 248-922-2204
2177 Lee Park Avenue, Suite 200
248-922-2200 Fax 248-922-2204
222 Park Center Drive, Unit C
750-247-2200 Fax 750-247-2202
2194 South Hill Road, Suite 100
248-922-2200 Fax 248-922-2200
7165 Leroy Avenue, Suite 100
248-922-2200 Fax 248-922-2200
27 Westwood Park Court
Dyersburg, TN 37724
910 Hwy 155, Suite 100
P.O. Box 100, Suite 100
248-922-2200 Fax 248-922-2200

FINAL ELECTRICAL CONNECTION BY CUSTOMER



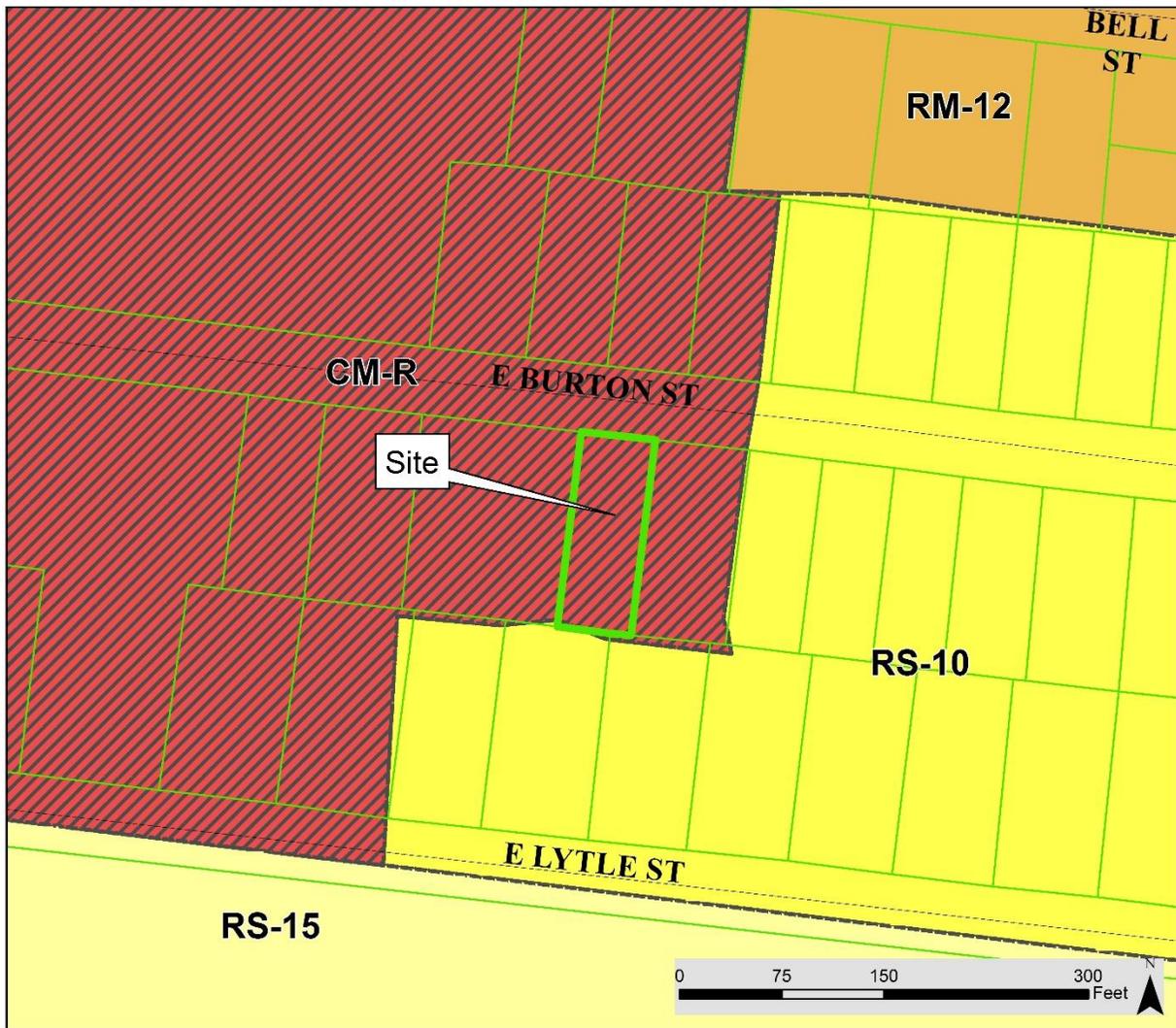
DETAIL
SCALE: 1" = 20'-0"

DETAIL
SCALE: 1" = 20'-0"

SITE PLAN
SCALE: 1" = 40'-0"

**MURFREESBORO BOARD OF ZONING APPEALS
STAFF REPORT
FEBRUARY 24, 2016**

Application: Z-16-006
Location: 704 East Burton Street
Applicant: David Robinson
Zoning: Medical – Residential (CM-R) District
Request: A five (5) foot Variance from Chart 2 (Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios) of the Murfreesboro Zoning Ordinance, which requires a minimum ten (10) foot side yard setback in the CM-R district



Request Overview

The applicant, David Robinson, wishes to construct a new single-family house on the property located at 704 East Burton Street. The minimum required setbacks for single-family detached dwellings in the CM-R district are 30 feet on the front, 20 feet on the rear, and 10 feet on the sides. The applicant seeks a 5-foot side yard setback Variance along the east side of the subject property.

Relevant Zoning Ordinance Section

See Chart 2 for minimum lot standards in the CM-R district.

Staff Comments

The subject property is a 0.18-acre lot located along the southern side of East Burton Street, approximately 500 feet east of North University Street. The property is located within the Medical – Residential (CM-R) zoning district and is surrounded by a variety of land uses. Properties on the east, northeast, and south are used for residential purposes. Properties directly to the north are presently vacant. Adjacent properties to the west house the Rutherford County Emergency Medical Services building and associated parking. NHC Murfreesboro—which provides rehabilitation services and long-term care for senior adults—is located northwest of the subject property.

The subject property has a depth of approximately 145 feet on both the east and west sides and a width of approximately 55 feet at both the front and rear. Prior to a recent re-platting, the subject property was approximately 70 feet in width. As shown on the attached University Heights Addition plat, the boundary between the subject property (identified as Lot 18 on the plat) and the adjacent property to the east (Lot 19) was shifted 15 feet eastward in October 2015. The realignment allowed the existing house on Lot 19 to meet current setback standards. At the same time, accounting for the minimum required 10-foot side yard setbacks, the buildable area of the subject property narrowed to approximately 35 feet.

The applicant attests that the narrow width of the property constitutes a *practical difficulty*. Additionally, the applicant attests that the situation is *not self-created*. With regard to *unusual circumstances*, staff reviewed the widths of neighboring parcels for comparison. Along East Burton Street, 50-foot and 55-foot lot widths are common. Further, aerial photography indicates that many of the houses on these narrow lots are situated closer than 10 feet to their respective side property lines. Most likely, this is due to these houses being constructed prior to implementation of current zoning standards. Ultimately, the Board must determine whether these circumstances warrant the granting a Variance.

Attached Exhibits

1. Murfreesboro Zoning Ordinance, Chart 2
2. BZA Application
3. Applicant's Request Letter
4. Applicant's Supporting Materials
5. University Heights Addition Plat
6. Site Photographs

DISTRICT AND USE	Minimum Lot Requirements		Minimum Yard Requirements ^{5, 17}			Maximum Height ¹⁶ (Ft.)	Maximum Gross Density ² (D.U./Acre)	Land Use Intensity Ratios			Maximum Lot Coverage (percent)
	Area (Sq. Ft.)	Width (Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)			Maximum F.A.R.	Minimum L.S.R.	Minimum O.S.R.	
CM-R DISTRICT											
1. Single-family detached	5,000	50 ^[12]	30 ^[1]	10	20	35	8.7	none	none	none	none
2. Two-family dwellings	5,000	50 ^[12]	30 ^[1]	10	20	35	16	none	none	none	none
3. Single-family with zero lot line ⁷	2,500	25 ^[12]	30 ^[1]	10	20	35	16	none	none	none	none
4. Townhouse dwellings ¹⁰	2,500	18 ^[12]	30 ^[1]	10	20	35	16 ^[9]	0.3	0.48	0.7	none
5. Four-family dwellings	15,000	50 ^[12]	30 ^[1]	5 ^[10]	25 ^[4]	35	11.6	none	none	none	30
6. Medical offices, clinics, and other related uses	none	50 ^[12]	30 ^[1]	10	20	60	none	none	none	none	none
CM DISTRICT											
1. Medical offices, clinics, and other related uses	none	50 ^[12]	30 ^[1]	10	20	60	none	none	none	none	none
CM-RS-8 DISTRICT											
1. Single-family detached	8,000	50 ^[12]	30 ^[1]	10	20	35	5.4	none	none	none	none
2. Medical offices, clinics, and other related uses	none	50 ^[12]	30 ^[1]	10	20	60	none	none	none	none	none
OG-R DISTRICT											
1. Offices and other uses except	5,000	50 ^[12]	30 ^[1]	10	20	35	none	0.3	0.28	0.6	none
2. Single-family detached	5,000	50 ^[12]	30 ^[1]	10	20	35	8.7	none	none	none	none
3. Two-family dwellings	5,000	50 ^[12]	30 ^[1]	10	20	35	17.4	none	none	none	none
4. Three-family dwellings	7,500	50 ^[12]	30 ^[1]	10	20	35	17.4	none	none	none	30
5. Four-family dwellings	12,000	50 ^[12]	30 ^[1]	10	20	35	14.5	none	none	none	30
6. Single-family with zero lot line ⁷	2,500	25 ^[12]	30 ^[1]	10	20	35	17.4	none	none	none	none
OG DISTRICT											
1. Offices and other uses	5,000	50 ^[12]	30 ^[1]	10	20	35	none	0.3	0.28	0.6	none

City of Murfreesboro
BOARD OF ZONING APPEALS

HEARING REQUEST
APPLICATION

Location/Street Address: ~~704~~ E Burton St.

Tax Map: 91 L | Group: H | Parcel: 6.01 | Zoning District: CM-R

Applicant: David ROBINSON | E-Mail: Mail David Robinson@gmail.com

Address: 4823 Conquer Drive | Phone: (615) 870-9012

City: MURFREESBORO | State: TN | Zip: 37128

Property Owner: David ROBINSON

Address: | Phone:

City: | State: | Zip:

Variance for Request: 5 foot side setback on the west side of the property

Zoning District:

Applicant Signature: *[Signature]*

Date: 28 Dec 2015

Received By: B. Davis

Receipt No.: 22710

Application #:

Date: 1-26-16

Murfreesboro
Board of
Zoning Appeals



T E N N E S S E E

HEARING APPLICATION
AND
GENERAL INFORMATION

- a. David & Catherine Robinson 4823 Conquer Drive Murfreesboro, TN 37128 615-870-9012
- b. Owner of subject property
- c. See attached
- d. See Application
- e. Not Applicable
- f. To provide a 5' setback variance on the western property line
- g. To provide a 5' setback variance on the western property line to allow for the construction of a new primary residence with a width of up to approximately 40' in an effort to match existing homes in the surrounding area
- h. Variance is being requested since other zoning options did not appear to viable due to lot size
- i. Property adjacent to the east has front width of 44', directly across the street to the north is vacant lots, adjacent property to the west is also a vacant lot.

Donald Anthony

From: PJ McElyea <mcelyeapj@gmail.com>
Sent: Monday, February 08, 2016 9:01 AM
To: Donald Anthony
Cc: David Robinson
Subject: Re: 708 E. Burton Variance Request
Attachments: University Heights Lot 18 Plot Plan.pdf

1) Your letter does not address the three standards for requesting a variance. These are: practical difficulties; unusual characteristics; and not self-created. I have attached the portion of the Zoning Ordinance that covers these standards. Prior to the application deadline (Monday, 2/8/16, 3:00 PM), please either revise your letter to address these standards or send a supplementary letter/email that addresses these standards. You can email this info to me, and I will add it to the packet.

- Practical Difficulties/Not Self Created - this particular parcel was recently parceled off from a larger lot, by doing so it created a fairly tight building envelope which makes constructing a home and having a usable detached garage difficult to construct.

2) Aerial photography shows a garage on the site. Is that structure still on the site? If yes, do you plan to keep it there?

- Garage will not remain, it is in middle in house envelope.

3) Do you have elevations, renderings, or an exhibit showing the proposed footprint of the new structure? It is unclear from the application and supporting materials exactly where the setback encroachment would occur on the site.

- At this point we do not have any official elevations. We have not started on house plans until we know exact building envelope we are able to use. See attached plot plan showing new proposed set back on the right of the property.

Hope this helps, if you need anything else just let me know.

Thanks

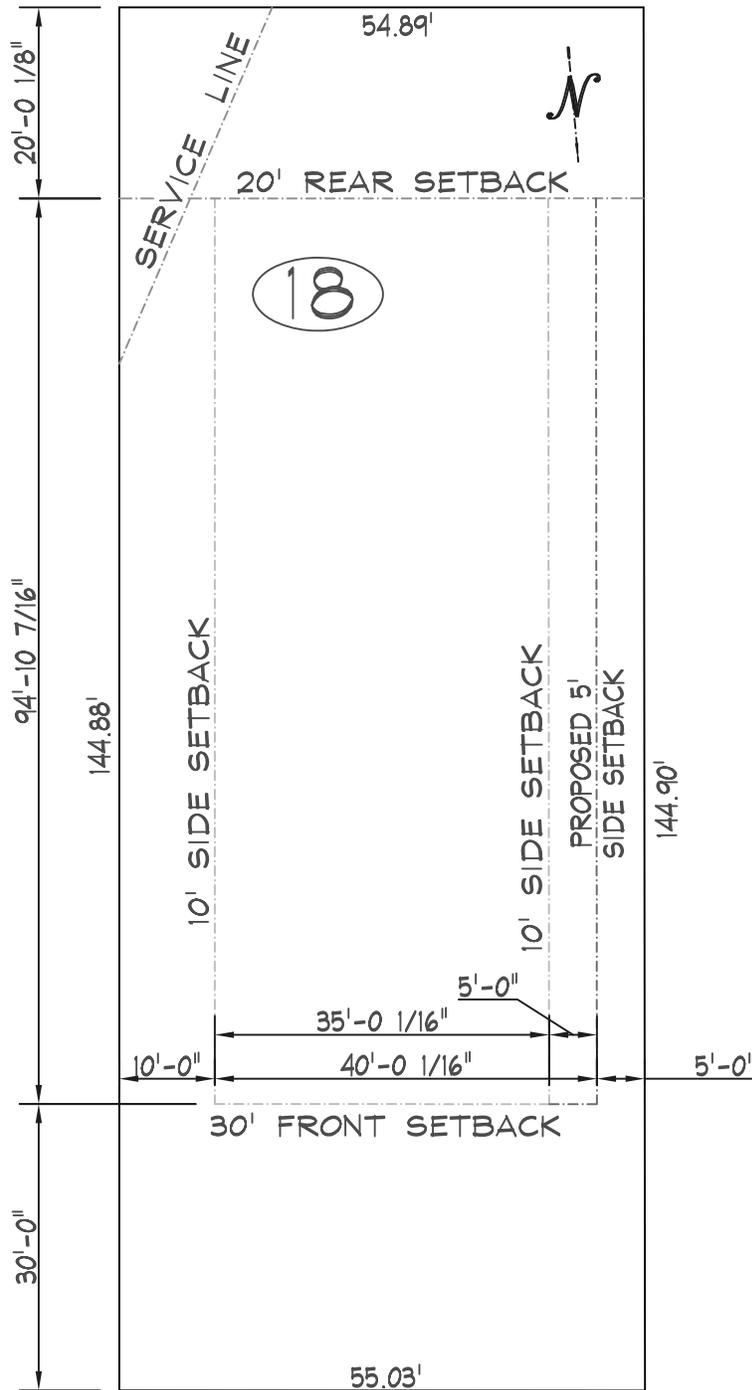
PJ McElyea



1535 W. Northfield Blvd. Suite 7
Murfreesboro, TN 37129
Office:(615)-896-4040
Cell: (615) 308-6205 (Preferred)
Office License # 261459
Agent License # 326144
mcelyeapj@gmail.com

On Mon, Feb 1, 2016 at 1:31 PM, Donald Anthony <danthony@murfreesborotn.gov> wrote:

David –



EAST BURTON STREET (LOCAL)
50' R.O.W.

UNIVERSITY HEIGHTS SUBDIV. LOT #18

RUTHERFORD COUNTY, TENNESSEE SCALE: 1" = 20'

DATE DRAWN : 12-11-15 DRAWN BY J.A.

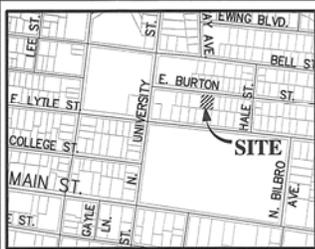
GENERAL NOTES:

(A) SUPERINTENDENTS TO VERIFY ALL LOT DATA AS SHOWN WITH RECORDED PLAT AND RESTRICTIONS PRIOR TO START OF CONSTRUCTION.

QUALITY HOME DESIGN

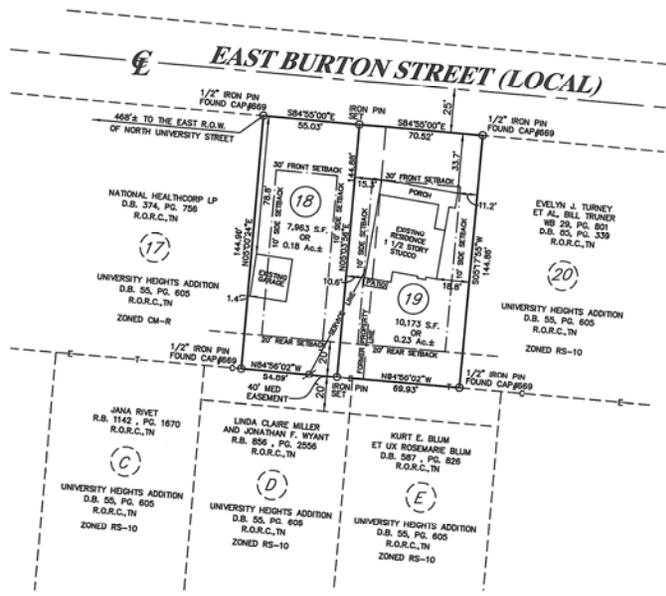


SUBJECT PROPERTY



LOCATION MAP
N.T.S.

LOCATION MAP NORTH



PLAT NOTES

- The purpose of this plat is to shift the existing lot line between Lots 18 & 19 westwards.
- The recording of this plat voids, vacates, and supersedes the previous recording of Lots 18 & 19, University Heights Addition recorded in Deed Book 55, Page 605 (R.O.R.C., TN).
- In Tennessee, it is a requirement per "The Underground Utility Damage Prevention Act" that anyone who engages in excavation must notify all known underground utility owners, no less than three nor more than ten working days of their intent to excavate. A list of these utilities may be obtained from the Tennessee One Call system can be notified by calling toll free 1-800-351-1111.
- Underground utilities shown were located using available above ground evidence, and also from information obtained from the respective utility companies. The existence or non-existence of the utilities shown and any other utilities which may be present on this site or adjacent sites should be confirmed with the utility owner prior to commencing any work.
- It is the responsibility of each residential builder to design and construct a suitable grading and drainage scheme which will convey surface water, without ponding in the lot or under the house, from his structure to the drainage system constructed by the subdivision developer.
- Parcels may be subject to additional easements, and/or restrictions, by record or prescription, that a complete title search may reveal.
- Public utility and drainage easements where shown hereon are intended to indicate an easement for construction, operation, and maintenance of public utilities and drainageways; including, but not limited to, sanitary sewers, forcemains, water lines, telephone signal conduits, electric conductors, drainage pipes, and natural gas lines.
- (AT&T, M.E.D., M.W.S.D., C.U.D. & A.E. Easements) = AT&T Telecommunications, Murfreesboro Electric Department, Murfreesboro Water & Sewer Dept., Consolidated Utility District and Almos Energy Easements.
- Under the current adopted plumbing code, the City of Murfreesboro requires the minimum floor elevation (M.F.E.) to be set at or above the top of casting elevation of the nearest manhole that is upstream of the sewer service connection. As an alternative, the homeowner shall install a backwater valve per the plumbing code and execute and record a release of indemnification against the City of Murfreesboro with regards to the sanitary sewer connection. The builder and/or homeowner shall be responsible for compliance with this requirement.
- In accordance with TCA Section 7-59-310(b)(1), Competitive Cable and Video Services Act, in cases of new construction or property development where utilities are to be placed underground, the developer or property owner shall give all providers of cable or video service the City of Murfreesboro cities on which open trenching will be available for the providers' installation of conduit, pedestals or vaults, and laterals, referred to as "equipment," to be provided at each such provider's expense.
- Per the City of Murfreesboro, the streets identified on the plat may be constructed or reconstructed in the future without consultation or notice to the Owner of the lots in the subdivision.
- Easements in the subdivision may not have infrastructure constructed within them until some future time and there may be no notice or consultation with the individual lot Owners of this construction.
- The existing garage on Lot 18 is to remain, it will only be used as an accessory structure and for the benefit of Lot 18.

Owner/Developer is responsible for all costs associated with the extension of water and/or sewer service lines to each lot.

I hereby certify that this plat has been reviewed for the Rutherford County Development Tax. Payment has been received for the lot(s).

Secretary, Planning Commission
RUTHERFORD COUNTY REGIONAL PLANNING COMMISSION

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

10/3/2015
Date

Deed Book: 223
Page: 001

DECEASED
DONALD M. WISEMAN

Westelle Wiseman
WESTELLE WISEMAN
Patricia W. Munro
PATRICIA W. MUNRO
DURABLE GENERAL POWER OF ATTORNEY
R.B. 966, PG. 2009-(R.O.R.C., TN)

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision regulations for the City of Murfreesboro, Tennessee with the exception of such variances, if any, as are noted in the minutes of the planning commission and that it has been approved for recording in the office of the Rutherford County Register of Deeds provided that it is so recorded within one year of this date.

10/5/2015
Date

Secretary
SECRETARY, PLANNING COMMISSION

CERTIFICATE OF APPROVAL OF WATER SYSTEMS

I hereby certify that: (1) the water lines and appurtenances for the water system of the subdivision shown hereon have been installed in accordance with city codes and specifications and the Tennessee Department of Environment and Conservation, Community Public Water Systems Design Criteria, or (2) that a surety for these improvements has been posted with the City of Murfreesboro to assure completion of same and that the land shown to be subdivided hereon is within water service jurisdiction of Murfreesboro Water and Sewer Department.

10/1
Date

Valerie Smith
MURFREESBORO WATER AND SEWER OFFICIAL

CERTIFICATE OF APPROVAL OF SEWER SYSTEMS

I hereby certify that: (1) the sewer lines and appurtenances for the sewer system of the subdivision shown hereon have been installed in accordance with City codes and specifications and the Tennessee Department of Environment and Conservation, Design Criteria for Sewage Works; (2) that a surety for these improvements has been posted with the City of Murfreesboro to assure completion of same; or (3) that a subsurface sewage system will be permitted subject to the approval of the local health authority.

10/1
Date

Valerie Smith
MURFREESBORO WATER AND SEWER OFFICIAL

- LEGEND
- IPS ○ IRON PIN SET (1/2" REBAR WITH STAMPED PLASTIC CAP)
 - RF ○ IRON PIN FND. (SIZE AND DESC. STATED)
 - RAILROAD SPIKE
 - FENCE
 - SURVEY POINT
 - ▲ NAIL
 - CONC. MARKER FND.

LOTS 18 & 19 PREVIOUSLY RECORDED IN DEED BOOK 55, PAGE 605.

CERTIFICATE OF ACCURACY

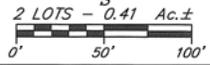
I HEREBY CERTIFY THAT THIS IS A CATEGORY "1" SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000 AS SHOWN HEREON AND THAT THIS SURVEY WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYORS. I ALSO CERTIFY THAT THE MONUMENTS HAVE BEEN OR WILL BE PLACED AS SHOWN HEREON TO THE SPECIFICATIONS OF THE CITY ENGINEER.

Weather Dabbers, Register	
Reg #	841761 Instrument # 198505
Reg'd	15.00 Recorded
State	0.00 10/6/2015 at 12:47 PM
Class	0.00 in Plat Cabinet
Other	2.00
Total	39

DATE OF RECORDING: October 6, 2015
TIME OF RECORDING: 12:47 PM

PLAT BOOK: 39, PAGE: 18

ZONING: CM-R
FRONT SETBACK: 30'
SIDE SETBACK: 10'
REAR SETBACK: 20'



OWNER: DONALD M. WISEMAN, ETUX
WESTELLE WISEMAN
ADDRESS: 708 E. BURTON STREET
MURFREESBORO, TN. 37129
TAX MAP: 91L GROUP "H" PARCEL: 6.00

FLOOD MAP PANEL: 47149C0260H
DATED: JAN. 5, 2007 ZONE: X
NOTE: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AS SHOWN AND ANY OTHER EASEMENTS AND/OR RESTRICTIONS EITHER RECORDED OR BY PRESCRIPTION THAT A COMPLETE TITLE SEARCH MAY REVEAL.

HS HUDDLESTON-STEEL
ENGINEERING INC.
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
PHONE: 853 - 4084, FAX: 853 - 0090

RESUBDIVISION PLAT
LOTS 18 & 19
**UNIVERSITY HEIGHTS
ADDITION**
13th CIVIL DISTRICT - RUTHERFORD COUNTY - TN.
DATE: AUGUST 2015 SCALE: 1"=50' SH. 1 OF 1



704 East Burton Street, aerial photograph



704 East Burton Street, aerial photograph



704 East Burton Street, photo of site taken from East Burton Street. Existing garage in background will be removed from site.



704 East Burton Street, photo of neighboring property to the west



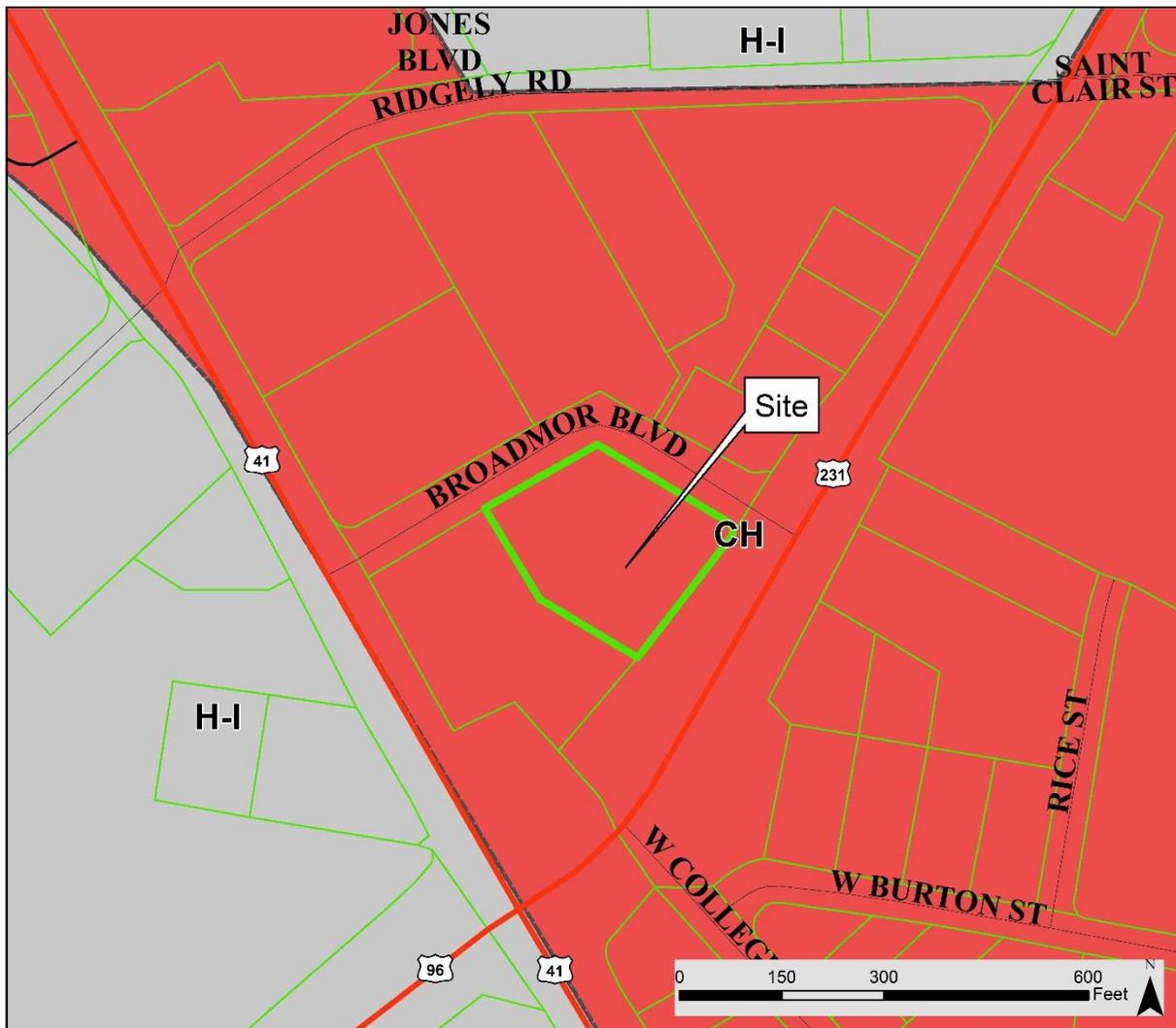
704 East Burton Street, photo of neighboring property to the east.



704 East Burton Street, photo of vacant properties to the north, across East Burton Street from the subject property.

**MURFREESBORO BOARD OF ZONING APPEALS
STAFF REPORT
FEBRUARY 24, 2016**

Application: Z-16-007
Location: 419 Memorial Boulevard
Applicant: Doug Short of iDesign Architecture Group representing Eye Care Plus
Zoning: Highway Commercial (CH) District
Request: A twelve (12) foot Variance from Chart 2 (Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios) of the Murfreesboro Zoning Ordinance, which requires a forty-two (42) foot front yard setback in the CH district



Request Overview

The applicant, Doug Short of iDesign Architecture Group representing Eye Care Plus, wishes to reuse the existing structure at 419 Memorial Boulevard and construct a new enclosed entryway, which would project into the required front yard setback by approximately 12 feet. The minimum required setbacks in the CH district are 42 feet on the front, 20 feet on the rear, and 10 feet on the sides. The applicant seeks a 12-foot front yard setback Variance.

Relevant Zoning Ordinance Section

See Chart 2 for minimum lot standards in the CH district.

Staff Comments

The subject property is a 1.5-acre lot located at the southwestern corner of the intersection of Memorial Boulevard and Broadmor Boulevard, approximately 400 feet north of the intersection of Memorial and Northwest Broad Street. The structure on the property was formerly a Ruby Tuesday restaurant. The applicant wishes to convert the existing structure into a medical office. As part of the project, the applicant intends to construct a new enclosed entryway adjacent to the building's existing front entrance. The entryway will encroach into the minimum required front yard setback by 12 feet.

Construction of the Old Fort Parkway / Memorial Boulevard overpass has resulted in a shifting of lot lines along the west side of Memorial Boulevard. Prior to the roadway realignment, the existing structure had a much deeper setback along Memorial Boulevard than the required 42 feet. With the realignment, the Memorial Boulevard right-of-way has widened, leaving the existing structure with a shallower setback. In fact, as shown on the applicant's exhibits, the southernmost corner of the existing structure now barely meets the minimum front setback. Prior to the shifting of the right-of-way to accommodate the overpass, the applicant would have been able to construct the entryway to his desired dimensions without encroaching into the minimum required front yard setback. In addition to losing a portion of the front yard due to the realignment, the applicant has also lost parking spaces along the front of the property.

The applicant contends that the shifting of the property line along Memorial Boulevard has created a *practical difficulty*. Specifically, the applicant is unable to construct a new entryway without encroaching into the front yard setback, which was shifted due to the overpass construction. This situation was *not self-created* by the applicant; rather, the Tennessee Department of Transportation determined that a wider right-of-way along Memorial Boulevard was necessary. With regard to *unusual circumstances*, staff's review indicates that the newly-imposed right-of-way along Memorial Boulevard has significantly reduced the area and width of the applicant's front yard, leaving little room for building improvements along the front of the structure. Ultimately, the Board must determine whether these circumstances warrant the granting of a Variance.

Attached Exhibits

1. Murfreesboro Zoning Ordinance, Chart 2
2. BZA Application
3. Applicant's Request Letter
4. Applicant's Supporting Materials
5. Site Photographs

DISTRICT AND USE	Minimum Lot Requirements		Minimum Yard Requirements ^{5, 17}			Maximum Height ¹⁶ (Ft.)	Maximum Gross Density ² (D.U./Acre)	Land Use Intensity Ratios			Maximum Lot Coverage (percent)
	Area (Sq. Ft.)	Width (Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)			Maximum F.A.R.	Minimum L.S.R.	Minimum O.S.R.	
CL DISTRICT											
1. All commercial uses except	none	none ^[13]	42	10 ^[6]	20	35	none	none	none	none	none
2. Single-family detached dwellings	7,500	50 ^[12]	30 ^[1]	5 ^[10]	25	35	5.8	none	none	none	30
3. Two-family dwellings	7,500	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
4. Three-family dwellings	11,250	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
5. Four-family dwellings	15,000	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
6. Single-family with zero lot line attached or detached	3,750	18 ^[12]	30 ^[1]	10 ^[7]	25	35	11.6	0.3	0.48	0.7	none
CF DISTRICT											
1. All uses	none	none ^[13]	42	10 ^[15]	20 ^[15]	45	none	none	none	none	none
CH DISTRICT											
1. All uses	none	none ^[13]	42	10 ^[6]	20	75	none	none	none	none	none
MU DISTRICT											
1. Multiple family dwellings	5 acres	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	75	25 ^[24]	none	none	none	none
2. All commercial uses except mixed use	none	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	150	none	none	none	none	none
3. Mixed uses (vertical mix)	none	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	150	25 ^[24]	none	none	none	none
CBD DISTRICT											
1. All uses except	none	none ^[13]	none	none	none	75	none	none	none	none	none
2. Multiple-family dwellings	none	none ^[13]	none	none	none	75	FN ^[8]	none	none	none	none
H-I DISTRICT											
1. All uses	none	50 ^[13]	42	10	20	75	none	none	none	none	none
L-I DISTRICT											
1. All uses	none	50 ^[13]	42	10	20	75	none	none	none	none	none
CU DISTRICT											
1. Single-family detached	10,000	65 ^[12]	35	10	20	35	4.4	none	none	none	25
2. Two-family dwellings	10,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
3. Three-family dwellings	15,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
4. Four-family dwellings	20,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
5. Multiple-family dwellings	25,000	65 ^[12]	35	10 ^[3]	20 ^[4]	35	FN ^[9]	0.35	0.45	0.65	none
6. Educational institutions and other uses	25,000	65 ^[12]	35	10	20	35	none	0.3	0.28	0.6	none
P DISTRICT											
1. All uses permitted	none	none ^[13]	none	none	none	none	none	none	none	none	none

City of Murfreesboro
BOARD OF ZONING APPEALS

HEARING REQUEST
APPLICATION

Location/Street Address: 419 MEMORIAL BLVD.

Tax Map: 91K | Group: B | Parcel: 10 | Zoning District: CH

Applicant: DOUG SHORT E-Mail: dougshort@designarchitectgroup.com

Address: 865 NORTHSTAR DRIVE Phone: 615 394 8606

City: JACKSON State: TN Zip: 38305

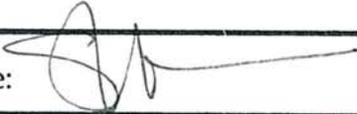
Property Owner: EYE CARE PWS

Address: 5323 MT. VIEW ROAD Phone: 615.731.8900

City: ANTIOCH State: TN Zip: 37012

Request: SETBACK VARIANCE

Zoning District:

Applicant Signature: 

Date: 1-26-16

Received By: B. DAVIS

Receipt No.: 22711

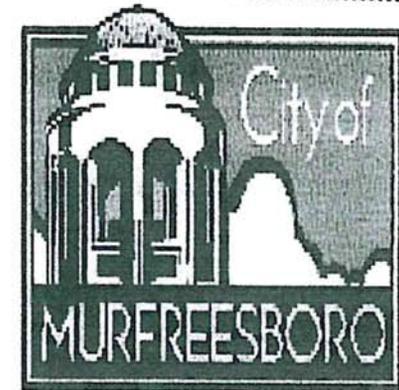
Application #:

Date: 1-28-16

Murfreesboro
Board of
Zoning Appeals

RECEIVED
JAN 27 2016

BY:



T E N N E S S E E

HEARING APPLICATION
AND
GENERAL INFORMATION

January 26, 2016

RECEIVED
JAN 27 2016

Mr. Donald Anthony, AICP
Principal Planner
Planning Department – City of Murfreesboro
111 West Vine Street, 2nd Floor
PO Box 1139
Murfreesboro, TN 37133-1139
615.893.6441 T 615.849.2606 F
danthony@murfreesborotn.gov

BY:

Mr. Anthony,

Please accept this letter as a request to allow a new building entrance to encroach up to 12' into the front setback of the property located at 419 Memorial Boulevard (the old Ruby Tuesday's Restaurant). The reason for this request is to solve some practical difficulties caused by the new TDOT roadwork being constructed along the front (south property line) of the existing property.

Currently, the building's access faces directly south and is outside the setback. Due to the TDOT work, the front setback will be adjusted north, placing it just along the SW corner of the existing entrance vestibule. In addition, the parking along the south of the building will be eliminated leaving only those spaces located to the east and to the west of the building.

To adjust for this new condition, the owner would like to extend the entrance to the south so that direct access from either the east or the west parking is created. In addition, green space and landscaping will extend south to the wall, replacing the existing parking spaces.

Respectfully Submitted,
iDesign Architecture Group

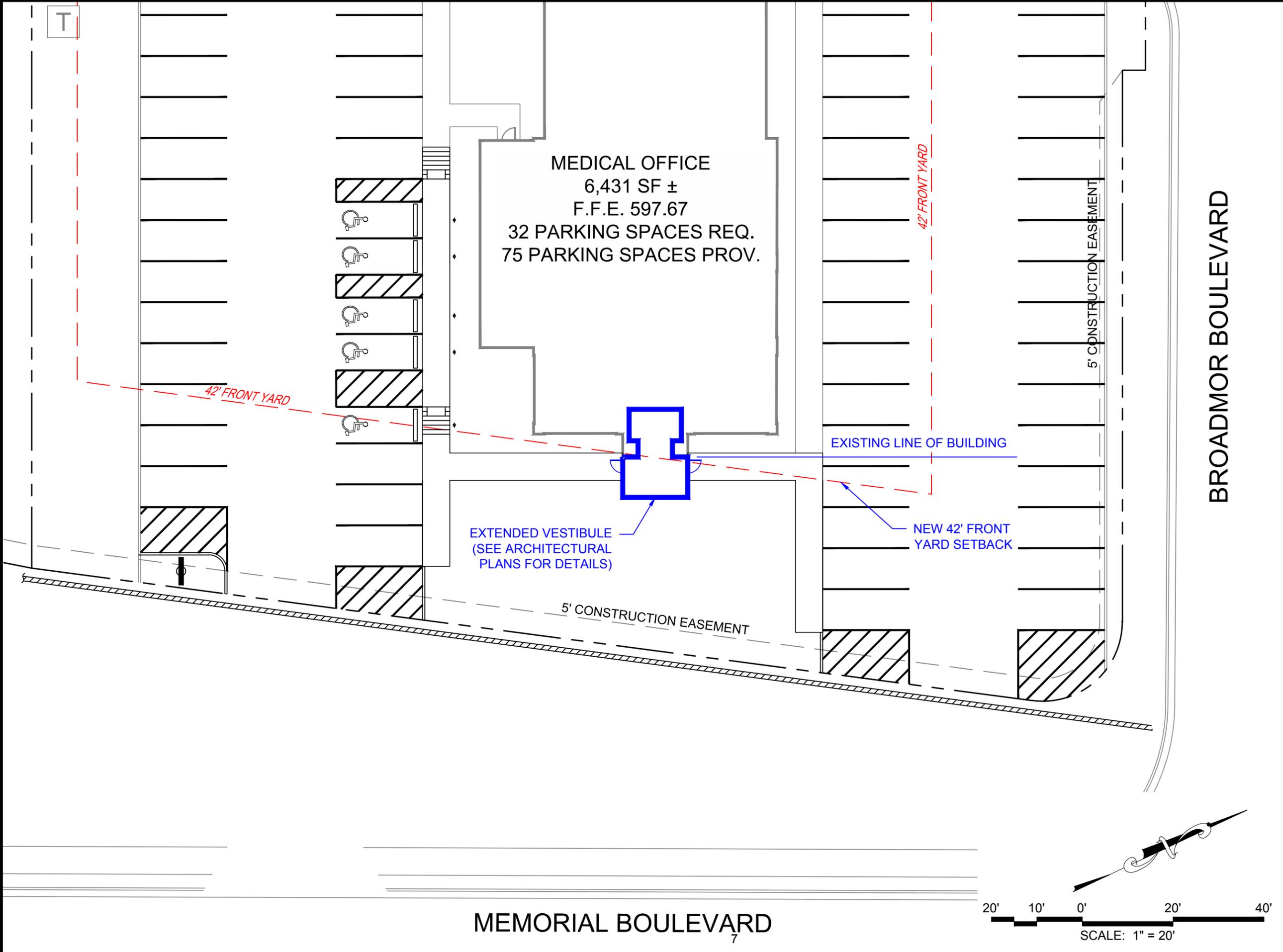


Douglas Short, AIA, LEED AP

BZA APPLICATION PLAN

SITE DEVELOPMENT PLANS FOR:
EYECARE PLUS
 419 MEMORIAL BOULEVARD
 MURFREESBORO, TENNESSEE 37129

BZA



MEDICAL OFFICE
 6,431 SF ±
 F.F.E. 597.67
 32 PARKING SPACES REQ.
 75 PARKING SPACES PROV.

EXTENDED VESTIBULE
 (SEE ARCHITECTURAL
 PLANS FOR DETAILS)

EXISTING LINE OF BUILDING

NEW 42' FRONT
 YARD SETBACK

5' CONSTRUCTION EASEMENT

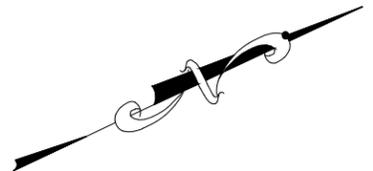
42' FRONT YARD

42' FRONT YARD

5' CONSTRUCTION EASEMENT

BROADMOR BOULEVARD

MEMORIAL BOULEVARD

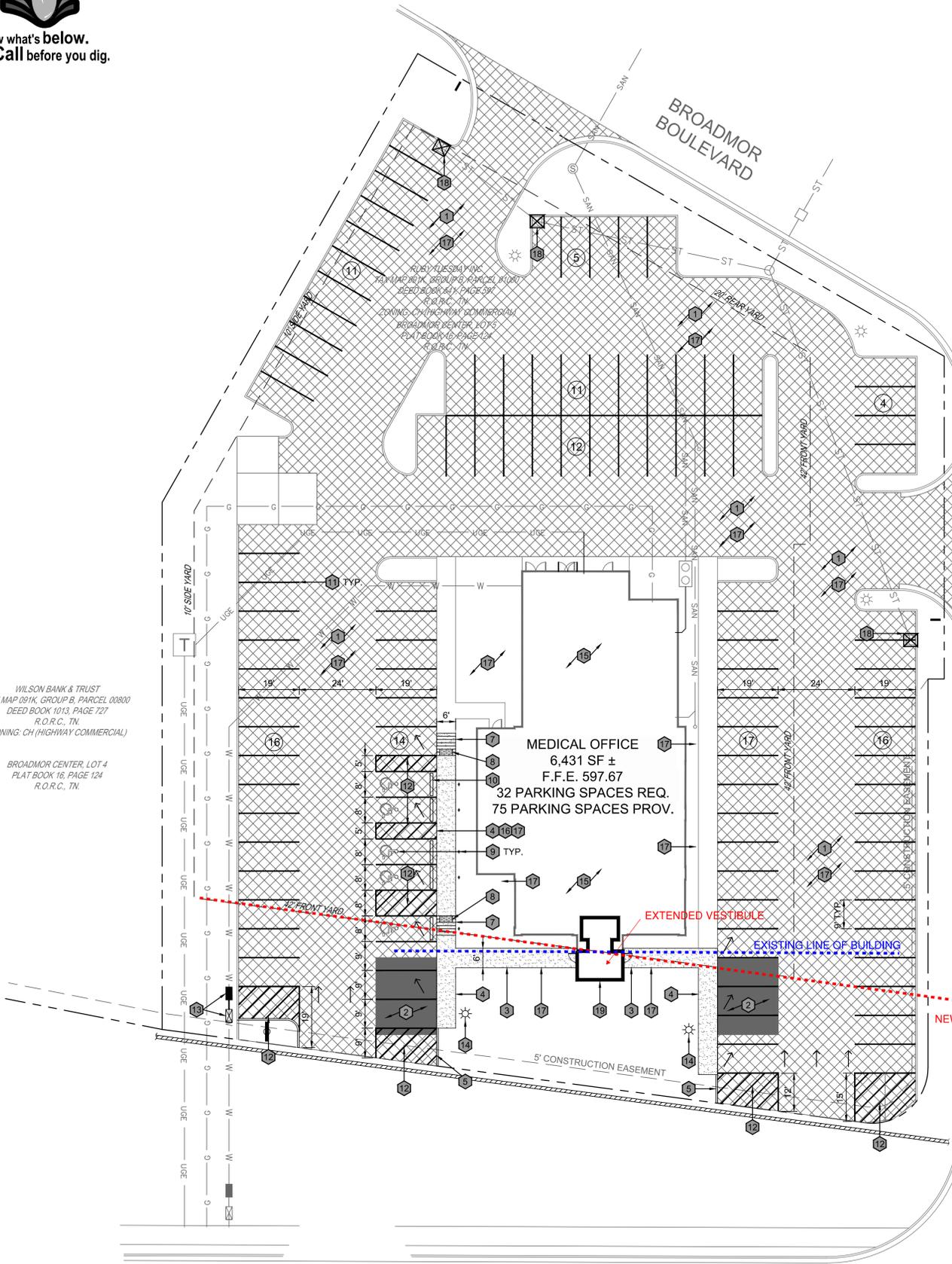




Know what's below. Call before you dig.

WILSON BANK & TRUST
TAX MAP 091K, GROUP B, PARCEL 00800
DEED BOOK 1013, PAGE 727
R.O.R.C. TN.
ZONING: CH (HIGHWAY COMMERCIAL)

BROADMOR CENTER, LOT 4
PLAT BOOK 16, PAGE 124
R.O.R.C. TN.



MEMORIAL BOULEVARD

MWSD NOTES:

1. MAIN LINE WATER AND SEWER TAPS WILL BE MADE BY THE MURFREESBORO WATER AND SEWER DEPARTMENT.
2. THE OWNER/DEVELOPER, FOR BUDGET PURPOSES, SHOULD CHECK WITH THE MURFREESBORO WATER AND SEWER DEPARTMENT FOR CONNECTION FEES WHICH MAY BE SUBSTANTIAL.
3. CONTRACTORS FOR WATER AND SEWER WORK MUST BE APPROVED BY THE MURFREESBORO WATER AND SEWER DEPARTMENT.

KEYNOTES:

1. MILL 1-1/2" EXISTING ASPHALT AND CONCRETE PAVEMENT AND OVERLAY 1-1/2" MIN. ASPHALT (DOT SECTION 411E) (SEE SHEET C2.1 FOR DETAIL)
2. FULL DEPTH ASPHALT PAVEMENT SECTION (SEE SHEET C2.1 FOR DETAIL)
3. CONCRETE SIDEWALK (SEE SHEET C2.1 FOR DETAIL)
4. INTEGRAL CONCRETE CURB AND SIDEWALK (SEE SHEET C2.1 FOR DETAIL)
5. CONCRETE POST CURB (SEE SHEET C2.1 FOR DETAIL)
6. NOT USED
7. PARALLEL ACCESSIBLE RAMP (SEE SHEET C2.1 FOR DETAIL)
8. DETECTABLE WARNING SURFACE (SEE SHEET C2.1 FOR DETAIL)
9. ACCESSIBLE PARKING SIGN & SYMBOL (SEE SHEET C2.1 FOR DETAIL)
10. CONCRETE WHEELSTOP (SEE SHEET C2.1 FOR DETAIL)
11. 4" SINGLE SOLID WHITE LINE
12. 4" WIDE PAINTED WHITE STRIPES, 3' O.C. @ 45°
13. PROPOSED 2" WATER METER AND REDUCED PRESSURE BACKFLOW PREVENTER IN ABOVE GROUND FREEZE PROOF ENCLOSURE
14. PROPOSED LIGHTPOLE
15. ALL EXISTING UTILITY SERVICE LINES TO BUILDING ARE TO REMAIN IN PLACE AND BE PROTECTED THROUGHOUT CONSTRUCTION UNLESS OTHERWISE NOTED.
16. SIDEWALK ADJACENT TO ACCESSIBLE SPACES SHALL BE FLUSH WITH THE ADJACENT ASPHALT PAVEMENT
17. FLOW ARROWS INDICATE DIRECTION OF FLOW (EXISTING FLOW PATTERNS ARE TO BE MAINTAINED), CONTRACTOR SHALL VERIFY THE FOLLOWING:
 - 1% MINIMUM POSITIVE SLOPE DIRECTING FLOW AWAY FROM BUILDING, OFF-SITE OR TO EXISTING DRAINAGE STRUCTURES IN PAVED AREAS
 - 2% MINIMUM POSITIVE SLOPE IN VEGETATED AREAS DIRECTING FLOW AWAY FROM BUILDING, OFF-SITE OR TO EXISTING DRAINAGE STRUCTURES
 - 1.5% MINIMUM CROSS SLOPE ON SIDEWALK DIRECTING FLOW AWAY FROM BUILDING TO EXISTING DRAINAGE STRUCTURES
18. INLET PROTECTION (SEE SHEET C2.1 FOR DETAIL)
19. PROPOSED ENTRY VESTIBULE (SEE ARCHITECTURAL PLANS)

LEGEND

- EXISTING CATCH BASIN
- EXISTING SEWER MANHOLE
- EXISTING SEWER GREASE TRAP
- EXISTING LIGHT POLE
- EXISTING ELECTRICAL TRANSFORMER
- PROPERTY LINE
- SETBACK LINE
- EASEMENT LINE
- EXISTING STORM LINE
- EXISTING SANITARY SEWER LINE
- EXISTING WATER LINE
- EXISTING GAS LINE
- EXISTING ELECTRICAL LINE
- FULL DEPTH ASPHALT PAVEMENT SECTION
- MILL 1-1/2" EXISTING ASPHALT PAVEMENT SURFACE COURSE AND OVERLAY 1-1/2" ASPHALT PAVEMENT SURFACE COURSE
- CONCRETE SIDEWALK
- PROPOSED LIGHTPOLE
- PROPOSED WATER METER
- PROPOSED WATER BACKFLOW PREVENTER
- FLOW ARROW
- INLET PROTECTION

UTILITY NOTES:

1. SEE SHEET C0.0 FOR GENERAL NOTES.
2. ALL SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE SERVICE LINES ARE TO REMAIN AND BE PROTECTED THROUGHOUT CONSTRUCTION (UNLESS OTHERWISE NOTED). ANY MODIFICATIONS PERFORMED/CONSTRUCTED ARE TO BE TO THE RESPECTIVE UTILITY COMPANY SPECIFICATIONS. UTILITY DISCONNECTIONS TO BE COORDINATED WITH THE APPROPRIATE UTILITY COMPANY.
3. THE GENERAL CONTRACTOR IS PARTICULARLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF THE EXISTING UTILITIES SHOWN HEREON IS BASED ON THE "RUBY TUESDAY CONSTRUCTION PLANS". THE CONTRACTOR SHALL NOT RELY UPON THIS INFORMATION AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS PRIOR TO ANY EXCAVATION AND REQUEST FIELD VERIFICATION OF UTILITY LOCATIONS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO RELOCATE EXISTING UTILITIES CONFLICTING WITH IMPROVEMENTS SHOWN HEREON IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.
4. THE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
5. ALL TRENCH SPOILS SHALL BECOME THE PROPERTY OF THE CONTRACTOR UNLESS OTHERWISE DESIGNATED SHALL BE REMOVED BY THE CONTRACTOR AND DISPOSED OF OFFSITE AT NO ADDITIONAL COST TO THE OWNER IN ACCORDANCE WITH ALL LOCAL AND STATE CODES AND PERMIT REQUIREMENTS.

SITE NOTES:

1. SEE SHEET C0.0 FOR GENERAL NOTES.
2. CONTRACTOR SHALL CHECK ALL FINISHED GRADES AND DIMENSIONS IN THE FIELD AND REPORT ANY DISCREPANCIES TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.
3. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL EXISTING UTILITIES. TAKE CARE TO PROTECT UTILITIES THAT ARE TO REMAIN. REPAIR CONTRACTOR CAUSED DAMAGE ACCORDING TO LOCAL STANDARDS AND AT THE CONTRACTOR'S EXPENSE. COORDINATE ALL CONSTRUCTION WITH THE APPROPRIATE UTILITY COMPANY.
4. THE CONTRACTOR SHALL CONFORM TO ALL LOCAL CODES AND OBTAIN ALL PERMITS PRIOR TO BEGINNING WORK.
5. PROVIDE A SMOOTH TRANSITION BETWEEN EXISTING AND PROPOSED PAVEMENT. FIELD ADJUSTMENT OF FINAL GRADES MAY BE NECESSARY.
6. ALL DAMAGE TO EXISTING ASPHALT PAVEMENT TO REMAIN WHICH RESULTS FROM NEW CONSTRUCTION SHALL BE REPLACED WITH LIKE MATERIALS AT THE CONTRACTOR'S EXPENSE.
7. DIMENSIONS ARE TO THE EDGE OF PAVED AREA, UNLESS OTHERWISE NOTED.
8. CONTRACTOR TO VERIFY ALL REQUIRED CLEARANCES FROM OVERHEAD POWER LINES PRIOR TO THE START OF CONSTRUCTION.
9. CONTRACTOR SHALL EXERCISE EXTREME CAUTION IN THE USE OF EQUIPMENT IN AND AROUND OVERHEAD OR UNDERGROUND ELECTRICAL WIRES AND SERVICES. IF AT ANY TIME IN THE PURSUIT OF THIS WORK, THE CONTRACTOR MUST WORK IN CLOSE PROXIMITY OF THE ABOVE NOTED WIRES, THE ELECTRICAL COMPANY SHALL BE CONTACTED PRIOR TO SUCH WORK AND THE PROPER SAFETY MEASURES MUST BE TAKEN.
10. IN EASEMENTS AND RIGHTS-OF-WAYS, CONTRACTOR SHALL PROTECT AND RESTORE SAID PROPERTY TO A CONDITION SIMILAR OR EQUAL TO THAT EXISTING AT THE COMMENCEMENT OF CONSTRUCTION, EXCEPT AS NOTED.
11. THE CONTRACTOR SHALL COMPLY WITH ALL PERTINENT PROVISIONS OF THE "MANUAL OF ACCIDENT PREVENTION IN CONSTRUCTION" ISSUED BY AGC OF AMERICA, INC. AND THE "SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION" ISSUED BY THE U.S. DEPARTMENT OF LABOR.
12. SURPLUS MATERIAL NOT REQUIRED FOR SITE CONSTRUCTION SHALL BE DISPOSED OF BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE AFTER THE OWNER'S APPROVAL AT A PROPERLY PERMITTED LOCATION.
13. FILL MATERIAL REQUIRED SHALL BE BORROWED AT THE CONTRACTOR'S EXPENSE.
14. IN THE EVENT OF ANY DISCREPANCY AND/OR ERROR FOUND IN THE DRAWINGS, OR IF PROBLEMS ARE ENCOUNTERED DURING CONSTRUCTION, THE CONTRACTOR SHALL BE REQUIRED TO NOTIFY THE ENGINEER IN WRITING BEFORE PROCEEDING WITH THE WORK. IF THE ENGINEER IS NOT NOTIFIED, THE CONTRACTOR SHALL TAKE RESPONSIBILITY FOR THE COST OF ANY REVISION.
15. CONTRACTOR SHALL BID AND PERFORM THE WORK IN ACCORDANCE WITH ALL LOCAL, STATE, AND NATIONAL CODES AND THE REQUIREMENTS OF THE LOCAL UTILITY COMPANIES.
16. CONTROL POINTS, GRADE AND OFFSET STAKES ARE TO BE SET BY THE CONTRACTOR.
17. THE CONTRACTOR SHALL COMPLY WITH ALL PERTINENT O.S.H.A. PROVISIONS AND THE MANUAL OF ACCIDENT PREVENTION AND CONSTRUCTION, ISSUED BY THE AGC OF AMERICA, INCORPORATED, AND THE SAFETY AND HEALTH REGULATIONS OF CONSTRUCTION ISSUED BY THE U.S. DEPARTMENT OF LABOR.

CITY OF MURFREESBORO STANDARD NOTES:

1. IN ACCORDANCE WITH TCA SECTION 7-59-310(B)(1), COMPETITIVE CABLE AND VIDEO SERVICES ACT, IN CASES OF NEW CONSTRUCTION OR PROPERTY DEVELOPMENT WHERE UTILITIES ARE TO BE PLACED UNDERGROUND, THE DEVELOPER OR PROPERTY OWNER SHALL GIVE ALL PROVIDERS OF CABLE OR VIDEO SERVING THE CITY OF MURFREESBORO DATES ON WHICH OPEN TRENCHING WILL BE AVAILABLE FOR THE PROVIDERS' INSTALLATION OF CONDUIT, PEDESTALS OR VAULTS, AND LATERALS, REFERRED TO AS "EQUIPMENT," TO BE PROVIDED AT EACH SUCH PROVIDERS' EXPENSE.
2. ALL SIGNAGE, INCLUDING FLAGS AND FLAGPOLES, IS SUBJECT TO INDEPENDENT REVIEW BY THE BUILDING AND CODES DEPARTMENT. ALL SIGNAGE MUST CONFORM TO THEIR REQUIREMENTS AND REQUIRE SEPARATE SIGN PERMITS.
3. A LAND DISTURBANCE PERMIT MAY BE REQUIRED. DETERMINATION WHETHER A LAND DISTURBANCE PERMIT IS REQUIRED SHALL BE MADE BY THE CITY ENGINEER. A SEPARATE LAND DISTURBANCE PERMIT APPLICATION SHALL BE MADE WITH THE OFFICE OF THE CITY ENGINEER FOR REVIEW AND UPON APPROVAL FOR ISSUANCE OF A LAND DISTURBANCE PERMIT.
4. FOR ALL DEVELOPMENTS OF MORE THAN ONE ACRE, A STATE OF TENNESSEE CONSTRUCTION GENERAL PERMIT IS REQUIRED. EVIDENCE OF THIS PERMIT MUST BE PROVIDED TO THE OFFICE OF THE CITY ENGINEER PRIOR TO CONSTRUCTION COMMENCEMENT.
5. CONTRACTOR TO COORDINATE WITH THE TRAFFIC ENGINEER IN THE CITY TRANSPORTATION DEPARTMENT PRIOR TO COMMENCEMENT OF WORK IN THIS AREA TO AVOID DAMAGE TO TRAFFIC SIGNAL DEVICES.
6. A TDOT PERMIT MAY BE REQUIRED. EVIDENCE OF TDOT APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS.
7. A STORMWATER MANAGEMENT PLAN DEMONSTRATING THAT THE SITE PROVIDES FOR TREATMENT OF THE WATER QUALITY VOLUME AND PROVIDES FOR MANAGEMENT OF THE STREAMBANK PROTECTION VOLUME MUST BE PROVIDED.
8. AN ENGINEER'S CERTIFICATION OF THE CONSTRUCTION OF THE STORMWATER MANAGEMENT FACILITIES MUST BE PROVIDED TO THE CITY ENGINEER PRIOR TO ISSUANCE CERTIFICATE OF OCCUPANCY.
9. A STORMWATER FEE CREDIT APPLICATION MUST BE SUBMITTED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
10. A STORMWATER FACILITIES OPERATION AND MAINTENANCE PLAN AND A STORMWATER FACILITIES MAINTENANCE AGREEMENT MUST BE SUBMITTED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
11. THE STORMWATER FACILITIES MAINTENANCE AGREEMENT MUST BE RECORDED PRIOR TO CERTIFICATE OF OCCUPANCY.

GRADING AND DRAINAGE NOTES:

1. SEE SHEET C0.0 FOR GENERAL NOTES.
2. CONTRACTOR TO VERIFY ALL EXISTING UTILITY ELEVATIONS AND GRADES PRIOR TO BEGINNING WORK. NOTIFY ENGINEER IMMEDIATELY OF ANY DISCREPANCIES FROM THE PLANS.
3. GRADING OPERATIONS ARE NOT TO BEGIN UNTIL EROSION CONTROL HAS BEEN INSTALLED AS SHOWN ON DRAWINGS, INSPECTED BY CITY OF MURFREESBORO, AND THE GRADING PERMIT HAS BEEN ISSUED.
4. SHOULD THE CONTRACTOR HAVE ANY QUESTIONS OF THE INTENT OR ANY PROBLEMS WITH CONTINUITY OF GRADES, THE ENGINEER SHOULD BE CONTACTED IMMEDIATELY PRIOR TO BEGINNING WORK.
5. THE CONTRACTOR SHALL PROVIDE THE NECESSARY PROTECTION FOR TREES TO REMAIN IN ACCORDANCE WITH CITY SPECIFICATIONS. DO NOT OPERATE OR STORE HEAVY EQUIPMENT NOR HANDLE OR STORE MATERIALS WITHIN THE DRIP LINES OF TREES TO REMAIN.
6. EXCAVATED SUBGRADES AND EACH LAYER OF FILL SHALL BE OF A QUALITY ACCEPTABLE TO THE OWNERS REPRESENTATIVE AND SHALL NOT INCLUDE ORGANIC MATERIAL, BOULDERS, DEBRIS, WET MATERIAL, ETC. CUT OR STRIPPED AREAS SHALL BE PROOF ROLLED PRIOR TO ANY FILLING. ALL GRADING ACTIVITY AND PLACEMENT OF MATERIAL SHALL BE MONITORED BY A QUALIFIED GEOTECHNICAL ENGINEER (OR THEIR REPRESENTATIVE), OR AS DIRECTED BY THE OWNERS REPRESENTATIVE. MATERIAL SHALL MEET OR EXCEED COMPACTION REQUIREMENTS SPECIFIED IN THE SPECIFICATIONS PUBLISHED BY THE CITY OF MURFREESBORO. THE CONTRACTOR SHALL BORROW ALL REQUIRED FILL MATERIAL AT THE CONTRACTOR'S EXPENSE.
7. TOPSOIL IS TO BE STRIPPED FROM ALL CUT AND FILL AREAS. STOCKPILE TOPSOIL AND REDISTRIBUTE TOPSOIL OVER THE SUBGRADE OF UNPAVED, DISTURBED AREAS TO A DEPTH A MINIMUM DEPTH OF 6". TOPSOIL SHALL BE FREE OF ROCK AND DEBRIS.
8. ALL EXCESS SOIL MATERIALS SHALL BECOME THE PROPERTY OF THE CONTRACTOR UNLESS OTHERWISE DESIGNATED SHALL BE REMOVED BY THE CONTRACTOR AND DISPOSED OF OFFSITE AT NO ADDITIONAL COST TO THE OWNER IN ACCORDANCE WITH ALL LOCAL AND STATE CODES AND PERMIT REQUIREMENTS.
9. THE CONTRACTOR IS RESPONSIBLE FOR THE SITE EARTHWORK BY IMPORTING OR EXPORTING AS NECESSARY TO ACHIEVE DESIGN GRADES AND SPECIFICATIONS.
10. THE GENERAL CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO AVOID DAMAGE TO ADJACENT PROPERTIES DURING CONSTRUCTION. THE CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR ANY DAMAGES TO ADJACENT PROPERTIES OCCURRING DURING CONSTRUCTION OF THIS PROJECT. NO WORK SHALL BE PERFORMED OUTSIDE THE PROJECT BOUNDARY WITHOUT PROPER AGREEMENTS WITH THE AFFECTED PROPERTY OWNERS.
11. THE LOCATION AND/OR ELEVATION OF THE EXISTING UTILITIES SHOWN HEREON ARE BASED ON UTILITY COMPANY RECORDS, AND WHERE POSSIBLE, FIELD MEASUREMENTS. THE CONTRACTOR SHALL NOT RELY UPON THIS INFORMATION AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 3 DAYS BUT NOT MORE THAN 10 DAYS PRIOR TO ANY EXCAVATION AND REQUEST FIELD VERIFICATION OF UTILITY LOCATIONS. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES TO REMAIN. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY DAMAGED UTILITIES ACCORDING TO LOCAL CODES AT THE CONTRACTOR'S EXPENSE.
12. THE GENERAL CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR JOB SITE CONDITIONS, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY DURING CONSTRUCTION. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND IS NOT LIMITED TO NORMAL WORKING HOURS.



FULMER
ENGINEERING
2612 SUNSET PL - NASHVILLE, TN 37212
INFO@FULMERENG.COM - (615) 516-8477



SITE LAYOUT, GRADING, UTILITY & EPSC PLAN

SITE DEVELOPMENT PLANS FOR:

Eye Care Plus

419 MEMORIAL BOULEVARD

MURFREESBORO, RUTHERFORD COUNTY, TENNESSEE 37129

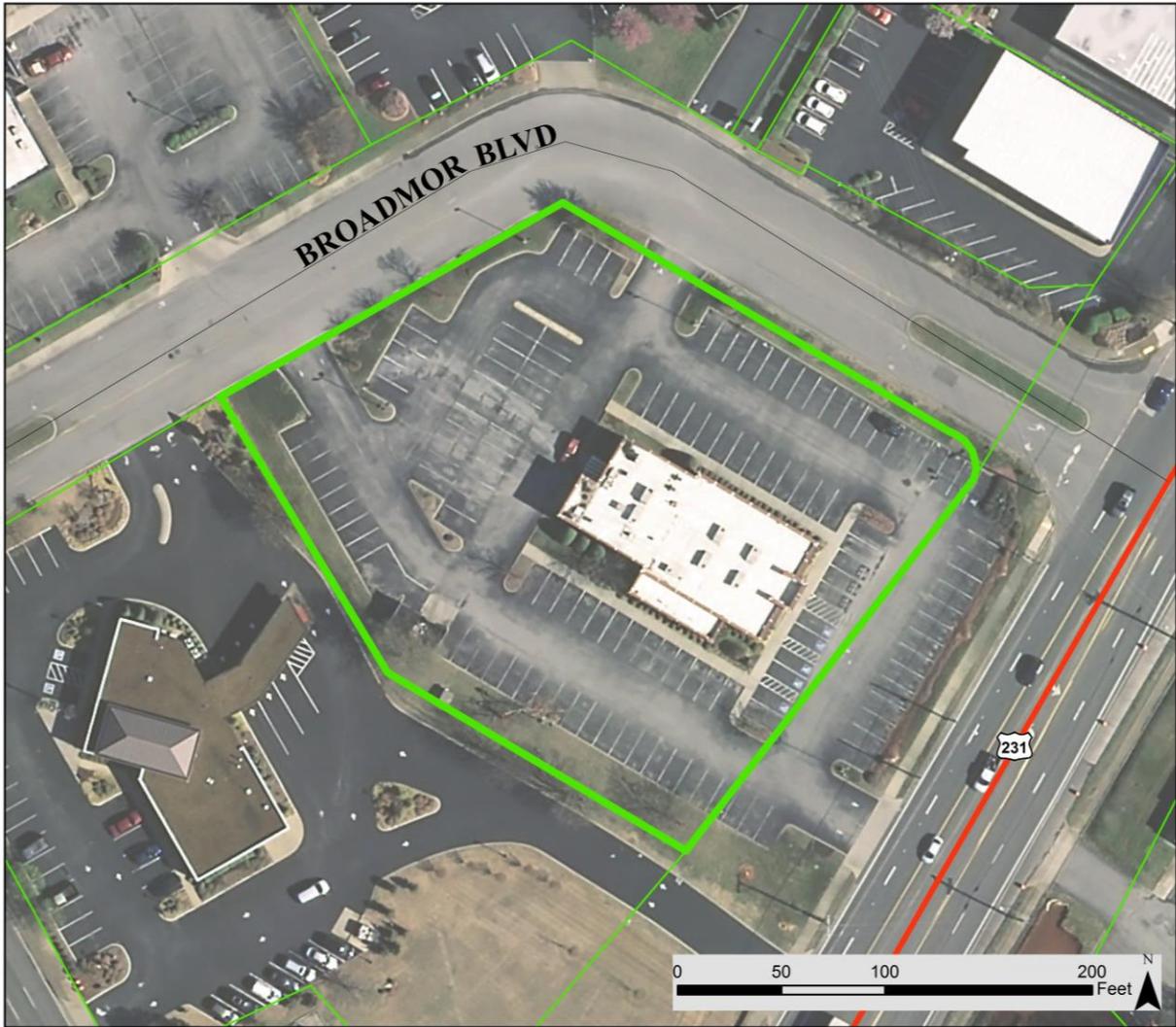
DR.	DATE	DESCRIPTION
JAF	01-28-16	COORDINATION SET

C1.1

Eye Care Plus



419 Memorial Boulevard, aerial photograph



419 Memorial Boulevard, aerial photograph



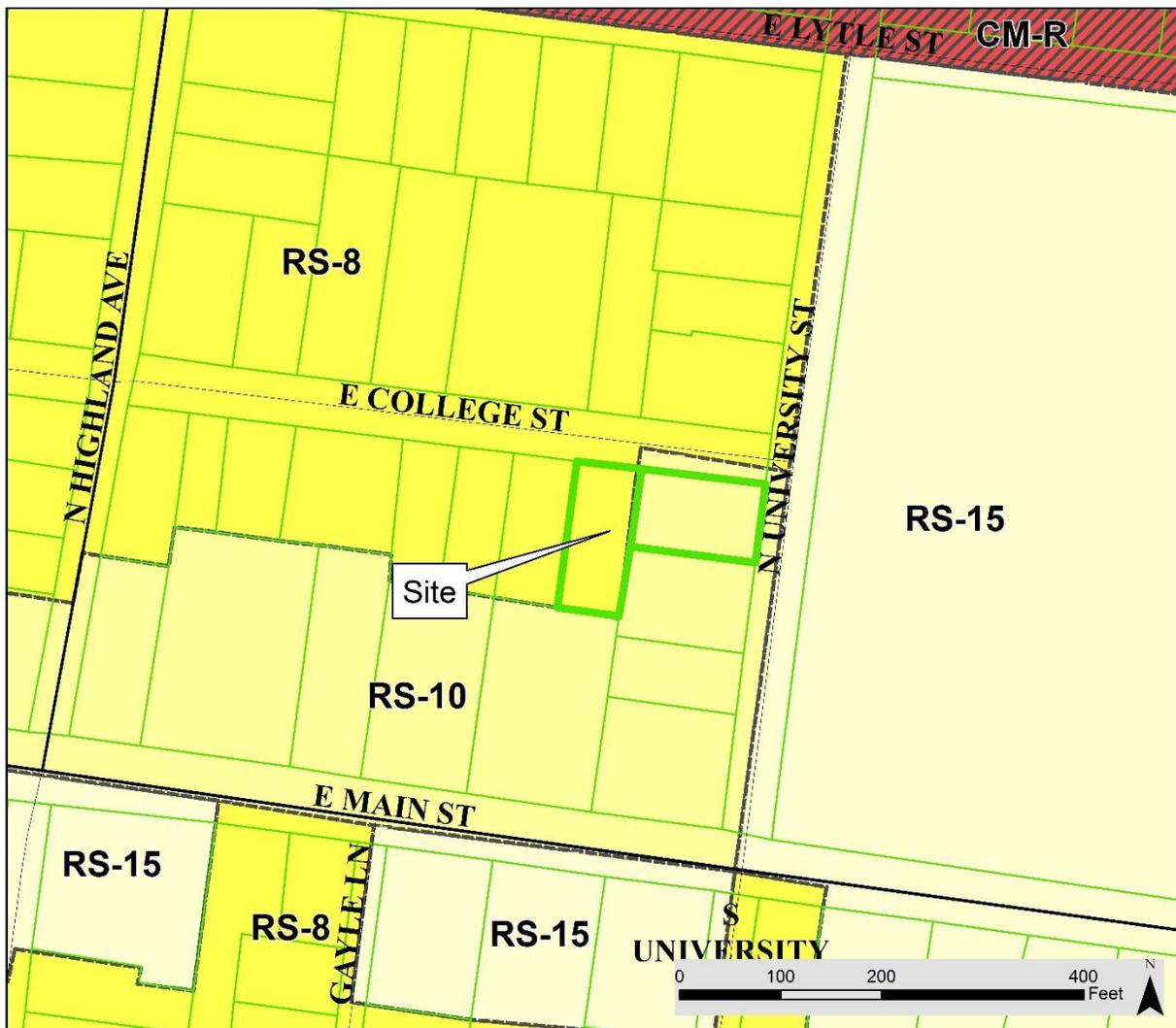
419 Memorial Boulevard, existing structure and front parking area



419 Memorial Boulevard, looking north at existing parking area

**MURFREESBORO BOARD OF ZONING APPEALS
STAFF REPORT
FEBRUARY 24, 2016**

Application: Z-16-008
Location: 117 North University Street and 534 East College Street
Applicant: Ronald and Laura Nelson
Zoning: Single-Family Residential (RS-10 and RS-8) Districts
Request: A two and one-half (2.5) percent Variance from Chart 2 (Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios) of the Murfreesboro Zoning Ordinance, which limits lot coverage to a maximum of twenty-five (25) percent in the RS-10 district



Request Overview

The applicants, Ronald and Laura Nelson, wish to construct three additions onto their existing pool house, which is located at 534 East College Street. The property at 534 East College Street was recently re-platted in order to combine it with the property at 117 North University Street. The principal structure—a single-family house—on the combined lot faces North University Street, while the pool house faces East College Street. The newly-combined lot has dual-zoning: the portion of the lot facing East College Street is zoned RS-8, and the portion of the lot facing North University Street is zoned RS-10.

Applying the stricter RS-10 standards found in Chart 2 of the Murfreesboro Zoning Ordinance, the maximum lot coverage allowed for the subject property is 25 percent. The lot coverage exhibit provided by the applicant indicates that the total area of the newly-combined lot is 18,306 square feet. The proposed lot coverage of the newly-combined lot is 5,006 square feet or 27.35 percent of the total lot area. The applicants' lot coverage exceeds the maximum allowable lot coverage of 25 percent by 2.35 percent. The applicants seek a Variance to allow the 2.35 percent excess lot coverage. Due to the lot's compact size, staff has rounded the request to 2.5 percent.

Relevant Zoning Ordinance Section

See Chart 2 for minimum lot standards in the RS-10 district.

Staff Comments

As shown the lot coverage exhibit provided by the applicants, the existing house fronting North University Street has an area of 2,392 square feet including the existing porch. The existing pool house fronting East College Street has an area of 1,173 square feet. When combined, these structures have a total area of 3,565 square feet, which makes the existing lot coverage 19.5 percent.

The applicants wish to construct a two-car garage, which will adjoin the pool house and be accessed from East College Street; the garage will add 586 square feet of lot coverage. Additionally, the applicants wish to add porches onto both the front and rear of the pool house and to the rear of the proposed garage. Combined, these porches will add 855 square feet of lot coverage. In total, the new porches and garage will add 1,441 square feet of lot coverage to the site. Existing lot coverage and new lot coverage will total 5,006 square feet or 27.35 percent of the total lot area.

In their request letter, the applicants address each of the three standards for granting a Variance. The applicants indicate that they face *practical difficulties* due to the size and shape of the two recently-combined lots. Both lots were relatively narrow (60 feet for the lot fronting East College Street and 75 feet for the lot facing North University Street) prior to re-platting. Further, both lots were less than one-quarter of an acre prior to re-platting. The applicants assert that the size and shape of the newly combined lot provides no real alternative for placement of the

proposed garage. The applicants indicate that the newly combined lot is uniquely shaped and situated, creating an *unusual characteristic* of the property. Finally, the applicants attest that the conditions necessitating the Variance request are *not self-created*.

Staff visited the site and reviewed the applicants' lot coverage exhibit. The newly combined lot appears to be unique for the area. Prior to the combination of the two previously existing lots into one lot, both lots were comparable in size and shape to adjacent lots. However, the newly formed, L-shaped lot is unlike other lots in the vicinity. Neither the principal structure nor the pool house presently has a garage. Rather, both have open-air driveways accessed from East College Street. The proposed garage would utilize an existing driveway. There appear to be few other places on the lot where a two-car garage could be located without requiring existing structures and/or driveways to be destroyed and replaced. Ultimately, the Board must determine whether these circumstances warrant the granting of a Variance.

The applicant will be in attendance to answer any questions the Board may have.

Attached Exhibits

1. Murfreesboro Zoning Ordinance, Chart 2
2. BZA Application
3. Applicant's Request Letter
4. Applicant's Supporting Materials
5. Site Photographs

MURFREESBORO CITY CODE

CHART 2. MINIMUM LOT REQUIREMENTS, MINIMUM YARD REQUIREMENTS AND LAND USE INTENSITY RATIOS.

DISTRICT AND USE	Minimum Lot Requirements		Minimum Yard Requirements ^{5, 17}			Maximum Height ¹⁶ (Ft.)	Maximum Gross Density ² (D.U./Acre)	Land Use Intensity Ratios			Maximum Lot Coverage (percent)
	Area (Sq. Ft.)	Width (Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)			Maximum F.A.R.	Minimum L.S.R.	Minimum O.S.R.	
RS-15 DISTRICT											
1. Dwellings and other uses permitted	15,000	75 ^[12]	40	12.5	30	35	2.9	none	none	none	25
RS-12 DISTRICT											
1. Dwellings and other uses permitted	12,000	70 ^[12]	35	10	25	35	3.63	none	none	none	25
RS-10 DISTRICT											
1. Dwellings and other uses permitted	10,000	65 ^[12]	35	10	25	35	4.4	none	none	none	25
RS-8 DISTRICT											
1. Dwellings and other uses permitted	8,000	55 ^[12]	30 ^[1]	5 ^[10]	20	35	5.4	none	none	none	30
RS-4 DISTRICT											
1. Dwellings and other uses permitted	4,000	40 ^[12]	25 ^[1]	5	20	35	10.8	none	none	none	40
R-D DISTRICT											
1. Single-family detached dwellings and other uses permitted except	8,000	55 ^[12]	30 ^[1]	5 ^[10]	25	35	5.4	none	none	none	30
2. Two-family dwellings	8,000	55 ^[12]	30 ^[1]	5 ^[10]	25	35	10.9	none	none	none	30
3. Single-family with zero lot line ⁷	4,000	27 ^[12]	30	10 ^[7]	25	35	10.9	0.3	0.48	0.7	none
RM-12 DISTRICT											
1. Single-family detached dwellings and other uses permitted except	7,500	50 ^[12]	30 ^[1]	5 ^[10]	25	35	5.8	none	none	none	30
2. Two-family dwellings	7,500	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
3. Three-family dwellings	11,250	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
4. Four-family dwellings	15,000	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
5. Single-family with zero lot line ⁷ attached or detached	3,750	18 ^[12]	30 ^[1]	10 ^[7]	25	35	11.6	none	none	none	none
6. Multiple-family dwellings	FN ^[14]	50 ^[12]	30 ^[1]	FN ^[3]	25	45 ^[11]	FN ^[14]	none	none	none	none

City of Murfreesboro
BOARD OF ZONING APPEALS

HEARING REQUEST
APPLICATION

Location/Street Address: 117 N. UNIVERSITY STREET
~~534 E. COLLEGE STREET~~

Tax Map: 091M | Group: C | Parcel: 17-18 | Zoning District: RS-8/RS-10

Applicant: RONALD A. NELSON E-Mail: JUNIOR NELSON 2012@GMAIL.COM

Address: 117 N. UNIVERSITY STREET | Phone: (615) 305-5829

City: MURFREESBORO | State: TN | Zip: 37130

Property Owner: RONALD A. NELSON / LARRY M. NELSON

Address: 117 N. UNIVERSITY STREET | Phone: (615) 305-5829

City: MURFREESBORO | State: TN | Zip: 37130

Request: LOT COVERAGE VARIANCE

Zoning District: EAST MAIN STREET HISTORICAL ZONE

Applicant Signature: *Ronald A. Nelson* | Date: 2/4/2016

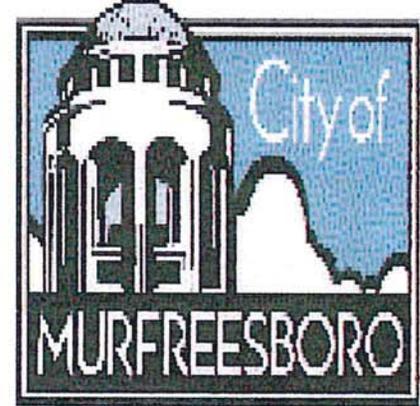
Received By: B. DAVIS | Receipt No.: 22713

Application #: | Date: 2-4-16

Murfreesboro
Board of
Zoning Appeals

RECEIVED
FEB 04 2016

BY:

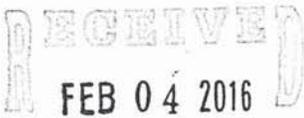


T E N N E S S E E

HEARING APPLICATION
AND
GENERAL INFORMATION

4 February 2016

Board of Zoning Appeals
Planning Department
City of Murfreesboro
111 West Vine Street
Murfreesboro, TN 37130



BY:

Reference: Hearing Request Application

Dear Board Members:

I respectfully submit application to the Board of Zoning Appeals for lot coverage variance on 1911 Place, street address 117 N. University Street and 534 E. College Street, Murfreesboro, Tennessee, to allow construction of a garage addition to the property.

Please see the outlined application below:

- A. Applicants: Ronald A. Nelson and Laura M. Nelson
117 N. University Street
Murfreesboro, TN 37130
Cell phone: 615-305-5829
- B. Applicant's Interest in the Property: I own the property for which this variance is requested.
- C. Plot Plan: Please see the attached site plan for 1911 Place completed by Huddleston Steele Engineering.
- D. Street Address: The lot coverage variance is requested on the subdivision known as 1911 Place with street addresses 117 N. University Street, Murfreesboro, Tennessee 37130, and 534 E. College Street, Murfreesboro, Tennessee 37130.
- E. Zoning Classification: The structure at 117 N. University Street is zoned RS-10. The structure at 534 E. College Street is zoned RS-8. This property sits within the East Main Street Historical Zone.
- F. Statement of Variance Sought: I seek a lot coverage variance to allow construction of a garage addition, back porch, and front porch on the 1911 Place property. The proposed garage addition, back porch, and front porch to our home at 534 E. College Street and the existing properties at 117 N. University Street and 534 E. College Street represent 27.36% lot coverage. This exceeds the allowed 25% maximum lot coverage allowed.
- G. Statement of Purpose of Variance: I request this lot coverage variance in order to build a garage addition, back porch, and front porch for our home at 534 E. College Street. The proposed garage will serve for the entire 1911 Place property. The proposed garage addition, back porch, and front porch addition will be constructed on the structure located at street address 534 E. College Street.

H. Use Variance: A use variance is not sought for this property.

Additionally, the standards and proof required for the variance are as follows.

A. Practical Difficulties: The shape and overall lot size of the 1911 Place property represents two combined lots, from previously separated lots at 117 N. University lot and 534 E. College Street. The combination of the two lots in one property, now designated 1911 Place, represents the attempt to allow construction of the garage addition, front porch and back porch without crossing property boundaries. I believe the proposed construction will to enhance the value of the overall 1911 Place property.

However, the combination of the two lots in light of the proposed additional structures narrowly exceeds the lot coverage standard. The practical difficulty for this rests with the size of the two original lots, their relative configuration, and my desire to enhance the appearance of the 534 E. College Street structure. First, the original 119 N. University lot narrowly meets the 25% lot coverage standard with the existing structures at 24.7% coverage. This contributes to the lot coverage compliance difficulties with the 25% lot coverage standard when the proposed garage addition and porch are calculated for the combined properties. Second, the relative configuration of the two lots, now combined, limits the location, size, and type of garage addition proposed. In other words, there is only a limited space where a two car garage addition may be added to the 1911 Place lot; specifically, on the 534 E. College Street house with the garage door opening towards the back door of the 117 N. University Street house. Finally, the front and back porch additions will enhance the appearance of the 534 E. College Street house as they are designed.

B. Unusual Characteristics: As noted above, the 1911 Place represents a combination of two formerly separate properties. This represents an unusual characteristic of the property.

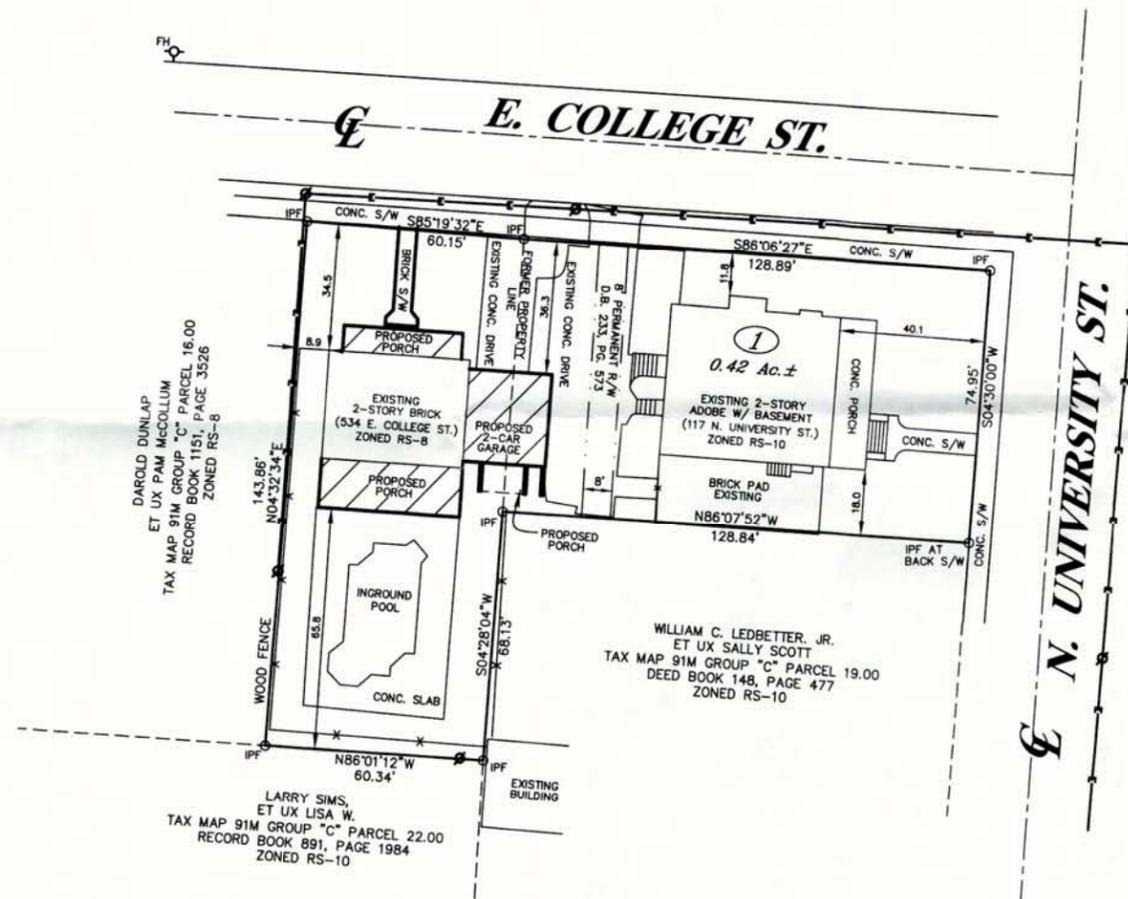
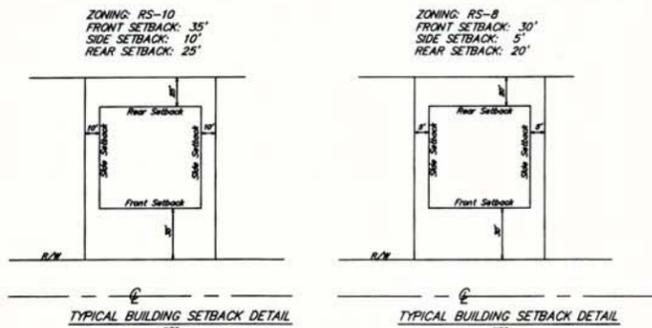
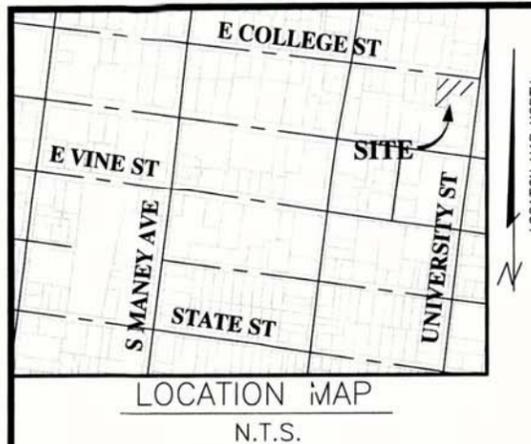
C. Not Self-Created: The requested lot coverage variance represents an attempt to enhance the overall value of the 1911 Place property. The conditions requiring the variance are not self-created by any negligence or property neglect on my part as the owner and occupier of the property.

I hope this request will lead to a fair and impartial hearing and a favorable approval of this lot coverage variance by the Board of Zoning Appeals. I look forward to the Board of Zoning Appeals meeting.

Respectfully,



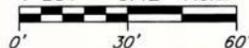
Ronald A. Nelson



EAST MAIN STREET HISTORIC 1L ZONE
117 N. UNIVERSITY STREET
 ZONING: RS-10
 FRONT SETBACK: 35'
 SIDE SETBACK: 10'
 REAR SETBACK: 25'

534 E. COLLEGE STREET
 ZONING: RS-8
 FRONT SETBACK: 30'
 SIDE SETBACK: 5' MIN. 15' TOTAL
 REAR SETBACK: 20'

THIS PARCEL IS NOT INCLUDED IN AREAS DESIGNATED AS "SPECIAL FLOOD HAZARD" ON THE NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY-PANEL NO. 47149C0260H DATED: JAN. 5, 2007 ZONE: X



LOT 1
 OWNER: RONALD A. NELSON
 ADDRESS: 534 E. COLLEGE STREET
 MURFREESBORO, TN. 37130

TAX MAP: 91M GROUP "C" PARCEL: 17.00
 TAX MAP: 91M GROUP "C" PARCEL: 18.00
 FLOOD MAP PANEL: 47149C0260H
 DATED: JAN. 5, 2007 ZONE: X

NOTE: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AS SHOWN AND ANY OTHER EASEMENTS AND/OR RESTRICTIONS EITHER RECORDED OR BY PRESCRIPTION THAT A COMPLETE TITLE SEARCH MAY REVEAL.

PLAT NOTES

- The purpose of this plat combine Tax Map 91M Group "C" Parcels 17.00 & 18.00.
- In Tennessee, it is a requirement per "The Underground Utility Damage Prevention Act" that anyone who engages in excavation must notify all known underground utility owners, no less than three nor more than ten working days of their intent to excavate. A list of these utilities may be obtained from the County Register of Deeds. Those utilities that participate in the Tennessee One Call system can be notified by calling toll free 1-800-351-1111.
- Underground utilities shown were located using available above ground evidence, and also from information obtained from the respective utility companies. The existence or non-existence of the utilities shown and any other utilities which may be present on this site or adjacent sites should be confirmed with the utility owner prior to commencing any work.
- It is the responsibility of each residential builder to design and construct a suitable grading and drainage scheme which will convey surface water, without ponding in the lot or under the house, from his structure to the drainage system constructed by the subdivision developer.
- Parcels may be subject to additional easements, and/or restrictions, by record or prescription, that a complete title search may reveal.
- Public utility and drainage easements where shown hereon are intended to indicate an easement for construction, operation, and maintenance of public utilities and drainageways, including, but not limited to, sanitary sewers, forcemains, water lines, telephone signal conduits, electric conductors, drainage pipes, and natural gas lines.
- (AT&T, M.E.D., M.W.S.D., C.U.D. & A.E. Easements) = AT&T Telecommunications, Murfreesboro Electric Department, Murfreesboro Water & Sewer Dept., Consolidated Utility District and Atmos Energy Easements.
- Under the current adopted plumbing code, the City of Murfreesboro requires the minimum floor elevation (M.F.E.) to be set at or above the top of casting elevation of the nearest manhole that is upstream of the sewer service connection. As an alternative, the homeowner shall install a backwater valve per the plumbing code and execute and record a release of indemnification against the City of Murfreesboro with regards to the sanitary sewer connection. The builder and/or homeowner shall be responsible for compliance with this requirement.
- In accordance with TCA Section 7-59-310(b)(1), Competitive Cable and Video Services Act, in cases of new construction or property development where utilities are to be placed underground, the developer or property owner shall give all providers of cable or video serving the City of Murfreesboro dates on which open trenching will be available for the providers' installation of conduit, pedestals or vaults, and laterals, referred to as "equipment," to be provided at each such providers' expense.
- Per the City of Murfreesboro, the streets identified on the plat may be constructed or reconstructed in the future without consultation or notice to the Owners of the lots in the subdivision.
- Easements in the subdivision may not have infrastructure constructed within them until some future time and there may be no notice or consultation with the individual lot Owners of this construction.

LOT COVERAGE
117 N. UNIVERSITY STREET = 9,661 S.F.
 EXISTING HOUSE = 1,979 S.F.
 PART OF PROPOSED GARAGE = 275 S.F.
 PART OF PROPOSED PORCH = 46 S.F.
 EXISTING PORCH = 413 S.F.
 TOTAL = 2,713 S.F.

LOT COVERAGE
534 E. COLLEGE STREET = 8,645 S.F.
 EXISTING HOUSE = 1,173 S.F.
 PART OF PROPOSED GARAGE = 311 S.F.
 PART OF PROPOSED PORCH = 55 S.F.
 PROPOSED PORCHES = 754 S.F.
 TOTAL = 2,293 S.F.

- LEGEND**
- IPS ○ IRON PIN SET (1/2" REBAR WITH STAMPED PLASTIC CAP)
 - IPF ○ IRON PIN FND.
 - RAILROAD SPIKE
 - FENCE
 - SURVEY POINT
 - ▲ NAIL
 - CONC. MARKER FND.

CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT THIS IS A CATEGORY "1" SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000 AS SHOWN HEREON AND THAT THIS SURVEY WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYORS. I ALSO CERTIFY THAT THE MONUMENTS HAVE BEEN OR WILL BE PLACED AS SHOWN HEREON TO THE SPECIFICATIONS OF THE CITY ENGINEER.

DATE OF RECORDING: _____
 TIME OF RECORDING: _____
 PLAT BOOK: _____, PAGE: _____

FINAL PLAT
LOT 1
1911 PLACE



13th CIVIL DISTRICT - RUTHERFORD COUNTY - TN.
 DATE: OCTOBER 2015 SCALE: 1"=30' SH. 1 OF 1

LOT 1 CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

Date _____
 RECORD BOOK: 328
 PAGE: 1378
 RECORD BOOK: 1152
 PAGE: 1096
 RONALD A. NELSON

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision regulations for the City of Murfreesboro, Tennessee with the exception of such variances, if any, as are noted in the minutes of the planning commission and that it has been approved for recording in the office of the Rutherford County Register of Deeds provided that it is so recorded within one year of this date.

Date _____ SECRETARY, PLANNING COMMISSION

CERTIFICATE OF APPROVAL OF WATER SYSTEMS

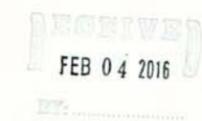
I hereby certify that: (1) the water lines and appurtenances for the water system of the subdivision shown hereon have been installed in accordance with City codes and specifications and the Tennessee Department of Environment and Conservation, Community Public Water Systems Design Criteria; or (2) that a surety for these improvements has been posted with the City of Murfreesboro to assure completion of same and that the land shown to be subdivided hereon is within water service jurisdiction of Murfreesboro Water and Sewer Department.

Date _____ MURFREESBORO WATER AND SEWER OFFICIAL

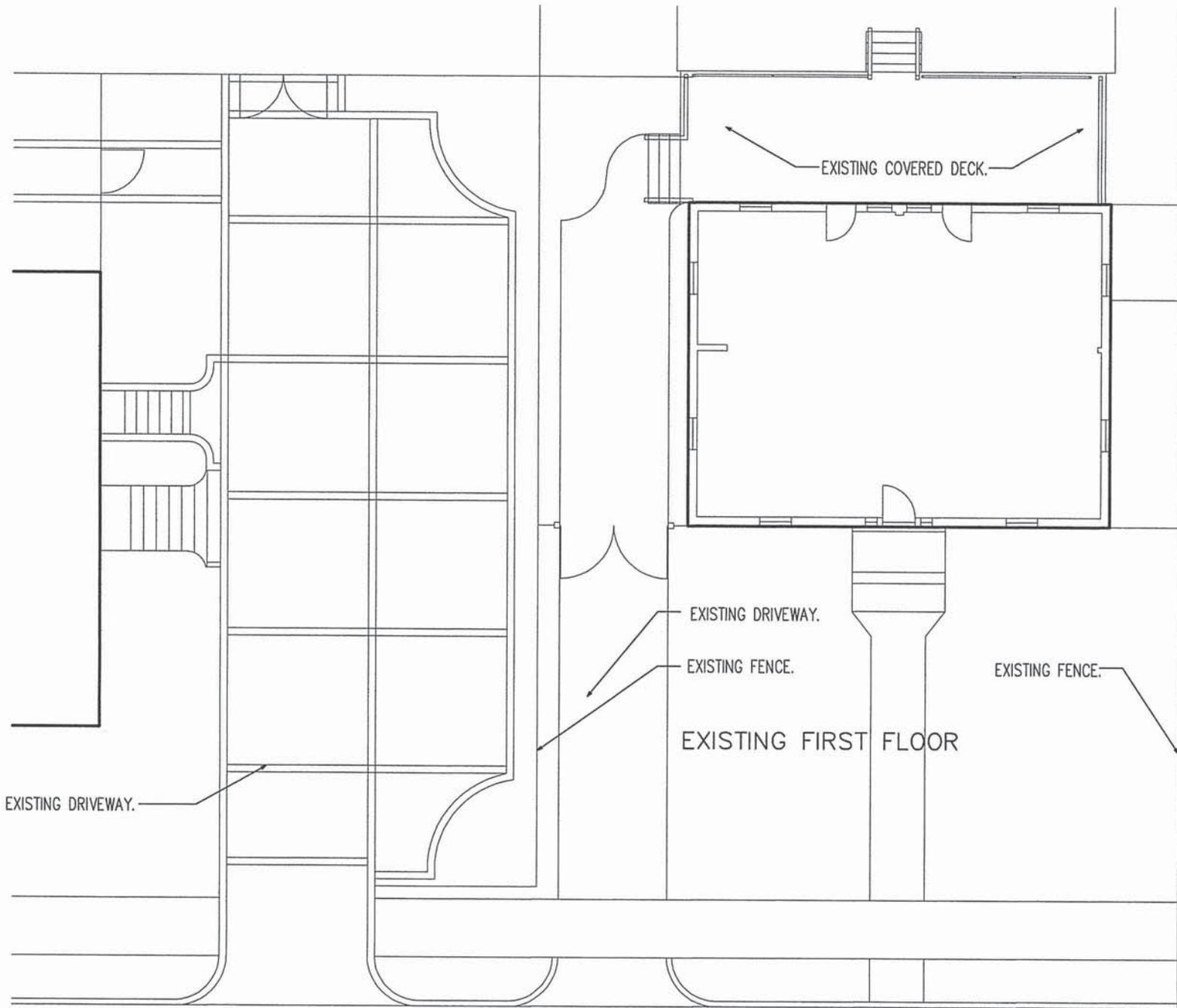
CERTIFICATE OF APPROVAL OF SEWER SYSTEMS

I hereby certify that: (1) the sewer lines and appurtenances for the sewer system of the subdivision shown hereon have been installed in accordance with City codes and specifications and the Tennessee Department of Environment and Conservation, Design Criteria for Sewage Works; (2) that a surety for these improvements has been posted with the City of Murfreesboro to assure completion of same; or (3) that a subsurface sewage system will be permitted subject to the approval of the local health authority.

Date _____ MURFREESBORO WATER AND SEWER OFFICIAL

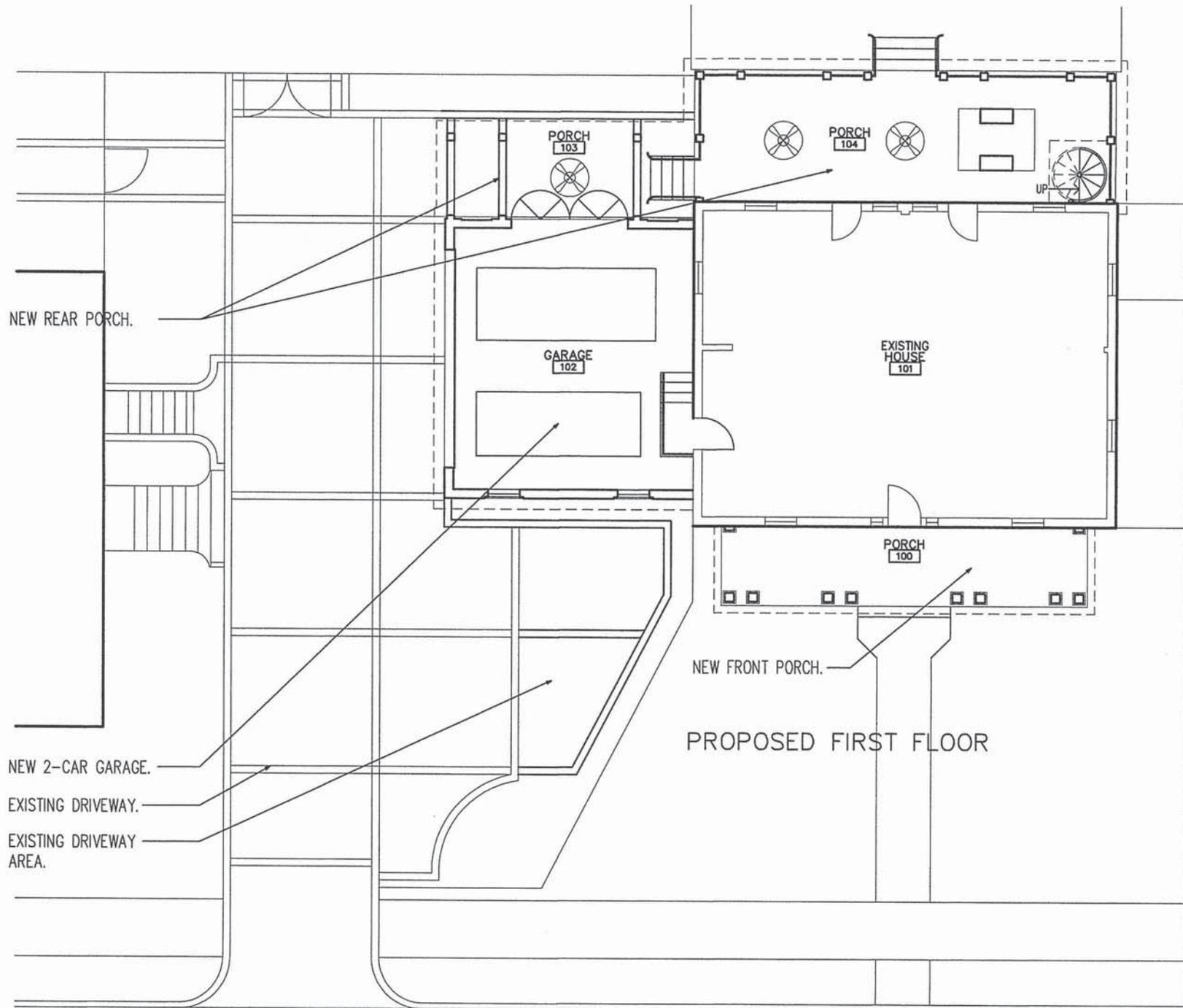


T:\ACAD\2014\Projects\2014\NELSON\RESUB PLAT\DWG\UR NELSON - UNIVERSITY AND COLLEGE ST.DWG. 10/02/15 2:33:59 PM



117 N. UNIVERISTY STREET

534 E. COLLEGE STREET



NEW REAR PORCH.

PORCH
103

PORCH
104

GARAGE
102

EXISTING
HOUSE
101

PORCH
100

NEW FRONT PORCH.

PROPOSED FIRST FLOOR

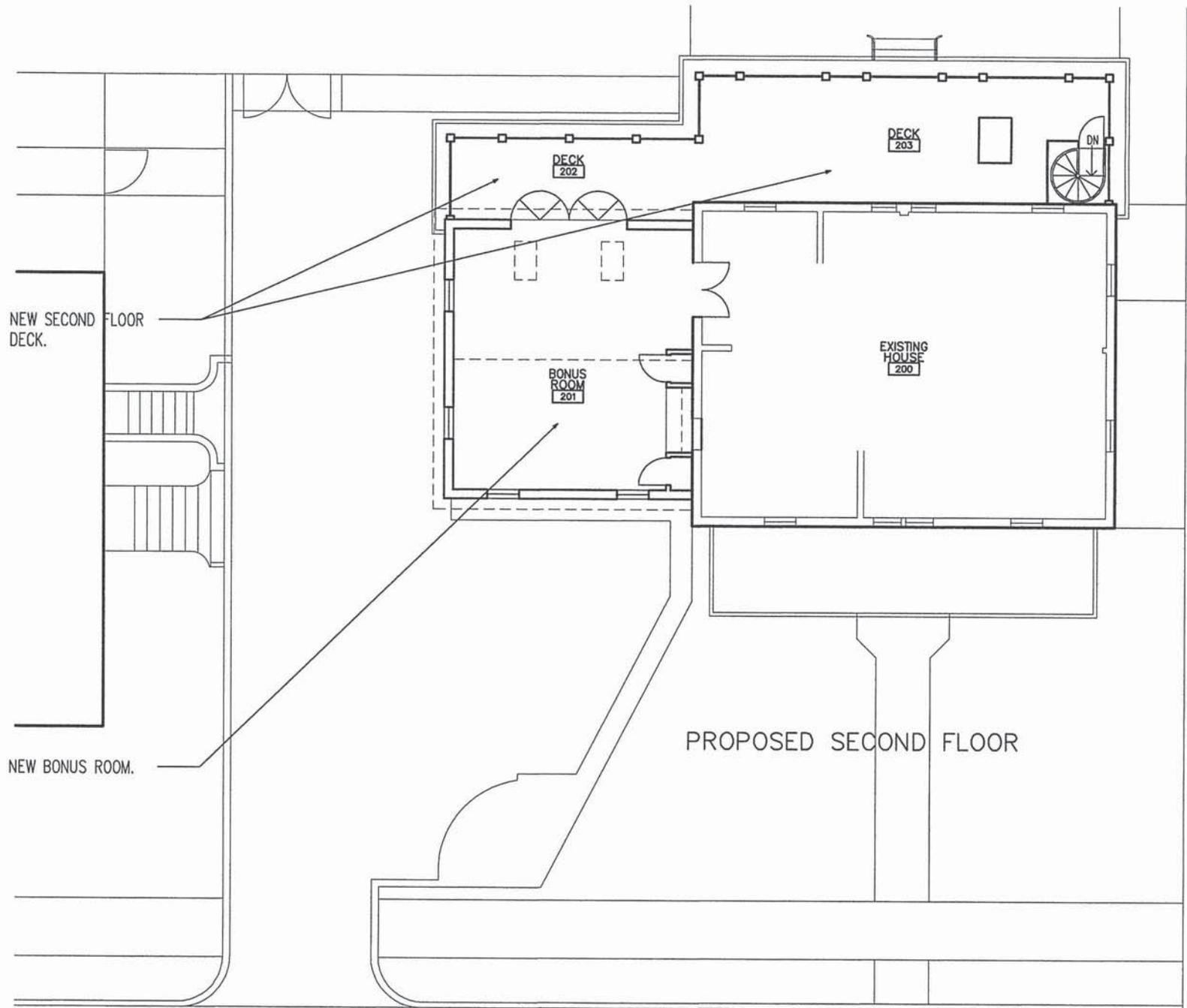
NEW 2-CAR GARAGE.

EXISTING DRIVEWAY.

EXISTING DRIVEWAY
AREA.

117 N. UNIVERISTY STREET

534 E. COLLEGE STREET



117 N. UNIVERISTY STREET

534 E. COLLEGE STREET

NEW MATCHING
DORMER.

NEW ASPHALT
SHINGLES.

NEW PAINTED
BRICK.

NEW MATCHING
WINDOWS.

EXISTING ASPHALT
SHINGLES.

EXISTING PAINTED
BRICK.

NEW PAINTED
WOOD FRONT
PORCH.



FRONT ELEVATION

NEW PAINTED BRICK CHIMNEY.

NEW PAINTED WOOD PORCH AND RAILING.



NEW MATCHING DORMER.

NEW PAINTED BRICK.

NEW MATCHING WINDOWS.

NEW PAINTED WOOD FRONT PORCH.

NEW PAINTED GARAGE DOOR.

LEFT SIDE ELEVATION



REAR ELEVATION



117 North University Street and 534 East College Street, aerial photograph



117 North University Street and 534 East College Street, aerial photograph



117 North University Street, primary structure



534 East College Street, view of pool house taken from East College Street looking south. A new porch would be constructed on the front of the pool house. An additional porch would be constructed along the rear of the pool house.



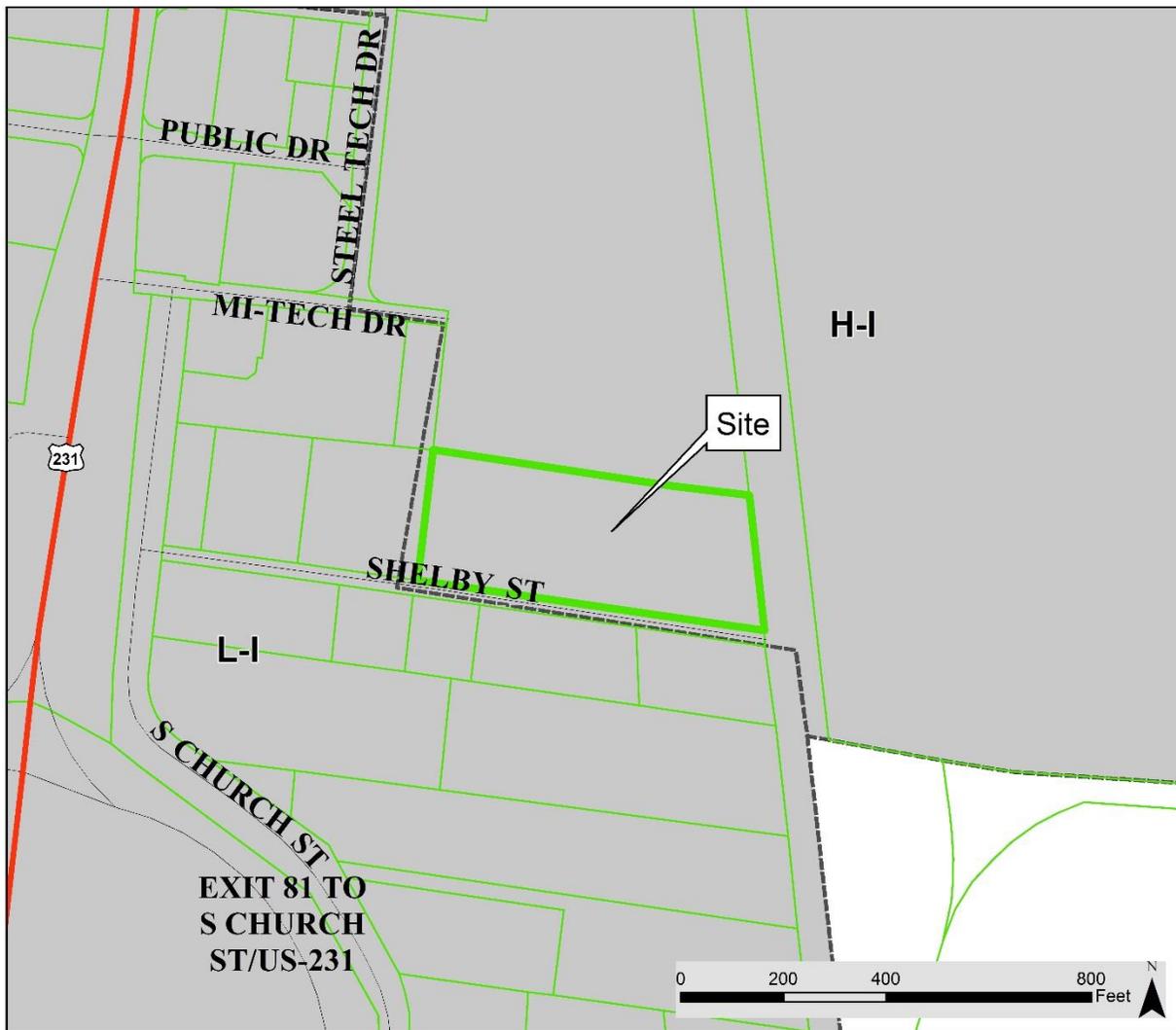
117 North University Street and 534 East College Street, photo taken from East College Street looking southeast. Proposed garage would be located beyond white gate adjacent to the pool house on the right-hand side of the photo.



117 North University Street and 534 East College Street, photo taken from East College Street, photo taken from East College Street looking to the south. Proposed garage would be located adjacent to the pool house on the right-hand side of the photo. A small porch would be constructed on the rear of the garage.

**MURFREESBORO BOARD OF ZONING APPEALS
STAFF REPORT
FEBRUARY 24, 2016**

Application: Z-16-009
Location: 201 Shelby Street
Applicant: Beth Throneberry
Zoning: Heavy Industrial (H-I) District
Request: A ten (10) foot Variance from Chart 2 (Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios) of the Murfreesboro Zoning Ordinance, which requires a minimum forty-two (42) foot front yard setback in the H-I district



Request Overview

The applicant, Beth Throneberry, wishes to construct a 24,000-square foot, one-story building on property located at 201 Shelby Street. The subject property is zoned Heavy Industrial (H-I) and has the following minimum required setbacks: 42 feet on the front, 20 feet on the rear, and 10 feet on sides. The proposed structure would have a front setback of approximately 32 feet, necessitating a 10-foot front yard setback Variance.

Relevant Zoning Ordinance Section

See Chart 2 for minimum lot standards in the H-I district

Staff Comments

At present, Shelby Street is a cul-de-sac that terminates near the CSX railroad track. Despite being a cul-de-sac, the street has no bulb or turn-around area at its terminus. Rather, it comes to an end in a parking lot belonging to a private business. In conjunction with the development of the subject property, Shelby Street will be improved to include a bulb; this improvement will allow vehicles to safely maneuver at the end of the cul-de-sac. The improvement is illustrated on a sheet entitled "Variance Exhibit" in the materials submitted by the applicant. Because of the creation of the bulb, the right-of-way will be expanded northward into the subject property by as much as 30 feet. The proposed structure will be situated approximately 60 feet from the straight portion of the front property line; however, at its closest point to the cul-de-sac bulb, the proposed structure will be situated 32 feet from the bulb, encroaching into the 42-foot front setback by 10 feet.

In the attached request letter, the applicant's representative, Matt Taylor of SEC Inc., addresses each of the three standards for granting a Variance. With regard to *practical difficulties*, the applicant's representative notes that City staff identified the need for creating a bulb at the end of the cul-de-sac during the site plan review process for this project. The dedication of right-of-way to fulfill the City's requirement resulted in a loss of lot depth, necessitating the 10-foot encroachment into the front setback. With regard to *unusual characteristics*, the applicant's representative contends that many other properties in the H-I district are not located along cul-de-sac bulbs. Finally, the applicant's representative notes that because the expansion of the right-of-way to create the cul-de-sac is a City requirement, the situation is *not self-created*. Ultimately, the Board must determine whether these circumstances warrant the granting of a Variance.

The applicant will be in attendance to answer any questions the Board may have.

Attached Exhibits

1. Murfreesboro Zoning Ordinance, Chart 2
2. BZA Application
3. Applicant's Request Letter
4. Applicant's Supporting Materials
5. Site Photographs

DISTRICT AND USE	Minimum Lot Requirements		Minimum Yard Requirements ^{5, 17}			Maximum Height ¹⁶ (Ft.)	Maximum Gross Density ² (D.U./Acre)	Land Use Intensity Ratios			Maximum Lot Coverage (percent)
	Area (Sq. Ft.)	Width (Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)			Maximum F.A.R.	Minimum L.S.R.	Minimum O.S.R.	
CL DISTRICT											
1. All commercial uses except	none	none ^[13]	42	10 ^[6]	20	35	none	none	none	none	none
2. Single-family detached dwellings	7,500	50 ^[12]	30 ^[1]	5 ^[10]	25	35	5.8	none	none	none	30
3. Two-family dwellings	7,500	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
4. Three-family dwellings	11,250	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
5. Four-family dwellings	15,000	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
6. Single-family with zero lot line attached or detached	3,750	18 ^[12]	30 ^[1]	10 ^[7]	25	35	11.6	0.3	0.48	0.7	none
CF DISTRICT											
1. All uses	none	none ^[13]	42	10 ^[15]	20 ^[15]	45	none	none	none	none	none
CH DISTRICT											
1. All uses	none	none ^[13]	42	10 ^[6]	20	75	none	none	none	none	none
MU DISTRICT											
1. Multiple family dwellings	5 acres	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	75	25 ^[24]	none	none	none	none
2. All commercial uses except mixed use	none	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	150	none	none	none	none	none
3. Mixed uses (vertical mix)	none	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	150	25 ^[24]	none	none	none	none
CBD DISTRICT											
1. All uses except	none	none ^[13]	none	none	none	75	none	none	none	none	none
2. Multiple-family dwellings	none	none ^[13]	none	none	none	75	FN ^[8]	none	none	none	none
H-I DISTRICT											
1. All uses	none	50 ^[13]	42	10	20	75	none	none	none	none	none
L-I DISTRICT											
1. All uses	none	50 ^[13]	42	10	20	75	none	none	none	none	none
CU DISTRICT											
1. Single-family detached	10,000	65 ^[12]	35	10	20	35	4.4	none	none	none	25
2. Two-family dwellings	10,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
3. Three-family dwellings	15,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
4. Four-family dwellings	20,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
5. Multiple-family dwellings	25,000	65 ^[12]	35	10 ^[3]	20 ^[4]	35	FN ^[9]	0.35	0.45	0.65	none
6. Educational institutions and other uses	25,000	65 ^[12]	35	10	20	35	none	0.3	0.28	0.6	none
P DISTRICT											
1. All uses permitted	none	none ^[13]	none	none	none	none	none	none	none	none	none

RECEIVED
FEB 08 2016

BY:

Murfreesboro Board of Zoning Appeals



HEARING APPLICATION
AND
GENERAL INFORMATION

BOARD OF ZONING APPEALS HEARING APPLICATION
AND GENERAL INFORMATION

City of Murfreesboro BOARD OF ZONING APPEALS	HEARING REQUEST APPLICATION
---	--------------------------------

Location/Street Address: 201 Shelby Street			
Tax Map: 113C	Group: B	Parcel: 8.00	Zoning District: HI

Applicant: Beth Throneberry		E-Mail: tthroneberry@msn.com	
Address: 204 MI-Tech Drive		Phone: (615) 896-0242	
City: Mufreesboro	State: TN	Zip: 37130	

Property Owner: Beth Throneberry			
Address: 204 Mi-Tech Drive		Phone: (615) 896-0242	
City: Murfreesboro	State: TN	Zip: 37130	

Request: Variance from Front Setback	
Zoning District: HI	
Applicant Signature: <i>Beth E. Throneberry</i> Date: <i>2-8-16</i>	

Received By: <i>B. Davis</i>	Receipt No.: <i>22715</i>
Application #:	DATE: <i>2-8-16</i>

A-304 APPENDIX A - BOARD OF ZONING APPEALS INFORMATION

February 8, 2016

Mr. Donald Anthony
Murfreesboro Planning Department
111 W. Vine Street
Murfreesboro, TN 37130

RE: 201 Shelby Street
 Submission for Variance Request Application

Dear Donald,

Pursuant to Section 10 – Variances of the City of Murfreesboro Tennessee 2015 Zoning Ordinance, in regards to the proposed **201 Shelby Street (2.35 acres)** on Parcel 8.00 of Tax Map 113C Group B, please accept the following information as the official Board of Zoning Appeals – Hearing Request Application.

Section 10 – Variance

(d) Procedure

(a) name, address, and telephone number of the applicant;

Mr. Tommy Throneberry
204 Mi-Tech Drive
Murfreesboro, TN 37130
Ph: 615-896-0242

(b) nature and extent of the applicant's interest in the property for which a variance is requested;

Mr. Tommy Throneberry is the owner of the property.

(c) a plot plan showing the dimensions of the property for which a variance is requested

6 copies of the site plan are included with this application

(d) The street address and legal description of the property for which a variance is requested.

The proposed site is located at 201 Shelby Street.

(e) Zoning classification of the property for which a variance is requested

The lot is zoned Heavy Industrial.

(f) A statement of the exact variance sought and section of this article from which a variance is requested

This request is for a variance of 10-feet ft from **Chart 2 - Building Setback: Minimum Front Building Setback—42'** of the Zoning Ordinance.

(g) A statement of the purpose for the requested variance and the intended development of property if the variance is granted:

The requested variance is to allow the one story, 24,000 s.f. building to be 32.3 feet from the front right-of-way line instead of the minimum of 42 feet. The 42 feet is the minimum front setback for Heavy Industrial zoning. The variance is requested in order to allow the site to be developed as shown and to provide for a proper turnaround on the public street.

(h) If a use variance is sought, a statement setting forth the reason why a variance and not a zoning amendment is appropriate and stating whether the applicant previously sought a zoning amendment for such property, and if so, the disposition of the request for such amendment

No use variance is being sought.

(i) Unless otherwise modified by the zoning administrator, in accordance with standards established by said board in rules published from time to time, a vicinity map showing the property, which is the site of the requested variance and all parcels of property within a five hundred-foot radius if such property is located within the city. Such vicinity map shall show any and all streets, roads or alleys, and shall indicate the owner's name and dimensions of each parcel of property shown.

A vicinity map is included showing all parcels within a five hundred-foot radius.

(e) Standards and proof required for variances

(2) Bulk Variances and other variances

(a) Practical difficulties. The narrowness, shallowness or shape, topography or other condition of the land is such that it is extraordinarily difficult to comply with the general applicable bulk or other regulations of the zoning classification for the property.

Shelby Street is an existing, dead-end, public road without a public turnaround. Planning and engineering staff identified a need for a public turnaround during the site plan review process. They required dedication of public right-of-way to construct the public turnaround. The only ability to comply with this requirement for the proposed development results in an encroachment to the front setback due to the requirement to dedicate right-of-way for the turn around.

(b) Unusual characteristics of the subject property. The property is unusual in that it has unusual physical features compared to other property located in the same zoning district.

Most properties within this zoning district are located on straight streets or with an intersecting street that allows for turnarounds or dead-end streets with a proper public turnaround. This particular street has neither and therefore is unique to this property.

(c) Not self-created. The condition of the property has not resulted from any deliberate action by the owner.

The public turnaround is a requirement from planning and engineering staff and not the applicant.

Your thorough consideration of the requested variance is much appreciated. If you have any questions or comments, please feel free to contact me. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Matt Taylor" followed by a stylized flourish.

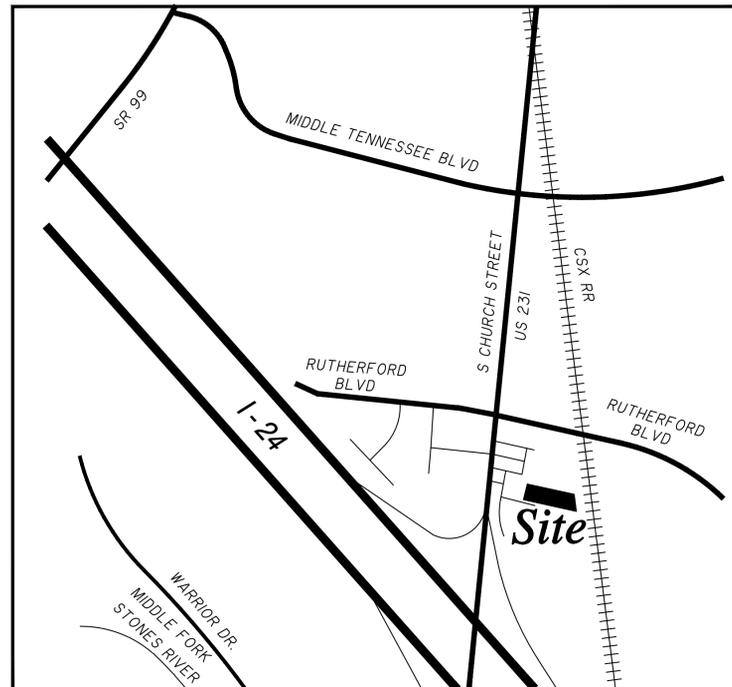
Matt Taylor, P.E.
Vice-President
S.E.C., Inc.

201 Shelby Street BZA Variance Exhibit

Murfreesboro, Tennessee BZA Variance Request Submittal

Drawing Index

Sheet No.	Title
1	Cover Sheet
2	Existing Conditions
3	Vicinity Map
4	Variance Exhibit



Site Location Map
Not To Scale

Owner/Developer:

Beth E. Thronberry
204 Mi-Tech Drive
Murfreesboro, TN 37130

Floodplain Note:

This site lies within Zone X, areas determined to be outside the 0.2% annual chance flood plain. FEMA FIRM map 47149C0260H dated January 5, 2007.

Land Data:

2 lots on 3.79± Acres
Zoning: HI
13th Civil District
Commission District 18th

Yard Requirements:

Front: 42'
Side: 10'
Rear: 20'

Deed Reference:

Tax Map 113C, Group B, Parcel 8.00
D.Bk. 579, Pg. 682,
P.Bk. 98, Pg. 188

Building Info:

Total Floor Area: 24,000 Sq. Ft.
1-Story
Bldg. Eave Ht.: 22'

Intended Use:

Office/Warehouse

Parking Requirements:

Office: $(\frac{1 \text{ Space}}{500 \text{ Sq. Ft.}}) \times 2,200 \text{ Sq. Ft.} = 7.33 \text{ Space}$
Warehouse: $(\frac{1 \text{ Space}}{5000 \text{ Sq. Ft.}}) \times 21,800 \text{ Sq. Ft.} = 4.36 \text{ Space}$
Total Required: 11.69 Spaces
Total Provided: 14 (12 Reg. + 2 H.C.)

SEC, Inc. SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING

850 MIDDLE TENNESSEE BOULEVARD MURFREESBORO, TENNESSEE 37129

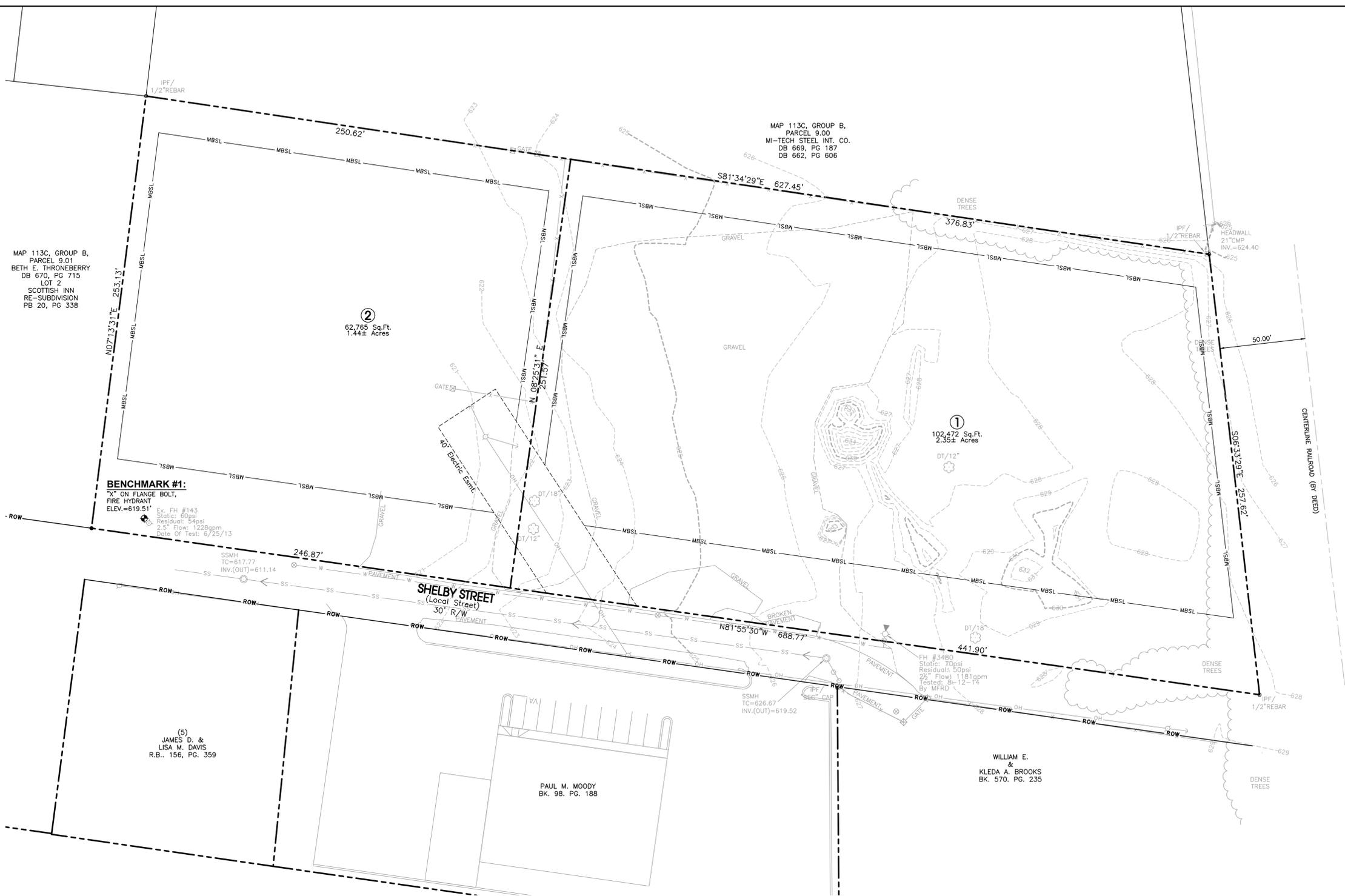
PHONE: (615) 890-7901 E-MAIL: MLEE@SEC-CIVIL.COM FAX: (615) 895-2567

NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN CONSENT OF S.E.C. INC.

By: _____ Date: _____
Mark P. Lee, P.E. TN. Reg. #19186



Sheet 1 of 4
201 Shelby Street
S.E.C. Project #12128
Date: 10-12-15
Revised:



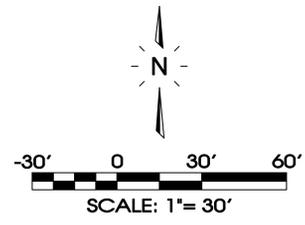
MAP 113C, GROUP B,
PARCEL 9.01
BETH E. THRONEBERRY
DB 670, PG 715
LOT 2
SCOTTISH INN
RE-SUBDIVISION
PB 20, PG 338

BENCHMARK #1:
"X" ON FLANGE BOLT,
FIRE HYDRANT
ELEV.=619.51'
Ex. FH #143
Static: 60psi
Residual: 54psi
2.5" Flow: 1228gpm
Date Of Test: 6/25/13

(S)
JAMES D. &
LISA M. DAVIS
R.B. 156, PG. 359

PAUL M. MOODY
BK. 98, PG. 188

WILLIAM E.
&
KLEDA A. BROOKS
BK. 570, PG. 235



Legend:			
□	EXIST. CONCRETE MONUMENT	□	INLET PROTECTION FILTER
●	IRON PIN SET (I.P.S.)	♿	HANDICAP PARKING SYMBOL
○	IRON PIN FOUND (I.P.F.)	⊙	HC SIGN
+	EXIST. SIGN POST	—	HEADWALL
○	EXIST. SEWER CLEANOUT	—	WINGED HEADWALL
○	EXIST. MANHOLE (SEWER & PHONE)	○	MANHOLE
⊕	EXIST. CATCH BASIN (STORM SEWER)	63.25 x	PROPOSED SPOT ELEVATION
⊗	EXIST. WATER/GAS VALVE	(63.25) x	EXIST. SPOT ELEVATION
⊞	EXIST. TELEPHONE RISER	⊙	POST INDICATOR VALVE
⊞	EXIST. GAS RISER	▽	REDUCER
⊞	ELECTRICAL ENCLOSURE	⊞	REMOTE FIRE DEPT. CONNECTION
⊞	EXIST. WATER METER	⊞	REVISION NUMBER
⊞	EXIST. UTILITY POLE	⊞	RIP RAP
⊞	EXIST. FIRE HYDRANT	→	RUNOFF FLOW ARROW
⊞	BENCHMARK	↘	SEWER/STORM FLOW DIRECTION
⊞	BLOW OFF VALVE	→	TRAFFIC ARROW
•	CONCRETE BOLLARD	↘	TURN LANE ARROWS
⊞	CATCH BASIN	V.A.	VAN ACCESSIBLE HANDICAP DESIGNATION
⊞	CURB INLET	W	WATER METER
⊞	AREA DRAIN	W	WHEEL STOP
⊞	CONCRETE THRUST BLOCK	⊞	GREASE TRAP
⊞	DOUBLE DETECTOR CHECK VALVE	#1	DRAINAGE STRUCTURE DESIGNATION
⊞	FIRE DEPT. CONNECTION	A	DRAINAGE PIPE DESIGNATION
⊞	FIRE HYDRANT	—	CONCRETE SIDEWALK
⊞	GAS METER	—	EXTRUDED CURB
⊞	GATE VALVE & BOX	—	CURB & GUTTER
○	EXTERIOR CLEANOUT	—	CONCRETE SWALE
—	EXISTING PHONE	—	PH
—	EXISTING ELECTRIC	—	OH
—	PROPERTY LINE	—	
—	EASEMENTS	—	
—	RIGHT OF WAY	—	ROW
—	EROSION CONTROL SILT FENCE	—	SF SF
—	EXISTING TREELINE	—	
—	EXISTING FENCELINE	—	x x
—	MINIMUM BUILDING SETBACK LINE	—	MBSL
—	PHASE BOUNDARY	—	
—	EXISTING GAS LINE	—	GAS GAS
—	PROPOSED GAS LINE	—	GAS GAS
—	EXISTING STORM	—	STM STM
—	PROPOSED STORM	—	STM STM
—	EXISTING CONTOUR LINES	—	601
—	PROPOSED CONTOUR LINES	—	601
—	EXISTING SANITARY SEWER	—	SS SS
—	PROPOSED SANITARY SEWER	—	SS SS
—	EXISTING WATER	—	W W
—	PROPOSED WATER	—	W W

SFC, Inc.
SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING
850 MIDDLE TENNESSEE BOULEVARD MURFREESBORO, TENNESSEE 37129
PHONE: (615) 890-7901 E-MAIL: MLE@SFC-CIVIL.COM FAX: (615) 895-2667

REVIEW SET
(Not intended for construction)

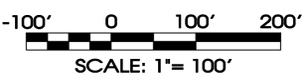
201 Shelby Street
BZA Variance Exhibit
Murfreesboro, Tennessee

REVISED:
DRAWN: SJA
DATE: 10-12-15
CHECKED:
MPL
FILE NAME:
12128bzo.dwg
SCALE:
1"=30'
JOB NO.
12128
SHEET:
2 of 4

Existing Conditions

The site as shown on these construction drawings is intended to achieve specific engineering design criteria and objectives. It is the responsibility of the engineer to ensure that the design as noted, described, and illustrated. The engineer assumes no administrative liability of the site in total accordance with the design as noted, described, and illustrated. The engineer assumes no administrative liability of the site in total accordance with the design as noted, described, and illustrated. The engineer assumes no administrative liability of the site in total accordance with the design as noted, described, and illustrated.

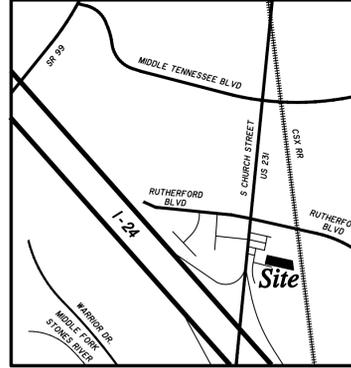
SOUTH CHURCH STREET / U.S. 231



Legend:

□	EXIST. CONCRETE MONUMENT	□	INLET PROTECTION FILTER
●	IRON PIN SET (I.P.S.)	♿	HANDICAP PARKING SYMBOL
○	IRON PIN FOUND (I.P.F.)	○	HC SIGN
+	EXIST. SIGN POST	—	HEADWALL
○	EXIST. SEWER CLEANOUT	—	WINGED HEADWALL
○	EXIST. MANHOLE (SEWER & PHONE)	○	MANHOLE
⊕	EXIST. CATCH BASIN (STORM SEWER)	63.25 x	PROPOSED SPOT ELEVATION
⊗	EXIST. WATER/GAS VALVE	(63.25) x	EXIST. SPOT ELEVATION
⊞	EXIST. TELEPHONE RISER	●	POST INDICATOR VALVE
⊞	EXIST. GAS RISER	□	REDUCER
⊞	ELECTRICAL ENCLOSURE	⊞	REMOTE FIRE DEPT. CONNECTION
⊞	EXIST. WATER METER	⊞	REVISION NUMBER
⊞	EXIST. UTILITY POLE	⊞	RIP RAP
⊞	EXIST. FIRE HYDRANT	→	RUNOFF FLOW ARROW
⊞	BENCHMARK	∇	SEWER/STORM FLOW DIRECTION
⊞	BLOW OFF VALVE	→	TRAFFIC ARROW
●	CONCRETE BOLLARD	↔	TURN LANE ARROWS
⊞	CATCH BASIN	V.A.	VAN ACCESSIBLE HANDICAP DESIGNATION
⊞	CURB INLET	W	WATER METER
⊞	AREA DRAIN	W	WHEEL STOP
⊞	CONCRETE THRUST BLOCK	⊞	GREASE TRAP
⊞	DOUBLE DETECTOR CHECK VALVE	#1	DRAINAGE STRUCTURE DESIGNATION
⊞	FIRE DEPT. CONNECTION	A	DRAINAGE PIPE DESIGNATION
⊞	FIRE HYDRANT	⊞	CONCRETE SIDEWALK
⊞	GAS METER	⊞	EXTRUDED CURB
⊞	GATE VALVE & BOX	⊞	CURB & GUTTER
⊞	EXTERIOR CLEANOUT	⊞	CONCRETE SWALE

EXISTING PHONE	_____
EXISTING ELECTRIC	_____
PROPERTY LINE	_____
EASEMENTS	_____
RIGHT OF WAY	_____
EROSION CONTROL SILT FENCE	_____
EXISTING TREELINE	_____
EXISTING FENCELINE	_____
MINIMUM BUILDING SETBACK LINE	_____
PHASE BOUNDARY	_____
EXISTING GAS LINE	_____
PROPOSED GAS LINE	_____
EXISTING STORM	_____
PROPOSED STORM	_____
EXISTING CONTOUR LINES	601
PROPOSED CONTOUR LINES	601
EXISTING SANITARY SEWER	_____
PROPOSED SANITARY SEWER	_____
EXISTING WATER	_____
PROPOSED WATER	_____



Owner/Developer:
Beth E. Thronberry
204 Mi-Tech Drive,
Murfreesboro, TN 37130

Floodplain Note:
This site lies within Zone X, areas determined to be outside the 0.2% annual chance flood plain. FEMA FIRM map 47149C02604 dated January 5, 2007.

Land Data:
2 lots on 3.79± Acres
Zoning: HI
13th Civil District
Commission District 18th

Yard Requirements:
Front: 42'
Side: 10'
Rear: 20'

Deed Reference:
Tax Map 113C, Group B, Parcel 8.00
D.Bk. 579, Pg. 682.
P.Bk. 98, Pg. 188

Building Info:
Total Floor Area: 24,000 Sq. Ft.
1-Story
Bldg. Eave Ht.: 22'

Intended Use:
Office/Warehouse

Parking Requirements:
Office: (600/300) x 2,200 Sq. Ft. = 7.33 Spaces
Warehouse: (600/300) x 21,800 Sq. Ft. = 4.36 Spaces
Total Required: 11.69 Spaces
Total Provided: 14 (12 Reg. + 2 H.C.)

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850 MIDDLE TENNESSEE BOULEVARD MURFREESBORO, TENNESSEE 37129
PHONE: (615) 890-7901 E-MAIL: MLE@SFC-CIVIL.COM FAX: (615) 895-2667
NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN CONSENT OF S.F.C. INC.

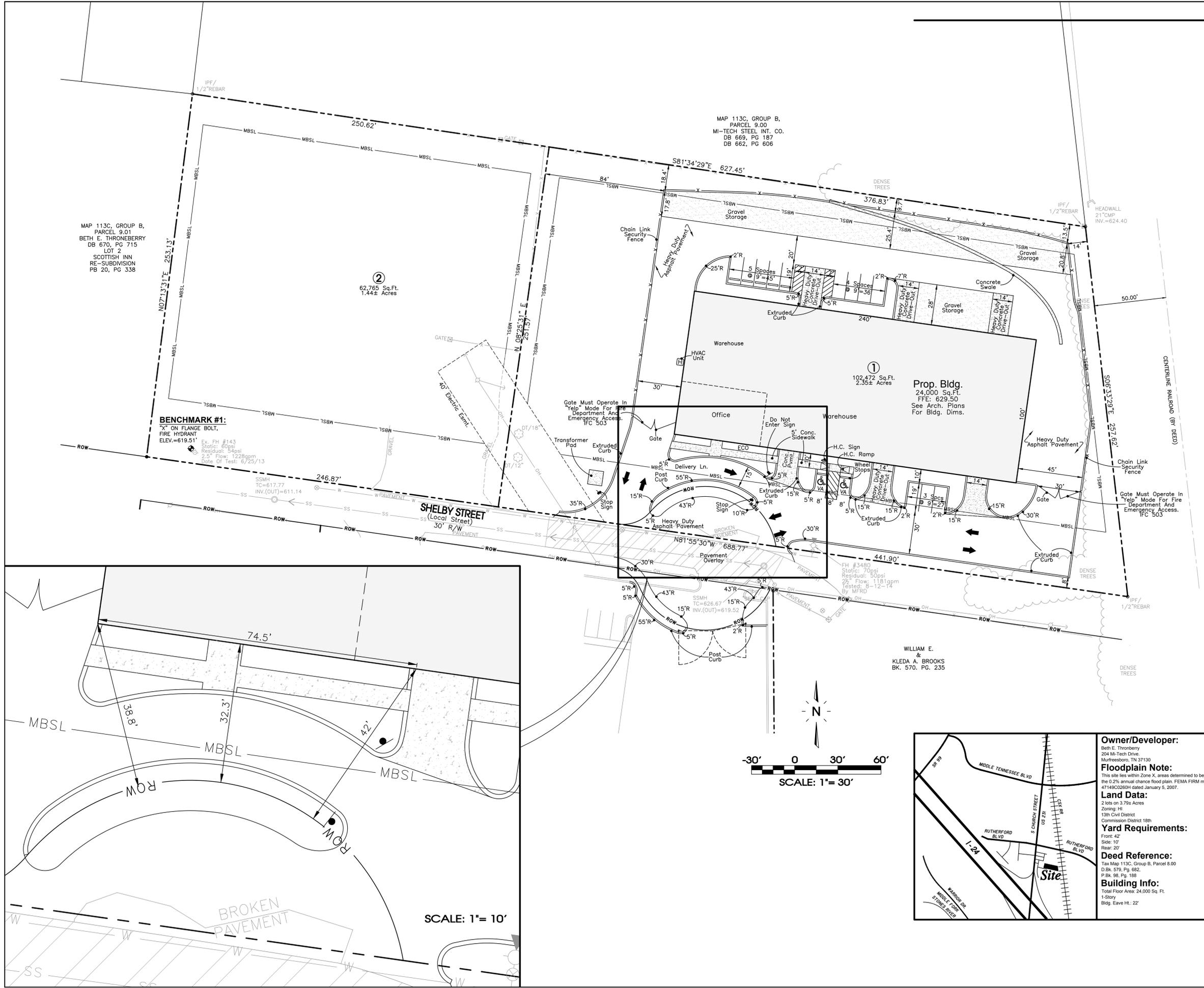
REVIEW SET
M.P. LEE
REGISTERED PROFESSIONAL ENGINEER
STATE OF TENNESSEE
No. 0000000000

201 Shelby Street
BZA Variance Exhibit
Murfreesboro, Tennessee

REVISIONS:

DRAWN: SJA
DATE: 10-12-15
CHECKED:
MPL
FILE NAME:
12128bzo.dwg
SCALE:
1" = 100'
JOB NO.
12128
SHEET:
3 of 4

Vicinity Map



Notes:		Legend:	
□	EXIST. CONCRETE MONUMENT	□	INLET PROTECTION FILTER
●	IRON PIN SET (I.P.S.)	♿	HANDICAP PARKING SYMBOL
○	IRON PIN FOUND (I.P.F.)	○	HC SIGN
+	EXIST. SIGN POST	—	HEADWALL
○	EXIST. SEWER CLEANOUT	—	WINGED HEADWALL
○	EXIST. MANHOLE (SEWER & PHONE)	○	MANHOLE
⊕	EXIST. CATCH BASIN (STORM SEWER)	63.25	PROPOSED SPOT ELEVATION
⊗	EXIST. WATER/GAS VALVE	(63.25)	EXIST. SPOT ELEVATION
⊞	EXIST. TELEPHONE RISER	●	POST INDICATOR VALVE
⊞	EXIST. GAS RISER	▽	REDUCER
⊞	ELECTRICAL ENCLOSURE	⊞	REMOTE FIRE DEPT. CONNECTION
⊞	EXIST. WATER METER	⊞	REVISION NUMBER
○	EXIST. UTILITY POLE	⊞	RIP RAP
○	EXIST. FIRE HYDRANT	→	RUNOFF FLOW ARROW
⊞	BENCHMARK	↘	SEWER/STORM FLOW DIRECTION
■	BLOW OFF VALVE	→	TRAFFIC ARROW
●	CONCRETE BOLLARD	↘	TURN LANE ARROWS
■	CATCH BASIN	V.A.	VAN ACCESSIBLE HANDICAP DESIGNATION
■	CURB INLET	W	WATER METER
■	AREA DRAIN	W	WHEEL STOP
■	CONCRETE THRUST BLOCK	W	GREASE TRAP
■	DOUBLE DETECTOR CHECK VALVE	#1	DRAINAGE STRUCTURE DESIGNATION
⊞	FIRE DEPT. CONNECTION	#1	DRAINAGE PIPE DESIGNATION
⊞	FIRE HYDRANT	—	CONCRETE SIDEWALK
⊞	GAS METER	—	EXTRUDED CURB
⊞	GATE VALVE & BOX	—	CURB & GUTTER
○	EXTERIOR CLEANOUT	—	CONCRETE SWALE
—	EXISTING PHONE	PH	PH
—	EXISTING ELECTRIC	OH	OH
—	PROPERTY LINE	—	—
—	EASEMENTS	—	—
—	RIGHT OF WAY	ROW	ROW
—	EROSION CONTROL SILT FENCE	SF	SF
—	EXISTING TREELINE	—	—
—	EXISTING FENCELINE	—	—
—	MINIMUM BUILDING SETBACK LINE	MBSL	MBSL
—	PHASE BOUNDARY	—	—
—	EXISTING GAS LINE	GAS	GAS
—	PROPOSED GAS LINE	GAS	GAS
—	EXISTING STORM	STM	STM
—	PROPOSED STORM	STM	STM
—	EXISTING CONTOUR LINES	60	60
—	PROPOSED CONTOUR LINES	601	601
—	EXISTING SANITARY SEWER	SS	SS
—	PROPOSED SANITARY SEWER	SS	SS
—	EXISTING WATER	W	W
—	PROPOSED WATER	W	W

SFC, Inc. SITE ENGINEERING CONSULTANTS
 ENGINEERING • SURVEYING • LAND PLANNING
 850 MIDDLE TENNESSEE BOULEVARD MURFREESBORO, TENNESSEE 37129
 PHONE: (615) 890-7901 E-MAIL: MLE@SFC-CIVIL.COM FAX: (615) 895-2667

REVIEW SET
 (Not intended for construction)

201 Shelby Street
BZA Variance Exhibit
 Murfreesboro, Tennessee

Variance Exhibit

REVISIONS:
 DRAWN: SJA
 DATE: 10-12-15
 CHECKED:
 MPL
 FILE NAME:
 12128bzo.dwg
 SCALE:
 1"=30'
 JOB NO.
 12128
 SHEET:
 4 of 4

Owner/Developer:
 Beth E. Throneberry
 204 Mt. Tech Drive,
 Murfreesboro, TN 37130

Floodplain Note:
 This site lies within Zone X, areas determined to be outside the 0.2% annual chance flood plain, FEMA FIRM map 47149C0260H dated January 5, 2007.

Land Data:
 2 lots on 3.79± Acres
 Zoning: H1
 13th Civil District
 Commission District 18th

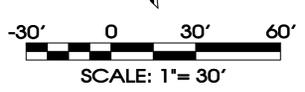
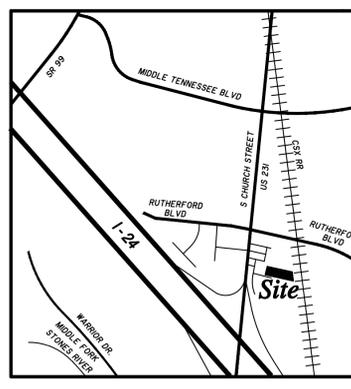
Yard Requirements:
 Front: 42'
 Side: 10'
 Rear: 20'

Deed Reference:
 Tax Map 113C, Group B, Parcel 8.00
 D.Bk. 579, Pg. 682,
 P.Bk. 48, Pg. 188

Building Info:
 Total Floor Area: 24,000 Sq. Ft.
 1-Story
 Bldg. Eave Ht.: 22'

Intended Use:
 Office/Warehouse

Parking Requirements:
 Office: (600/300) x 2,200 Sq. Ft. = 7.33 Space
 Warehouse: (600/300) x 21,800 Sq. Ft. = 4.36 Space
 Total Required: 11.69 Spaces
 Total Provided: 14 (12 Reg. + 2 H.C.)



SCALE: 1" = 10'

- City Landscape Notes:**
- The Owner shall submit a Certificate of Landscape Compliance to the Building and Codes Department upon completion of the landscape installation.
 - Upon submission of a Certificate of Landscape Compliance contact Building and Codes to schedule a Landscape Inspection.
 - No Certificate of Occupancy shall be issued until all landscape materials are in place in substantial compliance with the approved landscape plan.
 - All trees and shrubs shall be tagged according to species. Tags shall not be removed until after the Site Inspection for the issuance of a Certificate of Occupancy.
 - Any plant material that dies, turns brown or defoliates shall be replaced within one year or by the next growing season, whichever comes first. Other defective landscape material shall be replaced within three months.
 - All trees shall be straight trunked, full headed and meet all requirements specified. All trees and shrubs must be container grown or balled and burlapped with sizes indicated on the plant schedule on the approved plans. All plants shall be healthy, vigorous material, free of pest and disease. All rootballs, containers and height to width ratios shall conform to the size standards set forth in the *American Standards for Nursery Stock*, current edition.
 - All required deciduous trees shall be a minimum of 2" (two inches) in caliper at planting.
 - All required evergreen trees shall be a minimum of 6" (six feet) in height at planting.
 - All required shrubs shall be a minimum of 18" in height at planting.
 - Any site or landscape changes (including but not limited to a change in design, a reduction in size or number of plant material, or the relocation of overhead or underground utilities) will require a revised landscape plan to be submitted and approved prior to the landscape installation.
 - The Owner acknowledges that landscaping in a dedicated easement does not waive or modify the City rights as the easement holder. The Owner understands that the City, its authorized contractor or applicable private utility may at any time and for any reason perform work within the dedicated easement. The City, its authorized contractor or applicable private utility shall have no liability to the Owner for any damage to the landscaping in the easement when said damage is due to work within the easement. The Owner may be held responsible for the removal of the landscaping to enable work to be done. The Owner shall be solely responsible for any costs incurred in repairing and/or replacing the required landscaping.
 - ATTENTION OWNER/INSTALLER: This landscape plan has been designed to meet the minimum requirements of the City Zoning ordinance, the approval of the planning commission, and planning department policy. Relocating, substituting, restoring, reducing or deleting material may cause the site to no longer conform to the requirements. Thus problems may arise with releasing the performance/maintenance bond for landscaping. Deviation from the approved landscape plan shall not be made without first consulting Heibert + Ball, Land Design and then obtaining approval from either the planning commission or the planning department.

PLANT SCHEDULE

TREES	CODE	QTY	COMMON NAME / BOTANICAL NAME	CONT	CAL	SIZE
	AR	8	Autumn Faith Maple / <i>Acer rubrum</i> 'Autumn Faith' 5" Clear Trunk. Evenly Branched. Straight Central Leader. Full Symmetrical Crown. See Tree Specifications.	B & B	2.5" Cal	14'-15' HT
	IE	10	Emily Bruner Holly / <i>Ilex x 'Emily Bruner'</i> Full to Base. Full, Dense Form	B & B		5' HT
	QN	4	Nuttall Oak / <i>Quercus nuttalli</i> Single Trunk. Clear Trunk. Single; Straight Central Leader. Evenly Branched. Full Symmetrical Crown. See Tree Specifications.	B & B	3" Cal	14'-16' HT
	LW	3	White Crape Myrtle Multi-Trunk / <i>Lagerstroemia x 'Natchez'</i> 3 Equal Canes	B & B	2.5" Cal	10'-12' HT
EXISTING TREE	CODE	QTY	COMMON NAME / BOTANICAL NAME	CONT	CAL	SIZE
	EX	36	Existing Tree	EX		
SHRUBS	CODE	QTY	COMMON NAME / BOTANICAL NAME	CONT		
	VD	15	Arrowwood Viburnum / <i>Viburnum dentatum</i> 'Arrowwood'	42" HT		
	IB	71	Dwarf Burford Holly / <i>Ilex cornuta</i> 'Burfordi Nana'	30" HT Min.		
	IT	9	Henry's Garnet Sweetshyte / <i>Vitae virginica</i> 'Henry's Garnet' Full, Heavy. Well Branched	24" HT		
	PL	21	Schipka Laurel / <i>Prunus laurocerasus</i> 'Schipkaensis' Full 42". Heavy. Well Branched. Not sheered	18" HT		
GROUND COVERS	CODE	QTY	COMMON NAME / BOTANICAL NAME	CONT		
	HE	34 sf	Happy Returns Daylily / <i>Hemerocallis x 'Happy Returns'</i> 20" O.C. Triangle Spacing	Space as Noted		

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY	DETAIL
	TREE PROTECTION FENCE LIMITS OF TREE DISTURBANCE. DO NOT REMOVE ANY TREES IN THIS AREA. IF PROBLEM ARISES, STOP WORK AND CONTACT HEIBERT AND ASSOCIATES		
	EXISTING TREE TO REMAIN Provided is a sampling of existing trees onsite. all precaution should be taken to preserve all trees inside tree fence		
	MULCH BED		
MISCELLANEOUS	REMARKS		
	Shredded Pine Bark Mulch Minimum 4" depth throughout.		
	TURF		
	SEE CIVIL FOR LIMITS OF SOD		

LANDSCAPE NOTES:

Before the landscape project is started, the chosen landscape contractor will meet the Landscape Architect on site for a detailed explanation of the landscape plan. All plant material provided shall be nursery grown and shall comply with the American Standard For Nursery Stock, ANSI Z60.1-1996, for size and quality. No substitutions as to type, size, or spacing of plant materials specified on this plan may be made without written approval of owner and Landscape Architect. All plants will be guaranteed to live, flourish, and be true-to-name for one full year from the date of completion of work by the Landscape contractor as determined by the Landscape Architect.

The quantities indicated on the plant list and plan are provided for the benefit of the contractor, but should not be assumed to always be correct. The landscape contractor assumes all responsibility for his or her own quantity calculations and the liability which pertains to those quantities and to any related contract documents and/or price quotations. The contractor to verify the exact locations of all existing utilities. Take care to protect utilities that are to remain. Repair any damage according to local standards and codes, and at landscape contractor's expense. Coordinate all construction with appropriate utility company. All disturbed areas outside of planters and planting beds to be seeded unless otherwise noted on landscape plan. Seed type to be approved by Landscape Architect.

Before planting installation is to begin, a soil test is to be performed for all planting areas in order to determine the soil's structure, pH, and nutrient content. Specifically addressing the relationship between nitrogen, phosphorus, and potassium levels, soil texture, and soluble salt composition. Analysis is also required of any stockpiled topsoil. If topsoil is imported, then analysis shall be done for each location where the topsoil was excavated. These tests will guide the makeup of all future soil amendments as well as any related chemical excavation and replacement that may be necessary when determined and approved by Landscape Architect and home owner. These notes provide a general outline for soil sampling, preparation, plant installation, fertilization, and mulching.

BED PREPARATION NOTES:

The objective of the bed preparation and planting notes herein is to develop and preserve landscape material according to our landscape plan. Included in that goal is a standard of achieving optimum health, including growth and appearance of all ornamental landscape plants, while recognizing the unique growing environment presented by each planting location. The chosen landscape contractor must perform percolation tests in areas of planting, especially in areas where plants are to be installed that do not tolerate wet conditions. If it is observed that soils do not percolate well, the landscape architect and home owner are to be notified immediately and prior to any planting.

PLANTING SOIL PREPARATION:

Soil preparation shall be provided on all areas to be planted, and on turf areas where specified. Future soil mixes and topsoil shall improve soil texture, tilth, and biological activity of the planting bed soil. All planting soil, topsoil, mulch, "soil conditioners" and other additives and amendments are subject to testing and approval of the home owner and Landscape Architect.

The planting soil shall be tested and shall meet the following criteria:

pH range	6.0-7.0
organic matter	25%
soluble salts not o exceed	500ppm
soluble salt concentration	100S/m max.
physical containin	<1%, dry weight basis
chemical contaminants	meet or exceed US EPA

PLANT INSTALLATION:

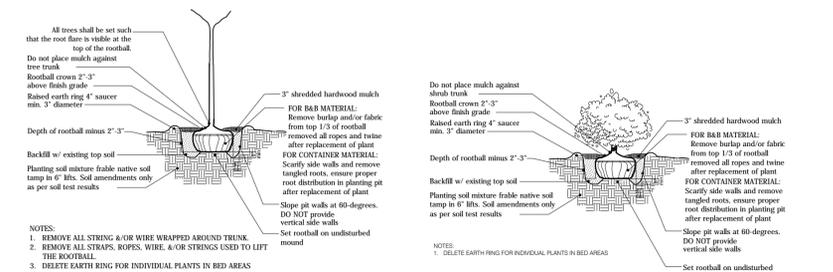
Soil amendments shall be incorporated in the following manner; the soil surface shall be loosened by rototilling to a minimum depth of 18" (only when outside the drip line of existing trees). All materials over 1" in diameter shall be removed. The manure and organic compost mixture shall be evenly spread over the area at a rate of 12 cubic yards per thousand square feet, and shall be mixed thoroughly into the soil surface to a depth of 6 inches by means of a rototiller, soil mixer or similar apparatus. Adjusting agents (e.g. lime and sulfur) may be applied in conjunction at this time based on the soil tests, and approved by the Landscape Architect. When incorporating topsoil, it should be spread over the area to a minimum 4" compacted depth, and mixed lightly into the subsoil by means of a rototiller, soil mixer or similar apparatus. Amendments are to be spread and tilled into the soil uniformly.

In situations where existing soil is to be excavated from non-turf planters and replaced as per planting plan notes, remove soil to specified depth. Replace soil with a mixture containing fifty percent (50%) coarse river sand, twenty-five percent (25%) organic matter, and twenty-five (25%) topsoil. Soil mixture will be subject to the same chemical and mechanical analysis described above. Composted organic matter used shall be a well decomposed, stable, weed free source. It shall be derived from: yard trimmings, agricultural, food, or industrial residuals.

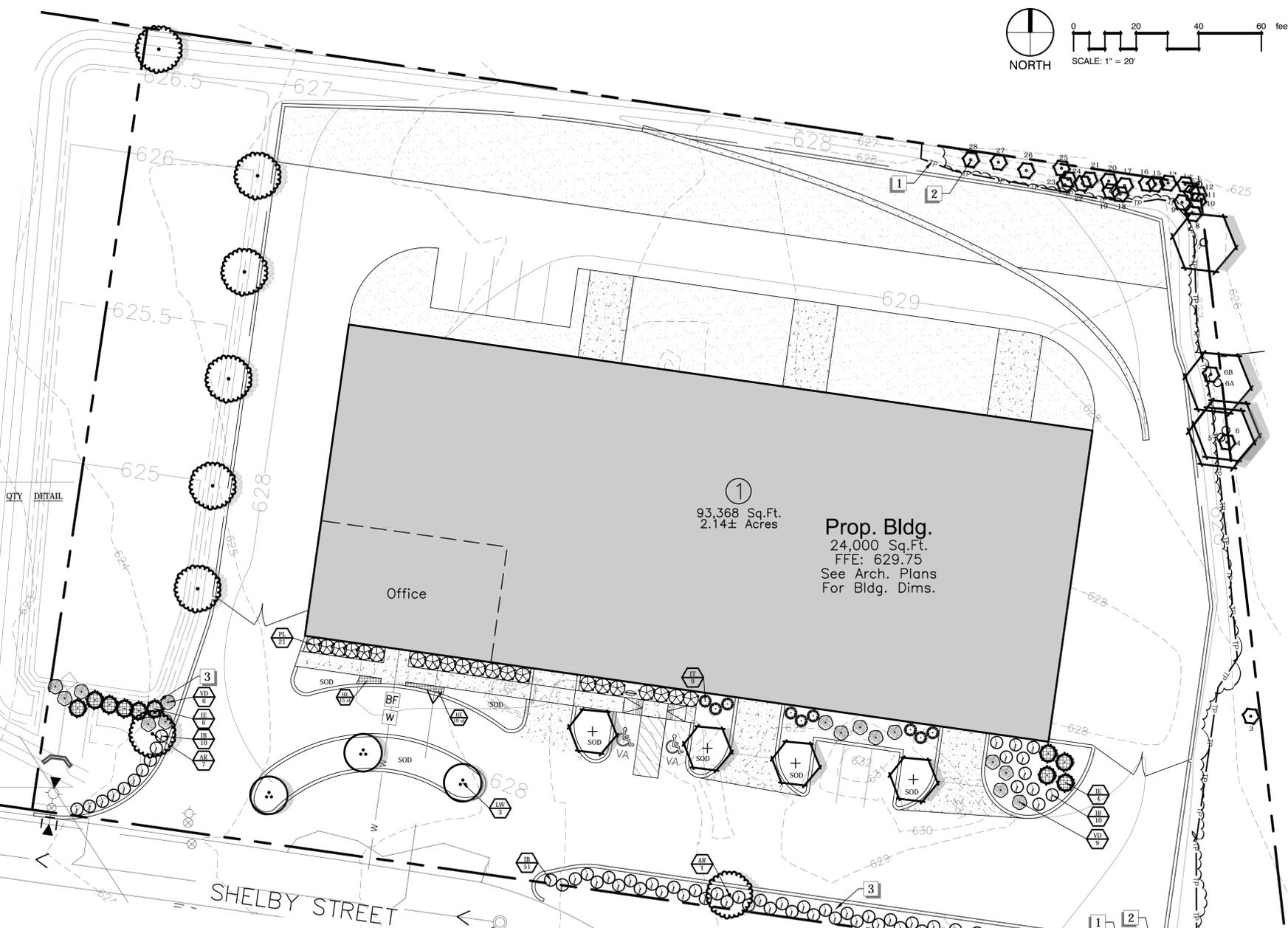
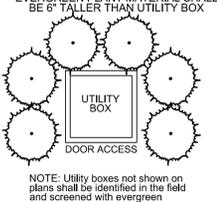
The product shall contain no substances toxic to plants, animals, or humans and shall be reasonably free (<1% by dry weight) of man-made foreign matter. The composted organic matter will possess no objectionable odors and shall not resemble the raw material from which it was derived. Topsoil shall be taken from the top 18-24" of a well-drained site, and free from clay subsoil, stones, lumps, plants or their roots, sticks, stolons, and seeds, high salt content, and other materials harmful to plant life. Mix soil mixture lightly into the subsoil by means of a rototiller, soil mixer or similar apparatus.

Fertilize all plant beds and planters with a complete slow release fertilizer which has a 2-1-2 NPK ratio to stimulate root growth. Fertilize planting beds at a rate that will provide 2-3 lbs. of actual nitrogen per 1000 square feet in the planting bed. Prior to seeding or sodding, fertilizer with a 10-10-10 NPK ratio shall be spread evenly over the surface at the rate of five pounds per thousand square feet. Never shall fertilizers be added to the soil of a new planting bed or lawn area with NPK ratios higher than 10-10-10.

All planting beds within the drip line of existing trees are to be prepped with the addition of light topsoil amendments over the existing topsoil and vertical mulching. The vertical mulching should occur at 18" on center with a 1-1/2" auger, 12-15" deep. The augured holes are to then be filled with approved organic matter and mulches. The diameter of the planting pit shall be at least six inches larger than the diameter of the planting ball for all trees and large shrubs. Trees and large shrubs shall be planted so 1/8 of the root ball is above final grade (at least 2" of root ball). All plants are to be installed with mycorrhizae, following manufacturer's directions. The top soil material should taper out around plant crowns, particularly with perennials. Thoroughly water the ground bed cover after installation. Contractor shall mulch planting beds to a depth of 2"-3", not allowing mulch depth over 1" against any tree trunk. Leave some organic matter on the surface.



EVERGREEN PLANT MATERIAL SHALL BE 6" TALLER THAN UTILITY BOX



SUBSTITUTION NOTE:

- Requirements shown are as per City Zoning Ordinance. Substitutions are not allowed unless approved by Heibert + Ball, Land Design.
- After installation, the landscape will be maintained by the owner.
- Additional screening may be required if the inspection for the release of the performance bond reveals that the screening is not effective.

TO AVOID OVERHEAD UTILITY CONFLICTS:

In the event proposed canopy trees are in conflict (within 25') with proposed or existing overhead utility locations, the landscape contractor shall stop work and contact Heibert + Ball, Land Design immediately for coordination and field adjustment.

TO AVOID OVERHEAD LIGHT POLE CONFLICTS:

In the event proposed canopy trees are in conflict (within 10') with proposed or existing light pole locations, the landscape contractor shall stop work and contact Heibert + Ball, Land Design immediately for coordination and field adjustment.

UTILITY SCREEN

All utility structures, transformers, meters, and/or units shall be screened with plant material tall enough to provide an effective screen. Structures not shown on landscape plans will be required to be screened. If utilities are added to the site, contact Heibert + Ball, Land Design for screening recommendations.

PLANT STANDARDS

The standards set forth in "American Standard for Nursery Stock" represent general guideline specifications only and will constitute minimum quality requirements for plant material. All plants must meet minimum size noted at the materials schedule. And meet the characteristics stated on this drawing. All material installed on the site MUST meet or exceed these specifications. Any trees or shrubs not meeting these standards can be rejected at time of inspection.

TREE SPECIFICATIONS: ALL TREES SHALL HAVE THE FOLLOWING CHARACTERISTICS:

- Deciduous trees shall have one dominant single straight trunk with the tip of the leader on the main trunk left intact and the terminal bud on the central leader is at the highest point on the tree.
- Trees with forked trunks are acceptable if all the following conditions are met:
 - The fork occurs in the upper 1/3 of the tree.
 - One fork is less than 2/3 the diameter of the dominant fork.
 - The top 1/3 of the smaller fork is removed at the time of planting.
- No branch is greater than 2/3 the diameter of the trunk directly above the branch.
- The trunk and/or major branches shall not touch.
- Several branches are larger in diameter and obviously more dominant.
- Branching habit is more horizontal than vertical, and no branches are oriented nearly vertical to the trunk.
- Branches are evenly distributed around the trunk with no more than one major branch located directly above another and the crown is full of foliage evenly distributed around the tree.
- Crown spread shall look proportional to the tree.
- NO flush cuts or open trunk wounds or other bark injury.
- Root ball meets all ANSI standards and is appropriately sized.

DEFICIENCIES NOT ACCEPTED:

- Tip dieback on 5% of branches
- Crown thin/sparsely foliated
- Included bark
- Major Branches touching
- Asymmetrical branching

LANDSCAPE SHALL NOT OBSTRUCT VISIBILITY OR ACCESS TO FIRE PROTECTION EQUIPMENT INCLUDING, BUT NOT LIMITED TO, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS

NOTE:

- The tree protection barrier shall be constructed before the issuance of any permits, and shall remain in place throughout the entire period of construction.
- The tree protection barrier is diagrammatic only. The tree protection barrier shall be installed to the limits of the critical root zone or a minimum diameter of 18" (18") the radius of the drip line, as measured from the trunk of the protected tree.
- Any required excavation to or around the protection area for accommodation underground services, footings, etc. shall be indicated on the plan, and shall be executed by hand. In addition, stated tree planting shall be accomplished per ANSI A300-95 standard as to its minimum impact on the general root system.
- The storage of building materials or equipment shall not be permitted within the limits of or against the protection barriers.
- Trees within the protection barriers must be adequately cared for throughout the construction process (i.e., they must be watered sufficiently, particularly if the root root system has been disturbed by excavation.) If it shall not be placed upon the root system as to endanger the health of the affected tree.

SITE DATA
SITE AREA: 3.79 ACRES
SITE ZONING: Commercial
VEHICULAR USE AREA (VUA): 11,127 SF
LANDSCAPE REQUIREMENTS (AS PER SECTION 27)

REQUIRED	PROVIDED
1 SHADE TREE/ 40 LF OF FRONTAGE/ 258 LF (EAST) 258 LF	9 TREES 15 TREE CREDITS TREES 13-28
1 SHADE TREE/ 40 LF OF FRONTAGE/ 258 LF (SOUTH) 303 LF	7 SHADE TREES 17 TREE CREDITS TREES 3-12
1 SHADE TREE/ 40 LF OF FRONTAGE/ 303 LF (NORTH) 339 LF	8 TREES 8 TREE CREDITS TREES 29-35
1 SHRUB/ 5 LF OF FRONTAGE/ 363 LF (WEST) 250 LF	61 SHRUBS EXISTING UNDERGROWTH
1 SHADE TREE/ 40 LF OF FRONTAGE/ 250 LF	7 TREES 7 TREES
13 PARKING SPACES	2 SHADE TREES 2 SHADE TREES
13 SHADE TREE / 12.5 PARKING SPACES	
REQUIRED SHRUBS	
30 18" SHRUBS PER ACRE	114 SHRUBS
30 SHRUBS * 3.79 AC. OF SITE	114 SHRUBS

ALL PERVIOUS AREAS ON THE SITE WITH TURF AND LANDSCAPE WILL BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM TO BE DESIGNED FOR ALL PLANT MATERIAL AND SUBMITTED TO THE CITY URBAN ENVIRONMENTAL DEPARTMENT

Tr Ta

No.	Symbol	Name	CREDIT	No.	Symbol	Name	CREDIT
1	NA		1	18	2"	ELM	1
2	NA		1	19	3"	ELM	1
3	6"	CEDAR	1	20	2"	ELM	1
4	6"	3"	1	21	3"	ELM	1
5	10"	ELM	2	22	2"	ELM	1
6	18"	ELM	3	23	2"	ELM	1
6A	12"	ELM	2	24	2"	ELM	1
6B	8"	ELM	1	25	3"	ELM	1
7	12"	ELM	2	26	4"	ELM	1
8	2"	ELM	1	27	3"	HACK	1
9	2"	ELM	1	28	3"	ELM	1
10	6"	ELM	1	29	3"	HACK	1
11	4"	ELM	1	30	2"	ELM	1
12	6"	ELM	1	31	12"	CEDAR	2
13	5"	ELM	1	32	3"	ELM	1
14	6"	ELM	1	33	6"	ELM	1
15	2"	ELM	1	34	6"	CEDAR	1
16	2"	ELM	1	35	5"	ELM	1
17	5"	ELM	1				

EXISTING TREE NOTE:
ANY PRESERVED TREES DAMAGED OR REMOVED DURING CONSTRUCTION MAY HAVE TO BE REPLANTED PRIOR TO CERTIFICATE OF OCCUPANCY TO FULFILL PERIMETER PLANTING REQUIREMENT

H+Ball
LAND DESIGN
1894 Gen. Geo. Patton Dr.
Suite 400
Franklin, TN 37067
Tel: 615.376.2421
www.hb-land.co

PROPOSED SITE FOR:
SHELBY STREET INDUSTRIAL
SHELBY STREET, MURFREESBORO, TENNESSEE



BY: CD

RELEASE DATE: 00/00/00
REV 1:

L1.0
LANDSCAPE PLAN

IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	PSI	GPM
	Rain Bird 1806-SAM 10 Series MPR Turf Spray 4.0" Pop-Up Sprinkler with Co-Molded Wiper Seal. 1/2" NPT Female Threaded Inlet. With Seal-A-Matic Check Valve	30	
	Rain Bird 1806-SAM ADJ Turf Spray 4.0" Pop-Up Sprinkler with Co-Molded Wiper Seal. 1/2" NPT Female Threaded Inlet. With Seal-A-Matic Check Valve	30	
	Rain Bird 1806-SAM ADJ Turf Spray 4.0" Pop-Up Sprinkler with Co-Molded Wiper Seal. 1/2" NPT Female Threaded Inlet. With Seal-A-Matic Check Valve	30	
	Rain Bird 5505 Turf Rotor, 5.0" Pop-Up, Plastic Riser, Standard Nozzle. Seal-A-Matic Check Valve, Adjustable 50-330 Arc, 360 Non-Reversing Full-Circle. 3/4" NPT Inlet. 02=Orange, 03=Red, 04=Black, 05=Yellow, 06=Light Blue, 08=Dark Green, 10=Grey, 12=Beige.	40	1.60
	Rain Bird 5505 Turf Rotor, 5.0" Pop-Up, Plastic Riser, Standard Nozzle. Seal-A-Matic Check Valve, Adjustable 50-330 Arc, 360 Non-Reversing Full-Circle. 3/4" NPT Inlet. 02=Orange, 03=Red, 04=Black, 05=Yellow, 06=Light Blue, 08=Dark Green, 10=Grey, 12=Beige.	40	4.80
	Rain Bird XCZ-100-PRB-LC Medium Plus Flow Drip Control Kit, for Light Commercial Uses. 1" PGA Valve, with 1" Pressure Regulating 40psi Basket Filter. 5gpm to 20gpm.		
	Area to Receive Dripline Rain Bird XFD-P-06-12 (12) XFD On-Surface Pressure Compensating Landscape Dripline. 0.6GPH emitters at 12.0" O.C. Dripline laterals spaced at 12.0" apart, with emitters offset for triangular pattern. UV Resistant. Trees in drip areas to be irrigated with drip rings		
	Rain Bird PEB-PRS-D 1", 1-1/2", 2" Plastic Industrial Valves. Low Flow Operating Capability, Globe Configuration. With Pressure Regulator Module.		
	1" Back Flow Preventor 1" Reduced Pressure Backflow Preventer See utility plan for location		
	Rain Bird ESP8LXMEF 12 Station Commercial Controller. Mounted on a Plastic Wall Mount. Flow Sensing and Water Management Capabilities.		
	Rain Bird RSD-BEX Rain Sensor, with metal latching bracket, extension wire.		
	Irrigation Lateral Line: PVC Schedule 40 PVC Schedule 40 irrigation pipe.		
	Irrigation Mainline: PVC Schedule 40 and Class 315 PVC Schedule 40 to 1-1/2", PVC Class 315 SDR 13.5 for pipes 2" and larger.		
	Valve Callout Valve Number Valve Flow Valve Size		

CRITICAL ANALYSIS

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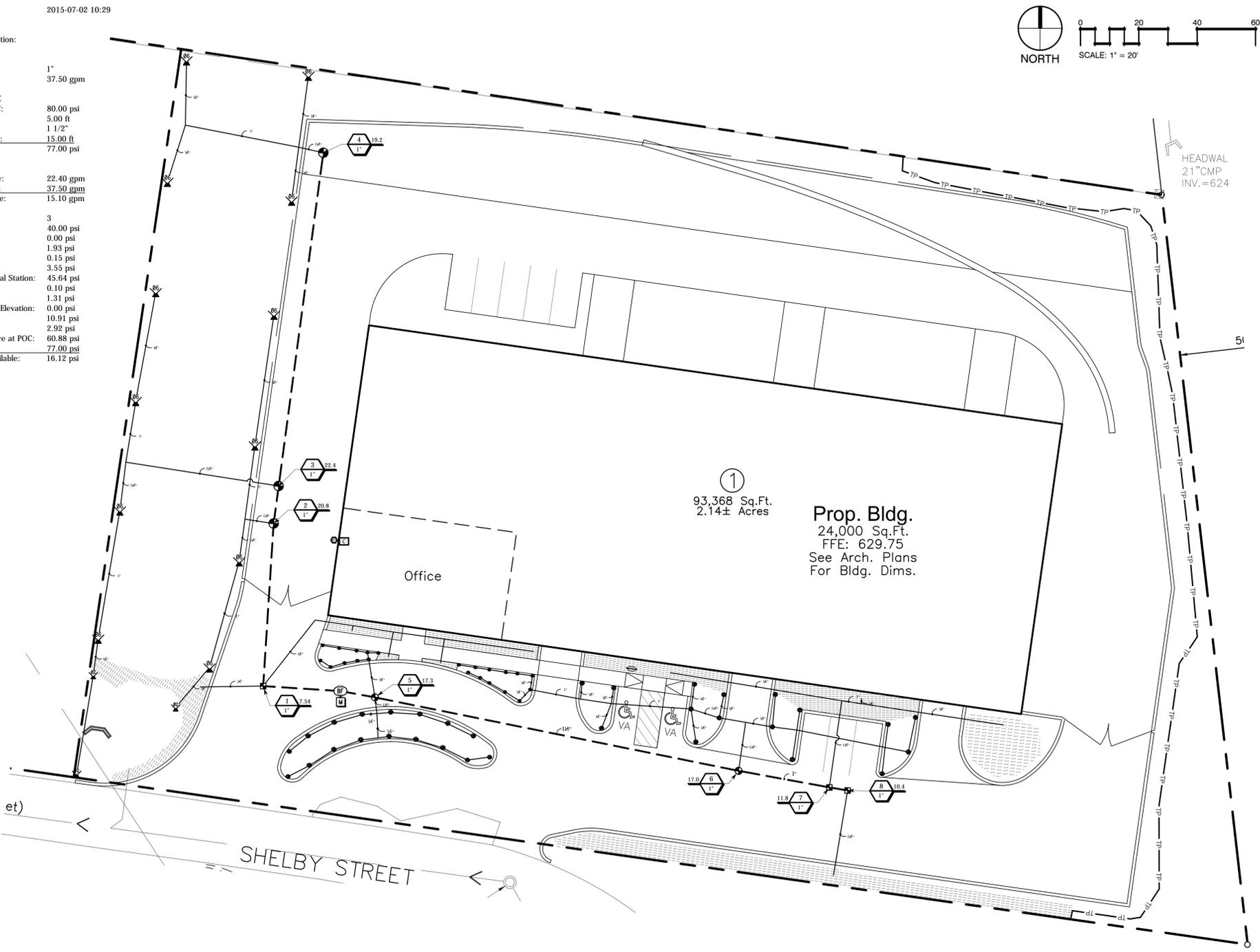
P.O.C. NUMBER:01
Water Source Information:

FLOW AVAILABLE
Water Meter Size: 1"
Flow Available: 37.50 gpm

PRESSURE AVAILABLE
Static Pressure at POC: 80.00 psi
Elevation Change: 5.00 ft
Service Line Size: 1 1/2"
Length of Service Line: 15.00 ft
Pressure Available: 77.00 psi

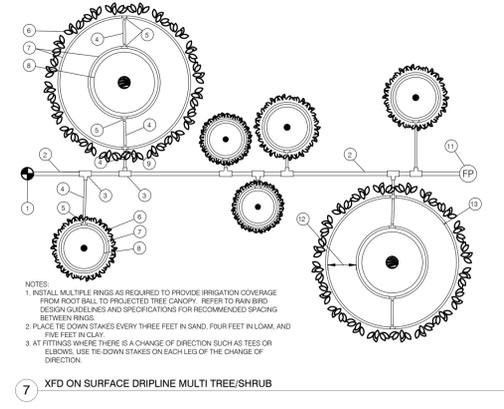
DESIGN ANALYSIS
Maximum Station Flow: 22.40 gpm
Flow Available at POC: 37.50 gpm
Residual Flow Available: 15.10 gpm

Critical Station: 3
Design Pressure: 40.00 psi
Elevation Loss: 0.00 psi
Friction Loss: 1.93 psi
Fittings Loss: 0.15 psi
Loss through Valve: 3.55 psi
Pressure Req. at Critical Station: 45.64 psi
Loss for Fittings: 0.10 psi
Loss for Main Line: 1.31 psi
Loss for POC to Valve Elevation: 0.00 psi
Loss for Backflow: 10.91 psi
Loss for Water Meter: 2.92 psi
Critical Station Pressure at POC: 60.88 psi
Pressure Available: 77.00 psi
Residual Pressure Available: 16.12 psi



CONTRACTOR TO VERIFY GC INSTALLED A 1.5" PLEX PIPE SERVICE LINE AND A 1" METER, AND A 1" BACKFLOW SHALL BE PROVIDED. SYSTEM IS DESIGNED TO RUN MULTIPLE STATIONS AT A TIME WITH A MAX RESIDUAL FLOW OF 80GPM. CONTRACTOR SHALL PROGRAM CONTROLLER TO MAKE SURE THE SYSTEM OPERATES CORRECTLY

- ### Irrigation Notes
- The irrigation system design is based on 80 gallons per minute (gpm) after a 1" BFP and 1" Meter and 1.5" Poly service line. The subcontractor shall verify the pressure and flow prior to commencement of construction. Report to the d/b contractor any differences between the pressure indicated and the actual pressure reading at the point of connection.
 - The pipe routing shown is diagrammatic only. All piping, valves, heads, etc shown within paved areas are for design clarification only. Pressure loss calculations are based on the pipe routing as shown. Significant deviations from the routing shown should be avoided.
 - Do not willingly install the sprinkler system as shown on the drawings when it is obvious in the field that obstructions, grade differences, or differences in the dimensions of the constructed areas exist that might not have been considered in the irrigation design or changes have occurred in the site plan. Such obstructions or differences should be brought to the attention of the irrigation designer and the d/b contractor immediately. Should the subcontractor proceed with the installation without notifying the irrigation designer and the d/b contractor, the irrigation subcontractor assumes full responsibility for any and all revisions / reconstruction necessary.
 - It is the responsibility of the irrigation subcontractor to familiarize himself / herself with the site, all grade differences, locations of walls, and installed utilities. Coordinate work with the d/b contractor and other subcontractors for the location and installation of pipe sleeves underneath pavement and through walls.
 - Due to the scale of the drawing, it is not possible to indicate all offsets, fittings, joints, etc. which may be required. The subcontractor shall carefully investigate the structural and finished conditions affecting all of his/her work and plan his/her work accordingly, furnishing such fittings, etc. as may be required to meet such conditions. All work shall be installed in such a manner as to avoid conflicts between irrigation system components, landscape planting, and architectural features.
 - Flush all lines and heads prior to installing nozzles. Adjust nozzle spray arc and radius for optimum performance to prevent overspray onto paved surfaces or face of building as much as possible to fit the site conditions. Throttle flow control at each valve for optimum operating pressure for each zone.
 - All sprinkler heads shall be set perpendicular to finished grade of the area to be irrigated unless otherwise noted.
 - When vertical obstructions (poles, signs, trees, hydrants, etc) interfere with the spray pattern of the heads so as to prevent proper coverage, the subcontractor shall field adjust the sprinkler system by installing a quarter, third, or half circle head at the sides of the obstruction so as to provide proper coverage. All adjustments shall be made at no additional cost.
 - Use Teflon tape on all male pipe threads on PVC pipe, swing joints, and valve assemblies.
 - Install valve boxes 18-inches from and perpendicular to walks, curbs, building, or landscape features. At multiple valve box groups, each box shall be installed a minimum of 18-inches apart.
 - Set irrigation controller to operate the system between the approximate hours of 10pm and 7am. Do not operate system during normal business hours.
 - 120-volt electrical power at the controller shall be provided by others. It is the responsibility of the irrigation contractor to make the final hook-up from the power provided to the controller.
 - Provide as-built drawings



- RAIN BIRD CONTROL ZONE KIT (SIZED TO ACCOMMODATE LATERAL FLOW DEMAND)
- PVC DRP MAIN/OLD PIPE
- PVC SCH 40 TEE OR EL (TYPICAL)
- RAIN BIRD XP SERIES BLANK TUBING (TYPICAL)
- BARB X BARS INSERT TEE, RAIN BIRD FIT TEE (TYPICAL)
- PROJECTED CANOPY LINE OF TREE OR SHRUB (TYPICAL)
- ON-SURFACE DRIPLINE, RAIN BIRD XP SERIES DRIPLINE, POTABLE, KFD SERIES, NON-POTABLE STOP SERIES, PLACE AS SHOWN (LENGTH AS REQUIRED, TYPICAL)
- ROOT BALL (TYPICAL)
- BARB X BARS INSERT CROSS, RAIN BIRD FIT CROSS (TYPICAL)
- DRIPLINE FLUSH POINT (SEE RAIN BIRD DETAIL, "XD DRIPLINE FLUSH POINT WITH BALL VALVE")
- SPACING PER SPECIFICATION
- THE DOWN STAKE, RAIN BIRD TOS-050 WITH BEND (QUANTITY AS REQUIRED, SEE NOTES 2-3 BELOW)
- XFD ON SURFACE DRIPLINE MULTI TREE/SHRUB

NOTES:
1. INSTALL MULTIPLE RINGS AS REQUIRED TO PROVIDE IRRIGATION COVERAGE FROM ROOT BALL TO PROJECTED TREE CANOPY. REFER TO RAIN BIRD DESIGN GUIDELINES AND SPECIFICATIONS FOR RECOMMENDED SPACING BETWEEN RINGS.
2. PLACE THE DOWN STAKES EVERY THREE FEET IN SAND, FOUR FEET IN LOAM, AND FIVE FEET IN CLAY.
3. AT FITTINGS WHERE THERE IS A CHANGE OF DIRECTION SUCH AS TEES OR ELBOWS, USE THE DOWN STAKES ON EACH LEG OF THE CHANGE OF DIRECTION.

H+Ball
LAND DESIGN
1894 Gen. Geo. Patton Dr.
Suite 400
Franklin, TN 37067
Tel: 615.376.2421
www.hb-land.co

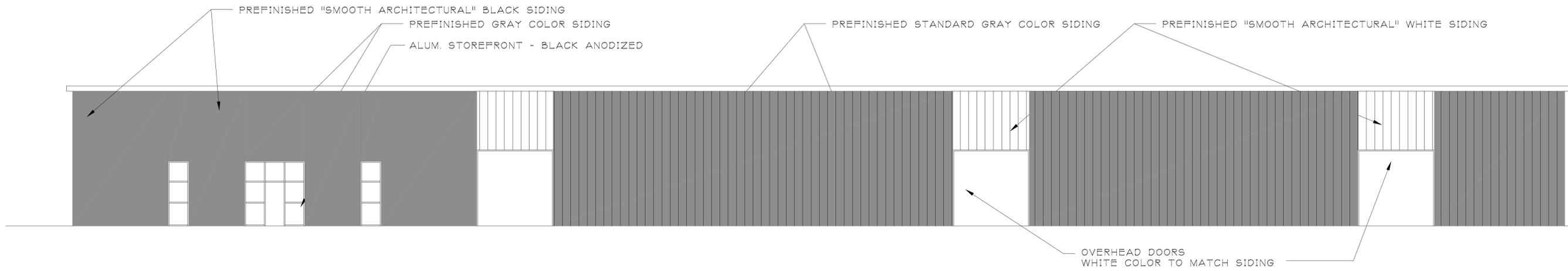
PROPOSED SITE FOR:
SHELBY STREET INDUSTRIAL
SHELBY STREET, MURFREESBORO, TENNESSEE



BY: cd

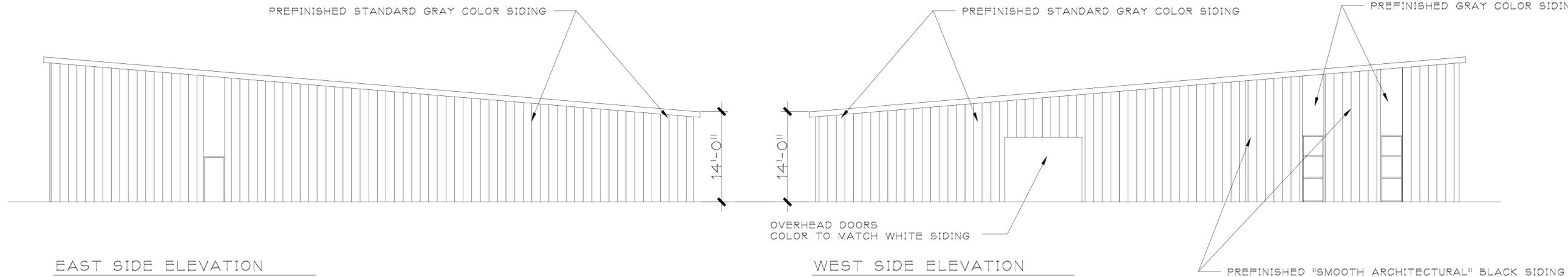
RELEASE DATE: 00/00/00
REV 1:

L2.0
IRRIGATION PLAN



FRONT ELEVATION

1/8" = 1'-0"

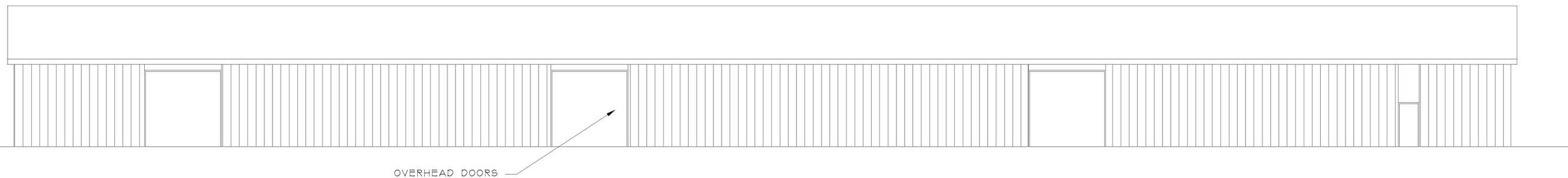


EAST SIDE ELEVATION

1/8" = 1'-0"

WEST SIDE ELEVATION

1/8" = 1'-0"



REAR ELEVATION

1/8" = 1'-0"

NEW FACILITY
 THRONEBERRY PROPERTIES
 201 SHELBY STREET
 MURFREESBORO, TENNESSEE

W. Michael Stewart
 Architect

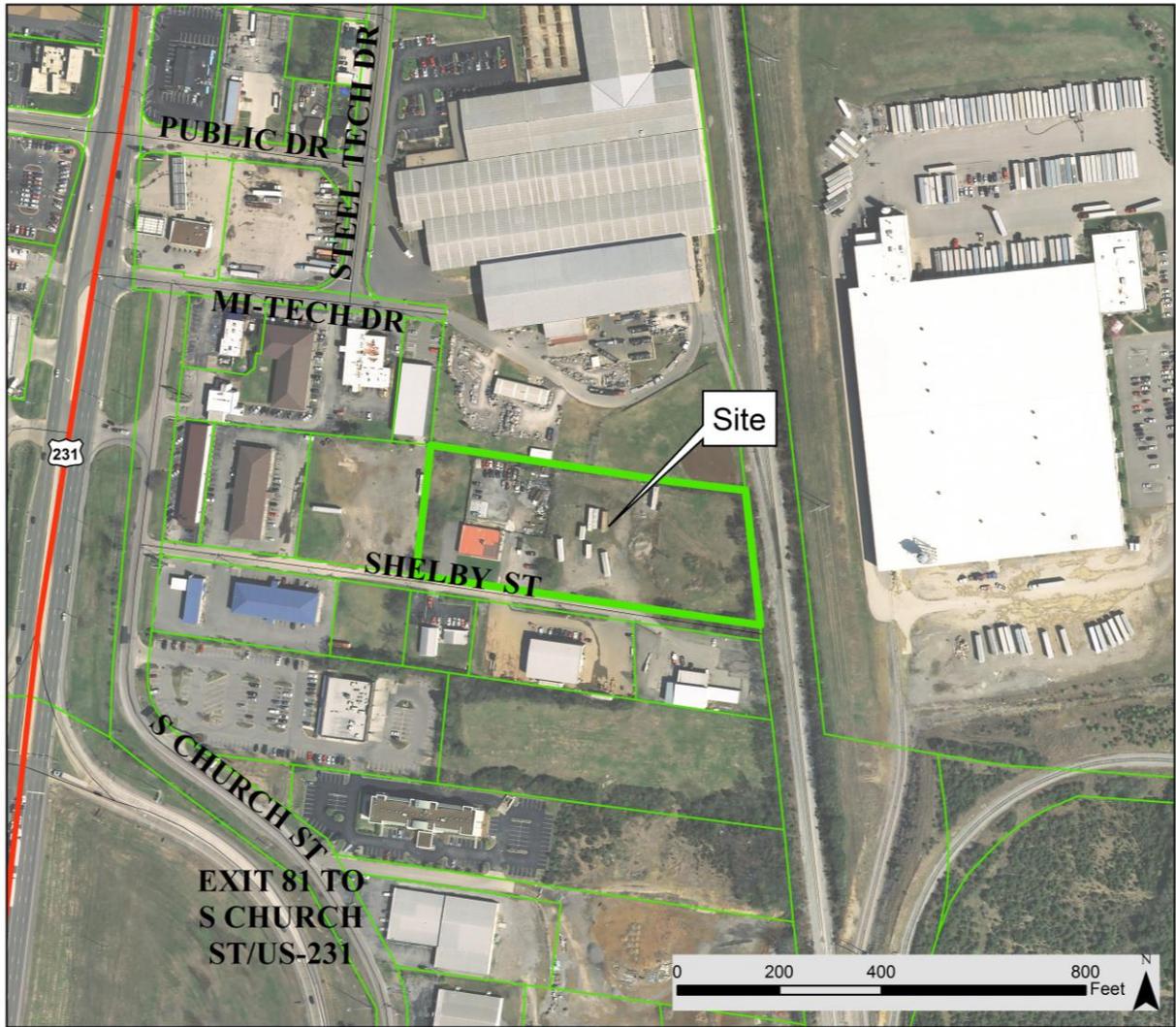
1318 Tomahawk Trace Murfreesboro, Tennessee 37129

PLANS AND ELEVATIONS

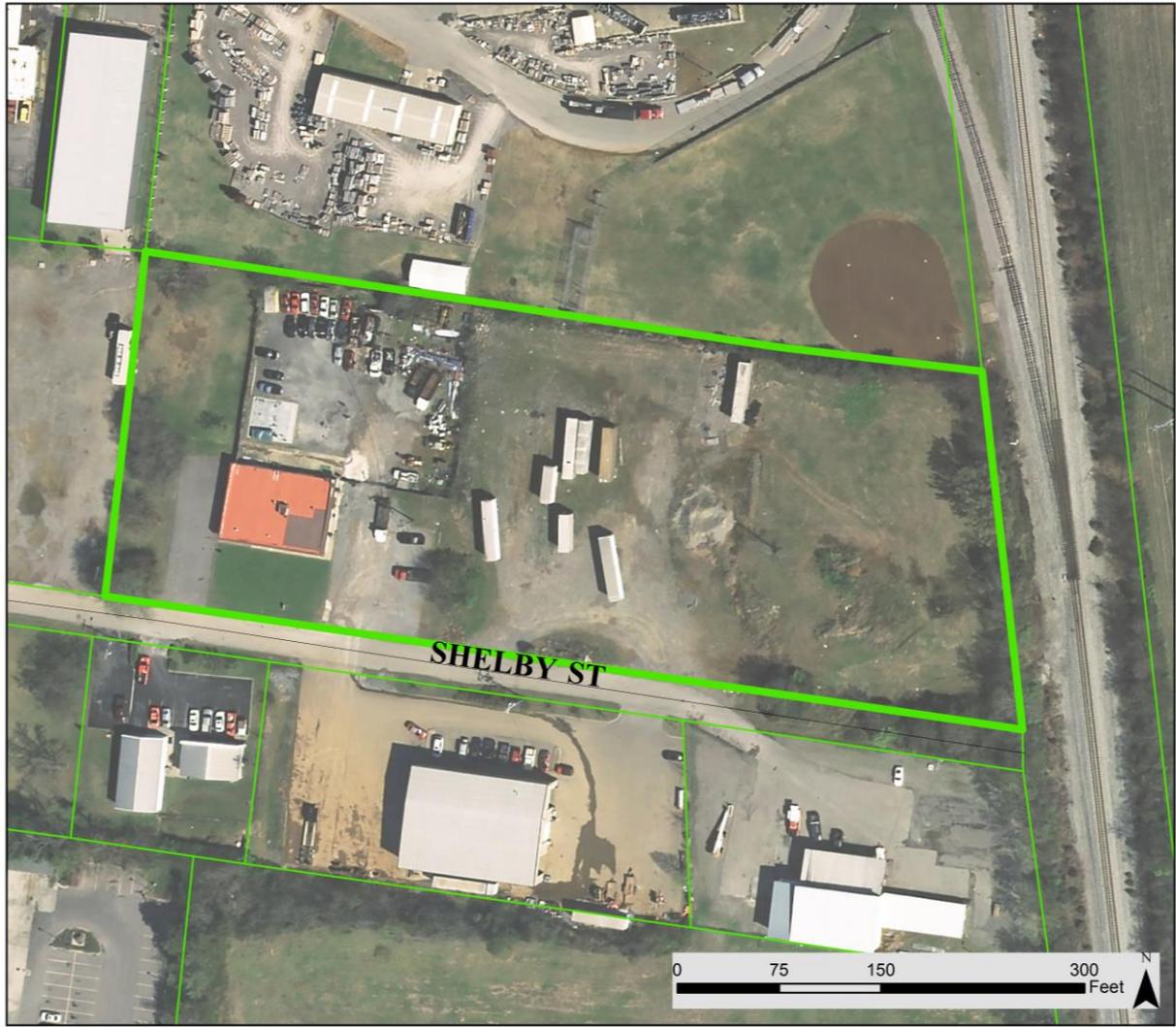


JULY 11, 2015
 SCALE: 1/8" = 1'-0"

A-2



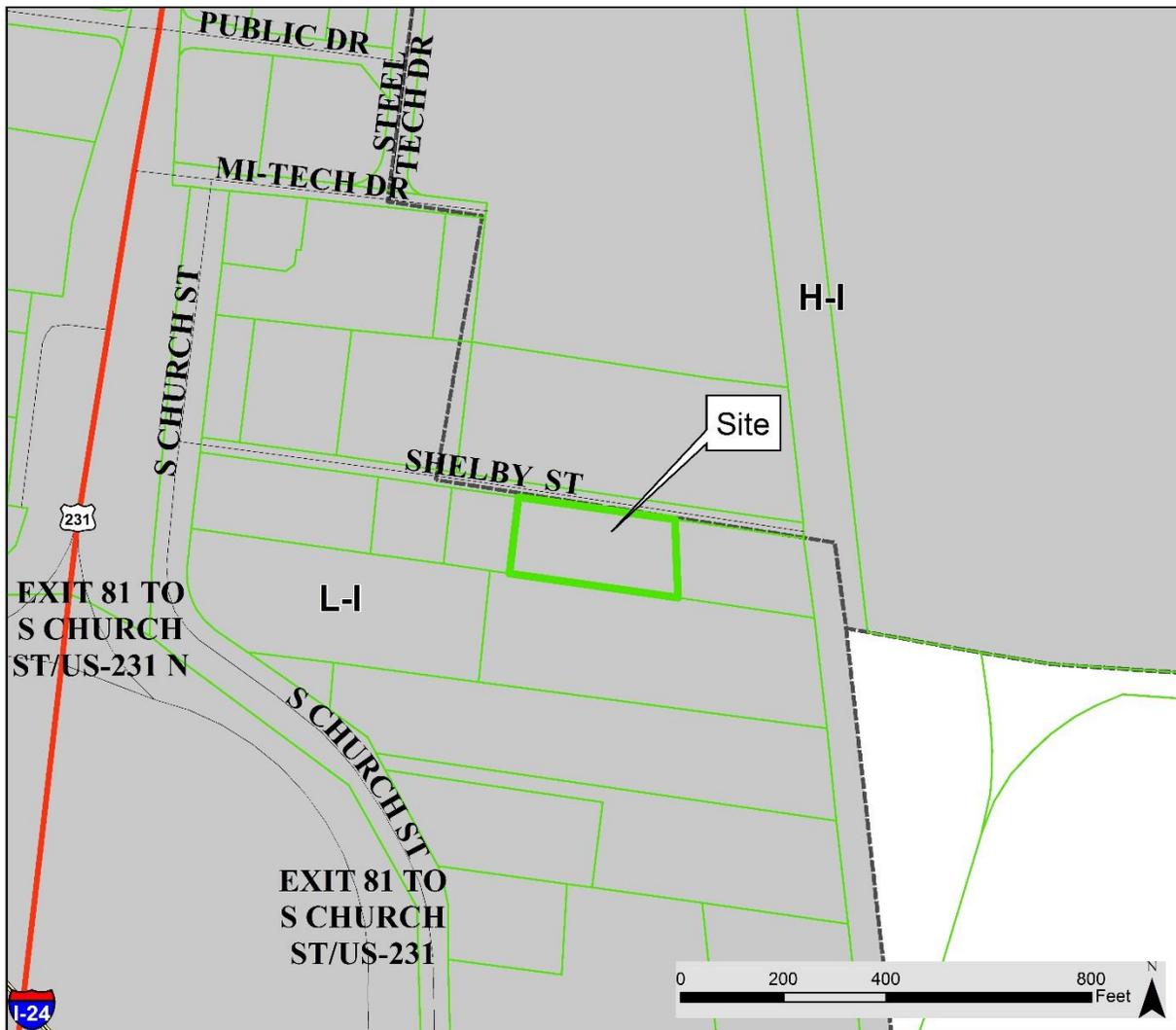
201 Shelby Street, aerial photograph



201 Shelby Street, aerial photograph

**MURFREESBORO BOARD OF ZONING APPEALS
STAFF REPORT
FEBRUARY 24, 2016**

Application: Z-16-010
Location: 230 Shelby Street
Applicant: Beth Throneberry
Zoning: Light Industrial (L-I) District
Request: A ten (10) foot Variance from Chart 2 (Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios) of the Murfreesboro Zoning Ordinance, which requires a minimum forty-two (42) foot front yard setback in the L-I district



Request Overview

The applicant, Beth Throneberry, seeks a 10-foot front yard setback Variance for a 1.12-acre property located at 230 Shelby Street. The subject property is zoned Light Industrial (L-I) and has the following minimum required setbacks: 42 feet on the front, 20 feet on the rear, and 10 feet on sides. An existing structure on the subject property has a front setback of approximately 32 feet along a proposed cul-de-sac bulb, necessitating a 10-foot front yard setback Variance.

Relevant Zoning Ordinance Section

See Chart 2 for minimum lot standards in the L-I district

Staff Comments

At present, Shelby Street is a cul-de-sac that terminates near the CSX railroad track. Despite being a cul-de-sac, the street has no bulb or turn-around area at its terminus. Rather, it comes to an end in a parking lot belonging to a private business. In conjunction with the development of 201 Shelby Street (across the street from the subject property), Shelby Street will be improved to include a bulb; this improvement will allow vehicles to safely maneuver at the end of the cul-de-sac. This improvement is illustrated on a sheet entitled "Variance Exhibit" in the materials submitted by the applicant. Because of the creation of the bulb, the right-of-way will be expanded southward into the subject property by as much as 35 feet. The street expansion will create a nonconformity on the subject property, where an existing 7,500-square foot structure is situated approximately 32 feet from the closest point of the cul-de-sac bulb. The existing structure is situated approximately 55 feet from the straight portion of the front property line; however, at its closest point to the cul-de-sac bulb, the proposed structure will be situated 32 feet from the bulb, encroaching into the 42-foot front setback by 10 feet.

In the attached request letter, the applicant's representative, Matt Taylor of SEC Inc., addresses each of the three standards for granting a Variance. With regard to *practical difficulties*, the applicant's representative notes that City staff identified the need for creating a bulb at the end of the cul-de-sac during the site plan review process for a project at 201 Shelby Street. The dedication of right-of-way to fulfill the City's requirement resulted in a loss of lot depth, necessitating the 10-foot encroachment into the front setback. With regard to *unusual characteristics*, the applicant's representative contends that many other properties in the L-I district are not located along cul-de-sac bulbs. Finally, the applicant's representative notes that because the expansion of the right-of-way to create the cul-de-sac was a City requirement, the situation is *not self-created*. Ultimately, the Board must determine whether these circumstances warrant the granting of a Variance.

The applicant will be in attendance to answer any questions the Board may have.

Attached Exhibits

1. Murfreesboro Zoning Ordinance, Chart 2
2. BZA Application
3. Applicant's Request Letter
4. Applicant's Supporting Materials
5. Site Photographs

DISTRICT AND USE	Minimum Lot Requirements		Minimum Yard Requirements ^{5, 17}			Maximum Height ¹⁶ (Ft.)	Maximum Gross Density ² (D.U./Acre)	Land Use Intensity Ratios			Maximum Lot Coverage (percent)
	Area (Sq. Ft.)	Width (Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)			Maximum F.A.R.	Minimum L.S.R.	Minimum O.S.R.	
CL DISTRICT											
1. All commercial uses except	none	none ^[13]	42	10 ^[6]	20	35	none	none	none	none	none
2. Single-family detached dwellings	7,500	50 ^[12]	30 ^[1]	5 ^[10]	25	35	5.8	none	none	none	30
3. Two-family dwellings	7,500	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
4. Three-family dwellings	11,250	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
5. Four-family dwellings	15,000	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
6. Single-family with zero lot line attached or detached	3,750	18 ^[12]	30 ^[1]	10 ^[7]	25	35	11.6	0.3	0.48	0.7	none
CF DISTRICT											
1. All uses	none	none ^[13]	42	10 ^[15]	20 ^[15]	45	none	none	none	none	none
CH DISTRICT											
1. All uses	none	none ^[13]	42	10 ^[6]	20	75	none	none	none	none	none
MU DISTRICT											
1. Multiple family dwellings	5 acres	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	75	25 ^[24]	none	none	none	none
2. All commercial uses except mixed use	none	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	150	none	none	none	none	none
3. Mixed uses (vertical mix)	none	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	150	25 ^[24]	none	none	none	none
CBD DISTRICT											
1. All uses except	none	none ^[13]	none	none	none	75	none	none	none	none	none
2. Multiple-family dwellings	none	none ^[13]	none	none	none	75	FN ^[8]	none	none	none	none
H-I DISTRICT											
1. All uses	none	50 ^[13]	42	10	20	75	none	none	none	none	none
L-I DISTRICT											
1. All uses	none	50 ^[13]	42	10	20	75	none	none	none	none	none
CU DISTRICT											
1. Single-family detached	10,000	65 ^[12]	35	10	20	35	4.4	none	none	none	25
2. Two-family dwellings	10,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
3. Three-family dwellings	15,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
4. Four-family dwellings	20,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
5. Multiple-family dwellings	25,000	65 ^[12]	35	10 ^[3]	20 ^[4]	35	FN ^[9]	0.35	0.45	0.65	none
6. Educational institutions and other uses	25,000	65 ^[12]	35	10	20	35	none	0.3	0.28	0.6	none
P DISTRICT											
1. All uses permitted	none	none ^[13]	none	none	none	none	none	none	none	none	none

RECEIVED
FEB 08 2016

BY:

City of Murfreesboro BOARD OF ZONING APPEALS	HEARING REQUEST APPLICATION
---	--------------------------------

Location/Street Address: 230 Shelby Street			
Tax Map: 113C	Group: B	Parcel: 6.00	Zoning District: LI

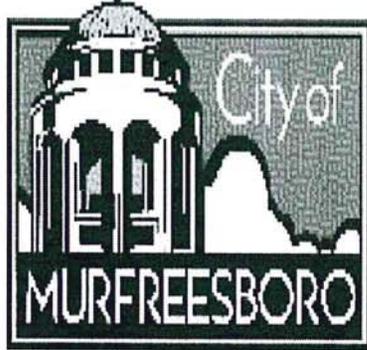
Applicant: Beth Throneberry		E-Mail: tthroneberry@msn.com	
Address: 204 MI-Tech Drive		Phone: (615) 896-0242	
City: Mufreesboro	State: TN	Zip: 37130	

Property Owner Paul Moody			
Address: 5590 Ferrell Hollow Rd		Phone: (615)	
City: Readyville	State: TN	Zip: 37149	

Request: Variance from Front Setback
Zoning District: LI
Applicant Signature: <i>Beth E. Throneberry</i> Date: <i>2-8-16</i>

Received By: <i>B. Davis</i>	Receipt No.: <i>22714</i>
Application #:	<i>REC'D: 2-8-16</i>

**Murfreesboro
Board of
Zoning Appeals**



**MURFREESBORO
TENNESSEE**

**HEARING APPLICATION
AND
GENERAL INFORMATION**

BOARD OF ZONING APPEALS HEARING APPLICATION
AND GENERAL INFORMATION

A-304 APPENDIX A - BOARD OF ZONING
APPEALS INFORMATION

February 8, 2016

Mr. Donald Anthony
Murfreesboro Planning Department
111 W. Vine Street
Murfreesboro, TN 37130

RE: 230 Shelby Street
Submittal for Variance Request Application

Dear Donald,

Pursuant to Section 10 – Variances of the City of Murfreesboro Tennessee 2015 Zoning Ordinance, in regards to the proposed **230 Shelby Street (1.12 acres)** on Parcel 6.00 of Tax Map 113C Group B, please accept the following information as the official Board of Zoning Appeals – Hearing Request Application.

Section 10 – Variance

(d) Procedure

(a) name, address, and telephone number of the applicant;

Mr. Tommy Throneberry
204 Mi-Tech Drive
Murfreesboro, TN 37130
Ph: 615-896-0242

(b) nature and extent of the applicant's interest in the property for which a variance is requested;

Mr. Tommy Throneberry is developing the property to the north of Shelby Street and is being required to construct a cul-de-sac with that project. A portion of that cul-de-sac will be constructed on this property and creating a variance situation.

(c) a plot plan showing the dimensions of the property for which a variance is requested
6 copies of the site plan are included with this application

(d) The street address and legal description of the property for which a variance is requested.

The proposed site is located at 230 Shelby Street.

(e) Zoning classification of the property for which a variance is requested

The lot is zoned Light Industrial.

(f) A statement of the exact variance sought and section of this article from which a variance is requested

This request is for a variance of 10-feet ft from **Chart 2 - Building Setback: Minimum Front Building Setback—42'** of the Zoning Ordinance.

(g) A statement of the purpose for the requested variance and the intended development of property if the variance is granted:

The requested variance is to provide for a proper turnaround on the public street.

(h) If a use variance is sought, a statement setting forth the reason why a variance and not a zoning amendment is appropriate and stating whether the applicant previously sought a zoning amendment for such property, and if so, the disposition of the request for such amendment

No use variance is being sought.

(i) Unless otherwise modified by the zoning administrator, in accordance with standards established by said board in rules published from time to time, a vicinity map showing the property, which is the site of the requested variance and all parcels of property within a five hundred-foot radius if such property is located within the city. Such vicinity map shall show any and all streets, roads or alleys, and shall indicate the owner's name and dimensions of each parcel of property shown.

A vicinity map is included showing all parcels within a five hundred-foot radius.

(e) Standards and proof required for variances

(2) Bulk Variances and other variances

(a) Practical difficulties. The narrowness, shallowness or shape, topography or other condition of the land is such that it is extraordinarily difficult to comply with the general applicable bulk or other regulations of the zoning classification for the property.

Shelby Street is an existing, dead-end, public road without a public turnaround.

Planning and engineering staff identified a need for a public turnaround during the site plan review process of 201 Shelby Street site. They required dedication of public right-of-way to construct the public turnaround. The only ability to comply with this requirement for the proposed development results in an encroachment to the front setback due to the requirement to dedicate right-of-way for the turn around.

(b) Unusual characteristics of the subject property. The property is unusual in that it has unusual physical features compared to other property located in the same zoning district.

Most properties within this zoning district are located on straight streets or with an intersecting street that allows for turnarounds or dead-end streets with a proper public turnaround. This particular street has neither and therefore is unique to this property.

(c) Not self-created. *The condition of the property has not resulted from any deliberate action by the owner.*

The public turnaround is a requirement from planning and engineering staff and not the applicant.

Your thorough consideration of the requested variance is much appreciated. If you have any questions or comments, please feel free to contact me. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Matt Taylor". The signature is written in a cursive style with a long, sweeping horizontal line extending to the right.

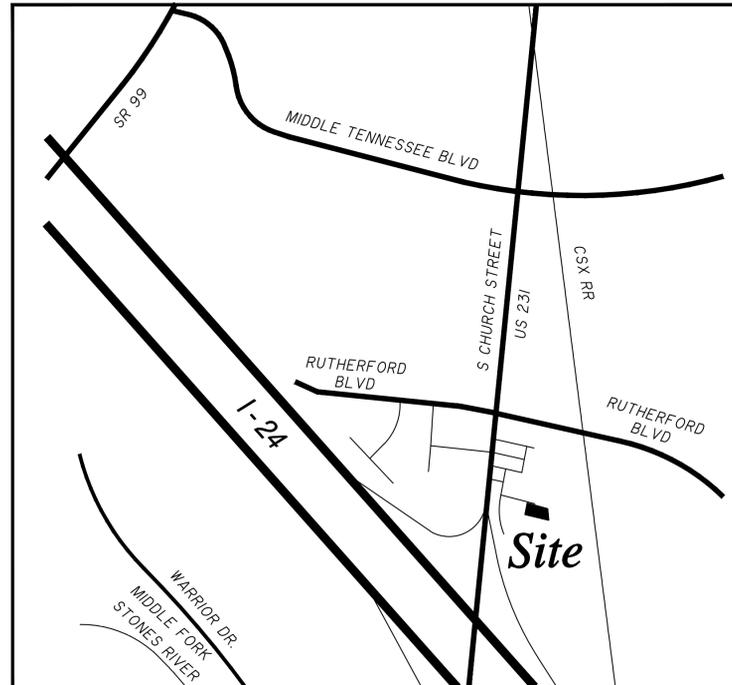
Matt Taylor, P.E.
Vice-President
S.E.C., Inc.

230 Shelby Street BZA Variance Exhibit

Murfreesboro, Tennessee BZA Variance Request Submittal

Drawing Index

Sheet No.	Title
1	Cover Sheet
2	Existing Conditions
3	Vicinity Map
4	Variance Exhibit



Site Location Map
Not To Scale

Owner/Developer:

Paul M Moody
5590 Ferrell Hollow Rd.
Readyville, TN 37149

Floodplain Note:

This site lies within Zone X, areas determined to be outside the 0.2% annual chance flood plain. FEMA FIRM map 47149C0260H dated January 5, 2007.

Land Data:

1.12± Acres
Zoning: L1
13th Civil District
Commission District 18th

Yard Requirements:

Front: 42'
Side: 10'
Rear: 20'

Deed Reference:

Tax Map 113C, Group B, Parcel 6.00
P.Bk. 98, Pg. 188

SEC, Inc. SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING

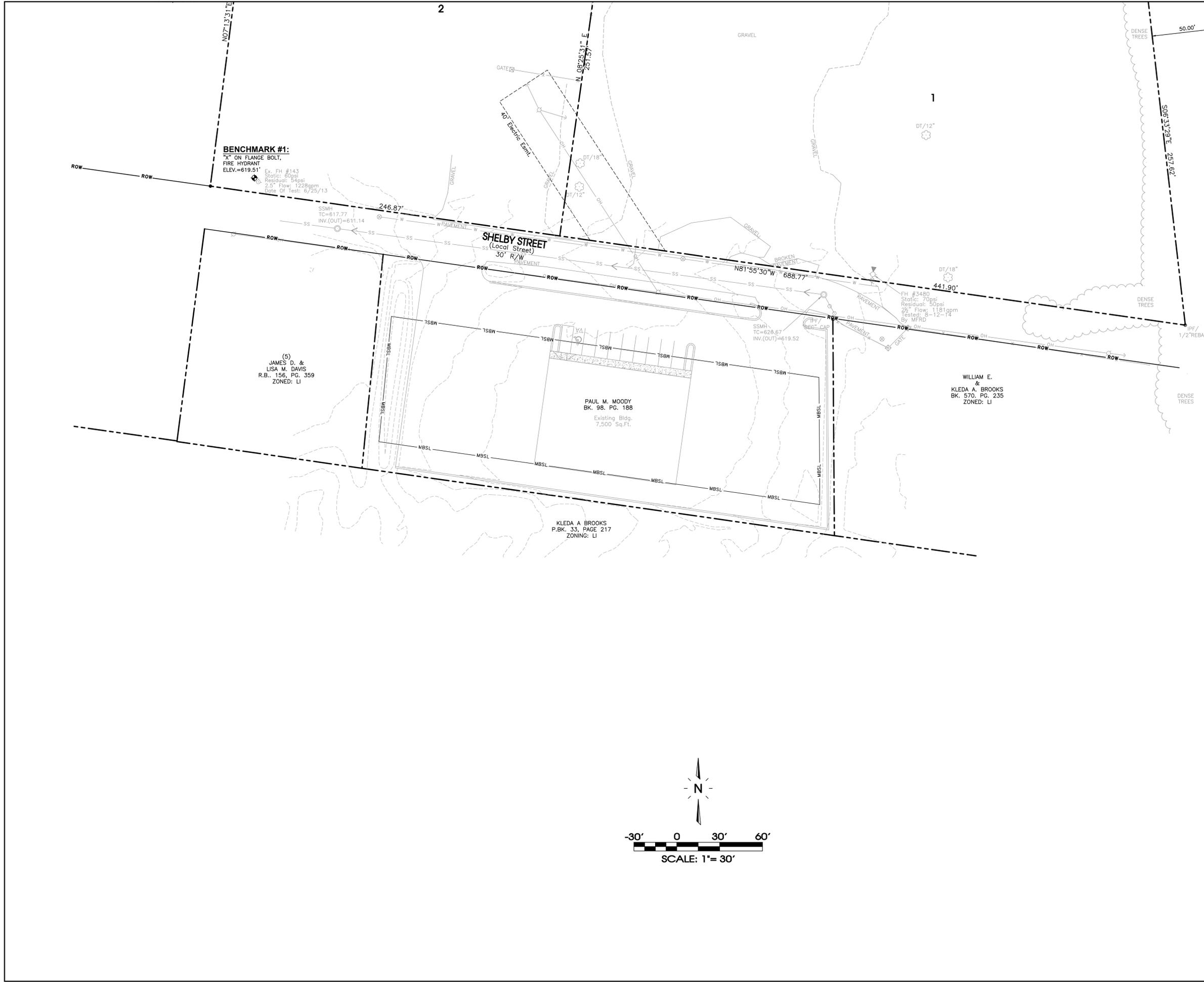
850 MIDDLE TENNESSEE BOULEVARD MURFREESBORO, TENNESSEE 37129

PHONE: (615) 890-7901 E-MAIL: MLEE@SEC-CIVIL.COM FAX: (615) 895-2567

NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN CONSENT OF S.E.C. INC.

By: _____ Date: _____
Mark P. Lee, P.E. TN. Reg. #19186





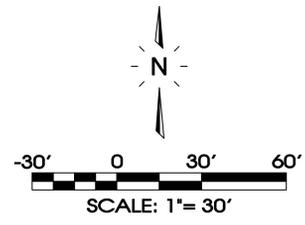
BENCHMARK #1:
 "X" ON FLANGE BOLT,
 FIRE HYDRANT
 ELEV.=619.51'
 Ex. FH #143
 Static: 60psi
 Residual: 54psi
 2.5" Flow: 1228gpm
 Date of Test: 6/25/13

(5)
 JAMES D. &
 LISA M. DAVIS
 R.B., 156, PG. 359
 ZONED: LI

PAUL M. MOODY
 BK. 98, PG. 188
 Existing Bldg.
 7,500 Sq.Ft.

KLEDA A. BROOKS
 P.BK. 33, PAGE 217
 ZONING: LI

WILLIAM E.
 &
 KLEDA A. BROOKS
 BK. 570, PG. 235
 ZONED: LI



Legend:			
□	EXIST. CONCRETE MONUMENT	□	INLET PROTECTION FILTER
●	IRON PIN SET (I.P.S.)	♿	HANDICAP PARKING SYMBOL
○	IRON PIN FOUND (I.P.F.)	○	HC SIGN
+	EXIST. SIGN POST	—	HEADWALL
○	EXIST. SEWER CLEANOUT	—	WINGED HEADWALL
○	EXIST. MANHOLE (SEWER & PHONE)	○	MANHOLE
⊕	EXIST. CATCH BASIN (STORM SEWER)	63.25 x	PROPOSED SPOT ELEVATION
⊗	EXIST. WATER/GAS VALVE	(63.25) x	EXIST. SPOT ELEVATION
⊞	EXIST. TELEPHONE RISER	○	POST INDICATOR VALVE
⊞	EXIST. GAS RISER	▽	REDUCER
⊞	ELECTRICAL ENCLOSURE	⊞	REMOTE FIRE DEPT. CONNECTION
⊞	EXIST. WATER METER	⚠	REVISION NUMBER
○	EXIST. UTILITY POLE	⊞	RIP RAP
⊞	EXIST. FIRE HYDRANT	➔	RUNOFF FLOW ARROW
⊞	BENCHMARK	➔	SEWER/STORM FLOW DIRECTION
⊞	BLOW OFF VALVE	➔	TRAFFIC ARROW
●	CONCRETE BOLLARD	➔	TURN LANE ARROWS
⊞	CATCH BASIN	V.A.	VAN ACCESSIBLE HANDICAP DESIGNATION
⊞	CURB INLET	⊞	WATER METER
⊞	AREA DRAIN	⊞	WHEEL STOP
⊞	CONCRETE THRUST BLOCK	⊞	GREASE TRAP
⊞	DOUBLE DETECTOR CHECK VALVE	#1	DRAINAGE STRUCTURE DESIGNATION
⊞	FIRE DEPT. CONNECTION	#1	DRAINAGE PIPE DESIGNATION
⊞	FIRE HYDRANT	⊞	CONCRETE SIDEWALK
⊞	GAS METER	⊞	EXTRUDED CURB
⊞	GATE VALVE & BOX	⊞	CURB & GUTTER
○	EXTERIOR CLEANOUT	⊞	CONCRETE SWALE
—	EXISTING PHONE	—	PH
—	EXISTING ELECTRIC	—	OH
—	PROPERTY LINE	—	
—	EASEMENTS	—	
—	RIGHT OF WAY	—	ROW
—	EROSION CONTROL SILT FENCE	—	SF SF
—	EXISTING TREELINE	—	
—	EXISTING FENCELINE	—	x x
—	MINIMUM BUILDING SETBACK LINE	—	MBSL
—	PHASE BOUNDARY	—	
—	EXISTING GAS LINE	—	GAS GAS
—	PROPOSED GAS LINE	—	GAS GAS
—	EXISTING STORM	—	STM STM
—	PROPOSED STORM	—	STM STM
—	EXISTING CONTOUR LINES	—	601
—	PROPOSED CONTOUR LINES	—	601
—	EXISTING SANITARY SEWER	—	SS SS
—	PROPOSED SANITARY SEWER	—	SS SS
—	EXISTING WATER	—	W W
—	PROPOSED WATER	—	W W

SFC, Inc. SITE ENGINEERING CONSULTANTS
 ENGINEERING • SURVEYING • LAND PLANNING
 850 MIDDLE TENNESSEE BOULEVARD MURFREESBORO, TENNESSEE 37129
 PHONE: (615) 890-7901 E-MAIL: MLE@SFC-CIVIL.COM FAX: (615) 895-2667

REVIEW SET
 (Not intended for construction)

230 Shelby Street
BZA Variance Exhibit
 Murfreesboro, Tennessee

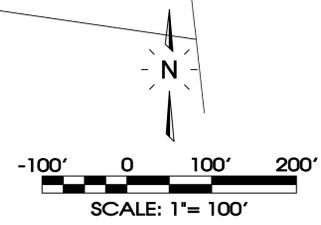
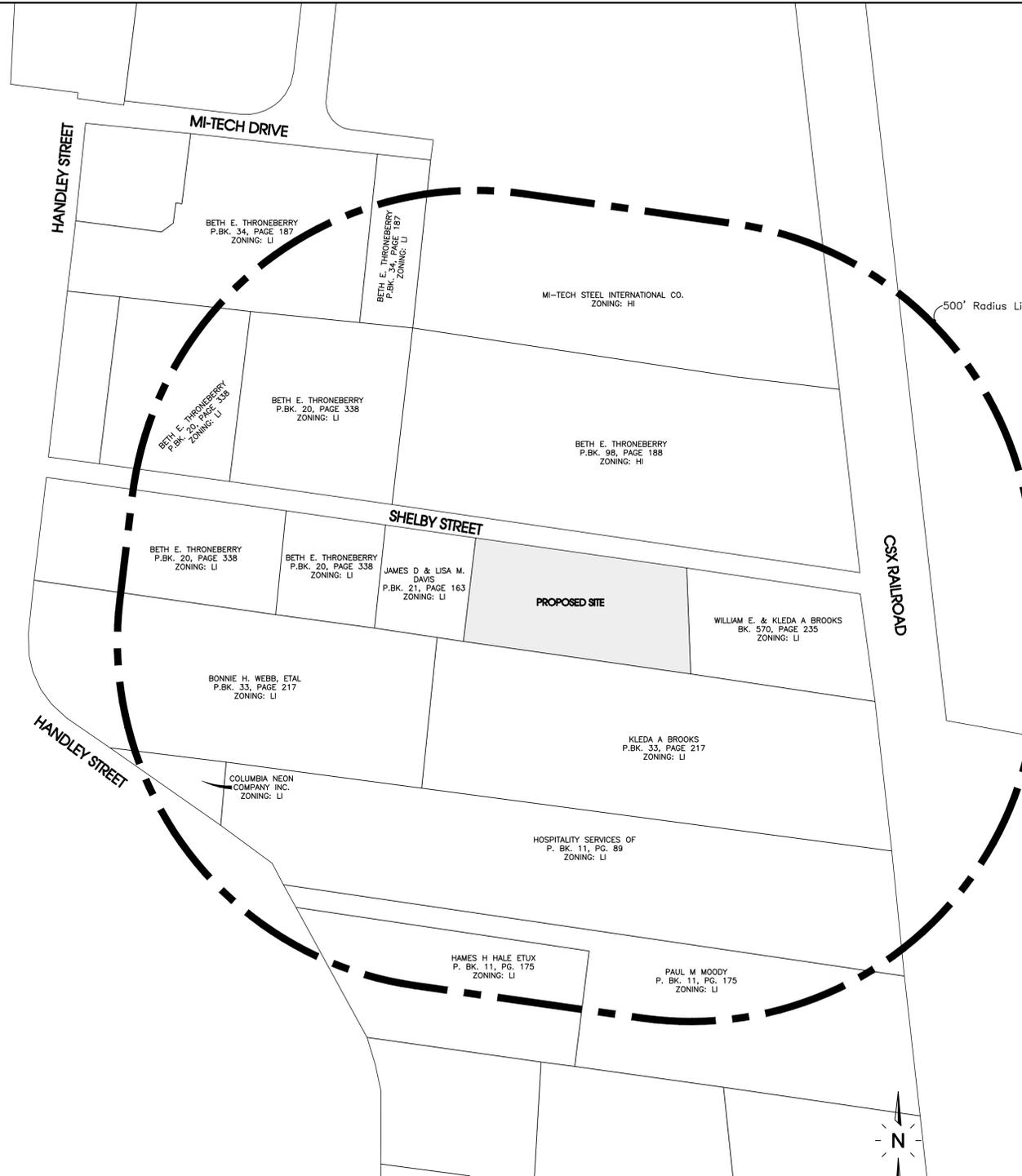
REVISIONS:
 DRAWN: SJA
 DATE: 2-8-16
 CHECKED:
 MPL
 FILE NAME:
 12128bzo-South
 SCALE:
 1" = 30'
 JOB NO.
 12128
 SHEET:
2 of 4

Existing Conditions

The site as shown on these construction drawings is intended to achieve specific engineering design criteria and objectives. It is the responsibility of the engineer to ensure that the design is in total accordance with the design as noted, described, and illustrated. The engineer assumes no administrative liability of the site as shown on these construction drawings. The site as shown on these construction drawings is intended to achieve specific engineering design criteria and objectives. It is the responsibility of the engineer to ensure that the design is in total accordance with the design as noted, described, and illustrated. The engineer assumes no administrative liability of the site as shown on these construction drawings.



SOUTH CHURCH STREET / U.S. 231



Legend:

□	EXIST. CONCRETE MONUMENT	□	INLET PROTECTION FILTER
●	IRON PIN SET (I.P.S.)	♿	HANDICAP PARKING SYMBOL
○	IRON PIN FOUND (I.P.F.)	○	HC SIGN
→	EXIST. SIGN POST	—	HEADWALL
○	EXIST. SEWER CLEANOUT	—	WINGED HEADWALL
○	EXIST. MANHOLE (SEWER & PHONE)	○	MANHOLE
⊕	EXIST. CATCH BASIN (STORM SEWER)	63.25 x	PROPOSED SPOT ELEVATION
⊗	EXIST. WATER/GAS VALVE	(63.25) x	EXIST. SPOT ELEVATION
⊞	EXIST. TELEPHONE RISER	⬤	POST INDICATOR VALVE
⊞	EXIST. GAS RISER	▽	REDUCER
⊞	ELECTRICAL ENCLOSURE	⚡	REMOTE FIRE DEPT. CONNECTION
⊞	EXIST. WATER METER	⚠	REVISION NUMBER
○	EXIST. UTILITY POLE	⊗	RIP RAP
⊞	EXIST. FIRE HYDRANT	↔	RUNOFF FLOW ARROW
⊞	BENCHMARK	↘	SEWER/STORM FLOW DIRECTION
⊞	BLOW OFF VALVE	➔	TRAFFIC ARROW
•	CONCRETE BOLLARD	➔	TURN LANE ARROWS
⊞	CATCH BASIN	V.A.	VAN ACCESSIBLE HANDICAP DESIGNATION
⊞	CURB INLET	W	WATER METER
⊞	AREA DRAIN	⊞	WHEEL STOP
⊞	CONCRETE THRUST BLOCK	⊞	GREASE TRAP
⊞	DOUBLE DETECTOR CHECK VALVE	#1	DRAINAGE STRUCTURE DESIGNATION
⊞	FIRE DEPT. CONNECTION	A	DRAINAGE PIPE DESIGNATION
⊞	FIRE HYDRANT	⊞	CONCRETE SIDEWALK
⊞	GAS METER	⊞	EXTRUDED CURB
⊞	GATE VALVE & BOX	⊞	CURB & GUTTER
○	EXTERIOR CLEANOUT	⊞	CONCRETE SWALE

EXISTING PHONE	_____
EXISTING ELECTRIC	_____
PROPERTY LINE	_____
EASEMENTS	_____
RIGHT OF WAY	_____
EROSION CONTROL SILT FENCE	_____
EXISTING TREE LINE	_____
EXISTING FENCE LINE	_____
MINIMUM BUILDING SETBACK LINE	_____
PHASE BOUNDARY	_____
EXISTING GAS LINE	_____
PROPOSED GAS LINE	_____
EXISTING STORM	_____
PROPOSED STORM	_____
EXISTING CONTOUR LINES	601
PROPOSED CONTOUR LINES	601
EXISTING SANITARY SEWER	_____
PROPOSED SANITARY SEWER	_____
EXISTING WATER	_____
PROPOSED WATER	_____

Owner/Developer:
Paul M Moody
6590 Ferrell Hollow Rd.
Readyville, TN 37149

Floodplain Note:
This site lies within Zone X, areas determined to be outside the 0.2% annual chance flood plain. FEMA FIRM map #17149C0200H dated January 5, 2007.

Land Data:
1.122 Acres
Zoning: LI
13th Civil District
Commission District 18th

Yard Requirements:
Front: 42'
Side: 10'
Rear: 20'

Deed Reference:
Tax Map 113C, Group B, Parcel 6.00
P.Bk. 98, Pg. 188

SFC, Inc.
SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING
850 MIDDLE TENNESSEE BOULEVARD MURFREESBORO, TENNESSEE 37129
PHONE: (615) 890-7901 E-MAIL: MLEE@SFC-CIVIL.COM FAX: (615) 895-2667

REVIEW SET
NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN CONSENT OF S.F.C. INC.

M.P. LEGAL
MURFREESBORO, TENNESSEE
COUNTY OF TENNESSEE

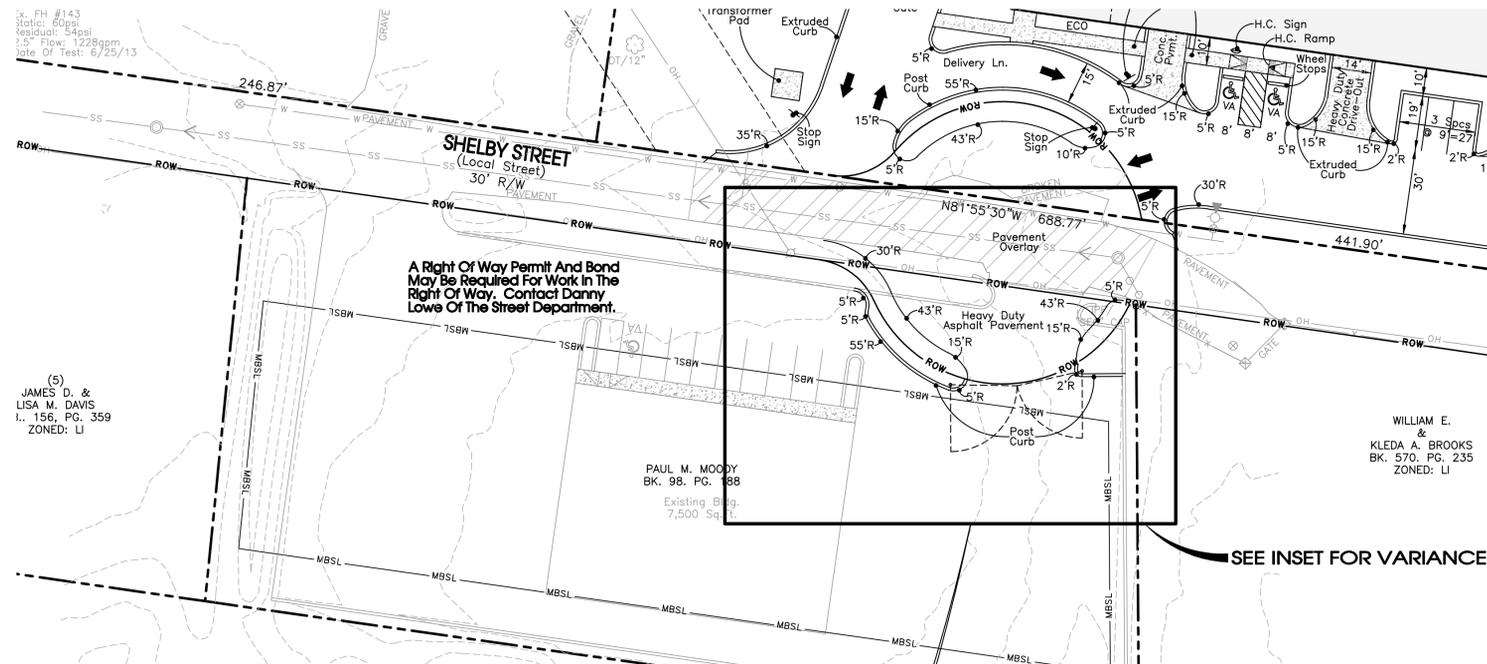
230 Shelby Street
BZA Variance Exhibit
Murfreesboro, Tennessee

REVISIONS:

DRAWN: SJA
DATE: 2-8-16
CHECKED:
MPL
FILE NAME:
12128bzo-South
SCALE:
1" = 100'
JOB NO.
12128
SHEET:
3 of 4

Vicinity Map

5. FH #143
 static: 60psi
 residual: 54psi
 2.5" Flow: 1228gpm
 Date Of Test: 6/25/13



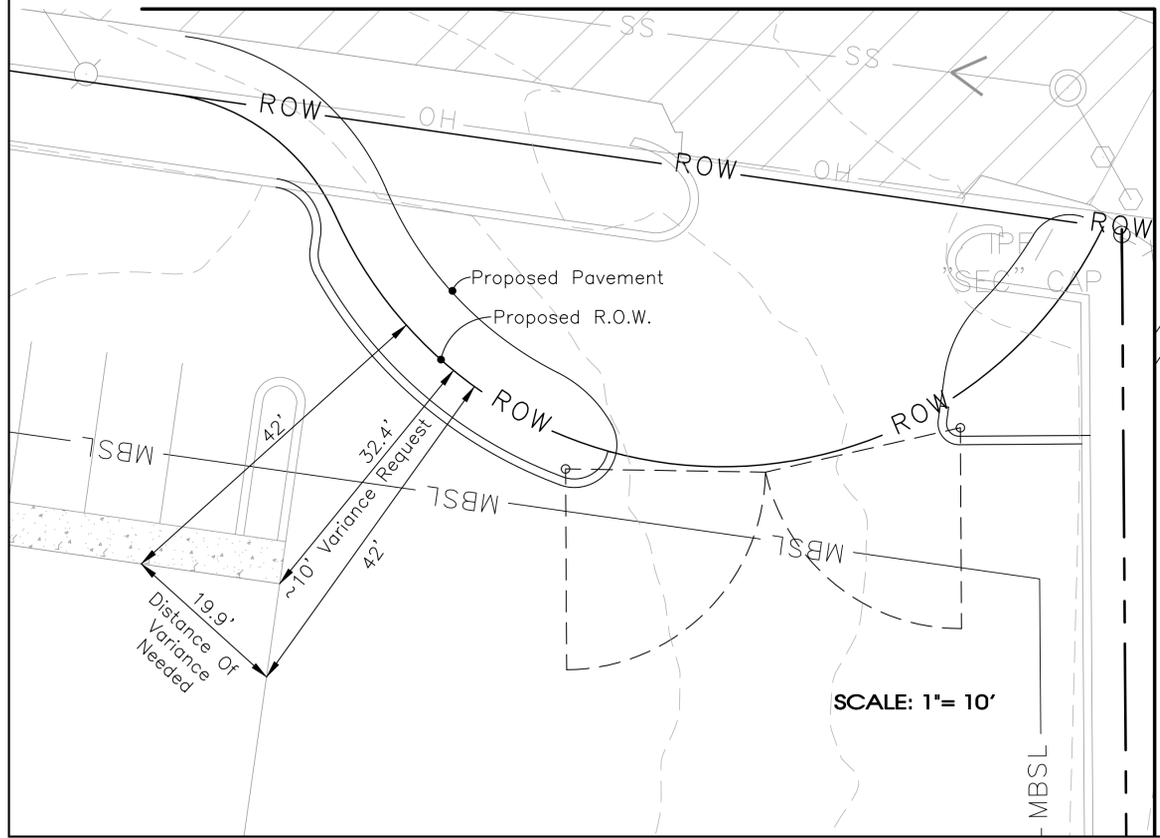
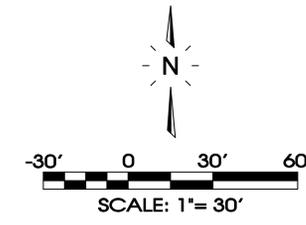
(5)
 JAMES D. &
 LISA M. DAVIS
 I. 156, PG. 359
 ZONED: LI

PAUL M. MOODY
 BK. 98, PG. 188
 Existing Bkg.
 7,500 Sq Ft

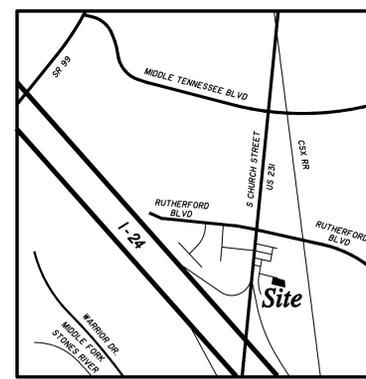
WILLIAM E.
 &
 KLEDA A. BROOKS
 BK. 570, PG. 235
 ZONED: LI

KLEDA A. BROOKS
 P.BK. 33, PAGE 217
 ZONING: LI

SEE INSET FOR VARIANCE AREA



Notes:		Legend:	
□	EXIST. CONCRETE MONUMENT	□	INLET PROTECTION FILTER
●	IRON PIN SET (I.P.S.)	♿	HANDICAP PARKING SYMBOL
○	IRON PIN FOUND (I.P.F.)	○	HC SIGN
→	EXIST. SIGN POST	—	HEADWALL
○	EXIST. SEWER CLEANOUT	—	WINGED HEADWALL
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⊞	EXIST. UTILITY POLE	⊞	RIP RAP
⊞	EXIST. FIRE HYDRANT	→	RUNOFF FLOW ARROW
⊞	BENCHMARK	↘	SEWER/STORM FLOW DIRECTION
⊞	BLOW OFF VALVE	→	TRAFFIC ARROW
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⊞	CURB INLET	W	WATER METER
⊞	AREA DRAIN	W	WHEEL STOP
⊞	CONCRETE THRUST BLOCK	⊞	GREASE TRAP
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⊞	FIRE HYDRANT	—	CONCRETE SIDEWALK
⊞	GAS METER	—	EXTRUDED CURB
⊞	GATE VALVE & BOX	—	CURB & GUTTER
○	EXTERIOR CLEANOUT	—	CONCRETE SWALE
—	EXISTING PHONE	—	PH
—	EXISTING ELECTRIC	—	OH
—	PROPERTY LINE	—	
—	EASEMENTS	—	
—	RIGHT OF WAY	—	ROW
—	EROSION CONTROL SILT FENCE	—	SF SF
—	EXISTING TREELINE	—	
—	EXISTING FENCELINE	—	x x
—	MINIMUM BUILDING SETBACK LINE	—	MBSL
—	PHASE BOUNDARY	—	
—	EXISTING GAS LINE	—	GAS GAS
—	PROPOSED GAS LINE	—	GAS GAS
—	EXISTING STORM	—	STM STM
—	PROPOSED STORM	—	STM STM
—	EXISTING CONTOUR LINES	—	601
—	PROPOSED CONTOUR LINES	—	601
—	EXISTING SANITARY SEWER	—	SS SS
—	PROPOSED SANITARY SEWER	—	SS SS
—	EXISTING WATER	—	W W
—	PROPOSED WATER	—	W W



Owner/Developer:
 Paul M Moody
 5590 Ferrell Hollow Rd.
 Nashville, TN 37149

Floodplain Note:
 This site lies within Zone X, areas determined to be outside the 0.2% annual chance flood plain. FEMA FIRM map 47149C0260H dated January 5, 2007.

Land Data:
 1.124 Acres
 Zoning: LI
 13th Civil District
 Commission District 18th

Yard Requirements:
 Front: 42'
 Side: 10'
 Rear: 20'

Deed Reference:
 Tax Map 113C, Group B, Parcel 6.00
 P.Bk. 98, Pg. 188

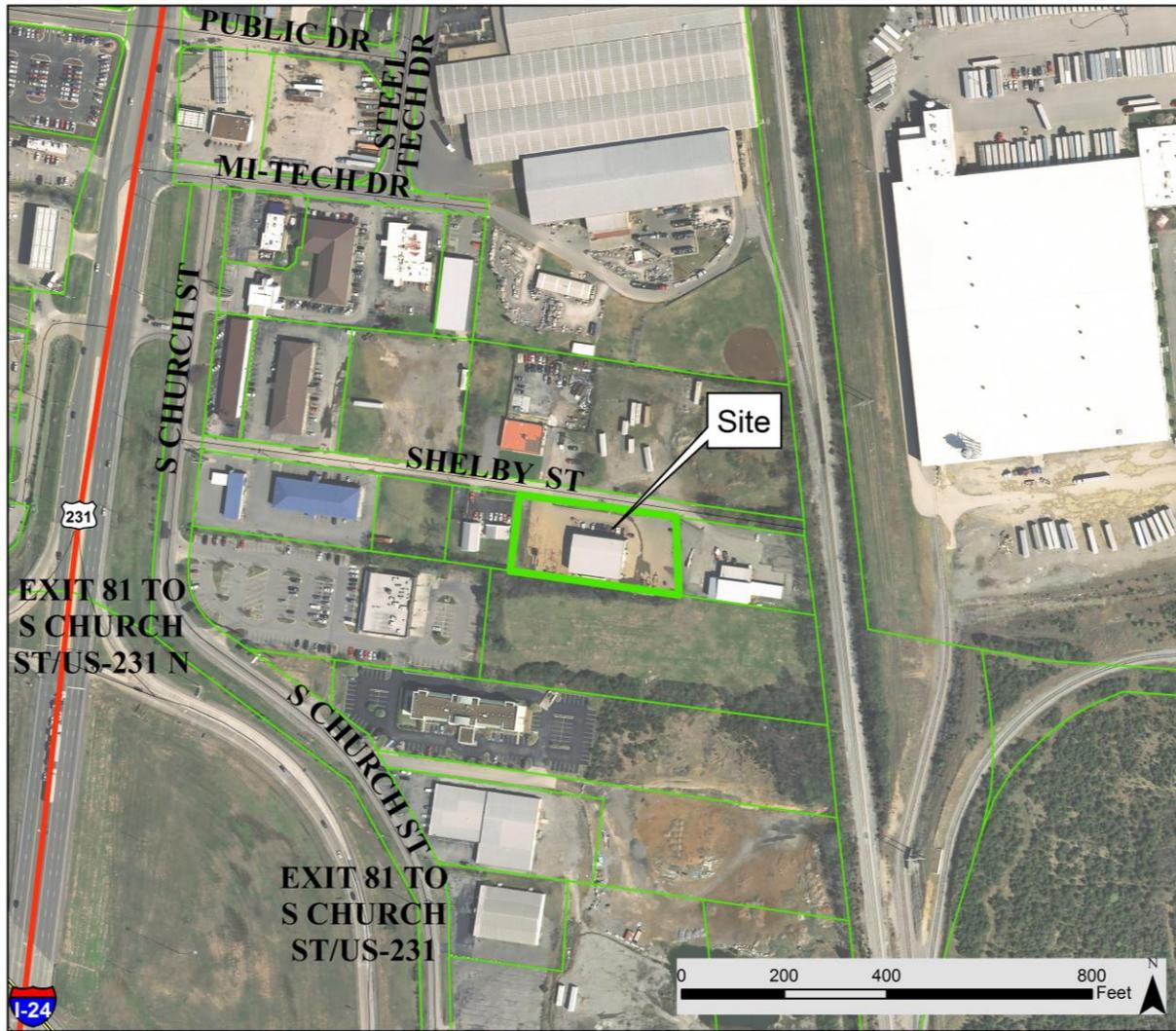
SFC, Inc. SITE ENGINEERING • SURVEYING • LAND PLANNING
 ENGINEERING • SURVEYING • LAND PLANNING
 850 MIDDLE TENNESSEE BOULEVARD MURFREESBORO, TENNESSEE 37129
 PHONE: (615) 890-7901 E-MAIL: MLE@SFC-CIVIL.COM FAX: (615) 895-2667

REVIEW SET
 (Not Intended For Construction)

230 Shelby Street
BZA Variance Exhibit
 Murfreesboro, Tennessee

Variance Exhibit

REVISIONS:
 DRAWN: SJA
 DATE: 2-8-16
 CHECKED:
 MPL
 FILE NAME:
 12128bzo-South
 SCALE:
 1"=30'
 JOB NO.
 12128
 SHEET:
 4 of 4



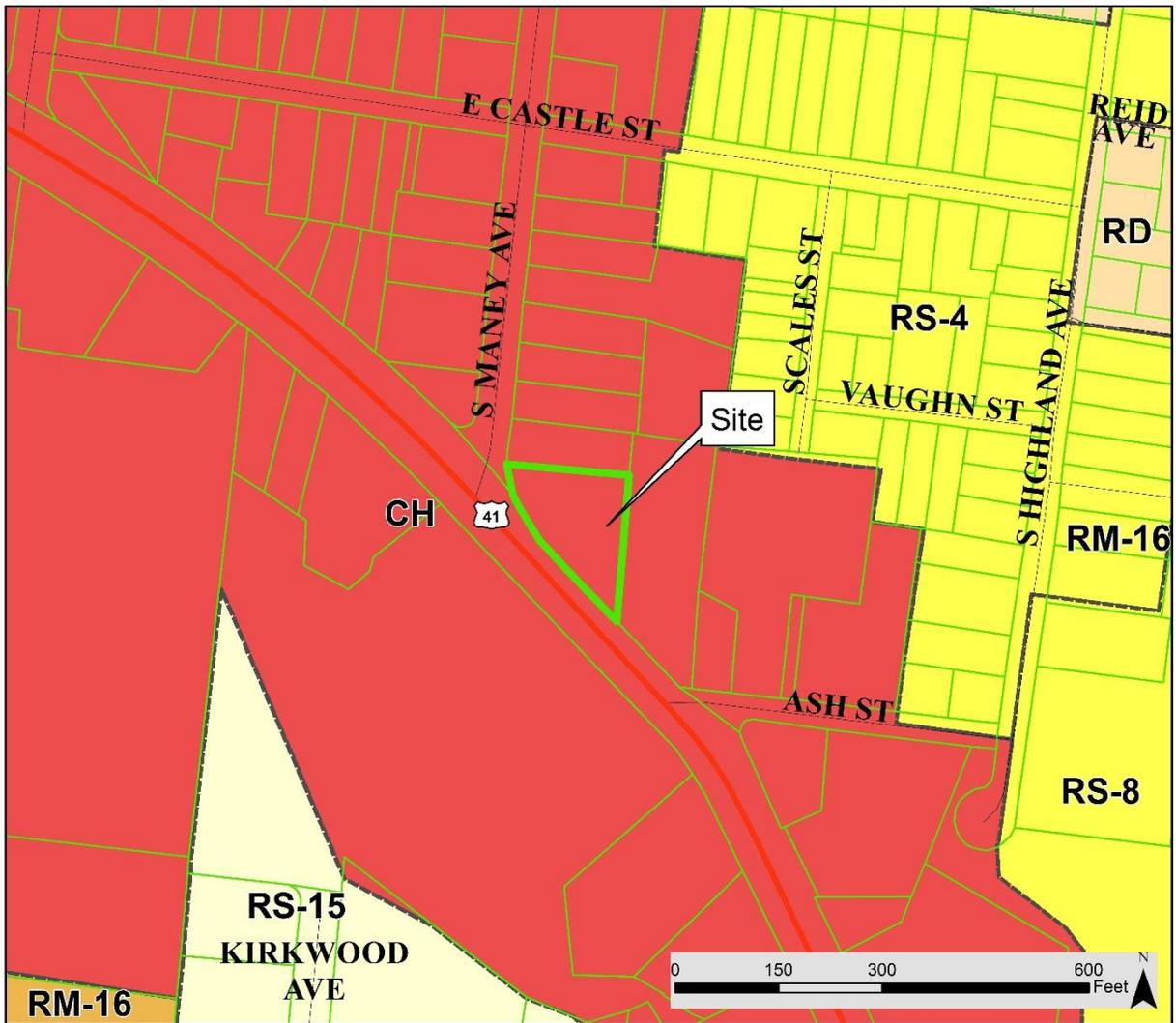
230 Shelby Street, aerial photograph



230 Shelby Street, aerial photograph

**MURFREESBORO BOARD OF ZONING APPEALS
STAFF REPORT
FEBRUARY 24, 2016**

Application: Z-16-011
Location: 415 Southeast Broad Street
Applicant: Clyde Rountree of Huddleston-Steele Engineering Inc. representing Sami Abuzahra
Zoning: Highway Commercial (CH) District
Request: A thirteen (13) foot Variance from Chart 2 (Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios) of the Murfreesboro Zoning Ordinance, which requires a minimum twenty (20) foot rear yard setback for property in the CH district



Request Overview

The applicant, Sami Abuzahra, operates a convenience store and vehicle sales lot at 415 Southeast Broad Street and wishes to construct a vehicle wash structure on the site. The subject property sits at the northeastern corner of the intersection of Southeast Broad Street and South Maney Avenue. The proposed structure would be situated near the northeastern corner of the property, adjacent to the existing auto sales structure. The vehicle wash structure would be used as a prep area for vehicles on the sales lot. The proposed structure measures 30 feet in width by 30 feet in depth for a total area of 900 square feet. The applicant seeks a Variance to allow the structure to be placed 7 feet from the rear property line; the Zoning Ordinance requires a rear setback of 20 feet in the CH district.

Relevant Zoning Ordinance Section

See Chart 2 for minimum lot standards in the CH district.

Staff Comments

In the attached request letter, the applicant's representative, Clyde Rountree of Huddleston-Steele Engineering Inc., briefly addresses the standards for granting a Variance. Specifically, the letter mentions the unique shape of the lot and the positioning of the existing building, suggesting that these aspects of the site rise to the level of *unusual characteristics* and *practical difficulties*. Staff reviewed aerial photography and visited the site. Staff found that the street rights-of-way along South Maney Avenue and Southeast Broad Street give the lot a diamond-like shape. The existing auto sales building lines the eastern side of the lot, while a convenience store sits on the northwestern portion of the lot. The shape of the lot and placement of the existing structures seem to leave few options for placement of any additional structures on the site. Ultimately, the Board must determine whether these characteristics warrant the granting of a Variance for this project.

Because excavation work was started on the lot without first obtaining a Variance, staff recommends that the Board condition any Variance on the applicant obtaining a footing survey to ensure that the new structure is within the required setbacks (including any varied setbacks as granted by the Board).

The applicant will be in attendance to answer any questions the Board may have.

Recommended Condition

1. The applicant shall obtain a footing survey prior to construction to ensure that the new structure is situated within the required setbacks (including any varied setbacks granted by the Board).

Attached Exhibits

1. Murfreesboro Zoning Ordinance, Chart 2
2. BZA Application
3. Applicant's Request Letter
4. Applicant's Supporting Materials
5. Site Photographs

DISTRICT AND USE	Minimum Lot Requirements		Minimum Yard Requirements ^{5, 17}			Maximum Height ¹⁶ (Ft.)	Maximum Gross Density ² (D.U./Acre)	Land Use Intensity Ratios			Maximum Lot Coverage (percent)
	Area (Sq. Ft.)	Width (Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)			Maximum F.A.R.	Minimum L.S.R.	Minimum O.S.R.	
CL DISTRICT											
1. All commercial uses except	none	none ^[13]	42	10 ^[6]	20	35	none	none	none	none	none
2. Single-family detached dwellings	7,500	50 ^[12]	30 ^[1]	5 ^[10]	25	35	5.8	none	none	none	30
3. Two-family dwellings	7,500	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
4. Three-family dwellings	11,250	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
5. Four-family dwellings	15,000	50 ^[12]	30 ^[1]	5 ^[10]	25	35	11.6	none	none	none	30
6. Single-family with zero lot line attached or detached	3,750	18 ^[12]	30 ^[1]	10 ^[7]	25	35	11.6	0.3	0.48	0.7	none
CF DISTRICT											
1. All uses	none	none ^[13]	42	10 ^[15]	20 ^[15]	45	none	none	none	none	none
CH DISTRICT											
1. All uses	none	none ^[13]	42	10 ^[6]	20	75	none	none	none	none	none
MU DISTRICT											
1. Multiple family dwellings	5 acres	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	75	25 ^[24]	none	none	none	none
2. All commercial uses except mixed use	none	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	150	none	none	none	none	none
3. Mixed uses (vertical mix)	none	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	150	25 ^[24]	none	none	none	none
CBD DISTRICT											
1. All uses except	none	none ^[13]	none	none	none	75	none	none	none	none	none
2. Multiple-family dwellings	none	none ^[13]	none	none	none	75	FN ^[8]	none	none	none	none
H-I DISTRICT											
1. All uses	none	50 ^[13]	42	10	20	75	none	none	none	none	none
L-I DISTRICT											
1. All uses	none	50 ^[13]	42	10	20	75	none	none	none	none	none
CU DISTRICT											
1. Single-family detached	10,000	65 ^[12]	35	10	20	35	4.4	none	none	none	25
2. Two-family dwellings	10,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
3. Three-family dwellings	15,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
4. Four-family dwellings	20,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
5. Multiple-family dwellings	25,000	65 ^[12]	35	10 ^[3]	20 ^[4]	35	FN ^[9]	0.35	0.45	0.65	none
6. Educational institutions and other uses	25,000	65 ^[12]	35	10	20	35	none	0.3	0.28	0.6	none
P DISTRICT											
1. All uses permitted	none	none ^[13]	none	none	none	none	none	none	none	none	none

City of Murfreesboro BOARD OF ZONING APPEALS	HEARING REQUEST APPLICATION
--	--

Location/Street Address: 415-5 S.E. BROAD ST.			
Tax Map: 102	Group: 1C	Parcel: 42.00	Zoning District: CH

Applicant: Sami Abuzahra E-Mail: samozaher@me.com	
Address: 415 SE Broad St.	Phone: 615 631 6020
City: Murfreesboro	State: TN Zip: 37130

Property Owner: DEBORAH FANLI	
Address: 4902 CENTERFIELD CT	Phone: 615 896.2917
City: CRESTWOOD	State: KY Zip: 40014

Request: 3' VARIANCE FROM THE REQUIRED 20' REAR SETBACK	
Zoning District: CH	
Applicant Signature: 	Date: 2/8/16

Received By: B. DAVIS	Receipt No.: 22718
Application #:	DATE: 2-8-16

Murfreesboro
Board of
Zoning Appeals
RECEIVED
FEB 08 2016

BY:



**HEARING APPLICATION
AND
GENERAL INFORMATION**

February 10, 2016

Mr. Donald Anthony
Principal Planner
City of Murfreesboro Planning Department
111 West Vine Street
P.O. Box 1139
Murfreesboro, TN 37133-1139

RECEIVED
FEB 10 2016
BY:

Prepared by: Huddleston-Steele Engineering, Inc.
Clyde Rountree
2115 Northwest Broad Street
Murfreesboro, TN 37129

RE: 13' Variance Request from the 20' required rear setback on the property located at 415-5 S.E Broad Street, Murfreesboro, TN. 37130.

Dear Donald,

The following is the variance request we are making for our client Sami Abuzahra, owner of Absolute Auto Center, regarding a building addition that will be within the rear setback of the property. The extent of this variances is primarily due to the irregular geometry of the site and the positioning of the existing building onto which he plans to build the additional space.

VARIANCE REQUESTS

A 13' variance is requested from providing a 20' rear setback on the property located at Tax Map 102, Group: "K" Parcel: 42.00, (also recognized as 415-4 S.E Broad Street). In Appendix A, Chart 2, of the Murfreesboro Zoning Ordinance, the ordinance states that all CH zoning requires a 20' rear setback. The triangular nature of the site has two fronts, one on South Maney Avenue, and the other, on SE Broad Street, thus making the northern property line the rear setback line. In the exhibit provided, we are showing the 13' encroachment into the rear set back.

We respectfully request your consideration and approval of this request. If you have questions please contact me.

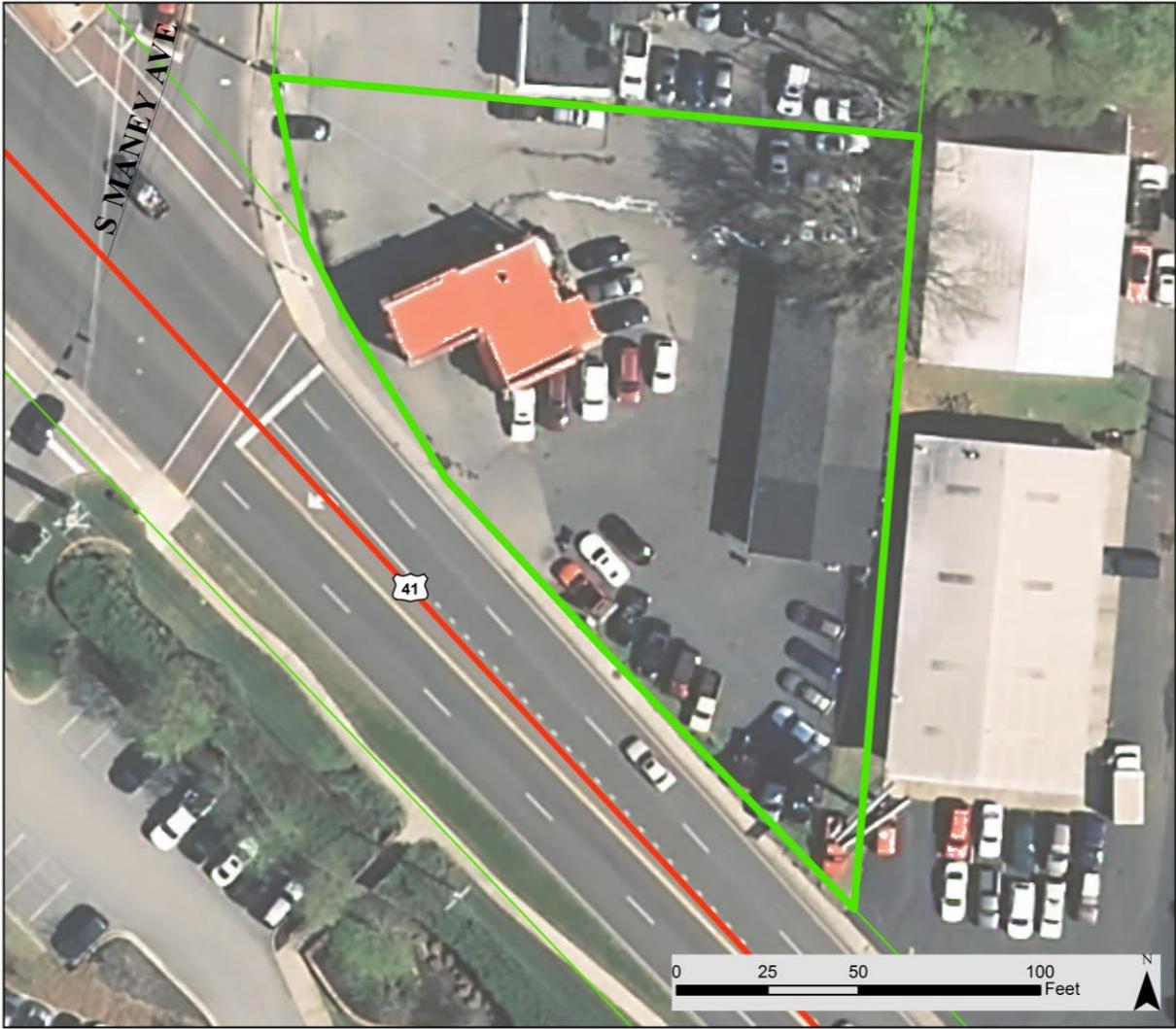
Sincerely,
HUDDLESTON- STEELE ENGINEERING, INC.



Clyde Rountree



415 Southeast Broad Street, aerial photograph



415 Southeast Broad Street, aerial photograph



415 Southeast Broad Street, view of existing convenience store (orange structure) and auto sales and service building (background). The proposed vehicle wash structure would be located on the left-hand (north) side of the vehicle sales and service building.



415 Southeast Broad Street, view of proposed location of vehicle wash structure. Excavation work can be seen in the photo.



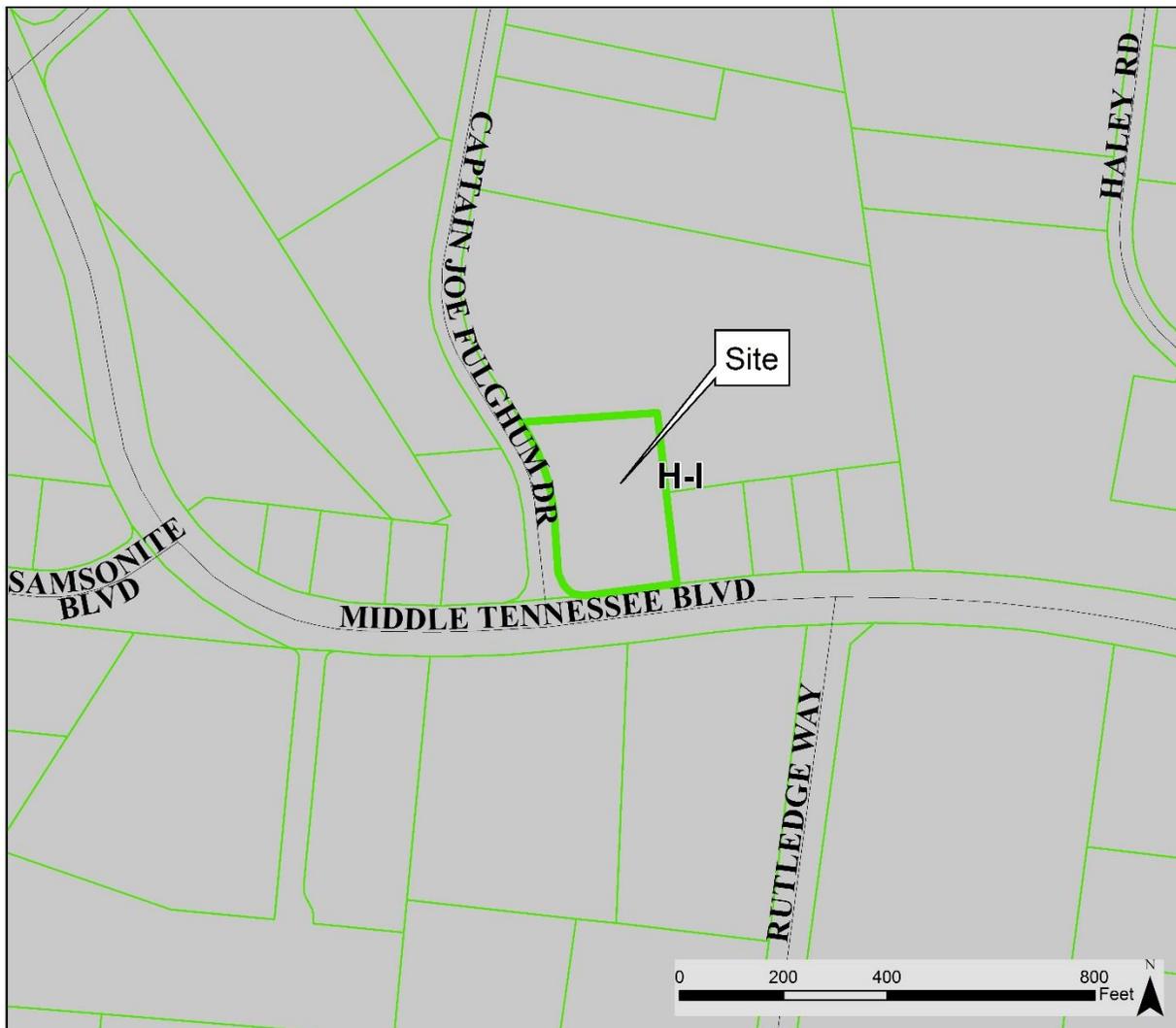
415 Southeast Broad Street, view of existing vehicle sales structure and proposed location of vehicle wash area. Photo taken from northwestern side of lot looking to the southeast.



415 Southeast Broad Street, view of existing vehicle sales lot and sales building taken from Southeast Broad Street looking northward. The proposed vehicle wash structure would lie on the opposite side of the sales structure.

**MURFREESBORO BOARD OF ZONING APPEALS
STAFF REPORT
FEBRUARY 24, 2016**

Application: Z-16-012
Location: 511 Middle Tennessee Boulevard and 640 Captain Joe Fulghum Drive
Applicant: Steve Steele of Huddleston-Steele Engineering Inc., representing Phillip and Tammy Dodd
Zoning: Heavy Industrial (H-I) District
Request: A five (5) foot Variance from Section 27(J)(2) of the Murfreesboro Zoning Ordinance, which requires that a shared planting yard between two adjacent properties have a minimum width of ten (10) feet



Request Overview

Phillip and Tammy Dodd, the owners of the lot located at 511 Middle Tennessee Boulevard and 640 Captain Joe Fulghum Drive, recently began the process of subdividing the lot into two separate lots. The existing lot—identified as Lot 4 of the Samsonite Development Section II subdivision—presently includes two structures. The front structure, which faces Middle Tennessee Boulevard, houses multiple commercial businesses. The rear structure, which faces Captain Joe Fulghum Drive, houses a transmission shop. Parking areas between the two structures are divided by a five-foot wide landscape strip. In the request letter submitted by the applicants' representative, Steve Steele of Huddleston-Steele Engineering Inc., the owners indicate that they wish to subdivide the lot using the center of the existing landscape strip as the new property line. The landscape strip would continue to have a total width of five feet, half on each side of the new property line.

The two-acre site presently adheres to the perimeter planting yard standards set forth in Section 27(J) of the Zoning Ordinance; this portion of the ordinance requires the existing lot have eight-foot planting yards along the street frontage and five-foot planting yards along other sides of the property. Aerial photography indicates that the street frontages along both Middle Tennessee Boulevard and Captain Joe Fulghum Drive include broad planting yards.

Because the subject property is being subdivided, planting yards are necessary along the property line between the two new lots. Section 27(J)(2) of the Zoning Ordinance allows required planting yards along side or rear property lines to be shared between adjacent properties; the ordinance requires that the shared planting yard have a minimum width of ten feet. The property owners wish to maintain the existing five-foot planting yard and seek a Variance from the requirements described in Section 27(J)(2) of the Zoning Ordinance.

Relevant Zoning Ordinance Section

Section 27(J)(2):

Along a side or rear property line, this requirement for perimeter landscaping may be satisfied by the creation and maintenance of a single planting yard with the adjacent property owner. A planting yard used to meet the perimeter landscaping requirements for two properties must have a uniform minimum width of ten feet, and the number of trees shall be the same as required as if it was only one perimeter landscaping for the common planting yard. Both property owners must present and execute an enforceable written agreement for the perpetual maintenance of the planting yard and record it in the Register of Deeds office, all at no expense to the City, which agreement shall be binding on any successor owner of either property. No such shared planting yard shall be used to reduce the buffer zone requirement contained in subsection (L).

Staff Comments

In the attached request letter, the applicants' representative addresses each of the three standards for granting a Variance. With regard to both *practical difficulties* and *unusual characteristics*, the applicants' representative contends that the site is already fully-developed and that compliance with Section 27(J)(2) would cause considerable disruption for the existing businesses. The applicants' representative also asserts that the situation is *not self-created*, noting that the existing lot was constructed and configured prior to the present ownership.

Staff notes that compliance with the ten-foot minimum landscaping requirement may cause a loss of parking spaces or other disruptions on the site. As aerial photography indicates, the existing landscape strip lies adjacent to a drive aisle on the north and a row of parking spaces on the south. The drive aisle is approximately 23 feet from the landscape strip; per Chart 3 of the Zoning Ordinance, the minimum width for a drive aisle adjacent to 90-degree parking spaces is 22 feet. If shifted northward due to an expanded landscape strip, the drive aisle would interfere with the transmission shop's primary parking area. Likewise, the parking row south of the landscape strip lies adjacent to a drive aisle; shifting the parking row southward to accommodate an expanded landscape strip would likely interfere with the drive aisle and/or loading area at the rear of the existing multi-tenant commercial building. Based on staff's review of the site layout, it appears that widening the landscape strip will necessitate a significant revision to the site layout for one or both of the proposed new lots. Ultimately, the Board must determine whether these circumstances meet the standards for granting a Variance.

Staff recommends that any approval of the Variance request be conditioned on the creation and filing of a shared maintenance agreement for the shared planting yard.

The applicant will be in attendance to answer any questions the Board may have.

Recommended Condition

1. The owner(s) of the properties located at 511 Middle Tennessee Boulevard and 640 Captain Joe Fulghum Drive shall create a shared maintenance agreement document and submit it to the Planning Director and City Attorney for review. Upon approval by the Planning Director and City Attorney, the owner(s) shall execute the agreement and record it in a manner to be determined by the City Attorney.

Attached Exhibits

1. BZA Application
2. Applicant's Request Letter
3. Applicant's Supporting Materials
4. Site Photographs

City of Murfreesboro
BOARD OF ZONING APPEALS

HEARING REQUEST
APPLICATION

Location/Street Address: 511 MIDDLE TN BLVD & 640 CAPTAIN JOE
FULGHUM DRIVE, MURFREESBORO

Tax Map: 102 Group: - Parcel: 18.05 Zoning District: H-I

Applicant: HUBLESTON-STEEL E-Mail: ssteel@hsengr.com
ATTN: STEVE STEELE

Address: 2115 NW BROAD Phone: (615) 893-4084

City: MURFREESBORO State: TN Zip: 37129

Property Owner: PHILLIP AND TAMMY DODD

Address: 3061 NEW SALEM HWY Phone: (615) 893-1757

City: MURFREESBORO State: TN Zip: 37128

Request: REDUCE THE SIDE YARD REQUIREMENT BETWEEN 2 PROPOSED
LOTS FROM A TOTAL OF 10 FT TO A MINIMUM OF 5 FT (AS EXISTS)

Zoning District: H-I

Applicant Signature:  Date: 2-8-16

Received By: B. DAVIS Receipt No.: 22719

Application #: DATE: 2-8-16

Murfreesboro
Board of
Zoning Appeals

RECEIVED
FEB 08 2016

BY:



T E N N E S S E E

HEARING APPLICATION
AND
GENERAL INFORMATION

February 8, 20116

Mr. Donald Anthony
Principal Planner
City of Murfreesboro
111 W. Vine Street
Murfreesboro, TN 37130

RECEIVED
FEB 08 2016

BY:

Re: Lot 4, Samsonite Development
Middle Tennessee Boulevard and Captain Joe Fulghum Drive
Variance Request Application

Dear Mr. Anthony:

Pursuant to Section 10 – Variances of the 2015 Zoning Ordinance – Murfreesboro City Code Appendix A, in regards to Lot 4, Samsonite Development, Section II, Plat Book 24, Page 20, located at the northeast corner of the intersection of Middle Tennessee Boulevard and Captain Joe Fulghum Drive, please accept the following information as our official request for a hearing before the City of Murfreesboro Board of Zoning Appeals.

Section 10. Variances

(d) Procedure.

(1) Application. The application shall contain the following information:

a Name, address, and telephone number of the applicant

Phillip W. and Tammy Dodd
3061 New Salem Road
Murfreesboro, TN 37128
Phone: 615-893-1757

b Nature and extent of the applicant’s interest in the property for which a variance is requested

Owner

c A plot plan showing the dimensions of the property for which a variance is requested

See attached proposed Final Plat, Resubdivision of Lot 4, Samsonite Development, Section II



d The street address and legal description of the property for which a variance is requested

Address: 511 Middle Tennessee Boulevard A & B, and 640 Captain Joe Fulghum Drive, Murfreesboro

Legal Description: Lot 4, Samsonite Development, Section II (Plat Book 24, Page 20)

e Zoning classification of the property for which a variance is requested

Lot 4 is zoned H-I, Heavy Industrial District

f A statement of the exact variance sought and section of this article from which a variance is requested

We respectfully request the following variance for Lot 4

Side yard landscape strip requirement on the proposed common lot line on each of the proposed Lots 4A and 4B from five (5) feet to two and one half (2½) feet, for a total landscape strip whose minimum width is five (5) feet.

g A statement of the purpose for the requested variance and the intended development of the property if the variance is granted

Phil and Tammy Dodd have owned Lot 4, Samsonite Development since March, 2001. Late in 2001, and continuing into 2002, the Dodds built a 7800 square foot building on the rear of the lot, where Phil's Transmissions still operates today at 640 Captain Joe Fulghum Drive. In 2007, the Dodds constructed a second building containing 13,000 square feet on the front portion of the lot. This building, located at 511 A & B Middle Tennessee Boulevard, contains two suites. These suites are currently leased to an appliance repair business and a heating and air conditioning contractor.

The Dodds wish to have the ability to offer the front building located at 511 Middle Tennessee Boulevard to their lessee under a lease/purchase agreement. In order to do so, the front building needs to be separated from the rear building on a separate lot of record. To that end, the attached resubdivision plat separating Lot 4 into lots 4A and 4B was recently prepared and submitted to the City's Planning Department for consideration. At that time, the Planning Department requested that the two site plans prepared in 2001 and 2006 be updated reflecting the current conditions of the two proposed lots (these site plans are also attached). Upon review of these updated site plans, it was discovered that the side yard between the two proposed lots was previously constructed at less than 10 feet in width as planned. It is the purpose of this variance request to allow this existing side yard to remain as constructed, rather than require the owners to rebuild a portion of the existing parking on lots at considerable expense, inconvenience, and potential disruption of the businesses.



h If a use variance is sought, a statement setting forth the reason why a variance and not a zoning amendment is appropriate and stating whether the applicant previously sought a zoning amendment for such property, and if so, the disposition of the request for such amendment: and

Not Applicable to this Request

i Unless otherwise modified by the zoning administrator, in accordance with standards established by said board in rules published from time to time, a vicinity map showing the property, which is the site of the requested variance and all parcels of property within a five hundred-foot radius if such property is located within the city. Such vicinity map shall show any and all streets, roads or alleys, and shall indicate the owner's name and dimensions of each parcel of property shown.

Not Applicable to this Request

(e) Standards and proof required for variances.

(2) Bulk variances and other variances. No bulk variance or other variance shall be granted unless the applicant establishes that the bulk or other regulations generally applicable in the zoning classification for the property for which a variance is requested impose practical difficulties which are unusual to the property and are not self-created.

Please see item (g) above.

The applicant must also show that the bulk or other variance requested will not be unduly detrimental to other property in the vicinity of the property for which the variance is requested.

This variance will not affect other property in the vicinity. In addition, the condition has been in effect since 2007 without any known opposition.

Additionally, to satisfy the requirements outlined in this subsection (e)(2) for the granting of a bulk or other variance, an applicant shall establish the existence of the following:

a. Practical difficulties. The narrowness, shallowness or shape, topography or other condition of the land is such that it is extraordinarily difficult to comply with the generally applicable bulk or other regulations of the zoning classification for the property.

The site is fully developed. Compliance with the required zoning ordinance side yard requirement would result in considerable expense, inconvenience, and potential disruption of businesses on the site.

b. Unusual characteristics of the subject property. The property is unusual in that it has unusual physical features compared to other property located in the same zoning district.



The site is fully developed.

- c. **Not self-created. The condition of the property has not resulted from any deliberate action by the owner.**

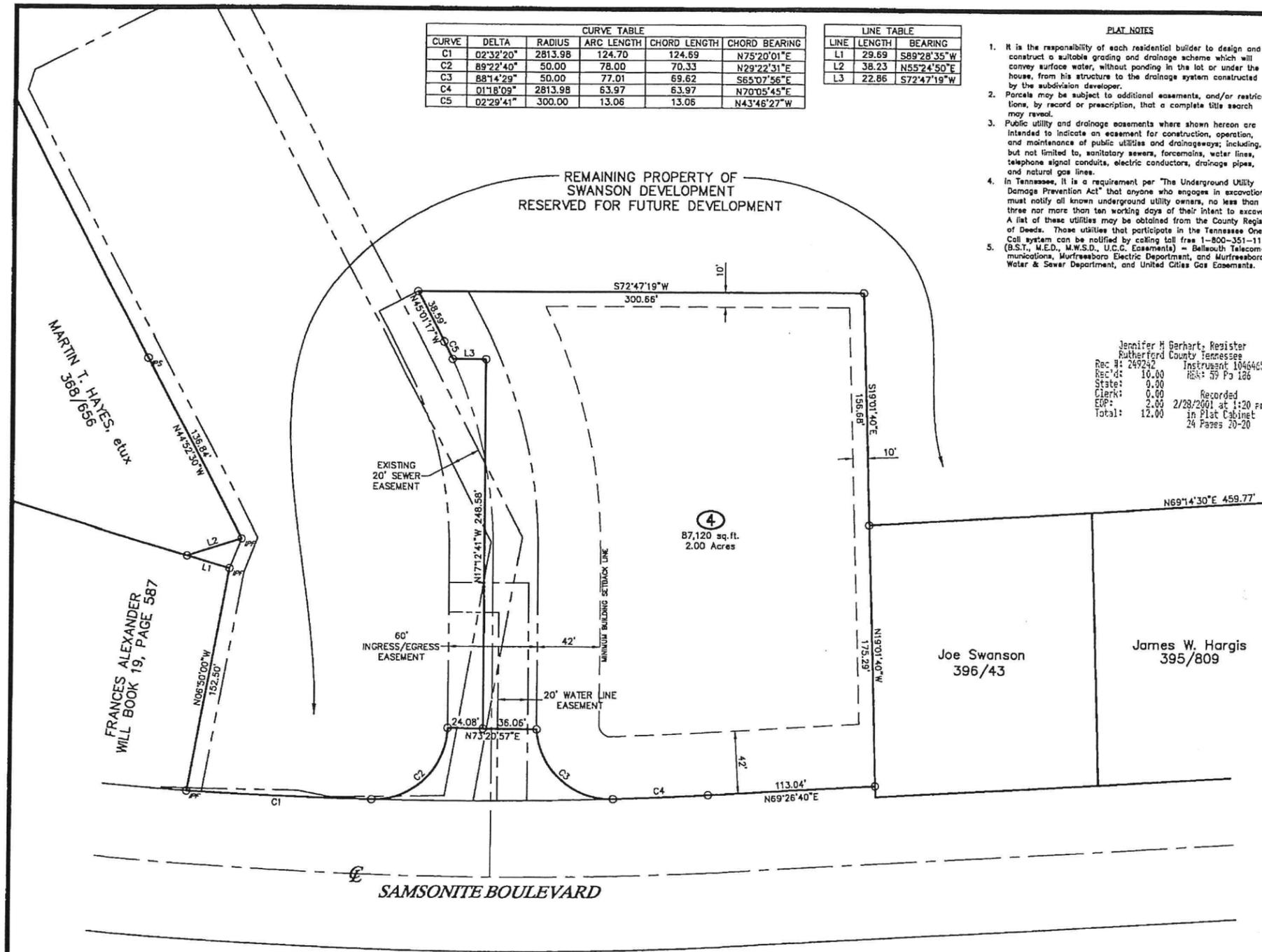
The condition was created by the contractors who built the buildings and associated parking lots in 2001 and 2006, without the knowledge of the owners, Phil and Tammy Dodd.

On behalf of the owners, Phil and Tammy Dodd, we respectfully request your consideration and approval of this request. If you have questions or comments, please contact me.

Sincerely,

HUDDLESTON-STEELE ENGINEERING, INC.

Stephen A. Steele, P.E.



CURVE TABLE					
CURVE	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	02°32'20"	2813.98	124.70	124.69	N75°20'01"E
C2	89°22'40"	50.00	78.00	70.33	N29°22'31"E
C3	88°14'29"	50.00	77.01	69.62	S65°07'56"E
C4	01°18'09"	2813.98	63.97	63.97	N70°05'45"E
C5	02°29'41"	300.00	13.06	13.06	N43°46'27"W

LINE TABLE	
LINE	BEARING
L1	29.69 S89°28'35"W
L2	38.23 N55°24'50"E
L3	22.86 S72°47'19"W

- PLAT NOTES**
- It is the responsibility of each residential builder to design and construct a suitable grading and drainage scheme which will convey surface water, without ponding in the lot or under the house, from his structure to the drainage system constructed by the subdivision developer.
 - Parcels may be subject to additional easements, and/or restrictions, by record or prescription, that a complete title search may reveal.
 - Public utility and drainage easements where shown hereon are intended to indicate an easement for construction, operation, and maintenance of public utilities and drainageways, including, but not limited to, sanitary sewers, forcemains, water lines, telephone signal conduits, electric conductors, drainage pipes, and natural gas lines.
 - In Tennessee, it is a requirement per "The Underground Utility Damage Prevention Act" that anyone who engages in excavation must notify all known underground utility owners, no less than three nor more than ten working days of their intent to excavate. A list of these utilities may be obtained from the County Register of Deeds. Those utilities that participate in the Tennessee One Call system can be notified by calling toll free 1-800-351-1111. (B.S.T., M.E.D., M.W.S.D., U.C.C. Easements) = BellSouth Telecommunications, Murfreesboro Electric Department, and Murfreesboro Water & Sewer Department, and United Cities Gas Easements.



Jennifer H Garhart, Register
 Rutherford County Tennessee
 Rec'd: 10.00 Instrument 1046465
 State: 0.00 RES: 59 Pg 186
 Clerk: 0.00
 EOP: 2.00 2/28/2001 at 1:20 PM
 Total: 12.00 in Plat Cabinet
 24 Pages 20-20

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

2/27/2001 Date

Deed Book: 425
 Page: 689
 JOSEPH M. SWANSON
 FLORENCE P. SWANSON

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision regulations for the City of Murfreesboro, Tennessee with the exception of such variances, if any, as are noted in the minutes of the planning commission and that it has been approved for recording in the office of the County Register of Deeds.

2-28-01 Date

JOSEPH D. GADLEY
 SECRETARY, PLANNING COMMISSION

CERTIFICATE OF APPROVAL OF STREETS AND DRAINAGE

I hereby certify that (1) the streets, drainage structures, and drainage improvements for the subdivision shown hereon have been installed in accordance with City specifications, or (2) that a surety for these improvements has been posted with the City of Murfreesboro to assure completion of same.

FEBRUARY 28, 2001 Date
 KENNETH N. HAYES
 CITY ENGINEER

CERTIFICATE OF APPROVAL OF WATER SYSTEMS

I hereby certify that: (1) the water lines and appurtenances for the water system of the subdivision shown hereon have been installed in accordance with City codes and specifications and the Tennessee Department of Environment and Conservation, Community Public Water Systems Design Criteria, or (2) that a surety for these improvements has been posted with the City of Murfreesboro to assure completion of same and that the land shown to be subdivided hereon is within water service jurisdiction of Murfreesboro Water and Sewer Department.

2/27/2001 Date

MURFREESBORO WATER AND SEWER OFFICIAL

CERTIFICATE OF APPROVAL OF SEWER SYSTEMS

I hereby certify that: (1) the sewer lines and appurtenances for the sewer system of the subdivision shown hereon have been installed in accordance with City codes and specifications and the Tennessee Department of Environment and Conservation, Design Criteria for Sewage Works; (2) that a surety for these improvements has been posted with the City of Murfreesboro to assure completion of same; or (3) that a subsurface sewage system will be permitted subject to the approval of the local health authority.

2/27/2001 Date

MURFREESBORO WATER AND SEWER OFFICIAL

CERTIFICATE OF APPROVAL FOR ELECTRIC POWER

I hereby certify that the subdivision shown hereon has been approved by the Murfreesboro Electric Department (MED) for electric power service, that the subdivision is within the service area of MED, and that MED is able to provide electric power service to the subdivision subject to the owner complying with the applicable rules and regulations of MED. No electric power service will be provided until MED's requirements for electric power service have been met.

2/27/2001 Date

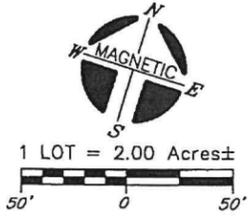
ELECTRIC POWER SYSTEM OFFICIAL

DATE OF RECORDING: Feb. 28, 2001
 TIME OF RECORDING: 1:20 P.M.
 PLAT BOOK: 24, PAGE: 20

D:\PROJ\smnsins\in\dwg\LOT 4A.dwg Mon Feb 26 10:14:2001 CA0001

ZONING: H-1
 FRONT SETBACK: 42'
 SIDE SETBACK: 10'
 REAR SETBACK: 20'

THIS PARCEL IS NOT INCLUDED IN AREAS DESIGNATED AS "SPECIAL FLOOD HAZARD AREA" ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD MAP PANEL: 470168 0260 F ZONE: X DATED: NOVEMBER, 8 1999



- LEGEND FOR MONUMENTS**
- IPS O IRON PIN SET
 - IPF O IRON PIN FND.
 - O RAILROAD SPIKE
 - FENCE
 - SURVEY POINT
 - ▲ NAIL
 - CONV. MARKER FND.

OWNER: SWANSON DEVELOPMENT
 ADDRESS: 1200 PARK AVENUE
 MURFREESBORO, TN, 37130
 TAX MAP: 102 PART OF PARCEL: 18
 DEED BOOK: 425 PAGE: 689

NOTE: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AS SHOWN AND ANY OTHER EASEMENTS AND/OR RESTRICTIONS EITHER RECORDED OR BY PRESCRIPTION THAT A COMPLETE TITLE SEARCH MAY REVEAL.

CERTIFICATE OF ACCURACY - I hereby certify that this is a category 1 survey and the ratio of precision of the unadjusted survey is 1:10000 as shown hereon. I also certify that the monuments have been or will be placed as shown hereon to the specifications of the City Engineer.

FINAL PLAT - LOT 4
SAMSONITE DEVELOPMENT
 SECTION II
 13TH CIVIL DISTRICT - RUTHERFORD COUNTY - TN.
 DATE: FEBRUARY, 2001 SCALE 1"=50' SH. 1 OF 1

PLAT NOTES

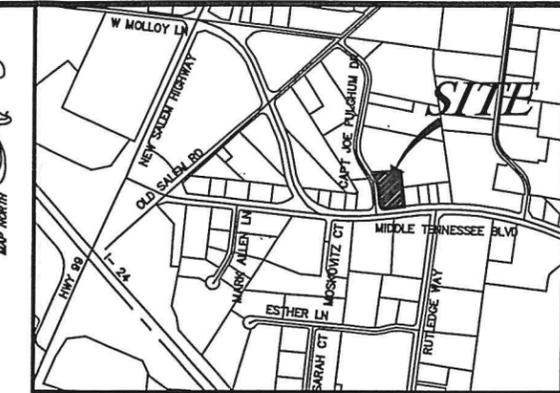
- The purpose of this plat is to divide lot 4 into 2 lots.
- In Tennessee, it is a requirement per "The Underground Utility Damage Prevention Act" that anyone who engages in Excavation must notify all known underground utility owners, no less than three nor more than ten working days of their intent to excavate. A list of these utilities may be obtained from the County Register of Deeds. Those utilities that participate in the Tennessee One Call system can be notified by calling toll free 1-800-351-1111.
- Underground utilities shown were located using available aboveground evidence, and also from information obtained from the respective utility companies. The existence or nonexistence of the utilities shown and any other utilities which may be present on this site or adjacent sites should be confirmed with the utility owner prior to commencing any work.
- It is the responsibility of each builder to design and construct a suitable grading and drainage scheme which will convey surface water, without ponding in the lot or under the structure, from its structure to the drainage system constructed by the subdivision developer.
- Parcels may be subject to additional easements, and/or restrictions, by record or prescription, that a complete title search may reveal.
- The recording of this plat voids, vacates and supercedes the previous recording of Lot 4 Samsonite Development Section II recorded in Plat Book 24, Page 20.
- Public utility and drainage easements shown hereon are intended to indicate an easement for construction, operation, and maintenance of public utilities and drainageways; including, but not limited to, sanitary sewers, forcemains, water lines, telephone signal conduits, electric conductors, drainage pipes, and natural gas lines. Easements in the subdivision may not have infrastructure constructed within them until some future time and there may be no notice or consultation with the individual lot owners of this construction.
- Per the City of Murfreesboro, under the current adopted plumbing code, the City of Murfreesboro requires the minimum floor elevation (M.F.E.) to be set at or above the top of casting elevation of the nearest manhole that is upstream of the sewer service connection. As an alternative, the owner shall install a backwater valve per the plumbing code and execute and record a release of indemnification against the City of Murfreesboro with regards to the sanitary sewer connection. The builder and/or owner shall be responsible for compliance with this requirement.
- In accordance with TCA Section 7-59-310(b)(1), Competitive Cable and Video Services Act, in cases of new construction or property development where utilities are to be placed underground, the developer or property owner shall give all providers of cable or video serving the City of Murfreesboro dates on which open trenching will be available for the providers' installation of conduit, pedestals or vaults, and laterals, referred to as "equipment," to be provided at each such providers' expense.

LINE TABLE		
LINE	LENGTH	BEARING
L1	22.76	N45°01'17"W

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING
C1	1°18'09"	2813.98	63.97	63.97	N70°05'45"E
C2	88°14'29"	50.00	77.01	69.62	S65°07'56"E
C3	9°30'19"	330.00	54.75	54.68	N21°57'50"W
C4	18°18'18"	330.00	105.43	104.98	N35°52'08"W

CERTIFICATE OF OWNERSHIP AND DEDICATION
I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

Date _____ Phillip W. Dodd
Record Book 51, Page 2035
Tammy A. Dodd



LOCATION MAP
N.T.S.

Certificate of Approval for Recording
I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for the City of Murfreesboro, Tennessee with the exception of such variances, if any, as are noted in the minutes of the Planning Commission and that it has been approved for recording in the office of the Rutherford County Register Of Deeds provided that it is so recorded within one year of this date.

Date _____ Secretary, Planning Commission

Certificate of Approval of Streets and Drainage
I hereby certify that (1) the streets, drainage structures, drainage improvements, and stormwater quality controls for the subdivision shown hereon have been installed in accordance with city specifications, or (2) that a Surety for these improvements has been posted with the City of Murfreesboro to assure completion of same.

Date _____ City Engineer

Certificate of Approval of Water Systems Located in the Water Service Jurisdiction of the City of Murfreesboro
I hereby certify that: (1) the water lines and appurtenances for the water system of the subdivision shown hereon have been installed in accordance with city codes and specifications and the Tennessee Department of Environment and Conservation, Community Public Water Systems Design Criteria, or (2) that a Surety for these improvements has been posted with the City of Murfreesboro to assure completion of same.

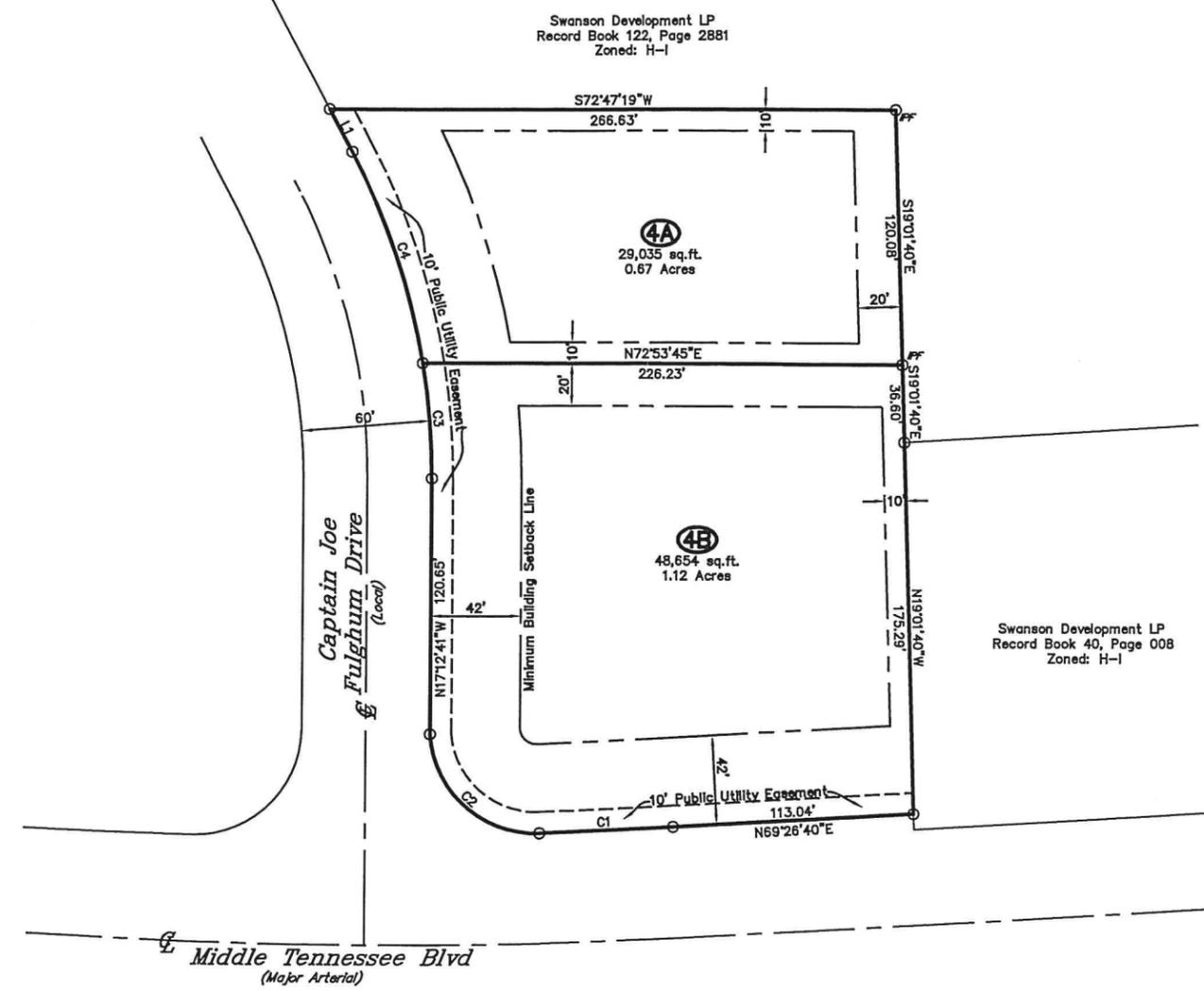
Date _____ Murfreesboro Water and Sewer Official

Certificate of Approval of Sewer Systems
I hereby certify that: (1) the sewer lines and appurtenances for the sewer system of the subdivision shown hereon have been installed in accordance with city codes and specifications and the requirements of the Tennessee Department of Environment and Conservation, Design Criteria for Sewage Works; (2) that a Surety for these improvements has been posted with the City of Murfreesboro to assure completion of same; or (3) that a subsurface sewage system will be permitted subject to the approval of the Rutherford County Health Department.

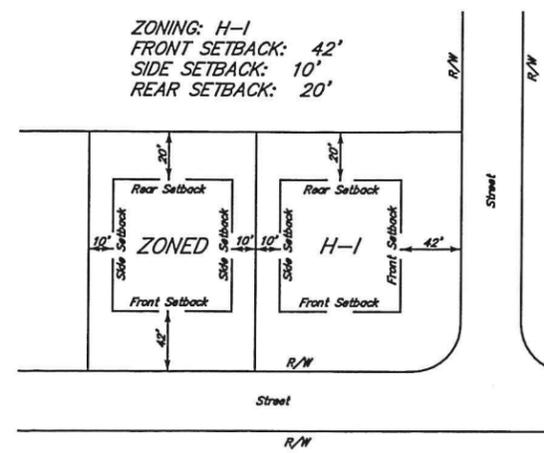
Date _____ Murfreesboro Water and Sewer Official

Certificate of Approval for Electric Power
I hereby certify that the subdivision shown hereon has been approved by the Murfreesboro Electric Department (MED) for electric power service, that the subdivision is within the service area of MED, and that MED is able to provide electric power service to the subdivision subject to the Owner complying with the applicable rules and regulations of MED. No electric power service will be provided until MED's requirements for electric power service have been met.

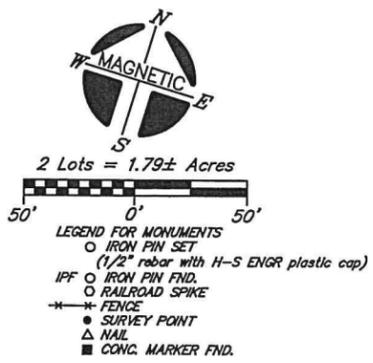
Date _____ Murfreesboro Electric Department Official



ZONING: H-1
FRONT SETBACK: 42'
SIDE SETBACK: 10'
REAR SETBACK: 20'



TYPICAL BUILDING SETBACK DETAIL
N.T.S.



OWNER: Phillip W. Dodd, et ux Tammy
ADDRESS: 3061 New Salem Road
Murfreesboro, TN 37128
Tax Map 102, Parcel 18.05
Record Book 51, Page 2035

THIS PROPERTY IS NOT INCLUDED IN AN AREA DESIGNATED AS "SPECIAL FLOOD HAZARD" ON THE NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY MAP PANEL NO. 4749C0260H
ZONE: X, DATED: 01/05/07

CERTIFICATE OF ACCURACY - I hereby certify that this is a category "1" survey and the ratio of precision of the unadjusted survey is 1:10000 as shown hereon and that this survey was done in compliance with current Tennessee Minimum Standards of Practice for Land Surveyors. I also certify that the monuments have been or will be placed as shown hereon to the specifications of the City Engineer.

Previously Recorded in Plat Book 24, Page 20
DATE OF RECORDING: _____
TIME OF RECORDING: _____
PLAT BOOK: _____, PAGE: _____

FINAL PLAT

RESUBDIVISION OF LOT 4

SAMSONITE DEVELOPMENT

SECTION II

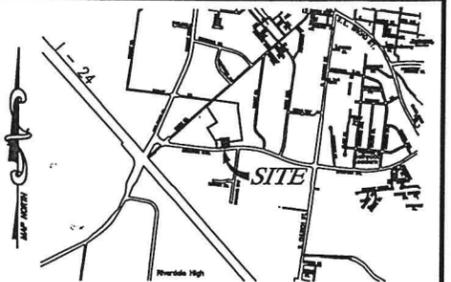
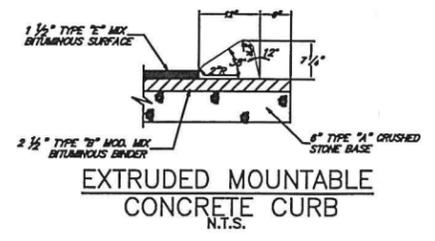
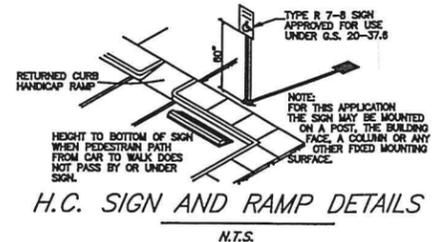
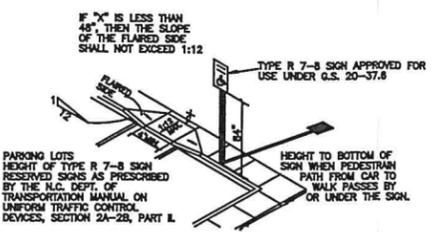
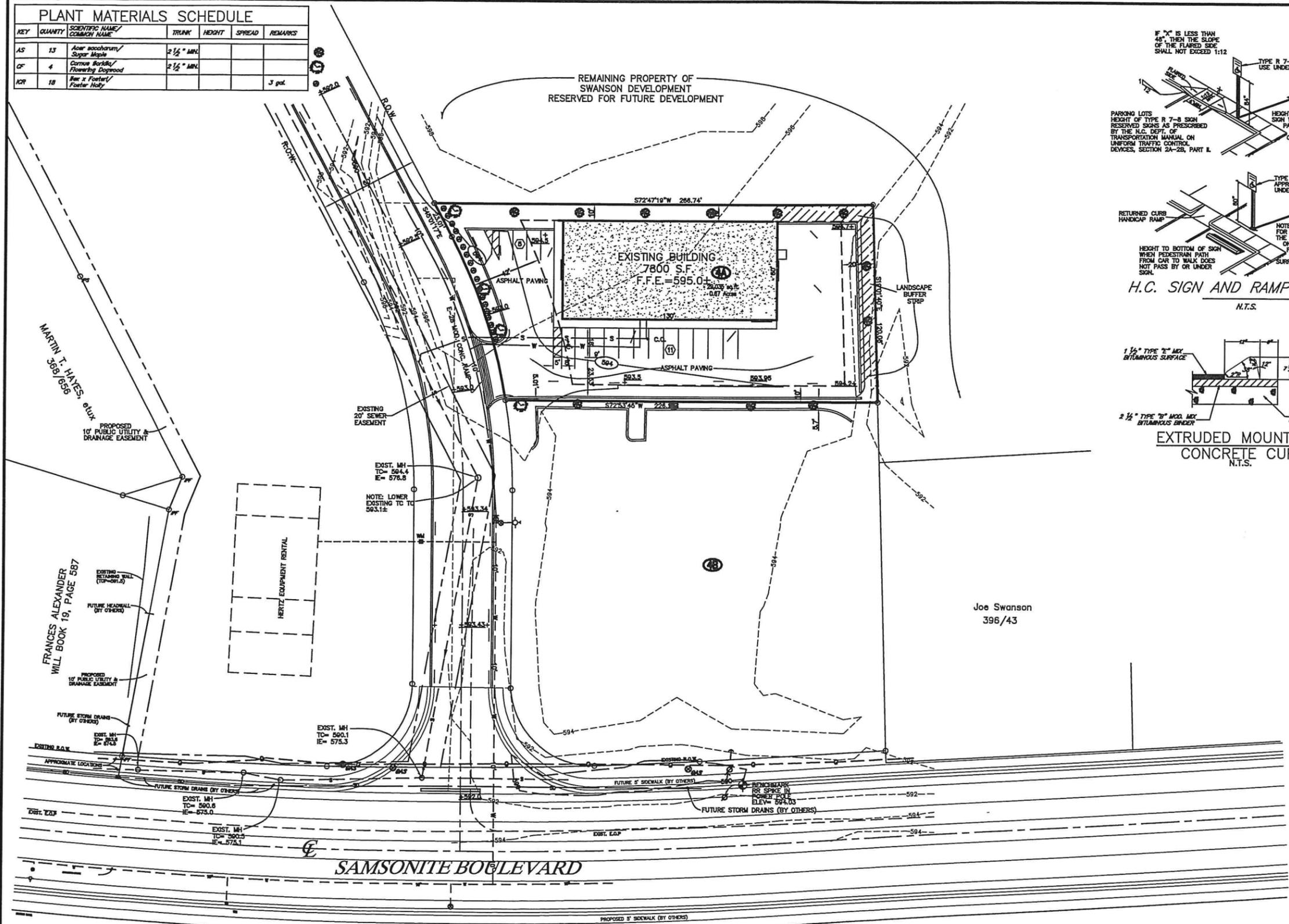
13th Civil District of Rutherford County, Tennessee

Date: October, 2015 Scale: 1"=50' Sheet 1 of 1

HUDDLESTON-STEELE
ENGINEERING INC

2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
TELEPHONE: 893 - 4084, FAX: 893 - 0080

KEY	QUANTITY	SCIENTIFIC NAME/ COMMON NAME	TRUNK	HEIGHT	SPREAD	REMARKS
AS	13	Acer insubarium/ Sugar Maple	2 1/4" MIN.			
CF	4	Cornus florida/ Flowering Dogwood	2 1/2" MIN.			
KR	18	Red x Foster/ Foster Holly				3 gal.



LOCATION MAP
N.T.S.

- NOTES:
- IN TENNESSEE, IT IS A REQUIREMENT PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS NO LESS THAN THREE NOR MORE THAN TEN WORKING DAYS OF THEIR INTENT TO EXCAVATE. A LIST OF THESE UTILITIES MAY BE OBTAINED FROM THE COUNTY REGISTER OF DEEDS. THOSE UTILITIES THAT PARTICIPATE IN THE TENNESSEE ONE CALL SYSTEM CAN BE NOTIFIED BY CALLING TOLL FREE 1-800-391-1111.
 - UNDERGROUND UTILITIES SHOWN WERE LOCATED USING AVAILABLE ABOVE-GROUND EVIDENCE AND ALSO FROM INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES. THE EXISTENCE OR NON-EXISTENCE OF THE UTILITIES SHOWN AND ANY OTHER UTILITIES WHICH MAY BE PRESENT ON THIS SITE OR ADJACENT SITES SHOULD BE CONFIRMED WITH THE UTILITY OWNER PRIOR TO COMMENCING ANY WORK.
 - SEPARATE R.O.W. EXCAVATION PERMIT ISSUED AT THE PLANNING DEPARTMENT WILL BE REQUIRED FOR ANY EXCAVATION OR CONSTRUCTION IN THE PUBLIC R.O.W.
 - MAIN LINE WATER TAPS WILL BE MADE BY MURFREESBORO WATER AND SEWER DEPARTMENT.
 - THE OWNER/DEVELOPER FOR BUDGET PURPOSES SHOULD CHECK WITH THE MURFREESBORO WATER AND SEWER DEPARTMENT FOR CONNECTION FEES WHICH MAY BE SUBSTANTIAL.
 - CONTRACTORS FOR WATER AND SEWER WORK MUST BE APPROVED BY THE MURFREESBORO WATER AND SEWER DEPARTMENT.
 - ROADS SHALL BE BROUGHT TO SUBGRADE PRIOR TO WATER AND SEWER INSTALLATION.

LEGEND

- ⊕ Power Pole
- ⊙ Existing Fire Hydrant
- ⊙ Proposed Fire Hydrant
- △ Reducer
- ⊙ Proposed Gate Valve & Box
- ▲ Concrete Thrust Block
- Existing Water Line
- Proposed Water Line
- Existing Sanitary Sewer Line
- Proposed Sanitary Sewer Line
- ⊙ Existing Manhole
- ⊙ Proposed Manhole
- ⊙ Sewer Line Check Dam
- Existing Contours
- Proposed Contours
- ⊙ Existing Spot Elevations
- ⊙ Proposed Spot Elevations
- ⊙ Siltation Fence Barrier (to be installed before grading and left in place until a good stand of grass is established over all disturbed areas.)
- ⊙ Rip-Rap (6" min. dia., 1' thick per TDOT Specifications) Item No. 709-05

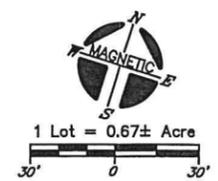
SITE DATA:
 Proposed Lot Area = 29,035 Sq.Ft. = 0.67 Acre
 Existing Zoning = H-1
 Existing Building = 7,800 Sq.Ft.
 Existing Use = Motor Vehicle Service
 Parking Required = 1 Space / 500 Sq.Ft. Floor Area (7,800 Sq.Ft./500 = 15.6 = 16)
 Parking Provided = 15 + 1 Handicap Space = 16 Spaces

NO.	DATE	DESCRIPTION
0	5/3/01	ORIGINAL ISSUE - FOR SUBMITTAL
1	9/5/01	REVISED PER PLAN REVIEW COMMENTS
2	11/09/01	REVISED PER WATER DEPT. COMMENTS
3	12/17/15	Added Proposed Lot Division Line & Setbacks
4	01/18/16	Revised per 01-13-16 Staff Comments

CURVE	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	02°32'29"	2813.98	124.81	124.80	N78°19'57"E
C2	91°18'24"	50.00	78.85	71.48	N28°24'31"E
C3	88°14'29"	50.00	77.01	69.82	S45°07'54"E
C4	01°18'09"	2813.98	63.97	63.97	N70°05'45"E
C5	09°30'19"	330.00	54.75	54.68	N21°57'50"W
C6	27°48'35"	270.00	131.05	128.77	N31°08'59"W
C7	18°18'18"	330.00	105.43	104.98	N39°32'08"W

LINE	LENGTH	BEARING
L1	28.83	S89°26'38"W
L2	38.23	N59°24'50"E

ZONING: H-1
 FRONT SETBACK: 42'
 SIDE SETBACK: 10'
 REAR SETBACK: 20'



THIS PARCEL IS NOT INCLUDED IN AREAS DESIGNATED AS "SPECIAL FLOOD HAZARD AREA" ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD MAP PANEL: 47149C0259 H ZONE: X DATED: JANUARY 05, 2007

OWNER: PHILLIP W. DODD et ux TAMMY
 ADDRESS: 640 CAPTAIN JOE FULGHUM DRIVE
 MURFREESBORO, TN. 37129

Tax Map 102, Part of Parcel 18.05
 Part of Record Book 51, Page 2035

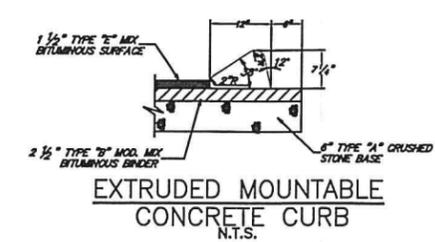
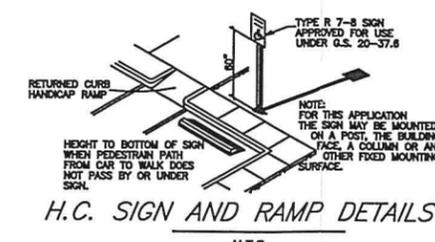
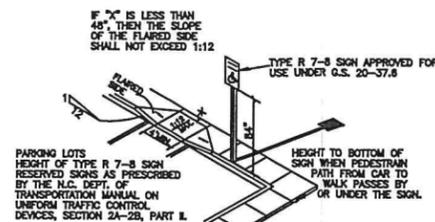
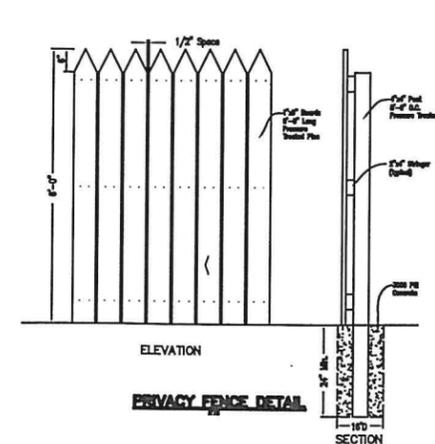
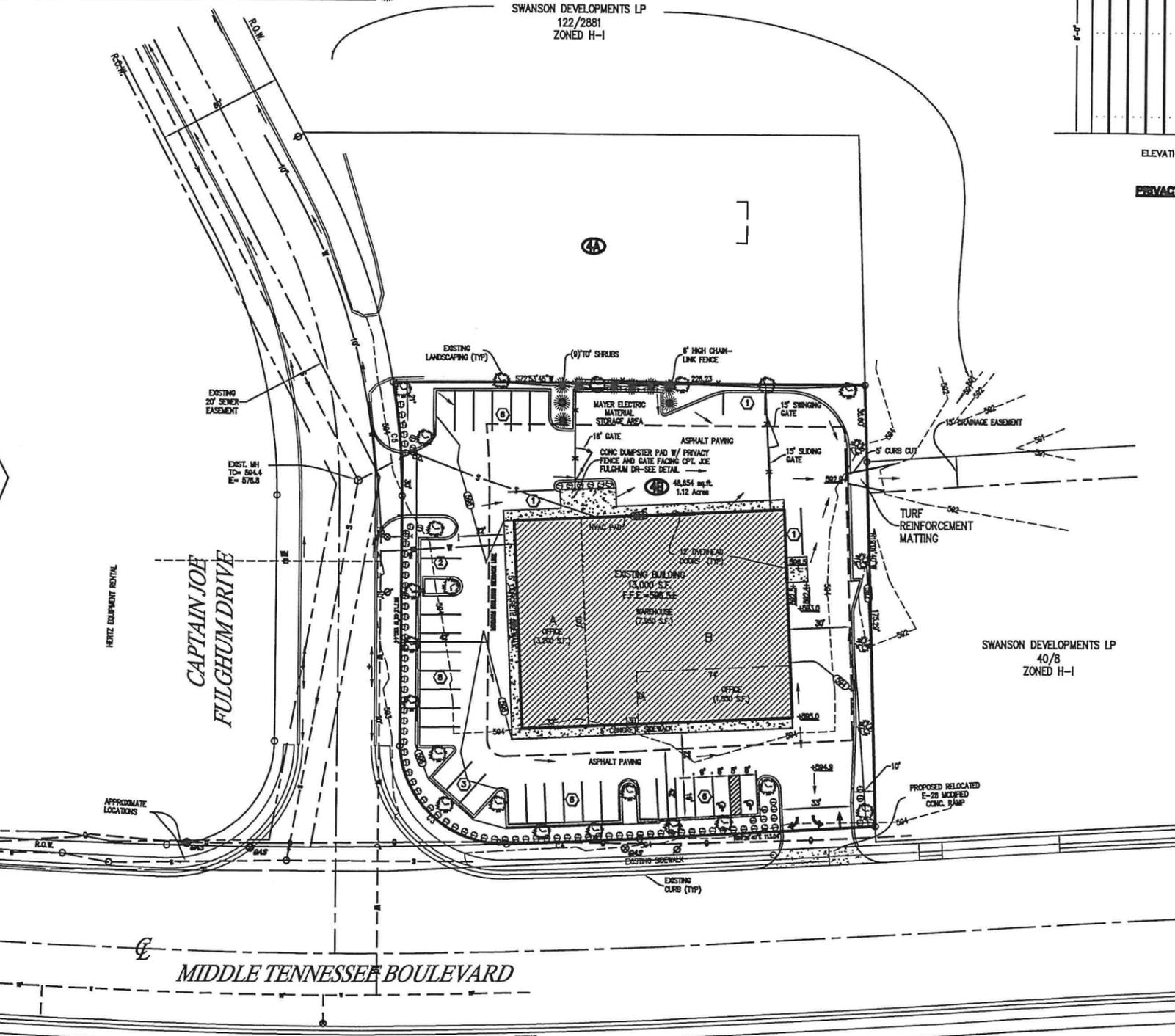
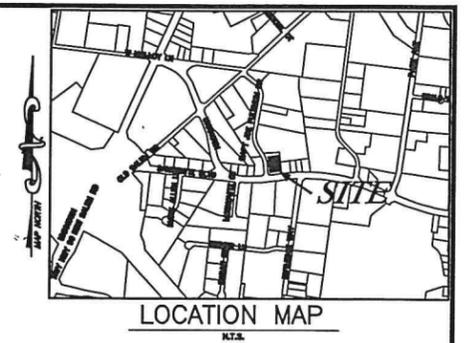
NOTE: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AS SHOWN AND ANY OTHER EASEMENTS AND/OR RESTRICTIONS EITHER RECORDED OR BY PRESCRIPTION THAT A COMPLETE TITLE SEARCH MAY REVEAL.

THE SURVEY IS A TOPOGRAPHIC SURVEY FOR INFORMATION ONLY AND IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 0820-3-.07.

HSHUDDLESTON-STEELE
 2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
 SURVEYING: 893 - 4064, FAX: 893 - 0080

SITE PLAN
LOT 4A
SAMSONITE DEVELOPMENT
 SECTION II
 13TH CIVIL DISTRICT - RUTHERFORD COUNTY - TN.
 DATE: MARCH, 2001 SCALE 1"=30' SH. 1 OF 1

PLANT MATERIALS SCHEDULE						
KEY	QUANTITY	SCIENTIFIC NAME/ COMMON NAME	TRUNK	HEIGHT	SPREAD	REMARKS
AS	4	Acer saccharum/ Sugar Maple	2 1/2" MIN.			
CF	5-EXIST 13-PROP	Cornus florida/ Flowering Dogwood				
KR	88	Ilex x Fosteri/ Foster Holly				3 gal.
TD	8	Thuja occidentalis Emerald/ Emerald Arborvitae		5'-6"		3 gal.



- NOTES**
- IN TENNESSEE, IT IS A REQUIREMENT PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE WORKING DAYS IN ADVANCE. A LIST OF THESE UTILITIES MAY BE OBTAINED FROM THE COUNTY REGISTER OF DEEDS. THOSE UTILITIES THAT PARTICIPATE IN THE TENNESSEE ONE CALL SYSTEM CAN BE NOTIFIED BY CALLING TOLL FREE 1-800-381-1111.
 - UNDERGROUND UTILITIES SHOWN WERE LOCATED USING AVAILABLE ABOVE-GROUND EVIDENCE, AND ALSO FROM INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES. THE EXISTENCE OR NON-EXISTENCE OF THE UTILITIES SHOWN AND ANY OTHER UTILITIES WHICH MAY BE PRESENT ON THIS SITE OR ADJACENT SITES SHOULD BE CONFIRMED WITH THE UTILITY OWNER PRIOR TO COMMENCING ANY WORK.
 - A SEPARATE R.O.M. EXCAVATION PERMIT ISSUED AT THE PLANNING DEPARTMENT WILL BE REQUIRED FOR ANY EXCAVATION OR CONSTRUCTION IN THE PUBLIC R.O.M.
 - MAN LINE WATER TAPS WILL BE MADE BY MURFREESBORO WATER AND SEWER DEPARTMENT.
 - THE OWNER/DEVELOPER, FOR BIDDING PURPOSES, SHOULD CHECK WITH THE MURFREESBORO WATER AND SEWER DEPARTMENT FOR CONNECTION FEES WHICH MAY BE SUBSTANTIAL.
 - CONTRACTORS FOR WATER AND SEWER WORK MUST BE APPROVED BY THE MURFREESBORO WATER AND SEWER DEPARTMENT.
 - ROADS SHALL BE BROUGHT TO SUBGRADE PRIOR TO WATER AND SEWER INSTALLATION.
 - AS WITH ALL DEVELOPMENTS OF MORE THAN ONE ACRE, A STATE OF TENNESSEE STORMWATER PERMIT IS REQUIRED. EVIDENCE OF THIS PERMIT MUST BE PROVIDED TO THE CITY'S ENVIRONMENTAL ENGINEER PRIOR TO CONSTRUCTION PROGRESSING.
 - THE WORK SHOWN ON THESE PLANS WILL BE AUTHORIZED BY A LAND DISTURBANCE PERMIT ISSUED BY THE CITY OF MURFREESBORO. AN EROSION PREVENTION AND SEDIMENT CONTROL PLAN WILL BE REQUIRED WITH AN APPLICATION FOR A LAND DISTURBANCE PERMIT. EVIDENCE OF THIS PERMIT MUST BE PROVIDED TO THE CITY'S ENVIRONMENTAL ENGINEER PRIOR TO CONSTRUCTION PROGRESSING.
 - THE PURPOSE OF THIS PLAN IS TO MODIFY THE PREVIOUSLY APPROVED SITE PLAN BY ADDING A MATERIAL STORAGE AREA IN THE REAR OF THE BUILDING.

LEGEND

- ⊕ Power Pole
- ⊕ Existing Fire Hydrant
- ⊕ Proposed Fire Hydrant
- ⊕ Reducer
- ⊕ Proposed Gate Valve & Box
- ⊕ Concrete Thrust Block
- W— Existing Water Line
- W— Proposed Water Line
- S— Existing Sanitary Sewer Line
- S— Proposed Sanitary Sewer Line
- ⊕ Existing Manhole
- ⊕ Proposed Manhole
- ⊕ Sewer Line Check Dam
- ⊕ Existing Contours
- ⊕ Proposed Contours
- ⊕ Existing Spot Elevations
- ⊕ Proposed Spot Elevations
- ⊕ Siltation Fence or Straw Bale Barrier (to be installed before grading and left in place until a good stand of grass is established over all disturbed areas.)
- ⊕ Rip-Rap (6" min. dia., 1' thick per TDOT Specifications) Item No. 709-05

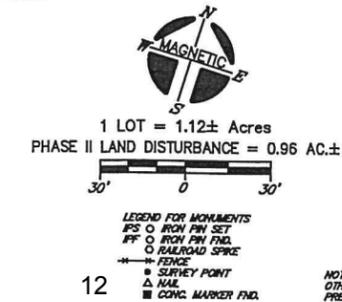
LINE TABLE

LINE	LENGTH	BEARING
L1	29.89	S88°24'30"W
L2	38.23	N55°24'30"E

CURVE TABLE

CURVE	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	0°37'26"	2813.98	124.81	124.80	N78°18'57"E
C2	91°18'26"	50.00	78.65	71.48	N28°25'31"E
C3	88°14'29"	50.00	77.01	68.82	S85°17'58"E
C4	0°18'00"	2813.98	63.97	63.97	N0°00'00"E
C5	0°30'11"	330.00	64.75	64.89	N41°57'30"W
C6	72°48'30"	270.00	131.05	128.77	N13°38'30"W
C7	181°18'16"	330.00	105.43	104.98	N30°34'00"W

SITE DATA:
 Proposed Lot Area = 48,654 Sq.Ft. = 1.12 Acres
 Existing Zoning = H-1
 Existing Total Building = 13,000 Sq.Ft.
 Suite A = 3,200 Sq.Ft.
 Existing Use = General Service & Repair
 Parking Required = 1 per 300 Sq.Ft. = 3200/300 = 10.67 = 11
 Suite B = 9,800 Sq.Ft.
 Existing Use = Heat & Air Contractor
 Parking Required:
 Office = 1 per 300 Sq.Ft. = 1850/300 = 6.17 = 7
 Warehouse = 1.5 per 2 employees = 75% x 5 = 3.75 = 4
 Total Parking Required = 11+7+4+10 = 32 Spaces
 Parking Provided = 32 Spaces + 2 Handicap Spaces



ZONING: H-1
 FRONT SETBACK: 42'
 SIDE SETBACK: 10'
 REAR SETBACK: 20'

OWNER: PHILLIP W. DODD et ux TAMMY
 ADDRESS: 640 CAPTAIN JOE FULGHUM DRIVE
 MURFREESBORO, TN, 37129
 Tax Map 102, Part of Parcel 18.05
 Part of Record Book 51, Page 2035

THIS PARCEL IS NOT INCLUDED IN AREAS DESIGNATED AS "SPECIAL FLOOD HAZARD AREA" ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD MAP PANEL: 471400259 H. ZONE: X
 DATED: JANUARY 05, 2007

NOTE: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AS SHOWN AND ANY OTHER EASEMENTS AND/OR RESTRICTIONS EITHER RECORDED OR BY PRESCRIPTION THAT A COMPLETE TITLE SEARCH MAY REVEAL.

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H. HUDDLESTON-STEEL
 2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
 SURVEYING: 893 - 4084, FAX: 893 - 0680

NO.	DATE	DESCRIPTION
0	01/06/03	ORIGINAL ISSUE - FOR SUBMITTAL
1	01/21/03	REVISED PER STAFF COMMENTS
2	2/16/06	REVISED BUILDING SIZE AND PARKING LAYOUT
3	3/27/06	REVISED PER CITY PC COMMENTS
4	4/18/06	REVISED PER 2nd CITY PC COMMENTS
5	5/30/06	REVISED PER OWNER
6	6/28/06	ADDED DOCK ON EAST SIDE PER OWNER'S REPRESENTATIVE
7	7/28/06	REVISED PER ADMINISTRATIVE COMMENTS
8	10/8/06	REVISED PER STAFF COMMENTS FOR BUILDING PERMIT
9	6/11/07	ADDED FENCE, SCREENING, REVISED PARKING CALCULATIONS
10	6/18/07	REVISED PER ADMINISTRATIVE COMMENTS
11	12/17/15	Added Proposed Lot Division Line & Setbacks
12	01-18-16	Revised per 01-13-16 Staff Comments
13	02-02-16	Revised per Staff Comments

REVISED SITE PLAN
LOT 4B
SAMSONITE DEVELOPMENT
 SECTION II
 13TH CIVIL DISTRICT - RUTHERFORD COUNTY - TN.
 DATE: JANUARY, 2003 SCALE 1"=30' SH. 1 OF 1



511 Middle Tennessee Boulevard and 640 Captain Joe Fulghum Drive, aerial photo

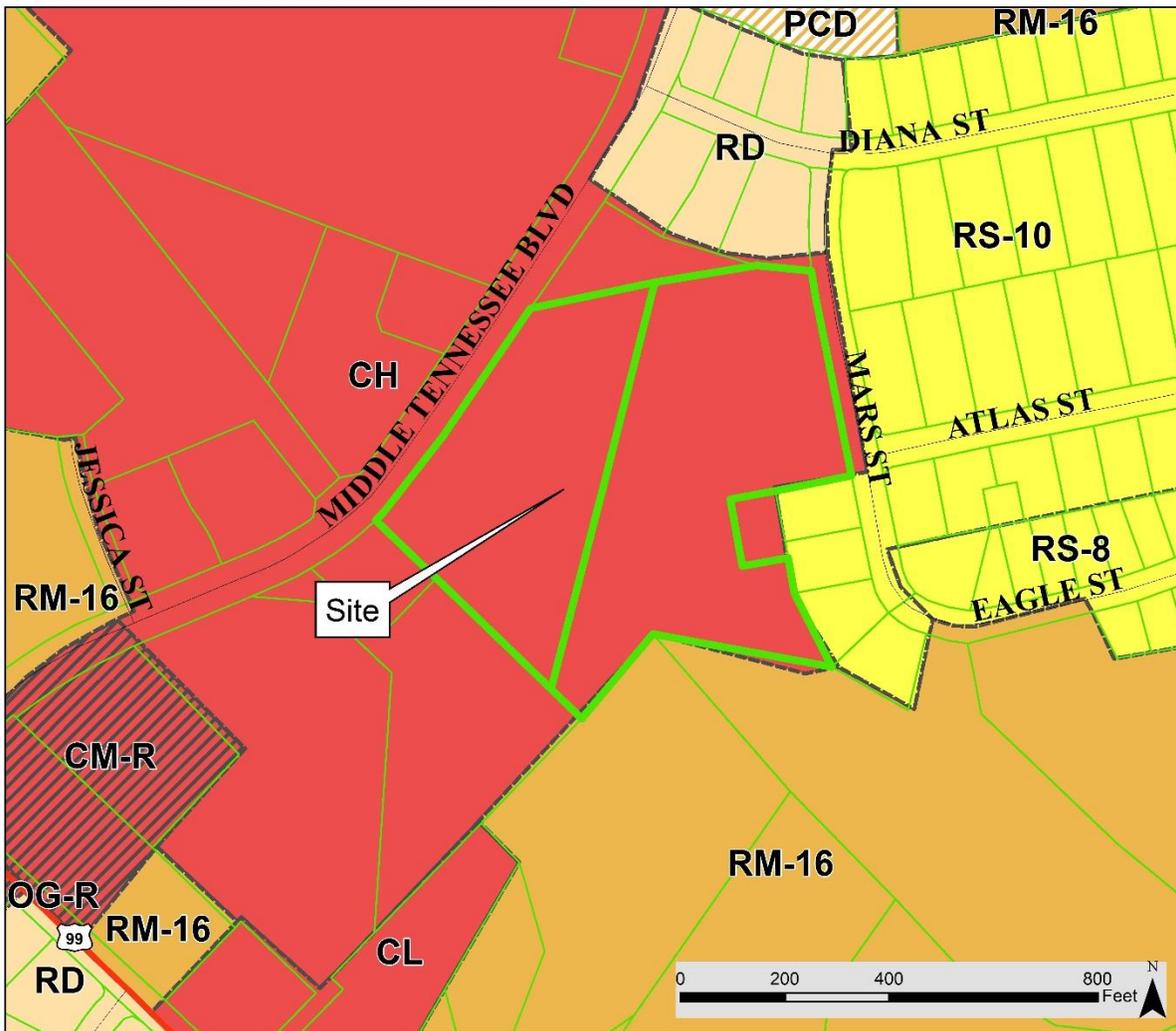


511 Middle Tennessee Boulevard and 640 Captain Joe Fulghum Drive, aerial photo. Existing landscape strip is present in the photo between the two commercial structures.

**MURFREESBORO BOARD OF ZONING APPEALS
STAFF REPORT
FEBRUARY 24, 2016**

Application: Z-16-013
Location: 1660 Middle Tennessee Boulevard
Applicant: Joe Swanson, Jr., representing Swanson Companies
Zoning: Highway Commercial (CH) District
Requests:

1. A Special Use Permit to allow a Group Assembly for greater than 250 persons in the CH district,
2. A Variance from Section 27(C)(3)(c) of the Murfreesboro Zoning Ordinance, which states that if there is a change in use of an existing building, structure, or development which requires issuance of a Special Use Permit, then the entire building, structure, or development including parking area shall comply with the landscaping requirements set forth in Section 27, and



Request Overview

The applicant, Joe Swanson, Jr., representing Swanson Companies, wishes to convert a portion of The Shoppes of Middle Tennessee shopping center at 1660 Middle Tennessee Boulevard into a group assembly facility that can serve more than 250 people. The applicant plans to relocate the Mid TN Expo Center from its existing location at 1209 Park Avenue to the subject property.

The subject property is located within the CH zoning district. Group Assembly for greater than 250 persons is allowed by Special Use Permit in the CH district; the applicant seeks a Special Use Permit to allow this use. Additionally, the applicant wishes to install landscape islands throughout the parking lot in lieu of installing any required perimeter landscaping and base-of-building plantings. Therefore, the applicant requests a Variance from Section 27(C)(3)(c) of the Zoning Ordinance, which requires recipients of Special Use Permits to adhere to the landscaping requirements of Section 27 of the ordinance.

Relevant Zoning Ordinance Section

See Chart 1 for uses allowed in the CH district.

Section 27(C)(3)(c):

If there is a change in use of an existing building, structure, or development which requires issuance of a special use permit, then the entire building, structure, or development including parking area shall comply with the requirements of this section.

Staff Comments

The structure located at 1660 Middle Tennessee Boulevard currently houses multiple uses including a convenience store and laundromat. Per the site layout exhibit submitted by the applicant, the total area of the existing structure is approximately 47,000 square feet. The majority of the structure is currently unoccupied. The proposed expo center will occupy 31,328 square feet of the structure. A 25,171-square foot Fred's retail store is located at 1664 Middle Tennessee Boulevard, which adjoins the subject property on the east. The subject property and the adjacent Fred's property share a parking lot, though there is no formal shared parking agreement. If the Board approves the Special Use Permit, staff recommends that the Board condition such approval on the recording of a shared parking agreement. Staff supports the restriping of the parking lot to maximize the number of parking spaces for this use; per a site plan submitted to the Planning Department, the applicant will provide a total of 425 parking spaces to serve both the subject property and the Fred's parcel.

The applicant has provided building elevations showing proposed changes to the front of the subject building. As shown on "Architectural Renovation Study Scheme One," the front of the building would be remodeled to include a covered, projecting entryway for the proposed expo center. The applicant attests that all of the standards of general applicability for granting a

Special Use Permit will be met. The expo center will host events for crowds of 50 to 1,000 people. Hours of operation will be 8:00 AM to 10:00 PM. The applicant anticipates hosting a variety of events including consignment sales, trade shows, weddings, and political events.

With regard to the landscaping Variance request, the applicant wishes to substitute landscaping parking lot islands for any required landscaping. Section 27(C)(3)(c) of the Zoning Ordinance requires that an entire development comply the landscaping standards listed in Section 27 if the development's use changes and a Special Use Permit is issued. In this case, the applicant would be required to install a ten-foot planting yard around the perimeter of the subject property as well as a three-foot landscape strip around the base of the existing building. In lieu of installing the landscaping required in Section 27, the applicant wishes to install landscape islands in the restriped portion of the parking lot at intervals of every eight to thirteen spaces. Staff recommends that the Board condition any Variance approval on the landscaping installed on the restriped portion of the parking lot either meeting or exceeding the number of landscape islands, trees, and shrubs shown on the site layout.

The applicant contends that the existing configurations of the parking lot, utility easements, and security fence pose a *practical difficulty*. Aerial photography and the applicant's site layout show that the parking lot on the subject property abuts the property lines on the north, east, and west. In order to install the required perimeter landscaping in these areas, the applicant would likely lose as many as 60 parking spaces. Additionally, the installation of the required base-of-building plantings could result in additional parking losses. The applicant asserts that existing utility easements—particularly TVA easement and sewer easement on the north side of the property—create an *unusual characteristic*. With regard to the *not self-created* standard, staff notes that to the best of staff's collective knowledge, the existing structure and parking area complied with zoning standards at the time of construction. The applicant notes that he has improved the site over the last several years by providing additional landscaping not required by the City.

The applicant will be in attendance to answer any questions the Board may have.

Recommended Condition

1. The owner(s) of the properties located at 1660 and 1664 Middle Tennessee Boulevard shall create a shared parking agreement document and submit it to the Planning Director and City Attorney for review. Upon approval by the Planning Director and City Attorney, the owner(s) shall execute the agreement and record it in a manner to be determined by the City Attorney.
2. The applicant shall install landscape islands and associated landscaping (trees and shrubs) in quantities that meet or exceed those shown on the site layout entitled "2016 Exhibit Center Remodeling – The Shops at Middle Tennessee."

Attached Exhibits

1. Murfreesboro Zoning Ordinance, Chart 1
2. BZA Application
3. Applicant's Request Letter
4. Applicant's Supporting Materials
5. Site Photographs

USES PERMITTED ³	ZONING DISTRICTS																								
	RS 15	RS 12	RS 10	RS 8	RS 4	RD	RM 12	RM 16	RM 22	RZ	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	LI ²	CM-RS-8 ²	CM-R ²	CM ²	CU	P
Commercial Center														X	X	X	X		X	X					
Convenience Sales and Service, maximum 5,000 sq. ft. floor area														X	X	X	X	X	X	X					
Crematory																			S	S					
Delicatessen														X	X	X	X	X	X	X					
Department or Discount Store															X	X	X	X	X	X					
Drive-In Theater																X			X	X					
Dry Cleaning														X	X	X	X	X	X	X					
Dry Cleaning Pick-Up Station														X	X	X	X	X	X	X					
Financial Service												X	X	X	X	X	X	X	X	X					
Fireworks Public Display																									X
Fireworks Retailer																S			S	S					
Fireworks Seasonal Retailer														S		S			S	S					
Flower or Plant Store												X	X	X	X	X	X	X	X	X		X			
Funeral Home														S		X	X		X	X					
Garage, Parking																X	X	X	X	X					
Garden and Lawn Supplies															S	X	X	X	X	X					
Gas--Liquified Petroleum, Bottled and Bulk																X			X	X					
Gas Station														X	X	X	X	X	X	X					
General Service and Repair Shop																X	X	X	X	X					
Glass--Auto, Plate, and Window																X	X		X	X					
Glass--Stained and Leaded														X	X	X	X	X	X	X					
Greenhouse or Nursery																X	X		X	X					
Group Assembly, <250 persons												S	S		X	X	X	X	X	X	S	S	S		
Group Assembly, >250 persons												S	S		S	S	X	S	S	S	S	S	S	S	
Health Club												X	X	X	X	X	X	X	X	X		X			
Ice Retail															X	X		X	X	X					
Interior Decorator												X	X	X	X	X	X	X	X	X		X			
Iron Work																X			X	X					
Janitorial Service															X	X	X	X	X	X					
Karate, Instruction															X	X	X	X	X	X					
Kennels																X			X	X					
Keys, Locksmith															X	X	X	X	X	X					
Laboratories, Medical												X	X		X	X	X		X	X	X	X	X		

X = Use permitted by right.

S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

City of Murfreesboro
BOARD OF ZONING APPEALS

HEARING REQUEST
APPLICATION

Location/Street Address: 1660 MIDDLE TN. BVD.

Tax Map: 103-1 Group: B Parcel: 15.06 / 15.03 Zoning District: CH

Applicant: SWANSON COMPANIES E-Mail: Joejr@swansoncompanies.com

Address: 1188 PARK AVE Phone: 615-896-0000

City: MURFREESBORO State: TN Zip: 37129

Property Owner: SWANSON COMPANIES

Address: 1188 PARK AVE Phone: 615-896-0000

City: MURFREESBORO State: TN Zip: 37129

Request: GROUP ASSEMBLY > 250

VARIANCE: 27(C)(3)(C)

Zoning District: COMMERCIAL HIGHWAY

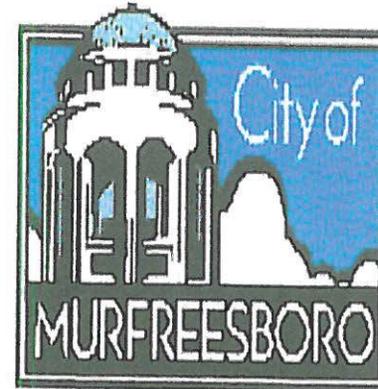
Applicant Signature:  Date: 2-7-16

Received By:

Receipt No.:

Application #:

Murfreesboro
Board of
Zoning Appeals



T E N N E S S E E

HEARING APPLICATION
AND
GENERAL INFORMATION

Board of Zoning Appeals

Property: 1660 Middle Tennessee Boulevard (Suites B, C, D, E, F)

Zoning: Commercial Highway

Use Requested: Group Assembly > 250 people

Previous Uses: Kroger and Super X

Building Shell Remodel: Started winter 2006

Building Height: 20 Ft to Parapet Cap 30 ft to Cupola

Hours: 8AM-10PM

Duration: Indefinite

Attendance: Depending on Event/Show 50-1000

Traffic: Comes and Goes

Harmful Characteristics: None Foreseen

Variance Request: Section 27 (C) (3) (C)

Applicant: Swanson Companies operates as a residential, commercial and industrial developer, general contractor and real estate brokerage firm. This company has been functioning, under various names, since the mid 1960's and continues to operate a Christian Supply Business here in Murfreesboro, which was started in 1935 by Clifford and Lucille Swanson.

Applicant desires to move an existing event venue located at 1209 Park Avenue, zoned HI, to 1660 Middle TN Blvd in a CH zone. This zoning use requires a special use permit.

Standards of General Applicability

(1) Applicant has met with planning, engineering, traffic and the building and codes department. All departments expressed favor with the project, pending required data be submitted, and presentation to the BZA with Passage of Request.

(2) Applicant believes that this use is compatible with the existing surrounding uses

(3) All services are available to the proposed buildings. The applicant will manage the facility along with all other buildings they currently own and manage.

(4) Building exterior to remain as remodeled in 2006 with the addition of a ramp for access and egress for exiting the facility

(5) There should be no additional or special standards above general standard should be required

Types of Events at this Proposed Venue

- Children’s Consignment Sales
- Car Shows
- Fashion Shows
- Trade Shows
- Memorabilia Shows
- Baby/Bridal Shows
- Catered events (Ducks Unlimited)
- Toys for Tots
- Political Events
- Adult Consignment Sales
- Dog Obedience Shows
- Gun and Knife Shows
- Hot Tub Shows
- Antique Shows
- Weddings
- Christmas Parties
- Worship Events
- Family Friendly Events

Section 27 (C) (3) (C)

(6) Applicant is going to make ordinance improvements to the parking lot by sealing and striping. This lot has been striped in the past; however the stripes have worn off or faded. In addition to sealing and striping applicant, by virtue of attached site plan, will install new curbing and landscape in islands as required by current ordinance. Practical difficulties concerning landscaping this parcel to current ordinances are that the majority of the parking lot is within TVA power easement. The pavement goes all the way to the property line and some common property lines have existing security fences.

Unusual circumstances are that since this site was originally developed in the early 1960’s the property lines are in drainage easement and under secondary utility lines or primary TVA main transmission lines.

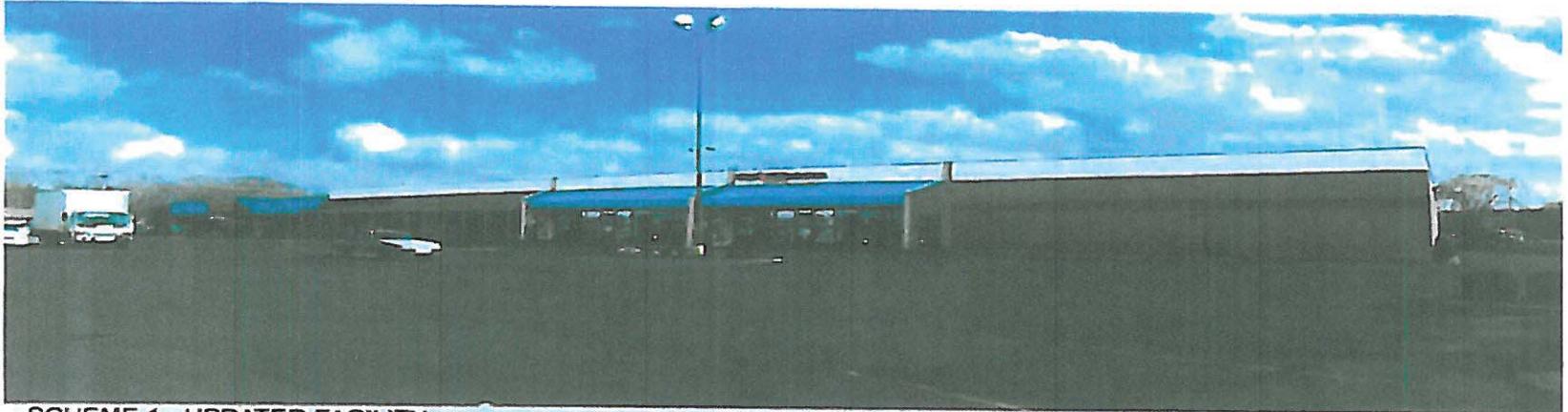
The applicant is not “self-creating” any of these hardships but is trying to comply with as much of the current ordinance as the site will allow.

Applicant would also like to mention that this site was remodeled nearly 10 years ago when Middle TN Blvd. was improved by the city and made extensive landscape improvements at that time and, when applicant developed build out spaces, applicant once again, without city request made parking lot, islands and landscape improvements of their own accord to improve traffic flow and aesthetics on the site.

†

715 South Tennessee Boulevard
Murfreesboro, Tennessee

Architectural Renovation Study Scheme One



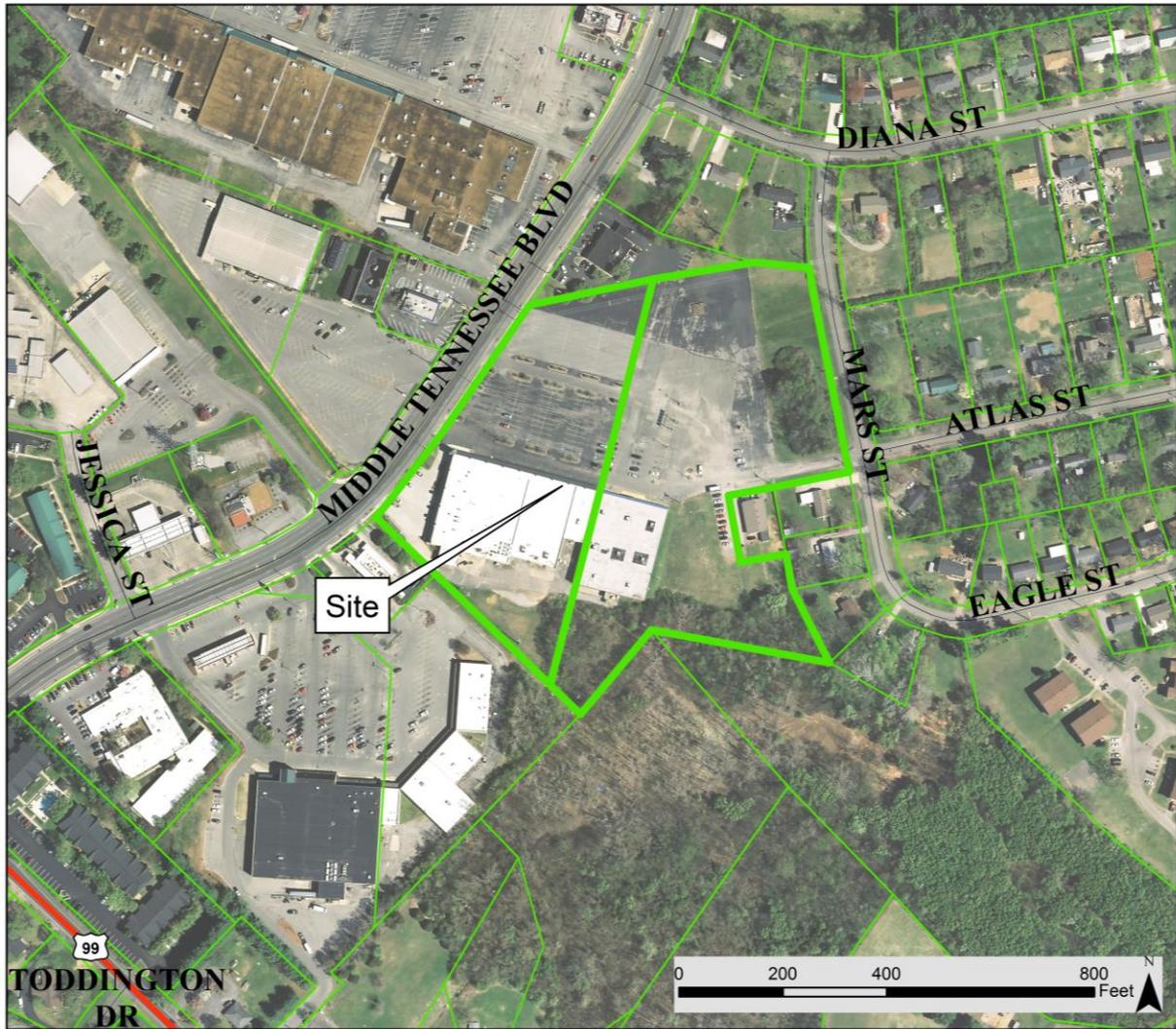
SCHEME 1 - UPDATED FACILITY



PRE-REMODEL
EXISTING FACILITY

dMk Real Estate Advisors
brokerage \ consultin \ project & construction management \ development





1660 Middle Tennessee Boulevard, aerial photograph



1660 Middle Tennessee Boulevard, aerial photograph



1660 Middle Tennessee Boulevard, photo taken from Middle Tennessee Boulevard looking south toward Shoppes at Middle Tennessee shopping center. The proposed expo center would occupy the portion of the shopping center on the left-hand side of the photo.



1660 Middle Tennessee Boulevard, photo taken from Middle Tennessee Boulevard looking to the southeast. Fred's discount store—which has a blue awning and sits adjacent to portion of the shopping center that would house the proposed expo center—is visible on the left-hand side of the photo. The proposed expo center would occupy much of the remainder of the shopping center.



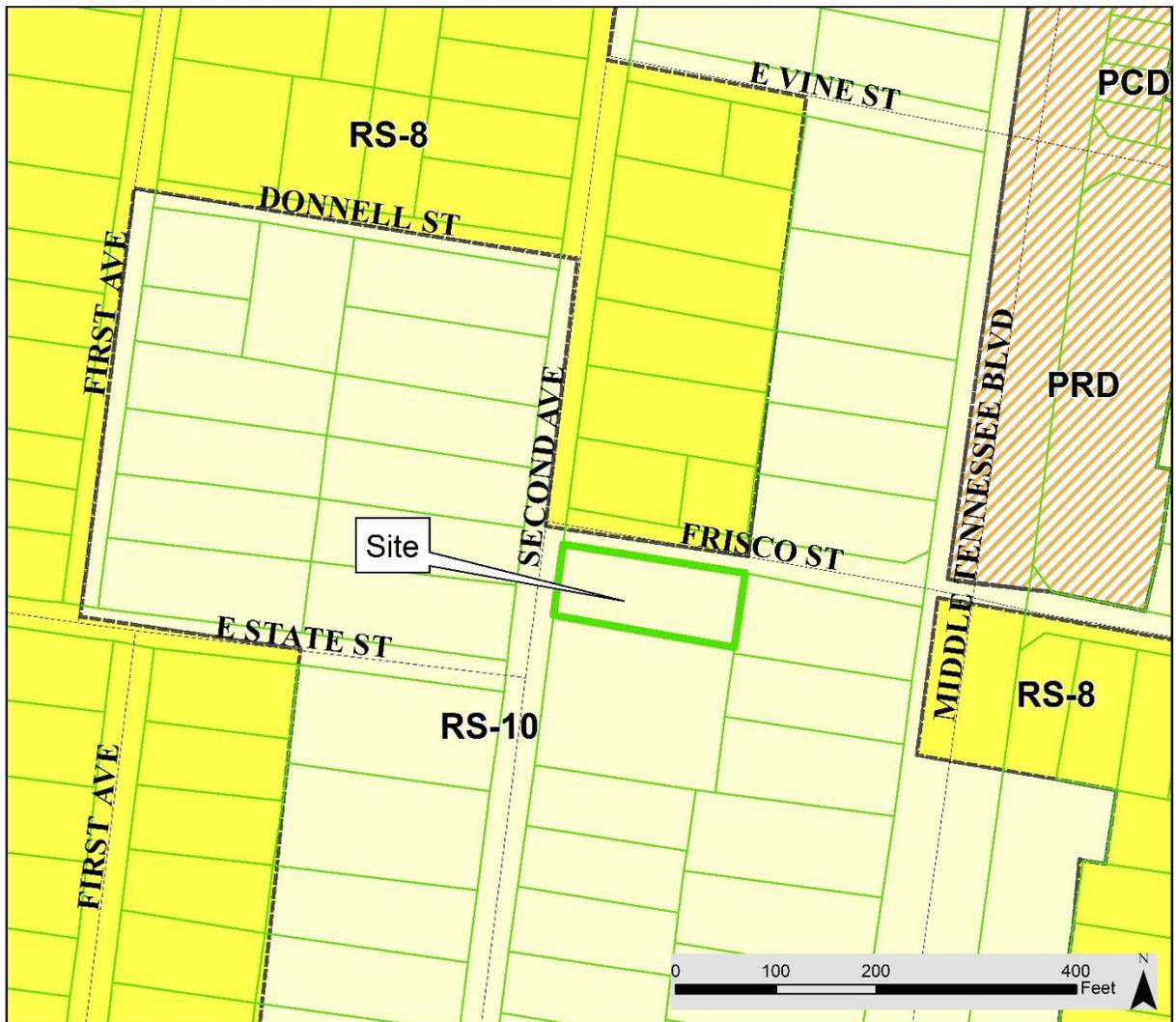
1660 Middle Tennessee Boulevard, photo taken from Middle Tennessee Boulevard looking east. The TVA overhead power lines are visible in this photo. A portion of the parking lot that does not include landscape islands is visible on the left-hand side of the photo, while the Fred's discount store is visible on the right-hand side.



1660 Middle Tennessee Boulevard, photo taken from Middle Tennessee Boulevard looking northeast. The TVA overhead power lines as well as the unstriped portion of the parking lot serving the shopping center are present in this photo. Additionally, a neighboring Bank of America—located north of the shopping center—is visible on the left-hand side of the photo.

**MURFREESBORO BOARD OF ZONING APPEALS
STAFF REPORT
FEBRUARY 24, 2016**

Application: Z-16-014
Location: 303 Second Avenue
Applicant: Matthew and Bobbi Bryant
Zoning: Single-Family Residential (RS-10) District
Request: A Special Use Permit to allow an Accessory Apartment in the RS-10 district



Request Overview

The applicants, Matthew and Bobbi Bryant, wish to construct a second-story accessory apartment in a detached garage on the property located at 303 Second Avenue. The applicants are presently constructing a single-family house on the lot. The property lies within the RS-10 zoning district. Per Chart 1 of the Murfreesboro Zoning Ordinance, the Board may grant a Special Use Permit to allow an Accessory Apartment in the RS-10 district. A property survey exhibit provided by the applicants indicates that the accessory structure has a footprint of 648 square feet and dimensions of 27 feet by 24 feet. The Accessory Apartment will include 595 square feet of heated space.

Relevant Zoning Ordinance Section

Section 9(D)(2)(a):

(a) Accessory apartments shall be subject to the following standards:

[1] only one accessory apartment shall be allowed upon a lot zoned for single family purposes;

[2] except for bona fide temporary absences, the owner(s) of the residence or lot upon or in which the accessory unit is created shall occupy at least one of the dwelling units on the premises and members of the family or their invited guests shall occupy the other dwelling unit. In no event shall either of the units be used as a rental unit to non-family members;

[3] the accessory apartment shall be designed so that to the degree reasonably feasible, the appearance of the building remains that of a one-family residence. In general, any new entrances in an existing structure shall be located on the side or in the rear of the building;

[4] if attached to or located within the principal structure, the accessory apartment shall be designed and constructed to allow it to be part of the principal structure at such time as the use of the accessory apartment discontinues or approval of the special permit lapses;

[5] the design and size of the accessory apartment shall conform to all applicable standards in the health, building, and other codes;

[6] the accessory apartment shall not exceed 7 square feet of floor area;

[7] the BZA may condition approval upon the special use permit lapsing at such time as the ownership of the property is transferred; and,

[8] the BZA may require additional standards be met in order to assure compatibility of the proposed use with adjoining properties and to maintain the integrity of the single family zoning district.

Staff Comments

The subject property is a 0.29-acre lot located at the southeastern corner of the intersection of Second Avenue and Frisco Street. The lot fronts Second Avenue and measures approximately 71 feet in width and 178 feet in depth. The applicants are presently having a 3,100-square foot single-family house constructed on the lot. As shown on the applicant's property survey exhibit, the accessory structure is located behind the house, approximately seven feet from the eastern property line, nine feet from the southern property line, and 30 feet from the northern property line along Frisco Street. The accessory structure is located approximately 40 feet behind the house.

Staff reviewed the applicants' request letter and property survey. The applicant attests that all general standards for granting a Special Use Permit will be met. With regard to the requirements of Section 9(D)(2)(a) of the Zoning Ordinance, the applicant confirms the following: only one Accessory Apartment will be constructed on this lot; only family members or guests will occupy the Accessory Apartment; the entrance to the Accessory Apartment will be located at the rear of the structure; the Accessory Apartment will satisfy local codes; and the Accessory Apartment will not exceed 700 square feet in area. Staff recommends that the Board condition any approval of the Special Use Permit on the applicant completing a "Restriction on Use of Land" document prepared by the City Attorney.

Staff reviewed the applicant's property survey exhibit to ensure that RS-10 zoning standards are satisfied. Section 25(E)(1)(b) of the Zoning Ordinance includes the following requirement: *For corner lots in residential districts, detached accessory structures and uses on corner lots, except fences, walls, and hedges, shall be located no closer to the front lot line than ten feet behind the front of the principal structure on the same lot, and not less than five feet from any side lot lines. Detached accessory structures on residential lots that are closer than five feet to a principal structure shall be treated as attached structures for setback purposes whether physically attached or not.*

Based on the dimensions shown on the property survey exhibit, the accessory structure meets the minimum five-foot setbacks on the east and south. Note that because the subject property is a corner lot, the property has two fronts and two sides rather than a front, two sides, and rear. Additionally, the structure is situated more than ten feet from the principal structure.

The applicants will be in attendance to answer any questions the Board may have.

Recommended Condition

1. The applicants shall complete the “Restriction on Use of Land” document prepared by the City Attorney and comply with all notarization and recording requirements as determined by the City Attorney.

Attached Exhibits

1. Murfreesboro Zoning Ordinance, Chart 1
2. BZA Application
3. Applicant’s Request Letter
4. Applicant’s Supporting Materials
5. Site Photographs

MURFREESBORO CITY CODE

CHART 1. USES PERMITTED BY ZONING DISTRICT.

USES PERMITTED ³	ZONING DISTRICTS																									
	RS 15	RS 12	RS 10	RS 8	RS 4	RD	RM 12	RM 16	RM 22	RZ	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	LI ²	CM-RS-8 ²	CM-R ²	CM ²	CU	P	
DWELLINGS																										
Single-Family detached	X	X	X	X	X	X	X	X	X	X		X		X								X	X		X	
Single-Family attached						X	X	X	X	X		X		X									X		X	
Two-Family						X	X	X	X			X		X									X		X	
Three-Family							X	X	X			X		X									X		X	
Four-Family							X	X	X			X		X									X		X	
Multiple-Family							X	X	X								X	X							X	
OTHER HOUSING																										
Accessory Apartment	S ⁸	S ⁸	S ⁸	S ⁸	S ⁸					S ⁸																
Accessory Dwelling Unit												X ¹	X ¹	X ¹	X ¹	X ¹	X	X ¹	X ¹	X ¹						
Assisted-Care Living Facility ¹⁵						S	X	X	X	X		X		X	X	X	X	X				X	X	X	S	
Bed-and-Breakfast Homestay	S	S	S	S		S	S	X	X	S		S		X	X	X		X				S	S	S	X	
Bed-and-Breakfast Inn	S	S	S	S		S	S	S	S	S		S		S	X	X		X				S	S	S	S	
Boarding House ¹⁵						S	S	X	X			S		X	X	X		X					S	S	S	X
Emergency Shelter	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Family Crisis Shelter												S		S	S	S				S	S		S			
Family Violence Shelter							S	S	S			S	S	S	X	X			X	X		X	S	S		
Fraternity/Sorority												S		S	S	S						S	S	S		
Group Shelter							S	S	S			S	S	S	S	S			S				S	S	S	
Class I Home for the Aged ¹⁵	S	S	S	S	S	S	X	X	X	X		X		X	X	X		X				S	S	S	S	
Class II Home for the Aged ¹⁵	S	S	S	S		S	S	S	S	S		S		X	X	X		X				S	S	S	S	
Class III Home for the Aged ¹⁵							S	S	S			S		S	X	X	X	X				S	S	S	S	
Hotel																X	X	X	X	X						
Mission ¹⁰																			S	S						
Mobile Homes											X															
Motel															X	X			X	X						
Rooming House						S	S	S	S									X					S	S	X	
Student Dormitory								S	S														S	S	X	
Transitional Home						S	S	S	S			S	S										S	S		
INSTITUTIONS																										
Adult Day Care Center	S	S	S	S	S	S	S	S	S	S		X	X	X	X	X	X		X	X	S	X	X			
Adult Day Care Home	S	S	S	S	S	S	S	S	S	S	S	X	S	X	X	X		X	X	X	X	X	X			
Airport, Heliport	S	S	S	S	S	S	S			S						S			S	S	S	S	S	S	S	S

X = Use permitted by right.

S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

City of Murfreesboro
BOARD OF ZONING APPEALS

HEARING REQUEST
APPLICATION

Location/Street Address: 303 2ND Ave
 Tax Map: 103A B-004.00 Group: B Parcel: 4 Zoning District: 419/2 RS-10

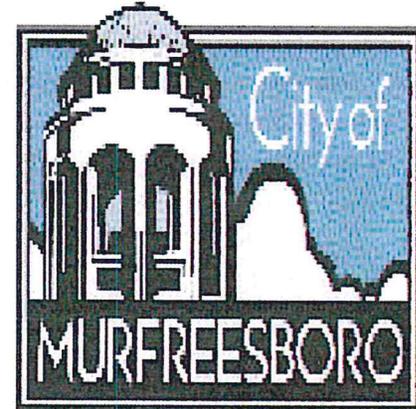
Applicant: MATTHEW & BOBBI BRYANT E-Mail: DRYANTCUSTOMHOMES@YAHOO.COM
 Address: 303 2ND Ave Phone:
 City: MURFREESBORO State: TN Zip: 37130

Property Owner: MATTHEW & BOBBI BRYANT
 Address: 2136 LIBERTY DR Phone: 615-305-7217
 City: MURFREESBORO State: TN Zip: 37129

Request: TO FINISH EXPANSIONS AREA ABOVE
 DETACHED GARAGE FOR INLAWS OR QUEST QUARTERS
 543 SQ FT STAIRS LOCATED NEAR OUTSIDE
 Zoning District: RS-10
 Applicant Signature: Matthew Bryant Date: 01-26-16

Received By: B. DAVIS Receipt No.: 1005
 Application #: Date: 2-1-16

Murfreesboro
Board of
Zoning Appeals



T E N N E S S E E

HEARING APPLICATION
AND
GENERAL INFORMATION

Donald Anthony

From: Bobbi Bryant <bryantbobbi2011@gmail.com>
Sent: Wednesday, February 03, 2016 11:02 AM
To: Donald Anthony
Subject: re: 303 2nd ave garage apartment

here is answers to some of the questions you asked:

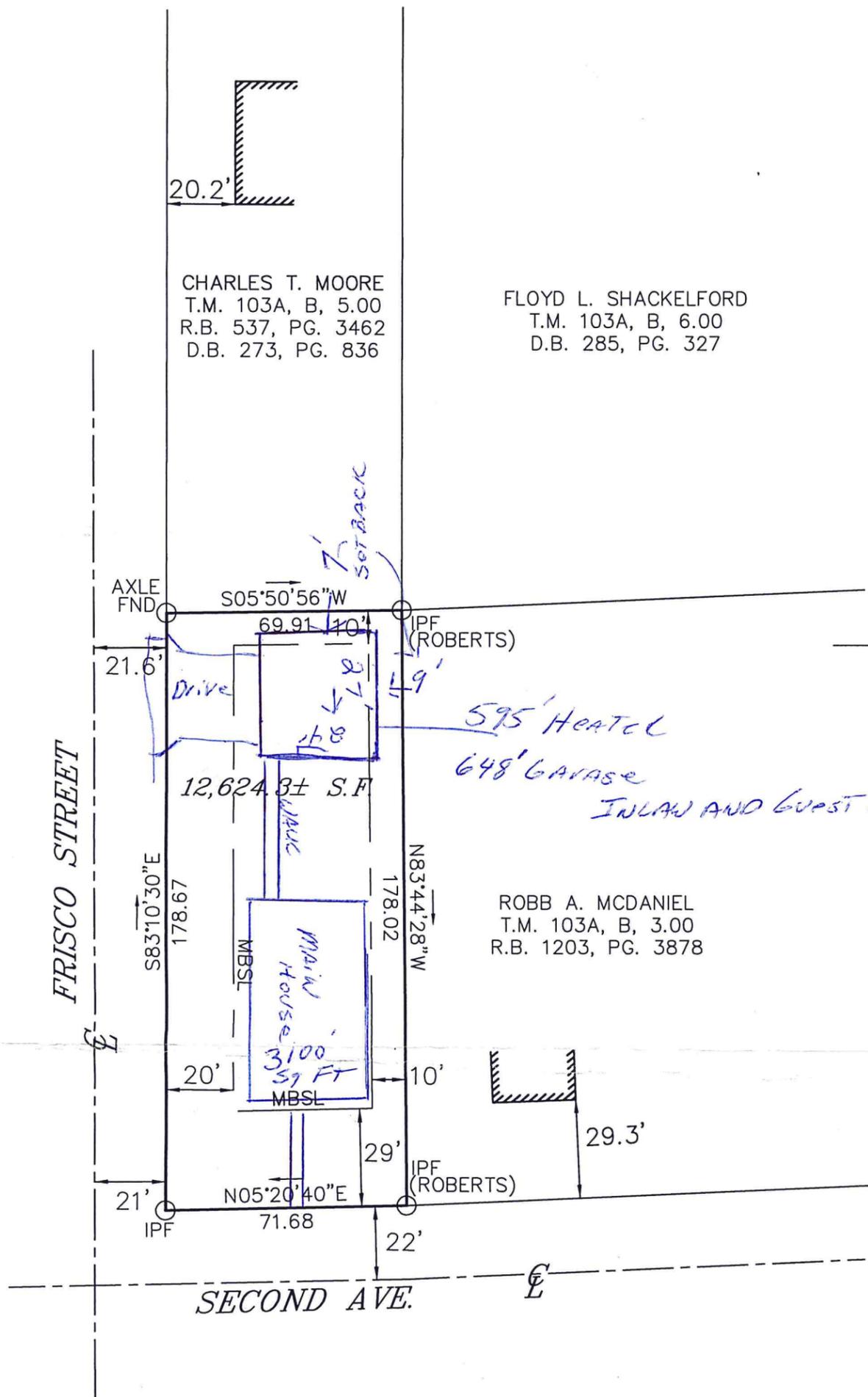
This is for an apartment over the garage and used for families and friends visiting and possibly father-in-law living in it.

- 1) Site plan was provided & site plan showed property boundary lines
 - 2) the proposed height dimensions (less than 30' high)
 - 3) type and location of landscaping - Shrubs and ornamental trees and sodded areas.
 - 4) location of points of ingress and egress- on the siteplan-driveway from Frisco to garage doors only.
 - 5) location of proposed driveways (owner has shown on site plan)
 - 6) any proposed regrading of the site-none noted
- C. question 1) garage will fit the integrity of the neighborhood.
- 2) yes
 - 3) yes
 - 4) yes
 - 5) yes

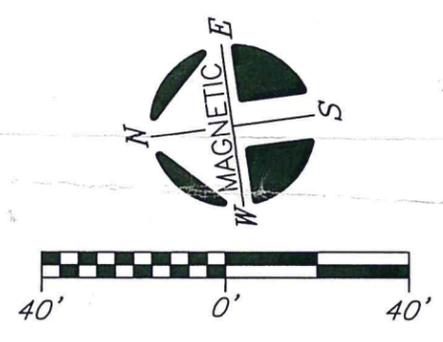
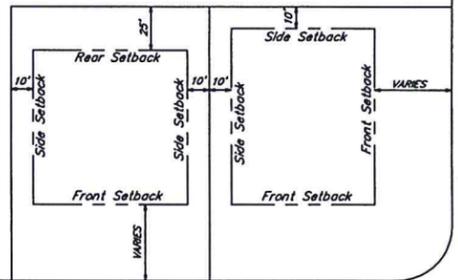
paragraph A -accessary apartment standards

- 1) yes only one garage apartment located at this location for use of in-law quarter
- 2) yes
- 3) garage doors located on front entry and actual entry to apartment (stairs) will be located at the rear.
- 4) It is not attached to the principal structure-it is a detached garage
- 5) yes
- 6) approx 680 sq feet

Matt Bryant
615-305-2217



CITY CORE OVERLAY
FRONT SETBACK: VARIES
SIDE SETBACK: 10'
REAR SETBACK: 25'



PROPERTY SURVEY

OWNER: MATTHEW BRYANT ETUX BOBBI BRYANT

PROPERTY: 303 SECOND AVE.
Murfreesboro, TN 37130
Record Book 1303, Page 1689
Tax Map 103-A, Group B, Parcel 4.00

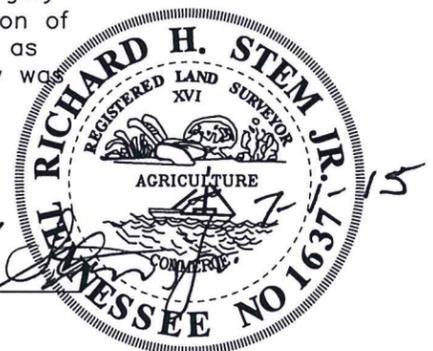
Property Located: 13TH Civil District of Rutherford County, Tennessee

SCALE: 1"=40'
DATE: 17 June, 2015

I hereby certify that this is a category "1" survey and the ratio of precision of the unadjusted survey is 1:10,000 as shown hereon and that this survey was done in compliance with current Tennessee minimum standards of practice for land surveyors.

HS HUDDLESTON-STEELE ENGINEERING, INC.
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
SURVEYING : 893 - 4084, FAX: 893 - 0080

Richard H. Stem, Jr.
Richard H. Stem, Jr. R.L.S.
Tennessee No. 1637



FEDERAL FLOOD NOTE

This parcel is not located in an area designated as a "Special Flood Area" on: Community Map and Panel No.:47149C0280H Zone: X, Dated: Jan. 05, 2007

This property may be subject to additional easements, and/or restrictions, by record or prescription, that a complete title search may reveal.



303 Second Avenue, aerial photograph



303 Second Avenue, aerial photograph



303 Second Avenue, view of front of new house. The new house faces Second Avenue. Frisco Street runs along the north side (left-hand side) of the property.



303 Second Avenue, view of new house and accessory structure from Frisco Street looking to the southeast.



303 Second Avenue, view of accessory structure from Frisco Street looking to the southwest.



303 Second Avenue, view of accessory structure taken from driveway near Frisco Street.