

**MINUTES  
OF THE CITY OF MURFREESBORO BOARD OF  
ZONING APPEALS**

**City Hall, 111 W. Vine Street, Council Chambers**

**March 23, 2022 1:00 PM**

**Members Present:**

Davis Young, Chair  
Ken Halliburton, Vice-Chair  
Julie King  
Tim Tipps  
Misty Foy

**Staff Present:**

Brad Barbee, *Planner*  
Joel Aguilera, *Planner*  
Matthew Blomeley, *Assistant Planning Director*  
Roman Hankins, *Assistant City Attorney*  
Serena Harris, *Recording Assistant*

**1. Call to order:**

Chair Young called the meeting to order.

**2. Determination of a quorum:**

Chair Young determined that a quorum was present.

**3. Consideration of Minutes:**

With there being no objection by any of the Board members, the minutes of the February 23, 2022, BZA meeting were approved as submitted.

**4. New Business:**

- a. Zoning application [2022-002] for DePriest Center, represented by Deborah Driggs, requesting a special use permit to operate a temporary outdoor vending establishment (seasonal fireworks) at 1800 Lascassas Pike, parking lot of Centerpointe Apostolic Church. Property is zoned Commercial Local (CL). (Project Planner: Joel Aguilera)**

Joel Aguilera presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these minutes by reference.

Mr. Aguilera stated that Ms. Driggs was not present at the meeting.

Matthew Blomeley provided correction for condition of approval number two, stating the dates should read June 22, 2022 – July 10, 2022. No activity associated shall be on the site before June 22, 2022. June 22, 2022 is the date set-up may began. Sales may begin June 28, 2022.

Ken Halliburton inquired if the city will allow fireworks to be set off on July 5, 2022.

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Roman Hankins added, per section 12-27 Seasonal Use of Fireworks in the City Code states fireworks may be shot on July 5<sup>th</sup>.

Chair Young opened the public hearing.

There being no one else to speak for or against the request, Chair Young closed the public hearing.

There being no further discussion, Julie King moved to approve the special use permit application subject to all staff recommendations contained in the staff report; The motion was seconded by Ken Halliburton and carried by the following vote:

Aye: Julie King  
Tim Tipps  
Misty Foy  
Vice-Chair Ken Halliburton  
Chair Davis Young

Nay: None

- b. Zoning application [2022-003] for MTCS, represented by Matt Taylor of SEC, requesting a special use permit for a building addition to an existing institutional group assembly use (Middle Tennessee Christian School) at 100 East MTCS Road. Property is zoned Single Family Residential (RS-15). (Project Planner: Joel Aguilera)**

Chair Young stated that he has had a child to attend MTCS, so he will abstain from discussion and voting on this application but will assist with the discussion.

Joel Aguilera presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these minutes by reference.

Mr. Aguilera stated that Matt Taylor of SEC provided a correction, and that the number of classrooms to be added is 24, bringing the total to 58.

Matt Taylor of SEC, Inc, 850 Middle Tennessee Boulevard, Murfreesboro, TN 37129. came forward to address questions from the Board.

Mr. Taylor clarified there was an error on the plan regarding square footage. The footprint only was shown. It should be a two-story addition. It should be 47,102. Number of classrooms remain the same as stated in application.

Mr. Taylor added that the number of students and classrooms dictate parking. There has been an informal agreement with the church to the north, that parking can spill into the church parking lot. Mr. Taylor sent a draft agreement with the church to staff to formalize overflow parking with this new project.

Chair Young opened the public hearing.

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There being no one else to speak for or against the request, Chair Young closed the public hearing.

There being no further discussion, Tim Tipps moved to approve the special use permit application subject to all staff recommendations contained in the staff report with the correction of square footage and number of classrooms; The motion was seconded by Ken Halliburton and carried by the following vote:

Aye: Julie King  
Tim Tipps  
Misty Foy  
Vice-Chair Ken Halliburton  
Chair Davis Young

Nay: None

- c. Zoning application [2022-004] for Matt Bowers Auto Group, represented by Matt Taylor of SEC, requesting a special use permit for Motor Vehicle Sales (Automobile) at the northeast intersection of Warrior Drive and New Salem Highway. Property is zoned Commercial Highway (CH). (Project Planner: Brad Barbee)**

Brad Barbee presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these minutes by reference.

Matthew Blomeley reiterated that loading and unloading is required to occur within the loading zone, and at no time should the public right-of-way or other areas be used for the loading and unloading of vehicles.

Ken Halliburton requested clarification on the comment with respect to displaying vehicles within landscaped areas and asked if that would be site specific.

Brad Barbee provided further clarification that green space areas on approved sites are for landscape, open space areas, sometimes formal open space areas, and are not provided for the storage of equipment, machinery, or inventory.

Matthew Blomeley added that in 2017 our zoning ordinance was amended to include all the standards for motor vehicle sales uses, and Mr. Blomeley read the following zoning ordinance (Appendix A1) standard:

“(5) Parking and display of automobile inventory shall occur only in areas designated in the special use permit application. Driveway aisles, public right-of-way, and landscaped areas shall not be used for automobile parking or display;”

Matt Taylor of SEC, Inc, 850 Middle Tennessee Boulevard, Murfreesboro, TN 37129. came forward to address questions from the Board.

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Tim Tipps requested the loading and unloading zone space to be identified.

Mr. Taylor identified the loading zone at the rear of the property on the provided illustration.

Tim Tipps inquired about the underground detention noted near the loading zone.

Mr. Taylor stated it will be used for water retention only.

Chair Young opened the public hearing.

There being no one else to speak for or against the request, Chair Young closed the public hearing.

There being no further discussion, Ken Halliburton moved to approve the special use permit application subject to all staff recommendations contained in the staff report; The motion was seconded by Tim Tipps and carried by the following vote:

Aye: Julie King  
Tim Tipps  
Misty Foy  
Vice-Chair Ken Halliburton  
Chair Davis Young

Nay: None

## **5. Staff Reports and Other Business:**

Matthew Blomeley stated that one application has already been submitted for April 2022, so there will be a meeting.

## **6. Adjourn.**

There being no further business, Chair Young adjourned the meeting at 1:44 p.m.