

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

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

April 27, 2022 1:00 PM

Members Present:

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

Staff Present:

Marina Rush, *Principal 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 March 23, 2022, BZA meeting were approved as submitted.

4. New Business:

- a. Zoning application [2022-006] for Absolute Fireworks, represented by Julie Smith, requesting a special use permit to operate a temporary outdoor vending establishment (seasonal fireworks) at 131 Cason Lane, parking lot of an existing commercial shopping center. Property is zoned Commercial Highway (CH). (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.

Tim Tipps requested clarification that the only reason the application is presented is due to the tent size, otherwise the applicant would have to comply with all the 11 standards listed within the ordinance.

Marina Rush confirmed that the application was required due to the increase of the tent size.

Julie King inquired if the proposed fireworks tent would be at the same location.

MURFREESBORO BOARD OF ZONING APPEALS MINUTES

April 27, 2022

Page 2

Mr. Aguilera confirmed that the establishment would be at the same location as the previous year.

Julie Smith of 9155 Paw Paw Springs Road, Arrington, TN 37014. came forward to address questions from the Board, and confirmed that she is adding a few feet to her tent size.

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, Misty Foy moved to approve the special use permit application subject to all staff recommendations; The motion was seconded by Julie King 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 [2022-008] for New Vision Baptist Church, represented by Caitlin Paul of Catalyst Design Group, requesting a special use permit for a 25,680 square-foot building addition to an existing institutional group assembly use (Middle Tennessee School) at 100 East MTCS Road, parking lot of Centerpointe Apostolic Church. Property is zoned Single Family Residential (RS-15). (Project Planner: Joel Aguilera)**

Mr. Aguilera stated that Caitlin Paul was unavailable, however, a representative from Catalyst Design Group is present and available for comments.

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.

Tim Tipp stated that the property is zoned RS-15 but the other neighboring uses are institutional or commercial.

Mr. Aguilera confirmed that the North Thompson area is a mix of office, commercial, and medical uses.

Mr. Tipps inquired why hasn't there been an application to rezone this property.

Marina Rush responded that she also does not have the full history on the property but assumes the property was zoned RS-15 as many other properties in that area. As the

MURFREESBORO BOARD OF ZONING APPEALS MINUTES

April 27, 2022

Page 3

neighboring uses and properties developed with medical uses and buildings, that must be rezoned. Whereas an institutional use, i.e., a church or school, is allowed within the RS zoning districts with approval with a special use permit. This is an easier process than proceeding with a rezoning. In the case of this application, a rezoning would not be necessary.

Julie King stated that typically when we're adding on a new use, increased parking would be required. In this case, classrooms are being added and parking is being taken away.

Mr. Aguilera stated that this project is required to meet church use parking standards verses educational institutional use requirements: 1 space for every 8 seats in the largest part of the auditorium, which requires 200 parking spaces. The property far exceeds this parking standard. In addition, the new building would be used by the congregation that is already on site for church services, thus it is not adding to the parking demand.

Jack Parker with Catalyst Design Group, of 1524 Williams Dr, Suite 201, Murfreesboro, TN 37129. came forward to address questions from the Board.

Chair Davis Young stated that local police will assist with parking and inquired if they are volunteering or if it's a requirement.

Jack Parker and Marina Rush expressed their expectation that traffic control would continue.

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 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

5. Staff Reports and Other Business:

None.

MURFREESBORO BOARD OF ZONING APPEALS MINUTES

April 27, 2022

Page 4

6. Adjourn.

There being no further business, Chair Young adjourned the meeting at 1:25 p.m.