

**CITY OF MURFREESBORO
BOARD OF ZONING APPEALS**

Regular Meeting, April 26, 2023, 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. Determination of a quorum
3. Approval of minutes: January 25, 2023
4. New Business:

Variance and Special Use Permit

- a. **Application Z-23-008 by Patricia Troxell-Tant of Vogue Tower Partners VII, LLC**, requesting a 115-foot height variance from Chart 2 of the City of Murfreesboro Zoning Ordinance, which allows a maximum height of 35 feet to allow a new telecommunication pole and antenna height of 150 feet, and a special use permit for a wireless telecommunication facility on property in the Residential Single Family (RS-15) district located at 591 Fortress Boulevard. (Project Planner: Brad Barbee)

Special Use Permit

- b. **Application Z-23-007 by Mrs. Lennae Frantz**, requesting a special use permit to establish a home occupation (hair salon) on property in the Residential Single Family (RS-15) district located at 1711 Bridget Drive. (Project Planner: Brad Barbee)
- c. **Application Z-23-006 by Margret Greeson**, requesting a special use permit to establish an accessory apartment on property in the Residential Single Family (RS-15) district located at 2103 Patriot drive. (Project Planner: Joel Aguilera).

5. Staff Reports and Other Business
6. Adjourn

MINUTES
OF THE CITY OF MURFREESBORO
BOARD OF ZONING APPEALS
City Hall, 111 W. Vine Street, Council Chambers

January 25, 2023 1:00PM

Members Present:

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

Staff Present:

Greg McKnight, Planning Director
Matthew Blomeley, Assistant Planning Director
Marina Rush, Principal Planner
Joel Aguilera, Planner
Roman Hankins, Assistant City Attorney
Ashley Fulghum, Recording Assistant

Members Absent:

None

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 December 19, 2022, BZA meeting were approved as submitted.

4. New Business:

a. Application [Z-23-001] by Rutherford County Board of Education, represented by Jeff Hooper of Barge Cauthen & Associates, requesting a special use permit to construct a 2-story, 102,000 square-foot building addition to an existing institutional group assembly use for Oakland High School in a Single Family Residential (RS-15) zoning district, located at 2225 Patriot Drive.

MURFREESBORO BOARD OF ZONING APPEALS MINUTES

January 25, 2023

Mr. 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.

Chair Young inquired about the portables on the property. Mr. Aguilera stated that the applicant indicated that those would be removed once the addition was complete.

Mr. Trey Lee, Assistant Superintendent for Engineering and Construction for Rutherford County Schools spoke about the removal of the portables. He stated that they can't remove the portables until the new addition is completed. When they can utilize the new addition, the portables will leave. The addition is expected to be completed by December 2025.

Chair Young opened the public hearing.

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

The Board, Staff and Mr. Lee discussed the timeline for the removal of the portables. The fourth condition of approval was modified to state that the existing portables on-site shall be removed prior to August 1, 2026, for the Oakland High School building addition.

Vice-Chair Ken Halliburton moved to approve the special use permit subject to all Staff comments; the motion was seconded by Mr. Tim Tipps and was carried by the following vote:

Aye: Misty Foy

Vice-Chair Ken Halliburton

Julie King

Tim Tipps

Chair Davis Young

Nay: None

b. Application [Z-23-002] by Rutherford County Board of Education, represented by Jeff Hooper of Barge Cauthen & Associates, requesting a special use permit to construct a 2-story, 102,000 square-foot building addition to an existing institutional group assembly use for Riverdale High School in a Single Family Residential (RS-15) zoning district, located at 802 Warrior Drive.

Mr. 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.

Chair Young opened the public hearing.

MURFREESBORO BOARD OF ZONING APPEALS MINUTES

January 25, 2023

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

Ms. Misty Foy inquired about the completion date. Mr. Lee confirmed that the completion date will be the same as the Oakland High School renovation. The fourth condition of approval was also modified to state that the existing portables on-site shall be removed prior to August 1, 2026, for the Riverdale High School building addition.

Ms. Misty Foy moved to approve the special use permit subject to all Staff comments; the motion was seconded by Vice-Chair Halliburton and was carried by the following vote:

Aye: Misty Foy

Vice-Chair Ken Halliburton

Julie King

Tim Tipps

Chair Davis Young

Nay: None

5. Staff Reports and Other Business:

None.

6. Adjourn:

There being no further business, Chair Young adjourned the meeting at 1:24pm.

CHAIRMAN

SECRETARY

MURFREESBORO BOARD OF ZONING APPEALS

STAFF REPORT

APRIL 20, 2023

Application: Z-23-008

Location: 591 Fortress Boulevard

Applicant: Pat Troxell-Tant, Representing Vogue Tower Partners VII, LLC.

Zoning: Residential Single Family (RS-15) District

Requests: Applicant requests a 115-foot height Variance from Chart 2 of the Murfreesboro Zoning Ordinance to allow a monopole height of 150 feet and a Special Use Permit for a wireless telecommunication facility.



The applicant is requesting a variance from the height standard for the construction of a new wireless telecommunication monopole located along the west side of Fortress Boulevard, adjacent to the Rutherford County Emergency Communications facility. The property is zoned Single-Family Residential (RS-15), which allows a maximum height of 35 feet for structures. The monopole and antenna will be at 150 feet height. In addition to the variance, the applicant is requesting a special use permit for construction and operation of the telecommunication facility. In this case, the proposed monopole height is unique to this type of use, and limiting the height to the zoning ordinance standard is not consistent with the Federal Telecommunications Act and Tennessee statute. As such, necessary compliance with the Federal Telecommunications Act and State statutes are not self-created.

The applicant is also requesting a special use permit to establish and operate the telecommunication facility located in the southwestern corner of the property and is proposed to include 150-foot monopole and antenna to allow for co-location of three telecommunication carriers, ground equipment, and an equipment fence enclosure 8-foot height fence, dense shrubbery for screening, and driveway access with one parking stall. The height of 150 feet would be for all equipment, including a lightning rod, if such would be installed. The submitted application, civil plans and elevations do not depict a lightning rod but mention of one is made by the FAA document submitted with the application. Any extensions of height for future equipment above 150 feet would have to be approved by the BZA with a new Special Use Permit.

The property is a rectangular shaped lot located at the southwest corner of the intersection of Blaze Drive and Fortress Boulevard. The adjacent property to the west is undeveloped and owned by the City of Murfreesboro. Further to the west is Blackman Middle School. The property to the south is developed with the Rutherford County Special Operations facility currently occupying the site and is owned by Rutherford County Government. Across Fortress Boulevard to the east is Blackman Elementary School. Across Blaze Drive to the North is a vacant property owned by the City of Murfreesboro.

Relevant Zoning Ordinance Section

The following are the relevant sections from the Murfreesboro Zoning Ordinance that apply to accessory apartments, accessory structures, and legal nonconforming structures:

Zoning Ordinance Chart 2 – Maximum Height RS-15 = 35 feet-

Section 9(C) General Standards of Applicability

Section 9(D)(cccc) Standards for Wireless communication towers and antennas

Standards for Variance – Section 10(E)

Section 31 Wireless Telecommunications Towers and Antennas

The Standards of General Applicability relating to Special Use Permits and Standards for Telecommunication Towers are listed below with analysis from staff on how the proposed use meets the standards.

Standards of General Applicability with Staff analysis.

- (1) The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety, and general welfare:**

Staff has reviewed the application and associated documents and believes that this standard has been met because the site is unmanned and will provide parking on the site for regular monitoring and maintenance personnel. The required utilities are already present on the property and there are existing towers throughout this corridor currently in operation.

- (2) The proposed building or use will be constructed, arranged, and operated so as to be compatible with the immediate vicinity and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations:**

Staff has reviewed the application and associated documents and believes that this standard has been met because the monopole fall zone is within the perimeter of the site and will not fall onto adjacent property or adjacent building(s). Facility would not interfere with the development or use of adjacent property.

- (3) The proposed buildings or use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, drainage structures, refuse disposal, fire protection, water, and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services:**

Staff has reviewed the application and associated documents and believes that this standard has been met because existing services are provided to the property already, parking will be provided as a part of the required site plan for a technician to visit the location every 4 to 6 weeks, the development will be unmanned and not significantly impact city services.

- (4) The proposed building or use will not result in the destruction, loss, or damage of any feature determined by the BZA to be significant natural, scenic, or historic importance:**

Staff has reviewed the application and associated documents and believes that this standard has been met because no features of significant natural, scenic, or historic importance have been identified on the subject property or in this general area.

- (5) The proposed building or use complies with all additional standards imposed on it by the particular provision of this section authorizing such use:**

Staff has reviewed the application and associated documentation has been provided by the applicant demonstrating FAA approval of the pole height and complies with the additional standards of the Zoning Ordinance listed below.

Additional Standards for Wireless Communications Towers and Antennas with Staff Analysis.

(1) Towers shall not be located in the approach or landing zone of an airport or heliport;

Staff has reviewed the application materials and believes that this standard has been met as the applicant has provided a FAA “Determination of No Hazard to Air Navigation” (2022-ASO-16723-OE) for approval from FAA.

(2) The application for a special use permit shall be accompanied by the written recommendations of appropriate state and federal agencies;

Staff has reviewed the application materials and believes this standard has been met as the FAA has provided its approval for the height of 150’ (155’ overall).

(3) In the event any tower is to be equipped with hazard lights, the use of white strobe lights shall be restricted to daylight hours;

Staff believes that this standard has been met as the FAA has not required any lighting on the tower and the applicant has indicated that none will be installed.

(4) The BZA may place restrictions on the manner (and color) in which the tower can be painted, within the parameters of applicable state and federal regulations;

Staff believes that this standard has been met as the applicant has indicated that they do not intend to paint the tower and it will be a galvanized metal.

(5) The BZA may require additional standards be met in order to assure compatibility of the proposed use with adjoining properties, subject to T.C.A. §13-24-301 et seq.

Staff believe that this standard has been met as the applicant indicates that they will comply with any additional standards required by the BZA.

(6) The applicant must demonstrate compliance with Section 31(E).

Staff believes that the application is in compliance with Section 31(E).

Standards For Variances from Section 10 of the Zoning Ordinance:

The Zoning Ordinance requires that no bulk variance or other variance be granted unless the applicant establishes 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. The following is staff’s analysis for each of the Standards for Variances:

Variance - Section 10(E)2:

- (1) No bulk 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.**

According to the application and associated materials provided, the height variance is necessary to accomplish the network and RF objectives to provide service for the area. The nature of this structure is unique as a telecommunication tower and limiting the height required to function is not consistent with the Federal Telecommunication Act and Tennessee statutes. This standard is met.

- (2) The applicant shall show that the bulk or other variance will not be unduly detrimental to other property in the vicinity of the property for which the variance is requested.**

Staff has reviewed the application and believes that granting this variance will not be unduly detrimental to other properties in the vicinity. The telecommunication tower will provide a needed service for the area. The proposed monopole height is required at 150 feet and the requested variance will not impact surrounding properties. The height variance is necessary to meet the RF objectives to provide service for the area. Limiting the height to the zoning ordinance standard is not consistent with the Federal Telecommunication Act and Tennessee statute. This standard is met.

- (3) For granting of a bulk or other variance, the applicant shall establish that it is not self-created, and the condition of the property has not resulted from any deliberate action by the owner.**

Staff has reviewed the application and associated materials that were submitted. The nature of this structure is unique and limiting the height to the zoning ordinance standard is not consistent with the Federal Telecommunications Act and Tennessee statute. As such, necessary compliance with the Federal Telecommunications Act and State statutes are not self-created. This standard is met.

- (4) That granting the requested variance will not be unduly detrimental to other land in the vicinity of the land for which the variance is requested:**

This standard is met. Granting of the variances would not be detrimental to other land in the area. The use is unique, will not impact surrounding properties and will provide a needed service for communication. This standard is met.

- (5) That granting the requested variance will not impair an adequate supply of light and air to adjacent properties, unreasonably increase the congestion in public streets, increase the danger of fire or otherwise endanger the public health, safety, comfort, or morals, or substantially impair the intent and purpose of the Zoning Ordinance or of the general plan for the area:**

Granting of the variances would not impair light or create shadows on adjacent properties, will not affect air, increase congestion, danger of fire or otherwise endanger public health, safety, comfort or impair the general area in any way. The construction of the house will comply with all other setbacks and development requirements. This standard is met.

Staff Comments

Based on the application materials and plans submitted, the 150-foot tall telecommunications facility meets the minimum the five necessary findings for granting a variance and meets the general standards of applicability for a special use permit and the additional standards for a telecommunication tower.

If the Board wishes to approve the requested SUP and Variance, staff recommends the following conditions of approval be required:

CONDITIONS OF APPROVAL

1. The facility shall include a 150-foot tall monopole and antenna for co-location for 3 providers, ground mounted equipment within an equipment enclosure that is fenced and screened with dense shrubbery, driveway and parking space that is ADA accessible.
2. Fence shall be vinyl clad, double slatted to minimize views of the equipment from rights-of-way and adjacent properties.
3. Applicant shall obtain all necessary permits and inspections for the proposed tower and associated structures.
4. Prior to applying for building permit, applicant shall obtain approval of a Site Plan for the proposed development.
5. The maximum height of the monopole and telecommunication antenna structures and all appurtenances or accessory equipment shall not exceed a total of 150 feet.
6. Discontinuance: In the event of discontinuance of the Telecommunication Facility, the facility owner shall comply with the requirements of City of Murfreesboro Zoning Ordinance, Chapter 31 for notification, declaration, and removal of the wireless facility.

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

Attached Exhibits:

- Photo simulation of tower from right-of-way view points
- Site Plan and Elevations
- Applicant letter
- Structural Design Fall Zone Report
- FAA No Hazard to Air Navigation
- Application



EXISTING PHOTO LOCATION #1



PROPOSED PHOTO LOCATION #1



PROJECT:

PHOTOSIMS

SITE NAME: MURFREESBORO-FORTRESS
591 FORTRESS BLVD
MURFREESBORO, TN

DRAWING TITLE:

PHOTO LOCATION #1

DRAWN BY:
T.A.

CHECKED BY:
M.A.S.

SCALE:
AS SHOWN

DATE:
04/03/2023

JOB NO.:
15228.027

DRAWING NO.:
PHOTO SHEET 2



EXISTING PHOTO LOCATION #2



PROPOSED PHOTO LOCATION #2



PROJECT:

PHOTOSIMS

SITE NAME: MURFREESBORO-FORTRESS
591 FORTRESS BLVD
MURFREESBORO, TN

DRAWING TITLE:

PHOTO LOCATION #2

DRAWN BY:
T.A.

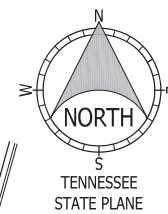
CHECKED BY:
M.A.S.

SCALE:
AS SHOWN

DATE:
04/03/2023

JOB NO.:
15228.027

DRAWING NO.:
PHOTO SHEET 3



THE
LAND CONSULTANTS
5449 Highway #41
Jasper, TN 37347
(423) 304-6722
LLC

PREPARED FOR

VOGUE TOWERS
PARTNERS VII, LLC

(Not a Boundary Survey of Parent Lands. Not intended for fee simple Land Transfer)

SITE SURVEY

MURFREESBORO-FORTRESS

Site Number: TN-035
Fortress Boulevard, Murfreesboro, TN 37128
13th Civil District
Rutherford County, Tennessee

SITE SURVEY

DWG#: 21035
ISSUE #: 0
ISSUE DATE: 04-13-2022
SEE SHEET #1

SHEET
3
OF
5

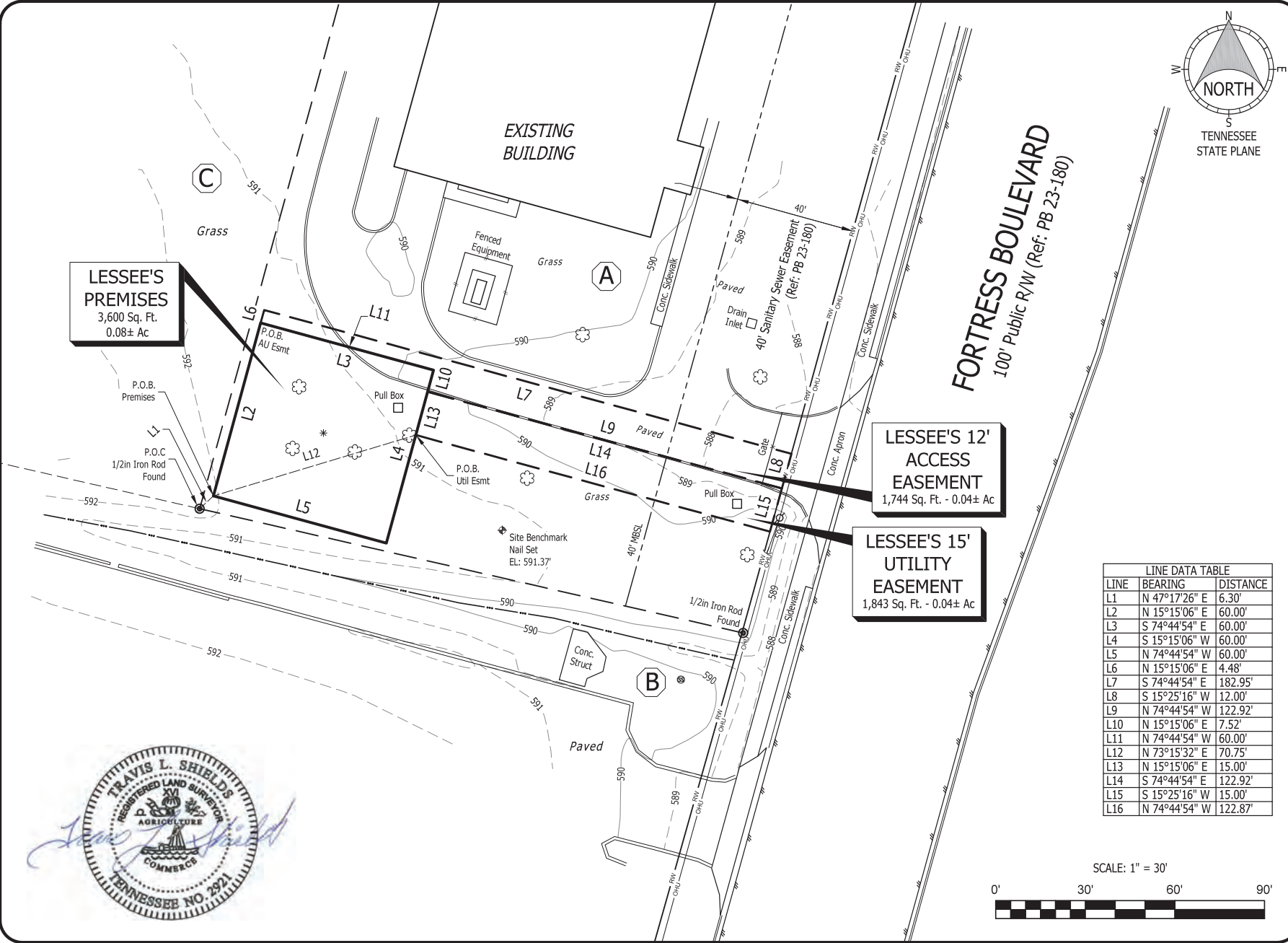
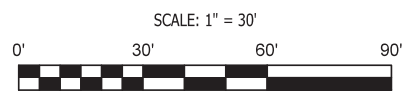
FORTRESS BOULEVARD
100' Public R/W (Ref: PB 23-180)

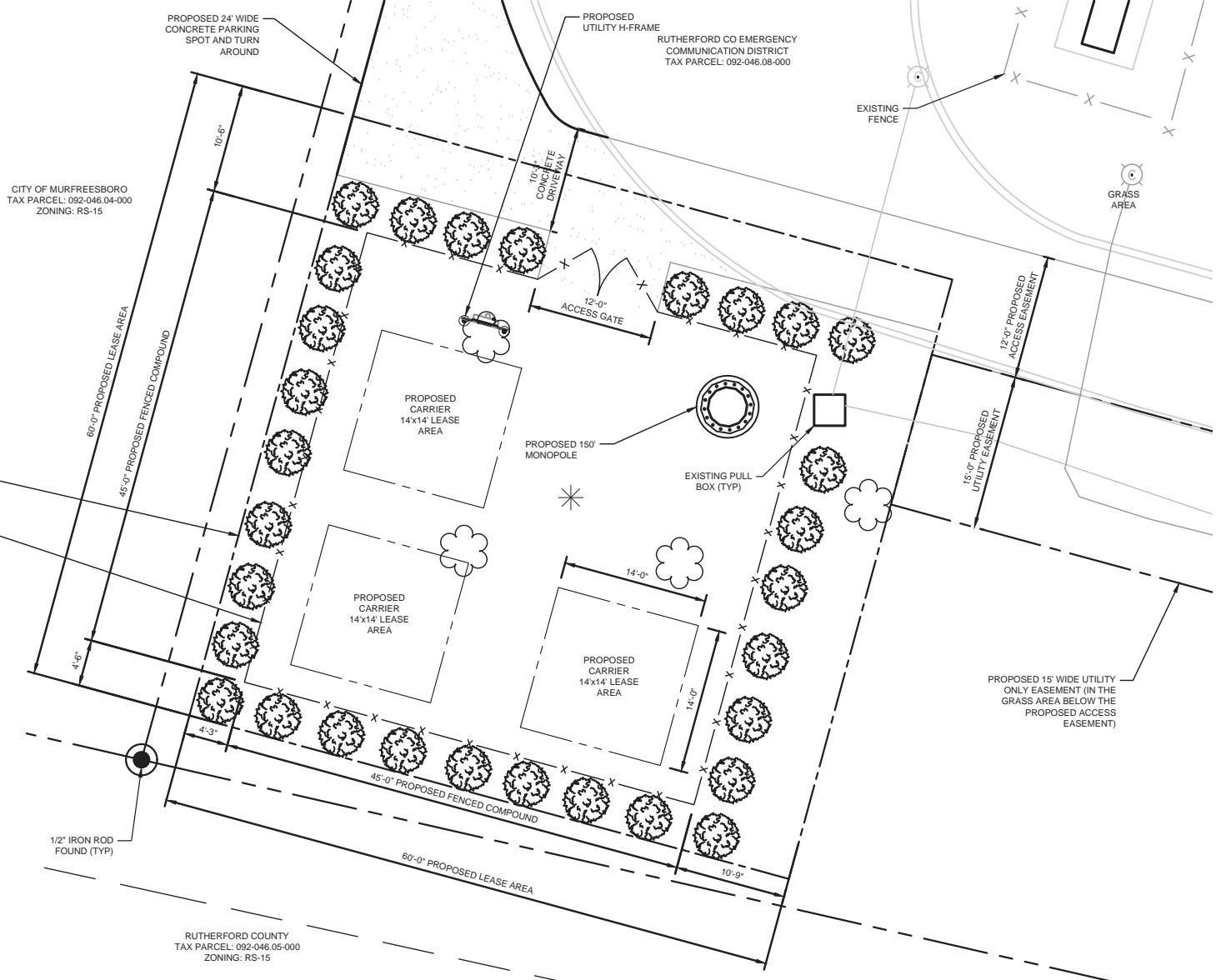
LESSEE'S 12' ACCESS EASEMENT
1,744 Sq. Ft. - 0.04± Ac

LESSEE'S 15' UTILITY EASEMENT
1,843 Sq. Ft. - 0.04± Ac

LESSEE'S PREMISES
3,600 Sq. Ft.
0.08± Ac

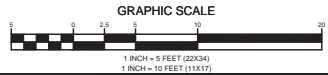
LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	N 47°17'26" E	6.30'
L2	N 15°15'06" E	60.00'
L3	S 74°44'54" E	60.00'
L4	S 15°15'06" W	60.00'
L5	N 74°44'54" W	60.00'
L6	N 15°15'06" E	4.48'
L7	S 74°44'54" E	182.95'
L8	S 15°25'16" W	12.00'
L9	N 74°44'54" W	122.92'
L10	N 15°15'06" E	7.52'
L11	N 74°44'54" W	60.00'
L12	N 73°15'32" E	70.75'
L13	N 15°15'06" E	15.00'
L14	S 74°44'54" E	122.92'
L15	S 15°25'16" W	15.00'
L16	N 74°44'54" W	122.87'





LEGEND TABLE	
	PROPERTY LINE
	OVERHEAD UTILITIES
	RIGHT - OF - WAY
	ROAD CENTERLINE
	PAVEMENT EDGE

1
C-2
COMPOUND LAYOUT
SCALE: 1" = 5' (22X34)
SCALE: 1" = 10' (11X17)



430 CHESTNUT STREET
SUITE 101-B
CHATTANOOGA, TN 37402

ENGINEER:



100 N Point Center E, Suite 125, Alpharetta, GA 30022
478.318.6119

REV	DATE	RECORD OF ISSUE	BY	CHK
A	02/24/2022	SITE SKETCH	KC	EB
B	04/22/2022	ZONING	KC	EB
C	03/30/23	REVISED PER COMMENTS	TA	EB
D	04/05/23	REVISED PER COMMENTS	TA	EB



NOT VALID FOR CONSTRUCTION
UNLESS SIGNED AND STAMPED

SITE NAME:
MURFREESBORO-FORTRESS

SITE NUMBER:
TN-035

SITE ADDRESS:
591 FORTRESS BLVD
MURFREESBORO, TN 37128

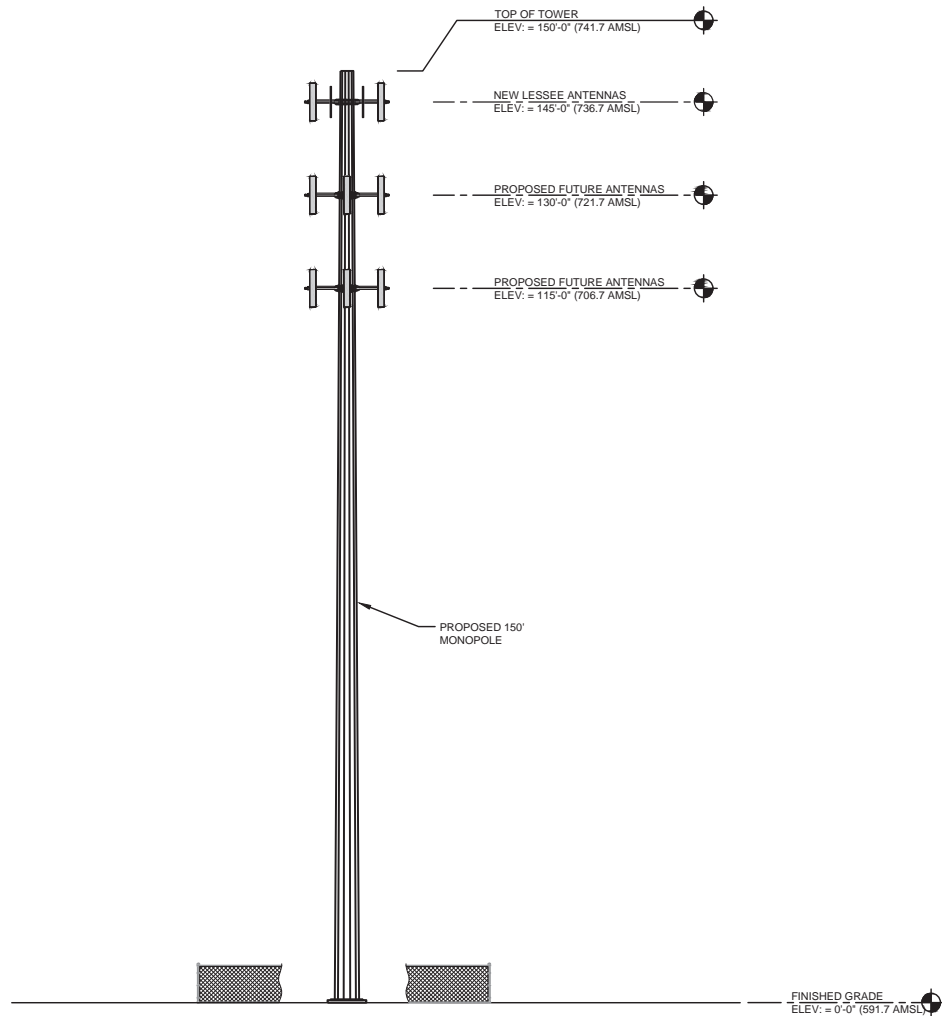
COMPOUND LAYOUT

DRAWN BY: KC

CHECKED BY: EB

PROJECT MANAGER: MS

SHEET NUMBER: C-2



1
C-3
PROPOSED TOWER ELEVATION
NOT TO SCALE



**VOGUE
TOWERS**

430 CHESTNUT STREET
SUITE 101-B
CHATTANOOGA, TN 37402

ENGINEER:



100 N Point Center E, Suite 125, Alpharetta, GA 30022
478.318.6119

REV	DATE	RECORD OF ISSUE	BY	CHK
A	02/24/2022	SITE SKETCH	KC	EB
B	04/22/2022	ZONNING	KC	EB
C	03/30/23	REVISED PER COMMENTS	TA	EB
D	04/05/23	REVISED PER COMMENTS	TA	EB



NOT VALID FOR CONSTRUCTION
UNLESS SIGNED AND STAMPED

SITE NAME:
MURFREESBORO-FORTRESS

SITE NUMBER:
TN-035

SITE ADDRESS:
591 FORTRESS BLVD
MURFREESBORO, TN 37128

**TOWER ELEVATION
AND ANTENNA PLAN**

DRAWN BY: KC

CHECKED BY: EB

PROJECT MANAGER: MS

SHEET NUMBER: C-3



**APPLICATION FOR SPECIAL EXCEPTION APPROVAL BY VOGUE TOWERS II, LLC, FOR THE
CONSTRUCTION OF A WIRELESS COMMUNICATION FACILITY**

Application: For City of Murfreesboro approval by Vogue Towers II, LLC (“Vogue Towers”) for a Special Use Permit and 120’ Height Variance for a proposed multi-provider wireless telecommunications facility.

Site Name: Murfreesboro Fortress, #TN-035

Project Description: Vogue Towers proposes to construct a multi-provider 150’ monopole tower structure with 5’ lightning rod (overall height 155’) within a fenced compound area (see attached design drawings for details). This facility will have provisions for multiple carriers, satisfying the Purpose of the City’s ordinance to reduce the need for new towers.

Parcel Address: 591 Fortress Blvd, Murfreesboro, TN

Property Owner: Rutherford County Emergency Communication District

Narrative:

The wireless industry is continually improving networks to best meet the needs of the community. In order to meet the increasing demand for wireless services, it is necessary to place new facilities in strategic locations to adequately provide service for this increasing demand. The purpose of this new facility will be to provide improved capacity, quality, and safety to the area, specifically to customers and residents in/around this portion of Murfreesboro.

As the demand for wireless continues to increase with the use of “smart phones” (24.3% increase in voice, 19.6% increase in data in 2020, per CTIA), there is an increased need for wireless telecommunications infrastructure to keep up with the demand. As network traffic increases on a given wireless network, additional facilities are needed to provide consumers with quality, high-speed mobile broadband. Each wireless telecommunications facility can handle only a fixed amount of demand and/or cover so far, and this tower is needed to provide additional coverage and capacity for this portion of the community. Greater signal strength is needed to adequately penetrate the buildings and provide reliable voice and improved data throughput rates for wireless subscribers.

This proposal is to construct a multi-provider wireless telecommunications facility. The applicant will lease the use of space and access as shown on the site plan. Within that area, there would be an approx. 2,025 sq/ft fenced compound providing room for wireless carriers such as Verizon Wireless, AT&T, T-Mobile, DISH, and other collocating wireless providers to place equipment cabinets/buildings within the compound of the new tower, as well as local EMS and first responders.

Consideration of this application should not, however, be limited to examining how successfully Vogue Towers has mitigated any negative impact through design and location. The positive impact of the site should be given full weight as well. We live in a society where our wireless devices have become an essential tool for daily living, a necessity with approximately 80% of E911 calls (est. 240 million) being made from wireless devices each year and more than one-half of American homes (68.7% as of 2021) with only wireless telephone service (*National Center for Health Statistics*). Furthermore, the benefits of this site to the community go beyond just convenience for residents and businesses where 80% of consumers now consider wireless service indispensable (*CTIA*). Quality wireless service is part of the critical infrastructure necessary for public safety and first responders in emergency situations such as accidents, crimes, health incidents and storms. Given the design, location and benefits provided by this proposed site, and lack of significant impacts, approval of this Special Use Permit and 115' Height Variance application is respectfully requested.

Section 9. Standards for Special Permit Uses.

(C) Standards of general applicability. An applicant for a special permit shall present evidence at the public hearing on such special permit, which evidence must establish:

- (1) that the proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety, and general welfare; **Applicant's use will not have adverse effect on character of neighborhood (City tower in vicinity) or contribute to material traffic, parking or utility facilities. Once constructed, the wireless telecommunications facility is un-manned, and will not increase congestion in the area. Additionally, the addition of this facility will improve the wireless service in this area for residents as well as EMS and first responders. As previously noted, 80+% of E911 calls are not made from wireless devices.***
- (2) that the proposed building or use will be constructed, arranged, and operated so as to be compatible with the immediate vicinity and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations; **The wireless communications facility is un-manned and self-contained once operational, and will not interfere with the development or use of adjacent properties. However, it will provide benefit of improved wireless service in the area.***
- (3) that the proposed buildings or use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, drainage structures, refuse disposal, fire protection, water and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services; **As unmanned facility, Applicant's development will not create increased need for resources noted above, using only power & fiber, with technician visits every 4-6 weeks.***
- (4) that the proposed building or use will not result in the destruction, loss, or damage of any feature determined by the BZA to be of significant natural, scenic, or historic importance; and, **Applicant will comply, siting the proposed facility back in corner of the property. In addition, Applicant is also required to have the development approved by State Historical Preservation Office (SHPO), Tribal Historical Preservation Office (THPO), and US Fish & Wildlife (USFWS) as some of the federal approvals required by the FCC.***
- (5) that the proposed building or use complies with all additional standards imposed on it by the particular provision of this section authorizing such use. **Applicant will comply with additional standards as they relate to the development and operation of the wireless communications facility.***

(cccc) *Wireless communication towers and antennas (altogether "towers") shall be subject to the following additional standards:*

(1) *[1] towers shall not be located in the approach or landing zone of an airport or heliport; **Tower will comply see attached FAA "Determination of No Hazard to Air Navigation" (2022-ASO-16723-OE) for approval from FAA.***

*[2] the application for a special use permit shall be accompanied by the written recommendations of appropriate state and federal agencies; **As noted above, Applicant has already received approval from the FAA for the height of 150' (155' overall). NEPA due diligence, consisting of SHPO, THPO, USFWS, etc., will be conducted upon zoning approval, and Applicant will comply with all local, state and federal agencies.***

*[3] in the event any tower is to be equipped with hazard lights, the use of white strobe lights shall be restricted to daylight hours; **N/A, tower is approved without lighting.***

*[4] the BZA may place restrictions on the manner (and color) in which the tower can be painted, within the parameters of applicable state and federal regulations; and, **Tower is not required to be painted for purposes of FAA, with color to be natural galvanized steel as typical with this use.***

*[5] the BZA may require additional standards be met in order to assure compatibility of the proposed use with adjoining properties, subject to T.C.A. §13-24-301 et seq. **Applicant will comply.***

*[6] the applicant must demonstrate compliance with Section 31(E). **As noted within this submittal, Applicant complies.***

Section 10. Variances

(E) *Standards for Variance. To be entitled to a variance an Applicant must be shown by substantial material evidence:*

(1) *That the specifically identified characteristics of the land, such as the narrowness, shallowness, shape, topography or other condition of the land, are such that compliance with one or more applicable zoning regulations would be extraordinarily and peculiarly difficult or would result in an undue hardship for the Applicant; **Applicant's request for a height variance pertains to the air vs. the land on which the proposed wireless telecommunications facility is to be located. The height is consistent with the nature of this use and conflicts with the established height limits for this zoning district, not of Applicant's making.***

(2) *That the specifically identified characteristics are unusual to the subject land as compared to other land in the same zoning classification and in the same area; **Applicant's request for a height variance pertains to the air vs. the land on which the proposed wireless telecommunications facility is to be located. The height is consistent with the nature of this use and conflicts with the established height limits for this zoning district, not of Applicant's making.***

(3) *That the specifically identified characteristics or hardship were not created by any action or inaction of the owner or the owner's agent; **The height is consistent with the nature of this use and conflicts with the established height limits for this zoning district, not of Applicant's making.***

(4) *That granting the requested variance will not be unduly detrimental to other land in the vicinity of the land for which the variance is requested; and **The height variance is requested in order for Applicant, and their wireless provider tenants, to accomplish their respective network and RF coverage objectives to provide quality wireless services to the area. The nature of the proposed structure is unique in order to meet RF coverage objectives. Limiting the height to the zoning ordinance standard (35') is not consistent with the Federal Telecommunications Act and Tennessee statute.***

(5) *That granting the requested variance will not impair an adequate supply of light and air to adjacent properties, unreasonably increase the congestion in public streets, increase the danger of fire or otherwise endanger the public health, safety, comfort, or morals, or substantially impair the intent and purpose of the Zoning Ordinance or of the general plan for the area. **Once constructed, the wireless telecommunications***

facility is un-manned, and will not increase congestion in the area. Additionally, the addition of this facility will improve the wireless service in this area for residents as well as EMS and first responders. As previously noted, 80+% of E911 calls are not made from wireless devices.

As provided for in this application package, Vogue Towers is requesting approval of a Special Use Permit and 120' Height Variance as identified above per the conditions and specifications of the City's Zoning Ordinance, Section 31, Wireless Telecommunications Towers and Antennas. Wireless service is increasingly being considered a public necessity as it is often the only means citizens have to emergency services. The location and character of the use, if developed according to the plan submitted and recommended, will be in harmony with the area in which it is to be located. The proposed wireless telecommunications facility will meet the infrastructure needs of this area of the area and will provide additional access to emergency services, if needed.

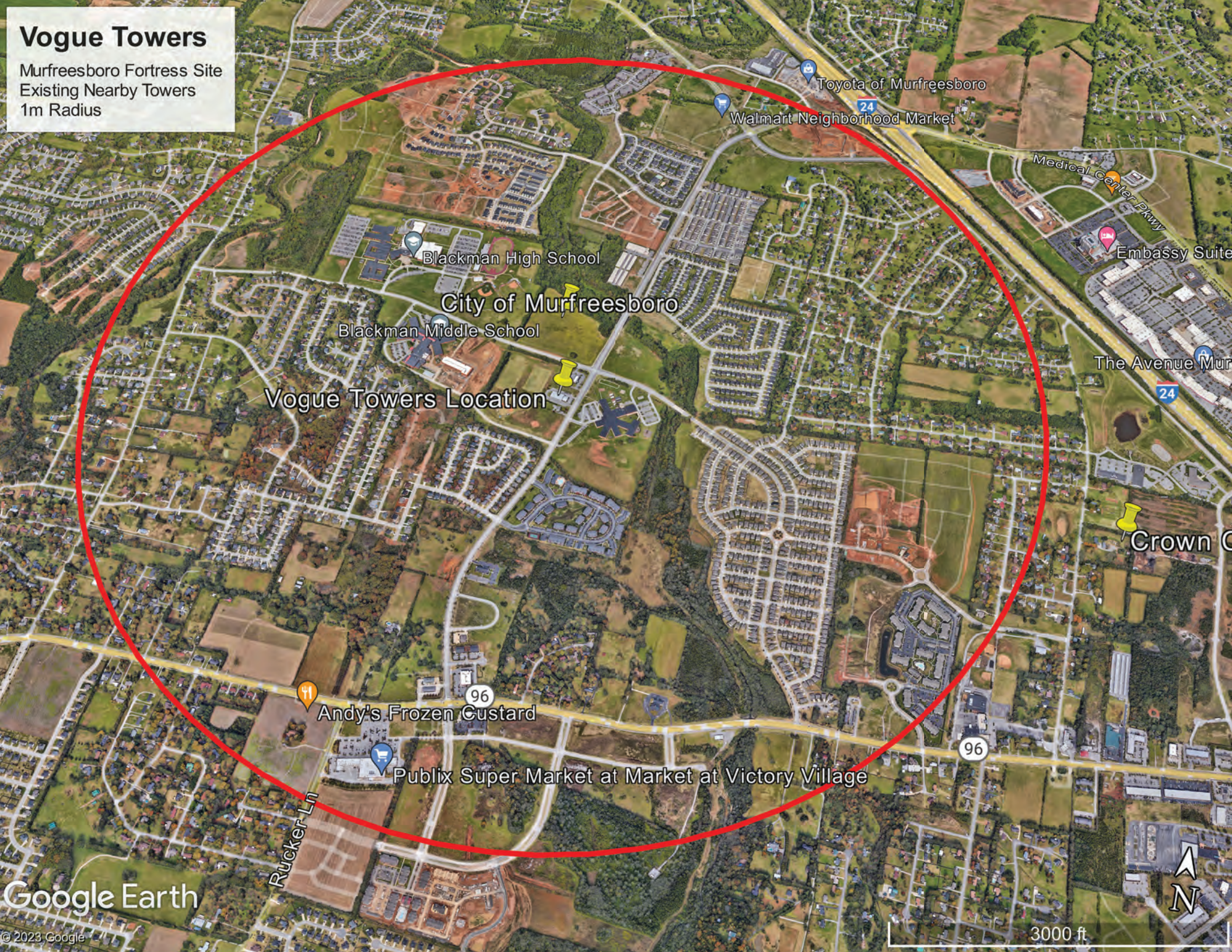
Respectfully submitted,

Pat Troxell-Tant

Pat Troxell-Tant
Chief Executive Officer
Vogue Tower Partners VII, LLC

Vogue Towers

Murfreesboro Fortress Site
Existing Nearby Towers
1m Radius



Blackman High School
City of Murfreesboro
Blackman Middle School
Vogue Towers Location

Walmart Neighborhood Market
Toyota of Murfreesboro

Medical Center Pkwy
Embassy Suite

The Avenue Mur
24

Crown C

Andy's Frozen Custard

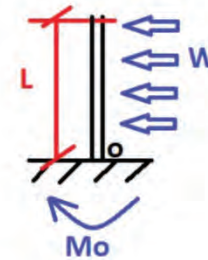
Publix Super Market at Market at Victory Village

Rucker Ln



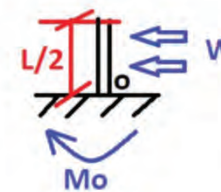
Designed Tower Fall Zones

- Towers designed per TIA-222 standards (currently Revision “H”)
- The load calculated at the base of the tower does not change
- Reduction of 50% of tower height results in applied force reduction of 75%, the remaining pole now only carries 25% of the original applied load
 - Layman’s terms, the remaining portion of the tower has a constant capacity, while the applied force is significantly decreased to 1/4th of the original applicable force. In another word, the base following a failure event is approx. 4x stronger because of the reduced applied force exerted on the tower
- Reduction of 30% of tower height from the top (bottom 70% remaining) results in applied force reduction of approx. 51%, leaving the remaining pole portion carries 49% of original moment



$$M_o = (WL^2)/2$$

L=full height of the monopole



$$\begin{aligned} M_o &= (W(L/2)^2)/2 \\ &= (W(L^2/4))/2 \\ &= (WL^2)/8 \end{aligned}$$

L/2=break point= half height of the monopole

Fall zone @ 60% of tower height: +

$$\begin{aligned} M_o &= (W (0.6L)^2)/2 \\ &= 0.36 WL^2/2 \end{aligned}$$



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASO-16723-OE

Issued Date: 03/06/2023

Janet Gill
Vogue Towers Partners VII LLC (JG)
430 Chestnut Street
Suite 101-B
Chattanooga, TN 37402

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Pole TN-035 NON CBAND
Location: Murfreesboro, TN
Latitude: 35-51-17.37N NAD 83
Longitude: 86-28-06.21W
Heights: 591 feet site elevation (SE)
155 feet above ground level (AGL)
746 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 .

This determination expires on 09/06/2024 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 222-4244, or ashley.m.wilson@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASO-16723-OE.

Signature Control No: 526968552-575163507

(DNE)

Ashley Wilson
Technician

Attachment(s)
Case Description
Frequency Data
Map(s)

cc: FCC

City of Murfreesboro BOARD OF ZONING APPEALS		HEARING REQUEST APPLICATION	
Location/Street Address: 591 Fortress Blvd, Murfreesboro			
Tax Map: 092	Group: 046	Parcel: 08,000	Zoning District: RS-15
Applicant: Vogue Towers II, LLC		E-Mail: Pat@voguetowers.net	
Address: 430 Chestnut St, Suite 101-B		Phone: 423-702-0313	
City: Chattanooga	State: TN	Zip: 37402	
Property Owner: Rutherford County Emergency Communication Dist.			
Address: 591 Fortress Blvd		Phone: 615-890-7550	
City: Murfreesboro	State: TN	Zip: 37218	
Request: Development and construction of multi-provider wireless communications facility.			
Zoning District: RS-15			
Applicant Signature: <i>Pat Inzell-Sant</i>		Date: April 10, 2023	
Received By:		Receipt #:	
Application #:		Date:	

**Murfreesboro
Board of
Zoning Appeals**



**MURFREESBORO
T E N N E S S E E**

**HEARING APPLICATION
AND
GENERAL INFORMATION**

**MURFREESBORO BOARD OF ZONING APPEALS
STAFF REPORT
APRIL 20, 2023**

Application: Z-23-007

Location: 1711 Bridget Drive

Applicant: Lennae Frants

Owner: Benjamin and Lennae Frantz

Zoning: RS-15 (Single-Family Residential- 15,000 square feet minimum lot size)

Requests: A special use permit to establish a home-based business for a hair salon



Special Use Permit Request Overview

The applicant, Lennae Frantz, is requesting a Special Use Permit (SUP) to establish a one-chair hair salon inside of her residence located at 1711 Bridget Drive. The subject property is located in a Single Family Residential (RS-15) zoning district. Because her business will generate customer traffic, a special use permit is required.

The applicant will remodel an existing room inside of the home for the proposed home-based business. The applicant states in her attached letter that she will have one customer at a time, there will be no employees besides herself that the hours of operation will be from 9:00am until 7:00pm Tuesday through Saturday by appointment only, and the customers will park in the driveway and not on the street. The approximate square footage of house is 2,361 square feet, according to the Rutherford County Property Assessor, and the proposed salon will be approximately 148 square feet or 16% of the residence floor area. Of note, the applicant completed remodeling of this portion of the house in anticipation of the SUP, including adding an exterior door to the house front, and new plumbing, lighting, and flooring without obtaining the required building permits. The applicant shall obtain all proper permits and inspections.

Relevant Zoning Ordinance Section

City of Murfreesboro Zoning Ordinance Section 9(D)(2)(rr) sets forth Standards for Home Occupations in addition to the Standards of General Applicability Section 9(C). The applicant has affirmed in her special use permit application letter that the home-based business will be operated in compliance with all zoning requirements.

Staff Comments

After reviewing the criteria for the special use permit requirements for home occupations, this project appears to meet the criteria.

Standards of General Applicability with Staff analysis.

- (1) The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety, and general welfare:**

Staff has reviewed the application and associated documents and believe that this standard has been met because no adverse impact on the above-mentioned list will be associated with the proposed 1-chair hair salon use because the salon will be located within the existing structure, all parking will be on site and located in the existing driveway, hours of operation will be limited to 9 AM to 7 PM Tuesday through Saturday, and there will be no additional employees.

- (2) The proposed building or use will be constructed, arranged, and operated so as to be compatible with the immediate vicinity and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations:**

Staff has reviewed the application and associated documents and believe that this standard has been met because the applicant has expressed that there will be no more than one customer at a time, there

would be no employees besides herself at the business and the customers will be required to park in the driveway.

- (3) The proposed buildings or use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, drainage structures, refuse disposal, fire protection, water, and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services:**

Staff has reviewed the application and associated documents and believe that this standard has been met because existing services are provided to the property already, parking will be on the driveway, and one customer at a time will not generate any significant increase in traffic for the neighborhood.

- (4) The proposed building or use will not result in the destruction, loss, or damage of any feature determined by the BZA to be significant natural, scenic, or historic importance:**

Staff has reviewed the application and associated documents and believe that this standard has been met because no features of significant natural, scenic, or historic importance have been identified on the subject property or in this general area.

- (5) The proposed building or use complies with all additional standards imposed on it by the particular provision of this section authorizing such use:**

Staff has reviewed the application and associated documents and believe that this standard has been met because all Additional Standards for Home Occupations below have been satisfied.

Additional Standards for Home Occupations with Staff Analysis.

- (1) No person who is not a resident of the dwelling unit may be employed in connection with the home occupation at the dwelling unit or on the property;**

- a. Staff has reviewed the application and associated documents and believe that this standard has been met because the applicant has stated in the application that she will be the only person working in the salon and will not have any additional employees.

- (2) One attached business sign, not exceeding three square feet, may be permitted subject to approval by the BZA. Such signs shall not be permitted by right;**

- a. Staff has reviewed the application. Ms. Frantz requests permission to place one window cling/sticker – type sign on the salon door. This sign may not exceed three square feet in size.

- (3) There shall be no alteration of the residential building which changes the character as a dwelling. No display of products shall be visible from the street;**

- a. Staff has reviewed the application and associated documents and believe that this standard has been met because no new exterior modifications to the home are proposed with this application. The door to the salon is currently constructed, as depicted in the photographs included with this report. The new door does not appear to change the character of the dwelling. No other changes are visible from the street.

- (4) The home occupation shall be incidental and subordinate to the residential use of the dwelling unit. No more than twenty-five percent (25%) of the area of a residential dwelling unit and accessory structure, if used as part of the home occupation, shall be devoted to the home occupation. In the event the home occupation is to be conducted totally from within an accessory structure, no more than five hundred square feet of area may be devoted to such home occupation. No more than one home occupation shall be permitted per residential dwelling unit and any related accessory structure;**
- a. Staff has reviewed the application and associated documents and believe that this standard has been met because the structure is 2,361 square feet in area according to the Rutherford County Property Assessor and the salon itself is 148 square feet or approximately 16% of the residence.
- (5) No mechanical or electrical equipment may be used in a residential dwelling unit or accessory structure in connection with a home occupation except such types as are customary for domestic, household, or hobby purposes; personal computers and facsimile machines may be used. Machinery that causes noise likely to be heard by neighbors or interference with radio or television reception shall be prohibited;**
- a. Staff has reviewed the application and associated documents and believe that this standard has been met because the applicant has indicated that only common household equipment will be used and that a blow dryer is the loudest equipment that will be used in the salon.
- (6) There shall be no storage outside a principal building or accessory structure of equipment or materials used in connection with the home occupation;**
- a. Staff has reviewed the application and associated documents and believe that this standard has been met because the applicant will not store any items outside of the principal building or accessory structure that are related to this business.
- (7) There shall be adequate provision for any traffic generated by such home occupation including off-street parking if required by the BZA;**
- a. Staff has reviewed the application and associated documents and believe that this standard has been met because there will be adequate parking on site for the 1 car per appointment to park on site at the side of the property.
- (8) Group instruction in connection with the home occupation may be permitted subject to approval by the BZA. For the purposes of this subsection, instruction shall be group instruction if it involves more than two students at any time. The BZA may place a maximum number of students that may be on-site at any time and may establish limitations on the frequency of such group instruction.**
- a. Staff has reviewed the application and associated documents and believes that this standard has been met because no group instruction is included as a part of this application.
- (9) The following activities and land uses shall not be permitted as home occupations: automotive repair (body or mechanical), upholstery or painting; kennels; taxi service; gun dealers; or, charter bus service;**

- a. Staff has reviewed the application and associated documents and believe that this standard has been met because none of these activities or land uses are a part of this application.

(10) The BZA may require additional standards in order to assure the compatibility of the home occupation with other property in the vicinity of the home occupation and to assure the residential character of the neighborhood is maintained.

- a. Staff recommends additional standards with the recommended conditions of approval to ensure the residential character of the neighborhood will be maintained, including requiring the applicant to obtain all required building permits prior to issuance of a business license or within 60 days of approval, whichever comes first. Staff believes this standard has been met.

Staff Comments:

Staff recommends approval of the requested Special Use Permit to operate a home-based business for a one-chair hair salon consistent with the requirements of the Zoning Ordinance because it will meet the General Standards of Applicability and additional standards for Home Occupations. If approved, staff recommends that the special use permit include the following recommended Conditions of Approval:

Recommended Conditions of Approval:

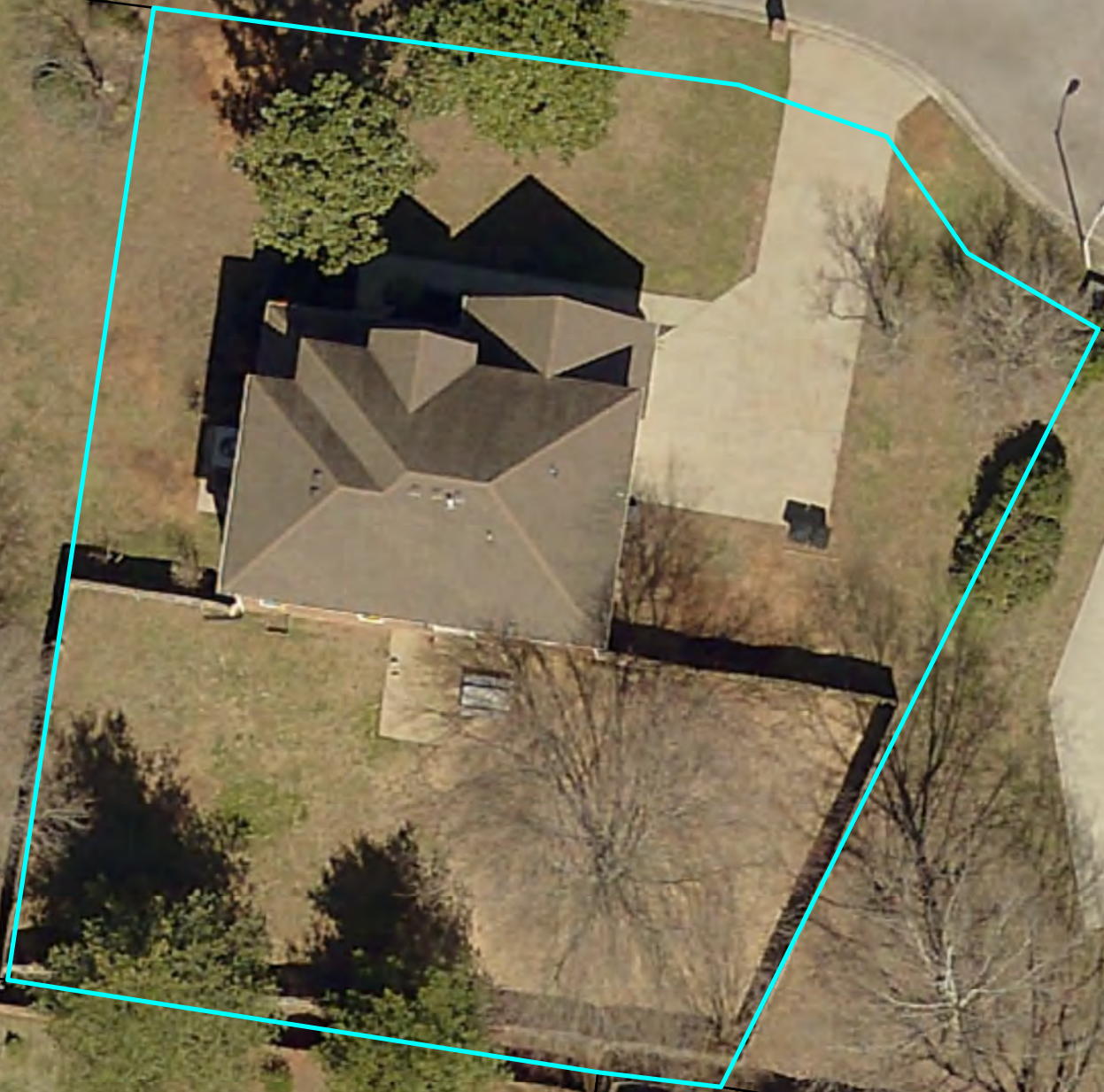
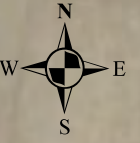
- 1) Customer visits shall be by appointment only.
- 2) No more than one customer at a time shall visit the home-based business.
- 3) Any proposed signage shall comply with the Zoning and Sign Ordinances, shall not exceed 3 square-feet, shall be attached to the principal structure only, and shall be subject to any applicable permitting requirements.
- 4) The business shall open no earlier than 9:00 AM and shall close no later than 7:00 PM and shall not operate on Monday or Sundays.
- 5) All parking will occur on the concrete driveway located on the subject property located at 1711 Bridget Drive.
- 6) Prior to obtaining a business license or within 60 days from the date of SUP approval, whichever occurs first, the applicant shall obtain all required building permit(s) and inspection(s) for the installation of the exterior doorway, new plumbing, electrical, and flooring.

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

Attached Exhibits

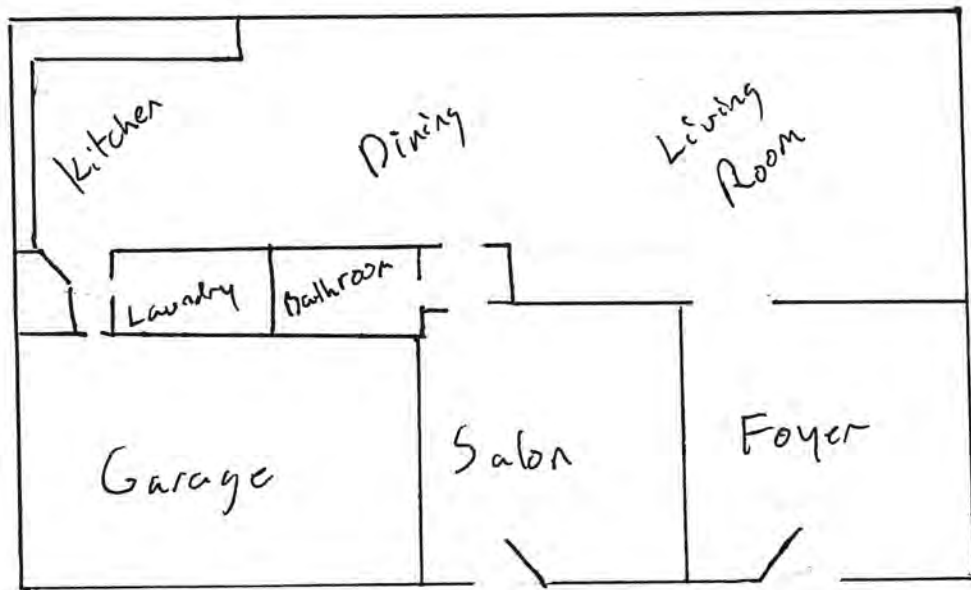
- A. Site aerial and photos
- B. Letter of explanation from applicant
- C. Application

BRIDGET DR









Special Use Permit for Home Based Business for Hair Salon Lennae Frantz, located at 1711 Bridget Drive

I, Lennae Frantz, am requesting approval to operate a one chair hair salon inside of my home. The location of the property is 1711 Bridget Drive, which is in a Single Family Residential (RS-15) zoning district. Because my business will generate customer traffic, a special use permit is required. There will be no more than one customer at a time. There will be no employees besides myself at the business, and the customers will park in the driveway. The hours of operation will be from 9am through 7pm on Tuesday through Saturday, by appointment only.

Standards of General Applicability

(1) The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and the other matters affecting the public health, safety, and general welfares.

- There will be no substantial or undue adverse effect upon adjacent property, the neighborhood, traffic, or utilities. The salon will be operated inside the residence, there is plenty of parking available in the driveway for one client car, only one client at a time, the loudest equipment used is a blow dryer for hair, and no additional utility work is necessary.

(2) The proposed building or use will be constructed, arranged, and operated so as to be compatible with the immediate vicinity and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations:

- There will be no more than one customer at a time, there will be no employees besides me at the business, and the customers will park in the driveway. Customers will enter salon through salon door at the front of my home.

(3) The proposed buildings or use will be served adequately by essential public facilities an service such as highways, streets, parking spaces, drainage structures, refuse disposal, fire protection, water and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services:

- No additional or undue stress will be places on public facilities or resources due to only one customer at a time visiting the property, by appointment only.

(4) The proposed building or use will not result in the destruction, loss, or damage of any feature determined by the BZA to be significant natural, scenic, or historic importance:

- No features of significant natural, scenic, or historic importance are known to be on the subject property or in this general area.

(5)The proposed building or use complies with all additional standards imposed on it by the particular provision of this section authoring such use:

- I will comply with all the standards stated and operate the business in a responsible manner.

Additional Standards for Home Occupations

(1)No person who is not a resident of the dwelling unit may be employed in connection with the home occupation at the dwelling unit or on the property;

- a. I will be the only person working in this salon and will not employ anyone else.

(2)One attached business sign, not exceeding three square feet, may be permitted subject to approval by the BZA. Such signs shall not be permitted by right;

- a. The only sign I would place would be a window cling/sticker-type sign on the entrance door to salon.

(3)There shall be no alteration of the residential building which changes the character as a dwelling. No display of products shall be visible from the street;

- a. No modifications will change the character of the dwelling. The existing dining room has been converted, and customers will enter through dining room door at the front of the house.

(4)The occupation shall be incidental and subordinated to the residential use of the dwelling unit. No more than twenty-five percent (25%) of the area of a residential dwelling unit and accessory structure, if used as part of the home occupation, shall be devoted to the home occupation. In the event the home occupation is to be conducted totally form within an accessory structure, no more than five hundred square feet of area may be devoted to such home occupation. No more than one home occupation shall be permitted per residential dwelling unit and any related accessory stucture;

- a. The structure is 2400 square feet in area. The salon itself is only 140 square feet, or approximately 17% of the floor area.

(5)No mechanical or electrical equipment may be used in a residential dwelling unit or accessory structure in connection with a home occupation structure in connection with a home occupation except such types as are customary for domestic, household, or hobby purposes; personal computers and facsimile machines may be used. Machinery that causes noise likely to be heard by neighbors or interference with radio or television reception shall be prohibited;

- a. All equipment used will be standard household equipment. A blow dryer for hair would be the loudest equipment used.

(6) There shall be no storage outside a principal building or accessory structure of equipment or materials used in connection with the home occupation;

- a. I will not store any items outside of the principal building or accessory structure that are related to this business

(7) There shall be adequate provision for any traffic generated by such home occupation including off-street parking if required by the BZA;

- a. There will be adequate parking on site for the one car per appointment to park on site on the side of the property in the driveway.

(8) Group instruction in connection with the home occupation may be permitted subject to approval by the BZA. For the purposes of this subsection, instruction shall be group instruction if it involves more than two students at any time. The BZA may place a maximum number of students that may be on-site at any time and may establish limitations on the frequency of such group instructions.

- a. No group instruction is included as a part of this application.

(9) The following activities and land uses shall not be permitted as home occupations: automotive repair (body or mechanical), upholstery or painting; kennels; taxi services; gun dealers; or, charter bus services;

- a. None of these activities or land uses are a part of this application.

(10) The BZA may require additional standards in order to assure the compatibility of the home occupation with other property in the vicinity of the home occupation and to assure the residential character of the neighborhood is maintained.

- a. The residential character of the neighborhood will be maintained. Any recommended conditions of approval will be followed.

Lennae Frantz
1711 Bridget Dr.
Murfreesboro, TN 37129
615-439-4331

To Whom It May Concern:

I am applying for a special use permit for my residence at 1711 Bridget Drive in Murfreesboro. The details of this request are as follows:

- One chair hair salon with only one client at a time.
- Maximum work hours would be Tuesday through Saturday 9am - 7pm.
- Plenty of parking available in driveway to hold the one client car at a time.
- Salon will operate on appointment-only business model. No walk-in.
- No employees will be working at this salon. I will be the only professional.
- Noise will not be an issue. Loudest equipment is a blow dryer for hair.

Thank you so much for your time and consideration,

Lennae Frantz

City of Murfreesboro
BOARD OF ZONING APPEALS

HEARING REQUEST
APPLICATION

Location/Street Address: 1711 Bridget Dr. Murfreesboro, TN 37129

Tax Map: Group: Parcel: Zoning District:

Applicant: Lenae Frantz E-Mail: lenaemiller@gmail.com

Address: 1711 Bridget Dr. Phone: (615) 439-4331

City: Murfreesboro State: TN Zip: 37129

Property Owner: Lenae Frantz

Address: Same as above Phone: (615) 439-4331

City: State: Zip:

Request: To operate a one chair salon in my home.

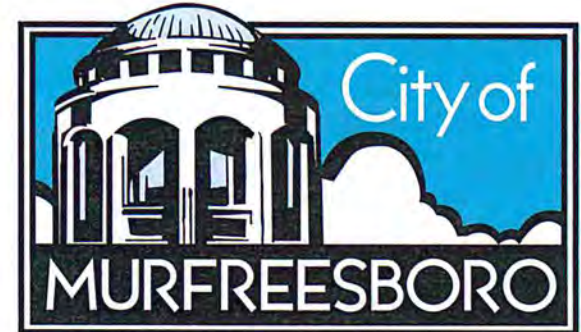
Zoning District:

Applicant Signature: *Lenae M. Frantz* Date: 4-10-23

Received By: *ACC* Receipt #: *\$350.00*

Application #: 2-23-007 Date: 4/10/2023

Murfreesboro
Board of
Zoning Appeals



T E N N E S S E E

HEARING APPLICATION
AND
GENERAL INFORMATION

MURFREESBORO BOARD OF ZONING APPEALS

STAFF REPORT

April 26, 2023

PROJECT PLANNER: JOEL AGUILERA

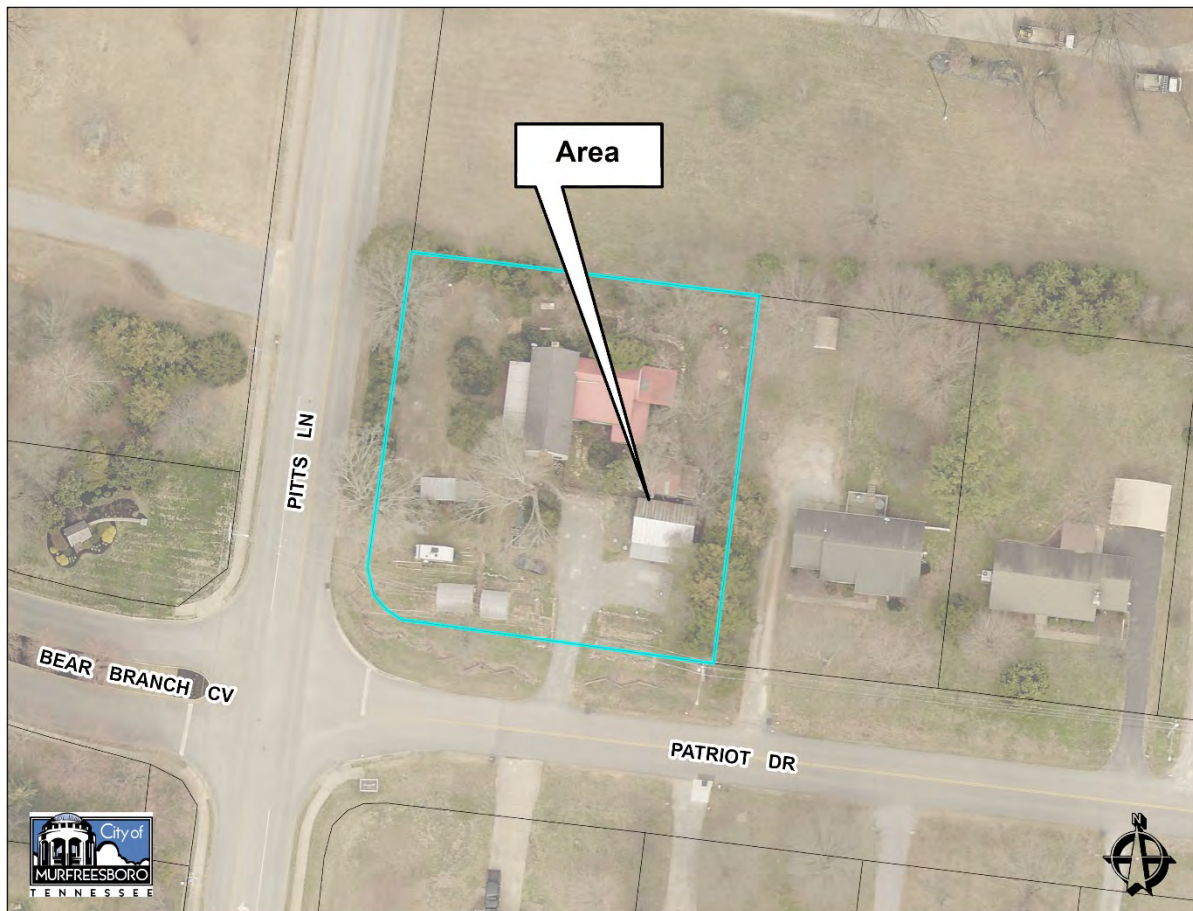
Application: Z-23-006

Location: 2103 Patriot Drive

Applicant: Margaret Greeson, represented by Philip Kilpatrick

Zoning: RS-15 (Residential Single-Family – 15,000 square feet minimum lot size)

Requests: A special use permit to construct a 453 square foot accessory apartment at 2103 Patriot Drive.



Overview

Special Use Permit Request

The applicant, Margret Greeson, represented by Philip Kilpatrick, is requesting a Special Use Permit (SUP) to convert an existing structure into a accessory apartment at 2103 Patriot Drive. The requested accessory apartment would be established within an existing accessory structure located on the property. There are no building records of the accessory structure but was present on the property prior to the adoption of the Murfreesboro Zoning Ordinance (1984).

The applicant proposes to renovate the existing structure and construct a kitchen and living room, closet, one bedroom, and one bathroom. It is approximately 12-foot height and 453 square feet in size and located in front of the main residence at approximately 43 feet from the Patriot Drive front setback and 16 feet from the side property line to the east. The driveway is gravel and can accommodate four vehicles. There are two additional accessory structures that will remain on the property and are used for storage. The property is zoned RS-15, surrounded by property zoned RS-15, and is in the Mabel Blair residential subdivision.

Staff Analysis

Pursuant to the Murfreesboro Zoning Ordinance, Section 25, temporary and accessory structures, accessory structures must be located 10 feet behind the front of the principal structure on the same lot and not less than 5-feet from any side lot lines. The subject structure does not comply with the Zoning Ordinance because it is in front of the house and not 10 feet behind the front wall. Because this structure was constructed pre-1984, prior to the adoption of the zoning ordinance, it is considered a “legal non-conforming structure.” In addition, staff’s research of the property and structure it was confirmed that this building was approved by the Murfreesboro Board of Zoning Appeals in 1989 for a special use permit for a home occupation business, within the accessory structure, and again for a special use permit for a bed and breakfast in 1991, for the main dwelling.

Staff conferred with the City Legal Department and confirmed that the building can remain on the property as a “lawfully-established nonconforming structure”, provided the structure’s nonconformity is not expanded. Per Section 28 (C), nonconforming structures may be used for uses that are permitted in the underlying zoning district. As such, since the proposed accessory apartment use is permitted in the RS-15 zoning district by special use permit, the fact that the proposed use is proposed to be located within a non-conforming structure does not affect the ability of the applicant to apply or for the BZA to grant this request.

Staff is recommending both the 1989 home occupation and 1991 special use permit for Bed and Breakfast be rescinded as a condition of approval of the proposed Special Use Permit. Other conditions recommended include the completion and recordation of a “Restriction on Use of Land” document. The applicant has agreed to the recommended conditions of approval.

Relevant Zoning Ordinance Section

The following are the relevant sections from the Murfreesboro Zoning Ordinance that apply to accessory apartments, accessory structures, and legal nonconforming structures:

Chart 1, Uses Permitted by Zoning District

Section 25, Temporary and Accessory Structures, Subsection E

Section 28, Nonconformities, Subsection C

Section 2, Definitions:

Accessory Apartment: a second dwelling unit either in or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot of record for use as an independent living facility with provision within the accessory apartment for food preparation, sanitation and sleeping such a dwelling shall be accessory to the main dwelling.

Section 9, Subsection C, Standards of General Applicability relating to Special Use Permits and Section 9, Subsection D, (2), (a) Additional standards for Accessory Apartments are listed below with analysis from staff on how the proposed accessory apartment meets the standards.

Standards of General Applicability with Staff Analysis:

- (1) The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety, and general welfare:**
 - Staff has reviewed the application and associated documents and believes that this standard has been met because the accessory apartment complies with the additional standards for accessory apartments. The structure will have adequate parking on site, and no changes to utility facilities are needed. The traffic conditions would remain the same and the proposed use would not affect the safety and general welfare of the neighborhood as the structure is currently existing.
- (2) The proposed building or use will be constructed, arranged, and operated so as to be compatible with the immediate vicinity and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations:**
 - Staff has reviewed the application and associated documents and believes this standard has been met because as depicted on the proposed plans, the proposed use complies with minimum development standards. The apartment is not a rental and is to be used for one family member and would not interfere with adjacent properties or generate traffic.
- (3) The proposed buildings or use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, drainage structures, refuse disposal, fire protection, water and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services:**

- Staff has reviewed the application and associated documents and believes this standard has been met because the accessory apartment will be served adequately by essential public facilities because they are currently existing and serve the property.
- (4) The proposed building or use will not result in the destruction, loss, or damage of any feature determined by the BZA to be significant natural, scenic, or historic importance:**
- Staff has reviewed the application and associated documents and believes this standard has been met because it does not appear any such features on-site that will be impacted by this use.
- (5) The proposed building or use complies with all additional standards imposed on it by the particular provision of this section authorizing such use:**
- Additional standards for Accessory Apartment uses are listed below.

Additional Standards for Accessory Apartment Uses with Staff Analysis:

- 1.) Only one accessory apartment shall be allowed upon a lot zoned for single family purposes;**
- Staff has reviewed the application and associated documents and believes this standard is met because the applicant affirms that this is one accessory apartment for the son to live in at 2103 Patriot Drive. No other structure, on the lot, will be converted into an accessory apartment.
- 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;**
- Staff has reviewed the application and associated documents and believes this standard is met because the applicant, Margret Greeson, has confirmed that she will continue to reside on the property and that the accessory apartment unit will be used for her son. Additionally, Miss Greeson has agreed to record a Restriction on Use of Land, as required by the City for all accessory apartments.
- 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;**
- Staff has reviewed the application and associated documents and believes this standard is met because as depicted on the attached plans, the design is compliant with the design and use standards for accessory apartment. The structure is 12 feet high and has a 43-foot front setback. The structure has a consistent design and aesthetic of a single-family residential home. The proposed accessory apartment will have adequate parking via the existing gravel driveway.

- 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;**
- Staff has reviewed the application and associated documents and believes this standard is not applicable because it is a detached structure.
- 5.) The design and size of the accessory apartment shall conform to all applicable standards in the health, building and other codes;**
- Staff has reviewed the application and associated documents and believes this standard is met because as it is currently depicted, the accessory apartment will be 453 square feet and if approved, the applicant is required to obtain all necessary building permits for the accessory apartment. The applicant has confirmed that the design and construction will conform to all applicable standards in the health, building, and other codes. The structure will be separated 43 feet from the front property line, and will not exceed 35 feet in height, which is compliant with standards for temporary and accessory structures.
- 6.) The accessory apartment shall not exceed seven hundred (700) square feet of floor area;**
- Staff has reviewed the application and associated documents and believes this standard is met because the accessory apartment will be 453 square feet and will not exceed 700 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:**
- Staff has reviewed the application and associated documents and believes this standard is met because Standard #7 would not be needed due to the Restriction on Use of Land, prepared by the City Legal Department, which requires that at least one of the dwelling units can only be occupied by a family member or an invited guest and cannot in any circumstances be used as rental unit. Such restriction will put future owners on notice of the limitations on how the accessory apartment can be used.
- 8.) The BZA may require additional standards may 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 has reviewed the application and associated documents and believes this standard is met because the applicant, Margret Greeson, has agreed to any additional standards required by the Board of Zoning Appeals.

Staff Comments:

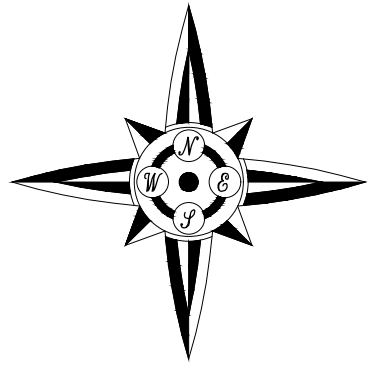
Staff recommends approval of the Special Use Permit, based on the application materials and plans submitted which meet the minimum development standards, and subject to the following recommended conditions of approval.

Recommended Conditions of Approval:

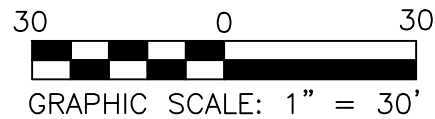
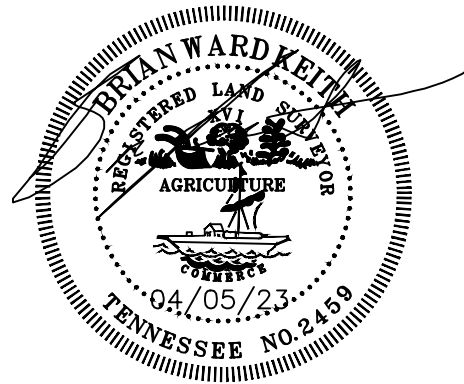
1. The special use permit approval is for a 453 square foot accessory apartment to be established within the existing structure as noted on the application plans.
2. The owner(s) of the property for this accessory apartment unit shall occupy at least one of the dwelling units on the premises and members of the family or their invited guests shall occupy the other dwelling unit.
3. In accordance with Section 28, Nonconformities, Subsection C, the use and renovation of the existing accessory structure to be an accessory apartment shall be permitted to continue provided that no such enlargement, maintenance, repair or alteration of the structure shall either create an additional nonconformity or increase the degree of the existing nonconformity of all or any part of such structure.
4. The applicant shall obtain the necessary building, electrical, and or plumbing permits with the Building and Codes Department and shall comply with all requirements set by building code.
5. Upon approval of this special use permit, the previous special use permits for the home occupation for a small craft shop (BZA approved 1989) and bed and breakfast (BZA approved 1991) shall be rescinded.
6. Prior to applying for building permits, the applicant shall complete the “Restriction on Use of Land” document prepared by the City Legal Department and shall comply with all notarizations and recording requirements, as determined by the City Legal Department.
7. Prior to submitting an application for a building permit, the applicant shall submit a floor plan and colored photos or elevations to the Planning Department for review and approval.

Attached Exhibits

- A. Site plan
- B. Elevations
- C. Applicant correspondence
- D. Application
- E. Photos



SOURCE OF NORTH
TN STATE PLANE
(NAD 83)



NOTES:

1. The underground utilities have not been physically located. Above grade and underground utilities shown were taken from visible appurtenances at the site, public records, and or maps prepared by others. This surveyor makes no guarantee that the underground utilities shown represent all such utilities in the area or that the underground utilities shown are in the exact location indicated. The appropriate utility provider must be contacted to confirm availability and location of utilities.

PROPERTY OWNER: MARY GREESON
ADDRESS: 2103 PATRIOT DR
MURFREESBORO, TN 37130
MAP 81B, GROUP: "B", PARCEL 1.00
DEED BOOK 1925, PAGE 3966 R.O.R.C.T.
LOT 1, PLAT BOOK 11, PAGE 238 RUTHERFORD CO.

K&A Land Surveying

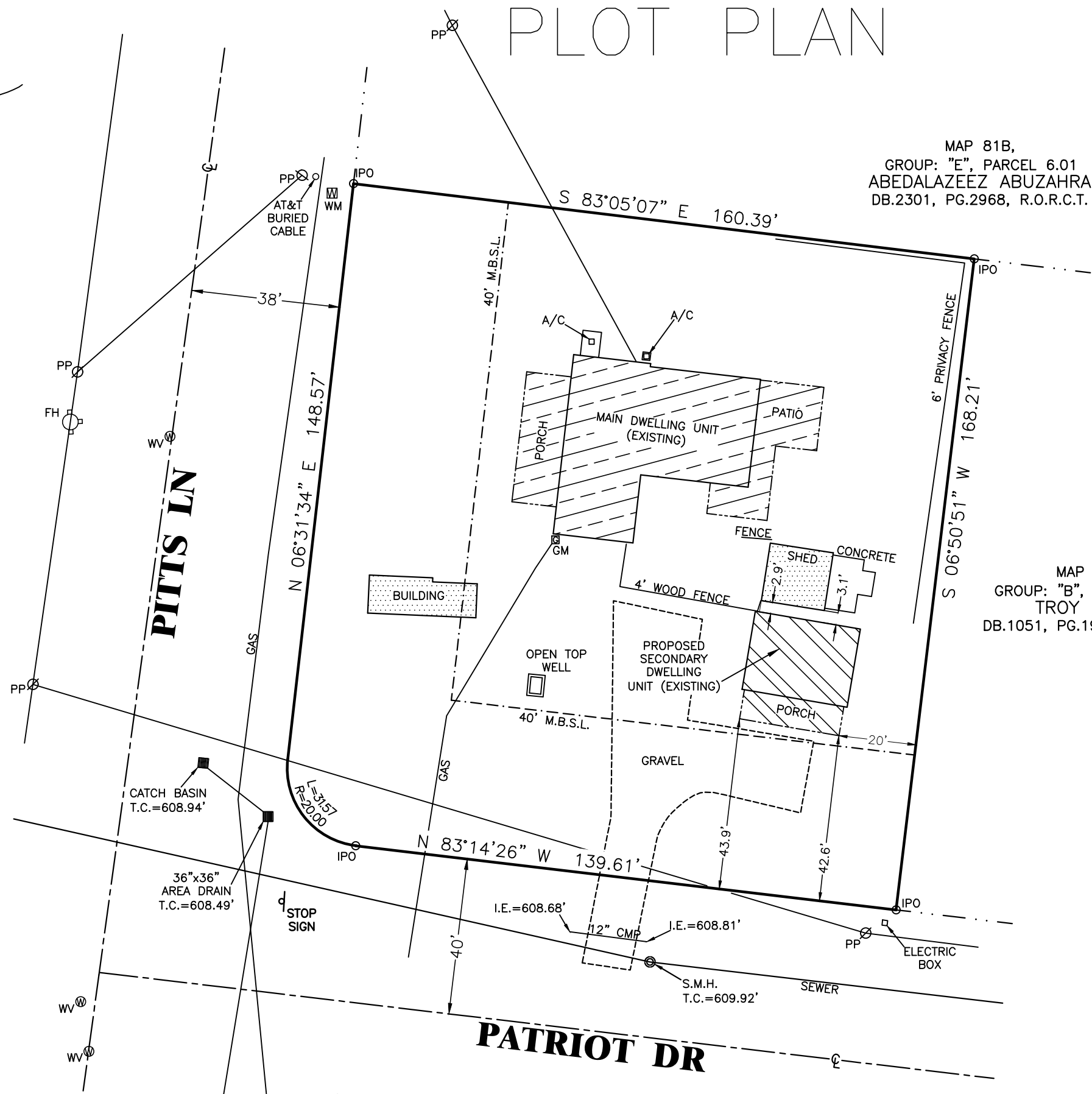
1012 Sparta Pike, Lebanon TN, 37087
Office Phone- 615-443-7796

DATE: APRIL 5, 2023 JOB # 23-0215-4672

PLOT PLAN

MAP 81B,
GROUP: "E", PARCEL 6.01
ABEDALAZEEZ ABUZHARA
DB.2301, PG.2968, R.O.R.C.T.

MAP 81B,
GROUP: "B", PARCEL 2.00
TROY PIPPIN
DB.1051, PG.1961, R.O.R.C.T.



Exterior Elevations

2103 Patriot Drive
Murfreesboro, TN 37130

No modifications are proposed for the exterior of the structure.



Front of Structure closest to Patriot Drive (South Side)



West Side



East Side



North Side



Board of Zoning Appeals Procedure Form

Request for Accessory Apartment

This form only pertains to *special use permit requests for the Board of Zoning Appeals*. The information contained in this document shall not be considered exhaustive and shall only serve to summarize the details of the special use permit request for the Board of Zoning Appeals and Planning Department staff. **Additional information may be requested during the review process as determined by the zoning administrator.**

Date: 3/14/23

Applicant name & title: Margaret Greeson

Planner name: Joel Aguilera

Application request: Remodel Existing Detached Structure

Purpose of request: Allow for use of structure for family member's occupancy

Section 8 – Procedure for Uses Requiring Special Use Permits

- a) Name, address, and telephone number of the *applicant*

Margaret Greeson
2103 Patriot Drive
Murfreesboro, TN 37130
(615) 496-7631

- b) Nature and extent of applicant's ownership interest in subject property

Sole Owner

- c) Site plan to be submitted for review by City Staff and Board of Zoning Appeals

- d) Address of the site of the proposed special use

2103 Patriot Drive
Murfreesboro, TN 37130

- e) Vicinity map showing the property of the proposed special use and all parcels within a five-hundred-foot radius



f) Zoning classification the property of the proposed special use

- RS-15

g) The property of the proposed special use shall have the following characteristics:

1) Hours and days of operation

Residence

2) Duration of the proposed special use

For duration of ownership

3) Number of expected patrons that will be expected to utilize the property of the proposed special use

The structure is intended for the use by the applicant's son who already lives on the property.

4) Projected traffic that will be expected to be generated by the proposed special use

The applicant does not anticipate any changes in traffic as the intended occupant already lives on the property.

h) Potentially harmful characteristics of the proposed special use for the zoning district in which it is proposed and the manner in which the applicant proposes to eliminate or minimize them

None presented.



Section 9 – Standards for Special Use Permits

Standards for General Applicability.

An applicant for a special use permit shall present evidence at the public hearing on such special permit. Please explain how you will comply with the following standards:

- 1) that the proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety, and general welfare;
 - The proposed accessory apartment conversion will not have a a substantial or undue adverse effect upon any adjacent properties as it will be for only one family member (who already lives on the property). Existing electric, water and sewer services will be used. The traffic conditions would remain the same and the proposed use would not affect the safety and general welfare of the neighborhood.

- 2) that the proposed building or use will be constructed, arranged, and operated so as to be compatible with the immediate vicinity and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations;
 - The proposed accessory apartment will be used in a manner that is compatible with the immediate vicinity and would not interfere with adjacent properties by maintaining the same character and design of the surrounding homes of the neighborhood. In addition, the structure is existing and no exterior modifications are proposed outside of painting and minor siding repairs.

- 3) that the proposed buildings or use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, drainage structures, refuse disposal, fire protection, water and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services;
 - The proposed accessory apartment will be served adequately by essential public facilities because the are currently existing and serve the property



- 4) that the proposed building or use will not result in the destruction, loss, or damage of any feature determined by the BZA to be of significant natural, scenic, or historic importance; and,
 - The proposed accessory apartment will not make any impact on natural, scenic, or historic features. In addition, the structure is existing and no exterior modifications are proposed outside of painting and repairs to the existing siding.
- 5) that the proposed building or use complies with all additional standards imposed on it by the particular provision of this section authorizing such use.
 - Additional standards are listed below

Standards for (a) Accessory Apartments

Please explain how you will comply with the following standards:

[1] only one accessory apartment shall be allowed upon a lot zoned for single family purposes;

- The applicant has confirmed that there are no other accessory apartments on the property.

[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;

- Owner intends to stay on property full time and use would ultimately be by current family member already living on property or for her father to age in place with family support.

[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;

- As depicted in the attached exhibits, the existing structure will be consistent with the neighborhood. No changes are proposed for the exterior of the structure outside of the painting and repair of siding



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;[

- This standard would not apply as the structure is detached

[5] the design and size of the accessory apartment shall conform to all applicable standards in the health, building, and other codes;

- The accessory apartment will be 453 square feet and if approved, the applicant is required to obtain all necessary building permits to make the requested modifications to the structure. The applicant has confirmed that the the design and construction will conform to all applicable health, building and other codes.

[6] the accessory apartment shall not exceed seven hundred square feet of floor area;

The current square footage is 453 square feet. Exterior Dimensions are 26.25 feet wide and 18 feet deep

[7] the BZA may condition approval upon the special use permit lapsing at such time as the ownership of the property is transferred; and,

- The applicant is willing to allow the rescinding of the current special use permit
- The applicant is willing to allow the placement of a deed restriction or covenant stating that the special use permit will lapse at such time the ownership of the property is transferred

[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.

- The applicant understands that the BZA may require additional standards to be met in order to ensure compatibility.

Date: _____

Applicant signature: _____



Board of Zoning Appeals Procedure Form

Request for Accessory Apartment

This form only pertains to *special use permit requests for the Board of Zoning Appeals*. The information contained in this document shall not be considered exhaustive and shall only serve to summarize the details of the special use permit request for the Board of Zoning Appeals and Planning Department staff. **Additional information may be requested during the review process as determined by the zoning administrator.**

Date: 3/14/23

Applicant name & title: Margaret Greeson Planner name: _____

Application request: Remodel Existing Detached Structure

Purpose of request: Allow for use of structure for family member's occupancy

Section 8 – Procedure for Uses Requiring Special Use Permits

- a) Name, address, and telephone number of the *applicant*
Margaret Greeson
2103 Patriot Drive
Murfreesboro, TN 37130
(615) 496-7631
- b) Nature and extent of applicant's ownership interest in subject property
Sole Owner
- c) Site plan to be submitted for review by City Staff and Board of Zoning Appeals
- d) Address of the site of the proposed special use
2103 Patriot Drive
Murfreesboro, TN 37130
- e) Vicinity map showing the property of the proposed special use and all parcels within a five-hundred-foot radius



f) Zoning classification the property of the proposed special use

g) The property of the proposed special use shall have the following characteristics:

1) Hours and days of operation

Residence

2) Duration of the proposed special use

For duration of ownership

3) Number of expected patrons that will be expected to utilize the property of the proposed special use

NA

4) Projected traffic that will be expected to be generated by the proposed special use

No more than existing

h) Potentially harmful characteristics of the proposed special use for the zoning district in which it is proposed and the manner in which the applicant proposes to eliminate or minimize them

None presented.

Section 9 – Standards for Special Use Permits

Standards for General Applicability.

An applicant for a special use permit shall present evidence at the public hearing on such special permit. Please explain how you will comply with the following standards:

1) that the proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety, and general welfare;

No Changes



-
-
- 2) that the proposed building or use will be constructed, arranged, and operated so as to be compatible with the immediate vicinity and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations;

Existing Structure - No new construction

- 3) that the proposed buildings or use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, drainage structures, refuse disposal, fire protection, water and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services;

No impact anticipated

- 4) that the proposed building or use will not result in the destruction, loss, or damage of any feature determined by the BZA to be of significant natural, scenic, or historic importance; and,

No impact anticipated

- 5) that the proposed building or use complies with all additional standards imposed on it by the particular provision of this section authorizing such use.

None known

Standards for (a) Accessory Apartments

Please explain how you will comply with the following standards:

[1] only one accessory apartment shall be allowed upon a lot zoned for single family purposes;



The structure in question is the only accessory
apartment on the property.

[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;

The owner intends to live on the property as her primary residence

She intends to use the detached dwelling unit for her son who already lives on the property.

[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;

No changes beyond painting the exterior of the building and repairing siding.

[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;

Not applicable. The structure in question is completely separate.

[5] the design and size of the accessory apartment shall conform to all applicable standards in the health, building, and other codes;

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 seven hundred square feet of floor area;




 The current square
changes to this.

 footage is 453 ft². There will be no

[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.

Date: 3/27/23

Applicant signature: 

City of Murfreesboro
BOARD OF ZONING APPEALS

**HEARING REQUEST
APPLICATION**

Location/Street Address: 2103 Patriot Drive Parcel ID: 081B-B-001.00-000

Tax Map: Group: Parcel: Zoning District: RS-15

Applicant: Margaret Greeson E-Mail: mgreeson2013@gmail.com

Address: 2103 Patriot Drive Phone:(615) 496-7631

City: Murfreesboro State: TN Zip: 37130

Property Owner: Margaret Greeson

Address: 2103 Patriot Drive Phone: (615) 496-7631

City: Murfreesboro State: TN Zip: 37130

Request: Modification of existing detached structure.

Zoning District: RS-15

Applicant Signature:  Date: 3/29/23

Received By: Receipt #:

Application #: Date:

**Murfreesboro
Board of
Zoning Appeals**



**T E N N E S S E E
HEARING APPLICATION
AND
GENERAL INFORMATION**

INTRODUCTION:

The Board of Zoning Appeals hears appeals of the requirements of the Zoning and Sign Ordinances, appeals from administrative decisions, and requests for Special Exception uses listed on Chart 1 of the Zoning Ordinance.

VARIANCES:

Required yard and height variances may be granted in accordance with Section 10 of the Zoning Ordinance in cases where the strict application of the ordinance imposes hardship or practical difficulty on the property owner due to the unusual character of the property, which makes compliance extraordinarily difficult or impossible. *Financial hardships will not be considered.*

Variances of the Sign Ordinance may be granted in cases where the strict application of the ordinance imposes hardship or practical difficulties as a result of unusual characteristics of the applicant's property, which make compliance extraordinarily difficult or impossible. *Financial hardships will not be considered.*

SPECIAL USE PERMITS:

Special use permits may be granted in accordance with Sections 8 and 9 of the Zoning Ordinance for uses specified in Chart 1 of the Zoning Ordinance.

APPEALS FROM ADMINISTRATIVE DECISIONS:

The Board of Zoning Appeals has authority to hear appeals from any order, requirement, decision, or determination by any department, office, or bureau responsible for the administration of the Zoning or Sign Ordinances.

APPLICATION PROCESS:

The owner or other party having contractual interest in the affected property must file an application with the Board's secretary no later than 3:00 PM on the submittal deadline date on the official BZA Calendar.

The applicant must submit the following:

1. A completed application (included on this brochure).
2. A \$350 application fee; or in the case of a special meeting, a \$450 application fee (checks to be made payable to the City of Murfreesboro).
3. Supporting materials which should include:

-- For special use permits, a site plan indicating the location of all existing and proposed structures, parking spaces, access points, fences, driveways, and property lines. Home occupation requests should include a statement of the proposed hours of operation, the volume of traffic anticipated, and the nature of the

business. Day-care centers should include a statement from the Department of Human Services that such center can be licensed by the State.

-- For yard variance requests, a site plan showing all existing and proposed structures, property lines, and the distance between structures and the property lines.

-- For appeals from administrative decisions, a statement indicating the order, requirement, decision, or determination being appealed and a statement setting forth the applicant's argument.

-- Additional information may be required at the discretion of the Board's Secretary.

MEETING TIME AND PLACE:

The Board of Zoning Appeals meets once a month at 1:00 PM in the Council Chambers located in the City Hall Building at 111 West Vine Street. See BZA Calendar for meeting dates.

MEMBERSHIP

Davis Young, Chairman	Julie R.P. King
Ken Halliburton, Vice-Chair	Tim Tippis
Misty For	

STAFF

Matthew Blomeley, Asst Planning Director
Teresa Stevens, Sign Administrator
David Ives, Assistant City Attorney
Brenda Davis, Recording Assistant



