

**CITY OF MURFREESBORO
BOARD OF ZONING APPEALS**

Regular Meeting, March 21, 2024, 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. Public Comments
4. Consideration of minutes for the regular meeting on February 28, 2024
5. New Business

Special Use Permit Request

- a. **Application Z-24-004 by Ms. Davina Ikponmwosa**, requesting a special use permit in order to operate a family daycare home in a Duplex Residential (RD) zone on property located at 2537 Summit Court. (Project Planner: Joel Aguilera)
6. Staff Reports and Other Business
7. Adjourn

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

February 28, 2024; 1:00 PM

Members Present:

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

Staff Present:

Ben Newman, Planning Director
Matthew Blomeley, Assistant Planning Director
Brad Barbee, Principal Planner
Richard Donovan, Principal 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. Public Comments:

None

4. Consideration of Minutes:

With there being no objection by any of the Board members, the minutes of the December 18, 2023 BZA meeting were approved as submitted.

MURFREESBORO BOARD OF ZONING APPEALS MINUTES

February 28, 2024

5. New Business:

a. Application [Z-24-002] by Mr. Lyle Lynch of Johnson & Bailey Architects, representing Murfreesboro City Schools, is requesting a special use permit in order to expand an existing institutional group assembly use (a public elementary school) in a Single-Family Residential (RS-15) zone on property located at 1807 Greenland Drive. A building addition of approximately 3,800 square-feet and several new canopies are proposed.

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

Mr. Lyle Lynch and Mr. Don Bartch were present to represent the application.

Chair Young opened the public hearing.

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

Mr. Tim Tipps recused himself from voting due to his wife being an employee of Murfreesboro City Schools.

Vice-Chair Ken Halliburton recused himself from voting due to the application being adjacent to the neighborhood he lives in.

Ms. Misty Foy moved to approve the special use permit subject to all recommended conditions listed in the staff report; the motion was seconded by Ms. Julie King and carried by the following vote:

Aye: Misty Foy
 Julie King
 Chair Davis Young

Nay: None

Abstain: Vice-Chair Ken Halliburton
 Tim Tipps

b. Application [Z-24-003] by Ms. Anna Maddox of Barge Civil Associates, representing Rutherford County Schools, is requesting a special use permit in order to expand an existing institutional group assembly use (a public high school) in a Single-Family Residential (RS-15) zone on property located at 2225 Patriot Drive. An approximately 3,800 square-foot agricultural building, as well as a fenced-in area for animal grazing, is proposed.

Mr. Matthew Blomeley 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.

MURFREESBORO BOARD OF ZONING APPEALS MINUTES

February 28, 2024

Ms. Anna Maddox and Mr. Dillon Potter were present to represent the application.

Chair Young inquired about the need of a special buffer between the fence and the neighboring properties to the south. Mr. Blomeley replied that no need has been identified.

Mr. Blomeley explained that this request is before the Board because it will be an expansion to this institutional use. If the application was not for this type of use, it would not have been required to come before the Board because customary general farming would be allowed by right on a tract that large.

Ms. King inquired about the neighboring properties. Mr. Blomeley responded that there are homes across the street on Patriot Drive.

Mr. Tipps inquired about the location of the building site. Mr. Blomeley replied that the building will be on the north end of the grazing area.

Mr. Tipps asked about the number of livestock kept at that location. Mr. Blomeley responded that they are limited based on the amount of area they will have for grazing.

Staff and the Board discussed putting limitations on the amount and types of livestock allowed to be kept on the property.

Mr. Potter spoke about the agriculture program for Rutherford County Schools.

Chair Young opened the public hearing.

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

Mr. Tim Tipps moved to approve the special use permit subject to all recommended conditions listed in the staff report with an additional condition prohibiting swine operations (For purposes of this condition, "swine operations" includes the keeping of swine on the premises for longer than one (1) day (overnight). "Swine operations" specifically excludes the holding of swine on the premises for no more than (1) day for the express purposes of education and livestock showing, provided that the swine are removed from the premises at the end of the day.); the motion was seconded by Vice-Chair Ken Halliburton and was carried by the following vote:

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

Nay: None

MURFREESBORO BOARD OF ZONING APPEALS MINUTES
February 28, 2024

6. Staff Reports and Other Business:

Mr. Blomeley introduced two new Planning Department staff members to the Board. Mr. Ben Newman is the Planning Director and Mr. Richard Donovan is a Principal Planner.

7. Adjourn:

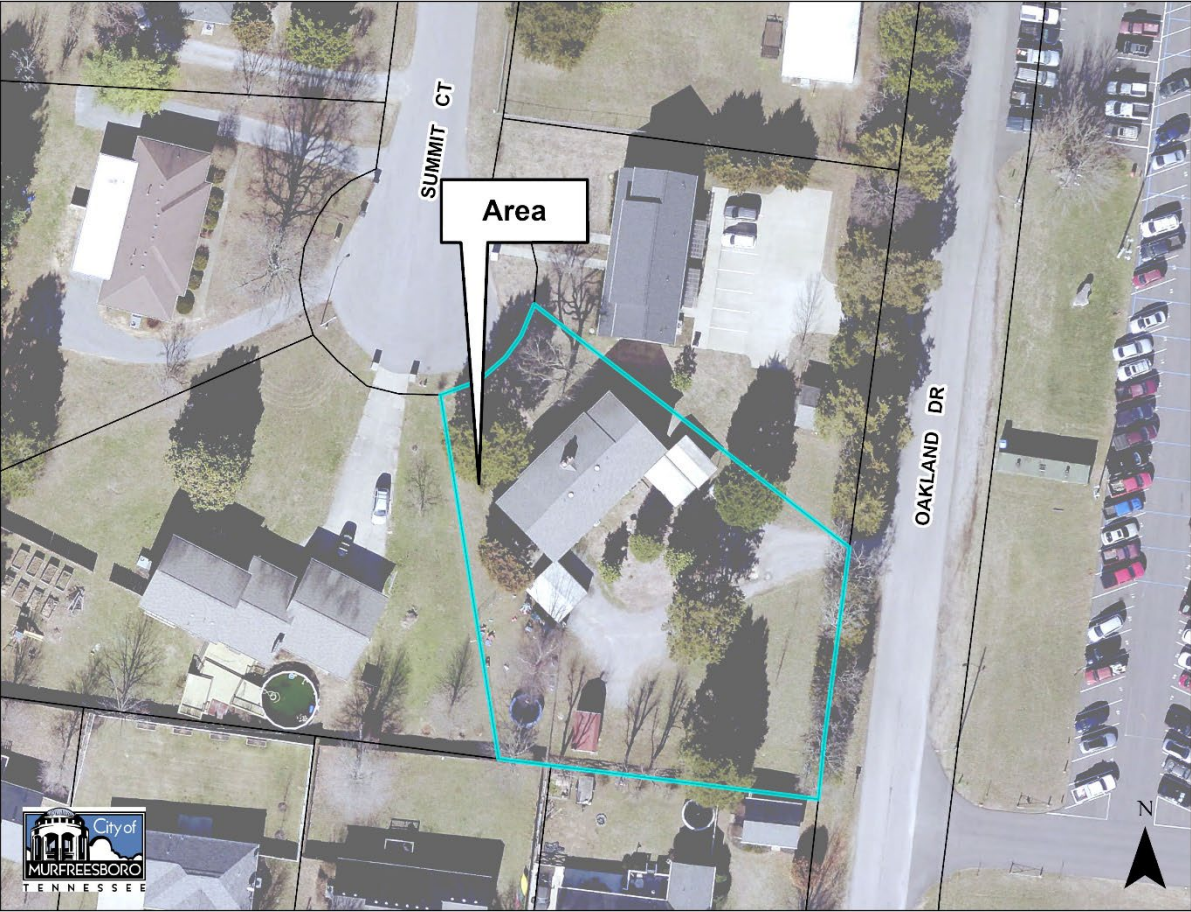
There being no further business, Chair Young adjourned the meeting at 1:30pm.

CHAIRMAN

SECRETARY

MURFREESBORO BOARD OF ZONING APPEALS
STAFF REPORT
MARCH 21, 2024
PROJECT PLANNER: JOEL AGUILERA

Application: Z-24-004
Location: 2537 Summit Court
Applicant: Davina Ikponmwosa
Zoning: RD (Residential Duplex)
Requests: A special use permit in order to operate a family daycare home



Overview of Request

Background

The applicant, Ms. Davina Ikponmwosa, is requesting a Special Use Permit (SUP) to operate a family daycare home within a duplex the applicant owns located at 2537 Summit Court. The applicant currently operates a babysitting service, which is permitted under the definition of “Family” but wishes to expand her business to be able to care for more children and hire part-time employees. Per the Murfreesboro Zoning Ordinance, the use “Family Daycare Home” is permitted as a special use in the Residential Duplex (RD) zone district and is required to go before the Board of Zoning Appeals for approval. Per the attached letter included in the agenda materials, the proposed family daycare home will only occupy the first floor of the dwelling unit at 2537 Summit Court. The other dwelling unit in the structure, addressed as 2539 Summit Court, will continue to be renter-occupied. No modifications are proposed for the dwelling unit at 2539 Summit Court with this special use request.

The property is zoned RD with no overlay district. The surrounding properties are zoned RS-15 (Residential – Single Family Detached) and RD to the north, RS-15 and RD to the west, RS-12 (Residential – Single Family Detached) to the south and RS-15 to the east. The uses are primarily two-family dwellings and single-family dwellings to the north, south, and west, with Oakland High School located to the east of the subject property.

Proposed use and operation

Per the applicant’s letter, the proposed family daycare home will utilize the first-floor space of the dwelling unit and an existing fenced-in area located along the western portion of the property for the children to use as an outdoor play area. The applicant intends to use the garage space as the primary classroom for the children and the kitchen for meal preparation. The remainder of the first floor will be utilized as an indoor recreation area for the children, with the bedroom on the first floor being used as a storage area for the daycare. The bathrooms on the first floor will also be utilized for the children and daycare employees. The applicant intends to employ two part-time workers that will alternate to help with the daycare only during the hours of operation. While the applicant will reside in the subject dwelling unit, neither of the other employees will live on the property or occupy either of the dwelling units. No new utility connections or improvements to existing services are proposed for this family daycare use.

The hours of operation of the family daycare home will be from 6:30am to 6:00pm, Monday through Friday. As stated in the letter, the maximum number of children proposed to be cared for with this use will be seven (7). The applicant anticipates 1 to 3 vehicles at a time in the mornings for drop-off and late afternoon for pick-up. Due to the different drop-off and pick-up times, the applicant does not anticipate any new traffic patterns or issues for the street or neighborhood, other than what exists today. To comply with the additional standards for family daycare homes, the applicant intends to construct a new paved driveway in the front yard off Summit Court. As depicted on the attached site plan, the driveway in the front yard will be constructed in a way to allow for 3 parking spaces and be wide enough for sufficient drop-off and pick-up. The applicant’s

engineer has also provided a car turning template to demonstrate how the driveway will be utilized. The rear entrance off Oakland Drive and the parking area behind the duplex, will only be used by the applicant and her two employees. Per the applicant's letter, the daycare will not interfere with the parking for the unit at 2539 Summit Court as it has two designated spots, under the existing carport, sufficient for the tenant and any potential guest, as well as utilize the existing gravel driveway for additional parking.

Relevant Zoning Ordinance Section

The following are relevant sections from the Murfreesboro Zoning Ordinance that apply to family day care homes:

Section 2, Interpretations and Definitions:

- *Family Day Care Home: A place providing, or designed to provide, care for less than twenty-four hours a day for more than four, but less than eight, children who are unrelated, by blood or adoption, to the person providing such care, which may be licensed by the Tennessee Department of Human Services.*

Chart 2 of the City of Murfreesboro Zoning Ordinance allows the "Family Daycare Home" use as a special use in the RD district. City of Murfreesboro Zoning Ordinance Section 9(D)(2)(bb) sets forth standards for day care center, family day care home, and group day care home uses in addition to the Standards of General Applicability in Section 9(C).

The applicable standards are listed below with information from staff on how the applicant intends to address them. After reviewing the criteria for family daycare home uses, this application 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:

- The proposed family daycare home is internal to the site and should have minimal impact to surrounding residential properties. The property is at the end of a cul-de-sac, in a neighborhood that is in close proximity to three school properties. The new driveway off of Summit Court will be constructed for the drop-off and pick-up of the children. The driveway will create 3 new parking spaces for the parents, while employees of the daycare will utilize the existing parking area in the back of the duplex. The applicant will not be making any changes to the exterior of the building. However, the applicant has committed to upgrading the existing chain link fence around the proposed outdoor play area to a wooden or vinyl fencing in order to mitigate potential negative impacts on surrounding residential properties. .

(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:

- The proposed family daycare home will not be making any changes to the exterior of the building; it will continue to look like a residential duplex. Additionally, the applicant will be constructing a new driveway in the front yard to accommodate drop-off and pick up. The applicant does not anticipate any new traffic patterns other than what exists today. Staff believes the use will only s previously mentioned, the applicant will be upgrading the existing chain link fence, to a wooden or vinyl fencing, to provide additional screening from the adjacent residential properties and privacy for the children of the family daycare.
- (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:**
- The property has existing services and access to public facilities. The proposed building will be served adequately by essential public facilities and does not require any new connections or improvements to existing 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 of significant natural, scenic, or historic importance:**
- Staff has reviewed the subject property and the site plan and found no features of significant natural, scenic, or historic importance. However, as depicted on the site plan, one tree will be removed for the new driveway off Summit Court.
- (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 Family Daycare Home use are listed below with staff analysis.

Additional Standards for Family Day Care Home Uses with Staff Analysis:

- 1.) An on-site off-street area shall be provided for vehicles to load and unload passengers;**
 - As mentioned previously, the applicant will be constructing a new driveway off Summit Court, to accommodate at least 3 parking spaces for parents to utilize for drop-off and pick-up.
- 2.) Facilities for vehicular access to and from the site of the day care home shall be arranged to permit vehicles to exit from the site without backing onto the street or sidewalk;**
 - As depicted on the site plan, the new proposed driveway will be constructed to ensure that vehicles can enter the subject property and exit without backing onto Summit Court. The applicant has provided sufficient space for vehicles to turn around in the front yard and exit without impacting the public right-of-way or adjacent residential properties. Additionally, staff worked to ensure that the new proposed driveway, off Summit Court, is compliant with the Murfreesboro Street Specifications.

- 3.) An application for a special use permit for a day care home shall be accompanied by a statement from the State of Tennessee, Department of Human Services, that such day care home can comply with all requirements of the State of Tennessee with respect to such use;**
- As a condition of approval, the applicant will obtain a statement from the State of Tennessee, Department of Human Services, that the family daycare home can comply with all the requirements of the State of Tennessee.
- 4.) Screening may be required along the lot lines of the site of the day care home to block such day care home from the view of the property classified in a residential zoning district and from the residential portion of an approved planned unit development;**
- As depicted on the site plan, there is an existing chain link fence on the property that will be used for outdoor recreational activities for the children. The applicant will be upgrading portions of the fence to be wood or vinyl privacy fencing to provide for screening of the outdoor play area for the adjacent residential properties, and to also ensure the daycare and children shall have privacy from adjacent properties.
- 5.) Required off-street parking shall be located on-site;**
- A new driveway will be constructed in the front yard off Summit Court to accommodate the drop-off and pick-up of children. The driveway has been designed to accommodate at least 3 parking spaces for parents to utilize for drop-off and pick-up. Additionally, the applicant has confirmed that parking will be made available in the rear area of the duplex for employees of the family daycare.

Staff Analysis and Recommendation:

Staff recommends approval of the Special Use Permit because, in staff's opinion, it meets the standards of general applicability and specific use standards for Family Daycare Homes, as noted above. If approved, staff recommends that approval of the special use permit be made subject to the following conditions.

Recommended Conditions of Approval:

1. This special use permit for a family daycare home will allow for the care of no more than 7 children.
2. The hours of operations shall be from 6:30am to 6:00pm Monday through Friday. The family daycare home business shall not operate beyond these hours during the week and shall be closed Saturday and Sunday.
3. The family daycare home shall have no more than two (2) employees employed with the family daycare home use, in addition to the owner Ms. Davina Ikponmwosa. Should the applicant wish to hire additional employees and or increase the number of children enrolled in the daycare, the applicant shall amend the special use permit and be subject to the general standards, as well as additional standards for the Group Daycare Home use.

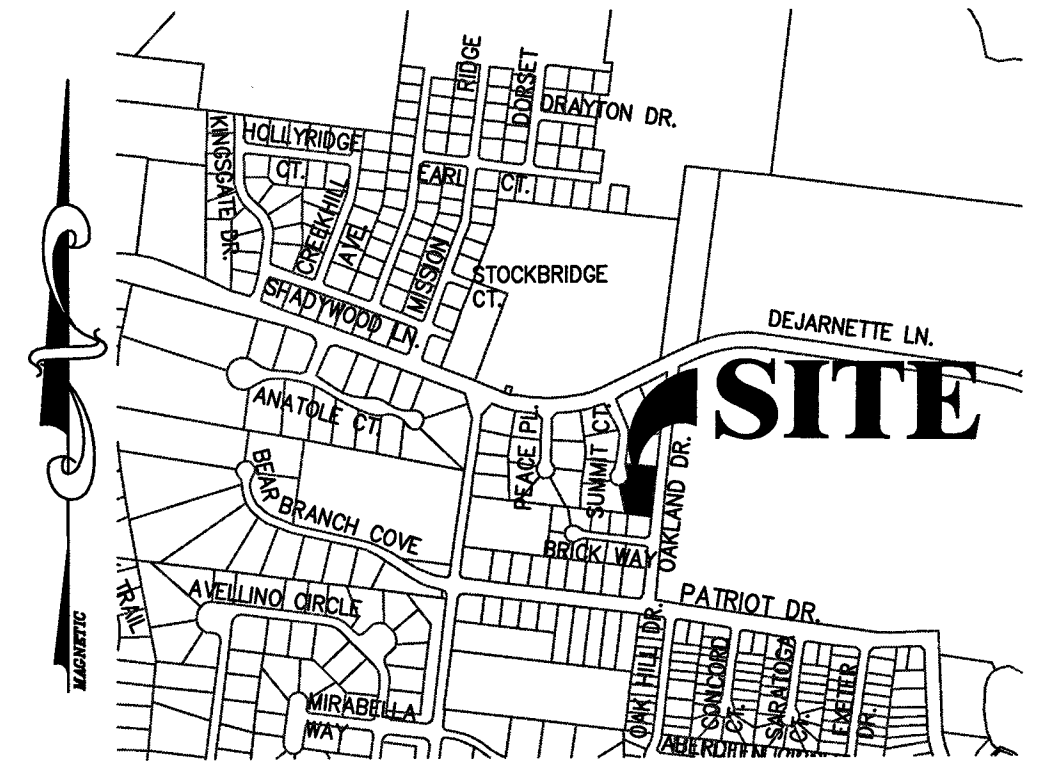
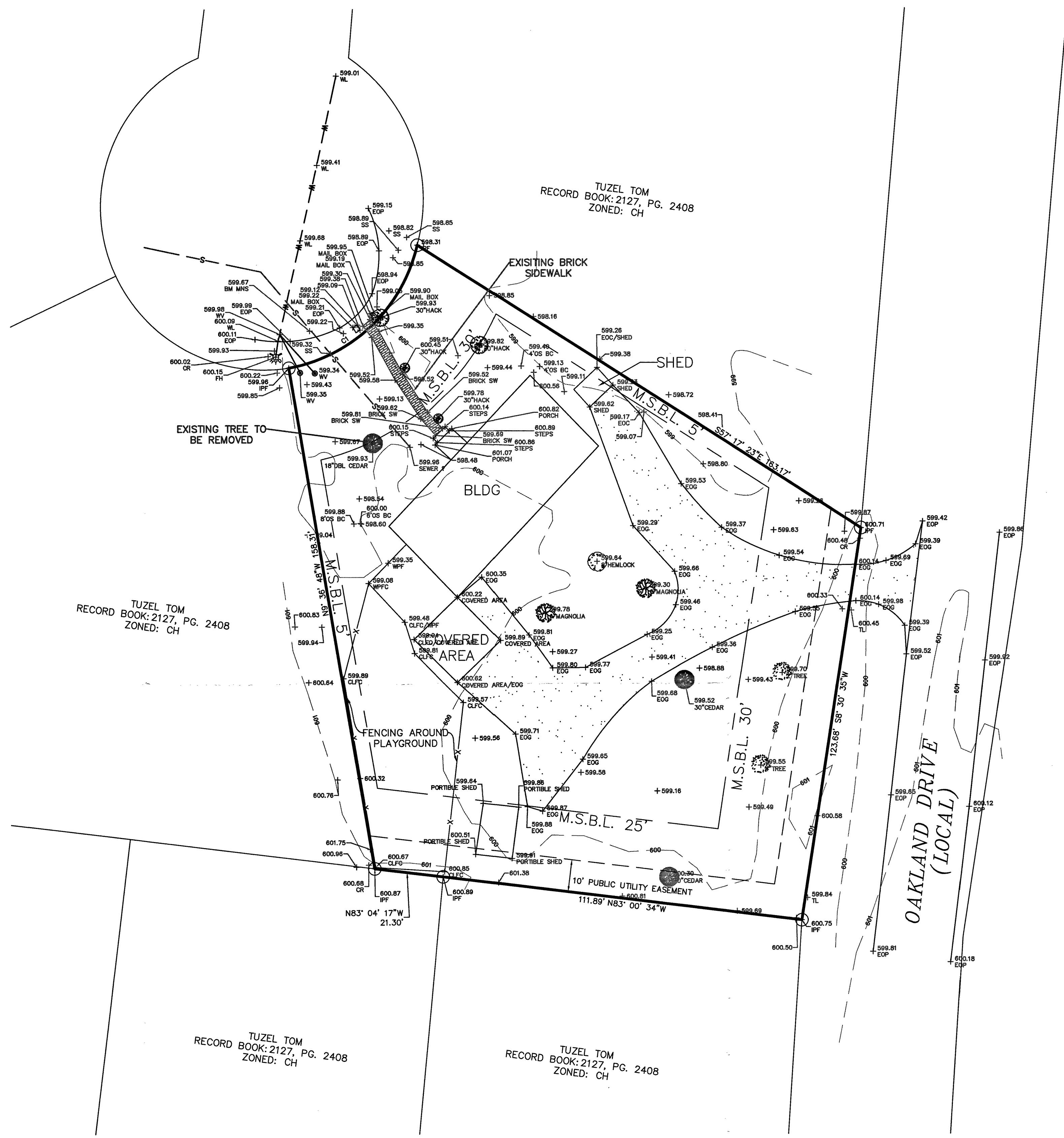
4. All child loading and unloading shall be done on the property, and no parking associated with this family daycare home use is permitted on the public right-of-way.
5. No tenants of the adjacent dwelling unit at 2539 Summit Court shall use or park on the proposed driveway off Summit Court. It shall be used only in conjunction with for the family daycare home business. In addition, said driveway shall be properly permitted with the City and shall be constructed and pass an inspection by the Planning Department prior to the family daycare home commencing operations.
6. Applicant shall construct a solid 6'-tall privacy fence made of wood or vinyl, to replace portions of the existing chain link fence around the proposed outdoor play area in the back yard. In addition, said fence shall be properly permitted with the City and shall be constructed and pass an inspection by the Planning Department prior to the family daycare home commencing operations.
7. Applicant shall provide a copy of the required statement from the Tennessee Department of Human Services (DHS) to the City of Murfreesboro, Planning Department. The DHS statement shall conform to the requirements listed in Section 9(D)(2)(bb)(3) of the Murfreesboro Zoning Ordinance.
8. Applicant shall contact the City of Murfreesboro Building and Codes Department to obtain the required building permits for any new construction and or remodeling and pass the necessary inspections.
9. The Special Use Permit shall lapse upon sale or transfer of the property, or, if the owner, Davina Ikponmwosa, ceases to reside at the unit at 2537 Summit Court.

Attached Exhibits

- A. Site plan
- B. Letter from applicant and floor plan
- C. Procedure form
- D. Application

LEGEND

- ⊗ Power Pole
- ⊗ Existing Fire Hydrant
- ⊗ Proposed Fire Hydrant
- ⊗ Reducer
- ⊗ Proposed Gate Valve & Box
- ⊗ Concrete Thrust Block
- W— Existing Water Line
- W— Proposed Water Line
- S— Existing Sanitary Sewer Line
- S— Proposed Sanitary Sewer Line
- Existing Manhole
- ⊗ Proposed Manhole
- CD Sewer Line Check Dam
- OO— Existing Contours
- OO— Proposed Contours
- 00.0 Existing Spot Elevations
- 00.0 Proposed Spot Elevations
- SF— Siltation Fence
(to be installed before grading and left in place until a good stand of grass is established over all disturbed areas)
- Turf Reinforcement Mat
- E— Existing Telephone & Electric Line
- UGE— Existing Underground Electric Line
- CMP— Corrugated Metal Pipe
- RCP— Reinforced Concrete Pipe



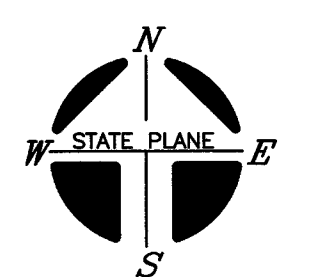
LOCATION MAP
N.T.S.

- NOTES:**
1. IN TENNESSEE, IT IS A REQUIREMENT PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE NOR MORE THAN TEN WORKING DAYS OF THEIR INTENT TO EXCAVATE. A LIST OF THESE UTILITIES MAY BE OBTAINED FROM THE COUNTY REGISTER OF DEEDS. THOSE UTILITIES THAT PARTICIPATE IN THE TENNESSEE ONE CALL SYSTEM CAN BE NOTIFIED BY CALLING TOLL FREE 1-800-351-1111.
 2. UNDERGROUND UTILITIES SHOWN WERE LOCATED USING AVAILABLE ABOVE-GROUND EVIDENCE, AND ALSO FROM INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES. THE EXISTENCE OR NON-EXISTENCE OF THE UTILITIES SHOWN AND ANY OTHER UTILITIES WHICH MAY BE PRESENT ON THIS SITE OR ADJACENT SITES SHOULD BE CONFIRMED WITH THE UTILITY OWNER PRIOR TO COMMENCING ANY WORK.

TUZEL TOM
RECORD BOOK: 2127, PG. 2408
ZONED: CH

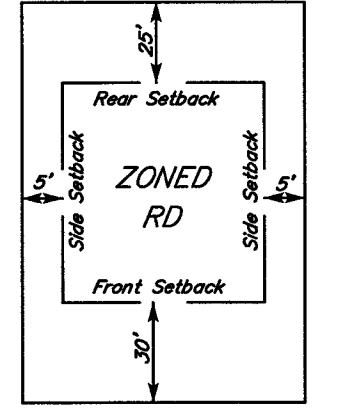
TUZEL TOM
RECORD BOOK: 2127, PG. 2408
ZONED: CH

TUZEL TOM
RECORD BOOK: 2127, PG. 2408
ZONED: CH



- LEGEND**
- IPF ○ IRON PIN SET (1/2" REBAR WITH STAMPED W-S ENGR)
 - IPF ○ IRON PIN FND.
 - CMF □ CONCRETE MONUMENT FOUND

ZONING: RD
FRONT SETBACK: 30'
SIDE SETBACK: 5'
REAR SETBACK: 25'



TYPICAL BUILDING SETBACK DETAIL
N.T.S.

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CHORD	BEARING
C1	66°49'57"	50.00'	56.32'	55.07'	N46°03'07"E

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

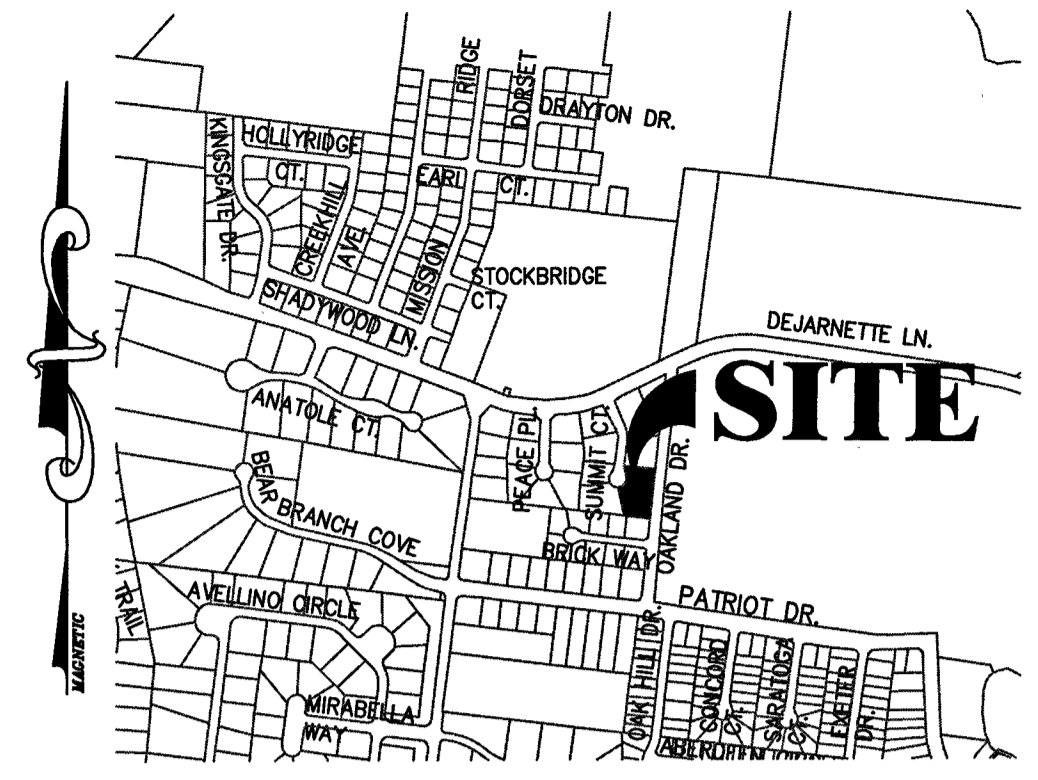
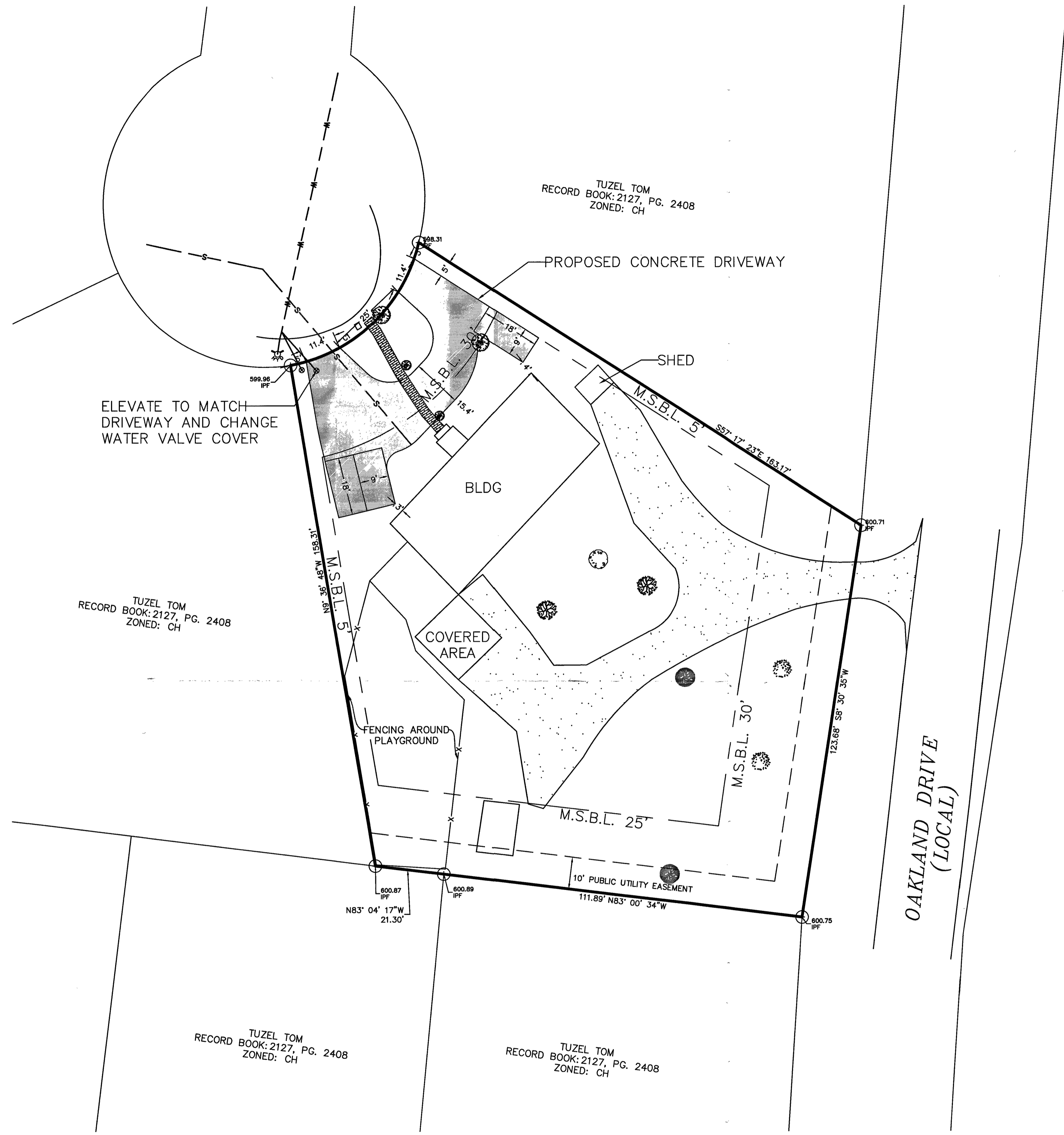
OWNER: IKPONMWO SA DAVINA G
PROPERTY ADDRESS: 2537-2539 SUMMIT CT
MURFREESBORO, TN 37130
TAX MAP: 081B, PARCEL: 016.00
RECORD BOOK: 1498, PAGE: 1906
MAP NUMBER: 47149C0163H
DATED: MAY 09, 2023 ZONE: X
NOTE: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AS SHOWN AND ANY OTHER EASEMENTS AND/OR RESTRICTIONS EITHER RECORDED OR BY PRESCRIPTION THAT A COMPLETE TITLE SEARCH MAY REVEAL.

W. H. HUDDLESTON-STEELE
ENGINEERING, INC.
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
TELEPHONE: (615)893-4084, FAX: (615)893-0080

EXISTING CONDITIONS
2537 SUMMIT CT.

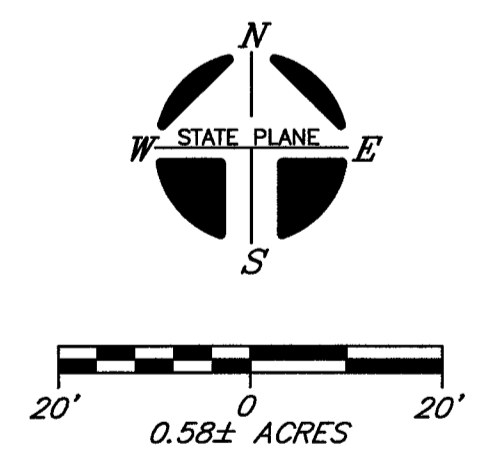
LEGEND

- ⊙ Power Pole
- ⊗ Existing Fire Hydrant
- ⊕ Proposed Fire Hydrant
- △ Reducer
- ⊙ Proposed Gate Valve & Box
- ⊕ Concrete Thrust Block
- W— Existing Water Line
- W— Proposed Water Line
- S— Existing Sanitary Sewer Line
- S— Proposed Sanitary Sewer Line
- Existing Manhole
- ⊙ Proposed Manhole
- CL— Sewer Line Check Dam
- 00— Existing Contours
- 00— Proposed Contours
- 00.0 Existing Spot Elevations
- 00.0 Proposed Spot Elevations
- SF— Siltation Fence
(to be installed before grading and left in place until a good stand of grass is established over all disturbed areas.)
- Turf Reinforcement Mat
- E— Existing Telephone & Electric Line
- UGE— Existing Underground Electric Line
- CMP— Corrugated Metal Pipe
- RCP— Reinforced Concrete Pipe



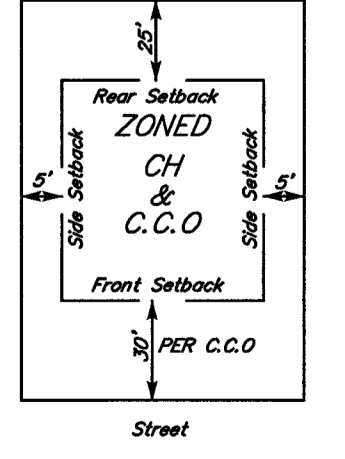
LOCATION MAP
N.T.S.

- NOTES:**
1. IN TENNESSEE, IT IS A REQUIREMENT PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE NOR MORE THAN TEN WORKING DAYS OF THEIR INTENT TO EXCAVATE. A LIST OF THESE UTILITIES MAY BE OBTAINED FROM THE COUNTY REGISTER OF DEEDS. THOSE UTILITIES THAT PARTICIPATE IN THE TENNESSEE ONE CALL SYSTEM CAN BE NOTIFIED BY CALLING TOLL FREE 1-800-351-1111.
 2. UNDERGROUND UTILITIES SHOWN WERE LOCATED USING AVAILABLE ABOVE-GROUND EVIDENCE, AND ALSO FROM INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES. THE EXISTENCE OR NON-EXISTENCE OF THE UTILITIES SHOWN AND ANY OTHER UTILITIES WHICH MAY BE PRESENT ON THIS SITE OR ADJACENT SITES SHOULD BE CONFIRMED WITH THE UTILITY OWNER PRIOR TO COMMENCING ANY WORK.



0.58± ACRES

ZONING: RD
FRONT SETBACK: 30'
SIDE SETBACK: 5'
REAR SETBACK: 25'



* IF ABUTTING RESIDENTIAL 0' IF OTHERWISE
TYPICAL BUILDING SETBACK DETAIL
N.T.S.

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CHORD	BEARING
C1	68°49'57"	50.00'	58.32'	55.07'	N46°03'07"E

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

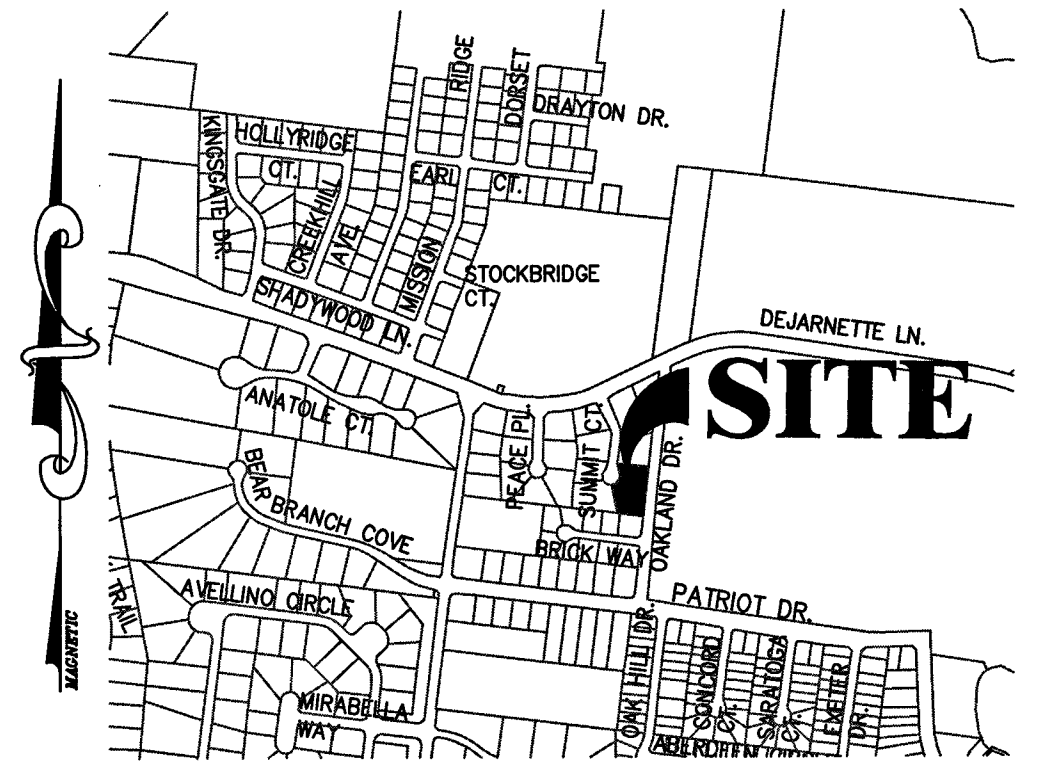
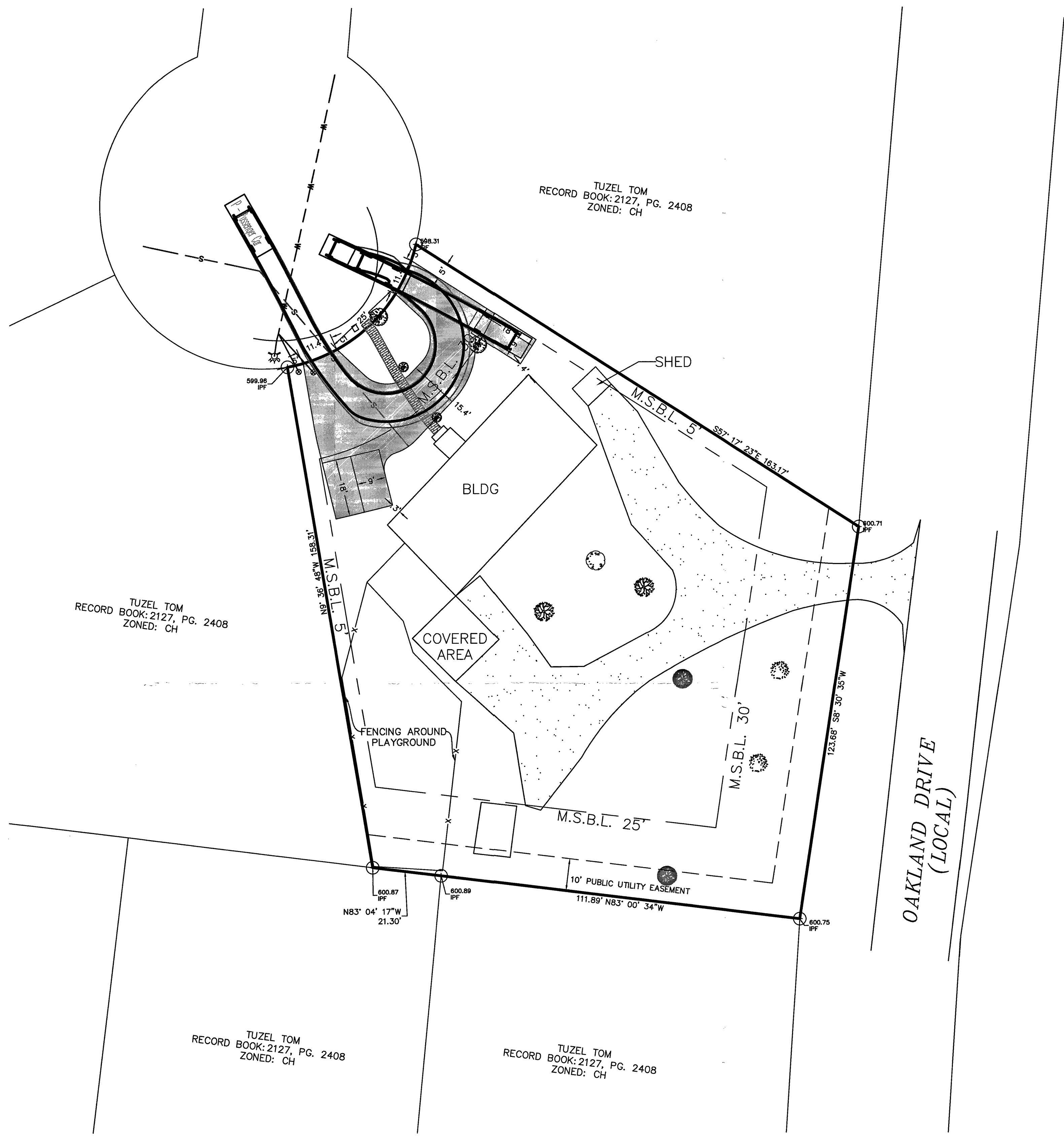
OWNER: IKPONMWOSA DAVINA G
PROPERTY ADDRESS: 2537-2539 SUMMIT CT
MURFREESBORO, TN 37130
TAX MAP: 081B, PARCEL: 016.00
RECORD BOOK: 149B, PAGE: 1906
MAP NUMBER: 47149C0163H
DATED: MAY 09, 2023 ZONE: X
NOTE: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AS SHOWN AND ANY OTHER EASEMENTS AND/OR RESTRICTIONS EITHER RECORDED OR BY PRESCRIPTION THAT A COMPLETE TITLE SEARCH MAY REVEAL.

W. H. HUDDLESTON-STEELE ENGINEERING, INC.
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
TELEPHONE: (615)893-4084, FAX: (615)893-0080

SITE PLAN
2537 SUMMIT CT.

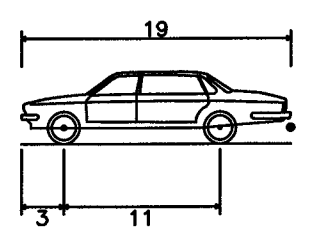
LEGEND

- ⊙ Power Pole
- ⊗ Existing Fire Hydrant
- ⊕ Proposed Fire Hydrant
- △ Reducer
- ⊙ Proposed Gate Valve & Box
- ▲ Concrete Thrust Block
- W— Existing Water Line
- W— Proposed Water Line
- S— Existing Sanitary Sewer Line
- S— Proposed Sanitary Sewer Line
- Existing Manhole
- ⊙ Proposed Manhole
- CD— Sewer Line Check Dam
- OO— Existing Contours
- OO— Proposed Contours
- 00.0 Existing Spot Elevations
- 00.0 Proposed Spot Elevations
- SF— Siltation Fence
(to be installed before grading and left in place until a good stand of grass is established over all disturbed areas.)
- Turf Reinforcement Mat
- E— Existing Telephone & Electric Line
- UGE— Existing Underground Electric Line
- CMP— Corrugated Metal Pipe
- RCP— Reinforced Concrete Pipe

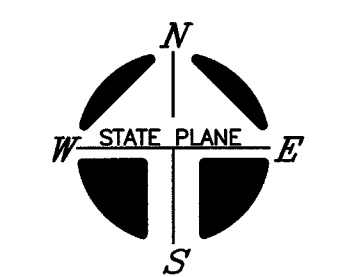


LOCATION MAP
N.T.S.

- NOTES:**
1. IN TENNESSEE, IT IS A REQUIREMENT PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE NOR MORE THAN TEN WORKING DAYS OF THEIR INTENT TO EXCAVATE. A LIST OF THESE UTILITIES MAY BE OBTAINED FROM THE COUNTY REGISTER OF DEEDS. THOSE UTILITIES THAT PARTICIPATE IN THE TENNESSEE ONE CALL SYSTEM CAN BE NOTIFIED BY CALLING TOLL FREE 1-800-351-1111.
 2. UNDERGROUND UTILITIES SHOWN WERE LOCATED USING AVAILABLE ABOVE-GROUND EVIDENCE, AND ALSO FROM INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES. THE EXISTENCE OR NON-EXISTENCE OF THE UTILITIES SHOWN AND ANY OTHER UTILITIES WHICH MAY BE PRESENT ON THIS SITE OR ADJACENT SITES SHOULD BE CONFIRMED WITH THE UTILITY OWNER PRIOR TO COMMENCING ANY WORK.

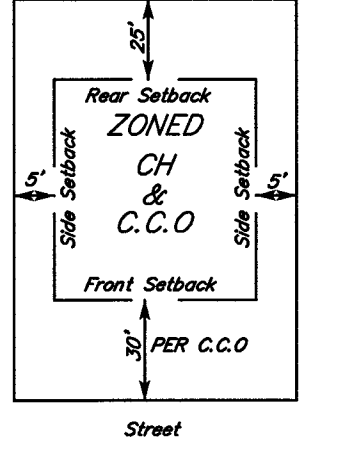


P - Passenger Car	19.000ft
Overall Length	7.000ft
Overall Width	5.101ft
Overall Body Height	1.116ft
Min Body Ground Clearance	6.000ft
Track Width	4.00s
Lock-to-lock time	24.000ft
Curb to Curb Turning Radius	



- LEGEND**
- IPS ○ IRON PIN SET (1/2" REBAR WITH STAMPED H-S ENGR)
 - IPF ○ IRON PIN FND.
 - CMF □ CONCRETE MONUMENT FOUND

ZONING: RD
FRONT SETBACK: 30'
SIDE SETBACK: 5'
REAR SETBACK: 25'



* IF ABUTTING RESIDENTIAL, 0' IF OTHERWISE

CURVE TABLE				
CURVE	DELTA	RADIUS	ARC CHORD	BEARING
C1	66°49'57"	50.00'	58.32'	55.07' N46°03'07"E

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

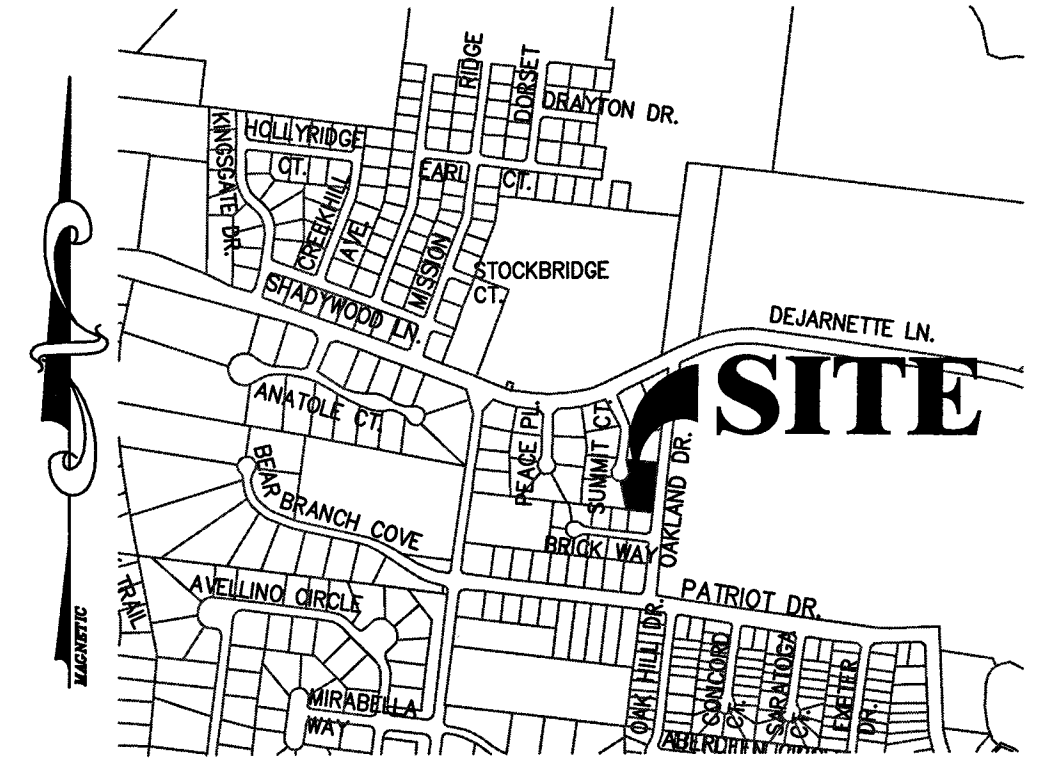
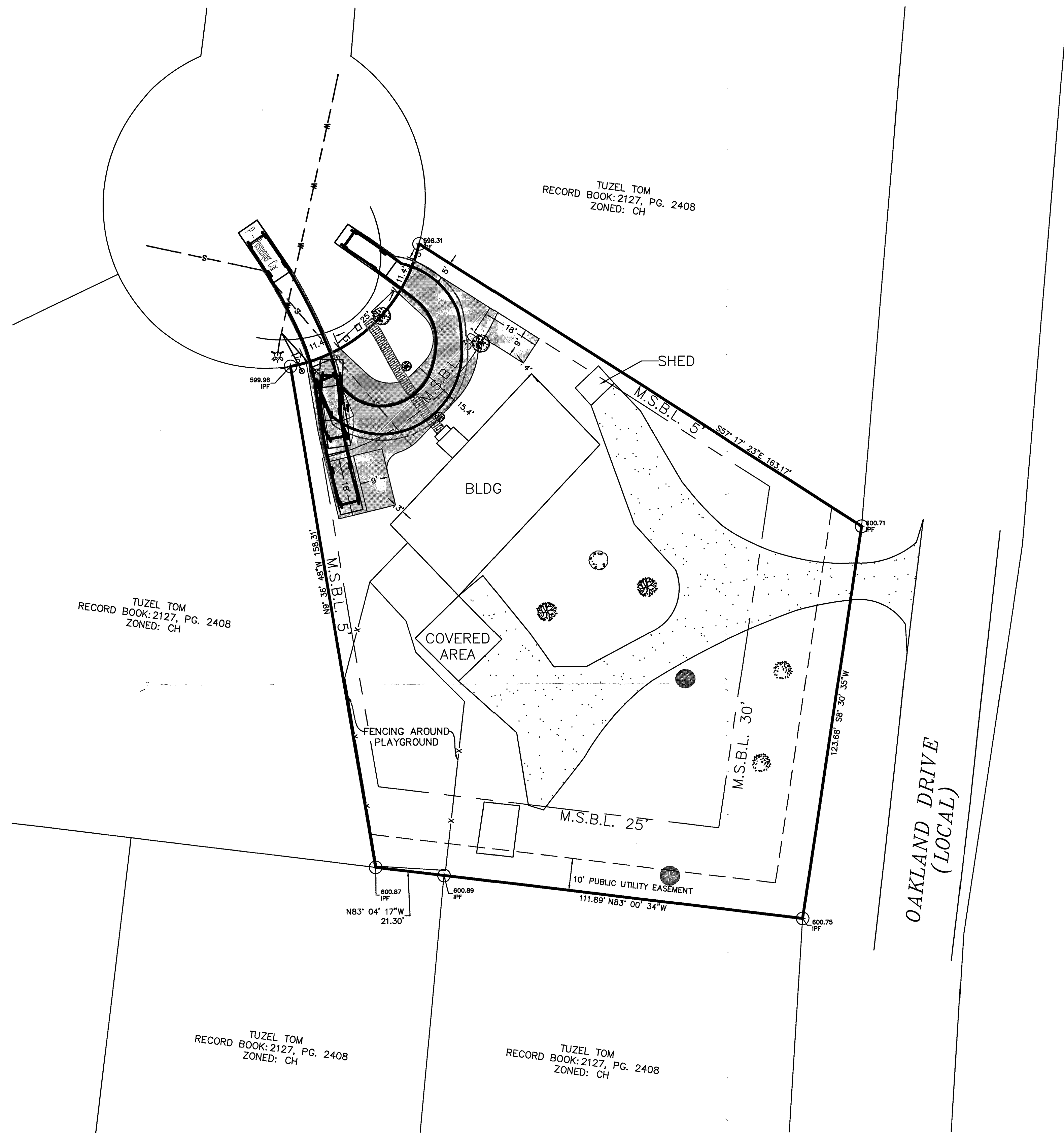
OWNER: IKPONMWOSA DAVINA G
PROPERTY ADDRESS: 2537-2539 SUMMIT CT
MURFREESBORO, TN 37130
TAX MAP: 081B, PARCEL: 016.00
RECORD BOOK: 1498, PAGE: 1906
MAP NUMBER: 47149C0163H
DATED: MAY 09, 2023 ZONE: X
NOTE: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AS SHOWN AND ANY OTHER EASEMENTS AND/OR RESTRICTIONS EITHER RECORDED OR BY PRESCRIPTION THAT A COMPLETE TITLE SEARCH MAY REVEAL.

W. H. HUDDLESTON-STEELE ENGINEERING INC.
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
TELEPHONE: (615)893-4084, FAX: (615)893-0080

CAR TEMPLATE
2537 SUMMIT CT.

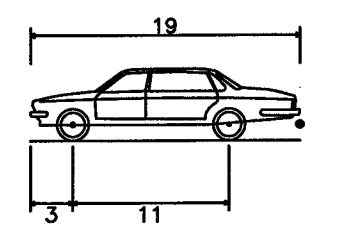
LEGEND

- ⊙ Power Pole
- ⊙ Existing Fire Hydrant
- ⊙ Proposed Fire Hydrant
- △ Reducer
- ⊙ Proposed Gate Valve & Box
- ▲ Concrete Thrust Block
- W— Existing Water Line
- W— Proposed Water Line
- S— Existing Sanitary Sewer Line
- S— Proposed Sanitary Sewer Line
- Existing Manhole
- ⊙ Proposed Manhole
- CL— Sewer Line Check Dam
- 00— Existing Contours
- 00— Proposed Contours
- 00.0 Existing Spot Elevations
- 00.0 Proposed Spot Elevations
- SF— Siltation Fence
(to be installed before grading and left in place until a good stand of grass is established over all disturbed areas.)
- Turf Reinforcement Mat
- E— Existing Telephone & Electric Line
- UGE— Existing Underground Electric Line
- CMP— Corrugated Metal Pipe
- RCP— Reinforced Concrete Pipe

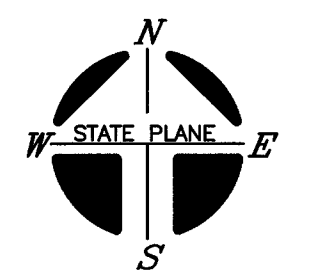


LOCATION MAP
N.T.S.

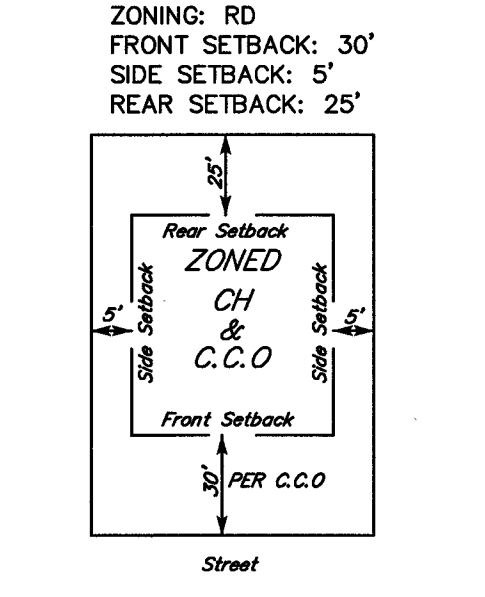
- NOTES:**
1. IN TENNESSEE, IT IS A REQUIREMENT PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE NOR MORE THAN TEN WORKING DAYS OF THEIR INTENT TO EXCAVATE. A LIST OF THESE UTILITIES MAY BE OBTAINED FROM THE COUNTY REGISTER OF DEEDS. THOSE UTILITIES THAT PARTICIPATE IN THE TENNESSEE ONE CALL SYSTEM CAN BE NOTIFIED BY CALLING TOLL FREE 1-800-351-1111.
 2. UNDERGROUND UTILITIES SHOWN WERE LOCATED USING AVAILABLE ABOVE-GROUND EVIDENCE, AND ALSO FROM INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES. THE EXISTENCE OR NON-EXISTENCE OF THE UTILITIES SHOWN AND ANY OTHER UTILITIES WHICH MAY BE PRESENT ON THIS SITE OR ADJACENT SITES SHOULD BE CONFIRMED WITH THE UTILITY OWNER PRIOR TO COMMENCING ANY WORK.



P - Passenger Car	19.000ft
Overall Length	7.000ft
Overall Width	5.101ft
Overall Body Height	1.116ft
Min Body Ground Clearance	6.000ft
Track Width	4.00s
Lock-to-lock time	24.000ft
Curb to Curb Turning Radius	



0.58± ACRES



TYPICAL BUILDING SETBACK DETAIL
N.T.S.

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CHORD	BEARING
C1	66°49'57"	50.00'	58.32'	55.07'	N46°03'07"E

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

OWNER: IKPONMWOSA DAVINA G
 PROPERTY ADDRESS: 2537-2539 SUMMIT CT
 MURFREESBORO, TN 37130
 TAX MAP: 081B, PARCEL: 016.00
 RECORD BOOK: 149B, PAGE: 1906
 MAP NUMBER: 47149C0163H
 DATED: MAY 09, 2023 ZONE: X
 NOTE: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AS SHOWN AND ANY OTHER EASEMENTS AND/OR RESTRICTIONS EITHER RECORDED OR BY PRESCRIPTION THAT A COMPLETE TITLE SEARCH MAY REVEAL.

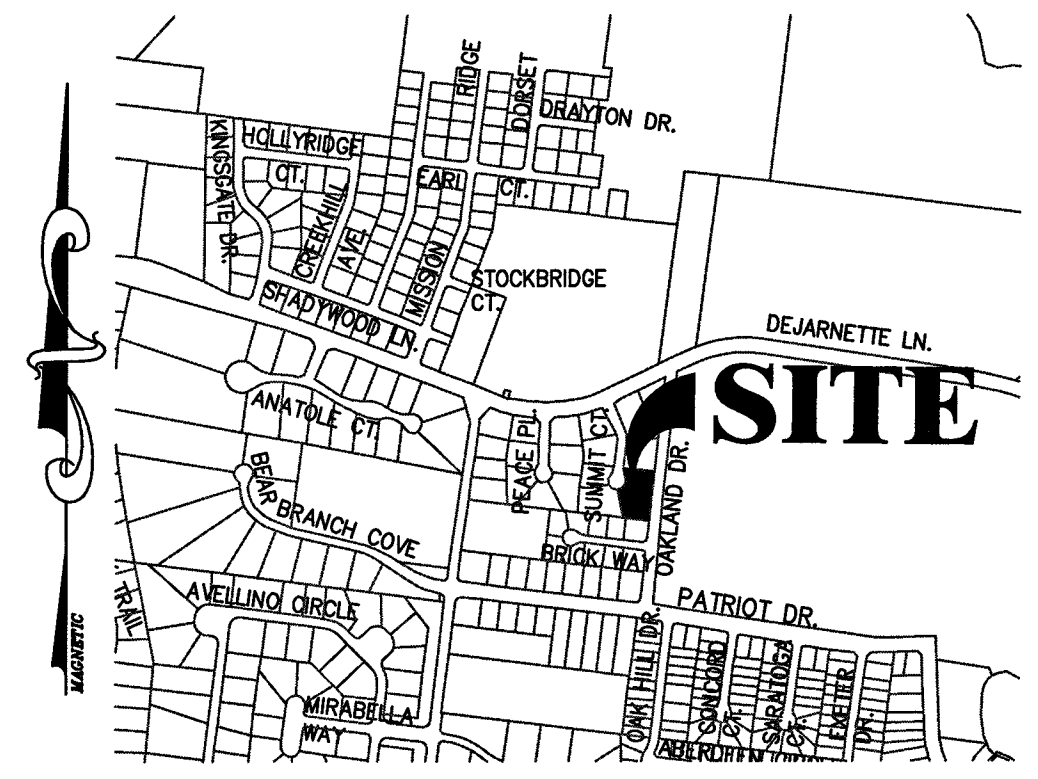
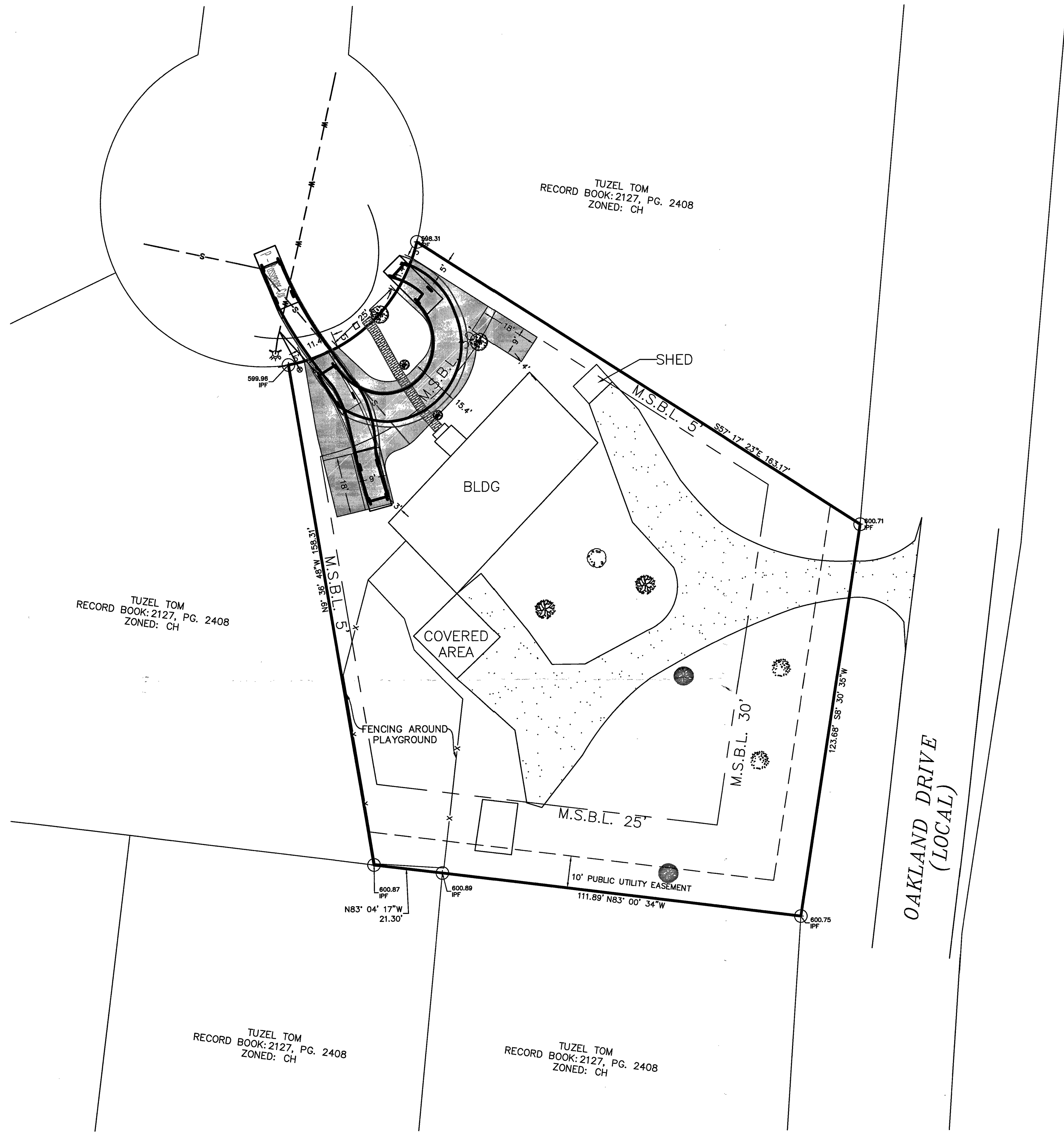
W. H. HUDDLESTON-STEELE
 ENGINEERING, INC.
 2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
 TELEPHONE: (615)893-4084, FAX: (615)893-0080

CAR TEMPLATE
2537 SUMMIT CT.

4th CIVIL DISTRICT - RUTHERFORD COUNTY - TN
 Date: MARCH, 2024 Scale: 1"=20' Sheet T2 of T3

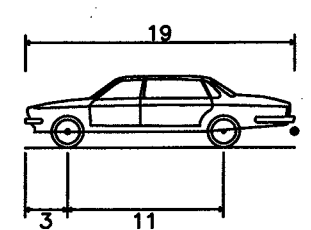
LEGEND

- ⊙ Power Pole
- ⊗ Existing Fire Hydrant
- ⊕ Proposed Fire Hydrant
- △ Reducer
- ⊕ Proposed Gate Valve & Box
- ⊕ Concrete Thrust Block
- W— Existing Water Line
- W— Proposed Water Line
- S— Existing Sanitary Sewer Line
- S— Proposed Sanitary Sewer Line
- Existing Manhole
- ⊕ Proposed Manhole
- CD Sewer Line Check Dam
- OO— Existing Contours
- OO— Proposed Contours
- 00.0 Existing Spot Elevations
- 00.0 Proposed Spot Elevations
- SF— Siltation Fence
(to be installed before grading and left in place until a good stand of grass is established over all disturbed areas.)
- Turf Reinforcement Mat
- E— Existing Telephone & Electric Line
- UGE— Existing Underground Electric Line
- CMP— Corrugated Metal Pipe
- RCP— Reinforced Concrete Pipe

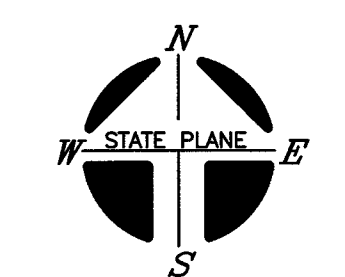


LOCATION MAP
N.T.S.

- NOTES:**
1. IN TENNESSEE, IT IS A REQUIREMENT PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE NOR MORE THAN TEN WORKING DAYS OF THEIR INTENT TO EXCAVATE. A LIST OF THESE UTILITIES MAY BE OBTAINED FROM THE COUNTY REGISTER OF DEEDS. THOSE UTILITIES THAT PARTICIPATE IN THE TENNESSEE ONE CALL SYSTEM CAN BE NOTIFIED BY CALLING TOLL FREE 1-800-351-1111.
 2. UNDERGROUND UTILITIES SHOWN WERE LOCATED USING AVAILABLE ABOVE-GROUND EVIDENCE, AND ALSO FROM INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES. THE EXISTENCE OR NON-EXISTENCE OF THE UTILITIES SHOWN AND ANY OTHER UTILITIES WHICH MAY BE PRESENT ON THIS SITE OR ADJACENT SITES SHOULD BE CONFIRMED WITH THE UTILITY OWNER PRIOR TO COMMENCING ANY WORK.

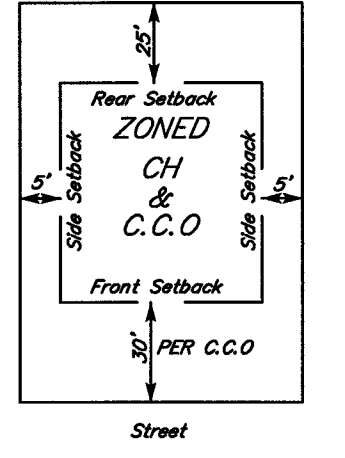


P - Passenger Car	19.000ft
Overall Length	7.000ft
Overall Width	5.101ft
Overall Body Height	1.116ft
Min Body Ground Clearance	6.000ft
Track Width	4.00s
Lock-to-lock time	24.000ft
Curb to Curb Turning Radius	



- LEGEND**
- IFS ○ IRON PIN SET (1/2" REBAR WITH STAMPED 14-S ENGR)
 - IPF ○ IRON PIN FND.
 - CMF □ CONCRETE MONUMENT FOUND

ZONING: RD
FRONT SETBACK: 30'
SIDE SETBACK: 5'
REAR SETBACK: 25'



* IF ABUTTING RESIDENTIAL, 0' IF OTHERWISE
TYPICAL BUILDING SETBACK DETAIL
N.T.S.

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CHORD	BEARING
CI	66°49'57"	50.00'	58.32'	55.07'	N46°03'07"E

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

OWNER: IKPONMWOSA DAVINA G
PROPERTY ADDRESS: 2537-2539 SUMMIT CT
MURFREESBORO, TN 37130
TAX MAP: 081B, PARCEL: 016.00
RECORD BOOK: 1498, PAGE: 1906
MAP NUMBER: 47149C0163H
DATED: MAY 09, 2023 ZONE: X
NOTE: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AS SHOWN AND ANY OTHER EASEMENTS AND/OR RESTRICTIONS EITHER RECORDED OR BY PRESCRIPTION THAT A COMPLETE TITLE SEARCH MAY REVEAL.

W. H. HUDDLESTON-STEELE ENGINEERING, INC.
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
TELEPHONE: (615)893-4084, FAX: (615)893-0080

CAR TEMPLATE
2537 SUMMIT CT.

Family Home Daycare

To Whom This May Concern,

My name is Davina Ikponmwosa, and I have been an educator for more than ten years at the collegiate level. I have a diploma in nursing, undergraduate degrees in chemistry and health information technology, and a master's degree in health information and informatics. And now, I want to share my wealth of knowledge with little people. I want to operate a family home daycare at 2537 Summit Court, Murfreesboro, TN 37130.

Operations of Business:

My home will be open from 6:30 am to 6:00 pm, Monday through Friday. I will employ two part-time workers that I will alternate to help assist me with the children during the weekly hours of operation. The maximum number of children that will be in my care is seven.

Purpose and Curriculum:

The purpose of the family home daycare is to provide and prepare children ages 2-5 with the necessary fundamental skills to enter preschool or kindergarten. The goal is to make all the children we teach proficient in language, literacy, math, and cognitive thinking. For our 2-year-olds, we focus on independence by making our toddlers autonomous, but we incorporate group play to provide structure. We help them begin learning through story time, singing, and identifying things like patterning and counting. With our 3-year-olds, we target building their critical thinking skills, memory and focus. Through hands-on learning, they will practice language, math, science, Spanish, and social skills. Last, with our four and 5-year-olds, our objectives are an enhanced focus on higher-level skills such as language and reading development, executive function, and social and emotional development. Our goal is to deepen their knowledge of language, math, science, Spanish, and social skills by building their cognitive skills through the practice of reading, simple addition, subtraction, and science predictions.

Improvement to Property:

Property Usage:

The family home daycare will only occupy the first floor of 2537 Summit Ct. The garage will be the primary classroom for the children. The kitchen will be utilized for meal preparation i.e., breakfast, lunch and snacks. The laundry room will be used to wash linens and children's clothes. The half bathroom will be the main bathroom as it well positioned between the main classroom (garage space) and recreation/play area (living room). The living room will we repurposed into a recreation area for the children for the use of activities, inclement weather and for after hour pickup. The first-floor bedroom will be used as storage area for the daycare and the full bathroom will be used as an alternate bathroom when the main bathroom is in use. Currently, 2539 Summit Ct is slated to be leased and occupied by August 2024 by one tenant and is a separate entity and will have no affiliation with 2537 Summit Ct.

Garage Space:

The garage space will be converted into a preschool classroom suitable for seven children. Please see the pictures of the space; furniture has yet to be moved in to occupy the space. Currently, a designated fenced play area beside the garage offers more than enough space for seven children to roam freely. The Family Home Daycare 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 sewer. The City of

Murfreesboro already provides all items except parking, which will be addressed below. I will not build any additional buildings.

Parking Accommodations:

2537 Summit Court is currently positioned on a cul-de-sac. I intend to build a half circle driveway that will accommodate four vehicles at any given time; however, we only anticipate 1 to 3 vehicles at a time in the mornings and the late afternoon. The half circle driveway will be used for traffic flow on and off the property so that there will be no vehicles parking on the roadway or backing out onto the road. Due to parents having different drop-off/pick-up times, we do not anticipate any traffic issues for the street or neighborhood. Our parents' work schedules fluctuate, and they will never all arrive at once. So, the four spaces allotted will adequately provide parking for our Family Day Care Home. The half circular driveway in the front yard will be used for the patrons to pickup children. The back entrance has a two-car covered carport and a single uncovered graveled parking spot for staff. There will only be two employees on the premises at any given time. The only time all three staff members will be on the premises at the same time will be during shift change or a staff meeting, but sufficient parking is available. The daycare center will not interfere with parking at 2539 Summit Ct., given that the unit has two designated parking spots allocated and the unit will only be occupied by a single tenant. There is ample parking for the tenant and a guest.





Board of Zoning Appeals Procedure Form

Request for Home Occupation

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: 2/2/2024

Applicant name & title: Ms. Davina Ikponmwosa Planner name: Joel Aguilera

Application request: Seeking a special use permit of a family home daycare.

Purpose of request: I would like to open a family home daycare.

Section 8 – Procedure for Uses Requiring Special Use Permits

- a) Name, address, and telephone number of the *applicant*
Davina Ikponmwosa, 2537 Summit Court Murfreesboro TN 37130, 615-556-0844
- b) Nature and extent of applicant's ownership interest in subject property
I am the owner of the property and will be owner and operator of the family home daycare.
- c) Site plan to be submitted for review by City Staff and Board of Zoning Appeals
An unscaled sketch has been drafted to display future plans, but I will be working with a civil engineer for a formal final draft of the site plan.
- d) Address of the site of the proposed special use
2537 Summit Court, Murfreesboro, TN 37130
- e) Vicinity map showing the property of the proposed special use and all parcels within a five-hundred-foot radius

Please look see vicinity map that has been attached.
- f) Zoning classification the property of the proposed special use
RD (residential duplex).



- g) The property of the proposed T E N N E S S E E special use shall have the following characteristics:
- 1) Hours and days of operation
6:30am – 6:00pm

 - 2) Duration of the proposed special use
Indefinitely
 - 3) Number of expected patrons that will be expected to utilize the property of the proposed special use
7 children

 - 4) Projected traffic that will be expected to be generated by the proposed special use
Project traffic will be 1 to 3 vehicles at a time not to exceed 15 mins for pick-up and drop-off.
- 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
The property was newly renovated in November of 2020 so currently there are no potential harmful characteristics that exist that I am aware of.

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;

There will be no changes to the physical structure of the home, only the use of the existing space will be occupied. The property is located between three schools since I plan to follow similar schedules as the Murfreesboro school system there should not be any adverse effects to the neighborhood. 2537 Summit Court is currently positioned on a cul-de-sac with little through traffic. I intend to build a half circle driveway that will accommodate four vehicles at any given time; however, we only anticipate 1 to 3



vehicles at a time in the mornings and the late afternoon. The half circle driveway will be used for traffic flow on and off the property so that there will be no vehicles parking on the roadway or backing out onto the road. Due to parents having different drop-off/pick-up times, we do not anticipate any traffic issues for the street or neighborhood. Our parents' work schedules fluctuate, and they will never all arrive at once. So, the four spaces allotted will adequately provide parking for our Family Day Care Home.

- 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;

There will be no changes to the physical structure of the home, only the use of the existing space will be occupied. The property is located between three schools since I plan to follow similar schedules as the Murfreesboro school system there should not be any adverse effects to the neighborhood. This is in an effort to be compatible with immediate vicinity and in accordance with district regulations.

- 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 Family Home Daycare 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 sewer. The City of Murfreesboro already provides all items except parking, which will be addressed below. I will not build any additional buildings.

- 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,

Currently, 2537 Summit Court has not been designated as a significant natural, scenic or historical cite. Also, there will be no changes to the physical structure of the home, only the use of the existing space will be occupied. Last, the half circle driveway will be used to improve traffic flow on and off the property so that there will be no vehicles parking on the roadway or backing out onto the road which will not result destruction, loss, or damage of any feature.



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

To my knowledge the proposed building or use complies with all additional standards imposed on it by the particular provision of this section authorizing such use.

Standards for (bb) Day care centers, family day care homes, and group day care homes

Please explain how you will comply with the following standards:

[1] an on-site off-street area shall be provided for vehicles to load and unload passengers;

2537 Summit Court is currently positioned on a cul-de-sac with little through traffic. I intend to build a half circle driveway that will accommodate four vehicles at any given time; however, we only anticipate 1 to 3 vehicles at a time in the mornings and the late afternoon. The half circle driveway will be used for traffic flow on and off the property so that there will be no vehicles parking on the roadway or backing out onto the road. Due to parents having different drop-off/pick-up times, we do not anticipate any traffic issues for the street or neighborhood. Our parents' work schedules fluctuate, and they will never all arrive at once. So, the four spaces allotted will adequately provide parking for our family day care home.

[2] facilities for vehicular access to and from the site of the day care home shall be arranged to permit vehicles to exit from the site without backing onto any street or sidewalk;

Yes, the facility for vehicular access to and from the site of the day care home shall be arranged to permit vehicles to exit from the site without backing onto any street or sidewalk.

[3] an application for a special permit for a day care home shall be accompanied by a statement from the State of Tennessee, Department of Human Services, that such day care home can comply with all requirements of the State of Tennessee with respect to such use;

I am currently working to satisfy all requirements issued by Tennessee Department of Human Services to comply with all policies and procedure for such day care home.



[4] Screening may be required along the lot lines of the site of the day care home to block such day care home from the view of property classified in a residential zoning district and from the residential portion of an approved planned unit development;

I do understand that screening may be required along the lot lines of the site of the day care home to block such day care home from the view of property classified in a residential zoning district and from the residential portion of an approved planned unit development.

[5] required off-street parking shall be located on-site;

I understand park requirements and will comply with the required off-street parking shall be located on-site.

Date: 2/2/2024

Applicant signature: *Daven Jpp*

City of Murfreesboro
BOARD OF ZONING APPEALS

HEARING REQUEST
APPLICATION

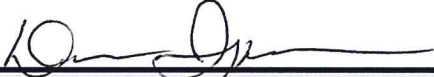
Location/Street Address: 2537 Summit Court
Tax Map: 081 Group: B Parcel: A²⁰¹⁶⁰⁰ Zoning District: RD

Applicant: Davina Ikpenmwosa E-Mail: dgi1128@yahoo.com
Address: 2537 Summit Court Phone: 615-556-0844
City: Murfreesboro State: TN Zip: 37130

Property Owner: Davina Ikpenmwosa
Address: 2537 Summit Court Phone: 615-556-0844
City: Murfreesboro State: TN Zip: 37130

Request: Create a half-circle driveway

Zoning District: RD

Applicant Signature:  Date: 3/4/2024

Received By: AF Receipt #: 530194
Application #: Z-24-004 Date: 3/5/24

Murfreesboro
Board of
Zoning Appeals



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